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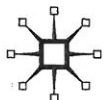
Mediating Religion and Government

Political Institutions and
the Policy Process

Edited by

Kevin R. den Dulk and
Elizabeth A. Oldmixon

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MEDIATING RELIGION AND GOVERNMENT

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First published in 2014 by

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175 Fifth Avenue, New York, NY 10010.

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ISBN: 978-1-137-39440-8

Library of Congress Cataloging-in-Publication Data

Mediating religion and government : political institutions and the policy process / edited by Elizabeth A. Oldmixon and Kevin R. den Dulk.

pages cm.—(Palgrave studies in religion, politics, and policy)

Includes bibliographical references and index.

ISBN 978-1-137-39440-8 (hardback)

1. Religion and politics—United States. 2. Religion and state—United States. I. Oldmixon, Elizabeth Anne, editor of compilation. II. Dulk, Kevin R. den, editor of compilation.

BL2525.M435 2014

322'.10973—dc23

2014021621

A catalogue record of the book is available from the British Library.

Design by Newgen Knowledge Works (P) Ltd., Chennai, India.

First edition: November 2014

10 9 8 7 6 5 4 3 2 1

*To Booth Fowler and Ken Wald
Who model what it means to be teacher-scholars*

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2

Political Rhetoric and Institutional Structures: Religious Advocacy in the US Congress

Michael T. Heaney and Elizabeth A. Oldmixon

Introduction

Many religious advocacy organizations in the nation's capital operate under the weight of a significant paradox: they maintain offices in Washington, DC, because they have concrete policy interests that they must defend throughout the routine legislative calendar, yet their authority and influence in that process depends largely on their being "above" politics. Religious organizations exude special status that derives from their representation of communities of believers. Their moral authority comes, in part, by speaking through and for those whose vocation is God's work. Given the traditional rhetoric of separation of church and state in America, their mere involvement in an issue is a tacit assertion that their concerns are nonpolitical and nonpartisan. However, if they are seen as "just another interest group," then they are likely to suffer diminished standing (Hofrenning 1995; Calfano, Oldmixon, and VonDoepp 2006; but see also Henriques

and Lehen 2007). In light of this situation, how do religious advocacy organizations simultaneously advance their earthly policy interests and harness their heavenly authority to influence the policy process?

Religious advocacy organizations attempt to walk the fine line between the religious and the secular by maintaining an intentionally multivocal posture (Padgett and Ansell 1993; Steinberg 1999); they speak in religious and normative language to some audiences while invoking primarily secular and instrumental claims before others (Schmalzbauer 1999). We argue that religious organizations modulate their rhetoric across diverse audiences based on three considerations: organizational identity, frame alignment, and institutional context. Considerations of organizational identity pressure organizations to behave in ways that reflect how they are (or wish to be) understood by their members, board, staff, and attentive publics (Heaney 2004, 2007; Engel 2007). The need for frame alignment induces organizations to articulate their positions in ways that are consistent with the dominant frame of their intended audiences (Snow et al. 1986; see also Chong and Druckman 2007). Recognition of institutional contexts allows organizations to seek opportunities in venues where the rules or balance of power favor their objectives, while adopting a more conservative approach where formal or informal structures put them at a disadvantage (Shepsle 1989).

Religious advocacy organizations might try to influence the policy process in any of several ways. In this volume, for example, Grant, Kim, and Velez (2014) investigate formal lobbying. Taking a complementary tack, we examine the testimony of religious organizations before congressional committees to investigate their multivocality in the use of religious language and normative arguments. We content-analyze the congressional testimony of three prominent religious organizations: the US Conference of Catholic Bishops (USCCB), the National Council of Churches (NCC), and the American Jewish Committee (AJC). Through statistical analysis of testimonies delivered between 1994 and 2006, we assess the extent to which rhetoric is a function of identity, framing, and context. We find that (1) a unique organizational identity is especially pertinent in the case of the AJC; (2) organizations attempt to maintain frame alignment with key issues, such as the right to life; and (3) when choosing their precise language, organizations are sensitive to the type of institutional bodies that hear their testimony. Overall, the results elucidate the strategic sensibilities of religious organizations in their efforts to influence Congress, which echoes recent work on candidate

communications (Calfano and Djupe 2009; Albertson 2014). Whatever their in-house priorities may be, the substance of testimony by religious advocacy organizations is mediated by institutional context.

The chapter commences with a theoretical discussion of organizational identity, frame alignment, institutional context, and their relationships to discursive strategies. Second, it provides an overview of our data and approach to content analysis. Third, it describes the data and presents the results of our statistical analysis. Finally, it concludes by suggesting the potential significance of these results and questions for future research.

Strategic Testimony

Congressional testimony is only one of myriad ways that religious organizations communicate their positions to diverse audiences. Beyond formal testimonies, they may lobby privately, advertise or appear in the mass media, and send email or use other Internet tools, to name only a few options (Henriques and Lehen 2007). Yet hearing testimony is an especially significant method of communication (Brasher 2006). Testimony is targeted at a particular congressional institution (either in the House or Senate, at the committee or subcommittee level) and at a specific legislative question. Further, remarks are placed in the record and become available for future legislative debate or secondary analyses. Presenters and the organizations sponsoring them have strong incentives to choose their words carefully (Esterling 2004). While a gaffe in private lobbying may cost an organization a legislative victory or alienate a potential ally, inadvisable testimony has the potential to damage an organization before significantly wider audiences.

Multivocality is a robust method of coping with the challenges of giving congressional testimony. Multivocality is an effort to maintain flexibility in position by speaking differently depending on the audience or venue (Steinberg 1999). By speaking to each audience in the language it wants to hear and making conflicting parties believe that they are in agreement with the speaker, an organization is able to gain strategic position vis-à-vis actors that pursue a univocal approach (Padgett and Ansell 1993). This approach is especially advantageous for speakers who wish to maintain neutrality in religious dialogue (Schmalzbauer 1999). By using religious language and normative arguments in some venues and not in others, religious organizations adopt a multivocal rhetorical strategy.

We contend that religious advocacy organizations are multivocal in the use of religious language and normative arguments, depending on organizational identities, frame alignment, and institutional context. First, congressional testimonies help to shape organizational identities. Testimony usually begins with a brief statement of the organizational membership and purpose precisely for this reason. Organizations aspire to create and sustain identities that are unique in comparison with competing organizations so that they can secure loyalty from members, funding sources, and policymakers (Browne 1990). Organizations often cast their identities in multiple dimensions by presenting their uniqueness in terms of the issues they work on, the constituencies they represent, the ideologies they espouse, the tools they use, their geographic reach, the ways that they are organized and financed, and how these dimensions intersect with one another (Hathoway and Meyer 1997; Heaney 2004, 2007; Strolovitch 2006). Religious advocacy organizations vary in the ways they define their identities. They may represent a particular religious body, a coalition of religious bodies, or a theological or religious perspective that does not necessarily correspond to a defined religious community. They may decide to identify with specific issues, such as separation of church and state, but they may choose to eschew a narrow issue-based identification. We hypothesize that organizations modulate their use of religious language and normative arguments to correspond with how they wish those identities to be understood by attentive audiences.

Second, whether or not a religious advocacy organization adopts a religious or normative stance at a hearing depends, in part, on whether that stance is appropriate given the issue in question. Thus, organizations usually seek to frame their arguments in a way that aligns with the views held by attentive audiences (Snow et al. 1986). If the broader political system recognizes the issue as having a religious dimension, then religious advocacy organizations should be less constrained in taking a religious or normative stance. If the issue is more traditionally recognized as being in the secular domain, then religious advocacy organizations may strike a discordant note by approaching the issue from a religious or normative vantage point, since they are more likely to be seen as attempting to exploit God for political purposes. Of course, organizations may attempt to transform a nonreligious issue into a religious one, though such a strategy is usually undertaken as part of a long-term campaign or represents the historically memorable maneuver of a brilliant politician, and is atypically the product of routine politics (Riker 1986; Esacove 2004).

Third, congressional institutions are not religiously neutral, but rather reflect the efforts of their members to represent and respect the religious views of their constituents and to interject their own religious values into the process. Abundant empirical evidence suggests that legislators respond to the communities of believers in their constituencies (Meier and McFarlane 1993; O'Connor and Berkman 1993, 1995; Oldmixon 2005) and that legislators' personal religious impulses influence their decision making (Richardson and Fox 1972, 1975; Benson and Williams 1982; Page et al. 1984; Chessanthi, Gilbert, and Grimes, 1991; Green and Guth 1991; Tatalovich and Schier 1993; Gohmann and Ohsfeldt 1994; Fastnow, Grant, and Rudolf 1999; Schechter 2002; Oldmixon 2005; Yamane and Oldmixon 2006). In this volume, for example, Guth (2014) finds systematic differences in legislative behavior by members of the US House on the basis of ethnoreligious identity and theological orientation.

The US Congress is designed to give organized interests an entrée into legislative politics, and religious groups compete in this milieu in the same way that corporate, labor, and environmental interests do. Just as these secular interests are favored in some institutional contexts more than in others (Hall 1996), religious advocacy organizations are favored in some arenas and at a disadvantage in others. Specifically, we anticipate that a religious point of view is more favored in the House of Representatives, where legislators' geographically concentrated constituencies are more likely to be dominated by well-organized religious groups than in the Senate, where broader constituencies compete for members' attention (Lee and Oppenheimer 1999). Further, we suspect that the judiciary committees in the House and the Senate are institutional contexts in which legal arguments take precedence over religious and normative perspectives (Farrelly 1943; Miller 1993; Ringhand and Collins 2011; Farganis and Wedeking 2014). In no small part, this propensity exists because the courts and, by extension, the judiciary committees cannot weigh the authenticity of religious doctrines. Finally, the presence of divided government is likely to create opportunities for religious advocacy organizations to play different branches against one another (Mayhew 2005), thus broadening opportunities for the strategic use of religious and normative arguments. In light of these claims, we hypothesize that religious advocacy organizations are more likely to employ religious language and normative arguments when testifying before the House, less likely to do so when appearing before the Judiciary Committee in either chamber and more likely to do so when encountering a committee controlled by a party other than the president's.

Analytical Techniques

While there are a large number of religious advocacy organizations with a presence in the Capitol, we narrow our analysis to three of the most visible and active: the USCCB, the NCC, and the AJC. We chose these groups with three principal considerations in mind. First, we wanted the case selection to reflect religious advocacy organizations that prioritize the many issues that are derivative of their creedal values and institutional interests. In other words, we sought to avoid single-issue groups. Second, to the extent possible, we wanted to choose organizations that represent official denominational bodies. These are the organizations that are least able to escape the need to reach out to multiple audiences, in contrast to niche-oriented organizations that may be focused on satisfying a narrower constituency. Thus, we aimed to include organizations that provide some official, ecclesiastical representation for a community of believers. Third, we sought organizations with a sufficient historical track record of congressional participation to allow for statistically meaningful analysis. Thus, we analyzed the testimonies of the following three organizations:

1. USCCB—This organization represents and is comprised of the Roman Catholic episcopacy in the United States. Its headquarters are in the District of Columbia, and it is staffed by over 350 individuals. The USCCB was created in 2001 when its predecessors, the National Conference of Catholic Bishops and the US Catholic Conference, were combined to form a single organization.¹
2. AJC—This organization does not provide official representation for American Jews, *per se*. In the American context, the difficulty with selecting an ecclesiastical body is that it would only represent one of Judaism's traditions: Reform, Conservative, or Orthodox. The AJC is not religious, but it represents religious communities. It was established by Jews in 1906 with the goal of promoting "pluralistic and democratic societies where all minorities are protected." In that context, AJC believes that the status of Jews as a minority group is most likely to be protected.²
3. NCC—Founded in 1950, NCC is an ecumenical organization whose member denominations include an array of mainline Protestant, black Protestant, and Orthodox communions.³

Table 2.1 Testimony Availability by Religious Group

	USCCB	AJC	NCC	Total
Available	59.7% (40)	92.0% (23)	50.0% (7)	66.0% (70)
Unavailable	40.3% (27)	8.0% (2)	50.0% (7)	34.0% (36)
Total	100.0 (67)	100.0 (25)	100.0 (14)	100.0 (106)

Groups are given the opportunity to testify when they are invited to do so by congressional committees, although sometimes they can secure an invitation by asking for the opportunity to speak. This has two implications: (1) they will be asked to speak when legislators and staff view their presence as advantageous, and (2) the issues on which they testify may not reflect their institutional priorities. From 1994 through 2006, these three groups testified before a standing committee of either the House or Senate approximately 106 times. As Table 2.1 indicates, only 66 percent of those observations were available for download. We content-analyzed all 70 available observations from 1994 to 2006. Of these, 40 observations are from the USCCB, 23 from the AJC, and 7 from the NCC. Obviously, the analysis uses only a handful of observations, particularly for the NCC, so we are cautious about making generalizations. At the very minimum, we are able to conclude that the USCCB has the greatest presence in committee, while the NCC uses this technique relatively sparingly.

What Are They Talking about?

Some lobbyists who represent religious advocacy organizations do not think of themselves as lobbyists at all, because they do not represent a narrow segment of the economy (Hertzke 1988, 7). Rather, religious advocacy organizations may represent vast societal interests. To get a sense of the impulses that bring religious advocacy organizations to Capitol Hill, it is helpful to consider the various dimensions of religion. Wald and Calhoun-Brown (2007, 26) note that in a creedal sense, religion provides individuals with a set of fundamental values that guide how they should live in the secular realm. As such, we might expect religious advocacy organizations to take positions and lobby on any issues related to creedal values. Depending on the creed of the religious

group in question, the number of policy issues related to creed is vast. Abortion and homosexuality immediately come to mind as two policy issues in which creedal values are at stake, but so too are poverty and social welfare, the environment, and questions of war and peace. Indeed, religious interest groups may be better positioned to speak on these prophetic issues, precisely because they do not act on behalf of narrow interests. Hertzke (2009) suggests that religious groups may fill the void left by groups with an “upper class accent.” Religious advocacy organizations may also expend capital to promote the interests of their faithful. While it is correct to understand religion as a set of beliefs, religion also denotes a social group, a community of believers (Wald and Calhoun-Brown 2007, 26).

To the extent that members of a religious group share a common social status, one might expect religious interest groups to promote the interests and status of their group. The NCC and the USCCB both represent religious denominations that are part of the country’s Christian majority. While Depression-era Catholics represented a ghettoized religious minority, Catholics joined their mainline Protestant Christian brethren in the middle class in the decades that followed. Therefore, we expect that promoting the specific interests of their faithful will probably not be a priority for the USCCB and the NCC. Because the AJC represents a minority community, they may be more likely to advocate more explicitly on behalf of their constituents. Finally, religious interest groups may choose to lobby on behalf of their own institutional interests.

Testimony topics include a range of issues, such as human trafficking, cloning, the status of refugees, and religious freedom. We identified 30 different issues, which were classified thematically into the following larger categories: life issues, foreign policy, immigration, domestic social justice, foreign social justice, status, and others. Life issues included such topics as abortion, physician-assisted suicide, and cloning and stem cell research. Foreign policy included such issues as nuclear weapons, Islamic extremism, NATO, and foreign terror. Immigration included such issues as the status of refugees, Immigration and Naturalization Services detention practices, and border security. Social justice issues are concerned with the poor and vulnerable. Issues of domestic social justice include education, Temporary Assistance for Needy Families, and welfare reform. Issues of foreign social justice include debt reduction, foreign aid, and human trafficking. Status issues concern the ability of religious groups—particularly religious minorities—to freely

Table 2.2 Testimony Topic by Group

Topic	Groups			Total
	USCCB	AJC	NCC	
Life	17.5% (7)	4.3% (1)	—	11.4% (8)
Foreign Policy	2.5% (1)	17.4% (4)	—	7.1% (5)
Immigration	35.0% (14)	8.7% (2)	14.3% (1)	24.3% (17)
Domestic Social Justice	7.5% (3)	—	14.3% (1)	5.7% (4)
Foreign Social Justice	20.0% (8)	—	—	11.4% (8)
Status	15.0% (6)	69.6% (16)	57.1% (4)	37.1% (26)
Other	2.5% (1)	—	14.3% (1)	2.9% (2)
Total	100.0% (40)	100.0% (23)	100.0% (7)	100.0% (70)

practice and express their religion. The “Other” category includes two topics that do not fit neatly with the alternative topics. In one instance, a representative from the USCCB discussed a papal visit to Cuba. The testimony simply described the pontiff’s itinerary and evaluated the visit as successful; it did not include any policy advocacy. In the other instance, a representative from the NCC testified about how the NCC had been the victim of investment fraud and encouraged the Congress to pass legislation dealing with this issue more generally.

Table 2.2 indicates the testimony topics by religious group. Among all the issues on which the USCCB, the AJC, and the NCC gave testimony, Status is the overall modal category. Aggregated by organization, it is also the modal category for the AJC and the NCC, but not the USCCB. Here again, status issues are rooted in the desire to protect communities of believers—their ability to practice their faith and to live openly and free of oppression on the part of the majority community. Interestingly enough, the status-based testimony delivered by the NCC is not just directed toward the status of Protestantism generally, but rather minority religious communities within Protestantism and without. In two instances, representatives from the NCC testified about the burning of black churches and their efforts to rebuild these. Moreover, they advocated for government assistance in the rebuilding process. The NCC also offered testimony in support of religious institutions and religious expression more generally. For example, in 1999 the NCC testified before the House Judiciary Committee in support of H.R. 1691, the Religious Liberty Protection Act, which was rooted in the commerce clause and designed to protect free exercise; in 2002 they reasserted their support for the 501(c)(3) status of churches in the tax code.

Status issues were especially important to the AJC, comprising almost 70 percent of their available testimony. However, their status concerns were directed almost exclusively toward protecting Jews, testifying repeatedly about anti-Semitism, Holocaust assets, the status of Israel in the UN, and terror directed at Jews. Given that Jews are a minority community in the United States, it makes sense that the AJC would be primarily concerned about the status of its key constituency (cf. Uslaner and Lichbach n.d.). Moreover, in the 104th Congress, the AJC opposed H.J. Res. 184, a constitutional amendment that in the group's view would have eroded the Establishment Clause, thereby threatening Jewish citizens as a religious minority. Even so, the AJC expressed concern for the status of religious communities more generally, beyond Jewish interests. For example, the AJC supported efforts to protect free exercise in the workplace (S. 1124, 105th Congress). In their testimony, the AJC seems particularly interested in protecting the free exercise of religion, while safeguarding against the Establishment of religion.

While not the modal category, the status of religious communities was also important to the USCCB. In the 12 years we consider in this chapter, they testified on this issue six times. However, their approach to this issue is decidedly more universal than the testimony offered by the NCC and especially the AJC. Repeatedly, they direct their testimony to the status of believers abroad—of all affiliations. For example, they expressed concern for the status “of all believers: for Buddhists in Tibet, for Muslims in Central Asia, for members of protestant house churches as well as for the Catholic Church in China.”⁴ In one instance, however, they testified about the freedom of religion as it relates to domestic affairs.⁵

The USCCB testified about immigration 14 times from 1994 to 2006; this was the group's modal category. The bulk of these observations pertain to the status of refugees and the importance of permitting more refugees to immigrate to the United States, as well as (to a lesser extent) INS detention practices and treatment of children. The second largest category pertains to foreign social justice and includes issues such as human trafficking, international development, and foreign aid. At least in the context of committee hearings, the USCCB devotes the most attention to foreign and so-called “inter-mestic” issues. In light of the association of the Catholic church with prolife advocacy, it is interesting that life issues rank third on the list of issues on which they testify. Here,

the focus is on abortion, cloning and stem cell research, and physician-assisted suicide.

Life issues are a priority of the Catholic church, and so too are issues of sexual ethics such as gay marriage. In this era, those issues were at the forefront of political discourse in the United States. Yet at the national level, the focus of bishops cuts across the various dimensions of Catholic social teaching. As Byrnes (1991) notes, the bishops are aware that to emphasize one aspect of Catholic teaching over another, they would be injecting themselves into political discourse in a way that lends preference to one political party or candidate over another, something the church is loathe to do. Thus, the late Cardinal Bernardin supported a “seamless garment” approach to Catholic activism, emphasizing issues such as the alleviation of poverty *and* opposition to abortion, without giving preference to either. In this way, the bishops could apply Church values to the contemporary political landscape without directly taking sides in an election. To be sure, not all bishops adopted Bernardin's approach, arguing that the potential threats to life posed by poverty were not as morally pressing as the actual threat to life posed by legal abortion (Byrnes 1991).

As a collegial body, USCCB nevertheless expended its capital in committee on issues where human life was not directly at stake—although other aspects of Catholic teaching, such as solidarity and importance of human dignity, clearly were. It may be that the bishops focused on immigration and foreign social justice more than they did on life issues because they believed that is where their advocacy would have the biggest impact. As one of their staffers notes, concern for the vulnerable is at the heart of their policy positions. As such, an array of issues from health care to abortion is always going to be important to the bishops, regardless of whether they are actually engaging in advocacy. The decision to engage in advocacy will depend not on whether an issue is more or less important so much as whether the context affords them an opportunity to “move policy” through their efforts.⁶ Even in the era of unified Republican governance, progress on life issues would have been difficult given the composition of the Supreme Court at the time. However, when the USCCB did testify on abortion, it was on the issues of partial-birth abortion, where there was a special opportunity to “move policy.”

In comparing the USCCB, the AJC, and the NCC, their priorities overall seem to reflect a concern for vulnerable people (although we

hesitate to draw conclusions about the NCC, given the small number of observations). Given that the Catholic church is the plurality religious denomination in the United States, it makes sense that their priorities are not focused on the status of Catholics in American society. Nor do the bishops engage advocacy to promote their own institutional strength. Their advocacy is directed at creedal issues drawing on various aspects of Catholic teaching. The AJC, on the other hand, is first and foremost attentive to the status of Jews in the United States and abroad and to the status of Israel. Their advocacy appears to be rooted in that aspect of religion that is communal. That is, American Jews constitute a minority group and in that sense view the common status of their group as vulnerable. The only place where this is not the case is Israel, and so the AJC is attentive to its status in the international community. The NCC tends not to utilize this tool very much, making only 14 committee appearances between 1994 and 2006. When they did testify, their focus was directed toward the status of religious communities, but not mainline Protestantism, *per se*.

How Do They Make Arguments?

The agendas of religious advocacy organizations are varied, although issues of status and immigration seemed to garner the most attention in committee. We now ask, how do these groups make their arguments on two different dimensions? First, are their arguments religious or secular in nature? Unlike other interests testifying before committee, religious interests can credibly and with a sense of legitimacy invoke religious imagery and arguments in support of their policy positions. We might expect them to use this technique in order to gain leverage in their advocacy in some situations, but not in others. At the same time, religious interests make their arguments in a secular environment and are no doubt confronted with instrumental arguments that highlight the efficacy of a policy position. From the perspective of the USCCB, and we suspect the other religious interests as well, they are not forced to make a choice between religious and secular framing since in their view they are compatible. To be sure, the advocacy of the USCCB is rooted in Catholic social teaching, but when making an argument in the secular realm, it has to be made using a nonreligious standard of merit. As such, the USCCB tried to make practical secular arguments about how to bring a policy goal to fruition.⁷

The unit of analysis is each instance of testimony delivered before a standing committee of the US Congress. Focusing on manifest content, we counted the number of paragraphs within each testimony that contained religious language. To be sure, paragraphs that explicitly mentioned God, the Talmud, Jesus Christ, or the Gospels were counted as religious, but so too were other religious allusions. Paragraphs were counted as religious if they mentioned "the faithful," "the chosen people," or "believers"; if they cited a religious authority such as a pope or Maimonides; or if they cited aspects of religious doctrine such as "subsidiarity," "solidarity," and "the common good" in the case of the USCCB.

An example of testimony that provides a sweeping example of the use of religious language to make a political argument is provided by the March 6, 1997, testimony of the AJC before the House Committee on Commerce, Subcommittee on Health and Environment. The topic was assisted suicide. The speaker, Rabbi A. James Rudin, notes: "since God alone determines death, it cannot be hastened in any way." He repeatedly cites the Talmud, rabbinical writings, and the nature of God's creative power as an argument against facilitating assisted suicide as a matter of policy. As another example, in its June 27, 1996, testimony on church burnings, the NCC argues that these incidences happen when "the Godly spirit of love, justice and mercy is absent." They further admonish us to "remain one nation under God."⁸ Finally, in its February 25, 1999, testimony on immigration, Bishop Nicholas DiMarzio of the US Catholic Conference noted: "Church teaching recognizes human sinfulness and affirms the realities of moral choice, personal responsibility, and obedience to rightful authority. At the same time, it proclaims a message of forgiveness and redemption, as derived from God's infinite love and saving grace."⁹

Tables 2.3 and 2.4 provide the mean levels of religious language by issue and group. Overall, the data indicate that, on average, testimony includes about four paragraphs. Foreign policy testimony contains on average the lowest level of religious rhetoric at 0.8 paragraphs, while issues of domestic social justice contain the highest levels of religious rhetoric at 9.75 paragraphs. As Table 2.3 indicates, the difference of means test falls just short of significance. Table 2.4 indicates that, on average, the USCCB testimony contains two more religious paragraphs than the AJC or NCC testimony. Here again, however, the difference of means test does not achieve significance.

Table 2.3 Mean Level of Religious Rhetoric by Issue

	<i>Mean Religious Paragraphs</i>
Life	4.50 (8.37)
Foreign Policy	0.80 (1.30)
Immigration	2.12 (2.29)
Other	6.00 (7.07)
Domestic Social Justice	9.75 (3.77)
Foreign Social Justice	4.25 (3.88)
Status	4.46 (5.99)
Overall	3.96 (5.30)

Standard deviations in parentheses. $N=70$; $F=1.915$; $p=0.105$.

Table 2.4 Mean Level of Religious Rhetoric by Religious Group

	<i>Mean Religious Paragraphs</i>
USCCB	4.65 (5.48)
AJC	2.52 (5.31)
NCC	2.12 (3.50)
Overall	3.96 (5.30)

Standard deviations in parentheses. $N=70$; $F=1.269$; $p=0.288$.

In order to subject the data to greater analytical rigor, we examine the level of religious language using an event count model (Yamaguchi 1991; Long 1997). More specifically, we use Poisson as our estimator, since the dependent variable is a count of the religious paragraphs in each testimony.¹⁰ We include three sets of independent variables. First, to reflect differences in organizational identity, we created indicator variables for each organization, using the USCCB as the base category. As a group representing a non-Christian minority, we expect that the AJC will have the greatest incentive to make secular arguments. That is, they will likely make arguments that deemphasize their religious values, as those arguments may not have cache among legislators and instead highlight the value of their argument in terms accessible to believers and nonbelievers alike. Second, to reflect issue-frame alignment, we created a set of dummy variables for each issue, using foreign policy as the base category. All of these issues may be traced back to religious creeds and values, but differ in the degree to which the issue is set within a religious frame in broader political debates. Finally, to reflect institutional context, we included three indicator variables: testifying before a House committee = 1; testifying

before a judiciary committee = 1; testifying before a committee controlled by a party other than that of the president = 1. Given that organizations engage in advocacy strategically, when they believe they are operating within an institutional context within which they are likely (or unlikely) to move policy, it influences how they make arguments.

Table 2.5 provides an analysis of religious rhetoric in committee. We find that the NCC is indistinguishable from the USCCB, since in this case the relationship does not achieve statistical significance. However, the analysis also indicates that the AJC is far less likely to make religious appeals than the USCCB. This relationship is strongly significant, supporting our hypothesis about organizational identity. We conjecture that this difference exists because the USCCB is a collegial body that speaks for the country's plurality denomination. As such, religious appeals coming from the Bishops Conference may be more potent and carry greater legitimacy than religious appeals from religious minorities. The AJC may be less likely to make religious arguments because, as we noted above, it

Table 2.5 Count Analysis of Religious Rhetoric in Committee

<i>Independent Variables</i>	<i>Coefficients</i>
Groups	
AJC	-0.686*** (0.182)
NCC	-0.057 (0.212)
Issues	
Life	1.331** (-.544)
Immigration	0.694 (0.552)
Foreign Social Justice	0.971* (0.549)
Domestic Social Justice	1.839*** (0.543)
Status	1.466*** (0.514)
Political Context	
House	0.516*** (0.151)
Judiciary Committee	-0.280* (0.169)
Divided Government	0.264* (0.136)
Constant	0.432 (0.530)
<i>N</i>	68
Chi-squared	100.83***
Log likelihood	-217.43766
Pseudo R^2	0.1882

* $p<0.10$, ** $p<0.05$, *** $p<0.005$ in a two-tailed test. Entries are Poisson coefficients. The USCCB and Foreign Policy issues comprise the base categories.

is not an ecclesiastical body. What is more, as a group that represents the interests of a religious minority, the AJC cannot make religious appeals that carry the implicit support of vast numbers of voters. Thus, they may feel more pressure to make their arguments strictly on secular merits.

With the exception of immigration, all of the specific issues are positively associated with religious language, when compared to "other" issues. Given that immigration is the issue existing in the least religious political context, this finding supports our claim regarding frame alignment. Finally, the relationships between religious language and institutional contexts are significant in the expected directions. First, testimony before the House is more likely to involve religious language because of the relative advantage of religious constituencies in House districts as compared with the statewide districts represented by Senators. Second, testimony before judiciary committees is less likely to use religious language than is testimony before other committees because of the legal norms present on the judiciary committees. Third, religious organizations use religious language to exploit the divisions between the party controlling a committee and the party of the president.

In addition to the level of religiosity in their language, we expected a similar logic to prevail as religious organizations chose between making normative arguments (which capitalize on their religious identifications) versus instrumental arguments (which leave them appearing as "just another interest group"). Esterling (2004) argues that interest groups care about outcomes; they care about the instrumental effects of policy-making rather than normative concerns. Traditional interest groups will be successful to the extent that they present their arguments in instrumental terms that draw heavily on expertise. We expect that religious advocacy organizations abide by this logic when their organizational identities, frame alignment, and institutional context weigh against the adoption of religious identifications. In contrast, they embrace normative framings when these factors support their religious identifications.

Coding normative versus instrumental arguments is less straightforward than coding religious versus secular arguments. With the former, the coder is looking for latent content, which is present in the meaning and tone of an argument, not simply the presence of certain words. In reading the testimony, we asked ourselves, is the speaker arguing that a policy is good or bad? Or is the speaker arguing that a policy is effective or ineffective? When wishing to stress their transcendent values, religious organizations may be more likely than other kinds of groups

to make normative arguments. At the same, when they are involved in the earthly business of interest groups, we expect that religious advocacy organizations argue on practical policy grounds. Under these conditions, it is not enough to simply take positions.

In surveying the arguments of religious advocacy organizations, we found that 34.3 percent of the testimony was fairly balanced, containing strongly normative and instrumental arguments; 22.9 percent of the testimony was entirely or largely instrumental; 42.9 percent of the testimony was entirely or largely normative. Thus, over 40 percent of their time, religious groups try to gain leverage over the policy process by making value-based arguments about what should be, rather than positivist arguments about what is and will be. In their testimony on "Charitable Choice," for example, the AJC argued that it would constitute an "unconstitutional breach of the principle of separation of church and state."¹¹ Notably, the AJC gave very little attention to whether charitable choice would be effective policy. They made their argument on the basis of constitutional principles. This pattern is echoed in the May 12, 1999, NCC testimony on the topic of religious freedom. Their speaker, Oliver S. Thomas, notes that "the principle is clear. The free exercise of religion has been and continues to be a cornerstone of American democracy."¹² In their testimony on partial-birth abortion, the USCCB argues that the procedure "is nothing other than the direct killing of an innocent human being, an act deemed immoral and socially unacceptable through time and across continents."¹³ Here again, the argument is made on the basis of what is right and wrong.

As Table 2.6 indicates, the inclination to offer normative versus instrumental testimony does not noticeably vary by religious organizations. We hesitate to draw inferences, especially with regard to the NCC, because of the small number of observations. However, both the USCCB and the AJC present their arguments in comparable proportions.

Table 2.6 Testimony Using Instrumental or Normative Arguments

Frame	Religious Organizations			Total
	USCCB	AJC	NCC	
Instrumental	22.5% (9)	17.4% (4)	42.9% (3)	22.9% (16)
Both	35.0% (14)	34.8% (8)	28.6% (2)	34.3% (24)
Normative	42.5% (17)	47.8% (11)	28.6% (2)	42.9% (30)
Total	100.0% (40)	100.0% (23)	100.0% (7)	100.0% (70)

These questions are addressed with greater statistical rigor by estimating an ordered probit model (Long 1997). The dependent variable is coded on a scale of 1 to 5, where 1 is when the entire testimony is instrumental, 2 indicates mostly instrumental, 3 indicates both instrumental and normative, 4 indicates mostly normative, and 5 indicates normative. We retain the same hypotheses as in the above analysis of religious language.

The estimates of the ordered probit model are reported in Table 2.7. Organizational identity does not affect the use of normative arguments, consistent with the results in Table 2.6. Frame alignment matters only on the issues of life and status, which promote the use of normative arguments in testimony. Institutional context does not matter significantly in the choice between normative and instrumental arguments. This decision appears to be a function solely of frame alignment, consistent with Esterling's (2004) claims.

The results presented here are preliminary. Moving forward, it will be important to cast a wider net with respect to religious groups. The Religious Action Center of Reform Judaism and the United Methodist

Table 2.7 Ordered Probit Regression on Testimony Using Instrumental or Normative Arguments

<i>Independent Variables</i>	<i>Coefficients</i>
Groups	
AJC	0.157 (0.370)
NCC	-0.477 (0.499)
Issues	
Life	1.325** (0.612)
Immigration	0.290 (0.561)
Foreign Social Justice	0.571 (0.606)
Domestic Social Justice	0.555 (0.690)
Status	1.148** (0.467)
Political Context	
House	-0.116 (0.285)
Judiciary Committee	0.002 (0.335)
Divided Government	0.051 (0.288)
<i>N</i>	70
Chi-squared	14.52
Log likelihood	-98.745272
Pseudo <i>R</i> ²	0.0685

* $p < 0.10$, ** $p < 0.05$, *** $p < 0.005$ in a two-tailed test. Entries are Poisson coefficients. The USCCB and other issues comprise the base categories.

Church, for example, should be included in future research. At present, we are comparing somewhat unlike things—a Jewish advocacy group, a single hierarchical denomination, and a loose federation of mainline Protestant groups. Analysis would benefit by adding an Evangelical group to the analysis, but there are only limited observations for the National Association of Evangelicals and the Southern Baptist Convention, for example. Nonetheless, we propose that our preliminary findings are suggestive and that support of our hypotheses will increase along with our statistical power. Our findings to date are reason for cautious optimism.

Conclusion

The purpose of this volume is to explore the ways that religion is mediated by and through political institutions. In this chapter, we consider the relationship between institutionalized religious advocacy organizations and the US Congress. Lobbying Congress is but one way for religious groups to enter the public square in an effort to shape policy. There are several different ways to lobby. When religious interest groups testify before committee, they expend capital; they inject themselves into the political process in a public way that might compromise their mission in other areas. This conundrum is particularly problematic if they consistently align themselves with the same party or coalition. Therefore, we suspect that the decision to appear before committee is not made lightly. In the 12 years we analyzed, religious groups chose to expend capital to advocate for the status of religion in society (although not specifically for religious institutions) and for the protection of a particularly vulnerable cross-national group—immigrants and refugees.

In bringing heavenly informed preferences to bear on a secular policy process, our analysis moves in the direction of demonstrating that religious groups utilize multivocal strategies across hearings. Moreover, they are attentive to the precise institutional context and modulate their rhetoric by chamber and committee. By revealing how religiously organizations speak across these varied contexts, we provide evidence on how they rhetorically walk the fine line between heaven and earth.

While our evidence is drawn from congressional testimony, we expect that a similar logic applies to the rhetorical choices made by organizations across institutional venues and media outlets. The rhetorical evolution of Christian Right organizations provides a good example of

this logic at work. Much has been made of the increasingly sophisticated behavior of the Christian Right in the 1990s. Under Ralph Reed, for example, the Christian Coalition no longer led with its chin. It made legal, rights-based arguments rather than relying on religious arguments (Moen 1992). Our analysis suggests that other religious organizations also appreciate the policy process and try to strike a balance between the sacred and the secular, and between norms and instrumentalities as they navigate this process.

Acknowledgements

We acknowledge helpful comments from Chuck Shipan and Ken Wald. We thank Melissa Coker for excellent research assistance. Earlier versions of this chapter were presented at the 2007 Annual Meeting of the American Political Science Association and the 2008 Annual Meeting of the Southwestern Political Science Association.

Notes

1. See <http://www.usccb.org/whoweare.shtml>.
2. See http://www.ajc.org/site/c.ijIT12PHKoG/b.789093/k.124/Who_We_Are.htm.
3. See http://www.nccusa.org/about/about_ncc.htm.
4. July 28, 1994, testimony before the House Committee on Ways and Means, Subcommittee on Trade.
5. March 26, 1998, testimony before the House Judiciary Committee, Subcommittee on the Constitution.
6. Interview with the authors, June 21, 2006.
7. Interview with the authors, June 21, 2006.
8. Testimony before the Senate Committee on the Judiciary.
9. Testimony before the House Committee on the Judiciary, Subcommittee on Immigration and Claims.
10. We considered whether a negative binomial model was more appropriate. An insignificant alpha test revealed, however, that the Poisson model is preferable in this case.
11. June 6, 2001, testimony before the Senate Judiciary Committee.
12. Testimony before the House Committee on the Judiciary, Subcommittee on the Constitution.
13. March 21, 1996, testimony before the House Judiciary Committee on the Judiciary, Subcommittee on the Constitution.

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