

## The Christian and Civil Government (39<sup>th</sup>)

(The study today gives insights to the struggles and inconsistencies of the Baptist particularly in the New England states after securing religious freedom in the First Amendment of the Constitution of the United States of America. It further outlines why many today are quick to give up their freedom to the government because of taxation advantages.)

We closed our previous podcast in giving some inconsistencies among the Baptists regarding the influence of civil government in supporting religion, especially the Christian religion. It had to do with addressing “Congress about new editions of the Bible, to see that they were correct.” We further quoted from John Leland to show that he was more consistent in the separation of civil government from religion than Isaac Backus. He admitted that it appeared to be a small and insignificant matter, but the principle of paying chaplains for their services in Congress can be “used as a stirrup, by the petitioners, to mount the steed and ride down the people.”

Though Isaac Backus supported the idea of Congress being an authority to validate which edition of the Bible was correct, he said regarding the government and Constitution of the United States that “the fear of the people is a greater check to the lusts of offices, than in any government ever erected before by men.” *The Diary of Isaac Backus*, edited by William G. McLoughlin, Volume III, page 1304. Of this McLoughlin added in a footnote the following:

This is Backus’s justification of the political theory of democracy, or government by consent of the governed. Yet, while he holds that “fear of the people,” whose power is manifested through frequent elections, is an essential check to government officials, he indicates that the people themselves must be held in check by the fear of God. *Ibid.*

This is so true. It matters not how many checks and balances are set in place to keep a government (or any organization for that matter) pure and strong, if the people are immoral it will degenerate to the morals of the mass. In other words, if the people are wicked and depraved, the “fear of the people” by governmental officials will accommodate wickedness by legislating for political advancement. The Lord willing, I plan to say more about this later, but at this time I desire show another inconsistency of the Baptists in the early days of this country that continues to plague religious freedom today. This is the evil of incorporating congregations and religious denominations for the purpose of tax advantages.

Many Baptists in Backus’s day were covetous and did not support their ministers properly and this caused problems sometimes between the membership and the pastor. Some of the Baptist ministers followed the belief of the Congregational ministers of a stated salary before accepting the position of pastor. And though Congress passed the amendment for religious freedom, states such as New Hampshire, Massachusetts, and Connecticut continued taxing and compulsion of the people for the support of religious ministers. In a letter to John Rippon, a Baptist minister in England, Backus wrote, “And as tax and compulsion for the support of religious ministers, is still continued ... I know not of one of our churches, especially in Massachusetts, who are entirely free of the evil of giving in a list of their society to their oppressors, which draws covetous men among us, whose influence with others hast cruelly withheld reasonable support from many of our ministers, a number of whom have been dismissed from their people, and *equity* is amazingly shut out from us.” *Diary*, Vol. III, page 1315. Of this McLoughlin noted, “In short, the old spirit of civil disobedience, expressed in the refusal to submit certificates, had sadly waned. Moreover, Backus now was accepting the claim of the Standing Order that among the Baptists were many tax dodgers, who, he felt, persuaded other

Baptists not to provide adequate, contractual support for their pastors. Thus he blamed the failure of the Baptists in this regard on the tax laws of the state.” *Ibid.*, pages 1315-1316. Backus spoke again to Rippon in a twenty-four page letter to him regarding the sad condition in which the state of Rhode Island had fallen concerning this matter.

In Backus’s entry for September 13-14, 1791, regarding the Warren Association, he said, “Two Baptist societies sent petitions to our Legislature at Boston last May, for to be incorporated by law, so as to support their worship by tax and compulsion; but Elder Stillman prevented their being presented, and our association now gave their testimony against any such thing.” *Ibid.*, page 1317. At this point McLoughlin entered the following footnote:

The movement to incorporate Baptist churches was only partly motivated by the fact that the law, as interpreted in county courts, stipulated that only incorporated religious societies were entitled to a share of the religious taxes that were collected. The other reason for incorporation was that it enabled a pastor to collect dues from the members of his congregation who had subscribed to a contract and then failed to fulfill it. Backus and most other Baptists opposed the practice because it acknowledged the right of the state to determine which sects or congregations should be incorporated and which should not.

At this meeting the Warren Association condemned the incorporation of churches: “After much dispute on the subject, old Elder Isaac Backus, ... who was the oldest in the association, rose, and began an account of what had happened to him and others, in consequence of such power in other denominations, and before he had done, the proposal appeared so *black* and anti-Christian, that it was thrown out for that year.” (E. Smith, p. 234). [E. Smith is *The Life, Conversion, Preaching, Travels and Sufferings of Elias Smith*. Portsmouth, N.H., 1816.]

Despite this condemnation and similar ones by other associations, an increasing number of Baptist societies in Massachusetts sought and obtained incorporation from the General Court after 1791. And in 1810, when the Supreme Court of Massachusetts made its definitive ruling that no congregation could obtain its share of religious taxes unless it was incorporated, the assembly was flooded with Baptist applicants. *Ibid.*, pages 1317-1318,

McLoughlin added a footnote to Backus’s entry regarding the Warren Association in 1794. He wrote, “The association again voted that it was wrong for any Baptist church to apply to the legislature for incorporation ‘for the purpose of supporting the ministry of the gospel,’ and voted to take up ‘an annual collection ... for the purpose of assisting the Widows for those Ministers deceased who have been members of this Association.’” *Ibid.*, page 1374.

Another footnote by McLoughlin regarding Backus’s entry for the Warren Association for September 8-9, 1795, reads as follows:

In a letter ... that Backus wrote to this association meeting on behalf of his church he expressed his views on the incorporation of Baptist churches: “Our Lord Jesus Christ hath made laws enough to incorporate and support his churches and ministers, and a law of this state, made in 1768, empowers the deacons of every church to receive and hold estates or donations which were given for religious purposes, and to manage the same at the direction for the good of the church; and we conceive this to be all that can be safely done in that respect. For if some who are of the church, and some who are not, are incorporated together to manage estates to support religious ministers, it binds the church and the world together, and tends to hinder the church from being governed wholly by the laws of Christ, which is essentially necessary for her acting as a chaste [*sic*] virgin to him ... all compulsion by secular

power hath ever been hurtful to the souls of men, and hath filled the world with strife and envy and other evil works.” The essence of this letter was included in the official minutes as advice to the other churches, but it did not stop an increasing number of them from seeking, and obtaining, incorporation. *Ibid.*, pages 1387-1388.

The idea of congregations today not seeking incorporation status and submitting themselves to the government under the 501(c)(3) tax code status for tax advantage is generally considered foolish. Equally, the banking system often insists that congregations be established under this governmental regulation before opening an account with them. If a congregation pushes back with the bank, it is, to my knowledge, that the congregation must at least have an Employer Identification Number to open a bank account. According to *Wikipedia*, “The Employer Identification Number, also known as the Federal Employer Identification Number or the Federal Tax Identification Number, is a unique nine-digit number assigned by the Internal Revenue Service to business entities operating in the United States for the purposes of identification.” While the minister is a servant unto the Lord and the congregation, and the congregation should support him accordingly, he is not to be a hireling or preach for an established salary. The congregation may agree with generosity and love to support their minister, but the minister is not to demand or negotiate a salary before he preaches. But that is another study that we do not have time to discuss today.

As the government continually seeks ways to bring the congregations of the Lord under its authority, we must labor, and if needs be, suffer, to be obedient to the Lord regarding such matters. However, our time is exhausted for today. Farewell.