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### HOW FREE ARE WE TO PREACH THE GOSPEL?

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#### The Political Situation

Ever since the 1960s the Christian ethical consensus that informed British public policy and legislation has been breaking down. The old restrictions on pre-marital sex, pornography, abortion and homosexuality were first eroded and then removed. Harold Wilson's government decriminalized homosexuality and no subsequent government, Labour or Conservative have made any attempt to reverse that policy. The root of this lay in the weakness of the Christian Church. The Churches in Britain, both Anglican and Free, had lost confidence in the authority and infallibility of Scripture and were thus impotent to resist a tide of unchristian propaganda and practise. Some brave people stood against the tide but the clear will of the British public was that it wanted to turn its back on God's law and go its own way. The Churches with few exceptions had only a muddled and confused theology to offer in stead and thus the Devil made great headway. Public restraint of evil was reduced and John Calvin's 2nd use of the Law (the *usus politicus*) was undermined.

In the 1980s Mrs Thatcher's government marked something of a revolt against the ideas of the Seventies and Sixties and at least there was a period when the increasingly antinomian tenor of legislation was stalled. However the 80s and 90s were a period of greatly increased prosperity and without a counterbalancing growth in the Christian faith the population were increasingly subscribing to a creed of godless hedonism, which would tolerate any behaviour as long as it did not harm anyone.

In May 1997 Mr Blair was elected and since the Labour Party came to power they have pursued an aggressively modernising agenda that has been inimical both to the traditions of the British Constitution and to the Christian basis of much of our legislation. Human rights were to the fore of the ethical agenda, and homosexuality was seen as a key human rights issue. For the first time a British Cabinet Minister openly had a homosexual partner and the restrictions on advocating homosexuality in schools were removed by the abolition of Section 28. Attempts have been made to lower the age of consent for homosexual relations and the new Civil Partnership bill before Parliament will give homosexual couples many of the protections and privileges extended to married couples. The leaders of both major parties support this Bill, although it will be given a free vote.

#### The Situation in the Church of England

In the Church of England the situation has reached crisis point. In Canada the Bishop of New Westminster Diocese has performed blessings on same-sex couples and has taken strong measures against those who have rejected his Episcopal authority. In the United States the American Episcopal Church has consecrated as a Bishop a man who has abandoned his wife for his homosexual lover. In England the new Archbishop of Canterbury has put into print his support for homosexual relationships and plainly is a supporter of the gay lobby.

Against this background evangelical Christians are called to their ancient task of proclaiming the free mercy of God in Christ to the lost and sinful men and women of this nation. This is the great task of Christ's Church on earth, until he returns and ushers in His kingly rule of a renewed heaven and earth. Essential to the Gospel message is the message of sin and guilt and the free forgiveness that is available in Jesus Christ. However our present society has little concept of sin and its notions

of guilt are built upon its own twisted moral values. The Church therefore must preach the requirements of God's Law in order to explain to people what God's standards are. When men and women see that they are guilty before God they will see their need of a saviour. A true and powerful preaching of the Law must precede the preaching of God's forgiveness, and this is where evangelicals and particularly evangelical Anglicans are fatally weak. Anglican evangelicals have in large measure abandoned the Reformed doctrine of the Law for a salvation-historical antinomianism which has left even evangelical churches confused and has accounted for much of the sinful weakness of the evangelical response to the moral collapse all around us. On this view the 'law of Christ' has replaced the Law of Moses and therefore the only elements of the Mosaic Law that continue to bind the Christian are those repeated in the New Testament. Grace is held to be a separate rather than complementary category to law and the focus is on evangelism almost to the extent that it replaces legal obedience. Yet this theological cocktail has a number of very serious after effects. Christians have lost their doctrine of the Christian Sabbath and now regard almost any activity as legitimate on that day. Unbelievers are given a Gospel of bare belief in Christ rather than repentance and faith and thus run the risk of false faith. Christians lose their sense of the importance of adhering to God's standards and are even confused as to what they are. A true doctrine of the Law must be recovered and then fearlessly preached. Yet increasingly the state is imposing limitations on our freedom to do this particularly in the area of homosexuality.

### **The Legal Situation**

One extremely significant change in the freedom enjoyed by Christians was the case of Harry Hammond. He was an elderly man who took a placard to Bournemouth with the words 'Stop Homosexuality' written on it as well as the words 'Jesus is Lord'. An angry crowd that included male and female homosexuals surrounded him. He was assaulted by members of the crowd and was pushed to the ground. The commotion drew the attention of two police officers. The female officer considered that he was guilty of a breach of the peace and he was arrested for an offence under the Public Order Act 1986. Section 5 of the Act specifies that – 1 A person is guilty of an offence if he a) uses threatening, abusive or insulting words or behaviour, or disorderly behaviour, or b) displays any writing, sign or other visible representation which is threatening, abusive or insulting within the hearing or sight of a person likely to be caused harassment, alarm or distress thereby. He was convicted and fined in the local magistrate's court for displaying a sign that was insulting to homosexuals. He subsequently died and the case was appealed (posthumously) to the Divisional Court of the Queen's Bench Division of the High Court of Justice. The Judge, Mr Justice May, held, with some hesitation, that the magistrates were not wrong to hold that Hammond was guilty of an offence and rejected the appeal. He took this view on the basis that to suggest that homosexuality was immoral was insulting to homosexuals! This is a significant move away from the old definition of insulting. This is found in the case of *Brutus v Cozens* 1973 AC 854 that was in relation to the 1937 Public Order Act. In that case the judge held that insulting language or conduct must be more than just 'vigorous, distasteful, unmannerly, objectionable or even offensive.' Plainly Mr Hammond did not use language that was more than offensive. The judge in the Divisional Court was therefore taking the view that suggesting that homosexuality was immoral, even if couched in temperate language, can constitute insulting language, and therefore be a criminal offence under the Public Order Act 1986. This has wide ranging implications for Christian freedom, particularly since the legislation makes it plain that a church is a public place. In the circumstances it is amazing that the Divisional Court did not give leave to appeal to the House of Lords. The position now is that a Christian minister can express such views in the pulpit and can, if a member of the congregation has been offended by what he has said, be guilty of an offence. This will apply equally to open air preaching. Procedurally, someone must first complain to the police that he is offended by what has been said. The police officer would then warn the person expressing the view to desist from doing so. If the person continued to say publicly that homosexuality is immoral he could be arrested and it would be open to a court to find him guilty of an offence. This now means that a Christian minister or layman can be arrested, convicted and acquire a criminal record (although the offence is not

currently imprisonable) for publicly preaching the standards of God's law.

### **The Human Rights Act 1998**

The Human Rights Act 1998 purports to protect the right to manifest one's religion and to express oneself freely. This is expressed in Articles 10 (1) and 9(1). However, restrictions can be imposed on these freedoms provided that such restrictions are 'necessary in a democratic society, in the interests of public safety, for the prevention of disorder or crime.' The Divisional Court in the Hammond case held that the HRA could not be invoked, although one might have thought that Hammond could rely upon his freedom of expression and his freedom of religion in this instance. However, there is a curious logic in this. The notion of human rights is profoundly man centred and has its roots in the thinking of the Enlightenment. It is alien to the teaching of Scripture, which sees God as the locus of moral obligation. God imposes duties upon us, he does not give us rights. The homosexual lobby has invoked it vociferously to support their case and it is most unlikely that the courts will back the rights of evangelical Christians against those of homosexuals. A number of Christians sought to use the Human Rights Act to defend their right to have their children beaten at school on the basis that corporal punishment is enjoined by Scripture and that the use of it was a manifestation of one's belief and therefore protected by the Act. The Court of Appeal, however, found against them (ex parte Williamson 2002 AC).

### **Our Response**

We are confronted here with the same situation that confronted the early Church when the authorities sought to prohibit the preaching of the gospel. We must obey God rather than men (Acts 5:29). Evangelicals and particularly evangelical Anglicans must preach both Law and Grace. We have a great theological heritage, which we would do well to recover. It is unashamedly Reformed, Protestant, evangelical and evangelistic. It knows that the only way in which the sinfulness of the human heart can be cured is by the work of the Holy Spirit, and that the Spirit works where the Gospel is preached. But where the Gospel is preached and hearts are changed standards of behaviour will change also. It is still true that 'righteousness exalts a nation: but sin is a reproach to any people'. May God give us the strength to bear faithful witness to His truth whatever it may cost us. It may then be that the terrible tide of soul-damning sin and error that surrounds us will be turned back.

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