Hellfire and damnation through crime or bliss through faith: A look at faith-based corrections

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HELLFIRE AND DAMNATION THROUGH CRIME OR BLISS THROUGH FAITH: A LOOK AT FAITH-BASED CORRECTIONS

by

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Bachelor of Arts and Sciences
University of Colorado, Boulder
2002

A thesis submitted in partial fulfillment of the requirements for the

Master of Arts Degree in Criminal Justice
Department of Criminal Justice
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Hellfire and Damnation Through Crime or Bliss Through Faith: A Look at Faith-Based Corrections

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ABSTRACT

Hellfire and Damnation through Crime or Bliss through Faith: A Look at Faith-Based Corrections

by

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Professor of Criminal Justice
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The latest movement in trying to combat the U.S. crime problem is through "faith-based" corrections. These programs are in the infancy stages and minimal data are present at this time to illustrate true effectiveness of such programs. This study is a theoretical evaluation of such programs and incorporates a framework from Gary LaFree (1988). Results indicate that "faith-based" programs tend to be one dimensional and in order for them to work properly they must be set up in conjunction with other institutional changes. Often other theories can incorporate the dimension of religion, yet religion alone, such as through "faith-based" programs, has minimal affect on criminal behavior. As it is used in conjunction with
dramatic institutional changes, "faith-bases" programs can indeed help combat crime, as it is used as part of structure rather than used as a program to dissolve crime.
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CHAPTER 1

INTRODUCTION

There is an old saying, "don't talk religion or politics at the dinner table." Usually, wise advice, as both topics are extremely personal and are fervently contested. Today there are more than two thousand different religions encompassing the globe and hundreds of countries containing massive differences in political structure. Additionally, everyone varies in how they consider these two topics. Both topics collide as the latest trend in America is a combination of the two topics in what has been coined, "faith-based initiatives."

President Bush created the Office of Faith-Based and Community Initiatives (OFBCI) in 2001, and a new role emerged for government agencies. According to the White House,

No matter what your faith is, we're united in the conviction that to whom much is given, much is expected; and that the liberty and prosperity we enjoy, is a great freedom ...[and] with that freedom comes an obligation to reach out to brothers and sisters who hurt... Government has got to find ways to empower those
whose mission is based upon love in order to help those who need love find love in society (Bush, 2005).

Faith-based initiatives are a fundamental change in American policy. They create at the federal level (many states are subsequently shifting policy as well - see chapter 5) access for religious organizations to receive financial aid and grants from the government. Previously, finances for religious organizations were strictly prohibited by government entities, as it was usually thought to be prohibited by the separation of church and state policies.

The overarching question raised by this new policy change is how effective are these changes to the American public? Do they really benefit those in need? As "faith-based" initiatives have a wide range of concerns, I will focus mainly on the programs that have been created to assist in the criminal justice field (prisoners, ex-offenders, and substance abuse of those offenders). I will look at the religious trends and past research completed on the topic (chapter 2). I will bring in the main theories that could affect "faith-based" programs (chapter 3). Chapter 4 brings in the past reforms of prison efforts and
chapter 5 goes over the beginnings of "faith-based" initiatives.

The framework which I am using to further analyze "faith-based" initiatives is a theory founded by Gary LaFree in his 1998 book, Losing Legitimacy. LaFree's main thesis is that American society, since World War II, has experienced increasing crime rates, produced largely by a change in values and perspectives in our institutions, especially political, economical, and familial. Institutions channel human behavior into preestablished "grooves" which make it difficult for humans to overcome, however, this loss of institutional legitimacy has changed human behavior in society and has made institutions less able to control crime. I agree with LaFree, but would add, that the institution of religion has also had a fundamental change and has weakened along with those other essential institutions, political, economical, and familial. Faith-based programs can be a method of assisting society in getting back to a more traditional structure; which is not to argue that this is going to fix the crime problem quickly. Because, as LaFree (1998) argues, there is more
than one thing in society that needs to change in order to truly combat the crime problem in America.
CHAPTER 2

RELIGION IN AMERICAN SOCIETY

General Overview

Albert Einstein once said: "Scientific research is based on the idea that everything that takes place is determined by laws of nature, and therefore this holds for the action of people. For this reason, a research scientist will hardly be inclined to believe that events could be influenced by a prayer, i.e. by a wish addressed to a Supernatural Being" (Dukas, Helen, and Hoffman 1981, 124). For researchers to find knowledge through faith rather than seek it through empirical methods is like trying to find a needle in a haystack. That is not to argue that researchers do not have their own personal belief structures which guide their methods of asking questions. In trying to answer the question of how religion can affect crime in America one must try to understand the makeup of personal belief structures in America (i.e. religions), and with that of personal religious beliefs (i.e. faith).
Religion is all too often an ambiguous term that incorporates multiple variables into one complex definition, making the role of the researcher difficult. The definition of religion often includes the behavior and conduct of human life and the value system that introduces faith and devotion in his/her worship to some supernatural being or power. It often extends into the simple yet humble manifestations of piety; all definitions include a subjective notion that researchers cannot fully expound upon due to unreliable measurements found in the emotional realm of religion. However, with this being said, the purpose of this thesis is to expand past theoretical research and enlarge the examination of religion as it correlates to crime by focusing on the latest trend of "faith-based" corrections.

President George W. Bush's conservative policies and religious background have created a backbone for a new wave of faith-based corrections in the United States. On January 29, 2001, President Bush announced the establishment of the Office of Faith-Based and Community Initiatives. Later, on December 12, 2002 the White House
executive order which generated many key elements and regulations of faith-based initiatives, including some elements which failed to come to fruition in discussions between the House and Senate committees. Faith-based corrections have been a bold new topic of interest and have brought many recent questions back to the forefront. What role does religion play in rehabilitation of criminals? Does religion help lower recidivism rates?

It has been assumed that a highly religious person would have an increased desire for conforming behavior as well as a high inclination for less criminal behavior. Few have challenged the relationship between religion and crime. Research prior to the 1960s relied on this well hypothesized correlation and many researchers argued that it was a fact. Most would have argued that the more religious and devout a person is to a higher supreme power the less likely that person is to engage in criminal behavior and/or delinquency. The relationship between religiosity and crime/delinquency was thus given little attention until the late 1960s. Until this time, social scientists rarely felt a need or inclination to empirically

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1Executive Order: Responsibilities of the Department of Agriculture and the Agency for International Development with Respect to Faith-based and Community Initiatives

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test the social function of religion and its ability to persuade, influence, affect and increase towards moralistic and lawful behavior.

In 1969, Travis Hirschi and Rodney Stark questioned religion's ability to influence behavior.

It is hard to challenge the idea that persons often do have internalized ethics which sometimes govern their actions. But does religion, at least in contemporary society, have much to do with developing or sustaining such personal ethics? Indeed is the Christian sanctioning system of hellfire for sinners and heavenly glory for the just, able to deter unlawful behavior even among those who are firm believers? (Hirschi and Stark 1969, 203)

Their study sample included some 5,545 (with 4,077 or 74 percent eventually completing the lengthy questionnaire) public high school juniors and seniors of Western Contra Costa County, California chosen through a stratified random sample. Additionally, the researchers combined the results of the questionnaire with school records from the sample population and police records of all the boys in the original sample. This would further test the measures of delinquency (i.e. violations of the law in petty and grand larceny, auto theft, vandalism, and assault) and religiosity (i.e. measure seized through church attendance). Their finding concluded that children who
attend church are no more likely than non-attendees to accept ethical principals and are only slightly more likely to respect conventional authority over the non-attendees.

Because of Hirschi and Stark's credentials, others quickly accepted this as fact and began citing and claiming religion does little to help explain criminal tendencies (Stark, Kent, and Doyle, 1982). However, there was a small group that contested this idea. Burkett and White (1974) state that it is difficult to quarrel with their findings but contested that the conclusions they draw are open to question. Burkett and White took 434 male and 421 female senior class students' questionnaires in three Pacific Northwest high schools. They used a morality scale, a worldly authority scale and a supernatural sanction scale with victimless crimes (alcohol and marijuana usage) and found that the offenses Hirschi and Stark used - larceny, vandalism, and assault - are blanket generalizations that are condemned not only by the churches but also by most other secular agencies as well. It is no wonder that "going to church and believing in God may help prevent delinquency, but so might participation in school athletics, or Junior Achievement" (Burkett and White 1974,
456). They also concluded that "religious participation is ...
more closely related to some kinds of delinquent behavior
than to others" (Burkett and White 1974, 459). They
maintained that church attendance could control victimless
delinquent behavior, such as alcohol and marijuana usage,
but other secular bodies also fight an equal battle to
influence communities by condemning crime and delinquency.

Later Higgins and Albrecht (1977) examined
explanations for conflicting findings and postulated that
previous research disagreements have stemmed from
"variations in the ecology of the communities studied"
(Higgins and Albrecht 1977, 21). To further test this idea
they correlated church attendance with 17 delinquent acts
and found support for Burkett and White's study. Religious
participation and victimless crimes (i.e. smoking
marijuana) do indeed share a strong negative correlation.
Thus, at least in terms of substance abuse, religious
affiliation does help lessen participation and involvement.

Jensen and Erickson (1979) further broadened the scope
by using 18 delinquent acts with church attendance,
involvement in church activities, belief in the afterlife,
and belief in the devil to test for correlates. They found
that out of the four measurements church attendance was the strongest correlate. But, they concluded that the measures of religious involvement were not necessarily irrelevant, however, as neither was shown to be among the most important variables for understanding crime and delinquency rates.

Stark et al. (1982) addressed the mystery of contradictory findings and argued that variations in the moral climates are the cause of contradictory findings. While examining America’s religious ecology, Stark et al. (1982) found that church membership in the United States varies drastically and they sought to find out if Hirschi and Stark’s findings or Burkett and White’s findings were a Pacific Coast phenomenon or a nation-wide occurrence. They compared Provo, Utah, an extremely conservative community with Seattle Washington, a secular community, and found some startling facts. Provo was a town with one of the highest church membership rates in the nation (966 per 1,000), while Seattle had a lower rate with 280 per 1,000 people. In Provo a very strong negative correlation was found between church attendance and measures of official delinquency. In Seattle research showed that church
attendance was weakly related to the measure of delinquency. In fact, research indicted the relation is "so weak as to be of virtually no substantive interest" (Stark et al. 1982, 12). In addition, Stark et al. added that, "before leaving Provo, it is worth pausing to consider what the state of the literature might be today had Hirschi and Stark been at Brigham Young University rather than at Berkeley, and thus based their initial paper on data from Provo rather on data from Richmond. Presumably, correlations of this magnitude would have been taken seriously, and religion would not have continued to languish as a 'lost cause' in delinquency research" (Stark et al. 1982, 11). They conclude that the community in which one lives plays a key social factor in the upbringing of a child, or in other words the more religious the community is the less crime stricken they become and visa versa. Cochran and Akers (1989) later examined this "moral community hypothesis" and concluded with Stark et al. (1982) that communities displaying high levels of religious integration are more effective in promoting conformity to moral order.
The most recent study was conducted by Lee Ross (2003) which argued that much research has been compiled on the subject, but few have examined the comparative effects of religion as a social control variable. The data for this study was completed through a systematic random sample of undergraduates at Seton Hall University, that included 154 males and 117 females. A 14-page (77-item) anonymous self-report questionnaire was administered and follow-up interviews were added to gather insight into their findings. Additionally, information on any criminal involvement with in the last 12 months was acquired, with self-reports of official contacts with regards to some participants of the study, as well as other standard demographic items. This study used a multivariate model rather than bivariate models which past research has at times relied upon. The study found that regardless of the manner in which religiosity was measured, neither measure correlated significantly with deviance, neither helped to explain the variance in deviance. Ross concludes “religiosity in general was not significant in explaining deviance” but “there is still much to be said for the
importance of social control theory in general" (Ross 2003, 81).

Trends of Religion in the United States

The debate continues today. However, religion in the United States remains relatively high, with some evidence that religiosity has been slightly declining in the last ten years. The National Longitudinal Survey of Adolescence Health, 1995 (see figure 1) found that 87 percent of adolescents affiliate with a specific religious organization. The Monitoring the Future survey (figure 2) found that 63 percent of 8th graders and 59 percent of 12th graders said that religion was pretty important or very important in their lives. An additional telephone poll conducted by Barna Research during the last few months of 1999 and the first few months of 2000, with more than 4,755 adults over the age of 18, found that 60 percent of men and 75 percent of women indicate that “faith is critical to their life,” and 83 percent of men and 90 percent of women affiliate with or state that “they are Christian” (Siemon-Netto, 2001).
Polls have also shown a slight decreasing trend in Christian organizations or in specific religious affiliation. Ever since World War II, trends have remained stable around 87 percent of United States citizens affiliating themselves as Christian (Robinson 2003). However, an ARIS (American Religious Identification Survey, 2002) study found that the United States in the last ten years has had a major trend away from religious practices—from 86.2 percent of active participation in 1990 to 76.5 percent in 2001. This decreasing trend was also found to be true for that of Canada in between the years of 1981 to 2001 (http://www.gc.cuny.edu/studies, 2002). The same group also found that Witchcraft (Wicca and Neopagan) had

![Figure 1: National longitudinal Survey of Adolescent Heath](image)
the fastest growing status (in terms of percentage). The relevant numbers went from 8,000 in 1990 to 134,000 in 2001 - an increase of about 280 percent. Grossman, with USA Today, added that there was an increase (from 8 percent in 1999 to 14.1 percent in 2001) of people who do not follow any organized religion.

Whether this declining trend continues, religion still has a massive affect on people whether they consider it or not. Simply ask a man, who has lost his wife or child if he has recently prayed for help. Or, ask a woman who has just found out she has terminal cancer if she has prayed for some form of assistance. Many people may question organized religion as practice, but people often still wonder how God engages in their lives when circumstances
become complicated or when life becomes too taxing. The phenomenon of faith in a supernatural or unknown being is not the only form of faith in the world. Faith is also a form of trust. Many people in the world are faced with handicaps. They must have faith in their environment, in government, in police, and in the general public to help them feel safe in their surroundings. Ask a blind man how hard it is to be put into a new city and not be given any direction. Or, ask a mute person how frustrating it is to communicate to the general public without a pen and paper. Faith invokes a feeling of trust and need in life and when people least expect it in their lives - religion to some degree makes people question the purpose of life. One common place where many begin to question their past values and belief structures is inside prison walls and jails. Men and women seek out for guidance and help. In a difficult time in their life God seems to be a likely choice to turn to.

Research Questions

Today the question still remains mixed as to how strong the correlation is between religiosity and crime.
Hirschi and Stark (1969) argue there is no relationship between the two at all. As the world is constantly changing, the continuing focus of this thesis is to continue to look at religion as a facilitating agent of change and to focus on rehabilitation of prisoners through the perspective of faith-based corrections. The term "faith-based" is a broad term but will be used loosely to represent any organization or rehabilitation program that relies on dependence or trust in a Supreme Being to help bring about change in prisoners and convicts. This does not mean that convicts or prisoners must convert to a certain religion; it simply means that programs that assist in learning about different faiths and in turn help create new social bonds and morals to build a foundation of stability. These programs may incorporate a daily religious regimen, but many "faith-based" programs have a broader focus on educational programs, drug rehabilitation programs, parenting classes, self-help classes, and additional classes to help build skills that can be helpful once out of prison. Often times the weekends invoke a stricter focus in religious courses as to help give balance and understanding with spirituality, community
organization, service, and a goal to help people refocus their lives through religious methods.

The main purpose of "faith-based" programs are to curb the growing trends of increases in the US prison population and to help prisoners gain proficiency and skills to help them not to recidivate once released. The massive growth in prisons is indicted in the following quote:

In 1972, there were about 200,000 felons incarcerated in U.S. prisons; by 2003, that number had grown to 1.2 million. When combined with jail populations, today there are more than 2 million people incarcerated on any given day. About 600,000 adults enter prison each year, and there are upwards of 9 million jail admissions annually (some individuals account for multiple entries). When probation and parole caseloads are included, about 4% of the adult population is under some form of state penal control today. At no time in history has there been such a long-term, sustained reliance upon growing the mechanisms of formal social control in any society: democratic, capitalist, or otherwise. (Todd Clear 2003, 1)

The two key questions being raised are: (1) can faith-based programs be effective to help combat increasing trends in the US population? (2) If there are effects (positive or negative), what type of effectiveness (or lack therein) does religiosity have on post-release community adjustment and recidivism rates?
CHAPTER 3

GENERAL THEORIES

To put the world right in order, we must first put the nation in order; to put the nation in order, we must first put the family in order; to put the family in order, we must first cultivate our personal life; we must first set our hearts right.
- CONFUCIUS -

The backbone to any argument must begin with the fundamental assumptions giving an explanation for the conclusion. This chapter will briefly discuss five main theories (assumptions) of crime: Strain Theory, Social Bond/Control Theory, Social Disorganization Theory, Differential Association Theory and on Gary LaFree's Theory on Declining Legitimacy. Chapter 6 will then incorporate these theories to help make conclusions about "faith-based" corrections and crime prevention and recidivism rates.

Strain Theory

Like most of the world, America has long been captivated by the realm of sports. Whether it is Michael Jordon showing his awesome physical prowess, or Tiger Woods
taking another tournament by his skill and power, America loves sports. But America has a massive difference in economic, political, military, and commercial power in comparison to the rest of the world that seems to bring out more competitiveness and drive along with more frustration and anger. It is this difference that makes winners, millionaires and losers, forgotten names. That difference namely comes from money!

These feelings, however, are not only found in the American sporting world, but they can be seen in the business world, and the normal every day world that Americans lead. Money and American capitalism perpetuate society’s competition that in turn breeds winners (the rich) and losers (the poor). As seen in the sporting world, this competition also breeds a drive to do better and succeed, along with feelings of frustration and anger in trying to “keep up with the Jones’.”

Anomie theory or Strain theory focuses on the idea that money and competition, or the feeling of “keeping up with the Jones’” cause feelings of anger and frustration. These feelings, in turn, cause increased levels of deviance and crime. Strain theories bring out the importance of
economic, political, educational and religious institutions as strain can be produced at so many levels.

Traditional or Classical Strain Theory was founded by Robert K Merton in 1938 in his work "Social Structure and Anomie." Merton contended that the cause of strain, or "Anomie" (coined by Emile Durkheim\(^2\) in the late nineteenth century to refer to a "state of normlessness or lack of social regulation in modern society" Akers 2002, 143), was from the weakening and breaking down of social norms in society and from the failure to achieve conventional goals through acceptable means.

Merton’s research focused on the lower and middle classes, with operationalization measured "in terms of conventional aspirations, conventional expectations, or as a discrepancy between the two" (Paternoster and Mazerolle 1994, 236; Sharp, Terling-Watt, Atkins, Gillian, and

\(^2\) Crime and delinquency for Merton is created in dissociation in achieving the societal norms. In other words, as people strive for goals and fall short of attainment to those goals people begin to break the norm due to the strain felt. Merton lists five modes of adaptation to societal strain. The first specific form mode is conformity, or keeping with the status quo and dealing with the strain. The second is innovation or ways of reaching the top through innovative methods. Other adaptations can be seen such as rebellion or rejection to the entire system with a want to replace it with a new system, or retreatism or an escapist running away from society giving up on the goals, and finally ritualism in which one gives up on the struggle to get ahead and strictly adheres to the norms of society (Merton 1938, Akers 2000, Messner and Rosenfeld, 2001).
Sanders, 2001). The idea was at first widely researched but little evidence was found to give much credence to the topic, thus the theory encountered criticism. Some even argued the theory should be abandoned (Hirschi 1969; Agnew 1992, 47).

Different revisions of the theory have been expressed (Messner and Rosenfeld 2001; Cohen 1955; Cloward and Ohlin 1960). However, it wasn’t until Agnew (1992) that a total revision came about. Agnew’s general strain theory argues that additional research outside the scope of criminology, such as stress in medical sociology and psychology, equity and justice in social psychology and on aggression in psychology, along with the above revisionists contributed to make a viable explanation of crime and delinquency. This new comprehensive version adds a key focal point - "negative relationships with others" or "relationships in which the individual is not treated as he or she wants to be treated" (Agnew 1992, 48). Youth can have added anger, frustration and other related emotions caused by these negative relationships which can in turn cause pressure and strain to build up in our youth. It is this strain that
leads some of them to turn to crime and delinquency (Agnew and White 1992).

Agnew (1992) identifies three major types of strain; each reflects a negative relationship with others. The first, mainly encompasses what past strain theories have argued, that “other individuals may prevent one from achieving positively valued goals” (Agnew 1992, 50). Whether the goal is monetary gain, success, the American Dream or anything else one can imagine, if someone prevents another from achieving or attaining such goals there is a barrier to get through to do so. Legitimate means may not be possible to get through the obstacle, thus it leaves a strain on the individual causing them to move toward illegitimate means.

As this formulation has been criticized, it is noteworthy that justice literature argues the failure to achieve expectations can often lead to emotions of anger, resentment, dissatisfaction, disappointment, and unhappiness, which are all signs of strain. Individuals with this strain will seek to reduce the gap between expectations and achievements through crime (Agnew 1992, 52).
The second and third major types of strain are taken from justice/equity literature and give a new valued perspective to strain theory. The second major type of strain or negative relationship involves the "actual or anticipated removal (loss) of positively valued stimuli from the individual" (Agnew 1992, 57). This can vary from the loss of a loved one to moving to a new school. Adolescent stress can be caused by many events and the removal of such positive stimuli can be very damaging, thus leading them to crime.

The third type of strain is to "present or threaten to present one with noxious or negatively valued stimuli" (Agnew 1992, 50). Such noxious stimuli could include, but not limited to: child abuse, neglect, physical punishment, negative relations with friends and peers, adverse school conditions, threats, pollution, insults and the like. Much evidence backs this point within the equity and justice literature (Agnew 1992, 58) and links adolescents to drug usage and deviant behavior.

The question again arises: whether this a viable theory showing causal links in which people tend to move toward more criminal behavior due to negative relationships
in their lives. Agnew and White (1992), along with Paternoster and Mazerolle (1994) argue that general strain theory does make an important contribution to help explain delinquency. Both found support for the theory through longitudinal studies. The former used 1,380 New Jersey adolescents focused on alcohol and drug usage. The latter used the National Youth Survey. They found that the key elements to delinquency (drug usage in this case) came from negative life events and life hassles, namely found in parental fighting, negative relations with adults and neighborhood problems (Agnew and White 1992).

One other study that has come to the same conclusion as the above studies is Sharp’s et al. (2001) testing of general strain theory through female purging behavior (defined by Sharp et al. as a female who eats copious amounts of food and quickly thereafter binges for immediate gratification for weight maintenance and potential approval of others despite the potential long-term consequences of her health, 173). Females have often been left out of testing purposes, thus, this study seeks to understand female deviance through one specific variable. The conclusion demonstrates that anger is associated with
purging behavior at high levels of depression and the authors state that additional testing of such findings are needed.

Anger, frustration, and many other emotions come into our lives through the daily stress and strain placed on us to succeed. The problem is we can't all make it through an anger management course to help us along the way, but with the theory of general strain prodding at society, implications should be clear. Families need more time together and society needs to learn how to communicate more clearly.

Religion in the academic world is rarely seen as the answer as it has too many unknowns - too many untestable ideas. However, the goal of religion is often to help man communicate and to help him keep focused. Benjamin Disraeli said, "No success in public life can compensate for failure in the home" (Nay 2005, 10), and Rumer Godden said, "Everyone is a house with four rooms: physical, mental, emotional, and spiritual. Unless we go into every room every day, even if only to keep it aired, we are not a complete person" (Nay 2005, 11).
Religion often gives an escape from the daily strains of life and gives people a way to separate the physical, mental, emotional, and spiritual. But the key to religion is as the Dalai Lama states, "It is not enough to belong to a religion. You also have to put it into practice. Religion is like medicine -- you have to ingest it to combat the illness" (Nay 2005, 12).

As such, implications of this theory must try to counteract the attitude that we must all keep up with the Jones'. Whether through religious programs teaching humility, political changes in rethinking our capitalist system and money driven society, or simply by better values taught in schools, families, and peer groups increased values rather than the drive for money is the best way to gain happiness. All too often, society is bombarded with the bottom line that money can get you anything, and until society is forced to change by some greater strength we may never get out of the cycle of constant consumerism.

Social Bond Theory

Often in science fiction novels, one is led to believe in someone or something that can not be seen, tasted,
smelled, heard, or even touched. In religion, this idea is based on the concept of faith – believing in something without using your physical senses to know it. For Travis Hirschi and his social bond theory, the variable that we must grasp onto is that we are all motivated to break through the rules set up by society unless we are controlled. Travis Hirschi’s social bond theory is based on a critique of strain and differential association theories.

In 1969, Hirschi published *Causes of Delinquency*, which contended that criminologists and sociologists were asking the wrong question: why do people commit crime? For Hirschi the question that should be asked is: why do we conform? Why don’t we all commit crime?

The argument is that our strong social ties (or bonds) to parents, adults, school teachers, and peers keep us from committing crime. However, if people let their guard down and these links begin to weaken, we become susceptible to crime and delinquency. These bonds are the key to making it or breaking it.

To fully understand the depth of the concept Hirschi adds four key elements which define “social bonds”:
attachment, commitment, involvement, and beliefs. The first, bond, attachment, refers to the admiration, affection, and 'attachment' that a person feels toward parents, peers, adults, teachers and the like. In most cases, people begin to feel other’s burdens and obligations sensing a need to care and assist in a way that strengthens their ties together. It is these empathetic desires that teach adolescents conformity as they slowly emulate and follow people that surround them. However, the weaker and more fragile relationships are with parents, peers, adults, teachers, etc., people tend to move away from such and become more at risk to crime and delinquency (Akers 2002).

The second bond, commitment, seeks to describe the investment put into people's lives that might jeopardize a significant loss by the committal of crime and delinquency. Adolescents tend to have less to lose and, thus, can be more prone to crime, but as people get older they gain education, degrees, achievement, success and loved ones including a spouse and kids. These become personal investments that strengthen the commitment and bond of a person to conformity, rather than to crime (Akers 2002).
The third bond in Hirschi's theory is involvement. This element is explained by the simple duration of time spent with family, peers, or others. This can mean more fathers coaching little league games, more mothers reading bedtime stories, and more friends joining after school programs together, which all strengthen the social bonds of the individual. The less this involvement occurs the more likely a person is to move away from conformity because they have no one to commit to and no one to attach to.

The fourth and final bond is beliefs; this does not mean religious beliefs. In essence, beliefs are defined by the "endorsement of general conventional values and norms, especially the belief that laws and society's rules in general are morally correct and should be followed" (Akers 2002, 107). Simply stated, the more someone wants to follow the rules, the more likely it is they will do so and visa versa in breaking them (Hirschi 1969, Akers 2002).

As other researchers have looked at control theory (Wells and Rankin 1988), other findings demonstrate that parents need to be directly involved in their children's lives and that punishment does work to diminish the effects of criminality, but punishment is not always the right
answer. It appears that a medium strictness results in the lowest levels of delinquency and thus attachment to parents is a key variable to additional research.

This idea is different from that of strain and differential association as it builds upon control theory by critiquing the faults of these other two theories. Strain theory is critiqued by being "inadequate and misleading... [and]... suggests that delinquency is a relatively permanent attribute of the person and/or a regularly occurring event; it suggests that delinquency is largely restricted to a single social class; and it suggests that persons accepting legitimate goals are, as a result of this acceptance, more likely to commit delinquent acts" (Hirschi 1969, 10). Differential association is seen as virtually nonfalsifiable and general to all concepts of crime (Hirschi 1969, 15). Control theory, Hirschi argues, brings to light many needed ideas and new concepts which help explain why society at times turns to crime.

Control theory is quite unique and implies that development, especially through childhood, is a key factor in reducing crime and delinquency. Parents should be held to a higher standard for teaching their kids morals and
values, along with being positive role models in their children's lives. The socialization in schools and churches needs to be taken more seriously and children need stronger safety nets to build up their self esteem and mental and emotional characteristics traits. There needs to be more controlled mechanisms built into the government making it easier for good families to be able to adopt problematic children and government caretakers of abandoned children (even day care workers) should be tested and licensed to ensure the safety of our future generations.

Social Disorganization

Some would argue that as a society becomes more urbanized, higher crime rates are a result. Politicians have increasingly asked how we should deal with this social issue. One good explanatory answer to this is the Social Disorganization Theory created by two sociologists, Shaw and McKay, in the early 1920's and 1930's. They have since written about their findings (Shaw and McKay 1942 and later expanded in 1969, and 1972) and others have added and expanded on their theory in informative ways.
Shaw and McKay began to study crime and delinquency in the streets of Chicago in the 1920's and 1930's. By studying male juvenile delinquents, namely boys "under the age of 17 years of age who are brought before the Juvenile Court, or other courts having jurisdiction... or whose case is disposed of by an officer of the law without a court appearance" (Shaw and McKay 1972, 52), they found that many factors cause stress or disorder in society and cause variations of crime and delinquency.

The crux of their argument is that physical decay, poor living conditions, unstable homes, heterogeneous population and residential mobility lead to a fracture in society causing disorganization to occur in the community and society. It is this disorganization that in turn causes crime and delinquency (Sampson and Groves 1989, Akers 2002).

Shaw and McKay were able to gather information on over 24,000 alleged delinquents (8,411 alleged delinquent boys during 1927-33; 8141 alleged delinquent boys during 1917-23; and 8,056 alleged delinquent boys during 1900-1906) to study, and they used information from the juvenile courts to plot their residential location onto maps of the Chicago

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area. By so doing, they found a very unique and systematic pattern that depicted the heaviest concentration of delinquency around the central business districts (zoned namely for industry and commerce), and they continued to argue that as one moves outward from such districts into the residential communities that the delinquency cases are sparse and widely distributed.

One of the main methods used to see this disparity was through the use of comparison with 5 zones at a 2-mile interval, with the focus being the heart of the central business district. These concentric circles began in the center with the highest delinquency rates and quickly moved to a "transition zone" or a zone with social disorganization. The further out the centric circles reach increases in education, housing, and middle to high income and more infrequent criminal acts are found. Shaw and McKay (1972) argue that the social control, in a traditional sense, is lost in the zones closest to the central business district and in these so called "transitional zones" (Akers 2002).

Their theory of social disorganization was quickly seen in the academic world as a brilliant and useful theory...
to build upon; but, as other researchers did so, Sampson and Groves (1989), argued that no one has since directly tested their theory with additional relevant data. Both sought out to do so and they too concluded that social disorganization, measured by "local friendship networks, control of street-corner teenage peer groups, and prevalence of organizational participation," do indeed affect the structure of communities and weaken the society, thus, giving way to additional criminal behavior.

Sampson and Groves (1989) used data from 238 localities in Great Britain in a national survey in 1982 to test their hypothesis, and their findings lent support to the findings of Shaw and McKay. Keeping this in mind, Sampson and Groves retested their hypothesis in 1984 with 300 British localities and found that street-corner teenage groups and local friendship networks have a significant effect on victimization rates thus suggesting that social disorganization is a viable theory for describing criminal and delinquent behavior.

As more research is conducted in this area, the clearer the picture will get. As for now, some researchers argue that the clear support for social disorganization
theory is overstated and caution that we need much more research to get a definitive answer (Veysey and Messner 1999). However, as politicians need a guide, they can look to this theory as it can slowly begin to answer the question on how to deal with crime.

The social implications of disorganization theory are massive. In fact, politicians may now promote programs to help in these "transition zones" such as giving additional money for education in poverty stricken places, additional family counseling, and classes to teach parenting skills along with affordable housing and additional peer group activities for youngsters with more after-school programs compensating for missing or working parents. Such programs may begin to correct the problems of social disorganization, but much more can be done.

LaFree’s Theory - Declining Legitimacy

In building a theoretical framework to understand the constructs of crime and religion in the US, I approach the idea through a structure created by Gary LaFree in his 1998 book Losing Legitimacy. His main thesis is structured around the hypothesis that "historical and social changes
in America have created a crisis in institutional legitimacy that produced the postwar crime wave. At the most basic level, institutions are the patterned, mutually shared ways that people develop for living together. They include the rules, laws, norms, values, roles, and organizations that define and regulate human contact. As used here, legitimacy refers to the ease or difficulty with which institutions are able to get societal members to follow these rules, laws, and norms” (LaFree 1998, 6).

LaFree (1998) continues that the three institutions that have been most often linked to crime include: political, economic and familial. As the legitimacy of these three institutions have eroded since the 1960’s, American policymakers have increasingly turned to bigger and more robust criminal justice institutions, along with educational and welfare institutions to battle rising crime (for further information on such changes see Chapter 3). This drastic change has occurred largely as a response to declining legitimacy, and rather than fixing the occurring problems policymakers have switched to placing band-aids on national wounds.
LaFree (1998) contends that "it is difficult to disentangle the impact of these new institutional responses on crime. Their general effect resembles a cannonball being shot into a large net - the net expands to slow down the force of the ball for a time, but eventually (if the net is strong enough) it halts the ball's forward momentum" (LaFree 1988, 172). The question remains is the net strong enough? This question is highly debatable; however, as LaFree (1998) states, strengthening the net should come though increases in political, economic and familial institutions rather than through responses with increased criminal justice institutions, educational institutions and welfare institutions.

In agreement with this argument, much can be done to increase political, economic and familial structures. However, I contend that there should be one additional institution that should be included and that is religious institutions.

Like political, economic and familial institutions, religious organizations have been declining and principles have been eroding. The family taught through the perspective of religious organizations is not what most
people see today and the principles inside some religious organizations have made it difficult for congregations to have trust in their religious leaders (i.e. priests and child molestation charges, etc.). However, just as LaFree (1998) argues that political, economic and familial institutions are declining in the United States and need to be reestablished, so too should religious organizations be rebuilt to help combat criminal activity and delinquency.

LaFree (1998) incorporates these three major theories: strain theory, social bond theory, social disorganization (along with a few others) to help build a wider framework to explore his ideas. All these theories have strengths and weaknesses in explaining criminal behavior but the combination of such theories makes for a more thorough structure. For example, Strain theories point out the importance of economic, political, educational and religious institutions in impacting crime. Social control or bonding theories highlight the significance of informal social controls. Social disorganization theory suggests the importance of families in crime control.

LaFree (1998) contends that America has fallen into a crisis in institutional legitimacy which has been produced
by a postwar crime wave. Political, economic and family institutions have weakened since the 1960s, and it is his argument that changes need to occur in able to bring back the sense of importance towards societal institutions.

Political institutions would include the entire government structure: courts, legislative bodies, military services, and hundreds of government administrative agencies that help implement policy decisions. As it is this institution that formulates laws, it becomes imperative that justice and fairness are conducted within its limits.

LaFree (1998) contends that as the Civil Rights Movement grew and spread, the war in Vietnam was intensifying, and political scandals such as Watergate were occurring that caused attitudes towards the government to dramatically decline. American's trust in their government decreased from 75 percent in 1958 to below 30 percent in 1996 (LaFree 1998, 102). In addition to mistrust, there was an increase in civil litigation cases, a decrease in voting trends as well as collective action rates, and at the same time an increase in street crime trends. LaFree (1998) argues that good political legitimacy should also
correspond with an eventual decline of crime rates, and that it hasn't been since the 1960's that trust in the government has been truly founded.

In addition to politics, LaFree (1998: 7) adds that economics play a key role in providing "for basic physical and social needs and should satisfy at least rudimentary levels of material comfort." The economy helps hold crime in check by reducing the motivation of individuals to offend - however the gap between the rich and poor is widening and creating a world of "the haves" and "the have-nots." Strain theory fits into this category as the most influential theory as "absolute measures of economic stress may mask changes at the margins of the income distribution that are likely to affect crime trends" (LaFree 1988, 120). As well, economists are in general agreement that the United States entered an era of economic prosperity immediately following World War I, they also generally agree that inequality is a major problem, especially when comparing the differences between whites and blacks (for more info see LaFree 1998, chapter 7).

Family institutions are a bit more unique in the fact that they are not intentionally created, they merely exist.

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The advantage of family institutions is that they have the greatest potential in shaping and socializing human behavior. Their role in monitoring, protecting, and even regulating criminal behavior and motivation is a controlling function.

Sociologists Frances Goldscheider and Linda Waite argue that the American family in the second half of the twentieth century simultaneously under-went two revolutionary changes, one inside and one outside (Goldscheider and Linda Waite, 1991). The inside change was the economic change between men and women as more women moved away from the stereotypical roles such as clerical, caretaking, and retail and began to move into the stereotypical “man’s world.” The outside change was the major increase of people living out the family or in non-conventional families, such as unmarried, divorced, widowed adults, and in gay and lesbian families (Goldscheider and Linda Waite, 1991).

It is declining legitimacy in political, economic and familial areas that LaFree (1998) contends that increases in crime are inevitable as such legitimacy is lost. He states that,
Most often, people follow institutional rules effortlessly and without much (if any) thought, simply because the rules represent the right things to do - as when students automatically realize that on the first day of class they are expected to take a seat, stop talking among themselves, and take notes. But as legitimacy of institutions declines, correct behavior does not happen as effortlessly. (LaFree 1998, 78)

It is this lack of effort and decreased legitimacy that LaFree (1998) contends increases crime in American.

Summary and Implications

It becomes apparent that through theoretical arguments, religion can play a role in crime control. Strain theories state that well-organized society integrates members into a whole, offering realistic goals and aspirations and a sense of community. When these societal organizations breakdown, they lose there ability to channel individuals into conventional and conforming behaviors. Strain theory also has a competitive factor that principles of religion try to combat through teachings of love, compassion or the simple idea that religion teaches that life is more than money and the American Dream. Social bond theory contends that relationships, or informal social controls, are a powerful element in crime control. Religion tries to incorporate these informal controls by
bringing family values to the forefront and often bringing people with similar religious beliefs together in helping to create stronger families, friendships, and pastoral relationships. Social disorganization also shows the importance of families in crime control.

LaFree (1998) ties these theories all together contending that there are multidimensional problems in society. This multidimensional shift occurs at the macro level of the social structure of American society. However, I would argue that the same shift occurs at the micro level inside the prison walls. There is not a simple fix to the crime problem and combating such means a restructuring of our fundamental institutions. Although, strain theory, bonding theory, and social disorganization theory help to explain parts of the problem, often they must be worked in conjunction with each other on a broader scale to truly be beneficial.

As a solution to the problems of crime and recidivism, the following chapters will document the emergence of "faith-based" correctional programs in many states and federal public policy. These programs create rules which are the products of someone's initiative. In fact, the
promoters of these programs can be thought of as moral entrepreneurs (Becker, 1963) who seek to legitimize their own wishes and desires through public policy. Hallett (2003, 19) adds that "symbolic crusades, have relied upon moralistic attributes of behavior while advancing a resource-focused policy agenda." How faith-based programs fit into this context of moral reform and symbolic crusades will be discussed more fully in the following chapters.
CHAPTER 4

US PRISON HISTORY AND REFORM

The degree of civilization in a society can be judged by entering its prisons.
- Dostoevski -

Religion often has impacted how past civilizations have governed the general public. The US policy of separation of church and state is founded in the First Amendment of the U.S. Constitution where it states "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." Not all civilizations have used this policy to guide government. Many societies have mixed religion with government in a way that it is impossible to separate the two from each other. The prime example is the Islamic faith where government and religion are one and the same.

The primary focus of this thesis is based on US prison concepts and the theory that religion may change a prisoner’s life while in prison and once outside of prison. In order to gain some understanding of the prison system, a
brief history is needed to illustrate how U.S. prisons have been developed.

A Brief History of U.S. Prisons

The United States prison system has been built upon reform, policy changes, and a flux of recent shifts between conservative and liberal thought. Many changes that have occurred in the United States have not been unique to this country, and the U.S. nation has often borrowed many reforms from other countries (such as England) which have guided what the U.S. prison system is today.

Until the late Middle Ages (5th to the 15th century), crimes committed against the state and against citizens of the state were frequently handled privately under the principle of lex talionis, the law of retaliation. Lex talionis was a legal system that taught the law of equal and direct retribution which could often be taken in the context of the Hebrew scripture, "an eye for an eye, a tooth for a tooth, an arm for an arm, a life for a life" (Champion, 1997 4). Both men and women were condemned by this non custodial punishment system, and were often put through public forums by way of burnings at the stake,
whippings, hangings, and ridicule to discourage other citizens from failing to follow the laws of the land (Dobash, Dobash, and Gutteridge 1986, Morris 1987).

Although confinement in castles, monasteries and nunneries existed during the Middle Ages, it was not seen as the most appropriate response to criminal behavior until the late 15th century to early 16th century (Dobash et al. 1986, Morris 1987). During the late 15th century, primarily in England and Scotland, the first prisons that held offenders for long periods of time slowly began to creep into society. The primary purpose of such institutions was custodial, serving to house and guard the offenders. This style of punishment was miserable for the offenders, and dehumanized them to a status of animals. "Officials considered it wasteful to feed and clothe outlaws who would either die a natural death or [would] be executed anyway" (Champion 1997, 6).

This punishment style began to change the old law, lex talionis, and allowed for local governments to confine offenders that could not afford to pay their debts, and slowly increased to hold other misfits that society condemned as nuisances, criminals, and rebels against the
state (Champion 1997). The idea was to hold prisoners cheaply, with minimal costs to society, and to punish them through pain, hunger, malnutrition, and destroy all sense of well being. This cruel style of punishment caused many to die very quickly.

Prior to the 15th century, and while lex talionis was the main ideology towards punishment, those that were vagrant, unemployed, or old were often taken care of in the community in so called work-houses. The criminal, on the other hand, went abroad in the society (exiled) “after he had been branded or tortured or put into stocks - if he was not killed - and once more took a place in the [exiled] community” (Alper 1974, 13).

Additionally, the rise of strong monarchs, such as Henry VIII and Elizabeth I of England, promoted powerful new kingdoms and growth that led to questions of welfare programs, assistance with the plagues, extreme poverty, unemployment with peasants and landless noblemen, and much crime. As problems continued to plague these newly deteriorating areas people also flocked to these urban centers which sparked the rise of mercantilism (Siegel 2000).
The progression of mercantilism during the 16th century added a profitable enterprise to prisons as government officials quickly realized that houses of correction could be lucrative as slave labor camps, where unpaid prisoners produced marketable goods at extremely cheap rates. This workhouse concept continued well into the 1800s as England and Scotland (among other countries) embarked on shipping prisoners abroad to work farms, mines, and other profiteering enterprises (Dobash et al. 1986). Siegel (2000) adds that during this time many offenders were forced to labor for their crimes through "poor laws." These poor laws Siegel states "required... the poor, vagrants, and vagabonds [to] be put to work in public or private enterprise. Houses of correction were developed to make it convenient for petty law violators to be assigned to work details. Many convicted offenders were pressed into sea duty as galley slaves, a fate considered so loathsome that many convicts mutilated themselves rather than submit to it (Siegel 2000, 576).

As growth in England, France, and many other countries continued through mercantile commerce and trade, transportation to the colonies became popular and
necessary. Convicts could serve a period of slave labor to later become free in the colonies as an exile from the motherland (Siegel 2000). As the colonies in North America continued to develop and the gap between poor workers with wealthy landowners and merchants gave rise to higher crime which rose significantly throughout this time frame (Radzinowicz 1943).

Due to these rising crime rates, the Colonists in North America began to pattern their prisons and punishment systems under British common law, and a mix of other European cultures. Corporal punishment was often used for many trivial offenses, but it was not until 1632 that the Massachusetts Bay Colony constructed the colony’s first jail. A “simple wooden building designed to house small numbers of criminals” (Radzinowicz 1943, 112), and was similar to that of the European style consisting of horrific conditions.

The Colonial Williamsburg Foundation, which has composed a huge collection of articles and historical passages about the colonies states:

The laws of the colony of Virginia reflected the harshness of the laws of Great Britain. According to English common law, the theft of any property valued at more than twelve pence, or one shilling, was a felony.
and theoretically punishable by death... Free persons were tried at the county court for the first two offenses and at the General Court for subsequent offenses. Slaves were tried only at the county court. When convicted, a first or second time, the criminal was physically punished for misdemeanor. After a third conviction and being sentenced to death, the convicted felon could ask for "benefits of clergy." This plea granted forgiveness for a minor felony, but could only be given once in a person's lifetime. The defendant was then branded with a "T" or an "M" in the "broad" of the left thumb for future identification. A felony conviction resulted in a sentence of hanging. If a slave was executed, the market value of that slave was determined by the county court so that the owner could be reimbursed by the next session of the General Assembly."


Although these statements are primarily about the colony of Virginia, the other colonies followed similar practices.

Prison Reform

'Rehabilitation' is meant to change the offender's intent, motivation, or even character toward law-abiding conduct.

- Ernest van den Haag -

Prompted by the excesses in punishment and cruelty, philosophers, such as Cesare Beccaria and Jeremy Bentham, argued that physical punishment should be replaced by periods of time of incarceration. Beccaria and Bentham, with the beginnings of utilitarian thought, argued that crimes and their punishments must be proportional and the
punishment should be fair and certain to deter the criminal from committing the deviant act (Devine 1982). An example of this is "if both rape and murder were punished by death, a rapist would have little reason to refrain from killing his victim in order to eliminate the potential threat of her contacting the police and giving evidence in court" (Siegel 2000, 113).

According to Bentham's view "actions are evaluated by their tendency to provide advantage, pleasure, and happiness and to avoid or prevent mischief, pain, evil, or unhappiness" (Siegel 2000, 114). The purpose of laws was to create happiness for all those in the community, while punishment was justified only if it prevents more harm then it creates in the community. Thus, for Bentham punishment must have four main objectives (Siegel 2000, 114):

1. To prevent all criminal offenses
2. When it cannot prevent a crime, to convince the offender to commit a less serious crime
3. To ensure that a criminal uses no more force than is necessary
4. To prevent crime as cheaply as possible

The belief that the punishment should fit the crime and the fact that people should be punished proportionally for their criminal acts has adopted and influenced the criminal justice system in Europe and the United States.
The use of torture and severe punishment was greatly lessened during the nineteenth century due to such reforms and the practice of incarcerating criminals into a structured prison, with a sentence that was a reflection of utilitarian thought, fit to match the severity of the crime.

In summary, the classical view emphasized that in every society people have free will to choose, where a person’s choice to commit crime can be controlled by his or her fear of punishment. The more severe, certain and swift the punishment the better able it is to control criminal behavior (Siegel 2000)

As others thought about this cost-benefit style in regards to crime, other views become known in contrast. As this classical approach guided crime, law and justice, for a century or more; the way that people thought began to once again change. Positivism was the next stage taken from an idea by Auguste Comte (1798-1857). Comte saw the “scientific method” beginning to take hold and he saw a stronger reliance on thought, reason, careful observation, investigation, and analysis of natural phenomena as to how the world truly worked. He argued why not apply the same
method to human behavior? It was this idea that people quickly embraced. Still today, positivist thought is the backbone to rational thought and scientific questions.

Even with these new philosophical ideas, problems still plagued the prison system with poor conditions, maltreatment, abuse, and other such horrors, which sparked additional reformers to action. One of the first movements of reform inside the prisons began in England in the 1770's, when a British social reformer, John Howard, questioned the conditions and exploitation of prisoners in England. Howard visited several surrounding countries and inspected their prisons and came back to England to report on his observations. His work helped to pass penal reform, and shaped the Penitentiary Act of 1779, which established new facilities to house prisoners in individual, sanitary cells. He also helped to provide for adequate food and clothing (Champion 1997).

This major shift in thought throughout Britain also influenced the development of prisons in the United States (Champion 1997). Correctional reform in the United States was, historically first instituted in Pennsylvania under the Leadership of William Penn. Penn, a Quaker proprietor,
embodied an advanced expression of this new reform movement with his "Great Law" of 1682. This noble experiment was to take the ideas of the English workhouses and have both major and minor criminal offenders be required "to perform useful work in compensation for, and in proportion to, their crimes" (McKelvey 1977, 3).

In addition to Penn's efforts, historians consider the Walnut Street Jail in Philadelphia, Pennsylvania, to be the first U.S. Prison that attempted to rehabilitate offenders, rather than simply punish those with in its walls (Champion 1997). The prison took the site of a previous prison, the High Street Jail, which while open "routinely combined men and women onto one overcrowded locked area, with straw strewn on the floor for sleeping. Inmates lived in deplorable conditions, since there was no systematic way of ridding cells of human waste. Prison Administrators made no attempt to protect prisoners from one another. Sexual exploitation, rape, and other forms of aggression were commonplace" (Champion 1997, 3).

The refurbished Walnut Street Prison took principles from that of William Penn and his fellow Quakers, with a mix of reforms in Great Britain. Reformation became the
philosophy to treat prisoners. Prison officials separated men from women into reasonably clean, solitary cells and humane treatment was encouraged rather than condemned. Silence meditation, religious study, and the idea of promoting repentance quickly became the goals of the prison system.

Reforming Women's Prisons

A key difference between men and women throughout the Colonial period is that women had a particularly high risk of rape and could be forced into prostitution rings as punishment for their crimes (Dobash et al. 1986). This policy of neglect and sexual abuse often resulted in pregnancy, but unrelenting captures would be relentless.

During the Middle Ages when neglect occurred pregnant women were often still flogged to death (Feinman, 1981). During the 16th to 18th centuries, differences in gender could be seen through the punishment of some crimes. It was also not uncommon for women to be treated with harsher punishments than men. An example of this unequal treatment was in cases of adultery, or for murdering of a spouse. While male adulterers and wife killers were rarely
considered offenders, women were burned to death for committing adultery or for murdering a husband (Dobash et al. 1986). Women and men were often imprisoned in the same institutions. However, women had added punishments while inside the prison walls. Even still today woman inside the U.S. prison system continue to be more disadvantaged than men (Dobash et al. 1986).

Elizabeth Fry was also a key reformer, especially in terms of the woman's reformation. Fry, a Quaker, established the Ladies Society for Promoting the Reformation of Female Prisoners in England in 1816. In a unified social grouping, Fry lead the way in convincing the authorities that women and men had different needs. "Woman's specific needs being 'useful' labor, which included needlework, and personal hygiene, and religious instruction, requiring the hiring of 'decidedly religious' female guards" (Dobash et al., 1986, 52).

Although Fry may have been ahead of her time with a lot of feminist ideals, she did create three key changes in the English prison system: (1) segregating prisons by sex; (which helped solve a huge problem for woman prisoners - rape inside prison by other inmates and rape by the male
guards) (2) hiring women to supervise woman prisoners; and
(3) decreasing the hard labor required of woman prisoners
(Morris, 1987).

Following an 1870 meeting of the National Congress on
Penitentiary and Reformatory Discipline in Cincinnati, the
woman's movement for the United States quickly followed
that of England's movement and feminists quickly grabbed on
to the ideals that Fry promoted. One key resolution of
that conference was to promote rehabilitation in prisons
rather than retribution. It was in 1873 that the first
prison for women was opened - the Indiana Women's Prison.

Watterson notes that:

It embraced the revolutionary notion that women
criminals should be rehabilitated rather than punished.
Young girls from the age of sixteen who "habitually
associate with dissolute persons" and other uneducated
and indigent women were ushered into the model prison
apart from men arid isolated from the "corruption and
chaos" of the outside world. The essential ingredient
of their rehabilitative treatment would be to bring
discipline and regularity into their lives. Obedience
and systematic religious education would, it was felt,
help the women form orderly habits and moral values
(Watterson, 1996: 198, quoted in Shelden, 2001)

Reformers argued that women prisoners would be treated more
fairly if they were confined in separate institutions which
were controlled by women rather than male counterparts.
This reformatory style of institution gave women a better
chance of reform and enabled for better treatment (Sheldon, 2001: 240-241).

Religious Reform

Religious motives have often led the way in many reformations and prison reform has been no different. The welfare urge can be traced back as far as the Crusades, a religious war on behalf of the Catholic Church in the 11th through the 13th centuries (Hallett 2003, 8). Religious symbolism and themes have often been used throughout criminal justice and law vocations. The religious context brings in behaviors of immorality, such as "saving one self" and "abstinence" making people feel guilt and sorrow for breaking moral conduct codes.

In America some of the first religious themes and corrections came from the Quakers, a group founded on religious tolerance as they found sanctuary in the Rhode Island colony. William Penn (1644-1718), who in his twenties became a Quaker, led the region with his "holy experiment" to create a godly utopia in Pennsylvania, as well as, West Jersey (McKelvey 1977, 1; Hallett 2003, 12). Religion was used to keep members in society from
committing crime. As well, Penn installed supply work centers (which the ideal came from England's and Holland's houses of correction), which prescribed labor for inmates as a corrective treatment for major offenders (McKelvey, 1977).

Another defender of faith was Lewis Dwight, "born of devout New England parents inculcated with stern Puritan morals" founder and organizer of the Boston Prison Discipline Society (McKelvey, 1977, 16). He found his calling when he was on a journey back home from the American Bible Society and along the way he visited a number of jails "and became shocked and indignant over the miseries of their inmates" (McKelvey, 1977, 15). Shortly thereafter he sought to reform such evil practices and quickly became an enthusiastic advocate of the Auburn system.3

It was the salvation of the convict that Dwight sought after and his Prison Discipline Society fervently preached reform through Bibles, Sabbath Schools, and gospel doctrine

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3 The Auburn system was a penal method where the inmates worked during the day and were kept in solitary confinement at night. Silence and meditation was enforced for all prisoners as a way to keep the peace, as well as lockstep marching, downcast eyes except when addressed by an officer, no additional clothing except for what was issued (striped uniforms).
principles. He encouraged chaplains to urge inmates to commit to read passages in the Bible and commit them to memory. This program was also educational as it sought to educate the illiterates, and sought to instruct inmates at high school levels. Dwight was also committed to provide better facilities with separate cells or small rooms with active work programs through the week to keep inmates engaged in a purpose (McKelvey, 1977).

Dwight, along with the Boston Prison Discipline Society, began a push for Sabbath schools in prisons. Reform to supply bibles in every prison was the first stop, but soon there after came chaplains and Sabbath schools teaching more about "the soul of one condemned man [rather] than over the preparation of his fellows to return to society" (McKelvey, 1977, 55). The growing influence in the communities by the Methodists and Baptists made for an increased revival among the inmates. Sabbath schools became more prominent in helping to cure the inmates from past problems and helped them to find a new perspective.

During the 1840's the influence of a growing faith in public schools and popularity of circulating libraries also affected the prison system. Libraries began to enter more
of the prisons for educational purposes, Sunday schools were popular in prisons, but often the focus was wrong. A key example of this was a popular past time in the boring confines of prisons was card playing. As religious influences became stronger, the card playing games were deemed evil and were often times banned. Often the forces of religion were focusing too strongly on the rule of the law and not the spirit of law and so “religious influences, though not absent, had little effect” (McKelvey, 1977, 209).

Ernest Van Den Haag stated:

Reform, and particularly rehabilitation, assumes that the convict committed offenses because of some personality disorder that can be corrected by treatment. If the treatment succeeds he will become rational enough to see that ‘crime does not pay,’ that it is irrational. (Van Den Haag 1975, 59).

If this is the case, can a revamped version of religious teachings, holding strong to the spirit of law, affect prisoners on a more valuable and successful path to change? The following chapter will describe the latest advancement in trying to achieve an answer to this question - through the founding of “faith-based” programs.
CHAPTER 5

HISTORY OF "FAITH-BASED" INITIATIVES

I have wondered at times what the Ten Commandments would have looked like if Moses had run them through the U.S. Congress.
- Ronald Reagan -

In 2002, some 1.4 million prisoners were under Federal and State jurisdiction and an estimated half million will be completing their prison sentences and will be released back into society (Petersilia, 2003; Harrison and Karberg, 2002). Unfortunately, many of them will return to prison after committing another crime - causing additional costs to themselves and society. To reduce the number of these prisoners committing new crimes, President Bush, with his strong religious-conservative background, proposed a plan to harness resources and to help others experience aid through faith-based and community organizations in dealing with the challenges of helping returning inmates to contribute in society. President Bush stated:

America is rich materially, but there remains too much poverty and despair amidst abundance... my agenda [is] to enlist, equip, enable, empower, and expand the heroic
works of faith-based and community groups across America (Bush, 2001).

President Bush first began a discussion on his "Faith Based" initiatives during his 2000 campaign where he focused attention, if elected, to create a White House office and program to aid and support faith-based groups and organizations in seeking funds to combat problems with homelessness and hunger, at-risk youth, ex-offenders, substance abusers, welfare-to-work families, and those with HIV/AIDS.

Following through with his promise, on January 29, 2001, President Bush passed, through the power of executive order (EO 13198 and EO 1319)^1. This daring new program proposed to eliminate regulatory and policy barriers that have kept faith-based organizations from partnering with the Federal government to help Americans in need. The latter EO also created The White House Office of Faith-Based and Community Initiatives (OFBCI) comprised of five cabinet agencies called Centers for Faith-Based and Community Initiatives, which include new departments in: Education, Health and Human Services, Housing and Urban

^1See Appendix for complete text of Executive Order 13198 and 13199
Development, Justice and Labor. As stated in EO 13198, the soul purpose of the newly created program is:

to help the Federal Government coordinate a national effort to expand opportunities for faith-based and other community organizations and to strengthen their capacity to better meet social needs in America’s communities (Bush, 2001).

In the months following executive orders 13198 and 13199, the House of Representatives passed its version of the faith-based initiative, the Community Solutions Act of 2001, co-sponsored by J.C. Watts (R-OK) and Tony Hall (D-OH), which expanded the charitable choice provision of the 1996 welfare reform legislation. Among other things, this passage provided tax incentives for charitable contributions and added a controversial plan in which religious organizations and governments may partner to provide social services.

The faith-based initiative was, however, stalled\(^5\) in the Senate due to a massive disagreement between church and state partnerships; the White House, however, insisted they would follow through with action, regardless of the

\(^5\)The Charity, Aid, Recovery, and Empowerment Act of 2002 (the CARE Act), co-sponsored by Joseph Lieberman (D-CT) and Rick Santorum (R-PA) wanted to amend an Internal Revenue code to offer tax incentives to encourage charitable donations and to help financially aid nongovernmental community organizations. However the CARE Act sparked a massive debate over the separation of church and state and partnerships among church and state programs (www.pewforum.org).
legislative outcome. A few months later, on December 12, 2002, President Bush, once again through executive order (EO 13279)®, implemented key elements of his faith-based initiative program which failed to be contained in the House and Senate bills (http://pewforum.org/faith-based-initiatives/, 2003). President Bush, relentlessly pushed and demanded through EO 13279 to require equal protection for faith-based and community organizations.

Despite the president’s expansion and vocalization of “equal treatment” of faith based initiatives, on April 9, 2003, the Senate with a 95-5 vote passed a modified and slimmed down version, the CARE Act of 2003 (S.476). This Act did not include the phase “equal treatment” as President Bush requested, because this would have prohibited the government from requiring that faith-based organizations remove religious artifacts, art, icons, alter charters or manifests, etc. to receive federal funds. Rather the Bill calls for $12.7 billion in new tax breaks and incentives for charitable giving and donations.

The debate continues today concerning whether this passage breaks the separation between church and state.

® See Appendix for complete text of Executive Order 13279
However, the President and many organizations are taking advantage of the tax breaks and are passing and creating new programs that have the underlining purpose of building relationships of trust in the community through Faith-based initiatives. The latest addition by President Bush was stated in his 2004 State of the Union Address:

I propose a four-year, $300 million prisoner re-entry initiative to expand job training and placement services, to provide transitional housing, and to help newly released prisoners get mentoring, including from faith-based groups. America is the land of second chance, and when the gates of the prison open, the path ahead should lead to a better life (Bush, J. 2004).

President Bush is moving full steam ahead with the continuation at faith-based programs through a collaboration and partnership between faith-based and community organizations. Department of Labor (DOL), the Department of Housing and Urban Development (HUD), and the Department of Justice (DOJ), are all changing policies to fit with the latest initiatives and bills passed and are trying to create requirements for a successful re-entry program of those ex-offenders who have paid their debt to society though mentoring, transitional housing, and basic job training and placement. This has led to the creating of "Community Correction Centers ("CCCs") or residential
programs that prepare federal offenders for re-entry into their home communities.

Though the assistance and leadership of the U.S. Bureau of Prisons, individual contracts are given out (or bid on) to local community-organizations to become and/or assist in creating a CCC in their local communities. Approximately 250 CCCs are now in operation around the United States and more are under way.

Faith-Based Programs

What are Faith Based Programs?

The office of faith-based initiatives encourages community and faith-based responses to those in need and make it easier for faith-based groups to gain access to government dollars. But what does a faith-based program include?

First, and foremost, the purpose is not to use the “money to proselytize... [and] faith-based programs fully understand that participation in any religious ceremony is voluntary” (Bush 2005, 3). The purpose is to assist

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7Grant funds may not be used for inherently religious activities such as worship, prayer, proselytizing, or devotional Bible study. Grants are awarded to programs that are results-oriented and based on the principles of pluralism, evenhandedness, and neutrality. The funds are
individuals, families, and communities in need. America is plagued with hunger, homelessness, substance abuse problems, diseases (such as HIV/AIDS), and an increasing prison population (figure 3). Homes are changing and faltering as these problems infest families and individuals. Faith Based Programs are one way of trying to facilitate change for people in America. If these programs succeed, then America should be a healthier and safer

![Adult Correctional Populations, 1980-2003](image-url)

**Figure 3** - Bureau of Justice Statistics Correctional Surveys

To be used to further the objectives established by Congress such as reducing crime, assisting victims of crime, keeping juveniles out of the life of crime, and mentoring youth and adults. For additional information as well as this quote can be found at [http://www.ojp.usdoj.gov/fbci/faq.html](http://www.ojp.usdoj.gov/fbci/faq.html).

8 For further information, please refer to the following website: [http://www.ojp.usdoj.gov/bjs/glance/corr2.htm](http://www.ojp.usdoj.gov/bjs/glance/corr2.htm).
place. More so, if the program works it should help at-risk youth, ex-offenders, homeless, and substance abusers, those that are homeless and hungry as well as those that need welfare.

Which states have begun to implement such programs?

Florida

Governor of Florida Jeb Bush was one of the first to create a state-program that reflected President Bush’s National Program of Faith-Based Corrections. Governor Jeb Bush announced in 2003 that the Volunteer Florida Foundation would be the managing group to run and support his newly created Faith-Based and Community initiative advisory board. The board will make recommendations and will collaborate with the government as a mediator between faith-based groups and government and it is also in place to ensure that groups have a fair and equitable access to Florida’s state funding. Governor Bush stated:

Faith-based and community groups are a natural ally as we work to meet the needs of Florida’s citizens... This board will help us harness the amazing resources available in both small community and faith-based organizations so that we can meet the needs of our neighbors. I thank the thousands of Floridians who use their talents through faith-based organizations. They provide much needed services with great care and compassion (Bush, 2003).
Florida's realistic and experimental program began in the beginning months of 2004, as Lawtey Correctional Institute was revamped to add a voluntary program of rehabilitation through Faith-Based Corrections. Out of the 819 prisoners only 100 declined participation in the new program and were relocated to other facilities elsewhere in the state. The program relies on hundreds of volunteers that act as personal mentors, "offering support to each inmate both during incarceration and as they settle back into the community after serving their sentence" (Goddard 2003, 1). The inmates also "participate in all the usual day-to-day prison activities, but during evenings and at weekends will undergo extra classes examining issues such as anger management, good parenting, and the effect of crime on victims" (Goddard 2003, 1). The classes are taught from a variety of faiths including, Islam, Judaism, and Christianity. As of December 24, 2003, 26 different religious organizations were assisting, and the main focus was not to learn about God, but rather for self

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9 This facility was established in 1973 as a community vocational center housing work release inmates. In 1977 it was converted to a major institution housing adult male inmates. In 2004, Lawtey C.I. became a male Faith and Character institution under the program of Faith-Based Initiatives.
improvement. In fact, religious services were only meant
to take place on the weekends, but the key was to have a
commitment for all those who participated to self-
improvement (Goddard 2003). The Mission Statement of Lawtey
also changed as of 24 December, 2003 to:

Mission Statement: The mission of the Lawtey Faith
Based Institution is to provide the Florida Department
of Corrections with a prototype correctional
institution that incorporates personal faith as a
catalyst to effect inner transformation of inmates and
thereby fulfill the department’s two primary
objectives:

1. Protect the public by operating a safe, secure and
efficient prison.
2. Reduce the rate of recidivism.

A few months following the reopening of Lawtey
Correctional Institution in North Florida, Hillsborough
Correctional Institution, an all women’s facility, reopened
its doors under the guise of faith-based corrections. Run
similarly to that of Lawtey, this voluntary program now
houses 300 female prisoners who participate in a
combination of vocational programs, self-help programs, and
religious activities. Unlike the men’s facility where most
of them stayed in-house to be included into the program,
most women were transferred from other prisons to fill the
space of getting the program up and running. The program,
to avoid any legal challenges, also refused to take any
state money for the weekend religious services (Fox News,
April 15, 2004).

New Mexico

The New Mexico Corrections Department added a program
of faith-based corrections that began through a non-profit,
volunteer-based organization, Crossings Inc. The goal of
New Mexico’s program is declared on the state website as:

To encourage these men and women to become involved in
similar programming in the local community upon release
from prison. As they begin to be involved in a local
faith community, they will be encouraged to remain free
from the criminal activity and bring satisfying
relationships to themselves and their families. (New
Mexico Corrections homepage)

Additionally the site states:

Faith-based programming in the New Mexico Corrections
Department is designed to help the inmates involved to
establish or strengthen a relationship with God;
- To learn to live in a faith community.
- To help them overcome hurts, addictive habits
  and hang-ups.
- To strengthen family relationships.
- To form new relationships within the Christian
  community.

Volunteers from the Christian community are a critical
part of the programming. They teach and model a
lifestyle that will help the inmates accomplish these
objectives. (New Mexico Corrections homepage)

New Mexico now has five programs underway including:

Southern New Mexico Correctional Facility (55 beds),
Roswell Correctional Center (28 beds), Lea County Correctional Facility (55 beds), Central New Mexico Correctional Facility (55 beds), and New Mexico Women's Correctional Facility (28 beds).

Arizona

Arizona has taken a different approach in viewing faith-based actions. They have created a juvenile corrections youth mentoring program. This program has been set up to help at-risk youth become successful during a transition back into local communities. This is a faith-based program that includes volunteers from religious organizations and secular parties. The state's goals include: "provide high-risk youth with a caring adult who can:

- Participate in the youth's transition planning.
- Help youth prioritize and set goals.
- Be a friend and role model.
- Support and encourage youth.
- Assist the youth and their family with practical needs through faith and community contacts.
- Introduce youth to work experience opportunities through faith and community contacts.
- Be called upon in a variety of ways that are individual to the needs of the youth.

These guidelines have been set up in hopes that the youth will not only become more engaged in helping the
community, but also can have a newfound perspective through faith that can rehabilitate and change their lives.

Georgia

Georgia imprisons some 47,000 inmates and is now the sixth largest prison system in the nation (BJS 2003). Georgia also releases some 16,000 inmates each year back into the community (Liscomb 2003), which is why the state has turned to faith-based corrections to help and assist many of those prisoners who will soon become neighbors.

In Georgia there is no specific prison that is set up like Florida to rehabilitate prisoners, the Georgia Department of Corrections has set up a training program volunteers can go through to assist in faith-based volunteer programs now being created in the state. The training is being run through the Georgia Public Safety and Training Center and to date has trained some 3,036 people of various organizations. Once the training is completed the volunteers help conduct non-denominational worship services for inmates, assist in helping inmates receive GED’s, and assist in training workshops to help inmates build stronger educational and vocational skills, along
with substance abuse programs to rid their life of past problems (Liscomb 2003).

The final step Georgia has created is a mentoring program that helps newly released prisoners ease back into the community. This transition time is often a difficult time period and the program is meant to build self-esteem and confidence so the ex-offenders can cope and readjust into society.

Summary

Additional Programs are being considered in Maryland\textsuperscript{10}, Massachusetts, North Carolina and Indiana\textsuperscript{11}. Ohio has had a history of collaborations since 1996 of contracting with religious groups for certain services. Wisconsin has encouraged greater use of faith-based groups in their welfare reform program. As well, New Jersey in 2003, established an Office of Faith-Based Initiatives to provide grants and training for low- and moderate-income families, while California recently awarded five million dollars to

\textsuperscript{10}For additional information on Maryland see http://www.mdcrimevictims.org/_pages/f_faith_based/f1_faith_intro.htm
\textsuperscript{11}For additional information on Massachusetts, North Carolina and Indiana see "Charitable Choice" in http://www.atheists.org/flash.line/faith52.htm
twenty different faith-based groups for job training services and basic prison reform. Virginia, by way of legislation created a special task force to expand faith-based service in the state, and Michigan legislators are considering a proposal to establish a faith-community liaison in the governor's office (Schnurer and Kolker, 2005).

Several other states are beginning to follow suit and the craze in including faith-based organizations or programs is begins to catch on. Whether it is "faith-based," "compassion" policies, or "Charitable Choice" policies, as same states have named them, the discussion is sparking debate in some states of changing state constitutions¹² to allow for state sponsoring of church groups (Farris, 2002).

As the debate continues it appears that faith-based programs are becoming more embedded into American society - for better or for worse.

¹²Many state constitutions restrict funding to faith-based organizations, although state courts have sometimes interpreted those restrictions in permissive ways... Ten states have provisions similar to the federal constitution, 37 states explicitly forbid state financing of religious organizations, 29 states explicitly forbid funding to religious schools and 10 states extend these limitations to both direct and indirect funding. Some states have more than one of these provisions (Farris 2002).
Children can be the joy of people's lives; however children can also bring heartache, pain and anguish as they struggle to grow up and gain a sense of responsibility or lack there of. In Stephen R. Covey's national bestseller *The Seven Habits of Highly Effective People* he writes:

As a teacher, as well as a parent, I have found that that the key to ninety-nine is the one - particularly the one that is testing the patience and the good humor of the many. It is the love and the discipline of the one student, the one child, that communicates love for the others. It's how you treat the one that reveals how you regard the ninety-nine, because everyone is ultimately a one (Covey 1993, 197).

It is not just children, however that this principle can apply to. This simple code can be applied in a broader sense to the criminal justice system and corrections field, by looking at each inmate as "one" individual.

Often times, inmates come into the criminal justice system with so many different problems it is difficult to combat all of the variations in a one-stop shop. Faith-based corrections attempt to help combat such disparity by
using programs, but as they have come about there are some negative costs that occur to the criminal justice system. However, there are also benefits as well.

Costs

In taking a broad scope of faith-based corrections first and then narrowing the scope, the first question that needs to be addressed is a political one. Does faith-based corrections, as it was formalized by President Bush, break principles of separation of church and state? Ulysses S. Grant said,

Leave the matter of religion to the family alter, the church, and the private school, supported entirely by private contributions. Keep the church and state forever separate (http://www.brainyquote.com/quotes/authors/u/ulysses_s_grant.html 2005, 5).

The debate of religion and politics has been a broad topic of recent\textsuperscript{13} and the debate often converges on a split view amongst conservatives and liberals. The answer to this question will not be discussed within the confines of this thesis, but there have been significant changes in the allocation of resources and the methods of receiving

\textsuperscript{13} Debate over the phase in “God We Trust” along with the discussion of the display of the ten commandments in federal building are only a few of the most recent talks.
governmental funds due to the addition of faith-based initiatives.

Regular non-governmental sponsored agencies offering treatment and rehabilitation have been scaled back, to funnel money into the new private faith based groups. Michael Hallett (2003) states, "all on the presumption that criminality is ultimately caused by a lack of morals" (Hallett 2003, 20). Hallett (2003) concludes that making "immoral" behavior the focal point of the U.S. crime problem takes away from other social programs and economic development as a means of a symbolic crusade to advance "a resource-focused policy agenda" (Hallett 2003, 19).

The White House, the Wall Street Journal, and Christian Conservatives all rave that faith-based initiatives have been a "smashing success" (Kleiman, 2003, 1). Others contend that the rave involves altered numbers and a shift in public resources away from preventative social programs (the "welfare state") and has shifted the resources toward crime control (the "security state") (Beckett and Sasson, 2000; Hallett, 2003; Parenti, 1999).
Additionally, research has shown that religiosity has mixed results on the benefits of changing behavior. Measures of religiosity may not be among the most important variables in understanding crime (Jensen and Erickson, 1979), and in serious criminal acts religion may not have any serious affect (Stark et al. 1982; McKelvey 1977). Results of these findings conclude that “faith-based” programs may be better suited for juveniles and in programs where minor offenses are the leading cause to prison time (i.e. minimal security prisons and jails, half-way houses, etc.).

Benefits

As previously stated, research has shown varied results about the benefits of religion. However, it appears that religion does help explain participation in victimless crimes like substance crime in which religious affiliation is associated with decreasing usage (Burkett and White, 1974; Higgens and Albrecht, 1977). Religion is also thought to help in the upbringing of children (Stark et al. 1982), and increases psychological adjustment to the in-prison environment (Clear and Sumter, 2002).
Concerning the benefits of "faith-based" programs, one may ask if someone asks to learn more about a religion and accepts some form of it, what is the harm? More good could come from trying to live through added values than bad. The power of religion can bring about true repentance, which means a 180-degree turnaround. It means feeling guilt, remorse, and sorrow while renouncing the past crimes committed. True repentance would be the ultimate factor in reducing recidivism rates as it means to acknowledge the problem committed, cease from the action, and never commit the crime again. That is not to argue that faith-based groups, which are funded by government agencies, should proselytize, but rather it is to argue that if such groups can do the same job as other rehabilitation programs than they have one additional method of creating change among prisoners - faith.

One additional benefit of "faith-based" programs is that it creates competition among all groups seeking funding. Just like the American economic system, competition breeds winners and losers. To be in the winners bracket one has to create a better product and must have increased knowledge, experience and service. In
comparison with that of the American economic system, adding “faith-based” groups into the mix does create more competition. In order to receive grants and aid money, the best programs with the best results continue to receive funding. This idea may be ironic in that all groups are trying to help in a compassionate way, but programs receiving funding should give results. That statement also stands for “faith-based” programs in the near future - if they don’t bring about increased change funding should be given elsewhere.

Theoretical Evaluation

Theoretically, religion can play a role in crime prevention; however, it is only a partial dimension in the mix of explanations. “Faith-based” programs and religious affiliations are not specifically brought into many criminal theories, but the idea can be included with many such theories. Strain theory argues that legitimate opportunities to obtain success are not equally distributed throughout society. Inequality puts differential strain on individuals to access legitimate or illegitimate opportunities causing people to commit crime to equalize
society. Religion adds that wealth and opportunity is not the only way to succeed in life. Delinquents or convicted criminals who learn that economic gains are not the only benefit in life can help to lower crime rates and recidivism rates.

Bonding theory contends that societal ties or "bonds" help people conform and stop the populace from committing crime. Development, especially in childhood, is a key factor in building strong bonds. Religion can not only help to build relationships with parents, peers, teachers, but also pastors and quite possibly a God-like figure through prayer. Reliance on a spiritual essence can help to build self-esteem, character, and morals.

Social disorganization brings up the importance of families and networks of local programs to help keep kids off the streets. Religious organizations tend to offer a plethora of activities and can give children and adults a place of comfort and retreat. Programs, for youngsters, promote a sense of belonging and inside the prison walls it can bring about friendships and relationships that can permeate the heart.
LaFree (1998) sums it all up by arguing that political, economic, and familial institutions have lost legitimacy and that the latest increase of crime has come from a break in America’s traditional institutions. Decreases in the legitimacy of religious institutions are also in agreement with LaFree’s argument. The combination of theories creates a multidimensional explanation of increases in criminal activity. “Faith-based” programs, however, tend to deal with unidimensional problems, which is only a piece of the pie. As LaFree (1998) contends, fundamental changes are needed at numerous institutions and theories must be worked in conjunction with each other in order to really fix the crime problem. By simply adding in “faith-based” programs, without the other needed changes, theoretically the program is set up to fail from the beginning. It is a band-aid fix to a much larger problem.

Conclusions

Hallett (2003, 19) contended that faith-based programs neutralize decades of research “linking crime and drug use first to social disorganization and poverty, and explaining the widest-spread patterns of addiction as a function of
economic deprivation". But as previous programs were in place, problems continued to worsen in society. The divorce rates continued to increase; about 1.5 million children have a father or mother in prison, over half a million children are in foster care, and in 1997, more than one million babies were born to unwed mothers, many of them barely past their own teen years (Bush 2001).

The overarching problem is, as LaFree (1998) contends, that increases in crime are more than just from one origin. It is a combination of many adverse affects that have caused a lack of legitimacy inside our political, economic, familial and (I would add) our religious institutions. A fundamental paradigm shift must occur and implications mean strengthening traditional crime control institutions. At some form, society should increase trust in political institutions, should reduce inequality and stress among American citizens, and there should be a renewal of traditional family and religious values.

The brief review of prisons given in Chapter 4 depicts a long history of religious organizations that have tried to accomplish the same task that President Bush is now pushing through with “faith-based” corrections. So, one may
ask "what is different between then and now?" Why do people feel like this is the latest and greatest innovation when many religious groups have been doing a version of faith-based corrections for centuries?

As history points out, faith-based programs are more of a symbolic crusade, or a moral entrepreneurship. Becker (1963, 148) states that:

It is appropriate to think of reformers as crusaders because they typically believe that their mission is a holy one... moral crusades are typically dominated by those in the upper levels of the social structure - means that they add to the power they derive from the legitimacy of their moral position, the power they derive from their superior position in society."

From this perspective, "the moral crusader is more concerned with ends [rather] than with means" (Becker 1963, 150).

When assessing the effectiveness of "faith-based" corrections, I would argue, that these programs would have only limited effectiveness because they represent only one aspect of institutional change. In fact, LaFree's theory focuses on a multidimensional shift in society (macro level analysis), and faith-based programs are more of a micro level policy change. I would argue that if the nation makes major fundamental changes in all social institutions
(not just in religion), then the U.S. prison system would mirror that of the nation as a whole and faith-based corrections could be more useful.

The latest trend is a valiant effort to spark interest in religion. However, most of these programs are in their infancy stages and little viable data is available at this time to illustrate any valuable findings. Additional research will be needed to show the effects, if any, as they correlate to recidivism rates and post success rates of prisoners upon release.

According to LaFree (1998), basic fundamental changes in social institutions are required to enhance the legitimacy of these institutions and to help them abate various social problems. Politically, trust in the government needs to be revived and policymakers need to have a stricter voice rather than worrying about reelection. Economically, consumerism should not be a priority as it is becoming the norm for business's to make policy decisions rather than policymakers. Familial and religious institutions should mold back to traditional roles inside the United States. These changes should lessen the amount of anger, frustration and strain produced
in our society. Social bonds should increase and should strengthen to allow for more programs to help in beneficial ways rather then being simple band-aid fixes.

LaFree (1998) states:

Before we get too nostalgic for the low-crime days of the early postwar period, we should recall that this was also a period that institutionalized the most blatant forms of racial discrimination, that locked women (and often men) into roles that many of them actively disliked and were often not very good at, and that greatly curtailed the freedom and rights of many individuals whose only transgression was being different from the norm. Our ability to change the institutions that govern our lives has its advantages (LaFree 1998, 192).

We have barely begun to understand social institutions. However, the fact remains that they are the most influential part of our lives. As they continue to shape our existence, we must persist in comprehending their underlying influences.

LaFree (1998) contends that "when we read that crime rates have increased rapidly, that thousands of people are homeless, or that millions of children are living in poverty, it is not true that there is nothing to be done. We created these social conditions and we can change them" (LaFree 1998, 192). Religion in itself can be used to
develop stronger characteristics. For others, it can be a
guide in troublesome times.

Religion can maintain a person through strong morals,
can create stronger bonds through family unity, and can
increase ones own personal value and self-esteem. Martin
Luther King Jr. once said that "A religion true to its
nature must also be concerned about man's social
conditions. Religion deals with both earth and heaven, both
time and eternity. Religion operates not only on the
vertical plane but also on the horizontal. It seeks not
only to integrate men with God but to integrate men with
men and each man with himself" (Nay 2004, 20). If this is
the case, then religion should create stronger social bonds
and should help decrease social strains that are created
within the confines of American society.

The problem is that religion alone can help people at
the individual level, but at a broader scale it is a one
dimensional program. It must be used in conjunction with
other institutional changes. Often other theories can
incorporate the dimension of religion, yet religion alone,
such as through "faith-based" programs has minimal affect
on national trends of criminal behavior. As it is used in
conjunction with dramatic institutional changes, "faith-based" programs can help combat crime and other problems in contemporary American society.
Agency Responsibilities with Respect to Faith-Based and Community Initiatives

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to help the Federal Government coordinate a national effort to expand opportunities for faith-based and other community organizations and to strengthen their capacity to better meet social needs in America's communities, it is hereby ordered as follows:

Section 1. Establishment of Executive Department Centers for Faith-Based and Community Initiatives.

(a) The Attorney General, the Secretary of Education, the Secretary of Labor, the Secretary of Health and Human Services, and the Secretary of Housing and Urban Development shall each establish within their respective departments a Center for Faith-Based and Community Initiatives (Center).

(b) Each executive department Center shall be supervised by a Director, appointed by the department head in consultation with the White House Office of Faith-Based and Community Initiatives (White House OFBCI).

(c) Each department shall provide its Center with appropriate staff, administrative support, and other resources to meet its responsibilities under this order.

(d) Each department's Center shall begin operations no later than 45 days from the date of this order.
Sec. 2. Purpose of Executive Department Centers for Faith-Based and Community Initiatives. The purpose of the executive department Centers will be to coordinate department efforts to eliminate regulatory, contracting, and other programmatic obstacles to the participation of faith-based and other community organizations in the provision of social services.

Sec. 3. Responsibilities of Executive Department Centers for Faith-Based and Community Initiatives. Each Center shall, to the extent permitted by law:

(a) conduct, in coordination with the White House OFBCI, a department-wide audit to identify all existing barriers to the participation of faith-based and other community organizations in the delivery of social services by the department, including but not limited to regulations, rules, orders, procurement, and other internal policies and practices, and outreach activities that either facially discriminate against or otherwise discourage or disadvantage the participation of faith-based and other community organizations in Federal programs;

(b) coordinate a comprehensive departmental effort to incorporate faith-based and other community organizations in department programs and initiatives to the greatest extent possible;

(c) propose initiatives to remove barriers identified pursuant to section 3(a) of this order, including but not limited to reform of regulations, procurement, and other internal policies and practices, and outreach activities;

(d) propose the development of innovative pilot and demonstration programs to increase the participation of faith-based and other community organizations in Federal as well as State and local initiatives; and

(e) develop and coordinate department outreach efforts to disseminate information more effectively to faith-based and other community organizations with respect to programming changes, contracting opportunities, and other department initiatives, including but not limited to Web and Internet resources.
Sec. 4. Additional Responsibilities of the Department of Health and Human Services and the Department of Labor Centers. In addition to those responsibilities described in section 3 of this order, the Department of Health and Human Services and the Department of Labor Centers shall, to the extent permitted by law:

(a) conduct a comprehensive review of policies and practices affecting existing funding streams governed by so-called "Charitable Choice" legislation to assess the department's compliance with the requirements of Charitable Choice; and

(b) promote and ensure compliance with existing Charitable Choice legislation by the department, as well as its partners in State and local government, and their contractors.

Sec. 5. Reporting Requirements.

(a) Report. Not later than 180 days after the date of this order and annually thereafter, each of the five executive department Centers described in section 1 of this order shall prepare and submit a report to the White House OFBCI.

(b) Contents. The report shall include a description of the department's efforts in carrying out its responsibilities under this order, including but not limited to:

(1) a comprehensive analysis of the barriers to the full participation of faith-based and other community organizations in the delivery of social services identified pursuant to section 3(a) of this order and the proposed strategies to eliminate those barriers; and

(2) a summary of the technical assistance and other information that will be available to faith-based and other community organizations regarding the program activities of the department and the preparation of applications or proposals for grants, cooperative agreements, contracts, and procurement.
(c) Performance Indicators. The first report, filed 180 days after the date of this order, shall include annual performance indicators and measurable objectives for department action. Each report filed thereafter shall measure the department's performance against the objectives set forth in the initial report.

Sec. 6. Responsibilities of All Executive Departments and Agencies. All executive departments and agencies (agencies) shall:

(a) designate an agency employee to serve as the liaison and point of contact with the White House OFBCI; and

(b) cooperate with the White House OFBCI and provide such information, support, and assistance to the White House OFBCI as it may request, to the extent permitted by law.

Sec. 7. Administration and Judicial Review.

(a) The agencies' actions directed by this Executive Order shall be carried out subject to the availability of appropriations and to the extent permitted by law.

(b) This order does not create any right or benefit, substantive or procedural, enforceable at law or equity against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

GEORGE W. BUSH
THE WHITE HOUSE,
Establishment of White House Office of Faith-Based and Community Initiatives

By the authority vested in me as President of the United States by the Constitution and the laws of the United States of America, and in order to help the Federal Government coordinate a national effort to expand opportunities for faith-based and other community organizations and to strengthen their capacity to better meet social needs in America's communities, it is hereby ordered as follows:

Section 1. Policy. Faith-based and other community organizations are indispensable in meeting the needs of poor Americans and distressed neighborhoods. Government cannot be replaced by such organizations, but it can and should welcome them as partners. The paramount goal is compassionate results, and private and charitable community groups, including religious ones, should have the fullest opportunity permitted by law to compete on a level playing field, so long as they achieve valid public purposes, such as curbing crime, conquering addiction, strengthening families and neighborhoods, and overcoming poverty. This delivery of social services must be results oriented and should value the bedrock principles of pluralism, nondiscrimination, evenhandedness, and neutrality.

Sec. 2. Establishment. There is established a White House Office of Faith-Based and Community Initiatives (White House OFBCI) within the Executive Office of the President that will have lead responsibility in the executive branch to establish policies, priorities, and objectives for the Federal Government's comprehensive effort to enlist, equip, enable, empower, and expand the work of faith-based and other community organizations to the extent permitted by law.
Sec. 3. Functions. The principal functions of the White House OFBCI are, to the extent permitted by law:

(a) to develop, lead, and coordinate the Administration's policy agenda affecting faith-based and other community programs and initiatives, expand the role of such efforts in communities, and increase their capacity through executive action, legislation, Federal and private funding, and regulatory relief;

(b) to ensure that Administration and Federal Government policy decisions and programs are consistent with the President's stated goals with respect to faith-based and other community initiatives;

(c) to help integrate the President's policy agenda affecting faith-based and other community organizations across the Federal Government;

(d) to coordinate public education activities designed to mobilize public support for faith-based and community nonprofit initiatives through volunteerism, special projects, demonstration pilots, and public-private partnerships;

(e) to encourage private charitable giving to support faith-based and community initiatives;

(f) to bring concerns, ideas, and policy options to the President for assisting, strengthening, and replicating successful faith-based and other community programs;

(g) to provide policy and legal education to State, local, and community policymakers and public officials seeking ways to empower faith-based and other community organizations and to improve the opportunities, capacity, and expertise of such groups;

(h) to develop and implement strategic initiatives under the President's agenda to strengthen the institutions of civil society and America's families and communities;

(i) to showcase and herald innovative grassroots nonprofit organizations and civic initiatives;
(j) to eliminate unnecessary legislative, regulatory, and other bureaucratic barriers that impede effective faith-based and other community efforts to solve social problems;

(k) to monitor implementation of the President's agenda affecting faith-based and other community organizations; and

(l) to ensure that the efforts of faith-based and other community organizations meet high standards of excellence and accountability.

Sec. 4. Administration.

(a) The White House OFBCI may function through established or ad hoc committees, task forces, or interagency groups.

(b) The White House OFBCI shall have a staff to be headed by the Assistant to the President for Faith-Based and Community Initiatives. The White House OFBCI shall have such staff and other assistance, to the extent permitted by law, as may be necessary to carry out the provisions of this order. The White House OFBCI operations shall begin no later than 30 days from the date of this order.

(c) The White House OFBCI shall coordinate with the liaison and point of contact designated by each executive department and agency with respect to this initiative.

(d) All executive departments and agencies (agencies) shall cooperate with the White House OFBCI and provide such information, support, and assistance to the White House OFBCI as it may request, to the extent permitted by law.

(e) The agencies' actions directed by this Executive Order shall be carried out subject to the availability of appropriations and to the extent permitted by law.

Sec. 5. Judicial Review. This order does not create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its
agencies or instrumentalities, its officers or employees, or any other person.

GEORGE W. BUSH
THE WHITE HOUSE,
Equal Protection of the Laws for Faith-based and Community Organizations

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 121(a) of title 40, United States Code, and section 301 of title 3, United States Code, and in order to guide Federal agencies in formulating and developing policies with implications for faith-based organizations and other community organizations, to ensure equal protection of the laws for faith-based and community organizations, to further the national effort to expand opportunities for, and strengthen the capacity of, faith-based and other community organizations so that they may better meet social needs in America's communities, and to ensure the economical and efficient administration and completion of Government contracts, it is hereby ordered as follows:

Section 1. Definitions. For purposes of this order:

(a) "Federal financial assistance" means assistance that non-Federal entities receive or administer in the form of grants, contracts, loans, loan guarantees, property, cooperative agreements, food commodities, direct appropriations, or other assistance, but does not include a tax credit, deduction, or exemption.

(b) "Social service program" means a program that is administered by the Federal Government, or by a State or local government using Federal financial assistance, and that provides services directed at reducing poverty, improving opportunities for low-income children, revitalizing low-income communities, empowering low-income families and low-income individuals to become self-sufficient, or otherwise helping people in need. Such programs include, but are not limited to, the following:
(i) child care services, protective services for children and adults, services for children and adults in foster care, adoption services, services related to the management and maintenance of the home, day care services for adults, and services to meet the special needs of children, older individuals, and individuals with disabilities (including physical, mental, or emotional disabilities);

(ii) transportation services;

(iii) job training and related services, and employment services;

(iv) information, referral, and counseling services;

(v) the preparation and delivery of meals and services related to soup kitchens or food banks;

(vi) health support services;

(vii) literacy and mentoring programs;

(viii) services for the prevention and treatment of juvenile delinquency and substance abuse, services for the prevention of crime and the provision of assistance to the victims and the families of criminal offenders, and services related to intervention in, and prevention of, domestic violence; and

(ix) services related to the provision of assistance for housing under Federal law.

(c) "Policies that have implications for faith-based and community organizations" refers to all policies, programs, and regulations, including official guidance and internal agency procedures, that have significant effects on faith-based organizations participating in or seeking to participate in social service programs supported with Federal financial assistance.

(d) "Agency" means a department or agency in the executive branch.
(e) "Specified agency heads" mean the Attorney General, the Secretaries of Agriculture, Education, Health and Human Services, Housing and Urban Development, and Labor, and the Administrator of the Agency for International Development.

Sec. 2. Fundamental Principles and Policymaking Criteria. In formulating and implementing policies that have implications for faith-based and community organizations, agencies that administer social service programs supported with Federal financial assistance shall, to the extent permitted by law, be guided by the following fundamental principles:

(a) Federal financial assistance for social service programs should be distributed in the most effective and efficient manner possible;

(b) The Nation's social service capacity will benefit if all eligible organizations, including faith-based and other community organizations, are able to compete on an equal footing for Federal financial assistance used to support social service programs;

(c) No organization should be discriminated against on the basis of religion or religious belief in the administration or distribution of Federal financial assistance under social service programs;

(d) All organizations that receive Federal financial assistance under social service programs should be prohibited from discriminating against beneficiaries or potential beneficiaries of the social services programs on the basis of religion or religious belief. Accordingly, organizations, in providing services supported in whole or in part with Federal financial assistance, and in their outreach activities related to such services, should not be allowed to discriminate against current or prospective program beneficiaries on the basis of religion, a religious belief, a refusal to hold a religious belief, or a refusal to actively participate in a religious practice;
(e) The Federal Government must implement Federal programs in accordance with the Establishment Clause and the Free Exercise Clause of the First Amendment to the Constitution. Therefore, organizations that engage in inherently religious activities, such as worship, religious instruction, and proselytization, must offer those services separately in time or location from any programs or services supported with direct Federal financial assistance, and participation in any such inherently religious activities must be voluntary for the beneficiaries of the social service program supported with such Federal financial assistance; and

(f) Consistent with the Free Exercise Clause and the Free Speech Clause of the Constitution, faith-based organizations should be eligible to compete for Federal financial assistance used to support social service programs and to participate fully in the social service programs supported with Federal financial assistance without impairing their independence, autonomy, expression, or religious character. Accordingly, a faith-based organization that applies for or participates in a social service program supported with Federal financial assistance may retain its independence and may continue to carry out its mission, including the definition, development, practice, and expression of its religious beliefs, provided that it does not use direct Federal financial assistance to support any inherently religious activities, such as worship, religious instruction, or proselytization. Among other things, faith-based organizations that receive Federal financial assistance may use their facilities to provide social services supported with Federal financial assistance, without removing or altering religious art, icons, scriptures, or other symbols from these facilities. In addition, a faith-based organization that applies for or participates in a social service program supported with Federal financial assistance may retain religious terms in its organization's name, select its board members on a religious basis, and include religious references in its organization's mission statements and other chartering or governing documents.

Sec. 3. Agency Implementation.
(a) Specified agency heads shall, in coordination with the White House Office of Faith-Based and Community Initiatives (White House OFBCI), review and evaluate existing policies that have implications for faith-based and community organizations in order to assess the consistency of such policies with the fundamental principles and policymaking criteria articulated in section 2 of this order.

(b) Specified agency heads shall ensure that all policies that have implications for faith-based and community organizations are consistent with the fundamental principles and policymaking criteria articulated in section 2 of this order. Therefore, specified agency heads shall, to the extent permitted by law:

(1) amend all such existing policies of their respective agencies to ensure that they are consistent with the fundamental principles and policymaking criteria articulated in section 2 of this order;

(2) where appropriate, implement new policies for their respective agencies that are consistent with and necessary to further the fundamental principles and policymaking criteria set forth in section 2 of this order; and

(3) implement new policies that are necessary to ensure that their respective agencies collect data regarding the participation of faith-based and community organizations in social service programs that receive Federal financial assistance.

(c) Within 90 days after the date of this order, each specified agency head shall report to the President, through the Director of the White House OFBCI, the actions it proposes to undertake to accomplish the activities set forth in sections 3(a) and (b) of this order.

Sec. 4. Amendment of Executive Order 11246.
Pursuant to section 121(a) of title 40, United States Code, and section 301 of title 3, United States Code, and in order to further the strong Federal interest in ensuring that the cost and progress of Federal procurement contracts
are not adversely affected by an artificial restriction of the labor pool caused by the unwarranted exclusion of faith-based organizations from such contracts, section 204 of Executive Order 11246 of September 24, 1965, as amended, is hereby further amended to read as follows:

"SEC. 204

(a) The Secretary of Labor may, when the Secretary deems that special circumstances in the national interest so require, exempt a contracting agency from the requirement of including any or all of the provisions of Section 202 of this Order in any specific contract, subcontract, or purchase order.

(b) The Secretary of Labor may, by rule or regulation, exempt certain classes of contracts, subcontracts, or purchase orders

(1) whenever work is to be or has been performed outside the United States and no recruitment of workers within the limits of the United States is involved;

(2) for standard commercial supplies or raw materials;

(3) involving less than specified amounts of money or specified numbers of workers; or

(4) to the extent that they involve subcontracts below a specified tier.

(c) Section 202 of this Order shall not apply to a Government contractor or subcontractor that is a religious corporation, association, educational institution, or society, with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by such corporation, association, educational institution, or society of its activities. Such contractors and subcontractors are not exempted or excused from complying with the other requirements contained in this Order.

(d) The Secretary of Labor may also provide, by rule, regulation, or order, for the exemption of facilities of a
contractor that are in all respects separate and distinct from activities of the contractor related to the performance of the contract: provided, that such an exemption will not interfere with or impede the effectuation of the purposes of this Order: and provided further, that in the absence of such an exemption all facilities shall be covered by the provisions of this Order."

Sec. 5. General Provisions.

(a) This order supplements but does not supersede the requirements contained in Executive Orders 13198 and 13199 of January 29, 2001.

(b) The agencies shall coordinate with the White House OFBCI concerning the implementation of this order.

(c) Nothing in this order shall be construed to require an agency to take any action that would impair the conduct of foreign affairs or the national security.

Sec. 6. Responsibilities of Executive Departments and Agencies. All executive departments and agencies (agencies) shall:

(a) designate an agency employee to serve as the liaison and point of contact with the White House OFBCI; and

(b) cooperate with the White House OFBCI and provide such information, support, and assistance to the White House OFBCI as it may request, to the extent permitted by law.

Sec. 7. Judicial Review. This order is intended only to improve the internal management of the executive branch, and it is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by a party against the United States, its agencies, or entities, its officers, employees or agents, or any person.
REFERENCES


Clear, Todd. Harvard University Talk, September 2, 2003  
http://www.toddclear.org/index.html


Covey, Stephen R. *The 7 Habits of Highly Effective People.* Salt Lake City, UT: FranklinCovey, 1993.


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