

Christ in Prophecy
Interview 47: "Christianity Under Attack"

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Opening

Dr. Reagan: In America today, Christianity is clearly under attack. Why is this so? How did it come to be? After all, our ancestors came here seeking religious freedom and then proceeded to establish this nation on Christian principles for the glory of God. Where did the train get off the track? We are going to explore these and other related questions with one of the foremost defenders of Christian freedoms in America today. Stay tuned.

Part 1

Dr. Reagan: Greetings in the name of Jesus, our Blessed Hope, and welcome to Christ in Prophecy. My special guest is Kelly Shackelford, the founder and director of the Liberty Institute in Plano, Texas the largest organization of lawyers in America today that is dedicated to the defense and advancement of Christian rights and freedoms. Kelly, welcome to Christ in Prophecy.

Kelly Shackelford: Good to be here.

Dr. Reagan: Well we've had you before and it is always a joy and a pleasure to have you. And I just want to jump right into this thing very quickly. We'll find out some information about you a little later. But I want to ask you a question when I was growing up in the church in the 1940s and the 1950s, an organization like yours; an organization that spends all of its time defending Christian freedoms was unthinkable. Today, it is indispensable. What happened?

Kelly Shackelford: Well when the culture has begun to move away from God there is less respect for religious freedom. Less assumptions of the freedoms that I think many people back in earlier days used to know that we had. And all those things are being tested, they are being pushed. And the idea--I mean there are groups that have formed now that their sole purpose is to get rid of religion in America. So, you know we are having to fight for things that we used to not have to fight for. In fact the very things this country was founded upon, religious freedom.

Dr. Reagan: So what you're saying is that we are in the midst of a culture war and it is a war that is for real, and it's a war that has resulted in a cultural shift. Is that correct?

Kelly Shackelford: Absolutely. And we have the proof of that, you know what you are talking about. We do a survey every year of just all the attacks going on around the country on religious freedom. And it is literally doubling some years from one year to the next.

Dr. Reagan: It's about that thick isn't it?

Kelly Shackelford: That's right. And people could go to our website and they can download it it's free. It's called "Undeniable the Attacks on Religious Freedoms."

Dr. Reagan: Isn't that something that you supply to the Congress every year?

Kelly Shackelford: We do. What happened is the U.S. Senate we testified a number of years ago, actually a little over 10 years ago and a number of clients testified. And what it was about was religious freedoms attacks around the country. And all that the other side could say after the hearing was, "Well these are just isolated instances." And so at the time Senator Ted Kennedy and Senator John Cornyn said, "Is that true? We would like you to respond." And so we just collected what was all going on and this was eleven years ago, and it was overwhelming even then. But as it's really we have watched it every year it is dramatically increasing now exponentially increasing of the attacks.

Dr. Reagan: Give us some quick examples.

Kelly Shackelford: Everything from a five year old girl, Gabriella Perez, a little girl who was praying over her meal as a little child was taught to do.

Dr. Reagan: Where at school?

Kelly Shackelford: At school. And she was stopped, and told, in fact she was specifically told quote, "It is not good to pray at school." So this an example. I am just giving you the spectrum that's young. And then let's go to folks who are not five years old, senior citizens who actually were told that their meals could be taken away from them because they were federally funded meals and they were praying over their meals and they said that violates separation of church and state.

Dr. Reagan: And that is just utter nonsense.

Kelly Shackelford: It's totally untrue but these are the kind of attacks going on. Its children being punished. I think a lot of people heard about this it made the national news a little child being punished for saying, "Bless you," to someone who sneezed.

Dr. Reagan: Well, I heard of a bank teller in Kentucky who was saying to people, "Bless you," "God Bless you." And they said, "Well that offends us."

Kelly Shackelford: Yes.

Dr. Reagan: And she was let go.

Kelly Shackelford: And we are now getting a whole new category of cases where people are literally losing their jobs, not even because of things they do at work. But because they are finding out at work where they go to church and what their beliefs are on marriage and that it's just a man and a women and they are being fired. Now people have a hard time believing that but we are filing a new suit almost every week because that is against the law you can't engage in religious discrimination in the work place. So the things that are happening now. I think of churches, 26 years ago when I started doing this work for the first time if you would have told me, "You are going to have to represent churches in the United States of America." I would have said, "This isn't the USSR. This is the United States. We don't have to represent churches versus the government." We are now having to represent a new church every week that just wants to be a church. All they want to do is feed the homeless, they want to do what churches do. And for that they are under attack. We just had one we just filed on behalf of two, well an African American church who moved into a very difficult area outside of Houston where people

did not want to enter in; to redeem it, to change it, to bring it back to life, to really bring Christ in that area. And over decades they have had tremendous success. In fact they have been growing, adding more land, adding more facilities, more activities for that community. So guess what happened? The city said, "You know what this area is getting nice now, it's getting better. So we are going to take over your property, we are going to kick you out of your church and use it for taxpayer property." And so we are having to actually defend, we had to go into court and defend these black pastors and these churches who simply are being the church and now are under attack. Again didn't used to think that type of thing would ever happen but it is happening all over the country.

Dr. Reagan: Well let's take a break for just a moment.

Part 2

Dr. Reagan: Welcome back to Christ in Prophecy and our discussion with Kelly Shackelford about the defense of Christian freedoms in our nation. Kelly is the founder and director of the Liberty Institute, which is our nation's largest legal organization devoted solely to the defense of Christian freedoms. Kelly, tell us about the Liberty Institute.

Kelly Shackelford: Well really it formed in 1997 and the whole purpose was that if you are, take one of our cases this last year. If you're a fifth grade boy and your favorite book you got for Christmas is your Bible.

Dr. Reagan: Right.

Kelly Shackelford: And there is a free reading time at school and you bring your favorite book to read. And the teacher says, "You are not allowed to bring that book and read during free reading time." This is a poor family on the edges of Miami-Dade, they were not going to be able to hire a team of attorneys, they don't have hundreds of thousands of dollars to bring them in. So we want to make sure that those people have the best representation possible. Not only because that is going to win, and we did win for Giovanni Rubeo--

Dr. Reagan: Sure, yes.

Kelly Shackelford: --and his family in that case. But that set a precedent for your children and my children and grandchildren. So it sets a precedent that helps the whole country.

Dr. Reagan: I know one kind of case you all handle frequently and that is there are groups in this nation who are really anti-Christian. And what they do is they go around sniffing, looking for any evidence of Christianity. They often go to city councils and say, "Hey, on the logo of this city you've got a cross, or you've got a steeple." And immediately the council backs off because they don't want to get involved in a lawsuit that cost a lot of money.

Kelly Shackelford: That's true.

Dr. Reagan: What have you found out?

Kelly Shackelford: Well we are now going to those groups and saying, "We'll represent you for free." And we even had some supporters put a fund in place so that if any cost assessed

against them are covered. So there really is no downside. Because what was happening a lot of the cities, and counties, and school districts were just really removing religious freedom and religious heritage for no reason even though the law doesn't say that at all. And so one of the great things about the way we do what we do is it's not that all of our attorneys run around the country and do everything. What we do is there are believers who went to law school all over the country who went because they wanted to stand for what was right.

Dr. Reagan: Right. Yes.

Kelly Shackelford: And 30 years later these are the best litigators at some of the best law firms in the country and they have done great work but they've gotten to do a case for the Kingdom. So we find these best of the best and we say, "Look, how would you like to do a case if we give you everything you need to be able to do that?" And they are like, you know I've been waiting my whole life to do something like that.

Dr. Reagan: That's great.

Kelly Shackelford: So we have the best attorneys, the best law firms all over the country donating their time. And the teams we put together are really dream teams. And you think of that though, think of like who I already mentioned the little five year old girl that we represented and was told she couldn't.

Dr. Reagan: Yes.

Kelly Shackelford: I mean they didn't have money to buy attorneys, much less I mean the most powerful legal teams you could ever imagine from these huge law firms.

Dr. Reagan: Right.

Kelly Shackelford: It's just really neat to see the body of Christ working. These are people giving their talents for others in the body, that's exactly how it's supposed to be.

Dr. Reagan: And one thing you mentioned to me that I found very interesting is quite often these groups that are attacking are just really bullies. And when you stand up to them they back off because they don't want to get involved in litigation.

Kelly Shackelford: Absolutely. What we talked about earlier, you know the freedom from religion foundation which sends these threatening letters. The last 12 times that we've caught them sending these letters and we've represented the city, or the county, or the school district and we've said, "This is not right. This is not the law. Let us represent you." And they've said, "Sure." We've sent a letter to them and said, "Come on there is no basis for to your lawsuit, file a lawsuit." All 12 times they have run away. So it's a lot about intimidation and seeing if you can get people to change and remove part of our religious heritage just out of fear when that is not what the law says.

Dr. Reagan: How can people get in touch with you?

Kelly Shackelford: Easiest way is just our website is libertyinstitute.org. There is a lot of things I would tell them they can do there. There is a thing--there are different ways to find out what your rights are. You know you might say, "I don't know what are the rights in the public schools for me as a teacher or a student?"

Dr. Reagan: Yes.

Kelly Shackelford: We have that already done. What about in the military? We've got a lot of military cases religious freedom. Here's what your rights are in the military.

Dr. Reagan: What about churches and ministries that want to protect themselves?

Kelly Shackelford: That is exactly that is one of our biggest.

Dr. Reagan: In fact we went to your website. We downloaded that material and we put some of that into the bylaws of this ministry.

Kelly Shackelford: Unfortunately very few people are aware of this, many churches and many ministries out there don't have in their legal documents what they need.

Dr. Reagan: Yes.

Kelly Shackelford: There are going to be attacks, I think everybody knows this. They've already started they've seen the situations with people who refuse to marry two men or two women and all of a sudden a human rights prosecution is brought against them. They don't have in their documents, in their legal documents a lot of times what they just assume everybody knows they believe.

Dr. Reagan: Right. Right.

Kelly Shackelford: And so what we have on our website and it's called, actually there is a little picture of a church with sunlight coming out, and it says, "Are you Protected?" You click on that. It takes you to whether you're a church, whether you're a school or whether you're just a non-profit ministry. You can click on that and it will say here are the documents you need to look at. And here are some sample language that others have used on different issues that really tie in the biblical approach. And then you can change it a little bit for your theology to make it fit for your organization. But if you have that, then if you are sued you can actually use that to defend yourself.

Dr. Reagan: Yes. And they are going to be sued. They are coming after you.

Kelly Shackelford: Absolutely I mean it is clear, I think most people know the attacks have started. And certainly after the Supreme Court decision on same-sex marriage a lot of groups feel like they can use that as a jumping off point.

Dr. Reagan: Well now that you have mentioned that. Let me just ask you about that. I've run across some Christian who kind of shrug their shoulders and say, "Well you know if those people want to get married, let them get married. It doesn't affect me. The legalization of same-sex marriage has no impact on my life whatsoever." What about it?

Kelly Shackelford: Well they're just misinformed. I mean that's what you might assume. You might say, "What do I care?" But the problem is there is a number of things that are not only going to happen, they've started to happen already. And they're not surprises these are things that we're told that if we get this this is what we are going to do. Number one, it's not going to affect me. Well do you have any connection to any non-profit groups like maybe your church? Because one of the things that was stated right out in the open during the oral argument is that

if you have this new right to same-sex marriage then how can you have a tax-exempt status from the federal government when you are an open discriminator against, you know, a federal constitutional right?" The Solicitor General of the United States who was arguing that case for our federal government when the question was asked from the Justices didn't say, "Oh, no we won't do that." He said, quote, "That will be an issue."

Dr. Reagan: Wow.

Kelly Shackelford: Said the same thing when it came to Christian universities and colleges. They've already begun to question how can you give a federal loan to a student who then goes to a college that's a discriminator? Carry that onto--

Dr. Reagan: What about professional organizations?

Kelly Shackelford: That is exactly right. People think, well it won't affect me at least. It will affect you, it will affect your work. Almost everybody is in some sort of profession. Whether you're a doctor or a lawyer or real estate agent or a teacher, you need to get licensed, there are ethic codes. And there is already the attempt to take this belief in the Supreme Court decision and put that in the ethic codes. When that happens then you will have a decision to make, either you keep your belief and possibly lose your profession or you say, you know what I'm just going to really fold up as a Christian because I want to keep my profession and my career. This has happened in other countries where this has happened and it's already starting here. We are seeing people fired all the time right now not because of things they do at work but because of their beliefs.

Dr. Reagan: For example getting on the internet and going to look at the church that they attend, and what is the creed of that church.

Kelly Shackelford: Yes.

Dr. Reagan: And they've done nothing wrong at the workplace.

Kelly Shackelford: No, people have a hard time believing this but Eric Walsh who we represent director of public health and was given the job from the state of Georgia to be over a whole third of the state, or a big region of the state. And he accepted the job and then a few days later some people called and said, "You need to look at where this guy goes to church." We now have copies of the e-mails from the government officials divvying up the sermons from the church deciding who would read which one. And the next morning they fired him. And I want people to think about that. He was fired not because of anything he did or said at work. He was fired because of what was said in his church on a Sunday. Now, does that violate the law? Yes, it violates the law. But, we are having a whole lot of these cases now, and we didn't used to have any of these cases.

Dr. Reagan: You know the First Amendment says that one of the things that protects in addition to speech is the free exercise of religion.

Kelly Shackelford: That's right.

Dr. Reagan: And yet a person who says, "No, I'm not going to make a cake for a gay wedding." They can lose their business. They can be fined.

Kelly Shackelford: Right, we have bakers, we have florists, we have photographers who have all been punished.

Dr. Reagan: And I would suggest to you that might be a very selective enforcement because what would happen if you went to a Jewish caterer and you said, "We want you to fix pork chops." And he said, "Well I can't do that because of my religion."

Kelly Shackelford: That's right.

Dr. Reagan: I doubt if he would be persecuted.

Kelly Shackelford: No. And they've already done this they have tested this with Muslim t-shirt maker.

Dr. Reagan: Yes.

Kelly Shackelford: And you know they don't want to prosecute, they don't want to push against those.

Dr. Reagan: It is just against Christianity.

Kelly Shackelford: But they are willing to go after the Klein's who are the bakers from Oregon who have now been fined \$250,000 for not making a cake for two lesbian women. And they made cakes for them they just said we can't do a wedding cake because of our faith.

Dr. Reagan: Yes. And there are plenty of bakers they could have gone to.

Kelly Shackelford: Absolutely. So, this an attempt to sort of force.

Dr. Reagan: Well that brings up another question and that is when you think about defending Christian liberties you primarily think about defending churches, and ministries, and ministers like the ministers who had their sermons subpoenaed in Houston, Texas.

Kelly Shackelford: That's right.

Dr. Reagan: But you've been pointing out that in other places like the public arena, schools, and now even the military?

Kelly Shackelford: Yes, we are having to do a lot of cases in the military protecting religious freedom that's in the military. Our military was formed by George Washington.

Dr. Reagan: Yes.

Kelly Shackelford: With religious freedom, everybody was given a Bible. The chaplains were formed. And that's really under attack. Again groups have formed that their sole purpose is to rid the military of any religious freedom or religious expression. In fact one of their leaders said that he wouldn't be satisfied until quote, "There were 400 heads on a stick." And by that he followed up and said, "I mean 400 court-martials of people for sharing their faith in the military."

Dr. Reagan: Well I know that military chaplains are under a lot of pressure about even praying in the name of Jesus. It is just incredible.

Kelly Shackelford: We've got one of those cases right now. Chaplain Wes Modder who is just an incredible man, not only a chaplain but chaplain for our special forces. He's been deployed overseas 14 times. Really called the best of the best throughout all of his evaluations. But all of sudden he's been what we would call fired, attached for cause, because in his one-on-one counseling he answered questions about sex outside of marriage with what the Bible says about sex outside of marriage.

Dr. Reagan: Yes.

Kelly Shackelford: And now he's been declared intolerant and therefore we have to remove him from the chaplaincy. So this case is ultimately about will chaplains be allowed to be chaplains? Can they use the Bible?

Dr. Reagan: So we've got the attacks and literally all aspects of life right now: in the market place, in the public arena, in schools, military the whole area.

Kelly Shackelford: Everywhere. And I think people, I think most people who are people of faith realize they see what's coming and it's one of those times I would call it a Joshua 1 time where God has to remind us, be strong and courageous. Be strong and courageous.

Dr. Reagan: Yes.

Kelly Shackelford: Now they ended up in the Promise Land, but they have to go through Joshua 1. And so I think it is a different time in our country. It used to be that we all assumed things and being a Christian was sort of go along, get along. Now it really stands out. It really is going to cause a notice and people are going to have to be willing to pay a sacrifice for standing for their faith.

Dr. Reagan: Let me ask you about something that is rather subtle and that is that ever since Obama became President every time he would speak about religion he would always talk about freedom of worship, he never talks about freedom of religion. And I've pointed this out to people, and they say, "So what?" There is a big difference.

Kelly Shackelford: Oh, absolutely. Freedom of worship is a terminology used to say that you have the right to worship in your church.

Dr. Reagan: In your church.

Kelly Shackelford: Yes, but once you come out you don't have religious freedom. And that's not what the Founders put in our Constitution.

Dr. Reagan: And that's not what Christianity teaches.

Kelly Shackelford: No.

Dr. Reagan: You're supposed to have your Christianity in your life, in your decisions about everything.

Kelly Shackelford: Absolutely it affects everything. And this is exactly, you talked about these cases with the bakers and the florists who are being attacked. I was on national TV with one of the heads of the movement freedom to marry, gay marriage, and he said, "You know I am for

religious freedom. I'm for religious freedom I really believe in that." So we said, "What about these cases?" And we started talking about these Christian bakers who are bankrupt and they have a fine of \$250,000. The grandmother who could lose her home for not doing a floral arrangement for two men and their wedding. And the response was, "Oh, well that is in commerce." And so it is the same argument, it is this argument that--

Dr. Reagan: You put your Christianity aside there.

Kelly Shackelford: You leave it, you leave your faith in your home and in your church, or your synagogue, or whatever but if you bring it out then no religious freedom.

Dr. Reagan: Hey, that's what is wrong with our nation today.

Kelly Shackelford: Exactly, that's exactly right. And that is not the law. That is not what the Constitution says. And I will say this you know I am talking about a lot of bad attacks and bad things, but we are winning over 90% of our cases.

Dr. Reagan: And people need to know that.

Kelly Shackelford: We are winning, winning, winning, winning these cases. The law protects religious freedom. So when I say these attacks are coming and they've just started, I'm not saying we're going to lose, but I am going to say that we need to be willing to stand. And when we do we can win and we can stop what is being attempted because this country was founded on religious freedom.

Dr. Reagan: I want to ask you sort of a legal question here. I taught Constitutional Law for many years and I studied it in detail and back in the 1950's when I was learning Constitutional Law I remember an interview that I saw with Hugo Black on television one of the great jurists of the 20th Century. And he was sitting with a copy of the Constitution in his hands and every time they asked him a question he would it was like he was going to the Bible, he would go to the Constitution. And they asked him this question, "Justice Black when you are making a decision about a law do you make that decision on the basis of whether it is stupid law, a silly law, a practical law, a rational law?" He said, "Absolutely not!" He said, "There are many stupid, silly laws that are perfectly constitutional. The only thing I make my decision on is whether or not it is constitutional." Our current court doesn't do that.

Kelly Shackelford: No. I'd say you have certainly three that always have taken that approach.

Dr. Reagan: Yes, yes.

Kelly Shackelford: You've got four who has always taken that approach except in the Obamacare case.

Dr. Reagan: Yes.

Kelly Shackelford: That is Justice Roberts who really changed his approach in that case for some reason. But you've got five who don't. And that's why you have some of these decisions that are so shocking.

Dr. Reagan: For example the decision on abortion and the decision on gay marriage both of these are things that are left to the states by the Tenth Amendment.

Kelly Shackelford: Absolutely.

Dr. Reagan: The court had no right even to have any jurisdiction over them and yet it jumps in there and starts making decisions, legislating.

Kelly Shackelford: Yes, and it's wrong and what that does is it creates problems. For instance the abortion issues hasn't gone away.

Dr. Reagan: No. It's not going to.

Kelly Shackelford: So, what the court has done is really frustrated the democratic process where those things could be talked about. Where there could be debates. Where people could bring the best arguments, and the country could decide to do state by state.

Dr. Reagan: Same with same-sex marriage.

Kelly Shackelford: That's exactly right.

Dr. Reagan: Think of all the states where this was put up to public votes like California, millions were spent, people debated this and it was voted down and the court just like that.

Kelly Shackelford: Yeah, our country, our Founders were smart they didn't want to put five unelected lawyers in charge of all of our public policy.

Dr. Reagan: Not a one of which is a Protestant.

Kelly Shackelford: That's right.

Dr. Reagan: Not one.

Kelly Shackelford: You've got, that's not the way it's supposed to work. They are from a very narrow part of America. I mean if you want to represent the whole country the legislative process, the people we have as our representatives that is what they meant to do. So, the court is not supposed to be a legislature. They're not supposed to really make policy decisions so when they do that they frustrate the system.

Dr. Reagan: Kennedy said in his majority opinion on same-sex marriage. He said, "Well, you know our Founders just couldn't envision all of these problems, so somebody has got to solve them." Well hey they gave a process for solving them it is called the Constitutional Amendment process.

Kelly Shackelford: Yes. No absolutely. Our system is perfectly capable of handling new issues, you know it is perfect, but it's just not going as fast as Justice Kennedy wanted it to go. But that is not his prerogative is the problem. But you know the problem with this is it is now being turned in way to try to attack religious freedom. I mean again people can look at the decision on same-sex marriage and say, "Well it is just about marriage." But that's not what it is attempted to be used as. The attempt is to use that as a weapon to attack people who disagree with it. And again that is going to happen in accreditation. It is going to happen in tax-exempt status, in all kinds of things. That is not what our country is about. Our country believes strongly, that is why it was founded for people to have the right to religiously dissent from the

government's view. And it's interesting how we are turning full circle and we are now testing that very thing that founded this country.

Dr. Reagan: Well my concern is that we are heading in the direction of hate crimes being applied to speech. And people saying well if you get up and give a sermon against homosexuality you're guilty of a hate crime. Is there any possibility that could happen?

Kelly Shackelford: Well it has happened in other countries, certainly. You had the pastor in Sweden who was actually given 30 days in jail for preaching from the pulpit on that. Now that was eventually overturned when it got to the Supreme Court. But this is exactly what we are talking about. You know you are on the air.

Dr. Reagan: Yes.

Kelly Shackelford: How many when people, your viewers, you want to ask yourself what do they watch on TV? What do they listen on the radio? Do they listen to Christian programs? Do they listen to Christian ministers? Well how can they have an FCC license to be on the air if they are engaging in discrimination against a federal constitutional right?

Dr. Reagan: That's right.

Kelly Shackelford: That is exactly what happened in Canada.

Dr. Reagan: It has happened in Canada, yes.

Kelly Shackelford: This discussion on these issues you would not be allowed there.

Dr. Reagan: Could not be broadcast in Canada.

Kelly Shackelford: That's right. And this is exactly the attempt in the United States. It is an attempt at censorship. An attempt to really push away one view on the issue. Our First Amendment doesn't allow that. But there are attempts already started to do that. And the arguments are things like, well that is in commerce, or you know we will give you freedom of worship the things we've been talking about. But that goes directly against the First Amendment right of free speech, and the right of free exercise of religion.

Dr. Reagan: Well all I can say is I praise God for your organization, and I pray the Lord will greatly bless you in the days that lie ahead.

Kelly Shackelford: Thank you very much.

Part 3

Dr. Reagan: Well folks that is our program for this week. I hope it's been a blessing to you. And I want to thank our special guest Kelly Shackelford for taking the time out from his busy schedule to be with us. And Kelly I pray that the Lord will continue to richly bless all your efforts to defend Christian liberties in America.

Kelly Shackelford: Thank you very much.

Dr. Reagan: Until next week the Lord willing this is Dave Reagan speaking for Lamb and Lion Ministries saying, "Look up, be watchful, for our redemption is drawing near."