

REPORT FROM THE CAPITAL

Magazine of the Baptist Joint Committee for Religious Liberty

Symposium on religious liberty and the black church

Top religious liberty stories of the year

Applications open for essay contest, BJC Fellows

Religious liberty amidst religious pluralism



BRENT WALKER: A LIFELONG LEGACY

A THREAT TO ANYONE'S RELIGIOUS LIBERTY IS A THREAT TO EVERYONE'S RELIGIOUS LIBERTY

Holly Hollman to deliver 2017 Shurden Lectures



BJC General Counsel Holly Hollman will deliver the 2017 Walter B. and Kay W. Shurden Lectures on Religious Liberty and Separation of Church and State. The 11th installment of the annual series will be held March 27-28 at Campbell University in Buies Creek, North Carolina.

Since joining the Baptist Joint Committee in 2001, Hollman has prepared friend-of-the-court briefs, issue briefings for congressional staff and presentations for research institutions and religious groups. She consults regularly with churches, individuals and organizations about religious liberty issues as well as the national media. A member of the U.S. Supreme Court Bar, Hollman also serves as an adjunct professor of law at the Georgetown University Law Center, where she co-teaches the Church-State Law Seminar.

In 2004, the Shurdens of Macon, Georgia, made a gift to the BJC to establish the annual lecture series. Previous lecturers have included constitutional scholars, religious leaders and historians.

The lectures and surrounding events will be free and open to the public. For additional information on the lecture series, visit our website at BJCOnline.org/ShurdenLectures.

Essay contest topic focuses on religious tests in immigration



Entries are now being accepted for the 2017 Religious Liberty Essay Scholarship Contest, open to all high school juniors and seniors. To enter, students must write an essay on the following topic and submit it to the Baptist Joint Committee by March 10, 2017:

The United States, along with many other countries, gives safe haven to refugees of war-torn countries. Many factors are taken into account when determining who is allowed to enter our borders. During the 2016 presidential campaign, there was discussion around the idea of denying entrance to some immigrants and refugees based on their religion.

In an essay, discuss whether a religious test should be conducted as a part of the United States' immigration and refugee policies.

Explore the intersection, if any, between the proposed test and the two religion clauses in the First Amendment of the United States Constitution. Be sure to identify the implications for religious liberty of all citizens in your answer.

There is no religious requirement for entering the contest, which is sponsored by the Religious Liberty Council. Complete rules, details and entry forms are available at BJCOnline.org/contest.

Apply to the BJC Fellows Program

We are now accepting applications for the 2017 BJC Fellows Program, offering young professionals the chance to deepen their legal, historical and theological understanding of religious liberty. The program includes a seminar in Colonial Williamsburg from July 26-30, 2017, which prepares BJC Fellows for their roles as religious liberty advocates in their communities. There are no religious requirements, but applicants should have six years or less experience in their current profession. The application process and complete details are available on our website at BJCOnline.org/Fellows.

For insight into the program, we asked 2016 BJC Fellow **Jaimie Crumley** to share about her experience:



During the Baptist Joint Committee Fellows Seminar this past July, I was astounded by the amount of legislation that has gone into preserving religious liberty in this country. As an ordained American Baptist minister, I am familiar with the historical and theological foundations of religious liberty, but learning about the legal side of the story inspired me.

As religious liberty, especially for our Muslim neighbors, has come under siege in the past several months, I feel empowered knowing that there are great legal minds working to preserve freedom for people of all faiths living in the United States. During the program, I was particularly inspired by the Know Your Neighbor initiative, which works to educate communities about the diversity of religious expression in their midst.

When I returned to Hartford, Connecticut, I assembled a panel of young adult leaders who have different religious backgrounds so that

we could freely talk about religious freedom in our communities, especially under the shadow of the 2016 election. The legal director of the Connecticut chapter of the American Civil Liberties Union joined us for a keynote address to kick off the discussion. My Pentecostal, Jewish, Muslim and Humanist panelists and I learned so much from one another about everything from American holidays to social justice to sharing political beliefs in our religious settings. While we all have different ways of approaching faith, we are all striving to find greater meaning in our lives.

I encourage young adults to apply to the BJC Fellows program because we are the people who can teach our communities that religious difference is a gift. In an increasingly pluralistic world, we must remind our communities of our shared humanity and of the importance of preserving religious freedom for people of all faiths.

A graduate of Yale Divinity School, the Rev. Jaimie Crumley is minister of faith formation at First Baptist Church of West Hartford, Connecticut.

Top 10 religious liberty stories of 2016

BJC Blogger Don Byrd takes a look at the news that shaped the year

Looking back over 2016, the biggest religious liberty development is not a single story or event but an accumulation of concerns. Put simply, the fear of discrimination, harassment, and even violence directed at religious minorities in America, particularly American Muslims, is increasing. This crescendo did not begin with the 2016 presidential race, but campaign rhetoric and promises have undeniably stoked that fear which, in the wake of the November election, continues to rise. Here's a full look at that story along with the rest of my top 10 list.

1. American Muslims face fear, uncertainty, discrimination

On a chilly November evening following this year's election, the Muslim Students' Association at the University of Michigan held their nighttime prayer in a main square on campus. The visible location for the prayer was intended as a response to a series of hate-related incidents at the university directed at Muslim students. The group called on allies on campus to help, and they did. Hundreds of students and faculty formed a human chain surrounding the group, to both protect and show solidarity with their classmates. It was a beautiful moment of unity, but also a frightening indication of where we are.

How did we get here?

The rhetoric of President-elect Donald Trump's campaign seems to bear some of the responsibility. He ran on a platform that included a call to ban all Muslims from entering the country, a proposal BJC Executive Director Brent Walker referred to as "un-American, unworkable, counterproductive and embarrassing" in December 2015. Trump followed that idea with plans for religious profiling of American Muslims, including the surveillance of mosques, as a law enforcement technique that we "have to start thinking about as a country."

Trump said he thinks that "Islam hates us," and he asked in campaign speeches for Americans to "[i]magine what our country could accomplish if we started working together as one people, under one God" It should be no surprise that American Muslims – and other Americans – fear his presidency may pit their faith and their country against one another.

But the current rise in anti-Muslim hostility did not begin with the 2016 presidential campaign. The Justice Department reports that claims of religious discrimination in local zoning decisions have been increasing steadily since 2010. An FBI report demonstrated that religion-based hate crimes rose 23 percent between 2014 and 2015, with the number of anti-Muslim incidents spiking even more dramatically over that span.

A poll released in January revealed that, while 82 percent of Americans believe it is "important to protect the religious freedom of Christians in this country," only 61 percent say the same of Muslims. Indeed, Gerald Harris, editor of a Georgia Baptist newspaper, wrote that American Muslims are not entitled to religious liberty benefits at all, a position that Walker noted was "contrary to more than 400 years of Baptist history" in a response this summer.

If there is good news related to this troubling trend in recent years, it is that

religious liberty advocates have been galvanized to defend the rights of minorities and to work together to enhance communication across religious lines.

The Baptist Joint Committee is part of the Know Your Neighbor coalition, working with several other organizations to foster interfaith dialogue and understanding. In July, the White House invited the coalition to participate in an event releasing new federal policies aimed at combating religious discrimination. Earlier in the year, the White House held a series of policy roundtables across the country focusing on issues related to religious discrimination, and those discussions led to the new policies.

America's promise of religious freedom for all includes the right to live without fear of harassment or violence or discrimination merely for exercising one's religion. That is true regardless of whether those constraints are the result of government overreach or come at the hands of a hostile populace. Enforcing those ideals is a key responsibility of American government.

Advocates must work together to speak out against acts of hatred or proposals that do not protect religious freedom for all. The fears and uncertainties generated by such a collecting storm, the biggest religious liberty story in 2016 in my view, are real harms that must be addressed and that we must watch throughout 2017.

2. U.S. Supreme Court to hear church funding case ... but doesn't set a date

A story I might have expected to be the biggest of 2016 was the Supreme Court's decision to hear the case of *Trinity Lutheran Church v. Pauley*. The case involves a challenge to Missouri's denial of state funds to a church that applied for a playground renovation grant. The state argued that such funding is barred by a state constitutional provision prohibiting the use of taxpayer funds to aid religion, while the church argued the denial amounts to impermissible religious discrimination.

The BJC filed a brief urging the Supreme Court to reject the church's claim and allow states like Missouri to limit such funding out of concern for the separation of church and state. It is a potentially enormous case in terms of the reach of the Free Exercise Clause and the ability of states to enforce their more comprehensive state constitutions' versions of the Establishment Clause.

So why isn't this (yet) the biggest religious liberty story of the year? Because many months later, the Court has yet to even set a date for argument, much less release a decision. Speculation is swirling that the delay may be due to the lack of a ninth Supreme Court justice (see #4), who could break a 4-4 tie. This story is definitely one to keep watching.

3. U.S. Supreme Court decides *Zubik* case ... sort of

Another case I, at one time, fully expected to be the biggest religious liberty story of 2016 was the Supreme Court's decision in *Zubik v. Burwell*, a collection of cases in which religious organizations (including the Little Sisters of the Poor) challenged elements of the Affordable Care Act's contraceptive mandate. They argued that under the Religious Freedom Restoration Act (RFRA), the requirement that they notify the government of their intention to opt out of providing such coverage amounted to an impermissible substantial burden on their religious exercise.

The BJC argued in a brief to the Court that their burden was not in fact substantial as a matter of law, and that the plaintiffs were asking for "absolute deference" as to what constitutes a substantial burden, contrary to RFRA's intent. The BJC's brief was mentioned several times

during the Court's oral arguments.

As it happens, however, the newly eight-member Court declined to resolve any of the RFRA-related questions before them. Instead, they returned the case back to the several appeals courts that previously heard them. The Court instructed the parties to work out their differences in light of the fact that both sides indicated that contraceptive coverage could be provided to employees without the employers having to provide the separate notice they found objectionable.

4. Justice Scalia's passing and Senate inaction leaves Supreme Court opening

In February, the sudden death of Justice Antonin Scalia shocked the country. As Walker said at the time, "While the BJC often did not agree with his interpretation of the First Amendment's Religion Clauses, Justice Scalia will be remembered as a towering figure on the High Court for his intellect, his wit and his incisive opinions."

The practical impact of his death on the business of the Court was complicated by the Senate's refusal to act on President Barack Obama's nomination for a replacement, Judge Merrick Garland. Republicans argued that because it is a presidential election year, the seat should be left vacant until the American people decide on the next president.

As a result, the Court was forced to proceed for virtually all of 2016 with only eight justices. As discussed above, this development may have impacted the Court's decision and indecision in both the *Zubik* and *Trinity Lutheran* cases.

5. IRS electioneering ban targeted in convention, campaign rhetoric

This year saw a renewed push to repeal tax law barring tax-exempt nonprofit organizations from participating in electioneering. It began with President-elect Trump, who vowed during his campaign to get rid of the "Johnson Amendment," which prevents all 501(c)(3) organizations, including houses of worship, from supporting or opposing candidates with tax-exempt money. That call was echoed in the Republican Party platform.

The BJC supports the current IRS rules as they protect the charitable purposes of nonprofits and the integrity of the tax code without violating the rights of individuals. Ministers remain free to endorse candidates individually as private citizens and churches remain free to speak out on any and all issues of the day, short of campaigning for or against a candidate, while maintaining the privileges of tax exemption.

6. Russell Amendment galvanizes religious liberty advocates, stalls defense funding bill

At press time, the National Defense Authorization Act (NDAA), which funds the U.S. military, has not yet been passed by Congress, in part because of controversy over a provision that would authorize religious discrimination with taxpayer funds. The "Russell Amendment," named for its sponsor, Rep. Steve Russell, R-Oklahoma, would provide exemptions from religious hiring nondiscrimination laws to religious organizations receiving government grants.

The Baptist Joint Committee opposes this amendment. A letter to congressional leaders signed by the BJC and 41 other groups in the Coalition Against Religious Discrimination said, "The government should never fund discrimination and no taxpayer should be disqualified from a job under a federal contract or grant because he or she is the 'wrong' religion."

In May, the Russell Amendment survived an attempt to remove it in

Conscientious Objector Champion

This year, we lost Muhammad Ali, who died at the age of 74 after a lengthy battle with Parkinson's disease.

Most people know Ali as a boxing champion, but he was also a champion of conscience rights, taking his refusal on religious grounds to fight in the Vietnam War all the way to the U.S. Supreme Court. The controversy over Ali's refusal raised the issue of conscientious objector status to national prominence.

In siding with Ali, the Court affirmed its commitment to the principle that conscientious objector claims cannot be denied without clearly defined reasons for doing so.

Perhaps more importantly, Ali was a proud and unabashed American Muslim who used his celebrity to promote Islam as a religion of peace. "Followers of Allah are the sweetest people in the world," he said. "They don't carry knives. They don't tote weapons. They pray five times a day. ... All they want to do is live in peace."

a 213-212 late-night vote, described by the *Washington Post* as a "chaotic scene." As a result, the measure remained in the version passed by the House of Representatives, but it was not included in the version passed by the Senate. Reportedly, it is one of a few "sticking points" delaying the bill's passage.

7. Federal judge rules controversial Mississippi law unconstitutional

In July, a federal judge halted Mississippi's controversial HB 1523, hours before it was to go into effect. HB 1523 offers broad protections for businesses, individuals, government employees and religious organizations against government penalty for actions taken in accordance with certain religious beliefs, including the belief that marriage should be recognized as the union of one man and one woman.

In striking down the law, Judge Carlton Reeves framed it as an unlawful attempt to undo the impact of the Supreme Court's *Obergefell* ruling, which ruled unconstitutional state laws barring same-sex marriage. His decision said HB 1523 impermissibly targets the LGBT community, and – by singling out specific religious views for special protection – it violates the Establishment Clause. Mississippi's attorney general declined to appeal the ruling, claiming in a remarkable statement that pastors had been "duped" into believing the law protects religious freedom. In October, Mississippi Governor Phil Bryant filed an appeal with the 5th U.S. Circuit Court of Appeals, so this is ongoing.

8. Voters in Oklahoma, Missouri reject efforts to weaken church-state protection

At the ballot box in November, Oklahoma voters (by a margin of 57 percent to 43 percent) rejected State Question 790, a referendum that would have removed a key religious liberty protection from the state's constitution. Article II, Section 5 prohibits the government from using state funds to support religion. The BJC urged Oklahoma supporters to recognize the importance of that church-state protection and to vote "no."

Meanwhile, Missouri voters rejected Amendment 3, an effort to increase cigarette taxes to fund education. Many religious liberty advocates noted that Amendment 3 would have allowed revenue raised from the cigarette taxes to fund religious education by exempting revenue from state law that prohibits such funding. The measure was defeated by a margin of 59 percent to 41 percent.

9. State supreme courts rule on school voucher proposals

In 2016, state supreme courts in Oklahoma and Nevada considered challenges to school voucher programs in light of state constitutional provisions that prohibit the use of state funds to aid religion.

Oklahoma's high court upheld that state's voucher program in February, on the grounds that the parent using the voucher – and not the state – is making the choice of whether to fund religious education. In Nevada, the state Supreme Court halted a new school voucher program, not because it violates Nevada law barring state aid to religion (as the BJC argued in a brief filed with the court), but because the program was improperly funded.

10. 4th Circuit panel allows legislative prayer from lawmakers, but case not over

In September, a divided panel of the 4th U.S. Circuit Court of Appeals upheld a North Carolina county's policy and practice of opening commission meetings with an invocation delivered by one of the county commissioners. The appeals court majority found "no constitutional significance" to the fact that government officials, rather than guest ministers, were offering opening prayers and inviting the public to participate.

The case was one of the first to test the limits of the U.S. Supreme Court's disappointing 2014 ruling on legislative prayer in *Town of Greece v. Galloway*, which upheld the practice of rotating guest ministers offering sectarian invocations to open municipal meetings. In November, however, the full 4th Circuit voted to re-hear the case. This story will be one of many to watch in 2017.

By Don Byrd

The BJC's Blog from the Capital is updated regularly at BJCOnline.org/blog.

Religious liberty amidst religious pluralism

By Molly T. Marshall

President of Central Baptist Theological Seminary

I spent the Sunday before the election with the good folk of University Heights Baptist Church in Springfield, Missouri. It is a strong American Baptist Churches-Cooperative Baptist Fellowship church, and annually the congregation hosts a Baptist Heritage Sunday. The pastor, Dr. Danny Chisholm, kindly offered me preaching duties for the Sunday morning service.

Later in the afternoon I offered a lecture on “Competing Religious Liberties.” In a nation of growing religious pluralism, the constitutional right of religious liberty needs to apply to all. By way of illustration, I then traced the political machinations in Myanmar and the impact on religious liberty for the Christian minority.

A learned congregation, with many members affiliated with the neighboring university, made for lively discussion. I witnessed the Baptist charism of religious liberty at work as varied perspectives emerged. The gathered faithful gave me much to ponder as I headed back to Kansas City.

As I pulled into my neighborhood that evening, I saw a spectacular fireworks display overhead. I tried to figure out what the celebration was about; the Chiefs did win yesterday, but this was a bit extravagant. I then remembered that it is the time of Diwali, the festival of lights, and the nearby Hindu temple was pulling out all the stops. The culmination of the festive season lit up the skies in an impressive show of cascading light.

As I threaded my way through congested traffic, I observed the colorful garb and happy clusters of family and friends as they departed the place of worship. Given the focus of my lecture earlier in the day, it was a compelling case study about the shifting terrain of religious identity in the United States.

You may recall that during the George W. Bush administration, the White House welcomed the observance of Diwali there. President Barack Obama has continued this tradition in recognition of the growing number of Hindus, Jains and Sikhs present in the United States. Celebrating the power of light to conquer darkness resonates far beyond these Asian religious traditions.

This election season has raised the issue of religious liberty, albeit not explicitly. It has been a more vague implication of some of the Islamophobia spewed in the political discourse at the national and regional levels. Some of the slogans are not forward-looking and inclusive; rather, they are protectionist and assume a “Chris-



tian nation” identity that has been a flawed concept from the beginning.

In his fine book *Flourishing*, Miroslav Volf proposes that if one by conviction chooses to be a religious exclusivist, which means that one believes one’s own religion is the only true pathway, he or she must become a political pluralist if religious liberty is to be ensured. This means that the religious freedom one expects for oneself is freely offered to others, as inscribed in the Constitution. Political exclusivism is the attempt of the state to impose religious belief.

Radicalized Islamists have sought to impose political exclusivism in Egypt and regions of Indonesia. Seeking to enforce Sharia law on religious minorities in these contexts has had abysmal outcomes. One might argue that the whole ISIS movement is an attempt for religion and politics to be one.

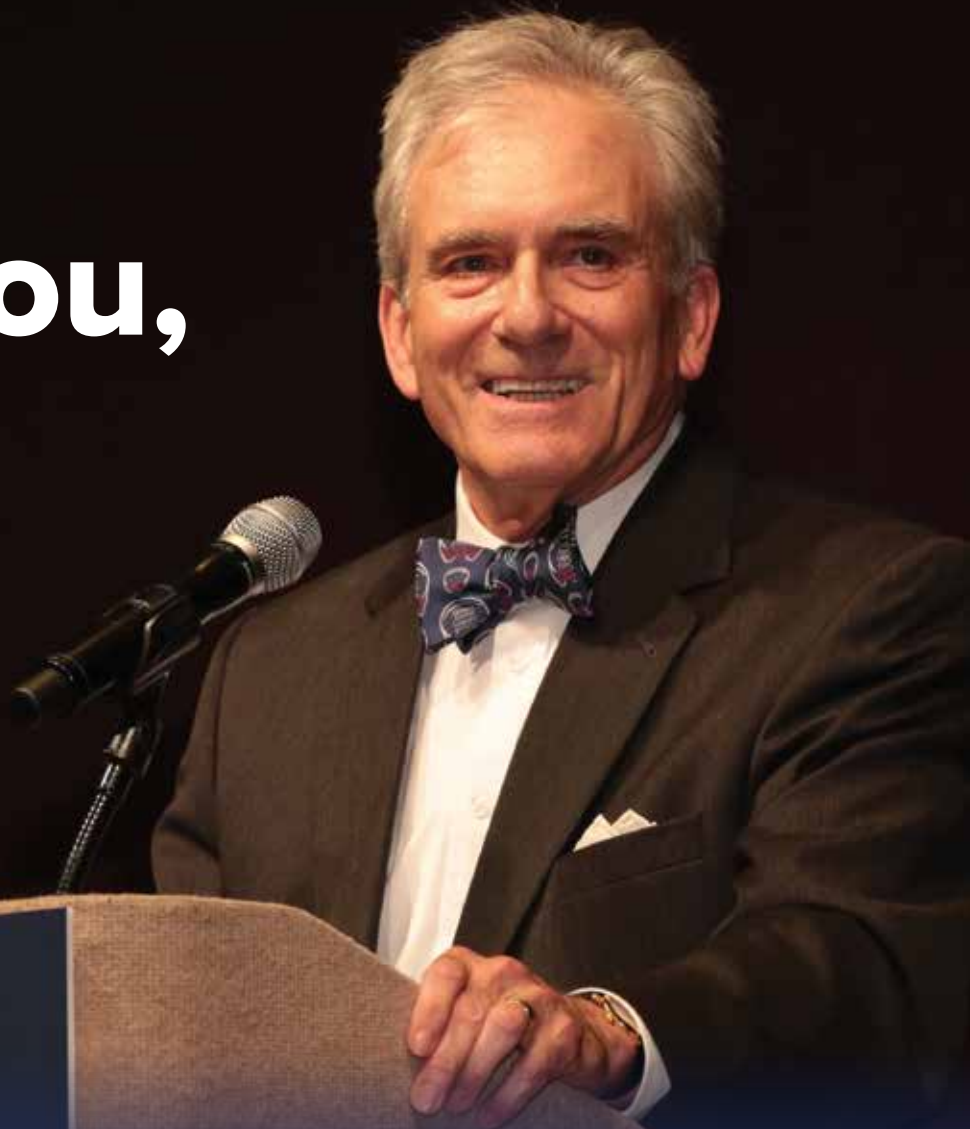
In our nation’s nascent years, faith and governing were intertwined in harmful ways. The religious and political leaders of the 17th century Massachusetts Bay Colony, for example, saw their fledgling colonial outpost as the “New Jerusalem,” which was dedicated to following God’s laws, as interpreted by their Puritan faith. We know the stories of those who did not comply; leaders meted out severe punishment and public shaming. Nathaniel Hawthorne’s *The Scarlet Letter* illustrates this ethos in memorable ways.

This experiment in America could not last, and thankfully religious liberty prevailed as the separation of church and state became the law of the land. In our time, a fresh appreciation for that reality is paramount.

My church sought to embody respect for the lived religion of others this past summer as the children’s program was “Meet Your Neighbor.” Christians and Muslims and Jews — teachers and children — visited one another’s places of worship, learned the history of each distinctive tradition, and simply made friends. It was the most important lesson about religious liberty amidst religious pluralism, and curiosity morphed into appreciation for their differences and sacred kinship. In a country where Christians continue to be predominant in religious affiliation, it is our responsibility to ensure others have the same freedom to religious expression as we enjoy.

This article originally appeared in the opinion section of Baptist News Global. It is available online at BaptistNews.com.

Thank you, Brent.



After 27 years at the Baptist Joint Committee, Brent Walker is retiring at the end of 2016. The longest-serving staff member in the 80-year history of the BJC, Walker's work and life touched many of you reading this magazine, but there may be parts to his story you may not know.

In the mid-1980s, Walker was thriving as a partner at the law firm of Carlton Fields in Tampa, Florida. Active in Bayshore Baptist Church, he began to feel a call by God to do something else. Eventually, he and his wife, Nancy, packed up their two young children and moved to Louisville, Kentucky, so Walker could attend Southern Seminary.

After attending a conference in Washington, D.C., and meeting BJC Executive Director James Dunn and General Counsel Buzz Thomas, Walker knew God was calling him to use his legal and seminary training together. Upon seminary graduation in 1989, Walker and his family moved to the nation's capital so he could join the staff as associate general counsel. It didn't take long for Walker to make an impact, as he helped build the diverse coalition that led to the passage of the federal Religious Freedom Restoration Act.

When Thomas left in 1993, Walker became general counsel. He worked diligently to stop efforts to amend the First Amendment in the late 1990s and fought to support the Religious Land Use and Institutionalized Persons Act, which became law in 2000. When Dunn retired in 1999, Walker was named the agency's fifth executive director.

Walker's work in the 2000s included opposing government-sponsored displays of the Ten Commandments and speaking out against the targeting of individuals based on religion during heightened Islamophobia. As executive director, he created an emphasis on education, oversaw the change in the agency's name from "Baptist Joint Committee on Public Affairs" to "Baptist Joint Committee for Religious Liberty" in 2005, and opened the Center for Religious Liberty on Capitol Hill in 2012.

Walker has maintained a passion for educating the next generation. In addition to mentoring countless BJC interns, he has overseen the creation of the annual Shurden Lectures, Religious Liberty Essay Scholarship Contest and BJC Fellows Program.

Walker's legacy at the Baptist Joint Committee reaches far and wide. On the following pages, friends and colleagues share what he means to them and how he made a lasting difference in the fight for religious liberty for all.

A friend, confidant and adviser



By Tyrone Pitts

I first met Brent Walker in 1989 when I directed the Department of Racial Justice for the National Council of the Churches of Christ in the USA and he had just joined the Baptist Joint Committee as associate general counsel. Little did I know then that he would become a friend, a confidant and an adviser to me on church-state issues.

Brent, Oliver “Buzz” Thomas and James Dunn became champions for the issues of religious liberty. Almost every denomination in the ecumenical movement was engaged. Brent’s academic and calm demeanor, Buzz’s southern style and James’ ability to charm everyone with anecdotes and humor presented an unbeatable dream team.

During my tenure on the board, the Baptist Joint Committee was undergoing tremendous challenges with the Southern Baptist Convention as well as attacks on the Free Exercise Clause and the separation of church and state, while at that same time it focused on its mission to “defend and extend God-given religious liberty for all.” As part of the diverse Coalition for the Free Exercise of Religion, Brent and the BJC staff led the way in the passage of the Religious Freedom Restoration Act.

In 1999, the BJC Board unanimously elected Brent, a theologian and an attorney, as the executive director of the Baptist Joint Committee, as successor to James Dunn. How we all remember that wonderful moment in the BJC’s history! Over the years, his contribution to religious liberty has been far-reaching and national in scope and has organized communities who previously were not involved in religious liberty and church-state issues. Brent has been instrumental in engaging an inclusive staff with students and community leaders, restructuring and revitalizing the BJC and changing its name to better reflect its mission.

One of the high points in my career as General Secretary of the Progressive National Baptist Convention, Inc., was to serve as chair of the Baptist Joint Committee Board of Directors. I had the privilege of participating in resolving the dispute between the Southern Baptist Convention and the BJC over a considerable sum of money. Brent’s role in this effort as associate general counsel was something I will never forget. As we entered into negotiations, his southern twang and his focus on details calmed my spirits.

The BJC will never be the same without Brent. We salute him for his faith in our Lord and Savior Jesus Christ, his ability to transform challenges into opportunities and his willingness to give himself totally to Christ and his ministry.

The Rev. Dr. Tyrone Pitts is general secretary emeritus for the Progressive National Baptist Convention, Inc., and a former BJC Board chair.

A man of faith on Capitol Hill

For those of us who believe religious freedom is a sacred gift from God, there could be no higher calling in life than to protect that divine gift. Years ago, Brent Walker accepted that calling, and for that our nation and the world are better places today.

I met Brent when I was a relatively new member of Congress in the 1990s representing Waco, Texas and Baylor University. As I began my journey in understanding the importance of the constitutional principle of church-state separation, Brent soon became my mentor. His knowledge of the constitutional issues informed me, and his passion inspired me and so many others.

The 1990s were a challenging political time for those of us who believe in church-state separation. House Majority Leader Tom DeLay, nicknamed “The Hammer,” falsely alleged that church-state separation was a myth created by 20th century liberal Democrats. I guess he had never read Thomas Jefferson’s 1802 letter to the Danbury Baptists in which he spoke “with sovereign reverence” of the first 16 words of the First Amendment, which built “a wall of separation between Church and State.”

The attacks on church-state separation were constant and intended to portray those of us who believed in church-state separation to be against religion itself. Those attacks were well-organized and well-financed, and they had a real chance of success. That is why the voice of the BJC, led by Brent – a man of faith and a pastor – was so vital at this critical time in history. Brent eloquently and passionately educated members of Congress and the public that it is people of

faith who most deeply believe in the separation of church and state as the bedrock foundation of religious freedom. Without that voice, many Americans could have been wrongly persuaded to believe that church-state separation was a secularist attack on religion itself.

Whether it was successfully fighting the proposed “Istook Amendment” that would have changed the First Amendment or the Judge Roy Moore-backed practice to use taxpayers dollars to place the Ten Commandments in public buildings and schoolhouses, Brent was there to be the voice of faith in opposition to dangerous proposals.

In my 28 years in public office, there are two individuals who have inspired me more than any others: Congressman John Lewis and Brent Walker. Their common bond is that they have both selflessly dedicated their lives to protecting Americans’ fundamental civil rights, and they have done so with decency and dignity in the spirit of Christian love.

Chet Edwards is the W.R. Poage Distinguished Chair of Public Service at Baylor University. He served as a member of Congress from 1991-2011.



By Chet Edwards

A partner for all seasons



By Richard Foltin

Birkat Ha'Mazon, the Jewish Grace after Meals, concludes with a passage that includes the phrase, "I was young and now I have become old." Brent and I were young when, as a newbie at the American Jewish Committee (AJC), I was introduced to him as the Baptist Joint Committee's new associate general counsel, and we have grown older (not yet old!) together as comrades-in-arms in the battle for religious liberty. I could not have picked a better friend and partner with whom to share a foxhole.

As I reflect back on years of sharing many conversations and meetings, filing of joint *amicus* briefs in the U.S. Supreme Court, and supporting and opposing various bills that either threatened or bolstered religious liberty, a few moments particularly come to mind.

Such as our gathering together with coalition partners to hold a press conference in support of religious liberty — on a frigid winter day on the steps of the Jefferson Memorial, by the Tidal Basin! Our rhetoric was stirring, but never have so many been in danger of frostbite in service of this noble cause. Whose idea was this anyway???

Then there was the time during the Clinton administration when, as I was walking with Brent down a White House corridor to a significant religious liberty event, he stopped our conversation short, saying

that we had to focus on this moment, we might never be here again. He was right — we must never take these moments for granted.

Or the several times Brent and I, joined by Mark Chopko, longtime counsel for the U.S. Conference of Catholic Bishops, led classes on religious liberty issues for Florida judges as part of a continuing judicial education program. It sounds a bit like the opening to a joke: A Protestant, a Catholic and a Jew walk into a classroom ...

And the privilege I enjoyed in arranging for Brent to participate in an AJC/Project Interchange seminar in Israel for Washington representatives, which allowed me to travel with someone who, for one week, was the most dapper man in Israel. Great hat, Brent!

Throughout the years there has been no individual — and no organization — with whom AJC has been more in sync on religious liberty issues, not only in underlining the crucial importance of protecting the First Freedom, but also in our understanding of how best to view the interplay of the no-establishment and free exercise principles and, particularly important today, of the complexity of the challenges in reconciling religious liberty and other fundamental interests.

It has been a joy to know and work with Brent, and I look forward to many more years of working in common cause (I don't believe he is hanging up his gloves entirely!) and shared fellowship. Brent, may you go from strength to strength.

Richard Foltin is Director of National and Legislative Affairs in AJC's Office of Government and International Affairs in Washington, D.C.

A steady and strong leader

Transition is the "it" word at the moment. As I reflect on Brent's transition from his leadership role at the Baptist Joint Committee for Religious Liberty, and my own move into that position in January, I cannot help but notice how much change not only the BJC but also our country has seen in nearly three decades. We have seen four presidents and four transfers of power, wars and terrorism, economic booms and busts, and the advent of the internet age. The church's role itself has changed with fewer of our neighbors choosing to identify with a given denomination or even a given faith. And new challenges for religious liberty have arisen at every turn, particularly as increasing pluralism has tested what that phrase means for our society.

But a constant through all of this upheaval has been Brent's steady and strong leadership of the BJC. His steadfastness has also come with positive change for the organization; even its name was updated a decade ago to better reflect our focused mission. Brent has broadened support for the BJC, grown the endowment, completed the capital campaign, and opened the Center for Religious Liberty. He has increased the diversity of the staff and attracted the best talent for all positions. Brent has engaged in regular strategic planning and visioning to provide a blueprint for the future.

Soon after the BJC Board voted on my candidacy for executive director in September, a wise friend gave me advice to take joy in this work. I have taken those words to heart and can think of no greater mentor than Brent, who has approached his calling

with good humor, encouraging words, smiles and laughter. Brent's love for sports, and particularly baseball, is obvious. But perhaps less well-known is how he has brought a sense of play and recreation into the culture of the BJC, even taking time each spring to take the staff to a weekday afternoon baseball game. Brent remembers not just each denominational meeting he has attended, but what ballpark he visited on that trip and with whom. As impressive as his many accomplishments have been, Brent's personal connection with everyone who has joined us in our mission may well be his greatest legacy.



By Amanda Tyler

There is no doubt that Brent has fought the good fight, finished his leg of the race, and kept the faith for 27 years at the BJC. With deep respect and gratitude, I will joyfully endeavor to build on his incredible work. I speak for many when I say I cannot wait to see what Brent will do next in his ministry.

Amanda Tyler succeeds Brent Walker as executive director of the Baptist Joint Committee in January 2017.



A teacher and pastor who prepared us

By Holly Hollman, BJC General Counsel

For more than a year now, while the BJC has continued to work diligently to advance our mission of defending religious liberty for all, we also have been preparing for the well-deserved retirement of our executive director. The staff is ready for the new chapter in the life of the organization because Brent has prepared us. He has done so with all the wisdom and kindness that has marked his distinguished service as the BJC's leader for the past 17 years.

I first met Brent Walker when I came to Washington, D.C., for a BJC internship after college; he was serving as associate general counsel. The experience was formative, in no small part because of the professional example set by Brent and then-General Counsel Buzz Thomas. They were smart and thoughtful, hardworking and caring. They taught me about the historic influence and responsibility of Baptists in protecting religious liberty for all people, and they demonstrated how good lawyers can make a positive difference in the world. I was sold.

After law school, I pursued a position in a more traditional private practice, focusing on litigation and employment law in Nashville, Tennessee, and later in D.C. But I didn't forget the constitutional law lessons I had learned. In fact, I got my first lawyer job after an interview in which a partner noticed the BJC on my resume. He quizzed me aggressively and incredulously about the U.S. Supreme Court's decision holding public school graduation prayer unconstitutional. Because of the BJC, as much as law school, I was able to defend the decision against government-sponsored religious exercises in *Lee v. Weisman* with confidence and conviction.

Years later, after Brent had become the BJC's executive director, he hired me as general counsel. It was an unexpected and major shift in my professional life, coming just a year after my husband and I had moved to D.C. Thankfully, Brent convinced me it was the right time. I would have the chance to work in the public interest, in a distinctly Washington job, and I would get to work in partnership with him. His confidence in me pushed me forward much faster than I expected. I also benefited from a whip-smart assistant to the general counsel, Amanda Tyler (the BJC's next executive director), who had been coordinating legislative coalition efforts and helped me learn the lay of the land before she left for law school. In short order, I was speaking for the BJC at congressional briefings and press conferences and continuing the organization's work in the courts.

I have known and worked with a lot of lawyers as colleagues and as

adversaries. They run the gamut of styles and personalities, and I count myself lucky to have had a variety of experiences and mentors. Like the best of my mentors in private practice, Brent is brilliant, clear and kind, even when under pressure. Working together, we have benefited from each other's different ways of thinking, making the BJC's voice stronger in press statements and more persuasive in briefs before the U.S. Supreme Court. From the beginning, Brent always treated me with respect, even when I was taking a longer route to a correct conclusion that he knew instinctively.

Unlike any other employer I've known, Brent cares in equal measure for the staff's professional and personal development. He asks about our lives outside of work, and he listens. He laughs with us, and he prays for us. If a member of the staff or an intern needs a place to celebrate the holidays, he opens his home and treats them like family.

In a short documentary prepared for a board retirement celebration (visit BJCOnline.org/BrentWalker), the Rev. Nancy Walker tells how her husband came to the BJC after leaving his law practice and going to seminary. With characteristic honesty and good humor, she said it was a surprise that seminary did not lead to a church pastorate, but Brent found the perfect fit for his dual education. He combined his legal background and what he'd learned in seminary for the benefit of the BJC's mission, and he became a pastor to the staff. I encourage you to watch that video along with other tributes to Brent on our website.

Brent's wise counsel has been invaluable, especially as I have sought to fulfill the work before us while taking care of my family. One day when I was staying late, I remember Brent stopping by and asking why I hadn't left for my son's baseball game. I told him what I was working on and that I had made other arrangements. I added that it was fine because there are so many Little League games. Brent thanked me for my hard work, but he also wisely told me, "No, you just think there are." He was right.

So many are grateful to Brent for giving his tremendous talents to the protection of religious liberty in our country. He has been an effective teacher at the Capitol, in churches and schools, and in the public square. He has taken care of the Baptist legacy we inherited, teaching the lessons of history and theology that undergird our work, while pursuing our mission in Washington and around the country with passion and excellence. While it is difficult to imagine the BJC without Brent's day-to-day efforts, his influence will long outlast his tenure because he has taught us all so well.

Reflecting one last time

By Brent Walker, BJC Executive Director

As the Baptist Joint Committee's executive director, I have written nearly 170 "Reflections" columns. This one is my last. All of them taken together chronicle the work of the BJC over the past 17 of its 80-year history entrusted to my leadership.

In my first column, published October 12, 1999, I wrote about a vow I made to the BJC Board the week before. I will always:

- do my best to advance the mission of the Baptist Joint Committee, putting its interests above my own. I will always try to do good, do well and do right.
- be myself. I cannot replace, replicate or imitate James Dunn. Who can? The Lord broke the mold after he created James.
- keep in sight that our work is not just a job, but a Christian ministry. The means we employ, no less than the ends we seek, should serve as a Christian witness.
- be true to our Baptist heritage and the principles we champion — soul freedom, religious liberty and church-state separation. At the same time, I will be open to new ways of expressing and teaching those principles in the 21st century.

Whatever successes and failures I have had, my work has been guided by these commitments. I believe I have kept them.

In working with Congress, we were successful in leading a broad coalition to help pass landmark religious liberty legislation, such as the Religious Land Use and Institutionalized Persons Act (2000). That law has been effective to protect the rights of religious land owners and free exercise needs of prisoners from governmental overreaching and meddling.

Although the BJC often led the way to advance good measures, we also know how to say "no." We successfully opposed the "Istook Amendment" that sought to amend the First Amendment to allow state-sponsored prayer in public schools and open the door wide for funneling tax dollars into the coffers of religious organizations and ministries.

Sometimes, we failed. I regret that we have been unsuccessful in getting Congress to pass the Workplace Religious Freedom Act to further protect religious expression and practice in the workplace. We have not been able to obtain legislation — or even a presidential executive order — to stop religious discrimination in hiring for federally funded projects.

In the U.S. Supreme Court and other courts, we have had many victories — notably upholding the constitutionality of the federal Religious Freedom Restoration Act and the Religious Land Use and Institutionalized Persons Act, and opposing governmental endorsement of Scripture in the form of Ten Commandments displays.

But we lost the battle on school vouchers (in the Supreme Court, at least, but it is still an open question in most of the states). And we have not prevailed in preventing some forms of state-sponsored religious exercises, specifically prayer, at city council meetings.

On the education front, we continue to work to get the balance right in public schools: saying "no" to government-sponsored religious exercises, but "yes" to various voluntary religious expressions by students that are not coercive or disruptive. Our redoubled commitment to education — as well as legislation and litigation — is bearing fresh fruit in large part as a result of our Center for Religious Liberty that opened in 2012.

But we continue to struggle to teach people the importance of separation of church and state to ensure full religious liberty and to convince a much-too-great percentage of the American public that we are not a "Christian nation," legally and constitutionally; only demographically can it be said we are Christian.

All of this is to say — taking one step forward and one step back (okay, maybe one half-step back) — the BJC continues to be challenged and called upon to fight the good fight for religious liberty. Yes, we've got much work still to do.

Just as you have supported me with words of encouragement and, yes, constructive criticism, I know you will continue to support the talented BJC staff under the leadership of my successor, Amanda Tyler. She has my total confidence in her leadership and ability to take the BJC forward.

I trust you will continue to support the BJC with your gifts. Although we enjoy a firm financial posture, our needs always outstrip our resources to meet them. As the BJC's traditional denominational support continues to wane, we look more and more to churches, foundations and individuals. In addition to your annual gift, a bequest in your estate plan would provide support long after you and I are gone.

Yes, as I have said before, these 17 years — 27 with the BJC all told — have been the pinnacle of my professional career. They have provided me with an opportunity to minister in a way that matters to Baptists, to our nation and to God.





Symposium explores religious liberty and the black church

Raphael G. Warnock addresses the intersection during lecture and panel discussion

“Religious freedom – like all other freedoms – has always been, for African-Americans, complicated at best,” said the Rev. Dr. Raphael G. Warnock during a day-long exploration of the relationship between religious liberty and the black church.

On Nov. 10, the Baptist Joint Committee sponsored a symposium focusing on that complex intersection along with the Howard University School of Divinity. Held at the Howard University School of Law in Washington, D.C., the symposium featured a variety of voices. Warnock, pastor of Ebenezer Baptist Church in Atlanta, delivered a lecture and participated in a panel discussion.

“Religious liberty is one of the hallmarks – and part of the bedrock – of American democracy,” Warnock said as he reviewed the ways in which the First Amendment provides freedom of – and freedom from – religion. But, he noted the convoluted relationship for African-Americans.

“The freedom provided by the separation of church and state has been of limited good for those who have known the violent encroachment of each upon their liberty, separately and in tandem,” he said.

Warnock reviewed history that continues to shape America today, noting that slaveholders had concerns that religious freedom for slaves might lead to political freedom. He also pointed out the glaring hypocrisy of col-

onists fighting the British for freedom from tyranny while keeping people as slaves.

“It is against the oxymoronic backdrop of the legacy of a Christian slaveocracy that black people have had to fight for their liberty and their religious liberty, and have leveraged each in the pursuit and maintenance of the other,” he said.

Speaking only two days after the election of Donald Trump as the next president of the United States, Warnock reviewed some of the policies proposed on the campaign trail, such as religious tests in immigration policy, that caused him concern and are now serving as a call to stand up for others who are marginalized.

He invoked the words of Martin Niemöller, the protestant pastor who was a critic of the Nazi regime in Germany. Warnock gave his version of Niemöller’s famous words, making one key adjustment: “[W]hen they came for the socialists I did not speak up, because I was not a socialist. When they came for the trade unionists, I did not speak up because I was not a trade unionist. When they came for the Jews – in our context, the Muslims – I did not speak up, because I am not a Muslim. And then they came for me, and there was no one left to speak.”

Warnock told the crowd that liberty – and religious liberty – are in peril. “Could it be that America’s anti-slavery church – the



Judge Alexander Williams Jr.



Dr. Barbara Williams-Skinner



Rev. Dr. Jeffrey Haggray



Dr. Harold Dean Trulear

black church born fighting for freedom, religious freedom and political freedom – is uniquely shaped and situated both to perceive the threat and to lead in the important work of this manner?”

Warnock ended his lecture with a reflection on the words of Martin Luther King Jr., who said the ultimate measure of a man is not where he stands at times of comfort and convenience. Warnock extended that to the measure of an institution. “In the quest for freedom and justice, and at a time when many would confuse God and government, Dr. King said that a time comes when silence is betrayal. I submit that, for the black church – a church born fighting for liberty and religious liberty – indeed for all of us, regardless of race or religion, that time is now.”

Dr. Harold Dean Trulear offered a faculty response following the lecture. An associate professor of applied theology at the Howard University School of Divinity, Trulear applauded Warnock’s words and discussed how black churches have a pragmatic approach to political engagement.

Trulear challenged the audience to be aware of issues that arise when there is a divide between social responsibility and personal holiness, and he pointed out the need for prison ministry to shift from outreach to reclamation. “The black church cannot afford to

hug the illusion of freedom in an age of mass incarceration,” Trulear said, who also serves as the director of the Healing Communities Prison Ministry and Prisoner Reentry Project of the Philadelphia Leadership Foundation.

For the panel discussion, the crowd packed into the dining hall for further exploration of the topic. Moderated by the Rev. Dr. Jeffrey Haggray, executive director of American Baptist Home Mission Societies, the panel featured Warnock alongside Judge Alexander Williams Jr., a former federal judge who teaches at the Howard University School of Law and School of Divinity, and Dr. Barbara Williams-Skinner, who heads the Skinner Leadership Institute and is a former executive director of the Congressional Black Caucus.

In a wide-ranging discussion, Haggray led the panelists to explore ways the black church has benefited from religious liberty and the challenges it faces.

Williams noted that the black church historically has been the only institution addressing the social, economic and political problems and degradation facing African-Americans and other minorities, and black churches were the foundations from which civil rights leaders emerged.

“But for the black church and all that they stood for across the years, I don’t know where we would have been,” Williams said, pointing out how integral the institution was in supporting the Civil Rights Act and Voting Rights Act. He said he had concerns about how little churches are involved in movements today, and they are having problems resolving and interpreting the great moral issues of our time, such as same-sex marriage and abortion.

In her opening remarks, Williams-Skinner continued that line of discussion, pronouncing that a church founded in freedom and resistance to systemic racism is of no use to black people if it does not continue that resistance. After discussing the aging black church’s disconnect from millennials, she said there is a divide between how we see advancement of the black cause. “The Black Lives Matter movement is the only movement connected to black people not born in the black church,” she said, providing evidence of a societal shift.

Warnock expressed his concerns about the divide between the pastors of the black church and the scholars of the black church, referring to the disconnect as being between “Jerusalem and Athens” or “ivory towers and ebony trenches.” He advocated for more dialogue between the two in order for the academic conversation to connect with the energy of the church and its unique gifts and



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REV. DR. RAPHAEL G. WARNOCK



BJC Executive Director Brent Walker and his successor, Amanda Tyler (far right), pose with Dean Alton Pollard of the Howard University School of Divinity and the Rev. Dr. Raphael G. Warnock.



During the panel discussion, Warnock advised the crowd to “make sure your nonprofit doesn’t turn you into a non-prophet.”



Dr. Cheryl Sanders, chair of the Centennial Convocation and a professor of Christian Ethics, and Dr. Alton Pollard, dean of Howard University School of Divinity, greeted those in attendance and offered additional remarks.

insights to the relationship between religious liberty and liberty.

Haggray pointed out that, contrary to popular sentiment, the separation of church and state does not keep religious voices from influencing the government. Warnock gave examples of ways the church can work with the government, but he said it is crucial for the black church to maintain its freedom, autonomy and independent voice. And, when working with the government, he said, “Just make sure your nonprofit doesn’t turn you into a non-prophet.”

The BJC’s Symposium on Religious Liberty and the Black Church was held in conjunction with the Howard University School of Divinity Centennial Alumni Convocation. It is the second in a series of lectures sponsored by the Baptist Joint Committee to increase its demographic reach, following last year’s Lectures on Social Justice and Religious Liberty at Fuller Theological Seminary in Pasadena, California. Future lecture series will take place on different campuses, with the goal of bringing religious liberty discussions and the BJC to diverse communities.

By Cherilyn Crowe

Go online for more

To watch Warnock’s entire lecture, as well as view a photo gallery and a highlight video of the event, visit our website at BJCOnline.org/HowardSymposium.

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The Baptist Joint Committee for Religious Liberty defends religious liberty for all people and protects the institutional separation of church and state in the historic Baptist tradition. Based in Washington, D.C., we work through education, litigation and legislation, often combining our efforts with a wide range of groups to provide education about and advocacy for religious liberty.

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REPORT FROM THE CAPITAL

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On our podcasts page, listen to former BJC staff member Stan Hasty discuss the history of the BJC and how conflicts and partnerships shaped Baptist life. Hasty also served as executive director of the Alliance of Baptists.



BJCOnline.org/BrentWalker

For more on Brent Walker's legacy, go online for tributes and a short documentary chronicling Walker's life from his childhood to making a difference on Capitol Hill.