

2002 SECOND ANNUAL LECTURE

The **S**tate of Religion and Public Life

ADDRESS BY

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MAY 21, 2002



CENTER FOR CIVIC INNOVATION
AT THE MANHATTAN INSTITUTE

THE JEREMIAH PROJECT

The Manhattan Institute's Jeremiah Project is an effort to study, promote and replicate the work inner-city ministers are doing in reducing youth violence and restoring civil society to urban communities across America.

Dr. John DiIulio founded the project in 1997. Through this effort, the Institute conducts research, hosts conferences and shares information on these faith-based organizations in order to highlight and replicate the most successful efforts around the country. We methodically research their efficacy in the areas of youth violence, drug addiction, teenage pregnancy, illiteracy, joblessness and other social ills that remain so heavily concentrated in predominantly minority, inner-city neighborhoods.

Our 1998 conference, *Can Churches Save the Inner City?*, highlighted scientific evidence showing that religious belief and involvement reduces juvenile criminality. In 1999, we featured five successful Washington, D.C.-based ministries at *Faith-Based Approaches to Saving Our Capital's Youth*, an event we co-sponsored with Empower America. In 2000, we joined Reverend Herbert H. Lusk, II of the Greater Exodus Baptist Church in Philadelphia to host a roundtable entitled *Religious Leaders in the Public Square*. And recently we hosted some of America's leading mayors at a conference highlighting locally-based faith initiatives, *Faith in the City*.

The Project has also released eight studies analyzing the positive impact faith-based organizations are having in urban America and the effects of religious belief on juvenile crime and drug use. These studies are available online at www.manhattan-institute.org.

Dr. DiIulio is assisted in running the Project by his colleague, Dr. Byron Johnson of the Manhattan Institute and the University of Pennsylvania.

The Project also funds successful and promising faith-based efforts through its Jeremiah Fund. For more information on the Manhattan Institute, please visit our website at www.manhattan-institute.org.

LEADERSHIP SUPPORT FOR THE JEREMIAH PROJECT AND FUND WAS PROVIDED BY:

Achelis and Bodman Foundations
The Honorable William J. Bennett
Lynde and Harry Bradley Foundation
Mrs. Ann J. Charters
Mr. Charles Colson
John J. DiIulio, Jr.
William H. Donner Foundation
Michael and Marilyn Fedak
Mr. Foster Friess

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EIN #13-2912529

SECOND ANNUAL LECTURE ON THE STATE OF RELIGION AND PUBLIC LIFE

HENRY OLSEN: Thanks for coming to today's Second Annual Lecture on the State of Research and Religion in Public Life. I'm Henry Olsen, the Executive Director of the Center for Civic Innovation, the section of the Manhattan Institute that works with John DiIulio and his colleague, Dr. Byron Johnson, in putting together programs and reports on faith-based issues.

Think tanks exist to promote new ideas. Little that we've done at the Manhattan Institute compares to the influence we've had with our Jeremiah Project and the work we've done on faith-based initiatives.

Seven years ago, John DiIulio, already notable in academic and public policy for his work on criminal justice, came to us with an idea. His idea, based on his observation and research, was that there was an untapped source of renewal in America's cities—a source of renewal that could reduce crime, improve economic opportunity, and improve literacy, if only public policy recognized it and gave it a chance. That source was faith-based institutions and faith-based programs run by churches, mosques, and synagogues.

Eventually both of the major-party political candidates for President in 2000 signed on to the idea. And the person who was elected, George W. Bush, indicated after his inauguration that this would be a priority. So it was unsurprising to any-

body who had been following the issue when the President tapped the nation's preeminent expert on faith-based urban programming, John DiIulio, to head the newly created White House Office for Faith-Based and Community Initiatives.

John always said that he was going to Washington to serve, not to stay. Nine months later, after putting the President's agenda in concrete, making it part of the nation's dialogue, and setting up the bureaucratic and administrative substructure that would keep the ball rolling, John returned to the city that he loves and the city that loves him back—Philadelphia. He returned to his post here as Senior Fellow at the Manhattan Institute, and to his position at the University of Pennsylvania as the Frederic Fox Professor of Leadership and Urban Civil Society.

He's continuing where he left off, but he is not frozen in time.

His idea has now advanced to the center of many public policy discussions on urban issues. But it has much farther to go. Today, we're privileged to hear John's thoughts on what those next steps are and on showing how the Constitution is important, in not only getting out of the way to permit public policy to do what we know is right, but in actually compelling it.

Please join me in giving a warm Manhattan Institute welcome to my friend and colleague, John DiIulio.



Henry Olsen introduces Dr. DiIulio.

JOHN J. DIULIO, JR.: Thank you very much, Henry. That's a very sweet and generous introduction.

Last year, at the first annual lecture, I opened up with my favorite joke, which was about after having spent 20 years plus at Ivy League institutions, I knew the definition of an Ivy League professor as somebody who could speak for five minutes or two hours on any subject without any essential change in content. Since I had been in the administration in the third or fourth month at that time, I added that I had changed the joke a bit and discovered the true definition of a senior White House official: somebody who could speak for five minutes or two hours on any subject without saying anything at all, which I then proceeded to prove. Now that I am gone from the White House, I can tell you the true definition of an ex-Senior White House official, which is somebody who can speak for five minutes or two hours without anybody caring. So I am triply grateful to all of you for coming to hear me today. And I am in all sincerity and seriousness very grateful to my friend and colleague, Henry Olsen of the Manhattan Institute and Center for Civic Innovation, to President Larry Mone of the Manhattan Institute, to Roger Hertog, Chairman of the Board, and to Myron Magnet; all of whom have, over the years, supported and encouraged my idea-mongering on topics like this one, where not a lot of other people thought, at least initially, that it would get much interest or traction. So, I'm very grateful to the Institute, and I thank you.

The argument I want to put before you today is about Amendments to the Constitution. I don't want to violate your Eighth Amendment rights against any cruel and unusual punishment,

so it's going to be a lecture, but not one of those *Herr Doktor* lectures that go on and on. I want to leave as much time as I can for your questions and comments. But the argument I want to put before you today does grow out of the research that I have done with the Manhattan Institute, with the University of Pennsylvania, and with other research organizations and institutions over the past six or seven years. The argument is one that, while it has its jurisprudential and philosophical presuppositions, is actually quite rooted in and even coerced by some of the best and latest empirical research findings on the subject of how faith-based organizations can partner with the government to produce public good.

Let me begin by stating the crux of the argument. Government grants to faith-based organizations that supply social services do not violate the Establishment Clause of the First Amendment. But government's failure to fund urban sacred places that serve civic purposes on the same basis as it funds other nonprofit organizations does violate the Equal Protection Clause of the Fourteenth Amendment, which reads in part:

“No state shall make or enforce any law which shall deny to any person within its jurisdiction the equal protection of the laws.”

Government gives hundreds of billions of dollars a year to all manner of nonprofit organizations which, in government-by-proxy fashion, turn around and administer government social welfare programs and tasks at the federal, state, and local levels. Government gives some of these billions of dollars a year to very worthy national religious mega-charities, like Catholic Charities, Jewish Federation, Lutheran Social Services and the Salvation Army. But government pimps the



Dr. Diulio delivers his lecture.

small community-serving urban churches and street-level Samaritans, who are often the largest actual providers of many social services to the inner-city minority poor.

There are two separate, but related, civil rights issues here that are just waiting to explode, and they will explode with any help that I can furnish as a detonator over the next five to six months. The first is that government at all levels pervasively discriminates against predominantly minority, inner-city religious clergy and volunteers who provide social welfare benefits to their own needy neighbors. The second is that government at all levels blatantly denies the equal protection of the laws to low-income, urban African-American and Latino children and families that depend disproportionately on these same faith-based organizations for delivery of basic life necessities and specific social welfare benefits. The faith-based organizations provide day care, staff health clinics, offer job training, expand drug treatment, mentor high risk youth, run prison programs, establish pre-schools, and undertake scores and scores of other social welfare tasks. They do it in North Central Philadelphia, South Central L.A., and downtown Detroit. They do it in places that most of the rest of us have forgotten or left behind. But the godly in these inner-cities, who administer aid to low-income, minority populations, receive either no government money at all or merely the crumbs off other government grantees' tables. Church vans full of empirical studies permit no other conclusions.

In a forthcoming study, University of Washington at St. Louis Professor Stephanie Bodie reports that minority congregations provide a much broader range of social services than interracial and white congregations and para-church organizations, and indeed, often function as the sole providers of these services to people in their com-

munities. The primary beneficiaries—as her study finds and as up to eight major systematic national studies suggest—are indeed low income, minority children and youth who reside in the congregations' neighborhoods, but who are not, and whose parents or guardians are not, members of the congregations or allied faith-based organizations that serve them.

By the same token, a forthcoming study which actually began back in 1996 was completed just this year by Public Private Ventures (PPV), a national research intermediary based in Philadelphia and best known for its evaluation impact study of Big Brothers Big Sisters of America. The study finds that Black and Latino faith-based organizations partner extensively with criminal justice agencies to deliver court mandated education,

employment and other services to minority youth who have gotten into serious trouble with the law. Minority-led, faith-based organizations are the government's major partners in providing many types of juvenile justice and delinquency prevention

programs and services. That's the truth. But last year, the Department of Justice awarded only one-third of one percent of its total discretionary grant funds—about two million dollars out of six hundred twenty-six million—to faith-based organizations, and few of those pennies trickled down to minority-led street ministries that actually do most of the work.

The same can be said for welfare-to-work programs. In the City of Philadelphia, we are now completing a census of congregations, which we've been working on for several years. The census is based on twenty-page questionnaires and three-hour site visits on average to each of the city's estimated two thousand and ninety-five congregations. Based on that work, we know that there are, in Philadelphia alone, over two hundred and eighty local faith-based organizations,

Government's failure to fund urban sacred places that serve civic purposes on the same basis as it funds other nonprofit organizations does violate the Equal Protection Clause of the Fourteenth Amendment.

predominantly minority-led, that are in the business of delivering job placement and job training services. Six years ago, the so-called Charitable Choice law was passed which was supposed to reinforce the rights of these faith-based organizations to be treated in the government contract process on the same basis as all other nonprofits. But in the entire City of Philadelphia, there is exactly one congregation out of over two hundred and eighty doing this service that has received any Charitable Choice funds. Many have applied; few have been given a hearing.

Likewise, in a forthcoming University of Pennsylvania and Manhattan Institute study, Pepperdine Professor Stephen Monsma reports that nationally, faith-based welfare-to-work programs are denied funding at more than three times the rate that comparable secular programs are rejected, and faith-based organizations that do get funded “receive much less funding than do their secular counterparts so that a prima facie case can be made that discrimination is going on.”

Now, I can talk about after-school literacy programs, housing rehab programs, and a whole plethora of other programs where the same story applies. As Professor Monsma suggests, a case can be made that prima facie discrimination is going on. I suggest to you today that this discrimination is real; it's racial; it's illegal; it's unconstitutional; it's immoral; and it's no longer to be tolerated. Until now, a group of seven or eight assertions have been made, in effect, to duck or deflect that indictment. Let me just very briefly go through some of these arguments.

The first thing I often hear is that they don't want to apply. Well, who were all those thousands and thousands of people who came to all of those town meetings all across the country during my

tenure in the White House? Whether it was in Shreveport, Louisiana on a weekday or in Brooklyn, New York on a rainy Saturday morning, thousands of people showed up, and all across the country. In the time that I was in office, thousands of community-serving ministers and religious volunteers, predominantly African-American and Latino, came to these meetings asking: “How do I apply? Where do I go? We've tried; it hasn't worked.”

I also wonder, who were those leaders? Scores of leaders came to see me from places like the Black Pentecostal Church of God and Christ, the second largest African-American denomina-

tion in the country, and the Latino Nueva Esperanza Network. Who were these leaders who continually called with legitimate questions? Putting the anecdotes to one side, the systematic surveys that we have consistently find that two-thirds of urban clergy and closer to three-quarters of urban minority clergy wish to apply for government



Reverend Errol Lewis and friends discuss Dilulio's lecture.

funds to deliver social services. But as defined and delineated by an August 2001 White House report, based on hundreds of pages of materials gathered through five Cabinet agencies' performance audits in the Department of Justice, Education, Labor, HHS and HUD, local faith-based organizations that do apply or try to apply are routinely discouraged or denied by the government bureaucracy on fuzzy and farcical First Amendment grounds. All of the usual machinery that is in place for other nonprofit organizations—notifications of funding availability, computer assistance and so forth—don't exist for these community serving ministry networks even when they're actually providing the services, either for free or for the crumbs off other grantees' tables.

A second argument you hear all the time is that they proselytize. They take the money, and they try to convert people. However, as numerous studies now show, the vast majority of urban, community-serving ministries, including minority storefront churches that are highly evangelical in their theological orientation, never make entering their buildings, receiving their services, or participating in their programs in any way contingent upon any immediate or eventual expression of anyone's religious faith. They do speak a moral vocabulary, rooted in religious sensibility. As one Philadelphia minister said, our witness is our work. As I like to say, they hum hymns while they hammer nails.

They say God bless you, when nobody has sneezed. They are religious, but they are not proselytizing.

The third thing you hear is that they'll be unaccountable. How do you hold religious or secular colleges and universities accountable who receive government funds?

They do. Religious colleges, some of the greatest colleges and universities in the country, receive government funds as well. Those funds come to the university in terms of a specific contract for a specific purpose, and it's supposed to be used for those purposes. The government has all sorts of ways and means—it's a generic public administration problem—of how to deal with the accountability issue. You better have some if you're giving away hundreds of billions of dollars a year in government grants and contracts, and government does. Why should this be any different? Why should there be fear that a dime occasionally of every dollar might roll from the after-school literacy program into the Sunday School bible studies program? Dimes and dollars and nickels and pennies and quarters roll all the time in

government contracting. The idea is to do these things in a way that minimizes problems. The key here is for government to hold small community-serving ministries to exactly the same fiscal performance and other accountability standards to which it holds all other nonprofit organizations that seek or receive government grants and contracts. Where this has happened, things have gone generally quite well.

But you also hear the assertion that they'll get poor results; it's nice to tout these warm and fuzzy stories, but they're the exception, not the rule, so they're not really going to produce any important results. First, how do we know what

the results are for all the nonprofit organizations that presently receive government funds? You can count on your fingers and toes the number of these organizations that, over the years, even after literally decades in some cases of grant getting, have ever been subjected to even a single gov-

ernment performance audit, let alone any independent research impact study or evaluation. On the other side, there is, in fact, a small but growing and significant body of empirical evidence documenting the efficacy of local, minority-led, faith-based after-school literacy programs, mentoring programs, prison reentry programs, crime reduction programs, and more. So the evidence is there, and remarkably, in my experience both as researcher and brief tenure as public official, these small groups with average budgets of \$50,000 a year are open to having people come in and say, "take a look at what we're doing. We're trying to stay on mission." It is often hard to get the big guys, or the bigger guys, to open up their books, to let somebody birddog their programs.



Dr. Dilulio answers questions from the audience.

Still, one hears that they're uneducated as well; they're not professionals. This is perhaps my least favorite of the assertions—"they're uneducated; they're not professionals." That's true; there are not Ph.D.'s dripping from every rafter in a church basement. But they worship, and they work; they shop, and they recreate; they live, and they die where most of the people who they serve do as well. They don't have college degrees, but they do have stout hearts and tough minds. They boast battalions of people who have done hard prison time, been previously addicted to hard drugs, know the streets, and are dedicated to making sure that others are spared what they have suffered or caused others to suffer. For example, there is my friend, Tyrone Parker, of the Alliance for Concerned Men in Washington DC, an organization consisting of basically a group of five or six African-American men who did hard prison time and had done some pretty heinous things fifteen or twenty years ago.

Tyrone and the ACM stepped forward and brokered a truce among gangs in that neighborhood. All the other money that went in there, and all the other people who were getting juvenile justice and delinquency grants—no one could do it. They did it; they don't come the way a lot of the rest of us come to the process; they're not pretty and perfumed the way all of the rest of us tend to be; they don't know how to do grantsmanship, but they get the job done. Why should they be discriminated against?

We hear that they'll lose the faith. If you give them the money, they'll lose their faith, and they'll turn on each other. I don't know if there isn't something to be taught about taming turf consciousness among major nonprofit organizations that get grants. I've only been in academic life for twenty plus years. I've never seen any turf consciousness or ugly competition in those settings.

Where I've ever been in any nonprofit research or other organization, everybody competes in a public-spirited way for public money all the time. In fact, it's quite common that when they get a grant at a university, if they think some other university could do better, why, they just turn it right over!

Inner-city minority clergy and their flocks are perfectly fit to decide for themselves whether their own benevolent traditions and their own community needs make it proper or prudent for them to partner with public agencies, secular organizations or, for that matter, ecumenical or interfaith groups to deliver selected social services. Let them decide for themselves. They are not second class citizens.

An ultimate assertion I want to just touch upon: it's said, things in general are improving anyway, right? I mean, why now? Crime's down; poverty's down; out of wedlock births to teenagers are down; the subway will no longer be in a hole tomorrow.

Everything's getting better. Wonderful. But illiteracy remains rampant; certain types of drug abuse problems are rising; public health problems of certain kinds are rising; and there are still literally millions of inner-city children, youth, and families that need somebody's help. Besides which, government's failure to fund local churches, I have argued, is the hidden story behind many welfare program misfires in low-income, urban, minority neighborhoods.

Let me just quickly take one example. I actually wrote a whole book about Medicaid some years ago—a book for a rival think tank, the Brookings Institution. It was one of those books where once you put it down, you cannot pick it up. Medicaid, of course, is the federal-state program for low-income citizens, primarily delivering services to inner-city, low-income, African-American children. Since its inception in 1965, this program has

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consistently underserved and, I would argue, underfunded inner-city black children. Why is that? A lot of it has to do with a disconnect between a lot of these social programs. The disconnect exists between the program, the program structure, the government bureaucracies—federal, state and local—and the nonprofits through which they work. Work through black churches in Philadelphia, and you're going to get some people into these programs. I'm proud to say that Penn Nursing School Professor Loretta Sweet Jemmott is now studying, for example, how sexually transmitted diseases including HIV might be reduced among black adolescents by getting them and their families working with health authorities through local black Baptist churches.

The last thing, or probably the thing I've heard the most over the past several years, especially my last year in Washington, was that the First Amendment forbids it. However, the First Amendment does not tell government to treat civic-minded religious people as second class citizens. So long as public funds are used for social, not worship, services, and to advance a civic, not sectarian, purpose, the Constitution permits government to pay for social services delivered by religious organizations. The courts have upheld, and the courts will continue to uphold, most such partnerships.

I think it would be a moral and a political mistake as well to retreat on things like Charitable Choice, to retreat on legislation—federal, state or local for that matter—that attempts to reinforce the rights of religious people who seek public money to administer social services to their own needy neighbors—or at least to get a fair share of

the resources that are going into their communities for the work that they have been doing. I wish very much that some time before the Second Coming, Senator Daschle, who is now a co-sponsor of the President's Faith Initiatives Bill—if I can slip back into my old job for ten seconds—would let that bill get to the floor for a vote, and get voted up, since he is a supporter of it.

While it would be a mistake to retreat on Charitable Choice or Charitable Choice-like legislation on faith-based initiatives, I want to conclude by suggesting the time has really come for not just legislation, but for litigation, in particular civil rights litigation, and plenty of it. The

time has come to get all eyes back on the prize by suing to guarantee equal citizenship to minority religious volunteers and those they serve. The time has come to use the courts to help protect these good souls from continued discrimination by government agencies and private parties. The time, I think, has even come to publicize, dramatize and protest,

including if necessary street protests and marches, that tangible harm is done when the separation of church and state becomes an all-purpose apology for racial discrimination and social ills suffered by America's most vulnerable urban minority children. I believe the U.S. Department of Justice should be in the vanguard of bringing these cases, filing friend of the court briefs when others bring them, and otherwise standing behind whatever associations bring class action discrimination suits on these grounds. I think we are about to witness something resembling a second civil rights movement on this issue, and to it, I say, God speed.



Dr. Dilulio shares his thoughts with two guests.



CENTER FOR CIVIC INNOVATION

The Jeremiah Project is an initiative of the Manhattan Institute's Center for Civic Innovation (CCI). CCI's purpose is to improve the quality of life in cities by shaping public policy and enriching public discourse on urban issues.

CCI sponsors the publication of books like *The Entrepreneurial City: A How-To Handbook for Urban Innovators*, which contains brief essays from America's leading mayors explaining how they improved their cities' quality of life; Stephen Goldsmith's *The Twenty-First Century City*, which provides a blueprint for getting America's cities back in shape; and George Kelling's and Catherine Coles' *Fixing Broken Windows*, which explores the theory widely credited with reducing the rate of crime in New York and other cities. CCI also hosts conferences, publishes studies, and holds luncheon forums where prominent local and national leaders are given opportunities to present their views on critical urban issues. *Cities on a Hill*, CCI's newsletter, highlights the ongoing work of innovative mayors across the country.



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