



WE ARE FREE TO BE FAITHFUL

UPDATE



Fall 2019

Photo by Mass Communication Specialist Kelsey L. Adams



Ash Wednesday services aboard the USS Ashland (LSD-48), LCMS Chaplain, LT Merlin Stephen

A prayer for those who minister in the armed forces

Lord, almighty God, as You have always granted gifts of the Holy Spirit to your Church on earth, grant Your special blessing, we pray, to all who minister in Your name in the armed forces, that by your gracious working they may honor Christ and advance the good of those committed to their care; through Jesus Christ, our Lord. Amen.

WE ARE FREE TO BE FAITHFUL

In response to increasing intrusions by the government into the realm of the church, the LCMS launched the *Free to be Faithful*® campaign in September 2012 to educate and move people to take informed action to protect religious freedom and all the cultural issues that pertain to it: the confession of faith in the public square, holy marriage, the sanctity of human life and related issues.

In 2016, the Synod in convention adopted Resolution 14-01 to encourage education and leadership in matters of religious freedom.

For LCMS *Free to be Faithful* resources and news, visit lcms.org/socialissues/freetobefaitful.



LCMS/Erik M. Lunsford

Dr. Martin Luther received his Christian name (Martin) because he was baptized on the feast day of St. Martin of Tours, Nov. 11, 1483. The term “chaplain” used in the modern military is also derived from a legend associated with Martin of Tours. Let us remember in prayer the men who put themselves in harm’s way to serve our soldiers with God’s Word and Sacraments.



KFUO Free to be Faithful

The spread of Christianity helped pull the world out of the “Dark Ages” and fueled scientific inquiry, according to an article online. The Rev. Dr. Greg Seltz, executive director of the Lutheran Center for Religious Liberty, and moderator Kip Allen discuss this idea on *Free To Be Faithful*.

kfuo.org/2019/08/21/free-faithful-082119-christianity-and-the-middle-ages/



SCOTUS WATCH

SUPREME COURT HEARS ARGUMENTS ON REDEFINING SEX

by Calvin Freiburger

Editor's Note: In August 2019 the LCMS Board of Directors joined with 10 other religious organizations to file an Amicus brief in support of the employers. The brief can be found here: lcms.org/about/leadership/board-of-directors/amicus-briefs

WASHINGTON, D.C., October 8, 2019 (LifeSiteNews) — The U.S. Supreme Court heard oral arguments Tuesday about whether long-standing anti-discrimination laws should be reinterpreted to cover homosexuality or gender confusion in a case that could have drastic ramifications on religious liberty as well as whether Americans will be forced to adopt a “fluid” understanding of biological sex in scores of policies.

THE CASE CONSOLIDATES SEVERAL SEPARATE CASES INTO ONE, including that of a Christian funeral home that fired a male employee who insisted on dressing as a woman on the job; a skydiving instructor who was fired after informing a customer he was gay; and a county child welfare services coordinator who was fired after his employer learned he was gay. All hinge on whether Title VII of the 1964 Civil Rights Act extends its non-discrimination protections to the categories of sexual orientation or “gender identity.”

In March, the 6th Circuit Court of Appeals ruled that Title VII’s prohibition of “employment discrimination based on ... sex” covers not just biological sex but whatever sex an individual feels themselves to be. Sixteen states have filed an amicus brief urging the Supreme Court to reverse the 6th Circuit’s decision, as has the Trump administration as well as conservative groups.

During Tuesday’s arguments, lawyers representing both sides addressed the justices, whose questioning did not conclusively signal how they would ultimately vote but largely conformed to expectations.

“We can’t deny that homosexuals are being fired merely for being who they are,” Justice Sonia Sotomayor asserted. “At what point does a court say, Congress spoke about this ... and regardless of what others may have thought over time, it’s very clear that what’s happening fits those words?”

During cross-examination, Justice Sam-

uel Alito got Stanford law professor Pamela Karlan to concede that sex and sexual orientation were two distinct concepts, but Karlan maintained that discrimination against the latter was still a “subset” of discrimination against the former.

Alito also expressed concern that, by siding with the LGBT side, the Court would be “deciding a major policy question that was not in Congress’ mind in 1964.”

“The Equality Act is before Congress right now. Congress has declined or failed to act on these requests. And if the Court takes this up and interprets this 1964 statute to prohibit discrimination based on sexual orientation, we will be acting exactly like a legislature,” Alito said, predicting the criticism of such a ruling. “We might as well just take the Equality Act and issue that as our opinion.”

The court’s newest member, Justice Brett Kavanaugh, only spoke once during the hearing, to ask attorney Jeffrey Harris to clarify the meaning of his usage of the phrase “because of sex.” Kavanaugh did not follow up, however, leaving no indication in either direction as to his take on the case.

With so little to go on from the rest of the justices, President Donald Trump’s first nominee, Justice Neil Gorsuch, appears to have captured the bulk of onlookers’ attention for questions that appeared to sympathize with aspects of both sides’ arguments.

At one point, Gorsuch seemingly agreed “that at least one contributing cause appears to be sex” in the case of the fired skydiving instructor, and at another he expressed con-

cern for the “massive social upheaval” that could result from siding in his favor, and whether the issue would be better resolved by the legislative branch than by the courts.

“Americans should be able to rely on what the law says,” Alliance Defending Freedom vice president of appellate advocacy John Bursch said in a statement. “Redefining ‘sex’ to mean ‘gender identity’ creates chaos, is unfair to women and girls, and puts employers in difficult situations. Title VII and other civil rights laws, like Title IX, are in place to protect equal opportunities for women; changing ‘sex’ to mean ‘gender identity’ undermines that.”

If the LGBT lobby succeeds in getting the Supreme Court to redefine Title VII — or if Congress and a future president accomplish the same result legislatively by enacting the so-called Equality Act — conservatives warn that the change would do far more than merely protect homosexual or gender-confused Americans from tangible harm.

Rather, it would likely force other Americans such as photographers, florists, and bakers to participate in same-sex “weddings,” force employers and businesses to fund practices like sex-change treatments regardless of their own values or policies; and force women and girls to share sleeping quarters, showers, changing areas, and restrooms with gender-confused males (or “cis” men merely claiming trans status to get easy access to vulnerable women).

“This decision will impact public schools, employers, business owners, employees, and churches,” NC Values Coalition executive director Tami Fitzgerald warned outside the Supreme Court on Tuesday. “Blurring the binary concept of male and female detracts from the fundamental purpose of both Title VII to ensure that male and female employees have equal employment opportunities.”

EXCERPTS FROM “AMERICAN RESTORATION”

BY TIMOTHY GOEGLIN AND CRAIG OSTEN

Many in America’s founding generation knew and experienced firsthand religious persecution. The prevalence of religious persecution in Europe made colonial America a refuge for men and women who faced opposition in their native countries as they sought to practice freely their faith. It is clear early Americans saw this freedom to worship according to conscience — rather than according to the dictates of government — as crucial to human flourishing and to the well-ordered society because they enshrined protections for it in the First Amendment of the U.S. Constitution.

But a sea change happened in 1947 when, in an opinion in the case *Everson v. Board of Education*, former Supreme Court Justice Hugo Black codified a different understanding of the First Amendment.

Everson involved a New Jersey law that allowed the state to reimburse parents who paid to use buses operated by the public transportation system to get their children to and from school at various Catholic institutions. This reimbursement did not promote Catholic doctrine in any way, shape, or form. While the Court ruled the law was not enacted in violation of the U.S. Constitution, in his opinion Justice Black stated, “The First Amendment has erected a wall between church and state. That wall must be kept high and impregnable.”

The frequent use of that phrase, “separation of church and state,” has convinced millions of Americans — including many people of faith — it is part of either the Constitution or the First Amendment and is a representation of the Founders’ attitude toward religious freedom. Those words are nowhere in the founding documents and, in fact, represent a decided swerve from earlier conceptions of the role of religion in American society.

They are instead from a letter written by one of the Founding Fathers several years after both of those documents were drafted. Nevertheless, they have become a mantra for secularists in every area of American culture to silence people of faith and drive religion from the public square.

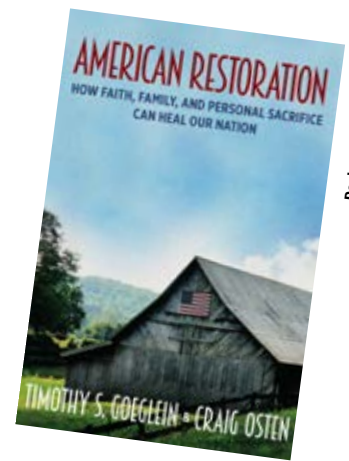
The First Amendment casts a vision quite different from this modern understanding of religious freedom. It reads, “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech, or of the press; or the right of the people to peaceably assemble, and to petition the Government for a redress of grievances.”

Judge Elbert T. Gallagher warned about the ramifications of Justice Black’s words in 1958 when he dismissed a complaint against an ecumenical committee’s attempts to install a Nativity scene on public school property in the village of Ossining, New York. In the dismissal, Judge Gallagher said the concept of the wall of separation between church and state was misleading. He cautioned that if it continued to be used by the courts, the American public would become convinced it was in the Constitution and we would lose sight of the vision of a free and robustly religious public square that so inspired the Founding Fathers. Judge Gallagher’s words went unheeded and his prediction has, over time, slowly come true...

What the framers of the Constitution intended was to make it impossible for the federal government — in particular, Congress — to establish a national church like the Church of England, or to force sectarian policy on an individual state or the nation as a whole. They did not intend, as Justice Black would have it, for the government to censor public religious expression, deny churches and religious organizations equal access to public facilities, and prohibit churches and government from working together for the good of citizens. Nor did they intend — as has most recently been argued — to require people of faith to censor or abandon their own sincerely held beliefs once they enter the public square...

The present struggle over religious freedom boils down to two sides. The first believes that they have a fundamental right protected by the First Amendment to practice their faith freely and openly in society. The

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Design by John Caruso

second believe religious freedom is not a fundamental right, and any mention or practice of faith in the public square is a dangerous conflation of church and state. The result is that any public displays of faith by an individual or a community — prayers by elected officials, religious content in public schools, and many other expressions of religious conviction — are now under attack...

If humans are to flourish — and, in turn, America is to flourish — the road to renewal starts here. The restoration of our constitutionally protected right of religious liberty and conscience has never been more urgent or timely than it is now. The questions we must all ask ourselves are these: “What will I do to defend these freedoms for future generations?” and “How can I treat those who may oppose my values with dignity and respect?” Our answer to those questions will have an eternal impact.

Timothy S. Goeglein, a member of Immanuel Lutheran Church in Alexandria, Va., has two decades of experience in government posts. He served as press secretary for Senator Dan Coats of Indiana, special assistant to President George W. Bush, and deputy director of the White House Office of Public Liaison.



Photo by Focus on the Family

Goeglein has a deep understanding America’s cultural moment and a passion to bring Christ’s love and healing to the brokenness of America’s public discourse. He has recently co-authored “American Restoration: How Faith, Family, and Personal Sacrifice Can Heal Our Nation.” In it, he ably explains both the constitutional and the philosophical contours of the issue. He also details a compassionate and explicitly Christian way of participating in the culture.

Goeglein not only sees our Christian duty to speak for our neighbors and our children, he also understands the need to do so in love. This excerpt from Chapter 2 of “American Restoration” exemplifies both of these emphases and invites a full reading of the book.

LEGISLATION

On June 25, 1530, the Christian princes of Germany stood before the Emperor to explain why they should not be punished for teaching the true Christian faith. On the 489th anniversary of the Presentation of the Augsburg Confession, the US Congress held a hearing on a bill that would allow the federal government to punish any number of biblical teachings. Matt Sharp of the Alliance Defending Freedom was there.

THREE REASONS THE RELIGIOUS FREEDOM RESTORATION ACT SHOULD BE PRESERVED

By Matt Sharp – Senior Counsel, Alliance Defending Freedom – June 25, 2019

This was originally published at: adfllegal.org/detailspages/blog-details/allianceedge/2019/06/25/3-reasons-the-religious-freedom-restoration-act-should-be-preserved

It's hard to deny that religion has shaped America. And we are better off for it.

Thousands of faith-based organizations in America serve their communities by offering food, clothing, shelter, counseling, and other social services; they provide jobs for thousands of Americans; and they produce goods and services that drive our economy. In a recent study, Brian J. Grim and Melissa E. Grim estimated that religious organizations contribute approximately \$1.2 trillion annually to the U.S. economy.

These good works are possible, in part, because for over 25 years the Religious Freedom Restoration Act (RFRA) has protected believers against laws and regulations that would force them to stop serving the general public and retreat within their walls.

But now RFRA is being threatened.

Congress has proposed the “Do No Harm Act”, which would strip the protections that RFRA provides for people of faith.

The “Do No Harm Act” hand-picks certain religious beliefs and practices — specifically those related to abortion, sterilization, marriage, and human sexuality — and strips protection under the federal law from those of faith who hold disfavored viewpoints on these issues.

Simply put, the “Do No Harm Act” demonstrates outright hostility and intolerance for certain people of faith.

But these believers are American too.

I went before the Committee on Education and Labor today to explain why preserving RFRA is vital to our nation.

1. RFRA keeps the government from deciding which viewpoints are welcome in the public square.

The “Do No Harm Act” singles out and targets certain individuals and organizations

who hold minority beliefs and engage in faith-based activities that are unpopular or politically incorrect at the moment. But government should not have the power to suppress a few types of free exercise it dislikes.

If the government has the power to punish people of faith for holding viewpoints that it has deemed unacceptable, what's to say it will not target your viewpoints next?

The bottom line is that RFRA protects every person — no matter their faith, background, political affiliation, or orientation — by providing a check against government overreach that burdens their ability to freely exercise their faith.

2. RFRA gives religious minorities a voice in court.

RFRA is a shining example of America's historical protection of vulnerable minorities. And it is truly utilized by a diverse group of religious minorities. The religious affiliations of individuals in federal court opinions involving a RFRA claim includes: Islam, Native American, Roman Catholicism, Judaism, Sikhism, Humanism, Rainbow Family, Rastafarianism, Tien Tao, Protestant, and many more.

Under RFRA, every believer gets a chance to make their case as to why their right to free exercise should be protected. It does not mean that religion always wins. It simply gives people of faith their day in court.

But if the “Do No Harm Act” is passed, it would shut the courthouse door in their faces, denying them entry into one of the few places in our country where any citizen can stand up for what they believe in no matter how marginalized or politically unpopular their beliefs may be.



Volunteers including Peggy Pomeroy (right) serve during a servant event at the 67th Regular Convention of The Lutheran Church—Missouri.



The Religious Freedom Restoration Act (RFRA) has protected believers against laws and regulations that would force them to stop serving the general public and retreat within their walls. But now RFRA is being threatened. Congress has proposed the “Do No Harm Act”, which would strip the protections that RFRA provides for people of faith.

3. Religious freedom benefits our society as a whole.

The importance of meaningful protections for religious liberty to our nation's vitality cannot be understated.

One study found that countries with high levels of religious freedom performed better on indicators of global competitiveness, including education, health, innovation, and technological readiness. And the benefits go far beyond mere economics to encompass a multitude of civil liberties and indicators of a healthy society — including civil and political liberty, press freedom, and economic freedom.

Countries that protect religious freedom through laws like RFRA are linked to vibrant democracies, gender empowerment, robust freedom of the press, and economic freedom. Countries without religious freedom, on the other hand, often face more poverty, war, suppression of minorities, and violent extremism.

Ultimately, the “Do No Harm Act” sends an unmistakable message to the American people: If the government tramples on people of faith and forbids them from living consistently with their beliefs, they have no recourse. The legal system will not even permit them to plead their case.

That should concern us all. And it should not be tolerated here in America.

CORPORATE CENSORSHIP

AMAZON CENSORS CHRISTIAN CONTENT, IS THE BIBLE NEXT?



By Jonathan Lange, Editor

In the 5th century B.C., Roman magistrates, called “censors,” were appointed to take the census and oversee public manners and morals. By the dawning of the Christian era, emperors like Caesar Augustus took this authority for themselves. When the Christian faith and life clashed with Roman morality, this censorial power legitimized persecution of the Christian faith.

Censorship is defined as “the changing or the suppression or prohibition of speech or writing that is deemed subversive of the common good” (*Brittanica.com*). There are two ways to effect censorship. One is to punish the offending speech. The second is to silence it before it happens.

The mere threat of punishment has the capacity to discourage speech, but it cannot silence it. Those with the courage to speak out can still do so and defend themselves in court. But censorship that prevents certain words from being heard is much harder to counter. When a speaker is de-platformed, he can speak but cannot be heard. Meanwhile, the audience has no way of knowing either what they have not heard or that they have not been allowed to hear it.

Free speech is vital to human thriving because people, created in God’s image, are made to be ruled by God’s Word, not by instincts. Human beings are designed to speak and hear, think and reason. And what we hear has a direct bearing on our temporal and eternal wellbeing. Wrong thinking causes misery. Right thinking causes us to thrive.

While wrong information can lead to false thinking and misery, it doesn’t always. But the inability to get the right information will

most certainly do so. That’s why the First Amendment to the U.S. Constitution prohibits the government from censoring any speech — even wrong speech: “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.”

What America’s founding fathers didn’t seem to anticipate, however, was censorship coming from multinational corporations. Yet that is what we are seeing today at Amazon. Amazon’s annual revenue is larger than that of Switzerland (20th out of 232 countries). It is also the world’s largest retailer of books. In March of 2017 it began banning books. The first that it deemed objectionable were “revisionist histories.” Next it banned “white nationalists.” More recently, books questioning vaccinations were de-platformed.

These bans raised eyebrows, but concerns were largely muted. Then, in early July, Amazon announced a ban on books written by Dr. Joseph Nicolosi, a psychologist who helped people with same-sex attraction. Shortly afterward, the retail giant delisted books written by people who had been helped by such therapy.

By censoring these books, Amazon is

censoring a central message found in the Bible — that people should and can repent of sins against the Sixth Commandment. As a result, anyone who relies on Amazon for access to resources that can help people enslaved by sin can neither buy these books online, nor even know that they exist.

Amazon’s censorship of Christian doctrine is particularly remarkable compared with the books that it does not censor. The books of Hitler, Goebbels, Mussolini and Lenin — ideas that led to the slaughter of millions — are readily available on Amazon along with numerous books encouraging suicide and other destructive behaviors.

This irony reveals that Amazon rejects the fundamental idea behind free speech. It also reveals Amazon’s anti-religious zealotry. Is the speech of mass-murderers really less harmful than teaching about Christian sexual morality, repentance and hope that the soul can be healed?

Amazon’s lurch into censorship also raises questions about the future. What Christian books and doctrines will be censored next? The ban on so-called “reparative therapy” is a ban on the very idea that repentance and change are possible. Yet this is a fundamental teaching throughout the Bible.

When St. Paul addressed the homosexuality surrounding the Corinthian congregation, he wrote, “Such were some of you. But you were washed, you were sanctified, you were justified in the name of the Lord Jesus Christ and by the Spirit of our God” (1 COR. 6:11). How long before books that quote this passage are banned? How long will Amazon continue to sell the Bible itself?

While Christians are rightly concerned when the government undermines First Amendment guarantees, they ought to be just as concerned when censorship comes from multinational corporations more powerful than many nations.

The Rev. Jonathan Lange (jlange64@allwest.net) is pastor of Our Saviour and St. Paul’s Lutheran Churches in Evanston and Kemmerer, Wyo.

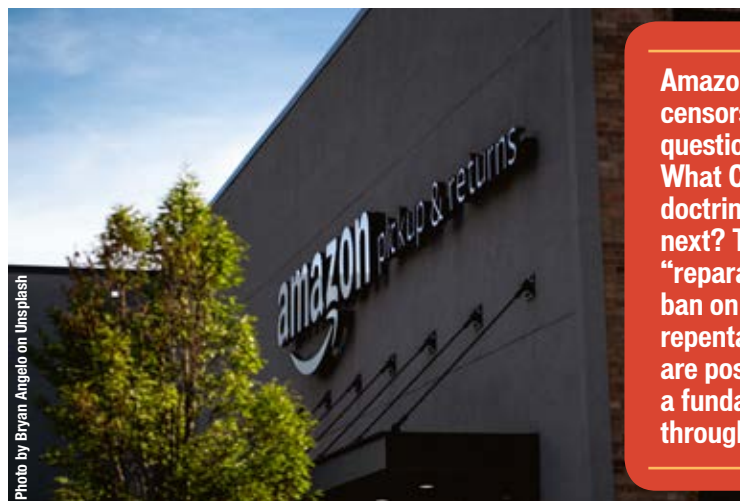


Photo by Bryan Angelo on Unsplash

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LUTHERAN CENTER FOR RELIGIOUS LIBERTY

Encourage, Educate, Advocate



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KEEP UP TO DATE on what's happening with the Lutheran Center for Religious Liberty (LCRL) at LCRLFreedom.org, or on our "Lutheran Center for Religious Liberty" Facebook page.

The LCRL's mission is to ignite and fuel a uniquely Lutheran response to increasing intrusions, limitations and challenges by the government in the life of the Church, while educating, encouraging and equipping LCMS members and organizations to take informed action in support of marriage, life and religious freedom.

One of the ways to "get on board" is to prayerfully receive our "Word from the

Center" devotions and "Word from the Center" D.C. updates. On our "Word from the Center — Mondays" you'll receive a devotional reflection from His Word. At the end of the week, "Word from the Center — Fridays," you'll receive a Two-Kingdom reflection from the LCRL about a topic, issue or court case that concerns the issues of liberty, life, marriage and occasionally issues concerning education. When you receive the "Word from the Center," readers will be blessed by God's Word and will become better informed as to how to be a more useful citizen in His Hands for the sake of the proclamation of the Gospel for all.

TO SUBSCRIBE to our semi-weekly "Word from the Center" encouragements, please email us at info@lcrifreedom.org.

Our influence on the Hill is growing with our partnerships in the cause of religious liberty and life, with our commitment to be a balanced voice of God's Two-Kingdom work for the sake of our culture and our church, and with your prayerful consideration to be at work together with us. To that end, we serve.

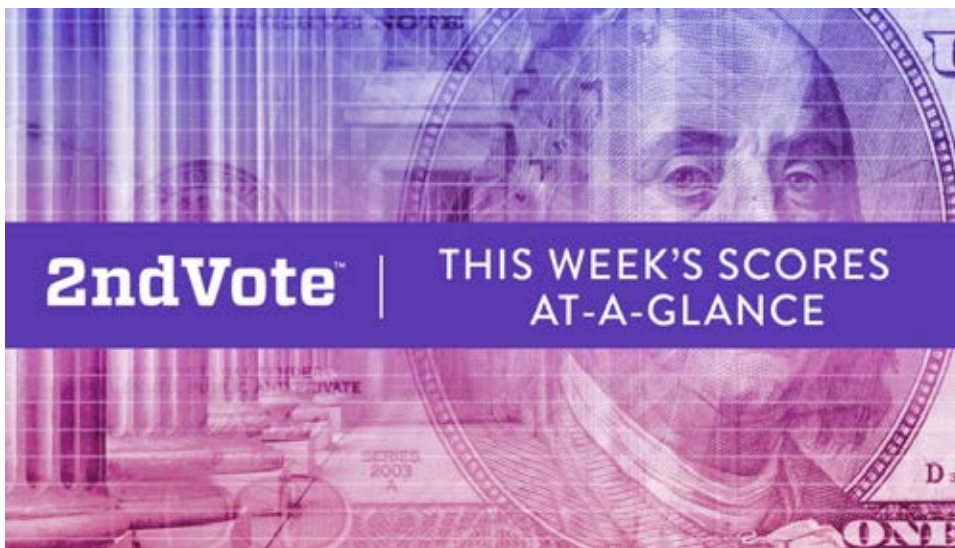
FOR MORE INFORMATION about the LCRL, including ways to support it, visit lcms.org/lutheran-center-for-religious-liberty or contact Martha Dahlke at martha.mitkos@lcms.org or 888-930-4438.



KFUO Free to be Faithful – voting with your dollars

Do you vote with your dollars? How do you know if the places where you spend your money support your Christian beliefs? We vote first at the ballot box, and then at each business we support. 2ndVote rates hundreds of companies so you can be an informed consumer of products and services. Robert Kuykendall, spokesman for 2ndVote, joins moderator Kip Allen to talk about how we can spend wisely. Learn more about 2ndVote and download their app at 2ndvote.com.

kfuo.org/2019/06/19/ftbf-061919-vote-with-your-dollars/



Graphic from 2nd Vote

Contacting the President and other elected officials:

usa.gov/elected-officials | senate.gov/senators/contact/ | house.gov/representatives/find-your-representative



Free to be Faithful Update | lcms.org/socialissues/freetobefaithful

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