



June 2020

Psalm 46 speaks of the earth giving way and the mountains falling into the heart of the sea; of its waters roaring and foaming, and the mountains quaking with their surging. This is a dramatic picture of a world in turmoil.

In 2020 we've endured a global pandemic in COVID-19 like we haven't seen in 100 years. There's been the deaths of George Floyd, Rayshard Brooks, Ahmaud Arbery, and Breonna Taylor—and the peaceful protests as well as civil unrest and violence that continues today.

Then, on June 15 the Supreme Court of the United States announced a decision that has been said will produce years of social conflict.

Since 2013, my office has been increasingly vigilant about the increasing cultural antagonism against biblical Christianity. We are committed to do what we can to keep you informed and to protect your First Amendment freedom of religious expression.

A watershed event in that antagonism against the gospel was the 2015 Supreme Court ruling that legalized homosexual marriage.

June 15, 2020, may well be another defining moment in church/state relations in the United States.

In the case of *Bostock v. Clayton County*, the Supreme Court addressed Title Seven of the 1964 Civil Rights Act.

Title Seven reads, "It shall be an unlawful employment practice for an employer ... to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin."

Nowhere in the 1964 law does it say that "sex" is intended to include sexual orientation or gender identity. Congress has repeatedly rejected any expansion of the term "sex" in the Civil Rights Act to include those terms.

However, by a 6-3 vote, the Supreme Court ruled that the term "sex" in Title Seven now includes sexual orientation and gender identity.



Writing for the majority, Justice Gorsuch argued for the expansion this way: “Because discrimination on the basis of homosexuality or transgender status requires an employer to intentionally treat individual employees differently because of their sex, an employer who intentionally penalizes an employee for being homosexual or transgender also violates Title Seven.”

So, the key question for us is this: “How does this ruling affect religious institutions such as Christian colleges and schools, and churches like the EPC?”

The immediate answer is: it is unclear, since the court says it was not asked to consider a religious liberty claim. Further, the majority opinion in its ruling tries to minimize the threat to religious expression. It includes a reaffirmation of the Title Seven statutory exemption for religious employers, the ministerial exception in the First Amendment, and the protections for a person’s exercise of religion in the Religious Freedom Restoration Act, or RFRA. Gorsuch describes the RFRA as “a kind of super-statute, displacing the normal operation of other federal laws” that “might supersede Title Seven’s commands in appropriate cases.”

However, Justice Samuel Alito wrote in the dissenting opinion, “The position that the Court now adopts will threaten religious freedom, freedom of speech, and personal privacy and safety.”

We have good reason to be gravely concerned for the future of the church of Jesus Christ in our country. Especially when we consider how our culture at the governmental level has increasingly embraced values that are antithetical to God’s Word.

So, where do we go from here?

The Supreme Court decision applies to organizations with 15 or more employees. That said, if your church has less than 15 employees, we’ve been advised that you need to know what anti-discrimination laws are in your state and locality. It also would be prudent to know if those state and local laws include a religious employer exemption.

Given the religious freedom protections in Title Seven of the Civil Rights Act, the First Amendment, and the Religious Freedom Restoration Act, we will continue to keep a close eye on upcoming attempts to chip away at—or even do away with—those protections. For example, in three weeks the Supreme Court will issue a ruling on the ministerial exception



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included in the First Amendment. The Court is scheduled next year to rule on a religious freedom case challenging the government's right to compel behaviors and statements from groups that are a direct violation of that group's religious convictions.

I am so thankful that in these challenging and difficult times, we in the EPC know where our ultimate reliance resides.

Psalm 46 begins, "God is our refuge and strength, an ever-present help in times of trouble. Therefore, we will not fear."

As you have rejected fear and stepped out in faith in your refuge and strength, you have blessed and inspired me.

In faith you have adjusted quickly to doing ministry in the new reality of a pandemic shutdown.

In faith you've fasted, lamented, and prayed—seeking the Lord in the midst of these difficulties.

In faith you've committed to listen, learn, and step into the challenge of being agents of reconciliation in our badly fractured country.

In faith you've cared for your congregation and community well.

And in faith you have proclaimed the Good News of salvation, forgiveness, love, and hope that is found only in Jesus Christ.

As the Apostle reminds us in Galatians 6: "Do not become weary in doing good, for at the proper time we will reap a harvest if we do not give up."

We will not give up!

Thank you. God bless you, and remember: He is risen!