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Newt Gingrich: Houston Pastor Subpoenas Part of a 'Radical Agenda'

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By Sandy Fitzgerald

Houston Mayor Annise Parker's decision to issue subpoenas for sermons from the city's Christian pastors was for "much larger political and constitutional stakes" than just to coerce disclosure from the ministers, says Newt Gingrich in a [post on his blog](#).

"The Mayor of Houston's recent subpoena of sermons by Christian pastors in the country's fourth largest city is a shocking violation of First Amendment rights to free speech and free exercise of religion," says Gingrich in a post co-written with Vince Haley. "There is no clearer violation of First Amendment freedoms than for government officials to attempt to censor religious speech."

Parker [earlier this month](#) had the city subpoena a group of pastors to demand sermons they wrote about her that would cover the subjects of homosexuality, gender identity, or mention Parker herself, as the city's first openly lesbian mayor.

The subpoenas were issued after the pastors protested the city's new non-discrimination ordinance that the city council passed in June which, among other clauses related to sexuality and gender identity, would allow men to use the women's room and vice versa in an effort to protect transgender rights.

Opponents gathered 50,000 signatures for a repeal measure that was eventually thrown out. They sued the city, but ironically, the five pastors subpoenaed are not part of the lawsuit, says Gingrich.

He notes that the pastors' attorneys were ready to sue to quash the subpoenas and would have succeeded, but Parker decided to withdraw the demands following protests.

The so-called "bathroom bill," passed in May, is Parker's signature initiative and still is being threatened by threats to repeal it through a referendum vote, says Gingrich, calling it part of Parker's "radical agenda."

"In politics, if politicians are not succeeding in their arguments, they change the subject," he writes. "Mayor Parker apparently is not succeeding in her defense of a law that opponents claim creates a right, among other newly created sexual and gender identity rights, for anyone to use

public bathrooms of the opposite sex in the name of gender rights equality."

So since Parker is losing her argument, she's refocusing her argument, he continues. "If you're a liberal mayor trying to create new sexual and gender identity rights, there's apparently no better object on which to refocus the public than the Christian pastors and their beliefs on gender and sexuality," he contends.

And as such, Parker is "trying to shift the debate from a fight over the merits of her sexual and gender identity agenda to a fight over the Christian world view of sexual ethics."

She thought her effort would be effective, explains Gingrich, as she believed that even if the subpoenas were withdrawn, the city's pastors would think again before criticizing her or the bill.

Further, he says, Parker is "clearly aware that there is a provision of U.S. tax law that already tends to chill the speech of some pastors from the pulpit."

The law, the "Johnson Amendment" was authored by then-Sen. Lyndon B. Johnson and states that tax-exempt organizations like churches may not "participate in, or intervene in...any political campaign on behalf of...any candidate for public office."

And while the amendment, penned in 1954, is "brazenly in conflict with the free speech and free exercise protections of the First Amendment," Parker was threatening the tax-exempt status of the churches by attacking pastors who challenge her, says Gingrich,

Congress should repeal the amendment, Gingrich adds, noting that North Carolina Republican Rep. Walter Jones has a bill prepared for that.

And last, there is an established strategy to paint protecting traditional moral values and "opposition to newly-invented sexual and gender identity rights" as being malicious, says Gingrich. This was recently backed by the 2013 Supreme Court decision that invalidates the definition of marriage as being between one man and one woman.

"Justice Anthony Kennedy wrote in the majority opinion that the only purpose of those who supported this traditional definition of marriage was to 'disparage,' 'injure,' 'degrade,' 'demean,' and 'humiliate' certain groups of fellow citizens, says Gingrich.

Parker can answer two questions to clear the assumption, he continues: Does she believe that everyone who does not support her bathroom bill is a hateful bigot? And, does she support a citywide referendum on her bathroom bill?

The right response to the Kennedys and Parkers of this country is "faithfulness on the part of Christians and a political awakening on the part of all citizens," he concludes.

CBN NEWS

Newt Gingrich: Time For Christians To Awake After Houston Pastors Incident

<http://blogs.cbn.com/thebrodyfile/archive/2014/10/25/newt-gingrichtime-for-christians-to-awake-after-houston-pastors-incident.aspx>

Newt Gingrich, along with Vince Haley, the Vice President of Policy at American Solutions have some very thoughtful analysis on the situation with the Houston pastors and those sermon subpoenas requested by Mayor Annise Parker and the Houston City Council. Bottom line: Newt and Haley believe a much larger strategy is at work here and it's downright immoral and dastardly.

Read their analysis below:

Subpoenaing Houston Pastors Part of A Larger Strategy

Newt Gingrich and Vince Haley:

The Mayor of Houston's recent subpoena of sermons by Christian pastors in the country's fourth largest city is a shocking violation of First Amendment rights to free speech and free exercise of religion. There is no clearer violation of First Amendment freedoms than for government officials to attempt to censor religious speech.

Lawyers for the Christian pastors were prepared to sue to quash these subpoenas -- and would have succeeded quickly in the courts on Constitutional grounds -- when the Mayor withdrew the subpoenas amid an uproar of protest.

So why would Annise Parker, the Houston mayor, issue such subpoenas at all if a court would have stopped her from forcing the pastors to comply? Probably because she is playing for much larger political and constitutional stakes than the power to coerce disclosure of the communications five Houston pastors.

Her signature initiative--the so-called "bathroom bill", a city ordinance that she championed and signed last May--is being threatened by a public campaign to repeal it in a referendum . The City has challenged the validity of the signatures the citizens collected to force a vote on the ordinance, which led a group of them to sue the City. Mayor Parker responded by subpoenaing five Houston pastors who oppose the ordinance, but who are not even parties to the lawsuit.

In politics, if politicians are not succeeding in their arguments, they change the subject. And Mayor Parker apparently is not succeeding in her defense of a law that opponents claim creates a right, among

other newly created sexual and gender identity rights, for anyone to use public bathrooms of the opposite sex in the name of gender rights equality.

Losing her own argument, she's changing the subject. And if you're a liberal mayor trying to create new sexual and gender identity rights, there's apparently no better object on which to refocus the public than the Christian pastors and their beliefs on gender and sexuality.

An attempt to set up the pastors as the foil to her radical agenda would explain the Mayor's outrageous subpoenas, which demand, among other things, all of the pastors' emails, texts, and sermons relating to the bathroom bill, the Mayor, the City attorney, restroom access under the bathroom bill, the topics of homosexuality or gender identity, and the petition drive to repeal the bathroom bill. And it would explain the Mayor's tweet the morning after the subpoenas came to light: "If the 5 pastors used pulpits for politics, their sermons are fair game. Were instructions given on filling out anti-HERO petition?-A" ("HERO" is an acronym for the "bathroom bill" ordinance.)

Clearly the Mayor is trying to shift the debate from a fight over the merits of her sexual and gender identity agenda to a fight over the Christian worldview of sexual ethics. That's exactly what the subpoenas were intended to accomplish.

There are three reasons why she might have expected this to be effective.

First, Mayor Parker likely believed that issuing the subpoenas, even if later withdrawn, would cause Houston pastors to think twice about criticizing her or her bathroom bill. She would not be the first politician to harass and attempt to intimidate people with opposing beliefs. The right response to such intimidation is for citizens of all stripes to vote out of office those politicians who practice it.

Second, in the case of pastors, Mayor Parker is clearly aware that there is a provision of U.S. tax law that already tends to chill the speech of some pastors from the pulpit. Known as the "Johnson Amendment" because it was authored by then-Senator Lyndon B. Johnson, the statute states that tax-exempt organizations—churches, for instance—may not "participate in, or intervene in...any political campaign on behalf of...any candidate for public office."

Although the 1954 Johnson Amendment is brazenly in conflict with the free speech and free exercise protections of the First Amendment, Mayor Parker implicitly threatens the churches' tax-exempt status when she attacks pastors who dare to challenge her ideological agenda. Again the goal is to have pastors back off their criticisms.

The right response to this long-standing threat is for Congress to repeal the Johnson Amendment at the first opportunity. Congressman Walter Jones (R-NC) has a very simple bill to do just that.

Third, there is now an established and successful political and constitutional strategy to paint the protection of traditional moral values — and opposition to newly-invented sexual and gender identity

rights — as motivated by malice. In the 2013 Supreme Court decision (United States v. Windsor) that invalidated Congress' enacted definition of marriage as between one man and one woman, Justice Anthony Kennedy wrote in the majority opinion that the only purpose of those who supported this traditional definition of marriage was to "disparage," "injure," "degrade," "demean," and "humiliate" certain groups of fellow citizens.

In a word, hate is all that Justice Kennedy sees when he encounters someone who supports a traditional definition of marriage. Under this newly-invented constitutional standard, if the Court feels today that a particular law is hateful, then the Court will simply invalidate the law, no further justification needed. And it will do so whether or not a vast majority of the public believes reasonable people can disagree about the definition of marriage in particular and about sexual ethics more generally.

We can be confident that Mayor Parker has taken note of Justice Kennedy's insidious two-part strategy of (1) making skeptics of the left's sexual and gender identity agenda into "enemies of humanity", to paraphrase Justice Scalia, and (2) thereby ending political debate over these newly-invented sexual rights by declaring them constitutional rights beyond public debate. Mayor Parker's attention-grabbing subpoenas of five Christian pastors seems intended to do just that – to persuade the public that 'these are the hateful haters who oppose my agenda to conjure up new constitutional rights.'

In other words, under the Kennedy-Parker telling, if you are against the Mayor's law to let anyone in America's fourth largest city go into any bathroom he (or she?) wants on any given day, then you must be a hateful bigot—one of those intolerant Christians who hates people who don't think like they do. In the Kennedy-Parker telling, you must be one of those Christians who are using their pulpits to 'impose their beliefs on the rest of us.'

If this analysis is wrong, Mayor Parker can clear this up by answering these two questions: 1) Does she believe that everyone who does not support her bathroom bill is a hateful bigot? 2) Does she support a citywide referendum on her bathroom bill?

The right response to the supersized intimidation and anti-democratic pretensions of the Justice Kennedys and Mayor Parkers of this country is faithfulness on the part of Christians and a political awakening on the part of all citizens.