

# Voices: CARES Act and a Baptist church

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“Can a Baptist church . . . ? Yes!

I can still remember the gentle but authoritative voice of Leon McBeth in one of my Ph.D. seminars at Southwestern Seminary. He said to us: “A Baptist church *can* do what it wills. Now, whether or not it *should* do something is a different issue altogether.”

That insight from McBeth has followed me throughout my ministry. In fact, I have thought of it often in the past week.

William Estep was my major professor as I completed my Ph.D. studies in the field of church history. Both he and McBeth were strong proponents of two core Baptist principles: separation of church and state and the autonomy of the local church. All of their students were well-versed in these core Baptist beliefs.

As I have considered the CARES Act and its availability to Baptist churches, both of those principles are at play. As the pastor of a local Baptist church, I have participated in discussions with my own church staff and leadership with regards to the CARES Act.

As I shared with my staff, there are two questions to be answered in our deliberations:

1. Can we receive funds through the loan process available through the CARES Act without violating our commitment to the separation of church and state?
2. Should we apply for the loan made available to us?

# The CARES Act and the separation of church and state

Baptists began as a dissent movement in the 17th century. Since the very beginning, we have expressed our concerns whenever any government entangled itself too much in the affairs of the church.

Thomas Helwys, the first “official” Baptist preacher, wrote the first defense of religious liberty in the English language, *The Mystery of Iniquity*. In 1613, he sent a personal copy to King James. Yes, *that* King James.

Helwys challenged the king in a personal note in the flyleaf of *The Mystery of Iniquity* to be careful in how he chose to rule with regards to religious conscience. He boldly informed the King of England he had no power over the consciences of human beings, and his only authority was that of an earthly king. Helwys was arrested and placed in the Newgate Prison, where he would die three years later.

History reveals Helwys would not be the only voice for religious liberty in the Baptist choir. Legions of others followed in his footsteps. Not all of them paid the price he paid, but many of them suffered at the hands of religiously oppressive governments.

Baptists have paid a price for adhering to the principle of the separation of church and state. So, we don't approach this matter lightly.

With that said, there is a core commitment in me to religious liberty and institutional separation of church and state. I always have opposed interference from and preferential treatment by the state. Anytime I am sorting through a prickly matter with regards to this issue, I defer to these core convictions.

As I seek to apply my core convictions in this case, I have posed two

essential questions:

1. Is there preferential treatment being given to churches?
2. Is there governmental interference with church operations?

As I have researched the proposal from the federal government, I can find no preferential treatment for churches in either the language of this act or in any of the supplemental explanations of its implementation. The rules are applied fairly across the board to small businesses as well as to all nonprofits.

Secondly, I can find no official interference from the government with regards to the operations and functions of the local church. The main stipulation concerning the use of the loan for churches has to do with the percentage used for payroll and mortgage expenses. If a church chooses not to utilize the funds available for these needs to the extent required, then some portion of the loan has to be repaid. Simple as that.

As antsy as I normally am about church and state issues and as much as I can hear Estep and McBeth whispering in my ear, I think this particular situation allows flexibility for churches to apply for this loan without violating our separationist convictions. I don't think the government is aiding in the "establishment" of religion, nor does it seem to be interfering with the "free exercise" of religion.

## **The CARES Act and the autonomy of the local church**

*Should* a Baptist church apply for this loan? That is an autonomy of the local church issue.

I can answer the question as to whether we are violating our separationist

convictions in applying for this loan. But the question of what any church *ought* to do is not my business as a Baptist. Each Baptist church is an autonomous entity under the lordship of Christ.

A quick survey of contemporary Baptist church governance practices will reveal a broad spectrum of options. There are Baptist churches with elder boards, deacon boards, church councils, committee structures, etc. Baptists are all over the map with respect to how they individually are governed.

But we all espouse the principle that we choose how to govern ourselves. Consequently, Baptists are fiercely independent and protective of their churches' freedom to make their own decisions. So, I will refrain from criticizing any local Baptist church's decision about engaging the benefits of the CARES Act.

I know people across our culture will have various responses to the inclusion of churches in the benefits of this legislation. Some folks may surmise churches are tax-exempt and should not be eligible for any tax dollars.

However, we live in a representative democracy. Consequently, the employees of our churches, as well as the donors to our churches, pay taxes to the federal government. Our tax-exemption applies to our institution and our property, not the individuals involved. So, it seems to me, in this case, tax dollars could be available to help keep these employees employed in our churches.

I am a local church pastor. I'm not a constitutional attorney or a tax specialist, nor do I work for the Baptist Joint Committee or the ERLC. There are many experts available to assist you in navigating this decision.

Regardless of how any church responds to the CARES Act, we all know our greatest hope lies not in the actions of any governmental agency. We are citizens of the kingdom of God, and our primary allegiance is and always

will be to him.

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