

## **The 'Faith-Based' Initiative Churches, Social Services & Your Tax Dollars**

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*With increasing frequency, opponents of church-state separation are working to pass laws granting tax dollars to churches and other houses of worship to perform government-sponsored social services. This proposed merger of government and religion represents a serious threat to religious liberty. Despite constitutional concerns, high-ranking political leaders, including President George W. Bush, have made these laws a major priority. In the process, the controversy has become one of the leading domestic policy debates in America. If proposals to force taxpayers to fund religious ministries are implemented, the consequences would be a sweeping assault on the First Amendment's separation of church and state.*

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A national drive is under way to merge church and state through an unprecedented scheme in which taxpayers would finance religious ministries to provide social services. As part of the endeavor, houses of worship would receive public subsidies to offer services such as after-school programs for children, job training, drug treatment, prison rehabilitation and abstinence education.

The effort is based on a controversial concept known as "charitable choice," which allows the government to fund churches and other ministries without safeguards that prevent publicly funded religious coercion and other church-state abuses.

Leading the charge in support of this policy is President George W. Bush. Just weeks after his inauguration in 2001, Bush unveiled a comprehensive "faith-based" initiative as the signature domestic policy of his administration. Under his plan, Bush would advance charitable choice policies to distribute federal tax dollars to ministries to provide social services that have historically been provided by government agencies or secular grantees.

Bush and other advocates of faith-based funding would like to use the massive power of the federal government to support religious conversions. This approach is based on the idea that the government should use religion to solve all of the nation's social problems. This strikes at the heart of the religious freedoms guaranteed by the First Amendment.

Though Bush's work as a champion of charitable choice raised the national profile of the issue, programs to publicly fund churches were created before his administration.

Charitable choice originated with then-Sen. John Ashcroft (R-Mo.) during the drafting of the 1996 Welfare Reform Act. The concept altered existing law to permit taxpayer-financed social service funding of houses of worship in a few welfare programs.

This approach represented a radical change. In the past, government sometimes contracted with organizations such as Catholic Charities or United Jewish Communities to provide services, but safeguards were kept in place to protect the rights of the disadvantaged, the integrity of the groups and the interests of taxpayers. Houses of worship did not contract directly with the government; rather, religious institutions created separate entities to deal with public funds and did not incorporate religion into the publicly funded program.

Charitable choice removed many of those safeguards. As a result, families in need could face unwanted pressure to participate in religious exercises at facilities funded by the government. The policy also permitted groups to discriminate in hiring on religious grounds, even for positions completely paid for by taxpayer dollars.

Charitable choice became part of the welfare law in 1996, but the federal government was hesitant to implement the policy due to constitutional concerns. Moreover, only a handful of states have altered their programs to allow for government funding of religious ministries.

Now, however, the Bush administration is working to apply charitable choice to nearly every aspect of government funding. If implemented, the practical effects of these proposals would be dramatic, which is why the faith-based initiative has sparked intense criticism from the religious, civil liberties, civil rights, educational and social service communities.

Among the most serious concerns raised by the initiative is the undermining of religious liberty.

Under the First Amendment, Americans are free to determine on their own whether or not to support religious ministries, and the government must stay out of that decision. Charitable choice turns the time-tested constitutional principle of church-state separation on its ear.

While houses of worship have played an important role in this country since its founding, these institutions have thrived on voluntary contributions. Forcing taxpayers to subsidize religion they may not believe in is no different from forcing them to put money in the collection plates of churches, synagogues, temples and mosques.

Another controversy raised by charitable choice is the specter of federally funded employment discrimination. Under Bush's proposal, for example, churches would be legally permitted to discriminate on the basis of religion when hiring, despite receiving a massive infusion of public dollars. A Bob Jones-style religious group, for example, could receive tax aid to hire people to perform social services and hang up a sign that says "Jews And Catholics Need Not Apply." That's not "compassionate conservatism," that's outrageous bigotry.

In addition, under charitable choice, religious institutions would receive taxpayer support while seeking to convert people seeking assistance. The religious freedom of beneficiaries would therefore be seriously threatened, because disadvantaged Americans could face religious coercion while seeking the food, shelter or other critical benefits. Placing people in need in this position is wrong.

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Moreover, religious institutions face a series of unintended, and very unappealing, consequences as a result of feeding from the hand of government. For example, the government always regulates what it finances. This occurs because public officials are obligated to make certain that taxpayer funds are properly spent. Once churches, temples, mosques and synagogues are being financed by the public, some of their freedom will be placed in jeopardy by the almost certain regulation to follow.

Houses of worship that have flourished as private institutions may suddenly have their books audited or face regular spot checks by federal inspectors in order to ensure appropriate "accountability."

In addition, millions of Americans are active with their local houses of worship, making special contributions as a way to strengthen their ties to their faith traditions and increase personal piety. Once religious institutions are working in tandem with the government and receiving tax dollars to provide services, members may be less inclined to "dig a little deeper" to help with expenses. Making religious institutions dependent on the government for money will only harm these congregations and their vitality.

The faith-based initiative also threatens interfaith peace by pitting faith groups against each other in competition for public funds. Since the founding of the nation, all religious groups have stood equal in the eyes of the law. With a separation between church and state, government has been neutral on religious issues, and no specific faith tradition

## **Response To The Faith-Based Initiative**

**"I think there has to be a strong wall, a solid wall between church and state. I don't want to see religious groups out trying to convert or proselytize with federal dollars."**

*-Rep. John Lewis (D-Ga.)*

**"Sending billions of tax dollars each year directly to churches is unconstitutional under the First Amendment. It will lead to government regulation of our churches, which is exactly why our Founding Fathers rejected the idea of using tax dollars to fund our churches when they wrote the Bill of Rights."**

*-Rep. Chet Edwards (D-Texas)*

**"Many of these people have the best of intentions, but they are seeking to advance religious interests. I have grave reservations about it."**

*-Sen. Arlen Specter (R-Pa.)*

**"We believe that charitable choice is not the right way to help the needy nor is it the best way to foment healthy church-government relations."**

*-The Rev. Eliezer Valentín Castañón, on behalf of the General Board of Church and Society of the United Methodist Church*

received favoritism or support. In contrast, Bush's charitable choice plan calls for competition between religious groups. For the first time in American history, religious groups will be asked, indeed encouraged, to battle it out for a slice of the government pie.

Even worse, the Bush administration has indicated that some faith traditions may be favored over others when it comes to doling out money from the public treasury. Vague standards for government-funded religion raise a host of problems. The White House cannot legally put together a list of religions the president likes and those he doesn't and distribute tax dollars accordingly.

With these uncertainties in mind, opposition to faith-based public funding spans the ideological spectrum. Americans have raised complaints about these proposals regardless of their party affiliation, religious belief or political ideology. In fact, in recent years, a large number of religious and public policy groups have joined together in coalition to oppose charitable choice plans.

While many political observers expected the faith community to support a broad faith-based initiative because of the potential financial rewards, just the opposite has occurred. Some clergy expressed concern about government funds threatening the prophetic voice of their faith community while others were troubled by an unhealthy intermingling of religion and government.

Whatever their motivation, over 1,000 religious leaders signed a petition urging Congress to reject the Bush administration's charitable choice proposal within months of its unveiling. The clergy represented every state in the Union and many religious traditions. Even the social justice arm of Bush's own religious denomination, the United Methodist Church, opposes charitable choice.

Opposition, however, has not been limited to denominational interests. In the political arena, reservations surrounding faith-based schemes are not limited to a traditional "Democrat v. Republican" argument. Since the public policy debate was announced, criticism has been levied against charitable choice from the right, left and center.

All of these fears over unhealthy cooperation between church and state have done little to dissuade charitable choice's advocates. After years of debate, the crusade to expand the policy continues unabated, with billions of tax dollars at stake.

**Organizations Opposed to 'Charitable Choice' Aid To Religion**

Some government officials are pushing schemes to funnel public funds to houses of worship to provide social services, but opposition to faith-based public funding continues to grow. Criticism of "charitable choice" aid to religion has come from a variety of religious, educational, professional and public policy organizations that span the ideological spectrum. Among the groups opposed to charitable choice plans are:

American Association of School Administrators  
American Association of University Women  
American Baptist Churches, USA  
American Civil Liberties Union  
American Counseling Association  
American Federation of Government Employees, AFL-CIO  
American Federation of State, County and Municipal Employees, AFL-CIO  
American Federation of Teachers  
American Humanist Association  
American Jewish Committee  
American Jewish Congress  
Americans for Religious Liberty  
Americans United for Separation of Church and State  
Anti-Defamation League  
Baptist Joint Committee on Public Affairs  
Catholics for a Free Choice  
Central Conference of American Rabbis  
Christians for Justice Action  
Equal Partners in Faith  
Friends Committee on National Legislation (Quakers)  
General Board of Church and Society of the United Methodist Church  
Hadassah, the Women's Zionist Organization of America  
Human Rights Campaign  
Jewish Council for Public Affairs  
Legal Action Center  
NAACP Legal Defense and Education Fund  
Na'Amat USA  
National Abortion and Reproductive Rights Action League  
National Association for the Advancement of Colored People (NAACP)  
National Association of Alcoholism and Drug Abuse Counselors  
National Association of School Psychologists  
National Association of Social Workers  
National Community Action Foundation  
National Council for Community Behavioral Healthcare  
National Council of Jewish Women  
National Education Association  
National Family Planning and Reproductive Health Association  
National Gay and Lesbian Task Force  
National Jewish Democratic Council  
National Organization for Women Legal Defense & Education Fund  
National PTA  
NOW Legal Defense Fund  
OMB Watch  
Partnership for Recovery  
People For the American Way  
Planned Parenthood Federation of America  
Protestant Justice Action  
Religious Action Center of Reform Judaism  
Service Employees International Union, AFL-CIO  
Sexuality Information and Education Council of the United States (SIECUS)  
State Associations of Addiction Services  
Texas Faith Network  
Texas Freedom Network  
The Alan Guttmacher Institute  
The Center for Progressive Christianity  
The Employment Project  
The Interfaith Alliance  
United Church of Christ, Justice and Witness Ministries  
Union of American Hebrew Congregations  
Unitarian Universalist Association  
Women of Reform Judaism

Ultimately, public funding of faith-based institutions is one of those rare proposals that harms virtually everyone affected by it. The initiative promotes publicly funded employment discrimination, it threatens the religious liberties of beneficiaries, it jeopardizes the freedom of our faith communities and it undermines the rights of all taxpayers.

All too often, people look for a "quick fix" when dealing with complex issues such as delivery of social services. Awarding taxpayer funds to houses of worship isn't the popular panacea some make it out to be. America has a time-honored commitment to helping families in need, but we can do so without tearing down the vital wall of separation between church and state.

*If you would like to learn more about religious liberty, please contact:*

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