



## **Freedom Forum**

*A Monthly E-publication of the Western Center for Law & Policy*  
**June 2008**

### ***In This Issue:***

- **Essay: If the church does not uphold God's righteous standard, who will?**
- **Joint Statement Regarding the Legal Rights of Churches and Pastors.**
- **Invitation for California Pastors and Christian Leaders to June 25 state-wide teleconference.**

### **If the church does not uphold God's righteous standard, who will?**

There was a once a dream. That dream was called America. Persecuted believers risked life and limb in treacherous travels for that dream. Our founders fought to secure liberty. Freedom rang on our beloved shores and rang again for more than 200 years. America was once great, but she may not always be.

*"America is great because she is good, and if America ever ceases to be good, America will cease to be great."*

*- Alexander de Tocqueville*

Now, darkness descends upon our land. America's goodness is in a moral free fall. God's design for marriage is now openly mocked in our courts and culture. A distortion of His image is celebrated in the streets. The church appears asleep, strangely quiet in the face of the expanding evil. The dream that was America is being savagely attacked. The blackness is quickly consuming California and, if successful, will spread across our blessed nation that was once free.

What will the result be if we allow the dream to die? If Jesus tarries in His return, our children and grandchildren will not be free. They will be further marginalized, persecuted, tortured and even put to death. Shame on us who have richly enjoyed the bountiful blessings of liberty if we cannot preserve them for our posterity.

Why is Christ's bride so asleep as the dream fades into the present darkness? Why do we find ourselves so confused and paralyzed? The reasons are many, but I submit to you that the primary reason is *fear*. Among others, the fear of offending others, fear of being criticized, fear of losing our tax exempt status, fear of being sued. Do we have a passion for the truth that leads to Godly action? Or is the greatest good we esteem "tolerance" and being "nice." We dare not fear man more than God. The fear of the *Lord* is the beginning of wisdom.

Fear proves for us a formidable and paralyzing foe. As Edmund Burke so eloquently said:

*"No passion so effectually robs the mind of all its powers of acting and reasoning as fear."*<sup>[1]</sup>

It is much easier for us to hide and feel safe in our nice church buildings and comfortable homes while the world around us becomes darker. But if we do not quickly overcome our fears and rouse ourselves to Godly courage and action, the dream that is America will die. And perhaps, if it does, we deserve the result.

Judgment begins with the house of the Lord. As one pastor recently stated referring to California's marriage battle, "If the Churches were doing their job, we would not be in this mess." It is time we repent. We need to repent of our personal and corporate sins. We need to repent of not always boldly and clearly speaking the *full* counsel of God. We need to repent of failing to understand and live Jesus' command to be Salt and Light to this hurting and dying world.

What is needed to face our fears? We need Christian leaders. Leaders who, as C.S. Lewis urges are "men with chests." Who are these people? They are those few brave souls who understand and truly believe God's word. Who walk with God in the power of His Spirit. They believe clearly and speak clearly and directly with confidence, conviction and passion. They see the darkness, understand the darkness and are willing to stand and fight the darkness.

I humbly submit to you we can no longer afford the luxury of laziness and timidity. The darkness is impatient. It is time for men of conviction to stand up. Time is of the essence. We must act now. You can make a difference. As Edmund Burke so eloquently said: **All that is necessary for the triumph of evil is that good men do nothing.** The time is now for good men to do something in the face of this pernicious evil. The time for action is at hand.

---

What about you? Are you willing to allow your convictions to give you courage? Or will you wilt as the darkness blazes around you? Again, I ask, if the church does not uphold God's righteous standard, who will?

The "something" that you can do today is forward this message to your pastor and every pastor in California that you know--ask them to be a part of next week's (June 25<sup>th</sup>) state-wide pastors meeting in support of the California Marriage Protection Act. Please see the invitation below. Thank you.

<sup>[1]</sup> Edmund Burke "A Philosophical Inquiry into the Origin of Our Ideas of the Sublime and Beautiful", 1756



## **JOINT STATEMENT TO CALIFORNIA RELIGIOUS LEADERS AND ORGANIZATIONS REGARDING YOUR LEGAL RIGHTS TO SUPPORT THE CALIFORNIA MARRIAGE PROTECTION ACT (CMPA) AND TO NOT PERFORM SAME-SEX MARRIAGES.**

- **Religious leaders have the right to educate members of their congregation about the California Marriage Protection Act.** Under the federal tax code, religious leaders may speak freely and forcefully on important issues of public policy, including the November 2008 CMPA ballot initiative which, if successful, will reverse the State Supreme Court's recent same-sex "marriage" decision. Pastors and other religious leaders have the right to discuss legislative issues, support or oppose legislation, encourage their members to support or oppose legislation, and offer facts and materials about important legislation as long as the information is educational and is not designed to support a particular political party or candidate. Tax exempt religious organizations may lawfully spend an "insubstantial" amount of their funds yearly on issue lobbying for the CMPA. An insubstantial amount is generally considered 5-10% of annual funds.

- **Religious organizations may conduct non-partisan voter registration drives.** Religious organizations have tremendous freedom and opportunities to register their members, and others, to vote. A non-partisan voter registration drive means that there is no implied or explicit endorsement of a specific party or candidate and all people are encouraged to register to vote equally, regardless of their political affiliation. Such registration drives may also include a church setting up a voter registration table or petition signature gathering table in their lobby or mailing registration cards to their members.

---

● **Religious organizations cannot be forced to perform same-sex marriages.** The California Supreme Court stated very clearly in its recent ruling, which found a new constitutional right to same-sex “marriage,” that its opinion does **not** mean that same-sex couples can force religious organizations to change their practices or, more specifically, demand to be wed in churches across California. Simply put, no religious leader or official can be forced to “solemnize a marriage in contravention of his religious beliefs.” *In re Marriage Cases*, page 117. This right is grounded in California Constitution’s Free Exercise Clause which provides “Free exercise and enjoyment of religion without discrimination or preference are guaranteed. This liberty of conscience does not excuse acts that are licentious or inconsistent with the peace or safety of the State.” Cal. Const., art. I, § 4. In addition to state rights, churches and religious organizations have substantial protections under the federal constitution and federal law.

The undersigned legal organizations commit to provide pro-bono legal defense to any pastor, religious leader, church or religious organization that is legally threatened as a result of engaging in the lawful activities outlined above or threatened for refusing to perform same-sex “marriages.” We are also available to provide assistance with drafting marriage policies for your church.



Gary S. McCaleb, Esq., Senior Counsel  
Alliance Defense Fund  
[www.telladf.org](http://www.telladf.org)

Robert H. Tyler

Robert H. Tyler, Esq., General Counsel  
Advocates for Faith and Freedom  
[www.faith-freedom.com](http://www.faith-freedom.com)



Brad W. Dacus, Esq., President  
Pacific Justice Institute  
[www.pacificjustice.org](http://www.pacificjustice.org)



Dean R. Broyles, Esq., President  
The Western Center for Law & Policy  
[www.wclplaw.org](http://www.wclplaw.org)

## Invitation to June 25, 2008 Pastors Teleconference:

June 20, 2008

Greetings Pastors and Church Leaders,

This is an update to let you know there are now 75 sites from which to choose when you join us for the **Statewide Pastors & Christian Leaders Conference Call Gathering on Wednesday, June 25, 10 AM**, when we will discuss how to stand for biblical, traditional marriage by supporting the Marriage Amendment this November and praying for God's outpouring on our state. We will hear from many strong Christian leaders and strategists. It will be an encouraging time for all of us.

Below are the locations, listed by city, with the church name and address. By Monday at noon, all this information and more will be posted on the website at [protectmarriagesd.org](http://protectmarriagesd.org) (click on "Upcoming Events"), with additional sites posted as they are added.

Four things we ask:

1. Please forward this to as many pastors and Christian leaders as possible.
2. Email reply to [ProtectMarriageCA@4sd.net](mailto:ProtectMarriageCA@4sd.net) with the name, church, city, and email address of pastors and Christian leaders you know will want to be included so they can be informed of future meetings and developments. Please let us know with an email reply if you wish your address removed from future emails.
3. If your church would like to host in an area not already covered for this Gathering (you need speaker phone to be amplified, and have power point capability), contact Chris Clark at [pastor@eastclairemont.com](mailto:pastor@eastclairemont.com) or 858-395-7136.
4. To insure sufficient materials are available for those attending at each location, RSVP now to Tracy Burger at [tburger@skylinechurch.org](mailto:tburger@skylinechurch.org) or 619-660-5000 x 5404 with (a) your name, (b) the name of the church you are representing, (c) your position at that church, (d) your email and phone, and (e) the site you will be attending. If others from your church are attending, let Tracy know that as well.

We are not an organization as such. We are simply a group of San Diego area pastors and Christian leaders who, like you, love our God and want to honor Him as we serve our state. We have joined together with 40 or 50 organizations, and hundreds of pastors and churches across California and beyond, under the umbrella of [ProtectMarriage.com](http://ProtectMarriage.com).

We CAN and WILL make a difference. We were made for this time.

Your brothers,

Jim Garlow, Skyline Church  
Chris Clark, East Clairemont Baptist Church  
Miles McPherson, The Rock Church  
(written for a group of San Diego area followers of Jesus)

**Gathering Sites for the Pastors & Christian Leaders Conference Call**  
(as of 6/20/08)

**Alhambra** - Los Angeles Chinese Alliance Church (320 Cypress Av)  
**Alta Loma** - Crosslight Family Ministries (9720 Wilson Av)  
**Atascadero** - Atascadero Bible Church (6225 Atascadero Av)  
**Bakersfield** - Canyon Hills Assembly of God Church (7001 Auburn St)  
**Banning** - Legacy Christian Center (2562 W Wilson St)  
**Big Bear** - Calvary Chapel Big Bear (713 Stocker Rd)  
**Brentwood** - Mountain View Christian Center (605 Harvest Park Dr)  
**Calistoga** - Highlands Christian Fellowship (1407 Washington St)  
**Cerritos** - First Evangelical Church (11330 E 166th St)  
**Chino Hills** - Calvary Chapel Chino Hills (4201 Eucalyptus Av)  
**Chula Vista** - La Comunidad Cristiana (1057 Tierra del Rey)  
**Citrus Heights** - Messiah Lutheran Church (7801 Rosswood Dr)  
**Corona** - Crossroads Christian Church (2331 Kellogg Av)  
**Crestline** - First Baptist Church (533 Springy Path)  
**Diamond Springs** - Calvary Chapel Placerville (6575 Commerce Wy)  
**Dinuba** - Living Word Fellowship (172 N "L" St)  
**El Centro** - Christ Community Church (590 W Orange Av)  
**El Monte** - New Hope Community Church (3041 N Peck Rd)  
**Encinitas** - El Camino Christian Fellowship (510 S El Camino Real)  
**Escondido** - St Mary Catholic Church (1160 S Broadway)  
**Fresno** - Cornerstone Church (1545 Fulton St)  
**Fullerton** - Eastside Christian Church (2505 Yorba Linda Blvd)  
**Garden Grove** - Living Faith Christian Fellowship (12710 Hoover St)  
**Gilroy** - South Valley Community Church (8095 Kelton Dr)  
**Glendale** - Bethel Assembly of God Church (130 S Chevy Chase Dr)  
**Huntington Beach** - Refuge / Calvary Chapel HB (7800 Edinger)  
**Indio** - Central Baptist Church (45520 Clinton Av)  
**La Mesa** - Skyline Church (11330 Campo Rd)  
**La Puente** - St. Stephen Missionary Baptist Church (1720 Walnut Av)  
**Lake Forest** - Calvary Chapel Foothill Ranch (26882 Vista Terrace)  
**Lakewood** - Emmanuel Church (11844 E Centralia)  
**Lancaster** - Central Christian Church (3131 W Ave "J")  
**Lomita** - King's Way Community Church (1748 W 251st St)  
**Lompoc** - The Village Chapel (3865 Constellation Rd, Ste A)  
**Long Beach** - Calvary Chapel North Long Beach (5722 Lime Av)  
**Los Angeles** - Bethany Baptist Church (4141 W Martin Luther King Jr)  
**Los Angeles** - United Baptist Church (132 N Chicago St)  
**Madera** - Valley West Christian Center (101 W Adell St)  
**Middletown** - Jesus Christ Fellowship (21443 Pine St)  
**Modesto** - First Baptist Church (808 Needham St)  
**Moreno Valley** - Calvary Baptist Church (14137 Business Center Dr)  
**Newbury Park** - Monte Vista Presbyterian Church (3797 W Lynn Rd)  
**Oak View** - Calvary Chapel Ojai Valley (195 Mahoney Av)  
**Oakhurst** - Mountain Christian Center (40299 Hwy 49)  
**Oakland** - Kaleo Christian Fellowship (7700 Mountain Blvd)  
**Oceanside** - New Venture Christian Fellowship (4000 Mystra Dr)  
**Paso Robles** - The Revival Center (3850 Ramada Dr)  
**Pomona** - Shield of Faith Christian Center (1750 W Holt Blvd)  
**Porter Ranch** - Shepherd of the Hills Church (19700 Rinaldi St)  
**Porterville** - Porterville First Church of the Nazarene (765 W Henderson Av)  
**Ramona** - A Touch From Above (16145 Hwy 67)  
**Ridgecrest** - Immanuel Baptist Church (1201 N China Lake Blvd)  
**Riverside** - St. Andrew Orthodox Christian Church (4700 Canyon Crest Dr)  
**Riverside** - Word of Life Ministries International (7900 Limonite Ave, Ste G)  
**Rocklin** - William Jessup University, Edrington Conference Room (333 Sunset Blvd)  
**Sacramento** - Fourteenth Avenue Baptist Church (6240 14th Av)  
**Sacramento** - Riverside Wesleyan Church (6449 Riverside Blvd)  
**San Diego** - Clairemont Christian Fellowship (4570 Mt. Herbert Av)  
**San Diego** - Midway Baptist Church (2460 Palm Av)  
**San Jose** - Venture Christian Church (590 Shawnee Ln)  
**San Luis Obispo** - Mercy Church (710 Aerovista, Unit A & B)  
**San Marcos** - Grace Community Church (855 Barnham Dr)

**Santa Maria** - First Church of God (613 N Elizabeth St)  
**Santa Rosa** - Santa Rosa Nazarene Church (1135 Farmers Ln)  
**Shasta Lake** - Fountain Ministries World Outreach (1928 Grand Coulee Blvd)  
**Stockton** - Trinity Baptist Church (429 E March Ln)  
**Taft** - First Baptist Church (220 North St)  
**Temecula** - Mountain View Community Church (29385 Rancho California Rd)  
**Temecula** - Trinity Lutheran Church (30470 Pauba Rd)  
**Upland** - First Church of the Nazarene (120 W 9th St)  
**Vacaville** - Crossroads Christian Church (190 Butcher Rd)  
**Victorville** - Gate Church of the High Desert (11783 Amethyst Rd)  
**Whittier** - Second Chance Christian Fellowship (14080 Lambert Rd)  
**Wildomar** - Berakah Faith Ministries International (34862 Monte Vista Dr)  
**Woodland** - The New Testament Church (108 W Woodland Av)

By Monday at noon, additional information on these Gathering sites will be posted at [protectmarriagesd.org](http://protectmarriagesd.org) (click on "Upcoming Events"), and additional sites will also be posted as they are added.

Additionally, please **forward this email to as many pastors and Christian leaders as you can or email reply with the email addresses of pastors and Christian leaders** so that we can keep them informed of future developments.

**(NOTE: If you have no time to read more, thank you for reading this far. Please skip to the final two paragraphs and sign up to attend or host a location.)**

This statewide conference call will be audio only, although we are attempting to provide each site with PowerPoint visuals to make the conference more "informationally friendly." Be assured that the information shared will be extremely beneficial for the future of the cause of Christ in California. Saying it another way, it is worth canceling all other appointments in order to be present at one of these locations.

### **LEGAL REALITIES**

In a few days, the impact of four California Supreme Court judges will be felt throughout our state. Since things will "feel the same" (no lightning, thunder, earthquakes – likely), the naysayers will say, "See, we told you, it isn't the end of the world."

However, there is much more subterranean activity than there is on the surface. Your role – as a Christian pastor in this state – will have changed and it will have changed significantly. We have from now until the November elections to alter this.

### **RESPONSE OF THE GAY COMMUNITY**

A "Joint Advisory" (see [http://www.freedomtomarry.org/pdfs/ca\\_joint\\_advisory.pdf](http://www.freedomtomarry.org/pdfs/ca_joint_advisory.pdf)) was sent out by nine organizations (GLAD [Gay and Lesbian Advocates and Defenders], Lambda Legal, the National Center for Lesbian Rights, Equality Federation, Freedom to Marry, GLAAD [Gay & Lesbian Alliance Against Defamation], the Human Rights Campaign, the National Gay and Lesbian Task Force, and the ever present ACLU) cautioning their members not to launch lawsuits now. Not yet, at least.

The language of the document is obvious: They are instructing their members to lay low, and not stir up trouble now. In essence, they know they can sue. But do it later. They openly admit that suing now will set their cause back (see their document). In other words, they know that they have the legal advantage on this one. But if they use it, and press the issue, this will inform the "mushy middle" (people who indecisive on this issue) of exactly what has happened, and it could affect the outcome of the California Constitutional Marriage Amendment in November.

## **WHAT DOES THIS RULING MEAN?**

How does the California Supreme Court ruling affect pastors? Are we forced to perform marriages for homosexual couples? Are we forced to rent our church buildings to homosexual couples who want to get married?

One large, highly visible church in the greater LA area received a call from a prominent LA newspaper. The reporter wanted to know if the church was ready to perform homosexual marriages. The pastor was not available so the person who took the call responded, "No comment." Agitated, the hostile reporter said, "I'll call back June 17 (the day after the ruling takes effect) and will ask you if you will marry homosexual couples."

After talking with attorneys, there are several things emerging:

- (1) On page 117 of the California Supreme Court ruling, it exempts pastors, stating the following: "Finally, affording same-sex couples the opportunity to obtain the designation of marriage will not impinge upon the religious freedom of any religious organization, official, or any other person; no religion will be required to change its religious policies or practices with regard to same-sex couples, and no religious officiant will be required to solemnize a marriage in contravention of his or her religious beliefs. (Cal. Const., art. I, § 4.);"
- (2) However, before you breathe a sigh of relief, I quote what one person wrote to me this morning: "This decision has to be viewed within the matrix of California's existing laws that cover individuals within a 'protected' class." Regrettably the same court that affirmed this protection could take it away;
- (3) There are numerous Christian legal organizations and attorneys who are willing to defend you *pro bono* should the need arise;
- (4) We are not given to a spirit of fear;
- (5) We must be as wise as serpents and harmless as doves (Matt 10:16), and
- (6) We need thorough and correct information.

Bottom line: **at our June 25 Statewide Pastors Conference Call, Christian attorneys will instruct and guide us on these issues.**

In addition, **we will cover the strategy for preparing for (and winning) the California Constitutional Marriage Amendment vote in November.** This is a winnable war. And, unfortunately, the freedom to proclaim the Gospel hinges on the outcome of this election.

## **FASTING AND PRAYER**

One of the things I am most excited about is our upcoming **40 Day Statewide Fast, from September 25 to November 2.** Individuals may fast portions or all of the 40 days, as they are led, or they may fast in "relays" as teams.

A culmination of this 40 day period will be THE CALL (see the event in Washington, DC at [www.thecall.com](http://www.thecall.com)). **THE CALL CALIFORNIA will be held at Qualcomm Stadium in San Diego, Saturday, November 1, from 10 AM to 10 PM** – involving men and women of God from every denomination – all united to create a climate of ongoing prayer and fasting in our state and across the nation. We will cover many details regarding prayer and fasting in the June 25 statewide conference call. In our hearts, we know that what is *really* needed is more than a voting victory in November. What is needed is revival and an avalanche of Holy Spirit-given evangelism. That is why we pray.

### **MEDIA PRESENCE**

Some County Clerk's offices are staying open late on Monday, June 16, to accommodate marrying homosexual couples. Others will begin the process Tuesday morning, June 17. This event is an opportunity for Christian pastors to be "in the mix" and speak out in the media.

If (and I repeat "if") you are (1) called of God to do it (don't do it if you are not called by Him), and (2) if you are inherently media savvy, and (3) if you truly know the key issues upon which to focus for a *secular* audience, and (4) if you will not be inflammatory in your language, but loving in both speech and demeanor, then may I recommend you to go to your respective County Clerk's office on Monday evening or Tuesday morning – or both. Hand your card to media personnel and let them know who you are and that you are willing to make comments. For the most part, they do prefer to attempt to present "opposing views."

I cannot emphasize enough the importance of being firm, be loving. If you appear to be scared or angry or portraying "hate," then that will be trumpeted by the anti-biblical crowd. It is imperative that we are as loving as Christ, while not flinching under pressure. My suggestion, do *not* go if you feel you cannot follow the four principles above.

### **GUIDELINES FOR MEDIA**

I have done over 300 interviews (some of them under hostile conditions), so may I share a couple of points of advice? They are:

1. Put a "smile in your eyes" (seriously – try to do this when on camera).
2. Know the key points – clearly – backwards & forwards (see below).
3. If you are asked a question that is "off message" – gently direct it to "on message" in your answer.
4. If a question is asked in an hostile fashion, smile and answer calmly and slowly. Remember, a soft answer does turn away wrath.
5. Never, never raise your voice; talk calmly – reflecting the peace of Christ.
6. Don't quote Bible verses to a secular audience (which will be the case in media interviews); make your case based on Christ-honoring truth, but avoid quoting verses unless that is the nature of the question.

## KEY ISSUES TO COVER

1. Four judges overruled the will of the people, Prop. 22 which passed by 61.4% in 2000, and was placed in the California Family Code indicating marriage is the union of a man and a woman. Key words: “usurping,” “tyranny of the judges,” “preempting the will of the people.” The judges overturned Prop. 22 on May 15. They were asked if they would put a stay on their ruling until the citizens of California could vote on the Marriage Amendment, since the necessary signatures were being validated (694,000 required; 1.1 million obtained). On June 4, the judges refused to do so, thus creating legal chaos for the state when the Marriage Amendment vote is successful. In other words, people will be married under the ruling of four judges, and those marriages will have to be reconsidered in the light of the Marriage Amendment in November. All of these are key issues that honest minded people find offensive.
2. Children (particularly significant on this past Fathers Day weekend) deserve a chance to have a father and a mother. This produces the best environment for producing healthy human beings.
3. Do not use the phrase “ban same sex marriage;” that plays into the opposition’s court. Use correct phrasing: “destroying the definition of marriage that has existed in California’s 158 year history – since 1850, and the history of most of Western Civilization.

NOTE: These first three are all you need. The remaining ones are only if you need them. You will likely not need these.

4. Virtually every culture has affirmed the role of heterosexual marriage. There is a reason. It works.
5. Two pronged approach: (a) for people who see themselves as Christians, the Bible speaks clearly on this; (b) for those who are not concerned with the Bible or Christianity, there is an awareness of “natural law,” in that males and females function together in a particular role that sustains and provides health to the human race.
6. Loss of religious liberties; loss of freedom of speech, in that Canada and Sweden, for example, are now ruling that the Bible is “hate speech,” at some point, pastors will lose their right to speak out on this issue; pastors will be forced to perform homosexual weddings or face imprisonment and fines;
7. Social experiments are costly and devastating to the health of humans and societies.
8. If we redefine marriage, why stop with same sex? Why not polygamy? Why not incest (under age)? What is the basis for stopping with this definition of marriage? Why not further expand it?
9. Do we need public school curriculum to advocate homosexual activity?

I pray wisdom for you as you process what God is saying to you in this regard. If you want further key points to discuss, go to [www.ProtectMarriage.com](http://www.ProtectMarriage.com).

**Most importantly, join with us Wednesday, June 25 at 10 AM – at one of the above locations – or please host one yourself. Reminder: contact Chris Clark ([pastor@eastclairemont.com](mailto:pastor@eastclairemont.com)) ASAP if you are willing to host.**

**To insure sufficient materials are available for those attending at each location, RSVP to Tracy Burger at [tburger@skylinechurch.org](mailto:tburger@skylinechurch.org) now with your name, the name of the church you are representing, your position at that church, your email and phone, and the site you will be attending.**

I pray blessings on you this day.

Your brother in this ultimately victorious battle,  
Jim Garlow, Sr. Pastor  
Skyline Church, San Diego  
[www.skylinechurch.org](http://www.skylinechurch.org)