

Memo to the next president

How to get the faith-based initiative right

Expand and Invigorate. The faith-based initiative should be improved and expanded. A vital start has been made in building stronger partnerships between government programs and the grassroots and faith-based groups that are often the most trusted sources of strength and help for distressed families and communities. Yet these “neighborhood healers” remain overwhelmed and under-resourced. Too many people continue to get a cold shoulder rather than a cup of cold water. And beyond strengthened partnerships supported by additional funding, innovative new government action is needed in crucial areas such as health insurance, housing, education, and income support. Political maneuvering must be put aside. The faith-based initiative needs to be invigorated and expanded to become the leading edge of a renewed national commitment to social justice.

Safeguard Religious Freedom. But the need for expanded funding and action, and the requirement of broader and bipartisan support, must not become excuses to dilute the religious freedom gains of the initiative. There must be no return to a requirement that religious organizations hide their religious identity and mission as the price of government support. A level playing field must be maintained—not rules that impose secular standards on all but rather rules that accommodate the distinctively religious characteristics of faith-based social service organizations. The faith-based initiative, started during the Clinton administration and pursued vigorously during the Bush administration, has put the work of religious and secular community-serving organizations at the center of our nation’s response to need. Faith-based organizations have found a new welcome—precisely *because* secularizing government requirements have been pushed back. Greater respect for the religious freedom of faith-based organizations has been controversial for some. But rolling back these gains is exactly the wrong action to take if the goal is to strengthen and expand government partnerships with civil society institutions. Instead, forcing the government to respect the religious freedom of faith-based organizations is an essential way to compel governmental respect for the independence and uniqueness of its nonprofit partners.

The faith-based initiative has brought to the fore difficult choices that are not always easily resolved. Much controversy has surrounded foundational reforms—ensuring equal opportunity for applicants that some regard as “too religious” or of the “wrong” religion; safeguarding private and voluntary religious activities, while ensuring that government grants and contracts do not pay for religion; and protecting the religious identity of faith-based organizations, including their freedom to ensure that staff are committed to their religious identity. Yet these religious-freedom reforms are central to the initiative’s goals of invigorating civil society and building strong partnerships between government and faith-based and secular grassroots organizations.

Many noncontroversial advances can be made. The next president should:

- maintain a vigorous White House Office of Faith-Based and Community Initiatives;
- ensure adequate funding for effective social-service programs;
- expand funding for the Compassion Capital Fund and its work to build the capacity of small community-serving organizations;
- pass legislation providing a charitable deduction for non-itemizing federal taxpayers;
- require cabinet departments to insist on better outcomes from their spending;

Stanley Carlson-Thies

Center for Public Justice/Coalition to Preserve Religious Freedom

- build new public-private partnerships to fund innovative responses to social, health, and educational needs; and
- work with state and local officials to promote better coordination between related government programs and with privately funded programs.

Yet, a true friend of faith-based compassionate action must also make the sometimes difficult decisions needed to preserve the religious freedom of faith-based organizations. The “equal treatment” standard of the faith-based initiative, validated by the U.S. Supreme Court’s First Amendment jurisprudence, must be maintained. Authentic support for the vital work of faith-based organizations requires safeguarding their religious identity and faith-based way of service. None should be excluded as “too sectarian” to contribute to the common good. And their freedom to take account of religion in selecting staff must be preserved, while vigorously enforcing laws against invidious job discrimination. The religious staffing freedom is important not only to evangelical organizations but also to Catholic and Jewish organizations. Indeed, secular-cause organizations, too, rightly and necessarily take account of the views and convictions of potential employees, notwithstanding government funding.

Accordingly, the next president should:

- announce a public commitment to the principle of “equal access for all charities, including religious charities” as the guiding standard for federal social service programs;
- maintain the Charitable Choice provisions as adopted during the Clinton administration, when CSBG and SAMHSA are reauthorized;
- ensure that all legislation ensures equal opportunity for faith-based services;
- reaffirm the freedom incorporated in the 1964 Civil Rights Act for faith-based organizations to take account of religion when they select their staff;
- speak firmly against those who say mistakenly say that religious staffing is a negative act of discrimination that is merely tolerated in the Civil Rights Act—and only when private funds alone are involved;
- acknowledge that many faith-based organizations are legitimately concerned to preserve the religious staffing freedom even when government funds are at stake;
- oppose the introduction of a universal ban on religious staffing whenever a faith-based organization receives federal funds;
- affirm that religious freedom is at stake not only when individuals seek employment but also when faith-based organizations seek to maintain their faith-based character by ensuring that only people committed to their mission and religious identify join the staff;
- pledge not to further constrict religious staffing for federally funded religious organizations but instead to explore how best to preserve and expand the Civil Rights Act’s religious staffing freedom when a faith-based organization agrees to collaborate with the government to serve the disadvantaged.

For the sake of those who count on others for essential help and for the health of our communities and families; to ensure the most effective and efficient use of public social service resources; to honor the First Amendment’s guarantee of religious exercise without coercion; and for the flourishing of our diverse civil society, the next president should reinvigorate the faith-based initiative—including its deep commitment to safeguarding the religious freedom of faith-based organizations.

The *Coalition to Preserve Religious Freedom* is a multi-faith alliance of social service, education, and religious liberty groups that advocates to Congress, the administration, legal experts, and the media on behalf of the religious integrity of faith-based organizations that serve the common good.

stanley@cpjustice.org • 410-571-6300