Religion Policy and Faith-Based Organizations: Charting the Shifting Boundaries between Church and State

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Abstract

Despite the widely-held presumption that a wall of separation lies between church and state in the United States, boundaries between the activities of religious and policy organizations are fluid and endlessly renegotiated. Faith-based organizations (FBOs) are full participants in complex policy networks in some policy areas (health, education, and social services), while in other issue areas FBOs have minimal if any impact. Government policies at national, state, and local levels directly or indirectly manipulate the incentives and disincentives of believers' participation in policy-relevant activities.

Religion policy encompasses a wide array of policy instruments (or policy tools), and this paper presents elements towards a framework for analysis of the surprisingly many ways in which different types of policy instruments (or policy tools) are routinely used to shape the incentives and behavior of religious leaders and their followers. This initial exploration and rough charting of the shifting boundaries between religion and politics is used to evaluate the Clinton-era Charitable Choice provisions of welfare reform and the Bush-era faith-based initiative, both of which demonstrate religion policy in action, revealing both its potential and its inherent limitations. This paper concludes with an examination of criteria by which the positive and negative consequences of increased FBO participation, both for those involved in specific policy areas and for society as a whole, might be evaluated.

It is widely presumed that church and state lie on opposite sides of a formidable wall of separation in the United States. However, as a natural expression of their religious faith, many believers engage in behaviors that have direct or indirect consequences on politics or public policy, typically through their participation in faith-based organizations, or FBOS (to be defined below). In response, public officials enact policies that shape the activities of FBOs as well as individual expressions of religious faith and commitment.

Because of this natural tendency of policymakers to notice policy externalities inherent in religious expression, many national, state, and especially local public officials interact with religious organizations on a routine basis (Sedler 2010). Stritt (2008) details the contributions that religious organizations make in the area of social welfare policy. After combining estimates drawn from a wide range of sources, including estimations of the dollar value of volunteer labor, he concludes that approximately 30% of the \$175 billion that is spent annually on welfare policy in the U.S. goes through faith-based organizations, either via individual contributions or in the form of government contacts. Since his analysis excludes health, education, and international policy areas, it grossly underestimates the monetary value of religion's contributions to public policy in the United States.

In this paper I outline a framework for the analysis of <u>religion policy</u>, a term meant to encompass all the legal, regulatory, financial, and symbolic activities undertaken by public officials that involve direct interactions (cooperative or not) with leaders of religious organizations, or which have significant direct or indirect impacts on the practice of religion.

Typically the goals behind these policies have nothing to do with religion *per se*, and so it may seem misleading to incorporate all of this within a single category of public policy. On the other hand, it is worth pointing out that welfare, education, foreign, tax, or other substantively-defined areas of policy encompass similarly diverse modes of motivation and behavior. It is notoriously difficult to identify the limits of any of these areas of public policy, so my proposed category of religion policy may not be as unusual as it might initially appear. What is different in this case is the widespread perception that policymakers *should not* be involved in religion in any significant way. But they are – religion and policy have been intertwined in many ways from the very beginning of this republic.

Even if the overall conglomerate of religion policy fails to cohere into an identifiable core, this exercise should at the very least serve to counter the misleading implications of the soothing metaphor of a "wall of separation" between church and state. Distinctions can be made between primarily religious and primarily political organizations and their dominant activities, but in practice the boundaries between these two realms are endlessly contested and renegotiated. As we shall see, there are multiple reasons to expect changing patterns of interactions across any such wall, as well as reasons to expect these interactions to remain limited in their extent and consequences.

Religion policy may be studied at any scale of aggregation. In this paper I focus on patterns of interaction between agents of religious and political organizations, especially organizations engaged in the practical implementation of public policy. Analysts routinely distinguish between two fundamentally different types of religious organizations, namely, (1) **congregations** and related organizations primarily focused on doctrines, rituals, and other matters directly related to the shared experience of worship and (2) **faith-based organizations (FBOs)** involved in the delivery of health care, emergency relief, education, or other public welfare services. Explaining this distinction requires an extended digression into conceptual definitions.

Defining Religion and FBOs

The common language term "religion" notoriously defies consensus definition. I follow Appleby's (2000, 8–9) lead in "defining" a religion as a configuration of creed, cult, code of conduct, and confessional community. For Appleby, a religion consists of a group of people who share a common understanding (community) about participation in a common set of rituals (cult) and who share a common set of beliefs (creed) that imply a code of conduct in their everyday lives. Appleby repeatedly emphasizes the diversity of beliefs and behavior that all religions or faith traditions can encompass, yet insists that there remains a meaningful sense in which all four of these components are interrelated and that "religion constitutes an integral culture" (p. 9).

The term "configuration" is not used by Appleby, but I find it particularly apt. I add a fifth c, for corporate actor, because I am primarily concerned with those religions that have been manifested in the form of a formal organization with explicitly defined roles for its agents and normative expectations for their behavior. I also find it useful to distinguish between the two types of religious organizations specified earlier, those primarily directed at worship versus organizations focused on the delivery of more mundane forms of public service.

Building on this basic framework, my working definition is the following:

A <u>religion</u> is an identifiable group of individuals who share all of the following characteristics:

- 1. Beliefs and doctrines, often related to things unseen or unknowable (especially what happens to human beings after death),
- 2. Rituals and individual religious experience (typically interpreted as encounters with the "other"),
- 3. Familiarity with symbols, stories, and modes of understanding (especially concerned with the meaning of life),
- 4. Reverence for sacred objects (scriptures, places, persons, things),
- 5. Social expectations shaped by codes of conduct (which typically differ for interactions with believers and non-believers),
- 6. Mechanisms for enhancing social ties and common experiences (often involving organizations for specialized activities),
- 7. Procedures for selecting and training leaders and making common decisions (both informally and within formal organizations),
- 8. Identification as members of a trans-generational community.

A few implications of this perspective on religion are worth highlighting. First, it shares a problem deviling any would-be definer of religion, namely that this is an intrinsically difficult concept to capture precisely. Anyone familiar with religious diversity can identify examples of religions for which one or more of these components is absent or is present in an unusually attenuated form, and yet most analysts would still categorize that example as a religion. Second, this particular formulation highlights the idea that religion is inherently multi-dimensional, a configuration of particular values on eight general components no one of which is absolutely critical. It can't be reduced to just beliefs or doctrines, or to rituals, or to the organizational forms through which it is often manifested in practical affairs. Third, religion is inherently social, and cannot be reduced to individual beliefs or experiences. Since it is collective, it necessarily involves political disagreements among its members. As such, the formation or operation of any religious organization necessarily involves dilemmas of collective action. Since no collective group exists in perfect isolation, any successful instance of collective action by members of a religious community necessarily has consequences that affect others, even if these consequences are

unintended side-effects from the perspective of direct participants. In policy terms, religious activities generate external effects (or externalities) on others, and others may interpret these external effects as either positive or negative, or even some complex combination of both. Finally, notice that a shared political ideology is NOT a core component of this definition. It is very difficult to require all members of a group to hold the same political beliefs, and religion is especially prone to contrasting interpretations of its potential application to specific political controversies. This point of the political "ambivalence of the sacred" is made especially forcefully by Appleby (2000).

For the purposes of this analysis, external effects of religious activities serve as the primary entry point for connections to political authorities, and so this linkage is worth exploring in more detail. Religious communities commonly engage in activities with direct or indirect political consequences for a few generic reasons. First, most religions include prescriptions for helping the poor and sick, and those with a penchant for proselytism often consider such groups to be an especially attractive source of potential converts. Second, most religions espouse moral standards that can only be incompletely realized in the practical settings, so those inspired by religious visions often play important leadership roles in campaigns for peace, justice, and other forms of fundamental social change. Third, if a religion is to survive, members must socialize their children in the tenets of the faith, which is why education is so often a sensitive issue for religious communities. Finally, religious communities may need to fight to protect their own existence as corporate entities, and this concern may be especially likely to require them to engage more directly with political powers.

The relative importance of these concerns can change over time, especially as the size of a religious community changes in relation to that of the broader political community. Very small religious communities may simply want to be left alone so they can worship in whatever way they see fit, even if some of those practices conflict with general societal norms. Religious communities of more moderate size will still insist on religious freedom for themselves, but their definition of what counts as religious expression may not include the actions of "cults" deemed dangerous to social order. Concentrated communities that feel threatened by the general culture may seek to obtain the right to establish their own religious schools. In the area of public service, they may reach beyond their own communities, especially if their religious tradition values expansion through conversion. Finally, if a single religious tradition is dominant among a country's population, then some of its leaders may be unable to resist the temptation to seek hegemony over such policy areas as education, insisting that their religion's precepts be taught in public schools. Leaders of hegemonic faiths may seek to limit proselytism and may criminalize the simple act of conversion, in order to protect their position.

To a considerable extent, religious communities respond much as other specialized interest groups, in the sense of wanting to protect their own resources and to seek implementation of desired policies. The incentives of political leaders also change in different settings.

In the United States, formal organizations known as FBOs have become the critical nexus of connection across religious and political realms of activities. Some small-scale service programs, such as food pantries, are directly implemented through a congregation or other basic unit of a religious community (Ammerman 2005, Chaves 2004, Unruh and Sider 2005). However, larger service programs tend to be run through separate non-profit organizations, which can simply things in terms of tax liability and other legal concerns. The largest and most well-established FBOs, such as Catholic Charities or the Salvation Army, are especially closely tied to public agencies (Monsma 1996, 2004, Wuthnow 2004, Ebaugh et al. 2005) and their contributions are critical in such areas of social policy as emergency shelter, food aid, and disaster relief. Some of these programs are so well-established and professionally run that they are effectively indistinguishable from secular programs, except perhaps for the use of a

religious term in their title. Yet in other cases a connection to religion still makes a significant difference in program priorities or implementation.

Technically, the term <u>faith-based organization</u> (FBO) is best reserved for organizations specializing in the delivery of some particular form of service (food, shelter, education, health care, personal rehabilitation, etc.) and which base at least some aspect of their programs on religious inspirations or personnel. There is no consensus on what exactly makes a service organization "faith-based," (Berger 2003, Ebaugh et al. 2003, Jeavons 1994, 1998, Smith and Sosin 2001, Unruh and Sider 2005), but the basic idea is that an FBO is affiliated in some way with a religious tradition but that it was established to achieve purposes that could not be subsumed under the purview of purely religious activities. The religious component may come in many forms, ranging from explicit connections to a particular denomination or religious organization (which may provide the facilities in which the program is housed and/or the individuals who oversee the management of that program), to donations from members of a religious community (who may also serve as volunteers in the implementation of these programs), or to the incorporation of particular details of the program itself (perhaps including overtly religious activities such as scripture reading groups or prayer sessions). The extent to which FBO service programs are directly influenced by religion varies widely, which greatly complicates any effort to define FBOs in any precise form.

If a definition of an FBO is required, I offer the following:

A <u>Faith-Based Organization</u> is a formal organization that specializes in delivery of some particular form of **public service** (food, shelter, education, health care, personal rehabilitation, etc.) and that bases some aspects of its programs on religious inspirations or personnel. **An FBO** is affected by religion in one or more ways, such as if

- 1. Mission goals of program are shaped by religious doctrine or beliefs,
- 2. Content of service program includes religious rituals and/or stories,
- 3. Intended beneficiaries are co-religionists or are targeted for conversion,
- 4. Reliance on financial support from religious organizations and/or donors,
- 5. Implemented by hired staff or volunteers from a religious community,
- 6. Religious specialists are managers or form majority of oversight board.

It is worth noting the close connection between this definition and the characteristic components of religion specified earlier. They do not have the same number of components, but the range of coverage is essentially the same.

Within the United States, the most successful faith-based organizations in any given area of activity often become intimately linked with the public agencies, secular nonprofits, and private forprofit corporations which are also heavily involved in that area of public policy. Globally, religious organizations have long played important leadership roles in what has come to be known as the *international community:* a global network of national governments, intergovernmental organizations (IGOs), and an amorphous constellation of nongovernmental organizations (NGOs) specializing in humanitarian assistance, development, conflict resolution, human rights, democracy promotion, and post-conflict reconstruction or reconciliation. As such, international or transnational faith-based organizations are critical components in the formulation and in the implementation of public policy at the global level, as well as at national and local levels throughout the world.

This paper outlines a framework for analysis that helps explain the origins and development of the many different patterns of interactions between FBOs and their partners in public service delivery.

An informal model of the sequential process through which FBOs are established and later respond to incentives set by political authorities is used to suggest conditions under which different levels of FBO participation in policy networks should be expected to emerge. After examining the reasons why leaders of religious and policy organizations are so frequently drawn together in common pursuits, this paper concludes with a brief evaluation of the normative consequences of increased FBO participation, both for members of that policy network and for society as a whole.

Analytical Preliminaries

My effort to understand the effect of religion on domestic and global public policy has been shaped by one fundamental premise: **people engaged in religious activities are just as rational as they are when participating in explicitly economic or political activities.** I emphasize my presumption of the rational basis of religious behavior and organization because it is far too easy for unsympathetic observers to dismiss religion as unworthy of serious consideration as an influence on public policy. As a social scientist, I presume that there is a consistent logic guiding the behavior of faith-based service organizations and the religious believers who animate them, and that this hidden logic is amenable to systematic analysis and comprehension.

More specifically, I draw upon the approach to <u>institutional analysis</u> developed by Vincent and Elinor Ostrom, co-founders of the Workshop in Political Theory and Policy Analysis at Indiana University (Ostrom, Tiebout, and Warren 1961; Ostrom 1990, 2005, 2010, 2011, McGinnis 2011a). Institutional analysis treats rationality as the core component of human choice in all areas of endeavor. Individuals are presumed to pursue goals for themselves and for the communities to which they identify, and to do so in as effective a manner as possible, but they do so within the context of ubiquitous social dilemmas and biophysical constraints, as well as cognitive limitations and cultural predispositions. When a group of rational individuals realizes that they need some regular means to coordinate their behavior in order to accomplish some shared goals, then they may choose to establish and operate a formal organization, or they continue to rely on more informal institutional arrangements. From this perspective, religious organizations face the full spectrum of dilemmas of collective action (Bickers and Williams 2001), and as a consequence they experience a similarly mixed record of positive and negative results.

The analysis presented in this paper falls between two broad and active traditions of research in which the tools of modern political economy have been applied to the study of religion and policy.

The first tradition of research, dating back at least as far as Adam Smith (1776), examines how a competitive marketplace in religion can shape patterns of religious participation and/or economic growth (Iannoconne 1994, 1998, Stark and Finke 2000; Finke and Stark 2005). Briefly, the rational choice theory of religion implies all available niches (as defined by different constellations of consumer tastes for religious products) will be occupied by suppliers of religious experiences, as long as there are no politically imposed restrictions on the formation and promulgation of new faiths.

Religious entrepreneurs search for innovative ways to enhance religious experience, in order to attract more resources and supporters. Since tastes vary and there is no direct means of measuring product quality in a religious market, we should expect to observe a wide array of available products in a competitive setting. The aggregate picture is one of endless religious energy finding expression in an ever-expanding array of alternative forms, along with a natural dynamic tendency for established products to change over time. My analytical point of departure is the presumption that the same methods of rational choice theory that have proven their utility in the study of religion itself can be

extended to provide explanations for long-standing patterns of strategic interactions between FBOs and other types of organizations.

In the second body of research that brackets the approach of this paper, researchers investigate macro-level patterns of religious stratification and compare patterns of religious persecution and political conflict in different countries (Fox 2006, 2008, Gill 2001, Grim and Finke 2006). In some countries, one religious tradition has been declared the official state religion and its scriptures enshrined as the ultimate basis of legal authority.

Oftentimes only a few religions enjoy ready access to public funding for charitable activities or religious schools. For example, China designates five religions as officially permitted, and India grants Islamic and a few other communities the right to implement family law on a religious basis (see U.S. Department of State yearly reports). Connections between religious and political power may become very close indeed. Every year a few diplomatic incidents arise when limits on proselytism or conversion in one country interferes with the freedom of citizens from other countries engaged in missionary activities (McGinnis 2007b). Even governments that generally guarantee religious freedom still impose some restrictions on certain means of religious expression in the interest of protecting public order and safety.

A third status category is populated by a large number of faiths whose existence is tolerated but not supported in any direct fashion. Finally, there are some faiths that are denied full recognition by political authorities. Members of new faiths designated as dangerous "cults" or as proxies for foreign governments may be prohibited from owning property, proselytizing, or even engaging in worship activities. The identity of the specific faiths assigned to these status categories differs across countries, but this pattern is prevalent.

The range of potential connections between institutional entrepreneurs working within the religious and political realms is illustrated in Table 1. Each row corresponds to one of the eight components of religion as defined above. Column two provides brief suggestions of the dimensions along with religions differ with respect to that particular component; in some cases more than one dimension can be distinguished. This demonstrates just how much variance exists in the revealed preferences of religious adherents, and why it is so difficult for any single religion to cater to the tastes of all members of a large population. Combinations of values on each of these dimensions can be used to define the general set of potential niches for distinct religions. The third column suggests some of the potential ways in which institutional entrepreneurs may benefit from developing or innovating new aspects of each of the critical religious characteristics. The range of opportunities for innovation is essentially limitless, since innovations on different components may be combined in creative ways. Of course, not all of these niches are equally well-represented among the cases of past or current religious traditions, as some characteristics tend to reinforce each other.

The last two columns make connections critical for analysis of religion's implications for public policy. Column 4 identifies distinct ways in which variation or innovations on that particular component can affect the interests of policymakers or public officials. The right-hand column suggests some ways in which these policymakers may act to shape the choices made by religious entrepreneurs. This is the essence of religion policy: the use of policy instruments or tools to encourage religious leaders or followers to engage in activities that contribute to the goals of the relevant policymakers, either directly or indirectly. The remainder of this paper explores this connection in more detail.

Identifying Policy Networks

In this paper I focus on a meso-level of analysis, nestled between activities of micro-level religious entrepreneurs and macro-level patterns of legal stratification. Specifically I compare patterns of interaction in different issue areas or subsectors of the overall public economy. The concept of issue area remains essential to the study of public policy, despite the absence of a consensus definition of this term (Hill and Hupe 2009). I proceed more informally, presuming that clusters of substantive issues can be identified in which many of the same actors interact with each other in a routine fashion, coping with many of the same policy problems year after year. In doing so, they constitute a policy network.

A <u>policy network</u> consists of all the public, private, voluntary, or community-based organizations that interact to determine and to implement public policy on some substantive issue. Policy networks typically include elected representatives, but details of policy are invariably set by an inter-related network of bureaucrats, appointed officials, technical experts, policy analysts, lobbyists, staff members, business leaders, and managers of professional associations and other nonprofit organizations.

For some analysts, members of a policy network typically share a common belief system, or at least a common understanding of the underlying nature of the policy problems to which they jointly respond (Sabatier 2007). For others, a regular pattern of interaction is sufficient to define a network, and attention shifts to how participants of different forms and with contradictory interests manage to interact in a productive manner (Bryson et al. 2006). In the literature on American public policy, researchers have long been struck by the regularity with which the same actors tend to continue to interact with each other, and especially by the ways their interactions tend to take the form of mutual adjustment to each other's interests and behaviors. Regular interactions tend to result, perhaps not surprisingly, in an overwhelming pattern of incremental change (Lindblom 1959). Although individual political leaders may come and go as a consequence of such dramatic effects as elections, many of the same policy implementers remain in place, or exchange roles with each other. When dramatic events do occur, they may be treated as temporary punctuations that eventually settle down into a new equilibrium, or as a temporarily open policy window that, once closed, sees the newly established patterns of interaction once again operate far from public scrutiny (Sabatier 2007).

Although there may be pressures for conformity within a policy network and for incrementalism within any given issue domain, there remain dramatic differences among the policy networks active in different areas of public policy. To my knowledge there has been no research that explicitly compares the roles that FBOs play in the policy networks active in different sectors of the public economy.

In a very useful overview of the third or voluntary sector, Salamon (1999) provides detailed assessments of the diverse roles that nonprofit organizations play in several of the most important sectors of the U.S. public economy. This book includes a separate chapter on purely religious organizations, whereas the contributions of faith-based *service* organizations are summarized in chapters on each substantively defined sector, along with other relevant nonprofits. As a consequence, the overall configuration of the faith-based subsector remains unclear (Cadge and Wuthnow 2006, Ebaugh 2005).

Table 2 classifies a few examples of domestic and foreign policy areas in the U.S. on the basis of the level of FBO involvement in that policy area. In the top row are listed issue areas in which faith-based organizations (FBOs) tend to be most tightly intertwined with the rest of the relevant policy networks. In the U.S., religious hospitals still play a major role in the health care system, even though it has become increasingly difficult to distinguish among hospitals originally established by churches, communities, or by for-profit corporations (Salamon 1999). At the global level, Catholic Relief Services, Lutheran World Relief, and World Vision International are large organizations that play critically

important roles in the delivery of emergency food aid, health care, shelter for refugees, and other forms of humanitarian aid (Nichols 1988; Kniss and Campbell 1997; McCleary 2009, Thaut 2009). Here the connection between government and religious nonprofits is both longer-standing and less controversial than in the domestic policy arena.

The second row of Table 2 includes examples of policy areas in which the faith-based components are important but mostly separate from the rest of the policy network. In the area of elementary and secondary education in the U.S., for example, Catholic schools retain their distinctive role. These schools are subjected to many of the same regulations as public schools, but in other ways they receive special treatment. Religious support for home-schooling as an alternative form of education is also increasing in importance. Religious communities are also serviced by media outlets (magazines, radio and TV stations, etc.) that cater specifically to their tastes for religion-friendly information, and these channels of communication help to sustain relatively distinct religious subcultures.

Transnational networks link people with shared religious beliefs who happen to live in different political jurisdictions. Despite the past prevalence of the pattern in which Christian missionaries were sent from the more developed countries of Europe or North America to the rest of the world, in today's increasingly interconnected world it is more appropriate to speak of missionaries from everywhere to everywhere (Jenkins 2003, Robert 2000, Pocock et al. 2005). Although many missionaries are, or have been, primarily motivated by their felt need to share their religious faith with others, many of these same missionaries have, in the process, established schools and health clinics. The extent to which 18th and 19th century missionaries were essentially tools or stooges of Western imperialism remains controversial, yet no one can deny the very real consequences of these activities on the shape of today's world. Also, the missionary enterprise is still very much alive, and today's missionaries are just as likely to conflate religious and practical activities as were their predecessors (McGinnis 2007a).

The next and largest row of Table 2 includes several examples of issue areas in which faith-based service organizations play occasionally important roles, but remain concentrated on a limited range of issues of special interest to religious believers. Examples are arrayed in roughly decreasing order of importance or centrality to their respective issue domains.

Many of the same international faith-based organizations active in the delivery of humanitarian relief have extended their operations into the closely-related area of international development assistance. Development can proceed more regularly in times of peace, and religious activists have long been concerned with the search for peace, whether or not it leads to development. Particular religious leaders and organizations have played important roles in resolving certain conflicts at the international level, with efforts by Quakers, Mennonites and other the traditional peace churches being most easily identified as such (Cejka and Bamat 2003; Little 2007). However, for the most part the mechanisms of international diplomacy are carried out with little direct participation by FBOs (but see Johnston and Sampson 1994; Johnston 2003). The one exception, the one area of international peacemaking in which religious participation is uniquely essential, is the area of achieving a peaceful reconciliation among warring groups, especially at the level of local communities (Appleby 2000; Smock 2002, Schrich 2005). Typically such peace and reconciliation conferences require participants to join together in some locally meaningful ritual, which helps them come to a mutual recognition that past abuses on all sides need to be forgiven if both sides are to move forward.

Domestically, a similarly transformative experience lies at the heart of many programs of rehabilitation for drug addicts or hardened criminals. Although FBOs play a relatively small role in the broader area of job-training or professional development (Kennedy and Bielefeld 2006), some have developed strong reputations for their programs to rehabilitate repeat offenders (Mears et al. 2006).

It is widely recognized that religious leaders played prominent roles in historical campaigns against slavery and more recent efforts to insure the civil rights of the descendants of slaves. In addition, religious leaders are often more sympathetic to the plight of immigrants and others whose rights tend not to be as well-protected as those of full citizens. Internationally, the record of religious advocates of human rights is more uneven (Buss and Herman 2003, Lauren 2003, Marthoz and Saunders 2005, Nichols 2008-09). In recent years, religious leaders have dominated campaigns to strengthen international protections against restrictions on religious freedom, as exemplified in the passage of the International Religious Freedom Act of 1998 by the U.S. Congress and its rapid signing into law by Pres. Clinton (Hertzke 2004). A similar group of activists have inspired campaigns against human trafficking.

One of the enduring characteristics of the U.S. political system is a high concentration of poverty in urban minority communities, where churches and other religious organizations in African-American and Hispanic communities play critical roles in community development, almost by default (Lincoln and Mamiya 1990, Hula et al. 2007). There is no exact analogue to this role in the international arena, but a case could be made that religious leaders might serve a similarly positive role in local development projects in many parts of the poorer countries of the world. Now that Pentecostal Christianity is growing with great rapidity in many of the world's poorest communities, especially in urban areas, these leaders might come to play a more central role in economic development. Such has hardly been the case in the past, but now even the World Bank has come to recognize the potential contributions that religious leaders might make in development policy (Belshaw et al. 2001, Thomas 2004).

With the area of political activism to protect the environment we reach an issue area in which religious-based mobilization has been, until very recently, effectively non-existent. But with the growing realization of the consequences of global warming and other forms of environmental degradation, there has been a resurgence of interest in the environment by evangelical leaders, some of whom argue that "creation care" should be included as one of the tasks given mankind by its divine creator (see the Evangelical Environmental Network website). It remains to be seen how extensive will be the religious component to this emerging policy area, and it serves to remind us that these patterns remain fluid, as the relative influence of FBOs wax or wane with changing circumstances.

Even economic policy is not immune from religious influence. One important example is the Jubilee 2000 mobilization campaign, a global effort to convince financial organizations that were holding substantial levels of debt from the governments of many especially poor countries to forgive that debt, in the spirit of a Biblically mandated tradition of debt forgiveness known as the jubilee. Suffice it to say that these Biblical arguments failed to convince experts well-steeped in the doctrines of high finance, but this activism did help exert pressure on these same elites that lead, eventually, to some reduction of the debt burden faced by some less-developed nations, especially the poorest of the poor.

The bottom row of Table 2 acknowledges that there remain important areas of public policy for which FBOs are simply not relevant. Rarely does a minister address the issue of excessive U.S. budget deficits from the pulpit, for example. When we get to issues related to the military, such as homeland security or international peacekeeping operations, about the only systematic contribution made by FBOs lies in the training of chaplains. Building and maintaining roads, ports, airports, and communication networks are important, albeit technical areas of public policy, but it is difficult to imagine any of them eliciting a creative response from anyone on the basis of their religious belief. On the other hand, at the international level, practical improvements in local infrastructures are often critical components of effective development projects, including those implemented by the most professionalized international FBOs. Ultimately, no area of public policy can be hermetically sealed and protected from intrusion from an FBO, given the right set of circumstances.

Matching Policy Tools to Religion's Component Parts

For the purposes of this analysis, policy involves the strategic use of tools by public officials to influence the behavior of private actors, to shape their incentives or disincentives so as to encourage actions that result in desired outcomes and to discourage the generation of negative externalities. Salamon (2002) and Weimer and Vining (2005) offer two influential systematic categorization schemes for policy instruments, but as yet no one has developed a consensus typology of policy instruments, perhaps because creative public officials continue to devise new and more complicated instruments. For our purposes, we can collapse all policy instruments into four broad types: Legal Status, Regulatory, Financial, and Symbolic.

As shown in Table 3, public officials who wish to influence the behavior of religious organizations have access to policy tools from all of these broad types. The rows in Table 3 designate the characteristics used above to define a religion. For the column headings I use four generic categories of policy instruments, or policy tools, available to policy makers in diverse types of public bureaucracies. Entries in each cell specify examples of a generic type of policy tool (column) that are directly relevant to the aspect of religion denoted by that row.

Only those examples **bolded** in Table 3 are relevant to the case of the United States, but the sheer number of bolded entries should belie any presumption of an impermeable wall of separation between church and state. A much more convoluted pattern emerges, in which the boundaries between policy and religious activities shift as new organizations are established and new, more subtle policy tools are deployed. These categories of policy tools are worth discussing in further detail.

<u>Legal Status.</u> Public officials define the legal status of organizations and determine criteria for citizenship. The U.S. Constitution prohibits any religious test for public office, but in other contexts it is possible to require membership in a particular faith for anyone holding certain public offices. Voting rights may also be restricted by religion, in some settings. Any group seeking to establish a church or build a religious building may need to register with public officials, and may in some cases be denied the right to do so. In a common pattern of the legal stratification of religions, some faiths are allowed to operate publicly and to own property, whereas other religions are prevented from doing so and still others may be granted further rights, such as being able to run religious schools or to implement a separate legal system applicable only to the members of their faith.

Regulatory Instruments. Public officials are held responsible for public order and safety, and in pursuit of those responsibilities they may be authorized to restrict certain forms of behavior that might otherwise be required of the members of particular religious organizations. Exactly this rationale has been used to criminalize plural marriage or the ritual use of certain drugs, even though these practices are encouraged by a few religious traditions. With a few exceptions in the contemporary Islamic world, no government officials interfere in the resolution of disputes over religious doctrine. When members of a religious community dispute ownership of their shared property, however, the legal system may have to get involved. Also, religious organizations may be granted exemption from regulations that apply to all other forms of organization. For example, in the U.S. religious organizations have long had the right to require holders of certain purely religious positions to be members of their religious community. The extent to which these exemptions from non-discrimination hiring laws apply to FBOs using public funding to implement service programs remains in dispute, and is an important aspect of the faith-based initiative controversy (to be detailed below). Finally, those religious traditions allowed to operate their own schools may still be required to cover certain subjects in their curriculum.

<u>Financial instruments</u>. This is the area of most direct concern for this analysis, because of the frequency with which public officials provide financial support for faith-based organizations specializing

in particular areas of public service. This support typically comes in the form of grants to or contracts with the FBO itself or as vouchers distributed to individual consumers. In addition, governments may exempt religious organizations from paying property tax and certain forms of sales tax, even though those organizations nonetheless enjoy the public goods financed by tax revenues, including national defense, police and fire protection, water, energy distribution and transportation systems, and legal guarantees of property rights. In the U.S. taxpayers can deduct donations to charitable organizations, including religious ones, from their taxable income, in the expectation that the activities of these organizations will reduce the overall load on services directly operated by public officials. Finally, religious organizations with close connections to influential public figures may find themselves the recipient of patronage, earmarks or other targeted forms of public support.

Symbolic Actions. Since religion has a large impact on the culture of a society, it should not be surprising that powerful symbols lie at the heart of most controversies over church-state relations. Details of legal limits on public displays of religious material remain convoluted and in frequent flux, but the basic pattern is one of accommodation to majority sentiment, provided that connection does not too directly impinge on the sensitivities of members of minority religious groups (Davis 2001, Heclo 2003, Urofsky 2008). The extent of this sensitivity has dramatically changed over time. In the early years of the Republic, public schools routinely used the Protestant version of the Christian Bible as a standard textbook, but religion's role in American political history is rarely even mentioned in today's textbooks.

Each policy tool has a grey area, where boundaries between acceptable and unacceptable practices are being actively redrawn by processes of political contestation. Although many observers criticize the inconsistent record of Supreme Court decisions on the limits of state entanglement with religion, Sedler (2010) identifies a consistent logic through which the separation clause of the First Amendment has been wielded as an effective means to reinforce the clause guaranteeing freedom of religious expression. In the next section we turn to a specific example of religion policy in practice, which nicely illustrates the tensions inherent in these types of relationships.

The longer I have worked in the area of religion policy, the more examples of the types of interactions shown in Table 3 have occurred to me. I find the scope of actual and potential interactions between religious organizations and policymakers to be surprising wide and all-encompassing. Even when one limits attention to those instruments of religion policy currently available to U.S. policymakers, as shown in the bolded entries in Table 3, a surprisingly wide array of the potential possibilities are manifested in one form or another.

Another way to look at the extent of religion policy is to consider the different categories of organizations to which different religious organizations belong in different policy contexts. The point of this exercise is to contextualize aspects of religion policy by showing how FBOs and other religious organizations qualify for rights or protection or for more active policy intervention. In the first place, religious organizations of all kinds can be seen as private or voluntary corporate actors, with rights of holding and alienating property of various kinds. The U.S. has a long tradition of respecting the property rights of private individuals and corporate actors, and religious organizations naturally quality for these same levels of protection. They also enjoy standard rights to free speech and free assembly, in addition to the basic protection of the expression of their religious belief.

Second, congregations and FBOs are nonprofit organizations that either provide services to their members or engage in public service activities of relevance to the public at large. As such, they should be expected to enjoy the same deference given to other forms of nonprofit organizations, especially in the area of individual donations for charitable activities to be tax-deductable. In addition, congregations need not register with the IRS, unless their yearly financial accounts exceed a minimal threshold value.

Even those congregations above this level need not file extensive information with government officials. In this respect, religious organizations are treated much as other nonprofits.

Third, when a religious organization engages in more explicitly political activities, such as endorsing a particular candidate for public office or lobbying for a particular law to be enacted, that organization can lose its tax-exempt status. In effect, it is being treated as any other special interest group or political action committee. In some countries political parties have been organized on explicitly religious lines, and to my knowledge here is nothing in U.S. law that would prevent such a party from being organized here. Of course, given the widespread public concern with excessive entanglement between church and state, any explicitly religious party would not be likely to achieve electoral success.

Fourth, there are some religious-based organizations that are treated as if they were criminal organizations. Any religiously based terrorist organization receives no special treatment on behalf of its claim of spiritual justification. If public officials perceive an organization as a subversive threat to public order, then the extent of its religious affiliation may be immaterial.

Finally, there are some indications that above and beyond these basic considerations, religious organizations receive a special level of protection under U.S. law (see Sedler 2010). To some extent, religious organizations can claim even more rights than would be available to others acting on an individual basis. For example, some religious communities have obtained exemptions from general requirements that all children be educated to a certain level and in a certain way. Or some activities, such as animal sacrifice or the use of hallucinogenic drugs may be allowed, if they are justified as an integral component of religious rituals. So there may be a sense in which religious organizations are seen as especially precious in the eyes of U.S. law, and thereby deserving of special protection.

In sum, religion policy includes some official actions that would be natural for application to any corporate actor, nonprofit organization, or interest group, as well as actions uniquely justifiable when applied to religious organizations. The following list summarizes the essential forms of government support for religious organizations that are commonly observed in the U.S.:

- 1. Public services: fire, water, property rights, etc., like any other citizen or corporate entity
- 2. **Tax exemption** for donations, <u>like any other nonprofit</u>, and sometimes more, as in property tax exemptions
- 3. **Protection of free expression, including participation in the political process** (like any other interest group, but with limits on tax exemptions)
- 4. Exemption from labor, environmental laws, etc. for purely religious purposes
- 5. Grants, contracts, vouchers: Direct or indirect funding for schools and social service programs
- 6. **Enact policies** or laws as reward for political supporters, like any other interest group or constituent supporters (including religious earmarks)
- 7. General laws reflecting majority religious preference, like Sunday closing laws
- 8. **Criminalize** sensitive practices by minority religions (polygamy, sacrifices) or that offend believers (anti-blasphemy laws, hate crimes legislation)
- 9. **Legal protection** for religious organizations, some with special protected status
- 10. Protect autonomy for religious decisions (some countries allow separate system of family law)

This list can be taken as an initial inventory of the general components of religion policy. In the next section we briefly evaluate a recent example of religion policy in action.

Evaluating Charitable Choice and the Faith-Based Initiative

Elsewhere (McGinnis 2010, 2011b), I examine the policies associated with "charitable choice" and the "faith-based initiative" as extended examples of religion policy. In both cases, policy advocates and agents self-consciously designed or implemented policy tools meant to have direct effects on the behavior of religious organizations. In this section I summarize the conclusions of this analysis.

The basic contours of debate can be summarized quickly (CRS 2005, Wright 2009). During the 1990s Charitable Choice emerged as part of a response to widespread concerns that public welfare policies had the unintended effect of creating a culture of dependency which discouraged welfare recipients from actively seeking employment. Analysts argued that effective reform would require ramping up programs that helped instill a sense of personal responsibility among beneficiaries of those programs. The 1996 welfare reform law, known officially as the Personal Responsibility and Work Opportunity Reconciliation Act, included an amendment on charitable choice which encouraged more applications for public funding from religious-based organizations. The faith-based initiative was intended to accomplish this goal.

For some advocates it was a question of cost, since FBOs' heavy reliance on volunteer labor made their programs potentially cheaper to operate than programs dependent on hiring service professionals. Others argued that in minority communities, especially among immigrants or urban African-Americans, religious leaders had a special connection to segments of the population with sound reasons for keeping their distance from public authorities. Thus, some faith-based organizations might be uniquely positioned to connect to especially needy groups.

However, for most advocates the critical factor was their presumption that religious programs are more effective in helping realize the personal transformation seen as the critical step in helping individuals wean themselves away from welfare dependency. Several potential reasons were proffered, with minimal supporting evidence, for this increased effectiveness. First, volunteers inspired by religious faith might tend to be more caring and less bureaucratic in the ways they related to the recipients of relief programs. Second, faith-based programs may tend to be more holistic, in the sense that workers inspired by certain kinds of religious beliefs will encourage participants to seek a through-going transformation of their personality, rather than seeing their problem in the purely instrumental terms common in programs designed by secular professionals. Allowing the service organization to retain symbols of religious faith in the physical setting or requiring participation in communal prayer or other religious rituals may make faith-based programs uniquely effective in achieving personal transformation.

For critics, however, incorporation of explicitly religious components into service programs threatened inappropriate entanglement of church and state (Lupu and Tuttle 2008). Over many decades, courts insisted that whereas programs with a primary secular purpose could be supported by public funding, such funds should not be available for the use of "pervasively sectarian institutions" such as congregations of particular faith traditions. Others saw this very distinction as part of the problem, in that public officials, when deciding which programs to fund, would shy away from any program with any hint of religious content. As a consequence of this supposed discrimination, the organizers of many faith-based organizations might not even bother applying for funding.

President Bush's faith-based initiative was intended as a multi-pronged attack on this situation. Since he was unable to convince Congress to pass significant legislation in this area, he operated instead via executive order, establishing offices of "Faith-Based and Community Initiatives" in the White House and in several executive agencies. Many states and local governments followed suit (Sager 2010). These

agencies were tasked with several missions, especially (1) eliminating bias against applications by service organizations with strong religious connections, (2) providing assistance in helping smaller FBOs develop the capacity to apply for public funding and to cope with the paperwork required in their implementation, and (3) clarifying that FBOs should be exempted from laws prohibiting labor discrimination in their hiring practices. This last stipulation has proven especially controversial. Advocates see it as essential, because otherwise FBOs might be required to hire workers whose beliefs or behaviors were incompatible with the tenets of the religious community that inspired that program, and their participation might undermine the unique capabilities of such programs. They also see it as a natural extension of existing exemptions given religious organizations for filling positions that are exclusively religious in nature (such as priests or preachers). For opponents it was discrimination, pure and simple, and thus not acceptable. Under the minor changes enacted by the Obama administration, complaints about discrimination in hiring are to be evaluated on a case-by-case basis, a position that may not be entirely consistent with promises made during the campaign.

For our purposes it is important to stress how these programs integrated different categories of policy tools in a mutually supportive manner. Legal policy instruments were used to recognize or enhance the rights of FBOs to implement programs as they wish, including suspension of anti-discriminatory hiring laws, while at the same time protecting the rights of program beneficiaries to have access to non-religious alternatives. Regulatory instruments were used to eliminate any presumed bias of public officials against service organizations with strong religious connections. Financial instruments provided additional funds for new FBOs programs (even while lowering overall level of welfare expenditures from public sources). Especially prominent were symbolic policy moves, with public officials holding meetings to help FBOs navigate their way through the application process and especially to express support for religious participation in public policy in general. Whether or not one agrees with the policy goals being espoused, one has to admit that this was a creative combination of all kinds of policy tools. For me it stands as a paradigmatic illustration of religion policy in action.

The overall record of this initiative is meager at best. Monsma (2004) highlights an ironic conclusion of his analysis, namely, that effective faith-based programs may be able to expand only with increased public funding, but that such funding directly undermines the autonomy critical to their initial success. It remains to be seen if exemptions from anti-discrimination laws will survive legal challenges now working their way through the system.

There are some indications that religious program components may help certain types of clients or participants to achieve more effective results than other programs (i.e., those who undergo some kind of personal transformation as they participate in that program), but there is no systematic evidence that these components would have the same effect for other clients, especially those actively resistant to that particular belief system. Nor is there evidence concerning the long-term sustainability of the few positive results that have been demonstrated.

Despite this meager level of success, the Obama team maintained the program in pretty much the same format, albeit under the new title "Faith-Based and Neighborhood Partnerships." I interpret this level of bipartisan support as suggesting that faith-based programs should be seen as parts of a broader system of service delivery, with different programs tailored to fit different client types. In the next concluding section I discuss a few aspects of this longer term perspective on religion policy.

Normative Evaluations of Religion Policy

By now I trust the reader has been convinced that the extent to which FBOs play important policy roles differs dramatically across issue areas. Frankly, this meso-level perspective implies that the standard characterization of a wall of separation between church and state needs to be abandoned as a unifying metaphor. In some policy areas there are indeed secure barriers to interaction between religious and political organizations, especially with regards to doctrinal controversies or other matters of direct concern only to adherents of a particular faith tradition. Practically speaking, there is little if any interaction across this wall in those policy areas in which the uniquely faith-based concern for marginalized groups is not particularly relevant. But in other policy areas a wall, if it exists, is not solid or impenetrable, and might better be interpreted as a fence across which neighbors can freely communicate, or as part of a gate which allows both sides easy egress to the other. In still other policy areas that gate opens onto a well-worn path upon which residents from both sides tread as they gather together to address shared concerns. In a few policy areas of particular concern to religious adherents, the image of a path is too feeble to reflect the tight interconnections between religious and political organizations. In effect, bricks in the wall have been torn down to pave an expressway (or perhaps used to build the hardware needed to maintain a broad-band connection?) facilitating the routine transfer of resources moving in both directions simultaneously.

What may not yet be apparent is why we should care about these different patterns of religious-political interactions. This is where the reasons behind the concern expressed above concerning the extent of FBO integration into public policy networks may come into better focus.

Policy analysts have demonstrated that different consequences for society as a whole have been realized, depending on what kinds of actors are in charge of making and implementing policy in that area (Hill and Hupe 2009, Klijn and Skelcher 2007, Klijn and Koppenjan 2000). Granted, the role of religion per se has rarely been a matter of sustained concern among policy researchers, who have instead focused on what happens to the public interest when policy networks are dominated by a self-contained power elite, or by greedy business interests, or by recipients of political patronage who need to keep their bosses happy, or by technocratic experts who presume to know what is best for the public, without bothering to ask the people themselves. Many of these same concerns can be used to evaluate, in a practical sense, the normative implications of FBO participation in different areas of public policy.

Increased reliance on FBOs for the delivery of public services runs the risk of making that policy more responsive to the interests and preferences of those leaders who happen to be influential within their respective faith communities. Allowing FBOs to play essential roles in the formation and implementation of public policy could potentially serve to reinforce the hegemonic influence of that particular faith on society as a whole. On the other hand, other easily mobilized groups within the American pluralist system can effectively counter any effort to overtly impose Christianity, of whatever form, as the official religion. Elsewhere, effective counter-pressures may be absent.

Even so, the dangers of theocracy are less than often imagined, because all religious traditions encompass values that may be interpreted as supporting contrasting positions on most political controversies. Appleby (2000) argues that the political implications of any religious tradition are intrinsically ambiguous, because any religious tradition can be used either to pursue peace or to justify violence in pursuit of religion-inspired goals. With particular reference to sub-Saharan Africa, Longman (1998) demonstrates that religion can be used either to protect the powerful or to empower the weak, or even both at the same time. Because of these internal tensions, no contingent of FBOs could conceivably "capture" a vibrant policy network in quite the same way as in economic regulatory policy,

where those ostensibly being regulated are often the ones who actually write those regulations, and do so in such a way as to protect themselves from the entry of new competitors.

Existing members of the policy network may benefit from increased FBO participation. Religious leaders may be able to tap into resources that are not available to secular organizations, even ones that are implementing virtually the same programs. Religious leaders may be effective liaisons between public officials and members of suspicious or marginalized communities, drawing upon a reservoir of trust to help policy entrepreneurs gain access to the very people they most want to help.

Faith-based components may prove especially useful when members of a policy network confront intractable problems. Religious faith can be a source of strength in times of trial, and may thus facilitate the persistence needed to face certain long-term dilemmas. Such persistence seems especially relevant to such matters as the slow rehabilitation of hardened criminals or the excruciatingly long process of reconciliation that may be required to convince former enemies that they can now live peacefully with each other (Smock 2002; Schirch 2005, Tutu 1999).

More generally, incorporation of FBOs within a policy network will insure that there will always be someone dissatisfied with the status quo, since no political program can fully satisfy anyone inspired by visions of perfect justice. Since there will always be pressure for reform, it may be less likely that a religion-infused policy network would remian mired in an unproductive state of stasis as conditions continue to worsen. The position of moral leadership enjoyed by religious leaders may greatly facilitate mobilization for costly programs of reform by drawing upon the deep emotions evoked by religious belief (Nadelmann 1990).

Including individuals with a strong reputation for high moral stature may help outside observers see the network as being more than just a creature of partisan politics or patronage. At the same time, this sense of increased legitimacy may help insure a degree of insulation from the close scrutiny of media and oversight agencies. One of the basic tenets of the policy network perspective is that many networks work best (at least in terms of more effectively realizing their own interests at the expense of society as a whole) if they are allowed to make their decisions and implement their preferred policies with minimal interference from the potentially pesky and fickle public.

Yet reliance on moral leadership of religious members of a policy network can backfire whenever an instance of fraud, waste or abuse involving those leaders is revealed and publicized. An incessant drumbeat for more reform can prove distracting, especially to those elements of the policy network perfectly content to sustain the status quo, with all of its attendant imperfections, into the indefinite future.

From the perspective of society as a whole, other considerations come into play. The first concern is that inefficient programs may continue to be funded, especially those FBO programs that can expect to receive funding from religious sources, whether or not they can demonstrate any practical success. A second concern is related, in that because of such reliance on religious donations, policy in this area may manifest misplaced priorities, since those public problems of more direct concern to religious donors are more likely to receive direct attention than other, perhaps equally important problems. This problem arises because, in effect, the agenda guiding policy response will be more responsive to donor interests than to the recommendations of experts. Third, incorporation of faith-based components into service programs necessarily imparts a sense of mystification into the whole process, to the extent that favorable policy responses are going to be attributed, at least in part, to factors which are by definition beyond scientific scrutiny.

A fourth problem is more practical and directly observable. Given the natural diversity of religious traditions in any modern society, it will prove impossible to incorporate, on anything remotely resembling an equal basis, programs initiated by all religious traditions into policy networks. Instead, certain religious traditions are going to have their practices legitimated by their participation in policy implementation, while others will be excluded. Efforts can be undertaken to minimize tensions, but advocates of increased FBO participation must face up to the inevitability of introducing inequities in the ways different religious traditions are treated.

A fifth problem resides at the macro-level. Patterns of close interaction between agents of religious and political organizations in any one policy area may tend to diffuse over into adjacent policy areas. This type of diffusion would be expected to be especially important by those analysts who conceptualize the state as a broad configuration of interests and ideological understandings within which social interactions take place, with those interactions experiencing, whether directly observable or not, pressures to conform to the basic structure of interactions as legitimated in the overall state structure (Hall and Taylor 1996, Amenta et al. 2001). In short, increased FBO participation in any policy area may subtly enhance the influence over society of those religious traditions most directly involved in these particular policy programs.

On the positive side, FBOs are especially attracted to policy areas in which they can help to alleviate the pain and suffering felt by the most marginalized segments of any society. Rather than being just like other self-interested participants in a pluralistic system, many FBOs are motivated to look out for the interests of groups that would otherwise be ignored. By doing so, they fill a gap in the coverage of any policy network. In that sense, FBO participation may prove critical to assuring more equitable policy outcomes.

Even as faith-based organizations become more closely integrated into policy networks, they still remain, to a great extent, a world apart. Perhaps the most critical contribution of religion to democratic governance is to serve as a source of countervailing moral authority. In an influential critique of the widespread tendency among political analysts to misunderstand religion as a purely individual matter when religions are instead fundamentally communal in nature, Stephen Carter (1993) articulates the political implications of religion in a succinct and powerful manner.

Religions are in effect independent centers of power, with bona fide claims on the allegiance of their members, claims that exist alongside, are not identical to, and will sometimes trump the claims to obedience that the state makes. A religion speaks to its members in a voice different from that of the state, and when the voice moves the faithful to action, a religion may act as a counterweight to the authority of the state. . . . A religion, in this picture, is not simply a means for understanding one's self, or even of contemplating the nature of the universe, or existence, or of anything else. A religion is, at its heart, a way of denying the authority of the rest of the world; it is a way of saying to fellow human beings and to the state those fellow humans have erected, "No, I will not accede to your will." (Carter 1993, 35, 41, italics in original, bolding addded)

Precisely because of its deep roots outside the standard realm of politics, religion can serve as a uniquely efficacious constraint on the excessive partisanship so characteristic of struggles for political power. In this way, religion takes its rightful place as a supporting pillar of the checks and balances essential for democratic governance (Carrese 2010). No matter what our own personal convictions, policy analysts have a professional responsibility to recognize and appreciate the unique contributions made by all types of governance institutions, including those shaped by religious faith and practice.

References

- Ammerman, Nancy Tatom. 2005. *Pillars of Faith: American Congregations and Their Partners*. Berkeley: University of California Press.
- Appleby, R. Scott. 2000. The Ambivalence of the Sacred: Religion, Violence, and Reconciliation. Lanham, MD: Rowman & Littlefield.
- Amenta, Edwin, Chris Bonastia, and Neal Caren. 2001. "U.S. Social Policy in Comparative and Historical Perspective," *Annual Review of Sociology* 27, 213-234.
- Belshaw, Deryke, Robert Calderisi, and Chris Sugden, eds. 2001. Faith in Development: Partnership Between the World Bank and the Churches of Africa. Oxford: Regnum Books/World Bank.
- Berger, Julia. 2003. "Religious Non-Governmental Organizations: An Exploratory Analysis," *Voluntas: International Journal of Voluntary and Nonprofit Organizations* 14:1, 14-39.
- Bickers, Kenneth, and John T. Williams, 2001. *Public Policy Analysis: A Political Economy Approach*, Boston: Houghton Mifflin.
- Bryson, John M., Barbara C. Crosby, and Melissa Middleton Stone. 2006. "The Design and Implementation of Cross-Sector Collaborations: Propositions from the Literature," *Public Administration Review*, December 2006 special issue, pp. 44-55.
- Buss, Doris, and Didi Herman. 2003. *Globalizing Family Values: The Christian Right in International Politics*. Minneapolis: University of Minnesota Press.
- Cadge, Wendy and Robert Wuthnow. 2006. "Religion and the Nonprofit Sector," in Walter W. Powell and Richard Steinberg, eds., *The Non-Profit Sector: A Research Handbook*, 2nd edition, New Haven and London: Yale University Press, pp. 484-505.
- Carrese, Paul. 2010. "Montesquieu's Philosophy of Liberal Moderation and Religious Liberty," paper presented at the 2010 Oxford Round Table, Religion and Science: Shaping the Modern World, Harris Manchester College, Oxford, July 25-30, 2010.
- Carter, Stephen. 1993. The Culture of Disbelief: How American Law and Politics Trivialize Religious Devotion. New York: Basic.
- Cejka, Mary Ann, and Thomas Bamat. 2003. *Artisans of Peace: Grassroots Peacemaking among Christian Communities*. Maryknoll, NY: Orbis Books.
- Chaves, Mark. 2004. Congregations in America. Harvard University Press.
- Congressional Research Service (CRS). 2005. "Charitable Choice Rules and Faith-Based Organizations," Report dated March 24, 2005.
- Davis, Derek H. 2001. "Separation, Integration, and Accommodation: Religion and State in America in a Nutshell," *Journal of Church and State* 43:1, 5-19.
- Ebaugh, Helen Rose, ed. 2005. Handbook of Religion and Social Institutions. Springer.
- Ebaugh, Helen Rose, Janet S. Chafetz, and Paula Pipes. 2005. "Funding Good Works: Funding Sources of Faith-Based Social Service Coalitions," *Nonprofit and Voluntary Sector Quarterly* 34:4, 448-472.
- Ebaugh, Helen Rose, Paula F. Pipes, Janet Saltzman Chafetz, and Martha Daniels, 2003. "Where's the Religion? Distinguishing Faith-Based from Secular Social Service Agencies," *Journal for the Scientific Study of Religion* 42 (3), 411-426.
- Evangelical Environmental Network. N.d. "An Evangelical Declaration on the Care of Creation," http://www.creationcare.org/resources/declaration.php
- Finke, Roger, and Rodney Stark. 2005. *The Churching of America, 1776-2005: Winners and Losers in Our Religious Economy*, Revised and Expanded Edition, Rutgers University Press.
- Fox, Jonathan. 2006. "World Separation of Religion and State into the Twenty First Century" *Comparative Political Studies*, 39 (5), 537-569.
- Fox, Jonathan. 2008. A World Survey of Religion and the State, Cambridge University Press.

- GAO. 2006. Faith-Based and Community Initiative: Improvements in Monitoring Grantees and Measuring Performance Could Enhance Accountability, GAO-06-616, June 2006. http://www.gao.gov/new.items/d06616.pdf
- Gill, Anthony. 2001. "Religion and Comparative Politics," *Annual Review of Political Science* 4, 117-138.
- Grim, Brian J. 2005. Religious Regulation's Impact on Religious Persecution: The Effects of De Facto and De Jure Religious Regulation, Ph.D. dissertation, Pennsylvania State University, August 2005.
- Grim, Brian J., and Roger Finke. 2006. "International Religion Indexes: Government Regulation, Government Favoritism, and Social Regulation of Religion," *Interdisciplinary Journal of Research on Religion*, Volume 2, Article 1.
- Gruber, Jonathan, and Daniel M. Hungerman. 2007. "Faith-Based Charity and Crowd-Out During the Great Depression," *Journal of Public Economics* 91, 1043-1069.
- Hall, Peter A. and Rosemary C.R. Taylor. 1996. "Political Science and the Three New Institutionalisms," *Political Studies* 44, 936-957.
- Heclo, Hugh. 2003. "The Wall that Never Was," Wilson Quarterly 27 (1), Winter 2003.
- Hertzke, Allen D. 2004. Freeing God's Children: The Unlikely Alliance for Global Human Rights. Lanham: Rowman & Littlefield.
- Hill, Michael, and Peter L. Hupe. 2009. Implementing Public Policy: An Introduction to the Study of Operational Governance, 2nd edition. Sage.
- Hula, Richard, Cynthia Jackson-Elmoore, and Laura Reese. 2007. "Mixing God's Work and the Public Business: A Framework for the Analysis of Faith-Based Service Delivery," *Review of Policy Research* 24 (1), 67-89.
- lannaccone, Laurence R. 1994. "Why Strict Churches are Strong," *American Journal of Sociology*, 99 (5), 1180-1211.
- lannaccone, Laurence R. 1998. "Introduction to the Economics of Religion" *Journal of Economic Literature*, 36: 1465-1496.
- Jeavons, Thomas H. 1994. When the Bottom Line is Faithfulness: Management of Christian Service Organizations. Bloomington: Indiana University Press.
- Jeavons, Thomas H. 1998. "Identifying Characteristics of 'Religious' Organizations," in N.J. Demerath III, et al., eds., Sacred Companies: Organizational Aspects of Religion and Religious Aspects of Organizations, New York and Oxford: Oxford University Press, pp. 79-95.
- Jenkins, Philip. 2003. The Next Christendom: The Coming of Global Christianity. Oxford Univ. Press.
- Johnston, Douglas, ed. 2003. Faith-Based Diplomacy. New York: Oxford University Press.
- Johnston, Douglas, and Cynthia Sampson, eds. 1994. *Religion: The Missing Dimension of Statecraft*. New York: Oxford University Press.
- Kennedy, Sheila Suess, and Wolfgang Bielefeld. 2006. *Charitable Choice at Work: Evaluating Faith-Based Job Programs in the States*, Washington, DC: Georgetown University Press.
- Klijn, Erik-Hans, and Chris Skelcher. 2007. "Democracy and Governance Networks: Compatible or Not?," *Public Administration* 85 (3), 587-608.
- Klijn, Erik-Hans, and Joop F.M. Koppenjan. 2000. "Public Management and Policy Networks: Foundations of a Network Approach to Governance," *Public Management* 2 (2), 135-158.
- Kniss, Fred, and David Todd Campbell. 1997. "The Effect of Religious Orientation on International Relief and Development Organizations." *Journal for the Scientific Study of Religion* 36(1):93–103.
- Kuo, David. 2006. Tempting Faith: An Inside Story of Political Seduction. New York: Free Press.
- Lauren, Paul Gordon. 2003. *The Evolution of International Human Rights: Visions Seen.* 2nd edition. Philadelphia: University of Pennsylvania Press.
- Lincoln, C. Eric, and Lawrence H. Mamiya. 1990. *The Black Church in the African-American Experience*. Durham: Duke University Press.

- Lindblom, Charles E. 1959. "The Science of Muddling Through," *Public Administration Review (PAR)* 19 (2), 79-88.
- Little, David, editor. 2007. *Peacemakers in Action: Profiles of Religion in Conflict Resolution*. Cambridge and New York: Cambridge University Press.
- Longman, Timothy P. 1998. "Empowering the Weak and Protecting the Powerful: The Contradictory Nature of Churches in Central Africa," *African Studies Review* 41:1, 49-72.
- Lupu, Ira C., and Robert W. Tuttle. 2008. The State of the Law: A Cumulative Report on Legal Developments Affecting Government Partnerships with Faith-Based Organizations. Roundtable on Religion and Social Welfare Policy, 2008. http://www.religionandsocialpolicy.org/docs/legal/state_ofthe_law_2008.pdf
- Marthoz, Jean-Paul, and Joseph Saunders. 2005. "Religion and the Human Rights Movement," *Human Rights Watch World Report 2005*, pp. 40-69.
- McCleary, Rachel M. 2009. Global Compassion: Private Voluntary Organizations and U.S. Foreign Policy Since 1939. New York and Oxford: Oxford University Press.
- McGinnis, Michael D. 2007a. "From Self-Reliant Churches to Self-Governing Communities: Comparing the Indigenisation of Christianity and Democracy in Sub-Saharan Africa," *Cambridge Review of International Affairs*, 20:3, 401-416.
- McGinnis, Michael D. 2007b. "Narratives of Strategic Interaction Involving Religious Organizations: Proselytism, Humanitarian Aid, and International Conflict," paper presented at the 48th Annual Conference of the International Studies Association, Chicago, Illinois, Feb. 28-March 3, 2007. http://php.indiana.edu/~mcginnis/portland3.pdf
- McGinnis, Michael D. 2010. "Religion Policy and the Faith-Based Initiative: Navigating the Shifting Boundaries between Church and State," *Forum on Public Policy*, Vol 2010, No. 4/5. (December 2010). http://forumonpublicpolicy.com/Vol2010.no4/archive.vol2010.no4/mcginnis.pdf
- McGinnis, Michael D. 2011a. "An Introduction to IAD and the Language of the Ostrom Workshop: A Simple Guide to a Complex Framework," *Policy Studies Journal* 39 (1):163-177. A longer version is available at http://php.indiana.edu/~mcginnis/iad guide.pdf
- McGinnis, Michael D. 2011b. "Networks of Adjacent Action Situations in Polycentric Governance," *Policy Studies Journal* 39(1):45–72.
- Mears, Daniel P., Caterina G. Roman, Ashley Wolff, and Janeen Buck. 2006. "Faith-Based Efforts to Improve Prisoner Reentry: Assessing the Logic and Evidence," *Journal of Criminal Justice* 34, 351-367.
- Monsma, Stephen. 1996. When Sacred and Secular Mix: Religious Nonprofit Organizations and Public Money Lanham, MD: Rowman & Littlefield.
- Monsma, Stephen. 2004. *Putting Faith in Partnerships: Welfare-to-Work in Four Cities*, Ann Arbor: University of Michigan Press.
- Nadelmann, Ethan A. 1990. "Global Prohibition Regimes: The Evolution of Norms in International Society." *International Organization*. 44:479-526.
- Nichols, J. Bruce. 1988. The Uneasy Alliance: Religion, Refugee Work, and U.S. Foreign Policy. New York: Oxford University Press.
- Nichols, Joel A. 2008-09. "Evangelicals and Human Rights: The Continuing Ambivalence of Evangelical Christians' Support for Human Rights," *Journal of Law and Religion* 24: 629-662.
- Ostrom, Elinor. 1990. Governing the Commons: The Evolution of Institutions for Collective Action. New York: Cambridge University Press.
- Ostrom, Elinor. 2005. *Understanding Institutional Diversity*. Princeton University Press.
- Ostrom, Elinor. 2010. "Beyond Markets and States: Polycentric Governance of Complex Economic Systems." *American Economic Review* 100(3) (June 2010): 641–72. [Revised version of Nobel lecture delivered in Stockholm, Sweden, on December 8, 2009.]

- Ostrom, Elinor. 2011. "Background on the Institutional Analysis and Development Framework." Policy Studies Journal 39(1) (February 2011): 7–27.
- Ostrom, Vincent, Charles M. Tiebout, and Robert Warren. 1961. "The Organization of Government in Metropolitan Areas: A Theoretical Inquiry." *American Political Science Review* 55 (Dec.): 831-42. Reprinted in McGinnis 1999b.
- Pocock, Michael, Gailyn van Rheenen, and Doublas McConnell. 2005. *The Changing Face of World Missions: Engaging Contemporary Issues and Trends*. Grand Rapids, MI: Baker.
- Robert, Dana L. 2000. "Shifting Southward: Global Christianity Since 1945," *International Bulletin of Missionary Research*, April 2000, pp. 50-58.
- Sabatier, Paul A., ed. 2007. Theories of the Policy Process, 2nd edition. Boulder, CO: Westview.
- Sager, Rebecca. 2010. Faith, Politics, and Power: The Politics of Faith-Based Initiatives. New York and Oxford: Oxford University Press.
- Salamon, Lester M. 1999. *America's Nonprofit Sector: A Primer*, 2nd edition. New York: The Foundation Center.
- Salamon, Lester M., ed. 2002. The Tools of Governance: A Guide to the New Governance. Oxford Univ. Press.
- Schirch, Lisa. 2005. Ritual and Symbol in Peacebuilding. Bloomfield, CT: Kumarian Press.
- Sedler, Robert. 2010. "The Constitutional Protection of Religious Liberty in the United States," paper presented at the 2010 Oxford Round Table, Religion and Science: Shaping the Modern World, Harris Manchester College, Oxford, July 25-30, 2010.
- Smith, Adam, [1776]. An Inquiry into the Nature and Causes of the Wealth of Nations, "Of the Expense of the Institutions for the Instruction of People of All Ages," Volume Two, Book V, Chapter 1, Article 3. Modern Library Edition, pp. 740-66; U. Chicago Press edition, ii, 309-38.
- Smith, Steven Rathgeb and Michael R. Sosin. 2001. "The Varieties of Faith-Related Agencies," *Public Administration Review*, 61:6, 651-670.
- Smock, David R., ed. 2002. *Interfaith Dialogue and Peacebuilding*, Washington, DC: U.S. Institute of Peace Books.
- Stark, Rodney, and Roger Finke. 2000. *Acts of Faith: Explaining the Human Side of Religion*. Berkeley: University of California Press.
- Stritt, Steven B. 2008. "Estimating the Value of the Social Services Provided by Faith-Based Organizations in the United States," *Nonprofit and Voluntary Sector Quarterly* 37:4, December 2008, 730-742.
- Thaut, Laura C. 2009. "The Role of Faith in Christian Faith-Based Humanitarian Agencies: Constructing the Taxonomy," *Voluntas* 20: 319-350.
- Thomas, Scott M. 2004. "Faith and Foreign Aid: How the World Bank Got Religion, and Why It Matters," The Brandywine Review of Faith & International Affairs Fall 2004, 21-29.
- Tutu, Desmond. 1999. No Future Without Forgiveness. New York: Doubleday.
- United States Department of State. Yearly. *Annual Report. International Religious Freedom*. http://www.state.gov/g/drl/rls/irf/.
- Unruh, Heidi Rolland, and Ronald J Sider. 2005. Saving Souls, Serving Society: Understanding the Faith Factor in Church-Based Social Ministry. Oxford University Press.
- Urofsky, Melvin I. 2008. "Church and State: The Religion Clauses," in David J. Bodenhamer and James W. Ely, Jr., eds., *The Bill of Rights in Modern America*, pp. 67-87.
- Weimer, David L., and Aidan R. Vining. 2005. *Policy Analysis: Concepts and Practice*, 4th edition. Englewood Cliffs, NJ: Prentice Hall.
- Wright, David. 2009. *Taking Stock: The Bush Faith-Based Initiative and What Lies Ahead*, June 2009, http://www.religionandsocialpolicy.org/final_report/full_report_060809.pdf
- Wuthnow, Robert. 2004. Saving America? Faith-Based Services and the Future of Civil Society, Princeton.

Table 1. Variants of Religious Expression and Opportunities for Religious and Political Entrepreneurs

Components of Religion	Variants of Religious Expression	Opportunities for Religious Innovation	Related Matters of Concern to Public Officials	Opportunities for Policy Intervention
Beliefs and doctrines	Comprehensive to limited; Mysterious to rational/logical	Innovative doctrines	Does religion support or undermine public culture?	Public education to reinforce societal norms (over religious)
Ritual encounters with the "other"	Intense/emotional to sedate/reserved; Frequent to rare; Emphasis on communal or individual	Make ritual experiences more intense and/or inviting	Distraction from practical concerns (for good or ill)	Encourage distractions or make religious activities illegal
Symbols, stories	Extensive to simple; Mystical to plausible	Creativity within an established repertoire	Effects on citizen expectations; Framing of policy issues	Use religious symbols to support public goals or procedures
Reverence for the sacred	Variety of sacred objects and intensity of reverence to each	Control can be lucrative; Connect to secular items	Locus of conflict; potential resource to be exploited	Exploit emotional intensity attached to sacred objects/places
Codes of conduct	Strict to permissive; Exclusive to inclusive	New interpretations may conflict with old ones	Source of general morality and/or critique of authorities	Use as inspiration for new laws, or to legitimate existing laws
Social ties	Dense/exclusive to loose/inclusive; Specialized service organizations	Small group activities; Establish FBOs	FBOs engage in public services; (Cults may separate selves)	Encourage or undermine voluntary service organizations (and cults)
Organizations and Leaders	Radically egalitarian to hierarchical/bureaucratic	Many varieties developed within broad doctrinal limits	Rivals for allegiance and/or potential resource-rich allies	Appropriate religious property, or reward with policies or patronage
Trans-generational community	Choice-based vs. determined by birth	"Invent" traditions	Potential rivals for primary loyalty of domestic groups	Connect religion with nation, or impose distance between them

Source: Compiled by Author.

Table 2. Extent of Faith-Based Contributions in Selected Issue Areas

FBO Contributions	Domestic Policy	Foreign Policy	
Integrated into Public Policy Networks	Health Care Social policy (welfare) Immigrant support Anti-poverty	Humanitarian Aid Human Rights (esp. religious rights, anti-trafficking)	
Important but Mostly Separate Operations	Education Media Anti-abortion activism	Missionary/Proselytism Transnational Communities Mediation and diplomacy	
Sporadic Campaigns or Specialized Involvement	Rehabilitation (& job training) Community Development Environmental Issues ("creation care")	Debt (Jubilee 2000) Social Reconciliation (esp. local) Economic Development	
Minimal to Non- Existent FBO Contribution	Budgetary Issues Military, Homeland Security Infrastructure	Peacekeeping Operations Managing Global Commons	

Source: Compiled by Author.

Table 3. Matching Policy Tools to the Core Components of a Religion

Core Components	Types of Policy Instruments:					
of a Religion:	Legal Status	Regulatory	Financial	Symbolic		
Beliefs and Doctrines	Guarantee freedom of expression Religious tests for public office or citizenship May determine official doctrines	Criminalize conversion	Subsidize development or dissemination of innovative theologies	Undermine or accommodate beliefs in public education		
Rituals	May mandate participation in religious ceremonies	Restrictions based on public health, safety	Subsidize certain ritual practices or locations	Incorporate prayer, rituals in public ceremonies		
Sacred Texts, Symbols, Narratives	May select texts or symbols	Anti-blasphemy laws	Exemptions from sales tax for religious books	Incorporate symbols in public discourse		
Sacred Places, Persons	Protected areas, spaces	Limit access to sites	Historical preservation	Hate crime laws		
Codes of Conduct and Normative Prescriptions	Aspects may be enshrined in legal codes	Criminalize practices (e.g., polygamy)	Encourage or subsidize certain actions	Reward lobbying for policy change		
Specialized Organizations and Processes for Making Collective Decisions and Selecting Leaders	Registration for legal recognition, property rights Stratification of legal status (separate legal systems, etc.) Select religious leaders Autonomy for internal affairs	Grant exemptions from zoning laws, environmental or labor regulations	Deliver public goods (fire, police) Tax deductions for contributions Collect taxes, pay salaries	Reinforce or undermine "wall of separation" between church and state		
Specialized Organizations and Processes for Interactions with Outsiders	Registration may be required for operations	Regulate operations of service programs Prohibit some cults Criminalize proselytism	Tax deductions for contributions Public funding for schools, programs Earmarked funding	Encourage or discourage political alliances with religious leaders		
Social Networks and Identification with a Trans-generational Community	Allow religious schools Protect right of assembly	Regulate curriculum in religious schools Define rights to remain separate from society	Subsidize religious schools, programs	Permit or limit display of religious symbols		

Notes: Complied by Author. Only those examples listed in **bold** are relevant to the U.S. case.