

President Obama Has Shredded What Was Left of the First Amendment

Under the Founders' Constitution—that is, the one written by the Founders, not the one mangled beyond recognition by the Supreme Court—the only entity that can violate the First Amendment is Congress.

The very first word in the First Amendment is “Congress.” The First Amendment was intended as a restraint on Congress and Congress alone. It is simply impossible for any other entity—be it a state, a county, a city, a school district, a school teacher or a student—to violate the First Amendment for the simple reason that it wasn't written to restrain them.

Only Congress can violate the Founders' Constitution, and it can do so in only two ways. First, it can violate the Establishment Clause by picking one Christian denomination and making it the official church of the United States. As long as Congress doesn't do that, it can do anything it wants with regard to religious expression. It can pay a chaplain to pray Christian prayers and proclaim as many national days of prayer as it would like.

States under the Founders' Constitution are free to regulate religious expression in any way they would like without any interference from the federal government. States can even have an established religion if they want to, and at the time of the Founding, 10 of them did.

Secondly, only Congress can violate the Free Exercise clause because it applies specifically and exclusively to Congress. Congress—and by extension the entire federal government, including the judiciary—is flatly prohibited from interfering with the free exercise of the Christian religion in any way,

shape or form. Any such effort on the part of any branch of the federal government, whether it's the legislative branch, the executive branch or the judicial branch, is flatly and permanently forbidden by the Founders' Constitution.

The federal government has zero authority to tell schools what they may and may not do with regard to Bible reading in classrooms, prayer at assemblies and graduation ceremonies, or the posting of the Ten Commandments on school room walls. Those matters are for state and local authorities to decide. Period.

And since the First Amendment has never been amended, it means the same thing today as it did when it was enacted in 1791. It is as unconstitutional today as it was 225 years ago for the federal government to intrude in matters of religious expression.

This makes a new publication from the United States Commission on Civil Rights an egregiously unconstitutional and dangerous document. In fact, it may be the most dangerous document ever produced by a federal government bureaucracy. It tramples, shreds and mutilates the very constitutional rights it is supposed to protect.

The Commission just published a new 306-page briefing with the utterly deceptive title "Peaceful Coexistence." However, when it comes to a clash between the gay agenda and religious liberty, there is nothing peaceful about this document, nor is there any discernible co-existence of any kind. Religious liberty is forced to kneel in humble and abject submission before our new pro-homosexual overlords.

Martin Castro, chairman of the Commission, says, "The phrases 'religious liberty' and 'religious freedom' will stand for nothing except hypocrisy so long as they remain code words for discrimination, intolerance, racism, sexism, homophobia, Islamophobia, Christian supremacy or any form of

intolerance.”

In other words, if you’re a Christian, you are a bigot. Period.

Castro argues that the Establishment Clause, which was intended only to prevent Congress from picking one Christian denomination and making it the official church of the United States, now authorizes government at all levels to brutally repress the free exercise of Christianity anywhere it comes into conflict with special rights based on sexually deviant behavior.

Says the Commission, “Civil rights protections ensuring nondiscrimination ... are of preeminent importance in American jurisprudence.” Translation: Special rights based on non-normative sexuality trump the First Amendment every day of the week. It’s no longer the Constitution which is of “pre-eminent importance,” it is imaginary rights manufactured out of the ether which triumph over explicit rights guaranteed in the Constitution itself.

The Constitution is no longer the supreme law of the land. The homosexual agenda is.

Under the Commission’s radicalized view of the First Amendment, homosexual activists win every time over Christian bakers, florists and photographers and even churches who are simply engaging in the free exercise of their religious values.

I’ve often said that the homosexual agenda represents the single greatest threat to religious liberty in the history of the Republic. This document is indisputable proof. If there is any conflict between the homosexual agenda and Christian liberty, the homosexual agenda wins—every single time.

With regard to the election, there is little question that Hillary Clinton’s sympathies lie with the most aggressive

proponents of homosexuality and transgenderism. There is not a single First Amendment right that will be safe under a regime led by someone with such views.

Donald Trump has come out forcefully on behalf of religious liberty, but it remains to be seen if he fully understands the lethal danger the homosexual agenda poses to our first freedom and will take a principled stand against it. It would be helpful for voters to know, for instance, where he stands on the Equality Act, which will enshrine the entire homosexual agenda and essentially criminalize Christianity in the process.

The left claims their motto is "Co-Exist." But in reality, as the Commission on Civil Rights reveals, it is really "Co-exist-or else."

Whether religious liberty and the Constitution itself has a future in America is at stake in this election. Let's hope and pray that voters choose wisely. {eo}

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