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EDITORIAL

Symposium Introduction: Law, Christianity, and Racial Justice: Shaping the Future

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From the United States' inception to the present-day Christianity has played a profound—yet paradoxical—role in shaping both racial oppression and racial justice. As a dominant cultural power in the United States, Christianity played a central role in constructing and sustaining racial inequality and white supremacist ideology as part of a supposedly natural, divinely ordained social order.[1] At the same time, many mainstream Christians rejected white supremacy as antithetical to Christian teachings. Thus, Christian thinkers and pastors offered influential religious arguments in defense of slavery and (to a more limited extent) Jim Crow segregation but also played leading roles in abolitionist thought and, as seen in the towering moral triumph of American history, the Black freedom movement of the twentieth century.[2]

Despite Christianity's profound and complex historical influence on questions of racial justice, currently, only a relatively small and scattered body of scholarship meaningfully engages Christian theological and ethical traditions within race and law discourse. While important exceptions exist, the intersection has yet to cohere into a sustained scholarly conversation.[3] As a result, academic (and by extension, national) discourse on the intersection of

[1] Robert P. Jones, *White Too Long: The Legacy of White Supremacy in American Christianity* (New York: Simon & Schuster, 2020), 5–7.

[2] David L. Chappell, *A Stone of Hope: Prophetic Religion and the Death of Jim Crow* (Chapel Hill: University of North Carolina Press, 2004), 1–8, 87–100 (discussing Black Christianity's vital role in the civil rights movement of the 1950s and 1960s and describing the civil rights movement as a religious revival); Michael O. Emerson and Christian Smith, *Divided By Faith: Evangelical Religion and The Problem of Race in America* (Oxford: Oxford University Press, 2000), 21–49 (discussing Christianity's role in defending and opposing slavery and segregation and its vital contribution to the civil rights movement); Justin Taylor, "Is Segregation Scriptural? A Radio Address from Bob Jones on Easter of 1960," *Gospel Coalition* (blog) (June 26, 2016) (discussing Bob Jones's 1960 radio address defending segregation as biblically based), https://www.thegospelcoalition.org/blogs/evangelical-history/is-segregation-scriptural-a-radio-address-from-bob-jones-on-easter-of-1960/; David L. Chappell, "Religious Ideas of the Segregationists," *Journal of American Studies* 32, no. 2 (1998): 237–62, at 239–40 (noting that many southern clergy defended slavery but that in the middle of the twentieth century the southern white church did not widely and vigorously defend Jim Crow); see also John R. McKivigan, *The War against Proslavery Religion* (Ithaca: Cornell University Press, 1984).

[3] Notable examples of existing scholarship include the following: Anthony E. Cook, "Beyond Critical Legal Studies: The Reconstructive Theology of Dr. Martin Luther King, Jr.," *Harvard Law Review* 103, no. 5 (1990): 985–1044; Anthony E. Cook, *The Least of These: Race, Law and Religion in American Culture* (New York: Routledge, 1997); Brandon Paradise, "How Critical Race Theory Marginalizes the African American Christian Tradition," *Michigan Journal of Race & Law* 20, no. 1

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law, Christianity, and racial justice remains underdeveloped. Few works attempt to organize racial justice around the importance that many Christian traditions, including that of the Black church, attach to the dignity of the human person and to a vision of multicultural human community that transcends instrumental uses of religion and prioritizes love, interdependence, and shared flourishing. This gap in the academic literature has passively facilitated claims that critical race theory and Christianity are categorically opposed, which has, in turn, fueled backlash against efforts to produce more accurate historical narratives around race.

The limited role that Christianity has played in race and law scholarship has left the core normative resources of the Christian tradition that were the lifeblood of the civil rights movement of the 1950s and 1960s—the agape tradition, the redemptive possibilities in the intrinsic and unalienable value of all human beings, and a vision of universal brother-and-sisterhood—on the margins of academic discourse. A robust literature tapping these and other resources contained within the Christian tradition would enrich race and law scholarship and further efforts to secure a more just future.

The essays in this collaborative symposium of the *Journal of Law and Religion* and *Political Theology* help respond to this lacuna and result from a roundtable, "Law, Christianity, and Racial Justice: Shaping the Future," that we convened at Emory University School of Law on March 29, 2023. Recognizing the multidisciplinary nature of this intersection, we invited an interdisciplinary group of scholars from various fields, including law, sociology, history, political theory, and theology to gather for a roundtable and workshop featuring two keynote speakers: Reverend Dr. Bernice King, minister, peace advocate, and daughter of Reverend Dr. Martin Luther King Jr.; and Dr. Cornel West, philosopher, theologian, public intellectual, and political activist. The participants workshopped articles and essays addressing the symposium's theme, in dialogue with King's final monograph, his 1967 *Where Do We Go from Here: Chaos or Community?*[4] These symposium essays represent fruit from this gathering. Reflecting our interest in fostering a wider discussion of the symposium's theme, the project also includes a limited podcast series produced through the Center for the Study of Law and Religion's *Interactions* podcast and hosted on *Canopy Forum* (https://canopyforum.org/listen/), which features interviews with lawyer and human rights activist Bryan Stevenson, Bernice King, and womanist theologian and seminary president Dr. Kelly Brown Douglas.

King's *Where Do We Go from Here* appeared during a period, much like our own, of significant political turmoil and extreme political polarization. King's Christian, agape love-oriented vision of social change faced sharp critiques from militant, Black Power activists who championed a revolutionary politics that fused Black nationalist and Marxist critiques of racial and economic oppression. Amid growing disillusionment with the power of nonviolent direct action to address racial oppression and increasing rejection of King's emphasis on Christian love, non-Christian approaches to racial liberation, including the Black Power movement, gained increasing influence. The essentially redemptive character of King's work to move American society toward what he called the beloved community—a society organized around agape love and the dignity of the human person—was increasingly

(2014): 117–211; Robert Chao Romero, *Brown Church: Five Centuries of Latina/o Social Justice, Theology, and Identity* (Downers Grove: IVP Academic, 2020); Jennifer Lee Koh, "Race, Immigration Law, and Christianity: Reflections and Tensions Raised by United States v. Wong Kim Ark," *Political Theology* 23, no. 5 (2022): 471–81; Brandon Paradise, "Confronting the Truth: The Necessity of Love for Justice," *Journal of Law and Religion* 37, no. 2 (2022): 230–43; Brandon Paradise, "Bearing Witness to Truth: Christianity at the Crossroads of Race and Law," in *Christianity and the Law of Human Rights: A Tribute to John Witte, Jr.*, ed. Rafael Domingo and Gary S. Hauk (Leiden: Brill, 2024), 289–305. For a broader list of writings that explore intersections between race, religion, and law from various perspectives, see Paradise, "How Critical Race Theory Marginalizes the African American Christian Tradition," 124n22.

[4] Martin Luther King Jr., *Where Do We Go from Here: Chaos or Community?* (1967; repr., Boston: Beacon Press, 2010).

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eclipsed by calls for immediate, revolutionary liberation from racial oppression generally unconcerned with redeeming American society as a whole. King saw despair and bitterness, rooted in the continuing fact of overwhelming levels of oppression, as the reason for the shift away from the hopeful character that defined the civil rights movement between 1956 and 1965.[5]

Despite progress on some measures of racial inequality, racial injustice continues as a basic feature of American life. In the face of enormous racial disparities in a host of areas, including wealth, mass incarceration, health care, and many other spheres, it is no wonder that the despair and hopelessness King perceived in his time continue today. Together, these articles and essays explore three overlapping themes: theological and moral frameworks for justice, institutional and policy transformation, and legal-constitutional renewal.

The question of hope and despair is implicit, if not explicit, in the articles and essays that form this collection on the intersection of law, Christianity, and racial justice. Approaching the topic from diverse disciplinary and cultural perspectives and subject matter, each author explores the theme from their unique context and expertise, including constitutional law reform, housing, corporate responsibility, immigration, community policing, and property law. The articles and essays contributed to this symposium are intended to be introductory and can be read individually or in conversation with the others. Although diverse in both method and foci, a sense of a *realistic hope* that racial justice is possible and attainable constitutes a unitive thread.

Typifying the collection's realistic hope, Barbara Armacost, in "From Warriors to Servants: Romans 13 and a Theology of Policing," envisions a future where racially just American policing institutions practice and protect restorative justice.[6] She challenges Christians to a more robust, theologically sound, and lived theology of policing. She critiques as being misguided "law and order" arguments and religious justifications grounded in Romans 13:1–7 that some evangelical Christians invoke to justify destructive policing practices and law enforcement policies as fulfilling a "divinely appointed" role for preserving law and order and executing God's judgment against wrongdoing/doers. Instead, Armacost's interpretation of Romans 13 offers a theology of policing that seeks to overcome racialized policing practices and tactics that uphold social hierarchy and perpetuate inequality between wealthy and marginalized communities.

Glenn E. Bracy II, Tryce Prince, Isaiah Jeong, Rory Kramer, and Michael Emerson's, "Is Racial Justice a Gospel Issue? Mapping the Relationship between Race, Christianity, and Justice" draws on a 2019 national survey of culturally diverse Christians to explore how the relationship between religiosity, evangelical beliefs, and Christian nationalism shape Americans' views of racial justice differently by race and ethnicity.[7] The authors ask three questions: (1) "to what extent do Americans recognize the U.S. has a national race problem," (2) "to what extent are they motivated to address the problem," and (3) "how does Christian religiosity affect their views." They find that "[f]or Black Christians, Church is a motivational venue for action." In contrast, "white churches serve to provide barriers to racial justice efforts," even as greater individual religiosity can bring white evangelicals to the same level of motivation to address racial injustice as non-Christians or atheists. Bracey and colleagues show that shaping a racially just future depends upon paying greater attention to what motivates people of faith and today's more diverse electorate to seek racial justice, since religion can exert a powerful

[5] King, *Where Do We Go from Here*, 45–46.

[6] Barbara Armacost, "From Warriors to Servants: Romans 13 and a Theology of Policing," *Journal of Law and Religion* 39, no. 3 (2024) (this issue). Unless noted otherwise, all quotations in the discussions of each contribution to the symposium are to that author's article.

[7] Glenn E. Bracy II, et al., "Is Racial Justice a Gospel Issue? Mapping the Relationship between Race, Christianity, and Justice," *Political Theology* 26, no. 5 (2025) (companion issue of *Political Theology*).

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but disparate and racialized influence on Christians' views of racial issues and their willingness to act.

According to Angela C. Carmella, in "Envisioning the Beloved Community: Racial Justice, Property Law, and the Social Mortgage," a racially just future can be realized where the material welfare of all persons can be improved.[8] The mediating Catholic principles of the "universal destiny of goods," which affirms the shared use of the earth's resources, and the social mortgage, which morally encumbers private property for the benefit of all, are central to securing the common good. Carmella identifies in property law deeply embedded norms capable of supporting this vision of universal material welfare. However, racial injustice and contempt for the poor subvert these norms. For Carmella, creating a more economically and racially just society depends on law reforms rooted in neighbor love—reforms that remove barriers such as race-based property and zoning laws, which undermine the social mortgage and the realization of the universal destiny of goods within property law.

In "Immigration from a Christian Perspective: The Challenge and Imperative of Racial Justice," Jennifer Lee Koh encourages Christians, especially evangelicals, to engage more fully the racial justice dimensions of immigration law and policy.[9] Koh argues that greater Christian engagement with the racialized nature of immigration, including the disproportionate impact of immigration law and policy on Black and Brown people, aligns with Christianity's commitment to truth-seeking. She observes that some Christians avoid addressing the role of race in immigration to sidestep the possibility of being perceived as aligned with critical race theory and Black Lives Matter—positions that, she notes, are viewed by some Christians as "akin to blasphemy." Rejecting this avoidance, Koh argues that greater Christian engagement with connections between racial justice and immigration would enrich biblical and theological thought. It might also "enhanc[e] the church's ability to ameliorate the harms imposed by immigration enforcement on people of color, bringing Christians into greater proximity with the concerns animating movements for immigrant and racial justice, and theological enrichment around faith-based discourse regarding immigration."

In "King, Christian Ethics, and the Promise of Positive Fundamental Rights," H. Timothy Lovelace Jr. and Patrick T. Smith revisit a draft letter, which they term the Economic and Social Bill of Rights, prepared by members of the Southern Christian Leadership Conference and addressed to the president, Congress, and the United States Supreme Court.[10] Although the letter's authorship remains unclear and it was never finalized or publicly released, Lovelace and Smith interpret the letter as a powerful, theologically grounded vision of economic and racial justice that aligns with Martin Luther King Jr.'s moral vision and the Black social gospel tradition in its call for constitutional recognition of positive economic and social rights: the right to work, a guaranteed income, housing of one's choice, education, health care, and a voice in shaping the policies that affect one's well-being. Enshrining these rights into a more robust constitutional order, they argue, would bolster affirmative commitments to fight poverty, recognize the dignity of all persons, and provide new mechanisms by which all citizens can "enjoy the resources needed to live a life beyond mere subordination, including property rights, due process, independence from subjugation, and the ability to participate in policy-making."

[8] Angela Carmella, "Envisioning the Beloved Community: Racial Justice, Property Law, and the Social Mortgage," *Journal of Law and Religion* 39, no. 3 (2024) (this issue).

[9] Jennifer Lee Koh, "Immigration from a Christian Perspective: The Challenge and Imperative of Racial Justice," *Political Theology* 26, no. 5 (2025) (companion issue of *Political Theology*).

[10] H. Timothy Lovelace Jr. and Patrick T. Smith, "King, Christian Ethics, and the Promise of Positive Fundamental Rights," *Journal of Law and Religion* 39, no. 3 (2024) (this issue).

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Terri Y. Montague, in "The World House Remodeled: Toward Beloved Community Through Housing Justice," explores the beloved community through a housing lens.[11] The housing sector is where the beloved community can be visibly expressed and enabled in lived experience, and gauges social progress on racial justice. Montague argues that King's metaphor of the world house broadens understandings of the beloved community, elevates housing as a moral-ethical concern, and engenders radical structural solutions to housing injustice. For Montague, a racially just future depends on reshaping the narratives, aspirations, and commitments that drive community, social, and spatial habits. Doing so entails embracing a new moral architecture and civic infrastructure organized on equitable principles that concretize agape love through more just housing laws, institutional practices, and policy-making that fosters integrated neighborhoods.

In "Soul Force and Social Transformation: Martin Luther King Jr. beyond Liberalism and Critical Race Theory," Brandon Paradise argues that King's political theology offers a powerful and distinct alternative to both Rawlsian liberalism and critical race theory.[12] Rooted in agape love, nonviolence, the Black social gospel tradition, and philosophical personalism, King's moral and political philosophy addresses liberalism's failure to grapple with the role of power in sustaining racial injustice and critical race theory's lack of a clear and cogent framework for transforming political convictions. Drawing on his vocation as a pastor and training as a scholar with an earned doctorate in systematic theology, King forged a model of social transformation grounded in his pastoral vocation. He deployed nonviolent direct action "to shepherd society along a dynamic model of social change" that alters attitudes, habits, and underlying political convictions sufficiently to achieve legal and structural reforms that make further social progress possible. Paradise concludes that this pastoral dimension—capable of guiding both souls and societies—offers a path forward, suggesting that scholarship at the intersection of Christianity, law, and race may find its greatest practical impact in the hands of the pastorate.

In "Brown Theology as Public Theology: César Chávez, the Sanctuary Movement, and Latinx Theology," Robert Chao Romero examines the legacy of the Brown Church and Latinx social justice theology.[13] He argues that Latinx social justice theology, which he terms Brown theology, is a tradition of public theology rooted in the experiences of Latinx communities and exemplified by figures such as César Chávez and Father Luis Olivares, and as illustrated through case studies of the farmworker and Sanctuary movements. This theology "has much potential to serve as a synergistic intellectual partner for Chicanx/Latinx Studies, Critical Race Theory, and Latinx Critical Race Theory [abbreviations omitted]." Romero contends that Brown theology can promote "conscientization, community organizing, and social engagement" while incorporating Christianity, which remains deeply important for many Latinx communities, into social justice movements.

In "The Corporate Religion of Race," Audra S. Savage draws on King's thought to argue that an "equitable economy" is essential for Black liberation. Given the role of the corporation in our nation's economic life, she argues for a political theology of the corporation in which the corporation, a tool of racial capitalism, has a religious duty to address racial justice by ceasing to "replicat[e] white male hegemony in its structure" and exploitatively "using people of color and their communities for profit." To shape a racially just economy, the corporation must turn from shareholder to stakeholder primacy—that is, widen its

[11] Terri Y. Montague, "The World House Remodeled: Toward Beloved Community Through Housing Justice," *Journal of Law and Religion* 39, no. 3 (2024) (this issue).

[12] Brandon Paradise, "Soul Force and Social Transformation: Martin Luther King Jr. beyond Liberalism and Critical Race Theory," *Journal of Law and Religion* 39, no. 3 (2024) (this issue).

[13] Robert Chao Romero, "Brown Theology as Public Theology: César Chávez, the Sanctuary Movement, and Latinx Theology," *Political Theology* 26, no. 5 (2025) (companion issue of Political Theology).

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concern from shareholder interests solely to include those it affects, including employees, suppliers, and community members.[14] In extending its concern beyond profit to collective welfare, "the corporation can adopt a moral order that is centered on the thriving and economic success of the Black community." Savage urges corporations to adopt metrics, analogous to ESG factors, that measure progress toward a more equitable economy, in keeping with King's vision of economic justice.

Collectively, these articles illustrate the rich and wide-ranging contributions that Christianity can make to race and law scholarship and how such scholarship can help to answer the question in King's title—*Where Do We Go from Here: Chaos or Community?*—in the direction of community rather than chaos. They also advance this symposium's aim of addressing the lack of sustained engagement with Christian moral and theological traditions in race and law literature. We hope this collection will serve as a foundation for future scholarship at this intersection—scholarship that draws from the Christian tradition to reimagine law in the service of racial justice and to deepen the lines of inquiry this marvelous collection has opened.

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[14] Audra S. Savage, "The Corporate Religion of Race," *Political Theology* 26, no. 5 (2025) (companion issue of *Political Theology*).

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