

Will Pastors Keep Pulpit Free Speech?

More than 1,800 pastors in all 50 states plus Puerto Rico have participated so far in the Alliance Defending Freedom seventh annual Pulpit Freedom Sunday event, which began this year on Oct. 5.

Of those participating, 1,517 preached sermons presenting biblical perspectives on the positions of electoral candidates and signed a statement agreeing that the Internal Revenue Service should not control the content of a pastor's sermon. An additional 242 pastors signed the statement only, bringing the total number of pastors in support of pulpit freedom to more than 3,800 since 2008. Pastors are allowed to register and participate through Election Day, Nov. 4, so the numbers continue to grow.

Pulpit Freedom Sunday gives pastors the opportunity to exercise their constitutionally protected freedom to engage in religious expression from the pulpit despite an IRS rule known as the Johnson Amendment, which activist groups often use to silence churches by threatening their tax-exempt status.

"The tax-collecting IRS shouldn't be playing speech cop and threatening a church's tax-exempt status simply because its pastor exercises his constitutionally protected freedom of speech," said ADF Senior Legal Counsel Erik Stanley, who heads the Pulpit Freedom Sunday event.

"Pastors and their churches should decide what is said in church. The IRS shouldn't be empowered to censor speech—period. A growing movement of pastors is calling for a solution to this very real violation of the First Amendment."

"The Johnson Amendment commissioned the IRS to be a 'speech cop,' a role it should not have," added ADF Litigation Counsel

Christiana Holcomb. "This law was specifically designed to silence public criticism of a politician. That's clearly in conflict with the First Amendment. Political retribution to protect the powerful has never been the basis of good law."

Pulpit Freedom Sunday, which began in 2008 with 33 participating pastors, is an event associated with the Pulpit Initiative, a legal effort designed to secure the free-speech rights of pastors in the pulpit. ADF hopes to eventually go to court to have the Johnson Amendment struck down as unconstitutional for its regulation of sermons, which are protected by the First Amendment.

"A federal agency can't use tax status as a weapon to force an American to surrender his constitutionally protected freedoms," Stanley explained. "Churches don't have to give up their freedom of speech to remain tax-exempt any more than they have to give up their protection against illegal search and seizure or any other protection in the Bill of Rights."

A September Pew Research poll found that the majority of Americans are concerned that religion is losing influence in American life and believe churches and other houses of worship should express their views on social and political issues. A national phone survey conducted in 2011 by ADF and LifeWay Research with 1,000 randomly drawn senior pastors, found that nearly nine out of 10 Protestant pastors believe that the government should not regulate their sermons.