

The Constant Defense Against All Forms of Tyranny

An ever-growing federal government seeks to control the populace. That is the nature of the beast. Those in power want more power. They want no opposition. As Thomas Jefferson stated, "History has informed us that bodies of men, as well as individuals, are susceptible of the spirit of tyranny." And we all know that absolute power corrupts absolutely.

In light of the Founding Fathers' personal experience living under tyranny, they carefully designed the Constitution to divide power among the branches of the federal government, the state governments and the people themselves in order to minimize the risk that one person, or one small group, could gain too much power.

One of the foundations of opposition to tyranny is our belief, set forth in the Declaration of Independence, that certain unalienable rights come from a Creator and that "governments are instituted among men" not to create or take away rights, but to "secure" them. This American belief was reasserted by John F. Kennedy when he stated in his inaugural address "that the rights of man come not from the generosity of the state but from the hand of God."

One way to undermine this basic American belief is to undermine the church. A way to undermine the church is to undermine its ability to govern itself internally, including the selection of ministers. The Obama Administration attempted to do just that.

For years, courts had deferred to religious groups in the hiring and firing of their ministers. Religious groups relied on a legal doctrine known as the "ministerial exception" to exempt them from employment discrimination laws. This legal

doctrine is based on a religious group's First Amendment right to shape its own faith and mission through ministerial appointments.

Without such a legal doctrine, the federal government could dictate to a religious organization the appropriate qualifications for its ministers and deprive that organization of control over the selection of those who advance its beliefs.

In 2012, the United States Supreme Court decided a case where the "ministerial exception" was at issue. The Obama Administration argued that the First Amendment has "nothing to say about a religious organization's freedom to select its own ministers" and urged the Court to disregard the "ministerial exception" outright and to allow courts to decide any dispute between a church and its minister.

Fortunately, the Obama Administration's position was soundly rejected. The Supreme Court ruled 9-0 that the First Amendment prevents the federal government from interfering with the freedom of religious groups to select their own ministers.

That Supreme Court decision helped the American Center for Law & Justice (ACLJ) achieve a significant victory last month. We secured a religious organization's First Amendment right to select its ministers and spiritual leaders free from government interference and obtained, for the first time since the Supreme Court's 9-0 decision, a declaration that this right can never be waived to allow government interference because the First Amendment strictly forbids it. If the Obama Administration had had its way, that religious organization would not have had that freedom.

It is with your generous support and prayers that we are able to continue to fight against the many attempts by the federal government to take away our rights, whether it be the IRS's targeting of conservative groups to silence their message, the

HHS abortion-pill mandate used to force employers to violate their religious beliefs, or President Obama's executive order in which he bypassed Congress and unilaterally changed our nation's immigration laws.