

REPORT FROM THE CAPITAL

Magazine of the Baptist Joint Committee for Religious Liberty

BJC Fellows train for religious liberty advocacy

HOLLY HOLLMAN analyzes the *Masterpiece Cakeshop* case

AMANDA TYLER on raising your voice for religious liberty

Supreme Court dismisses travel ban case

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

Leaders from the BJC and other religious organizations deliver a letter from faith leaders to Congress asking to keep the 'Johnson Amendment.'



4,000+ faith leaders ask lawmakers to keep Johnson Amendment

More than 4,000 faith leaders from all 50 states are calling on Congress to keep the “Johnson Amendment,” the part of the tax code that protects houses of worship and other tax-exempt 501(c)(3) organizations from being pressured by politicians for endorsements. The law, which has broad support, has been attacked by some in Washington.

The faith leaders — spanning all major religions — signed a letter explaining how the current law ensures their continued independent voice, protecting houses of worship from becoming centers of partisan politics or cogs in the political machine.

More than 1,000 Baptists signed the letter, which was organized by the Baptist Joint Committee for Religious Liberty and Americans United for Separation of Church and State, along with several religious groups, including the Religious Action Center of Reform Judaism, Franciscan Action Network and Interfaith Alliance.

“We have heard an outcry from faith leaders across the country about changing the tax law to encourage churches to issue campaign endorsements,” said BJC Executive Director Amanda Tyler. “They are concerned that weakening the ‘Johnson Amendment’ would divide their communities and distract from their mission. In response, we worked with other groups to create this platform for leaders to lift their

individual voices.”

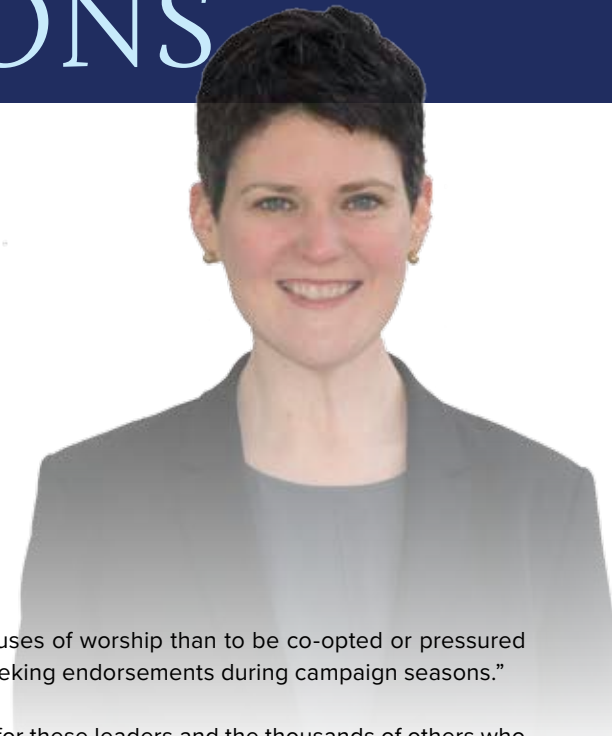
This letter, delivered to Congress August 16, joins a similar effort from 99 national and state religious groups in April that asked Congress to keep the current law, as well as a letter from more than 5,000 nonprofit organizations also calling on lawmakers to leave the Johnson Amendment intact.

“Changing the law to repeal or weaken the ‘Johnson Amendment’ — the section of the tax code that prevents tax-exempt nonprofit organizations from endorsing or opposing candidates — would harm houses of worship, which are not identified or divided by partisan lines,” the letter states. “Particularly in today’s political climate, engaging in partisan politics and issuing endorsements would be highly divisive and have a detrimental impact on congregational unity and civil discourse.”

It’s not too late to join the movement and sign the letter. “This effort is ongoing, and I encourage clergy and lay leaders to join these 4,000 early adopters in sending a strong message to Congress,” Tyler said.

Sign your name at Faith-Voices.org, and read what many Baptist signers had to say at BJCOnline.org/Faith-Voices. The letter is also available in Spanish on the website at Faith-Voices.org/espanol.

From BJC Staff Reports



Raising your voice for religious liberty

By Amanda Tyler, BJC Executive Director

We called, and you answered. Thank you. As you have read in this magazine, the BJC has been leading the effort to organize the religious community in expressing our concerns about changing the tax law in ways that would put pressure on houses of worship to endorse candidates and otherwise involve themselves in partisan election activity. We helped create Faith-Voices.org, a platform for faith leaders, both clergy and laity, to add their names and say in their own words why changing the “Johnson Amendment” would negatively impact their communities.

To date, more than 4,000 pastors, priests, rabbis, imams, ministers, chaplains, lay leaders, deacons and Sunday school teachers have spoken out about how changing the tax law would damage their religious communities. You can hear directly from some of them:

“The pulpit must remain free and not sold to the highest political bidder.” —Dr. Danny Chisholm, Senior Pastor, University Heights Baptist Church in Springfield, Missouri

“The separation between church and state is good for the church because it prevents further division within the Body of Christ. Pulpits are for preaching the Good News, not campaigning.” —Rev. Dr. Todd Blake, Pastor, Madison Heights Baptist Church in Madison Heights, Virginia

“Opening wide the church’s doors to partisan politics and politicizing our houses of worship by repealing the Johnson Amendment is bad for religion and bad for our political process.” —Rev. Andrew Daugherty, Senior Pastor, Pine Street Church in Boulder, Colorado

“Pastors can already speak to the issues they care about from a biblical perspective without being joined at the hip with a particular candidate. Truth and justice are not limited to partisan politics and they transcend any political ideology.” —Rev. Dr. Timothy Tee Boddie, General Secretary, Progressive National Baptist Convention

“Maintaining our churches free of this type of political influence is essential to maintaining the religious liberty we enjoy.” —Jesse Rincones, Executive Director, Hispanic Baptist Convention of Texas

My pastor, the Rev. Julie Pennington-Russell of First Baptist Church of Washington, D.C., said, “I can’t think of anything more divisive

and toxic for houses of worship than to be co-opted or pressured by politicians seeking endorsements during campaign seasons.”

I am grateful for these leaders and the thousands of others who have joined this large and diverse choir in asking Congress to keep the law that protects the nonpartisanship of our houses of worship and other 501(c)(3) nonprofits. I hope you will add your voice to this effort at Faith-Voices.org and then share this opportunity with other faith leaders in your church and in your community. Changes to the “Johnson Amendment” are being considered this fall as Congress debates tax reform and heads toward a December deadline to fund the government for 2018. A strong response from the faith community will be critical to the effort to keep the law intact.

Our experience with Faith-Voices.org demonstrates that we all have a role to play in safeguarding religious freedom for all. We at the BJC will continue to call on you to be an advocate for our First Freedom in your communities on this and other issues in a variety of ways, whether that be contacting your member of Congress, writing a letter to the editor, speaking to your congregation or interfaith coalition, or sharing your experiences of standing up for religious freedom for all.

Our young advocates have led the way. You will read about the outstanding class of BJC Fellows we welcomed this summer and how they have been inspired to engage in our work. You also will read about the Religious Liberty Council’s high school essay contest, which engages students by asking them to research a religious liberty issue, analyze the arguments and express a point of view.

Yusra Ahmed of Quincy, Massachusetts defended religious liberty in her winning essay “Compassion Before Fear.” Yusra, a college freshman at the University of Chicago, is Muslim. She wrote in a personal way about some of her experiences being the target of religious intolerance and how government policy can perpetuate prejudice.

Speaking to the BJC Board of Directors during our annual meeting this fall, Yusra told us what she learned about Baptists as part of the writing process. She said that “actions speak louder than words,” and she talked about the significance of seeing others defend her rights. “I don’t think anything’s going to change unless we all band together, and seeing this solidarity and knowing that you’ve got our back is a great thing.”

I couldn’t agree more. I am grateful for Yusra’s response to our call, for our BJC Fellows and for the many ways you use your voice to provide this Baptist witness of religious freedom for all.

U.S. Supreme Court dismisses travel ban case

WASHINGTON (USA Today with BJC Staff Reports) – The U.S. Supreme Court dismissed a major challenge to President Donald J. Trump’s travel ban on Muslim-majority countries because it has been replaced by a new version, sending the controversy back to the starting block.

The Oct. 10 ruling is a victory for the Trump administration, which had asked the Supreme Court to drop the case after President Trump signed a proclamation Sept. 24 that replaced the temporary travel ban on six nations with a new, indefinite ban affecting eight countries. That action made the court challenge moot, the justices ruled.

“We express no view on the merits,” the justices said in a one-page order.

The decision effectively wipes the record clean in the U.S. Court of Appeals for the 4th Circuit, one of two federal appeals courts that had struck down major portions of the president’s travel ban. That case began in Maryland.

A separate case from the 9th Circuit, based in California, remains pending because it includes a ban on refugees worldwide that won’t expire until later in October. But the Supreme Court is likely to ditch that case, which began in Hawaii, as well.

The challengers in both cases already have renewed their lawsuits in the lower courts, starting the legal process anew. In Maryland, a federal district court scheduled a new hearing for mid-October.

But the new travel ban and the Supreme Court’s order vacating the 4th Circuit appeals court judgment puts the administration in a somewhat stronger position, at least for now.

Justice Sonia Sotomayor dissented from the Supreme Court’s action. She would have dismissed the case, but in a way that would have preserved the appeals court ruling against the ban, rather than vacating it.

The 4th Circuit case was brought by the International Refugee Assistance Project, which argued that banning travel from six Muslim-majority countries violated the First Amendment’s guarantee of freedom of religion. That appeals court determined that the ban amounted to religious discrimination in violation of the Establishment Clause by targeting those from predominantly Muslim countries.

Under its original schedule, the Supreme Court would have heard the case Oct. 10, but the Court delayed the oral argument after Trump replaced his earlier order. The new version followed a three-month review of immigration procedures.

The BJC joined an *amicus* brief to the U.S. Supreme Court in

the previously scheduled case, along with an interfaith coalition of individuals and organizations. The brief argued that President Trump’s Executive Order “selectively burdens Muslim-majority countries while exempting comparable Christian-majority countries” in violation of the Establishment Clause of the First Amendment.

The other brief signers included individual clergy and houses of worship along with a few national groups, including the Muslim Public Affairs Council, the National Council of Churches and the Sikh Coalition. The brief took a unique angle of examining the Executive Order and its stated justification for selecting the countries, finding that — based upon the report the Order claims to rely upon — two Christian-majority countries fit the stated criteria better than at least one of the included countries.

The latest travel ban targets five countries included in two previous versions — Iran, Libya, Somalia, Syria and Yemen — as well as Chad, North Korea and Venezuela. Unlike the earlier bans, it treats some countries and types of travelers, such as students or tourists, differently than others.

The administration told the justices that the new ban is “based on detailed findings regarding the national security interests of the United States that were reached after a thorough, worldwide review and extensive consultation.”

The ban’s challengers argued that the case against the last version should go forward because many of the same travelers and their families are adversely affected — not just for 90 days, but indefinitely.

The American Civil Liberties Union, which brought the 4th Circuit challenge on behalf of the refugee group, had said charges of anti-Muslim discrimination still applied “despite some new window dressing” — a reference to the addition of North Korea and Venezuela.

Hawaii, which brought the 9th Circuit challenge, warned the justices that elements of the earlier ban still could be revived, since Trump has said he wants a “much tougher version.”

As the legal developments continue, BJC Executive Director Amanda Tyler noted that the Baptist Joint Committee’s mission remains clear. “The BJC will continue to denounce any government action that uses a person’s faith as a reason for exclusion or any policy rooted in anti-Muslim animus,” she said.

By Gregory Korte and Richard Wolf, USA Today; Additional material provided by BJC Staff Reports.



Cakes and the commercial marketplace

By Holly Hollman, BJC General Counsel

Who would have thought that cake could be so controversial? In one of the most visible cases this term, the U.S. Supreme Court will decide whether a Colorado baker has a constitutional right to refuse to make a cake for the wedding reception of a same-sex couple, despite state law requiring nondiscrimination in places of public accommodation (businesses open to the public). The impact of *Masterpiece Cakeshop v. Colorado Civil Rights Commission* could reach much further than cake shops and wedding receptions. At the crux of the baker's claim is the nature of his business and whether the application of the nondiscrimination law to his business violates his freedom of speech or freedom of religion.

Masterpiece Cakeshop sells baked goods from a store in a strip mall and specializes in custom cakes, including wedding cakes. Colorado law requires that places of public accommodation do not refuse customers based on certain protected categories, including race, gender, religion and LGBT status. Jack Phillips, the owner of the business, refused to provide a custom cake for a gay couple and was found to have violated that law, a decision upheld by Colorado courts. His legal strategy at the Supreme Court focuses on demonstrating that his custom cakes are free speech (expressive conduct celebrating marriage) and, if provided to a same-sex couple, would send the message that he approves of a marriage that his religion forbids. He also claims a free exercise right to be exempt from this nondiscrimination law. With that claim, he asserts a limitless constitutional right that the BJC must oppose. His claim fails to recognize how religious liberty is protected in different contexts — here a commercial business open to the public and regulated by state law — and the harmful consequences of allowing *ad hoc* exemptions to nondiscrimination laws.

America's free exercise tradition leans toward accommodation — respecting sincerely held religious beliefs regardless of their popularity — and generously defining the “exercise of religion” to avoid interference with religious practice. Religious beliefs about marriage and sexuality, expressed in many ways, are constitutionally protected and should be. Likewise, no one can or should be forced to participate in a religious ceremony, and Colorado law makes clear that the requirement of nondiscrimination for businesses open to the public does not apply to houses of worship. Free exercise law provides many protections for individuals and institutions that oppose same-sex marriage for religious reasons, but it does not

provide a right for commercial vendors to refuse to sell goods and services to certain people in violation of a law by simply asserting a faith-based reason.

Two years ago, in *Obergefell v. Hodges*, the U.S. Supreme Court held that the federal Constitution provides a fundamental right to marry and that state bans prohibiting marriage between same-sex persons were unconstitutional. The BJC was not involved in that case. Our singular focus on religious liberty for all keeps us busy enough, even without taking a position on legal and theological debates beyond our mission. Regardless, we had a role to play both before and after the Court's decision as legal and political changes sparked discussions about religious freedom and marriage.

Responding to those who said the Court's decision was devastating to religious freedom, we explained that churches and religious individuals did not need to be alarmed. “Marriage” is used to refer to two distinct concepts: civil marriage and religious marriage. It is a religious act that occurs in the context of a religious community consistent with religious texts, traditions and understandings. It is also a civil institution that affords certain legal privileges and protections. The law treats these concepts differently. *Obergefell v. Hodges* was only about civil marriage.

Churches, we explained, would do what they've always done — follow their own rules and traditions to perform weddings and teach about marriage and sexuality. We stand with them to protect that right. The separation of church and state continues to ensure that churches and ministers make their own decisions about the marriage ceremonies they conduct. We knew that religious liberty claims would arise in various other contexts beyond houses of worship, particularly for religiously affiliated institutions such as universities and hospitals.

Beyond those cases, few individuals who hold religious views opposed to same-sex marriage were directly affected by *Obergefell*. But, for some government officials who issue marriage licenses and some who work in the wedding industry, the change in law led to burdens on conscience. Among those who object to same-sex marriage on religious grounds, individuals have drawn different lines about how to respond — from defying the law to resigning or changing their business plans, or continuing to work and acknowledging a limited role in the choices of others. Specific legal disputes, like the one in *Masterpiece Cakeshop*, depend on the particular facts of the case

CAKES continued on page 15

The 2017 BJC Fellows pose with a historical interpreter portraying Gowan Pamphlet (center) and a few Seminar instructors.



BJC Fellows equipped to take up the mantle of religious freedom

The Baptist Joint Committee convened the third class of BJC Fellows to deepen a group of young professionals' legal, historical and theological understanding of religious liberty.

The ten selected to be BJC Fellows demonstrated a substantial interest in fighting for religious liberty. Hailing from nine different states and the District of Columbia, they attended the BJC Fellows Seminar in Colonial Williamsburg July 26-30, which prepares them to be religious liberty advocates.

The Seminar included a tour of Colonial Williamsburg with an emphasis on religious history; lectures on Baptist history from the Rev. Dr. Pam Durso, an adjunct professor at Mercer University's McAfee School of Theology; a look at the Founders from author and professor Michael Meyerson from the University of Baltimore School of Law; sessions on religious liberty law from BJC Associate General Counsel Jennifer Hawks; and presentations on effective advocacy from BJC Executive Director Amanda Tyler.

The Fellows also had a chance to interact with historical interpreters portraying Thomas Jefferson and Gowan Pamphlet, the first black

ordained Baptist minister in America.

Now entering its fourth year, the BJC Fellows Program has trained 30 young professionals who have shown an aptitude for religious liberty advocacy, and the program provides the tools they need to be effective in their circles of influence and beyond. After completing the BJC Fellows Seminar, each Fellow serves as a liaison between the BJC and their communities.

You can hear from the 2017 class of BJC Fellows on the following pages. For more from each of them, visit BJCOnline.org/Fellows.

To celebrate three successful classes of BJC Fellows, we are dedicating this year's **Giving Tuesday** to continue the program's funding. Held on the Tuesday after Thanksgiving (November 28), Giving Tuesday kicks off the charitable season, when many focus on their holiday and end-of-year giving. Make sure to watch our social media feeds and look for the hashtag #GivingTuesday to see how you can support the BJC Fellows program into the future.



By Aurelia Davila Pratt
Cedar Park, Texas

For some time, I felt like I was living in two separate worlds: the world of the Baptist pastor and the world of the concerned citizen. I was interested in what I was seeing play out politically on the local, state and national stage, but I wasn't sure what my role should look like as ordained clergy. My two worlds collided when I learned about John Leland, an American Baptist minister who was fundamental in the struggle for religious liberty in the United States. John Leland taught me that I have a role to play in the political arena, not *despite* my being a pastor, but *because* of it.

On the first full day of my BJC Fellows experience, it really sunk in that I had been given a gift by being chosen to attend. Of course I was grateful for the obvious things: a paid trip, room and board, and delicious meals. But the real gift became more apparent with each lecture and the accompanying activities. This was the gift of knowledge, and I felt like a grateful sponge, soaking up information as it changed me from the inside out.

Specifically, I was inspired by the stories of those who advocated tirelessly for religious freedom upon the founding of our country. I especially loved reading direct quotes from people like John Leland. He may be gone now, but his passion for what is right is still very much alive, and it's contagious! Leland said, "The only way to prevent religion from being an engine of cruelty is to exclude religious opinions from the civil code."

Because of this program, I am more passionate than ever to take up the mantle and participate in the work of protecting religious liberty in our country, but perhaps more importantly, I am also now more equipped than ever to do so. I think about the people who have gone before me — people like John Leland — and I am reminded of why the preservation of religious liberty is absolutely necessary. This protection is for the good of **all** people in our society. For me, it is about more than tolerance; it is practicing radical and loving inclusion toward everyone no matter what. This is the kind of work I believe my faith calls me to every day, and it comes to life when good intentions are combined with well-equipped knowledge. Having both is truly a gift worth sharing.



Meriah VanderWeide
Sioux Falls, South Dakota

"I know for certain that I have a voice and I can bring about change. Thanks to the BJC, I feel truly equipped to cause some waves and change the tide in my community."



Stephanie Renee Ellis
Russellville, Arkansas

"This inherent right to religious liberty and the freedom to worship and serve God as one pleases must be fervently protected. When your freedoms are violated and scarce, so are mine."



Charles Carrington
Edgewater, Maryland

"By learning from the past, I know I won't repeat the same mistakes, igniting me to be proactive in the case for religious freedom."





By Corey Mitchell
Raleigh, North Carolina

Simply put, the BJC Fellows Seminar was a life-changing experience. From the moment I stepped foot onto the beautiful campus of Colonial Williamsburg to the time I left the historic city, my mind was stretched and challenged to think in new ways. I was encouraged to step outside of my comfort zone and engage in advocacy work and the promotion of religious liberty for all Americans; not just the black Baptists in my local congregation, but every denomination represented in these great United States, as well as those who do not subscribe to any religious belief.

For starters, I found that the required texts were quite helpful in understanding the historical, theological, political and biblical underpinnings of religious liberty in this country and prepared me for the BJC Fellows Seminar. The best part, however, was the fact that our sessions were led by leading thinkers in the field of religion and religious liberty law.

Even though I'm a lifelong Baptist, I learned more about my heritage and denomination in those four days than I have my whole life! I also learned how to communicate religious liberty and the law to others, as well as how to become an ambassador for religious liberty in my community. As a minister and civic leader, this piece was quite helpful for me as I engage others in my religious and social context.

The BJC Fellows Seminar truly changed the way I think about religion in this country. I realize now that a threat to anyone's religious freedom is also a threat to my religious freedom. Knowing that, historically, Baptists have led the fight for religious liberty in this country has really changed my views on several issues. I never realized how closed-minded I was about the freedoms we enjoy and how easy it is to infringe on others' rights based on my religious views.

For more than 80 years, the BJC has been the only faith-based organization fighting to preserve the religious freedom for all Americans, and I'm proud to be a BJC Fellow.



Sofi Hersher
Washington, D.C.

"As the first non-Christian BJC Fellow, I am thrilled to help strengthen the bonds between the Jewish and Baptist communities as we work together to protect our shared freedom to practice our faiths peacefully."



Kathryn Freeman
Austin, Texas

"Religious liberty is important for African-Americans because it continues to mean the freedom to worship at all, however we like, without fear of violence or retribution."



Courtney Pace
Memphis, Tennessee

"People of every faith, and those of no faith at all, care deeply about their beliefs and their right to have those beliefs. ... We must find a way to honor each other, to stand up to persecution for each other and with each other."



Kristen Nielsen Donnelly
Yardley, Pennsylvania

"One of the many gifts the BJC Fellows Program gave to me was an invitation to wrestle with the foundations of America in a way I'd never been allowed to before."



Libby Mae Grammer
Richmond, Virginia

"Learning about religious liberty from the experts provided us a chance to not only dive into the history of America's religious freedom, but to explore what those roots mean for cases involving religious liberty today."



To read more from the 2017 Fellows and learn about the program, visit BJOnline.org/Fellows.

In Charlottesville, the local Jewish community presses on

By Alan Zimmerman
President of Congregation Beth Israel

At Congregation Beth Israel in Charlottesville, Virginia, we are deeply grateful for the support and prayers of the broader Reform Jewish community. Our thoughts and prayers are with the families of Heather Heyer and the two Virginia State Police officers, H. Jay Cullen and Berke Bates, who lost their lives in August, and with the many people injured in the attack who are still recovering.

The loss of life far outweighs any fear or concern felt by me or the Jewish community during the past several weeks as we braced for this Nazi rally — but the effects of both will each linger.

On Saturday morning, I stood outside our synagogue with the armed security guard we hired after the police department refused to provide us with an officer during morning services. (Even the police department's limited promise of an observer near our building was not kept — and note, we did not ask for protection of our property, only our people as they worshipped).

Forty congregants were inside. Here's what I witnessed.

For half an hour, three men dressed in fatigues and armed with semi-automatic rifles stood across the street from the temple. Had they tried to enter, I don't know what I could have done to stop them, but I couldn't take my eyes off them, either. Perhaps the presence of our armed guard deterred them. Perhaps their presence was just a coincidence, and I'm paranoid. I don't know.

Several times, parades of Nazis passed our building, shouting, "There's the synagogue!" followed by chants of "Seig Heil" and other anti-Semitic language. Some carried flags with swastikas and other Nazi symbols.

A guy in a white polo shirt walked by the synagogue a few times, arousing suspicion. Was he casing the building, or trying to build up courage to commit a crime? We didn't know. Later, I noticed that the man accused in the automobile terror attack wore the same polo shirt as the man who kept walking by our synagogue; apparently it's the uniform of a white supremacist group. Even now, that gives me a chill.

When services ended, my heart broke as I advised congregants that it would be safer to leave the temple through the back entrance rather than through the front, and to please go in groups.

This is 2017 in the United States of America.

Later that day, I arrived on the scene shortly after the car plowed into peaceful protesters. It was a horrific and bloody scene.

Soon, we learned that Nazi websites had posted a call to burn our synagogue. I sat with one of our rabbis and wondered whether we should go back to the temple to protect the building. What could I do if I were there? Fortunately, it was just talk — but we had already deemed such an attack within the realm of possibilities, taking the precautionary step of removing our Torahs, including a Holocaust scroll, from the premises.

Again: This is in America in 2017.

At the end of the day, we felt we had no choice but to cancel a Havdalah service at a congregant's home. It had been announced on a public Facebook page, and we were fearful that Nazi elements might be aware of the event. Again, we sought police protection — not a battalion of police, just a single officer — but we were told simply to cancel the event.

Local police faced an unprecedented problem that day, but make no mistake, Jews are a specific target of these groups, and despite nods of understanding from officials about our concerns — and despite the fact that the mayor himself is Jewish — we were left to our own devices. The fact that a calamity did not befall the Jewish community of Charlottesville that day was not thanks to our politicians, our police, or even our own efforts, but to the grace of God.

And yet, in the midst of all that, other moments stand out for me, as well.

John Aguilar, a 30-year Navy veteran, took it upon himself to stand watch over the synagogue through services Friday evening and Saturday, along with our armed guard. He just felt he should.

We experienced wonderful turnout for services both Friday night and Saturday morning to observe Shabbat, including several non-Jews who said they came to show solidarity (though a number of congregants, particularly elderly ones, told me they were afraid to come to synagogue).

A frail, elderly woman approached me Saturday morning as I stood on the steps in front of our sanctuary, crying, to tell me that while she was Roman Catholic, she wanted to stay and watch over the synagogue with us. At one point, she asked, "Why do they hate you?" I had no answer to the question we've been asking ourselves for thousands of years.

At least a dozen complete strangers stopped by as we stood in front the synagogue Saturday to ask if we wanted them to stand with us.

And our wonderful rabbis stood on the front lines with other Charlottesville clergy, opposing hate.

Most attention now is, and for the foreseeable future will be, focused on the deaths and injuries that occurred, and that is as it should be. But for most people, before the week is out, Saturday's events will degenerate into the all-too-familiar bickering that is part of the larger, ongoing political narrative.

We will get back to normal, too.

After the nation moves on, we will be left to pick up the pieces. Fortunately, this is a very strong and capable Jewish community, blessed to be led by incredible rabbis. We have committed lay leadership, and a congregation committed to Jewish values and our synagogue. In some ways, we will come out of it stronger — just as tempering metals makes them tougher and harder.

This article was originally posted Aug. 14 on ReformJudaism.org and is reprinted here with permission. Visit our website for more reflections, including from BJC Executive Director Amanda Tyler.



BJC Board of Directors meets in Washington

The Baptist Joint Committee Board of Directors elected new officers and discussed ways to expand the organization's reach during its annual meeting in Washington.

Representatives of the BJC's 15 member bodies engaged in strategic discussions about pressing religious liberty issues during the meeting Oct. 2-3, including upcoming Supreme Court cases and threats to the "Johnson Amendment." The group also talked about future ways to mobilize religious liberty supporters for action.

The board elected four new officers to serve for the next two years. Dan Hamil, executive director of North American Baptists, Inc., was elected as the board chair, and Timothy Tee Boddie, general secretary of the Progressive National Baptist Convention, was elected vice chair. Jesse Rincones, who serves as the executive director of the Hispanic Baptist Convention of Texas and represents the Religious Liberty Council on the board, was elected secretary, and the new treasurer is Valoria Cheek, president of the American Baptist Extension Corporation and general counsel of American Baptist Home Mission Societies of American Baptist Churches USA.



From left to right: Board Chair Dan Hamil, Treasurer Valoria Cheek, Vice Chair Timothy Tee Boddie, Secretary Jesse Rincones.



From BJC Staff Reports



A conversation with 2017 essay contest winner Yusra Ahmed

Sharing her personal experiences facing religious intolerance and reviewing how banning people due to religion violates the First Amendment, Yusra Ahmed of Quincy, Massachusetts, earned the grand prize in the 2017 Religious Liberty Essay Scholarship Contest. The annual contest engages high school juniors and seniors in church-state issues by asking them to express a point of view on a provided religious liberty topic.

Ahmed was a special guest at the 2017 BJC Board meeting, where she spoke about her essay and experiences with BJC Education and Outreach Specialist Charles Watson Jr. Below are excerpts from their conversation, edited for length and clarity, and portions of her winning essay. Details for the 2018 Religious Liberty Essay Scholarship Contest will be announced soon. Visit BJCOnline.org/contest for the latest information.

Our essay topic, which was released in October 2016, focused on whether religious tests should be used as a part of the United States' immigration and refugee policies. What did you learn as you did your research for this essay?

The biggest thing is that this is not the first time [something like this has] happened. Religious liberty is an issue not just of today, but throughout time.

In your essay, you share from your own experience dealing with religious intolerance. Can you tell us a little more about your story?

Unfortunately, my experiences are wide and vast, and the stories go way back to when I was a toddler with my mom to as recent as last week. But I think when dealing with these experiences, the ones that you remember the most are the ones that happen in schools. And so I think that is a large issue for young men and women in elementary and middle schools, facing that religious intolerance from their schoolmates, who are supposed to be, you know, your friends and people that you trust.

What has your family's experience been as travel bans targeting Muslim-majority nations have been issued and re-issued?

Well, of course it's important to my family

as Muslims, a minority religion in America. My family [members] are American citizens — American born — so we lucked out in that aspect. But to see people in my community facing a sense of instability about their next steps or, if they go home to visit family, whether they will be able to come back, has been very disheartening.

What did you learn about Baptists by participating in this essay contest?

I think actions speak louder than words, and so being able to see what was done [by the BJC] — and I didn't know this

organization existed before — and just sort of seeing it, and being able to know that there are people out there defending my rights is an amazing thing.

What is it like to see people from various religious backgrounds come together to stand up for and defend the rights of Muslims?

Well, I don't think anything's going to change unless we all band together, and seeing this solidarity and knowing that you've got our back is a great thing.



How did you hear about the essay contest, and why did you enter?

It was on Fastweb.com, and that's basically just a website with a bunch of scholarships listed nationwide. I entered because it seemed like a very special type of scholarship. Most are more about what you are going to do with the money and more basic questions. This one asked something that sort of related to me, and I felt like I could share my voice and opinion.

Why is it important for high school students to engage in church-state issues and think critically about them?

Seniors in high school are 17 or 18, so they're borderline being able to vote. Right before [we're] given a chance to vote, we're not very much given any method to voice our opinions or give our voice in any situation. And for an issue like this — it's very personal to many people. So having [high school students] engage allows their voice to be heard and their opinions to be given.

**Congratulations to our
second and third prize
winners:**



**“Any faith-based test ...
gives the government
the power to decide
when civil liberties do
and do not apply.”**

**NICHOLAS SICKELS
SECOND PLACE WINNER
LAWRENCE, KANSAS**



**“It is with apathy
that the greatest
consequences occur.”**

**MARGARET LAWRENCE
THIRD PLACE WINNER
ROANOKE, VIRGINIA**

Excerpts from Ahmed's winning essay:

Compassion before fear

Religious intolerance was a concept that I never understood as a child. When I was young, I wanted to wear the hijab as my mother and older sisters did. One day, on a “practice hijab day,” my sisters and I were going out for a fun day in town. For the first time I was going to ride the train with them. I wore a glittery blue hijab and my favorite cowboy boots to match. When we arrived at the train station near our house, we were met by strangers throwing beer bottles and yelling religious slurs. We left with a shard of glass scarring sister's shoulder and an abrupt tear in my glittery blue hijab. That day I realized that my religion isolated me, put a target on my back. Those strangers in the train station were acting out of fear, ignorance and lack of understanding. This same fear and ignorance is behind the proposal for a religious test for immigrants and refugees coming into America.

...

A religious test enacted by the U.S. government sends a message of fear and hate to the American people, fear that will incite discrimination on a civilian level. Fellow Americans who fit in the group of people being filtered out by the religious test may not face discrimination in terms of laws and policies, but will face intolerance from those around them. They will face prejudice and bigotry because of their beliefs.

...

Besides the status by which America is ‘free,’ the process of banning a whole group of people, due to religion, is a direct violation of the First Amendment of the Constitution. The First Amendment's first clause on religion ... states that the government may not ‘establish a religion.’

...

The First Amendment's second clause states that no law shall be made to “prohibit the free exercise of religion.” This clause, dubbed the ‘Free Exercise Clause’ specifically states that all people have the right to practice their religions. When the government begins favoring one religion, refugees and immigrants are forced to at least act as part of that religion to access safety. They will give up their right to free exercise of religion to receive their basic human rights. These future Americans would be unable to freely express their religion as it could be grounds to lose access to safety and stability. This oppression of people's beliefs is a clear violation of the Free Exercise Clause. By definition, a religious test for immigrants and refugees violates the Constitution and the very framework and moral principles on which our country was built.

...

A religious test whose result determines eligibility for immigrants and refugees places irrational fear over compassion, the very same irrational fear I faced that day when I wore the hijab out with my sisters. It is a fear that is preventable, that can be apprehended with education and compassion. In that way, a religious test cannot and should not be enacted as part of U.S. immigration and refugee policy. It violates our duty as fellow human beings to offer one another refuge and safety no matter what.

Some Americans don't believe Muslims, atheists have First Amendment rights

Nearly 1 in 5 Americans incorrectly believe that Muslim citizens don't have the same First Amendment rights as other American citizens.

Also incorrectly, 1 in 7 believe that atheists aren't protected by those rights.

These are among the findings of a new study by the Annenberg Public Policy Center of the University of Pennsylvania, which also found that only a fraction of Americans surveyed — 15 percent — named freedom of religion when asked to name the rights guaranteed under the First Amendment.

Those rights are: freedom of religion, speech and the press, and the right of assembly and to petition the government.

Nearly half of those surveyed (48 percent) said freedom of speech is a right guaranteed by the First Amendment.

"These results emphasize the need for high-quality civics education in the schools and for press reporting that underscores the existence of constitutional protections," said Kathleen Hall Jamieson, director of the Annenberg Public Policy Center.

The study is conducted annually by the center in advance of Constitution Day, Sept. 17, the anniversary of its signing in 1787. The sample included 1,013 U.S. adults and has a margin of error of plus or minus 3.7 percentage points.

Also shown in the study: More than half of Americans surveyed — 53 percent — believe undocumented persons have no constitutional rights when, in actuality, they do. The Supreme Court settled that more than 130 years ago in *Yick Wo v. Hopkins*, ruling the 14th Amendment's equal protection clause extends to noncitizens.

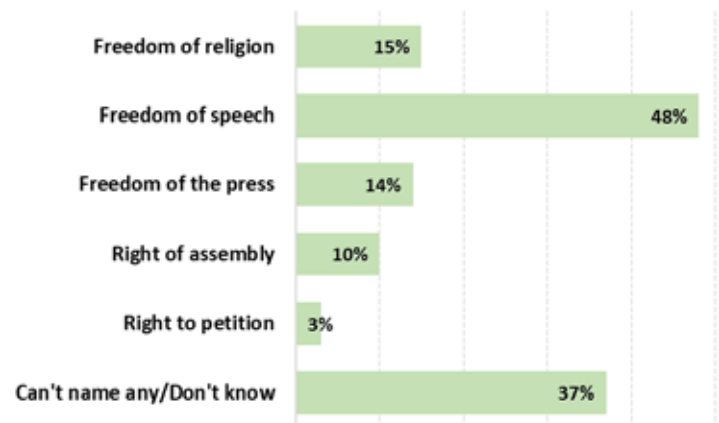
Another finding that will disappoint those who believe Americans should know the basic rights given to them in their Constitution:

More than one-third of those asked (37 percent) could not, unprompted, name a single First Amendment protection.

And only a quarter of Americans (26 percent) could name all three branches of the government (legislative, executive and judicial), the same result as in last year's study.

By Kimberly Winston, Religion News Service with BJC Staff Reports

What are the specific rights guaranteed by the First Amendment?



*Open-ended question followed by prompts for additional responses.
Source: Annenberg Constitution Day Civics Survey, August 9-13, 2017.
Annenberg Public Policy Center

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Ostrin joins BJC staff

ILANA OSTRIN, a Los Angeles native, joined the BJC staff as the Associate Director of Communications on September 6. Her role focuses on strategic communications and engagement through digital and traditional media.



Previously, Ostrin worked in communications and editorial capacities for scientific and medical organizations. In these roles, she performed a variety of tasks for both digital and traditional media endeavors, including editorial planning, content strategy, event management, business development, speechwriting and more. In 2014, she received an AVA Digital Award for her work in leading a website redesign project for a small government contracting firm.

Ostrin earned her bachelor's degree at the University of Minnesota, where she studied English and Jewish Studies and was also an NCAA Division I student athlete. In 2016, she earned certifications in digital strategy, content marketing, social media marketing, B2B social media marketing and online marketing from the Online Marketing Institute.

Ostrin resides in Washington, D.C., where she is an active member of the Public Relations Society of America. You can contact her at iostrin@BJCOnline.org.

Baptist Joint Committee welcomes fall interns

The Baptist Joint Committee is pleased to welcome two fall semester interns working with our staff in Washington, D.C.



TORI GILKESON, a native of Asheville, N.C., is a 2016 graduate of American University, earning a Bachelor of Arts degree in Religious Studies with a minor in International Studies. At American, Gilkeson was a member of the Interfaith Council, a group of students who gathered to learn about and discuss issues related to religion and interfaith relations. Gilkeson, whose parents are Bob and Cathy Gilkeson, is a member of First Baptist Church of Asheville and also attends Congregation Beth HaTephila in Asheville.



GABRIELLE LUMPKIN of Sevierville, Tennessee, is a 2017 graduate of Carson-Newman University, where she earned a Bachelor of Arts degree in Political Science with a minor in Law and Policy and was part of the Bonner Scholars Program. Before coming to the BJC, Lumpkin volunteered for the Lawyers' Committee for Civil Rights in D.C. The daughter of Tammie Reece and Thomas Lumpkin, she plans to attend law school in the future.

Justice Department releases memo on religious liberty law, oversimplifies some complicated issues

Attorney General Jeff Sessions issued a memo Oct. 6, providing guidance on religious liberty in federal law. This follows a directive in President Donald J. Trump's Executive Order on religious liberty that was announced May 4 of this year.

The memo, which was sent to all executive departments and agencies, outlines "twenty principles" that are designed to "guide administrative agencies and executive departments" in accommodating "religious observance and practice ... in all government activity, including employment, contracting, and programming."

BJC General Counsel Holly Hollman said it may create more problems than it would solve.

"In large part, the guidance restates much settled law, though with a decided tilt toward concerns of free exercise, giving short shrift to the government's duty to avoid 'no establishment' concerns. In a couple of areas, the guidance will exacerbate controversy," Hollman said.

"The guidance treats complicated legal issues, such as the definition of 'substantial burden' on religious exercise and the interplay between religious autonomy and government funding, in an overly simplistic way."

According to news reports, an official from the Department of Justice pointed out that the memo "describes rules but does not authorize anyone to discriminate."

By Don Byrd, BJC Blogger

CAKES continued from page 5

and on the interpretation of applicable law. Legislatures continue to be the best forum for negotiating compromises that can balance all interests and draw predictable lines. A couple of states (Utah and North Carolina) enacted specific legislation related to marriage licensing intended to balance LGBT and religious concerns, while other states tried unsuccessfully.

Religious and political disputes about LGBT nondiscrimination and religious objections can be painful. We have found that discussions about *Masterpiece Cakeshop* are more fruitful when they begin by acknowledging the legitimate interests on both sides of the dispute and the importance of understanding how religious liberty and nondiscrimination are protected in different contexts. The Colorado baker who refused to provide his custom cake artistry to a same-sex couple acted out of his sincere religious convictions about marriage and about his role in the celebrations that accompany weddings. A couple who entered a commercial business that provides goods and services to the public was denied those services because of their legally protected LGBT status and thus were victims of unlawful discrimination under the Colorado state statute. Both sides understandably feel aggrieved. This case is not a piece of cake, but the BJC believes that Colorado's nondiscrimination in places of public accommodation law should prevail over this unlimited free exercise claim.



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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

Amanda Tyler EXECUTIVE DIRECTOR
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GO ONLINE FOR MORE FROM THE BJC

"The Johnson Amendment protects faith communities from the corrupting influences of political campaign financing."

DR. ED SUNDAY-WINTERS
Phenix City, Alabama

BJCOnline.org/Faith-Voices

Hear from Baptists who are asking Congress to keep the protections of the "Johnson Amendment."



BJCOnline.org/McCormickSymposium

"Faith-Based Activism and Service in American Public Life: A BJC Symposium" is Oct. 26 at McCormick Theological Seminary in Chicago. Melissa Rogers, former executive director of the White House Office of Faith-based and Neighborhood Partnerships, will speak and participate in a panel discussion.