

July 2010

A Monthly Publication of Christian Law Association

THE LEGAL ALERT

The background of the cover is a photograph of the United States Capitol building in Washington, D.C. The building is white with a prominent dome and is set against a blue sky with light clouds. In the foreground, there is a green lawn and a tree with pink cherry blossoms on the left side.

When I think of America

The Star-Spangled
Banner

Your Right To Display
The American Flag

When I think of America

When I think of America, I am proud of the country I call home. You could say I feel patriotic. I appreciate our many freedoms in this nation, our beautiful lands, and our diverse and interesting people. I've traveled to many other countries, and while I value them all as well, there is always something special about being home in America that makes my heart swell with pride and my face smile with appreciation and joy.

In particular, I appreciate the many Americans who came before me and made monumental and selfless sacrifices so that I may now enjoy my life here in this wonderful country. I consider their many sacrifices in starting churches and helpful organizations, such as Christian schools, hospitals, and benevolent groups that provide many resources for our needy citizens. I am especially thankful for those who have shared their faith with me and with others to keep us united as "one nation under God."

There are so many freedoms for us to enjoy in America: freedom of speech, freedom of religion and press, freedom to assemble, etc.

These freedoms are precious for all Americans, and they are especially essential for believers. This July 4th, as we conclude the first decade of the twenty-first century, we must continue to share our faith, serve others, and serve our country as never before. We are facing grave challenges to our freedoms, especially our freedom to share our Biblical faith without fear of reprisal.

I ask that you join me in praying diligently for our country. Although today we face economic problems, ideological controversies, and trouble of every kind, we still retain our fundamental freedoms, and we must not let them erode. Wonderful, selfless people have sacrificed much for us to live here in freedom. We must be willing to sacrifice as well in order to pass on this great heritage of freedom to our children and grandchildren.

When I think of America, I think again of all those who sacrificed to maintain our freedoms, especially our freedom to worship and to share our faith with others, and I am grateful. I pray that our children and grandchildren will have reason to feel the same way about our generation in future years.

The story of the Star-Spangled Banner

The United States was engaged in a second war with England from June 1812 to the spring of 1815. The war was creatively called the War of 1812. Many naval battles were fought, and by 1814 the British were attempting to split this country in half. Washington, D.C. was captured and burned. This was the time when President James Madison's wife, Dolly Madison, became famous for courageously staying behind in the capitol as the British were approaching until she was assured that vital state documents and, most notably, the famous portrait of George Washington by Gilbert Stuart, had been removed to safety and were saved from destruction.

After taking Washington D.C., the British marched toward Baltimore, where a mere handful of 1,000 patriots were manning the cannons at Fort McHenry, whose guns controlled the harbor. If Baltimore was to be captured, the British would have to take Fort McHenry first. The attack began on the morning of September 13, 1814, as nineteen British ships began pounding the fort with rockets and mortar shells and continued their bombardment for the next twenty-five hours.

Surprisingly, on board one of the British ships was a young American lawyer named Francis Scott Key, who had been sent to negotiate for the release of Dr. William Beanes, an American prisoner of the British. Even though the British captain agreed to the release, the two Americans were required to stay aboard until the attack on Baltimore was over.

The bombardment continued during the entire night of September 13th as the two Americans heard the bombs bursting, saw the red glare of rockets, and waited to see what the outcome would be. They knew the Americans were resisting. But toward morning, the bombardment ceased and a dreadful silence fell. The men knew that either Fort McHenry had surrendered and the British flag now flew above it, or the bombardment had failed and the American flag would still be flying.

The lawyer and the doctor waited eagerly together for the dawn. On the morning of September 14th, Key and Beanes were overjoyed to see that the American flag was still flying over Fort McHenry. Francis Scott

Key wrote a four stanza poem telling the events of the night, which was published in newspapers and swept the nation. It was later put to music, and in 1931, Congress declared it the official anthem of the United States.



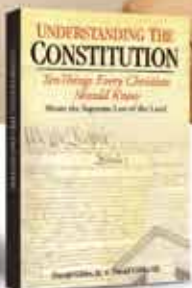
FRANCIS SCOTT KEY

Now that you know the story, here are the words. You probably already know the first stanza, but have you ever heard the last?

*Oh! say, can you see, by the dawn's early light,
What so proudly we hailed at the twilight's last gleaming?
Whose broad stripes and bright stars, through the perilous fight,
O'er the ramparts we watched were so gallantly streaming?
And the rocket's red glare, the bombs bursting in air,
Gave proof thro' the night that our flag was still there.
Oh! say, does that star-spangled banner yet wave,
O'er the land of the free and the home of the brave?*

*Oh! thus be it ever, when freemen shall stand
Between their loved homes and the war's desolation,
Blest with victory and peace, may the Heaven-rescued land
Praise the Power that hath made and preserved us a nation.
Then conquer we must, when our cause is just,
And this be our motto — "In God is our trust."
And the star-spangled banner in triumph shall wave
O'er the land of the free and the home of the brave.*

When our attorneys receive phone calls from government officials or pastors facing situations where "recognizing God" is being called into question at a government event, sometimes we suggest an alternate possibility. Plan to sing the first stanza of the *Star Spangled Banner*, our country's national anthem, as is generally done at ball games and other public gatherings, but then also sing the last stanza, a verse that gives glory to God for His role in the formation and protection of our nation. You would certainly hope that no court should ever find America's own national anthem to be unconstitutional!



Understanding the Constitution

by David C. Gibbs, Jr. & David C. Gibbs III

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Readers' Response

Last month, I read in your newsletter about the use of cell phones in ministry. I am the director of our local pregnancy response center. I use the center's cell phone for the after hours help-line and have permission from the board to use it for personal calls also. When I saw the newsletter, I realized we were not in compliance with the laws. I made a call to CLA. One of your attorneys returned my call the same day and gave me all of the information I needed. Thank you so much for your help in this matter. God bless you.

—Reader from Oregon

I recently read the article "What Is A Right?" in *The Legal Alert* newsletter, and it is one of the best, most concise explanation of our rights that I have ever read. Thank you!

—Reader from Florida

Controversy Continues

A Kentucky community is rejoicing over a court decision that permits the Ten Commandments display to return to their county courthouse. Meanwhile, an Oklahoma community is mourning the permanent loss of their courthouse Ten Commandments monument. Why such different decisions by these two courts? The OK court found a religious motive for the display, while the KY court determined the intent was not religious. These decisions really defy basic logic. The law is supposed to be fixed, uniform, and universal. Citizens should be able to discern ahead of time whether their actions are legal or illegal. Constitutionality should depend on actions and not motives. Ten Commandments displays should always be constitutional because they provide the basis for American law. Courts should be dealing with facts, not trying to guess at motives.





Comments from across the Nation

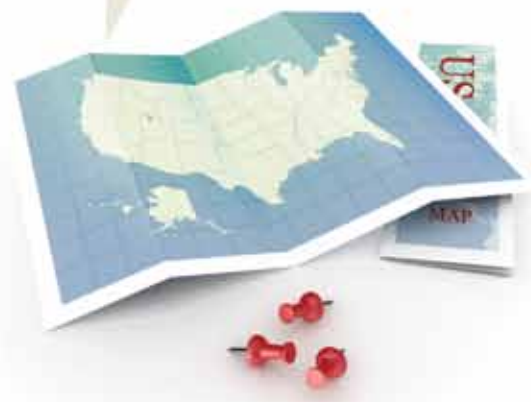
Jerry from Oregon called our CLA offices with a common problem. His homeowner's association was telling him he could not display the American flag on his property. Jerry's call was not unusual. We have received this call from apartment renters and others in condominiums who are also told they are not permitted to fly the flag on that property.

Fortunately, this is an easy problem to resolve. In July, 2006, President George W. Bush signed into law the *Freedom to Display the American Flag Act*, which prohibits any housing association, property manager, or real estate management company to restrict an appropriate and reasonable display of the American flag. No association, apartment lease, or condo policy is able to override this federal law.

We have had a chance to review the wills you provided and are deeply impressed with the testimony of personal faith they contain. We could hardly have penned a more meaningful and eloquent statement ourselves.
—From an HLA parent

We continue to pray for CLA. We can't tell you how many times God has used you to bless our family and our neighbors with your preaching at our church.
—From Pennsylvania

I want to thank you so much for taking time to reply to the material I sent you. I know the envelope was a fat one, but I really appreciate that you saw fit to send me a lengthy and personal reply.
—From Oklahoma



The *Freedom to Display the American Flag Act* reads in part:

To ensure that the right of an individual to display the flag of the United States on residential property not be abridged.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 3. RIGHT TO DISPLAY THE FLAG OF THE UNITED STATES.

A condominium association, cooperative association, or residential real estate management association may not adopt or enforce any policy, or enter into any agreement, that would restrict or prevent a member of the association from displaying the flag of the United States on residential property within the association with respect to which such member has a separate ownership interest or a right to exclusive possession or use.



CLA SERVES AS LEGAL MISSIONARIES PROVIDING:

Serving Churches

CLA helps WV church rent public building

Praise the Lord that after CLA became involved, a church in **West Virginia** will be permitted to rent public school facilities for a Bible study group. Pray that the church will also be permitted to use a public library for another Bible study.

CLA assists OH church with property issue

Pray for a church in **Ohio** that is being told it must repair one of its buildings rather than tear it down because the building has been declared a historic landmark.

Defending Christian Education

Graduates under attack

Pray for Christian professionals in **North Carolina** and in **Texas** who are being denied professional state licenses for employment purposes because they graduated from unaccredited Christian colleges.

Colleges under pressure

Pray for a church in **Pennsylvania** that is seeking an exemption from the state to operate a Christian college.

Schools being attacked for doing right

Pray for a Christian school in **Florida** that is being threatened with a lawsuit for expelling a lesbian student.

Win in California

Praise the Lord that attorneys for CLA were able to assist a family in **California**

to successfully dispute denial of insurance coverage for a student in a Christian college.

Win in Utah

Praise the Lord that CLA's **Homeschool Legal Advantage** program was able to assist a homeschool family in **Utah** to gain access to needed services for their special-needs child.

Assisting Christian Families

Family reinstated

Praise the Lord that a family in **Missouri** whose child was removed from their home wrongfully has been fully exonerated by the administrative review board.

Free speech under assault

Pray for American children at a school on a military base in **Japan** who are not being granted free speech rights with regard to their religious expression.

Assisting Communities

Religious freedom under attack

Pray for a community in **Wisconsin** where anti-religious groups are objecting to a fleeting view of a church steeple in a community promotion video.

CLA promotes community decency

Pray for a library commissioner in **Florida** who is trying to limit under-18 access to R-rated DVDs in the library without parental permission, while other commissioners are portraying this action as censorship.

- Free legal defense of those facing difficulties for the Biblical faith
- Free legal counsel to churches and Christians for their ministries
- Legal seminars for ministries to help prevent lawsuits
- *The Legal Alert* radio program
- Preaching in churches across the country
- Publication of a monthly newsletter, *The Legal Alert*
- Free consulting to local, state, and federal officials and legislators to provide maximum religious liberty
- Intercessory prayer ministry for requests sent to the ministry office
- Capital Prayer Initiative
- Homeschool Legal Advantage

A HEART FOR THE LORD

A Women's Devotional by Glorianne K. Gibbs

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