



by Dr. Charles Brown
Executive Vice President

We need to talk about this!

To Incorporate or Not to Incorporate?



I remember being in a church where a member urged the church to become incorporated. I thought that this was a very minor point that would be settled with limited discussion. I was wrong. It turns out that the *incorporation issue* is a hot issue.

I would like to give my viewpoint and to offer reasons for it. I am not a lawyer and so this is not legal advice. It is an ex-pastor's understanding based on research and consultation with a law firm (Christian Law Association). I may hastily add that any opinions found in this article are strictly mine and do not necessarily reflect any advice of Dr. Gibbs or his associates. In fact, before any church or pastor makes legal decisions about incorporating (or not incorporating) that church or pastor should seek counsel by a corporation lawyer in his own state to verify details.

A church does not have to be incorporated to be a real church. The United States constitution guarantees its citizens freedom of religion and freedom of speech. Churches fit in those categories. Anything the state might choose to do (prosecute, regulate, etc.) to a church, they may do regardless if the church is incorporated or not.

A corporation is a legal status that enables a group joined together for a stated reason (business, church, club, etc.) to act as if it is a person. That

"legal person" may own property, conduct business, and otherwise carry out its purpose.

Usually a church incorporates to limit its liability. If that church loses a lawsuit against it, only the assets of the corporation may be taken because that is all that the corporation owns. Individuals in that organization are not liable. Officers in a corporation may carry directors and officers insurance (usually called "D and O insurance.")

An unincorporated church is owned by individuals. Each share in the liability of the property and all things done in the name of that church. In a church split, the assets of the church may be claimed by either side and lawsuits could erupt, because each member owns the church.

Is becoming an incorporated church the same as being a state licensed church? It is my opinion that a church is not state licensed because it is incorporated. A license is a recognition from a responsible authority to conduct an activity that would be illegal to conduct without that license. No church needs to be licensed to be a church. An unincorporated church may legally do the same activities as one that is incorporated.

What about theological objections to incorporation? If a

church has theological objections to becoming incorporated, then, by all means, do not incorporate. I would urge the church to make sure their convictions are Bible based and not based on hysteria or guilt induced by emotional preaching. Courts do not seem to consider theological objections a valid defense if a church is sued.

The Christian Law Association has some excellent printed material that explains these issues simply and thoroughly. Ask for "Incorporated Churches & Unincorporated Churches: *A Legal Review*". Their address: Christian Law Association; P.O. Box 4010; Seminole, FL 33775-4010. (727) 399-8300. www.christianlaw.org

Incorporated churches are not "state run churches." Incorporated churches do not have to report to the state what they preach, how much money is spent, how they run their affairs, or who tithes. They do have to give the state an application typically containing: name and address of the church, purpose of the organization, manner of election of "officers," the name and address of the initial registered agent (usually the Pastor), and three names and addresses of the incorporators (usually trustees or deacons).

The church ought to have a constitution and bylaws but they are

for the internal working of the church and the state will not review them, nor want them. Again, Christian Law Assoc. has ample materials on sample constitutions and bylaws for churches, if anyone wishes to have one.

Hale v Hinkle, a Supreme Court decision, has been cited that supposedly proves incorporated churches are run by the state. I have downloaded that court ruling and read it. (I would urge anyone who wants to investigate this issue to download and read this rather tedious document.)

In 1906 an officer of a corporation (a tobacco company) was summoned to a grand jury to testify on the conduct of his corporation. He did appear in court but refused to testify on the ground that his testimony might incriminate him (among other reasons). His case went to the Supreme Court who ruled that a corporation does not have the same rights (i.e. fifth amendment against self incrimination) as does an individual. They ruled that an officer of the corporation could not claim the fifth amendment and refuse testimony

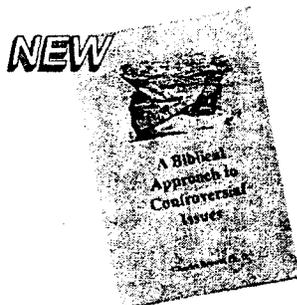
against his corporation. This ruling had nothing to do with a church and does not mean that a church is a state run entity.

Sometimes issues get emotional. The facts and truth can get lost amidst wild accusations. I have no particular advice to offer for a church to get or refuse to get incorporated. It is an issue to decide for themselves. The purpose of this article was to inform our readers of the facts of an issue. Any specific inquiries should be directed to Dr. David Gibbs and the Christian Law Association. ⚓

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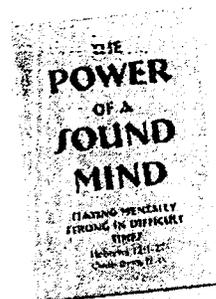
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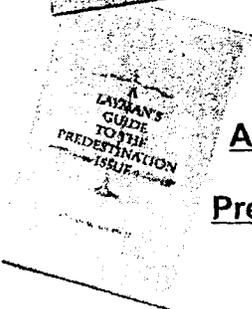
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President Bush Vows to Rebuild Moslem Mosque; Christian Church in U.S. Bulldozed after His Attorney General Orders It Seized

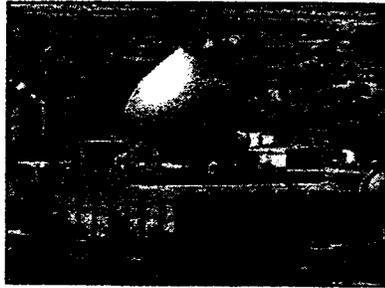
By Dr. Greg Dixon

CNN News reported on February 22, 2008 that President Bush has vowed to rebuild a Moslem mosque that is suspected of being destroyed by al-Qaeda.

There has been a series of terrorist attacks on 27 Moslem mosques in Iraq, including the renowned Al-Askariya "Golden Mosque" in Samarra, one of the holiest Shiite sites. The wave of attacks followed an early morning bombing of the mosque, which included a 6-hour barrage of small arms fire, rocket-propelled grenades and mortar rounds.

President Bush condemned the "brutal bombing of the Golden

Mosque," promising help to rebuild it and asking Iraqis to exercise restraint. "The terrorists in Iraq have again proven that they are enemies of all faiths and of all humanity," he said in a statement. "This senseless crime is an affront to people of faith throughout the world."



Bush vowed to rebuild the Golden Mosque in Iraq



Bush's Attorney General seized the Indianapolis Baptist Temple, which resulted in it being bulldozed to the ground by a court order.

Our Founding Fathers wrote about a long train of abuses in the Declaration of Independence. This generation of Americans is way past that long train.

The Supreme Court of our land has said that it is against the law for little children to say, "God is great, God is good, and we thank him for

this food." This same Court has said that it is all right to rip up the womb and pour the blood of millions of innocent babies down the sewers of our nation.

Thousands of American men and women are dead, wounded, and maimed for life in a war that we were lied into by our President and supported by our Christian

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To Incorporate or Not to Incorporate?

**Attorney Jerald Finney Answers
Dr. Charles Brown, Executive VP
of Landmark Baptist College**

*Responses to Arguments that Biblical
Principles Do Not Clearly Warn
Against Incorporation of Churches*

By Jerald Finney
Lead Counsel for
the Biblical Law Center

Dr. Charles Brown recently wrote an article entitled "To Incorporate or Not to Incorporate," which was published in the April 2008 edition of The Landmark Anchor, the official voice of Landmark Baptist College in Haines City, FL. In that article, Brown brought out important issues which, from a biblical perspective, are preeminent for a pure New Testament church. This article briefly answers some of the common assertions of various Christians which are reflected in Dr. Brown's article.

I recently completed a book called *God Betrayed/Separation of Church and State: The Biblical Principles and the American Application*. In this 453-page book, I thoroughly address all the issues Dr. Brown raises, and more. I want to encourage every Bible believer to get this book and study it.

In the above mentioned article, Dr. Brown does not get into United States Code § 501(c)(3) ("501(c)(3)") tax-exempt status for a church. Since almost all churches which incorporate also get 501(c)(3) status, such status should be considered in conjunction with the issue of

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incorporation of churches; but since Dr. Brown did not include the issue in his article, I will not address the issue herein. *God Betrayed* examines the issue of 501(c)(3) tax-exemption of churches.

It is impossible to do this subject justice in a short article, but I will attempt to shed some light on the issues he raised as succinctly as possible.

Dr. Brown stated: "A church does not have to be incorporated to be a real church." My reply to that statement follows:

What is a real church? The New Testament gives the answer to that question. The revelation of the mystery of the church, which was foretold, but not explained by Christ in Matthew 16.18, was committed to Paul. In his writings alone we find the doctrine, position, walk, and destiny of the church. *God Betrayed* delves into the biblical doctrines concerning the church.

New Testament churches never submitted themselves to the state in any way. In fact, the apostles were careful not to render to Caesar the things that were God's. They were jealous of God's churches. Paul said to the church, *For I am jealous over you with godly jealousy: for I have espoused you to one husband, that I may present you as a chaste virgin to Christ. But I fear, lest by any means, as the serpent beguiled Eve through his subtilty, so your minds should be corrupted from the simplicity that is in Christ* (II Cor. 11.2-3).

Is a corrupted church a real church? What if the leaders of a church reject knowledge and succumb to Satan's seductions? In other words, what if those leaders are willfully ignorant (see Hosea 4)? Individuals have a responsibility after being saved—they are to add to their faith virtue, to virtue knowledge, to knowledge temperance, to temperance patience, and to patience godliness, to godliness brotherly kindness, and to brotherly kindness charity (II Pe. 1.4-7). They are to engage in spiritual warfare using spiritual weapons which constitute the whole "armour of God" (Ep. 6.10-18). Included in that "armour" is having one's loins girt about with truth (Ep. 6.14).

Doing anything in America which

subjects a church to the civil government in any way renders that church a "legal entity." A "legal entity" is "an entity, other than a natural person, who has sufficient existence in legal contemplation that it can function legally, be sued or sue, and make decisions through agents as in the case of corporations." (*Black's Law Dictionary* (6th Ed., 1990), definition of 'Legal Entity')

God desires that Christ be the only head over His churches (Ep. 1.22, 23; 2.22; 5.23-24; Col. 1.15-18).

The church is analogized to a husband and bridegroom of the church (Jn. 3.28, 29; Ro. 7.4; II Co. 11.1-4; Ep. 5.23-33; Re. 19.6-8).

Dr. Brown stated: "The United States [C]onstitution guarantees its citizens freedom of religion and freedom of speech. Churches fit in those categories." My response:

The First Amendment to the United States Constitution guarantees freedom of religion, speech, press, assembly, and the right to "petition the Government for a redress of grievances." In the religion clause, churches are guaranteed freedom from government control. The words and history of the Amendment make this clear. Section VI of *God Betrayed* gives an unrevised account of the history of the First Amendment.

The words of the religion clause state, "Congress shall make no law respecting an establishment or religion, or prohibiting the free exercise thereof." Thus, the First Amendment allows a New Testament Church to remain pure, or to repent and become pure if it incorporated, gained 501(c)(3) status, or made itself a legal entity in any way. The Biblical Law Center has already helped many churches to return to pure New Testament church status and is there to help other churches who wish to please God and return to pure New Testament church status. The freedom guaranteed a church by the First Amendment can be enjoyed within the parameters of the laws of the states and of the United States. The United States Supreme Court still recognizes that the state cannot interfere with a pure New Testament Church. Of course, there may be rogue governmental agencies and courts that may ignore these protections; but if a New Testament church makes sure to close

all doors to being classified as a legal entity, there is no avenue for suit or attack against that church.

Dr. Brown stated: "Anything the state might choose to do (prosecute, regulate, etc.) to a church, they may do regardless if the church is incorporated or not."

This statement not only contradicts what Dr. Brown said in his previous two sentences, it also is simply not true. A pure New Testament church cannot be prosecuted. It is not a legal entity. An individual within a New Testament church may be prosecuted for crimes or sued for torts allegedly committed, whether as principal or party. However, a pure New Testament church is not a legal entity as is an incorporated 501(c)(3) church; and, therefore, she cannot sue, be sued, or be charged with a crime. Only a member or members who allegedly committed a crime or tort can be charged with a crime or sued under the laws of a civil government.

The First Amendment guarantees that a pure New Testament church cannot be prosecuted, regulated, etc.

Dr. Brown's statements concerning incorporation which follow his last mentioned statement are jumbled and very misleading. He is correct to say that incorporation "is a legal status that enables a group joined together for a stated reason (business, church, club, etc.) to act as if it was a person. That 'legal person' may own property, conduct business, and otherwise carry out its purpose." As I stated above, a corporation is a legal entity. However, Dr. Brown's description is incomplete. As pointed out in much more detail and with legal citations given in *God Betrayed*, civil law makes clear that:

"A corporation is an artificial being, invisible, intangible and existing only in the contemplation of law. As a mere creature of law, it possesses only those properties which the charter of its creation confers upon it. A corporation is not a natural person but rather an artificial person, that is, a legal fiction or a creature of statute (18 AM. JUR. 2D Corporations § 1 (2007))."

The sovereign of the corporation is the state that creates it. "No corporation can exist without the consent or grant of the sovereign, since the corporation is a

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creature of the state and derives its powers by legislative grant.... Because the granting of the privilege to be a corporation and to do business in that form rests entirely in the state's discretion, a state is justified in imposing such conditions on that privilege as it deems necessary, so long as those conditions are not imposed in a discriminatory manner (18A AM. JUR. 2D Corporations § 156 (2007))."

A corporation is defined as "An artificial person or legal entity created by or under the authority of the laws of the state." (*Black's Law Dictionary*, 340 (6th Ed. 1990), under definition of "Corporation," citing *Dartmouth College v. Woodward*, 17 U.S. (4 Wheat.) 518 (1819)).

Early in our national history, the United States Supreme Court solidified already existing precedent - in a case involving a religious institution of higher learning and which influenced many churches to incorporate-concerning the attributes of incorporation which are applied to churches (*Dartmouth College*). In that same case, the Supreme Court defined the differences between public and private corporations. Public corporations are not voluntary associations and there is no contractual relation between the government and the individuals who compose a corporation as there is with the private corporation (such as railroad companies, banks, insurance companies, charities, churches, religious organizations, etc.); a corporation which does not possess governmental powers or functions is a private corporation (*Ibid.*).

Dr. Brown states that "[a]n unincorporated church is owned by individuals."

If an unincorporated church is not a legal entity (incorporating and getting 501(c)(3) status are not the only ways to become legal entities), it is a pure New Testament church and the church is owned by the Lord Jesus Christ who said, *And I say also unto thee, That thou art Peter, and upon this rock I will build my church; and the gates of hell shall not prevail against it* (Mt. 16.18) (Emphasis mine). A pure New Testament church remains a purely spiritual entity and owns no property. *God Betrayed* explains how an American church can assemble on property without owning it, etc.

Dr. Brown asserts that churches usually incorporate to limit liability.

However, in addition to limited liability, other reasons for incorporating are given by members of "churches:" incorporating protects their personal assets (1) from liability for the debts of the corporation, (2) from the torts and criminal acts of the corporation, and (3) from liability on contracts entered into by the corporation. Although such arguments are partially correct, they are misleading. These arguments are spurious for several reasons which are more thoroughly discussed in *God Betrayed*. The corporate veil can be pierced. Limited liability is not absolute as is explained in *God Betrayed*. Also, biblical principle is against a church going into debt; and if she does go into debt, not only does the Word of God teach that God expects her to honor her debts; but also that church has become a legal entity because she can be sued if she defaults on her debts and she can sue if the other party to the debt defaults on her agreements surrounding the indebtedness. As to torts and criminal acts, only visible members of a pure New Testament church can commit such acts. A pure New Testament church cannot commit a tort or a crime. Thus, only people (members), not a pure New Testament church (a purely spiritual and not a legal entity), can be charged with a tort or crime to which they have allegedly either been principal or party. As to contracts, a pure New Testament church (a spiritual entity) has no need to and cannot enter into contracts. One can get around these principles only by means of purely human reasoning outside God's principles.

Dr. Brown asks the question, "Is becoming an incorporated church the same as being a state licensed church?"

This question is a purely diversionary tactic. Of course the two are not the same; but, according to biblical principles, to license a church is a wicked act, and to incorporate a church is a wicked act. I have already pointed out many of the reasons why incorporation is wrong. *God Betrayed* gives other reasons and is much more detailed.

Dr. Brown then asks, "What about theological objections to incorporation?" He recommends not incorporating if one has theological objections.

The Word of God does not leave such

an important issue up for grabs, and God expects His children to seek out and apply the principles He has laid down. *God Betrayed* is theological. Unlike most lawyers, including many or most of those who call themselves Christian, the foundation for all that I believe, as stated in *God Betrayed*, is biblical. My authority is not Supreme Court cases or civil laws. In *God Betrayed*, I first go to the Bible and explain the biblical principles of government, church, and separation of church and state. Then I examine history, Supreme Court decisions, and civil law (specifically incorporation, 501(c)(3), and other related laws as regards churches) in light of biblical principle. My main message is to pure New Testament churches, churches who want to be pure New Testament churches in obedience to biblical principle due to love for God, or to any other churches or Christians who want to know truth concerning these vital issues.

The real question should be, "What does the Bible teach about incorporation?" *God Betrayed* explains the biblical principles concerning incorporation (and 501(c)(3) tax-exempt status) for churches and the consequences for violating those principles. God teaches that a church which incorporates has committed a wicked act. That church may continue to operate within God's permissive will, but as with the nation Israel, the only true theocracy which has ever existed, when she rejected God as ruler (and God permitted Israel to reject Him), once a church dishonors her relationship with the Lord Jesus Christ, that church is on a slippery slope down. The end result will be spiritual apostasy, moral awfulness, and political tyranny. As the Bible teaches, the only remedy for apostasy is judgment.

Dr. Brown states that the Christian Law Association ("CLA") has some excellent printed material that explains these issues simply and thoroughly.

I disagree. Although simplistic, CLA explanations on the issue of incorporation (and 501(c)(3) status) of churches are wrong according to biblical principles. As a Christian, I contributed to the CLA for a few years and respected much of what they did, as I still do concerning some of their work. Then I was called by God to become a lawyer. A few years ago, I began an

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intense study of the Bible, history, and the law concerning the issue of separation of church and state. I discovered that CLA finds what it believes on man's statutory and case law, interprets the Bible according to man's statutory and case law, revises history, and disseminates myths about the issue of separation of church and state (which involves the issues of incorporation and 501(c)(3) tax-exempt status for churches). In fact, David Gibbs of the CLA once taught biblical principles concerning these issues but was persuaded by powerful pastors who had decided that they were going to seek incorporation and 501(c)(3) status that he should go with them on the issue. According to some sources, these pastors told him that if he did so they would establish his legal practice. It is irrefutable that after Attorney Gibbs switched his position, his earthly power and influence were multiplied many times over and the CLA began to thrive materially as an earthly entity with the financial support of thousands of churches and believers. Perhaps he felt that he should go with them to help and protect them, just as Jeremiah went with some of the Jews to Egypt against God's warning. However, Jeremiah still spoke total truth as given him by God.

Dr. Brown then states that "Incorporated churches are not 'state run churches.'"

In fact, incorporated churches, as fully explained in *God Betrayed*, are two-headed monsters. "Thus, whenever there is an incorporated church, there are two entities—the one, the church as such, not owing its ecclesiastical or spiritual existence to the civil law, and the other, the legal corporation—each separate, although closely allied. The former is purely voluntary and is not a corporation or a quasi corporation. On the other hand, a corporation which is formed for the acquisition and taking care of the property of the church, must be regarded as a legal personality, and is in no sense ecclesiastical in its functions (66 AM. JUR. 2D Religious Societies § 5 (2007))."

An incorporated church gets part of her powers from God and part from the civil government. She is under two heads. Part of the church, as a legal entity, can sue and be sued as to both earthly and some spiritual matters. Part of the church must have elected officers who conduct busi-

ness meetings, meet statutory requirements, etc.

This bifurcation of a church has other consequences. As has been shown, the state is sovereign of the incorporated part of a church. "Sovereign" means: possessed of supreme power or unlimited in extent: ABSOLUTE (*Black's Law Dictionary* (6th Ed., 1990), definition of "sovereign"). Incorporation of churches creates contracts between the state and the corporation, the state and the members of the corporation, between the members themselves, and between the members and the corporation. Contract (agreement between two or more parties) is not biblical. The Bible teaches that the proper way to agree with another or others is through biblical covenant (covenant between two or more people and God). The contracts created by incorporation entangle the incorporated church with earthly satanic concerns, solutions, and procedures. Furthermore, the statutory requirements as to the form and content of the articles or certificates of incorporation must be substantially followed. As sovereign, the state has ultimate authority in interpreting the articles of incorporation as well as the various contracts involved in incorporation should disputes be taken to court. By incorporating, a church gives up much of its First Amendment protection. It must, for example, keep records and make those records available to the state, on demand. Only a church which is not satisfied with the freedom and provisions afforded the church by God (which are, by the way, implemented by the First Amendment) seeks incorporation.

An incorporated church must deal with all the government red tape that comes with incorporation. The incorporated church must now elect officers, hold business meetings, notify members of those meetings pursuant to statutory requirements, keep records, etc. All these secular activities take tremendous time, energy, and resources which could be used in pursuing the God-given purposes of a church. The incorporated church which does not comply with statutory requirements is being dishonest and could face further problems from her sovereign state.

Notice that Jesus said that *the gates of hell shall not prevail against [my church]*. What about the church that is partly under God and partly under Satan? That church has fallen for Satan's seduction:

"SEDUCTION, n. ... 2. Appropriately, the act or crime of persuading a female, by flattery or deception, to surrender her chastity. A woman who is above flattery, is least liable to seduction; but the best safeguard is principle, the love and purity of holiness, the fear of God and reverence for his commandments. (*American Dictionary of the English Language*, Noah Webster (1828))"

A corporation cannot be the bride of Christ, the wife of Christ. The incorporated part of an incorporated church is not the bride of Christ, the wife of Christ, but rather an extramarital illicit relationship existing alongside the marriage. An incorporated church, having compromised her love for her Husband, will continue to make incremental compromises, and ultimately (perhaps in 1, 5, 10, 50, 100, or 200 years or more) will fall into heresy and apostasy. And from the beginning of that initial compromise, the Lord, even though longsuffering in His love and mercy, is grieving because of His wife's compromise; and the compromising church gives up at least a portion of the power of God.

With the above information it should already be completely obvious to any born again believer who loves the Lord and who has been saved any length of time at all that a church should never incorporate. Scripture contains no principle consistent with church incorporation or incorporation in general. In fact, everything about incorporation is anti-biblical. If one who loves the Lord and comes into this understanding is in a church that is already incorporated, he will do all he can to shed the 501(c)(3) and/or corporate status of that church.

Dr. Brown then refers to *Hale v. Hinkle*.

He is partially right about his observations concerning that case. Although *God Betrayed* very briefly mentions *Hale v. Hinkle*, 201 U.S. 43 (1906), the case could be eliminated from the book without compromising any assertions in the book. Dr. Brown is correct when he states that the case did not deal with a church. He says that "this ruling had nothing to do with a church and does not mean that a church is a state run entity." This statement is only partially true in that a church was not involved in the case. However, *Hale v.*

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Hinkle presents general incorporation law, and the principles in the case are applied to the issue of church incorporation. For example, an incorporated church does give up some of its constitutional protections such as its First Amendment Rights while retaining only due process and equal protection rights just as the corporate officer in *Hale v. Hinkle* gave up Constitutional rights, as Dr. Brown mentions in his article.

Dr. Brown closes his article by saying he has "no particular advice to offer for a church to get or refuse to get incorporated."

In effect, Dr. Brown is stating that God does not care what a church does concerning incorporation since, as he puts it, "It is an issue to decide for themselves." In other words, according to Dr. Brown, the Bible can be read to both support and condemn incorporation. However, when one opens the Word of God, one opens the mind and heart of God concerning this issue as well as many others.

Loving God is preeminent for a believer and for a church. One does not love God by just asserting that he loves God. Jesus said, *If ye love me, keep my commandments* (John 14.15). The greatest commandment is to love the Lord with all one's heart, soul, mind, and strength (Mt. 22.37; Mk. 12.30; Lk. 10.27).

Love is action. This love which Christ has for His church and which he desires His church to show Him is seen in the Song of Solomon which is primarily an expression of pure marital love, and secondarily of Christ and His heavenly bride, the church. Song of Solomon 8.7 says, *Many waters cannot quench love, neither can the floods drown it: if a man would give all the substance of his house for love, it would be utterly contemned.* "Contemned" means "despised, scorned, slighted, neglected, or rejected with disdain (*American Dictionary of the English Language*, Noah Webster (1828), definition of "CONTEMNED."): "God despises, scorns, slights, neglects, or rejects with disdain all that a church does, whatever professions of love she makes, if those acts and/or professions are without love. A church that does not honor Christ as a wife is to honor her husband, her bridegroom, by remaining pure and chaste, does not

display love for the Lord. Thus, loving one's neighbor by witnessing to him, sending missionaries to him, leading him to the Lord, or helping him materially or any other way in obedience to the second commandment-"Thou shalt love thy neighbor as thyself"-is vanity in God's eyes if one ignores the greatest commandment. Souls will still be saved because of the grace of God, but not as many, especially in the long run, as would be saved had the churches displayed love for their bridegroom, husband, and head.

This fact is also articulated in the New Testament. The Lord Jesus is jealous over His churches. If we do not love the Lord Jesus, He despises all the "Christian" work we do and the money we put in the offering plate:

Though I speak with the tongues of men and of angels, and have not charity, I am become as sounding brass, or a tinkling cymbal. And though I have the gift of prophecy, and understand all mysteries, and all knowledge; and though I have all faith, so that I could remove mountains, and have not charity, I am nothing. And though I bestow all my goods to feed the poor, and though I give my body to be burned, and have not charity, it profiteth me nothing (I Co. 13.1-3).

In a theological sense, ['charity'] "includes supreme love to God and a universal good will to men. 1 Cor. xiii. Col. iii. 1 Tim. i" (*American Dictionary of the English Language*, Noah Webster (1828), definition of "CHARITY."). Love is an act of the will. A church refutes its proclamations of love for the Lord when it wholly or partially takes the church from under the headship of her Husband, the Lord Jesus Christ.

Love "[r]ejoiceth not in iniquity, but rejoiceth in the truth (I Co. 13.6)." Iniquity means "Injustice, unrighteousness, ... [w]ant of rectitude [rightness in principle or practice], ... a sin or crime; wickedness (*Ibid.*, definitions of "INIQUITY" and "RECTITUDE."):..." Bible truth makes clear that the love of Christ for His church is immense, that He wants to be the only Head and companion of the church which is likened to His wife and bride, and that for a church to even partially put herself under or associate with another entity is a great wickedness and repudiates all professions of love for the Lord. As shown in

Section VI of *God Betrayed*, the church that secures a 501(c)(3) tax-exemption and/or incorporates puts herself partially under another head, commits a wicked sinful act in violation of biblical principle, rejoices in iniquity, and refutes its professions of love for the Lord.

The Lord Jesus gave a warning to the church at Ephesus:

I know thy works, and thy labour, and thy patience, and how thou canst not bear them which are evil: and thou hast tried them which say they are apostles, and are not, and hast found them liars: And hast borne, and hast patience, and for my name's sake hast laboured, and hast not fainted. Nevertheless, I have somewhat against thee, because thou hast left thy first love. Remember therefore from whence thou art fallen, and repent, and do the first works; or else I will come unto thee quickly, and will remove thy candlestick out of his place, except thou repent (Re. 2.2-5).

As Dr. J. Vernon McGee teaches us, this warning was for every church that has lost her love for the Lord Jesus:

"It was a warning of danger of getting away from a personal and loving relationship with Jesus Christ. The real test of any believer, especially those who are attempting to serve Him, is not your little method or mode or system, or your dedication, or any of the things that are so often emphasized today. The one question is: Do you love Him? Do you love the Lord Jesus? When you love Him, you will be in a right relationship with Him, but when you begin to depart from the person of Christ, it will finally lead to lukewarmness. The apostate church was guilty of lukewarmness. It may not seem to be too bad, but it is the worst condition that anyone can be in. A great preacher in upper New York state said: 'Twenty lukewarm Christians hurt the cause of Christ more than one blatant atheist.' A lukewarm church is a disgrace to Christ." (J. Vernon McGee, *Revelation, Volume 1* (Pasadena, California: Thru the Bible Books, 1982), pp. 121-122)

As the Lord Jesus Christ is jealous over His churches, so should pastors and church members be jealous, with a godly jealousy, over the church they belong to, just as Paul was:

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For I am jealous over you with godly jealousy: for I have espoused you to one husband, that I may present you as a chaste virgin to Christ. But I fear, lest by any means, as the serpent beguiled Eve through his subtilty, so your minds should be corrupted from the simplicity that is in Christ. For if he that cometh preacheth another Jesus, whom we have not preached, or if ye receive another spirit, which ye have not received or another gospel, which ye have not accepted, ye might well bear with him. (II Co. 11.2-4; see also Lk. 18.8; II Ti. 3.1-8).

The church that really loves her Husband, the Lord Jesus Christ, will seek to maintain her purity, to be subject to her Husband in all things whether that church is persecuted or not. All the professions of love, all the good deeds, the hymns sung, and the messages preached by a church which does not totally submit herself in all things to her Husband, are condemned by the Lord. A church that takes a 501(c)(3) tax exemption, an incorporation, a license, or any type permit from the state, or puts herself under the state in any way, becomes an earthly legal entity subject to the jurisdiction of an earthly power, the civil government. Such a "church" is in fact a two headed monster. In spite of her emotions and professions of love for the Lord, according to her acts she shows, based upon God's definition of love in the Bible, that she does not love the Lord Jesus Christ.

Jerald Finney is lead counsel for the Biblical Law Center.

Editors Note – Landmark Baptist College is a ministry of Landmark Baptist Church, Dr. Mickey Carter, Pastor. We have the greatest of respect for Bro. Carter and count him as a friend, having preached both at the church and the College chapel services. We can only pray that God will not only open Bro. Carter's eyes, but the eyes of others who are responsible to train the next generation of Baptist pastors to fill the pulpits of our fundamental Baptist churches. It is difficult to understand how Dr. Brown can take a position on an issue involving the Lord's church and not quote one verse of scripture. Dr. Brown also admits that he got all his information from David Gibbs, Jr. Perhaps this is the reason our Lord said, "Beware of Lawyers."

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