

African Americans and Religious Freedom

New Perspectives for
Congregations and
Communities

Editors

Sabrina E. Dent and Corey D. B. Walker

Freedom Forum
300 New Jersey Ave. N.W., Suite 800
Washington, D.C. 20001

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Printed in the United States of America

First printing

Published with the support of The Henry Luce Foundation

Library of Congress Cataloging-in-Publication Data

Names: Dent, Sabrina E., editor | Walker, Corey D. B., editor

Title: African Americans and Religious Freedom: New Perspectives
for Congregations and Communities / edited by Sabrina E. Dent
and Corey D. B. Walker.

Description: Washington, D.C. : Freedom Forum, 2021. |
Includes bibliographical references.

Identifiers: ISBN 978-1-7363526-0-1 (paperback)
978-1-7363526-1-8 (e-book)

Subjects: LCSH: African Americans – Religion | Freedom of religion | African
Americans – Civil Rights | Religion and politics | Racism – Religious aspects

Book design: Mark Sandeen

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ACKNOWLEDGEMENTS

This collection of essays would not have been possible without the many contributions of a community of students, scholars, faith leaders, public officials, advocates and, most importantly, friends. The editors wish to thank seminary partners Hood Theological Seminary, Howard University School of Divinity, Interdenominational Theological Center, Payne Theological Seminary, Shaw University Divinity School, and Samuel DeWitt Proctor School of Theology at Virginia Union University. The editors also thank organizational partners Baptist Joint Committee (BJC), Black Nonbelievers, Metropolitan African Methodist Episcopal Church, Smithsonian National Museum of African American History and Culture, Washington National Cathedral and Wesley Theological Seminary.

This publication was made possible through the generous support of The Henry Luce Foundation.

FOREWORD

With My Brothers and Sisters at the Table

The Honorable Suzan Johnson Cook

I am excited that there is finally a work about African Americans and religious freedom. *African Americans and Religious Freedom: New Perspectives for Congregations and Communities* and the efforts that led to it are the result of the critical work of two of the most brilliant minds and advocates for religious freedom — Dr. Corey D. B. Walker and Dr. Sabrina E. Dent. They have assembled a stellar group of contributors whose essays will be of interest to a national and international audience. As a result, a broad public will come to learn our story from our unique perspective. It is a book for the world — from us, about us.

Appointed by President Barack Obama and nominated by Secretary of State Hillary Clinton, I had the honor and privilege of being the first African American, first woman and first faith leader to serve as U.S. Ambassador at Large for International Religious Freedom. After two years and two long and grueling confirmation hearings, I was confirmed by the Senate and began my tenure on May 16, 2011. It was awesome to represent the United States as lead diplomat for

International Religious Freedom, advise the president and secretary of state and have 199 countries in my portfolio.

On paper, all things were equal. My resume and experience certainly met the job requirements. What was left unspoken was that on the government and global playing field, the position had been reserved for, and relegated to, white conservatives, primarily evangelicals. It was lonely going into the hearings, formal meetings, board rooms and diplomatic rooms as the only person of color and always as the only woman. I am a Black Baptist preacher from the Bronx, N.Y. It was clear that many had not envisioned someone like me in the room and at the table when the International Religious Freedom Act was signed in 1998. But here I was. At the table with full authority. I was representing the 44th president and the United States of America, the country where my own religious freedom had only been parenthetically discussed.

As a diplomat I would make sure that it would no longer be a silent, lonely journey. I invited a diverse array of people from different backgrounds, ethnicities, genders, religious traditions and professions to the table. I created the Religious Freedom Roundtable and initiated the Female Faces of Faith program. I pulled together summits for Secretary Clinton that included actors from all walks of life and from all parts of the world. I was the voice at press conferences that rolled out the Religious Freedom reports. With my brothers and sisters at the table, my heart did not skip a beat. Instead, it added a beat.

After my tenure ended, it would not be long before I would meet Dr. Dent and Dr. Walker and be introduced to the Religious Freedom Center. I joined the community at the Religious Freedom Center as distinguished diplomat in residence. I also had the pleasure of meeting Charles Watson, director of education at the Baptist Joint Committee. I was honored to join them and others in teaching about the African American experience with religious freedom to graduate students at historically Black seminaries. Funded by a generous grant from the Luce Foundation, the project offered fresh perspectives and new voices to the discourse on religious freedom. In addition to this important work, my film with Lauren Merkle, “A Different Way,” was awarded the 2019 Dare to Overcome Film Competition Grand Prize. The film brought even more visibility to the fact that African Americans are not just historically in the fabric of religious freedom. Rather, we are inextricably a part of the ongoing evolution of religious freedom in America and the world.

This volume of essays is timely. I am delighted to welcome readers into the amazing journey of African Americans and religious freedom. May your wisdom be enhanced and may you be enlightened by the strength of spirit and resolve of character that empower African Americans to sing these memorable words from the African American National Anthem, “Lift Every Voice and Sing:” “Thou who has by thy might led us into the light, keep us forever in the path, we pray.”¹

¹ See Imani Perry, *May We Forever Stand: A History of the Black National Anthem* (Chapel Hill: University of North Carolina Press, 2018).

INTRODUCTION

Disrupting the Narrative: African Americans and Religious Freedom

Sabrina E. Dent and Corey D. B. Walker

The traditional narrative of religious freedom in America is one of ascension. Despite the intense contestation around the concept from the nation's founding to the present, it is generally understood that religious freedom is a truly unique American development that has consistently expanded across the centuries. Yet if we begin to interrogate this narrative and begin to examine religious freedom from the perspectives of racial and religious minorities in the United States, we find the narrative insufficient and inadequate in representing the protean nature of this discourse. Indeed, religious freedom has always been more *and* less than this narrative suggests. As religious studies scholar Finbarr Curtis writes, "Religious freedom is a malleable rhetoric employed for a variety of purposes. Part of the reason for this malleability is that religious identities are themselves produced in response to social and political contests."¹ The inadequacy of the traditional narrative becomes readily apparent when we begin to engage religious freedom from

¹ Finbarr Curtis, *The Production of American Religious Freedom* (New York: New York University Press, 2016), 2.

the perspective of African Americans. African American perspectives on religious freedom bring into conversation two fraught discourses animating the contested terrain of American democracy — race and religion.

Religious freedom in America is more than a series of simple binaries — Christianity and culture, religious and secular, theism and atheism, tradition and innovation. In America, religious freedom is inextricably bound with ideas and practices of race in the United States. To state this is not simply white over Black, but rather how race constitutes and conditions our cultures, ideas and institutions. In other words, race is constitutive of religious freedom just as religious freedom is constitutive of race. We cannot understand one without the other. In this manner, we must move beyond a traditional narrative of religious freedom that can be captured in a hashtag — “#religiousfreedomsowhite.”²

African Americans and Religious Freedom: New Perspectives for Congregations and Communities is a collection of essays examining how and in what ways African Americans have navigated the contested terrain of religious freedom in America. These essays present novel interpretations of religious freedom critically informed by African American culture, history, ideas and religious experiences. Just as the traditional narrative of religious freedom is inadequate to represent the history and experience of this ideal in

² Corey D. B. Walker as quoted in Melissa Rogers and E. J. Dionne Jr., *A Time to Heal, A Time to Build* (Washington, D.C.: Brookings Institution, 2020), 34-35.

America, there is no singular African American perspective that fully expresses the multiple and varied expressions of this variegated discourse. Indeed, the sheer diversity of African American perspectives serves to underscore why the traditional narrative of religious freedom in America stands in need of critical revision. In the introduction to *Religious Freedom: The Contested History of an American Ideal*, Tisa Wenger writes:

I began this book with questions about the kinds of cultural work that diverse articulations [of religious freedom] perform. Rather than asking how adequately Americans had achieved this freedom or how it rapidly it advanced — queries that assume we already know what it is and how to measure it — I wanted to know who appealed to religious freedom, for what purposes, and what it meant to them. Somewhat unexpectedly, race and empire quickly emerged as key themes in my analysis. I found that some of the most frequent and visible articulations of American religious freedom were exclusive, even coercive.³

Wenger correctly underscores that appeals to religious freedom cannot be segregated from America's fractious politics of race and of empire. To be sure, religious freedom is not neutral. Within the United States, religious freedom cannot be disentangled from the contested politics of

³ Tisa Wenger, *Religious Freedom: The Contested History of an American Ideal* (Chapel Hill: University of North Carolina Press, 2017), 1.

American statecraft, nor can it be understood outside of America's continuing problem of race.

While Wenger's recognition is critical and important, to think race and empire are not synonymous with developing a discourse of religious freedom that centers on African Americans. Such a project entails a commitment to thinking "religious freedom" from the underside. It is nothing less than undertaking an audacious leap into constructing a new narrative of how and in what ways the protean nature of African American ideas, practices and experiences across space and time form and inform new cognitive grids for understanding religious freedom.

African Americans and Religious Freedom: New Perspectives for Congregations and Communities opens with two essays that explore histories and legacies of race, religion and law on the discourse and practice of religious freedom in America. Faith B. Harris offers an overview of African American perspectives on religious freedom informed by the twin encounters of European Christianity and colonialism in the Americas. It is this background and attendant ideas and practices that must be critically engaged in order to understand "the unique relationship African Americans have to religious freedom in America." Teresa L. Smallwood's essay examines the imbrications of race and religion in American law, drawing on the legal thought of pioneering jurist and scholar A. Leon Higginbotham. Smallwood

reminds us that we must confront the complex history of how African American negotiations of religious freedom reflect the ideological investments in racist and racialist protocols of American law and legal culture.

Eric Lewis Williams, Sharon J. Grant and William H. Lamar IV offer three differing perspectives on African American Christianity and religious freedom. In his essay, Williams provides an elegant summary of African American theological thought in the midst of the maelstrom of American political and social life. He dramatically brings to the fore how the contradictory conditions of white Christian America informed the creation and articulation of a distinctive African American theology that affirmed the worth, value and dignity of African American life and culture. Grant presents an institutional view of African American Christianity and religious freedom. From the perspective of the Black Church, Grant reminds us of how this singular institution offered critical political and religious resources that enabled African Americans to confront, challenge and resist notions of religious freedom that denied African American humanity. Indeed, Grant's essay affirms and extends the prescient statement by noted pastor and scholar, the Rev. Dr. Marvin A. McMickle, on the African American quest for religious liberty when he writes, "Black people themselves were separated from the whites-only church and the whites-only state. Their churches became the setting in which their quest for religious and political

liberty was centered.”⁴ If the Black Church operated as a premier site for African American negotiations of religious freedom, it also functions as a space of critique of the dominant narratives of religious freedom and indeed of American democracy. Lamar inhabits the space of the Black Church in rendering a thought-provoking critique of a religious freedom ideal that supports and sustains the politics of American exceptionalism and empire. Lamar’s criticism reminds us that critiques of the dominant narrative of religious freedom also call into question the normative frameworks for conceptualizing the nation.

African Americans and Religious Freedom: New Perspectives for Congregations and Communities closes with three essays that engage religious freedom in light of contemporary dynamics in American public life and political culture. A broadening and deepening religious pluralism in American public life confronts the continuing racial dilemma that has defined and continues to define United States civic and political life. In the midst of a global pandemic and sustained protests across the United States and the world, precipitated by the killings of Ahmaud Arbery, George Floyd and Breonna Taylor, Rahmah A. Abdulaeem explores the diverse array of religious practices that inform African American culture and politics in interrogating the limits of the discourse of religious freedom. Although African Americans challenge the traditional narrative of religious freedom, Abdulaeem offers a critical perspective that underscores how African American

⁴ Marvin A. McMickle, *Pulpit & Politics: Separation of Church & State in the Black Church* (Valley Forge: Judson Press, 2014), 64.

religious institutions must not only combat the inadequacies of a religious freedom that is too narrow, but also a racial regime that continues to marginalize the lives and aspirations of African Americans. In their essay, “Race, Advocacy and the Limits of Religious Freedom,” Sabrina E. Dent and Keisha I. Patrick offer a nuanced perspective advocating for an expanded understanding of religious freedom in light of America’s tortured history of racial slavery, discrimination and inequality. Dent and Patrick caution against advocating for religious freedom that fails to engage a critical account of the limits of religious freedom tethered to a dominant white normativity. Corey D. B. Walker’s concluding essay returns to the question of “How do we narrate religious freedom in America?” Walker uses this question to frame the broad outlines of how an expansive conception of religious freedom may also facilitate the emergence of a broader and deeper democracy in America.

At the height of the modern Black freedom movement in America, famed scholar and historian of religion Charles H. Long wrote, “The visibility of the Black community in America is our challenge and opportunity to develop a theology of freedom — a freedom for humanity — a new humanity!”⁵ Long calls our attention to the conditions of possibility for something new, beyond the frames of an intelligence that encloses the imagination and our institutions — social, political, cultural and theological. To be sure, Long is not calling for a theology coterminous

⁵ Charles H. Long, *Significations: Signs, Symbols and Images in the Interpretation of Religion* (1986; Aurora: The Davies Group, 1999), 153.

with the imperial dictates of theology proper. Rather, the object preoccupying his thought is that of a freedom that unfolds a new humanity. *African Americans and Religious Freedom: New Perspectives for Congregations and Communities* takes up Long's challenge by exploring how religious freedom might be reimagined if we take seriously African American life, thought, history and culture. It just might be that this small volume might ignite a new religious freedom for a new America.

CHAPTER 1

On African American Perspectives on Religious Freedom

Faith B. Harris

Why a book dedicated to African Americans and religious freedom? The question suggests there is something unique, constitutive and consequential about the African American relationship to religious freedom.

It is not original to argue that the very presence of Africans in the Americas in the modern era is the result of European Christianity's colonialist project initially undertaken by the Portuguese and Spanish with the imprimatur of the Catholic Church. Papal bulls approved the seizure of land, the conversion of indigenous peoples and the conquest of the environment in the name of and for the sake of Christ. This Christian colonialist project unleashed a new racial regime on the modern world which ranked peoples, knowledges, cultures and religions according to the logic and power of European Christianity.

In *The Christian Imagination: Theology and the Origins of Race* Willie James Jennings argues that during the era of

discovery Christianity was identified with Europe and all things European, while Black and brown bodies, knowledges and cultures were deemed non-Christian and subject to the dictates of Christianity proper.¹ The Christian standard was white and European, with all other people's salvific possibilities measured by this standard.² According to this logic, continental and diasporic Africans did not and could not exercise a proper religious attitude and could never be authentically Christian.

Africans in the Americas, enslaved with these Christian justifications and displaced from their lands, culture, religions and ancestors, have a unique and fierce historical commitment to the ideals of freedom. With their very presence, New World Africans have a unique claim to religious freedom, despite the rhetoric embedded in the Constitution and the Declaration of Independence. Indeed, Black religion is best expressed by an enduring relationship to a freedom-loving/giving God. Theologian Kelly Brown Douglas argues that in the Black theological imagination, God is free and to be in a relationship with God is to be free.³ If one wishes to take the unique relationship African Americans have to religious freedom in America seriously, then one must understand this critical contextual background in developing fresh perspectives on religious freedom.

¹ Willie James Jennings, *The Christian Imagination: Theology and the Origins of Race* (New Haven: Yale University Press, 2010), 35.

² *Ibid.*, 36.

³ Kelly Brown Douglas, *Stand Your Ground: Black Bodies and the Justice of God* (Orbis Books: Maryknoll, 2015), 143-144.

African Americans have also contributed to the complex narrative of religious freedom from the earliest stages of Black African enslavement by European Christians. They have critiqued, challenged and condemned the morality and veracity of the enslaver's religion as well as American Christian rhetoric of freedom. Enslaved and free Africans and African Americans like Harriet Tubman, Sojourner Truth, David Walker, Olaudah Equiano, Frederick Douglass, Fannie Lou Hamer, Ella Baker, Martin Luther King Jr., John Lewis and many others escaped from the shackles of slavery, rebelled against American slavocracy, boycotted, sang, resisted, prayed, preached, wrote, taught and died bearing witness to the constitutive nature of African Americans' contributions to the discourse and reality of religious freedom. It is not only African American Christians, but also African American Jews, Muslims, Buddhists, Bahais, agnostics, atheists and others who affirm the right and dignity of continental and diasporic African peoples, through politics, culture and social accommodations, the free exercise of religion or no religion as a right. These are constitutive components of the very narrative on human rights and religious freedom across the globe.

Finally, African Americans are consequential in the discourse on religious freedom. As freedom-loving people, African Americans have been at the forefront in creating an expansive vision and space for new voices, ideas and practices of religious freedom. African Americans' unique

relationship to the discourse of religious freedom is as persons emancipated in body and faith from the Christian racial scale of “salvific possibilities” and its political, physical and religious enslavement. African Americans’ very struggle for religious freedom is the source and model for many peoples around the world to exercise their right to dignity and freedom.

This expansion includes all peoples, cultures, faiths, traditions and beliefs and includes all of life — the ecological and the environmental. The Christian colonizing enterprise not only reorganized peoples on a religious racial scale, it also reoriented peoples away from their environment. Shaped by a humanocentric hierarchy of moral value, it reduced Black and brown people to commodities and land, plants and animals to capital. The climate crisis we face is the consequence of the disruption, disorientation and distress of more than 500 years of European Christianity’s expansion across the earth. African American perspectives on religious freedom suggest an expansive vision of life on earth that requires defining religious freedom in the broadest possible way to include all living entities. Religious freedom is complex and incorporates the religious as well as the anthropological, ecological, cultural, social and political.

Thus, why a book dedicated to African American perspectives on religious freedom? Because African

American perspectives on religious freedom are unique, constitutive and consequential to the very idea and ideals of religious freedom.

CHAPTER 2

Race, Law and Religious Freedom

Teresa L. Smallwood

The cultural, legal and political dimensions of American conceptions of religious freedom have historical connections to the constructs of race and law. Because some of the first European immigrants drawn to the shores of North America in search of a “City Upon a Hill” were influenced by Protestant Christianity, religion factored prominently in the colonial world. With this discourse of religion, conceptions of race entered American discourse as a means to differentiate persons not of European descent. It was the twin discourses of race and religion which shaped the discourse of religious freedom.

When the “20. and odd Negroes” aboard the *White Lion* and *Treasurer* landed at Point Comfort, Virginia, in 1619, they were *sold* in the fledging British colonies in North America. Race evolved as a means to distinguish them culturally, politically and legally consistent with their status as less-than human. As the colonial system of governance

took shape, the British colonies established rules of inclusion and exclusion following the customs and dictates of the settlers and British Common Law. The organizing principle of British colonial societies followed a religious logic and privileged landholding white men. These religious men acted brutally and used the labor of enslaved Africans to generate considerable wealth. For example, in 1640 the Virginia Colony's General Court ruled that an enslaved African who ran away from his post "shall serve his said master or his assigns for the time of his natural life here or elsewhere."¹ In South Carolina, "no slave shall be free by becoming a christian [sic]" and "all negroes, mulattoes, mustizoes or Indians...are hereby declared slaves; and they, and their children, are hereby made and declared slaves, to all intents and purposes."² Slave codes such as the 1712 code in South Carolina existed in Virginia, Massachusetts, New York, Georgia and Pennsylvania. Ironically, states such as South Carolina urged whites not to "neglect to baptize their negroes" and enforced the standard that "it shall be, and hereby is declared, lawful for any negro or Indian slave ... to receive and profess Christian faith, and be there into baptized; but that notwithstanding ... he or they shall not thereby be manumitted or set free."³ Enslaved Africans were therefore bound in physical and legal captivity, but free to profess the Christian faith analogous to that of their captors. Yet, for the enslaved, the concept of liberty was

¹ A. Leon Higginbotham Jr., *In the Matter of Color: Race & The American Legal Process: The Colonial Period*, (New York: Oxford University Press, 1977), 28, 29.

² Higginbotham, *In the Matter of Color*, 167-173.

³ Higginbotham, *In the Matter of Color*, 19-20, 38, 50-59, 71, 111, 114-131, 170-200, 217, 233, 271, 275-279.

not lost on them. They mustered the strength to observe religious rituals, practices and ideas independent of the enslaver's influence.

As a new nation emerged, colonial rules became the laws of the sovereign in line with decided juridical boundaries. Independence from British rule facilitated the process whereby colonial rule morphed into the legal system of the United States. The Constitution would become the cornerstone to American jurisprudence. The Bill of Rights, which consists of the first ten amendments to the Constitution, conferred upon citizens "inalienable rights" not mentioned in the original document. The first amendment to the Constitution guarantees that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for the redress of grievances."⁴ This amendment provides individual citizens freedom from government intervention in the exercise of their religion and concomitantly limits the nation-state from creating a national religion.

Religious freedom as a conceptual framework established sacralty as a separate convention from governance and created the boundaries between church and state. References to God such as "Laws of Nature and of Nature's God" and "their Creator" found in the Declaration of

⁴ United States Constitution. Amendment I.

Independence, nevertheless, speak to the religious influence in the evolution of the legal framework for this country. Indeed, we need only examine the exchange between President Thomas Jefferson and the white Danbury Baptists to glimpse the continuing influence of religion on the fledgling nation. Concerned with threats of state-sponsored religious intervention, the Baptist Association drafted a letter to the newly elected president during their October 7, 1801 meeting addressing the separation of church and state. Jefferson responded on January 1, 1802 with assurances that a “wall of separation” would remain between church and state.⁵ While this communication did not have the force of law, it is significant for the concept of religious freedom in that it established the principle of governmental noninterference with religious institutions. Indeed, Jefferson’s letter was an affirmation of the First Amendment. However, the letters also reveal the inconsistency in practices that point to the wider disparities experienced by non-white people. The freedom to practice one’s religion was not universal and that limitation created the deep inconsistencies in the experiences of the “wall of separation.” For “negroes,” it signaled the lugubrious nature of freedom generally. Freedom became a bifurcated notion depending upon one’s social location. In the case of enslaved Africans, their tenuous social location as a race of people with no political rights meant they were constantly vying for freedom *from* tyranny and freedom *to* exercise the same rights and privileges, religious or otherwise, as

⁵ “Letters Between Thomas Jefferson and the Danbury Baptists (1802),” *Bill of Rights Institute*, <https://billofrightsinstitute.org/founding-documents/primary-source-documents/danburybaptists/>, last accessed May 22, 2020.

every other human being. This was seen most prominently in the establishment of their religious institutions. It is important to note that as the Black Church tradition evolved, it did not remain a monolithic entity, but rather took on different strands of faith traditions, some modeled exclusively after the white denominations and others strictly *ad hoc*. Whatever the convention — Protestant, Catholic, Muslim, Jewish, non-denominational, Indigenous — African Americans exercised religious freedom largely as a means of resistance and in the face of prolonged tyranny. Religious freedom was an enigma for the African Americans in slavery and in freedom because their legal status did not equate with traditional notions of freedom. Their resistance to the dominant narrative of religious freedom led to legal action as corporatized entities in order to enforce a new meaning of religious freedom.

During the Civil Rights Movement, religious freedom offered African Americans a unique platform to launch protests to demand inclusion and fair treatment under the law. The injustices created by racial discrimination within legal structures of the nation faced a mass movement when African Americans and their allies, inspired by a sense of religious freedom, demanded change and transformation. Led, in part, by religious leaders, the freedoms demanded aligned with the freedoms of their faith. The Civil Rights Act of 1964, which outlawed segregation in the public sphere, employment discrimination on the basis of race, color,

religion, sex or national origin, is a direct result of African Americans asserting their rights to equality under the law as a God-given right sanctioned by the law of the land. Religious freedom and the dignity to enjoy the rights as every citizen and as human beings are co-constitutive for African Americans.

In our contemporary moment, religious freedom is fraught with cultural, legal and political problematics that reflect the deep ideological divides over race in America. Religious freedom is deployed as a weapon to reverse the legal gains achieved by African Americans and to restore a narrow and intolerant regime that denies religious diversity. Nonetheless, for African Americans religious freedom remains a viable tool for the advancement of equality and “justice for all.”

CHAPTER 3

African American Religious Thought and the Politics of Freedom

Eric Lewis Williams

One of the most gruesome tales ever told in the history of the modern world is that of the African presence on the continent of North America. For it was in Virginia, 1619, within the bowels of the hell of what would soon become the institution of North American chattel slavery, that the Black body would become subject to a premier site of violence in the “New World.” The sheer brutality of the physical violence visited upon Africans and their descendants — torture, maiming, beating, rape and killing, while enduring forced labor — placed the enslaved in a state that can arguably be described as “natal alienation” and “social death.”¹ With their bodies broken through the unrestrained violence of their white oppressors, and having been torn from their pasts and stripped of the possibility of hope for the future; the enslaved found themselves in a profound religious crisis, mourning what noted religious historian Albert Raboteau has called “the death of the gods” of their native Africa.²

¹ Orlando Patterson, *Slavery and Social Death: A Comparative Study* (Cambridge: Harvard University Press, 1982), 38.

² For a discussion of how the experiences of Middle Passage and Transatlantic enslavement impacted the religious systems of the enslaved, see the “Death of the Gods” chapter in Albert J. Raboteau, *Slave Religion: The “Invisible Institution” in the Antebellum South* (New York: Oxford University Press, 2004).

To further compound the existential absurdity in which the oppressed found themselves, Africans were forced to live, as one scholar notes, “the terror and frustration of day-to-day existence in a [world] in which the oppressor [was] identified as Christian.”³ Over and against the possibility of salvation offered to them in the world to come by their “Christian slave masters,” the enslaved would need redemption and salvation from both the bondage of sin and the sin of American bondage. A grammar would be required by enslaved Africans enabling them to articulate their desire for deliverance and redemption while living and dying in Black bodies marked for death. This essay explores grammar of freedom and modes of theologizing that enabled Africans and people of African descent in America to engage in liberatory theological discourse under conditions of oppression in their quest for freedom.

In his very insightful and thought-provoking book, *Under Their Own Vine and Fig Tree: The African-American Church in the South, 1865-1900*,” American cultural historian William Montgomery maintains that within the earliest incarnations of “Black evangelical Protestantism” in North America “the role of redemption was transformed into ‘rituals of experience.’”⁴ These rituals, which the enslaved named through the creation of a liminal discourse of fragmentary, creolized, cultural and biblical language, would be the first grammar of Black theological reflection on these shores. Armed with this new theological grammar, the enslaved would now theologize

⁴ William E. Montgomery, *Under Their Own Vine and Fig Tree: The African - American Church in the South, 1865-1900* (Baton Rouge: Louisiana State University Press, 1994), 267.

on and in their own terms. It was this language that enabled them to speak of experiences of soul-freedom, soul-flight and of subterranean movements of Spirit within their souls.

Nominating such deeply moving religious experiences as “getting happy,” “coming through ligion,” “being converted” and “being struck dead by God,” Christianized Africans developed a grammar to speak of the God who sustained them amidst the fetters and the tribulations of American slavery.⁵ It was within this crucible of Black existence that New World Africans would reflect upon both the absence and hidden presence of God. This marked the space where the nascent theological reckonings of Africans in America would begin.

The Black Church in North America, one of the oldest and most enduring institutions in the Americas, would continue its theologizing in this mode of theological reflection. As time passed, professionally trained African American theologians would take up the task of rendering a unique African American theological voice. These witnesses would help the descendants of the enslaved understand the human and social dimensions of their oppression and provide a rich grammar for a Black theological imagination that would join the fight for Black liberation.

The history of African American theological discourse exhibits three distinctive intellectual trajectories.

⁵ For a discussion of the religious language of the enslaved Africans, see Clifton H. Johnson, *God Struck Me Dead: Religious Conversion Experiences and Autobiographies of Ex-Slaves* (Cleveland: Pilgrim Press, 1969).

The first of these trajectories was theologically sensitive social scientific studies of Black life that were inclusive of Black religion. Before the appearance of any formal African American theology, “it was the tradition of African American sociologists undertaking the task of critique of American society who ... provided a meaningful structure for an ameliorative form for African American communities in the United States.”⁶ Sociological studies by these early scholars provided indispensable insights into Black social life and religious experience. According to Charles Long, “[A]s sociologist[s], they operated out of an empirical epistemology and had little use for religious meaning except as an institutional and often residual form of African American religious life.”⁷ While these scholars were laying the foundation upon which other formal Black theological studies would build, the fact that religion was not primary in their analysis limited the contributions they would make in the development of Black theology. Their greatest value was the fact that their published works would be vital in framing debates about Black freedom and equality in America.

The second intellectual trajectory are works of a more theologically sensitive cadre of Black religious intellectuals whose writings paid greater attention to the theological nuances within the Black religious community. Exemplary in this group is the African American mystic and social critic Howard Thurman. Unlike the first group of Black social

⁶ Charles H. Long, “African American Religion in the United States of America: An Interpretive Essay,” *Nova Religio: The Journal of Alternative and Emergent Religions*, 7.1 (2003), 11.

⁷ *Ibid.*, 11.

scientists who were not explicit in reflecting upon religious meaning, this second group of scholars “raised the issue of theology within the context of the Black experience.” According to Long, “Howard Thurman’s several works over a span of half a century drew heavily upon the Black experience for content and method of Benjamin E. Mays and Joseph W. Nicholson’s work on *The Negro’s God*.”⁸ This second group of pioneering Black religious thinkers, unlike the scholars that performed earlier studies, had each received theological training or some training in religious studies. This group would take seriously the faith claims of the members of the Black religious communities and the ways in which these claims provided meaning and provided order to Black lives. This group also seriously considered the ways in which Black faith empowered their quest for human equality and liberation.

The third intellectual trajectory consists of Black religious intellectuals whose theological writings also prefigure the advent of modern Black theology. This group includes African American scholars formally trained within the disciplines of philosophy and theology. These individuals entered onto the American theological scene in the days following World War II. Though remaining engaged within the life of the Black church as ministers, denominational executives and pastors, these exceptional individuals such as J. Deotis Roberts, Pauli Murray and Martin Luther King Jr., would choose as their interlocutors theologians

⁸ Charles H. Long, *Significations: Signs, Symbols and Images in the Interpretation of Religion* (1986; Aurora: Davies Group Publishers, 1999), 204.

and philosophers of continental Europe and their North American counterparts. Engaging intellectual traditions such as personalism, existentialism, neo-orthodoxy and phenomenology, these individuals would become fluent in the discourses of classical western philosophy and theology. Though the Black religious experience was not the primary focus of their theological research and writing, these scholars contextualized their theological learning in different ways in their ministries and life-time engagement within African American religious contexts. By virtue of their deep engagement in the life of Black religious communities and the insights they brought to bear in their quest for producing an alternative grammar for liberatory discourse, they modeled and galvanized a new generation of activists, scholars, preachers and lay practitioners. These intellectuals modeled new ways of thinking and talking about Black freedom in a moment of emerging Black consciousness while broadening the contours of theological discourse. These scholars continued to utilize the tools of the philosophical and theological trajectories in which they were tutored to address the pastoral and existential issues relevant to the Black communities they served.

African Americans have been engaging in serious theological reckoning in America since their arrival in Virginia in 1619. As this essay demonstrates, Black theological reflection has provided African Americans with a grammar and model for a theological discourse of freedom. In addition, it offers a

radical grammar for discussing the terms of Black oppression and liberation. The varieties of Black theological reflection represent new and necessary dimensions of the Black theological imagination in furthering the cause of freedom and liberation — in a grammar of its own.

CHAPTER 4

The Black Church and Religious Freedom

Sharon J. Grant

Dr. Corey D. B. Walker opened a conversation about African Americans and religious freedom by raising the question, “How should one develop a narrative of religious freedom informed by an African American perspective”? The role of religion and ritual cannot be overstated in the work of meaning making and identity formation in understanding the African American quest for full citizenship and use of “religious freedom talk.” The Black Church, as historic repository of sacred rhetoric and rituals of religious expression within Black culture, is a central place to begin exploring the contours of Walker’s question. Albert Raboteau’s classic text, *Slave Religion: The “Invisible Institution” in the Antebellum South*, provides a detailed analysis of the evolution from African spiritualities to evangelical Christian communities.¹ Secret gatherings of enslaved persons, led by preachers chosen from among the enslaved community, preached the good news of salvation without compromise and affirmed the humanity

¹ See Albert J. Raboteau, *Slave Religion: The “Invisible Institution” in the Antebellum South* (1978; New York: Oxford University Press, 2004).

of Black people. The “Invisible Institution” also gave birth to religious expressions of liberation that translated to a socio-economic liberation from a condition of dehumanization and exploitation.

In the 21st century, the Black Church maintains its place and status in giving expression to the African American quest for freedom and dignity. In his essay, “Civil Rights – Civil Religion: Visible People and Invisible Religion,” Charles H. Long explores the themes of concealment and invisibility in the language often used to describe American religion and, by extension, American ideas of religious freedom. Long writes, “Our first task, it seems to me is to ask how certain groups were rendered ‘invisible’ in the historical narrative and cultural symbols of the American majority.” Long turns to Ralph Ellison’s novel *Invisible Man* to exemplify his line of thinking:

I am invisible understand, simply because people refuse to see me ... When they approach me they see only my surroundings, themselves or figments of their imagination – indeed, everything and anything except me ... That invisibility to which I refer occurs of a peculiar disposition of the eyes of those with whom I come in contact. A matter of construction of the *inner* eyes, those eyes with which they look through their physical eyes upon reality...²

² Charles H. Long, “Civil Rights – Civil Religion: Visible People and Invisible Religion,” in Russell Richey and Donald G. Jones, eds., *American Civil Religion* (New York: Harper & Row, 1974), 213-214.

Long concludes his essay by offering a reinterpretation of American civil religion that challenges scholars to “tell the true story of American people beyond concealment and invisibility.” The Black Church emerges as a sacred space that empowers Black people to act to secure their political rights as citizens and human beings in America. As the locus of the 20th century Civil Rights Movement, the Black Church challenged the United States to recognize the full humanity of African Americans in building a full and robust democracy.

The Black Church as locus for the African American quest for political freedom also plays a critical role in redefining conceptions of religious freedom. Tisa Wenger’s *Religious Freedom: The Contested History of an American Ideal* delves into the intersectionality of race, religion and empire to explore the ways through which the idea of religious freedom has always been contested in American history. Focusing on the decades between the Spanish-American War of 1898 and World War II, Wenger asks how diverse groups of Americans — Protestants, Catholics, Jews, Filipinos, Native Americans and African Americans — with various religious commitments utilized the ideal of religious freedom. More often than not, “religious freedom talk” privileged and prioritized the dominant interests of Protestant white Christians. However, minority groups at home and colonized people abroad invoked and reinterpreted the ideal to defend themselves, assert their humanity and demand right to full citizenship with a rhetoric of resistance.

African Americans' use of religious freedom talk was deployed in waging the struggle for full African American citizenship. The Rev. Dr. Charles Harris Wesley, eminent historian, college president, African Methodist Episcopal pastor and presiding elder in the Washington Conference of the African Methodist Episcopal Church, is exemplary in this regard. Wesley's 1944 essay, "The Negro has Always Wanted the Four Freedoms," expresses the African American quest for freedom includes attention to freedom of worship.³ Despite Wesley's challenge, Wenger correctly reminds us that "[t]he larger society insistently defined and denigrated African Americans as a racial minority rather than as a religious one. For all these reasons and more, religious freedom did not provide the primary lens through which African Americans articulated their concerns."⁴ In other words, while other religious communities, such as Catholics and Jews, could demand and receive full citizenship through the invocation of their First Amendment rights to religious freedom and their white racial identity, African Americans' appeals did not operate in an analogous fashion. The concealment and invisibility of non-Europeans in American notions of civil religion made African American claims to constitutional rights through the language of religious freedom ineffective. Indeed, the fundamental contradiction between the nature of Black freedom and the narrative of religious freedom is deep.

³ Charles H. Wesley, "The Negro Has Always Wanted the Four Freedoms," in Rayford W. Logan, ed., *What the Negro Wants* (1944; South Bend: University of Notre Dame, 2001), 90-112.

⁴ Tisa Wenger, *Religious Freedom: The Contested History of an American Ideal* (Chapel Hill: University of North Carolina Press, 2016), 189.

The importance of ritual in the Black Church, and as a formidable weapon in the quest for African American full political and socio-economic inclusion in the United States, can aid to re-center the meaning of freedom in American religion. Historian Julie Saville's essay, "Rites and Power: Reflections on Slavery, Freedom and Political Ritual," examines several speech-acts that formerly enslaved people performed to exercise their freedom as citizens in the aftermath of the Civil War. Saville's account of ritualized public behavior admits to the fragmentary nature of evidence, yet, she reminds us that "examining forms of political expression other than voting by ballot can shed light on the means by which and the purposes for which socially subordinate groups, in this instance former slaves, acted to effect social change."⁵ The ritual of collective singing of the African American National Anthem in the Black Church and other Black institutional spaces is indicative of the religious and political power and potency of rituals. "Lift Every Voice and Sing" traces its roots to a 1900 celebration of Abraham Lincoln's birthday in Jacksonville, Florida.⁶ James Weldon Johnson wrote the poem for the occasion and his brother, J. Rosamond Johnson, set it to music. African American experiences in this country are captured in the words and spirit of the song. The ritual of singing it together in the Black Church affirms that there is space for everyone's voice to contribute to the building of the nation. This ritual, properly understood, allows all to be seen and heard. In

⁵ Julie Saville, "Rites and Power: Reflections on Slavery, Freedom and Political Ritual," *Slavery & Abolition: A Journal of Slave and Post-Slave Studies* 20.1 (1999), 81-102.

⁶ See Imani Perry, *May We Forever Stand: A History of the Black National Anthem* (Chapel Hill: University of North Carolina Press, 2018).

so doing, the Black Church offers us a new perspective to develop a broader narrative of religious freedom in the United States.

CHAPTER 5

Religious Freedom and the Black Church Today

William H. Lamar IV

As one privileged and burdened to do pastoral ministry in the context of the fading American imperium, the concept of religious freedom strikes me as another rhetorical arrow in the quiver of nationalistic propaganda. I am not moved by a nation that trumpets liberty while exterminating First Nations people, brutally enslaving and extracting labor from Africans and crushing the poor masses by hocking the universal benefits of capitalism. I am not swayed by the language of prosperity as measured by soaring stock prices while workers are stripped of living wages, health care and pensions amid the largest accumulation of wealth by the top 1 percent. These are the savage repercussions of the deepest economic inequality this nation has known since the Gilded Age. I am theologically unimpressed, even dismayed, by the ubiquitous political incantation “God bless America.” The God in whose name I minister is not the same god American capitalists use to bless their exploits domestically and abroad.

American notions of liberty, prosperity and the divine are ideas that can mean everything and nothing at the same time. Who defines these terms? The National Rifle Association supports liberty. The Black Lives Matter movement supports liberty. The Koch brothers are all for prosperity. So are Angela Davis and Noam Chomsky. Jerry Falwell Jr. believes the divine hand is upon America; so does Jeremiah A. Wright Jr. But this divine hand is not engaged in the same activities. These terms — liberty, prosperity, God — are blank screens upon which we project dreams and nightmares. For me, the concept of religious freedom is of the same dubious pedigree. It means nothing. It means everything. Under most circumstances, I want nothing to do with this term. There are other rhetorical choices, choices not rooted in the language of American imperial sloganeering.

Can the work of advocates for religious freedom redeem this fraught ideal? My limited engagement with a group of advocates advancing unique perspectives of African Americans on religious freedom have yielded something akin to hope. I have met interesting persons of all creeds and of no creeds. I have talked with people who, like me, had been nurtured within Judeo-Christian frameworks. I have had rich dialogue with Muslims, Buddhists, humanists, atheists and agnostics. I witnessed a tapestry of relationships and faith traditions being woven together in meaningful ways. I saw a vision of what living together under God could mean. While I remain unconvinced that religious freedom is the right

language, I saw a possibility of the welcome table for which we in contemporary Black churches yearn.

Black people offer many unwanted gifts to the American empire — our hermeneutic of suspicion concerning all things American, our refusal to believe everything that the American empire says about itself and our creation of theology, art and culture that does not shrink in the face of perpetual assault. Black churches bring this hermeneutic of suspicion to our wrestling with notions of religious freedom. For us, freedom is something the American empire cedes reluctantly, only to protect itself after prolonged fighting, civil disobedience and organizing on our part and the part of our allies. And then America works like hell to take back what has been ceded. Voter suppression and the rise of the prison-industrial complex in our day are but two examples of the American commitment to keeping Black people “in our place.”

Tisa Wenger’s *Religious Freedom: The Contested History of an American Ideal* reveals a historically nuanced and textured view of this concept. Her thoughtful work holds together two realities. Religious freedom has aided and abetted American empire; but it has also been used by myriad groups to press their claims for full humanity and the right to citizenship regardless of their beliefs. Wenger’s interrogation of “how the discourses of religious freedom have historically intersected with American formations of race and empire”¹

traces how this ideal was manipulated for racial and imperial ends. She writes: "... the dominant varieties of American religious freedom talk were configured, more often than not, in ways that enabled imperial forms of domination."² This kind of religious freedom is dangerous for Black churches to embrace. Dylann Roof knew that the hearts and minds of Black church folk are hospitable to the ideal of religious freedom. He took macabre advantage of our humanity at Mother Emanuel African Methodist Episcopal Church in Charleston, South Carolina. America's past and its Trumpian future render any principle with an intellectual genealogy tied to imperialism and settler colonialism problematic.

Reflecting upon Indigenous people, Africans and others, Wenger writes, "[R]acialized minorities and imperial subjects regularly invoked and reconfigured this ideal [of religious freedom] to serve their own liberatory projects. But their efforts were invariably limited by the constraints of the larger society."³ This is certainly true of my own people's sojourn in this land. I am always careful not to rob my ancestors of their agency. Many things were done to them, but they always pushed back. There has always been just enough religious freedom in America for Black folk to nourish dreams of freedom, but hardly ever enough religious freedom for those dreams to be fully realized. This conundrum is, in essence, the foundation upon which my reluctant identification with the ideal of religious freedom

¹ Tisa Wenger, *Religious Freedom: The Contested History of an American Ideal* (Chapel Hill: The University of North Carolina Press, 2017), 14.

² *Ibid.*, 14.

³ *Ibid.*, 14.

rests — *who has unimpeachable, unassailable religious freedom in America?* Wenger reminds us that for Native Americans and Black nationalists it was curtailed. Who then can take this American ideal and use it to craft theological visions unmolested by imperial power? Can Black churches ever fully enjoy this ideal?

Wrestling with Richard T. Hughes's *Myths America Lives By* made clear to me that religious freedom is only extended without qualification to religions that propagate the illusions that nourish American empire. According to Hughes, those myths are the myth of the chosen nation, the myth of nature's nation, the myth of the Christian nation, the myth of the millennial nation, the mythic dimensions of American capitalism and the myth of the innocent nation. Hughes might not agree with how I have interpreted his work. He writes, "A true revolution of American values will not call on Americans to scuttle their national myths. Rather, a true revolution of values might well ask Americans to embrace the myths in their highest and noblest form. A true revolution of values will, however, ask Americans to embrace those myths with extraordinary humility."⁴ But true humility will never attend a culture that believes in and is organized around these notions. A national imaginary forged on the anvil of these myths will forever teach and never learn, will forever see the divine in itself and never among other human cultures. At the last, religious freedom will never be afforded to traditions that deviate from the

⁴ Richard T. Hughes, *Myths America Lives By* (Urbana and Chicago: University of Illinois Press, 2003), 195.

myths Hughes outlines. Religions that hold up a mirror to American empire are first cracked and often shattered by the machinations of the state.

So what of this ideal? Like all ideals, religious freedom will never be practiced perfectly. I am not an optimistic person. For me, optimism is anthropological. It depends upon fickle humankind. I am hopeful. Hope emanates from the very being of God. I will never fully embrace an American notion of religious freedom. That notion has been and is currently being used for violent, capitalist, imperial purposes. And the Black body has born these stripes and has yet to be healed. What I hope for is a world absent religious chauvinism and hegemony donning religious garb, a world where the joy I find in learning from other human beings and their traditions is possible.

The welcome table envisioned by my ancestors awaits. Let us all, regardless of creed, choose our seats and sit down.

CHAPTER 6

Race, Religious Pluralism and Religious Freedom

Rahmah A. Abdulaleem

How will history view the events of 2020? Will we remember the devastating effects of COVID-19 on the African American community, including on African American churches, masjids, temples, synagogues and other religious organizations? Will we remember George Floyd, Ahmah Arbery and Breonna Taylor in the manner that Emmitt Till is remembered by generations past? Will we remember the Black Lives Matter movement as a global movement against anti-blackness and as an extension of the long Black freedom struggle?

At this critical moment in history, African Americans are seeking change in America. For African American youth and young adults, this is their moment and their movement. Born in the decades after the eclipse of the Civil Rights Movement, these generations are reinvigorating the spirit of our ancestors in reaffirming Black humanity. For too long, African Americans have been fighting against being treated

as less than human. Race and religion have played integral roles in this inhumane treatment. Race, religious freedom and religious pluralism are central to the narrative of the United States. The history of African Americans serves as a stark reminder of how American ideals of religious freedom and religious pluralism have failed to be realized in the lives and aspirations of these citizens.

African Americans were not the intended beneficiaries of the First Amendment. At the time of the drafting of the Constitution, African Americans were considered property and not citizens with rights or a legitimate religious identity. “Early modern European cultural and legal norms used the Bible to define the limits of slavery, holding that the ‘heathen’ could legitimately be enslaved while Christians could not.”¹ These cultural and legal norms were transported to a newly “discovered” America. The framers of the United States Constitution and the Bill of Rights expounded on these ideas and norms when drafting this country’s foundational documents. “In the colonial period, the development of slavery as a race-based institution drew on newly articulated Enlightenment ideologies of religious freedom.”² Christianity and the Bible were twin pillars that served to justify the institution of chattel slavery in the United States. Slaveholders also used the concept of religious freedom to refute arguments made by abolitionists questioning the slaveholders’ religious expression because of the fact that slaveholders used the Bible to justify the

¹ Tisa Wenger, “American Religious Freedom: Pride and Prejudice,” *Reflections: A Magazine of Theological and Ethical Inquiry from Yale Divinity School*, Yale University 2013, 1.

² *Ibid.*, 1.

enslavement of Africans.³ This aspect of American history must be confronted when engaging the foundations of religious freedom and religious pluralism in the United States.

Today, African Americans practice a diversity of religious traditions and belong to a variety of faiths. One can find African Americans Protestants of all denominations, Catholics, Jews, Muslims, Baha'is, Hindus, Buddhists, Atheists, Agnostics, Free Thinkers and Non-Believers. From the founding of the nation, there were many non-Christian Africans among the enslaved. Indeed, scholars have estimated that between 15 percent and 30 percent of enslaved Africans in Colonial America and the Early Republic were Muslim.⁴ This is important to remember in our current moment when Muslims are deemed the Other and looked upon as recent immigrants to this country despite the extensive history and presence of African Muslims and their descendants throughout American history. Indeed, many African Americans have ancestors who were enslaved Muslims.

There have also been several African American movements that highlighted African American Muslim ancestry. A classic

³ “Not only did Southerners invoke scriptural precedents to defend slavery, they also claimed that abolitionists infringed upon their religious freedom. They maintained that abolitionists were interfering with their right to follow their conscience on the issue by advocating for the position that slavery was a sin in and of itself.” Jacqueline C. Rivers, “The Paradox of the Black Church and Religious Freedom,” *University of St. Thomas Law Journal*, 15 (2019), 682.

⁴ See for example Allan D. Austin, *African Muslims in Antebellum America: Transatlantic Stories and Spiritual Struggles* (New York: Routledge, 1997), Sylviane A. Diouf, *Servants of Allah: African Muslims Enslaved in the Americas* (New York: New York University Press, 2005), Michael A. Gomez, *Black Crescent: The Experience and Legacy of African Muslims in the Americas* (Cambridge: Cambridge University Press, 2005), and Precious Rasheeda Muhammad, *Muslims & the Making of America* (Washington, D.C.: Muslim Public Affairs Council, 2013).

example is The Nation of Islam.⁵ While some may consider The Nation of Islam as a civil rights or Black Power group, The Nation of Islam can justly be viewed as a religious movement. There are African Americans who have Muslim names like Khadijah, Ayisha, Rashid and Khalil. Many of those naming practices can be attributed to influence of The Nation of Islam on the African American community in the 1960s and 1970s. This practice can be considered an example of religious pluralism within the African American community.⁶

In addition to Islam, enslaved Africans had a great variety of religious practices and traditions. Some were indigenous African practices and some included Christian practices. This diversity of religious practices among African Americans continues to this day. “Religion, race and ethnicity are types of cultural groupings and consequently are important sources of self-definition; they serve as reference points of identity from an individual and others.”⁷ Too often, differences between religious practices are viewed negatively. Ideally, this is not the aim of religious pluralism. “Descriptively, religious pluralism is a state of affairs that exists in human communities made up of

⁵ See for example Edward E. Curtis IV, *Black Muslim Religion in the Nation of Islam, 1960-1975* (Chapel Hill: University of North Carolina Press, 2009), Garrett Felber, *Those Who Know Don't Say: The Nation of Islam, the Black Freedom Movement and the Carceral State* (Chapel Hill: University of North Carolina Press, 2020), and Ula Yvette Taylor, *The Promise of Patriarchy: Women and the Nation of Islam* (Chapel Hill: University of North Carolina Press, 2017).

⁶ “In normative religious pluralism, religious diversity is encouraged and protected by social practices and sometimes by law. Religious diversity is held to be a positive force in social life, giving moral and spiritual depth to civic discourse, enriching personal and family life, and even making diverse religious communities themselves better representatives of their faiths and traditions.” See Robin W. Lovin, “Symposium on Religion, Religious Pluralism and The Rule of Law: Religion and Political Pluralism,” *Mississippi College Law Review* 27.1 (2007).

people who have different religious beliefs, backgrounds and ways of expressing their convictions.”⁸ Religious pluralism should focus on the beauty of the diversity of religious expressions among African Americans. It should not matter if an individual is a Christian or a Muslim. With their religious garb, some African Americans can be identified for their religious beliefs. For example, with their heads wrapped with scarves or hijabs, African American Muslim women are identifiable as both African Americans and as Muslims. However, in a nation where race remains a major impediment to a flourishing religious pluralism, racial identity often trumps religious identity.

During the Civil Rights Movement, the Black Church was a center of activity because many of the leaders of the movement were religious leaders. In Minneapolis, Al-Maa’uun, a Muslim organization housed Masjid An-Nur to help the people of Minneapolis through its “We Can’t Breathe” campaign. These are but two examples of how African American faith communities respond in times of crisis. They also exemplify the beauty of religious pluralism in the African American community. African Americans have survived more than 400 years of slavery followed by systemic oppression and anti-black racism by relying on their religious faith — whatever that faith may be. In all, African Americans have used religious freedom and drawn on their own religious pluralism to survive and thrive in America.

⁷ Tseming Yang, “Race, Religion and Cultural Identity: Reconciling the Jurisprudence of Race and Religion,” *Indiana Law Journal*, 73.1 (1997), 128.

⁸ Robin W. Lovin, “Symposium on Religion, Religious Pluralism and The Rule of Law: Religion and Political Pluralism,” *Mississippi College Law Review* 27.1 (2007).

CHAPTER 7

Race, Advocacy and the Limits of Religious Freedom

Sabrina E. Dent and Keisha I. Patrick

Why do African American perspectives matter when discussing religious freedom? The answers are as simple — and as complex — as recognizing important voices on issues involving religion and as complex as unpacking centuries of state-sanctioned slavery, discrimination and racism on what it means to be a citizen in the United States. In his 1903 classic, *The Souls of Black Folk*, W. E. B. Du Bois penned these now famous words:

“This history of the American Negro is the history of this strife — this longing to attain self-conscious manhood, to merge his double self into a better and truer self. In this merging he wishes neither of the older selves to be lost. He would not Africanize America, for America has too much to teach the world and Africa. He would not bleach his Negro soul in a flood of white Americanism, for he knows that Negro blood has a message for the world. He simply wishes

to make it possible for a man to be both a Negro and an American, without being cursed and spit upon by his fellows, without having the doors of Opportunity closed roughly in his face.”¹

Du Bois’s expression of African American “double-consciousness” not only captures a critical dimension of the African American — and other people of color — experience in the United States, it also characterizes the history, significance and relevance of the First Amendment in their lives. For centuries, groups have passionately exercised the five freedoms of the First Amendment — religion, speech, press, petition and assembly — to affirm and advocate for their basic human rights. Today, many Americans celebrate diversity and embrace the ideals of religious freedom, but too often racial and religious minority groups are negatively impacted by policies which assault salient aspects of their identity and undermine their sense of community. African Americans of all religious identities and none continue to struggle with the realities and implications of America’s flawed Constitutional foundation and contested history of religious freedom.

It is important to critically examine religious freedom informed by African American perspectives because it provides elected representatives, policy makers, public officials, advocates and citizens with a unique perspective for understanding the limits of our conceptions of religious freedom. In addition, when we consider African American

¹ W. E. B. Du Bois, *The Souls of Black Folk*, ed. Henry Louis Gates Jr. and Terri Hume Oliver (1903; New York: Norton, 1999), 10.

perspectives on religious freedom, we are empowered to lift every voice that has been negatively impacted by acts of racial *and* religious discrimination and bigotry. Indeed, as Dr. Corey D.B. Walker has argued, “You cannot have a conversation about religious freedom without Black people.”² In amplifying this critical point, it is vital that our society does more than revisit the year 1619 when the first enslaved Africans arrived in British North America at Point Comfort, Virginia. We must wrestle with the ideas and legacies of a society that viewed Africans and persons of African descent as less-than human — without families, histories, cultures, languages and, most importantly in this context, religions. The history and legacy of treating people as cargo and as property codified under law requires us to develop a robust critique of not only American history, but also America’s moral and intellectual imagination that gave political expression to these ideas and practices in the founding documents of the nation. Indeed, the United States Constitution, as the written supreme law of the land, outlined who would legitimately govern the country without consideration of women, enslaved Africans or Indigenous people. It set the foundation and structure for America’s malignant way of functioning, which incorporates the history and practices of religious freedom.³

Throughout American history, white Christians have asserted religious freedom in ways that dehumanize African Americans, including justifying slavery and Jim Crow.⁴ In

² As quoted in Sabrina E. Dent, “Lifting Every Voice in Religious Freedom,” *Inside the First Amendment* (Washington, D.C.: Freedom Forum), February 13, 2020.

³ See Michael J. Klarman, *The Framers’ Coup: The Making of the United States Constitution* (New York: Oxford University Press, 2016).

our contemporary moment, new forms of marginalization informed by invocations of religious freedom often reflect policies that disproportionately impact access to affordable health care and education for African American women, children and families. In April 2020, the United States Supreme Court heard oral arguments in the case *Trump v. Pennsylvania*. The case had implications for affordable and reproductive health care that would allow employers and universities to use religion to deny workers and students access to birth control.⁵ The Trump administration prioritized the religious freedom of employers over employees' freedom of conscience and choice. When people's lives and livelihoods are threatened, society has an obligation to speak up and advocate. Access to birth control is an issue of affordable health care as well as a religious freedom issue. In addition, these policies intersect with issues of reproductive justice and are human rights concerns for African American women, women of color, LGBTQ people and the working poor. This argument demands that religious freedom advocates understand the complex and contested history of religious freedom in order to comprehend how and in what ways religious freedom advocacy for African Americans necessarily connect with broader concerns about justice.

Religious conservatives in the United States, who are primarily identified as white evangelical Christians, dominate

⁴ See Tisa Wenger, *Religious Freedom: The Contested History of an American Ideal* (Chapel Hill: University of North Carolina Press, 2017).

⁵ Liz Hayes, "Access Denied: The Supreme Court Is Hearing A New Birth Control Case — Are More Restrictions Ahead?" *Church & State Magazine* (April 2020) available at <https://www.au.org/church-state/april-2020-church-state-magazine/featured/access-denied-the-supreme-court-is-hearing-a>.

the public discourse of religious freedom in America. They have narrowly framed religious freedom issues of abortion and overturning the landmark 1973 Supreme Court *Roe v. Wade* decision. Yet religious conservatives have shown little to no concern for broader issues of health disparities that affect African Americans and other people of color. For example, in 2017 the Centers for Disease Control and Prevention reported that the infant mortality rate for African Americans is 2.3 times higher than for whites, and the African American maternal mortality rate is three times higher.⁶ Thus, when highlighting the history and experiences of African Americans, reproductive freedom cannot be approached through a narrow conception of religious freedom, particularly in the manner of religious conservatives. Religious freedom and reproductive justice are about all women being empowered to make decisions about their bodies and their health so that they may thrive in spite of a history of denigration and discrimination. This translates into adequate medical facilities, practices and programs that strive to eliminate health disparities for African Americans and all people. In many ways, this is an advocacy that affirms the dignity of all people to live out religious freedom fully and freely in all aspects of their lives.

African American perspectives on religious freedom are significant in light of ongoing public concern over racial and religious violence. African Americans of various religious

⁶ See Joyce A. Martin, et. al., "Births: Final Data for 2017," *National Vital Statistics Reports* 67.8 (November 2018), 1-49 and Gianna Melillo, "Racial Disparities Persist in Maternal Morbidity, Mortality and Infant Health," *AJMC* (June 13, 2020) available at <https://www.ajmc.com/view/racial-disparities-persist-in-maternal-morbidity-mortality-and-infant-health>.

traditions and none have been targets of racial and religious terrorist attacks. Whether it was members of the Moorish Science Temple of America in the 1920s and 1930s, whose ethno-religious identities were reduced to being simply cultural, or the first documented attack on a Black church – Emanuel African Methodist Episcopal Church – in 1822, these violations of African American religiosity were intended to deny their right to exercise religious freedom and must be remembered, recognized and addressed. Examples of religious preference and religious discrimination towards African Americans who identify as religious minorities became central in the 2019 Supreme Court ruling in the case of *Dunn v. Ray*. In this case, Domineque Hakim Marcelle Ray, an African American Muslim on death row in Alabama, requested the presence of his imam in the death chamber. The Holman Correctional Facility where Ray was being held would only grant the presence of a Christian chaplain. Ray submitted an application for a stay of execution. However, in a 5-4 ruling, the United States Supreme Court decided in favor of the State of Alabama, citing that Ray waited too late to submit his application.⁷ Hours after the decision, Ray was executed with his imam only allowed to stand outside the execution chamber.

Scholars, activists, policymakers and religious leaders must be diligent in their efforts to reimagine the role of advocacy for religious freedom by disrupting processes, procedures and practices that deny a full expression of religious

⁷ Rob Boston, “Supreme Court Denies Alabama Inmate’s Request For Imam,” *Church & State Magazine* (March 2019) available at <https://www.au.org/church-state/march-2019-church-state-magazine/au-bulletin/supreme-court-denies-alabama-inmates>.

freedom for all Americans. America's complicated and hostile history towards African Americans and religious freedom creates an opportunity to fundamentally rethink religious freedom that incorporates the practices and ideas informed by diverse religious, cultural and ethnic perspectives. Religious freedom must never be a weapon used to cause harm to others or to discriminate. If we are committed to protecting religious freedom as a constitutional and human right for all, then we must raise awareness about the experiences and perspectives of all. In this manner, African American perspectives on religious freedom point us in a direction we may all travel together.

CONCLUSION

Beyond a Politics of Nostalgia: Religious Freedom and the Ends of Democracy

Corey D. B. Walker

This collection of essays forces us to confront a most challenging question: How do we narrate religious freedom in the United States? It is this critical question which invites us to interrogate the traditional narrative of religious freedom in the United States. To be sure, narratives of religious freedom animate and inform some of the basic structures of the foundational discourses of America — democracy, freedom and liberty. If we are to narrate a history of religious freedom — *a critical narration* of religious freedom — then we are always already implicated in rethinking the foundations of the American experiment with democracy. In her recent book, *Religious Freedom: The Contested History of an American Ideal*, Yale University scholar Tisa Wenger writes:

Americans have long championed the freedom of religion as a defining national ideal. Since the time of the Revolution, pundits and politicians

have celebrated this freedom as a pioneering achievement, a signal contribution to the larger causes of liberty and democracy around the world.¹

Wenger highlights the centrality of religious freedom to the self-understanding and narrative of the nation. In the standard narrative, religious freedom is not only constitutive of the nation, but is also part and parcel of the global projection of a distinctively American understanding of liberty and democracy. Indeed, America *uniquely* instantiates liberty and democracy because of its unequivocal embrace of religious freedom. But does such a narrative — the *narrative* — fully capture the range of meanings of religious freedom? What happens when we begin to think of religious freedom from the underside of democracy?

African Americans and Religious Freedom: New Perspectives for Congregations and Communities is a provocation for excavating the multiple ideas and meanings that are captured in a concept and discourse that resists revision. Indeed, the experiences of African Americans and religious freedom in America are echoed by other racial and religious minorities when engaging the inadequacies of the traditional narrative of religious freedom in the United States.

Two decades ago, at the third Parliament of World Religions in Capetown, South Africa, a group of Native leaders from America shared “the seldom-heard Indian side of the

¹ Tisa Wenger, *Religious Freedom: The Contested History of an American Ideal* (Chapel Hill: University of North Carolina Press, 2017), 1.

story about America's much-vaunted religious freedom."² In a session titled, "America's Shadow Struggle," these leaders shared alternative experiences and understandings of religious freedom beyond the legitimate discourse of religious freedom. By reframing the discourse of religious freedom to focus on their extensive history and experience, these leaders effectively demonstrated how the dominant discourse of religious freedom fails to fully capture the experiences of a pluralistic polity.

These Native leaders remind us that our commonplace understanding of religious freedom is insufficient in light of America's complex and contested history. Indeed, the ways in which we conceive of religious freedom are organically linked to how we understand what it means to be a citizen, what it means to be a democracy and, ultimately, what it means to be human.

The example of these Native leaders more than two decades ago reminds us that Indigenous as well as enslaved and other marginalized people, cultures, histories and ideas often frustrate and disrupt any nice and neat understandings of religious freedom. Whether we begin with the "golden age" of the founding of religious freedom in the time of the Early Republic, or engage the vigorous contemporary invocations of the necessity of fighting for a more robust religious freedom, the question of how we narrate and who we include in our narration of this concept is vital for understanding

² Houston Smith, *A Seat at the Table: Houston Smith in Conversation with Native Americans on Religious Freedom* (Berkeley: University of California Press, 2007), xiii-xiv.

how we mobilize a range of social, cultural and political ideas for our society and world.

To truly understand religious freedom in our pluralistic democracy requires broader perspectives and deeper understandings which result from a plurality of historical and conceptual models. By examining new sources and histories — such as how the discourse of religious freedom informed the political and legal strategies of the modern Civil Rights movement, as well as how it was deployed to maintain cultures of racial segregation — religious freedom will come to mean much more than what is captured and contained by the conventional categories that have authorized, governed and policed institutionally and juridically limited notions of religious freedom. In a moment when religious languages saturate our political discourse, a more critical understanding of how and in what ways religious freedom informs democratic politics is not just about politics, but about life itself. Thus, we face the urgent task of broadening rather than narrowing our understanding of religious freedom. Such a task is foundational for the future of American democracy itself. To be sure, the contest over the place of religion in American public life has its roots in the foundation of the republic itself. For Thomas Jefferson, America's empire for liberty would be characterized by a robust practice of religious freedom, the principles of which are enshrined in his Virginia Statute of Religious Freedom. For John Adams, religion was

necessary to secure the very foundation of freedom that Jefferson so desired. Both Jefferson and Adams recognized the explosive political power of religion. Their respective responses were an attempt to break with religious politics of the past and secure a public sphere free of the coercive effects of religion in the practice of democratic politics. Their respective responses continue to animate public life, but with a significant difference. If we seek such a critical narration, we need to break with the traditional narrative and proceed to not only re-narrate religious freedom, but to re-narrate American democracy itself. And as we are well aware, narrating a history of American democracy is far from simple and straightforward. American democracy is always up for grabs, is always contested, in ways that are not predictable or formulaic.

Our current battles over religious freedom are not just about a politics of God, Gods or no God. They are about the norms and rules that will authorize and govern our social and political lives. We need to formulate and embrace an understanding of religious freedom that moves from conceptual closure to democratic openness in ways that are not narrowly tailored, preconfigured ends. In this manner, the discourse of religious freedom will give voice to a new expression of democracy for an ever-widening circle of “We the people.” It is this spirit that undergirds *African Americans and Religious Freedom: New Perspectives for Congregations and Communities*.

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