

The Acts of a Street Preacher

Permit to Preach

Today as in the days of Christ, when “there arose a question between some of John’s disciples and the Jews about purifying” (John 3:25), so there arises among the street preachers a question concerning permitting. **Is it right for the street preacher to apply for and obtain a permit from the government to preach the gospel?**

There has been of recent, much to do about obtaining permits to preach, especially on college campuses, that have brought forth much argument, and sadly, some division between very good soldiers of Christ, which thing ought not to be. And with the recent push nationwide, on college and university campuses to squash all forms of religious speech, it necessitates a response from the Fellowship, as the issue becomes one of strong opinions, that beyond that, have no soundness, regardless of which side of the question the opinions rest. They are simply opinions, neither based upon the Bible, or the law.

It is strange that preachers, professing to stand upon one final authority, never use it much to argue their positions. Preachers for the most part, when arguing opinions, do so by the necessity of their ignorance of the facts. They argue opinions for the sake of arguing, so they can be seen and heard drawing a position for themselves, not based on the facts, but based upon their desire to be known for having a position. Whether it is right or no, is of little concern to them. Their position is right for them at the moment, because it is their position. They will not be pained to find out if it is factually right.

*“The sluggard is wiser
in his own conceit than
seven men that can render
a reason.”
-Proverbs 26:16*

The United States Supreme Court ruled concerning the waiver of a Constitutional Right that “we have never embraced the theory that a *person’s* ignorance of the full consequences of his decisions vitiates their voluntariness” (Colorado v. Spring, 479 U.S. 564, id. At 576-577 [1987]). Therefore, it behooves every street preacher to quit going by their or anyone else’s feelings and opinions, and look at the Biblical and legal facts, before he so quickly takes a permit to do, what he already has the right to do. If you are wrong, the highest Court in this country will entertain no sympathy for you after the fact, simply because you plead that you were “ignorant of the full consequences” of your voluntary relinquishment of your Constitutional Right in exchange for a permitted privilege. The Supreme Court does not even support what you do not know, or events occurring outside your presence, or beyond your knowledge as an excuse for voluntarily giving up something so precious as a Constitutional Right. In Moran v. Burbine, 475 U.S. 412 (1986) the highest Court in this country said, “events occurring outside a *person’s* presence and entirely unknown to him can have no legal bearing on the capacity to comprehend and knowingly relinquish a constitutional right”.

Regardless of the opinions of the best of preachers, a permit is nothing more than permission to do something. Every Court in this country acknowledges that simple definition. Any judicial law dictionary will tell you a permit is “A written license or warrant issued by a person in authority, empowering the grantee to do some act not forbidden by law, but not allowable without such written authority” (see Black’s Law, 4th. Edition, page 1298). And with every permit, the issuing authority must establish mandatory requirements for obtaining the permit, and mandatory guidelines for utilizing the permit, so that the permitted activity does not slip into “some act forbidden by law”, or over reach into some act “not allowable without such permit”. The permit allows the grantee to do the permitted act, without question or opposition from anyone other than the permitting authority. And the permitting authority has complete control over the permit, to refuse to issue the same when the requirements are not met, and revoke the permit when the guidelines are violated. These things are facts of law, and not subject to or negated by any preacher’s personal opinion to the contrary.

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The question arises, should a street preacher apply for and obtain a permit to preach, when local governments, colleges, cities, etc., stop the preacher, and demand that he first applies for a permit before he can preach in that area? It should be noted as a stern warning to every street preacher, that it is foremost that the open-air evangelist keeps first a Biblical perspective in looking at everything, then maintain that perspective through the eyes of a street preacher and no one else.

*“When thine eye is single,
thy whole body also
is full of light.”
-Luke 11:34*

The Fellowship cannot stress the importance of insisting that the street evangelist always view everything through the eyes of a Street Preacher. As much as they have their ministry, and God bless them, but pastors do not, and cannot look at things always like a street preacher sees them. Many times, pastors see things through the eyes of their sheep, and such sight often strains in direct proportion to the pastor’s care for them, and their care for him. When he concerns himself too much with the sheep’s care of him, pastors begin to shy away from trouble, for fear of losing noses and nickels. His outlook becomes opinionated, and quits concerning itself with any facts beyond the impact on his membership, present and future. And the Street Preacher need also to be careful in allowing lawyers to shade their view of things. Christ’s characterization of lawyers has not changed an ounce in two thousand years (see Luke 11:46-52), and it is doubtful that there exists a lawyer that can look at things like a Street Preacher looks at them.

Having said that, the street preacher’s main concern is his obedience to God in going “into all the world to preach the gospel to every creature” (Mark 16:15). To do so without compromise is impossible while asking permission of man, to obey God in preaching where and to whom the Lord has already told you to preach. And there lives no preacher, regardless of how popular or “godly”, whose opinion to the contrary of that is worth two cents to God or anyone else who really loves Jesus Christ. You cannot obey God **without question**, and ask one of man...Is it okay for me to preach here? Whether the sissies for Christ understand that is immaterial. The timing is not right. By that I mean, God has already given you the right to preach anywhere, and to anyone by virtue of Mark 16:15. Can’t you see that? And to ask permission of any man after the fact is wrong! It is a restraint on your obedience, that to voluntarily submit to man’s permission after God’s commission centers upon infidelity, motivated by cowardice. And your opinion to the contrary means nothing.



**SPF Director Ron McRae
Surrounded by Nashville Police**

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That is why, very wise men, ordained of God to sit as Justices of the Supreme Court (see Romans 13:1), have ruled time and again that, to prohibit free speech in a traditional public forum unless a government permit is first obtained, is “an unconstitutional prior restraint”. The wisest Court in the world knows that the timing is not right. “When the right to be heard is placed in the uncontrolled discretion of the Chief of Police...he stands athwart the channels of communication as an obstruction which can only be removed after criminal trial and conviction and lengthy appeal. A more effective prior restraint is difficult to imagine.” Saia v. New York, 334 U.S. 559.

Also, difficult to imagine is why the unsaved Supreme Court Justices, liberal and conservative can see that clearly, but some preachers cannot see it at all. That is because their personal fears motivate them to just refuse to see it. As a police officer, many times, when the guns suddenly started going off, or the fight broke out, or someone was violently murdered right in front of people, trying to find witnesses after the fact became very difficult. Every police officer knows the frustration when questioning witnesses to discover no one actually saw what happened, because “sudden fear” (see Job 22:10/ Proverbs 3:25) made them react by shutting their eyes, and covering their face. Like teenagers watching a horror movie, they cower their heads, cover their faces and shut their eyes so they don’t see what is scaring them so bad. Ditto for the typical reaction of all the Sissies for Christ Association. They refuse to look at the facts of what really scares them.

And what scares them is having to obey God at the costs of their personal liberty. Liberty to do right when all the world thinks it is wrong! But is it not strange how the very distinct line between right and wrong suddenly gets real clouded for the Christian minister, when a lost man of authority stands on the line and says, ‘You have no right to be here saying the things you are saying!’? Suddenly, that line is very grey, and very broad in the eyes of the fearful minister. He is afraid..... very afraid.....and now things don’t look quite so Biblical anymore. He is motivated by fear to just tuck his Bible and run. And his retreat is such a violation of righteousness that it defies all reason. There is no reason for it.....just excuses! The Bible does not support it. The Constitution does not support it. The Supreme Court has never supported it. The highest Court of this land holds no shades of “right”. And they have never considered the word to mean anything but “right”. To suppose that a minister can stand for God by walking away is not right! And it will never be right!

Preacher, you cannot obey God’s command to go into all the world and walk away from any place because man tells you to! That is not right, and it will never be right simply because you think it is. You cannot obey God’s command to preach to every creature and become silent towards any group because some man insist that he does not want to hear. To silence the preaching of the word of God because some creatures do not want to hear it, is not right! And it will never be right, regardless of opinions.

Preacher, can you not see that the entire issue is a matter of right? Is it right to obey God? Is it right to speak publicly for God? The Bible says yes to both questions. Some countries say no to both questions. The United States affirms both as a matter of right. Because the man on the street is wrong about both, is no excuse for the minister doing wrong.

Brethren, in the Bible it is either right, or it is wrong. There is nothing between those two points. Anyone following the Constitutional history of this country will discover the same doctrine. Only, in the high court system, the Justices, whether liberal or conservative, have never compromised that basic doctrine. Preachers compromise right. Strange as it seems, the Supreme Court has never compromised on that one word.....” right”. Every Constitutional argument that has ever arisen in this country, has always centered around that one word, “Right.” There is a basic doctrine that determines everything that is right in heaven and earth, and it has been recognized throughout the ages by wise men and angels, principalities and powers. Whether they believe in the God of the Bible or not, they are forced to go by the existential proof of His being, when they are forced into examining any premise of what is “right”. Throughout the ages, they have always come to one conclusion, one doctrine, one principle that is the foundation of every effort to determine what is right. That law, that doctrine, that principle has always been, and always will be “The Law of First Occurrence”. That is what we meant when we said, ‘the timing was not right’.

Allow me to teach you something. The Constitution of the United States does not, and never did give us our “rights”. The Constitution gives no one any rights. The Constitution simply secures the rights that have already been given to

you, before the Constitution was ever written, and the Courts protect those rights as they are secured to you by the Constitution. But the rights themselves were given to you by God. Hence the Declaration of Independence began this nation by holding forth this very law of first occurrence as the foundation of our great nation, saying, *“We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights. That, to secure these rights, governments are instituted among men...”*

The Fellowship does not profess to know who all the timid ministers are, but we know who Thomas Jefferson was, and when he penned the Declaration of Independence, he set down the foremost foundational stone of this great nation which cannot be taken away without dissolving this nation. And that truth was self-evident, that inalienable rights come from God and nowhere else.

Inalienable rights are rights that are “incapable of being alienated or transferred to another” (see any Dictionary, law or otherwise). They are given to you by God Almighty. They are secured to you by the Constitution of the Government of the United States. They are protected by the Courts. But they can be given up and relinquished. And once they are relinquished, they are gone, and the consequences will be upheld by the Courts, as just punishment for having relinquished so great a gift. Example of this is seen every time a criminal relinquishes his Fifth and Sixth Amendment right to counsel, and then cries foul when he agrees to something that an attorney would have advised him not to do, or says something to the police that will be used against him. The courts uphold the consequences of his having relinquished his Fifth and Sixth Amendment right to counsel and to remain silent, and they cannot and will not give it back to him to correct the consequences of having willfully given up his right. That right is given up. It is not transferred to the state, or alienated, because it is an inalienable right given from God Almighty, and the Constitution grants no power to government to recreate what is gone forever. Hence, the Declaration establishes that inalienable rights were “endowed by their Creator” (Genesis 1:1/John 1:1-3/Colossians 1:16).

It must be understood that you do not have Constitutional Rights (plural) to free speech. Neither do you have Constitutional Rights (plural) to the free exercise of your religion. You have a Constitutional Right (singular) to both. That is why the Supreme Court does not talk like preachers talk. They are very careful to note in their rulings that they are upholding a “right”. Your inalienable right to free speech is a singular right. It is not a deck of cards, that you can play one at a time, just don’t use up all your cards. It is a singular right, that once you voluntarily give it up, it is gone. And there is no power of man to recreate what is gone. It cannot be retrieved from someone else, because an inalienable right cannot be transferred, any more than it can be “invoked vicariously” by another [Texas v. Cobb, 532 U.S. 162 (2001)]. It is a personal right of the individual which can neither be invoked or given up by another, or transferred to another [Cobb, 532 U.S./ McNeil v. Wisconsin, 501 U.S. 171 (1991)/ Lamb v. Commonwealth, 217 Va. 307 (1976) quoting Cobb].

Now there is available to the government the power to license; the power to issue a permit “empowering the grantee to do some act not forbidden by law, but not allowable without such authority” (see Black’s 4th Edition, page 1298/ see also Acts 21:39,40). In a nation like the United States, where there is a Legislative Branch that enacts the laws, and a Judiciary Branch of the government that interprets and defines the reach of those laws as they relate to citizens who have inalienable rights that must be secured to them by the Legislative Branch and protected by the Judiciary Branch; there will arise circumstances where one of those citizens wants to do something that there is no law against doing, but there is no law that says he can do it. However, the doing of it flies in the face of another citizen, who by his inalienable right to free speech raises public dissent against his fellow citizen for attempting to do what greatly offends the majority of the other citizens. When this occurs, the government has always done one of two things. They either enact a law forbidding the act to please most citizens, or they will issue a permit to do the thing, to protect the minority from the majority, so that the “grantee can do...what is not forbidden by law, but what would not be allowable without such permit” considering the anticipated reaction of most dissenters.

Whenever the legislative branch of government chooses to enact such a law, they must first ascertain if there was either a right to do the particular act in question before this time, or a law forbidding it. To pass a law forbidding some act that a citizen has the inalienable right to do, is called by the Court “an unconstitutional prior restraint”. The law is unconstitutional because it requires the citizen to do certain things before doing what he has the right to do without the law. Whenever the government chooses to permit the activity in question, it is because, though the activity is not

forbidden by law, it goes contrary to the inalienable rights of other citizens. The permit allows the person to do the act, that though not illegal, would not be allowed because of the government's interest in securing other citizens' inalienable rights to assemble, speak against it, and raise public opinion to protest it.

One of the first historic examples of this occurred shortly after the end of the Civil War, when President Lincoln had freed the black man from forced slavery. Though the Emancipation Proclamation gave blacks their freedom, it gave them very little else. The first-generation free man was just that and nothing more. He was a free man, but had no inalienable right to anything. He had permitted liberty by executive order of the President, but nothing else. The black race in America would have to wait for the next generation's birth to be endowed with inalienable rights. And then they would have to struggle another 100 years for the Courts to gradually protect those rights as each particular case wound its way through the judicial system and to the Supreme Court. However, there arose a problem, shortly after the Civil War, a classic and definitive example of the power of government to issue permits and licenses. The issue was over marriage. There was a steady increase of whites wanting to marry blacks, which flew in the face of the majority of citizens' religious beliefs and morals (Revelation 2:14/ Numbers 25:1/31:16/ and Acts 17:26). There was no law against inter-racial marriages, because up to that point they did not need one. However, the white man had his inalienable rights to "life, liberty, and the pursuit of happiness" (see Declaration of Independence), so the government began issuing marriage permits, and passed laws that no one could marry another race without a permit. Brethren, that is an historical fact. And as protest were raised that such laws were discriminatory (they were) in not requiring whites marrying whites to first apply for a permit, the laws were eventually modified until today, they stipulate every couple wishing to marry should first obtain a marriage license. However, no court has, or will ever be able to enforce such against the couple that refuses to obtain that permit, because American citizens have the inalienable right to marry, long before the Civil War. To enforce such, would be an unconstitutional prior restraint to the citizens' inalienable right to the liberty to marry who they want, and be happy.

The same occurred again over the invention of the automobile. As the Supreme Court has held time and again, "Wherever the title of streets and parks may rest, they have immemorially been held in trust for the use of the public and, time out of mind, have been used for purpose of assembly, communicating thoughts between citizens, and discussing public questions." Hague v. C.I.O., 307 U.S. 496. But when Henry Ford brought out into the streets his new mechanical wagon, it wasn't long before the pedestrian rightfully on "the public streets...the archetype of a traditional public forum" (Frisby v. Shultz, 487 U.S. 474) complained of being run over, and his horse frightened. Accordingly, there being no law against driving the automobile on the traditional public forum street, the government began issuing driver's licenses/permits to empower the driver to do what was not unlawful to do, but what would otherwise not be allowed without the permit, since the government had an interest protecting the inalienable rights of pedestrians to assemble on the street without being run over.

However, with every permit, the conflicting issues surrounding the purpose of it, necessitate the government placing **regulations** governing its issuance and revocation, **stipulations** governing its use, and **acknowledgements** governing its acceptance. The reason for such is simple. A permit is a privilege. It is not a right. A "privilege" is simply a 'private allegiance' made between the ruling authority, and the person subjecting himself to that ruler. Hence, "privi" and "lege"...a "privilege" ...a "private allegiance". A privilege is granted to the person promising allegiance to the grantor, in exchange for the grantor's authorization for the grantee to act according to the will of the grantor. A right is an endowment inherited by the creature from his Creator by virtue of what the Creator made the creature to be and do in direct proportion to the creature's subjection to the will of the Creator (see Genesis 1:27,28/ Romans 8:20,21).

With the marriage license, the regulations are (blood tests, age limits & filing fees); the stipulations are (mutual consent and interests of each vested party to the marriage, and reciprocal validity in every state); and the acknowledgments governing acceptance are (the state becomes the principal interested party to the marriage, and its vested interests are complete control over the welfare, education and social security of the fruits of the marriage, and by virtue of the state's licensing authority over the marriage, the union can only be dissolved by the permission of the principal vested party, that is the state). As to the driver's permit or license, the regulations, stipulations and acknowledgements can be found in the traffic code of every state, and are obvious. Any doubts???

Now the truth of all the above is as plain as the fingers on your hand because of the personal experience of just having a marriage license, and a driver's license. But, O, how strange the incessant reliance upon the fearful ministers' personal opinions and feelings, to the ignoring of the same facts, when dealing with the issue of applying for and obtaining permits to preach. But a permit is a permit, and the facts surrounding the issuance and acceptance of such does not change simply because the consequences of taking one are spiritual losses instead of material losses.

The regulations governing the issuance of permits to preach are all different, depending upon the location and time involved (i.e. College campus, c.f. with city park or street). However, the major stipulations for their use will always be basically the same, whether the issuing authority actually acknowledges and explains them or not. The government knows exactly what they are doing in creating speech permits, and what their purpose in trying to persuade you to take one. The government knows what it is doing in giving out permits to speak, but sadly, the minister does not know what he is doing in accepting one!

Permits are government licenses, and are therefore political licenses by their very construction. Permits are government writs of permission to act, and stand as temporary laws governing the conduct specified. Well Brethren, the First Amendment to the Constitution prohibits the government from making any "law respecting the establishment of religion, or prohibiting the free exercise thereof". Therefore, whether you know it or not is immaterial. The government is not issuing you a permit to preach, because it can't. The government only issues speech permits, and that speech by law must be political, or they can revoke the permit for violation of the stipulations, written or understood to be applicable by publicly known laws. That is why every permit has the stipulation that the speaker abide by all applicable local, state and federal laws, or the permit can be revoked immediately. The applicable federal law is the very Amendment that you give up when you take the permit. That same First Amendment clearly forbids the government from enacting a law respecting the establishment of religion", and that is covered in every speech permit ever issued, by requiring you to abide applicable state or Federal law or have it revoked. Then if your religious speech flows against things which the government is for, they will legally shut you down, and do so with your acknowledged permission.

However, the worst thing about applying for and accepting permits to preach, is not the stipulations, but the acknowledgements governing your acceptance of the permit. It is clear, and it is upheld by every court in this country that to apply for a permit to speak, is an acknowledgement by you that you need one. Because a government official may insist that you need one, is no justifiable reason for you to voluntarily acknowledge what is not true.

Because certain truths are self-evident by law and nature (see Declaration of Independence), for our country to acknowledge that all persons are endowed by their Creator with certain inalienable rights, it is also inherent to the very existence of those rights that the creature acknowledge that he believes that he has them. Failure to acknowledge that you have them is to believe that you don't. As with Fifth and Sixth Amendment rights, the Supreme Court has never held that one is harder to relinquish than any other, but that any right can be easily "waived" by not "specifically" acknowledging your intention to retain the same [see Patterson v. Illinois, 487 U.S. 285 (1988)]. There is only one way that an inalienable right may be stripped from a citizen, and that is a voluntary relinquishment thereof. However, the Supreme Court has time and again upheld a policeman's right to perform his investigative and enforcement duties in knowing disregard of a suspect's/citizen's constitutional right, as long as the suspect/citizen does not specifically demand or acknowledge his right [Davis v. United States, 512 U.S. 452/Edwards v. Arizona, 451 U.S. 477]. That is why a policeman can continue questioning a suspect as long as the suspect does not specifically acknowledge a request to remain silent and speak to an attorney according to his Fifth and Sixth Amendment Right. Ditto for your First and Fourteenth Amendment Right.

The policeman has done nothing wrong by enforcing local law, even if the only way to do so, is to pressure you into voluntarily relinquishing your inalienable right to speak and exercise your religion by either walking away, or applying for a permit. All he is required to do is acknowledge that you do in deed have the right to speak publicly. If he can persuade you that he must do his duty, even to the point that you voluntarily walk away, or agree to go apply for a permit, he has done nothing wrong. But you have done nothing right. He has not violated your right unless he physically stops you. He may very well be bluffing. But you will never know that he was not bluffing, when you demonstrate that you were.

The only right position is to obey God rather than man. The complications of doing anything else is courting disobedience and ultimate defeat. In deed by law, the government can permit non-public forum areas, as well as limited access zones within Designated Public Forums. But they cannot permit any traditional public forum areas. It is the position of the Street Preachers Fellowship that you are commanded of God to “preach everywhere” (Mark 16:15,20), and no other permission is needed to be obedient to that command. In legally permitted areas, you either do not preach there, or you preach without a permit and pay the cost of doing so. But to voluntarily relinquish you God given inalienable right to preach, in exchange for a political permit is no small sin or loss.