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Baptists and the American Tradition of Religious Liberty

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The Baptist contribution to the American tradition of religious liberty, especially of the principle of the separation of church and state as the essential foundation of religious liberty, is often overlooked. Baptists, beginning in the early seventeenth century, were the first religious group to adopt church-state separation as a fundamental article of faith. The American tradition of religious liberty, enshrined in the Constitution of 1787 and more fully developed in the Constitution's First Amendment, owes much to Baptist belief and practice.¹

The early Baptists in Europe sought freedom to worship God as they believed the Scriptures taught; moreover, they believed that religious freedom should be extended to persons of *any* faith. They understood religious liberty as a universal principle, not one manufactured to advance only their own interests. Baptists grounded their advocacy of religious liberty primarily in the New Testament. While never denying proper authority to civil rulers,² they never acceded to the notion that the New Testament gives civil rulers any authority whatsoever to compel religious belief. Religious commitment was a matter between the human person and God. Civil magistrates should respect the religious conscience of every person.³ Baptists sought to model themselves after the apostles, who endured persecution throughout their attempts to propagate the gospel. In delivering the gospel message, the apostles never sought civil assistance; every person's conscience, in terms of whether the message was accepted or rejected, was respected. According to Baptist historian Walter Shurden, "The worst they [the apostles] did to those who would not receive the gospel was to shake the dust off their feet."⁴ It is historically clear that Baptists have fundamentally rejected any policy that affords the state "divine" authority to compel or even guide people in matters of religion. Faith is between man and God; it is genuine only if freely chosen.

A leading Baptist theologian of the twentieth century, E.Y. Mullins, believed that religious liberty is the greatest of human rights. He offered two major points toward the Baptist notion of religious freedom for all. First, no human authority should come between a human soul and God, since each individual has the right to direct access to God. Second, each individual is inherently entitled to search for truth in religion. Jesus exemplified this individual

¹ E.Y. Mullins, *The Axioms of Religion* (Philadelphia: American Baptist Publication Society, 1908), 57.

² Baptists referred to Romans 13, quoting "Let every person be subject to the governing authorities." See Walter B. Shurden, "How We Got That Way: Baptists on Religious Liberty and Separation of Church and State," in *Proclaiming the Baptist Vision: Religious Liberty*, ed. Walter B. Shurden (Macon: Smyth & Helwys, 1997), 21.

³ *Ibid.* See also James 4:12.

⁴ *Ibid.* See also Mt 10:14; Lk 10:11; Acts 13:51.

liberty and did not assert His divine authority to compel belief, but instead lived and taught the truth; individuals are then responsible to discover the messiahship revealed to them.⁵

The vigorous promotion of religious liberty has been a central tenet of Baptist faith and practice for centuries. Baptists have been on the frontlines of combating religious oppression everywhere it occurs, in America and elsewhere. According to traditional Baptist belief, a government that gives preferential treatment to certain religious beliefs breaches the eternal and inalienable rights of each individual—and disobeys the will of God. Governments that establish certain religions, advance mere toleration as opposed to complete religious freedom, become advocates for a particular view of the religious life, or proscribe the reasonable religious practices of any faith group—in short, inordinately mix church and state—have been consistently opposed by Baptists.

Today, however, the commitment of many Baptists to protecting church-state separation, and thus religious liberty, has diminished dramatically. In the belief that secularism is overtaking American culture, increasingly some Baptists in the United States have begun to call for moral reform achieved through increased government advancement of religion—e.g., more prayer in the public schools, more government dollars being made available for religious educations, increased government postings of the Ten Commandments and other sacred texts, and more government monies being made available to support churches and other religious groups in administering social programs. The sentiment seems to be that America is in trouble morally and that only a loosening of the constitutional prohibitions on government involvement and oversight of religion can stem the tide of moral decline. Arguably now more than at any other time in America’s history, the nation needs the strong voice of the traditional Baptist witness on religious liberty—the voice that affirms the separation of church and state as being not only good for government, but good for religion as well.

It is important, therefore, to review the rich Baptist heritage, beginning in the seventeenth century, to better appreciate and consider the major Baptist principle of religious liberty and how it has helped to shape the religious liberty that the United States enjoys today but which is, regrettably, presently under siege.

I. HERITAGE OF LIBERTY

For we do freely profess that our lord the king has no more power over their consciences [Roman Catholics] than over ours, and that is none at all. For our Lord the king is but an earthly king, and he has no authority as a king but in earthly causes. And if the king’s people be obedient and true subjects, obeying all human laws made by the king, our lord the king can require no more. For men’s religion to God is between God and themselves. The king shall not answer for it. Neither may the king be judge between God and man. Let them be heretics, Turks, Jews, or whatsoever it appertains not to the earthly power to punish them in the least measure. This is made evident to our lord the king by the scriptures.⁶

⁵ E.Y. Mullins, “The Baptist Conception of Religious Liberty,” in *Proclaiming the Baptist Vision: Religious Liberty*, ed. Walter B. Shurden (Macon: Smyth & Helwys, 1997), 89.

⁶ Thomas Helwys, *A Short Declaration of the Mystery of Iniquity*, ed. Richard Groves (Macon, GA: Mercer University press, 1998), 53.

One of the earliest Baptists, Thomas Helwys, wrote these powerful words in *The Mystery of Iniquity* in 1612. He was imprisoned that same year by King James I, who refused to tolerate heresies such as those expressed by Helwys--that men are answerable only to God for their religious opinions, not to kings. Helwys later died in prison because of his bold pleas for religious liberty for all.⁷ Helwys, along with other leading Baptists of the seventeenth century, including John Smyth and Leonard Busher, became some of the most prominent figures in Baptist history. Within years of Helwys's death, English Baptists would risk the two-month voyage across the tumultuous waters of the Atlantic Ocean in search of a land where religious liberty might become the standard. These Baptists performed a leading role in shaping America's experiment in religious liberty.

Roger Williams

The paramount importance placed on religious liberty in America today is undoubtedly due in part to the bold and enduring religious pilgrimage of Roger Williams. Williams came as a Puritan pastor to Massachusetts in 1631, but was banished in 1635 because of his criticism of the colony's theocratic political order and overt suppression of religious dissenters. Using the Bible, he contested New England's theological justifications for church and state cooperation within the colony. For Williams, Massachusetts violated the biblical doctrine of soul freedom through its intolerance of religious diversity and convergence of church and state. Williams adamantly objected to mandatory church attendance for all citizens within the colony. In addition, he objected to religious tests for holding public office and to the colony's "Freeman's Oath," which required an oath to God before one could obtain citizenship. He argued that, for non-Christians, such an oath was tantamount to the state's coercion of prayer, and for Christians, it could not be taken since only the Kingdom of Heaven, not the temporal state, is to be established by oaths to God.⁸

Williams was convinced that the separation of church and state is necessary to ensure that the state performs its essentially secular tasks and the church is free to perform its spiritual tasks. He was America's first separationist, and was clearly far ahead of most political thinkers of his day. His views would closely coincide with one of America's pivotal founders, Thomas Jefferson. Baptist leader J.M. Dawson offered this comparison: "Granted that Williams was concerned to 'free the church from the state while Jefferson thought to free the state from the church,' the views of the two add up to the same thing – separation."⁹

As was common in his day, Williams separated the Ten Commandments into the first table (duties to God) and the second table (duties to fellow man). He conceded that civil authorities should be empowered to regulate violations of the second table of the Decalogue; however, no civil authority could legalize the first table and regulate or punish offenses against them.¹⁰ To enable civil authorities to regulate matters that were strictly between man and God

⁷ H. Leon McBeth, *The Baptist Heritage* (Nashville: Broadman Press, 1987), 103.

⁸ *Ibid.*, 128-29.

⁹ Joseph Martin Dawson, *Baptists and the American Republic* (Nashville: Broadman Press, 1956), 32.

¹⁰ McBeth, 129.

was an invasion of sacred space. Banished from Massachusetts in 1635, Williams fled to Providence, where he founded the first Baptist church in America.

Williams returned to England almost a decade later to obtain official approval for the charter of the Rhode Island colony he had founded in Providence. King Charles II approved a provisional charter in 1644. While in England, Williams penned his grand treatise on religious liberty, *The Bloody Tenet of Persecution*. The “Bloody Tenet” represented the failure of human governments to delimit their authority in matters of religious conscience. He argued for the notion of complete religious liberty, demonstrating a “careful history of strife over conformity in Old and New England.”¹¹ Williams threatened the prevailing political structure in both England and Massachusetts, since it was commonly believed that the separation of church and state would lead to the moral degeneration of society and the decline of religion as the glue of society. Many Americans today, some Baptists among them, are suggesting that this concern has come to fruition, thus necessitating a closer union between church and state.

Roger Williams’s Rhode Island became a haven for the religiously persecuted. It was not a Christian colony, but a free colony. For Williams, a Christian state, or “Christendom,” could not exist; history had demonstrated too many times failed attempts to “wrap the mantle of Christ around everything they said, everything they did.”¹² Christianity dealt with each individual’s heart and soul, while “Christendom” obviated Christianity and fostered only temporal politics, religious persecution, and coercion.¹³

John Clarke

John Clarke accompanied Williams on one of Williams’s three trips to England on behalf of the charter. Having studied law at Cambridge, Clarke was a student of politics and capable of leading dissenting Baptists in New England in the fight for religious liberty. As Williams’s contemporary, Clarke’s work coincided and paralleled that of the more famous Williams; both sojournered the separationist road of Baptist life to press for complete religious liberty. Equally disappointed by the level of religious intolerance in Massachusetts, Clarke lamented in his diary:

A year in this hotbed of religious tyranny is enough for me. I cannot bear to see men in these uttermost parts of the earth not able to bear with others in matters of conscience and live peaceable together. With so much land before us, I for one will turn aside, shake the dust of Boston off my feet, and betake me to a new place. There I shall make a haven for all those who, like myself, are disgusted and sickened by the Puritan dictatorship. I shall make it a place where there will be full freedom of thought and religious conscience.¹⁴

¹¹ William Henry Brackney, *The Baptists* (Westport, CT: Greenwood Press, Inc., 1988), 92-93.

¹² Edwin Scott Gaustad, “The Baptist Tradition of Religious Liberty in America” (Waco, Texas: J.M. Dawson Institute of Church-State Studies, Baylor University, 1995), 6.

¹³ For an excellent biography of Roger Williams, see Edwin S. Gaustad, *Roger Williams: Prophet of Liberty* (Oxford: Oxford University Press, 2001).

¹⁴ O.K. Armstrong and Marjorie Moore Armstrong, *Baptists Who Shaped A Nation* (Nashville: Broadman Press, 1967), 55.

In 1640 Clarke organized and pastored the First Baptist Church of Newport--the second Baptist church in America. He would serve in this capacity for nearly forty years, until his death in 1676.

In 1652, Clarke published *Ill Newes from New England*, clearly making his courageous stand for freedom of conscience in the face of persecution in the colonies and in England. This book dealt primarily with the callous persecution Clarke and two Baptist companions, assistant pastor Obadiah Holmes and layman John Crandall, encountered while in Puritan Massachusetts. His book described the incident with forceful impact, offering a concrete example of the reality of religious persecution in America.

On 16 July 1651, Clarke and his two Baptist companions ventured from Newport, Rhode Island to Lynn, Massachusetts to take communion and fellowship with William Witter—an elderly and blind Baptist gentleman. In violation of the strict Anabaptist law of 1644, Clarke evidently preached and led a private prayer in Witter’s home. The trio was arrested and transferred to a Boston court, where they were tried, convicted, and sentenced to be fined or publicly whipped. An unknown donor paid Clark’s fine of £20. Clarke’s companion, Obadiah Holmes, resolved to make his stand for religious liberty and refused to accept an unknown donor’s offer to pay his fine, opting instead, to take the thirty lashes. Obadiah proclaimed, “[t]is for the Lord, I must not deny Him before the sons of men.”¹⁵ While his clothes were being stripped off of him and his hands tied behind his back, Holmes cried, “I am now come to be baptized in afflictions by your hands, that so I may have further fellowship with my Lord. [I] am not ashamed of His sufferings, for by His stripes am I healed.” The executioner proceeded to spit upon his hands and laid siege to the bare back of Obadiah Holmes thirty times with a three-corded whip. After Holmes endured this persecution, he defiantly faced the magistrate and said, “You have struck me as with roses.”¹⁶ With theological and political prowess, in his now famous *Ill Newes*, Clarke put forth a telling description of the Holmes persecution, which served as a substitute to the hearing he and his Newport companions were unlawfully denied.

Isaac Backus

Over the next century, Baptists, in the wake of the Great Awakening, began to grow and flourish amidst the abundant religious harassment and maltreatment that was still readily apparent in most colonies—Massachusetts in particular. Through tracts, speeches, protests, and petitions, Isaac Backus (1724-1806) led the pursuit of religious liberty during the tumultuous period of the American Revolution.

Backus’s fight for religious liberty was carried out chiefly with his pen. He has been recognized by many as *the* historian of the early New England Baptists. He was convinced that producing a written history would be beneficial to his primary purpose in life—advocating liberty of conscience for Baptists and others. “Through careful, diligent research in Massachusetts, Rhode Island, and Connecticut,” wrote Baptist ethicist T.B. Maston, “Backus

¹⁵ Obadiah Holmes, *Baptist Piety: The Last Will & Testimony of Obadiah Holmes*, ed. with Historical Introduction by Edwin S. Gaustad (Grand Rapids: Christian University Press, 1978), 28.

¹⁶ *Ibid.*, 29.

was able to write a history of New England Baptists that was widely recognized in his day and has been accepted as standard since that time.”¹⁷

Backus argued that the enforcement of religion led to much bloodshed and suffering. He posited that the church was to refrain from interference in governmental affairs. The following excerpt from Locke’s “A Letter on Toleration” was quoted frequently by Backus:

The church itself is a thing absolutely separate and distinct from the commonwealth. The boundaries on both sides are fixed and immoveable. . . . (These societies) are, in their original, end, business, and in every thing perfectly distinct, and infinitely different from each other.¹⁸

There could be a harmony between the church and the state, but the nature of their work was vastly different and prohibited them from ever being successfully united.

Backus was successful in facilitating the use of a specific organization to provide a cooperative approach in the fight for religious liberty. In 1772, the Warren Association, a Massachusetts Baptist advocacy group, called Backus to lead its grievance committee to redress wrongs committed against Baptists in New England. The task of this committee was to assemble and present “well-attested” cases of religious persecution to courts and legislators in an effort to seek relief. Backus also served as their spokesman before the Continental Congress in Philadelphia in 1774.¹⁹

Lockean ideas of individual liberty were widely accepted among the people of the day;²⁰ Backus frequently quoted from Locke in his tracts written during the pre-Revolutionary period. Backus found in Locke ideas to help substantiate and advocate his own Baptist beliefs concerning liberty of conscience and separation of church and state.²¹ Backus argued that the church is an undeniably important and vital part of civil life. In a letter to George Washington, Backus asserted, “No men are more necessary and useful to human society than faithful religious teachers or ministers.”²² However, in his proposed Bill of Rights for the new Constitution of Massachusetts in 1779, Backus wrote:

Nothing can be true religion but voluntary obedience unto his revealed will, of which each rational soul has an equal right to judge for itself; every person has an inalienable right to act in all religious affairs according to the full persuasion of his own mind, where others are not injured thereby. And civil rulers are so far from having any right to empower any persons to judge for others in such affairs, and to enforce their judgments, with the sword, that their power ought to be exerted to protect all persons and societies within their jurisdiction, from being injured or interrupted in the full enjoyment of this right, under any pretense whatsoever.²³

¹⁷ T.B. Maston, *Isaac Backus: Pioneer of Religious Liberty* (London: James Clarke & CO. LTD, 1962), 31.

¹⁸ *Ibid.*, 72.

¹⁹ For an account of Backus’s advocacy before the First Continental Congress, see Derek H. Davis, *Religion and the Continental Congress, 1774-1789: Contributions to Original Intent* (Oxford: Oxford University Press, 2000), 125-28.

²⁰ *Ibid.*, 99-109.

²¹ *Ibid.*, 55.

²² *Letter from Backus to George Washington*, 15 November 1790. See Maston, p. 69.

²³ Excerpt taken from a portion of Article 2. See Maston, p. 78.

Backus abhorred Massachusetts' use of its power to support one particular church, clearly a form of "taxation without representation." It was a violation of religious liberty for Massachusetts to demand either a renunciation of one's faith or payment of a tax that supported one established church. He deemed it a "heresy for any men to develop laws to bind others in religious matters, or to loose any from the laws of Christ in the government of his church."²⁴

If Backus is to be criticized, it is perhaps in his belief that the American order should be infused with a specifically Christian character. True, he was a vigorous advocate of church-state separation, but as a necessary tool to prevent the elevation of any one *Christian* denomination over others. He thus envisioned a kind of "national" faith, but clearly one that was Christian in makeup as opposed to anything else. He lived, of course, in a day in which Protestantism was the overwhelming faith represented throughout the land. Like the Founding Fathers that he influenced, he might have envisioned a "sacred" order, but one built on the strength of the Bible, not natural law or any other ideology. He even went so far as to require a religious test for holding public office in his native Massachusetts: "No man can take a seat in our legislature until he solemnly declares, 'I believe the Christian religion and have a firm persuasion of its truth'."²⁵ Roger Williams would have been unalterably opposed to Backus on this point.

John Leland

A generation later John Leland (1754-1841) carried on the struggle of Backus and his predecessors. Living until 1841 allowed Leland to witness not only the ratification of the U.S. Constitution and Bill of Rights but also the end of the Congregational establishment in Massachusetts in 1833. For Leland, the latter was cause for celebration, as Massachusetts was the last holdout among states that once embraced formal religious establishments. Religious liberty dominated Leland's writings and constituted much of his life's work. Known by his peers as shrewd, witty, and eccentric, Leland was a widely read and well-informed evangelist and agitator throughout most of his life. While a native of Massachusetts, Leland labored tirelessly for fifteen years in Virginia from 1776 to 1791. As a vibrant preacher, Leland promoted the Baptist message during these crucial years of Virginia's struggle for religious liberty.

His passionate defense of liberty coincided with the efforts of Thomas Jefferson and James Madison, who were at the forefront with Leland in Virginia's fight for religious liberty. Leland championed the Baptist notion of rights of conscience as inalienable to every man. As such, he labored vigorously to sever any remaining ties between Virginia and the Episcopal Church, concluding:

Government has no more to do with the religious opinions of men, than it has with the principles of mathematics. Let every man speak freely without fear, maintain the principles that he believes,

²⁴ William G. McLoughlin, ed., *The Diary of Isaac Backus*, Vol. III: 1786-1806 (Providence: Brown University Press, 1979), 1320-21. For an older but nevertheless excellent account of the life and contributions of Isaac Backus, see Alvah Hovey, *A Memoir of the Life and Times of Isaac Backus*, (1858; Harrisonburg: Gano Books, 1991).

²⁵ William G. McLoughlin, ed., *Isaac Backus on Church, State, and Calvinism* (Cambridge, Massachusetts: Harvard University Press, 1969), 422.

worship according to his own faith, either one God, three Gods, no God, or twenty Gods; and let government protect him in doing so.²⁶

Supported in his struggle by Thomas Jefferson and James Madison, Leland was instrumental in helping to gather signatures for Madison's legendary *Memorial and Remonstrance*, "even as he lobbied for enough votes to help pass Jefferson's Bill for Establishing Religious Freedom."²⁷

At the federal level, Leland was appointed in 1779 to represent the Virginia General Committee in correspondence with President George Washington concerning major Baptist issues. Baptists were primarily concerned that, even though it was arguably implied, the Constitution itself did not spell out the religious liberty they so passionately believed in. To Washington, Leland wrote with characteristic diplomacy:

When the constitution made its first appearance in Virginia, we, as a society, had unusual strugglings of mind, fearing that the liberty of conscience, dearer to us than property or life, was not sufficiently secured. Perhaps our jealousies were heightened by the usage we received in Virginia under real government, when mobs, fines, bonds and prisons were frequent repast. . . amidst all these iniquities of mind, our consolation arose from this consideration—viz., the plan must be good, for it has the signature of a tried, trusted friend, and if religious liberty is rather insecure in the Constitution, "the Administration will certainly prevent all oppression, for a *Washington* will preside."²⁸

Washington attempted to placate the committee's fears by asserting that if he ever conceived that the Constitution might possibly endanger religious liberty, he would never have affixed his signature to it. Further, Washington stated, "I beg you will be persuaded that no one would be more zealous than myself to establish effectual barriers against the horrors of spiritual tyranny, and every species of religious persecution."²⁹ Not fully satisfied that the Constitution was adequately clear on these points, the Virginia Baptists, led by Leland, mounted a campaign to prevent ratification. Leland sent Madison a copy of ten Baptist objections to the Constitution, all grounded in the lack of a bill of rights or written guarantees of religious liberty in the Constitution.

A great deal has been written about a meeting between Madison and Leland in 1788, which was instrumental in striking a "deal" between them, thereby gaining Baptist support for the Constitution. Madison agreed to introduce amendments to the Constitution, "spelling out the freedoms which the Baptists desired."³⁰ While Madison's suggested wording was considerably modified once presented to Congress, its fundamental ideas survived, including the principles of no establishment and free exercise which are the heart of the American tradition of religious liberty. While most Americans would hail James Madison as the man most responsible for

²⁶ H. Leon McBeth, *The Baptist Heritage* (Nashville: Broadman Press, 1987), 275. See also L.F. Greene, ed., *The Writings of John Leland* (New York: Arno Press, 1969), 179-92.

²⁷ Gaustad, 12.

²⁸ Green, 51. See also Dawson, 116.

²⁹ Dawson, 117.

³⁰ McBeth, 282.

American religious liberty, J.M. Dawson put forth the notion that if James Madison was asked who was responsible, he would quickly reply, “John Leland and the Baptists.”³¹

The list of Baptist advocates for religious liberty does not end with the close of the eighteenth century. Baptist leaders in the nineteenth and twentieth centuries recognized that the American experiment of religious liberty is revolutionary and requires constant nurturing. In the delicate experiment that is American democracy, it is expected that complications concerning the achievement of religious liberty will arise; undoubtedly the nuances of modernism have presented many complex issues and circumstances for Baptists. Nevertheless, Baptists have remained vigilant in seeking to protect the fundamental principles of religious liberty that many of their predecessors suffered and struggled to secure. It is important to examine some of the more recent Baptist leaders who have been strong defenders of religious liberty.

George W. Truett

George Washington Truett is ranked among America’s most outstanding Baptist orators and statesmen, and he was particularly well known for his vigorous defense of religious liberty. He tirelessly articulated the major Baptist principles, all centered in the inalienable relationship between the individual soul and God. As fundamentalist leaders in Texas were working to dismantle the Southern Baptist tradition, says Baptist historian Bill Brackney, “it was George Truett’s force and content which kept the witness united.”³² Truett served as pastor of the First Baptist Church in Dallas, Texas for forty-seven years, presided over the Southern Baptist Convention from 1927 to 1930, and headed the Baptist World Alliance from 1934 to 1939. Truett passionately felt that the progress made toward greater religious liberty and separation of church and state was a Baptist idea, regarding it as the “supreme contribution of the new world to the old.”³³

While the struggle for religious liberty was doubtlessly fought on many fronts and by many religious groups over the centuries, Truett was on solid ground in proclaiming the Baptist contribution:

We shall do well, both as citizens and as Christians, if we will hark back to the chief actors and lessons in the early and epoch-making struggles of this great Western democracy, for the full establishment of civil and religious liberty--back to the days of Washington and Jefferson and Madison, and back to the days of our Baptist ancestors, who have paid such a great price, through the long generations, that liberty, both religious and civil, might have free course and be glorified everywhere.³⁴

³¹ Dawson, 117.

³² Brackney, 274.

³³ Gaustad, 22.

³⁴ Truett’s Sermon on the steps of the national capitol at Washington DC on Sunday 16 May 1920 was in connection with the annual session of the Southern Baptist Convention and at the request of the Baptist churches of Washington. See George W. Truett, “The Baptist Conception of Religious Liberty, in *Proclaiming the Baptist Vision: Religious Liberty*, ed. Walter B. Shurden (Macon: Smyth & Helwys, 1997), 62.

George Truett took up the concept of a free church in a free state, arguing that the church “needs no prop of any kind from any worldly source, and to the degree that it is thus supported is a millstone hanged about its neck.”³⁵ He encouraged Baptists, Americans, and the world to never forget the principle of religious liberty, as forgetfulness and complicity in this realm explains many of the religious woes that afflict our world. Truett, as much as anybody, understood the grand importance of “absolute right” over “mere toleration” when speaking of religious liberty:

Our (Baptist) contention is not for mere toleration, but for absolute liberty. . . . Toleration is a concession, while liberty is a matter of principle. Toleration is a gift from human beings, while liberty is a gift from God . . . religion must be forever voluntary and uncoerced, and that it is not the prerogative of any power, whether civil or ecclesiastical, or to pay taxes for the support of a religious organization to which they do not belong and in whose creed they do not believe. God wants free worshipers and no other kind.³⁶

Truett powerfully argued that the individual’s right to private judgment is the “crown jewel of humanity, and for any person or institution to dare to come between the soul and God is a blasphemous impertinence and a defamation of the crown rights of the Son of God.”³⁷

E.Y. Mullins

Converted at a Dallas, Texas revival meeting in 1880, Edgar Young Mullins followed a family heritage of preachers to become a major contributor to religious liberty as a preacher, professor, and leader among Baptists. With considerable administrative gifts, Mullins served as the president of the Southern Baptist Theological Seminary from 1899 to 1928, president of the Southern Baptist Convention from 1921 to 1924, and president of the Baptist World Alliance in 1923. It was at the Baptist World Alliance assembly in Stockholm, Sweden in 1923 that E.Y. Mullins preached a sermon entitled “The Baptist Conception of Religious Liberty.” His introduction highlighted the historical role of Baptists in the struggle for religious liberty:

With Baptists, religious liberty is born of the direct vision of God. Sometimes it has been a dream when, like John Bunyan in the darkness of prison, they have gazed through the bars at the far-off stars. Sometimes it has been a theme of eloquent discourse when they have expounded it to others. Sometimes it has been a solace when they have gone into exile for conscience sake, and sometimes a battle cry when they have shed their blood for it. But always it has been a passion deep as life welling up from the depths of being in eternal faith and hope.³⁸

In this cry for freedom, Mullins asserted that religious liberty excludes “certain things.” There should be no state authority in religion. One must not settle for the principle of mere toleration in religion, with special privileges to none and equal rights to all being the true ideal. Additionally, the state must have no right to impose taxes for the support of one form of religion

³⁵ Truett, 70.

³⁶ *Ibid.*, 63.

³⁷ *Ibid.*, 67.

³⁸ E.Y. Mullins, “The Baptist Conception of Religious Liberty,” in *Proclaiming the Baptist Vision: Religious Liberty*, ed. Walter B. Shurden (Macon: Smyth & Helwys, 1997), 85.

against the conscience of the people, prohibiting a free church in a free state. Finally, there must be no imposition of religious creeds by ecclesiastical authority for “when they are laid upon consciences . . . by a form of human authority, they become a shadow between the soul and God, an intolerable yoke, an impertinence and a tyranny.”³⁹

Consistent with the cries of his Baptist predecessors, he viewed state-regulated religion as a repugnant practice that must be avoided. In *Axioms of Religion*, Mullins expounded on the importance of a free church in a free state. Mullins likened the historical struggle between church and state over the centuries to an ominous struggle between an eagle and a serpent:

The church, as the eagle in the contest, was sometimes dragged down into the dust by the foe. Again, with the serpent’s sinewy coils about her body she would rise heavily into the air only to be dragged downward again. At length the eagle, with beak and talons dripping with the blood of her slain foe, mounts upward and builds her nest on a lofty crag forever beyond the serpent’s reach.⁴⁰

For Mullins, the eagle’s ascent toward separation occurred in the seventeenth century when Roger Williams founded Rhode Island, beginning a new chapter in humanity’s spiritual pilgrimage toward complete religious liberty. Mullins proclaimed that the Baptist principles of soul freedom and separation of church and state have remained unyielding throughout history. He equally asserted that, regarding the Baptist doctrine of a free church in a free state, “[n]owhere in the American colonies before the Revolution, save in Rhode Island and among Virginia Baptists and in a few great minds such as Madison and others like him, had this novel and far-reaching conception taken root.”⁴¹

Mullins conceded that the Baptist principle of church-state separation does not suggest that the paths of church and state must never cross. On the contrary, he argued that the church is compatible with the state but must remain independent of it—a free church. Positing that Scripture teaches how the church is a spiritual commonwealth, whose members find their citizenship in heaven,⁴² he denoted, in Augustinian fashion, that at the same time, heaven’s citizens also belong to a temporal, earthly state. Mullins acknowledged that there will continue to be a “borderland where it will not always be clear how to discriminate and apply the principle correctly.”⁴³

Mullins did not labor only in the abstract, but was always applying Baptist principles to current issues. For example, he argued that direct gifts of government money to sectarian schools represents a “flagrant violation of the principle and is a long step toward the establishment of one or more denominations in governmental support.”⁴⁴ Concerning the reading of the Bible in public schools, Mullins affirmed that Baptists have generally and consistently opposed such a practice, not because of political expediency, but because through

³⁹ Ibid., 88.

⁴⁰ Mullins, *The Axioms of Religion*, 187.

⁴¹ Ibid., 189.

⁴² See Philippians 3:20.

⁴³ Mullins, *The Axioms of Religion*, 197.

⁴⁴ Ibid.

their sincere religious conviction “they respect the consciences of all others.”⁴⁵ Mullins also weighed in on the exemption of church property from taxation. He recognized the vast complexities surrounding this issue and stated that a theoretical justification could be made for either side of the issue, but he argued that to impose a tax is to assert sovereignty and the “[s]tate is not sovereign over the Church whose allegiance is to God alone.”⁴⁶ Mullins conceded that the issue of taxation was hardly black and white, and “[t]ime alone can give the final answer to many questions. Up to the present it cannot be said that time has demonstrated the unwisdom of exempting religious property from taxation.”⁴⁷

For Mullins, the allegiance of the church is to God and the state’s allegiance is to government and law. “The Church is a voluntary organization, the State compels obedience. One organization is temporal, the other spiritual,”⁴⁸ declared Mullins. The importance of church-state separation as the fundamental guarantor of religious liberty, espoused by Baptists throughout their history, holds good for both the religious and political realms, as “[c]ivil liberty and soul liberty alike forbid their union.”⁴⁹

Having surveyed some of the major Baptist defenders of religious liberty, it is important also to review some of the major Baptist organization, and their leaders, formed in the twentieth century for the purpose of representing Baptists in the political realm.

II. BAPTIST ORGANIZATIONS AND THE DEFENSE OF RELIGIOUS LIBERTY

As with other denominations, Baptists were not prone to create formal organizations to advance religious liberty until the twentieth century. In the twentieth century, however, several Baptist organizations began to distinguish themselves, nationally and internationally, in their advocacy for religious liberty. In particular the Baptist World Alliance and the Baptist Joint Committee won well-deserved reputations for championing religious liberty.

The Baptist World Alliance

The Baptist World Alliance (BWA) was formed on July 17, 1905, nearly three hundred years after the formation of the earliest Baptist church in England in 1612. The BWA does not function as a judicial or legislative body, but rather serves as a Baptist fellowship, working tirelessly to keep its constituents informed on many issues, including religious liberty. The BWA has consistently challenged Baptists across the globe to remain committed to their vital denominational principles and heritage, including religious liberty. Birthed from nineteenth-century ecumenism, the BWA was founded primarily through the efforts of the three largest

⁴⁵ Ibid.

⁴⁶ Ibid., 199.

⁴⁷ Ibid., 200.

⁴⁸ Ibid., 196.

⁴⁹ Ibid.

Baptist groups: the American Southern Baptists, the American Northern Baptists, and the British Baptists.⁵⁰

In his presidential address in 1955, F. Townley Lord summarized the achievements of the first fifty years of the BWA, emphasizing in particular its preservation of the basic Baptist ideals of religious liberty. At this same fifty-year celebration, the president of Andover-Newton Theological Seminary, Herbert Gezork, addressed some of the pressing issues of this era, reemphasizing the Baptist distinctive of religious liberty. He eloquently stated:

The Baptist position on the matter of religious liberty is crystal clear. We have no sympathy for the agnostic or the atheist, but we shall stand for his freedom to hold his religious or anti-religious beliefs, as we stand for our own freedom.⁵¹

Gezork iterated further that, due to their passion for religious liberty, Baptists must continue to reject the practice and idea of religious toleration. Placing the power of the state behind one form of religion, merely tolerating others, he said, “is not religious liberty,” but instead, is a concession or “subtle form of coercion.”⁵² Passionately pleading for Baptists to guard jealously their precious heritage of religious liberty, Gezork said it was absolutely imperative to hold on to this belief in a world that was facing a terrifying and impending threat to civilization—the totalitarian state:

And this deadly danger does not only exist in lands behind the various so-called “curtains,” whether we call it the “iron” or the “bamboo” curtain, but it exists in every land to-day. For the tendency towards increasing power of the State is observable everywhere, and therefore the Christian must be twice vigilant every where. He must guard existing civil rights. He must oppose efforts to make people think and believe alike. . . . He will be willing to render to Caesar what is Caesar’s, but he will not allow Caesar to determine what is his and what is God’s; he will reserve that right for his own free conscience under God. . . . If ever there was a time for Baptists to proclaim in word and life their great principle of soul-liberty, that time is now.⁵³

Gezork’s remarks are typical of the BWA’s attempts to sound a steady note to Baptists everywhere to stand fast in protecting religious liberty.

Through direct intervention and its formal congresses, the BWA has combated religious persecution and oppression worldwide. For example, during the 1923 Stockholm World Congress, the congress issued a poignant, emotional, and unanimous resolution against Romanian religious persecution.⁵⁴ Following this powerful denunciation, BWA leaders such as E.Y. Mullins and J. H. Rushbrooke (successor to Mullins as president of BWA) visited Romania, sympathizing with the people’s plight and admonishing the Romanian government to cease blatant religious persecution. In the face of minimal progress, Mullins utilized international public opinion, and consequently, in 1928, the Romanian government legalized most Baptist

⁵⁰ Sherouse, Craig Alan, *The Social Teachings of the Baptist World Alliance, 1905-1980* (University Ann Arbor, MI: Microfilms International Dissertation Services, 1982), 22-23.

⁵¹ Gezork, Herbert, “Our Baptist Faith in the World Today,” in *The Life of Baptists in the Life of the World*, ed. Walter B. Shurden (Nashville: Broadman Press, 1985), 180-81.

⁵² *Ibid.*, 181.

⁵³ *Ibid.*, 181-82.

⁵⁴ Sherouse, 65.

churches. Unfortunately, harassment continued, spawned primarily by the dominant and powerful Orthodox Church, whose officials stereotyped the Baptists as “a seditious political influence.”⁵⁵ Nevertheless, ten years later the BWA initiated another global protest, and in the aftermath of the surprise collapse of the Romanian government in 1938, the BWA quickly made contact with the Romanian king to use his influence to safeguard religious liberty. Throughout Romania’s decades of upheaval and flux, the BWA continued to fight for religious liberty.

In the heart of Nazi Germany, the 1934 Berlin Congress again focused on religious liberty. The meeting almost never took place, however. Amidst fears that the German government would hamper the BWA’s freedom of speech, some considered moving the venue elsewhere. The BWA emphasized to German officials its expectation of complete freedom to conduct its meeting. Adolph Hitler and the Democratic Socialists wanted the international meeting to take place in Berlin since the new totalitarian regime was in need of some favorable publicity. After reviewing the program, the German Foreign Office guaranteed the BWA “full liberty under the presupposition that resolutions attacking the Government of Germany and its policy were not contemplated.”⁵⁶ The German Baptists took advantage of this opportunity and expressed to the BWA their fear of being forced by the Nazis, at the risk of losing everything, to become part of the *Reiches Kirche* (German national church). Craig Alan Sherouse ably described the situation:

This was the setting for the Berlin Congress: officially invited by the German government with the condition that the Nazis not be criticized; criticized both within and without Baptist circles for the choice of Berlin; and meeting at a time when the German Baptists’ religious liberties were severely threatened. The Congress was a smooth meeting, and strong resolutions were passed on church and state separation, peace, and racism. The German press gave wide coverage to the meetings and the German Baptists were given some good publicity. The American and British Baptists were given some good publicity. . . . During the Congress several prominent world Baptists met with Reichesbishop Mueller, at his invitation, and obtained his promise that the German Baptists would not be forced to join the Reiches Kirche.⁵⁷

The BWA also worked relentlessly to relieve religious oppression in Soviet Russia. Russian Baptists could easily relate to the persecution and oppression of English and colonial American Baptists in the seventeenth and eighteenth centuries. Religious persecution in Russia was severe even prior to the 1917 communist revolution, but it intensified in the late 1920s and 1930s following Stalin’s consolidation of power. It was during these critical periods that the BWA most vigorously worked for religious liberty in Russia. J. H. Rushbrooke, who was denied a visa to visit the Soviet Union on behalf of the BWA, tirelessly spoke out against Russian persecution.⁵⁸ Baptists, of course, were among many religious believers who suffered from severe persecution and martyrdom during the Soviet era. As the BWA itself noted, perhaps the most vital ministry it could perform was to call upon the world’s Baptists and “other lovers of religious freedom”⁵⁹ to pray for those being persecuted in Russia.

⁵⁵ Ibid., 81.

⁵⁶ Ibid., 68.

⁵⁷ Ibid., 69. Also resulting from the 1934 Berlin Congress was a resolution addressing the oppression of religious liberty in Russia.

⁵⁸ Ibid., 77.

⁵⁹ Executive Committee, May 17, 1929. See also Sherouse, 78.

While the BWA remained a “lighthouse” for religious liberty around the world, in the United States Baptists commensurately recognized and championed religious liberty. In the midst of the tumultuous 1930s, many Baptist leaders grew increasingly wary of Franklin Roosevelt’s New Deal administration and the emerging federal government programs like Social Security and their effects on philanthropic activities of the churches.⁶⁰ Under the auspices of this period of national transition, Baptist groups across the nation, including the Northern, Southern, and National Baptists began to hearken more fervently back to their roots of religious liberty, speaking with a more united voice on a variety of fronts. Whether it was urging the U.S. State Department to investigate charges of Christian persecution in Romania in 1937, President Roosevelt’s 1939 appointment of Myron C. Taylor as a diplomat to the Vatican, or the public funding of parochial institutions, “[t]o many Baptists, the “wall of separation” had been breached in unhealthy ways and an effective form of redress had to be made.”⁶¹ Due to these developments, Baptists in America increasingly sensed the need for a specifically Baptist organization to represent them in national political affairs.

The Baptist Joint Committee on Public Affairs

In 1942 the Northern, Southern, and National Baptist conventions, in a welcome spirit of cooperation, united to form the Joint Conference Committee on Public Relations. This organization became known four years later as the Baptist Joint Committee on Public Affairs (the “BJC”). William Brackney explains:

Issue by issue the associated committees and what became permanently the Baptist Joint Committee on Public Affairs in 1946, provided a “watchdog” surveillance on matters of church-state relations...U.S. Baptists pressed through diplomatic channels and won freedom from persecution for Romanian Baptists. . . . While President Roosevelt did not recall his ambassador to the Vatican and aid to church-related schools did continue, Baptists had proven that joint resolve was indeed an effective tool.⁶²

For more than a half century the BJC has served as the principal Baptist voice to the U.S. government and the world on a wide range of religious liberty issues. BJC activities have included, among others, informing Baptist church members of presidential and legislative proposals and policies affecting religious freedom, developing Baptist positions on those issues, filing amicus curiae briefs with courts on First Amendment cases, and direct interaction with the White House. From its inception the BJC has promulgated research and public education on issues related to religious liberty and church-state relations. This committee, comprised of an amalgamation of Baptist denominations, has tirelessly reviewed the voluminous number of laws and legislation in the congressional arena and has written many amicus curiae briefs for cases pending before the U.S. Supreme Court. The BJC has maintained a strong record of opposing all forms of constitutional amendments which would support prayer in public schools, as well as

⁶⁰ Brackney, 104.

⁶¹ Ibid.

⁶² *ibid.*

vigorously opposing all types of public assistance to parochial schools, including tuition tax credits.

Under its first executive director, Joseph Martin Dawson, the BJC wasted no time in vigorously addressing religious liberty concerns, for example, opposing state support of parochial schools, opposing state-supported religion in the public schools, and opposing appointment of a U.S. ambassador to the Vatican. Also, the BJC maintained a firm stance against the federal tax aid to parents and parochial school children in the *Everson v. Board of Education of Ewing Township* (1947) case; Baptist Joint Committee Chairman E. Hilton Jackson argued the *Everson* case on behalf of the appellant before the Supreme Court.⁶³ In response to the High Court's unfavorable ruling, the BJC in February 1947 adopted a forceful resolution assessing the ruling:

We deplore this opinion and are convinced that it will divide the people of the nation at a time when unity is greatly needed. In view of the religious heritage of America, which Associate Justice Black so eloquently reviewed, the decision is all the more to be deplored. As Baptists of the United States we are resolved that the struggle for religious liberty, in terms of the separation of church and state, must be continued. We have lost a battle, but we have not lost the war.⁶⁴

The BJC opposed President Harry Truman's announced appointment of Mark W. Clark as a full-fledged ambassador to the Vatican. This issue undoubtedly strained relations between Truman and Dawson,⁶⁵ as a heated exchange between them was surely one of the most direct confrontational encounters the BJC has had with the White House over religious liberty concerns in its entire history. Dawson "waged a stiff battle against confirmation," speaking "from one end of the country to the other."⁶⁶ Following these protests by the BJC, in January of 1952 Clark withdrew his name for the ambassadorship and Truman never announced a new appointment prior to leaving office in 1953. James Dunn attempted to summarize Dawson's remarkable contributions to Baptists and the BJC:

J.M. Dawson was belief in religious freedom incarnate. He modeled the doctrine. He demonstrated that clinging to the tenets of Roger Williams could yet be done. He held to liberty, not toleration; a free country, not a Judeo-Christian nation; and persuasion, not coercion, in matters of conscience.⁶⁷

Under the leadership of Emanuel Carlson (1954-1971), the BJC faced many of the same battles it had fought in past years. On the issue of religion in public elementary and secondary schools, the BJC was heavily involved in landmark cases such as *Engel v. Vitale* (1962) and *Abington Township School District v. Schempp* (1963). In *Engel*, for instance, the Supreme Court ruled that vocal prayers delivered in the public schools, written by state officials, are unconstitutional. Justice Hugo Black, a Baptist, concluded that such a policy contradicted the "first and most immediate" principle of the Establishment Clause: "a union of government and

⁶³ *Everson v. Board of Education of Ewing Township*, 330 U.S. 1 (1947).

⁶⁴ *BJCPA Minutes*, 11 February 1947, p. 3, quoted in Hastey, 73.

⁶⁵ Joseph Martin Dawson, *A Thousand Months to Remember* (Waco, Texas: Baylor University Press, 1964), 203.

⁶⁶ *Ibid.*

⁶⁷ James M. Dunn, *J.M. Dawson: Shaper of Public Affairs and Religious Liberty*, Shapers of Southern Baptist Heritage, vol. 1 (Nashville, Tenn.: The Historical Commission of the Southern Baptist Convention, 1987).

religion tends to destroy government and to degrade religion.”⁶⁸ Representing the Court majority, Black wrote that when “the power, prestige, and financial support of government is placed behind a particular religious belief, the indirect coercive pressure upon religious minorities to conform to the prevailing officially approved religion is plain.”⁶⁹

The BJC defended the Court’s decision, published a pamphlet, and passed a resolution supporting the Court’s ruling. To convince the Baptists represented by the BJC, the next three issues of its newsletter, *Report from the Capital*, focused on the *Engel* decision and how it rang true with the historical Baptist principle of religious liberty.

In the *Schempp* case, the High Court, in keeping with its ruling in *Engel*, ruled that government sponsorship of daily recitations of the Lord’s Prayer or Bible passages in the public schools is unconstitutional. Amidst the subsequent host of proposals from angry members of Congress to amend the Constitution with a “Christian Amendment,” the BJC remained diligent in opposing such efforts. Senator Everett M. Dirksen of Illinois, for example, made several attempts to amend the Establishment Clause to allow a nondenominational prayer in a publicly-funded facility. Each time the BJC vociferously opposed him; Carlson testified against the amendment in the House Judiciary Committee.⁷⁰

While government sponsorship of religion remained of paramount concern to the BJC, it also fought for religious liberty in a variety of other areas. For example, it opposed making Good Friday a legal holiday in America, supported West Point cadets in their struggle to do away with compulsory chapel, supported tax exemptions for churches in *Walz v. Tax Commission* (1970), and defended the right of John F. Kennedy to campaign for the U.S. Presidency based on the constitutional forbiddance of religious tests for public office.

The BJC faced many of the same religious liberty issues while under the able direction of James E. Wood Jr. (1972-1980), including the appoint of ambassadors to the Vatican and federal funding of sectarian institutions. However, the BJC became involved in a range of other issues, including IRS regulation of churches, use of missionaries for government intelligence, government prohibition of abortions, and the rise of the “religious right.” Wood’s spirit of ecumenicism led to productive relations with other advocacy groups with similar religious liberty concerns.

Wood testified before the House Ways and Means Committee on behalf of the BJC in 1973, arguing against tax credits for parents of parochial school children. The BJC participated in numerous court cases involving government aid to sectarian schools, diligently and persistently lobbying against such support. The BJC and various other religious lobbies joined the Carter administration in opposing the Tuition Tax Credit Act of 1977, which proposed an allocation of 4.7 billion dollars in federal funds to private schools, allowing taxpayers to claim a

⁶⁸ John Witte Jr., *Religion and the American Constitutional Experiment: Essential Rights and Liberties* (Boulder: Westview Press, 2000), 167. See also *Engel v. Vitale* 370 U.S. at 421, 430-32 (1962).

⁶⁹ *Ibid.*

⁷⁰ “Summary of Carlson’s Testimony on Dirksen Prayer Amendment,” *Report from the Capital* 31 (August 1966): 6-7.

tax credit for one-half of any private tuition paid, up to a five-hundred dollar credit per student.⁷¹ Similarly, in 1979 the BJC again faced a familiar foe in the form of legislative attempts to promote prayer in the public schools. The BJC vigorously opposed a strong campaign by Senator Jesse Helms to legislate school prayer and remove the Supreme Court's jurisdiction over the issue. The BJC's effort was joined by President Carter, who urged Congress to defeat the campaign, cautioning that "congress not get involved in the question of mandating prayer in public schools."⁷² In a shift of loyalties that would be formalized in the 1990s, the Southern Baptist Convention ("SBC"), under the leadership of President Adrian Rodgers, shifted its support to Senator Helm's efforts.⁷³

It was during Wood's tenure as director that a budding tension would more clearly emerge between the BJC and the Southern Baptist Convention and its Christian Life Commission ("CLC"). The CLC voiced concern over what it felt was an overstepping of boundaries on part of the BJC. Even before its formal inception, objections had been raised about the BJC going beyond its specific duties of providing a national Baptist presence in the nation's capital and speaking out on issues without first receiving specific requests or a consensus from the various conventions involved. While it was generally expected that groups such as the CLC would focus primarily on the moral issues of the day while the BJC primarily addressed the nation's government entities, some overlap was inevitable and had been generally accepted.

Foy D. Valentine, executive secretary of the CLC since 1960, continued to bring attention to what he and others within the SBC considered unnecessary program duplication between the two Baptist agencies.⁷⁴ Thus, the role of the BJC was questioned and its existence threatened. The rise of the fundamentalist arm of the SBC created a massive rift in leadership that began to cripple the BJC and its goal of furthering religious liberty. Many from the fundamentalist wing of the SBC yearned for a "return" to the country's "religious roots," which many felt would cure the malaise of the world's social diseases.

James Dunn assumed the helm of the BJC in 1981 and sought to limit the BJC's agenda to those specific controversies that directly affected church-state relations and religious liberty in the United States. Dunn's tenure involved many of the same battles fought over previous decades. Following Ronald Reagan's establishment of full diplomatic relations with the Vatican in January 1984, Dunn was prompted to call such an action "one more evidence of massive misunderstanding on the part of the Reagan administration of the appropriate relationship of church and state."⁷⁵ On this issue the BJC and CLC were in complete agreement; the CLC expressed its disappointment in 1993 to President Clinton that a fellow Baptist would maintain diplomatic ties with the Vatican, in direct conflict with the Baptist principle of separation of church and state.⁷⁶

⁷¹ James E. Wood, Jr., "Tax Credit Legislation for Church Schools," *Report from the Capital* 32 (October-November 1977), 2.

⁷² "Carter Opposes School Prayer Action." *Report from The Capital* 34 (May 1979), 7.

⁷³ See Derek H. Davis, "Baptist Approaches to Presidential Politics and Church-State Issues," *Baptist History and Heritage* 32, No. 1 (January 1997): 35.

⁷⁴ Hastey, 196-98.

⁷⁵ *Report from the Capital* 39 (February 1984), 8.

⁷⁶ "CLC's Land Decries Vatican Appointment," *Salt*, Vol.3, No. 2, 1993, 2.

In the late 1980's, school choice again surfaced as a national issue, and once again the BJC maintained a firm stance against the use of public funds for private schools. The "school choice" plan pushed by President George Bush was opposed by Dunn and the BJC as "the same old repeatedly rejected schemes to divert tax dollars to private and parochial schools."⁷⁷ Consistent with the growing schism between the CLC and the BJC, CLC director Richard Land remained open to the proposal, suggesting that the issue deserved further consideration.⁷⁸

In 1982, the BJC released a statement condemning President Reagan's proposed amendment to the Constitution to permit public school prayer, saying, "[i]t is despicable demagoguery for the President to play petty politics with prayer. He knows that the Supreme Court has never banned prayer in schools."⁷⁹ Tirelessly, the BJC worked to explain that voluntary prayer in public schools has never been the issue, and the White House was being "deliberately dishonest" by joining those who have misinterpreted past Supreme Court decisions.⁸⁰ Another sharp rift occurred that same year when the SBC leadership passed a resolution defending the proposal put forth by President Reagan, asserting that the amendment did not provide for direct government regulation.⁸¹ The BJC retorted that someone would have to review the prayers to assure their acceptability to some religious groups, ultimately leaving a generic prayer that would constitute a wasted effort for a controversial practice.

It was in 1991 that the schism between the BJC and the SBC reached its climax as the SBC discontinued its funding contributions to the BJC. However, many other organizations, such as the American Baptist Convention, quickly filled this major gap in funding, and consequently, the BJC is currently funded by a much broader base of support from organizations, individual contributors, and independent churches. As the SBC extended its relations with the political right and wavered on traditional Baptist commitments to religious liberty, it became inevitable that these two organizations would eventually part ways.

It is my view that in the latter part of the twentieth century the conservative element among Baptists fell into a fatal error that has ravaged human societies for millennia: grounding political identity in religion. It is true that the SBC did not advocate the creation of a national church, or intentionally relegate non-Christian minorities to secondary status, but increasingly it sought to structure America as a religious state, to be driven by its people's historic attachment to Christianity which, in the end, would favor Christian ideas, programs, political candidates, activities, and thus create a kind of Christian establishment achieved "through the back door." In so doing, the SBC departed from traditional Baptist views that deny that America is a religious state. The Founders sought not to erect a wholly secular state, but neither did they seek to achieve superior status for Christianity in American public life.

⁷⁷ "Private School Aid Plan Draws Prompt Criticism," *Report From the Capital* 46 (May 1991), 8.

⁷⁸ Oliver S. Thomas, "Views of the Wall," *Report from the Capital* 46 (June 1991), 6.

⁷⁹ "BJCPA's Dunn Challenges Reagan on Public School Prayer Amendment," *Report from the Capital* 37 (June 1982), 8.

⁸⁰ Ibid.

⁸¹ Daniel Martin, "Committee Supports Equal Access Bill; Affirms Opposition to School Prayer," *Report from the Capital* 39 (April 1984), 5.

The BJC has refused to support particular parties or candidates and, instead, has tried to remain focused on specific issues and their effects on Baptists and the world. In 1992, James Dunn, in concert with a host of diverse leaders, issued a statement opposing religion as a method for judging candidates:

Faith in God should unite us, not divide us. We begin with the proposition that God is neither Democrat nor Republican nor, for that matter, American. God transcends all national and political affiliations. God's precinct is the universe. Identifying the Kingdom of God with any political party is presumptuous.⁸²

In 1995, the BJC once again opposed efforts by some in Congress to further entangle religion and government through a school prayer amendment to the Constitution. In response to this latest wave of attacks against religious liberty, the BJC, along with fourteen other religious groups, expressed their opposition to this proposal to President Clinton. Later that year, the BJC continued to deflect the barrage of proposals issued from Republican congressmen to establish a constitutional amendment that would bar government from discrimination against or denial of benefits to groups or individuals “on account of religious expression, belief or identity.”⁸³ In its opposition, the BJC concluded that such an attempt to amend the Constitution would be far more detrimental than beneficial to the cause of religious liberty. In line with the growing divergence between the ERLC (the CLC was renamed the Ethics and Religious Liberty Commission in the early 1990's) and the BJC, the ERLC supported the congressional proposals, noting that such an amendment would permit “prayer and religious expression, out loud, so long as it was not materially disruptive of the school program,” and the “wall [of separation] which equates separation from church and state [does not mean] separation of religious speech from public life.”⁸⁴ The ERLC argued that their support of the amendments was an attempt to “protect student religious liberty without sacrificing Baptist principles of church-state separation and freedom of conscience.”⁸⁵

While the divide between the BJC and the ERLC has always been apparent, it is in no way suggested here that these groups are positioned at completely different ends of the religious liberty spectrum on all issues. On the contrary, the ERLC has joined the BJC in supporting or opposing many issues. In the wake of the landmark Supreme Court case of *Oregon v. Smith* (1990), which most religious lobbies thought was a threat to religious liberty, both groups supported the Religious Freedom Restoration Act, which was an attempt to legislatively revive the pre-*Smith* requirement that the government must demonstrate a “compelling state interest” before it can deny the enjoyment of a citizen's religious activity. Although it has since been overruled, the RFRA was signed into law on November, 17, 1993, due in some measure to the two Baptist groups' support of the measure.⁸⁶

⁸² “Leaders Decry Misuse of Religion in Campaigns,” *Report from the Capital* 47 (October 1992), 9.

⁸³ “Hatch Decides to Introduce Religious Equality Measure.” *Report from the Capital* 51 (January 6, 1996), 1.

⁸⁴ “CLC: Let the Students Pray,” *Salt*, Vol. 4, No.5, 1994, 1, 3.

⁸⁵ *Ibid.*

⁸⁶ Oliver Thomas, Counsel for the BJC, spearheaded the effort in gathering a coalition of fifty-eight different religious and civil liberty organizations to lobby for the RFRA.

In 1999, J. Brent Walker, who had served as the general counsel for the BJC from 1993 to 1999, became the organization's fifth executive director. Upon assuming duties, Walker summarized the important role the BJC has played since its formation in 1942:

No voice at the intersection of church and state has been more consistent, reliable and sensible during the past six decades than that of the Baptist Joint Committee. That's why no voice today is more trusted. As we face the challenges of the year 2000 and beyond, we recommit ourselves to the proven principle that separation of church and state is the best way to ensure religious liberty for all.⁸⁷

In 2002, the BJC joined other prominent religious organizations in opposing "The House of Worship Political Speech Act," sponsored by Representative Walter Jones, saying that such a proposal "would harm, not help religion in America."⁸⁸ The Act sought to allow churches to engage in partisan politics without forfeiting their tax-exempt status. In large part due to the aggressive lobbying of the BJC and other major religious lobbies, the bill failed to gain a majority in the House of Representatives and lost in October of 2002. K. Hollyn Hollman, BJC general counsel, remarked that Congress "properly rejected Rep. Jones' invitation to politicize churches," arguing that it was unfortunate, "that some members purport to protect churches by promoting legislation that politicizes them."⁸⁹

Throughout its history, the BJC has worked to defend an historic trust of religious liberty. The BJC feels, as do many other Baptist organizations and individuals, that the organization's efforts in the work of religious liberty have remained true to its historical Baptist heritage. The BJC has been a "watch dog" for pressing issues in Washington D.C and across the globe and has worked to keep its Baptist supporters informed. Brent Walker emphasized the importance of educating America and the world on the vital importance of religious liberty: "We must remind our adults and teach our children that soul freedom is universal; that religious liberty is indispensable; and that church-state separation is absolutely essential to protect the first two."⁹⁰ The BJC has recognized that the efficacy of its ministry also depends upon its ability to work in conjunction with other groups and religious traditions where, despite their theological differences, they have been able to "find common ground in the quest for religious liberty and the separation of church and state."⁹¹ For example, joining with the American Jewish Committee and the Religious Action Center of Reform Judaism, the National Council of the Churches of Christ, and the Interfaith Alliance Foundation, the BJC released a statement titled *A Shared Vision: Religious Liberty in the 21st Century*, which articulates its dedication to religious liberty and outlines how the religion clauses of the First Amendment operate to ensure it.

The BJC's ability to form effective coalitions in the interest of religious liberty remains a touchstone for Baptists historically. Whether it was John Leland working closely with James

⁸⁷ Baptist Joint Committee on Public Affairs web site, available at www.bjcpa.org/Pages/AboutUs/aboutus.html; accessed on 16 December, 2002.

⁸⁸ "Church politics bill fails by wide margin," *Report from the Capital* 57, no. 20 (October 9, 2002), 1.

⁸⁹ *Ibid.*

⁹⁰ "Brent Walker formally installed as fifth BJC executive director," *Report from the Capital* 55, no. 6 (March 21, 2000), 1.

⁹¹ "Building bridges a better route to securing religious liberty for all," *Report from the Capital* 57, no.22 (November 6, 2002).

Madison and Thomas Jefferson, or the BJC working with religious groups, presidents, and political parties, Baptists have sought to be true to their belief that religious freedom is one of the cornerstones of democracy and human flourishing.

III. CONCLUDING OBSERVATIONS

Religious liberty for every person is a treasure of the Baptist faith that has been passionately guarded. William Brackney aptly states:

In the four centuries of their historical development, Baptists have for the most part maintained a steady concern for the principles of religious liberty. Out of circumstances hostile to their very survival, the first Baptists in England and America called for the freedom to worship as they desired and to propagate their faith without restriction. In the process of securing their own freedom, Baptists found themselves arguing for complete religious liberty for all persons, as an axiom of a valid religious experience.⁹²

Unfortunately, many Baptists today remain unaware of their rich heritage of religious liberty and are more concerned with creating a “Christian” nation through legislative means. Waves of fundamentalism have crashed upon the shores of Baptist organizations, through leaders such as Jerry Falwell, Pat Robertson, Paige Patterson, and Charles Stanley. The fundamentalist faction of Baptists in the United States has sought to shift major Baptist principles in an effort to “recapture God for America.”⁹³ Fortunately, Baptist moderates such as James Wood have rightly said that “it is unnecessary and wrong for any religious group or individual to seek to Christianize the government. . . . It is arrogant to assert that one’s position on a political issue is ‘Christian’ and that all others are ‘un-Christian.’”⁹⁴

It is arguable that no Christian denomination has made greater contributions toward preserving religious liberty in America and in the world than Baptists. Birthed in persecution, Baptists have fought for religious freedom and have tirelessly resisted all efforts, whether from civil or ecclesiastical powers, to compel religious conformity. Valiant and emboldened Baptists such as Roger Williams and John Clarke inaugurated a tradition of religious liberty, guaranteed by the separation of church and state, which has become the backbone of the vigorous religious life that is seen in the United States. Baptist leaders such as John Leland and Isaac Backus were strong influences on the founding fathers’ decision to construct a framework of religious liberty in the Constitution. These traditions were continued in the nineteenth and twentieth centuries through such heralded Baptist leaders as E.Y. Mullins, J.M. Dawson, and George W. Truett. Collectively the Baptist commitment to religious liberty has been carried on by organizations such as the Baptist World Alliance and the Baptist Joint Committee, which together represent a host of Baptists across the globe who know their historical roots and believe unequivocally in religious liberty for all persons of all faiths.

⁹² Brackney, 106.

⁹³ Ibid.

⁹⁴ James E. Wood, Jr., “The New Religious Right and Its Implications for Southern Baptists,” *Foundations* 25 (April 1982): 161. See also Brackney, 106.

Undoubtedly, the historic Baptist position on religious liberty, enshrined in the American system since the founding era, is now threatened. The genius of the American system has always been that in religious matters the government is neutral--by law. This commitment allows all citizens to practice their religious faiths freely without having religion imposed upon them by government. Regrettably, many Baptists lead the modern assault on the separation of church and state as the best means of preserving religious liberty. Many today would have government be the mentor, the overseer, the advocate of religion. In the name of halting "moral drift," many critics of church-state separation would have us return to prayer in the public schools; posting of the Ten commandments in public places; government subsidies of churches to administer social programs; government monetary support of religious educational institutions; more religious symbols, such as the national motto, "In God We Trust," on public property; and on and on.

These proposals would open up practices that we thought we were putting behind us two hundred years ago when our Constitution and Bill of Rights were adopted. It would represent a return to ancient and medieval thinking where religion and government were merged and thought to be indistinguishable in their goals. Those societies, including Greece, the Roman Empire, and Medieval Europe, believed that the advancement of religion by government was essential to social solidarity and the happiness of the people. The modern idea of the separation of church and state resulted from the religious pluralism that was an outgrowth of the Reformation, and the accompanying recognition that religion is perhaps more a matter of private conscience than public concern. The atrocities of the Middle Ages and the Reformation in which hundreds of thousands died in Inquisitions, pogroms, witch-hunts, and religious wars, were thought to be the result of government having too much authority in matters of religion. The evolution of individual rights, which began in earnest in the 14th century, led human government—in the West at least—to abandon its previous role of causing all people to conform to a common faith in favor of a new role of protecting individual rights, including the free exercise of religion. In the U.S., the First Amendment's proscription against religious establishments and its allowance for the free exercise of religion virtually guaranteed a religiously pluralistic society—and the inability of any form of faith to achieve dominance. Now we seem to be on the verge of adopting a whole new framework of fusion of religion and government—in essence, a reversal of the separation that occurred at the founding and a return to the classical and medieval type polity in which government actively promoted religion as the glue of the social order.

America was the first nation to construct a constitutional framework that officially sanctioned the separation of church and state. It was a noble experiment in the founding era and remains so today. The experiment was undertaken by the framers in the hope that it would enable America to escape the persecutions and religious wars that had characterized the Christian West since the emperor Theodosius made Christianity the Roman Empire's official religion in 380 A.D. The First Amendment's religion clauses have proved to be, in the words of the great Catholic theologian, John Courtney Murray, "Articles of Peace." Indeed, Americans today enjoy a greater religious liberty under the First Amendment than any other people anywhere in the world. Religion of all persuasions is accorded a greater respect here than in any other civilized society. That we would now begin seriously considering retreating from our national commitment to the separation of church and state is indeed lamentable. That it is a zealous but uninformed category of Baptists that actually lead this retreat is even more lamentable.

The divisiveness that has emerged over the past few decades has wounded but not defeated the Baptist voice for religious liberty, because “even in the face of new voices in their own family who would ironically seek to establish a Christian Commonwealth not unlike attempts of the seventeenth century, Baptists have continued to be ‘stubborn for liberty.’”⁹⁵ We would do well to remember the words of James Madison: “The religion then of every man must be left to the conviction and conscience of every man . . . in matters of Religion, no man's right is abridged by the institution of Civil Society and . . . Religion is wholly exempt from its cognizance.”⁹⁶ These words, issued by a prominent non-Baptist, nevertheless capture the true essence of the Baptist tradition of religious liberty.

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⁹⁵ Brackney, 107.

⁹⁶ Gaillard Hunt, ed., *The Writings of James Madison*, 9 vols. (New York: G.P. Putnam's Sons, 1900-1910), 9:100.

