

# REPORT FROM THE CAPITAL

BJC Magazine



**Season three of Respecting Religion examines latest Supreme Court cases**

**HOLLY HOLLMAN explains why states shouldn't be forced to fund religion**

**AMANDA TYLER on freedom**

**Voices of Hispanic and Latin American Faith Freedom**



# Faith freedom for all

Standing up for everyone's faith freedom requires listening to and learning from many who have often been overlooked or intentionally silenced. BJC is working to ensure faith freedom is truly protected for all.

On page 3, Amanda Tyler explores what it means to ADVOCATE FOR FREEDOM built on the idea of “we” instead of just “I.”

Religion has an important role in society, and separating church and state ensures everyone can choose whether to practice religion without government coercion. Holly Hollman looks at a Supreme Court case that is threatening that principle on page 5.

Listen to HISPANIC, LATIN AMERICAN AND LATINX VOICES share about faith freedom in their communities on pages 7-9, and access a guide for further reflection and conversation.

Join us for a conversation on UNSETTLING TRUTHS in the next installment of BJC's Book Club, which begins in January. See page 14.

Make plans to hear from the Rev. Dr. Jay Augustine in March, who is part of a group of social justice leaders speaking for the equality of all human beings. Learn more about our 2022 SHURDEN LECTURES on page 14.

The Rev. Starlette Thomas calls conventional frameworks into question and shares about the RACELESS GOSPEL INITIATIVE on page 17.

Join us in working for faith freedom for all, standing with our neighbors and listening to voices of the diverse members of our community. See how you can support this ongoing work on pages 10-11.

## Advocate for everyone's faith freedom: Apply to be a BJC Fellow

Applications are now open for the 2022 BJC Fellows Program, which equips young professionals to advocate for religious liberty throughout their careers.

Ten BJC Fellows will be selected to attend the BJC Fellows Seminar — an intensive educational program held at Colonial Williamsburg, Virginia. There, they will learn about religious liberty from BJC staff members and other church-state experts.

BJC Fellows will have projects to complete during the seminar as well as individual projects afterward. They will serve as liaisons between BJC and their communities and will be expected to use their skills for public engagement, such as leading educational sessions, writing op-eds and using social media to advance the cause of protecting faith freedom for all.

The program is open to individuals with diverse educational, cultural and professional experience. Any or no religious background is welcome — there is no religious requirement. Applicants must be between the ages of 25 and 40, and they must commit to advocating for religious liberty.

Visit [BJCOnline.org/Fellows](https://BJCOnline.org/Fellows) to learn more about the program and how to apply for the next class. Applications must be submitted by February 21, 2022, to be considered.



## The ‘we’ concept of freedom

By Amanda Tyler, BJC Executive Director



In the introduction to her new book of cultural criticism titled *On Freedom*, author Maggie Nelson writes that she “takes it as a given that our entire existence, including our freedoms and unfreedoms, is built upon a ‘we’ instead of an ‘I.’” She draws her inspiration from a 2018 essay for *The Atlantic* by Ta-Nehisi Coates, in which he describes “a kind of freedom — a white freedom, freedom without consequence, freedom without criticism, ... a Stand Your Ground freedom, freedom without responsibility, without hard memory; ... not the freedom of Harriet Tubman, which calls you to risk your own; not the freedom of Nat Turner, which calls you to give even more.”

Before Nelson and before Coates, Paul the Apostle makes a similar argument in his ode to freedom — his letter to the Galatians: “It is absolutely clear that God has called you to a free life. Just make sure that you don’t use this freedom as an excuse to do whatever you want to do and destroy your freedom. Rather, use your freedom to serve one another in love; that’s how freedom grows. For everything we know about God’s Word is summed up in a single sentence: Love others as you love yourself. That’s an act of true freedom.” (Galatians 5:13-14, The Message)

This idea — that we preserve freedom by protecting it for all and not just the privileged few — is at the heart of BJC’s calling to advocate for everyone’s faith freedom. We advocate for freedom built on “we” and not just “I.” Our calling remains urgently needed as freedom is threatened, sometimes by those who would claim to act in the name of “religious freedom” but from a wholly self-involved perspective that does not take into account the harm that may be caused to others if that freedom is indulged without limitation.

As we close 2021 and look forward to a new year, in no sense of the word are we free of COVID-19 and its variants. While we have seen signs of hope as the virus has waned for periods this year and millions have been vaccinated, we still have stubbornly high daily case rates. Throughout this fall, an average of more than 1,000 Americans have died every day from COVID-19.

And yet efforts to control the spread of the virus and disease and to liberate ourselves and our way of life have been stymied in the name of freedom — freedom to move about society without masks and without vaccinations, even though both tools have proven to be effective in protecting ourselves and our neighbors. Efforts by elected officials and public health officers to impose mask and vaccine mandates have been labeled by some as tyrannical.

Even in our constitutional system that places very high value on individual liberties, those rights are not unlimited. Instead, we do everything we can to accommodate individual rights, including religious freedom rights, while taking into account the impact on other people’s rights and liberties as well.

Holly Hollman and I discussed the concept of balancing society’s interest in public health and an individual’s claim to a religious exemption to a vaccine mandate on *Respecting Religion* this fall. Novel and complicated issues of law and policy like these deserve our respectful conversation — conversations that Holly and I are fortunate to have and share with the public through the podcast. I hope you will subscribe to *Respecting Religion* on your favorite podcasting provider and share it with others in your networks and communities.

Generous donations from individuals like you who want to stand up for this freedom grounded in love and care of neighbor make the podcast, this quarterly magazine, 2021’s outstanding in-person and virtual programming, the Christians Against Christian Nationalism initiative and all of BJC’s work free and available for everyone as a public resource for education and advocacy.

As we end this year, I invite you to join BJC’s movement for faith freedom for all. Please consider making a year-end donation, either online at [BJCOnline.org/give](https://BJCOnline.org/give) or by returning a gift in the envelope enclosed in this magazine. Your gift sends a powerful message that you want to invest in the “we” concept of freedom — that you believe as we do that we protect our communal freedom by using our individual freedom to serve one another.

## **Can prisons prohibit all religious practice in the execution chamber?**

BJC joined a brief to say no, the state must provide specific evidence that its ban on religious practice in the execution chamber is the least restrictive means of furthering a compelling government interest.

On November 9, the U.S. Supreme Court heard oral argument in *Ramirez v. Collier*, a case brought by death row inmate John Henry Ramirez challenging Texas' refusal to allow his pastor to lay hands on him and audibly pray with him at the time of his execution. The Court issued a reprieve for Mr. Ramirez just hours before his scheduled execution and agreed to hear the case on an expedited basis.

BJC joined a friend-of-the-court brief urging the Supreme Court to side with the prisoner "to prevent him from being executed in a manner inconsistent with his right to exercise his religion in the last minutes of his life."

In the brief, BJC joined the Christian Legal Society, the National Association of Evangelicals, the Ethics and Religious Liberty Commission of the Southern Baptist

Convention, the General Conference of Seventh-day Adventists, and other groups in arguing that Texas has failed to demonstrate the necessity of its blanket restriction on audible prayers and laying on of hands in the execution chamber.

The case was brought under the Religious Land Use and Institutionalized Persons Act (RLUIPA), which, among other things, bars state and local governments from imposing a substantial burden on the religious exercise of inmates unless that burden is necessary to further a compelling government interest. "While security and order are vital state interests in the prison context, those interests do not shut down the application of the Religious Land Use and Institutionalized Persons Act. The state must show that its interests justify this burden on the prisoner's right to religious freedom," BJC General Counsel Holly Hollman said.

The Supreme Court accelerated the schedule of this case and is expected to issue its decision soon.

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## **Must a state include religious schools in its system of public education?**

BJC joined a brief to say no. While there are times religious and secular institutions must be treated the same, states are not required to sponsor explicitly religious activity.

On December 8, 2021, the U.S. Supreme Court will hear oral arguments in *Carson v. Makin*, a case about whether the Free Exercise Clause of the First Amendment requires Maine to fund religious education.

The state of Maine provides for a system of public education that accommodates the state's mostly rural population. In school districts that are too rural to operate their own high schools, the state provides alternative ways to provide a public education through contracts with approved private schools. Unlike a school voucher program that offers a range of choices between public or private schools, Maine's tuition program is designed

to provide a public school education. The program relies on participating private schools that agree to operate under Maine's nonsectarian requirements for admissions, curriculum and employment.

Religious schools that cannot operate under the tuition program's requirements are excluded from the program, but they still may operate as independent private schools. The parents in *Carson* want to force the state to pay for a religious education of their choosing.

BJC joined a brief, led by Americans United for Separation of Church and State, for religious and civil rights organizations to support Maine's system of public education. That system includes nonsectarian private schools as a replacement for public schools in its more remote school districts.

The Court's decision is expected before July 2022.



## Forcing states to fund religion

By Holly Hollman, BJC General Counsel

Should states be forced to fund the training of young men and women to serve the Lord and become leaders in their church? Of course not. That's the obvious answer for historic Baptists and others who have long championed religious liberty for all and public education. Religion has a distinctive role in law and society. It is best served by the separation of the institutions of religion and government. Yet, a majority of justices on the current Supreme Court keep ignoring this aspect of America's religious liberty legacy.

In *Carson v. Makin* (see story on p.4), parents are seeking state support for their children's private religious education. BJC and its allies are urging the Court to recognize the historical reasons for keeping the government out of religion. Founding era concerns should be well known to a Court that claims history as its guide to interpreting the Constitution. Those concerns include protecting individual conscience, respecting inherent limits of government authority in religious matters, and avoiding the creation of divisions based on religious differences. As a result, state constitutions and other laws prohibited aid to religious institutions. With history and prior precedents in mind, the Court should uphold Maine's system for providing a free public education without sponsoring religious education — but we are fighting an uphill battle.

The *Carson* case marks the third time in only five years that the Court will consider a case involving a religious claim to participate in a government program that conflicts with a state's legitimate interest in avoiding the funding of religion. In *Trinity Lutheran v. Comer* (2017), the Court rejected Missouri's ban on aid to churches as applied to a program that provided grants for playground materials made of recycled tires. The secular nature of the program allowed the Court to ignore historic reasons for keeping the state out of church business. In *Espinoza v. Montana* (2020), the Court went further and held that a Montana tax credit program that funded scholarships to private schools must include private religious schools, notwithstanding Montana law intended to separate church and state. In both cases, the Court purported simply to uphold a principle of nondiscrimination. According to the decisions, the programs violated the Free Exercise Clause because they excluded potential beneficiaries based on their religious status. The *Carson* case tests whether this Free Exercise Clause nondiscrimination rule will be extended to prohibit state programs that are designed to avoid government involvement in religious uses of government funds — such as the explicitly religious activity of providing an education designed to

instill a biblical worldview. In our view, it should not.

The Religion Clauses of the First Amendment to the U.S. Constitution protect the free exercise of religion and protect against government establishment of religion. These provisions have long been understood to have a common purpose. Together, the Religion Clauses along with Article VI of the Constitution (which prohibits any religious test for office) form the legal framework for religious liberty that has been a model of success. Unfortunately, the current Supreme Court is moving toward a vision of religious liberty that expands free exercise to a point that directly threatens principles of no establishment.

As we argue in an *amicus* brief in support of Maine, that approach is at odds with the history and design of the Religion Clauses. Protections for the free exercise of religion were adopted alongside provisions prohibiting any compelled support for religion. Ignoring the common purpose of these protections — to secure religious liberty — threatens to harm the public's appreciation for religion and its special place in our constitutional order and society. Religious individuals and religious institutions are uniquely responsible for shaping their beliefs and promoting their faith. The government's role in religious education is and should be limited. An interpretation of religious freedom that privileges religious practices and requires government support of these practices is not likely to be sustainable.

Previous rulings opened the door for state programs to fund education in religious schools, which had been considered constitutionally off-limits. Two decades ago, the Court upheld an Ohio school voucher program against a challenge that it violated the Constitution's ban on the establishment of religion. The Court found in *Zelman v. Simmons-Harris* (2002) that the Cleveland pilot program at issue was one of "genuine private choice" by parents and thus was permissible even if a majority of program funding would go toward tuition at private religious schools. Such programs remain controversial. There was no hint in that case that the Free Exercise Clause would require Ohio to include religious schools in its school choice program, much less that such a requirement could apply in a program like the one in *Carson* that only involves funding public education across Maine's small rural population. Recently, the Court has recognized the significant differences between secular education and religious education in cases applying the "ministerial exception" to teachers in private religious schools. To ignore those differences in the *Carson* case would mark a complete shift in the Court's interpretation of the Religion Clauses and the values that undergird them.



# Supreme Court agrees to hear bid to fly Christian flag at Boston City Hall

The Supreme Court granted a petition in October to take up the case of *Shurtleff v. City of Boston*, a lawsuit brought by a civic organization challenging the city's denial of their request to fly a Christian flag temporarily outside city hall. The group claims the city treats the flagpole as a public forum — allowing others to fly their flag there — and thus cannot deny this organization, which calls itself “Camp Constitution,” the opportunity.

The 1st U.S. Circuit Court of Appeals, like the district court below it, rejected their claims multiple times, most recently in January 2021, concluding that the city's flagpole is not a public forum but instead is an example of government speech. The city is “entitled,” the appeals court explained, “to select the views it wants to express.”

The appeals court relied in part on the U.S. Supreme Court's 2009 decision in *Summum v. Pleasant Grove City, Utah*. There, the Court ruled that the First Amendment did not require the city to allow a religious group's proposed monument to “Seven Aphorisms” to be placed alongside a similar monument to the Ten Commandments. The Court in *Summum* unanimously ruled that the selection of such monuments constitutes government speech

and not a public forum open to all.

The appeals court also cited the Supreme Court's 2019 *Bladensburg* cross decision, *American Legion v. American Humanist Association*. There, a splintered Court upheld a large memorial cross on public land, primarily because of its particular long-standing history at that site, a critical factor not present in the bid to fly the Christian flag at Boston's City Hall. The *American Legion* ruling, as BJC General Counsel Holly Hollman pointed out at the time, does not support new, Christian-only religious displays on public land.

BJC Executive Director Amanda Tyler noted the importance of the government staying neutral in religious matters.

“A founding principle of U.S. religious freedom is that the government does not promote religion,” Tyler said. “The Supreme Court has eroded that principle over the past several years in decisions that have sanctioned government-sponsored prayer in official town meetings and upheld certain religious monuments on government property.”

The Supreme Court will hear the case January 18.

—Don Byrd

## Join our Faith•FULL Community

Our Faith FULL Community of monthly donors plays a tremendous role in the progress we're making here at BJC.

### YOUR MONTHLY GIFT FUNDS MAJOR CHANGE

We've filled our 85th year of service with enlightening and inclusive programming designed to amplify the voices of diverse members of our community. In the past year, BJC created curriculum resources, reached new advocates, and led courageous conversations. Thanks to the monthly contributions of our Faith FULL Community, we are able to challenge and oppose Christian nationalism, while promoting a more inclusive view of religious freedom for all.

### NEW THIS YEAR: The Project on Race and Religious Freedom

BJC is committed to moving faith freedom forward. To do so, we plan to add **100 new people to our Faith FULL Community** in the coming year to enhance BJC's ability to prioritize programming at the intersection of race and religious freedom throughout 2022 and beyond. The Project on Race and Religious Freedom will seek to include a Black vision for religious liberty and bridge divides in faith freedom with communities of color. BJC intends to educate and recruit more religious liberty advocates who are passionate about racial justice and religious freedom. Our hope is that BJC will become a better and more authentic organization because of the more complete understanding of religious liberty that we gain from listening to and learning from ALL voices.

**JOIN US!** Be on the lookout for upcoming forums, speakers, educational programming, and engagement opportunities. Please spread the word about BJC to your family and friends. If you haven't already, join us in celebrating this courageous work in our 85th year by joining our Faith FULL Community. Visit our website at [BJCOnline.org/give-monthly](https://BJCOnline.org/give-monthly). If you are already a Faith FULL member, consider increasing your monthly gift by just \$8.50.

To learn more about our Faith FULL Community and to get in touch with BJC Associate Director of Development Danielle Tyler, go to [BJCOnline.org/AskDanielle](https://BJCOnline.org/AskDanielle).







# Voices of Hispanic and Latin American Faith Freedom

As the country marked Hispanic Heritage Month from September 15-October 15, BJC hosted conversations with people who identify as Hispanic, Latinx, and/or Latin American. They shared about faith freedom in their community and contexts.

We also hosted one conversation entirely in Spanish, opening up new avenues for expression and sharing the conversation with broader communities.

Each conversation with BJC Director of Education Charles Watson Jr. is available on BJC's Facebook page and YouTube Channel. You also can watch them by visiting [BJCOnline.org/facebook-live](https://www.bjconline.org/facebook-live).

The following pages contain just a few moments from the rich conversations.





“Para mí es muy peligroso que no haya libertad religiosa para todos. ... Puede pasar de nuevo lo que pasó en México. Vino una cultura e impuso su religión sobre otra etnia que tenía una cultura que era muy rica.

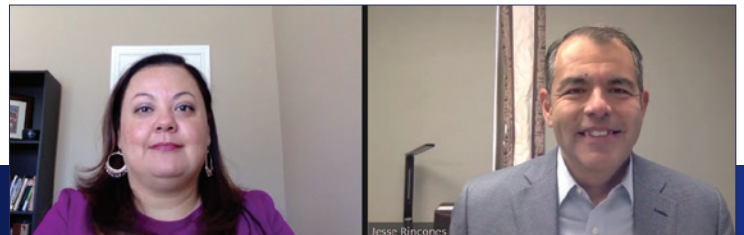
Y se ha perdido mucho de estas culturas por querer imponer una religión sobre la otra.”

—**Anyra Cano**, coordinator of Texas Baptist Women in Ministry and member of BJC Board of Directors

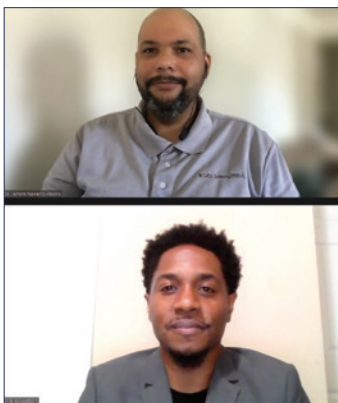


“Dios no le ha dado a ningún estado el poder de obligar a los seres humanos a la observación religiosa.”

—**Jesse Rincones**, executive director of Convención Bautista Hispana de Texas and member of BJC Board of Directors



“We have a country that is becoming more black and brown. We have a country that is becoming more secular. And to a lot of people in the periphery of power, that is a dangerous proposition.”



“When people ask me what is the experience of a secular Latinx, I can’t generalize because there’s many different experiences, as very many different Latinos.”



—**Dr. Juhem Navarro-Rivera**  
*Socioanalítica Research*



“I think about how my family has shaped the way that I see the world and how I see people. ... Sharing time with others is important. Caring for others is important. The importance of how our grandparents play a role within our families. ... I can definitely see that those positive traits are in line with the theology of God, and how God calls us to be good to others.”

—**Erika Perez, 2018 BJC Fellow**



“We’ve cut ourselves off from our story, our identity, our roots. I think that’s actually a threat because then we ingest this colonized version of faith, that honestly, perpetuates Christian nationalism within our communities.”

—**Rev. Aurelia Dávila Pratt, 2017 BJC Fellow**



“As a brown woman in predominantly white spaces, I have to remember that I’m not just a face to put on a website. I’m a voice in a body that is there to remind you that the church of God does not call one good or one better than the other. [I’m] unapologetically in this body that does not conform to — that is trying not to conform to — a western understanding or a western Christian understanding of what it means to be a good Christian woman.”

—**Rev. Alyssa Aldape, 2015 BJC Fellow and member of BJC Board of Directors**



Visit our website to access a new resource for further reflection or guided conversation with a discussion-oriented small group: [BJCOnline.org/facebook-live](http://BJCOnline.org/facebook-live).

Continue the conversation by sharing these discussions with your community.

Discussion guide

## Highlights from 2021

As you soon turn the calendar to 2022, pause for a few moments to celebrate how religious freedoms in America — both yours and everyone's — have been protected and extended in 2021.

**Thank you.** Because of your help, the hope of faith freedom for all grows stronger.

In April, the education team broadcast presentations by four Black scholars exploring ways religious liberty has been white too long during the Walter B. and Kay W. Shurden Lectures on Religious Liberty and Separation of Church and State, held virtually for the first time.



On July 4, "All Things Considered" listeners nationwide heard Amanda Tyler talk at length with NPR's Sarah McCammon about the threat of Christian nationalism in the United States.



We welcomed our 6th class of BJC Fellows in July, preparing young professionals for a lifetime of religious liberty advocacy.



This summer, BJC celebrated 85 years of service and kept moving forward, launching the Project on Race and Religious Freedom in conjunction with our anniversary.



BJC continued to voice the value of faith freedom in the courts, filing briefs in cases and providing legal analysis to the media. In 2021, with our legal partners, we filed two *amicus* briefs in Supreme Court cases and provided analysis on decisions released throughout the year.





After the January 6 insurrection, Amanda Tyler hosted a conversation on Christian nationalism and the horrifying scene we saw on display at the U.S. Capitol, speaking with Presiding Bishop Michael Curry of the Episcopal Church, Presiding Bishop Elizabeth Eaton of the Evangelical Lutheran Church in America, and Dr. Andrew Whitehead. Thousands participated live, and more than 11,000 people have viewed the recording on BJC's YouTube channel.



One day before the celebration of Juneteenth, the Rev. Dr. Jacquie Lewis spoke prophetically at BJC's virtual luncheon on Fierce Freedom, calling the nationwide audience to imagine new ways of doing church that dismantle racism.



We continued to provide ways to stand against Christian nationalism, releasing a new curriculum in early fall that has been accessed more than 1,000 times and providing a platform for 23,000+ individuals to call out the threat posed by the dangerous ideology.

Facilitated by Charles Watson Jr., BJC hosted live “Voices of Faith Freedom” conversations throughout the year to hear from people with various racial, ethnic and religious identities about what religious liberty means to them.



We stood up for our indigenous neighbors, supporting the Save Oak Flat Act to preserve sacred land for the San Carlos Apache and other tribes. BJC brought together nearly 80 religious and religious freedom organizations to stand in solidarity.

**BJC celebrates you, our faithful donors!** Because of you, individuals, groups, houses of worship, and denominations across our nation can rely on BJC to defend their religious liberty. Your investment in the work of BJC elevates our efforts in Congress and the courts, in advocacy, in education and training, in defending against Christian nationalism, and in communicating our cause to the wider public.

If you are a regular reader of *Report from the Capital* but haven't financially supported BJC recently, please consider giving now. Please use the attached envelope, or give online at [BJCOnline.org/report](https://BJCOnline.org/report).

It's BJC's 85th year of service. Why not consider a special gift — over and above your annual giving to BJC — of \$8.50, \$85, \$850 or \$8,500 to celebrate this milestone.

# Respecting Religion



## BJC's 'Respecting Religion' returns for season three

*The award-winning podcast is back with new episodes and a new feed for weekly conversations*

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



Join BJC Executive Director Amanda Tyler and General Counsel Holly Hollman for new conversations on "Respecting Religion."

In season three, Amanda and Holly are exploring government funding of religious schools, the religious liberty rights of prisoners, Christian nationalism, the continuing debates about religious exemptions to COVID-19 vaccination mandates, recent Supreme Court cases and other noteworthy news items that are making waves in our country. As lawyers and people of faith, Amanda and Holly think these topics deserve respectful conversation.

The new season kicked off in October with a brand-new podcast feed. Search for "Respecting Religion" wherever you get your podcasts and look for the new photo of Amanda and Holly in front of the Supreme Court, similar to the one you see on this page. Subscribe to the feed there, and you will be notified when each new episode is released.

Visit [BJCOnline.org/RespectingReligion](https://BJCOnline.org/RespectingReligion) for a list of our most recent episodes, including show notes that go with each one providing more information and resources. You can also listen to episodes from season one and season two on that page.

In 2021, the Religion Communicators Council recognized "Respecting Religion" with two DeRose-Hinkhouse Awards: Best in Category for the 2020 episode titled "Protests, the president, and the photo op with a Bible" and a Certificate of Merit in the overall podcast series category.



**Excerpt from Season 3, Episode 1:**  
**The fondness of magistrates: Is religion really winning at the Supreme Court?**

October 21, 2021

HOLLY: We know that this [*Fulton*] decision was not as sweeping a victory for religious objectors to same-sex marriage as Catholic Social Services argued and many of its allies hoped for, but it also was not fatal to LGBTQ protections, as Philadelphia and some of its allies feared.

We're not surprised to see that there is some ambiguity even in this unanimous opinion. That's the kind of stuff that won't show up in empirical data, but it's really important to how we understand religious freedom.

AMANDA: And I also think from a Court politics perspective about what might have been going on between the chambers as they wrote this opinion. Justice Alito had a concurrence that was over 70 pages long. That's **extremely** unusual for a concurrence to be that long.

HOLLY: He was not happy with that 15-page majority opinion that Chief Justice Roberts wrote.

**Excerpt from Season 3, Episode 2:**  
**Out of the shadows and into the courtroom: Religion in the execution chamber**

October 28, 2021

AMANDA: [*Ramirez v. Collier*] reminds me of a case from several years ago that came to the Supreme Court — *Holt v. Hobbs* — where the stakes were much lower. Where we had a Muslim inmate who wanted to wear a beard for his religious exercise.

HOLLY: It was similar — they said a security concern, but also they said it harmed identification, which really led to almost laughable oral arguments about if there really is a security concern that someone could hide a weapon in a half-inch beard.

AMANDA: The state very well might have some good security interests to raise here. But, they haven't even gone to the effort to raise them.

And, when someone's **life** is at stake — this is the very last religious exercise that Mr. Ramirez will ever undertake. Doesn't the state at least have the **requirement** — don't they at least need to prove their case here before they take his life?

**Excerpt from Season 3, Episode 3:**  
**What's going on with religious exemptions to COVID-19 vaccine mandates?**

November 3, 2021

AMANDA: And something that has added to both the skepticism and — we believe — to the harm to religion is what we've seen on the internet: this new business of people trying to profit off the religious exemption business — people who would trade a donation to someone's church in exchange for a statement affirming someone's religious exemption.

That is very disrespectful of religion, and it also calls into question a core tenet of many — if not most — religious beliefs, and that is honesty.

HOLLY: I find it very disturbing to learn that there are religious leaders that are handing out "permission slips" to help parishioners get religious exemptions. One, I don't think they will necessarily be effective if later challenged. But, as you said, it really undercuts the whole enterprise of religious exemptions to think that this is something that is just a game — something that you can just make up in order to get out of a perfectly valid rule that is intended to protect the public's health.

**Excerpt from Season 3, Episode 4:**  
**Searching for sincerity and standards: Religious rites in the execution chamber**

November 18, 2021

AMANDA: Justice Kavanaugh and the other justices seemed to really focus more on that other argument: Well, what do we make of the fact that other states are doing it? Does that mean every state has to do it? And he goes through a whole series of hypotheticals on this point, and Mr. Ramirez's attorney answers no: One state that does something does not set a national standard.

HOLLY: That was a good answer — he needed to say that, because it was looking pretty tough there. "Least restrictive means" is that part of the [RLUIPA] statute to say in crafting a rule, it should [as best possible] preserve the ability for religious exercise. So, if there is another way to meet that compelling interest of security that would still allow — in this case — the prisoner to have the religious exercise, they should do that. ...

AMANDA: It was good lawyering, and Justice Kavanaugh and Justice Alito still seemed to be searching — they're looking for some neutral principle to apply. Justice Alito says he's looking for a "gold standard." ... [He's saying] give us something! What's the least restrictive means?

# Pastor and law professor Jay Augustine to deliver Shurden Lectures in 2022

**Lecture series returns March 29-30 to Mercer University**

Join us to hear from pastor, professor, author and advocate Jonathan C. Augustine as he delivers the 2022 Shurden Lectures in Atlanta and Macon, Georgia, in March.

The Rev. Dr. Jay Augustine is a multidisciplinary professional who serves in



both ordained ministry and academia. He is part of a group of national social justice leaders who speak for the equality of all human beings, while advocating for policies of diversity, inclusion and belonging.

In addition to serving as the senior pastor of St. Joseph AME Church in Durham, North Carolina, and as a missional strategist with the Duke Center for Reconciliation, he also is a law professor at North Carolina Central University. Augustine's published works have been featured in numerous law reviews throughout the country.

A native of New Orleans, Augustine earned a B.A. from Howard University before serving on active duty as an infantry officer in the United States Army. He subsequently earned his law degree at Tulane University and served as a

law clerk to former Louisiana Supreme Court Chief Justice Bernette Joshua Johnson. After being called to ministry, he graduated from United Theological Seminary and earned his doctorate at Duke University.

Augustine is the author of *Called to Reconciliation: How the Church Can Model Justice, Diversity and Inclusion* (Baker Academic, 2022).

Join Augustine and BJC on March 29-30 on the campus of Mercer University in Macon, Georgia, and Mercer University's McAfee School of Theology in Atlanta. The annual Walter B. and Kay W. Shurden Lectures on Religious Liberty and Separation of Church and State will be in person, and the events are free and open to the public.

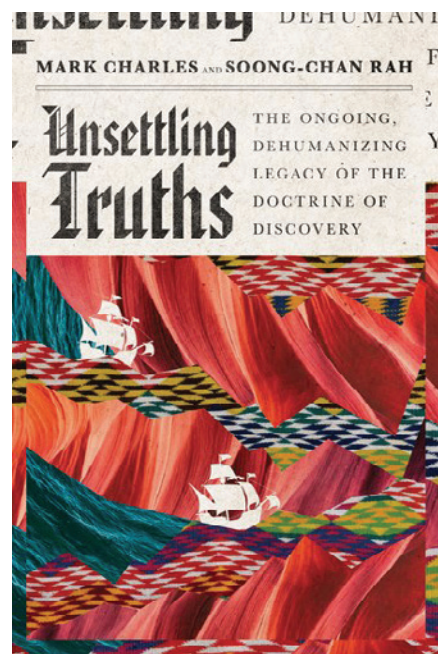
Visit our website for details at [BJCOnline.org/ShurdenLectures](https://BJCOnline.org/ShurdenLectures).

## Join us in reading 'Unsettling Truths' for our January book club

Join fellow supporters of faith freedom in deep and challenging conversation by participating in BJC's Book Club. Participants read through one book at a time, and they gather weekly for online discussions in large and small groups to talk about questions based on that week's chapters.

Our January 2022 selection will be *Unsettling Truths: The Ongoing, Dehumanizing Legacy of the Doctrine of Discovery*, by Mark Charles and Soong-Chan Rah. Using history, theology and cultural commentary, the book reveals the far-reaching and damaging effects of the "Doctrine of Discovery," which gave Christian explorers the right to claim territories they "discovered" in the 15th century.

The book club is open to all who are interested. You have to purchase the book on your own, but there are no other costs. Get more information, sign up and see a November interview with Mark Charles by visiting [BJCOnline.org/BookClub](https://BJCOnline.org/BookClub). The registration deadline is January 3.





Dear friends,

Between now and 2042, the largest generational wealth transfer in human history will occur. The estates of Baby Boomers and older Americans, now in their mid-50s and above, will pass an estimated \$70 trillion of inheritance to the generations that follow them. Unfortunately, according to recent surveys by Caring.com, only 65% of Baby Boomers and 57% of U.S. adults have a will that states their intentions upon their passing.

A new year is a good time for you to review your financial picture and ensure that your planned giving — including your estate planning — is up to date.

As development professionals who co-share planned giving oversight at BJC, we — Danielle Tyler and Dan Hamil — take great pride in assisting individuals like you to invest in the future of BJC through planned gifts, whether in connection with estates, insurance or retirement policies, or real estate transactions. With some foresight, planned giving allows you to control your future financial distributions, benefiting your loved ones and those charitable organizations — like BJC — that you support.

We are grateful for people inspired by BJC's mission and work who want to create legacy gifts to protect faith freedom for all for years to come.

Those who give planned gifts become members of our James Dunn Legacy Circle. Regular correspondence with our James Dunn Legacy Circle and prospective planned givers provides insights into what motivates many to give legacy gifts. Here are a few truths we have learned:

**Planned givers are passionate.** Regardless of whether they have given large or small amounts to BJC during their lifetime, planned givers want their legacy to be purposefully connected to a cause they are passionate about: protecting and extending religious liberty for all.

**Planned givers are intentional.** Because they want their end-of-life savings or benefits to protect and defend faith freedom for all, planned givers take specific steps to outline their future gifts.

**Planned givers are at peace.** BJC's reputation includes a legacy of integrity and transparency alongside our passionate and thoughtful advocacy. Planned givers have peace of mind knowing they are investing in passionate and skilled professionals who are moving faith freedom forward.

Let us know if we can assist you with making a planned gift to BJC. We serve as BJC's planned giving team, and you can contact us at [dhamil@BJCOnline.org](mailto:dhamil@BJCOnline.org) or [dtyler@BJCOnline.org](mailto:dtyler@BJCOnline.org).



**Dan Hamil**  
Director of  
Strategic Partnerships



**Danielle Tyler**  
Associate Director of  
Development

## Winners of the 2021 Religious Liberty Essay Scholarship Contest

For the 2021 contest, BJC asked students to write an essay about whether a religious leader, such as a minister, rabbi, imam, priest, or any other clergy in a religious tradition, has the right to run for public office. We received essays from across the country, discussing the Constitution's prohibition on a religious test for office in Article VI and discussing actions those religious leaders should take to uphold the principle of separation of church and state. Congratulations to this year's winners, who received scholarship prizes.



### Grand prize winner:

**Grace C. Karanick** from Anaheim, California

In her essay titled "My Mother's Dilemma: Religious Leader, Elected Official, and Separation of Church and State," Grace shared the challenges clergy members face when running for office, including how some voters might erroneously think that the separation of church and state means that a member of the clergy is ineligible to run for elected office. Noting that her mother is a pastor who is an elected official, Grace gave advice for others: "The clergy/candidate should also stress the fact that they consider their obligations to the elected office and to the constituents to be extremely important. These multiple obligations are not mutually exclusive and are very much like the multiple obligations that many candidates have to their family, their workplace, and the elected office."



### Second prize:

**Elijah Arias**  
Carlsbad, Texas



### Third prize:

**Ella Stone**  
Lewisville, Texas

## 2022 Religious Liberty Essay Scholarship Contest

Open to high school juniors and seniors

### Topic:

Discuss whether prisoners should have the right to have a religious adviser present in the execution chamber and what, if any, final religious practices a prisoner should be able to request.

Entry  
deadline:  
**March 14,  
2022**

For entry forms and the full writing prompt,  
visit [BJCOnline.org/contest](https://bjconline.org/contest)

*Grand prize: \$2,000 scholarship  
and trip to Washington, D.C.*

*Second prize: \$1,000  
Third prize: \$500*



# Can the church be trusted to handle Jesus?

By Rev. Starlette Thomas

“I trust Jesus to handle the church. I’m not sure I trust the church to handle Jesus.” The author is unknown but the sentiment is shared by many.

Christians have to get Jesus’ story straight if we are to ever get on the same page. We share in common a sacred text, but we are not seeing the same thing.

The creation narrative in Genesis says that we are made of the same thing, all earthen vessels, all dirt bags while race says we are different in a number of ways.

We are so different, and God wants to keep us that way, race proclaims. Except that goes against what Jesus prayed: “That they may all be one” (John 17:21).

The Divine Community, the holy Trinity, can come together and agree, but we, mere mortals, cannot. Source, Son and Spirit, that’s good for Them but we don’t want to hear it.

Race says, “It’s impossible,” but Jesus said, “All things are possible” (Matthew 19:26). Is race or Jesus the obstacle? Because either we get over race or get over Jesus, trading his gospel for one that color-codes his face.

Let’s not forget that we have generational silence to defend. There are traditions of hate that our families have invested in. What are we going to tell our children? Besides, who would we be without our divisions?

Somehow the early church shared all things in common (Acts 4:32). Yet, we have a denomination, a tradition, a worship service for every difference we encounter.

Rather than come together for intentional and constructive conversation with the end goal being collaboration, we continue to play a zero-sum game. However, more and more believers are not showing up for this kind of Sunday morning practice, walking away from the church in hopes of getting closer to Jesus.

“One Lord, one faith, one baptism,” we are charged to work as one body and for the common good (Ephesians 4:5-6). No exclusive rights for hands or special privileges for feet. No velvet rope for bleeding hearts or special seating for big heads.

Because it is Christ’s body — not ours. Still, there is fighting — eyes against ears, hands against feet, the strong against the weak.

Every limb for itself! The body of Christ is attacking itself. The church is its own worst enemy, turning on its own members.

And there is nothing worse than a church fight, especially for those of us who grew up in abusive homes. For our own theological safety, we’ll leave the church and stay with Jesus, Mary, Joseph and their other children.

Please try to understand me. “Do not give up on our church meetings” sounds like a stained-glass threat (Hebrews 10:25).



I shouldn’t feel trapped in a patriarchal tradition or forced to worship within a toxic theological relationship with Scripture. No, we should call these frameworks into question, faithfully deconstruct and then build on the rubble.

Most often associated with the work of Jacques Derrida, deconstruction has taken on new meaning for Christians who are carefully examining their faith and motives for believing.

I call a racialized faith into question because it challenges my understanding of God’s omnipotence and sovereignty. I simply cannot believe that God has to identify as a color to be considered all-powerful or in community with the marginalized.

The gospel, and likewise life, does not come in black and white. It is not either/or but both/and.

You can criticize a system, the status quo, an institution while creating new structures, new languages and new ways of being. You can protest and march in a different direction. The Rev. Dr. Martin Luther King Jr. did it.

Prophets see ahead while also seeing clearly the work ahead. “Repent, for the kingdom of God is at hand,” Jesus said (Matthew 4:17).

Dreaming, visioning, packing up and readying one’s self for the “kin-dom” coming does not suggest that the struggle for justice and equality isn’t real, that we are somehow post-racial, that we put on colorblind lenses and see no problems here.

There is the fear that one will take away from the other. But we are tearing down in preparation for new structures. We are deconstructing and will need new material. We are untying our tongues and will need new speech.

Someone has got to prepare to that end. Or else, what is the point exactly?

*The Raceless Gospel* is my life’s message, my magnum opus and my contribution to the church.

Increasingly, I feel that I am speaking to a generation coming. They will not grow up with a taste for our traditional hatreds, our culture and gender wars, our racialized identities, our hyper-politicized divisions.

They will want something new, which is why I have so much more deconstructing to do.

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*The Rev. Starlette Thomas is Director of The Raceless Gospel Initiative, a didactic, multifaceted ministry of communication that decenters the sociopolitical construct of race and its progeny. She also hosts the Good Faith Media podcast “The Raceless Gospel.” Visit [GoodFaithMedia.org/the-raceless-gospel-initiative](http://GoodFaithMedia.org/the-raceless-gospel-initiative).*

*This article originally appeared on [GoodFaithMedia.org](http://GoodFaithMedia.org).*

# Responding to Christian nationalism

Earlier this year, BJC launched the Responding to Christian Nationalism curriculum. More than 1,000 individuals across the country have used this resource to learn, teach and share ways to stand against Christian nationalism.

Have you downloaded the curriculum yet? Have you used it?



**We want to hear from you about your experience!**

Share your feedback with us through an 8-minute survey. Scan the QR code to the left to access the survey or type the following link into your browser:

<https://www.surveymonkey.com/r/CACN-Curriculum-Survey>

Your insights are incredibly helpful as we work on future iterations of curriculum and other resources to combat Christian nationalism.

For questions, comments or a link to the survey, you can always email [info@ChristiansAgainstChristianNationalism.org](mailto:info@ChristiansAgainstChristianNationalism.org).

For more resources — including webinars, podcasts and discussion guides — and to read and sign the statement to stand against Christian nationalism with 23,000 others, please visit [ChristiansAgainstChristianNationalism.org](https://ChristiansAgainstChristianNationalism.org), and share the website with your friends and social media networks!

## CHRISTIANS AGAINST CHRISTIAN NATIONALISM



## Honorary and memorial gifts to BJC

In honor of Tori Gilkeson  
By Anne S. Raybon

In honor of Jack and Barbara Glasgow  
By Don Horton

In honor of Jana Harston  
By Paula J. Settle

In honor of Holly Hollman  
By Linda and Bruce Salmon  
Brent Walker

In honor of Rev. Aleisha Langhorne  
By Carol Wilson

In honor of Clifford Longino  
By Minerva Longino

In honor of Virginia Snyder  
By Perry Newson

In honor of Marcia Thompson  
By Philip Thompson

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

In honor of Brent Walker  
By Jim J. Hopkins

In honor of Patti Wiggs  
By Greer Richardson

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In memory of James and Marilyn Dunn  
By Julian and Charlotte Bridges

In memory of Marilyn Dunn  
By Carol Blythe

In memory of Flynn T. Harrell  
By Brent Walker

In memory of Carroll Sherer Matthews  
By Jerry T. Matthews

In memory of Rev. M. Taylor  
By Paul Gehris

You can honor someone at any time with a gift to BJC, which supports our programs and resources.

Send a note with your check or visit [BJCOnline.org/give](https://BJCOnline.org/give) to make a donation.

For more information, contact Danielle Tyler, associate director of development, at [dt Tyler@BJCOnline.org](mailto:dt Tyler@BJCOnline.org).



## Bradley joins BJC staff in development role

**JULIA BRADLEY** is the donor database coordinator at BJC, serving as part of the development team as she assists donors, maintains BJC's database records and ensures the accuracy of donor financial information



A 2020 graduate of Samford University in Birmingham, Alabama, Bradley majored in both sociology and religion with a concentration on congregational leadership. During her undergraduate studies, Bradley worked closely with the Center of Congregational Resources at Samford University to receive and implement grants from the Lilly Endowment Inc. She also served as the co-director of Q Commons in 2019, organizing a public event in Birmingham, Alabama, on church and culture.

Before coming to BJC, Bradley completed internships at the Association of Religion Data Archives at Penn State University, the Center of Congregational Resources at Samford University, and churches in Montana and Alabama. You can contact her at [jbradley@BJCOnline.org](mailto:jbradley@BJCOnline.org).



## Mark your calendars in 2022

BJC continues to provide new and traditional opportunities for engagement.

Visit [BJCOnline.org/calendar](https://BJCOnline.org/calendar) for our latest events, and don't miss these important dates in 2022:

### January 3:

Deadline to sign up for BJC's Book Club, which meets in January.

Learn more at [BJCOnline.org/BookClub](https://BJCOnline.org/BookClub).

### February 21:

Deadline to apply for the BJC Fellows Program.

Learn more at [BJCOnline.org/Fellows](https://BJCOnline.org/Fellows).

### March 1:

Deadline to apply for a BJC summer internship.

Details available at [BJCOnline.org/internships](https://BJCOnline.org/internships).

### March 14:

Deadline for submissions for the 2022 Religious Liberty Essay Scholarship Contest, which are accepted online at [BJCOnline.org/contest](https://BJCOnline.org/contest).

### March 29-30:

The Rev. Dr. Jay Augustine delivers the annual Walter B. and Kay W. Shurden Lectures on Religious Liberty and Separation of Church and State on the campus of Mercer University in Macon, Georgia, and Mercer University's McAfee School of Theology in Atlanta, Georgia. Visit our website at [BJCOnline.org/ShurdenLectures](https://BJCOnline.org/ShurdenLectures).

To keep up with our events and opportunities, sign up for weekly email updates at [BJCOnline.org/subscribe](https://BJCOnline.org/subscribe).

## BJC Board elects new officers

The BJC Board of Directors elected new officers during its virtual meeting in October.

Lynn Brinkley of Fayetteville, North Carolina, was elected to be the new chair of the BJC Board of Directors. Anyra Cano of Fort Worth, Texas, was elected Vice Chair; Sofi Hersher of Washington, D.C., was elected secretary, and Madison McClendon of Chicago, Illinois, was elected treasurer. The officers will serve for the next two years, and BJC plans to host in-person board meetings in 2022.



**Brinkley**



**Cano**



**Hersher**



**McClendon**

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

202.544.4226  
BJC@BJCOnline.org  
BJCOnline.org

   @BJContheHill

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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 all Americans have, and will always have, the right to follow their 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  
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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 Guy** EDITOR

## MORE FROM BJC



### Join BJC and Jay Augustine in Georgia

The Rev. Dr. Jay Augustine will deliver the 2022 Shurden Lectures on the campuses of Mercer University. Learn more on page 14, and see a list of more events on page 19.



### Support Report from the Capital

If you are a regular reader of this magazine, consider making a gift to support its publication and the work of protecting faith freedom. See pages 10-11.