

# REPORT

from the Capital

## Disagreements remain after release of final contraceptive mandate rules

The Obama administration issued final rules June 28 regarding employer-provided birth control coverage under the nation's health care law. The announcement did not end controversy that has surrounded the policy since it was first proposed in August 2011. While the Catholic Health Association, which represents Catholic hospitals across the country, said it no longer objects to the mandate that all employees receive contraceptive coverage, others remain dissatisfied.

As the largest private health care provider in the nation, the CHA is a critical player in health care issues. Its decision to affirm the final contraceptive coverage rules puts the hospitals at odds with the Catholic hierarchy and others who rejected the White House's final regulations on an issue that many conservatives say is evidence of the administration's hostility to religious freedom.

The controversy began in 2011 when the Department of Health and Human Services announced that, as part of health care reform, it was proposing regulations that would require most non-profit and for-profit employers to include free contraception coverage — including morning-after pills and sterilization — in employee health insurance plans.

The original HHS regulations included an exemption for houses of worship.

Many religious groups, led by the U.S. Conference of Catholic Bishops, denounced that exemption as too narrow and a serious infringement on religious freedom. The administration modified the regulations at various points after negotiations with the bishops, the CHA and others affected by the mandate.

While Catholic organizations like the



CHA generally saw the negotiations as productive and considered a solution within reach, the bishops — joined by a growing number of evangelical and conservative groups — were unconvinced.

The June 28 regulations significantly expanded the exemption for religious organizations — exempting, for example, religious institutions even if they employ people of different faiths. The rules also stated that any other faith-based nonprofit that objected to the policy would not have to include the contraception rider in its health insurance plans. Instead, the employer's health insurance provider or administrator would separately arrange for contraceptive services and cover any costs to employees, which were expected to be negligible.

In issuing its final rules, the administration extended the existing "safe harbor" for those objecting to the contraception mandate, giving them until January 2014 to comply with the regulations.

After the final rules were released, opponents of the mandate maintained that, without additional relief, objecting employers could be forced to provide coverage for medication and sterilization procedures that they believe are tantamount to abortion.

"The Obama administration insists on waging war on religious freedom, and the final rule issued today confirms that," said Gregory S. Baylor, a lawyer with the conservative legal group



Magazine of the  
Baptist Joint Committee

Vol. 68 No. 7

July/August 2013

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## Appeals court OKs pastor's suit against Oklahoma license plate



A Methodist pastor of a suburban Oklahoma City church is suing the state, claiming its license plate image of a Native American shooting an arrow into the sky violates his religious liberty.

In June, the 10th U.S. Circuit Court of Appeals ruled his suit can proceed.

The pastor, Keith Cressman of St. Mark's United Methodist Church in Bethany, Okla., contends the image of the Native American compels him to be a "mobile billboard" for a pagan religion.

A district court judge threw out the suit. But on June 11, the appeals court ruled that Judge Joe Heaton should have recognized that Cressman's suit contained a "plausible compelled speech claim."

Cressman, a former lawyer, claims he can't be compelled to use religious speech that violates his own religious beliefs.

Cressman's lawyer, Nathan Kellum of the Center for Religious Expression in Memphis, Tenn., said the First Amendment not only guarantees freedom of expression and religion, it also guarantees that people cannot be forced to say things with which they do not agree.

"My client does not believe he should be compelled to display an image that communicates a pagan practice, that of shooting an arrow into the sky to draw rain

from a 'rain god,'" Kellum said.

The image is a reproduction of a sculpture by master sculptor Allan Houser, a version of which is owned by the Smithsonian Institution. Titled "Sacred Rain Arrow," the piece is based on an ancient Chiricahua Apache legend about a warrior who had his bow and arrow blessed by a medicine man for the purpose of ending a drought.

A committee chose the image because it is very well known in Oklahoma and sits in front of Tulsa's Thomas Gilcrease Museum.

The appeals court ruled that Cressman had presented enough evidence to establish that the message on the license plate is a "particularized claim" that others would recognize.

Diane Clay, a spokeswoman for the Oklahoma Attorney General's Office, said the 10th Circuit is well known for its tendency to err on the side of protecting freedom of speech.

The state could allow the trial to return to the lower court, file a petition for rehearing before the entire appellate court or petition to be heard before the U.S. Supreme Court.

—Greg Horton, *Religion News Service*

### RULES CONTINUED FROM PAGE 1

Alliance Defending Freedom.

Sister Carol Keehan, head of the CHA, disagreed. "If you look at the final regulations it is very clear that we do not have to contract for, or pay for, or arrange for [contraception coverage]," Keehan said in a July 9 interview.

"It was really important that this be workable from a legal and theological perspective," she added. "That's what we believe we have achieved."

However, leaders of the U.S. Conference of Catholic Bishops joined with leaders of other denominations and faiths to send an open letter July 2 to all Americans. The letter called the policy "coercive" and said it "puts the administration in the position of defining — or casting aside — religious doctrine." Those signing the letter included leaders from the Southern Baptist Convention, the Church of Jesus Christ of Latter-day Saints, Focus on the Family, the Church of Scientology, the International Society for Krishna Consciousness, Catholic colleges and other groups.

Challenges to the mandate are also pending in the courts. More than 60 lawsuits have been filed by Catholic institutions and other predominantly Christian groups, as well as some for-profit businesses with religious own-

ers, who argue that the refusal to comply with the mandate will unfairly subject them to huge fines and could force them to close. Observers predict the lawsuits against the mandate are likely to have been adjudicated by the U.S. Supreme Court by the end of the "safe harbor" period.

Hobby Lobby, a for-profit arts-and-crafts chain suing the government over the mandate, won a round in June in its bid to refuse certain contraception coverage to employees. The 10th U.S. Circuit Court of Appeals found Hobby Lobby was likely to succeed on its claim under the federal Religious Freedom Restoration Act and returned the case to district court, where Hobby Lobby was granted temporary relief from the mandate July 19.

On July 26, the 3rd U.S. Circuit Court of Appeals ruled that a for-profit, secular corporation cannot exercise religion under either the First Amendment or RFRA. It acknowledged its holding sits in direct tension with the 10th Circuit's Hobby Lobby analysis. This is the first split among federal circuit courts in the contraception mandate litigation and has led to further speculation that the issue will ultimately reach the Supreme Court.

—BJC staff reports, with reporting from *Religion News Service* and *Associated Baptist Press*

# REFLECTIONS

## Remembering the bootleg preacher

When that self-described “bootleg preacher,” Will Campbell, died June 3, heaven became richer and the earth poorer.

He was one of a kind. It is not easy to replace someone who can stand on the balcony of the Lorraine Motel soon after Martin Luther King Jr. was assassinated and later visit James Earl Ray, the shooter, in jail or who can lead the advance guard for civil rights and school desegregation and visit a grand dragon of the Ku Klux Klan in prison. Will taught all of us that love must be complete and bilateral. “If you love one, you gotta love ‘em all,” he would say. In his sometimes iconoclastic and always prophetic way, Will out-Christianed the best among us.

Preacher Will was special to me and to the Baptist Joint Committee. His memoir, *Brother to a Dragonfly* (1977), which I read — no, devoured — with utter astonishment 30 years ago, helped inform my personal response to God’s call that, a seminary education later, ended me up at the Baptist Joint Committee. He later inscribed my copy with a version of his famous dictum from *Dragonfly* describing the pith of the Christian faith: “We’re all bastards, but God loves us anyway.” (including Will and me!)

And he was an advocate for the Baptist Joint Committee, through his words and his purse. As a thoroughgoing “deep water” Baptist, he believed passionately in religious liberty and the separation of church and state. In his 1999 book, titled *Soul Among Lions: Musings of a Bootleg Preacher*, he railed against those who “clothe a blatantly political agenda in pious rhetoric and peddle it as gospel.” Continuing, he averred that our nation’s Founders “weren’t trying to establish a Christian nation. Quite the opposite. They were fleeing from entanglement with anybody’s religion. They had seen the beggary, the bloodletting inhumanity of theocracies, and wanted no part of it. Church was never intended to be state. State was never to be church.”

But he was far from doctrinaire. In typical Will Campbell fashion, he wanted both sides to get their due. In *Soul Among Lions*, Will also addressed the issue of school prayer. Crediting a good friend, country singer/songwriter Tom T. Hall, Will offered a solution to the standoff: make prayer homework! Preacher Will wrote, “Those who press most ardently for prayer in the public schools are also champions of family

values. And who isn’t? So to make school prayer homework is to encourage family values. ... Muslims could pray to Allah, Jewish families to Yahweh, Christians in Jesus’ name. No one’s religion is violated.” When Will asked Tom, “What about atheists?” Tom answered, “Atheists meditate.” Yes, Will’s humorous yet serious solution was an effort to get a win-win solution. Prayers can be offered to God but without the sponsorship of and entanglement with government.

Most church-state controversies dealing with government-sponsored religious expression can be handled in the same way. And usually the alternative does not have to be private homework; it can be publicly expressed religion.

Government-sponsored prayer at graduation ceremonies can easily be replaced with privately sponsored, but openly expressed, baccalaureate services where attendance is voluntary and governmental control absent. Worship, including prayer, can be experienced genuinely and to its fullest.

How about official prayer before legislative bodies? The same can be done there. Officially sanctioned legislative prayer can be replaced with a moment of silence along with prayer in voluntary associations of caucuses on both sides of the political aisle and across the religious spectrum before the official session begins.

Government-sponsored displays of religious messages such as the Ten Commandments or symbols like the Christian cross can be even more prominently displayed on church or synagogue property in full view of the public. This can be done without having to demean the former by calling Holy Scripture the foundation of Anglo-American law or regarding the latter as little more than a secular war monument.

On and on we could go. Almost any church-state problem one could name can be handled the same way. Stand up for principle, but try to find a way to accommodate the desired religious expression without enlisting the offices of government to do it.

That common-sensical, enemy-loving, grace-filled bastard whom God loved would proudly say, “Right on, brother!” Thank you, Preacher Will, for your life and legacy.



J. Brent Walker  
Executive Director

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“If you love one, you gotta love ‘em all,” he would say. In his sometimes iconoclastic and always prophetic way, Will [Campbell] out-Christianed the best among us.





K. Hollyn Hollman  
General Counsel

# Hollman REPORT

## Religious freedom debated in defense authorization legislation

In deliberations over the reauthorization of the National Defense Authorization Act (NDAA), religious liberty has become a point of contention. For the second year in a row, Congress is considering reforms designed to protect military members' religious freedom. Last year, Congress added a new provision to the defense authorization bill designed to protect the rights of conscience of armed service members and military chaplains. That provision requires the military to accommodate members' religious beliefs and to avoid using those beliefs, to the extent practicable, as a basis for discrimination or other adverse actions. In addition, it provides that military chaplains cannot be required to perform any rite or ceremony against their conscience, and they must not be punished for such refusal. This change came largely in response to disputed assertions about the effect of the repeal of the military's "don't ask, don't tell" policy on service members and chaplains with dissenting religious views.

This year, both the House of Representatives and the Senate have proposed various religious freedom amendments, including ones that would alter the current conscience provision. The House version would increase the military's duty to accommodate religious beliefs of service members "except in cases of military necessity." It also would permit adverse personnel action only where a service member's actions or expression cause "actual harm" to military order.

The Senate amendments provide for accommodation of expressions of belief "unless it could have an adverse impact on military readiness, unit cohesion, and good order and discipline." Recognizing that at times certain military interests may conflict with religious accommodation needs, this language echoes that found in current Department of Defense policy regarding requests for accommodation of religious practices.

While it is uncertain how Congress will resolve these matters, the debate offers an opportunity to think critically about the constitutional protection of religious freedom in the military. Surely respect for the military demands accurate information and a commitment to the foundational principles that must govern religious liberty in this unique, government-controlled context. Otherwise, it is impossible to determine if a change in law is needed or is likely to achieve its asserted goal.

One view of religious liberty in the military encourages government promotion of religion — often Christianity in particular — as a natural and ancillary aspect of military life. According to this view, reflected in a recent report by the Family Research Council, service to God and country are hardly distinguishable and little concern is given to the

coercive nature of the military in matters of religion. The physical and mental rigors of military life, the thinking goes, require reliance on God and justify a "strong religious presence in the United States military" that fosters among service members "a commitment to each other, to the United States, and to God." The Family Research Council asserts a "growing hostility to religion" in the military at the hands of "anti-Christian activists."

Another view — one to which the BJC subscribes — is that government involvement with religion in the military must comply with constitutional safeguards appropriate for the context, with the military chaplaincy serving as the primary vehicle for accommodating the various religious needs of military personnel. George Washington University law professors Ira C. Lupu and Robert W. Tuttle explain this approach in a law review article entitled "Instruments of Accommodation: The Military Chaplaincy and the Constitution." In it, they analyze a 1985 case, *Katcoff v. Marsh*, in which the 2nd U.S. Circuit Court of Appeals upheld the military chaplaincy against a constitutional challenge. The *Katcoff* decision held that while the military chaplaincy, in isolation, may fail under the prevailing Establishment Clause test, it does not exist in a vacuum and must be examined in context against other important government interests pursuant to Congress' war powers and the Free Exercise Clause. Service members, like civilians, have free exercise rights to engage in religious activity, and the military avoids infringing upon those rights by providing access to military chaplains. The military chaplaincy, the court concluded, is necessary due to "circumstances where the practice of religion would otherwise be denied as a practical matter to all or a substantial number."

This view recognizes that an important corollary of the military's duty to accommodate service members' rights to exercise religion is its obligation to protect members from religious coercion. The Establishment Clause commands that government avoid promoting one religion over others or religion generally, and this principle is equally true in the military context. In general, it is the role of military chaplains to help facilitate individual religious liberty needs without harming the rights of other service members.

Isolated, sensationalist anecdotes and claims that Christian service members are under attack can distort the debate, ignoring the many ways that service members can and do engage in religious practice every day. As Congress continues to grapple with issues of religious liberty in the military, we would all do well to remember and carefully guard the constitutional principles that protect service members of every (or no) faith as they protect our country.

# Survey examines knowledge of the First Amendment

WASHINGTON — One-third of Americans say the First Amendment goes too far in the rights it guarantees, according to a survey released July 16.

The annual State of the First Amendment survey, conducted since 1997 by the Newseum Institute's First Amendment Center, evaluates public knowledge and opinion about the First Amendment and related issues.

The gap between those who believe the First Amendment goes too far and those who do not has generally widened over the years. In 2013, however, a significant 13 percent more respondents than the previous year felt the rights go too far. Those who administered the survey point out that it was conducted in the weeks after the Boston Marathon bombing. According to the report, the jump in the number could represent a willingness to give up rights in exchange for greater security.

The survey results were released by Ken Paulson, First Amendment Center president, and Gene Policinski, chief operating officer of the Newseum Institute.

"It's unsettling to see a third of Americans view the First Amendment as providing too much liberty," said Paulson, who is also the dean of the College of Mass Communication at Middle Tennessee State University. "This underscores the need for more First Amendment education. If we truly understand the essential role of these freedoms in a democracy, we're more likely to protect them," he said.

The survey also asked Americans to name the most important freedom that citizens enjoy. The top response was freedom of speech, which 47 percent of Americans named. Freedom of religion came in second with 10 percent of respondents naming it as the most important. Freedom of choice was third at 7 percent; the right to vote and the right to bear arms were tied for fourth at 5 percent each.

A survey question regarding freedom to worship revealed an increase in Americans who do not feel the freedom applies to all religious groups. Thirty-one percent of people said freedom to worship was never meant to apply to extreme religious groups, the highest number since the question was first asked in 1997.

On other issues, the survey found:

- 80 percent of respondents agreed it is important for our democracy that the news media act as an independent "watchdog" over government on behalf of the public.
  - 46 percent believe that "the news media try to report the news without bias," the highest number since the survey began asking the question in 2004.
  - Only 4 percent of those surveyed could name "petition" as one of the five freedoms in the First Amendment, the lowest percentage this year for any of the five freedoms.
  - 75 percent believe high school students should be able to exercise their First Amendment rights the same as adults.
- "As a nation, we must better prepare our fellow and future citizens for the hard decision of defending core free-

doms against those who would damage or limit them by violence or by law," Policinski said.

In May 2013, 1,006 American adults answered the survey questions by telephone. The sampling error is +/-3.2 percentage points.

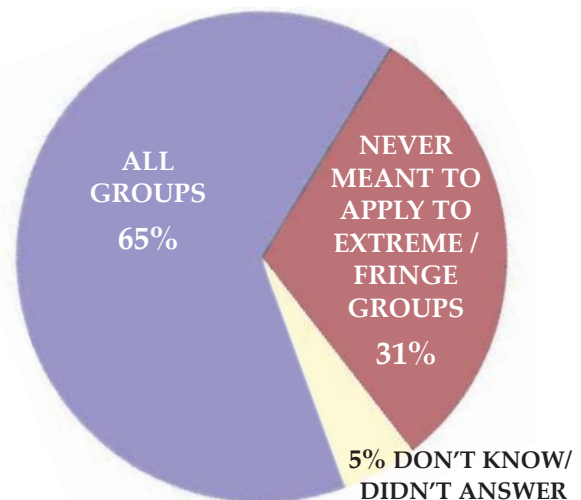
—BJC staff reports  
with information provided by the Newseum Institute

## More from the survey results:

# 51%

Think America was founded as a Christian nation

### The freedom of worship applies to which groups?



### Which of the First Amendment rights can Americans name?

- Freedom of speech: 59%
- Freedom of religion: 24%
- Freedom of press: 14%
- Right of assembly: 11%
- Right to petition: 4%
- Cannot name any: 36%

In the week surrounding July 4, the Cooperative Baptist Fellowship blog ([www.cbfblog.org](http://www.cbfblog.org)) celebrates the separation of church and state. Two of the posts were written by leaders from the Religious Liberty Council.

## Made free to worship

By Mary Elizabeth Hill Hanchey

**F**ireworks, brass marching bands, waving flags — celebrations of July 4th are grand. Yet, as I enjoy well-orchestrated Independence Day celebrations, another freedom celebration holds my attention: the spontaneous, spirit-driven dance of Miriam.

The Exodus story details the escape of the people Israel from Egypt where they were enslaved: where they could not freely worship. The sea parts, allowing for God's people to pass through, and closes again, holding Pharaoh's army and all of his political power at bay. Safely on the other side, Miriam, Moses' sister, raises her tambourine and leads the women in what was certainly raucous dancing and praise. (Exodus 15:20).

Study of Exodus often focuses on FROM whom and what the people escaped: the people Israel were freed from service to Pharaoh, and we Christians often find a connection as we consider God's ability to free us from that which seems to demand our service. But escape is obtained midway through Exodus. The entire other half of the text remains, and it is long and nuanced. The remainder begs the question: FOR whom and what were the people Israel freed? Indeed, the people Israel were freed from service to Pharaoh for service to God: freed so that they might freely worship. So too, our own freedom comes so that we might be free to serve and worship God, our Creator and Sustainer.

Baptist Christians celebrating July 4th must be keenly aware that our freedom to serve and worship God rests upon the First Amendment to the U.S. Constitution, on preservation of a clear separation between the ministry of the church and the power of the state. This freedom to worship without interference from the Crown, Pharaoh, or the legislature is one for which blood, body, and lives were the price. Protected by the First Amendment, Baptists have long, and clearly, articulated a theology in which our service to and worship of God is entirely free from government oversight or intervention. A clear articulation of this is found in the Baptist Faith and Message, section XVII: Religious Liberty.

The Baptist Faith and Message is the state-

ment of faith which has historically represented a large, though increasingly conservative, group of Baptists. First written in 1925, it was updated and replaced in 1963 and again in 2000. Many sections were changed significantly during these revisions. The 1925 version and the latter two differ in structure — in number of sections and their title and content. While the later versions remain structurally identical, the content changed so much in 2000 that many employees of Baptist institutions and conventions refused to sign the latest version and lost their jobs. Significantly, through the two revisions and 80 years that separate the first and most recent versions of the Baptist Faith and Message, the section entitled "Religious Liberty" was altered by only one word. Only one. (Although the scriptural references offered in support of this statement changed quite a bit!) The sentence which read "The state owes to the church protection and full freedom in the pursuit of its spiritual ends" became "The state owes to every church . . ." The change from "the" to "every" clarifies a wide view of those who are protected.

The claims made in 1925, 1963, and 2000 speak directly to the current debates about the separation of church and state in the United States. The assertions that every church is owed protection, that no ecclesiastical group should be favored, that the church must not allow civil government to carry out its work, that the state must neither impose penalties for any religious opinion nor use taxes to support any form of religion, and "the right to form and propagate opinions in the sphere of religion without interference by the civil power," all serve as a Baptist witness to this separation. And accordingly, government money should never fund religious education through vouchers to religious schools, religious institutions should never look to the



government to support their work, and, quite simply, legislative prayer is ill-advised.

Significantly, these claims also demonstrate a clear theology by which it is unconscionable to claim discrimination when the government in any form — public schools, local boards, the military, or the federal government — doesn't champion one's specific religious beliefs. We have all, each of us, been freed to serve and worship God. We are free to pray — or not. Our children are free to pray — or not. We are free to go to church or temple or mosque — or not. We are free to believe what we hear in worship — or not. We are free to share our faith with others — or not. We are free to send our children to religious schools — or not. This freedom is precious and hard-won. And our own religious liberty thrives because those who would allow religion to be processed and manufactured by the machine of the state are held at bay — by the Constitution and by faithful Baptist witness.

As we bask in bright fireworks and Sousa marches, let us also join in Miriam's tambourine and dance. For we, too, have been freed to worship. And so we praise God.



Mary Elizabeth Hill Hanchey lives in Durham, N.C., with her family. She is the interim director of children's music ministry at Watts Street Baptist Church, and she served as the co-chair of the RLC from 2009-2012.



g.com) featured a series of posts celebrating religious liberty and its essential corollary, Religious Liberty Council of the Baptist Joint Committee. They are reprinted here with permission.

## Religious liberty advocacy as an act of radical hospitality

By Rev. Rebecca Mathis

Each year as the Fourth of July rolls around, we Baptists like to reminisce about risk-taking pioneers of the faith like Thomas Helwys, Roger Williams, Isaac Backus and John Leland. We are proud of their courage to speak truth to power and the ways in which their leadership shaped the ethics of Baptist life and the ethics of our nation.

As a former history teacher, it's easy for me to get swept away in the interesting stories of the past and to treat religious liberty as something that was fought for and obtained long before I was born.

Yet, if I look around and pay attention, I realize there is still much work to be done in regards to ensuring religious freedom for all.

If we Baptists are going to continue to be passionate advocates for religious liberty in the 21st century, it would serve us well not only to recall our history, but to recall God's expectations for us as a community of believers. It's easy to forget that God demands something of us as a community and explicitly lays out guidelines for community ethics in Scripture.

Leviticus 19:33-34 is a good place to start:

When an alien resides with you in your land, you shall not oppress the alien. The alien who resides with you shall be to you as the citizen among you; you shall love the alien as yourself, for you were aliens in the land of Egypt: I am the Lord your God. *(New Revised Standard Version)*

Put more simply: Aliens may live with God's people, should not be oppressed, must be treated as citizens and loved as one of God's own.

Through these words to the Israelites, God clearly establishes an ethic of hospitality, justice, fairness and love. God's people must exceed toleration, recognizing the obligation to welcome aliens as family members and provide for them within the faith community.

So what does loving and welcoming foreigners have to do with religious freedom?

Providing safe space for people to practice their religious expressions (even if we fundamentally disagree with them) is an act of radical hospitality!

Look at an earlier verse found in Leviticus 19, "You shall not take vengeance or bear a grudge against any of your people, but you shall love your neighbor as yourself: I am the Lord" (19:18). God calls for unconditional, nonjudgmental love for both the neighbor and the alien, drawing no distinction between treatment of the two.

To love beyond the self defines the very essence of community responsibility. For the Israelites, loving your neighbor as yourself means seeing the neighbor as a child of God and acknowledging God's imprint on all people. Ultimately, loving the alien becomes a search for the image of God within the other and a means to practice holiness in daily life.

Baptist advocacy to extend religious liberty to all people serves as a faithful response to God's ethical standards. God reminds God's people to treat aliens as citizens. In modern America, this principle requires extension of equal religious freedom to all. Honoring the faith of another, whether a fellow citizen or foreigner, serves as a powerful act of godly love.

God's commands surpass mere toleration. Offering love to one's neighbor means offering friendship, radical hospitality and the hope of Christ in every situation.

When understood in light of the biblical imperative to love your neighbor, religious liberty advocacy becomes an expression of one's effort to live a righteous life within a larger community. Religious freedom and church-state separation go beyond political fairness, natural-rights theory and democratic idealism. Rather, honoring another's faith tradition and worship practices provides an avenue to love as God loves, without condition.

I am thankful for all of those Baptist saints and sinners who championed religious liberty throughout our history. But the words of Scripture remind me that I should not be content with what we have achieved; God calls each of us to continue to be welcoming and loving to all, regardless of our differences.

I hope that when I encounter those with whom I vehemently disagree, I will have the grace to see God's imprint on them and will love them with the fullness of God's unfailing love.

*Rev. Rebecca Mathis is the secretary of the Religious Liberty Council. She lives in Sylva, N.C., with her family.*



# CBF Executive Coordinator calls crowd to religious liberty advocacy at luncheon

## Paynter shares personal encounters with Madalyn Murray O'Hair, justice and fairness

GREENSBORO, N.C. — Cooperative Baptist Fellowship Executive Coordinator Suzii Paynter recounted her road to religious liberty advocacy and encouraged the crowd to speak up for freedom during the 2013 Religious Liberty Council Luncheon.

Paynter delivered the keynote address during the annual event and received the BJC's highest honor — the J.M. Dawson Religious Liberty Award. The meeting also included the election of new RLC representatives to the Baptist Joint Committee Board of Directors.

The sold-out crowd of more than 550 people listened intently as Paynter took the stage and recalled an early encounter with famed atheist activist Madalyn Murray O'Hair, which first led Paynter to grasp something as “esoteric” as religious liberty.

In 1978, Paynter was a teacher in Austin, Texas, and had O'Hair's granddaughter in her classroom. At that time, O'Hair was famous for the *Murray v. Curlett* lawsuit, which was consolidated with *Abington v. Schempp* and led to the landmark 1963 Supreme Court ruling that ended school-sponsored Bible reading in public schools. O'Hair was so controversial that *Life* magazine referred to her as “the most hated woman in America.”

O'Hair adopted her granddaughter as her daughter in order to have access to the public schools. Paynter recalled O'Hair's visit on the first day of school, warning the teachers that she would not be back until she had a bullhorn and a TV camera with her “to tell you how you are violating my rights and the rights of my daughter.”

After her first encounter with O'Hair, Paynter was struck by a strange juxtaposition. “I was a Christian, I was the wife



of a minister,” Paynter said, but she found her beliefs about religious liberty to be pretty close to “the most hated woman in America.”

Paynter first found herself not wanting to defend the right of one student when it was inconvenient for the rest of the students and teachers at school.

“That did not feel fair,” Paynter said. “But, defending the right of this child to unbelief was *just*. I had to think about the difference between things ‘feeling fair’ and ‘being just.’”

Paynter recalled the Baptist forebears who were also “ostracized for being part of a very inconveniencing group that raised a ruckus over *our* radical beliefs.” Paynter said she began to face that the words “freedom of conscience” were not only for her.

Later, when O'Hair returned to the school with a television crew, she destroyed children's holiday decorations that she deemed too religious. The event rocked Paynter.

“I could take her beliefs. I could even defend her sometimes,” Paynter recalled, but O'Hair's destruction of the children's work required Paynter to exercise a great amount of restraint. According to Paynter, the school barely made it through the year without violence from parents and teachers.

“Religious liberty ... is not sanitized; it is not nice,” Paynter declared. “This is one of the planet's most important freedoms, and if you think it's a Hallmark card, you're wrong, and you're barely worthy of the name Baptist.”

Paynter's path taught her how to talk about justice. She said justice rooted in biblical foundations and morality is “not simply an opinion or a position,” but rather a way of processing thoughts and feelings. This requires holding seemingly opposing feelings together in a cruciform way, which is “counter to our culture.”

“My experience with Madalyn taught me that I was not finished with justice and an exploration of religious liberty until I had thought in a ‘Teveye’ rhythm,” Paynter said. Teveye is the character in “Fiddler on the Roof” who has to weigh the benefits of his daughter marrying an honest man against the man's financial shortcomings and family tradition. Paynter used Teveye's deliberation as an example of evaluating an issue from all sides.

“It is not an answer, but it is a *way* of finding justice,” Paynter said. “This is why it's so important to model deliberation in our congregations, how to think morally about a subject like religious liberty, and how to arrive at *just* responses. It feels awkward and it feels inadequate to process in this way, but it is just what justice requires, espe-



Suzii Paynter receives the J.M. Dawson Religious Liberty Award from Brent Walker after her rousing speech.





Watch the speech online at [Vimeo.com/BJCvideos](http://Vimeo.com/BJCvideos) or listen to the podcast on the Baptist Joint Committee's iTunes channel.



For more photos and a copy of Paynter's prepared remarks, visit [BJCOnline.org/luncheon](http://BJCOnline.org/luncheon)

cially where religious liberty is at stake."

Paynter told the crowd that she made a firm commitment in 1978 to talk about religious liberty and the separation of church and state in Sunday school, on retreats, in vacation Bible school, at youth camp and in her personal conversations. "If this indeed is an enduring legacy of our heritage, then I had better speak up about it deliberately," she said.

Paynter's commitment to talking about religious liberty led to public engagement with elected officials. For more than 35 years, her advocacy work, including her time leading the Christian Life Commission of the Baptist General Convention of Texas, brought her into conversations with elected officials and aides, explaining this issue from a Baptist perspective.

She told the crowd to practice their liberty of conscience, and God will use their conversation.

"This is our chapter. You are the voice; it's your voice that needs to speak," Paynter said.

She encouraged everyone in the room to "lift our voices to defend the religious liberty and the rights of others here and around the world."

At the end of her speech, Paynter told the crowd, "Justice requires action. Jesus said so."

After the address, BJC Executive Director J. Brent Walker presented Paynter with the J.M. Dawson Religious Liberty Award. Named for the BJC's first executive director, the award recognizes the outstanding contributions of individuals in defense of religious liberty for all.

The luncheon also included the election of five RLC representatives to the BJC Board of Directors: Jacqueline Moore of Texas, Jesse Rincones of Texas, Mica Strother of Arkansas, Amanda Tyler of Washington, D.C., and Mark Edwards of North Carolina. As the individual donor organization of the BJC, the RLC cultivates an understanding of religious freedom among Baptists and the larger public. It is one of the 15 supporting bodies of the BJC, with 13 RLC members serving three-year terms on the BJC board.

The Religious Liberty Council Luncheon is held each year in conjunction with the Cooperative Baptist Fellowship General Assembly. The 2014 event is scheduled to be in Atlanta, Ga.

—Cherilyn Crowe



During the 2013 Religious Liberty Council Luncheon, the crowd heard from (clockwise from top) BJC Board Chair Mitch Randall, BJC General Counsel Holly Hollman, BJC Board Member Daniel Glaze, former BJC Board Member Patricia Ayres, RLC Co-chairs Pam Durso and David Massengill, and RLC Secretary Rebecca Mathis. Photos by J.V. McKinney.



## BJC names education specialist

Charles Watson Jr., a native of Millen, Ga., joins the Baptist Joint Committee staff as the education and outreach specialist. In this position, Watson is charged with expanding the base of support for religious liberty and engaging the next generation of advocates.

A graduate of The Citadel, Watson earned a Master of Divinity degree at McAfee School of Theology. He previously served as the children's director of Buckhead Baptist Church in Atlanta and as a hospice chaplain. Watson is a decorated veteran of the United States Air Force and a Cooperative Baptist Fellowship-endorsed chaplain.



Watson

## BJC names development assistant

Danielle Tyler, a native of Washington, D.C., joins the Baptist Joint Committee staff as the development assistant. She previously worked in planned giving for the Federation for American Immigration Reform and the Smithsonian Institution. Tyler also served as special events manager for the American Red Cross of Central Maryland.



Tyler

Tyler earned a degree in religion from Oberlin College and a Master of Public Affairs in Nonprofit Management

from Indiana University. She is currently pursuing a Master of Science in Occupational Therapy at Howard University.

Tyler is a member of Alfred Street Baptist Church in Alexandria, Va.

## Crowe named BJC communications director

Cherilyn Crowe has been named the director of communications for the Baptist Joint Committee.

Crowe joined the BJC staff in 2009 as the associate director of communications. She succeeds Jeff Huett, who became the Cooperative Baptist Fellowship's associate coordinator of communications and advancement in Atlanta.

A native of Fort Payne, Ala., Crowe came to the BJC after spending nearly a decade producing television news at the NewsChannel 5 Network (WTVF-TV) in Nashville, Tenn. As senior producer for the station's cable channel, she covered elections, political debates and trials, and she led other special projects.

A journalism and mass communications graduate of Samford University, Crowe was named the school's broadcast student of the year in 1999. She later earned a Master of Liberal Arts and Science degree from Vanderbilt University.

Crowe is a member of First Baptist Church of Nashville, Tenn., and attends National Community Church in Washington, D.C.



Crowe

## Walker delivers commencement address, receives honorary doctorate



Walker delivers the graduation address at the ceremony for the John Leland Center for Theological Studies June 1.

Photo by Martin Parr.

Baptist Joint Committee Executive Director J. Brent Walker received an honorary doctorate from the John Leland Center for Theological Studies June 1, honoring his work as a minister and advocate.

Walker received the degree and delivered the graduation address during the commencement ceremony, advising students to "be kind, but tell the truth."

"Kindness and truth-telling are essential to being a good citizen, a good Christian and a good Baptist minister," Walker said to the second-largest graduating class in the school's history.

Walker discussed some of the top myths about church and state during his address, including the misguided beliefs that God has been kicked out of public schools and that the United States is a Christian nation in any legal sense. He noted that, while many individuals and groups are not interested in reasoned discourse or civil conversation, "fidelity to the truth and a commitment to civility

require that we refuse to join the rhetorical food fight."

Being a truth-teller does not mean avoiding controversial issues, Walker told the graduates, but the wiser course would be to start the discussion in a forum "to allow the issues to be fully developed and parishioners the opportunity to speak their mind."

The John Leland Center awarded Walker with an honorary Doctor of Divinity degree during the ceremony, recognizing his work as an ordained minister, counselor, advocate and executive leader. It specifically acknowledged his work defending Baptist doctrines and advising "both church and government of their respective obligations to one another." Walker is both a member of the Supreme Court Bar and an ordained minister, and he has been a member of the Baptist Joint Committee staff since 1989.

Founded in 1998, the John Leland Center for Theological Studies is a broadly evangelical, pan-Baptist institution whose students and faculty have ties to a wide array of denominations and churches. It is named for John Leland, the colonial Virginia Baptist leader noted for his opposition to slavery, his defense of the gospel and his advocacy for the cause of religious liberty. At this year's commencement, 320 students received degrees from the school.

—Cherilyn Crowe

# *Honorary and memorial gifts to the Baptist Joint Committee*

**In memory of Will Campbell**  
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- Progressive National Baptist Convention Inc.
- Religious Liberty Council
- Seventh Day Baptist General Conference

## REPORT from the Capital

J. Brent Walker  
Executive Director

Cherilyn Crowe  
Editor

Report from the Capital (ISSN-0346-0661) is published 10 times each year by the Baptist Joint Committee. For subscription information, please contact the Baptist Joint Committee.

### WHY WE GIVE

## ‘Separation of church and state is an indispensable stone of the unique American foundation’

Joe and Frances Jones say they always knew of the Baptist Joint Committee for Religious Liberty, but they became acutely aware of its importance and novel distinction during Baptist discussions in the 1980s. The Huntsville, Ala., family is a firm believer in the BJC’s founding principles. “Separation of church and state is an indispensable stone of the unique American foundation,” they said. “No organization that we know of does a better job of teaching and preaching and practicing that.”

Like many of the BJC’s supporters, Joe and Frances Jones are loyal, annual donors who want to make sure the BJC’s work continues into the future. The Jones family decided to take their commitment to the next level by including the BJC in their estate planning, ensuring religious liberty continues to be protected for generations to come. “[W]e in this life are not eternal,” they said, “but our devotion to and support of this God-given Jeffersonian principle is, and we would like to help advance that cause forever.”

A planned gift to the BJC is the best way to strengthen our mission for the future, and it is a powerful way for our committed friends to continue to have a place in our work for many generations. Ensure that our history will always have a future by remembering the BJC in your will.

There are several options for making a lasting commitment to the BJC. Please consult with your lawyer or financial adviser if you wish to make a planned gift to the BJC. Contact Taryn Deaton, director of development, at [tdeaton@BJCOnline.org](mailto:tdeaton@BJCOnline.org) or 202-544-4226 for more information.

The Baptist Joint Committee’s mission is to defend and extend God-given religious liberty for all, furthering the Baptist heritage that champions the principle that religion must be freely exercised, neither advanced nor inhibited by government.