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“DON’T LOOK TO US”: THE NEGATIVE RESPONSES OF THE CHURCHES TO WELFARE REFORM

STANLEY W. CARLSON-THIES*

Despite the supposed American aversion to mixing religion and politics, our welfare policy has exemplified a characteristic Protestant ideal: *Semper reformanda*—always reforming. Renewed idealism, changed conceptions, revelations about gaps in coverage, and especially the perception of failure have produced recurrent episodes of controversy about social provision, followed by lesser or greater policy change. Our current era of reforming zeal, however, outstrips such periodic adjustments. The nation has now overthrown a six-decade-old strategy for dealing with social distress. Assistance to the needy has become conditional, no longer an entitlement. Rather than Washington being the final protector of the needy, the authority to design welfare programs has been devolved to the states.

And devolution does not end there: welfare authority is being shifted not only from the federal government to state governments but from government to civil society—to nonprofit organizations and to voluntary groups. Moreover, this devolutionary movement requires a significant breach of the divide between religion and politics, for its proponents regard religious institutions—churches, synagogues, temples, and mosques, but also faith-based social service agencies and religious voluntary associations—to be particularly effective helpers of distressed neighbors and neighborhoods. In the new paradigm for America’s anti-poverty battle, government is supposed to be a support for, rather than an alternative to, faith-based assistance to the needy.

But although it is of the essence of the church, both theologically and historically, to minister to the needy in body as well as soul, the Christian communities have responded to the invitation to enter into a new partnership in service of the poor mainly with indifference or even opposition. The purpose of this article is to

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explore the reasons for the negative reaction and to scout the prospects for a more positive response in the future.

My focus is Christian churches, Catholic and Protestant, and more generally Christian organizations and leaders. Together these constitute the dominant players in America's religious life, although other religions are also integral to our religious pluralism.¹ This article is exploratory and only suggestive; I make no pretense of fully surveying the Christian communities or exploring in detail their varied stances. What is most important in how churches interact with public welfare, it will appear from the exploration, has more to do with the broad terrain of social/political vision than narrowly theological or denominational concerns.

I come to these issues as a participant-observer in the controversy about connecting churches and public welfare. At the Center for Public Justice, a Washington, D.C.-area Christian organization conducting public policy research and civic education, I direct a project on reconstructing government's relationship with the religious social sector, and I previously directed a project on new directions for American welfare policy. Separate from my position at the Center, in the fall of 1995 and the spring of 1996, I organized advocacy efforts to secure congressional support for the "charitable choice" provision detailed below. I have been part of discussions in a range of states concerning how to expand cooperation between government welfare and faith-based institutions. I hope that any bias resulting from my participation in these controversies is outweighed by the insight afforded by first-hand contact with policy makers, policy experts, and religious leaders at the forefront of this key battle over how to make our society's assistance efforts more fruitful.

I. RECONSTRUCTING WELFARE

After more than half a century of social policy debate and social policy making in the United States during which the remedy for poverty and social distress was presumed to be enlarged government action, the climate of opinion has dramatically changed. "The era of big government is over," President Clinton announced in his 1996 State of the Union address, and in Con-

1. Other faiths relate to the public sphere in distinctive ways that require separate treatment. The Jewish community, for example, has its own particular church/state concerns, and disputes about how its religious institutions should relate to other organizations and to public authorities have their own particular trajectory. See *AMERICAN JEWS AND THE SEPARATIONIST FAITH: THE NEW DEBATE ON RELIGION IN PUBLIC LIFE* (David G. Dalin ed., 1993).

gress and the states resurgent Republicans have been energetically devising plans and passing laws to ensure that his statement does not remain a mere slogan. Social policy's new leading concept is the idea that the institutions of civil society—families, neighborhood groups, schools, churches, non-profit social agencies, volunteer mentoring programs, and the like—need to be revitalized and brought to the forefront of the fight against social distress and poverty.

The idea has been perhaps most noisily proclaimed by House Speaker Newt Gingrich, leader of the congressional Republican revolution, who put near the top of the reading list for Republican revolutionaries Marvin Olasky's book, *The Tragedy of American Compassion*, with its cry to replace government welfare with a revitalized charitable sector.² Yet the Democratic Leadership Council's "progressive alternative" to Gingrich's "Contract with America" also advocated less government and more charity, calling for greater involvement by nonprofit groups to break welfare dependency and arguing that pregnant teens should be placed in group homes run not by government but by church and community groups.³ Similarly, what Clinton called for in his State of the Union message to replace "big government" was a collaborative effort bringing together government and the social sector—civic and charitable associations, churches and synagogues, "religious groups" assisting the poor who "know the true difficulty of the task before us and . . . are in a position to help."

One reason for the new interest in private and religious charities is the broad consensus that government welfare has demonstrated itself to be fatally flawed—too often ineffective and sometimes even injurious to the poor. Another reason is the growing conviction that Americans have wrongly abdicated to the "nanny state" many responsibilities that belong to, and can only successfully be performed by, individuals, nonprofit groups, families, and religious institutions. What is needed is a "new citizenship" whereby citizens respond to need, on their own or in voluntary association with others, rather than clamoring for government to act.⁴ Yet again, many others emphasize the importance of spiritual transformation as the only true remedy for

2. MARVIN OLASKY, *THE TRAGEDY OF AMERICAN COMPASSION* (1992).

3. See the series of articles in a special issue of *The New Democrat*, especially Kathleen Sylvester, *Cutting Washington Down to Size*, *NEW DEMOCRAT*, Jan./Feb. 1995, at 36; *Rolling Back Teen Pregnancy*, *NEW DEMOCRAT*, Jan./Feb. 1995, at 50; and Will Marshall, *Putting Work First*, *NEW DEMOCRAT*, Jan./Feb. 1995, at 43.

4. See, e.g., *BUILDING A COMMUNITY OF CITIZENS: CIVIL SOCIETY IN THE 21ST CENTURY* (Don E. Eberly ed., 1994).

persistent poverty and destructive addictions, and call on the church to recover as its rightful mission an extensive social ministry to the poor.⁵

So government must decrease and civil society increase. For the sake of the poor, but also for the health of society as a whole, government must be "relimited," to use a current term of art on the right, and social institutions must become more active. Religious charitable activity must be brought from the periphery of the public square to the center. For six decades influence and money flowed to Washington. Now power and authority are to be devolved—not just to states and to local governments, but more broadly, to the institutions of civil society, and not least to churches and other religious institutions.

II. CRAFTING A NEW FRAMEWORK IN WASHINGTON AND IN THE STATES

The idea of reforming the nation's welfare effort by forging new cooperative relations between government and religious and community groups has inspired a flurry of policy proposals and legislation in Washington and in the states. I will note the most significant congressional initiatives and a sampling of proposals in the states.

In Washington, two distinct strategies have been proposed to make government more supportive of the anti-poverty efforts of religious and community groups. The most publicized plan is the "Project for American Renewal" proposed by Sen. Dan Coats (R-Indiana). Launched in September 1995 at a Capitol Hill press conference by Sen. Coats and William Bennett (of *The Book of Virtues*), the initiative consists of more than a dozen separate proposals designed to promote the renewal of civil society by putting government influence and resources on the side of "private and religious institutions that shape, direct, and reclaim individual lives."⁶ At a press conference in June, 1996, Rep. John Kasich (R-Ohio) joined Sen. Coats as co-sponsor of the Project's "Phase II," a campaign in both chambers for enactment of the bills.

The "centerpiece and symbol" of the Project, says Coats, is a federal charity tax credit, a dollar-for-dollar reduction in federal income taxes of up to \$500 (\$1000 for joint filers), to match

5. See, e.g., OLASKY, *supra* note 2; JOHN M. PERKINS, *BEYOND CHARITY: THE CALL TO CHRISTIAN COMMUNITY DEVELOPMENT* (1993).

6. Dan Coats, with responses from Gertrude Himmelfarb, Don Eberly & David Boaz, *Can Congress Revive Civil Society?* 75 POL'Y REV. 27 (1996). See also DAN COATS & JOHN KASICH, *THE PROJECT FOR AMERICAN RENEWAL* (undated booklet).

donations to qualified charities. Eligible charities are defined narrowly: they must be able to demonstrate that their "predominant activity" is the provision of anti-poverty services to poor persons and families; they must devote at least seventy percent of their expenditures to direct anti-poverty services; and in calculating that service ratio, they may not count as service to the poor any expenditures to influence policy making or to provide legal assistance.⁷ On the other hand, church ministries and religious charities, if they are organized as tax-exempt nonprofit organizations, are eligible to participate. Indeed, Coats seeks in particular to undergird religious charities, for they "not only feed the body but touch the soul,"⁸ and he has featured them in his hearings on the effectiveness of non-governmental social-service providers.⁹ Coats conceives his federal charity tax credit to be a way for government to support such organizations without either hobbling them with red tape or "offending the first amendment."¹⁰ In his conception, the tax credit is not a substitute for the social safety net, but rather a way to supplement it and make it more effective by increasing the resources of religious and private charities.¹¹

A second strategy for expanding the anti-poverty role of those charities has been championed in Congress by Sen. John Ashcroft (R-Missouri). He originally introduced his "charitable choice" plan to direct a portion of federal welfare funds to charities in his own bill to transform the AFDC program. When the Republican leadership's welfare bills were put into play in 1995, Ashcroft was able to get the charitable choice provision included. Charitable choice was accepted by Congress at the end of 1995 as part of the Republican welfare reform legislation (H.R. 4), although the legislation was vetoed by the President in January, 1996. However, Ashcroft's idea was retained when Congress took up welfare reform again in the summer of 1996, and it became

7. *Comprehensive Charity Reform Act*, S. 1079, 104th Cong. (1995) (introduced by Sen. Coats on July 27, 1995).

8. Coats et al., *supra* note 6, at 27.

9. See, e.g., *Private Efforts to Reshape America: Hearing Before the Subcomm. on Children and Families of the Senate Comm. on Labor and Human Resources*, 104th Cong. (1995) (examining the effectiveness of private organizations in providing social services).

10. 142 Cong. Rec. S13499 (daily ed. Sept. 13, 1995). Sen. Coats was speaking on behalf of an amendment to an earlier Republican welfare bill; this version of the charity tax credit, introduced jointly with Senators Rick Santorum (R-Penn.) and John Ashcroft (R-Mo.), required taxpayers to volunteer time as well as make a financial donation in order to claim the credit.

11. See, e.g., COATS & KASICH, *supra* note 6, at 7.

the law of the land when President Clinton signed the federal welfare reform bill on August 22, 1996.¹²

The charitable choice provision has three main features. First, it specifies that if a state contracts with non-governmental providers or operates a voucher mechanism, it may not exclude religious organizations from participation solely because they are religious. Second, it obligates states to protect the religious character of faith-based organizations that choose to accept contracts or vouchers. Despite accepting federal funds, these organizations retain the right to hire and fire in accordance with religious criteria; they may not be compelled to organize a separate 501(c)(3) structure to provide the welfare services; they are free to constitute their governing boards as they see fit, without regard to diversity criteria; their right to hold, develop, and implement their religious beliefs is explicitly safeguarded; they are guaranteed the liberty to keep "religious art, icons, scripture, or other symbols" in the places where services are provided; and they are allowed to restrict the reach of financial audits by segregating program funds in a separate account. Third, the provision protects the religious liberty of beneficiaries by requiring organizations not to discriminate against clients on the basis of religion; by giving clients the right to opt out of religious activities; by ensuring that contract funds cannot be used for "sectarian worship, instruction, or proselytization," and especially by ensuring that beneficiaries have the right to receive services from a non-religious provider if they object to a faith-based organization.¹³

The charitable choice provision is intended to encourage faith-based service providers to cooperate with public welfare programs by ensuring that they will not have to attenuate or abandon their religious character or style of service. All federal welfare funds block-granted to the states must be expended in

12. Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. No. 104-193, 110 Stat. 2105 (1996). Ashcroft's original bill was S. 842, 104th Cong. (1995). The "charitable choice" part was section 406, "Nondiscrimination and Institutional Safeguards for Religious Providers."

13. See CENTER FOR PUBLIC JUSTICE AND CENTER FOR LAW AND RELIGIOUS FREEDOM (CHRISTIAN LEGAL SOCIETY), A GUIDE TO CHARITABLE CHOICE: THE RULES OF SECTION 104 OF THE 1996 FEDERAL WELFARE LAW GOVERNING STATE COOPERATION WITH FAITH-BASED SOCIAL-SERVICE PROVIDERS (1997). For a strong constitutional argument in favor of charitable choice, see Carl H. Esbeck, *A Constitutional Case for Governmental Cooperation with Faith-Based Social-Service Providers*, 46 EMORY L.J. (forthcoming, Winter 1997) (with responses by Douglas Laycock & John Garvey). The opposite argument is made by Derek H. Davis, *The Church-State Implications of the New Welfare Reform Law*, 38 J. CHURCH & ST. 719 (1996).

accordance with the charitable choice rules, even in states with constitutional barriers to the expenditure of public funds by sectarian organizations.

A third congressional proposal combines the Coats and Ashcroft approaches. "Saving Our Children: The American Community Renewal Act," introduced in the House in May, 1996, by J. C. Watts (R-Oklahoma) and James Talent (R-Missouri), might be termed a civil society version of the empowerment or enterprise zone idea. In addition to economic measures such as tax breaks and the elimination of regulatory restrictions on small-scale entrepreneurs, it requires participating communities to institute a school choice plan that includes private and religious schools. Then, as Sen. Coats proposes, it institutes a charity tax credit to increase the flow of donations to religious and private anti-poverty groups active in the impoverished communities, and, as Sen. Ashcroft advocates, it requires states that fund substance abuse treatment by non-governmental groups to include religious organizations and to protect their religious character.¹⁴ The bill was not debated in the 104th Congress. However, its authors, along with Coats, Ashcroft, and other Republican members of the House and Senate, announced at the start of the 105th Congress the formation of a "Renewal Alliance" to develop, coordinate, and advocate legislation by which government can nourish the institutions of civil society.

In addition to these initiatives at the national level, many states have also taken or proposed new steps to include churches and other community organizations as allies of their public welfare effort. In Mississippi's "Faith and Families" program, for instance, welfare officials match volunteer AFDC families with churches that have agreed to help a family move off welfare by providing advice, networking, and other volunteer assistance.¹⁵ Michigan has expanded its contracting with religious service organizations such as the Salvation Army as part of its redesign of welfare services.¹⁶ Wisconsin's much touted welfare reform,

14. H.R. 3467, 104th Cong. (1996). The bill includes an override of state and local restrictions on public funding of religious organizations; strong protection for religious personnel policies; clear language protecting the provision of services in explicitly religious fashion; and an innovative attempt to ensure that certification requirements are not used to disqualify religious providers. See Christine L. Olson & Robert Rector, *Saving Our Children: The American Community Renewal Act of 1996*, HERITAGE FOUNDATION ISSUE BULLETIN 228 (July 29, 1996).

15. Amy L. Sherman, *A New Path Out of Poverty? A Close Look at Mississippi's Faith and Families' Program*, AM. ENTERPRISE, July-Aug. 1996 at 43-47.

16. Ronald J. Sider & Heidi Rolland, *Correcting the Welfare Tragedy: Toward a New Model for Church/State Partnership*, in WELFARE IN AMERICA: CHRISTIAN

while emphasizing changes to the content and goals of government assistance, also seeks to enlist the cooperation of private and religious organizations, e.g., by making such organizations eligible as sites for community service employment for welfare recipients not ready for jobs in the regular workforce.¹⁷ Virginia's replacement for AFDC, the Virginia Independence Program, connects local welfare agencies with churches and other community groups to provide a wide range of services, from mentoring programs that help recipients get and keep jobs, to transportation assistance, expanded child care offerings, and community service positions.¹⁸ An "Advisory Task Force on Faith-Based Community Service Groups" appointed by Texas Governor George Bush in May, 1996, recommended a variety of regulatory and legislative initiatives designed to make that state's government an "enabler" of the institutions of civil society, particularly religious charities.¹⁹

Similarly, despite Maryland's Democratic majority and strong-government heritage, when the state launched a sweeping overhaul of AFDC even before the new federal welfare rules were adopted, one goal was to draw community and religious groups into collaboration with the public welfare system. The aim of the Family Investment Program is to shift the state's welfare effort from certifying eligibility and disbursing benefits²⁰ to helping poor families overcome reliance on welfare. Job preparation and placement is to be the focus of Maryland welfare. And churches and other religious organizations, along with other nonprofit groups, are to be integral participants in the state's system of assistance.²¹

PERSPECTIVES ON A POLICY IN CRISIS 474-75 (Stanley W. Carlson-Thies & James W. Skillen eds., 1996); Amy L. Sherman, *Cross Purposes: Will Conservative Welfare Reform Corrupt Religious Charities?* 74 POL'Y REV. 58 (1995).

17. See Lawrence M. Mead, *The Change in Wisconsin Welfare: Government as the Agent, Not the Opponent, of a Healthy Society*, 4 WI: WISCONSIN INTEREST 17, 17-24 (Fall/Winter 1995). In sharp contrast, Marvin Olasky lashes Wisconsin's reforms as too statist. See MARVIN OLASKY, *RENEWING AMERICAN COMPASSION* 6-33 (1996).

18. OFFICE OF THE SECRETARY OF HEALTH AND HUMAN RESOURCES, *MAKING WELFARE WORK: VIRGINIA'S TRANSFORMATION FROM DEPENDENCY TO OPPORTUNITY* (1996).

19. GOVERNOR'S ADVISORY TASK FORCE ON FAITH-BASED COMMUNITY SERVICE GROUPS, *FAITH IN ACTION: A NEW VISION FOR CHURCH-STATE COOPERATION IN TEXAS* (1996).

20. For a discerning critique of the "eligibility-compliance culture" fostered by current welfare, see MARY JO BANE & DAVID T. ELLWOOD, *WELFARE REALITIES: FROM RHETORIC TO REFORM* 1-27 (1994).

21. The original legislation was S. 778 (1996); Welfare Innovation Act of 1996, 1996 Md. Laws 351 (codified in scattered sections of MD. ANN. CODE) was

Under the new rules, a family seeking assistance may receive a short-term "welfare avoidance grant" to cover emergency needs and preclude welfare help. Welfare proper will require applicants to seek child support that is due, utilize available family and community resources, and engage in "work activities" arranged or facilitated by the welfare authorities, with cash assistance to be "a last resort." Families that do not fulfill their reciprocal obligations will be cut from the welfare rolls (although remaining eligible for medical help and food stamps). However, a "post-welfare" option will be available. In the new "Transitional Assistance" program, the family's cash benefit is paid to a nonprofit organization that agrees to administer the funds for the family and to add non-financial assistance to help the family become independent. Similarly, while the state has adopted a family cap on benefits to welfare families, a new "Child Specific Benefit" program will pay benefits for the additional children to nonprofit organizations to be used for "child-specific items."

Maryland intends that religious organizations will contract with the public welfare authorities to provide such services. Recipients can refuse to accept assistance from a religious organization on the ground of religious scruples, and the organizations may not use state funds for "sectarian religious instruction." Otherwise, religious organizations may participate in the new program "on the same basis as any other non-governmental entity." Furthermore, the legislation invites religious groups, along with other nonprofit organizations, to propose demonstration projects in which, with state funds, they will provide case management services or operate cooperative living arrangements.

Maryland justifies its outreach to religious and community charities by referring to the historic role of such groups in serving the needy. Sen. Coats makes a stronger case: religious charities must be unleashed, for they can be more effective than government because they make demands as well as offer help; interact with the needy personally rather than bureaucratically; and "provide an element of moral challenge and spiritual

signed into law May 14, 1996. Essentially these same reforms have now become Maryland's new welfare program as mandated by the new federal welfare legislation. See Certification Application for the Maryland State Plan submitted to the Department of Health and Human Services by the Maryland Department of Human Resources, Sept. 27, 1996; THE FAMILY INVESTMENT PROGRAM (FIP): A SUMMARY OF MARYLAND'S STATE PLAN UNDER FEDERAL HUMAN SERVICES REFORM (Maryland Department of Human Resources, Oct., 1996).

renewal that government programs cannot duplicate."²² According to policy makers like these, if American welfare is to become a true source of assistance to the needy, it must not only be changed internally but be transformed into a collaborative effort that supports and cooperates with community groups. For the state to do better, the church will have to be involved.

III. A ONE-SIDED DIALOGUE

The duty, and opportunity, to come to the aid of neighbors in need is, of course, one of the most prominent themes of the Christian Scriptures. Throughout the centuries churches and individual Christians have been at the forefront of charitable activities.²³ In his account of nonprofit organizations in America, for instance, Michael O'Neill calls religion the "god-mother of the nonprofit sector."²⁴ If such effort has been overtaken during the past six decades by an expanding American welfare state, it nevertheless remains a prominent element of the churches' life in the world and of their self-conception.

However, the response of the Christian communities to the invitation from national and state policy makers and policy experts for expanded Christian charitable action in collaboration with public authorities has been far from enthusiastic. Many who have been most insistent about the ills of government welfare have paid little attention to the effort to construct a new framework to draw together governmental and non-governmental charitable effort. Others have responded to the invitation to collaboration only to reject the call as fraudulent. In both cases, the focus of concern has been on what government does in its own welfare, and not on how welfare might be reconstructed so that religious impulses and organizations may play a prominent, even integral, role.

At the hearings on the Maryland legislation, the lobbyist for Presbyterian Church (USA) congregations in Baltimore and cen-

22. Dan Coats, *The Project for American Renewal*, RELIGIOUS BROADCASTING, Dec. 1995, at 30-31.

23. Church involvement did not necessarily preclude governmental provision. See, e.g., Stephen Charles Mott, *Foundations of the Welfare Responsibility of the Government*, in WELFARE IN AMERICA 186, 202-07 (Stanley W. Carlson-Thies & James W. Skillen eds., 1996). Lester Salamon emphasizes the general point that government and the nonprofit sector are often collaborators, not opponents or alternatives. See, e.g., LESTER A. SALAMON, PARTNERS IN PUBLIC SERVICE: GOVERNMENT-NONPROFIT RELATIONS IN THE MODERN WELFARE STATE (1995).

24. MICHAEL O'NEILL, THE THIRD AMERICA: THE EMERGENCE OF THE NONPROFIT SECTOR IN THE UNITED STATES 20-42 (1989).

tral Maryland emphasized threats to the state's social safety net, conjuring up the prospect of growing crime, homelessness, and substance abuse.²⁵ The Maryland Catholic Conference condemned the proposed elimination of the entitlement to cash assistance, possible benefit cuts, and the state's shortage of "living-wage jobs." None of the church groups welcomed the invitation to expand service to the needy in cooperation with a redesigned state welfare program. The Maryland Interfaith Legislative Committee, speaking for major ecclesiastical bodies such as the regional Baptist Convention, the state's Episcopal churches and social ministries, the Lutheran Office on Public Policy, and the state's United Methodist churches, emphasized instead that it was the government's job to provide for "the general welfare of the community." The Presbyterian Church (USA) advocate argued that charitable action by the churches should not be regarded as "a substitute for our government-administered, tax-supported welfare to families." The Catholic lobbyist wholly ignored the invitation to the churches.

The criticism has only increased since then. Speaking for a coalition of liberal churches, one Baltimore pastor proclaimed, "We will not participate in this dehumanizing, misguided effort called welfare reform." Another leader said that the "general feeling" of these churches was that "the government is trying to abdicate its responsibility and dump everything on us."²⁶ Churches associated with the Maryland Interfaith Legislative Committee regard the Transitional Assistance and Child Specific Benefits programs not so much as opportunities to become personally involved with particularly needy families but rather as the state's attempt to obtain third-party administration of benefits for free.²⁷

On the other side, conservative churches—evangelical, fundamentalist, or charismatic—although highly critical of government welfare and inclined to pronounce the superior virtues of church charity, were not even present at the key legislative hear-

25. The Senate Finance Committee hearing was held in Annapolis on March 14, 1996. The quotations from testimony and my summaries are based on the committee file, which contains a list of witnesses and copies of written testimony. Oral testimony is not recorded.

26. Jon Jeter, *Welfare Plan Rebuffed by Md. Clerics*, WASH. POST, Dec. 12, 1996, at A1.

27. Letter from Md. Interfaith Legis. Comm. to Sen. Martin Madden (Jan. 10, 1997). Ironically, at a conference sponsored by the committee, both Sen. Madden and the representative from the Department of Human Resources emphasized the state's intention that the welfare changes would engage faith-based institutions face-to-face with welfare recipients and not simply make them administrators of funds.

ing on revolutionizing Maryland's welfare system. Neither have they, since then, made a discernible contribution to the public policy debate on how to more effectively help Maryland's needy families nor proposed to become more fully engaged in serving the needy in their communities.

Similarly, in the hot battles inside the Washington Beltway during the past few years over reforming or replacing the American welfare state, the key concern of conservative Christian groups has been to ensure the triumph of social-conservative goals such as strict time limits on benefits, strong work requirements, and serious measures to stem the rising tide of out-of-wedlock births. It is striking that an extensive account of the influential role of such groups in Republican welfare reform does not even mention the new concept of bringing churches into the center of the nation's antipoverty effort.²⁸

From the other side, the Presbyterian Church (USA) has condemned congressional welfare reform efforts as a "punitive" search for "budgetary savings at the expense of poor women and children"²⁹ which undermines "the whole concept of fairness in American society."³⁰ Catholic Charities USA blasted the new federal welfare reform as "largely a sham" which "shred[s] the fabric of this nation's protections and supports for its most vulnerable families."³¹ Rather than seeing a new opportunity for service, the Catholic group has emphasized that federal welfare changes will dump onto religious charities service responsibilities far outstripping their capabilities.³² As the welfare legislation was being crafted, the Presbyterian Church (USA) and other mainline denominations joined with the American Civil Liberties Union and Americans United for Separation of Church and State in extended efforts to strip the "charitable choice" provision from it.³³ With Congress poised to adopt the reforms in July, 1996, mainline religious leaders joined Bread for the World to

28. See DAN BALZ & RONALD BROWNSTEIN, *STORMING THE GATES: PROTEST POLITICS AND THE REPUBLICAN REVIVAL* 246-98 (1996).

29. *Budget Balancing Act Puts Women, Children at Risk*, STEWARDSHIP OF PUBLIC LIFE: WOMEN AND FAMILIES, 4th Quarter 1995, at 1.

30. Walter L. Owensby, *Fairness and the Budget Debate*, WASHINGTON REPORT TO PRESBYTERIANS, Nov.-Dec. 1995, at 4.

31. Letter from Fred Kammer, S.J., President, Catholic Charities USA, to all members of Congress (July 17, 1996).

32. See Fred Kammer, Testimony before the Senate Labor Committee, Subcommittee on Children and Families (March 26, 1996) (transcript on file with author); Milt Freudenheim, *Charities Say Government Cuts Would Jeopardize Their Ability to Help the Needy*, N.Y. TIMES, Feb. 5, 1996, at B8.

33. See *The 'Charitable Choice' Provisions in the Welfare Bill: A Burden on State Governments and Individual Religious Freedom*, LEGISLATIVE BRIEFING PACKET

denounce the plans as "immoral,"³⁴ many thereafter called upon the President to veto the legislation, and many since then have urged the President to reopen a law he acknowledged as flawed even as he signed it.³⁵ A Washington denominational advocacy office that asked church members to forward information on the local impact of the new welfare legislation chose to give only these examples of likely consequences: "reduced funds going to service agencies" and "increased appeals for help from food pantries, soup kitchens and shelters."³⁶

IV. TWO SOCIAL PHILOSOPHIES

Underlying these divergent reactions are contrasting social/political visions, two different views of the appropriate roles of government and the churches and of how best to help the needy. I will briefly sketch the two models below. The models are, of course, only constructs; groups do not fit neatly and entirely into one or the other, and the actual positions adopted are more nuanced than the models' abstractions imply. I will return to these complications. Nevertheless, by abstracting from the complexities of life, models can help to illuminate main tendencies and alternatives. What these models help us see is that neither pattern of reactions adequately engages the core concerns and issues of the effort to craft a framework to foster the collaboration of government and religious charities in service of the needy.

A. *The Church as Advocate for the Poor*

The liberal or mainline vision of how the church should respond to the divine call to show love of neighbor emphasizes a communal and especially political responsibility to the poor.³⁷ It

(Working Group for Religious Freedom in Social Services, ACLU/Americans United) 1996.

34. News release from Bread for the World, *Religious and Charitable Leaders Say Welfare Cuts are Immoral, Request Urgent Meeting with President Clinton*, July 18, 1996.

35. See *Actions to "Fix" Welfare Law Needed at State, Federal Levels*, STEWARDSHIP OF PUBLIC LIFE: HUNGER & HUMAN NEEDS, WOMEN & CHILDREN, 4th Quarter 1996. For an overview of critical reaction, see Amy Sherman, *Get With the Program: Mainline Churches Drag Their Feet on Welfare Reform*, AM. ENTERPRISE, Jan.-Feb. 1997, at 65.

36. *Actions to "Fix" Welfare Law Needed at State, Federal Levels*, *supra* note 35, at 3.

37. See, e.g., A. JAMES REICHLEY, RELIGION IN AMERICAN PUBLIC LIFE (1985); J. PHILIP WOGAMAN, CHRISTIAN PERSPECTIVES ON POLITICS 89-104 (1988); Donald W. Shriver, Jr., *A Political Lifestyle and Agenda for Presbyterians in the Nineteen-Eighties*, in REFORMED FAITH AND POLITICS: ESSAYS PREPARED FOR THE

is not that a direct personal or church responsibility to reach out to the needy is denied. However, poverty has structural causes that necessitate more than a charitable response. Furthermore, the charge to rescue the oppressed is issued to all of society, and as the action agency for the nation, the government is obligated to respond to ensure that the needy receive what they lack. In this perspective, the evil of ending the sixty-year federal guarantee of help to poor children outweighs possible positive outcomes of proposals to increase collaboration between government and religious charities.

Moreover, as liberal Christians emphasize, churches already are extensively involved in social services in cooperation with public programs. Indeed, much of their funding comes from government via contracts and grants. Cuts in government social spending, far from increasing the opportunity for creative new service arrangements, instead will actually undermine religious charities. Nor is there a need for legislation to enable faith-based charities to be overtly religious in the services they offer in the public square. The Presbyterian Church (USA) makes the counterargument clearly: while government must not discriminate against religious organizations that seek to provide services with public funds, for their part the religious organizations must provide the service "in a way that does not support or advance religion." The service must be made available without discrimination to all needy people and it must be "administered without religious emphasis or content."³⁸

Whatever their faith and whatever the cause of their need, the poor have a divine claim on those with a surplus of resources. The church must use its own riches on behalf of the poor, serving them without condescension or discrimination. Yet that cannot be its main mission. It must witness to the society, to government, speaking and acting to ensure that society's communal, political responsibility to uplift the downtrodden and powerless is not neglected. In a complex capitalist society such as ours, "religious people" see "government as a vehicle for caring—an instrument of compassion—a way of providing for the common

ADVISORY COUNCIL ON CHURCH AND SOCIETY OF THE UNITED PRESBYTERIAN CHURCH IN THE U.S. 181 (Ronald H. Stone ed., 1983); ALLEN D. HERTZKE, REPRESENTING GOD IN WASHINGTON: THE ROLE OF RELIGIOUS LOBBIES IN THE AMERICAN POLITY (1988); JAMES W. SKILLEN, THE SCATTERED VOICE: CHRISTIANS AT ODDS IN THE PUBLIC SQUARE 97-118 (1990).

38. PRESBYTERIAN CHURCH, "GOD ALONE IS LORD OF THE CONSCIENCE": POLICY STATEMENT AND RECOMMENDATIONS REGARDING RELIGIOUS LIBERTY: REPORT OF THE COMMITTEE ON RELIGIOUS LIBERTY AND CHURCH/STATE RELATIONS 31 (1989) (Adopted by the 200th General Assembly).

good, especially a way of undergirding and supporting those who know poverty." At its "best," religious faith "brings our common values and our commitment to the well being of all to the exercise of the powers of government."³⁹

Underlying contemporary debates about reforming welfare, as a Presbyterian statement has pointed out, is a fight over "the size and role of the federal government in American society."⁴⁰ As advocates for the poor, the new framework sought by liberal Christians is a revitalization of the federal commitment to needy children and families—"a welfare program that will protect all of America's poor children"—not experiments to direct public funds to explicitly religious charities.⁴¹

B. *The Church as Alternative to Government*

The conservative churches' social/political vision is the polar opposite of the liberal view.⁴² Federal welfare—materialistic, an entitlement not necessitating any positive action by the recipient, delivered according to bureaucratic rules—does actual harm to poor families and communities. Welfare instead ought to impose requirements; it should "disincentivize" self-defeating behavior such as abandoning a family or becoming pregnant out-of-wedlock; and it ought to be administered at the lowest level possible, where the welfare worker can know the circumstances of the needy and respond flexibly.

However, real progress in helping the needy requires welfare replacement, not welfare reform.⁴³ The "tragedy of American compassion," Marvin Olasky argues in his vastly influential book of that title, is in large measure the consequence of the

39. News release from National Council of Churches, *Statement of Rev. Dr. Albert M. Pennybacker, Associate General for Public Policy, National Council of Churches*, July 29, 1996.

40. *Budget Battles and Social Visions*, STEWARDSHIP OF PUB. LIFE: HUNGER & HUMAN NEEDS, 2d Quarter 1996, at 1.

41. *Special Action Alert on Welfare Reform Bills*, STEWARDSHIP OF PUBLIC LIFE: DOMESTIC POVERTY & HUM. NEEDS, Oct. 6, 1995, at 2. The contrast between this vision and a view of religion as transformative for the poor are starkly revealed in the parallel articles, David Beckmann, *Reforming Welfare, Ending Hunger*, CHRISTIAN CENTURY, July 31-Aug. 7, 1996, and Amy L. Sherman, *Real Help for the Poor*, CHRISTIAN CENTURY, July 31-Aug. 7, 1996.

42. See, e.g., OLASKY, *supra* note 2; WELFARE REFORMED: A COMPASSIONATE APPROACH (David W. Hall ed., 1994).

43. The *Welfare that Works* conference organized by the Acton Institute for the Study of Religion and Liberty on March 29, 1995, in Washington, D.C., was about private charity in opposition to government welfare programs; the symposium on *A World Without Welfare*, hosted by the Family Research Council in Washington, D.C., on December 13, 1995, had the same theme of "relimiting" government and cultivating charitable alternatives to it.

displacement of religious charities by government welfare. Effective help is "Compassionate, Personal, and Spiritual," to use Olasky's popular catch phrase, and such assistance cannot be delivered by government agencies. Rather, it is provided by churches, religious agencies, and Christians individually, who engage the poor as whole persons, as spiritual and moral as well as physical beings. Truly useful assistance is thoroughly religious: it is transformative, helping people to turn their lives around, and it does not simply dispense benefits because someone is needy.⁴⁴

It is just this sort of dynamic interaction with the poor that the proponents of government collaboration with charities hope to engender, of course. However, conservative churches are deeply skeptical precisely of collaboration with public authorities, for government money comes with strings, or rather ropes, and a chief target of government rules is the overt expression of religion by service agencies.⁴⁵ A common theme in accounts of exemplary evangelical social ministries carried in *World* magazine, the conservative Christian newsweekly, is that they are successful without taking federal or state funds—or rather, they are successful precisely because they resist the money. A recent story reported that a Christian residential job-training program in New York City was offered the gift of several refrigerators by the state, but with the condition that it stop presenting the Gospel to clients. Such "horror stories" about "what public funding does to evangelism" run rampant among theologically conservative social ministries.⁴⁶

Yet such secularizing rules are the exact target of legislative initiatives such as the charitable choice protection for the religious integrity of faith-based service providers or the charity tax credit strategy by which government encourages increased fund-

44. For treatments of the transformative power of religion that are not anti-government, see, e.g., Stephen V. Monsma, *Overcoming Poverty: The Role of Religiously Based Nonprofit Organizations*, Anne Motley Hallum, *The Antipoverty Dynamic of Religion: Lessons from Guatemala for U.S. Welfare Policy*, Max L. Stackhouse, *Beneath and Beyond the State: Social, Global, and Religious Changes That Shape Welfare Reform*, Sider & Rolland, *Correcting the Welfare Tragedy*, in *WELFARE IN AMERICA* (Stanley W. Carlson-Thies & James W. Skillen eds., 1996); Sherman, *supra* notes 15-16.

45. For a careful study of such rules, see CARL H. ESBECK, *THE REGULATION OF RELIGIOUS ORGANIZATIONS AS RECIPIENTS OF GOVERNMENTAL ASSISTANCE* (1996).

46. Gerald Wisz, *Silence is Golden: Urban Missions Fear What Government Money Could Buy*, *WORLD*, Mar. 9, 1996, at 17. However, such hostility is by no means universal. See STEPHEN MONSMA, *WHEN SACRED AND SECULAR MIX: RELIGIOUS NONPROFIT ORGANIZATIONS AND PUBLIC MONEY* (1996).

ing for religious charities without direct contact with them. However, fears abide. At one conservative Christian conference on welfare reform, many favored the charity tax credit over legal protections of religious integrity due to the distance it preserves between religious charities and secular government, but others pushed for even more distance, advocating the simple expansion of the tax deduction for contributions in order to forestall anti-religious mischief by officials empowered to decide which charities are eligible to participate in a tax credit program. Yet others thought that the only real prophylactic for secularist government regulation was to radically chop government action and taxes, leaving it entirely to citizens to fund religious charities.⁴⁷

Religious conservatives argue that the transformative power of religion must be engaged if assistance to the poor is to be effective, but believe that government is an anti-religious force. Religious liberals, on the other hand, look to government as the key agency to come to aid of the needy; in their view, the church's key obligation to the poor is to ensure that society—government—does not turn away from its anti-poverty commitments. Conservatives want to expand the work of religious charities but doubt that government can support that work without crushing it. Liberals see little that is distinctive in the work of religious charities and thus only a loss of efficiency and resources in shifting the emphasis from government assistance to the religious social sector. Neither of these positions inclines its adherents to search for a new framework that would maximize collaboration between government and religious charities. Neither position provides a solid foundation for such a prospect. Looked at from this vantage point, there is not much reason to be surprised that the Christian communities have shown little enthusiasm for politicians and theorists who have called for a new partnership between government and the churches.

V. COMPLEXITIES

Although these two models capture the most significant tendencies in the churches' responses to the reconstruction of the American welfare state, not all Christian groups match either model closely, and some churches do not fit at all. Because church/state separationism is a defining characteristic, for instance, Baptist churches are likely to be very skeptical of attempts to make allies of government and faith-based organizations, whatever they may think of public welfare, or nongovern-

47. This was the Family Research Council's *World Without Welfare* conference. See *supra* note 43.

mental assistance, or the abstract virtues of connecting the two forms of help.⁴⁸

On the other hand, churches notionally sharing the same historic theological commitments may divide into the two distinct camps represented by the models. Statements from the Presbyterian Church (USA), for instance, provide ready evidence for the liberal, advocacy church stance sketched above, yet my own church, although also presbyterian in form and heritage (Presbyterian Church of America), would serve well as an example of the conservative church which presumes the virtues of religious charity over public welfare but has paid little attention to the national or state debate and fears engagement in the public square.⁴⁹

The diverse positions of African-American Christian leaders in the debates about changing the nation's approach to assisting the needy also counsel caution in seeking to tie either of the social/political visions too tightly to any group of churches or theological tradition. Conservative black leaders eloquently denounce federal welfare as counterproductive as they work to revitalize congregational ministries to the needy.⁵⁰ Liberal black church leaders, meanwhile, though they may just as eloquently defend the federal government for playing a vital role in protecting and uplifting the black community in America, nevertheless are the managers of extensive complexes of congregational social ministries.⁵¹ The African-American community has long been of several minds about the appropriate roles of government—the powerful but distant potential defender, and the church—the central communal institution;⁵² the prospect of radical welfare reconstruction has given that enduring dispute a new field for action.

48. Black Baptist churches are pulled by additional forces. See the comment about black churches in the text, *see infra* notes 50-52 and accompanying text.

49. Personal communication with Fred Marsh, head of the urban ministries department at the Atlanta offices of the Presbyterian Church in America. On the relative unimportance of polity or theological characteristics in setting the direction of urban ministries, the various chapters in *CHURCHES, CITIES, AND HUMAN COMMUNITY: URBAN MINISTRY IN THE UNITED STATES, 1945-1985* (Clifford J. Green ed., 1996), are very suggestive.

50. *See, e.g.*, PERKINS, *supra* note 5.

51. *See, e.g.*, ANDREW BILLINGSLEY, *CLIMBING JACOB'S LADDER: THE ENDURING LEGACY OF AFRICAN-AMERICAN FAMILIES* 349-78 (1992).

52. *See* C. ERIC LINCOLN & LAWRENCE H. MAMIYA, *THE BLACK CHURCH IN THE AFRICAN AMERICAN EXPERIENCE* (1990); PETER J. PARIS, *THE SOCIAL TEACHING OF THE BLACK CHURCHES* (1985).

The Catholic community has also been of several minds about the merits of plans to replace the New Deal/Great Society welfare system. Official church and Catholic Charities statements have hammered Republican welfare reform plans for weakening the governmental safety net while simultaneously removing resources from charities that already use government funds to serve the needy. At the same time, both the church and Catholic Charities have denounced current welfare programs for downplaying the value of work, the importance of the family, and the cultural and moral dimensions of poverty and social distress.⁵³ Catholic leaders have explicitly called for a discussion about how government can more effectively work with community institutions.⁵⁴ However, the predominant note has been the rejection of the welfare reform effort and not the call for a fundamental redesign of the way society responds to the needy. Indeed, the perception that church leaders have overemphasized the theme of "solidarity"—the duty to reach out to the poor—at the expense of the idea of "subsidiarity"—the state's proper stance as helper, not substitute, for the institutions closest to the needy—accounts in part for the emergence of conservative lay Catholic organizations such as the Catholic Campaign for America and the Catholic Alliance of the Christian Coalition. It is sad, Paulist Father Robert Sirico has said, that the Catholic church, despite all its ministries to the needy, "cannot see the evangelistic potential of the present challenge and welcome the opportunity to undertake what the welfare state has failed to accomplish."⁵⁵

VI. PROSPECTS

Mary Ann Glendon has written that "[a] welfare debate that remains confined to shouting matches between proponents of

53. See Statement by the Administrative Board of the United States Catholic Conference, *Moral Principles and Policy Priorities for Welfare Reform*, 1995; position paper by Catholic Charities USA, *Transforming the Welfare System*, 1994.

54. UNITED STATES CATHOLIC CONFERENCE, POLITICAL RESPONSIBILITY: REFLECTIONS ON THE 1996 ELECTIONS BY THE ADMINISTRATIVE BOARD OF THE UNITED STATES CATHOLIC CONFERENCE 6-7 (1995).

55. Robert A. Sirico, *Are They Bishops or Pawns?* WEEKLY STANDARD, Jan. 1-Jan. 8, 1996, at 18. Sirico is president of the Acton Institute for the Study of Religion and Liberty. Nevertheless, as Allen Hertzke emphasizes, the Catholic Church does not fit well into a left/right or mainline/evangelical grid. Allen Hertzke, *An Assessment of the Mainline Churches Since 1945*, in THE ROLE OF RELIGION IN THE MAKING OF PUBLIC POLICY 67 (James E. Wood, Jr. & Derek Davis eds., 1991). For an extended, critical look at the American Catholic Church's changing socio-economic teachings, see MICHAEL WARNER, CHANGING WITNESS: CATHOLIC BISHOPS AND PUBLIC POLICY, 1917-94 (1995).

more government social entitlements and advocates of chopping welfare because it only enables irresponsibility is a debate that mistakes the real contours of life and diverts us from resources that make possible real reform."⁵⁶ In my view, the current attempt to reform welfare nationally and in the states is a cause for hope, despite the flaws of the various plans, just because of the determined effort to transcend the "shouting match" by taking seriously both the institutions of civil society and a key role for government in protecting the poor. Families and communities in distress need revised public policies—in education, the economic sector, housing, and more—and also public programs that supply missing resources. They need, equally, the social networks, personal involvement, and moral challenge, guidance, and support that can be brought by community and especially faith-based organizations. Often the best human services are the ones that combine the material assistance with the personal and moral support. Government *and* civil society is the new model that is needed.⁵⁷

It is doubly disheartening, then, that the Christian communities, the churches—the very institutions whose new involvement in the public square holds the key to effectuating a new New Deal in welfare—are inclined rather toward the opposing poles of private charity or statist welfare solutions. Fortunately, however, although these are the strong major tendencies, they are not the only impulses nor the only reactions. I will close by noting some positive signs.

Conservative churches, despite their disapproval of government welfare and their deep distrust of government intrusion, do not uniformly reject all cooperation with public welfare. Mississippi's "Faith and Families" program, noted above, draws such churches into collaboration with public authorities. The Salvation Army, a theologically conservative church as much as a service agency for the needy, relies on government funds as well as citizen donations to finance its diverse and extensive programs.⁵⁸ Chicago's Lawndale Community Church, a leader in the theologically conservative Christian community development movement,

56. Mary Ann Glendon, *What's Wrong with Welfare Rights*, in *WELFARE IN AMERICA* 92 (Stanley W. Carlson-Thies & James W. Skillen eds., 1996).

57. For a wide-ranging collection of studies making the case that America's poverty and welfare-policy crises can be neither understood nor fruitfully addressed unless social institutions are taken as seriously as individuals, the market, and the state, see *A New Vision for Welfare Reform*, in *WELFARE IN AMERICA* (Stanley W. Carlson-Thies & James W. Skillen eds., 1996).

58. EDWARD H. MCKINLEY, *MARCHING TO GLORY: THE HISTORY OF THE SALVATION ARMY IN THE UNITED STATES, 1880-1992*, 243-88 (2d ed. 1995).

has organized a separate corporation to accept public money for housing and economic development programs, maintains an ombudsman in the welfare office to assist pregnant women needing medical care, and uses federal funding to run programs to battle teenage pregnancy.⁵⁹ Stephen Monsma has shown in a pathbreaking study that many agencies that contract with government to provide services to children and families are overtly religious.⁶⁰

Moreover, although Marvin Olasky, the most influential conservative Christian welfare policy pundit, has been critical of the "charitable choice" concept of churches collaborating directly with public welfare, he is a key proponent of using a charity tax credit to make government a support for religious charities.⁶¹ The Christian Coalition, despite devoting most of its welfare reform effort to toughening government welfare, advocated tax credit support for charities in its "Contract with the American Family,"⁶² supported the "charitable choice" concept,⁶³ and in its new "Samaritan Project" has called for legislative changes that would permit states to turn to faith-based programs for substance abusers. The Washington Office for Governmental Affairs of the National Association of Evangelicals, which represents a wide range of evangelical, fundamentalist, and charismatic churches, has actively worked on behalf of both "charitable choice" and the charity tax credit.⁶⁴

On the other side, notwithstanding their "advocacy" stance in the welfare reform debate, mainline denominations are not

59. WAYNE GORDON & RANDALL FRAME, *REAL HOPE IN CHICAGO: THE INCREDIBLE STORY OF HOW THE GOSPEL IS TRANSFORMING A CHICAGO NEIGHBORHOOD* 83, 128, 206 (1995).

60. MONSMA, *supra* note 46.

61. OLASKY, *supra* note 17, at 129-30, 98-117.

62. CHRISTIAN COALITION, *CONTRACT WITH THE AMERICAN FAMILY* 25-26 (1995). Note the nuanced comments about private charity and public assistance in RALPH REED, *ACTIVE FAITH: HOW CHRISTIANS ARE CHANGING THE SOUL OF AMERICAN POLITICS* 274-76 (1996).

63. As part of a "Traditional Values Coalition," the Christian Coalition added its name to a Nov. 14, 1995, letter to the House members of the welfare conference committee urging support for "charitable choice." Heidi Stürup, the Coalition's director of government relations, was one of the signatories of a letter I organized for all members of Congress, dated April 11, 1996, urging inclusion of "charitable choice" in any new welfare legislation. She has also supported the Talent/Watts proposal, "Saving Our Children," which includes both "charitable choice" and a charity tax credit, as noted above.

64. See *Around the Senate Track*, NAE WASH. INSIGHT, Sept. 1995 (charitable choice); *Credit Goes to Ashcroft*, NAE WASH. INSIGHT, Oct. 1995 (same); *Expanding People's Choices*, NAE WASH. INSIGHT, Nov. 1995 (Sen. Coats' "Project for American Renewal").

necessarily wholly committed to maintaining or expanding "welfare as we know it." Their Washington lobbyists may have dismissed the call for a new kind of partnership between government and the churches, but at the local level congregations have been more supportive.⁶⁵ In Maryland, for example, mainline congregations have been enthusiastic participants in the Community-Directed Assistance Program, a pilot welfare reform program in Anne Arundel County through which the county channels volunteer welfare families' benefit checks to social organizations that accept responsibility for helping the families become self-sufficient.⁶⁶ Similarly, in Fairfax County, Virginia, an ecumenical service group called Community Ministry has teamed with local welfare authorities to train congregants to be mentors to mothers moving from welfare to work. John Wells, director of CM, says that pastors are eager to get their mainline congregations involved, not only because they believe this kind of welfare reform promises to be fruitful but also because they expect their churches to be spiritually energized by caring directly for their neighbors.⁶⁷

Such indications of sympathy do not overturn the negative central tendencies examined above. They do suggest that churches and other Christian organizations are likely to be more receptive to opportunities to collaborate with public welfare programs than can be predicted on the basis of the statements of church leaders. To what extent such participation will actually be pursued, however, depends, of course, on the actual details of proposals, among other considerations.

65. This may be simply another instance of the much-observed gulf between the positions of headquarters staffs of these denominations and the views of the people in the pews. I suspect, however, that it is due at least in part to the difference between the leadership's abstract concerns and the local congregations' impulse to do practical good in the name of Jesus. There is also this disjunction: although the Presbyterian Church (USA) is involved in a wide range of urban and social ministries, when I asked several people in the church's Washington office for an overview of those services, I was told to turn elsewhere in the denominational bureaucracy because the Washington office is only concerned with public policy questions. This is an ironic and disheartening response in this era of intensified effort to bring government and civil society into a productive new relationship.

66. Bradley Peniston, *Arnold Woman Works to Turn Her Life Around*, CAPITAL (Annapolis), Feb. 26, 1996, at A6; conversations with Remy Agee, special projects manager for the Anne Arundel Department of Social Services; participation in an orientation session for the program at a local mainline church.

67. Sherman, *supra* note 35, at 66; Telephone conversation with John Wells, Director, Community Ministry, Fairfax County, Virginia, Jan. 1997.

In concept, at least, the new policy ideas should hold significant attraction for the churches, despite their polarized initial reactions. The charity tax credit is explicitly designed to enhance service to the needy, not to replace the governmental safety net, and to do so without harming the religious character of faith-based charities.⁶⁸ Charitable choice is meant to guarantee the religious integrity of ministries that collaborate with public welfare, while protecting the religious rights of beneficiaries, and in principle it involves a change, not diminution, of the governmental commitment to the poor.

In my view, these proposals represent genuinely new concepts for social policy. They represent practical mechanisms to overcome past dilemmas of statist welfare versus privatized charity, secularized public assistance versus religiously robust nongovernmental aid. In principle, they should resonate strongly with Christians who believe that the call to love our needy neighbors is addressed not only to individuals but also to the church and to the political community.

68. Sen. Coats often emphasizes this, as noted above. A competing idea is designed to use the tax credit mechanism to replace government assistance with private charities. See John C. Goodman et al., *Why Not Abolish the Welfare State?* 187 POL'Y REP., Oct. 1994 (National Center for Pol'y Analysis, Dallas, Tex.); JAMES P. ANGELINI ET AL., *GIVING CREDIT WHERE CREDIT IS DUE: A NEW APPROACH TO WELFARE FUNDING* (1995).

