

# REPORT

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## FROM THE

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# CAPITAL

Magazine of the Baptist Joint Committee for Religious Liberty

**RABBI DAVID SAPERSTEIN**  
calls for robust defense of  
religious liberty at luncheon

**HOLLY HOLLMAN** analyzes the  
*Trinity Lutheran Church* decision

**AMANDA TYLER** shares  
lessons outside the Beltway

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stand up for religious liberty



# Funding bill could undercut protections of the Johnson Amendment

A troubling section of a government funding bill passed a key committee vote, and it could undermine important protections for houses of worship in the tax code.

Despite bipartisan opposition, Section 116 of the Financial Services and General Government Appropriations bill passed the House Appropriations Committee on July 13. That section undermines the so-called “Johnson Amendment,” which has become shorthand for a provision in the tax code that applies to all 501(c)(3) organizations. Groups that choose that most-favored tax status must refrain from endorsing, opposing or financially supporting political candidates.

The language in Section 116 adds unique barriers to any IRS investigation of potential violations of the law by churches, their integrated auxiliaries, and conventions or associations of churches. While it does not repeal the Johnson Amendment, it would hinder enforcement capability.

Rep. Debbie Wasserman Schultz, D-Florida, offered an amendment to remove that section of the bill. Co-sponsored by Rep. Barbara Lee, D-California, the amendment garnered bipartisan support and sparked passionate debate, but it failed on a committee vote of 24-28. All Democrats voted for the amendment, along with two Republicans: Rep. Charlie Dent, R-Pennsylvania, and Rep. Scott Taylor, R-Virginia.

Rep. Wasserman Schultz, who spoke “as a Jewish member of Congress,” said Section 116 “would undercut the values of our nation’s religious organizations, violate our First Amendment rights and harm our constituents.” She said the Johnson Amendment “protects the integrity and independence of charities and houses of worship.”

“Current law reflects the importance of this independence by striking a careful balance,” she continued. “Houses of worship with tax-exempt status are permitted to engage in political advocacy – they just can’t tell people who to vote for, so it’s no surprise that hundreds of religious organizations and faith leaders oppose Section 116 of this legislation out of an understandable concern that political parties and candidates seeking power would be empowered to use their congregations as tools and pressure them for endorsements.”

“The prohibition has allowed charitable organizations to concentrate on their exempt purposes and not to be distracted or co-opted by partisan campaigns,” said Rep. Mike Quigley, D-Illinois, during debate. “Without it, houses of worship



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*Amanda Tyler  
Executive Director*

would be exposed to political pressure to endorse candidates. Nothing in the tax law prevents pastors from speaking out from the pulpit on issues, no matter how controversial.”

Rep. David Price, D-North Carolina, asked everyone to consult their common sense. An active member of Binkley Baptist Church in Chapel Hill, Price said “bringing partisan, candidate-centered politics into our churches” is the issue at stake.

“At present, [religious institutions] are greatly respected. They have great moral force. People pay attention. If it’s simply seen, though, as an extension of campaigns or institutions that are exploited by campaigns, I think that removes that moral force and makes this something that we live to regret,” he said.

Despite those arguments and defense of current law from Rep. Katherine Clark, D-Massachusetts, Ranking Member Nita Lowey, D-New York, Rep. Betty McCollum, D-Minnesota, and Rep. Lee, the amendment failed.

BJC Executive Director Amanda Tyler criticized the final vote. “In the name of protecting the church from the IRS and without any evidence of an overreaching bureaucracy, the Appropriations Committee acted today to expose the garden of the church to the woolly wilderness of partisan campaigning,” she said.

“Gutting potential enforcement of the law gives candidates and campaign donors a green light to press churches for their endorsements and possibly their tax-deductible offerings, too. Vast majorities of clergy and churchgoers oppose endorsing candidates from their houses of worship, knowing it would divide their congregations and distract from their mission.”

The day before the markup of the bill, the BJC sent letter testimony to the House Appropriations Committee outlining opposition to Section 116 and joined 107 faith and other nonprofit groups in a letter opposing the provision.

If the funding bill becomes law, churches would still be legally prohibited from endorsing or opposing candidates or contributing to candidates’ political campaigns. However, this provision would make it nearly impossible for the IRS to investigate even the most egregious of violations by this small subset of 501(c)(3) organizations while holding the rest of the sector to a different standard.

**By Cheryl Crowe**

## What I learned this summer

By Amanda Tyler, BJC Executive Director

In his address to the Religious Liberty Council in June, Rabbi David Saperstein provided a quick review of events during the first month of my tenure as executive director. The inauguration of President Donald J. Trump; the signing of an Executive Order halting travel from several Muslim-majority countries and granting preference to certain refugees fleeing religious persecution; the nomination of Justice Neil Gorsuch to the U.S. Supreme Court; the leaking of a draft “religious liberty” Executive Order that would drastically change the balancing of First Amendment rights; and the president’s vow to “totally destroy the Johnson Amendment” at the National Prayer Breakfast (a move that, if accomplished, could dramatically alter how churches operate with regard to partisan elections). Saperstein good-naturedly joked that he couldn’t chalk up **all** this upheaval to the change in leadership at the BJC.

Though you would think that amount of activity and what has come since would keep me firmly rooted in our Capitol Hill office, I have also spent a good amount of this year on the road, participating in four Baptist meetings (literally coast to coast, in Virginia, North Carolina, Georgia and Oregon), preaching and teaching at seven churches, and speaking at two seminaries. By the time you read this, I will have also been to Colonial Williamsburg to engage our third class of BJC Fellows during the introductory seminar to our work and addressed the Progressive National Baptist Convention in Houston.

As is often the case when it comes to travel, I’ve learned a tremendous amount from these opportunities to get out of familiar surroundings and meet and visit with our partners across the country. These visits, particularly to churches, have given me a glimpse at the diversity and warmth of our communities of faith.

The great affection that Baptists of many stripes hold for the BJC is apparent. That is a testament to the 81 years that have come before, and most immediately, to the excellent leadership of Brent Walker. I’m humbled by and grateful for the encouragement and prayerful support I’ve personally received.

From my conversations, I have sensed a robust energy for our work and desire to be engaged with the challenges we face now. I have been impressed by the eloquence of clergy and churchgo-

ers when talking about how changing the “Johnson Amendment” would threaten the independence, autonomy and unity of their church families. They are eager to add their names and comments to [Faith-Voices.org](http://Faith-Voices.org), the effort promoting the support of faith leaders for current law that keeps partisan candidate endorsements out of tax-exempt churches.

At our RLC Luncheon in Atlanta, we gathered with 600 of our religious liberty advocates and welcomed many more via Facebook live for a “Call to Action” to support our work not only with dollars but also with deeds of loving and knowing our neighbors (see page 8). I had the opportunity to share some of the stories of interfaith friendships that I have heard, such as the people of Smoke Rise Baptist Church – located near Atlanta – who rallied in support of their Muslim neighbor when his small business was vandalized and robbed; and Wilshire Baptist Church in Dallas participating in interfaith Shabbat with Temple Emanu-El and engaging in dialogues on the tough issues of the day. It is my hope that such stories can inspire action, and I ask that you let the BJC know about more examples so we can help share those stories with others.

Of course, the Baptist tradition of standing up for religious freedom for all is not new. One of the great privileges of my work so far this year has been to tell that story, a reminder to the many who know it and a welcome surprise to the many more who do not. Four centuries ago, Baptist Thomas Helwys defended the rights of “heretics, Muslims, Jews, or whatsoever,” while Roger Williams allowed for “a permission of the most Paganish, Jewish, Muslim, or Antichristian consciences and worships.” Their words seem thoroughly modern and relevant today. Baptist preacher John Leland’s pronouncement to “[l]et every person speak freely without fear, maintain the principles that he believes, worship according to his own faith, either one God, three Gods, no God, or twenty Gods; and let government protect him in doing so” still sounds revolutionary 226 years later.

We need to keep telling our stories, both these old ones and our new ones. Our work in Washington is challenging, no doubt, but getting outside the Beltway has provided quite a bit of hope for the future.





BJC Executive Director Amanda Tyler presents Rabbi David Saperstein with the 2017 J.M. Dawson Religious Liberty Award after his keynote address





# Luncheon serves as call to speak up for religious liberty

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Rabbi David Saperstein presents stark reminder of the cost of remaining silent

How will you take a stand for religious liberty and speak up for your neighbors? This year's Religious Liberty Council Luncheon presented new ways to make an impact for religious liberty every day, and Rabbi David Saperstein gave a passionate reminder of the need.

"We've learned all too painfully the terrible cost to the universal rights, security and well-being of religious communities when good people remain silent in the face of religious oppression," said the former U.S. Ambassador-at-Large for International Religious Freedom.

Held June 30 in Atlanta, Georgia, the luncheon gathered religious liberty supporters from across the country. They came together to exchange ideas, make new connections and hear a unifying call to take a stand.

"Our focus is rightly on holding government accountable," said BJC Executive Director Amanda Tyler. "But, as several recent events have demonstrated, religious freedom also can be jeopardized by acts of individuals."

Tyler reminded the crowd that recent dramatic surges in hate rhetoric and violence directed at religious minorities are as much threats to religious liberty as any law or public policy.

"And these individual acts require both a response from our officials but also from we the people," she said. "We as citizens and co-sustainers of our democracy must not abandon the important roles we play in protecting religious liberty."

The program contained practical ideas for ways to engage your neighbor and break down barriers between people of different backgrounds or religious beliefs (see page 8 or visit [BJCOnline.org/Neighbors](http://BJCOnline.org/Neighbors)).

Saperstein said he was thrilled to see such a focus on protecting religious freedom for all and responding to migrants and refugees around the globe, noting that there are now 63 million refugees worldwide. He said it is the highest number since World War II.

Before serving as the religious freedom ambassador from January 2015 until January 2017, Saperstein spent 40 years leading the Religious Action Center of Reform Judaism. He has worked closely with the Baptist Joint Committee and many other groups, forging coalitions and earning the trust of people across



the political spectrum.

He commended the BJC on its immense contributions to religious liberty over the years. “I cannot adequately convey the respect it is accorded on Capitol Hill; the influence, the leadership it has in the broad interfaith and organizational community on behalf of religious freedom,” he said.

Saperstein said that, while the BJC is the voice of reason in the struggle for religious liberty, freedom of conscience and a robust expression of the separation of church and state (that is good for religion and government), some of the key assumptions of those religious liberty foundations are being called into question these days. He led the audience through five key areas that deserve attention.

First, he noted the divisions in our country. Polling shows the way we vote has more to do with issues centering on race and religion than economic factors, and it reveals nearly opposite partisan reactions on the type of culture important for American identity: Democrats tend to say the mixing of cultures and values from around the world, and Republicans tend to say culture grounded in Christian religious values. Polling also shows differing opinions on who faces discrimination in America.

“Finding common ground is going to become more and more challenging,” Saperstein said.

Second, he discussed current fights over the federal Religious Freedom Restoration Act (RFRA). He explained that some say any religious liberty claim to discriminate should be protected, while others say RFRA should never be able to be used to challenge a civil rights law.

“The hardest issues are those that pit valid moral principles against each other,” he said, noting that these clashes threaten



“[T]o the religiously oppressed in every land who live in fear, afraid to speak of what they believe in ... the BJC’s legacy calls us to be a beacon of light and help.”

**DAVID SAPERSTEIN**

to tear our nation apart.

His third focus was on the need for the part of the tax code often called the “Johnson Amendment,” noting how it used to receive broad, non-controversial support. He said there is a lot of misinformation about that prohibition on candidate endorsements by 501(c)(3) organizations, with some people claiming churches will lose their tax-exempt status if they advocate political views. Of course, he said, that’s not the case.

“You can say whatever you want about policy issues, about political issues,” Saperstein reminded the crowd. “If houses of worship become involved in campaigning, they run the risk of extensive government regulation and monitoring of their activities, including their religious activities.”

He also talked about the divisive impact repealing that part of

Luncheon attendees enjoy a lighthearted moment during Rabbi David Saperstein’s address.





The day before the luncheon, BJC Executive Director Amanda Tyler, General Counsel Holly Hollman and Associate General Counsel Jennifer Hawks led a workshop during the CBF General Assembly on current religious liberty issues. The standing-room-only event addressed the *Trinity Lutheran Church* decision, challenges to the “Johnson Amendment” and the Executive Order on immigration.

the tax code could have on houses of worship, as they are among the few places where people of diverse cultural and political backgrounds can find a sense of unity. “This is not just bad public policy, it’s bad religious policy as well,” he said.

Saperstein turned his attention for the fourth point to the decision in the *Trinity Lutheran Church* case, which was released just a few days earlier. He noted that, in the decision, the Court for the first time allowed direct cash funding of a pervasively religious institution. He said the arguments for the funding centered around the desire to be treated like everyone else, but that can apply to other areas of religious life and could threaten special exemptions religious groups have. “There are many strings attached to government money,” he reminded the crowd.

His final comments focused on the international scene, which he monitored closely as the country’s religious freedom ambassador. He lamented the state of so many communities struggling for religious freedom, such as the Christians and Yazidis in Iraq and Syria, Baha’is in Iran, Tibetan Buddhists in China, and Shia Muslims in Saudia Arabia, Pakistan and Bahrain.

“So, to the religiously oppressed in every land who live in fear, afraid to speak of what they believe in; who worship in underground churches, mosques or temples, lest the authorities discover and punish their devotion to an authority beyond the state; who languish in prisons, bodies broken, spirits too often disfigured simply because they love God and worship in their own way or question the existence of God; who feel so desperate that they flee their homes to avoid being killed and persecuted because of their faith; for all of them, the BJC’s legacy calls us to be a beacon of light and help,” he said, calling the crowd to use their voices and not be silent.

“And every time that you speak out and every time you act effectively, you not only affirm God’s vision of giving humanity those fundamental freedoms that are our inalienable rights, but you help make a better world for your children and all God’s children. May that be the blessing of this gathering, may it be the blessing of your work, and may it be the blessing of your lives,” he concluded.

Following his address, Saperstein received the BJC’s highest honor: the J.M.

BJC General Counsel Holly Hollman and Executive Director Amanda Tyler recognize outgoing RLC officers Alyssa Aldape, Mitch Randall and Rebecca Mathis for their service.





Dawson Religious Liberty Award. Tyler made the presentation, commending Saperstein's stalwart defense of religious liberty throughout his career that continues today.

As the individual donor organization of the Baptist Joint Committee, the Religious Liberty Council is one of the 15 supporting bodies of the BJC. All BJC donors are members of the RLC, and the luncheon included the election of new RLC officers and RLC representatives to the board.

The new co-chairs are Alyssa Aldape of Washington, D.C., and Tambi Swiney of Nashville, Tennessee. Ashton Wells of Kansas City, Missouri, was elected secretary.

Those rotating off RLC leadership positions were also honored at the luncheon. Outgoing RLC Co-chairs Mitch Randall and Rebecca Mathis were recognized alongside Aldape, who moves out of her role as secretary with her new position.

The crowd re-elected Charles Cates of Virginia and Jenny Smith of Alabama for their second three-year terms representing the RLC on the BJC board. Daniel Glaze of Virginia and Mathis of North Carolina were elected to new terms to represent the RLC.

BJC General Counsel Holly Hollman and Tyler also recognized two long-serving board members who are rotating out

of representation: Pam Durso, who has served as a representative of the Cooperative Baptist Fellowship on the BJC board, and Jim Hill, who represented Churchnet. Hill is retiring this year after leading the Missouri-based organization since 2004.

The annual Religious Liberty Council Luncheon is held in conjunction with the Cooperative Baptist Fellowship General Assembly. Next year's event will be in Dallas, Texas.

For more on the 2017 luncheon, including a video of the entire program, visit [BJCOnline.org/Luncheon](http://BJCOnline.org/Luncheon).

By Cherilyn Crowe

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The program at the RLC Luncheon included these ideas to take action and stand up for religious liberty. This information is also available at [BJCOnline.org/Neighbors](http://BJCOnline.org/Neighbors)

## WELCOME YOUR NEIGHBORS

Post a sign welcoming all people at your home or house of worship



Purchase or print a sign at [WelcomeYourNeighbors.org](http://WelcomeYourNeighbors.org)

Pose with your sign or with others. If you have a BJC T-shirt, wear it! Share your photo on social media, and tag the BJC.



@BJContheHill



#BaptistJointCommittee

Also use the hashtag #WelcomeYourNeighbors

Don't use social media?

Email your photo: [bjc@BJCOnline.org](mailto:bjc@BJCOnline.org)



## LOVE YOUR NEIGHBORS

Commit to stand against all hate and intolerance, and be an upstander, not just a bystander. Learn about your neighbors and share about yourself. Sign the pledge at [KnowYourNeighbor.us](http://KnowYourNeighbor.us), and share it on social media.

## KNOW YOUR NEIGHBORS

Work toward authentic relationships with people of different faiths, and participate in the "Know Your Neighbor" summer campaign. Visit [ing.org/KYN](http://ing.org/KYN) to sign up and get practical ideas for engaging others through large events, partnerships or acts of kindness.

## SHARE YOUR STORY

Your commitment to religious freedom can inspire others. Share on social media, and tell us at [bjc@BJCOnline.org](mailto:bjc@BJCOnline.org).

# Global Baptists urge religious liberty for all

By Brian Kaylor

When Baptists from around the world meet together, I've learned one quick area of commonality comes in the belief in religious liberty. The recent annual gathering of the Baptist World Alliance in Bangkok, Thailand, proved this as religious liberty issues dominated many sessions. Through resolutions, presentations and advocacy, the historic Baptist concern for religious liberty led to attention given to Iraq, Myanmar, Russia, Thailand, the United States and elsewhere.

I learned from Baptists in Thailand and neighboring Myanmar as they talked religious liberty and their ministry in predominately Buddhist nations. Two representatives of the U.S. Embassy in Thailand accepted an invitation to sit in one session to hear a pastor in refugee camps in Thailand (made up of Karen people from Myanmar) talk about the struggles of his people. If the Embassy people were even one-quarter as moved as I was by the presentation, they will surely do something to help our Baptist brothers and sisters who have lived in refugee camps for more than 30 years.

In addition to several sessions devoted to religious liberty concerns in multiple countries, the BWA also passed two resolutions that offer a global Baptist voice on the topic. One resolution on Russia expressed "great concern" about "recent legislation that restricts evangelism and missionary work by minority faiths."

The resolution noted that Baptists and other Christians "have been arrested and fined during the past year due to the new laws curtailing religious liberty." However, the resolution especially noted the targeting of Jehovah's Witnesses and called on officials "to restore the religious rights of all people." The BWA also praised



"the response of the Russian Baptist Union for standing for the principle of religious freedom for everyone, even for those with whom they have deep differences, such as Jehovah's Witnesses." Russian Baptist leaders have publicly criticized the criminalization of Jehovah's Witnesses, even expressing these concerns to Russian President Vladimir Putin.

In another resolution, the BWA offered its criticism of U.S. President Donald Trump's travel ban on individuals from six predominately Muslim nations, noting the Executive Order has "raised serious concerns about religious freedom." The BWA argued in

the resolution that no law should be used to discriminate on the basis of religion. It urges the U.S. government "to affirm its historic commitment to religious freedom for all people" and calls on Baptists in the U.S. "to stand firm for cherished Baptist principles of religious liberty."

During the discussion on the U.S. resolution, I went to the microphone and successfully advocated for a stronger version of it. Even through that resolution primarily speaks out for the rights of Muslims, I argued that as "Baptists in the tradition of [Thomas] Helwys," we needed to speak out. I added that "if we do not believe in religious liberty for all, then we do not believe in religious liberty at all."

I am thankful for the witness of Baptists around the world and through the ages for speaking strongly in many different contexts about the importance of religious liberty for all. May we never lose sight of this defining conviction.

*Brian Kaylor is editor and president of Word&Way, associate director of Churchnet and contributing editor for EthicsDaily.com.*





## *Trinity Lutheran Church:* **Decidedly narrow, deeply troubling**

By Holly Hollman, BJC General Counsel

**A**mong a flurry of decisions at the end of the term, the U.S. Supreme Court released its long-awaited decision in *Trinity Lutheran Church of Columbia, Inc. v. Comer*, the so-called “church playground case” that addresses the relationship between government funding programs and churches. In short, the Court held that Missouri’s policy of excluding churches from a public benefit program because of its religious status violated the Free Exercise Clause. The ruling is decidedly narrow, but also deeply troubling.

It is troubling because the majority, in an opinion written by Chief Justice John Roberts, ignored the historical and practical basis for preventing government funding of churches. Treating churches in a distinct way has long been part of our religious liberty tradition. A basic principle of America’s religious liberty law holds that the Establishment Clause of the First Amendment forbids the government from advancing religion. In addition, Missouri’s state constitution, like those in 38 other states, categorically bans government funding of churches. These state “no establishment” provisions, many that pre-date the federal constitution, also protect against government funding of religion, but do so in different and sometimes more explicit ways. In fact, Missouri’s prohibition on government funding of churches has been in place since its first constitution was adopted in 1820. Yet, Trinity Lutheran Church argued that its playground should be treated like all others because the Free Exercise Clause prohibits “discrimination” based on religion.

The BJC, joined by the United Church of Christ, filed an *amicus* brief supporting the state. We defended the policy against government funding of churches, explaining the long-standing and practical religious liberty interests for treating churches differently. The policy reflects the lessons of history. Only by ignoring that history could one cast Missouri’s rule against direct government funding of churches as a “discriminatory” penalty against religion instead of an important protection for it. Unfortunately, that’s exactly what the Court did.

The use of public funds to support churches was a hallmark of religious establishments. Religious dissenters, often led by Baptists, fought against tax support for churches as a threat to religion and civil government. As described in the dissent, written by Justice Sonia Sotomayor and joined by Justice Ruth Bader Ginsburg, the arguments for voluntary support of religion and against the government’s authority in religious matters ended state establishments, creating stronger protection for religious freedom. By slighting this history, the Court’s decision threatens confusion about the separation of church and state and how it serves religious liberty.

Fortunately, the scope of the ruling was decidedly limited. It does not support government funding of religious exercise and teaching, nor the

funding of churches in general. It leaves many questions about government funding of religious institutions for another day. While it is the first time the Court has upheld a direct government grant to a church, the Court maintains the basic constitutional principle that forbids government advancement of religion. For us, and as the dissent recognized, this principle is clearly implicated “when funds flow directly from the public treasury to a house of worship. A house of worship exists to foster and further religious exercise.” But for the majority, the case did not involve government funding of religion; it was simply about a public benefit to promote safety. With a carefully worded footnote, Chief Justice Roberts said so. Limiting what would otherwise be a more disturbing departure from our religious liberty foundations and the Court’s precedents, footnote 3 says: “This case involves express discrimination based on religious identity with respect to playground resurfacing. We do not address religious uses of funding or other forms of discrimination.” (emphasis added)

The Court’s limiting footnote undercuts claims by supporters of Trinity Lutheran Church who argue that the case is a sea change for the funding of religious institutions. We don’t know how this decision will affect other funding programs designed to avoid government funding of religion, or whether treating churches differently for other reasons, such as avoiding regulatory burdens, will also be held to be a form of discrimination. We do know that an essential part of our religious liberty tradition is avoiding tax support for religion – and the Court holds on to that. Fortunately, the decision cannot reasonably be read to allow, much less require, states to fund religious activities.

It seems a gross exaggeration to equate the state’s safety interest in this program to encourage rubberized playground surfaces to that interest that guarantees equal treatment for fire and police protection. Yet, the majority took that approach, holding that excluding churches from funding programs (at least ones that are not explicitly for religious use) “is odious to our Constitution and cannot stand.” While the holding of this decision may be narrow, its tone is unfortunate and ahistorical, as aptly noted in the dissent.

As Justice Sotomayor catalogs the rejection of state religious establishments, she writes: “The course of this history shows that those who lived under the laws and practices that formed religious establishments made a considered decision that civil government should not fund ministers and their houses of worship. To us, their debates may seem abstract and this history remote. That is only because we live in a society that has long benefited from decisions made in response to these now centuries-old arguments, a society that those not so fortunate fought hard to build.”



# Supreme Court to hear cases with religious liberty implications

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Court will hear travel ban and wedding cake dispute arguments this fall

The U.S. Supreme Court made two announcements June 26 in closely watched cases that may have an impact on religious liberty law: the Trump administration's revised Executive Order barring immigration from six majority-Muslim countries and a case regarding a baker's refusal to provide services for a same-sex wedding on religious grounds.

When it agreed to review the lawsuits over the revised Executive Order on immigration (which President Donald J. Trump has called a "travel ban"), the Court also partially lifted the stay of the Order, allowing some of it to go into effect. That means people without a "bona fide" relationship to the United States cannot enter the U.S. for 90 days if they are from the six countries named in the Order: Iran, Libya, Somalia, Sudan, Syria and Yemen.

BJC Executive Director Amanda Tyler reiterated that there are no second-class faiths in America. "The Supreme Court now has the opportunity to make clear that the First Amendment prohibits relegating certain faiths to second-class status or using religious identity as an excuse for exclusion," she said. "The Baptist Joint Committee will be closely engaged in the days to come to be sure that our Baptist witness of religious freedom for all is represented in the arguments. Meanwhile, we can all redouble our efforts to condemn religious

bigotry in all its forms."

The Court's decision to hear the appeal in *Masterpiece Cakeshop v. Colorado Civil Rights Commission* surprised many due to its complicated legal history and the state laws involved. The case centers around a bakery owner's refusal on religious grounds to provide services for a same-sex wedding, despite state law prohibiting businesses from discriminating on the basis of sexual orientation.

"Nondiscrimination and religious liberty are important principles that should be protected, but they have increasingly come into conflict in the area of wedding services," said BJC General Counsel Holly Hollman. "By taking this case, the Supreme Court will wade into a developing area of law that is highly contentious. The extent to which free speech and free exercise rights demand an exception to an otherwise applicable law is a perennial legal challenge, especially where providing an exception affects the rights of others."

The Supreme Court will hear both cases in its upcoming term. The travel ban case, which is a consolidation of *Trump v. Hawaii* and *Trump v. International Refugee Assistance Project*, will be heard October 10. At press time, the Court had not set an argument date for *Masterpiece Cakeshop*.

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By Cheryl Crowe



## EDUCATION SPOTLIGHT:

# State University of New York

By Robert Walter

Assistant Director

SUNY Washington Internship Program

Each semester, I accompany a group of interns from the State University of New York (SUNY) Washington Internship Program to the Baptist Joint Committee for Religious Liberty on Capitol Hill and, without fail, they learn something they did not expect.

The SUNY students come from a variety of experiences: small schools in upstate New York, schools near New York City, large public schools or small private colleges. Our students have arrived in Washington to spend one entire semester interning in our nation's capital. They gain experience in their field, earn credits towards graduation, make networking contacts (possibly to gain entry into a future job opening), and have a chance to explore living outside of New York. We bring the students to the BJC as a regular part of our Friday seminar class, and we always come in the first few weeks of their semester in D.C.

They arrive here from all majors and backgrounds, and internships range from positions dealing with politics (inside and outside of the federal government) to private companies to nonprofits and think tanks. The students tend to come with an idea about what they want to do with their life along with their preconceived notions on what D.C. is like from the national media and what a religious group is like that does work on Capitol Hill.

Most of them are unsure about what their time at the BJC will hold for them, and I hear them approach the visit with trepidation about the topics and attitudes they might encounter. Are they going to be lectured about religion?



Will our visit include arguments about why we should make religion part of our federal government?

Our sessions with BJC staff members include a discussion of history, law and the Baptist experience. The students have the chance to learn more about the U.S. Constitution and the First Amendment, including how religious liberty is protected in Article VI and the First Amendment's two Religion Clauses that both ensure the free exercise of religion and prevent against government establishment. The students also learn about the BJC's work in Washington through legislation, litigation and other education initiatives, and they have a chance to hear why it's so important for Baptists to protect religious freedom for all people – not just themselves.

The students leave not just with new knowledge from the session, but also with the understanding that not everything in D.C. is as it seems from the outside. Most of them are pleasantly surprised to learn that their preconceived notions are not correct, and they discover that the BJC is a very inclusive group and usually takes positions on issues that surprise the students.

Our educational sessions at the BJC are an important part of our engagement for each semester of interns: We want to teach them in the classroom, and we also want to help them learn to challenge their preconceived ideas, to investigate below the surface of an organization's positions or philosophy, and to keep an open mind to each organization that they encounter during their time here.

The Baptist Joint Committee does an excellent job in presenting the issues that they are involved with in D.C. and in states around the country. They also explain very well their mission, background and how they carry out their goals. The session at the BJC is usually one of the best discussions that our students engage in during our SUNY Washington Program, and I already have booked our fall semester visit.

Groups of any size or background  
are welcome at the BJC.  
Book a session for your  
school or church group:

**[BJCOnline.org/visit-the-bjc](http://BJCOnline.org/visit-the-bjc)**



BJC Associate General Counsel Jennifer Hawks



BJC Education and Outreach Specialist Charles Watson Jr.

# Survey: American Muslims worry about discrimination, but profess faith in the American dream

Three-quarters of the nation's Muslims say they sense a lot of discrimination against their faith group and half say being Muslim in this country has been more difficult in recent years, a new Pew Research Center survey shows.

But even more Muslims — 89 percent — say they are proud to be both American and Muslim. A significant majority also profess a continuing faith in the American dream.

"The survey makes clear that the early days of the Trump administration have been an anxious time for many Muslim Americans," said Greg Smith, one of the lead authors of the new survey of 1,001 Muslims conducted for several months after President Donald J. Trump's inauguration.

"At the same time, however, the survey also shows that Muslims express a persistent streak of optimism and positive feelings about their own lives and their place in American society."

In the last decade, an increasing percentage of Muslims say they have experienced support from others because they are Muslim — 49 percent in the most recent survey, up from 37 percent in 2011 and 32 percent in 2007.

"In a sense, with rising Islamophobia has come more support from the general public, so I think that's one of the reasons why Muslim Americans feel more comfortable in their place in the U.S. today," said Amaney A. Jamal, a Princeton University professor of politics who served as an adviser on the survey.

But even as Muslims have a growing sense of American support, they report increasing instances of religious discrimination in the past year — from being treated with suspicion to physical attacks. Almost half — 48 percent — say that was their experience, compared to 43 percent in 2011 and 40 percent in 2007.

The study also pointed to some clear divides in gender.

"Muslim women are more likely than men to say that Muslims face a variety of challenges," said Farid Senzai, a political science professor at Santa Clara University and a survey adviser.

For example, 70 percent of Muslim women believe it is likely the government is monitoring their emails and calls, compared with 48 percent of men. And 69 percent of Muslim women say the GOP is unfriendly toward Muslim Americans, compared with 49 percent of men. More than half of Muslim women (54 percent) say President Trump makes them angry, compared with 37 percent of men. Overall, the majority of Muslims surveyed disapprove of Trump's job performance, but President George W. Bush received similar levels of disapproval 10 years ago during his second term. While 65 percent of U.S. Muslims disapprove of Trump in the 2017 survey, 69 percent disapproved of Bush in 2007. In contrast, 14 percent disapproved of President Barack Obama in 2011.

Muslim Americans are less likely than the general public to say Trump makes them hopeful (26 percent vs. 40 percent) or happy (17 percent vs. 30 percent) but are on par with the general public about whether he makes them feel angry or worried.

Researchers report a growing U.S. Muslim population — increasing from an estimated 2.35 million in 2007 to 3.35 million people of all ages today — with almost 6 in 10 born outside the U.S. The vast majority of Muslims living in the U.S. (82 percent) are American citizens.

While respondents came from at least 75 nations, their diversity extended beyond the place of their birth.

More than half (55 percent) identify with the Sunni branch of Islam; 16 percent say they are Shiite; 4 percent associate with other groups (such as Ahmadiyya or the Nation of Islam); and 14 percent don't specify a tradition.

Respondents were young, with 60 percent of Muslim adults under the age of 40. Only 38 percent of the overall U.S. adult population is that young.

They were also racially and ethnically diverse: 41 percent were white, 28 percent Asian and 20 percent black. Eight percent were Hispanic and 3 percent were other or mixed.

"Regardless of how you split it up, there's not a single racial or ethnic group that's dominant within the Muslim community," said Besheer Mohamed, a senior researcher at Pew and a lead author of the study.

Ihsan Bagby, an Islamic studies professor at the University of Kentucky, said the American ideals expressed by U.S. Muslims reflect a change from the 1980s and '90s.

"This idea of being both American and being Muslim obviously is now the clear consensus view of Muslims," said Bagby, another adviser on the study. "And to me it's actually quite remarkable that we've come that far."

The findings of the survey, conducted between Jan. 23 and May 2, had a margin of error of plus or minus 5.8 percentage points.

Here are a dozen other findings about U.S. Muslim adults:

- 85 percent say believing in God is essential to what it means to be Muslim.
- 82 percent are concerned about extremism in the name of Islam around the world.
- 80 percent fast during Ramadan.
- 76 percent say targeting or killing civilians is never justified.
- 65 percent say religion is very important in their lives.
- 65 percent don't think there is a natural conflict between Islam and democracy.
- 64 percent say there is more than one true way to interpret Islam.
- 53 percent of Muslims are married.
- 52 percent say homosexuality should be accepted by society.
- 44 percent are employed full time.
- 43 percent attend mosque weekly.
- 21 percent are converts.

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By Adelle M. Banks, Religion News Service



# Honorary and Memorial Gifts to the Baptist Joint Committee

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Show your commitment to religious liberty for all people with the Baptist Joint Committee's new T-shirt, available for a limited time at [BJCOnline.org/Tshirt](http://BJCOnline.org/Tshirt).

From now until Labor Day, you can purchase a shirt for \$20, which includes shipping and handling. Youth and adult sizes are available, and all proceeds go toward the Baptist Joint Committee's work.

The soft shirts run small, and detailed sizing information is available on the website.

If you have a shirt, we want to see you wear it on social media! Share a photo and tag the Baptist Joint Committee on Twitter (@BJContheHill) or use the hashtag #BaptistJointCommittee on Facebook and Instagram. And, if you don't use social media, just email us a picture at [bjc@BJCOnline.org](mailto:bjc@BJCOnline.org).



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The BJC blog has current church-state news ([BJCOnline.org/blog](http://BJCOnline.org/blog)), and some statements are released right after an event occurs, such as BJC Executive Director Amanda Tyler's statement on the House Appropriations Committee vote (page 2), her condemnation of a line of questioning from Sen. Bernie Sanders, I-Vermont, that imposed a religious test during a confirmation hearing, and her reaction to the nomination of Kansas Gov. Sam Brownback to be the next U.S. Ambassador-at-Large for International Religious Freedom.

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## Walker named interim president of Leland Center, receives Florida award

Former BJC Executive Director Brent Walker has been named the interim president at The John Leland Center for Theological Studies in Arlington, Virginia.

Walker recently retired as executive director of the Baptist Joint Committee, a position he held for 17 years. He continues to serve the organization as an executive consultant.

In a news release announcing the appointment, Leland proclaimed Walker a Baptist leader who is known throughout the country because of his leadership relating to religious freedom. He shares that passion with the school's namesake, John Leland, who advocated for religious freedom in the nation's earliest years.

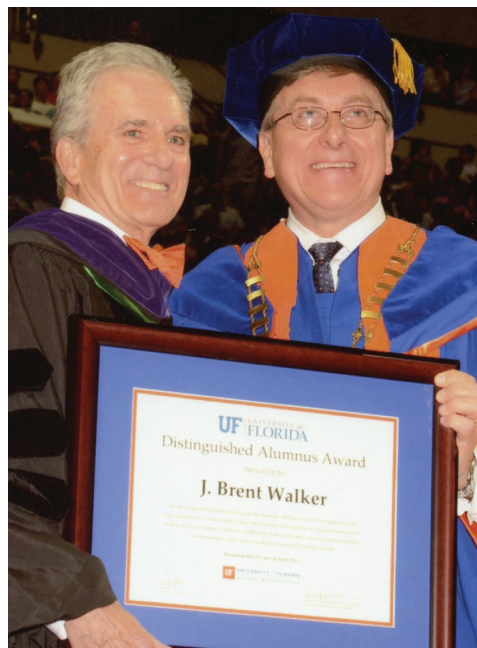
Walker is a graduate of the University of Florida, Stetson University College of Law and the Southern Baptist Theological Seminary. He is a member of the U.S. Supreme Court Bar and an ordained minister.

Walker has been a tireless advocate for religious freedom for all people, and has received numerous awards, including the Virginia First Freedom Award, the Adrian Westney Religious Liberty Award from the Seventh-day Adventist Church, and an honorary Doctor of Divinity Degree from Leland in 2013.

Most recently, Walker received the Distinguished Alumnus Award from the University of Florida, one of the highest honors bestowed by the university.

During spring commencement, University President Kent Fuchs presented the honor to Walker, and David Richardson, dean of the College of Liberal Arts and Sciences, spoke to the crowd about Walker's accomplishments and the work of the Baptist Joint Committee defending religious liberty for all people. The award is given to alumni who are excellent examples for students as they step off campus and into the world as graduates.

Walker begins his tenure at Leland on August 15.



Walker and University of Florida President Kent Fuchs at spring 2017 commencement.

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200 Maryland Ave., N.E.  
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Fax: (202) 544-2094  
Email: [bjc@BJCOnline.org](mailto:bjc@BJCOnline.org)  
Website: [www.BJCOnline.org](http://www.BJCOnline.org)

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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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### Scenes from the RLC Luncheon

You can see photos and watch a video of the entire event on our website at [BJCOnline.org/Luncheon](http://BJCOnline.org/Luncheon).