Faith and religion play a complex and controversial role in the criminal justice system. From the growing number of Christian ministries and bible-study groups in prison to church-based inner city programs for ex-prisoners to the recent controversy over the role of posting the Ten Commandments in public spaces, the influence of faith and religion, especially Christianity, is visible in all aspects of the legal and criminal justice systems. The 2001 establishment of the White House Office on Faith-based Initiatives is a clear indication that faith and religion, central to the right-wing political agenda, are going to be even more enmeshed in the nation’s criminal justice system.

Faith and religion have often been important sources of strength for those caught in the criminal justice system; Malcolm X’s religious conversion in prison is just one example of the pivotal role faith has played in the struggle for Black liberation. Critiquing the role of faith becomes tricky. When is faith empowering and when is it being used to oppress? Should we fight for increased religious access or a ban on the practice of religion in the criminal justice system? While we recognize the positive role faith and religion may play in an individual’s life, we also believe the Right’s manipulation of faith to push a conservative cultural and policy agenda must be exposed and resisted.

The Right’s faith-based policies are especially destructive because they accomplish multiple right-wing goals. They function to tear down the constitutional principle of Church-State separation. More importantly, these policies seek to destroy the social safety net activists have worked so hard to create and preserve; while at the same time further institutionalizing racism, sexism, and homophobia, and promoting neoliberal economic policies.

SECTION OBJECTIVE

In this section, we will explore how the State and various right-wing organizations exploit faith and religion in the criminal justice system to further a conservative Agenda.

IN THIS SECTION

• Role of the Right: Religious Activism
  – Christian Right and Prison Fellowship Ministries
  – Nation of Islam

• Role of the State: Faith-based Initiative

• Organizing Advice: Q&A with Stop Prisoner Rape

• Additional Resources
ROLE OF THE RIGHT: Religious Activism

There is no denying that faith-based and religious organizations are active, organized and often positive forces inside the criminal justice system. Organizations like Prison Fellowship Ministries (PF) and the Nation of Islam (NOI) are among the hundreds of religious organizations that provide support, services and hope for people affected by the criminal justice system. Some of these organizations even take a more progressive stance on some issues of criminal justice than most liberals or Democrats.

Yet, these are complicated issues. While these groups provide valuable services, they may simultaneously promote conservative social and political values that erode human rights for all.

Typically, conservative religious groups have opposed reproductive, queer, and women’s rights movements. Most recently, many churches in communities of color which supported the civil rights movement have come out to oppose same sex marriage. In addition, some religious groups’ response to poverty and crime overemphasize the role of individual responsibility while ignoring larger historical, structural, and institutional forces of oppression. Still other groups discourage critical thinking by promoting a strictly Biblical literalist approach.

Progressive activists have often been accused of minimizing or ignoring the role faith plays in people’s lives. Many prison activists have pondered this issue and ask: if there are already so few of us concerned about those in the criminal justice system, can we really afford to work in isolation? Should we work with conservative religious organizations? Should we criticize them? Can we do both?

This section is intended to help activists be better informed about the most active religious organizations in the criminal justice system, especially Prison Fellowship Ministries and the Nation of Islam, and how these organizations are connected to and/or promote right-wing agendas.
The Christian Right and Prison Fellowship Ministries

Prison Fellowship (PF) is the most prominent evangelical organization within the Christian Right working to reform the prison system.1 Unlike its discussions on abortion or homosexuality, the Christian Right has a surprisingly wide range of opinions on criminal justice issues. PF, and its affiliated policy arm Justice Fellowship (JF), are one such complex example. PF and Chuck Colson, the group’s charismatic and influential leader, have often voiced liberal positions on specific criminal justice issues, and PF’s approach to and analysis of crime and prisoners often mirror the actions of progressive activists. Still, on many other issues, such as reproductive rights, homosexuality, and traditional gender roles, they are staunch conservatives. This complex political reality presents many challenges and opportunities for progressive activists in building alliances with those seeking to reform the criminal justice system.

Overview of Prison Fellowship

PF was founded in 1976 by Charles “Chuck” Colson, a former aide to the Nixon Administration. Colson served seven months in federal prison in 1974 when he pled guilty to Watergate-related charges (he pled to obstruction of justice charges, not the burglary itself). Colson’s 1973 conversion to Christianity, along with his life-changing vow never to forget his fellow prisoners, led him to establish PF less than two years after his release. Colson has remained active in prison ministry and reform for almost thirty years, although he has also become a leading voice of the Christian Right, most recently coming out against gay marriage.

Back then, PF began with only a staff of six people.2 Today, the organization has prison outreach and ministry programs in every U.S. state and 95 countries worldwide. PF’s primary mission is to evangelize prisoners and their families but the group also provides much needed services, support, and community to its program participants. PF sees its work “both as an act of service to Jesus Christ and as a contribution to restoring peace to our cities and communities endangered by crime.”3 Justice Fellowship, PF’s lobbying arm, works to influence policy by promoting “biblical standards of justice in the criminal justice system.” While JF has a rather progressive critique of the criminal justice system i.e., it is too costly, ineffective, and punitive, its solutions are completely biblically-based and usually lack any structural or systemic analysis. Colson has

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**HOW DO EVANGELICALS SEE THE BIBLE?**

Evangelicals believe that the Good News of the Bible is that those who accept Jesus Christ will have everlasting life. Thus evangelicals feel an obligation to convert others, so they, too, can be saved. Evangelicals consider the Bible the literal word of God; and they read the Bible as saying that those who truly embrace Christ experience a spiritual sense of being “born again.” Evangelicals range from conservative to progressive, with some translating their religious beliefs into political activism.

Fundamentalists are evangelicals who are distrustful of (and often angry about) sinful secularized society. Chuck Colson sees himself as an evangelical, but he does not identify as fundamentalist.

—Chip Berlet
also rejected both the liberal solution of rehabilitation and the law-and-order conservative push for tougher sentences and ideas about deterrence. In addition, any mention or analysis of racism is conspicuously absent from PF and JF materials, although people of color are prominently featured as participants and beneficiaries of PF programs. (See Analysis of Christian Right’s Prison Activism.)

Colson has long argued that crime is fundamentally a moral and spiritual problem, rejecting what he calls “the dominant secular view that humans are basically good” and that “crime is caused by unjust social structures, by oppression and by poverty.” Instead, all of PF’s programs are “based on the premise that crime is first and foremost the result of moral choices, above sociological, environmental, or economic forces.” PF believes individuals must be held accountable for their choices, and that the “best way to transform our communities is to transform the people within those communities.” As a result, PF believes “biblical studies are the most vital part of the in-prison program and mentoring.” PF believes that by turning to God, prisoners can have a “change of heart” that will allow them to become productive (and crime-free) members of society. This presents a direct conflict with progressive and radical critiques on what is considered “crime” and “criminal.”

Still, regardless of the emphasis on crime as a personal choice and God as the only solution to overcoming the temptations of crime, PF successfully humanizes prisoners and their families. PF recognizes very real problems; stresses the needs of prisoners, victims, and their families affected by the criminal justice system; and conducts programs that offer material and spiritual support. PF appears to regard prisoners without scorn, judgment, disgust or contempt, and opposes retributive forms of punishment. Instead, PF supports biblically-based restorative justice ideas that emphasize the needs of both the “offenders” and the “victims,” although PF materials state that

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ATTICA AND COLSON

The impact of his prison experience is most telling in Colson’s view of the Attica uprising before and after his incarceration. In the Prologue to Life Sentence, Colson recounts President Richard Nixon praising Governor Rockefeller’s brutal repression of the prisoners of Attica after the uprising in 1971. “Rockefeller did the right thing, Chuck,” Nixon continued. “He’ll catch it though from all those liberal jackasses in the press. But he’s smart. The public wants no more nonsense from criminals. The public will cheer him on. ‘Gun ’em down,’ they’ll say.” “No doubt about it, Mr. President. Our people out there have had enough of being soft on criminals...” For the next several minutes, as we sipped coffee, the President talked about our anticrime program. I took notes profusely so I could relay his instructions. “Must get tough,” I underlined at the bottom of one page. It was good politics. We believed that long sentences, increased police powers and tough prisons were the answer to the crime problem. Neither of us mentioned the 31 prisoners who had been killed, but I suggested that the President send personal letters to the families of the nine slain guards. A nice gesture.”

Colson’s perspective on Attica shifted sharply after his prison experience. In recounting his visit to Attica, Colson identifies himself with the prisoners and the “slaughtered inmates.” He criticizes the prison officials for denying the prisoners a monument to honor the inmates killed during the uprising. During his talk at Attica, the officials refuse to allow him to meet with the prisoners. Despite these orders, Colson jumps off the speaker’s platform and enters the audience.

“truly restorative change comes only through a relationship with Jesus Christ.” The emphasis on personal change, despite its criminal justice reform efforts, stops PF from discussing the role that historical, systemic and structural inequity play in the criminal justice system.

Despite its relatively liberal stances, it is important to remember that PF is part of a larger conservative evangelical movement whose primary aim is to convert people to Christianity while promoting a conservative political perspective. PF President Mark Early has compared PF’s model to Jesus’ own model of ministry. He writes, “we combine a ‘touching’ ministry with ‘teaching’ ministry—just as Christ did....This is why it seems perfectly natural for our prison ministry to exist side by side with our worldview ministry...It’s the model every church and parachurch group should imitate.” For activists, this may sound similar to community organizing models that first address fulfilling a social service need, and then use that experience to build power with the intent of instigating widespread social change.

Prison Fellowship Programs in the United States.13
Presence: All 50 states
Staff: 300
Volunteers: 36,000
Church Partnerships: 20,000
Annual Budget: $48 million

Outreach Programs14
In-Prison and Post-Prison Programs: Thousands of volunteer mentors from local churches are trained by PF to support incarcerated prisoners. All programs have a biblical perspective. Class topics include marriage and relationships, and how to apply Christian principles to life. PF also encourages and equips local churches to work with Christian ex-offenders. Through a network of churches, chaplains, pastors, volunteers, and related ministries, PF helps to create a transitional community. Volunteer ex-offenders, who are successfully living in society, are a vital part of the program.

Inner Change Freedom Initiative: PF’s most controversial program. IFI contracts with the prison officials to create a separate unit within prisons.15 During nearly all waking hours, IFI conducts intensive, evangelical, Biblically-based instruction. In Iowa, participants receive privileges such as additional family visits, free telephone calls, and access to private bathrooms, computers, and big-screen televisions.16 The program is mainly staffed by Christian volunteers though PF provides the management and administrative support. PF, backed by the White House, claims the program significantly reduces recidivism, although a number of experts have debunked the methodology of the study IFI cites.17 IFI has also been named in a complaint drafted by Americans United for Separation of Church and State that claims the program violates the establishment clause of the First Amendment. IFI was first launched in a Texas prison in 1997, and now operates in Kansas, Iowa and Minnesota.

Angel Tree: Outreach program for the children of prisoners who are often the “saddest casualties of crime”18 through “no fault of their own.”19 In 2002, PF sent Christmas gifts to 32 percent of the children (more than half a million) of prisoners through partnerships with more than 13,000 churches.20 During the year, PF also conducts mentoring, where mature Christians can “pour their lives into a young person,”21 and summer camping programs, including a 2003 football camp with the Atlanta Falcons where kids received Bibles, water bottles, t-shirts and footballs.22
PF cites evidence that children of prisoners are more likely to be incarcerated, and that the cycle of crime can be broken by “sharing the love of Christ with the children.”

**Operation Starting Line:** PF heads up this national coalition of more than 25 evangelical Christian ministries and thousands of local churches. OSL’s goal is to introduce every prisoner in America to Christianity and “saturate the prisons with the message of Christ’s forgiveness and power.” Using PF’s model of outreach, OSL uses music, comedy, and entertainers to recruit prisoners, and then provides support programming to “disciple” them. Collaborators include: Campus Crusade for Christ, DeMoss Group, Intercessors for America, the Moody Bible Institute, the National Black Evangelical Association, Navigators, and the Promise Keepers. Since OSL was founded in April 2000, it claims it has reached nearly 658,000 prisoners at 659 facilities in 26 states.

**Prison Fellowship International:** PFI is the global association of the 95 national PF organizations in various countries worldwide. PFI has NGO status with the UN Economic and Social Council. Global programs include: Angel Tree; GEO Trust, a micro-lending program for ex-prisoners; Global Assistance Program, where medical teams are sent to provide basic care for prisoners and families living in “unfathomable” third-world conditions; and, Sycamore Tree Project, a restorative justice initiative. PFI’s five regional offices are in Switzerland, Zimbabwe, New Zealand, Singapore, and Peru, and the headquarters are located in Washington, D.C.

**Advocacy Programs**

**Wilberforce Forum:** PF initiative that promotes and publishes their Christian worldview, biblical perspective, and Chuck Colson’s commentary on key moral issues, current events, public policy, and everyday life. WF aims to politicize Christians by helping them “think and live Christianly not only in the church and family circles, but also in the public square.” The **BreakPoint Program** produces Chuck Colson’s daily radio address which airs on 1,000 outlets with more than one million listeners. BreakPoint also develops and places Christian messages in the media. The Council for Biotechnology Policy division develops Christian responses on issues of cloning, stem cell research, and the use of human embryos. Justice Fellowship, see below, develops Christian perspectives on criminal justice reform issues.

**Justice Fellowship:** Program of the Wilberforce Forum. Headed by former CA state representative Pat Nolan, JF is the criminal justice lobbying and advocacy arm of PF. JF advocates for prisoners’ rights and supports a Biblically-based restorative justice approach crime to “heal victims, hold offenders accountable, reconcile victims and offenders, and work to restore peace to our communities.” JF advocates for “common sense reforms” to the “costly, retributive criminal justice system” that locks “offenders in a box and forgets about them.” JF primarily urges reform legislative action and activism through the electoral process. JF was founded in 1983 as an affiliate of PF.

**PF and JF Stances and Positions**

The following positions are either implicitly or explicitly supported by PF and JF.

Criminal Justice Related: PF supports the abolition of mandatory sentencing, the decarceration not only of drug offenders but of all non-violent offenders, a moratorium on prison construction, voting rights for convicted felons, minimum wage compensation for prison labor and expansion of prison work reforms, expansion of community sentencing programs, improved
access to health care for prisoners,⁴⁸ affordable and accessible telephone access,⁴⁹ the protection of prisoners’ rights to DNA evidence and qualified counsel,⁵⁰ compassion and treatment for sex offenders, and legislation to monitor and reduce prison rape.⁴¹ PF and JF have not taken a clear position on the death penalty and Colson has changed his mind several times on the issue. PF has, over the years, presented Biblical justifications for supporting, opposing and permitting the death penalty.⁴²

On Sex Offenders: A recent issue of PF’s magazine, Jubilee, addressed the difficult issue of sexual abuse. Tracing the story of a former sex offender transformed by Christ, the issue humanized the causes and cycles of sexual abuse while emphasizing the need for caring intervention instead of banishment. The issue maintained a compassionate and unscornful tone, as the Jubilee editor writes, “We don’t give up hope for any offender—sex offender or otherwise. PF believes the only way to break the cycle of crime is by the love of God in Christ transforming offenders, one life at a time.” The issue also profiled a group of Canadian Christians who form community circles around sex offenders with the aim of integrating them back into society, not by policing the offender, but by providing counseling and holding them accountable.⁴³

Relationship between crime and prisons: According to anti-violence and prison expert Andrea Smith, “Unlike many liberal reformers, Colson and his supporters question the relationship between prisons and crime reduction....A number of studies have demonstrated that more prisons and more police do not lead to lower crime rates....Colson and other evangelical prison activists are clearly familiar with this research: ‘I’m absolutely convinced that the principal cause of crime in America is the prison system itself.’ PF asserts: ‘Research has shown little correlation between crime rates and the number of people housed in a state’s prison.’ Daniel Van Ness, former director of Justice Fellowship, contends that a study published by Rand Corporation in 1986 found that offenders who were given prison sentences actually committed crimes faster and more often than similar offenders who were put on probation. He argues that as many as 80 percent of all people in prison should not be there. And at the 1999 JF Forum on Restorative Justice, Van Ness also deconstructed the ‘fear of crime,’ noting that fear of crime is highest in communities with the lowest crime rates.”⁴⁴
The philosophical basis of PF’s ministry is restorative justice. PF defines restorative justice as “a Biblically-based response to crime that draws together victims, offenders, communities, and government to repair the harms caused by crime.”

In PF’s version of restorative justice, “the victim—not necessarily the law—is vindicated, and the goal goes beyond punishment to restoring peace, or shalom, to the community.”

“PF argues that criminal offenses should not be defined as ‘crimes against the state,’ but instead should focus on developing reconciliation programs between the victim and offender. The offender should cease paying his or her debt to society and pay the victim back directly.” PF believes this concept comes from God and is rooted in scripture, although Colson erroneously believes that restorative justice is inherently and originally Christian. PF’s version of restorative justice focuses very heavily on the individualization of crime and the idea that crime is a moral choice. And while many of PF’s stances are liberal, for many evangelicals restorative justice “involves nothing more radical than an increased attention to victims’ rights.”

On other social issues, PF is consistent with the Christian Right’s positions: opposition to abortion and same sex marriage and support for Faith-based Initiatives, the Bush Administration, and the “War on Terrorism.”

How Does PF Justify its Positions on Criminal Justice?

In an unpublished doctoral dissertation, scholar/activist Andrea Smith has analyzed the Christian Right’s prison activism. Recognizing that Prison Fellowship is part of a tradition of Christian missionary work and social service provision in prisons, she observes that the Bible has been used by different groups to justify competing “political positions.” Some groups argue for “tough on crime” approaches, some for compassion and leniency. Some are pro-death penalty, while others are vehemently opposed, based on their reading of the same text. And Colson has disagreed with other evangelicals on a number of issues.

Looking more closely at Colson’s model of prison work, Smith has identified five areas of analysis about his approach.

- **Christian Dominionism** Colson’s opinions about the role of the State and prisons are determined by his conservative religious beliefs. Colson wishes the restoration of Christian values in government, and, like many other conservative evangelicals, is suspicious of government power. “I don’t trust our own government…. Government…remains a corrupt and basically sinful institution.” Smith explains, “Although Colson’s position on capital punishment has changed several times over the years, his suspicion of the government compels him and his associates to advocate many progressive positions regarding prisons, under the rubric of ‘restorative justice.’” In his vision, prisons would be less punitive, and more compassionate,
based on the concepts of restorative justice. Colson has said, “I have yet to see a good jail. It is terrible to herd men together like cattle. If you treat men like animals. They become animals.” Colson, however, does not embrace Christian Reconstructionism, a militant form of dominionism that would totally replace current law with Biblical law.

■ **Immorality as a Cause of Crime** Colson has repeatedly indicated that the social fabric’s disintegration is the result of man’s misbehavior in the eyes of God. The enemies of our society are those who are morally flawed, whose misdeeds threaten God’s covenant with America. Smith explains it this way, “Since poverty is the result of moral failings, crimes based on poverty are not the result of economic inequities, but of immorality.” Colson identifies Black prisoners as an important challenge. While he may not consciously be aware of his message, by using anonymous Black figures in his autobiography, and by leading a prison organization that is primarily White, his campaigns reinforce the belief that the enemies of a safe society are people of color.

■ **Conversion as the Goal** Evangelicals believe that a personal relationship with Jesus is the foundation of a new life for the reformed prisoner. Colson’s notion of rehabilitation rests on the conversion experience as the way to turn a prisoner into a law-abiding citizen. This approach is attractive to prison administrators who see Christian ministries as successful controls on prisoner unrest. “In the end, the PF message is that prisoners need only Christian fellowship, not advocates to assist them in resisting oppressive conditions.”

■ **Family Breakdown** is a Cause of Crime Colson agrees with the widely-held belief among conservative evangelicals that family breakdown is a primary source of crime. Healthy families by this definition use a patriarchal model. Smith suggests that for Colson and others, “The nuclear family is the key to encouraging offenders to live by societal norms.” Challenges to traditional “family values,” like divorce, feminism, abortion, and homosexuality threaten the social fabric and breed criminal activity.

■ **An Individualized Approach** Evangelical prison reform efforts focus on the individual and his/her relationship to the victim of a crime and to God. This individualized approach is quite different from the liberal analysis of crime which identifies such social factors as poverty and racism as some of the root causes of criminal behavior. Although he is aware of the importance of the relationship between society and prisoners, Colson and his co-author Ellen Vaughan wrote in the *Christian Herald* in 1987, “As Christians we believe changes in people—and thus in society—come not through political, exterior structures but through changes in the heart.” Focusing on the individual creates a problem for restorative justice programs, according to Smith. Restorative justice programs depend on a community that is healthy enough to hold an offender accountable for his/her actions.
Can We Work With Them? Implications for Mobilizing Evangelicals Against the Prison Industrial Complex

By Andrea Smith

Note: The following article is excerpted from Andrea Smith, “Bible, Gender and Nationalism in American Indian and Christian Right Activism,” (Ph.D. diss., University of California, Santa Cruz, 2002), Ch. 2, “Set the Prisoners Free: The Christian Right and the Prison Industrial Complex.”

Charles Colson’s work, with all its problems, is important because it challenges the support for the prison industrial complex within conservative circles. Prison Fellowship (PF) and Justice Fellowship (JF) are willing to work with all sectors involved in opposing prison expansion. They have been very successful in dominating Christian periodical literature on this level, even though it is PF’s ministry rather than JF’s political activism that seems to receive the greater praise and attention. For instance, right-wing World Magazine staffer Roy Maynard praises PF in one article, but in others he opposes many of JF’s platforms by advocating mandatory minimum sentencing, increased application of the death penalty, reducing appeals available to those sentenced to death, and increasing the prison sentences of non-violent offenders (including drug offenders) and youth.

Christian periodical literature is a faulty barometer of grassroots evangelical sentiment about prisons because people involved in prison ministry are the ones most likely to write articles about prison. These writers are more likely to hold progressive positions on prison than are the magazine’s readers. This disparity is evident in many of Colson’s statements regarding the difficulties he faces in garnering evangelical support for prison reform. Colson notes how evangelicals are much more interested in his conversion story than in his prison work.

Similarly, at the 1999 JF Restorative Justice Forum, the participants and speakers were clearly not in complete accord regarding the importance of restorative justice. One participant who spoke out as a victim of crime claimed to be a proponent of restorative justice, but what she advocated was not recognizably different from standard “get tough on crime” policy. Her notion of restorative justice seemed to be limited to allowing victims to make victim impact statements. In fact, one speaker who develops community policing programs in Washington DC argued that although we now hear more talk about community policing and restorative justice coming from bureaucrats within the criminal justice system, the principles and models of restorative justice have been warped and co-opted by the system to serve punitive ends. It appears that many evangelicals who become involved in restorative justice are not always attracted to it in its purest form. For them, restorative justice involves little in the way of decarceration and greater justice for offenders; in fact, it involves nothing more radical than increased attention to victims’ rights. At the JF Forum, I asked Daniel Van Ness, former president of JF, what he thought the level of support for restorative justice was among evangelicals. He said that JF has spent so much energy trying to pass various forms of legislation it has not done the work necessary to build support for its programs at the evangelical grassroots. Recently, though, JF seems to have reorganized its program priorities to emphasize grassroots education. Since evangelicals are not known for their support for prison reform, the work of PF and JF, however flawed, is an important starting point for mobilizing evangelical support for prison reform and possibly for prison abolition.
COLSON’S VIEW: THE WHITE MAN AS THE SAVIOR

The notion that the welfare of the nation is under constant threat from internal enemies is integral to the Christian Right’s story of America. America is tormented by disease which threatens its covenant with God. Crime is an integral part of this story, as it is the primary indicator of social disintegration. Regardless of whether or not crime rates are in fact going up, the perception that crime rates are skyrocketing is central to the theological drama in which America is plummeting from God’s favor.57

These internalized enemies remain racialized because the face of crime and social decay is colored. Poverty, crime, and color are closely correlated in Christian Right rhetoric. This rhetoric clearly equates “the poor underclass” with “Black.” Conservative articles on poverty, “illicit sex and drugs,” urban unrest and crime always locate these “vices” in, and identify them with, African American or people of color communities.58

At the same time that the rhetoric of the Christian Right conflates “poor” and “Black,” it obscures the relationship between poverty and violence, thereby suggesting that violence is the sad consequence of indwelling moral failure rather than a learned response to deprivation. It is only a short step to the conclusion that Black people are by nature morally flawed.

Christian Right ideologies trace the roots of poverty among people of color to their “welfare mentality” and ignore the effects of corporate downsizing and the relocation of jobs to the Third World or the suburbs. So, the reasoning goes, if there are no structural reasons for poverty – and you won’t see any if you keep your eyes really tightly shut – then poverty must be the fault of the poor. As [Christian Reconstructionist theologian] Gary North states, there is a “right relationship between wickedness and poverty”59 – which of course means, between wickedness and skin color.

Since poverty is the result of moral failings, crimes based on poverty are not the result of economic inequities, but of immorality. Not surprisingly, then, the face of both poverty and crime is colored. Prisoners (“criminals,” when described in general terms) are people of color.60 People of color are essentially the disease that threatens God’s covenant with America. In Colson’s collection of prisoner stories, Changed Hearts, people of color are quite literally the disease, spreading AIDS through contaminated needles or homosexual behavior.61

This drama is most acute in stories relating an individual prisoner’s conversion. For while the face of crime remains colored, the face of the individual prisoner who transcends her/his situation (or was unjustly convicted in the first place) is usually white.62 The ones who “save” prisoners are usually white as well.63 These white “saviors” often have to pray “for the Lord’s protection” as they bring their message to prison or to the inner city.64

In Life Sentence, Colson repeatedly uses anonymous Black figures to legitimize his ministry and show that he can save the Black prisoner.65 It is Black prisoners who are particularly threatening to him, or who run away while taking part in PF’s programs. And it is Black prisoners who are always racially identified. The only African American Colson identifies as playing a significant role in PF is depicted as a troublemaker.66 Yet Colson, the white savior of Black prisoners, proves himself when a Black man tells him that he is “right on.”67

John Perkins notes that even though almost half of the prison population consists of African American males, parachurch prison ministries are almost entirely white. African Americans in prison ministry, he states, are supported by white organizations.68 Prison Fellowship volunteers are ninety percent white although the majority of the people they serve are people of color.69 Thus, white people are saving society from the crime and decay caused by people of color.

Similarly, prisoner conversion stories are a microcosm of the larger story of Christian America; it is the white citizens of Christian America who will rise above the miserable conditions of their lives and restore America to its rightful relationship with God. This situation is complicated by the growing rhetoric of race reconciliation which seeks to incorporate some communities of color, primarily middle-class African American males, into the Christian Right platform.70 Nevertheless, the citizenship conferred upon such sectors is a tentative one, easily revoked.

Evangelicals are not known for their support for prison reform, however, the work of PF and JF, however flawed, is an important starting point for mobilizing evangelical support for prison reform and possibly for prison abolition.

Victims’ Rights as an Entrypoint

The work of PF and JF is also instructive in its ability to appeal to “law-and-order” Christians. PF and JF find ways to use victim-rights language to garner support for their position. Colson’s study guide on prisons begins by focusing primarily on issues that are uncontroversial among evangelicals, such as caring for victims of crimes. After establishing his sympathy toward crime victims, Colson then develops a more controversial critique of prison.

Similarly, Daniel Van Ness, begins his book on prison reform, notably entitled Crime and Its Victims, with a discussion of the victims of crime; having established his concern for the victims, he proceeds to propose a list of prison reforms that he claims benefit the victims themselves. Similarly, the JF Forum gave prominent speaking positions to crime victims in order to demonstrate that restorative justice is victim-centered.

Despite their problems, the fact that prison ministries give so many people exposure to prisons may in fact be critical in changing public sentiment about prison conditions. Faith Today published a poll stating that 75 percent of its respondents felt that prison conditions were too comfortable. However, it also found that the majority of people who thought prison conditions were inhumane had actually visited a prison, while the majority of those who thought prisons were too comfortable had not. These findings suggest that exposing people to prisons is an impor-
tant step in transforming their consciousness about them. As Colson himself notes, he would never have become involved in prison reform had he not served time. In fact, Colson uses this insight to alter public policy on prisons by organizing prisoners to visit legislators at Capitol Hill.

Evangelicals for Social Justice?
Although evangelical reformers often ignore the social context of crime and punishment, it is nearly impossible to become involved in prison work without eventually having to confront the evils of capitalism, racism, and other forms of social injustice. Articles on the death penalty routinely point to the racism endemic in its application. Al Heystek wrote a critique of the racialization of the war on drugs, noting that “It’s quite evident that incarceration for drug using or selling does nothing to improve the socio-economic factors that are part of the problem in the first place.” In Van Ness’ succinct formulation: “The rich get richer and the poor get prison.” James Skillen argues that evangelicals concerned with prison reform must link this cause to other social justice issues: “We must also work for a just education policy, for just health care policies, for economic justice, for environmental justice.” Colson and company also critique the media hype over crime and prisons, and specifically the venal uses to which “law and order” rhetoric are put: “Do we dare say we ought not to be putting more people in prison? Politicians have played this tune so long, and it always gets applause. But how long does it take you to educate the public and get over that?” Colson has been outspoken against the “get tough on crime” rhetoric of presidential candidates and was particularly critical of George Bush’s use of Willie Horton in his presidential campaign.

In the course of his prison reform advocacy, Colson has often confronted prison officials, in some cases leading to their dismissal. His ministry has also not balked at advocating for the release of certain prisoners and for the amelioration of living conditions for others. Life Sentence, in its attention to the horrific conditions of prisons such as Attica, Stillwater, Georgia’s Fulton County Jail, Atlanta Prison, and Lorton, makes it quite clear that prisons are no country clubs. In the case of Stillwater, Colson’s advocacy led to the closing of its solitary confinement.

He also points to the economic incentives for the proliferation of prisons. “Some states are blindly spending billions for new prisons. That’s good news for the architects and builders who are generous contributors to the campaigns of local politicians. But it’s bad news for the public.”

JF: SOCIAL JUSTICE OR JOB PLACEMENT?
From my observations at the JF Forum, I believe that many of the prominent members of JF are conservative Christian Right Republicans who, for one reason or another, found themselves in prison. JF’s current president, Pat Nolan, was a former conservative member of the California assembly before he was caught in a sting operation and sentenced to prison for racketeering. At the JF forum, he noted that prior to his incarceration, he was a strong proponent of “get tough on crime” and “victim’s rights” legislation. When he was in prison, someone sent him a JF brochure that convinced him he had been addressing issues of crime and punishment from the incorrect paradigm. He now believes, for instance, that the Victims Rights Act (Proposition 15) he sponsored has actually done nothing to help victims, but has served only to strengthen prosecution.

Ernest Preate, another JF staffer, was the former Attorney General of Pennsylvania who successfully argued for the constitutionality of Pennsylvania’s death penalty before the U.S. Supreme Court. However, he too ended up in prison where he became aware of the racism endemic in the criminal justice system. Through this experience, he became born again, and as he stated at the JF Forum, “If Christ can forgive me, I have to forgive others.” Now, he is a staunch opponent of the death penalty, a major critic of the “war on drugs,” and particularly concerned with ending racism in the criminal justice system. It appears that the most effective way to dismantle the prison industrial complex is to incarcerate as many conservative Christian Republicans as possible.


In the course of his prison reform advocacy, Colson has often confronted prison officials, in some cases leading to their dismissal. His ministry has also not balked at advocating for the release of certain prisoners and for the amelioration of living conditions for others. Life Sentence, in its attention to the horrific conditions of prisons such as Attica, Stillwater, Georgia’s Fulton County Jail, Atlanta Prison, and Lorton, makes it quite clear that prisons are no country clubs. In the case of Stillwater, Colson’s advocacy led to the closing of its solitary confinement.

He also points to the economic incentives for the proliferation of prisons. “Some states are blindly spending billions for new prisons. That’s good news for the architects and builders who are generous contributors to the campaigns of local politicians. But it’s bad news for the public.”
At the Justice Fellowship Forum, issues of institutional racism and classism within the criminal justice system were also widely discussed. Participants even used the terminology “prison industrial complex” to describe the system they opposed. Even when prison ministries focus on converting individuals to Christ rather than changing the system, they often find themselves forced to confront the system in order to do even conversion work effectively. These tensions suggest that prison ministries may be a starting point for evangelical activists hoping to pursue prison reform and other social justice issues.

Potential Alliances
Interestingly, the nature of this issue puts evangelical prison activists in dialogue with individuals of more radical persuasions. Some participants I talked to at the JF Forum had also attended the more radical conference Critical Resistance: Beyond the Prison Industrial Complex in 1998. Pat Nolan mentioned that he has worked with feminist lawyer Gloria Allred on prison issues. Speakers talked at length about the need to develop relationships with mainline denominations, non-Christian groups, and even leftist organizations, for just as support for the prison industrial complex has been bipartisan, so too has opposition to it been bipartisan. This issue may be unique in its ability to bring evangelical Christians into dialogue with groups they would normally avoid.87

If the Right can be so successful in using tensions within evangelical discourse to garner support for its political platforms, political progressives should begin to think about the possibilities of doing the same. While the tensions within evangelical discourse do not add up to a comprehensive program for social transformation, they indicate points of strategic intervention that progressives might seize upon to create “hegemonic blocs” not only against the prison industrial complex, but against other forms of social and political oppression as well. These relationships could prove significant in pushing evangelical politics to the left. By hinting at this possibility, I do not mean to suggest that such an outcome would be easy to achieve or even likely. But unfortunately, because progressives have not yet identified points of resistance in arenas such as these, they have not even begun to think about how to make use of them.
The Nation Of Islam

The Nation of Islam (NOI) and its offshoot, the Five Percent Nation, is active in prisons across the United States. While certain trends within Black Nationalism can and have been progressive, many others, including the Nation of Islam earlier under Elijah Muhammad and now under Louis Farrakhan are in fact fundamentally conservative. The Nation of Islam has until recently held the position that in order for Blacks to achieve self-determination, they must separate themselves from White culture. The NOI encourages Black entrepreneurship as a way to create an alternate economy.

The NOI rejects Christianity as a White religion and offers a creed that is less connected to traditional Islam than it is to a set of principles for Blacks to live by. Despite its radical demeanor, the NOI broadcasts fundamentally conservative themes: racial determinism, the belief that individuals, not collective action, solve social problems; and reverence for a patriarchal family structure.

For prisoners’ allegiance, the NOI competes not just with Christian groups but with a growing number of Islamic sects brought to prison by their adherents. Unlike Colson’s PF, the NOI does not receive faith-based funding to support its prison work. In fact, it was at the center of a controversy at the opening of the White House Office for Faith-based Initiatives, when it was suggested that the NOI be able to receive funding. When the public was asked if it would approve of the NOI receiving federal faith-based funding for social service work, only 29 percent said yes.94

Overview: NOI and Prisons

The Nation of Islam has targeted prisons as a recruitment ground since the 1940s when Elijah Muhammad was convicted of draft evasion and jailed for three years. Personal experience with prison and the attitudes of Black prisoners convinced Muhammad to focus on prisons.

The NOI has taken a number of positions on justice, the law, and prisons.95

- We want justice. Equal justice under the law. We want justice under the law. We want justice applied equally to all, regardless of creed or class or color.

- We want freedom for all Believers of Islam now held in federal prisons. We want freedom for all black men and women now under death sentence in innumerable prisons in the North as well as the South.

- We want an immediate end to the police brutality and mob attacks against the so-called Negro throughout the United States.

- We believe that the Federal government should intercede to see that black men and women tried in white courts receive justice in accordance with the laws of the land—or allow us to build a new nation for ourselves, dedicated to justice, freedom and liberty.
In his call for the 1995 Million Man March, Louis Farrakhan noted that, “The winds of the Republican Party which swept into power calling for more harsh punishment for criminals, and the building of more prisons, say that anyone who has been guilty of a criminal offense three times will be imprisoned for the rest of his or her natural life. Prisons are now private enterprise, which means that it is becoming big business now to build prisons to incarcerate the Black, the weak, the poor and the ignorant. This new wave of anti-crime legislation is to legitimize a return to slavery in the name of crime-reduction. It is our intention in the Nation of Islam and among concerned Black clergy, politicians, and other leaders to reduce crime and violence in our community by increasing the level of productivity, particularly in the Black male.”

Recent articles, editorials, as well as opinion pieces in the NOI’s publication, *The Final Call*, similarly have critiqued crime-related legislation that is seen as harmful to or skewed against Blacks. This includes Senator Charles Schumer’s (D-NY) “Criminal Street Gang Abatement Act of 2004.”

**ANALYSIS OF NOI: Conservative Right-Wing Black Populism**

Dean Robinson has described The Nation of Islam as a right-wing populist movement in his book, *Black Nationalism in American Politics and Thought*:

“In contrast to the march on Washington in 1963, the [1995] Million Man March had no clear policy agenda. Where the marchers in 1963 assembled to pressure President John F. Kennedy and the Congress for civil rights legislation, and where the 1963 march culminated roughly a decade of sustained grassroots mobilization, the Million Man March represented neither. If anything, Farrakhan and the march reproduced conservative tendencies in black nationalism and black politics more generally.... In fact, very few of the speeches that day referred explicitly to the effects of conservative policy on black life in America.

“Further, the absence of women at the March signaled the continuing existence of a deep and enduring sexism prevalent in black uplift ideology. The marchers agreed that black men had particular responsibilities in need of address; and in this and other respects, the Million Man March articulated sentiments not unlike those of the evangelical Christian men’s group the Promise Keepers, who are determined to reassert themselves as proper heads of their households and who root that alleged mandate in scripture....

“Further, the NOI has flirted with elements of the far right over the years. The NOI, as Malcolm X disclosed, met with leaders of the Georgia Klan in 1961.... More recently, in 1990, Farrakhan granted an interview to the far right *Spotlight* in which he suggested that blacks had to improve their condition ‘so that the communities of the world will not mind accepting us as an equal member among the community of family of nations.’ During the early 1990s, the NOI also fostered exchanges with supporters of far right activist Lyndon LaRouche.

“In light of Farrakhan’s apparent aspirations for political power, and in light of his efforts to
move his organization in the direction of orthodox Islamic practice, it may be that Louis Farrakhan’s vision is more akin to that of the religious right, but with a left-of-center, populist inflection. Farrakhan tends to agree with leaders of the religious right on social issues like homosexuality, drug use, and the goal of strengthening marital bonds. Like [Pat] Robertson and other religious right leaders he argues that the black poor need to do more by themselves to solve their problems, on the ground that poverty is largely a function of bad behavior. However, Farrakhan also thinks that government ought to address matters of racial, gender, and economic inequality.”

FIVE PERCENTERS

Researcher Alex Todorovic has studied the Five Percenters.

“Five Percent Nation is a loose-knit religious organization that split from the Nation of Islam (NOI) in 1964. The group’s lack of structure and young members have prompted the South Carolina Department of Corrections to label the group a ‘security threat,’ and treat it as a ‘gang’... While Five Percenters do not claim any scripture unique to their religion, followers often read the Quran or [Nation of Islam founder] Elijah Muhammad’s Message to the Black Man, the same texts read by NOI members... By the mid-seventies Five Percenters had become part of the African-American inner city experience... Contemporary rap artists like Rakim, Big Daddy Kane and Lakim Shabazz have used the Five Percent flag on their album covers and have written lyrics influenced by its doctrine. Five Percent continues to be dominated by young adherents. Part of the religion’s allure is that there is no leader and the group’s meetings, called parliaments, generally occur in public places.”

All of the content in this publication, plus additional information, can be downloaded from the Defending Justice companion website: www.defendingjustice.org.
ROLE OF THE STATE: Faith-based Initiatives

The Faith-based Initiative refers to the George W. Bush Administration’s broad set of policies to increase government support and funding of faith-based programs. Though Bush was unsuccessful in passing broad legislation in Congress during his first term, his Administration was successful in increasing government funding for religious groups and building grassroots support for the idea. By establishing an entire White House office dedicated to the issue, the Administration sidestepped Congress and administratively opened doors for religious groups. By easing federal agency regulations through executive orders, the Bush Administration increased the amount of government funding (with fewer restrictions) for the social service activities of religious groups.

The White House Office on Faith-based Initiatives states that it focuses its efforts on the following populations: at-risk youth, ex-offenders, homeless, hungry, substance abusers, those with HIV/AIDS, and welfare-to-work families. All of these populations are directly connected to and targeted by the criminal justice system.

Regardless of who delivers the programs (whether it is corporations, religious and community organizations, or the government), faith-based prisoner-reintegration programs, drug-treatment programs, welfare programs, and youth-mentoring programs are helping and serving people who are under the control of the criminal justice system in one way or another.

What is the Faith-based Initiative?

In January 2001, just nine days after being sworn in as the new president, George W. Bush launched the Faith-based Initiative. A central feature of his domestic policy agenda, the Faith-based Initiative was Bush’s plan to make it easier for religious groups to receive federal funds to deliver social services. There were three major components to the plan: loosen regulations that made it difficult for religious groups to work with various government agencies; propose new tax incentives to encourage greater charitable giving; and enact into a law a controversial idea known as “charitable choice.” “Charitable choice” was a clause that would allow religious charities to compete with secular organizations for government money to deliver a wide range of social services. Though the provision had first appeared in the 1996 welfare reform laws, the Clinton Administration severely limited its impact by excluding organizations that were directly involved in religious activities from competing for grants. In contrast, Bush argued that religious groups had been discriminated against, and to rectify the situation, he proposed removing those safeguards so that all groups would be eligible for funding.

To oversee his plan, Bush, surrounded by Christian, Jewish, and Muslim representatives, signed an executive order that established the White House Office on Faith-based and Community Initiatives (OFBCI) in January 2001. The goal of this new office was to help religious organizations break through “bureaucratic barriers” that prevented them from receiving government money and contracts. The office would focus on supporting “community-based” solutions to poverty and drugs with a stated goal of working with prisoners and ex-offenders.

Though many churches and organizations embraced the plan mainly because it was accompanied with funding resources, the Faith-based Initiative was met with much ideological concern. Initially, both liberals and conservatives were apprehensive about the plan (though many conser-
ervatives eventually would climb onboard. Liberals were concerned the proposal violated the constitutional separation of Church and State, while allowing religious groups to discriminate in their hiring processes even though they would get government money. On the other hand, some conservatives fretted that “unqualified” groups (read non-Christian groups such as the Church of Scientology, the Nation of Islam, and the International Society for Krishna Consciousness) would be eligible for funding. Some groups on both sides worried that this would mean that the government would have more influence on their group’s workings.

With or Without Congressional Approval

In July 2001, after the House of Representatives passed a version of the initiative, President Bush tapped Senators Rick Santorum (R-PA) and Joseph Lieberman (D-CT) to hash out a bipartisan compromise. In 2003, after more than two years of Congressional bickering, the Senate passed the Charity, Aid, Recovery and Empowerment (C.A.R.E.) Act, which left out the controversial provision of “charitable choice.” Since then, the watered-down version of the original proposal has been stuck in conference committee and been considered effectively dead.

Still, even though the Bush Administration failed to get enough support to pass sweeping legislation, the Bush team has been able to accomplish many of its original goals by sidestepping Congress. By the third anniversary of the establishment of the White House Office, the Bush Administration had succeeded in establishing seven Centers for Faith-based and Community Initiatives at various federal agencies, created numerous websites, provided technical assistance for religious groups at conferences, published extensive guidebooks to help religious groups apply for funding, and earmarked billions for faith-based institutions. In early 2004, Bush put the finishing touches on regulations instructing all federal agencies not to “discriminate against” religious groups.101 By issuing executive orders and exercising administrative powers, the Bush
Administration has been able to steer clear of any opposition and quietly make the changes it desires without requiring public or Congressional support.

While the actual impact of the Faith-based Initiative might remain as yet unclear, there is no question that the initiative serves to further the broader strategic agenda of the Right. Many organizations that represent Bush’s electoral base are rewarded with this initiative. The forces behind this agenda have gained tremendous ground, even though there will inevitably be compromises and concessions that they will have to make along the way.

HISTORY

It is not new for churches and church organizations to receive government contracts to provide social services. The origins of the Faith-based Initiative can be traced back to the early 1990s, and for many years religiously-affiliated groups, like Catholic Charities or Lutheran Social Services, have received funds to provide programs like food distribution, foster care, and drug programs. However, safeguards were created to prevent the charity’s preaching of its religion. The Faith-based Initiative seeks to dismantle such restrictions.

GAPP Report

“The idea of contracting with religious groups to deliver government services was a proposal...
that came out of a group called the National Leadership Task Force on Grassroots Alternatives for Public Policy (GAPP). GAPP was convened in the early 1990s by the Washington, D.C.-based National Center for Neighborhood Enterprise (NCNE). The NCNE is headed by Robert L. Woodson, Sr., a well-known Black conservative, and it is heavily funded by conservative foundations, in particular the Bradley Foundation. According to the NCNE, Woodson was asked by then House Speaker Newt Gingrich to make specific policy recommendations supposedly designed to help streamline the delivery of government services to the poor.

However, “in reality, the task force was meant to be a “community” cover for a plan to shift the responsibility of providing social services from the government to private organizations, while bolstering the influence of conservative religious groups in communities of color as a means of social control.”

Journalist Phil Wilayto has traced the origins of this initiative. In 1995, GAPP published a report that recommended “federal money intended to help poor people should by-pass both state and local (elected) government and go directly to hand-picked community-based organizations. These groups need not be staffed by professionals with any particular training. They shouldn’t have to be bothered with burdensome regulations, certifications or inspections. And they could be religious groups, ignoring the constitutional separation between church and state.”

“Specifically, the Report asserted that ‘Public policy must support their [community-based organizations’] efforts by removing barriers of certification, licensing and regulation; by removing restrictions on faith-based organizations; and by allowing them to receive tax-empowered donations and compete for block grants and voucher funds.’ This is exactly the program of George W. Bush’s “new” Faith-based Initiative.”

Analysis of the Faith-based Initiative

Analyzing the role and significance of the Faith-based Initiative is a complex issue. It is easy to get trapped in arguments about the “pros and cons” of the Faith-based Initiative, while subsequently losing sight of the larger ideological issues behind the initiative. There are many arguments that challenge the legality and impact of the Faith-based Initiative. While you may or may not agree with all of them, many of these arguments have been effective in mobilizing opposition to the initiative.

Arguments against the Faith-based Initiative

By Americans United for Separation of Church and State

Bush’s plan violates the historical separation of church and state mandated by our Constitution. Under the First Amendment, American citizens are free to decide on their own whether or not to support religious ministries, but the government cannot do anything that would establish religion or favor a particular faith tradition. Bush’s faith-based plan challenges the constitutional principle of church-state separation.

When unveiling his legislative plan, Bush said, “Government, of course, cannot fund, and will not fund, religious activities.” This distinction (of funding religious groups as opposed to religious activities), however, is one without a meaningful difference. In most instances, the services
provided by religious ministries are explicitly religious. The president, therefore, cannot honestly suggest that he will “change lives” by funding religious groups and maintain the façade that he is not also funding religion.

**Federally funded employment discrimination is unfair.**

The Constitution’s separation of church and state clause is further violated under the president’s proposal, because churches will be legally permitted to discriminate on the basis of religion when hiring, despite receiving public dollars. A Bob Jones-style religious group, for example, will be able to receive tax dollars to pay for a social service job, but still be free to hang up a sign that says “Jews and Catholics Need Not Apply.” In other words, an American could help pay for a job (through her or his tax dollars) but be declared ineligible for the position because of his or her religious beliefs.

**Religion could be forced on those in need of assistance.**

Under Bush’s approach, religious institutions that receive taxpayer support to finance social services would still be free to proselytize people seeking assistance. The religious freedom of beneficiaries would therefore be seriously threatened, because they might come under immense pressure from those providing services they need to convert. Although the president has promised “secular alternatives” for those who don’t want to be forced to go to a house of worship for help, it may be hard to implement. In some instances, particularly in rural and less populated areas, the closest “secular alternative” can be a great distance away.

**Bush’s plan opens the door to federal regulation of religion.**

Government always regulates what it finances. This occurs because public officials are obliged to make certain that taxpayer funds are properly spent. Once churches, temples, mosques and synagogues are being financed by the public, some of their freedom will be placed in jeopardy by the almost certain regulation to follow. Houses of worship that have flourished as private institutions may suddenly have their books audited or face regular spot checks by federal inspectors in order to ensure appropriate “accountability.”

**Bush’s plan pits faith groups against each other.**

The Bush plan calls for competition between religious groups to battle it out for a piece of the government pie. Pitting houses of worship against each other in this fashion is a recipe for divisive conflict.

**There’s no proof that religious groups will offer better care than secular providers.**

Many supporters of Bush’s proposal have insisted that faith-based institutions are better, and far more successful, than secular service providers. However, little empirical research supports these claims. Few studies have examined whether religious ministries are more successful than secular groups in providing aid or producing better results, and it is unwise to launch a major federal initiative with so little research in the area.

There is also no proof that America’s religious communities will be ready, willing or able to assist the many individuals and families who now receive secular aid from the government. No one knows if ministries will have the resources or staff to accommodate a large influx of people
who will have little choice but to seek their assistance if Bush’s plan is implemented.

Complicating matters, houses of worship are exempt from compliance with the Americans with Disabilities Act. A person in need confined to a wheelchair, for example, may not be able to get in a church’s front door to receive assistance, even if he or she is willing to put up with religious indoctrination.

Americans United for Separation of Church and State is a religious liberty watchdog group that educates Americans about the importance of Church-State separation in safeguarding religious freedom. Printed with permission.

HOW THE FAITH-BASED INITIATIVE FURTHERS A CONSERVATIVE CRIMINAL JUSTICE AGENDA

The White House Office on Faith-Based and Community Initiatives states that it focuses its efforts on the following populations: at-risk youth, ex-offenders, homeless, hungry, substance abusers, those with HIV/AIDS, and welfare-to-work families. All of these populations are directly connected to and targeted by the criminal justice system. Because organizations that work with these groups are the potential recipients of faith-based funding, it is valuable to look carefully at the implications of this initiative for vulnerable populations and the Right’s agenda.

Characterized as a “bold effort to transfer a sweeping range of government social services directly into the hands of America’s churches,” the Faith-based Initiative is one of the political Right’s ideological masterpieces. While most of the criticism has focused on the separation of Church and State issues, the problems of this concept go far beyond that.

A long-time goal of neoconservative strategists, this initiative has broad support because it serves the needs of various sectors of the Right. Secular, Corporate, and Religious Right constituencies all advance their own particular agendas through the Faith-based Initiative. Secular and corporate conservatives see the privatizing and deregulation of social services as a way eventually to erode the social safety net while restoring unrestricted capitalism. The Religious Right gains more power, resources, and outlets to systematically promote and implement their specific interpretation of religion and its associated values.

The concept of charitable choice has “deep roots that reach into leading right-wing foundations, think tanks, and leadership networks developed over the past three decades to foist [conservative] social theories and theologies onto the American body politic.” While the Bush Administration may not have succeeded in securing all of its goals, it did succeed in mainstreaming the idea in the media and public opinion. In other words, we can be sure that since they got their foot in the door, they will only succeed in pushing that door open further.

However, it is not enough to simply say that the initiative is a bad idea because it comes from the Right. In addition, we must be able to articulate what is wrong with the initiative itself and show that that the assumptions these policies are based upon victimize, as usual, people of color, women and children, and poor people.

The Faith-based Initiative emphasizes personal responsibility while discouraging a structural and institutional analysis of racism and inequity.

■ Many faith-based agencies that work with prisoners focus on a prisoner’s individual need to assume responsibility for one’s life both in and out of prison. The
Faith-based Initiative does not usually fund projects that challenge the nature of prisons, the social causes of poverty, or groups that use a systemic analysis of crime. As Bush himself said to a Black church audience, “We want to fund programs that save Americans one soul at a time.”

By implicitly assuming that faith and “tough love” are the best solutions to poverty, the Faith-based Initiative challenges widely accepted social service models.

- The charitable choice provision might allow faith-based providers to offer faith instead of real treatment. Because the charitable choice provisions allows for the substitution of “life experience” in place of training and education in the hiring standards of faith-based contractors, there is no assurance of the safety or efficacy of services presented. For example, a group in Texas considered drug addiction as an issue of moral failure instead of a disease, and subsequently provided Bible reading and prayer as treatment. If a patient addicted to heroin is offered Bible Study class instead of methadone, the results could be deadly.

- Offering faith-based programs in the criminal justice system support the Right’s punitive policy of slashing programs and services budgets. It’s cheaper to run religious study groups than provide people with real skills and job training they need to make it on the outside. By replacing whatever little programming that currently exists with faith-based programs, conservatives can continue to cut social service budgets while increasing spending for “crime control.”

- The fact that a group calls itself religious doesn’t necessarily mean it has the interests of poor and prison-involved people at heart. Many organizations have been accused of fraud and ill-treatment as well as mishandling public money to preach to and convert people.

The Faith-based Initiative advances the right-wing goal of eroding the social safety net and essentially relieves the government of any obligation to “promote the general welfare.”

- The Faith-based Initiative creates the illusion that donations alone can solve this nation’s social problems, and that therefore government assistance can be eliminated. The Faith-based Initiative established greater special tax credits for charitable contributions. While encouraging greater philanthropy is not inherently problematic, such a proposal perpetuates the false notion that if Americans donated a bit more, our social problems would be alleviated. It implies that if more religious organizations entered into social services, they would somehow be able to reverse the negative effects of poverty and its associated effects, on prison populations.

- The initiative replaces the concept of entitlement, the right to government services, with the old, pre-1935 philosophy of religious charity. Relieving the government of its social responsibilities allows conservatives to focus on the “proper” function of government: protecting corporate interests at home and abroad—invariably boosting repressive operations of the police and the military. Conveniently forgotten is the fact that the reason government instituted social programs [like Welfare, Social Security, Medicaid/Medicare, and other New Deal programs] in the first place was because “private charity had failed miserably at providing a rudimentary social safety net.”
Urgent social issues like poverty, education, and violence cannot even be effectively addressed by the uncoordinated actions of small organizations. In a recent study from Pennsylvania State University, the researchers concluded that religious organizations not only lack the national, state, or local infrastructure required to substitute for the government’s current social safety net, they would also have to significantly shift their funding priorities even to begin to meet such a need. The Right repeats the “faith-based is better” argument to further its agenda of dismantling the social safety net, but it does so without any empirical evidence. Simply put, the needs of poor and prison-involved people cannot rest entirely on the whims of individual and corporate philanthropy.

The neoliberal goals of privatization and deregulation are ideologically and practically strengthened by the Faith-based Initiative.

- **Turning over social service to religious charities is the first step in the privatization of government services.** Privatization, the transfer of property and services from public to private entities, is a mechanism that the Right uses attack government assistance and increase profits of commercial entities. The Faith-based Initiative is just one example of a larger financial and political agenda, backed both by conservative Republicans and many Democrats, to privatize, or in some cases eliminate, government functions that do not involve punishment, security, and defense. In many ways, this initiative does a tremendous amount of promoting and marketing of the concept of privatization. Since religious charities, instead of obviously private profit-driven corporations, are the beneficiaries of the contracts, it makes it more difficult to critique the concept of privatization, although, either way, once services become privatized, it becomes increasingly difficult to demand accountability.

- **The deregulation of social services means that standards in the delivery of service to poor and prison-involved people will be lowered.** Proponents claim deregulation is necessary to help faith-based groups break through bureaucratic barriers but it can negatively affect the type of care that people with limited choices receive. People in prison are a captive audience, and they have no choice but to accept the limited range of services, if there are any at all, that are presented. For example, faith-based groups are exempt from certain government licensing and performance standards, and faith-based day care centers have even claimed exemptions from health and safety laws. Even though proponents of the initiative would argue otherwise, deregulation isn’t really about reducing bureaucracy, “leveling the playing field,” or improving services. Instead, it’s just another way to reduce the government’s control of and commitment to the quality of social services to be provided to already marginalized communities.

The language of the Faith-based Initiative implicitly supports the conservative goal of devolution and the eventual elimination of federal oversight powers.

- **Transferring federal programs to the states hurts our communities.** There has been a recent trend to transfer federal money to states in the form of block grants. While enabling the cutting back of federal programs and involvement, this allows the federal government to pass those funds directly to the states. Such devolution of power and resources from the federal to state governments is a long-held conservative goal. This can be problematic because the transfer can actually increase overhead costs involving a whole new bureaucracy at the state level, and for cash-starved states it is tempting to divert the funds for other purposes such as filling budget-
gaps. Faith-based groups implicitly support the decentralization of social services because they often stand to benefit. Bush claims this is because communities are better positioned to serve the communities, but the negative impact on those communities is rarely discussed.

The Faith-based Initiative is another attempt to systematically desecularize public life and impose a specific biblical view for political gain.\(^{121}\)

- The Faith-based Initiative supports the goal of using social services as a platform for anti-abortion politics. In early 2001, Bush spoke candidly about this issue largely because he did not know that his comments were being heard by White House reporters in the pressroom. During the private meeting with Catholic leaders, Bush indicated that the Faith-based Initiative will support the anti-abortion movement. Bush said, “See, this Faith-based Initiative really ties into a larger cultural issue that we are working on...It begins to affect the life issue...When you’re talking about welcoming people of faith to help people who are disadvantaged, the logical step is also those babies.”\(^{122}\) In addition, a recent study showed that although emergency contraception is standard treatment for rape, some Catholic
hospitals do not offer rape victims that choice unless they ask for it. Already Bush has reinstated the global gag rule preventing agencies receiving U.S. money from even mentioning “abortion” in their reproductive rights work with women abroad.

It legitimizes and encourages traditional (heterosexual nuclear) family and anti-queer politics.

- Many conservative denominations across faith traditions preach a very patriarchal message that men should be God-like figures, and that women and children must be subordinate to and obey them. Imagine such a perspective influencing an organization that would be working with domestic violence victims. Similarly, a wide range of faith-based groups claim the right to discriminate against queer people or anyone who disagrees with their views. Turning over social service programs to unregulated religious groups that preach such beliefs raises cause for concern.

In effect, the initiative supports the anti-labor and anti-trade union politics of most conservatives.

- Transferring services from public to private entities means weaker public sector unions and fewer living-wage jobs. Since government agencies are usually unionized, employees, many of whom are people of color, receive higher than average wages and benefits. Private religious organizations are rarely unionized, and employees are sometimes expected to work more for less compensation. In the case of voucher schools, this has translated into reduced wages, fewer benefits, and longer hours for those who work in schools. In addition, many activists believe it is no coincidence that the most socially progressive public sector unions, like the American Federation of State, County, and Municipal Employees (AFSCME), the American Federation of Government Employees (AFGE), and the Service Employees International United (SEIU), are being “targeted at the same time that African-American women are joining unions in the greatest numbers.”

The Faith-based Initiative is an attempt to promote conservative values while increasing the State’s control of people of color leadership and churches.

- This initiative props up people of color “leaders” beholden to government funding that will spread conservative values. Since it is the Bush Administration deciding who actually receives funding, it is likely that most organizations that “promote the spread of conservative social values” will be regarded as authentic leaders regardless of community perception. These recipients will also be increasingly beholden to the State for their livelihood, thus creating a layer of “leaders” who are amicable to conservative policies. In addition, such “leaders,” since they are people of color, also help White conservatives deflect accusations about the racism that pervades political conservatism, and at the same time make inroads into communities of color.

- The effort is an attempt to build “Republican political machines in inner city communities.” The Faith-based Initiative will drive a “wedge between black churches and the political legacy of the civil rights movement, with its emphasis on enfranchisement, representation and redress.” The most visible people of color clergy who support Faith-based Initiatives are also conservative, and they undermine the historical progressive role black churches have played in liberation movements. For example, Boston’s Eugene Rivers, a conservative Pentecostal minister, is a “vociferous opponent of the civil rights establishment” and many progressive activists believe his spokesmanship and leadership should be challenged. Yet, as
an increasing number of conservative faith-based groups in communities of color gain resources, they will inevitably assume power and a certain credibility that may not be accountable and authentic thus being able to further, regardless of intent, conservative ideology.

The Faith-based Initiative discourages dissent and democracy.

- Religious institutions are less likely to “bite the hand that feeds them.” By extending the State’s control over religion, the initiative seeks to diminish the prophetic and critical voice of religious organizations. As religious institutions become increasingly dependent on funding from the State, it follows that the organizations would tend to be less willing to criticize the State when it is wrong because they risk losing their funding if they are critical of State policies or actions.

Why Is It So Appealing?

The Bush Administration convincingly argued, despite a lack of evidence, that religious groups were being discriminated against, and that bureaucratic red tape was impeding the much needed services that religious groups could provide. By cloaking the initiative in the rhetoric of equality, the Right in many ways replicated arguments used to support affirmative action. By repeatedly employing phrases such as “leveling the playing field” and “equal footing,” proponents presented their effort as one of fighting discrimination, obscuring the real issue of Church-State separation.

Proponents were also successful in co-opting progressive ideals and language. By repeatedly stating a desire to “support grassroots leaders,” and emphasizing that local organizations are best suited to deal with the social problems in their community, the Right was able to convincingly argue its position.

Lastly, we cannot forget that the initiative was tied to financial resources that inevitably provide incentives to support the policy.

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Endnotes Available Online!
All citations and references are available at www.defendingjustice.org or by contacting PRA.
Q & A WITH STOP PRISONER RAPE

In 2003, Stop Prisoner Rape (SPR), a national human rights organization, allied with a wide range of groups—including a number of conservative organizations—to successfully lobby for the passage of the Prison Rape Elimination Act (PREA). The PREA is a piece of legislation intended to monitor and reduce the incidence of sexual assault in U.S. jails and prisons. The bill was passed unanimously by the House and Senate, and was signed into law by President Bush on September 4, 2003. Advocating for laws and policies that will create accountability in corrections is a central component of SPR’s approach to this issue. In addition, SPR works to change public attitudes about sexual assault behind bars and push for access to resources for survivors of abuse. SPR was very pleased by the success of the PREA. SPR is based in Los Angeles, California.

PRA: Can you give us a background on the issue?

SPR: Sexual abuse in detention is a problem that affects one in five men and as many as one in four women in some facilities, yet few corrections departments have taken the issue seriously enough to create appropriate policies on abuse. Rape in detention—and the failure of the government to address it—represents one of the most egregious human rights violations in the U.S. today. With little institutional protection or recourse, victims have been left beaten and bloodied, they have suffered long-term psychological harm, they have been impregnated against their will, and they have contracted HIV.

The drive for federal legislation to address the problem, which took two sessions of Congress to succeed, came as a major shift in the government’s attitude toward this form of abuse. Stop Prisoner Rape had pushed hard to see the law passed, conducting an advocacy campaign that generated thousands of letters to President Bush in support of the bill and holding an event on Capitol Hill in which survivors of rape behind bars spoke out about the abuse they had experienced. Many progressive and human rights-oriented groups—from Amnesty International and Human Rights Watch to the National Council for La Raza and the NAACP—also endorsed the legislation.

PRA: Why did you ally with the Christian Right?

SPR: SPR is a nonpartisan group, with supporters that span the political spectrum and a mission that is narrowly focused on ending the sexual abuse of men, women, and youth behind bars. In the pursuit of that goal, we are interested in allying with those groups that will help push policy forward and change public attitudes. Unquestionably, this narrowness of focus makes it easier to find common ground with a wide range of interest groups.

Critical to the passage of the PREA was the support it received from conservative groups, including Focus on the Family, Gary Bauer’s organization, American Values, and Prison Fellowship Ministries, the Christian group run by former Nixon special counsel Chuck Colson. Conservative writers like staunch affirmative action opponent Linda Chavez editorialized in favor of the bill and the website of the National Review also chimed in to encourage its passage.

These conservative groups and individuals were important because they pushed Republican legislators to view the legislation sympathetically. Instead of framing the bill as a “soft on crime” measure—something that almost all American politicians find unpalatable—these groups sometimes argued in religious terms. Chuck Colson, for example, wrote a column that described the welfare of prisoners as “Jesus’ special interest.” SPR was aware that many groups on the right were working in support of this bill, but we were encouraged rather than intimidated by that fact. To us, it suggested the possibility that the PREA was politically viable—something that was almost a miracle given the exceptional hostility of the American electorate toward individuals convicted of crimes.

PRA: What was it like working with them?

SPR: All of these groups—on both sides of the political spectrum—had certain interests and goals that were unrelated to the work of SPR, and in some cases the opinions these groups hold on other issues—such as LGBT rights—were at odds with the values that underlie SPR’s work. Occasionally, for example, we would hear the expression “homosexual rape” used to describe sexual assault behind bars—a term that inaccurately implies that gay inmates are the typical perpetrators of prisoner rape. In fact, gay male inmates are likely to be the victims of sexual
assault behind bars, while aggressors generally think of themselves as straight. SPR pointed out misleading terminology when reviewing early drafts of the federal legislation, and we found a great deal of responsiveness to our concerns.

In some cases, we disagreed with allies on points of strategy. When SPR wanted to hold an event on Capitol Hill to support the passage of the PREA and to give survivors a chance to tell their story, the head of a conservative organization and a staff member from the office of a Republican legislator strongly disagreed with our timing and urged us to reconsider. We held the event anyway, helping to make the experience of survivors of rape behind bars part of the discourse on the legislation. The individuals who disagreed with us ended up attending the event, and it was a powerful affirmation of the power of the survivors’ voices.

PRA: How did working with them affect your own work?

SPR: While SPR does not have any objections to working with partisan groups, it is important that our work not be a tool of a political agenda that is extraneous to our mission. We would not want our support for the PREA to be construed as an endorsement of the positions that other PREA supporters—on the left or the right—may take.

But allying with these groups did not require SPR to make compromises or to tone down our message. Several gay survivors, who might not be the best spokespeople for the concerns of American Values, for example, took the lead in much of our advocacy work. We framed our argument in terms of human rights, and we reached out to anyone who was willing to listen, regardless of political affiliation. Fortunately, on this issue, we found sympathetic listeners on both sides of the spectrum.

At the same time, working with overtly conservative groups—and understanding the ways in which our priorities may differ from theirs—has reinforced the value of making our commitment to equality and nondiscrimination as explicit as possible in our work.

To underscore this commitment, we’ve added language on our website to spell out SPR’s emphasis on combating the sexual abuse of the LGBT community behind bars. We also continue to include a diverse group of survivors in our advocacy, pushing for the rights of all people, regardless of their background, to be treated humanely. The point is to make our concerns obvious and avoid being misconstrued by groups on the right or the left.

PRA: Do you foresee SPR working with them again?

SPR: SPR hopes to continue working with groups from diverse political backgrounds, and, in fact, we believe that this broad support will be necessary for the PREA to be effectively implemented. Already, SPR has seen indications—in cuts to funding and in deadlines missed—that putting the PREA to work is going to be as much of a challenge as getting the law passed in the first place. Conservative groups can help keep the pressure on government officials to take this issue, and this law, seriously.

PRA: What advice would you give to other groups in similar situations?

SPR: Strategic decisions have to flow from an organization’s mission, and some missions will be more open to collaboration than others. In our case, because we focus narrowly and are not organizationally concerned with broader issues, a wide range of allies is possible—at least in the push for legislation.

That perspective, obviously, is rooted in a pragmatic approach to politics, and it isn’t for everyone. Other prison groups we work with have broader missions that may even include the abolition of prisons from society—a perspective that has limited support among the general public and would certainly face hostility from conservative camps. Some of these prison groups, informed by a hard left or anarchist perspective, have also been critical of SPR because we are willing to use the legal system in the pursuit of reform. But, just as we do not change our approach to appease conservative interests, neither do we alter it to conform to the expectations of the Radical Left.

SPR’s mission, which is concerned solely with ending sexual abuse in detention and which is rooted in a human rights perspective, can be appealing to diverse allies. This has been crucial in the push for federal legislative change, which, in today’s climate, can not happen without a certain degree of bipartisanship. Not all groups can operate this way or will want to, but the willingness to focus on a particular issue and ally with a wide range of supporters proved effective in securing the concrete legislative change we sought.
Americans United for Separation of Church and State
518 C Street NE
Washington, DC 20002
Phone: 202-466-3234
Fax: 202-466-2587
http://www.au.org

Americans United for Separation of Church and State is a religious liberty watchdog group that educates Americans about the importance of Church-State separation in safeguarding religious freedom.

Equal Partners in Faith (EPF)
1040 Harbor Drive
Annapolis, MD 21403
Phone: 877-304-5831
http://www.equalpartnersonline.org

EPF is a multi-racial national network of religious leaders and people of faith committed to equality and diversity. EPF actively opposes the manipulation of religion to promote inequality and exclusion.

Interfaith Alliance
1331 H Street, NW, 11th Floor
Washington, DC 20005
Phone: 202-639-6370 or 800-510-0969
http://www.interfaithalliance.org

Interfaith Alliance works to promote interfaith cooperation around shared religious values to strengthen the public’s commitment to civic participation, freedom of religion, diversity, and civility in public discourse. IA is comprised of local religious leaders and activists.

Texas Freedom Network
P.O. Box 1624
Austin, Texas 78767
Phone: 512-322-0545
http://www.tfn.org

The Texas Freedom Network (TFN) is a statewide alliance concerned about the growing social and political influence of religious political extremists. TFN has worked to expose the Far Right’s so-called “pro-family” agenda for its decidedly anti-family, anti-child proposals.

Vanderbilt Program in Faith and Criminal Justice
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Nashville, Tennessee 37204
Phone: 615-297-7010
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The Vanderbilt Program in Faith and Criminal Justice is affiliated with the nondenominational Vanderbilt University Divinity School and is a new project directed by 2005-2006 Soros Justice Senior Fellow Harmon Wray. It works strategically in consultation with a variety of both official and grassroots leaders of faith communities, especially those based in the Southern U.S., to foster progressive, faith-based perspectives and ministries on criminal justice issues.

Books/Reports


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