Special edition: Racial justice and religious liberty

BJC hosts conversation on white supremacy and American Christianity

AMANDA TYLER on our work to do

HOLLY HOLLMAN explores Supreme Court's decision on school funding









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

Racial justice and religious liberty

As we continue a national conversation about racial justice, this edition of *Report from the Capital* brings you articles about the moral imperative to take action as we work to dismantle white supremacy from our society. We continue to explore the many ways faith freedom and human freedom are connected, as well as religious liberty and race.

WHITE SUPREMACY AND AMERICAN CHRISTIANITY: Pages 8-11 share a recap of this year's BJC Luncheon, which featured a national conversation on race and Christianity with author Robert P. Jones and journalist Adelle Banks.

JUNETEENTH AND THE PROMISE OF RELIGIOUS FREEDOM: On page 12, BJC Fellow Kathryn Freeman looks at Juneteenth's commemoration of freedom and what it means for our society today.

FACEBOOK LIVE CONVERSATIONS: In June, BJC hosted two live conversations on Facebook on racial justice and religious freedom. Page 13 gives a recap of a conversation on Juneteenth, and page 11 shares excerpts from a conversation held after the BJC Luncheon program.

BJC community responds to COVID-19

The BJC community is adapting and serving during this unprecedented time, continuing to stand for faith freedom for all during the pandemic and partnering with others. Friends of BJC are serving their houses of worship and their greater communities in new ways and meeting needs they never saw coming. We shared many of their stories in May on social media as part of Giving Tuesday Now — to hear their stories in their own words and read about other community members, visit *BJConline.org/GivingTuesdayNow-2020*.



Halle Herbert, a 2020 BJC intern, distributes food in Missouri.



Volunteers prepare food for community members through Rauschenbusch Metro Ministries of Metro Baptist Church in New York City, a BJC partner congregation.



Lynn Brinkley, vice chair of the BJC Board, coordinates social media engagement during worship at First Baptist Church in Fayetteville, North Carolina.



Curtis Ramsey-Lucas, a member of the BJC Board, livestreams a concert from his home in Maryland.

REFLECTIONS

Our work to do

By Amanda Tyler, BJC Executive Director

I rauma and transformation are two words that come to mind as I think of 2020 thus far.

As I write, nearly 150,000 Americans have died from COVID-19, and more than 4 million Americans have tested positive for the coronavirus. Those serving on the front lines of the response to this crisis have done so at times without needed protective gear and have endured enormous trauma that will affect them for years to come. The coronavirus will continue to disrupt our daily routines for the foreseeable future as we do our best to control the loss of human life. Our consumer-driven economy is collapsing, and millions of Americans are unemployed. People of color have borne the brunt of the pandemic and its myriad impacts.

This summer has been a season of unrest and protest, triggered by horrific murders, including that of George Floyd at the hands of one Minneapolis police officer as three of his colleagues were in a position to intervene and did nothing to stop it.

Yet we know that the trauma, pain and grief we are seeing in the demonstrations for racial justice across the United States and in cities around the world are about much more. It's not just a reaction to the latest example of police brutality against an unarmed Black man or woman. It's about 401 years of oppression on these shores, about centuries of murder, rape, enslavement, dehumanization, redlining, racist hiring practices, educational inequalities, unjust distribution of resources and more wrongs that continue to this day.

This season of reckoning is both inevitable and necessary. As painful and shameful as it is to admit, it takes dramatic demonstrations in American cities to get our collective attention, or more precisely, the attention of white America. Our brothers and sisters tried to get our attention with numerous peaceful protests, such as taking a knee during the singing of the national anthem or reminding us that #BlackLivesMatter. Nothing changed, and indeed, those who protested faced an intense backlash from the privileged majority.

What is our work to do? It's a personal question that I believe every white person in this country needs to be asking herself right now. For me, it starts with understanding the roots of racism and implicit bias. Candid books like *How to Be an Antiracist* by Ibram X. Kendi challenge us to interrogate assumptions that in other times might be unquestionable. Learning also demands listening to the experiences of others. I'm trying hard to listen with all my senses to the pain of my Black brothers and sisters.

I'm a self-described freedom-loving Baptist, so one particular story got my attention. Kendi tells about his father's conversation with theologian James Cone in 1971, in which he asked Cone for his definition of a Christian. Cone responded, "A Christian is one who is striving for liberation." Kendi remarked, "James Cone's working definition of a Christian described a Christianity of the enslaved, not the Christianity of the slaveholders."

You can read more on pages 8-11 about a national conversation on white supremacy and American Christianity that BJC hosted in June. That discussion goes to the heart of this work to reconstruct a theology that is on the side of the enslaved, the disenfranchised, the powerless — one that is closer to the theology of Jesus than what we see largely evidenced in American Christianity right now.

I write, of course, not only as an individual white Christian, but as the leader of BJC. What is BJC's work to do right now? Last September, the BJC Board of Directors appointed a Special Committee on Race and Religious Liberty to study BJC's past. From our beginnings more than 80 years ago, BJC has been a group of white and Black Baptist denominations committed to protecting religious freedom. But how welcome were those Black Baptists at the BJC Board's table, and how well did we white Baptists listen to their concerns for freedom when they most could have used the power of BJC's privileged allyship and advocacy? Our committee is studying those difficult and uncomfortable questions now and will report to the Board later this year with recommended actions for reparation.

We cannot just study the past and not act in the present. I hope you will join us in the BJC-led Christians Against Christian Nationalism initiative (see page 6) as we bring awareness to the ways that Christian nationalism often overlaps with and provides cover for white supremacy and racial subjugation.

I pray that through our shared learning and work, the pain and trauma of this difficult year may bring rebirth, transformation and freedom for all.



U.S. Supreme Court updates

'Ministerial exception' applies broadly to teachers of religion

In a 7-2 decision released July 8, the U.S. Supreme Court ruled that religious school employees tasked with educating young children in the school's faith qualify as "ministerial" employees. Thus, the Court held, their claims of employment discrimination cannot be adjudicated without improperly entangling courts in religious questions in violation of the First Amendment.

The ruling, which consolidated two similar cases involving elementary school teachers at Catholic institutions (*Our Lady of Guadalupe School v. Morrissey-Berru* and *St. James School v. Biel*), clarified that whether an employee falls under the "ministerial exception" turns on "what an employee does," and not whether the employee has religious training or has a ministerial title.

The "ministerial exception" is a First Amendment doctrine that recognizes the fundamental freedom for religious communities to select their leaders, and it bars most lawsuits between ministerial personnel and their religious employers.

"Today's decision demonstrates that the 'ministerial exception' is more far-reaching than many employees may assume," said BJC General Counsel Holly Hollman. "The Supreme Court holds that the exception applies in the case of elementary school teachers who perform some religious duties such as teaching religious doctrine and guiding students to live in their faith. ... As a matter of fairness, it should also lead religious employers to clarify expectations with employees, not only about religious job duties but about the limits of employment law protections."

The ministerial exception is just one example of how religious schools are legally different from secular institutions.

Expanded exemption survives challenge

In Little Sisters of the Poor v. Pennsylvania, the U.S. Supreme Court again waded into a question about religious accommodations from the Affordable Care Act's (ACA) contraceptive mandate. This time, the issue was more a question of administrative law than religious liberty law: did the Trump administration exceed its authority in issuing rules that greatly expanded eligibility for businesses to opt out, for religious or moral reasons, of the requirement to provide contraceptive coverage?

In another 7-2 decision released July 8, the Court held that Congress delegated broad authority to HHS and other agencies to craft regulations and exemptions for the ACA, overturning a 3rd U.S. Circuit Court opinion that had prevented the new regulation from going into effect.

The majority cited the fact that Congress could have, but did not, provide any limits on the administration's discretion in crafting the rules. The Court also rejected the state's argument that the administration erred by considering the application of the Religious Freedom Restoration Act (RFRA). The broader exemption for religious or moral objections will now go into effect, and the case returns to the trial court for a trial on whether the rules comply with required administrative procedures.

LGBTQ employees protected by Title VII

On June 15, the Court held that an employer who fires an individual merely for being gay, lesbian or transgender engages in unlawful employment discrimination.

The combined cases, known as Bostock v. Clayton County, found that Title VII's protection from discrimination "on the basis of ... sex" necessarily includes gay, lesbian and transgender employees. The Court noted that questions of exemptions for religious organizations or private businesses with religious objections were not being decided as none of the three employers had raised these claims at the Supreme Court.

Episode 17 of Respecting Religion on the BJC Podcast discusses the religious liberty implications of the Court's 6-3 majority and dissenting opinions in more detail.

RFRA case rescheduled

Tanzin v. Tanvir, a case previously scheduled to be heard by the U.S. Supreme Court in March, will now be heard October 6 due to the COVID-19 pandemic. The case involves whether an individual can receive a monetary judgment in a RFRA lawsuit.

In a friend-of-the-court brief, BJC attorneys say RFRA was intended to allow for monetary damages under the same principles that are followed elsewhere in federal law protecting important civil rights.

The brief — joined by BJC, 14 religious liberty scholars and the Christian Legal Society — details the legislative history of the law as it relates to the question of relief.

HOLLMAN REPORT

SCOTUS decision masks significant shift in the law



By Holly Hollman, BJC General Counsel

he U.S. Supreme Court's latest school voucher decision sounds simple. Writing for the 5-4 majority, Chief Justice John Roberts said, "A State need not subsidize private education. But once a State decides to do so, it cannot disqualify some private schools solely because they are religious." While affirming the important distinction between public and private institutions, that seemingly simple holding masks a more significant shift in the law.

The majority opinion and three separate concurring opinions in *Espinoza v. Montana Department of Revenue* show that five members of the Court have little regard for religion's distinctive treatment in constitutional law, at least when it comes to government funding for religious institutions. Voucher proponents, including the U.S. Department of Education, wasted no time praising the decision to boost their "school choice" efforts to promote federal funds for private schools.

At issue was a tax credit program that funded scholarships to private, secular schools. BJC filed an *amicus* brief on the side of the state, not because we support such programs, but because states should be able to avoid entanglement in religious education. In our view, that historic and principled interest is good for religious liberty, rightly protected by state constitutions that restrict aid to religious institutions. The Court majority, however, rejected that line of reasoning. Instead, it continued a trend of treating efforts to avoid funding religious institutions as anti-religious discrimination.

In a case decided just three years ago, *Trinity Lutheran v. Comer*, the Court invalidated a state's ban on state funding of churches as applied to a playground improvement grant program. The 7-2 majority in that case emphasized the secular nature of the monetary aid at issue. In *Espinoza*, the Court invalidated Montana's ban on state funding of religious schools as applied to its tax credit program. The 5-4 majority opinion conspicuously avoided the religious significance of the state aid at issue. In both cases, the Court found that the federal Free Exercise Clause required the state to fund religious institutions despite state constitutional provisions designed to avoid public funding of religion. In doing so, the Court narrowed any "play in the joints" whereby states may protect against public funding of religion in ways that are

not required by the federal Constitution. And, as the opinions of the majority justices indicate, there may be little this Court would find the Establishment Clause requires.

Scholars, advocates and Supreme Court justices have long debated appropriate standards for applying the First Amendment's two Religion Clauses — free exercise and no establishment. In some cases, the Court has found it difficult to navigate the tension between the clauses. Because both protect religious liberty, BJC urges courts to resist elevating one clause to the expense of the other. Instead, we advocate respect for the balance the drafters so wisely embedded in the Constitution. Our concern that the current court gives short shrift to the Establishment Clause was highlighted during oral arguments. Justice Stephen Breyer seemed exasperated as he asked and answered the rhetorical question: "What is the Establishment Clause? Well, it has something to do with not supporting religion."

What's the impact of this decision? Short-term gains for "school choice" proposals are likely. Long-term effects on education and religious liberty are harder to predict. Even absent constitutional barriers, vouchers are controversial for their negative impact on state education budgets and perceived unfairness. Equal access to government funding will inspire demands for equal treatment in regulatory and accountability measures. Religious schools that take government money may find private donations become scarcer. The perceived win for religious schools today may be perceived differently tomorrow.

During oral arguments, Justice Elena Kagan noted the many legitimate reasons for states to treat religion differently that have nothing to do with discrimination. "You might actually think that funding religion imposes costs and burdens on religious institutions themselves," she said. "You might think that taxpayers have conscientious objections to funding religion. You might think that funding religion creates divisiveness and conflict within a society, and that for all those reasons, funding religious activity is not a good idea." She is right, and though *Espinoza* changed the constitutional landscape for school vouchers, BJC will continue to defend the "no aid to religion" principle, which is essential for keeping government out of religion in ways that protect religious liberty for all.



Last year, BJC joined with other Christian groups to create a statement of unifying principles to call out Christian nationalism, a dangerous political ideology that merges Christian and American identities. You can read the full statement at **ChristiansAgainstChristianNationalism.org**.

More than 16,000 Christians across the country took a stand and signed the Christians Against Christan Nationalism statement. Thousands of us spoke with one voice to condemn Christian nationalism as a distortion of the Gospel of Jesus and a threat to American democracy. Wherever we worship, America has no second-class faiths.

Today, Christian nationalism continues to threaten both our faith and country. Examples of leaders who co-opt our religion as a political tool are prevalent. We also recognize the overlap between Christian nationalism and white supremacy, a connection intensified by our national reckoning on racism. Preserving the prophetic witness of our faith is an active decision, and we all must fight for it.

Your voice is needed now more than ever. Join BJC advocates in raising awareness and increasing understanding of how Christian nationalism is a threat to religious freedom and to our shared values, both as Christians and Americans.

1. Share the statement with your networks.

2. Get three other individuals to sign the statement.

3. Lead a conversation at your church. Use our new podcast discussion guides to facilitate meaningful conversations on the dangers of Christian nationalism. Visit our website at **BJConline.org/ChristianNationalism** to access these resources, including the facilitator's guide.

Let us know what other resources you would like to take a stand against Christian nationalism. Contact Jaziah Masters at jmasters@BJConline.org for additional information.

Join thousands of Christians by signing the statement at ChristiansAgainstChristianNationalism.org

Signers include Protestants (Evangelical, Mainline, and Historically Black), Catholics, Orthodox, and others.





More than 6 dozen different denominations Representing all 50 states, D.C. and Puerto Rico



Rural, urban and suburban localities



A mix of clergy & active churchgoers

Churches and nonprofits: Be ADVOCATEs, not PARTISANs

As election day nears, leaders of houses of worship and other religious nonprofits are asking how to use their prophetic voice in the political process while maintaining their 501(c)(3) tax status. The Tax Code permits 501(c)(3) nonprofit organizations to engage in a wide range of political activities, even connected to elections. The line for 501(c)(3) organizations is drawn at engaging in partisan activities to support or oppose candidates for public office. If your goal is to encourage voter participation and engagement with issues and to avoid violations that put your nonprofit status at risk, it is important to be an ADVOCATE, not a PARTISAN.*

ADVOCATEs may engage in these types of <u>permissible</u> election-related activities:

Allow candidates to address the congregation, giving equal opportunity to all candidates for an elected position
Drive voters to the polls without making it dependent on who the person will vote for Volunteer your ADA-accessible facilities to be a polling station
Offer candidate forums
Create nonpartisan voter guides, allowing candidates to express their position on issues pertinent to the position being sought
Assist with voter registration
Talk about a variety of issues – such as abortion, Black Lives Matter, LGBTQ inclusion, the military – from your theological lens, not tied to a candidate or political party
Encourage voting

PARTISANs may run <u>afoul</u> of the Tax Code if engaging in these types of activities:

Pledge the church's support or opposition to a candidate or political party
Allow candidates or political parties to fundraise during church services or through church resources
Raise money for a candidate or political party
Tell the congregation who to vote for or against
Include ads for a candidate or political party in church announcements, worship videos or other church publications
Sell or otherwise provide your church's membership list to only one candidate or political party without making it available for others on similar terms
Assemble and/or distribute campaign materials
Narrow church policies on outside events to allow only one candidate or political party to hold campaign events on church property, such as the sanctuary, fellowship hall or gym

The acrostics are not an exhaustive list of permissible and prohibited activities. They are drawn from examples in IRS Publication 1828 "Tax Guide for Churches & Religious Organizations," which contains helpful explanations about the potential impact of certain activities on an organization's 501(c)(3) tax status.



BJC Luncheon speakers Robert P. Jones, Alyssa Aldape, Amanda Tyler, Adelle Banks, Sofi Hersher, and Holly Hollman.

Reckoning with white supremacy in American Christianity

BJC Luncheon charts a new path forward amid a pandemic and a national conversation on racism

By Cherilyn Crowe BJC Communications Director

How do you reconcile a faith that was designed to be compatible with white supremacy?

At this year's BJC Luncheon, Robert P. Jones presented powerful research and personal testimony on the racial subjugation often intertwined in white American Christianity, calling on Christians to dismantle the white supremacy that has become integrated with their faith. The program also included members of the BJC community and staff sharing stories and charting a path forward.

For the first time in the 30-year history of the BJC Luncheon, it was a virtual event, forgoing an in-person gathering due to the COVID-19 pandemic. Broadcast live from the National Press Club studios in Washington, D.C., to more than 1,000 people across the country, the program featured a national conversation on white supremacy and American Christianity with Jones, who is a researcher and the founder of Public Religion Research Institute (PRRI), and journalist Adelle Banks, who serves as production editor and a national reporter for Religion News Service.

In her introduction of Jones and Banks, BJC General Counsel Holly Hollman set the stage for the conversation, reminding viewers that working for a unified future also means taking a hard look at our personal and political pasts. "It is crucial that we all stop to think about what we learned and didn't learn, growing up inside and outside of church, and how that continues to shape and affect us all," she said.

In the conversation, Jones discussed how he became aware of the realities of racism in his Baptist tradition, sounding the alarm on how racism still plagues white Christianity in the United States. He shared research and his personal stories that led him to write his latest book, *White Too Long: The Legacy of White Supremacy in American Christianity*.

Growing up Baptist in Mississippi in the 1970s, Jones said he went to church five times a week and lived in a community where, for example, he passed by a Ku Klux Klan demonstration on the way to a soccer field. But, moments like that weren't talked about in church.

"I heard virtually nothing about racial justice, about what we might owe African Americans, about the role that white Christians had played in slavery, segregation, tearing down Reconstruction right after the Civil War – none of that – there was just a deafening silence," he said.

"This was a silence that Martin Luther King Jr. criticized southern churches for having," said Banks, "and it seems like you're saying that silence is still with us." "Speaking as a white Christian, we have inherited a Christianity that was by design built to be compatible with slavery, segregation, and white supremacy."

Robert P. Jones

Jones agreed, noting that the picture King paints in his famous *Letter from a Birmingham Jail* of people remaining silent and anesthetized behind stained glass windows reflects his experience.

Jones pointed out that when the phrase "white supremacy" is used, many people just associate that with extreme examples. But, he challenged viewers to flip the phrase around and think of it as the "supremacy of whites" instead. Doing so, it's not hard to see how society has been set up that way – from neighborhood real estate requirements to mass incarceration or how COVID-19 is disproportionally affecting the African American community.

"Now those aren't accidents. Those are the results of really centuries of structural injustice built into our institutions and our psyches," he said.

In his research, Jones found a shockingly high relationship between white Christian identity and racist attitudes, including an inability to see structural racism. He noted that white Christians were essentially twice as likely as religiously unaffiliated Americans to say the killings of African American men are isolated incidents instead of a broader pattern, and there is a similar disparity in attitudes about displays of the Confederate flag.

His research shows that, overall, white Christians are consistently further away from

African American attitudes on all kinds of racial justice issues as compared to whites who are religiously unaffiliated.

"This is not just a white evangelical problem," he noted. "It's a white Catholic problem and a white mainline Protestant problem, even when you control for other factors like politics and geography."

Jones said right now, there's a question that white Christians need to sit with and ponder.

"What does it say about a faith that was founded, by design, to be compatible with slavery and white supremacy? What does that mean for us today?" he asked. "And I think we're at a moment of reckoning in the country today where that question is getting called."

Jones said it can take some time, but it's important for white Christians to really sit with their own memories and reflect on their experiences, taking the first steps toward telling the truth about where we are. He echoed James Baldwin, noting that you can only change things that you can see and talk about.

Because of the prevalence of white supremacy in U.S. Christianity, every white Christian in the United States has work to do in dismantling white supremacist structures of power, domination and violence.

Following the conversation, BJC Exec-

U.S. Senate Chaplain Barry Black offers the invocation.

BJC Board member Alyssa Aldape gives the benediction.





#BJCLuncheon on social media

Dr. Sabrina Dent

@PROVERBSKIDS

This "National Conversation on White Supremacy & American Christianity" hosted by @BJContheHill feat. @robertpjones & @AMBankstw is a critical step forward. It is a moral imperative that #religiousfreedom advocates address & dismantle #ChristianNationalism in the public square.

Renée K. Gadoua



@robertpjones: "What part are you going to play in tearing things down that need to be torn down but also in building up? ... Silence is no longer going to be acceptable." #BJCluncheon

Steve Harmon

🥊 @srharmon

Attending the @BJContheHill luncheon virtually during the #cbfassembly means I can make my lunch during the luncheon.



Adam McDuffie

🔰 @Adam_McDuffie

This whole #BJCLuncheon has been great, but the discussion between @CEWatsonJr and @afsaville should be required viewing for everyone. Incredible stuff.





The @BJContheHill lunch is my favorite part of General Assembly every year. I'm tempted to set up multiple devices around the room to pretend I'm looking to see who's sitting together at each table.

Follow @BJContheHill on social media and see more reactions by searching #BJCLuncheon or #WhiteTooLong



BJC Board member Sofi Hersher shares her story.

utive Director Amanda Tyler issued a powerful call for all Christians to do the work and take a stand.

"We won't have faith freedom for all without racial justice," Tyler said. "Just as American Christianity has been white too long, so has our American concept of religious freedom. Adding more diverse voices to our study of and advocacy for religious freedom will only strengthen our support for it."

Tyler noted that the impact of white supremacy on religion and other aspects of our society persists in some ways that are rarely noticed or understood, and the work to unravel that racism will take many years. The BJC Board of Directors named a Special Committee on Race and Religious Liberty in 2019 to examine BJC's own history and report this year with recommendations on action.

Tyler also said we must guard against efforts to co-opt American Christianity for political uses and new efforts that distort religious freedom. "In other words, we must firmly reject Christian nationalism."

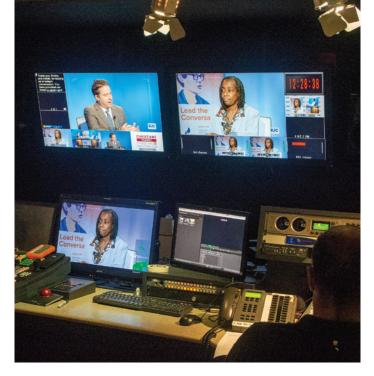
A political ideology and cultural framework that seeks to merge American and Christian identities, Christian nationalism suggests that "true" Christians are Americans and that "real" Americans are Christian. It demands a privileged place for Christianity in our laws and government, ignoring foundational principles that protect faith freedom for all.

"Christian nationalism acts a lot like racism – it's pervasive, insidious and infects all aspects of American life," Tyler said. "Just like racism, we are all impacted by Christian nationalism, no matter our race, ethnicity, gender or religion. The way it shows up for us, though, varies by our perspective, experience and identity. And Christian nationalism, in the hands of white Christians, particularly those who feel threatened by changing culture and a perceived loss of power, can be particularly dangerous to those who are out of power, to the disenfranchised and vulnerable."

Tyler said extreme examples of Christian nationalism – such as deadly attacks on houses of worship – often distract us from the more mundane, everyday examples that are just as dangerous because they are so embedded in our society.

Tyler called on all Christians to sign the statement standing against Christian nationalism, at *ChristiansAgainstChristianNationalism.org*.

The luncheon program, generously underwritten by Patsy Ayres and dozens of virtual table sponsors and individual donors from across the





The National Press Club broadcast the program live.

Participants stayed socially distant in the studio.

nation, also included members of the BJC community discussing the importance of continuing to protect faith freedom for all at this crucial moment in our nation's history.

BJC Board member Sofi Hersher discussed her experiences as a young Jewish woman in the United States. When her Sacramento synagogue was firebombed by white supremacist Christian nationalists in 1999, Hersher found hope in interfaith alliances that spoke up against violence after the attack.

"It was a very, very difficult summer, but it was our Christian, Muslim, Buddhist and Sikh neighbors who sustained us," Hersher said.

Barry Black, the chaplain of the U.S. Senate, gave the opening invocation for the luncheon, and the Rev. Alyssa Aldape, a member of the BJC Board of Directors, provided the closing benediction.

The conversation continued after the event, as BJC Director of Education Charles Watson Jr. led a live discussion on Facebook with Dr. Alphonso F. Saville IV, a scholar who serves at Georgetown University as the Andrew W. Mellon postdoctoral fellow for American Religion and Slavery in the Department of Theology.

Their conversation focused on the multiple narratives of our country's history and the story of the Gospel.

"The ways in which Christianity has remained colonized by white supremacy has really enabled it to become a shallow tradition, the kind of tradition that does not engage and reflect deeply," Saville said.

Watson pointed out that if Christians are going to talk about Christianity, then that means going to Jesus for truth and telling the truth about Jesus, including the pictures and symbols used.

"If you have pictures of God and Jesus that are white, then we are talking about not being truthful

from the beginning," he said. "If you really want to have truth or have truth serum in your conversation ... you have to think about how white supremacy or whiteness has been put into every aspect of our American life and every aspect of our Christian life here in America."

Saville and Watson discussed how crucial it is in our current moment to tell all of our stories, including the difficult ones.

"The legacy of slavery continues to privilege certain segments of the population, and to curse that legacy or to call into question the goodness or the legitimacy of America's religious history is to call into question one's own legitimacy as one who has been privileged throughout the history," Saville said.

Noting that Robert P. Jones mentioned being active in Christian communities but not having to encounter different perspectives until later, Watson and Saville shared his warning of the dangers in that theological upbringing.

"The personalized Jesus is the dominant view of Christianity because it makes it very easy to hide, to be silent in these moments when society looks to the church for moral, ethical, spiritual leadership," Saville said.



Visit BJConline.org/Luncheon for links to the conversations.

Juneteenth and the promise of religious freedom

By Kathryn Freeman

he First Amendment to the U.S. Constitution says, "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof." But, for 256 years, the promise of religious freedom — like the promises of life and liberty enshrined in the Declaration of Independence — remained an elusive fact for millions of enslaved Africans in this country. On June 19, 1865, Union soldiers informed the enslaved Africans in Texas that "all slaves were free." Juneteenth is the annual commemoration of General Order 3 and with it, freedom.

"The United States is a nation founded on both an ideal and a lie," wrote Nikole Hannah-Jones in her introductory essay to the Pulitzer Prize-winning 1619 project from *The New York Times*. The Founders are venerated for their revolutionary ideas about freedom and democracy, yet at our nation's founding those ideas were limited in scope — white, male, landowner.

The Founders fought to ensure the religious tyranny and persecution that hounded them in Europe did not threaten their worship in their infant democracy, but the promise of religious freedom in the First Amendment did not extend to the worship practices of the enslaved. Many Colonial slaveholders refused to allow the enslaved to be baptized, fearing traditional British law against the enslavement of Christians would require them to free those they considered property.

After slave rebellions led by preachers like Nat Turner and Denmark Vesey, slaveholders prohibited worship services or closely monitored the preachers and their sermons to ensure they were not encouraging discontent and rebellion. Slaveholders removed whole sections of the Old Testament that called for liberation for the enslaved from the Bible, such as the book of Exodus. In his book *Slave Religion: The "Invisible Institution" in the Antebellum South*, Dr. Albert Raboteau, one of our country's preeminent religion scholars, tells some of the stories. Just one involves Moses Grandy, an enslaved man who said his brother-in-law Isaac, an enslaved preacher, was "flogged, and his back pickled" for preaching at a secret worship service in the woods.

White supremacy has always been a deadly threat for Black bodies, but it has been a threat to Black religious freedom, too. Even with the passage of the 13th and 14th amendments, which limited slavery and extended full citizenship rights to African Americans, the threat to Black religious freedom remained four little girls in Birmingham in 1963, eight parishioners and their pastor at a Bible Study in 2015, and countless church burnings in between. Because the historic Black church gave us a sense of self-worth, taught us about God our liberator, and gave us the tools to resist, it was — and remains — a threat. Historically, our freedom to worship has been crucial to our ability to resist the evils of white supremacy and systemic racism in this country. This might be why, despite accounted for only in relation to the slave trade, possibility of escape, and counted as only three-fifths a person, African Americans believe deeply in the freedoms enshrined in the Constitution.



In making his appeal for abolition, Frederick Douglass staked his claim firmly both in the natural law and the Constitution:

"Let us approach the Constitution ... and instead of finding in it a warrant for the stupendous system of robbery, comprehended in the term slavery, we shall find it strongly against that system. ... We, the people — not we, the white people — not we, the citizens or the legal voters — not we the privileged class ... but we, the people — the men and women, the human inhabitants of the United States."

The Rev. Dr. Martin Luther King Jr., in his famous "I Have a Dream" speech, demanded civil rights for African Americans make good on the Constitution's promissory note of freedom:

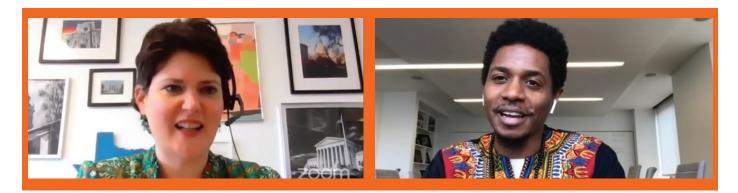
"In a sense we've come to our nation's capital to cash a check. When the architects of our republic wrote the magnificent words of the Constitution and the Declaration of Independence, they were signing a promissory note to which every American was to fall heir. This note was a promise that all men, yes, Black men as well as white men, would be guaranteed the unalienable rights of life, liberty and the pursuit of happiness."

African Americans have always understood the importance of the promises of the Constitution — the freedom to assemble meant Southern Blacks could join the NAACP without fear of losing their jobs; the freedom to vote meant Fannie Lou Hamer could challenge the president on national TV; the freedom to worship meant the ability to mobilize parishioners to serve the poor, transform communities and get souls to the polls. The Constitution gave power to our dreams for ourselves and our futures.

Juneteenth is the day the nation our Framers envisioned was born. It was our country's first true steps toward what Rep. Barbara Jordan called "an America as good as its promise." Juneteenth is a holiday for all of us, because as the last of the formerly enslaved were freed from their bondage, they began making their way as perfecters of this union.

Their fight, our fight, remains to make true the words of that revolutionary document, "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness."

Kathryn Freeman is a 2017 BJC Fellow and an attorney who lives in Texas. She co-hosts the Melanated Faith podcast.



Juneteenth conversation

On Juneteenth (June 19), BJC hosted a Facebook Live discussion with BJC Director of Education Charles Watson Jr. and Executive Director Amanda Tyler. They talked about their different experiences and exposures to Juneteenth and discussed Confederate monuments, segregation and the dangers of commercializing the holiday.

Here are some highlights — you can watch their entire conversation archived on BJC's Facebook page.

CHARLES: I want people to understand that it should be a celebration for everybody if we really want America to be free. ... Why wouldn't you celebrate the recognition of everybody finally being free? Even though we are not at that perfect union that we want to be, we're still fighting for all our freedom.

[E]verybody wasn't free July 4th. Frederick Douglass has always said, and many others, "What is the 4th of July to the Negro?" And that's still relevant to me to this day. AMANDA: I've known about Juneteenth all my life. There were celebrations I could have been part of — why didn't I? What about it, to me, made it feel like, well, that's a holiday for the Black community? Was that some of the racism just inherent in the society I grew up in? ... I think reflecting on these events and other conversations that we've had over the years, Charles, it has become abundantly clear we can't have religious freedom for everyone until we have racial justice. ... I want Juneteenth to be seen as a religious freedom holiday, too. CHARLES: [The shooting at Mother Emanuel in 2015] lets you know we still aren't free, totally free. To really put that in perspective, the first celebration [of Juneteenth] is done in the Black Church. Yet, five years ago in the Black Church we have the same hate that kept people that looked like me in slavery, that same hate is brought to pass to kill nine people.

So Juneteenth, I'm still going to celebrate, I want people to celebrate, but I also don't want to lose the struggle that continues.

BJC statement on Emanuel Nine

On June 17, 2015, a white gunman walked into a church in Charleston, South Carolina, and opened fire on Black worshippers, murdering nine people. To mark five years since the event, BJC released the following statement on June 17, 2020:

Today we remember the Rev. Sharonda Coleman-Singleton, Mrs. Cynthia Graham Hurd, Mrs. Susie J. Jackson, Mrs. Ethel Lee Lance, the Rev. DePayne Middleton-Doctor, the Rev. Clementa Pinckney, Tywanza Kibwe Diop Sanders, the Rev. Daniel Lee Simmons Sr., and Mrs. Myra Singleton Quarles Thompson.

The "Emanuel Nine," as they have come to be collectively known, were murdered in their house of worship, Mother Emanuel AME Church in Charleston, South Carolina, five years ago today by a white supremacist in an act of domestic terrorism. We condemn their murder in the strongest terms not only as a crime against humanity but as a grave violation of religious liberty — which includes the most basic right to worship without fear of physical harm or death.

We acknowledge that our organization has benefited and continues to benefit from white privilege, and we covenant to advocate for full faith freedom for all and to work to dismantle white supremacy inherent in our society and in our religion as Baptist Christians.





Season one of 'Respecting Religion' on the BJC Podcast

For 20 weeks, BJC Executive Director Amanda Tyler and General Counsel Holly Hollman brought their unique perspectives to a regular conversation about what's at stake for faith freedom in the latest news stories and legal developments. In season one of the BJC Podcast series "Respecting Religion," they covered topics ranging from Supreme Court cases, state police powers to keep us at home and out of our church buildings, economic relief packages that included houses of worship, religion as a cover for racism, and more.

Visit *BJConline.org/RespectingReligion* for a list of all 20 episodes, including show notes that go with each one providing more information and resources. A full list is below, and you can read some excerpts on the next page.

Subscribe to the BJC Podcast on your favorite platform, including:







Ep. 01: Respecting Religion and the National Prayer Breakfast
Ep. 02: Espinoza v. Montana Department of Revenue
Ep. 03: Religion and public schools
Ep. 04: On the regs: Faith-based regulations from the Trump administration
Ep. 05: Supreme Court cases on employment discrimination
Ep. 06: Stay-at-home orders, religious freedom and RFRA
Ep. 07: New laws – including the

CARES Act – and houses of worship

Ep. 08: Religious freedom in the age of coronavirus
Ep. 09: Eboo Patel and interfaith collaboration
Ep. 10: Lawsuits challenging
COVID-19 directives
Ep. 11: Christian nationalism during the coronavirus pandemic
Ep. 12: Not a charm: Contraceptive mandate returns to the Supreme Court for the third time
Ep. 13: Who's a 'minister' and who gets to decide?
Ep. 14: Finding the right response to reopening

Ep. 15: Protests, the president, and the photo op with a BibleEp. 16: When religious liberty covers

racism

Ep. 17: A landmark case for LGBTQ rights: What's next for religious liberty?

Ep. 18: White supremacy and American Christianity **Ep. 19:** SCOTUS disregards distinctiveness of religion in school funding decision

Ep. 20: Supreme Court in July!

Excerpt from Episode 15: Protests, the president, and the photo op with a Bible June 4, 2020

AMANDA: I, along with many people, immediately commented our outrage at the Bible being used as a prop and the church being used as a backdrop, trying to co-opt religion in some way ... I don't know, to justify the action or to claim power?

It had a lot of Christian nationalism tones to the act itself. But we saw pretty universally — some outliers but from religious leaders just a lot of outrage about the use of the Bible in this in this way.

HOLLY: And I think the first thing is the outrage about what the president said — that he would stand with and in support of peaceful protesters, but would, you know, be a "law and order president" to shut down the violent acts — that he said that right as we had just watched a violent clearing of the street of peaceful protesters.

So there's this attack on truth, first of all, that unfortunately we've seen too many times in recent years. And then this display that you described well there, Amanda, that was adding sort of extra insult to our senses.

Excerpt from Episode 8: Religious freedom in the age of coronavirus April 9, 2020

AMANDA: For many people, religion — and religious exercise — is the most important piece of their life. It's not just, you know, a bowling league — if those still exist right now — or a book club or a fitness class; all of those things are fun and important for people, but religion for many people is the most important thing. I think we've seen ... how very quickly and creatively religious leaders have adapted to the new normal. They didn't just say, "Oh, you know the church building's closed. I guess we'll see you when this is all over." No, they changed their programming, adapted to meet the needs of their congregants to keep that community going and, I think we should celebrate how creative they've been in this time for something they never could have expected or planned

HOLLY: I agree, and I am so thankful for the good reporting about religion in this time — it's a little different from what we see in normal Washington coverage of the news, where sometimes religion feels like almost just a tool of partisan politics. But instead we've seen coverage of religious leaders stepping out in front of political leaders to care for each other, to take action to stop the spread of the virus by changing the way they gather.

Excerpt from Episode 7: New laws – including the CARES Act – and houses of worship April 2, 2020

AMANDA: We've heard reports that people talk about, "Well, yeah, these are forgivable loans and there are no strings attached." Right? Because usually when you think about government grants, the government is telling you, "Well, you can only use this money on these particular programs." Here, it's on your payroll and in some of your operating expenses. So, I think that those words — "no strings attached" — are a little misleading in this context because it's not like there are no accountability measures in place here.

HOLLY: I've heard that, too, that some people are saying that they are interested in this program in ways that they wouldn't normally be interested in any kind of government aid or relief program because there are "no strings attached." I think people mean different things by that. Having looked at some of the statutory language and some of the regulations, I can guarantee that it doesn't say "no strings attached."

Excerpt from Episode 17: A landmark case for LGBTQ rights: What's next for religious liberty? June 18, 2020

AMANDA: I worry that conversation about the potential impact of this case will further muddy the waters about what "religious freedom" means.

HOLLY: As we've talked about in the past, questions over this topic of human sexuality and non-discrimination laws have had a huge impact on people paying attention to the term "religious freedom." It does make it hard sometimes to have a really good conversation about what's at stake. But we will.

It's important that we do that, but I think you're right in that one immediate reaction will be that those who disagree with the opinion will say that it's bad for religious liberty, and some of those people would be able to go on and explain exactly how and ways that we would be quite sympathetic to. Whereas others will be saying that and will have maybe no idea about the nuance of what that means.

Join our Faith-FULL community

Our Faith FULL community brings together members of BJC's monthly giving program. You share a commitment to protecting your neighbors' faith freedom as you do your own and consistently invest in the steadfast work of BJC at whatever level fits your budget.

Monthly giving ensures that BJC can respond quickly to court cases and legislation that impact religious liberty. Monthly donations help BJC provide valuable resources to individuals and communities of faith to equip them to advocate for religious liberty in their states and local communities.

Be part of our **Faith FULL** community become a monthly donor.

Visit BJConline.org/give-monthly

Contact Danielle Tyler, associate director of development, at dtyler@BJConline.org or 202-544-4226 ext. 308



Since 1996, monthly donors have become an increasingly large and important base of BJC's support. Become a **Faith FULL** champion of religious liberty today by setting up a monthly gift and see how your sustained investment can add up to lasting change. Faced with the COVID-19 pandemic and the continued dangers of Christian nationalism, our work together is more important than ever. BJC's volunteers and supporters are steadfast in upholding faith freedom for all.

As one of our Faith·FULL partners, you are a crucial part of a team committed to making the world a better place through the power of your stories, education, and advocacy. With your help, BJC will continue to work with all three branches of government and engage with you and other curious, passionate people and organizations across the country. BJC will not give up!



Advantages of Giving Monthly:

Most effective way to make a difference

Your generous monthly contribution will go immediately to supporting the things you care passionately about — combating the rise of Christian nationalism, writing Supreme Court briefs, standing against the targeting of religious minorities, working with Congress on churchstate matters, promoting racial justice and preserving religious freedom for future generations.

- Easiest and most convenient way to give
 Once you set up your monthly gift, there's no further action required — you can know your charitable giving is in place for years to come.
- Less paperwork and stress

You can relax, knowing you are making a difference. You won't receive monthly acknowledgments, but you will receive an annual contribution statement each January.

Modify at any time

You can always tailor your commitment to meet your budget and priorities. You can adjust your gift at any time with a simple phone call or by visiting a special section of our website just for you.

Our Faith·FULL Community Will:

- Be among the first to know what's going on at BJC through a special e-newsletter just for our Faith·FULL community
- Receive extra updates each quarter from BJC staff on advocacy opportunities and current issues, including a once-a-year State of the Organization briefing from the executive director
- Be featured on the Faith FULL website page, in e-newsletters, and in our quarterly magazine
- Receive unique swag to proudly display your commitment to BJC
- Gain access to the Facebook Faith FULL member lounge

Honorary and memorial gifts to BJC

In honor of Amanda Tyler, Holly Hollman and Jennifer Hawks By Randi Abramson and Michael Lieberman

In honor of Lee Cantrell By Kenneth Cantrell

In honor of Don Byrd By David Gooch

In honor of Jennifer Hawks By Janet Hawks

In honor of Dale Edmondson By Jim J. Hopkins In honor of Paula Settle By Abbie Jones

In honor of Brent Walker By Barry Jones Philip T. Kingston Jerry Martin

In honor of June McEwen By Melanie Dover Lynelle Mason Rebecca Wilson

In honor of Cherilyn Crowe By Rebecca Mathis

In honor of Tom Wiles By James C. Miller

.

In honor of Mark Sanders By Sandra Sanders

In honor of Amanda Tyler By Willa Shalit and A. James Heynen Lynn and Bob Behrendt

In honor of Sheryl and Eric Johnson By Nancy P. Williams

In honor of Max Post By Nelda P. Williams

In honor of Rev. Dr. Mario Morales By Gurrola Baptist Foundation

In honor and memory of Barbara Baugh

BJC celebrates the legacy of Babs Baugh, who lived a life committed to protecting faith freedom for all. She served on BJC's board and played a key role in the vision to expand our offices and invest in more educational programs. She passed away June 14 and named BJC as a recipient for gifts.

.

By Patricia Ayres Glen E. Howie Cody Knowlton

In memory of Ellen Allen By Eugene E. Allen

In memory of Art Coltharp By LaNell Coltharp

In memory of James Dunn By Cynthia Holmes Janis Courson Charles V. Petty Bettina Sandford Walter and Kay Shurden

In memory of Marilyn Dunn By Kenneth Meyers James Williamson Shirley Merritt Jan Purdy Melissa Rogers

• • • • • • • • • • • • • • • • • • •

In memory of Gerry Gunnin By Barbara Gunnin

In memory of J. Perry Hannah By Eunice Hannah

In honor of Ed and Flo Holas By Rosanne M. Silvis

In memory of Joseph Kutter By Margaret Kutter Daniel E. Burkholder Gregory Riccardi David Swink Susan E. Gillies Gurrola Baptist Foundation Cliff Vaughn Brent Walker Rhonda Winslett

In memory of William McBeath, M.D. By Shirley McBeath

In memory of Peggy Shafer By Carl Shafer

In memory of Lloyd Starrett By Elaine M. Starrett

In memory of James Strange By Carolyn Strange

In memory of Eldon Fields Wood By Martha H. Wood

Virtual table sponsors for the BJC Luncheon

Patricia Ayres Hal and Mitzi Bass Charles and Cindy Fuller Dan and Rhonda Hamil Holly Hollman and Jay Smith Cynthia Holmes Kenneth and Adrienne Meyers Carolyn S. Hazel McConathy and Larry McConathy Melissa Rogers Jim Thomason Amanda Tyler and Robert Behrendt Brent and Nancy Walker First Baptist Church of the City of Washington, D.C. Lakeshore Avenue Baptist Church, Oakland, California Wilshire Baptist Church, Dallas, Texas Cooperative Baptist Fellowship Cooperative Baptist Fellowship Heartland MMBB Financial Services, Louis P. Barbarin, <u>CEO</u>

You can honor someone at any time with a gift to BJC. Send a note with your check or make a gift at BJConline.org/give For more information, contact Danielle Tyler, associate director of development, at dtyler@BJConline.org.

BJC partners with Baptist groups for new project

FAITH S FREEDOM S

BJC and two other autonomous Baptist organizations are collaborating for the remainder of 2020 on an educational project called "Faith Freedom 2020."

This initiative is addressing issues of religious liberty that are unique to this election year and time of global pandemic and race relations. Content will include news and feature articles, opinion pieces, videos, podcasts and resources for individuals and churches.

Partners in the collaboration are BJC (Baptist Joint Committee for Religious Liberty), Good Faith Media and Baptist News Global. The project has been underwritten by the John and Eula Mae Baugh Foundation.

The content will be published on the digital platforms of the three partner entities as well as on a new, shared website: *FaithFreedom2020.org*.

"In this extraordinary year of American life, we are committed to a renewed focus on and understanding of faith freedom that meets the present moment," BJC Executive Director Amanda Tyler said. "The more people we can welcome to the conversation, the more robustly we can protect religious freedom for all. With the resources of all three of our communities working in partnership, we look forward to producing compelling, multimedia content that will help inspire today's freedom fighters."

"Good Faith Media is excited to collaborate on the Faith Freedom 2020 project with BJC and Baptist News Global," said Mitch Randall, CEO of Good Faith Media. "During this crucial year for the church and culture, Christians need to work together to advance freedom, justice and inclusion for all of God's children. Working with such great partners is inspiring, knowing other people of faith hold such important values and principles."

Added Mark Wingfield, executive director and publisher of BNG, "We believe it is important at this pivotal juncture in American history to find every way possible to collaborate to tell the story of authentic religious freedom. This is our Baptist heritage, and it is a story that should unite us."

Advocacy update: House passes NO BAN Act



With bipartisan support, the U.S. House of Representatives passed the NO BAN Act on July 22, which would repeal President Donald Trump's travel ban and add monthly accountability measures on any future executive order or proclamation that restricts immigration. Importantly for religious liberty advocates, it would also add religion as a protected category in the Immigration and Nationality Act.

While governments — including our own — have the authority (and sometimes the responsibility) to limit travel from certain countries due to public health concerns, BJC says our immigration policy should never be based on anti-religious sentiment.

"The NO BAN Act is a powerful and necessary repudiation of President Trump's latest attempt to promote anti-Muslim discrimination," said BJC Executive Director Amanda Tyler.

BJC urged religious liberty advocates across the nation to take action on the NO BAN Act, and our politically and religiously diverse grassroots network called and emailed their representatives to urge the passage of the bill. We will encourage them to continue doing so as it moves to the U.S. Senate.

"It is not enough to say 'no' to discriminatory policy," Tyler said. "As religious liberty advocates, we also must be clear about what we are saying 'yes' to." She noted that we must continue working across political and religious divides to ensure that our nation's promise of religious liberty for everyone can be realized.

"BJC says 'yes' to a nation where we welcome immigrants and refugees of diverse religious and nonreligious backgrounds. We say 'yes' to a society grounded in the principles of religious pluralism, where we need not agree with our neighbor's religious convictions to respect her First Amendment rights to freely exercise her faith. We say 'yes' to a nation where Muslims live in safety and security, without fear of violence stoked by discriminatory legislation. We say 'yes' to a world of expansive and inclusive welcome," Tyler continued.

"The Senate should join the House in standing up for the constitutional norm that the federal government doesn't single out a religious group for mistreatment," Tyler said.



Non-profit Organization U.S. Postage PAID Riverdale, MD Permit No. 5061

200 Maryland Ave., N.E. Washington, D.C. 20002

202.544.4226 BJC@BJConline.org BJConline.org

🍯 🧿 🖪 @BJContheHill

Facebook.com/ReligiousLiberty

BJConline.org/blog

We are attorneys, Capitol Hill insiders, ministers, mobilizers and scholars. We file briefs in pivotal Supreme Court cases, advocate for and against legislation, testify in Congress and unite with others across faiths to ensure that every American has, and will always have, the right to follow his or her spiritual beliefs.

SUPPORTING BODIES OF BJC

Alliance of Baptists American Baptist Churches USA **Baptist General Association of Virginia** Baptist General Convention of Missouri (Churchnet) **Baptist General Convention of Texas** Convención Bautista Hispana de Texas (Hispanic Baptist Convention of Texas) Converge **Cooperative Baptist Fellowship Cooperative Baptist Fellowship of North Carolina** Fellowship Southwest National Baptist Convention of America National Baptist Convention USA Inc. **National Missionary Baptist Convention** North American Baptist Conference Progressive National Baptist Convention Inc. **Religious Liberty Council**

REPORT FROM THE CAPITAL

Amanda Tyler EXECUTIVE DIRECTOR Cherilyn Crowe EDITOR Chris Kearns-McCoy ASSOCIATE EDITOR

MORE FROM BJC



Join our Faith FULL community

Our Faith FULL community gives monthly and shares a deep commitment to faith freedom for all. Learn more on pages 16-17.



Faith freedom in a pandemic For articles, analysis, and stories from BJC related to the coronavirus pandemic, visit our special website page: BJConline.org/COVID-19

Report From The Capital (ISSN-0346-0661) is published four times each year by BJC. For subscription information, please contact us at bjc@BJConline.org.