

AN EDUCATIONAL UPDATE FROM
THE SOUTHEAST LAW INSTITUTE™, INC.

To: SLI Supporters
Date: January 2016
From: A. Eric Johnston
Re: Who Will Speak to the Culture – The Duty of the Christian and the Church

The separation of church and state is a frequent mantra heard when churches and Christians are requested to speak out in the public square. Many pastors still hold this view. Some Christians were offended by the efforts of the Moral Majority and others during the 1980s when they attempted to organize Christians into a body politic. Perhaps, some of their efforts were misdirected, but the right to speak out is never wrong.

We have seen a lack of political speech from those whose values are being most adversely affected, *viz.*, Christians. Expression of prayers and other Christian speech is marginalized and in many public situations, such as schools, limited or even prohibited. At the same time, we are seeing a multitude of issues that are threatening not only our values, but religious freedom itself.

Since the 1980s, Republicans have held the line on many of these issues. We are seeing the diminution of Christian principles in Republican politics. We see it from those who support candidates like Donald Trump. We see it in a moderate led Congress who cannot even defund Planned Parenthood. Closer to home, we are seeing a loss of those values in the Alabama Legislature.

In the 2015 regular legislative session, the Republican President *Pro Tem* of the Alabama Legislature introduced the most far-ranging gambling bill ever introduced. It would permit a statewide lottery and unlimited casino gambling at Indian and non-Indian venues. Bills to protect religious freedom in anticipation of the same sex rights issues got no attention at all and no sanctity of life bill passed. In the 2016 regular legislative session, we expect similar Republican behavior. We will provide more detail on all these issues in coming publications. For now, take our word for it, we are expecting trouble.

If the Republicans are not going to hold the line, then who will? It must be those whose values are being threatened. Attacks on the family, religious freedom and unborn life are moral (“sin”) issues. These are issues that must be preached from the pulpit and carried into the political marketplace of ideas by Christians. A recent *Wall Street Journal* editorial said the death of Europe is in sight because it has abandoned the principles that made it great, Judaism and Christianity. America is on the same track.

The church must lead the way. Pastors have the right to speak from the pulpit and Sunday School teachers have the right to teach classes on moral issues. This Update is not addressing candidate campaigns, but issue involvement. There is no legal prohibition of a pastor speaking against gambling, same sex marriage, or other issues from the pulpit. Churches may even be involved in referenda campaigns to, for example, amend the state Constitution. If a gambling bill passes the Legislature, that is exactly what the next threat will be.

Sunday school classes, Bible studies, and other meetings at or sponsored by the church or religious organizations may be utilized for the purpose of opposing or supporting legislation. Speakers may be invited to address issues and to encourage members to participate in letter writing campaigns, rallies, *etcetera*. Literature, email alerts, and other communications may be supported by and even done through church facilities to let members know the status of legislation, action items, *etcetera*. Of course, communications from the church should be done with grace. Churches may hold issue rallies. Legislators or others may be invited to speak on issues.

What we are trying to say is that churches and Christians will be actually, personally and adversely affected next year. If the church does not speak out, no one will. The church is free to speak with all vigor and determination. There are only three limitations: (1) churches may not be involved in candidate campaigns; (2) a church cannot spend over five percent of its gross receipts on political activities; and (3) if an issue ultimately involves a vote on an amendment to the Constitution and the church is raising funds, it must register as a campaign committee under election laws. Some even question the limitations of (1) and (2), but none of these inhibit the church from doing what we are suggesting in this Update.

We are bringing this to your attention in anticipation of the regular legislative session that begins February 2, 2016. Share this information with your pastor, deacons and elders. Encourage your church to be involved. If the church does not respond, there will be no second chance. Call us if you have questions.

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