UNIVERSITY OF PENNSYLVANIA
Political Science 240       Fall 2012
Prof. John DiIulio
Religion and U.S. Public Policy

Seminar Description

By most measures, Americans are among the most “religious” people in the world. But what is known about the actual extent and contours of “religion in America” today?

How, if at all, do Americans’ respective religious identities influence their political identities, voting behavior, and civic lives?

What is the past history and present state of constitutional doctrine and public law concerning church-state issues ranging from individual religious freedom to government partnerships with religious nonprofit organizations (churches, synagogues, mosques, and others)?

What is the latest and best social science “faith factor” research on “religion” in relation to health, crime, economic development, and other outcomes?

How have the three most recent presidential administrations (two Democratic, one Republican) approached religion and public policy, and how might the 2012 elections affect national policies on “faith-based initiatives”?

This seminar explores these and related questions through a mix of primary and secondary readings, case studies, individual and group research projects, and meetings with a diverse range of leaders who have been important to recent policy developments in this area.

Assignments, Task Groups, and Grading

Each session there is assigned reading from required books and often from other sources as well. Students in the seminar function both as individuals and, depending on class size, as members of a Task Group (TG) that performs independent research.
Each TG assignment usually involves a TG presentation of 10-15 minutes.

Each student writes two essays. All students are subject to in-class pop quizzes on the week’s assigned readings. At the instructor’s discretion, on the final day of class, all students may be required to take an objective-answer quiz covering reading assignments. The modal grade for students who have taken this seminar over the last few years is A-, and very few students have received lower than B+.

Final letter grades are based on individual participation including performance on any brief memos or in-class quizzes (25%); first essay (25%); second essay (25%); and TG performance (25%).

**NOTE:** Given the pedagogical character and TG work of this seminar, REGULAR ATTENDANCE and TIMELY WORK IS MANDATORY. ONLY well documented (before or after the fact) medical reasons or other well documented (before or after the fact) emergencies, NOT job interviews, extra-curricular activities, other course work, et cetera, furnish grounds for an excused absence or a missed deadline on assigned work. One unexcused absence/miss: half-grade loss. Two: referral to Penn-LPS deans and full-grade loss. Three: referral to Penn-LPS deans and possible course failure. Also, “LATE PAPERS” are papers that are not submitted when due and that are not associated with a valid medical or other excuse. In this seminar, late papers are not accepted.

**Required Books**

Four required books are available at the Penn Bookstore, but you are free to purchase them from whatever sources you may choose:

Philip Hamburger, *Separation of Church and State* (Harvard University, 2003).


**NOTE:** John DiIulio, *Godly Republic: A Centrist Blueprint for America’s Faith-Based Future* (University of California, 2007) **will be distributed in class free of charge at the first meeting.**
September 11: Orientation Session, No Assigned Reading

Distribution of DiIulio book (it contains the first reading assignment)

Non-Graded, Anonymous Survey on Religion and Public Policy

“God and the Inner-City” Video

Note: Experience has taught the utility of having an orientation session that precedes and primes the first reading assignment and the broader launch into the course material.

In this preparation session, in addition to participating in a discussion to be facilitated by the instructor regarding several “church-state” issues, each student will do the following:

(A) Receive a copy of the DiIulio book;

(B) take a non-graded, anonymous survey on religion and public policy that has been administered widely, and that roughly gauges general knowledge about the subject; and

(C) view a video that will be grist for our mill throughout the seminar.

Regarding “C,” it is important that each student view the video as an active watcher, taking notes that might enable him or her to answer the following questions:

In the “God and the Inner-City” video, which of the three organizations profiled--Amachi, Ella J. Baker House, and Teen Challenge--do you suppose would pose the largest “church-state” issues, and why?

Which, if any, of the three organizations profiled might you characterize as “faith-saturated,” which, if any, might you instead characterize as “faith-based,” and which, if any, might you aver is, at least in part, “more secular than religious”?

September 18: The “separation of church and state” I

**DiIulio, Introduction and Chapter 1

**Putnam and Campbell, Introduction and Chapter 1
**Do a couple hours of internet research on the church-state controversy that erupted in early 2012 when the Obama administration changed the rules governing the health insurance coverage supplied by religious nonprofit organizations. Be sure to read the columns on the controversy by The Washington Post’s E.J. Dionne and Michael J. Gerson, as well as relevant material by the U.S. Conference of Catholic Bishops, Planned Parenthood, the Institutional Religious Freedom Alliance, and Americans United for the Separation of Church and State.**

**September 25: The “separation of church and state” II**

What defined an “established” religion or church among Europeans and Americans of the late eighteenth century, how many American colonies had “established” religions into the nineteenth century, and how many American states had them into the nineteenth century?

What is the basic history of “separation of church and state” in America from the eighteenth century through the early nineteenth century?

How did anti-Catholicism figure in “Blaine amendments” in the mid-nineteenth century and thereafter in the “separation of church and state” jurisprudence of various politicians and judges up to the Supreme Court Justice Hugo Black in the mid-twentieth century?

**Hamburger**

TG1: Hamburger, Part I

TGII: Hamburger, Part II

TGIII: Hamburger, Part III

TGIV: Hamburger, Part IV

**October 2: The “neutrality” doctrine**

What are the two religion clauses of the U.S. Constitution’s First Amendment, and what criteria have
post-1970 U.S. Supreme Court justices most commonly cited in debating and deciding whether a given federal, state, local, or intergovernmental policy or practice violates either the “free exercise” clause, or the “establishment” clause, or both?

Based on relevant post-1970 U.S. Supreme Court decisions, is there any freedom of speech, assembly, or petition, or any freedom of conscience or freedom to act, that is constitutionally permissible if and only if it has a strictly secular character or is exercised for strictly secular purposes?

If a state could provide a benefit to a religious individual or a religious group without transgressing the U.S. Supreme Court’s well-settled rulings regarding what constitutes “establishment,” are the religious individual’s or group’s “free exercise” rights violated if the state opted not to provide the benefit?

**DiIulio, introduction, Chapter 2 (pp. 55-75 only)**

**Locke v. Davey (2004)**

TG1: **Church of Babalu v. City of Hialeah** (1993)


**October 9: “Churches” and their “auxiliaries”**

How, if at all, does U.S. statutory and administrative law (tax law, employment discrimination law, et cetera) single out religious individuals and nonprofits, simply by virtue of their being deemed “religious,” for special benefits and/or special burdens—that is, benefits/burdens that non-religious individuals and nonprofits do not receive/suffer?

How do religious nonprofit organizations compare to the rest of the tax-exempt or “independent” sector in terms of (1) tax-exempt property, (2) tax-deductible contributions, (3) tax-supported member benefits, and (4) direct government grants and contracts?
ALL TG: Independently Research IRS 501C3 rules and protocols, with a special focus on religious nonprofits

"Fishing School" Video: The Story of Tom Lewis

TG1: World Vision//Archdiocese of Philadelphia NDS
TG2: BBBSA//Catholic Charities of NOLA
TG3: Amachi//Jewish Federations
TG4: Lutheran Social Services//Penn

October 16: Religion and Civic Engagement I

What, if any, evidence is there that, other things being equal, religion has an independent effect on rates of volunteering, voting, and other indices of civic engagement or political participation?

How much does the relationship between “religion” and various measures of civic engagement or political participation vary according to modes of religious expression or faith/denominational affiliation?

Is religion by whatever definitions more significant in relation to civic behavior (such as volunteering or charitable-giving) than it is with respect to political behavior (such as voting or attentiveness to political news)?

Smidt et al, entire

TG1: Smidt, first part
TG2: Smidt, second part
TG3: Smidt, third part
TG4: Smidt, fourth part

October 23: FALL BREAK (no class)

October 30: Religion and Civic Engagement II

Putnam, entire
Individual essays on Smidt et al and Putnam and Campbell due in class, 1,500 words MAXIMUM: Compare and contrast the research, findings, and interpretations regarding “religion and civic engagement” offered by Smidt and colleagues, on the one hand, and by Putnam and Campbell, on the other. Do they cover the same basic topical turfs? Do they agree on many, most, or all points concerning the pro-social and pro-civic net effects of religion? Do they share any particular strength, weakness, brilliance, or bias? Which do you consider to be the more empirically compelling book (and by a lot or just a little), and why?

November 6: Religion and Civic Engagement III

**No in-class meeting, but each student is to monitor the Election Day results and do online searches regarding what the “exit polls” and other sources suggest about how the voting was distributed (turnout rates, partisan patterns, and so forth) in relation to religious identities (by denomination or tradition, by frequency of “church attendance,” and by whatever other variables). By or before Noon, Nov. 7, submit to the instructor by email a 3-page memo summarizing your Election Day research, soaking, and poking.

November 13: “Sacred places, civic purposes” ABCs

Empirically, what differences are there among and between religious nonprofit organizations with respect to whether they:

(a) supply social (as opposed to worship) services at all

(b) supply social services to nonmembers, and

(c) supply social services to non-members as “faith-based organizations” that do not condition entering their properties, participating in their programs, receiving their benefits, or staffing their activities (paid or volunteer) on any particular religious beliefs, tenets, or practices

(d) supply social services in partnership with other religious, secular, business, or government organizations

In what areas of social service provision to low-income urban children, youth, and families do religious nonprofit organizations loom especially large?
What particular organizational features are essential to an empirically-minded typology of nonprofit organizations ranging from “secular” and “nonsectarian” to “faith-based” and “faith-saturated”?

**Joined by leaders of Partners for Sacred Places

**DiIulio, chapter 5

**DiIulio, chapters 3 and 4

**November 20: “Charitable choice” and “Faith-based,” 1996-2012

What did President Bill Clinton, Vice President Al Gore, and President George W. Bush argue about “faith-based organizations” and “church-state” issues and relations?

What is “proxy government” or “third party government,” and how dependent is Washington on state and local governments, for-profit forms, and nonprofit organizations when it comes to administering federal policies and programs, both domestic and international (including military)?

What is the post-1996 history of “charitable choice” and other federal laws regarding public-private, religious-secular partnerships and “church-state” collaboration, and how does it relate to the phenomenon of “proxy government”?

Since 1964 there has been a limited “ministerial exemption” in federal law regarding religious hiring rights, but are there presently any “faith-saturated” religious nonprofit organizations that expressly use federal tax dollars to pay for staff positions open only to their own co-religionists, and, if so, what, if any, statutory authority can be cited as authorizing this practice?

What has President Barack Obama stated about the role of religion in his personal life and in the public square, and what has he argued and done so far vis-à-vis his White House Office of Faith-Based and Neighborhood Partnerships?

What evidence suggests that settled constitutional strictures against “establishment” or “religious endorsement” are, as a rule, followed most strictly at the state/local level, often bent but rarely broken at the national/federal level, but often bent and increasingly
broken when it comes to religious involvement in the indirect administration of international policies/programs?

Under existing federal constitutional, statutory, and administrative laws, are religious nonprofits that accept government funding to administer public programs for public purposes treated as equal “partners,” mere “proxies,” “partner-proxies,” or “proxy-partners”—and however they are presently treated, how ought they to be treated?


**DiIulio, “Faith-Based Programs and Urban Poverty: Hope in the Unseen?,” Harvard University, Inequality Seminar, January 2011**

TG1: Pre-2008 Obama on religion and “faith-based”

TG2: 2008-present Obama on religion and “faith-based”

TG3: Domestic grants to religious organizations under Obama

TG4: USAID grants to religious organizations under Obama

**November 27: Catholics versus Evangelicals?**

Which religious population is closest to representing the “median American voter” in terms of opinions on political issues, partisan allegiances, and electoral behavior?

Which religious population is closest to representing a conservative/liberal view on issues and a Republican/Democratic allegiance translating into predictable majorities for Republican/Democratic candidates?

What is post-2000 public opinion on “faith-based initiatives,” and how does support for government engaging religious nonprofits to deliver social services vary according to whether the engagement permits proselytizing, religious instruction, sectarian worship, or the use of tax dollars for staff positions open only to the persons of a particular faith?

What is present-day America’s religious demography measured in terms of religious orientations (liberal, progressive, or modern versus conservative, orthodox, or traditional)
and religious identifications (Catholics, Quakers, Methodists, Muslims, et cetera)?

How does post-1999 American public opinion on political issues (abortion, gay rights, immigration, taxes, Iraq, et cetera) and matters such as belief in evolution or miracles vary by religious orientation and religious identification/affiliation?

**“Friends of God” video**

**DiIulio, pp. 76-77 and chapter 6**

TG1 and TG4: Pew and other surveys

TG2 and TG3: Gallup and other surveys

**December 4: “Religion in the global public square”**

What are the fastest-growing religions in the world today, and which religious organizations have grown the most in membership in America since 1960?

**Micklewait and Woolridge, entire**

** DiIulio, chapters 7 and appendix (“The Williamsburg Charter”)**

**December 12:** Individual essays due on Micklethwait and Woolridge book, 2,000 words MAXIMUM: “America does a better job than any other country of combining religious vitality with both religious diversity and religious toleration...There is thus a compelling argument for universalizing the American commitment to the separation of church and state.” Discuss. Draw as you might like on relevant course materials, but confine your references to relevant course materials.