

October 2018

A Publication of the Christian Law Association

THE ALERT

Thankful that
God is King
No Matter What



GOD IS KING OF ALL THINGS

*Let them praise the name of the LORD:
for He commanded, and they were created.*

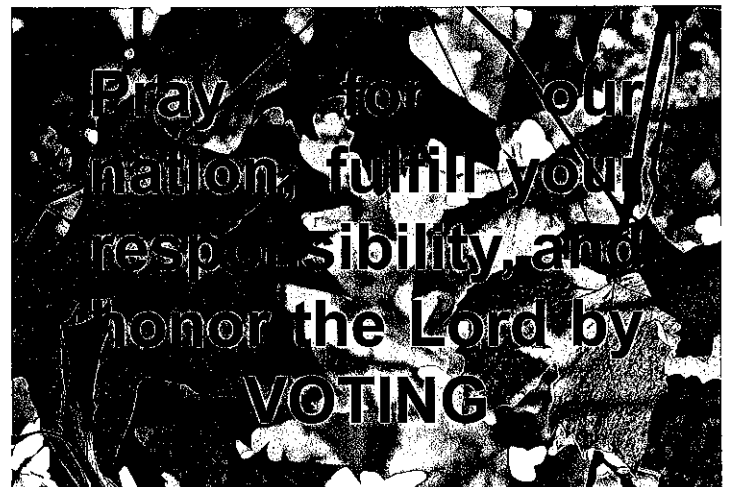
Psalms 148:5

Historical Background

On Tuesday, November 6, 2018, voters will head to the polls to determine who will control Congress. All 435 members of the House of Representatives and one-third of the United States Senate will face the electorate. Commonly referred to as the midterm, this election will occur halfway through President Trump's first term. The outcome of this election has the potential to dramatically alter the political landscape for the next two years.

Historically, midterm elections are not friendly to the president's party. In 1946, Harry S. Truman, a Democrat, was President of the United States. Democrats controlled the House and Senate. The post-war economy was sluggish, inflation was on the rise and the Cold War was intensifying. In the midterm election, voters sharply rebuke President Truman and the Democrats. For the first time in years, Republicans would control both chambers of Congress. They gained fifty-six seats in the House and thirteen in the Senate.

In 2006, George W. Bush, a Republican, was President of the United States. Republicans controlled both houses of Congress. However, slow economic growth, the war in Iraq and several political scandals involving Republicans dominated the headlines. That fall, the Democrats gained thirty-one seats in the House and five seats in the Senate. Democrats regained control of both houses of Congress for the first time in over a decade. The "Republican Revolution of 1994," was over.



Regardless of which way the pendulum may swing this fall, one thing is certain. God is still in control. It is imperative that we remember our hope does not rest with a Republican or Democrat in Congress or the White House. As demonstrated throughout history, this is always subject to change. Rather, our hope is in the one who changes not. The One who reigns as King over all the earth. The One Who the winds and sea obey. The One Whose death, burial and resurrection makes it possible for all of mankind to have eternal life - the Lord Jesus Christ.

AN ELECTION PRIMER: CHURCHES & TAX-EXEMPT STATUS

Generally, tax-exempt religious organizations are prohibited from engaging in political activity. This prohibition is the result of what is referred to as the "Johnson Amendment." It is a provision in the United States Tax Code, added by then-Senator Lyndon B. Johnson. In 1954, Senator Johnson was concerned that several tax-exempt organizations were supporting and campaigning for his opponent. The amendment was introduced to ensure Johnson's reelection by denying tax-exempt status to those organizations engaging in political activity.



As a result, no substantial part of the activities of a tax-exempt organization may be used to influence legislation. Nor may a tax-exempt organization participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of (or in opposition to) any candidate for public office. Despite assertions to the contrary, the Johnson Amendment is still in effect. Those found violating the provision may have their tax-exempt status denied or revoked. In

some circumstances, an organization may be subject to excise taxation.

A) A CHURCH MAY NOT ATTEMPT TO INFLUENCE LEGISLATION

An attempt to influence legislation occurs if an organization contacts or urges the public to contact members of legislative bodies regarding legislation or advocates for the adoption or rejection of legislation. For example, a church employee is responsible for communicating with members of the



legislature to support a bill. He drafts a letter and the church prints it. The church sends the letter to members of the legislature and the church employee calls legislators and their staff in support of the bill. These activities by the church are not permissible.

However, there are some activities that a 501(c)(3) organization may engage in. They may provide nonpartisan analysis, a study or research to legislative bodies. They may engage in public discussion or communication with members of a legislative body, so long as they do not specifically encourage the recipient to act with respect to a legislative proposal. If the church receives a written request by a legislative body, it may provide technical advice on a subject. Additionally, if a legislative body is considering possible action which may affect a church's existence, powers, duties, tax-exempt status or deductibility of contributions it may engage in communication with the legislative body.

B) PARTICIPATION IN POLITICAL CAMPAIGNS

An organization that is tax-exempt may not participate in any political campaign on behalf of, or in opposition to, any candidate for public office. This prohibition is absolute.

Section 501(c)(3) organizations may engage in some activities to promote voter registration, encourage voter participation, and provide voter education. They may participate in get out the vote drives. However, a church cannot engage in activities that favor or oppose any candidate for public office. The political campaign intervention prohibition is not intended to restrict free expression on political matters by leaders of organizations speaking for themselves as individuals. Nor are leaders prohibited from speaking about important issues of public policy. However, for their organizations to remain tax exempt under section 501(c)(3), leaders cannot make partisan comments in official organization publications or at official functions of the organization.

While there are many limitations because of a ministry's nonprofit status, there are always opportunities to be involved and help your church make informed decisions about candidates. If you have not seen our free resource about "Pastors, Pulpits, and Politics," contact us today for a copy! If you have questions about your rights as a pastor or church, our team of attorneys at the Christian Law Association stands ready to inform and protect your church or ministry.



Pastors, Pulpits,
& Politics

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Witnessing in Public Spaces

Over the time our attorneys have been standing up for your religious rights, we have received tens of thousands of calls from people who were wrongfully told by governmental authorities to stop what they were doing, whether it be witnessing, street preaching, or similar Biblical commands.

More often than not, these authority figures were either misinformed or simply unaware that the First Amendment protected these individuals' rights to witness. However, this common scenario begs an important question: how do you handle an authority who is ultimately in the wrong?

Let us take care not to forget Romans 13:1 – "Let every soul be subject unto the higher powers. For there is no power but of God: the powers that be are ordained of God." It is both vital and Scriptural to respect our governmental authorities. As such, if you are wrongfully confronted by law enforcement or governmental figures, the best response is to always comply with the request and then call our offices immediately. The chance of convincing an officer on

the scene or a governmental figure in the moment is unlikely; let our attorneys aid you in politely and respectfully showing these "higher powers" that the law does indeed protect your witnessing efforts.

Refusing to comply with an officer or causing a scene can not only lead to criminal charges being filed against you, but will almost always lead to the loss of your Christian testimony. Even when we know we are right, it is so vital that we keep our testimony and take the proverbial high road. We need to do the right thing in the right way. Our attorneys have helped countless soul winners respectfully confront city officials and law enforcement when they are in the wrong, and we are here to help you as well.

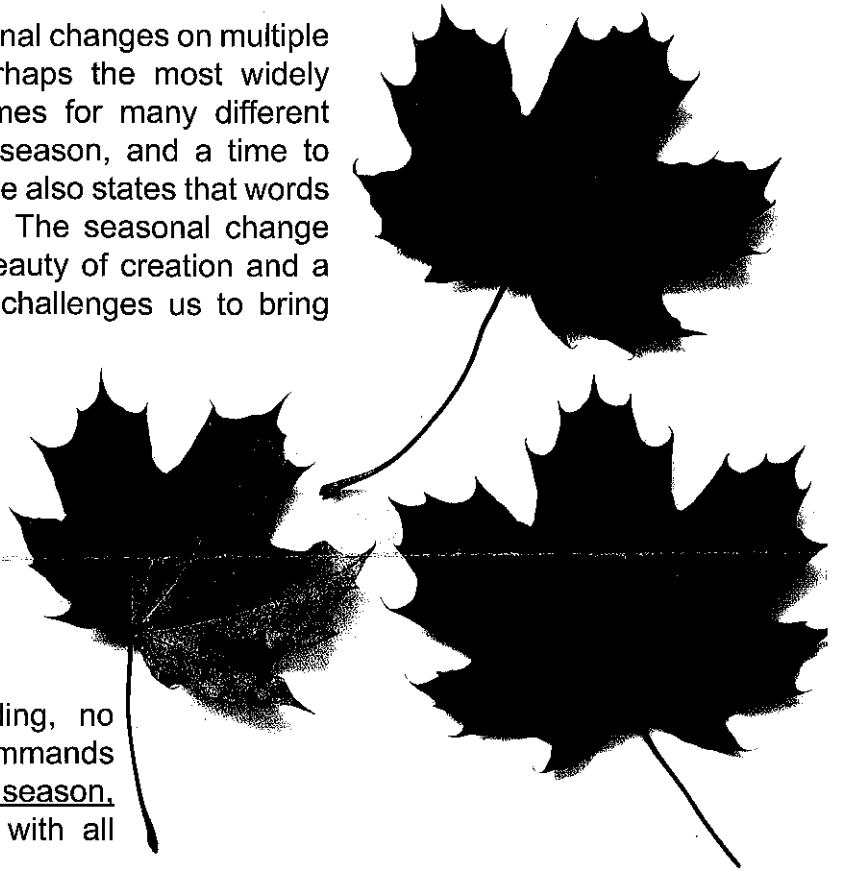
As a result, taking the right stand in the right manner can often lead to more witnessing opportunities, even to those who sought originally to limit your free speech. If you have questions about this topic of witnessing in public, contact us today to speak with an attorney or to ask for a resource about this important topic.

SEASONS

The Scriptures speak about the seasonal changes on multiple occasions. Ecclesiastes 3:1 is perhaps the most widely remembered passage, outlining times for many different occurrences, "To every thing there is a season, and a time to every purpose under the heaven." The Bible also states that words fitly spoken in due season can bring joy. The seasonal change to autumn paints a vivid picture of the beauty of creation and a reminder of the seasonal changes God challenges us to bring about in our own lives.

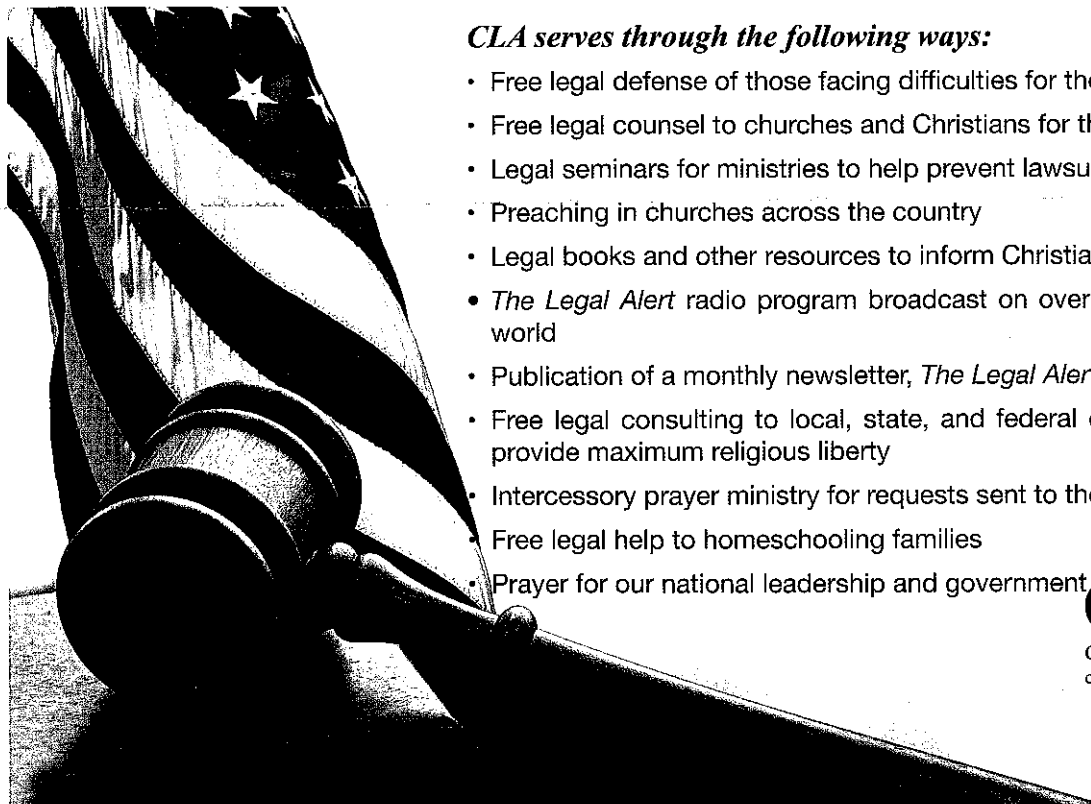
To those pastors going through trials, remember this challenge from Galatians 6:9: "And let us not be weary in well doing: for in due season we shall reap, if we faint not." God's enablement will always accompany His commandment. God's power will always give the strength to overcome the weariness of the world.

Never forget to follow the Lord's leading, no matter what season it is! II Timothy 4:2 commands believers to "Preach the word; be instant in season, out of season; reprove, rebuke, exhort with all longsuffering and doctrine."



ABOUT THE CHRISTIAN LAW ASSOCIATION

The Christian Law Association is a ministry of legal helps.



CLA serves through the following ways:

- Free legal defense of those facing difficulties for the Biblical faith
- Free legal counsel to churches and Christians for their ministries
- Legal seminars for ministries to help prevent lawsuits
- Preaching in churches across the country
- Legal books and other resources to inform Christians of their rights
- *The Legal Alert* radio program broadcast on over 1,400 outlets around the world
- Publication of a monthly newsletter, *The Legal Alert*
- Free legal consulting to local, state, and federal officials and legislators to provide maximum religious liberty
- Intercessory prayer ministry for requests sent to the ministry offices
- Free legal help to homeschooling families
- Prayer for our national leadership and government

CLA

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PRAYER CHECKLIST

- ✓ Pray as we assist a church in **WISCONSIN** with the Department of Transportation placing improper regulations on the church buses.
- ✓ Please pray for CLA attorneys helping a Christian school in **NORTH CAROLINA** handle a delicate legal situation where improper photos were exchanged between students.
- ✓ Pray for CLA's legal team assisting a **TEXAS** church working towards becoming incorporated.
- ✓ Praise the Lord a church in **TEXAS** was able to go through and free up space by disposing of some old records after contacting CLA to determine what records they were legally required to physically keep.
- ✓ Please pray for CLA as we help a church in **FLORIDA** merge congregations with another church of like faith.
- ✓ Pray for a church in **ILLINOIS** that called CLA for legal advice because a company has approached the ministry asking to put a cell tower on the church property.
- ✓ Please pray for a Christian in **TENNESSEE** who contacted our attorneys with a burden and desire to start a ministry to help those in full-time Christian service.
- ✓ Pray as we legally assist a Christian in **MARYLAND** starting a foundation to assist people with special needs.
- ✓ Pray as CLA helps a **VIRGINIA** ministry after they received a request from a same-sex couple who asked about using its property for a wedding venue.
- ✓ Please pray as CLA assists a Christian in **NEW JERSEY** who was wrongfully terminated from his job because he used Jesus's name in discussions with coworkers.
- ✓ Please pray for a Christian in **FLORIDA** who called CLA because he is being told he must work on Sunday rather than uphold his convictions.

PRAY WITHOUT CEASING

- ✓ Pray for a **NORTH CAROLINA** Christian who called our ministry for advice because he was told his prayer would not be permitted at a town meeting.
- ✓ Pray for a **TEXAS** Christian who called for our witnessing materials because he has a Biblical desire to share the message of Jesus with those around him.
- ✓ Pray for a church in **NORTH CAROLINA** that called our office to discuss church security measures and the liabilities when ministries include armed security.
- ✓ Pray for CLA attorneys helping a Christian school in **OHIO** as it works to update its emergency response policies to better be able to handle emergencies.