

Biblical and Historic Baptist Position – Separation church and State

Biblical Position

Old Testament –

Gen 14:17-24 And the king of Sodom went out to meet him after his return from the slaughter of Chedorlaomer, and of the kings that *were* with him, at the valley of Shaveh, which *is* the king's dale. 18 And Melchizedek king of Salem brought forth bread and wine: and he *was* the priest of the most high God. And he blessed him, and said, Blessed *be* Abram of the most high God, possessor of heaven and earth: 20 And blessed be the most high God, which hath delivered thine enemies into thy hand. And he gave him tithes of all. 21 And the king of Sodom said unto Abram, Give me the persons, and take the goods to thyself. 22 And Abram said to the king of Sodom, I have lift up mine hand unto the LORD, the most high God, the possessor of heaven and earth, 23 That I will not *take* from a thread even to a shoelatchet, and that I will not take any thing that *is* thine, lest thou shouldest say, I have made Abram rich: 24 Save only that which the young men have eaten, and the portion of the men which went with me, Aner, Eshcol, and Mamre; let them take their portion.

Lev. 25:10 b - ...proclaim liberty throughout *all* the land unto all the inhabitants thereof:

2 Chron. 26:16-21 - And Azariah the priest went in after him, and with him fourscore priests of the LORD, that *were* valiant men: 18 And they withstood Uzziah the king, and said unto him, *It appertaineth not unto thee, Uzziah, to burn incense unto the LORD, but to the priests the sons of Aaron, that are consecrated to burn incense: go out of the sanctuary; for thou hast trespassed; neither shall it be for thine honour from the LORD God.*

Ezr 7:21 And I, *even* I Artaxerxes the king, do make a decree to all the treasurers which *are* beyond the river,... 23 Whatsoever is commanded by the God of heaven, let it be diligently done for the house of the God of heaven: for why should there be wrath against the realm of the king and his sons? 24 Also we certify you, that touching any of the priests and Levites, singers, porters, Nethinims, or ministers of this house of God, it shall not be lawful to impose toll, tribute, or custom, upon them.

New Testament – **Mt. 28:18-20** And Jesus came and spake unto them, saying, All power is given unto me in heaven and in earth. 19 Go ye therefore, and teach all nations, baptizing them in the name of the Father, and of the Son, and of the Holy Ghost:...

Eph 5:23b Christ is head of the church...

Act 5:29 Then Peter and the *other* apostles answered and said, We ought to obey God rather than men.

Incorporation

Chapter 5
Trail of Blood Revisited
Faith Baptist Publications
Federal Tax Laws for N.T. Churches Also Run Contrary to the Historic
Baptist Position on Christ and His Church

Isaac Backus, the leader of the Baptists in New England, led the battle against incorporation of churches in 1773. This fight among the Baptists at that time is related in *Isaac Backus and the American Pietistic Tradition* by William G. McLoughlin (Little, Brown & Co., Boston, 1967).

McLoughlin writes as follows:

The attack which found the most general response among the rural Baptists, and with which Backus himself thoroughly agreed, was against the trend among the Baptist churches, led by Hezekiah Smith of Haverhill, to seek legal incorporation from the legislature." All corporate charters at that time had to be approved either by state legislatures, and in federal territories by the U.S. Congress. "This problem plagued the Baptists continually after the Cutter Case in 1785, and it divided the denomination during Backus's last years almost as badly as the boycott on certificates which he had urged in 1773.

Backus stood on principle, not pragmatism. In *U.S. v IBT*, we could have entered into evidence that those who ministered in the church ministries paid their own taxes, including the total of their FICA tax. In fact, the IRS audited approximately fifty of them and found no deficiencies of any importance. IBT did not argue that the assessed tax liability had already been paid, because it was not the issue. The issue was whether the Lord's church could be forced to collect and remit taxes to the IRS, violating Lordship. It was incidental to the case whether the taxes had been paid or how they were paid. Tragically, very few in the early 21st century understand what the New England Baptists knew in the late 18th century.

McLoughlin continues,

The obvious reason for incorporation was to comply with the decision in the Cutter case, and thus be sure that religious taxes paid by Baptists would be returned to their ministers by parish or town treasurers. For some Baptists a more compelling reason was to enable a congregation to make binding contracts between its members and its pastor, thereby guaranteeing regular payment of a decent salary. Backus had often criticized his brethren for covetousness in failing to give adequate voluntary support to their pastors, but he could never regard the relationship between a pastor and his flock as a purely civil contract enforceable by law. He viewed the relationship at all levels as purely spiritual.

To use the state to collect salaries was as wrong for the Baptists as for the Congregationalists.

Nothing ever changes. The issue was money. Preachers were willing to prostitute the Lord's church to the state for filthy lucre. The reason for churches incorporating or gaining other types of legal status is for gain. Paul the Apostle warned of this danger with the following admonitions. *The love of money is the root of all evil: which while some coveted after, they have erred from the faith, and pierced themselves through with many arrows.* (I Timothy 6:10) Twice he warned Timothy and Titus of being greedy of filthy lucre. (I Timothy 3:3; Titus 1:7) The Apostle Peter also warned the elders of the same thing. (I Peter 5:2)

Backus also believed that incorporation acknowledged the right of the state to decide which churches could and which could not be chartered. In addition, incorporation gave all persons in the congregation the right to vote.

In reality, as courts have ruled, members of an incorporated church are members of the corporation with equal rights regardless of age. They are in fact stockholders in the corporation [a non-profit business organization]. This cannot be by definition a N.T. church

Backus was of course well aware that in some places the refusal of a Baptist congregation to obtain incorporation meant distraint and imprisonment for those who conscientiously refused to pay religious taxes they might otherwise avoid. On January 20, 1790, three members of the Baptist church in New Gloucester in the District of Maine [then part of Massachusetts] asked his advice on precisely this issue. Backus unquestionably wished them not to seek incorporation and to suffer the consequences. However, they did petition the legislature and secured incorporation. In September, 1791, the Warren Association took a vote on this issue and Backus won the day and the association resolved "That it be earnestly commended to the churches belonging to this association by no means to apply to the civil government for incorporation...because we cannot consent to blend the kingdom of Christ with the kingdoms of this world nor to support it by the power of the civil magistrates." But Hezekiah Smith's congregation refused to follow this recommendation. In 1793, the Haverhill Baptists petitioned for and secured incorporation. Backus angrily brought the matter before the Association, which once again voted its disapproval. In 1798 the Baptist Churches in Harwich and Brookfield followed Haverhill's example, as did Ashfield in 1800. Over the next decade, a score of other Baptist churches successfully sought the same privilege. In most of these cases the action was justified on the grounds that this was the only way to avoid paying religious taxes to the establishment.

We have now come full circle. We are in exactly the same predicament today. Unless the churches organize as one of the four legal entities listed on page 24 that the IRS approves, the church must pay taxes, including business, property and sales taxes, among others.

For the most part Backus returned, after 1790, to his old activities as an itinerant evangelist and denominational trouble-shooter. From 1790 to 1797, he annually rode over 1100 miles on horseback throughout New England, delivering an average of 150 sermons each year and participating in numerous councils. Still, his efforts to produce in New England the same kind of religious fervor which he had seen in Virginia proved futile. Seldom did he note any "moving of the Spirit" or "descent of the power" in the meetings he addressed. Regularly he noted in his diary...the deaths of old friends and stalwarts who had fought side by side with him in the early years of the persecution.

Historically, whenever the church has crawled into bed with government for privileges and favors it has always resulted in the quenching of spiritual power. This has been true ever since the churches accepted Constantine's proposal for marriage in 315 A.D., which resulted in the formation of the Roman Catholic Church. This produced the mind-numbing persecution of the true churches and ended in what historians call the Dark Ages, which lasted for 1000 years. We now have an IRS state-controlled church in America. Oh, "how the mighty have fallen."

Federal Tax Laws for N.T. Churches are a Clear Violation of the U.S. Constitution First Amendment – “Congress shall make no law respecting the establishment of religion, or prohibiting the free exercise thereof...”

James Madison, the fourth President of the U.S. (1751-1836) understood this principle well. He is called the “Father of the U.S. Constitution” and also a co-drafter of the Bill of Rights. He served two terms from 1809-1817. He was a tireless supporter of religious liberty; his views and efforts made him an early friend to the persecuted Baptists. His autobiography – dictated in the third person – states: “...he spared no exertion to save them [Baptists] from imprisonment and to promote their release from it.” Indeed, in 1774, after hearing that some Baptist preachers had been jailed for preaching without a license, he wrote: “That diabolical Hell conceived principle of persecution rages among some and to their eternal infamy the Clergy can furnish their quota of imps for such business...This vexes me the most of any thing whatever.” (Letter to William Bradford, January 24, 1774)

Later, after becoming President, Madison vetoed a bill which would have granted public land to a Baptist church in Mississippi. Other Baptists wrote to Madison to thank him for taking this stand! In a letter responding to those Baptists (dated June 3, 1811), Madison wrote the following words:

Among the various religious Societies in our Country, none have been more vigilant or constant in maintaining that distinction, than the Society of which you make a part, and it is an honorable proof of your sincerity and integrity, that you are as ready to do so, in a case favoring the interest of your brethren, as in other cases.

On February 21, 1811, President Madison wrote to the House of Representatives the following words:

Having examined and considered the bill entitled ‘An act incorporating the Protestant Episcopal Church in the town of Alexandria, in the District of Columbia,’ I now return the bill to the House of Representatives...”

He went on to explain that the law would be superfluous because of the First Amendment. (The Papers of James Madison: Presidential Series, 3:323-324).

The Baptist Fight for Liberty

John Bunyan 1628 – 1688

Spent 13 years in Bedford jail (England)

His crime? Preaching without a license

69 – March 10 - THIS DAY IN BAPTIST HISTORY PAST

Baptists – The Authors of Soul-Liberty

Isaac Backus-Baptist Historian

Back in 1898, Charles F. James wrote, “there has been manifested at various times...a disposition to rewrite the history..., and to rob our Baptist forefathers of the peculiar honor which has ever been claimed for them, that of being the foremost, most zealous, and most consistent and unwavering champions of soul liberty.” If he were living today he would know that he was right more than ever. In the early days of America’s existence there were two Baptist historians, one well known and the other quite obscure. The one quite know was Isaac Backus who wrote the *History of New England from 1620-1804*. The other was John Cromer who was born on Aug. 1, 1704 and died on May 23, 1734. The brevity of his life kept him from his goal of writing a history but he kept a detailed diary. In his entry of March 3, 1729, he wrote: “A number of Baptists, Churchmen, and Quakers, 30 persons, of Rehoboth Township, were committed to Bristol (Massachusetts) jail.” It was because they would not pay the Congregational minister’s salary. On March 10 he wrote, “I went to visit the prisoners at Bristol with Mr. Stephen Groton. Upon the request of the prisoners I preached this day in the old prison at Bristol, from Psalm 86:11. Sundry of the town attended the meeting.” May we never forget the price that others paid for the liberty that we enjoy and may we be willing to pay the same price that they paid.

Dr. Greg J. Dixon, adapted from: *This Day in Baptist History III (David L. Cummins)*, pp. 143 – 144.

09 - January 09 - THIS DAY IN BAPTIST HISTORY PAST

Religious liberty a Baptist concept

1872 – The Roger Williams Monument was unveiled in the National Capitol. The dedicatory speech was delivered by Sen. Henry Bowen Anthony from Rhode Island. Sen. Bowen said, “Religious freedom, which now by general consent underlies the foundation principle of civilized government, was at that time looked upon as a wilder theory than any proposition, moral, political, or religious, that has since engaged the serious attention of mankind. It was regarded as impracticable, disorganizing, impious, and if not utterly subversive of social order, it was not so only because its manifest absurdity would prevent any serious effort to enforce it.” The monument, a sculpture of Roger Williams, had been done by Franklin Simmons in 1872 and may be seen today on the first floor of the House Wing in the Hall of

Columns in Washington, D.C. In 1965 our National Congress authorized a National Memorial for Roger Williams, and

4½ acres were purchased by the National Park Service in 1974 in downtown Providence for this purpose. Though Roger Williams died in 1683, his Baptist convictions of religious liberty has lived on in America, and we owe an incalculable debt to his vision of freedom. Religious freedom was unknown in America in the days of the early settlers! One had to conform to the institutional church and later to the state church, or be banished from the settlement. Williams. In 1635 he was tried by the General Court and found guilty of “newe and dangerous opinions against the authorities.” He escaped just ahead of Massachusetts soldiers who had been sent to arrest him and deport him to England. There he was given land by two Indian chiefs. He led in forming Rhode Island. He also founded Providence, RI and a Baptist church.

Dr. Greg J. Dixon; adapted from: This Day in Baptist History Vol. I: Cummins Thompson /, pp. 12-13.

235 - Aug. 23 - This Day in Baptist History Past

Scourged – Not Ordained by State Church

1771 – James Greenwood preached the gospel in the Middlesex County Jail to a number of friends who had come to encourage the prisoners. In a letter, written by John Waller from the jail he said, “Bro. Thomas Wafford was severely scourged, however because he was not ordained, he was released and did not have to serve time in prison. The early Baptist preachers in the Commonwealth of Virginia were despised by the political and religious leaders that were under the control of the Anglican Church/State system of government. These men, as the early Apostles as recorded in Acts Chapter four and five, had not been trained in the recognized seminaries of the day, and also refused to take a license to preach the gospel, but rather preached under the authority of Christ alone. This principle is made clear at Act 4:13 - Now when they saw the boldness of Peter and John, and perceived that they were unlearned and ignorant men, they marvelled; and they took knowledge of them, that they had been with Jesus. Because of this, until American Independence was won, they were fined, whipped, and jailed but they would not bend, bow or burn. Prepared by Dr. Greg Dixon

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