



September 28, 2010

Pastors Defy IRS Ban on Political Speech

Pastors Defy IRS Ban on Political Speech

It has long been a rule that religious leaders are not to openly endorse or oppose anyone in the running for political position. But last Sunday, more than 100 pastors across the nation took part in Pulpit Freedom Sunday, a day when they purposely speak publicly on political issues over their pulpits. Then the preachers are to send a recording of their sermons to the IRS challenging them to take action.

This is not the first time Pulpit Freedom Sunday has been practiced. An annual affair for the past two years organized by the Alliance Defense Fund (ADF), pastors have been using the last Sunday of September to preach sermons with political overtones in an effort to get the IRS to change the law.

The separation of church and state originated in 1954 when then Senator Lyndon B. Johnson (D-Texas) sponsored the law which was passed by proclamation after pastors criticized him for his personal behavior. The legislation was known as the Johnson Amendment which basically used the tax-exempt status of religious groups as the basis for disallowing all forms of political partisanship.

The legislation is worded as saying that non-profit tax-exempt entities could not “participate in, or intervene in (including the publishing or

distributing of statements), any political campaign on behalf of or in opposition to any candidate for public office.” But many, including the pastors themselves, see this as a violation of freedom of speech and a contravention of the Constitution. In its inaugural year, the event had more than 30 pastors participate in Pulpit Freedom Sunday, even though it was not an election year. The following year, the number grew to 83 congregations. This year, the number could have tripled.

Over the last 2 years, only one church was investigated by the IRS arising from Pulpit Freedom Sunday. The church in question was the Warroad Community Church, in Warroad, Minnesota last year. Its pastor, Gus Booth preached on moral issues and triggered a 9-month investigation by the IRS, which ended with a letter from the agency stating that they may ‘commence a future inquiry to address the concerns described...after it resolves [a] procedural issue’.

The organizers of Pulpit Freedom Sunday, the ADF is a Christian non-profit organization that seeks to defend the First Amendment’s free speech and free exercise clauses and restore the rights of pastors to preach whatever they wish to without fear of the IRS.

Thus far, the IRS seems not to openly confront the issue and clarify the law to churches, seeking to avoid a court confrontation over it.