

Magazine of the **Baptist Joint Committee** for Religious Liberty

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## January 2016

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# from the Capital White House, faith groups fight religious discrimination

The Obama administration announced a new initiative to fight religious discrimination at a White House convening Dec. 17 about upholding America's tradition of religious pluralism.

Vanita Gupta, head of the Civil Rights Division of the Department of Justice, said in coming months her office will partner with other federal agencies to host a series of community roundtables and discussions in a new administration-wide, community engagement initiative to ensure the nation's promise of religious freedom for all.

"Combating discrimination based on

one's religion remains fundamental not only to protecting our values but also to defending our freedom," said Gupta, an assistant attorney general who previously worked for the American Civil Liberties Union, "We



Gupta

cannot — and we must not — allow our enemies to define how we live or to dictate how we treat one another."

"Let's be very clear: There are no second-class faiths in the United States of America," Melissa Rogers, director of the White House Office of Faith-based and Neighborhood Partnerships, told the gathering.

"If we're honest, we will admit that we have not always lived up to our ideals," said Rogers, an attorney who previously worked at the Baptist Joint Committee. "Our history is pock-marked by periods when the majority has chosen exclusion of people such as Catholics or Jews, for example. So we've chosen exclusion sometimes over pluralism."

"There's growing concern today that



BJC Executive Director Brent Walker speaks during a panel discussion at the White House. Pictured left to right: Michael De Dora, Center for Inquiry; Madihha Ahussain, Muslim Advocates; Walker; Rabbi Jack Moline, Interfaith Alliance; and Arjun Singh, Sikh Coalition.

we could be entering into another such period, telling certain people that simply because of their faith they cannot be part of our pluralism," Rogers said. "Nothing could be more un-American. Nothing could strike more fundamentally at our founding principles."

The White House event included a panel with representatives from groups supporting Know Your Neighbor, an initiative by 15 diverse organizations including the Baptist Joint Committee to promote understanding and respect between Americans of different faiths and those who have no faith at all. (See page 2 for details on the program.)

BJC Executive Director Brent Walker participated in a panel discussion during the White House convening, alongside other members of the Know Your Neighbor coalition representing humanist, Sikh, Muslim and Jewish viewpoints. He told the crowd that, while his work often involves ensuring government remains neutral toward religion, it's also important to "pay attention to that horizontal relationship" of getting to know our neighbors.

"It's not just that vertical relationship between church and state, but also horizontally and culturally and interperson-

WHITE HOUSE CONTINUED ON PAGE 2

# BJC, others launch effort to elevate dialogue on religious diversity

How well do you know your neighbor? How often do you talk about your religious beliefs with those who do not share them?

People with various religious perspectives say it's time to start new conversations with those around you.

In December, a coalition of 15 organizations – including the Baptist Joint Committee – launched an innovative project titled "Know Your Neighbor" and participated in a White House convening on religious pluralism. The cover story includes details on the event.

Created by Gurwin Singh Ahuja, a young Sikh man concerned about his own community's challenges, Know Your Neighbor calls on all Americans to share their own beliefs as well as understand and respect those of others. The coalition believes that dialogue is desperately needed to reduce religious tensions and maximize the strength of our nation's diverse heritage.

BJC Executive Director Brent Walker emphasized the need to move past stereotypes and look out for our neighbors' well-being. "Our religiously plural democracy and the religious freedom we enjoy depends not just on constitutional protection against governmental interference; it also depends on the willingness of American citizens

#### Sign the pledge at www.KnowYourNeighbor.us

Our strength as a nation comes from the ability to hold true to our own faith and values while defending the religious freedom of our neighbors. I pledge to get to know my fellow Americans of all traditions and systems of belief and to share my own. Moreover, I will speak out against hatred and misinformation against others when I encounter it.

on a personal level to understand and respect each other, including our differences," Walker said. "The Know Your Neighbor initiative encourages all of us to do so, ensuring America remains true to its heritage and promise."

The website for Know Your Neighbor features a pledge that all are encouraged to sign, promising to get to know people with other beliefs and "speak out against hatred and misinformation." For more information, visit **knowyourneighbor.us**.

The website also contains testimonials from people sharing personal stories, including how they rely on their own faith or their encounters with those of other faiths. Three Baptists are featured: Roy Medley, general secretary of the American Baptist Churches USA, shares what he learned through various Baptist/Muslim dialogue efforts; Mary Elizabeth Hanchey, a Baptist student at Duke Divinity School, shares a story of befriending a Muslim woman while their newborns battled for life in a hospital; and George Mason, pastor of Wilshire Baptist Church in Dallas, shares how his faith brought him through his church's encounter with Ebola.

The members of the Know Your Neighbor coalition are the ACLU, Baptist Joint Committee for Religious Liberty, Becket Fund for Religious Liberty, Center for Inquiry, Hindu American Seva Communities, Interfaith Alliance, Interfaith Youth Core, Islamic Networks Group (ING), Muslim Advocates, National Council of Churches, National Sikh Campaign, Religious Action Center of Reform Judaism, Religions for Peace USA, The Shoulder to Shoulder Campaign, and Sikh Coalition.

-Cherilyn Crowe

#### WHITE HOUSE CONTINUED FROM PAGE 1

ally how we relate to one another," Walker explained. Both, he said, are "essential components to preserving our plush religious pluralism in this country and the freedoms that we all enjoy."

Robert Jones, CEO of Public Religion Research Institute, briefed the audience on demographics fueling tensions driven by religious pluralism.

"At no time in our nation's history have we really experienced this level of diversity, and the most dramatic of these changes have occurred across the generations that are currently alive today," Jones said. "That's a lot of change in a short amount of time. To be sure, these changes will present some challenges, and at our worst I think we are seeing that they may ignite fear or even violence."

At the same time, Jones said, today's generation faces a new opportunity "to engage in the ongoing work of living out the words on the Great Seal of the United States: *E pluribus unum*, out of the many, one."

-Bob Allen, Baptist News Global with BJC Staff Reports





Above: Baptist leaders attending the White House event included (left to right): Roy Medley of American Baptist Churches USA, Walker, Curtis Ramsey-Lucas of American Baptist Home Mission Societies, and Suzii Paynter of the Cooperative Baptist Fellowship. Left: Melissa Rogers, director of the White House Office of Faith-based and Neighborhood Partnerships, addresses the crowd.

# **REFIECTIONS** Scalia gets it wrong on government neutrality

Throughout my final year as executive director of the Baptist Joint Committee, I plan to use this column to discuss what I judge to be some crucial and indispensable principles that have informed and undergirded my understanding of a proper relationship between church and state in the context of American democracy.

The first one — and maybe the most important — is the idea that government must be *neutral* with respect to religion. Under the First Amendment, government must not promote religion (no establishment) and it must not inhibit religion (free exercise). Instead, in the words of my friend Marv Knox at the *Baptist Standard*, government must "butt out of religion, from both giving religion a helping hand and impeding it with regulations." Stated differently, government must be neutral — disengaging from religion and allowing American citizens to make their religious choices voluntarily.

This fundament was challenged recently by Supreme Court Justice Antonin Scalia when he told a group of Louisiana high school students that, while we can't favor one religion over another, there is absolutely nothing wrong with government favoring religion over irreligion. Justice Scalia could not be more wrong.

Neutrality means, at a bare minimum, that our government cannot set up an official national or state church. This theocratic arrangement is the antithesis of neutrality. I agree with Justice Scalia that neutrality also means that government cannot favor one religion over another. It cannot pick and choose favorites. But, neutrality also presupposes that government cannot favor religion over irreligion.

Let me tell you why I think this is so. The First Amendment bars "an establishment of religion." Not "a" religion or "one" religion over another, but religion generally, period. In fact, the Framers turned away several proposals that would have explicitly allowed non-preferential aid to religion across the board. Instead, they adopted the expansive and unqualified clause banning an establishment of religion. Justice Scalia, who purports to be bound by the text on how he interprets founding documents, should understand as much.

Another reason why government should

not be permitted to try to promote religion over irreligion is that it is never truly able to do so. Whose religion are we going to bless? In a democracy, the government will always tend to favor the majority religion. Hey, that's where the votes are, right? Justice Scalia is a Roman Catholic, a powerful religious body that continues to exhibit majoritarian thinking. I wonder if he would have been so sanguine 150 years ago when Catholics were a persecuted minority, often denied religious liberty and even civil rights.

Even if it were possible to promote all religion evenhandedly, it still would prejudice our *nonreligious* citizens – now amounting to almost one in four Americans. Freedom *of* religion and *for* religion presupposes and embodies freedom *from* state-sponsored religion.

Now let me tell you what my insistence upon preventing government from promoting religion over irreligion does *not* mean.

First, it does not mandate a "naked public square" — the notion that religion cannot or should not be discussed in the political arena. Justice Scalia's suggestion that this is the case — that religion is being stripped from the public square — is simply a straw man. Government neutrality does not mean that religion's voice is shorn from the public conversation. Indeed, people of faith populate our politics, and religious speech pervades our political culture to a degree that far surpasses any other advanced western democracy.

It does not mean that religious beliefs and values cannot motivate or inform our public policy positions. Justice Scalia went on to theologize a little by speculating that one reason God has been good to America is that we have been willing to pay God honor. His presumptuous claim to know the mind and motives of Almighty God is not improper. If that's what he believes, he is free to say so. The problem is that — in my opinion — it leads him to the wrong conclusion about the meaning and value of neutrality.

And, finally, it does not mean that we Americans cannot mention God in our pledge, motto and public rituals and ceremonies. BJC Blogger Don Byrd said it well: "It is true that the Court has upheld references to God in presidential proclamations, and on currency,

**REFLECTIONS** CONTINUED ON PAGE 4



J. Brent Walker Executive Director

# Americans prize religious freedom for Christians — less for Muslims or atheists

Eight in 10 Americans say it's very or extremely important for people like themselves to be allowed to practice their religion freely.

However, support for religious freedom plummeted when people were asked about other traditions, according to a survey released on Dec. 30 by the National Opinion Research Center for Public Affairs Research and The Associated Press.

The survey of 1,042 U.S. adults found that overall:

•82 percent called religious liberty protections important for Christians

•72 percent prioritized it for Jews

•67 percent for Mormons

•61 percent for Muslims

For Christians, the percentages were nearly identical when asked about people like themselves. The AP-NORC poll was conducted online and by phone. The overall margin of error is plus or minus 3.9 percentage points.

Charles Haynes, director of the Religious Freedom Center of the Newseum Institute, told the AP that ideas of religious liberty have become politicized and polarized.

"Religious freedom is now in the eye of the beholder. People in different traditions, with different ideological commitments, define religious freedom differently," Haynes said.

But Republicans and Democrats were statistically tied in prioritizing religious freedom for Christians but not for Muslims in the survey. •88 percent of Republicans said it was important to protect the religious liberty of Christians, while only 60 percent said so for Muslims.

•83 percent of Democrats said the protections were important for Christians, while only 67 percent said so for Muslims.

Political independents lagged on all the measures, with fewer than 69 percent supporting religious freedom for Christians, 57 percent for Jews, 56 percent for Mormons and 49 percent for Muslims.

"Religious freedom is now in the eye of the beholder. People in different traditions, with different ideological commitments, define religious freedom differently."

Charles Haynes Director of the Religious Freedom Center of the Newseum Institute

The survey was conducted from Dec. 10-13, after extremist Muslims launched terror attacks in Paris and San Bernardino, California. In the aftermath, there's been a wave of vandalism and arson at U.S. mosques.

Recent months have also seen a furor over gay marriage and the rights of religious Christians to refuse to provide same-sex couples with marriage licenses. Kentucky clerk Kim Davis spent five days in jail for refusing to issue licenses.

In December, the new governor of Kentucky ruled that license forms would not include a clerk's name. It's still unclear whether that will meet religious liberty objections by some Christian groups.

According to the AP, earlier polls with the NORC have found "dwindling confidence in the government's defense of religious liberty, with 75 percent in 2011 saying the government was doing a good job, compared with 55 percent who said so [in December]."

Americans, particularly Christians, are tense about the religious mix with more non-Christian immigrants and the rapid rise of people with no religion.

The latest Pew Research survey of America's religious landscape found that although Christians make up 70 percent of Americans, this is a significantly less Christian country than it was seven years ago, with the percentage down nearly 8 points from 2007.

People with no religious identity rose 6.7 percentage points in the same period. The rising influence of these "nones" helped boost support for the legalization of same-sex marriage, an issue hard-fought against by evangelical Christians and Catholics.

Muslims and Hindus, while still very tiny minorities in the U.S., also increased their share of the religious marketplace. Attention to their rising numbers, together with political rhetoric about potential Muslim immigration, may have shaped views revealed in the survey.

> – Cathy Lynn Grossman, Religion News Service

#### REFLECTIONS continued from page 3 $\,$

or to solemnize certain official occasions. However, they have understood those references as a ceremonial acknowledgment of the role of faith in our country and its history and not as an official endorsement of religion."

Justice Scalia's position is not new. Perhaps more famously, then-Justice William Rehnquist took the same position in a dissenting opinion in *Wallace v. Jaffree* (1985) — a case about moments of silent prayer

in public schools. In modern church-state jurisprudence, allowing government to promote religion over irreligion has always been a minority position. But, the fact that it has persisted for the past three decades after Justice Rehnquist first expressed that sentiment only heightens the importance of speaking out forcefully in opposition to that flawed thinking.

The continued vitality of our religious liberty in this country depends on our ability and willingness to do so.

# Honorary and Memorial Gifts to the Baptist Joint Committee

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In memory of J.T. and Sara Rutherford By Ann Rutherford

**In memory of Marylee Sturgis** By William Benton Downer

In memory of Foy and Mary Louise Valentine By Stephen E. Gooch

You can honor someone with a gift to the Baptist Joint Committee at any time. Just send a note with your check, or give at BJConline.org/donate and check the box to designate your gift in honor or memory of someone. Contact Taryn Deaton at tdeaton@BJConline.org with any questions.



K. Hollyn Hollman General Counsel

"We should extend to others no less religious freedom than we ask for ourselves. Christians who don't find the government competent to determine who is or is not a Christian should also recognize that the government is incapable of defining membership for other faiths."

Report from the Capital January 2016

# HollmanREPORT

# **Proposals of religious exclusion** undermine religious liberty

Even before Donald Trump called for "a total and complete shutdown of Muslims entering the United States until our country's representatives can figure out what is going on," the problem of religious scapegoating was destined to continue as a major theme into the new year and beyond. The outrageous proposal inspired quick condemnation from a variety of angles, including that of the BJC. Executive Director Brent Walker responded: "Donald Trump's proposal to ban Muslims from entering the U.S. is un-American, unworkable, counterproductive and embarrassing. It's no more than disgusting demagoguery — exploiting popular fear and fanning pervasive anti-Muslim bigotry for political gain. Americans deserve better than this from those who seek to lead."

In the weeks since, Trump's statement continues to generate debate among political pundits, elected officials, theologians and law professors. While condemned by many at home and abroad, the comments appeal to at least some segment of the American public, as Trump's poll numbers reflect. Other candidates have asserted similarly problematic proposals, such as favoring refugees who are Christian.

This debate is just the latest example of a persistent problem. In an effort to explain violence, we look for easy answers, blaming a particular ethnicity or religion as if they are inherently violent. Addressing the threat of violence is among our government's greatest challenges. A blanket ban against members of a particular religion (or non-believers), however, is not the answer and is antithetical to many American ideals, not the least of which is religious liberty for all.

As some experts have noted, the U.S. Supreme Court has upheld immigration bans based upon national origin, ancestry and political viewpoints. Without conceding the propriety of those bans, a ban or favoritism based upon religion is an entirely different matter. It would clash with the First Amendment's protection of religious liberty, particularly the prohibition against laws "respecting an establishment of religion."

There are practical, as well as moral and legal, reasons to oppose these proposals. As George Washington University law professors Ira Lupu and Robert Tuttle recently explained in a post on the American Constitution Society's website, "The government cannot exclude someone as a Muslim

unless there are criteria for determining which beliefs characterize one as a follower of Islam." If a refugee applicant identifies as a Christian or a visa applicant denies being a Muslim, how would a bureaucrat verify the religious affiliation? Our government would have to create a religious litmus test of beliefs and practices and determine whether the applicant meets enough of the criteria to be Christian or Muslim. Just as Christian sects debate which groups are truly Christian, a similar debate happens among Muslim sects. For example, the Ahmadiyya consider themselves to be Muslim, but Pakistan designates them, including on state-issued passports, as non-Muslim. Fortunately, the Establishment Clause prohibits our government from invoking a religious shibboleth declaring some to be included and others excluded.

Baptists, among other religious groups, certainly know that there are often deep differences even among those who go by the same denominational name. Indeed, most religions are shaped by internal and external conflicts, sometimes leading to exclusion, schism and new religious groups. The religious liberty we enjoy recognizes that religion should be left free from unnecessary government involvement so that autonomous associations can define their beliefs and regulate their membership. It assumes that the government will not favor some religions over others in any legal sense. This practical aspect of religion – the tendency for religious traditions to change and multiply – is also implicit in the way our Constitution protects religion.

Religious liberty advocates, whether speaking as legal experts or congregational members, have an important role to play in these conversations, which challenge us to put our constitutional and ecclesiastical values to work. We should extend to others no less religious freedom than we ask for ourselves. Christians who don't find the government competent to determine who is or is not a Christian should also recognize that the government is incapable of defining membership for other faiths.

The Gospel teaches that faith demands the freedom to believe or not believe. Inviting the government to define particular religions and give them second-class legal status would undermine this God-given freedom of conscience.

# NEWS

## **BJC** welcomes spring interns

The Baptist Joint Committee is pleased to have two spring semester interns working alongside our staff in Washington, D.C.

Joben David, who was born and raised in India, is a 2015 graduate of George W. Truett Theological Seminary in Waco, Texas, where he earned a Master of Arts in Christian Ministry. In 2011, he earned a Bachelor of Arts, majoring in philosophy, from Baylor University. David has experience working for the Walt Disney Company in Florida and the International Justice Mission in India. After his internship, David plans to work in the nonprofit sector and pursue a law degree.



David



Shoemaker

Claudia Shoemaker, a native of

Charlotte, North Carolina, graduated in 2015 from Appalachian State University. She received her Bachelor of Science degree, majoring in political science with a minor in history. She is the daughter of Jim and Amy Shoemaker, and a member at Providence Baptist Church in Charlotte. Following her internship, Shoemaker plans to work in political communications.

# 2016 Shurden Lectures set for April in Minnesota

Popular educator Molly Marshall will speak at Bethel University in St. Paul, Minnesota, on April 4-5 to deliver the 2016 Walter B. and Kay W. Shurden Lectures on Religious Liberty and Separation of Church and State.

The president of Central Baptist Theological Seminary in Shawnee, Kansas,

Marshall has spent more than 30 years



Marshall

involved with theological education and has vast ministerial experience.

Walter and Kay Shurden established the lectures with a gift to the BJC more than a decade ago. The annual event travels to campuses to reach students and inspire a commitment to religious liberty. For details and a new video featuring the Shurdens discussing the genesis of the lectures, visit **BJConline.org/ShurdenLectures**.



## Deadlines approaching for BJC Fellows, essay contest

Two of the Baptist Joint Committee's most popular programs have quickly approaching deadlines.

#### **BJC Fellows Program**

Young professionals interested in deepening their historical, legal and theological understanding of religious liberty have until **Feb. 16** to apply for the BJC Fellows Program. Created in 2015, the program brings 10 people together from diverse backgrounds, teaching and equipping them for advocacy. The cornerstone of the program is the BJC Fellows Seminar, which will be held July 27-31 in Colonial Williamsburg. The program covers most travel and lodging for the seminar. Go to our website at **BJConline.org/Fellows** for application details and links to pages and videos featuring members of the 2015 class.

#### **Religious Liberty Essay Scholarship Contest**

High school juniors and seniors have until **March 4** to submit their essays for this year's scholarship contest. The topic centers on conflicts that arise when elected or appointed government officials have religious objections to job duties. For the complete topic, rules and entry form, visit **BJConline.org/contest**.

## Walker signs open letter against anti-Muslim rhetoric

BJC Executive Director Brent Walker was one of 50 leaders who signed a letter asserting that anti-Muslim rhetoric is a threat to the foundations of American democracy and to the religious freedom of all Americans.

The letter ran as an advertisement in the *Washington Post* on Dec. 21, and it calls elected officials and the American public to stand for freedom.

"Our religious principles teach us to love and respect each other, and our civic responsibility demands that we take a public stand against this gross injustice happening before our eyes today," the letter states. "As persons of faith and as Americans, we deeply value our own freedom of religion in this country and the religious freedom of others."

Other signatories include Cardinal Theodore McCarrick, author Brian McLaren, Rev. Jim Wallis of Sojourners, Rev. Dr. Roy Medley of American Baptist Churches USA, Bishop Warren Brown Jr. of the United Methodist Church, Imam Mohamed Magid of the ADAMS Center, Rabbi Jack Moline of Interfaith Alliance, Rev. Gradye Parsons of the Presbyterian Church USA, Ambassador John Loeb Jr., Deborah Lauter of the Anti-Defamation League, and Rabbi Jonah Pesner of the Religious Action Center of Reform Judaism.

The effort was a collaboration between The Shoulder to Shoulder Campaign and the Aspen Institute's Justice and Society Program.

-BJC Staff Reports



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### Baptist Joint Committee

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- Baptist General Association of Virginia
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- Converge Worldwide (BGC)
- Cooperative Baptist Fellowship
- Cooperative Baptist Fellowship of North Carolina
- National Baptist Convention of America
- □ National Baptist Convention USA Inc.
- National Missionary Baptist Convention
- □ North American Baptists Inc.
- Progressive National Baptist Convention Inc.
- Religious Liberty Council
- Seventh Day Baptist General Conference



J. Brent Walker Executive Director

Cherilyn Crowe Editor

Jordan Edwards Associate Editor

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#### WHY WE GIVE By Diane Jordan Brentwood, Tennessee

I grew up in Baptist churches that stressed religious liberty. While I've known of the Baptist Joint Committee for as long as I can remember, I really connected when my husband and I moved to Washington, D.C., and Monty became assistant pastor of

the National Baptist Memorial Church, which was built as a memorial to religious liberty.

Emanuel Carlson, then the executive director of the BJC, was a member of the church and became a good friend. We learned so much from him and from our church's annual "Religious Liberty Week," inviting great guest

speakers for nightly services on the subject.

The BJC is unique to me because I know of no other organization that does such a good job. Not only do they advocate for our First Amendment rights, but they constantly teach groups and individuals, using Jesus' teachings and biblical principles as the basis for their work.

The staff of BJC is, without exception, worthy of admiration on many levels. It is made up of people who are extremely knowledgeable in both law and religion, who know well our Baptist history and heritage, and who are personable, interesting, caring individuals. During our 10 years in D.C., we got to know James Dunn and were so impressed with his courage and commitment. Brent Walker continues the great



and I were deeply impressed by the quality of the work we saw being done and the Christ-like manner in which all the staff dealt with tough situations or people. Monty has passed away, but I know he would feel as I do — that one of the best possible uses of our

> resources is doing what we can to continue the fine work of the BJC. I want others to understand

the urgency of protecting, explaining and expanding religious liberty for all. There is so much confusion about what it means to have religious liberty, and many haven't a clue about the true meaning of it or of our Baptist history in this regard. All of us need to work together so the next generation will have religious liberty and understand its vital importance.

If you have included the BJC in your estate plans or would like information about naming us as beneficiary of a will or retirement plan, visit **BJConline.org/ planned-giving** and fill out the simple form. You may also contact Development Director Taryn Deaton at 202-544-4226 or by email at LegacyCircle@BJConline.org.

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tradition of having the "best and brightest" and representatives of the faith lead the BJC.

and representatives of the faith lead the BJC I chose to include the BJC in my estate plans because, when we later became "scholars in residence" at the BJC, Monty