

The Faith-Based Initiatives Debate:  
An Examination of The New York Times and The Washington Times  
Mythologies

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## Table of Contents

Introduction .....	1
I. What is the Office of Faith-Based and Community Initiatives? .....	4
II. The Origin of Faith-Based Legislation: The legislative odyssey of faith and politics .....	7
III. Mythology: How high is the church and state wall? .....	19
IV. Background .....	22
V. <u>The Washington Times</u> and its story of faith .....	29
VI. <u>The New York Times</u> and its story of faith .....	47
VII. Analysis of Other Arguments .....	70
VIII. How effective are FBI's to determine public policy? .....	76
IX. Conclusions for the future .....	84
Appendix .....	92
Works Cited .....	97

## **INTRODUCTION**

The Office of Faith-Based and Community Initiatives is a Federal Office dedicated to uniting politics and religion as public policy. I chose to study this legislation and office for two reasons. First, I am a Politics and Religion double major and I am interested in the what, when, where, and how of these two disciplines, specifically when they act together in society. Secondly, in the summer of 2004, in my hometown of Kalispell, Montana, I drove past the “Little Ninja: A Christian Child Drop-Off Center.” This childcare center’s business name made me seriously question the role of government and religion in society today and thus prompted my study of the Office of Faith-Based and Community Initiatives.<sup>1</sup> The childcare center’s juxtaposed business names alone highlighted the debates between conservative and liberals on the issue of federally funded religious social work. The childcare center’s name is ironic and does not specify what particular type of service or values are offered.

The “Little Ninja: A Christian Child Drop-Off Center” could qualify for federal dollars if their center applied to the Office of Faith-Based and Community Initiatives. On the Office of Faith-Based and Community Initiatives website, there are several resources for the “Little Ninja: A Christian Child Drop-Off Center” to

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<sup>1</sup> This thesis will refer to Faith-Based Initiatives, a component of this particular Federal Government Office.

use to apply and receive federal funds.<sup>2</sup> The White House Office of Faith-Based and Community Initiatives website offers technical assistance, funds, and guidelines for religious social service providers. For the interests of “Little Ninja,” this particular White House website offers professional guidance, conferences, and a comprehensive grant catalogue for potential applicants. “Little Ninja” could apply for one of sixteen available grants from the “Childcare and Development Fund” by following the guidelines from the United States Department of Health and Human Services tip-sheet, “What Congregations Should Know About Federal Funding for Child Care.”<sup>3</sup> The “Childcare and Development Fund” would allow the “Little Ninja” center to receive federal funds if they provided childcare for welfare-to-work families. In rural Montana, this center may be a family’s only option for childcare blurring the line of how the United States Government is addressing America’s social ills in respect to church and state relations.

The Faith-Based office arose as one possible response to the chronic social dilemmas facing America. Author Michael Novak raised the basic question surrounding the debate of Faith-Based Initiatives: “[W]hat is the proper role of government at all levels—federal, state, and local—in dealing with social ills and

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<sup>2</sup> The White House Office of Faith-Based and Community Initiatives, “White House Office of Faith-Based and Community Initiatives,” <<http://www.whitehouse.gov/government/fbci/>>

<sup>3</sup> The United States Department of Health and Human Services Child Care Bureau, “What Congregations Should Know About Federal Funding for Child Care,” <<http://www.acf.dhhs.gov/programs/ccb/providers/faithbased.htm#3>> <<http://www.whitehouse.gov/government/fbci/GrantCatalog2004.pdf>>

shaping behavior?”<sup>4</sup> The various debates concerning the causes of poverty and the poor themselves resulted in Charitable Choice legislation, which allows religious organizations to apply for federal funding for social programs that address our nations’ ills, with initiatives ranging from soup kitchens, various rehabilitation programs to childcare centers.

The following study includes a history of the legislation as a prelude to an analysis of the role the media played debating the issues of religion, government, and politics that the Office of Faith-Based and Community Initiatives and its legislation presented to politicians, religious leaders, social workers, and the American people in general. Print media, specifically The New York Times and The Washington Times, was the focus of this study. I researched Washington Times articles from 2001-2002 and The New York Times from 2000-2003. There were more articles by The New York Times staff on the issue of Faith-Based Initiatives than The Washington Times, and the majority of debate for both newspapers occurred in these time periods.

In order to understand the debates in the media about faith-based initiatives, an understanding of the policy process that created this legislation needs to be examined.

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<sup>4</sup> Quoted from Lewis D. Solomon, In God We Trust? (Lanham: Lexington Books 2003),16.

## **WHAT IS THE OFFICE OF FAITH-BASED AND COMMUNITY INITIATIVES?**

The indispensable and transforming work of faith-based and other charitable service groups must be encouraged. Government cannot be replaced by charities, but it can and should welcome them as partners. We must heed the growing consensus across America that successful government social programs work in fruitful partnership with community-serving and faith-based organizations.

-President Bush

One of President George W. Bush's first official Presidential acts was to establish the White House Office of Faith-Based and Community Initiatives. On January 29, 2001, Executive Order 13198 established the White House Faith-Based Office and President Bush's keystone domestic public policy. President Bush's first Faith-Based Executive Order outlined public policy that interpreted American history and a church and state relationship as a solution for addressing social problems. The first section of Executive Order 13198 reads:

Section 1. Policy. Faith-based and other community organizations are indispensable in meeting the needs of poor Americans and distressed neighborhoods. Government cannot be replaced by such organizations, but it can and should welcome them as partners. The paramount goal is compassionate results, and private and charitable community groups, including religious ones, should have the fullest opportunity permitted by law to compete on a level playing field, so long as they achieve valid public purposes, such as curbing crime, conquering addiction, strengthening families and neighborhoods, and overcoming poverty. This delivery of social services must be results oriented and should value the bedrock principles of pluralism, nondiscrimination, evenhandedness, and neutrality.<sup>5</sup>

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<sup>5</sup> The White House Office of Faith-Based and Community Initiatives, <<http://www.whitehouse.gov/news/releases/2001/01/20010129-2.html>>

By reaching to religious organizations, President Bush's Executive Order and faith-based public policy sparked debate about the role of government and religion in solving societal woes. The White House Office of Faith-Based and Community Initiatives, with ten Federal agencies with Faith-Based and Community Initiative centers, focus on substance abusers, homelessness, hunger, at-risk youth, welfare-to-work families, ex-offenders, and populations with HIV/AIDS.<sup>6</sup> This particular White House Office summarizes itself in the following way:

The White House Office and the Centers for the Faith-Based and Community Initiative -- located in ten Federal agencies -- are working to support the essential work of these important organizations. Their goal is to make sure that grassroots leaders can compete on an equal footing for federal dollars, receive greater private support, and face fewer bureaucratic barriers.<sup>7</sup>

The White House Office of Faith-Based and Community Initiatives has a contested agenda and public policy of addressing America's social problems. The Faith-Based and Community Initiatives Office has had two directors, four Executive Orders and ten newly established centers in Federal agencies to address government, religion, and social services. The question in the upcoming years is how effective this White House office will be and how the media treats this particular office. The White House Office of Faith-Based and Community Initiatives represents only one aspect of this controversial domestic public policy.

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<sup>6</sup>The White House Office of Faith-Based and Community Initiatives, <<http://www.whitehouse.gov/government/fbci/index.html>>

<sup>7</sup>The White House Office of Faith-Based and Community Initiatives, <<http://www.whitehouse.gov/government/fbci/>>

The legislative policy preceding President Bush's Faith-Based domestic public policy will be reviewed in the next chapter as background for the reader better to understand the debate between The New York Times and The Washington Times reporting staff and columnists.

## **THE ORIGIN OF FAITH-BASED LEGISLATION: THE LEGISLATIVE ODYSSEY OF FAITH AND POLITICS**

Normally a new idea grows for years and years before manifesting itself. With charitable choice, it's the complete opposite. It just sort of passed into law.

- Carl Esbeck in the National Journal

Public policy is a complicated process and the public policy precedent leading up to and resulting in Faith-Based Initiative legislation was no exception. The legislative history of Faith-Based Initiatives is confusing as it suffered fits of starts and stops. The precedent for faith-based legislation is found in the “charitable choice” clause in the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, also known as the welfare reform law.<sup>8</sup> The idea of using faith-based organizations is not a novel idea, nor does it belong solely to President George W. Bush. Many religious social organizations, such as Catholic Charities, have been in existence and functioning for hundreds of years in America with and without Government assistance.

In recent public policy history, the idea of Faith-Based organizations receiving government funding came to fruition with “charitable choice.” This particular legislative provision, as proponents argued, allows religious social organizations to receive specific federal funds, thus creating a level playing field for them to receive federal social service contracts. The authors of “Faith-Based Initiatives and the Bush Administration: The Good, the Bad, and the Ugly” described “charitable choice” based on four principles.

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<sup>8</sup> H.R. 3734

1. *Level playing field.* Faith-based providers are eligible to compete for funds on the same basis as any other providers, neither excluded nor included because they are religious.
2. *Respect for the integrity of faith-based organizations.* Allowing them to retain control over the definition, development, practice, and expression of their religious beliefs protects the religious character of faith-based providers. Neither federal nor state government can require a religious provider to alter its form of internal governance or remove religious art, icons, scripture, or other symbols in order to be a program participant.
3. *Protection of clients.* In rendering assistance, religious organizations shall not discriminate against an individual based on religion, a religious belief, or refusal to actively participate in a religious practice. If an individual objects to the religious character of the program, a secular alternative must be provided.
4. *Church-state separation.* All government funds must be used to fulfill the public social service goals, and no direct government funding can be diverted to inherently religious activities such as worship, sectarian instruction, and proselytization.<sup>9</sup>

The idea of “charitable choice” can be traced to University of Missouri-Columbia Law School Professor Carl Esbeck, who drafted and presented legislation for faith-based social service organizations to compete for federal dollars. Esbeck presented his legislation to a former student who worked with then Senator John D. Ashcroft (R-Missouri). This legislation appealed to Senator Ashcroft and he championed this legislative idea to his party leaders, Senate Majority Leader Robert Dole (R-Kansas) and House Speaker Newt Gingrich (R-Georgia).<sup>10</sup> In 1995 and 1996, the United States House and Senate re-shaped the welfare system to include a “charitable choice” clause. Senator Ashcroft was a

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<sup>9</sup> U.S. Department of Health and Human Services, The Center for Faith-Based and Community Initiatives, “What Is Charitable Choice?” < [www.hhs.gov/faith/choice/html](http://www.hhs.gov/faith/choice/html) > Jo Renee Formicola, Mary C. Segers, and Paul Weber, *Faith-Based Initiatives and the Bush Administration* (Lanham: Rowman & Littlefield Publishers, Inc., 2003), 8.

<sup>10</sup> Senator Ashcroft was an unsuccessful candidate for Senate re-election in Missouri. In 2001, he was elected by President Bush to be Attorney General until 2004.

Senate sponsor and author of charitable choice legislation. Senator Ashcroft's faith-based bills also include the Individual Accountability Act of 1995 and the Charitable Choice Expansion Act of 1998 and 1999.<sup>11</sup> Ashcroft campaigned and appealed for charitable choice legislation with various amendments and multiple bills during the welfare reform sessions in Congress.

The 104<sup>th</sup> Congress debated welfare-reform for over a year in both the United States House of Representatives and in the United States Senate. In March 1995, the House version of welfare reform, H.R. 4, passed. This legislation lacked any language supporting faith-based social service organizations, nongovernmental groups, competing for federal grants.

In August 1995, House bill H.R. 4 was considered by the Republican controlled Senate. Author Lewis Solomon found, "[A]t the urging of Ashcroft, Dole introduced the Senate Republican leadership's alternative to the House-passed H.R. 4 just before Congress' August recess."<sup>12</sup> The Dole provision received criticism from the American Civil Liberties Union, but it was overshadowed by the debates over welfare reform. In September 1995, the Senate reconvened to deliberate the Senate version of the welfare reform bill in which Senator William Cohen (R-Maine) sponsored the Cohen Amendment. This amendment specifically addressed the issue of "charitable choice" to make it comply with the United States Constitution. The amendment consisted of two-part

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<sup>11</sup> Lewis D. Solomon, In God We Trust? (Lanham: Lexington Books, 2003),133 and 140.

<sup>12</sup> Solomon, 133.

amendment that was passed the Senate by 59 to 41 votes.<sup>13</sup> The House and the Senate approved their welfare reform bills that were sent to the Conference Committee to be further debated, compromised and further negotiated. Lewis Solomon found that the issue of church and state and “charitable choice” was discussed in Conference Committee.

In November 1995, only a few issues remained unresolved by the Conference Committee. One contentious issue centered on Charitable Choice, and the battle over the provision reached an impasse. Then House Speaker Newt Gingrich (R-Georgia) intervened and forced a compromise between opponents of Charitable Choice and Senator Ashcroft.<sup>14</sup>

The Conference Committee clarified that proselytization would not be funded and that states should not discriminate against religious organizations competing for taxpayer dollars.<sup>15</sup> In December 1995, the Conference Committee process completed; both houses enacted the welfare reform legislation that included the “charitable choice” provision. In January 1996, President William Jefferson “Bill” Clinton vetoed the bill leaving the welfare reform process in limbo. In the summer of 1996, the welfare reform legislation and “charitable choice” provision had to begin the legislative process anew through both houses. It is during this negotiation process that the “charitable choice” provision was stripped from the welfare reform bill because of the Byrd Rule. The Byrd Rule is named after Senator Robert Byrd (D-West Virginia) and states, “the Senate is prohibited from considering extraneous matter as part of a reconciliation bill or

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<sup>13</sup> Solomon, 134.

<sup>14</sup> Solomon, 135.

<sup>15</sup> H.R. 4, as amended, Section 104(f); Report 104-430, Conference Report to Accompany H.R. 4, Personal Responsibility and Work Act of 1995, 104<sup>th</sup> Congress, 1<sup>st</sup> Session (December 20, 1995). Please refer for specific changes from Dole’s original provision.

resolution or conference report thereon.”<sup>16</sup> The inclusion of the Charitable Choice provision into the 1996 Welfare Reform Act was due to parliamentary procedure motivated by the politics of Senator Ashcroft. Senator Ashcroft managed to waive the Byrd Rule to include “charitable choice” by a vote of 67 to 32.<sup>17</sup> According to Congressional Records:

However, it is possible to waive the Byrd Rule if at least sixty senators vote to reincorporate an extraneous provision into a bill. On July 23, 1996, minutes after President Clinton announced he would sign the bill and moments before the Senate voted on the bill, Senator Ashcroft filed a motion to vote on waiving the Byrd rule. The debate on the Byrd Rule waiver was brief, lasting under five minutes. Ashcroft emphasized the need to use the services of nongovernmental charitable organizations to deliver welfare services. He noted that, “America’s faith-based charities and non-governmental organizations, from the Salvation Army to the Boys and Girls Clubs of the United States [that contract with governments], have been very successful in moving people from welfare dependency to the independence of work and the dignity of self-reliance.”<sup>18</sup>

President Clinton signed the 1996 Welfare Reform legislation on July 26, 1996, with the Charitable Choice provision and Charitable Choice statement of purpose. The statement of purpose of Charitable Choice is as follows:

The purpose of this section is to allow States to contract with religious organizations, or to allow religious organizations to accept certificates, vouchers, or other forms of disbursement under any [block grant] program [to provide welfare-related services]. . . on the same basis as any other nongovernmental provider without impairing the religious character of such organizations, and without diminishing the religious freedom of beneficiaries of assistance funded under such program.<sup>19</sup>

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<sup>16</sup>The United States House of Representatives Committee on Rules Majority Office, “Summary of the Byrd Rule,” <[http://www.house.gov/rules/byrd\\_rule.htm](http://www.house.gov/rules/byrd_rule.htm)>

<sup>17</sup> Solomon, 136.

<sup>18</sup> 142 Congressional Record, S 18464 (July 23, 1996).

<sup>19</sup> Solomon, 137.

Thus after long and arduous debates, President Clinton finally signed welfare reform into law. Charitable Choice legislation is the foundation of Faith-Based Initiative legislation and the White House Office. Under President Bush, the “charitable choice” provision has been expanded and was a domestic policy position agreed to by both Presidential candidates in the 2000 Presidential Election.

The main legislative work establishing and propelling Faith-Based Initiatives beyond charitable choice has been through Executive Orders from President Bush. On January 29, 2001, the public policy of Faith-Based Initiatives was initiated by President Bush when he created the White House Office of Faith-Based and Community Initiatives and appointed John DiIulio as the new office director. President Bush’s second executive order was establishing five Faith-Based and Community Initiative agencies in the Justice, Housing and Urban Development, Labor, Education, and Health and Human Services departments for improved relations between the United States government and religious social service programs.

The Presidential Executive Order record represents only one aspect of this controversial domestic public policy. Public policy has several sequential steps for addressing a problem for legitimization and implementation. Political Science professors and authors, Amy Black, Douglas Koopman, and David Ryden describe public policy theory as:

The process begins with an identification of a problem suitable for government action, as opposed to a problem, that, however severe or

important, cannot be handled by government. The next phase is getting that problem on the public agenda, so that governments, voters, and the media will see it as suitable for a government-directed response. In the third step, a wide range of political actors formulate potential solutions. Out of this variety of possibilities, one potential solution is selected and legitimated—this fourth step is marked by a new law enacted after an open and accessible legislative process that subjects the problem and its proposed solutions to public scrutiny . . . The president is regularly involved at all times. He campaigns on a policy agenda. He repeatedly promotes proposals while in office; he participates in the legislative process; and under his authority the executive branch implements a legislated solution.<sup>20</sup>

This is political theory and the public policy process does not always follow particular steps in sequence or policy steps executed at once. Faith-Based policy stalled in the Senate and moved forward by President Bush by Executive Orders, private White House meetings, and faith-based rhetoric.

The Bush administration's first two years with faith-based involved the White House, simultaneously, in two steps of the policy process. There was a difficult *legitimization* process attached to new legislation and an unusually transparent *implementation* process for previously enacted faith-based provisions that had been ignored by the Clinton administration.<sup>21</sup>

In 2001, President Bush had several supporters of Faith-Based Initiatives in both the House and in the Senate to present and sponsor legislation. House legislation was more successful than Senate legislation for passage of Faith-Based Initiatives. President Bush's executive orders for Faith-Based Initiatives materialized into legislative form as H.R. 7, the Community Solutions Act of 2001. H.R.7 focused on federal tax incentives for charitable giving and individual

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<sup>20</sup> Amy E. Black, Douglass L. Koopman, and David K. Ryden, Of Little Faith (Washington, D.C.: Georgetown University Press, 2004), 8-9.

<sup>21</sup> Black, Koopman, and Ryden, 8-9.

development accounts.<sup>22</sup> Representatives Julius Caesar “J.C.” Watts (R-Ohio) and Tony Hall (D-Ohio) introduced this House bill in March 2001 with forty-four co-sponsors. H.R.7 passed the House by a margin of 35 votes, but did not pass in the Senate.<sup>23</sup>

The two main supporters of Faith-Based Initiatives in the United States Senate were Senators Rick Santorum (R-Pennsylvania) and Joseph Lieberman (D-Connecticut). Legislative bill H.R.7 had several Senate hearings that revealed the complexity of the Faith-Based legislation, in particular its Charitable Choice section. Several Senators found the legislation discriminatory and said it did not address adequately the legal and constitutional issues presented by Faith-Based Initiatives. In light of these issues, Senator Lieberman decided to draft his own version of Faith-Based Legislation after a July 2001 meeting with President Bush. Legal and constitutional issues and the lack of Lieberman as a co-sponsor halted H.R.7 in the Senate.

In 2001, legislation was not the only aspect of faith-based initiatives that had a rocky beginning. In August 2001, John DiIulio, the director of the Office of Faith-Based and Community Initiatives, resigned after only six months in office. DiIulio, a University of Pennsylvania professor, cited his commitment to family,

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<sup>22</sup> Jo Renee Formicola, Mary C Segers, and Paul Weber, Faith-Based Initiatives and the Bush Administration: The Good, the Bad, and the Ugly (Lanham: Rowman & Littlefield Publishers, Inc., 2003), 9.

<sup>23</sup> The official vote was 233 to 198 votes.

his health, and his agreed upon six-month commitment to the Faith-Based Office for his sudden resignation.<sup>24</sup>

DiIulio's resignation prompted further criticism of the policy and the administration, effectively delaying Bush's Faith-Based policy; and then, the events of September 11, 2001 reprioritized the nation's domestic policy. This series of events chronicled the first year of President Bush's domestic public policy with the establishment of the White House Office of Faith-Based and Community Initiatives. It was not a stellar start for faith-based implementation and legitimization.

President Bush's domestic agenda was floundering in a legislative and administrative and social quagmire. In Faith-Based history, 2001, was a year that began promising but ended with legislative deadlock over the constitutionality of expanding "charitable choice" legislation. President Bush ran on a platform of Faith-Based Initiatives and his central domestic policy needed a new strategy to be viewed as legitimate public policy.

In January 2002, President Bush's State of the Union address contained several themes of unity, of combating terrorism, and of social work for the good of America. President Bush said,

For too long our culture has said, "If it feels good, do it." Now America is embracing a new ethic and a new creed: "Let's roll." (Applause.) In the sacrifice of soldiers, the fierce brotherhood of firefighters, and the bravery and generosity of ordinary citizens, we have glimpsed what a new culture

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<sup>24</sup> John DiIulio is the editor of What's God got to do with the American Experiment? (Washington D.C.: Brookings Institute, 2000).

of responsibility could look like. We want to be a nation that serves goals larger than self. We've been offered a unique opportunity, and we must not let this moment pass . . . Deep in the American character, there is honor, and it is stronger than cynicism. And many have discovered again that even in tragedy -- especially in tragedy -- God is near.<sup>25</sup>

The underlying theme in President Bush's State of the Union address was meant to refresh the Faith-Based legislation and its White House Office. February 2002 marked new leadership for the White House Faith-Based and Community Initiatives Office with the appointment of Jim Towey as the new director. Towey had worked as legal council to Mother Teresa and was formerly a Director of the Florida Department of Health and Rehabilitative Services.

In 2002, a new legislative tactic was pursued for the Senate passage of Faith-Based legislation. President Bush worked with Senators Santorum and Lieberman on a revised Faith-Based Initiative bill to be introduced into the Senate. The CARE Act (Charity Aid, Recovery, and Empowerment) contained several amendments concerning charitable giving and prohibitions regarding non-governmental agencies removing or altering their religious missions, art, or icons. The CARE Act eliminated the Charitable Choice provision that was considered discriminatory because it allowed religious organizations to hire based on the organizations principles and religious preferences. In February 2002, the CARE Act was introduced to the Senate co-sponsored by Senator Santorum and Senator Lieberman. The bill was referred to the Senate Finance Committee and approved, but due to other domestic issues ranging from Homeland Security to possible

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<sup>25</sup> The White House, <<http://www.whitehouse.gov/news/releases/2002/01/20020129-11.html>>

conflict with Iraq, the CARE Act stalled. The 107<sup>th</sup> Congress did not progress on Faith-Based policy, so once again President Bush shaped his domestic policy with Executive Orders.

On December 12, 2002, President Bush signed an Executive Order that established faith-based offices in the Department of Agriculture and Agency for International Development. Additionally, this executive order directed the Federal Emergency Management Agency, FEMA, to recognize religious groups to apply for aid, the same as secular groups. In February 2003, Senator Santorum re-introduced the CARE Act, but four months later a more comprehensive bill emerged that included tax incentives, tax breaks, and increased assistance to faith-based social service groups.<sup>26</sup> The CARE Act of 2003 with twenty-two Senate co-sponsors has been referred to the Senate Finance Committee.

The legislation of Faith-Based Initiatives is complicated, reflecting the issues of church and state relations, religion, and politics that encompass this public policy. The “charitable choice” provision in the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. On January 29, 2001, President Bush signed Executive Order 13198 that expanded the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 “charitable choice” provision into a White House Office and five Centers for Faith-Based Initiatives in Federal agencies. President Bush signed two Executive Orders on December 12, 2002 that created two additional Centers for Faith-Based Initiatives

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<sup>26</sup> The CARE Act of 2003, S. 272

and required equal protection for faith-based and community organizations. The legislation concerning Faith-Based Initiatives has not passed the Senate as of Spring 2005.

**MYTHOLOGY: HOW HIGH IS THE CHURCH AND STATE  
WALL?**

All men shall be free to profess, and by argument to maintain, their opinion in matters of religion, and that the same shall in no wise diminish, enlarge, or affect their civil capacities.

-Thomas Jefferson

The issue of church and state relations has been debated since the founding of our nation. Our founding fathers addressed the separation between church and state by writing the First Amendment in the Bill of Rights that protects the right to freedom of religion and freedom of expression from government interference. The First Amendment states:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech,

or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.<sup>27</sup>

The central arguments for or against Faith-Based Initiatives are based on founders' intent and the wall of separation between church and state. Forrest Church wrote, "Arguments over church-state separation didn't end once the language of state and national constitutions was finally hammered out. They continue to this very day, with partisans (from the pulpit to the oval office) interpreting the founders' and framers' actual intent."<sup>28</sup> The public policy of Faith-Based Initiatives prompted a national media dialogue concerning the wall of separation between church and state. This public policy was established as a national domestic agenda during the 2000 Presidential election. But the debate continues.

The election involved religious rhetoric emphasizing the theme of "charitable choice." Both Presidential candidates used the term of "faith-based programs" on the campaign trail. In May of 1999, Democratic Party Presidential candidate Albert Gore discussed faith with "seven religion reporters" at the White House. Mr. Gore said, "If you elect me President, the voices of faith-based organizations will be integral to the policies set forth in my administration."<sup>29</sup> In the second of three Presidential Debates between Bush and Gore, the subject of faith-based programs to solve social problems was addressed by both candidates.

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<sup>27</sup> Legal Information Institute of Cornell University Law School, "U.S. Constitution," <<http://www.law.cornell.edu/constitution/constitution.billofrights.html>>

<sup>28</sup> Forrest Church, *The Separation of Church and State* (Boston: Beacon Press, 2004), vii.

<sup>29</sup> Peter Steinfels, "Beliefs: In a wide-ranging talk, Al Gore reveals the evangelical and intellectual roots of his faith," *The New York Times*, 29 May 1999.

The following transcript of the Presidential debate includes the Presidential candidates and moderator Jim Lehrer of PBS. On this point, the transcript is as follows:

Mr. Lehrer – Back to the question about the differences on gun control. What are they, governor, from your point of view, between you and the vice-president?

Mr. Bush—Well, I'm not for photo licensing. But let me say something about Columbine. And listen, we've got gun laws. He says we ought to have gun-free schools. Everybody believes that. I'm sure every state in the Union's got them. You can't carry a gun into a school. And there ought to be a consequence when you do carry a gun into a school. But Columbine spoke to a larger issue and it's really a matter of culture, it's a culture that somewhere along the line we've begun to disrespect life. Where, for a child can walk in and have their heart turn dark as a result of being on the Internet and walk in and decide to take somebody else's life. And so gun laws are important, no question about it. But so is loving children and character education classes and faith-based programs being a part of afterschool programs . . .

Mr. Gore—I also believe in the golden rule. And I agree with a lot of the other things that the governor has said . . .<sup>30</sup>

Although Gore is not as overtly enthusiastic as Bush, the idea was set. In a Presidential election this conversation vaulted faith-based programs into the political rhetoric and public eye. Where did this term come from and what does it mean for the public policy and the nation? The answer to these questions requires a background understanding of the term “faith-based” and how it has evolved.

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<sup>30</sup>The New York Times. “The 2000 Campaign: 2<sup>nd</sup> Presidential Debate Between Gov. Bush and Vice President Gore,” The New York Times, 17 of 28. The author has bolded the text for readers for emphasis.

### **BACKGROUND**

A wall of separation between secular and non-secular, church and state, if it ever existed in a solid way in American life, has been eroding in the last thirty years. In 2001, the Office of Faith-Based and Community Initiatives opened its doors to controversy, both political and religious. The formation of a Federal office by President George W. Bush blurs the line between religion and politics in American civil society in a new way. How did charitable choice result in an office known as “Faith-Based”? William Safire, writing in The New York Times, reported Clarence Martin, a lobbyist for the Association for the Advancement of Psychology, first introduced the term “faith-based” to the American vernacular in 1981:

. . . [Clarence Martin] wrote that scholars of the social sciences, heirs to Darwin, Marx and Freud, are the empirical left who may challenge the view, or more importantly reject the faith-based values of the creationists, the moral majority, the laissez-faire industrialists, the economic

determinists, the sexists, the militarists, the coalition who put Reagan in office.<sup>31</sup>

Religious social organizations have successfully operated without any Executive Ordered White House Office, so why now? Is Federal funding of social services through religious organizations a truly effective way to address our society's ills? The answer, according to The New York Times and The Washington Times, differs radically reflecting the arguments and concerns of both the political left and right. This study focuses on the key role media played in reporting the controversy of Faith-Based Initiative Legislation and the White House Office.

William Safire's editorial on the origination of the term "Faith-Based" provides an excellent background to address the questions Faith-Based Initiatives policy raised for the media. Newspapers provided a forum for the discussion of Faith-Based public policy. Throughout my research, my question was how the media articulated American history and the history of American religion and politics for their readers. I contend that the editorials and reporting policies of The New York Times and The Washington Times created competing views of Faith-Based Initiatives based on different interpretations of American history and legislation. The New York Times is generally viewed as a politically liberal newspaper and The Washington Times as a politically conservative paper.

In my research I found distinct argument patterns of both the left and the right illustrated by the two newspapers. These two nationally renowned

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<sup>31</sup> William Safire, "The Way We Live Now: On Language," The New York Times, 27 June 1999.

newspapers offered unique perspectives and arguments on the Faith-Based debates. Each newspaper's political view shaped a mythology of American history and church and state relations. I use the term "mythology" to denote The New York Times and The Washington Times reporters' and editors' interpretation of American history and church and state relations either to support or to challenge Faith-Based Initiative public policy. The central debate of both papers was the wall of separation between church and state and how high the founders intended the wall to stand. The New York Times reporting staff and editors argued Faith-Based Initiatives blurred the line of church and state, while The Washington Times staff maintained the domestic policy was in accordance with founders' intent.

The following chapter will focus on The Washington Times media strategy regarding Faith-Based Initiatives to their readers. The Washington Times Faith-Based myth and debate is strikingly different from those of The New York Times. The New York Times and its debate and mythology are offered in chapter three.

New York Times reporters and columnists presented one aspect of Faith-Based history to readers. A June 1999 William Safire column explored the ideological shift that coined the term "faith-based" from "religion-based."<sup>32</sup> Safire is a politically conservative Pulitzer Prize winning writer for commentary and was

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<sup>32</sup> Safire, 27 June 1999.

President Nixon's senior White House speechwriter.<sup>33</sup> He revealed to readers the identity of the person who coined the term "faith-based" and the reasons why the political rhetoric has repeatedly used the term "faith-based" to replace "religion-based" social services. He noted that faith-based had a religious component that the religion-based term encompassed but did not clearly articulate.

Safire traced the use of the term "faith-based" to Clarence Martin, an Association for the Advancement of Psychology lobbyist, as the man who originated this term in 1981. He wrote, "The earliest use of this modifier now so in vogue was in criticism, not affirmation, of religion in public life."<sup>34</sup> The column explored the connotations of the term "faith-based initiative" in political rhetoric to denote church and state separation, but not exclude religious values. Safire wrote:

The linguistic mystery: why are political figures all using faith-based rather than religion based or, more simply than that adjectival compound, the old-fashioned religious? Religion (probably from the Latin religare, "to restrain") is a set of beliefs; faith, (from fidere, "to trust") is the unquestioning trust in the truth of those beliefs.<sup>35</sup>

According to Safire, the words become a marketing tool for constituents to buy the new product, religious social services. Safire argued that the language of faith-based did not change the underlying motivation, religion. Religion can be broadly defined and the issue of identifying and recognizing religion in America is an important debate that arose because of Faith-Based Initiative public policy.

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<sup>33</sup> The New York Times, "Columnist Biography: William Safire," <<http://www.nytimes.com/ref/opinion/SAFIRE-BIO.html>>

<sup>34</sup> Safire, 27 June 1999.

<sup>35</sup> Safire, 27 June 1999.

### Defining Religion in America

The concern of which particular religious groups receive funds was a policy problem raised by the liberal media. The New York Times reporters covered both liberal and conservative religious debates, ranging from conservative Evangelical to more liberal religious groups, on the issues of religious equality and government funding.

Several conservative religious groups expressed hesitation with President Bush's Faith-Based and Community Initiatives program. Conservative religious leaders voiced their concern that Federal funds would change or limit the religious component of religiously-oriented social programs. Pat Robertson,<sup>36</sup> the conservative religious broadcaster of the 700 Club, raised two concerns typical of the religious right.<sup>37</sup> Robertson was concerned about which particular groups would receive government funding for their religious social services and how the government defines religion in America. Robertson said, "This could be a real Pandora's box . . . And what seems to be such a great initiative can rise up to bite the organizations as well as the federal government."<sup>38</sup> The public policy could fund religions that many of a particular religious and political viewpoint would not consider a religion or religious faith. If the Nation of Islam applied for

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<sup>36</sup> Marion Gordon "Pat" Robertson

<sup>37</sup> The term "religious right" will be used throughout this study to refer to politically and religious conservative groups. An example of such a religiously conservative group would be the National Association of Evangelicals.

<sup>38</sup> Laurie Goodstein, "Bush's Charity Plan is Raising Concerns for Religious Right," The New York Times, 3 March 2001.

funding would they be considered fairly for funding? Pat Robertson is concerned with religious funding and Faith-Based Initiatives.

And Mr. Robertson raised different doubts on his television program “The 700 Club” last week, calling it “appalling” that the plan could result in government contracts for programs run by non-Western religions and newer religious movements like the Church of Scientology and the Unification Church.<sup>39</sup>

Mr. Robertson’s quote is a funny irony as The Washington Times is owned by the Unification Church. Clearly, Robertson would limit the definition of religion when considering groups for Federal funds. The issue of works versus grace is an underlying argument The New York Times touches upon in discussions of the religious right and religious equality. New York Times reporters, Laurie Goodstein in particular, highlighted religious right concerns and limitations concerning Faith-Based Initiatives. If government funds are available to religious groups, who will apply?

Several religious groups are concerned about government dollars dictating religious missions and social services. The perception of government intervention varies from generation to generation in religiously conservative groups. The younger members of the religious right are seriously considering government funds for social services, while older members hesitate over government support citing government intrusion.<sup>40</sup> Goodstein quoted Richard Cizik, the vice president

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<sup>39</sup> Goodstein, 3 March 2001

<sup>40</sup> In The New York Times article: Laurie Goodstein, “Bush’s Charity Plan is Raising Concerns for Religious Right,” The New York Times, 3 March 2001. Reporter Goodstein quoted Richard Cizik, the vice president for governmental affairs of the National Association of Evangelicals. Mr. Cizik said, “Only in recent years, with a younger generation of evangelical Christian pastors

for governmental affairs of the National Association of Evangelicals on this generational separation in the perception of government funding for religious social programs. Mr. Cizik, a supporter of the Faith-Based Initiative policy, discussed the objections raised to the Faith-Based program from Evangelicals, in particular the issue of which religious groups would receive funds. For example, “new age” religions that Mr. Cizik wrote:

The younger generation is far more receptive than the older generation, who is worried about government infringement on religious integrity, and the government aiding and abetting groups whose views they don't endorse, and who they might find complete anathema.<sup>41</sup>

In regards to Federal funding and religious integrity, the religious right are concerned about the blurring of church and state boundaries. Goodstein highlighted religious conservative concerns about Faith-Based Initiatives, while addressing the issue of legitimacy. If not all religious groups apply, who will apply and receive funds? If not all groups view the program as legitimate and do not participate, what are the further ramifications? Is an office that was created for religious equality, not really equal? This was one of the questions raised in The New York Times' commentaries and articles. The New York Times argument and mythology is strikingly different from The Washington Times.

The Washington Times reporters and editors articulated four strong arguments for Faith-Based Initiatives. The following chapter explores The

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coming into leadership, have these churches considered going to the government for financial support for their social services.”

<sup>41</sup> Goodstein, 3 March 2001.

Washington Times mythology of the wall of separation and Faith-Based Initiatives

### **THE WASHINGTON TIMES AND ITS STORY OF FAITH**

This chapter will focus on the press response to Faith-Based Initiatives, specifically the conservative The Washington Times newspaper. The Washington Times is a conservative national newspaper founded in 1982, now reaching over 100,000 readers. This newspaper is owned by News World Communications, which is, in turn owned by the Unification Church, led by the Reverend Sun Myung Moon.<sup>42</sup> There are few if any references to Moon on the pages of the paper and most readers are not aware of the connection between the newspaper and the Unification Church.

The arguments presented by The Washington Times for Faith-Based Initiatives are strikingly different from those of The New York Times. The Washington Times articles and commentaries argued for Faith-Based Initiatives using select interpretations of American history and historical documents which advocate the constitutionality for such an office.<sup>43</sup> The Washington Times

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<sup>42</sup> Yahoo Financial, "News World Inc. Company Profile," <<http://biz.yahoo.com/ic/54/54437.html>>

<sup>43</sup> The Washington Times refers to their opinion articles as "commentaries"

structured a distinct perspective concerning the arguments and legislative odyssey of Faith-Based Initiatives.

The Washington Times shaped its mythology of Faith-Based Initiatives by interpreting the issue of church and state relations, addressing four key areas in particular: 1) founders' intent, 2) American history, 3) the Constitution of the United States, and 4) present-day clergy support for the initiative. Articles and commentaries were written for Washington Times readers that interpreted American history by presenting arguments that supported the constitutionality of Faith-Based Initiatives and the lowering of the wall of separation between church and state. The central Washington Times argument is that the wall of separation of church and state is currently too high and Faith-Based Initiatives abide by our founders' original intent of church and state interactions.

The first Washington Times article that described the White House Faith-Based Office offered one perspective of this public policy. Washington Times reporter Sean Scully described the new White House Office:

. . . [t]he agency, known as the Office on Faith Based and Community Initiatives, will help direct policy and generate publicity for President Bush's effort to increase the role of private organizations in delivering social services that traditionally have been run by the government: homeless shelters, food pantries, drug treatment, child and adult day care, and a host of other efforts.<sup>44</sup>

With this introduction to President Bush's public policy The Washington Times mythology of the initiative of faith-based legislation was first offered to

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<sup>44</sup> Sean Scully, "Faith-based initiatives office opens to many calls," The Washington Times, 21 February 2001.

readers. In The Washington Times, articles describing faith-based initiatives were limited to services offered for social services. In a 2001 article, Dave Boyer described the issue of Faith-Based Initiatives as being the center of President Bush's agenda.

Mr. Bush's proposal, which is at the heart of his "compassionate conservative" agenda, would allow churches and other religious institutions to apply for federal money to operate drug-treatment centers, food banks and other services for the needy. It would use a wide range of tax credits to encourage charitable choice donations.<sup>45</sup>

The Office on Faith-Based and Community Initiatives was presented to Washington Times readers as a White House Office created for private organizations combating social ills. The Washington Times argument for Faith-Based public policy shifted towards interpreting any Faith-Based policy as deconstructing the high wall of separation between church and state, a wall the founding fathers did not envision.

In a 2001 commentary, the issue of church/state relations and the wall of separation were historically documented. Daniel Zanzova argued that the Founding Fathers did not envision the church and state relations that are present today. The Founding Fathers did not desire for religion to be banned from public life. Zanzova's commentary further argued that Thomas Jefferson, the man who coined the phrase, "separation between Church and State," did not want religion to be removed entirely from American society:

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<sup>45</sup> Dave Boyer, "Bush's faith-based initiatives has public's blessing; 75 percent in new poll favor concept," The Washington Times, 11 April 2001.

The Founding Fathers, however, saw the division between religion and government as being “one way” in nature. Their primary concern was that government could not prescribe a national faith, as many of the framers had experienced in England. They did not intend for religion to be totally removed from public life, as has taken place in the United States during the latter part of the 20<sup>th</sup> century.<sup>46</sup>

This interpretation of the Founding Fathers’ original intent was not the only angle of American history to justify Faith-Based public policy. Zanzova’s commentary further argued that the debates surrounding Faith-Based Initiatives was not adequately grounded and ignored American history and American historical documents. Zanzova reasoned the United States Constitution and the Northwest Ordinance, particularly Article III; best interpret the Founders intent on church and state relations.<sup>47</sup> The Northwest Ordinance accelerated America’s westward expansion and was described by historians:

Considered to be one of the most significant achievements of the Congress of the Confederation, the Northwest Ordinance of 1787 put the world on notice not only that the land north of the Ohio River and east of the Mississippi would be settled but that it would eventually become part of the United States. Until then this area had been temporarily forbidden to development.<sup>48</sup>

The constitution and the Northwest Ordinance placed boundaries on government and religion in the public sphere. In particular, the United States Constitution protects against government endorsement of religion while Article

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<sup>46</sup> Editorial, “Faith-Based Initiatives faithful to the intent of Founding Fathers,” The Washington Times, 01 March 2001.

<sup>47</sup> Editorial, 01 March 2001.

<sup>48</sup> Article III of the Northwest Ordinance states: “Religion, morality, and knowledge, being necessary to good government and the happiness of mankind, schools, and the means of education shall forever be encouraged.”

The Avalon Project at Yale Law School, “The Northwest Ordinance,” <<http://www.yale.edu/lawweb/avalon/nworder.htm>>

III of the Northwest Ordinance ruled religion was necessary for good government. The Washington Times commentary contends that Thomas Jefferson never intended a strict separation between the church and state. In 1802, President Jefferson wrote the words, “separation of church and state,” in a letter to the Danbury Baptist Association on the issue of taxation. However, The Washington Times commentary argued Jefferson wanted to prevent government from controlling and regulating religion and religious practices, not to prevent religion from influencing the government and society.

On April 30 of that same year [1802], Jefferson signed the Ohio Enabling Act, making Ohio a state in agreement with the provision of the Northwest Ordinance. If Jefferson believed there was an impenetrable wall of separation between church and state, he would not have ratified this act just months after his letter to the Danbury Baptist group. During the past century, the vision of religion’s role in government has changed dramatically from the Founding Fathers’ view. Beginning in the 1940s, the U.S. Supreme Court began creating the current perception the public now has concerning this matter. But the high court’s rulings have had their most dramatic effect on the nature of law itself.<sup>49</sup>

This particular commentary contains several arguments for Faith-Based Initiatives and against the liberal opinions about the wall of separation between church and state relations. Many critics of Faith-Based Initiatives argue that the wall of separation between church and state will collapse due to Faith-Based Initiatives. The Washington Times commentaries and articles reasoned the wall of church and state separation was not envisioned by the Founding Fathers and that any student of American history would understand the changing relationship

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<sup>49</sup> Editorial, 01 March 2001.

between religion and politics from the nation's founding to today. The same Washington Times editorial further reasoned:

Some of the societal problems we have witnessed during the past 40 years are, indeed, results of the falsely ascribed barrier between religion and government. Americans need to educate themselves as to what our country's founders had in mind when it came to this subject. The modern-day perception of church and state does not fit the reality of the framers' vision for America.<sup>50</sup>

The debates over American history and church and state relations were expanded beyond historical interpretation to include party politics. Washington Times reporter Bethany Warner quoted Democratic Senator Joseph Lieberman on the matter of the wall of church and state separation: "The 'wall of separation' between church and state – as Thomas Jefferson once called it – may have become too high."<sup>51</sup> The issue of the wall of separation was articulated in articles throughout the debates on faith-based initiatives. In several Washington Times articles, religious leaders who supported faith-based initiatives were interviewed, such as Pat Robertson and the Reverend Jerry Falwell. This was one strategy for promoting Faith-Based Initiatives utilized by The Washington Times reporting staff. In a March 15, 2001 article reporter Sean Scully quoted Pat Robertson, founder of The Christian Coalition, and Reverend Jerry Falwell on the issue of government funding for religious social services, an aspect of church and state relations that Faith-Based Initiatives public policy presents to religious leaders.

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<sup>50</sup> Editorial, 01 March 2001.

<sup>51</sup> Bethany Warner, "Lieberman hails to religion's rising role in American public life; Lauds Bush's plan for faith-based aid," The Washington Times, 02 March 2001.

On the conservative side, the Rev. Jerry Falwell—who told *The Washington Times* that he has wrongly been quoted as sharing Mr. Robertson’s concerns—says Mr. Bush’s plan will not discriminate against any religious group.<sup>52</sup>

The issue of clergy support for faith-based initiatives appears throughout *Washington Times* articles, but in 2001 the issue was highlighted with an article by Steve Miller titled, “Faith initiative gets a boost from clergy.” This article highlighted a Washington D.C. summit that met with Senator Rick Santorum (R-Pennsylvania), House Conference Chairman Rep. Julius Caesar “J.C.” Watts Jr. (R-Oklahoma), and House Majority Leader Tom DeLay (R-Texas). The Washington Times Foundation and the American Family Coalition sponsored the nationwide broadcast of the summit and speeches. The Washington Times article described the summit message on the issue church and state relations, in particular, Faith-Based legislation receiving clergy support. Miller wrote:

The summit’s central message was repeated throughout the day: Churches and other religious organizations are delivering many of the same social services now provided by secular, taxpayer-funded groups. Thus, why not allocate some of that money so that the religious sector can enhance services?<sup>53</sup>

At this religious summit, Miller quoted several religious leaders who supported the faith-based legislation, particularly the President of the National Clergy Council on the issue of faith-based legislation. “This is a movement that will transform American culture,” said Rev. Bob Schenk, “It is a revolutionary

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<sup>52</sup> Sean Scully, “Advocate suggests alternative for Bush ‘faith-based’ program,” The Washington Times, 15 March 2001.

<sup>53</sup> Steve Miller, “Faith Initiative gets a boost from clergy,” The Washington Times, 26 April 2001.

idea, and we can deal with the inevitable controversies.”<sup>54</sup> The article did not include interviews or quotes from Faith-Based critics or non-Christian religious leaders on Faith-Based Initiative legislation.

Washington Times reporters and editors countered the issue of the un-Constitutionality of Faith-Based Initiatives, an area of concern in The New York Times church and state arguments. The most repeated Washington Times argument for faith-based initiatives was the equal treatment of religious groups and organizations for government funding based on American legislative history. Washington Time’s reporters presented the conservative arguments for “charitable choice” during the legislative process for faith-based initiatives. Washington Times reporters explained the issue of “charitable choice” in terms of civil rights and equality. Dave Boyer, a Washington Times reporter, interviewed Republican Ohio Representative Steve Chabot. “Charitable Choice simply means equal access,” said Rep. Steve Chabot. “It is a tragedy that those moved to help others by the strength of faith. . . . faced added barriers to federal social service funds.”<sup>55</sup> The Washington Times reporting strategy and editing focused on the issue of equal access and non-discrimination for religious groups applying for federal funding for their social service programs by arguing the wall of separation is too high and does not comply with our founders’ intent and unequal treatment of religious groups is unconstitutional.

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<sup>54</sup> Miller, 26 April 2001.

<sup>55</sup> Dave Boyer, “Bush faith initiative praised, criticized; Equal access or skirting job bias laws?,” The Washington Times, 25 April 2001.

The Washington Times articles served as platforms in opposition to liberal objections to “charitable choice.” A main concern on the issue of “charitable choice” voiced by liberals is the possibility of government funded job discrimination and hiring practices. Boyer quoted a United States House member on this issue:

Rep. Melissa A. Hart, Pennsylvania Republican, dismissed Democrats’ arguments that charitable choice would foster job discrimination by religious groups. She says the proposal seeks to capitalize on existing faith-based services. “The goal here is not to have them go out and hire a whole new bunch of people,” she said.<sup>56</sup>

The issue of discriminatory hiring practices in the future was not addressed in this article; rather government sponsored proselytizing through Faith-Based Initiative public policy was the focus. An important point, but Washington Times articles focused on proponents of faith-based initiatives efforts in rebutting arguments of opponents.

The Washington Times highlighted the issue of public acceptance of the idea of faith-based funding. Reporter Dave Boyer used a 2001 study from The Pew Research Center that surveyed 2, 041 people on the issue of Faith-Based funding and found 75 percent of people supporting the idea, with 21 percent opposed to the idea, a rise in acceptance from The Pew Research Center’s survey in September 2000.<sup>57</sup> The White House response to the survey was highlighted by a quote from White House spokesman, Scott McClellan: “Americans share the

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<sup>56</sup> Boyer, April 25, 2001.

<sup>57</sup> Dave Boyer, “Bush’s faith-based initiatives has public’s blessing; 75 percent in new poll favor concept,” The Washington Times, 11 April 2001.

president's commitment to reaching out to faith-based groups and charities because they have a proven record of changing and saving lives."<sup>58</sup> A strong argument that raised the question for The Washington Times and its readers, if the idea is so popular then why has the issue not been passed into law? Why is this public policy being shaped solely by Executive Order and not with legislation passing both the United States House and Senate?

The answer was partisan politics. The Washington Times reporters wrote many articles on this issue, placing the blame on party politics, particularly on liberals and Democrats. Throughout my research, the majority of Washington Times articles were comprised of political rhetoric, biased against Democrats, describing them as a monolithic anti-faith-based voting block out of step with American needs and American history.

A June 7, 2001 article by Dave Boyer titled, "Senate Democrats assail faith-based bill" is an example of The Washington Times bias.<sup>59</sup> Washington Times reporters and editors framed their positions supporting Faith-Based Initiatives with political rhetoric in numerous articles and commentaries. In an April 25, 2001 article reporter Dave Boyer wrote:

Republicans in Congress yesterday praised President Bush's faith-based initiative as needed welfare reform while Democrats, in the first hearing on the plan, criticized it as a back-door effort to undermine civil rights.<sup>60</sup>

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<sup>58</sup> Boyer, 11 April 2001.

<sup>59</sup> The use of the term assail is an emotional word to describe an action by the opposing party.

<sup>60</sup> Boyer, 25 April 2001.

The Republican and Democratic parties are not monolithic and the arguments against Faith-Based Initiatives are not as simple as presented. The Washington Times mythology of faith-based initiatives relied heavily on their specific interpretations of American history and our founding fathers. The Washington Times highlighted advocates of Faith-Based Initiatives, particularly Democrats, such as Andrew Young and Senator Joseph Lieberman. Washington Times reporter Greg Pierce quoted former Democratic Congressman Andrew Young on faith-based initiatives. Congressman Young said,

I believe that Democrats can support in good conscience the provisions proposed. We all know that Al Gore endorsed charitable choice, as did George W. Bush, during the presidential campaign. In addition, the House has voted eight times on charitable-choice provisions that would allow faith-based organizations to apply for various government grants. Fifty-two Democratic members voted for at least six of the eight provisions, and 20 voted for all eight. In fact, charitable choice was passed in 1996 under a Democratic administration with bipartisan support. . . Then, there were none of the alarmist reactions from various quarters that have accompanied the introduction of this year's legislation, which extends federal funding beyond support for faith-based anti-poverty programs into such areas as juvenile justice and drug treatment. Are such reactions based on the fact that this year's bill was introduced by a Republican, rather than a Democratic, administration?<sup>61</sup>

By using Democratic supporters of Faith-Based Initiatives, Washington Times reporters, such as Dave Boyer and George Pierce, articulated the message that the Democratic Party was out of step with the wants and needs of the nation in respect to Faith-Based Initiatives. The overarching strategy of painting the Democrats as out of step with the American majority may be subtle, but present for the astute reader.

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<sup>61</sup> Greg Pierce, "Young's Plea," The Washington Times, 24 July 2001.

Washington Times editorial and reporting staff argued for equal access and religious leaders endorsement. Washington Times reporters stressed the issues of equality and nondiscrimination against religious organizations applying for federal funds. Dave Boyer highlighted the chairmen of the House Republicans, “JC” Watts, on the issue of religious social service organizations and the United States government:

I am optimistic that we have an honest and open dialogue that will put us on the path to a day when government encourages the good deeds of the faith community, and views them as a partner in the wars against poverty, teen pregnancy and other social ills, said Rep. J.C. Watts Jr. of Oklahoma, chairmen of the House Republicans.<sup>62</sup>

Washington Times editors and reporters countered the arguments of church and state relations by incorporating rhetoric from civil rights legislation and the civil rights movement, specifically equality and non-discrimination for religious social work. Steve Miller interviewed Republican House Majority Whip Tom DeLay on the issue of faith-based initiatives. Miller quoted him as saying, “that current funding policies unfairly preclude churches from providing social services, and that “it is wrong for the government to discriminate against agencies that can provide services simply because they are of faith.”<sup>63</sup> The argument presented by Representative DeLay is typical of the political right and proponents of faith-based initiatives. They evoke the arguments of the civil rights era for the public policy of Faith-Based Initiatives.

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<sup>62</sup> Boyer, 11 April 2001.

<sup>63</sup> Steve Miller, “Faith Initiative gets a boost from clergy,” The Washington Times, 26 April 2001.

Washington Times reporters highlighted and quoted religious leaders who supported Faith-Based Initiative policy, by saying that religious leaders supported this public policy, church and state relations would not be blurred. One debate discussed by The Washington Times staff was the possible government intrusion on religious organizations, missions, and religious practices through the acceptance of taxpayer dollars. This particular concern was not an issue of church and state relations blurring, rather expanding services to help America and its needy. Steve Miller interviewed Bishop Henry Fernandez, a supporter of President Bush's Faith-Based public policy:

Bishop Henry Fernandez with the Faith Center in Fort Lauderdale, Fla., said that the argument that Mr. Bush's proposal would allow for excessive government meddling in religious affairs was weak. "We are not asking the government to fund a message, we are asking to fund a mission," Bishop Fernandez said, "We can provide for someone, help someone, without telling them which God to pray to."<sup>64</sup>

This statement by Bishop Fernandez for faith-based initiatives would make many religious scholars and liberals nervous. As illustrated by Bishop Fernandez's remarks, the bias of the clergy toward their religious tradition and their religious social programs can be easily blurred, and in this case the Faith Centers seems like an independent church unaffiliated with any particular denomination.

The main arguments for Faith-Based Initiatives are voiced by The Washington Times coverage of Faith-Based Initiative public policy. The Washington Times mythology of faith-based initiatives is highly galvanized as an

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<sup>64</sup> Miller, 26 April 2001.

argument of the political left versus the political right. In an article entitled, “Senate Democrats assail faith-based bill,” reporter Larry Witham addressed issues of Mr. Bush’s judicial nominees, faith-based initiatives and dismissed Democrats arguments against Faith-Based legislation. The issue of “charitable choice” and civil rights was discussed in his article, but mainly focused on rebutting liberal arguments while lauding “charitable choice” and results of faith-based social services:

. . . Sen. Rick Santorum, a Pennsylvania Republican who is drafting expanded charitable choice options, testified that it is better called “beneficiary choice,” since a person getting federal aid for welfare problems could choose between secular and religious providers. While critics say the large denominations already get billions of federal dollars each year to do charitable work, Mr. Santorum said small groups are crowded out. Current practice “discriminate against these small nondenominational churches, especially African-American” and Hispanic communities, he said. The new provision would let them more easily compete for funding.<sup>65</sup>

The question of access is finely articulated, but the topic of accountability is another point of contention between liberals and conservatives. The Washington Times addressed the issue of religious accountability with Federal funds through the mainstream conservative perspective arguing that the state will not alter the church. Larry Witham interviewed a Justice Department Lawyer on the issue of “charitable choice” and faith-based organizations:

Justice Department lawyer Carl Esbeck testified that charitable choice provisions don’t rescind civil rights protection, but they strip away government funding discrimination toward groups with a “high religiosity” or that are “pervasively sectarian.” Sectarian status is “irrelevant” under charitable choice and current court rulings, he said, as

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<sup>65</sup> Larry Witham, “Senate Democrats assail faith-based bill,” The Washington Times, 7 June 2001.

long as the group can produce welfare results measured by secular standards. “Charitable Choice is not for all faith-based organizations,” Mr. Esbeck said. They must account for the funds and “if they can’t deliver the Service, they are not going to be competitive for funding.”<sup>66</sup>

The article does not address how lawmakers will determine groups with “high religiosity,” or that are “pervasively sectarian.”<sup>67</sup> This is a subject that further divides the political left and right on church and state relations because of faith-based initiatives. President Bush, in a speech to the U.S. Conference of Mayors, said, “America can be saved – one heart, one soul, one conscience at a time. We are funding the good works of the faithful, not the faith itself.”<sup>68</sup> The United States Conference of Mayors and Civil Rights icon, Rosa Parks, endorsed the idea of faith-based programs receiving federal funds. The Washington Times reporting and editorial staff was clearly biased in their presentation and support of Faith-Based policy.

Washington Times reporters’ interpretation of church/state relations and American history was to create a history for Faith-Based Initiative public policy. The political ideology of Washington Times editors and reporters reflects the shaping of particular aspects of church/state relations and American history. Stephan Dinan quoted Senator Trent Lott (R-Mississippi) after the close of the 107<sup>th</sup> Congress:

Congress is adjourning this week having revamped election and campaign-finance laws and responded to September 11 by giving the administration broad new powers to protect the nation and fight a war in

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<sup>66</sup> Witham, 7 June 2001.

<sup>67</sup> Witham, 7 June 2001.

<sup>68</sup> Bill Sammon, “Bush’s faith-based initiative gets an OK from mayors, Rosa Parks,” The Washington Times, 26 June 2001.

Iraq. But the 107<sup>th</sup> Congress failed to pass most of the appropriations bills, prescription bills, prescription-drug coverage under Medicare and the president's faith-based initiatives. . . . And while the two chambers, and the two parties, worked together on most of the national-security legislation, they butted heads on a host of social financial issues, and had decidedly less to show for that. "This year, we ducked the tough votes, and the American people were the losers," said Sen. Trent Lott, Mississippi Republican . . .<sup>69</sup>

Clearly, The Washington Times, from its first reporting on the Office of Faith-Based Initiatives, has created a mythology of church and state and American history in its editorial and reporting position on the subject. It has not provided its readers with a balanced or accurate analysis of the debate surrounding the legislation or topic. First, the issue of the political left and the political right on the faith-based initiative is misleading. Many Republicans and Democrats voiced concern over faith-based initiatives. Second, the party politics of agenda and voting is highly polarized on many issues, and some Democrats, like Senator Lieberman, prefer the idea of Faith-Based organizations receiving federal funds, but are hesitant on the issue for various other reasons. Several Republicans had questions about the Faith-Based Initiatives, yet, this faction was not represented in Washington Times articles. The Washington Times fails the standard of fair and balanced reporting by its repeated omissions of facts and lack of consideration of the other side of the argument.

The arguments for Faith-Based Initiatives outlined by The Washington Times reporters and editors interpreted American history, our founders' intent, the

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<sup>69</sup> Stephen Dinan, "107<sup>th</sup> Congress leaves 108<sup>th</sup> workload," The Washington Times, 21 November 2002.

Constitution, and present-day clergy support for the public policy to their readership. The Washington Times mythology argued the wall of separation between church and state was too high and is a wall that should crumble. The Washington Times reporters reasoned that religious social services are effective and had been discriminated against receiving Federal funds. This is not the America that the Founding Fathers envisioned with regards to church and state relations.

The following chapter will focus on the arguments against Faith-Based Initiatives written in the politically liberal paper, The New York Times. The New York Times mythology argues that the wall separating church and state is crumbling due to President Bush's Faith-Based Initiative public policy. Jeffrey Rosen's commentary best encapsulates The New York Times editors' and reporters' mythology against Faith-Based Initiatives based on the Constitution and American legal history.

### **THE NEW YORK TIMES AND ITS STORY OF FAITH**

Henry Raymond established The New York Times in 1851. In 1872 the newspaper described itself as, “The Only Republican Paper in New York, ” a title that in 1893 was changed to “*The Times* will be a Democratic newspaper.”<sup>70</sup> Today, The New York Times is considered to be left leaning in both its reporting and reporters. A number of reporters and columnists wrote about Faith-Based Initiatives for The New York Times: William Safire; Peter Steinfeld; Kevin Sack; Laurie Goodstein; Rich A. Oppel, Jr.; Gustav Niebuhr; Forrest Church; Jeffrey

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<sup>70</sup> Bill Lucey, “The New York Times: A Chronology: 1851-2001,”  
<<http://www.nysl.nysed.gov/nysnp/nytlucey.htm>>

Rosen; and Eyal Press. New York Times columnist William Safire was the more conservative writer, while reporter Laurie Goodstein wrote the majority of articles that took a critical view of Faith-Based Initiatives.

There were more articles and commentaries featured in The New York Times than The Washington Times on the issue of Faith-Based Initiatives. The New York Times reporters presented several arguments against Faith-Based Initiatives receiving Federal funds. The New York Times reporters and editors approached the subject by addressing American history and church and state relations, which was a completely opposite evaluation from that of The Washington Times, which argued that the wall of separation is too high and needs to be lowered.

The New York Times writers presented a variety of arguments against Faith-Based Initiatives: (1) an interpretation of court history and cases that obscured church and state issues, (2) the definition of religion in America, (3) religious groups discriminatory hiring practices and government-funded proselytizing, (4) if such funding violated the United States Constitution, (5) and a unique interpretation of American history and founders' intent. These arguments oppose The Washington Times arguments and mythology for Faith-Based Initiatives. New York Times reporters' articles and columnists' criticisms went beyond political rhetoric to the core liberal arguments against Faith-Based Initiative public policy. The New York Times described the policy as crumbling the wall separating church and state in America.

The New York Times Analysis of the Church and State Eroding Wall

New York Times reporters developed their own historical analysis of church and state relations in their interpretation of the rapidly decaying wall separating church and state. The First Amendment of the United States Constitution reads:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.<sup>71</sup>

New York Times reporters addressed the constitutionality of such an initiative, the issue of the wall of church-state separation, and the Establishment Clause. This was an argument strategy used by The Washington Times in their mythology of the Faith-Based Initiative history, but used to argue in favor of the public policy.

The New York Times ran an article in January 2000 that argued Faith-Based Initiatives were weakening the wall of separation between church and state. This article ran just days before President Bush signed the Executive Order that established the Office of Faith-Based and Community Initiatives. The extensive article, written by legal affairs editor Jeffrey Rosen, was a historical analysis of the rise and fall of the wall of church and state separation.<sup>72</sup> Rosen wrote that the separation of church and state began to collapse with the 2000 Presidential

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<sup>71</sup> Legal Information Institute of Cornell University Law School, "U.S. Constitution," <<http://www.law.cornell.edu/constitution/constitution.billofrights.html>>

<sup>72</sup> Jeffrey Rosen, "Is Nothing Secular?" The New York Times, 30 January 2000. Jeffrey Rosen's by-line in his New York Times article reads: Jeffrey Rosen is legal affairs editor of The New Republic and teaches law at George Washington University.

Election and that continued erosion could be found in the court system. Rosen, a Georgetown Law Professor wrote, “It’s not just the candidates who are eroding the wall between religion and public life; the courts, by and large, are giving their blessing . . . One thing is clear: the era of strict separation is over.”<sup>73</sup>

Rosen’s article included an interpretation of the history of church-state separation and a review of the First Amendment. Rosen argued that strict separation was being replaced by a broader interpretation of the law. Rosen contended that, “The Supreme Court is on the verge of replacing the principle of strict separation with a very different constitutional principle that demands equal treatment for religion.”<sup>74</sup> The shift in the courts and legal thought is due at least in part to one religious advocate.

Rosen attributed the shift in legal thought to one Michael McConnell, who was a Supreme Court Clerk for Justice Brennan in 1981. Rosen cites McConnell as, “. . . one of the most influential advocates for the equal treatment for religion.”<sup>75</sup> McConnell persuaded Justice Brennan to review the case of *Widmar vs. Vincent*. This case involved a Federal District Court ruling that upheld the University of Missouri at Kansas City’s regulation forbidding the use of university facilities and property being used “for purposes of religious worship or religious teaching.”<sup>76</sup> Rosen quoted Michael McConnell on the *Widmar* decision:

McConnell recalls being outraged by the decision. “Once the courts had held that a public university had to allow politically subversive groups to

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<sup>73</sup> Rosen, 30 January 2000.

<sup>74</sup> Rosen, 30 January 2000.

<sup>75</sup> Rosen, 30 January 2000.

<sup>76</sup> Rosen, 30 January 2000.

meet, it seemed crazy, like lunacy, to say that a Bible-study group couldn't meet," he says. "That just seemed like the height of antireligious bigotry." In the Widmar case, the Supreme Court agreed, 8 to 1. When a public institution opens its facilities to private speakers, the court declared, the First Amendment requires it to treat religious and nonreligious groups equally. The decision proved to be the first chink in the wall of separationism.<sup>77</sup>

McConnell cited his success in furthering the slow collapse of the church-state wall of separation by persuading the Supreme Court to review the case.

Rosen's article outlined his perspective on the court systems' blurring of church and state relations. In an analysis of religious groups and the Supreme Court, Rosen found that the Supreme Court justices in the 1980s and 1990s were shifting away from the formerly strict wall of separation. The Supreme Court, Rosen argued:

. . . made it clear that they would uphold nonsectarian school prayers and other state sponsored religious expression, as long as the state didn't discriminate among religions. For these justices equal treatment for religions seems like a strategic compromise on the way to the more ambitious goal of an openly religious state.<sup>78</sup>

Rosen maintained that there were legal shifts towards religion in civil society, too. He discussed the idea of federally funded religious social services. He posed the central question that Faith-Based Initiatives presents for society: "Would the renewed commingling of church and state be good or bad? And for whom?"<sup>79</sup> His questions raise concerns for critics of Faith-Based Initiatives who see no definitive answer in the future. Rosen's interpretation is characteristic of the politically leaning-left in New York Times articles and editorials:

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<sup>77</sup> Rosen, 30 January 2000.

<sup>78</sup> Rosen, 30 January 2000.

<sup>79</sup> Rosen, 30 January 2000.

There is a theological tradition in America, dating to the 17<sup>th</sup> century, which holds that the purpose of the wall of separation is to protect the church against the worldly corruptions of the state, rather than to protect the state against the religious overreaching of the church. As churches become more deeply involved in administering public education and welfare programs, they might find themselves under new and troubling forms of scrutiny. And as religion is understood in increasingly instrumentalist terms by politicians and intellectuals, there may be a certain blindness to religion's wilder, more mystical and irrational aspects. Governor [George W.] Bush may think of churches as the kind of organizations that are good at running well-disciplined grade schools, but in Texas, religion is also David Koresh, the leader of the Branch Davidians.<sup>80</sup>

Rosen's concern of defining religion and the interactions between church and state were further articulated by New York Times reporters and columnists. Rosen voiced the fear that religion might become a tool used by politicians for votes and outreach. Therefore, The New York Times reporters' reasoned, the White House Office of Faith-Based Initiatives, pertaining to religion and government relations, should have rules and definitions governing its actions towards religious groups. This point was addressed by both the religious right and left in regards to federal funds and regulations associated with Faith-Based Initiatives.

Rosen posed the core question for the administration of the program: Does the office allow all religious organizations to compete for federal dollars and does the office promote religious equality? Rosen wanted to know what the government defined as a religion so that they could qualify for funding:

Even before Waco, however, David Koresh was unlikely to receive a government contract to distribute welfare benefits. A study of more than

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<sup>80</sup> Rosen, 30 January 2000.

1,200 congregations by Mark Chaves of the University of Arizona and recently published in the *American Sociological Review* reports that only about 3 percent of the congregations surveyed receive government funds today. Chaves found clear racial and religious divisions between the congregations that were interested in applying for government contracts and those that were not. Catholic and liberal-to-moderate Protestant congregations are more likely to apply for government funds than are conservative and evangelical congregations. Furthermore, 64 percent of African-American congregations expressed interest in bidding for charitable choice contracts, as opposed to only 28 percent of predominantly white congregations.<sup>81</sup>

The emergence of Faith-Based Initiatives with funding specifically for religious social services greatly narrows the variety of religious organizations that would both apply and receive funding. This is due to the fact that many religious groups would not apply for fear of not being recognized, defeating the purpose and goal of religious equality in the public policy. In the movie, *Field of Dreams*, an ethereal voice tells Kevin Costner's character, "If you build it, they will come." If the government offers funding for social services, will a variety of religious organizations apply? According to Rosen based on Chaves' study, the answer to that question might be a negative.

Rosen shaped The New York Times American court history for readers, the issues of how the government defines religion and subsequent funding, government influence on the pulpits, government funded proselytization, and discriminatory hiring practices were covered by several other New York Times reporters and editors. In keeping with these queries, Rosen pondered what the impact would be on religious groups who received federal funds:

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<sup>81</sup>Rosen, 30 January 2000.

The erosion of the wall between church and state could turn some, but not all, religious organizations into quasi-social-service providers with multi-million dollars budgets, armies of lawyers and accountants – and the risk of corruption and patronage that inevitably accompany large government grants. Moreover, the monitoring necessary to ensure that these funds are used for secular purposes could alter the character of the churches themselves.<sup>82</sup>

The issue of religious character and government funds was addressed not only by Rosen, but also by President Bush. In his remarks announcing the creation of a White House office for community groups and religion-based groups to perform social services, Mr. Bush said:

Government has important responsibilities for public health or public order and civil rights. And government will never be replaced by charities and community groups. Yet when we see social needs in America, my Administration will look first to faith-based programs and community groups, which have proven their power to save and change lives. We will not fund the religious activities of any group, but when people of faith provide social services, we will not discriminate against them. As long as there are secular alternatives, faith-based charities should be able to compete for funding on an equal basis and in a manner that does not cause them to sacrifice their mission.<sup>83</sup>

President Bush's statement did not adequately address The New York Times concerns over state influence on religious groups and their influence on the state. The concern over federally funded proselytizing shaped New York Times reporters and editors Faith-Based mythology. The topic of proselytizing raised by Faith-Based Initiatives and federal funding are strongly questioned by both liberal and conservative media through articles and editorials. The New York Times worried that blurring church-state relations would result in government funded

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<sup>82</sup> Rosen, 30 January 2000.

<sup>83</sup> George W. Bush, "Bush on the Creation of a White House Office Tied to Religion," The New York Times courtesy of the Federal News Service Inc., 30 January 2001.

proselytizing, an erosion of the First Amendment. This is an issue familiar to readers of New York Times articles and commentaries on the White House Faith-Based and Community Initiatives Office. A 2001 New York Times editorial stated:

But Mr. Bush's ambitious proposal to channel federal funds to "faith-based" groups to serve social needs is a potentially dangerous erosion of the constitutionally shielded boundary between church and state. As the Supreme Court has observed, that boundary not only protects Americans from improper government support for religion. It guards religion itself from government encroachment and regulation . . . What is at issue is the standards to be used to prevention violation of church-state boundaries.<sup>84</sup>

The matter of standards for church and state relations to prevent proselytizing was further argued in editorials. A New York Times editorial criticized the former Mayor of Indianapolis Stephen Goldsmith, a strong supporter of Faith-Based Initiatives, on the issue of proselytizing:

Mr. Bush needs to provide safeguards against proselytizing and other abuses. He should also make sure that religious groups that receive federal funds comply with federal regulations for auditing social service programs and for providing services on a non-discriminatory basis. Mr. Goldsmith has argued that government should support faith-based groups that provide services with "a religious component." Last year he suggested that a homeless shelter receiving federal funds should not be prevented from asking recipients to pray once a day. He and others say that this would be acceptable as long as people in need of shelter have other shelters they can turn to that do not have a religious component. That may seem a small step, but it could invite the kind of abuses the First Amendment is meant to prohibit.<sup>85</sup>

The New York Times reported speeches by John J. DiIulio Jr., the first director of the White House Office of Faith-Based and Community Initiatives in reference to possible government funded religious conversion and proselytizing.

<sup>84</sup> Editorial, "Faith-Based Services," The New York Times, 30 January 2001.

<sup>85</sup> Editorial, 30 January 2001.

New York Times reporter Laurie Goodstein covered a speech given by DiIulio on this topic. Goodstein cited Mr. DiIulio's policies for the new Federal Faith-Based and Community Initiatives Office to Evangelical leaders and recorded their responses. In his speech to Christian Evangelical leaders, DiIulio said programs with missions and methods for religious conversion were not eligible for federal funds. Mr. DiIulio believed that the system of funding did not violate the boundaries of the United States Constitution. Goodstein's article suggested this matter is open to debate and quoted Marvin Olasky, the editor of Evangelical World Magazine and a proponent of "compassionate conservatism." Mr. Olasky raised a criticism specific to religious conservatives concerning the equality of government funding and government selection of religious groups to receive federal monies. Goodstein wrote:

Mr. Olasky told the crowd he was more disturbed than ever at how the Bush initiative was being shaped. And he said in an interview afterward: "That seems to me to be discriminatory and wrong. There already is so much suspicion in the evangelical community about government activity, and this will only intensify it."<sup>86</sup>

Goodstein's article offered perspectives from Marvin Olasky and Reverend Raymond Rivera that revealed a cleavage in the perceived monolithic Evangelical leadership on the issue of church and state relations: one questioning federal funding for religious social services while the other is seeking funds. Goodstein interviewed Reverend Raymond Rivera, another Evangelical leader, who was pleased with the new funding formula:

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<sup>86</sup> Laurie Goodstein, "Bush Aide Tells of Plan To Aid Workers By Churches," The New York Times, 8 March 2001.

“We are a pluralistic society, and we understand that,” said the Rev. Raymond Rivera, president and chief executive of the Latino Pastoral Action Center, a ministry based in the Bronx that receives about 25 percent of its budget through government grants. “Vouchers would still go a long way to enable us to serve more people. Historically it’s been the Catholics, Lutherans, Episcopalians and Jews that have worked with the government, while evangelicals were locked out of the process. Now we know we have access.”<sup>87</sup>

The New York Times reporters’ arguments against government funded social services was one concern articulated, another point examined was the issue of access for all religions and denominations. These two religious leaders were not the only citizens concerned about church and state boundaries and limitations by Faith-Based Initiative policy.

President Bush addressed the concerns raised during the debates about church and state, but not to the satisfaction of The New York Times reporters’ and editors’.

In pushing the bill, Mr. Bush says federal money “will be spent on social services, not worship services.” That is a welcome assurance. Indeed the bill says no funds “shall be expended for sectarian’ activities. But it also says that any sectarian activity offered to a recipient of the service ‘shall be voluntary.’ This means that a recipient of government aid can easily be exposed to worship, proselytizing or religious counseling and that this is all right as long as he or she has other aid options. The bill still makes it likely that the government would subsidize a social service with a religious component. Indeed that is the whole point of the bill.<sup>88</sup>

The possibility of funding worship services made New York Times reporters and editors skeptical about the policy and voiced their church and state concerns ranging from constitutional issues to possible government-funded

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<sup>87</sup> Goodstein, 8 March 2001.

<sup>88</sup> Editorial, “Mr. Bush’s ‘Faith-Based’ Agenda,” The New York Times, 8 July 2001.

discrimination. By raising these concerns, The New York Times discussed the intricacies of this public policy better and with more detail than The Washington Times, especially on discriminatory religious hiring practices.

#### Federally Funded Discrimination? The church and state quagmire

The issue of federally funded Faith-Based Initiatives discriminating in their hiring practices is an identified area of debate. Religious social services may create discriminatory hiring practices citing religious freedom, thus according to New York Times mythology, blurring church and state boundaries. Conservatives argue that federal funds should not change the religious mission and religion. Liberals argue that religious beliefs can cause discriminatory hiring, turning back the success of the civil rights movement.

The issue of discriminatory hiring practices by religious organizations funded by government dollars was featured in an April 2001 article, a seven-page article about Alicia Pedreira, a lesbian who was fired from the Kentucky Baptist Homes for Children. Her termination letter explained, “homosexual lifestyle is contrary to Kentucky Baptist Homes for Children core values.”<sup>89</sup> Eyal Press interviewed several parents who complained against Pedreira’s termination highlighting the issue of government-funded discrimination by religious social organizations.

What was the issue that caused Pedreira’s termination? A single photograph. At the Kentucky State Fair, a photographer submitted a photo of

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<sup>89</sup> Eyal Press, “Faith-Based Furor,” The New York Times, 1 April 2001.

Pedreira with another woman wearing a tank top with a design of an arrow pointed to the “Isle of Lesbos” upon it.<sup>90</sup> The Kentucky Baptist Homes for Children, and all religious social services, can fire or hire based on religious principles while receiving federal funds. The New York Times addressed the concerns of Title VII, Faith-Based Initiatives, and discriminatory hiring practices in numerous articles and commentaries. Title VII, known as the Exclusionary Clause to the First Amendment of the Constitution was cited by both the political left and right to justify or challenge religiously-based hiring in federally funded social services. Senator Joseph Lieberman wrote of his concerns in Congress, “We can’t adopt a system here that allows religious groups to meet a lower standard of civil rights protection than nonreligious groups.”<sup>91</sup> Eyal Press is highly critical of government funded discriminatory hiring practices justified by Title VII:

But this is not the only concern. Because courts have interpreted the Title VII exemption to include all the “tenets and teachings” of a faith, the door could be open to a seemingly wide range of government-financed discrimination practices. Consider what would happen if a state decided to contract out services to the Nation of Islam. Catholics, Jews or any other group that runs afoul of the Nation of Islam’s teachings might find themselves excluded. This is not a hypothetical example. Back in 1995, Bob Dole and other Republicans denounced the Department of Housing and Urban Development after discovering that federal funds were used to hire a security firm linked to the Nation of Islam. Despite reports that the firm was effective, HUD promptly revoked the contract. Yet in 1996, many of these same politicians helped pass the first Charitable Choice legislation.<sup>92</sup>

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<sup>90</sup> Press, 1 April 2001.

<sup>91</sup> Press, 1 April 2001.

<sup>92</sup> Press, 1 April 2001.

This revelation by Eyal Press bodes poorly for non-mainstream religions applying for government funding. On the issue of federally funding religious social services, how will government influence religion and vice-versa in America? Press wrote:

Religious organizations have long been exempted from the provision in Title VII of the 1964 Civil Rights Act that forbids religious discrimination by employers, on the grounds that they would otherwise be forced to act against their beliefs when hiring personnel. But starting in 1996, Congress began passing “Charitable Choice” legislation allowing religious organizations to discriminate while accepting public funds for welfare-to-work and, more recently, drug-treatment programs. And although criticism is mounting, supporters of faith-based initiatives are attaching similar provisions to a host of additional social programs, from crime prevention to hunger relief to housing grants. Recently on “Face the Nation,” Stephen Goldsmith, a White House adviser, explained that such organizations will indeed be allowed to discriminate in their hiring practices, but only “on the basis of religion.”<sup>93</sup>

The Washington Times did not print an article concerning this controversy or this particular court case.

Pedreira’s case raised several concerns on the subject of religious discrimination as it is widely known that many religions reject homosexuality. Press quoted Democratic Congressman Bobby Scott from Virginia, “If you can discriminate on religious grounds, it doesn’t take much imagination to discriminate in other ways.”<sup>94</sup> The proponents of Charitable Choice argue on the issue of religious-based employment discrimination argue:

Proponents of Charitable Choice view the law’s hiring provisions as essential. Carl Esbeck, a conservative legal scholar, has written that religious organizations “can hardly be expected to sustain their religious

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<sup>93</sup> Press, 1 April 2001.

<sup>94</sup> Press, 1 April 2001.

vision without the ability to employ individuals who share the tenets of the faith.” In a recent article in *The New Republic*, Jeffrey Rosen echoed this view, noting that, after all, many secular organizations that receive government funds, like Planned Parenthood, also hire on the basis of their values.<sup>95</sup>

New York Times reporter Eyal Press reasoned when the government treats religious organizations equally as recipients for funds and accepts their demands of Title VII, this is preferential treatment. This special treatment does not benefit all Americans or those receiving or working with federally funded religious services. New York Times reporters wrote of several examples of programs that receive federal funds that can fire women who have children out of wedlock, and then there is the circumstance of Bob Jones University. “In theory, an organization like Bob Jones University could receive public funds to hire employees while forbidding them to engage in interracial dating.”<sup>96</sup> A far-fetched scenario perhaps, but one that could be a real possibility under Faith-Based Initiatives.

The issue of religious hiring of people of other faiths poses more questions in the Faith-Based debates. If people want to work for the betterment of society, who cares what their religious faith is? Pedreira’s case is one example of religious beliefs and hiring practices clashing:

Pedreira’s legal team sees this letter and other statements by Baptist Homes employees as clear evidence of religious-based discrimination. “We argue that you cannot take government money and impose those

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<sup>95</sup> Press, 1 April 2001.

<sup>96</sup> Press, 1 April 2001.

religious beliefs on employees,” said Adams [Pedreira’s attorney], “Whether the victim is a homosexual – as in this case – or not.”<sup>97</sup>

The employees who work with federally funded religious social service organizations could be the victims of federally funded discrimination. Conservative Christians argue that government funds should not change the religious mission or religious tenets of a religion. Liberals disagree and argue that religious social organizations have existed without large government funds. If the system is working why change it? Eyal Press wrote:

Alarmed by the implications, a coalition of civil rights and religious organizations – including the Union of American Hebrew Congregations, the N.A.A.C.P., the Interfaith Alliance and Catholics for a Free Choice – recently sent a letter to President Bush urging him to oppose “government funded” discrimination in any form. “It would be unconscionable,” the letter states, “that a want ad for government-supported social services would read, for example, “Catholics and Jews Need Not Apply.” But the Bush Administration – which in February established a White House Office of Faith-Based and Community Initiatives – is unlikely to change course.<sup>98</sup>

Why fund discrimination? The future holds the results of these postulations and arguments. The concerns of hiring discrimination and government-funded proselytization have been addressed; now to the issue of government influence on religion and vice-versa.

#### Government influence on the pulpits? A church and state reality

A concern expressed by The New York Times reporting staff was government interference in religiously oriented service programs. Many religious conservatives cite the possibility of government dollars encouraging an

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<sup>97</sup> Press, 1 April 2001.

<sup>98</sup> Press, 1 April 2001

intervention in their religious practices, procedures, or policies. This is an issue that concerns not only conservatives, but also liberals. New York Times reporter Laurie Goodstein wrote:

The Southern Baptist Convention's North American Mission Board said that while "optimistic," it had urged its ministers to "proceed with caution," explaining, "There can be a tendency over time for the government to attempt to control that which it subsidizes."<sup>99</sup>

Several religious groups are critical of receiving government funds for their religious work. New York Times reporters quoted several groups and leaders of the religious right to prove that both the political and religious left and right were critics of government and religious intervention with Faith-Based Initiatives. The importance of The New York Times editorial staff citing the concerns of the religious right was to prove that it was not only liberal religious groups who had concerns and arguments against Faith-Based Initiatives.

Another specific concern expressed was the selection of religions for funding under Faith-Based Initiatives. In a December 2000 meeting, with over thirty religious leaders and ministers, this unease was expressed to President George W. Bush. The meeting was comprised of religious leaders from various small ministries across the nation. The question of access to federal funds was also voiced to the press. If this new White House Office was to create more religious equality, how will this administration define religion in America? New York Times reporters Oppel and Niebuhr quoted Reverend C. Welton Gaddy,

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<sup>99</sup> Laurie Goodstein, "Bush's Charity Plan is Raising Concerns for Religious Right," The New York Times, 3 March 2001.

executive director of the Interfaith Alliance, a group described as opposing “the religious right.”<sup>100</sup> Reverend Gaddy was not invited to the faith-based meeting with President George W. Bush and other religious leaders. Reverend Gaddy voiced one facet of the liberal argument against the use of faith-based social programs receiving federal funding. “There are many religious traditions in this land,” said Reverend Gaddy, “How do we guarantee that minority religions have the same access that majority religions have.”<sup>101</sup> It is interesting to note that Robertson and Gaddy are arguing on the issue of religious equality, but their arguments oppose one another. Robertson wanted to limit the groups considered for federal funding while Gaddy argued for opening the definition of religion in America.

Both Gaddy and Robertson’s arguments were concerned about which particular groups receive federal funding for their religious social organizations and how Federal dollars will be spent. These arguments raised the concern about government funded proselytizing and discriminatory hiring centered on religious beliefs. New York Times reporters covered these two arguments against Faith-Based Initiatives that revealed the newspapers liberal bias and mythology. In a New York Times article that discussed President Bush’s meeting with religious leaders about Faith-Based Initiatives, reporters Richard Opiel and Gustav

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<sup>100</sup> Richard A. Opiel Jr. and Gustav Niebuhr, “The 43<sup>rd</sup> President: The Churches: Bush Meeting Focuses on Role of Religion,” The New York Times, 20 December 2000.

<sup>101</sup> Opiel Jr. and Niebuhr, 20 December 2000.

Niebuhr interviewed Gaddy, who commented on the religious equality and funding:

“You have a situation in which an organization could turn food or clothing or counseling or rehabilitation into a tool for proselytizing,” said Rev. Gaddy, executive director of the Interfaith Alliance “And you have the government supporting that. That concerns me.”<sup>102</sup>

The fear of government funded proselytizing was repeatedly voiced by The New York Times staff in the debates over Faith-Based Initiatives. New York Times reporters interviewed several critics of Faith-Based Initiatives and printed letters of opinion from religious leaders opposed to President Bush’s program. One such letter was written by Forrest Church, who was identified as a senior minister of All Souls Unitarian Church in Manhattan, New York:

As a minister, I admit that the idea of taxpayer-supported aid for my tax-exempt institution is tempting to contemplate. But to be faithful to the constitutional mandate for separation of church and state, we should all be cautious about government subsidies for religiously based programs, however noble their goals.<sup>103</sup>

Forrest Church argued religious leaders and groups can be tempted by dollars. Mr. Church highlighted the mission of religious social services, religion and religious faith. He argued that religious leaders would be faced with the temptation of government funds under Faith-Based Initiative legislation:

So why not augment all this with a little governmental largess? Because even religious institutions that place a high value on serving the poor almost always place a higher value on saving souls. They should. That is why they exist in the first place. Government support for church-based charitable programs can be constitutionally sound if the line between helping the poor and saving souls is clearly drawn. But often it will not be. It’s wonderful when political leaders encourage the private sector to get

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<sup>102</sup> Opiel Jr. and Niebuhr, 20 December 2000.

<sup>103</sup> Forrest Church, “Faith In Our Founders,” The New York Times, 25 December 2000.

involved in good works. But to suggest that the government should shift part of its welfare burden to churches, through tax-supported subsidies, is folly. Who will do due diligence on thousands of tiny projects to ensure that religion and government stay separate? Who will keep my church, or any other from slipping federal funds from one pocket to another?<sup>104</sup>

The fear of financial misuse is a strong point debated by proponents of faith-based initiatives. One can only remember Jim and Tammy Faye Baker and their Praise The Lord (PTL) scandal as a reason for such misgivings.

Reverend Forrest's letter warned that government funds for religious organizations would be dangerous: "But an initiative that would water down existing regulations crafted to ensure a high degree of church-state separation is unnecessary and dangerous."<sup>105</sup> The "Letters to the Editor" section did include various opinions and organizations writing against Faith-Based Initiatives, as Reverend Forrest wrote:

If Mr. Bush truly believes in individual action rather than government interference, he ought to think twice before cutting high-end taxes and subsidizing churches.<sup>106</sup>

The same stance was presented in a New York Times editorial that addressed the issue of which religions were to be funded and the future of church-state relations:

There is also an inherent danger in government's picking and choosing which groups to help. Mr. Bush was praised yesterday for reaching out to disaffected blacks and inviting African-American church leaders to the White House for his announcement. But it should be obvious that, however well intentioned, government should not be in the business of

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<sup>104</sup> Church, 25 December 2000.

<sup>105</sup> Church, 25 December 2000.

<sup>106</sup> Church, 25 December 2000.

aiding religious organizations for political purposes, however worthy they might seem.<sup>107</sup>

The New York Times final argument against Faith-Based Initiatives was a unique interpretation of American history, the wall of church and state separation, and the founding fathers. This was a tactic used by both newspapers in their debates over Faith-Based Initiative public policy.

#### American History and The New York Times

In a New York Times editorial, Adam Cohen supported arguments by opponents of Faith-Based who argued the Constitution and Faith-Based initiatives cannot co-exist. Cohen argued the liberal analysis of the wall of separation and articulated his hesitation of Faith-Based Initiatives to counter this conservative argument. Proponents, such as The Washington Times, argue the founding fathers would agree with Faith-Based Initiatives, while:

Backers of faith-based initiatives say that rules against state support for religion are a recent invention of activist judges. But when the Supreme Court handed down a landmark church-state case in 1947, it was careful to ground its decision in the words of our third president. Jefferson was hardly hostile to religion. In his first Inaugural Address, he called God, “an overruling Providence, which by all its dispensation proves that it delights in the happiness of man here and his great happiness hereafter.” But when the Danbury Baptist Association, a Connecticut religious group, asked him to declare a national fast day, he refused, citing his conviction that “religion is a matter which lies solely between man and his God, and his view of the First Amendment as “building a wall of separation between church and state.”

This interpretation of founders’ intent is strikingly different from The Washington Times. Both newspapers argued Faith-Based Initiatives by citing

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<sup>107</sup> Editorial, 30 January 2001.

Jefferson and specific documents to support their mythology of arguments in the Faith-Based debates.

Jefferson saw freedom of conscience as paramount. “To compel a man to furnish contributions of money for the propagation of opinions which he disbelieves and abhors, is sinful,” he wrote in “A Bill for Establishing Religious Freedom.” He also feared that if the churches were united with government, the result would be tyranny. The power of organized religion, Jefferson once wrote, “has been severely felt by mankind, and has filled the history of ten or twelve centuries with too many atrocities not to merit a proscription from meddling with government.”<sup>108</sup>

Cohen’s editorial interpreted history and the Founding Fathers’ vision juxtaposed with Faith-Based Initiatives. Cohen argues that Faith-Based Initiatives are not what the founders’ would have desired for our nation. His editorial was in response to the conservative mythology of religion and politics in America that supported Faith-Based Initiatives.

New York Times articles and commentaries surpassed in sheer numbers the articles and commentaries in support of Faith-Based Initiatives by The Washington Times reporting staff. The New York Times mythology interpreted American history and church and state relations differently than The Washington Times did. The New York Times argued that Faith-Based Initiatives and federally funded proselytization are crumbling the wall between church and state while The Washington Times argued the wall too high and was not the intent of the Founding Fathers. Staff and editors of both papers developed a mythology of American history and religion unique to their own political views.

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<sup>108</sup> Adam Cohen, “Editorial Observer: What Mr. Jefferson Would Think of Ms. Myles’s Addiction Program,” The New York Times, 9 March 2003.

The New York Times did, however, present facts in a news format without the omission of pertinent information to lead readers in only one direction, as The Washington Times did. The New York Times reporting and editing staff was highly critical of Faith-Based Initiatives, but they were careful to include opinions from all sides, which strengthened their arguments and credibility.

### **ANALYSIS OF OTHER ARGUMENTS**

Government does not solve problems, it merely subsidizes them.

-Ronald Reagan

The hope and healing of faith-based services are an integral part of working together to make America a more hopeful place for all. And it is essential for those of us in government to recognize the vital work that faith-based programs are able to do. . . government can't put hope in a person's heart, or a sense of purpose in a person's life. That is done by loving individuals who spread their love.

-George W. Bush

The second chapter of this study discussed The Washington Times as representing some conservative arguments supporting Faith-Based Initiatives. I am not arguing or implying all conservatives agree on the issue of Faith-Based Initiatives, because this position is contrary to reality. Nor am I suggesting that

The New York Times and The Washington Times are the sole sources for the liberal and conservative debates on Faith-Based Initiatives. Patrick Buchanan is a conservative who disagrees highly with faith-based initiatives. He is a prolific conservative writer who challenged George H. Bush in 1992 for the Republican nomination for President, and was an advisor for three Republican Presidents.<sup>109</sup> In his book, *Where the Right Went Wrong*, Buchanan wrote critically about faith-based initiatives.

A conservative battle cry of a generation ago was “Defund the Left!”—eliminate federal grants to liberal activists and shut down their federal redoubts, such as Legal Services Corporation. The new battle cry is “Fund us, too!” Conservative “causes” from global democracy to sexual abstinence now receive tax dollars. And neoconservatives, as ever, have provided philosophical rationale for the betrayal of principle . . . What is a conservative White House doing dreaming up new social programs when we are running a deficit near 5 percent of GDP? What is the difference between the compassionate conservatism of George W. Bush and the Great Society liberalism of Lyndon Johnson? What do Beltway conservatives stand for anymore – besides tax cuts . . . George W. Bush plans to fund God’s Pork for “faith-based” groups to enable Republicans to get a foot in the church door by making the pastor dependent on federal dollars.<sup>110</sup>

The issue of funding troubled Patrick Buchanan and was a concern among leaders of the religious right. Pat Robertson raised other questions regarding Faith-Based Initiatives, particularly on which religions receive funds. He is religiously conservative and is the founder of the 700 Club. He is a great ally of President Bush, so his criticism was a great surprise and hurdle in the Faith-Based

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<sup>109</sup> “Biography of Patrick Buchanan,” <<http://www.townhall.com/spotlights/archive/8-28-95/buchbio.html>>

<sup>110</sup> Patrick J. Buchanan, *Where the Right Went Wrong* (New York: Thomas Dunne Books, 2004),183.

Initiative legislation. On his official website, Pat Robertson is described as “the founder and chairman of The Christian Broadcasting Network (CBN) Inc., and founder of International Family Entertainment Inc., Regent University, Operation Blessing International Relief and Development Corporation, American Center for Law and Justice, The Flying Hospital, Inc. and several other organizations and broadcast entities.”<sup>111</sup> Pat Robertson as both a religious leader in America and supporter of President Bush expressed his concerns on Faith-Based Initiatives.

And Mr. Robertson raised different doubts on his television program “The 700 Club” last week, calling it ‘appalling’ that the plan could result in government contracts for programs run by non-Western religions and newer religious movements like the Church of Scientology and the Unification Church.<sup>112</sup>

This public policy is causing even the greatest proponents of President Bush to question the blurring of government, religion, and federal dollars. Patrick Buchanan is not the only critic of Faith-Based Initiatives, so are religious scholars. For a different perspective, feminist scholars held a forum to critique and discuss Faith-Based Initiatives.

The American Academy of Religion presented a special topic forum, “Faith Based on What? Feminist Scholars of Religion Speak Out about the Bush Administration and Public Policy,” in Denver on November 2001.<sup>113</sup> This particular forum was to highlight the voices of woman religious professionals.

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<sup>111</sup> The Christian Broadcast Network, Inc., “The Official Website of Pat Robertson,” <<http://www.patrobertson.com/Biography/index.asp>>

<sup>112</sup> Laurie Goodstein, “Bush’s Charity Plan is Raising Concerns for Religious Right,” *The New York Times*, 3 March 2001.

<sup>113</sup> Janet R. Jakobsen and Rebecca T. Alpert, “Essays on ‘Faith Based on What? A Roundtable Discussion,” *Journal of the American Academy of Religion* (December 2002), 821.

“The AAR Committee on the Status of Women in the Profession sponsored this session to highlight one of the major obstacles for women in the profession: the absence of women’s voices and feminist perspectives in public debates about issues regarding religion.”<sup>114</sup> All of the forum’s participants raised concerns about faith-based initiatives ranging from the Administrations understanding of religion to the role of women in this particular public policy. Judith Plaskow, former president of the AAR and a professor of religious studies at Manhattan College, acknowledged Faith-Based Initiatives could undermine social justice.

The proposal for faith-based initiatives tends toward identifying morality with certain (conservative) Christian understandings of faith that issues in acts of charity. As a result, and this brings us to our interrelated and specifically feminist concern, the rhetoric around “faith-based initiatives” can undermine public discussion about issues of social justice, social responsibility, and the role of government in the creation of the common good while ignoring the public voices of religious persons and groups that are not those commonly identified with conservative morality.<sup>115</sup>

Plaskow’s observation is a deeper analysis of one of the arguments against Faith-Based Initiatives.

Another forum participant, Rita Nakashima Brock, a visiting scholar at the Starr King School for the Ministry at the Graduate Theological Union, addressed the issue of constitutionality and definition of religion. This has been an issue the media has written numerous articles about, but Brock explores the issue further and found an additional problem beyond church and state relations. Brock argued:

. . .the religion clauses of the First Amendment are based on an Enlightenment Protestant understanding of religion, which Beverly

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<sup>114</sup> Jakobsen and Alpert, 822.

<sup>115</sup> Jakobsen and Alpert, 827.

Harrison characterized in our discussion as based on an even more circumscribed Puritan ideology. Religion in this context is based on faith, rather than on law and practices, as in Judaism and Islam, or on a connection to land, as are native traditions. Brock's critique suggests that constitutional protections based on assumptions that identify religion only with faith are unlikely to be able to protect the free practice of religion for non-Christians in our society.<sup>116</sup>

Her statement supports one aspect of the Constitutional arguments for or against Faith-Based Initiatives that was not voiced in either The New York Times or The Washington Times. The forum raised many questions and critiques of Faith-Based Initiatives, the concerns of religious freedom and women's issues mentions an issue that will be discussed in the next chapter, how effective are the programs are for the people they are aimed to help.

Our panelists are concerned about the implications for women if we make Protestant charity the framework for our responses to social issues. Many of the government services that this administration moved to cut while making this shift toward private charity are services that are particularly important to women. In addition, women may be requested (and in some cases required) to shoulder more of the burdens associated with a move away from government and toward volunteerism. In the United States women have traditionally been the laborers in "volunteer" undertakings. Conservative nostalgia for a time when women could easily be the unpaid staff of church or other private charitable enterprises will not undo today's economic conditions, which rarely support such "free" time.<sup>117</sup>

What is the composition of a religious group that performs religious social work? How effective are religious social programs in comparison to their secular counterpart? These are questions that the Bush administration and policy have not considered. There may be legions of volunteers, but will their volunteerism

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<sup>116</sup>Jakobsen and Alpert, 826.

<sup>117</sup> Jakobsen and Alpert, 827.

remedy government cutbacks on social programs? The panelists at the AAR forum voiced no.

Moreover, the “welfare reform” act in which charitable choice was first enacted required poor women to work regardless of whether or how they managed to meet the demands of parenting. The Justice for Women Working Group of the National Council of Churches has put the matter succinctly: “We see a fundamental contradiction when public policy demands better parenting and stronger families and communities while these talks are notoriously unpaid and underpaid.”<sup>118</sup>

The criticisms of Faith-Based public policy have encompassed both academics and political pundits. Patrick Buchanan, a commentator from the political right, criticized Faith-Based policies on the issues of funding and distorting the wall between church and state separation. Female religious scholars and professionals voiced concerns affiliated with the political left on Faith-Based Initiatives. Their criticisms ranged from defining religion in America to the implications the public policy placed upon women. These criticisms of Faith-Based public policy include commentators from both the political left and right in America.

Typically, the question of assessing good policy is answered by its results, not criticisms. What have been the results of faith-based social work? This question will be addressed in the following chapter by comparing the arguments of social workers with data from a comprehensive study of congregations in America.

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<sup>118</sup> Jakobsen and Alpert, 827.

## **HOW EFFECTIVE ARE FBI'S TO DETERMINE DOMESTIC POLICY?**

Without a doubt, throughout America's rural areas and urban centers, houses of worship and religious nonprofits are vital elements of our social safety net. A majority of American public trusts faith-based organizations as sources of community service and favors more government support for their civic good works. And many welfare officials are looking to religious charities as often the only trusted beacons of hope in distressed inner cities.<sup>119</sup>

–John DiIulio and Stanley W. Carlson-Thies

Proponents of faith-based initiatives argue that religious social services are effective and should be an option for federal funds. Many studies argue religious social organizations and their services should be the first resource for the United States Government and its federal dollars for combating social ills. Social service author and professor Nieli Langer views renewed interest and debate over religious social services as promising for both America and religious social services. Langer, an academic, wrote from a social work perspective that supports religious social service organizations.

The recent interest in faith-based congregational efforts to alleviate social ills should be seen as a promising aspect of a larger transformation in the evolution of religion and politics in the United States. It should be viewed as a gadfly for us to rethink the relationship of religion and social life in America today . . . Sectarian and community initiatives must be supported in the interests of improving government performance and enhancing public trust. Congregations are extensively involved in social service in

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<sup>119</sup> Stanley W. Carlson-Thies and John. DiIulio Jr. "Charitable Choice Is Progressive Social Policy Promoting the Public Trust" found in Partnership or Peril? Oliver Thomas, Faith-Based Initiatives and the First Amendment (First Amendment Center Publications, May 2001),5.

their communities and their voluntary efforts provide a vital backbone for civic society in the United States. That congregations throughout the nation come together to help those in need is a uniquely American social institution . . . <sup>120</sup>

Congregations are different from one another based on worshippers and location, but all are driven by the same motivation, when volunteering or offering social services. Langer further articulated:

Religion's role in renewing society will most often be at the level of the individual, not the government. Religion's chief contribution is in empowerment, that is, an individual's recognition that he/she can transform their lives. Churches are the base operators of great community organizing where people are brought together to do for themselves. Yet, no matter how much congregations exert themselves, they cannot fill the gaps created by the devolution of federal responsibility for social welfare to states and localities.<sup>121</sup>

The issue of determining religious social services is complicated because there is limited reliable data. In my research, I found a definite trend concerning data confirming the efficacy of religious social services. There is no long-term data on religious social services; this is a new field for long-term study, and only a few several researchers are now studying this field. How can anyone determine the efficacy of the religious social services provided by congregations, if we cannot identify or properly evaluate or place congregations in America? Authors Terry Wolfer and Michael Sherr wrote on the lack of data on America's congregations:

. . . an enormous cartographic failure by both local congregational leaders and experts on religion to locate American congregations precisely . . .

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<sup>120</sup> Nieli Langer, "Sectarian Organizations Serving Civic Purposes" from Terry Tirrito and Toni Cascio, ed. Religious Organizations in Community Services. (Springer Publishing Company: New York),149.

<sup>121</sup> Langer,149.

Leaders of local congregations seemed to work with idiosyncratic local maps that extended no further than their property lines or perhaps one that extended in diminishing detail into a nearby neighborhood or out towards one particular denominational mission field. Scholars of American religion and their colleagues in the social sciences and history employed maps drawn to a much larger scale, but these seldom contained any traces of local congregations. (Wind & Lewis, 1994, pg. 10)<sup>122</sup>

There have been several national polls, but the scholarly material on congregations is limited in scope and in some cases biased. The issue of defining congregations is as complicated as is the core activities of congregations. A scholarly study of congregations was published by Mark Chaves, who has written one of the most comprehensive studies of congregations in America. Chaves' findings on congregations in America were surprising on the issues of the actual numbers of volunteers. The assumption is that congregations have legions of volunteers, but Chaves found otherwise. The particular social services offered by congregations were not holistic in approach as reported by President Bush and proponents of Faith-Based Initiatives. Chaves' study debunked many of the faith-based proponents' assumptions of the effectiveness of religious social services provided by American congregations.

Chaves found several interesting trends in America's congregations and their social services. He addressed six assumptions about religious social services that have ramifications on Faith-Based Initiative policy and future legislation. The six categories of assumptions in his study were:

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<sup>122</sup> Terry A. Wolfer and Michael E. Sherr, "American Congregations and Their Social Programs" from Terry Tirrito and Toni Cascio, ed., Religious Organizations in Community Services, (Springer Publishing Company: New York), 23-24.

1. Congregations typically engage in social services in only a minor and peripheral way.
2. Congregation's typical involvement in social services involves small groups of volunteers carrying out well-defined tasks on a periodic basis.
3. Congregations, when they do perform social services, mainly help to meet individuals' emergency needs in a way that involves minimal contact between congregation members and the needy. They are not especially holistic—indeed, they are not especially *religious*—in their approach to social services.
4. The rare congregations that engage more intensively in social services do so mainly in collaboration with a wide range of religious organizations, secular nonprofit organizations, and government agencies. It is more accurate to say that congregation-based social services depend on secular social service agencies than to say that they constitute an alternative to those agencies.
5. Congregations were not more intensively involved in social services in the early part of the twentieth century than they are now, nor did their social service activity ever represent an alternative to government-provided services, nor has there been a displacement of religious social services by secular services.
6. Collaborating with government, including receiving public funding, does not appear to dampen congregations' "prophetic voice" by discouraging their political and advocacy activities.<sup>123</sup>

The first assumption that Chaves studied was the issue of social service engagement and congregations. In Appendix C, Chaves noted over fifteen activities that congregations participate in and the number of their participating congregants. The question, "How intensively do congregations engage in these activities?" Chaves study found:

The median congregation mentions participating in or supporting only one social service program. Even if we limit attention to congregations that mention at least one program, the median number of programs mentioned is only two. . . Of course, the total number of programs reported by congregations is not the only possible measure of the intensity with which

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<sup>123</sup> Mark Chaves, Congregations In America (Cambridge: Harvard University Press, 2004), 46-47.

a congregation engages in social services, since a congregation might engage in only one program but may do so intensively.<sup>124</sup>

Chaves found that social service dollars and volunteer time was a small portion of a congregation's overall total time and money. If the United States government is looking at faith-based programs to alleviate social ills this is data that cannot be ignored. The amount of time and money for volunteering is perceived to be much larger to the public and to policy-makers than reality.

The median dollar amount spent on social services by these more active congregations is approximately \$1, 200, or less than 3 percent of an average congregation's total budget. . . As with money and staff time, the vast majority of congregations devote very small percentages of their volunteer energies to social service activities. The peripheral nature of social services for most congregations also is clear from the case study literature.<sup>125</sup>

This data cannot be ignored. If congregations do not devote much time or money to social services, is this the best choice for federal dollars? Chaves studied the assumption of congregations and their perceived legions of organized volunteers. Chaves established that congregations do provide volunteers, but they are typically a small core group of volunteers. He wrote, "There are, of course, congregations in which more than a handful of individuals are involved in social service activities, but such congregations are the exception, not the rule."<sup>126</sup> One key assumption about Faith-Based Initiative is that local volunteers will collaborate to make effective programs for their communities. If you lack the

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<sup>124</sup> Chaves, 49.

<sup>125</sup> Chaves, 51.

<sup>126</sup> Chaves, 57.

number volunteers required for an excellent program, how will these programs aid those in need?

Proponents of Faith-Based Initiatives have argued that religious social services are holistic in approach and thus more effective than their non-religious counterparts. This is an assumption voiced by President Bush and proponents of Faith-Based Initiatives. Chaves findings shake this assumption to its foundation.

I noted early that congregations participate in or support some type of programs more than others, but now I want to emphasize a pattern in this variable participation: congregations are much more likely to engage in activities that address the immediate, short-term needs of recipients for food, clothing, and shelter than in programs requiring more sustained and personal involvement to meet longer-term needs, such as programs in the areas of health, education (excluding religious education), domestic violence, substance abuse, tutoring or mentoring, and work or employment . . . Only 9 percent of congregations (comprising 17 percent of attenders) are involved in the more personal kinds of program. By contrast, fully 35 percent of congregations (including over 54 percent of attenders) participate in or support the more fleeting kinds of activities.<sup>127</sup>

The image of the holistic approach of religious social services, touted by supporters of Faith-Based Initiatives is not entirely true. Holistic approaches to social services by congregations are rare, not the norm.

Chaves and his study discredited the argument that religious social services are an alternative to secular social services. He found congregations typically collaborate with other organizations, secular or not, to perform their religious services:

In this section I show that collaboration with secular and government organizations—not separation from them—is the norm for congregation-based social services, and that such collaboration does not further reduce

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<sup>127</sup> Chaves, 60. Please refer to Appendix C

the (already low) likelihood that a congregation approaches social services in a more holistic manner. Given these realities, it is difficult to credit the notion that congregations, or religious organizations in general, might offer a genuine alternative to the social service system already in place.<sup>128</sup>

Religious social organizations are part of the social service system and do not pose a legitimate alternative to the present social service system. The assumption that Faith-Based programs stand alone from the current social service system is not true.

Both The New York Times and The Washington Times argued the historical interpretation of religious social services, and although The New York Times and The Washington Times debated many issues, Chaves wrote of the facts on the ground. He wrote, “The historical reality, however, is that at no time in the twentieth century were more than a tiny minority of congregations deeply involved in social services.”<sup>129</sup>

The issue of government funding creating religious dependence by blurring church/state lines is an issue of alarm. Chaves found that there are mechanisms to prevent church dependence on government monies. He believes that federal funds might prompt religious groups to become more politically active, not politically dependent.<sup>130</sup> He argued religious groups would enter the political field because they would have more interest in expressing their opinions.

The data on congregations and their social services is limited, but revealing. The assumptions that religious social services can be successful are

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<sup>128</sup> Chaves, 68. Please refer to Appendix C for Chaves Table of congregations and collaborations.

<sup>129</sup> Chaves, 79.

<sup>130</sup> Chaves, 89.

illustrated by Chaves' study on congregations in America. Clearly, we need more scholarly studies and empirical data to assess the validity of religious organizations undertaking the state or federal social services to alleviate America's social ills. This information is needed in order to consider faith-based initiatives and the office of Faith-Based and Community Initiatives viability to solve America's continual social problems.

### **CONCLUSIONS FOR THE FUTURE**

There is no precedent in any modern White House for what is going on in this one: a complete lack of a policy apparatus. What you've got is everything—and I mean everything—being run by the political arm. It's the reign of the Mayberry Machiavellis.

-John J. DiIulio, Jr.

First Director of the White House Office of Faith-Based and Community Initiatives

The debates over Faith-Based Initiatives were not only between newspapers, but also between the creators of this public policy within the Bush administration. John DiIulio, Jr., the first Director of the White House Office of Faith-Based and Community Initiatives, granted an interview on his experiences as Director Ron Suskind, a Pulitzer-prize winning reporter. DiIulio edited a book supporting Faith-Based Initiatives and endorsed both 2000 Presidential candidates because of their Faith-Based domestic agendas.<sup>131</sup> His interview was highly critical of the Faith-Based policy process and implementation, revealing his concerns and struggles with the Bush administration and domestic policy.

In December 2002, a portion of DiIulio's interview was posted online on Esquire magazine's website and caused a political firestorm. Prior to the article's publication, DiIulio had publicly apologized for his comments and criticisms. In the article, Ron Suskind wrote:

On his primary mission—push forward ideas and policies to partner government with faith-based institutions—DiIulio says that he saw the beginning of what was to become a pattern: The White House “winked at the most far-right House Republicans, who, in turn, drafted a so-called faith bill that (or so they thought) satisfied certain fundamentalist leaders and Beltway libertarians but bore few marks of compassionate conservatism and was, as anybody could tell, an absolute political nonstarter. It could pass the House only on a virtual party-line vote, and it could never pass the Senate, even before [Senator Jim] Jeffords [a Vermont Senator who switched party affiliations in 2001 from Republican to Independent causing the Republican-majority Senate to become the minority party] switched.”<sup>132</sup>

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<sup>131</sup> John DiIulio Jr., What's God got to do with the American Experiment? (Washington D.C.: Brookings Institute, 2000).

<sup>132</sup> Ron Suskind, “Why Are All These Men Laughing?”  
<<http://www.ronsuskind.com/newsite/articles/archives/000032.html>>

The problems of Faith-Based politics and the Bush White House become more comprehensible from DiIulio's criticisms and experiences. The core domestic policy for compassionate conservatism was hastily written, according to DiIulio:

Not only that, but it reflected neither the president's own previous rhetoric on the idea nor any of the actual empirical evidence . . . . I said so, wrote memos, and so on . . . . As one senior staff member chided me at a meeting at which many junior staff were present and all ears, "John, get a faith bill, any faith bill." Like college students who fall for the colorful, opinionated, but intellectually third-rate professor, you could see these twenty-and thirty-something junior White House staff falling for the Mayberry Machiavellis.<sup>133</sup>

The policy makers and strategists, the "Mayberry Machiavellis," conflicted over the implementation and creation of Faith-Based policies. Suskind revealed there were conflicts and a tenuous working relationship between Karl Rove, chief strategist for President Bush, and DiIulio. In particular, Rove pressured DiIulio to court specific religious constituencies for President Bush to further his "compassionate conservative" agenda.

For instance, there was Karl's desire to have John [DiIulio] cozy up to the conservative evangelicals, with whom DiIulio was having problems. DiIulio recalls Karl telling him to bury the hatchet "and start fighting the guys who are against us." DiIulio says he responded: "I'm not taking any shit off of Jerry Falwell. The souls of my dead Italian grandparents are crying out to me, 'That guy's not on the side of the angels.'" Rove backed off, DiIulio recalls, and said, "Look, those guys don't really matter to this president." "Sure, Karl," DiIulio responded. "They don't matter, but they're in here all the time."<sup>134</sup>

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<sup>133</sup> Ron Suskind, "Why Are All These Men Laughing?"  
<<http://www.ronsuskind.com/newsite/articles/archives/000032.html>>

<sup>134</sup> Ron Suskind, "Why Are All These Men Laughing?"  
<<http://www.ronsuskind.com/newsite/articles/archives/000032.html>>

These criticisms by DiIulio concerning Faith-Based Initiatives, though later retracted, offered first-hand direct insight into Faith-Based politics and policy for the American public. The Faith-Based Initiative policy has been complicated by politics, religion, and religious faith. DiIulio, a strong proponent of Faith-Based social services and government working together, was himself frustrated with the politics directing Faith-Based public policy.

DiIulio's criticisms drew attention to the tensions between religion and politics that were highlighted by the public debates on Faith-Based Initiatives. This study has addressed several of the key arguments for and against Faith-Based Initiatives by examining the conservative and liberal press, specific political and religious leaders' opinions, and scholarly studies available on specific aspects of the subject. The role media played in negotiating the tensions of Faith-Based Initiatives, between religion and politics, reflected The New York Times and The Washington Times political approaches. Both newspapers worked to shape readers' knowledge about Faith-Based Initiatives by interpreting American history, founders' intent and the wall between church and state to their readership. The New York Times and The Washington Times created their own mythologies of religion and politics in reporting the value of religious public policy. The New York Times reporters wrote of issues raised by the political left, while The Washington Times reporters addressed concerns of the political right. The New York Times staff addressed the issue of rebuilding the perceived crumbling wall between church and state and The Washington Times concentrated on

demolishing the towering wall between church and state. The New York Times and The Washington Times interpreted American history, court cases, and founders' intent to articulate their positions to readers to support or criticize Faith-Based domestic policy. Both newspapers quoted religious leaders and politicians who stepped forward to present opinions, concerns and arguments to a confused and sometimes uninterested American public. The opinions and concerns voiced in both papers, their mythologies, are critical to understand as each newspapers reaction to Faith-Based Initiatives reflected political viewpoints on religious issues.

A fair and broad reading of the general public interpretation of religious leaders and politicians opinions has not been fully studied by the academic community. The few scholarly studies of the subject alert the reader to the fact that many religious communities are unable to provide the resources necessary to combat the social problems of America effectively. The most comprehensive study on American congregations, conducted by Mark Chaves, found that social service dollars and volunteer time was a small portion of most congregations' time and money. Faith-Based social services are not an effective alternative to our current government social service system. The White House Office of Faith-Based and Community Initiatives was founded by Executive Order and the election of 2008 but the developing political climate will determine the future of this new office. The effects of this policy are still to be determined and social

research has yet to begin to study the effectiveness of Faith-Based Initiatives; perhaps the results will find government can influence religion and vice-versa.

Initially, I was highly critical of Faith-Based Initiatives, but after thorough research I find myself respecting many who support Faith-Based Initiatives. There are areas where Faith-Based social services may work effectively, homeless shelters are a good example, but my original skepticism on Faith-Based Initiatives remains. Religious groups and communities cannot meet the specific ills and social problems of America. They require government and the infrastructure coordinated by the government to meet the challenges presented by the social problems in America. I am skeptical of Faith-Based public policy because it appears we are placing burdens upon a private sector and that private sector may be too narrow or too biased to do the necessary work to meet the needs of the American public. Intention to make a positive change, though admirable, does not ensure definite constructive results. President Bush's Faith-Based domestic policy has been created and executed to relieve the tension between religion and politics, but the policy has heightened these conflicts.

If this study has left you questioning the value of Faith-Based Initiatives, then I have successfully accomplished my job as a researcher. That was my purpose. The issues of religion, government, and American public policy have been blurred by this Executive Order driven domestic policy. The tensions between politics and religion are not quelled due to this policy; rather these tensions were heightened and described by the media to the American public. The

media did not fail to make the issue of its position on this particular Presidential Executive Order and legislation through its mythology. However, the Bush administration arguments remain unconvincing for this researcher as to the effectiveness of Faith-Based policy to cure or remedy social problems.

Perhaps in a town near you a “Little Ninja: A Christian Drop-Off Center” will be opened and funded by the United States Government. Will the students be required to practice Asian kickboxing feats while memorizing verses from Genesis? Why should government fund religious social services? Where does this leave Faith-Based Initiatives argument then? It is hard to predict the future; the United States voters who are more polarized than previously recorded will determine what boundaries will exist between church and state by the only means available to them, the voting box. The media will play a role in how people vote, and readers of The New York Times and The Washington Times have political mythologies to read about and debate.

I learned from this study that the mythologies of The New York Times and The Washington Times reflect the tensions between church and state from specific political points of view. The motive for both newspapers’ coverage and mythology for or against Faith-Based Initiatives does not solely concern religious freedom and social services, but political power. Faith-Based Initiatives is an excellent domestic policy to promote political power, illustrated by John DiIulio, Jr.’s experiences with the Bush administration. He saw his executive legislated office diminished to the level of a political tool to garner more votes and appeal to

a broader base of American constituents. This legislation was not crafted for the sole purpose of compassionate conservatism; it was simply about expanding political power and serving as a kickback to certain political players in the Republican Party. Religion, in these uncertain times with uneasy American voters, has become a tool of power. As a result of Faith-Based public policy religion in America converts directly to raw political power. World and domestic events will motivate the American voters and it is that voter who will determine the next leader of the United States. The role media will play in presenting Faith-Based Initiatives, religion, and politics to their reader, the American voter, will determine the political legitimacy of this public policy. The complexities and politics surrounding Faith-Based Initiatives are not solely limited to religion, but they encompass politics and the responsibilities of the media as well as the meaning of public life.

**Appendix A** (Conference Committee Charitable Choice changes)  
Lewis D. Solomon, In God We Trust? (Lanham: Lexington Books, 2003), 135-  
136

“The Conference Committee compromise brought about five changes to Charitable Choice. First, as originally introduced by Senator Dole, the Charitable Choice provisions contained language that it would be effective “[n]otwithstanding any other provisions of law.”<sup>135</sup> This preemption language would allow a federal statute to override any conflicting state law, including state statutes and constitutions explicitly prohibiting government funding of religious groups.

The Conference Committee changed the language to read: “Nothing in this section shall be construed to preempt any provision of a State constitution or State statute that prohibits or restricts the expenditure of State funds in or by religious organizations.”<sup>136</sup> This revised language deals with the expenditure of state funds; however, the welfare reform block grant funds are federal monies and must be administered according to federal standards—the principles of Charitable Choice. If a state commingles state and federal funds in a contract (or grant) program, then all the funds must be administered in accordance with Charitable Choice. States, however, have the option to separate their own funds from federal money, then exempt the separate, state funds from the Charitable Choice provisions. In other words, states may administer these separate, nonfederal funds in accordance with their own more restrictive provisions.

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<sup>135</sup> Dole Amendment No. 2280, Section 102(a); Dole Amendment No. 2280, as further modified, Section 102(a).

<sup>136</sup> H.R. 4, as amended, Section 104 (k)

Second, Charitable Choice originally stated that no funds provided directly to FBOs could be expended for sectarian worship or instruction.<sup>137</sup> The Conference Committee added the word “proselytization”<sup>138</sup> thereby clarifying what types of activities could not be funded by taxpayer dollars.

Third, the conference agreement revised the Senate language on employment discrimination by religious organizations. The original Charitable Choice language provided, in general terms, that the provision would not “modify or affect the provisions of any other Federal law or regulation that relates to discrimination on the basis of employment.” A further exception allowed an FBO to require employees rendering services to follow its religious tenets and teachings, including adhering to its rules prohibiting the use of drugs or alcohol.<sup>139</sup> The Conference Committee included language stating that the exemption provided under Section 702 of the Civil Rights Act of 1964 would not be affected by the participation in or the receipt of funds from certain federally funded programs.<sup>140</sup>

Fourth, the section allowing a beneficiary to request that a state (or a locality) provide an alternative secular provider<sup>141</sup> was modified to include a requirement that the alternative provider be accessible to an objecting beneficiary and that the assistance be provided within a reasonable time.<sup>142</sup> Beneficiaries would not, however, receive notice of this right.

Finally, an FBO wishing to sue a state for a violation of the nondiscriminatory provisions of Charitable Choice could seek only injunctive relief rather than money damages.<sup>143</sup> Beneficiaries whose rights are violated under Charitable Choice also obtained this same cause of action.<sup>144</sup>

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<sup>137</sup> Dole Amendment No. 2280, Section 103; Dole Amendment No. 2280, as further modified, Section 103.

<sup>138</sup> H.R. 4, as amended, Section 104(j)

<sup>139</sup> Dole Amendment No. 2280, Section 102(e); Dole Amendment No. 2280, as further modified, Section 102(e).

<sup>140</sup> H.R. 4, as amended, Section 104(f); Report 104-430, Conference Report to Accompany H.R. 4, Personal Responsibility and Work Opportunity Act of 1995, 104<sup>th</sup> Congress, 1<sup>st</sup> Session (December 20, 1995), 361.

<sup>141</sup> Dole Amendment No. 2280, Section 102(i); Dole Amendment No. 2280, as further modified, Section 102(i).

<sup>142</sup> H.R. 4, as amended, Section 104(e)(l)

<sup>143</sup> Dole Amendment No. 2280, Section 102(h); Dole Amendment No. 2280, as further modified, Section 102(h).

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