

# Unbiblical Incorporation Of Churches

## Why Obtaining Corporation Status (501c3) is Against God



The word "church" is not meant to refer to any physical building, but refers to the worldwide body of believers in Christ. The word "church" (*ecclesia* in Greek - called out ones) does not refer to any organization, no matter it's name or legal status. Keep that in mind when reading this article.

It is time for Christians to wake up and turn back to God. We need to turn to the Lord and repent of our sins that we have committed against Him. We need to ask for forgiveness of tolerating idolatry that removes His Sovereignty over His Church. To see that the Church is in grave danger we must have a clear understanding of what a corporation is. We also need to realize what the courts have ruled about corporations and that a corporation has no rights, only privileges, granted by the "state." **To become a corporation removes the authority of the Lord over a corporate church and puts it under the bondage of man's law.**

## According to man, The State is Sovereign over its Corporations

1. "**A corporation is a creature of the state.** It is presumed to be incorporated for the benefit of the public. It receives certain special privileges and franchises and holds them subject to the laws of the state and the limitation of its charter. Its powers are limited by law. It can make no contract not authorized by its charter. Its rights to act as a corporation are only preserved to it so long as it obeys the laws of its creation. There is a reserved right in the legislature to investigate its contracts and ascertain if it has exceeded its powers" (**Hale v. Henkel, 201 U.S. 43**)

2. "[A corporation is] an artificial person or **legal entity created by or under the authority of the laws of a state.** An association of persons created by statute as a legal entity.... The corporation is distinct from the individuals who comprise it (shareholders).... Such an entity subsists as a body politic under a special denomination, which is regarded in law as having a personality and existence distinct from that of its several members.", **Black's Law Dictionary** West Publishing Company, 1991; 6th Edition, page 340.

3. **“A corporation derives its existence and all of its powers from the State** and, therefore, has only such powers as the State has conferred upon it. Power is used here to mean the legal capacity to execute and fulfill the objects and purposes for which the corporation was created, and the source of this power is the charter and the statute under which the corporation was organized.”, **Len Young Smith and G. Gale Roberson, Smith and Roberson’s Business Law**, West Publishing Company, 1966, page 796.

**A corporation derives its existence and all of its power from the State.** The church on the other hand was created by and is the body of Christ. We belong to Him and we are subject to Him and His Laws. The source of any church’s power is supposed to be the Holy Spirit; it’s authority to function solely from God.

4. “Corporate existence is a privilege granted by the sovereign upon compliance with specified conditions”, Len Young Smith and G. Gale Roberson, Smith and Roberson’s Business Law, West Publishing Company, 1966, page 931.

5. “Corporations are not citizens.... The term citizen... applies only to natural persons... not to artificial persons created by the legislature” **Paul v. Virginia, 8 Wall. 168, 177**; see also the Opinion of Field, J., in the Slaughterhouse Cases, 16 Wall.36,99 The Word of God teaches us that Christians, His Holy Church, *are citizens* of the household of God (Eph.2:19).

6. Every corporation has obtained a charter from the State of Incorporation. This charter is simply permission to exist given to the corporation (*by the State!*) without which, its operations would be considered illegal. In addition to the charter are the articles of incorporation: “The objects or purposes for which a corporation is formed are expressly stated in its articles of incorporation, which delineate in general language the type of business activities in which the corporation proposes to engage” **Smith and Roberson’s Business Law**, West Publishing Company, 1966, page 798.

7. “Instances of non-profit corporations are *educational institutions, athletic clubs, library clubs, fraternities, sororities, hospitals*, and organizations which have **exclusively a charitable purpose**” **Smith and Roberson’s Business Law**, West Publishing Company, 1966, page 789.

(Note: The purpose of the church is not “charity,” nor is it’s purpose **exclusively** charitable. Charity should be a function of every church, but is certainly not it’s purpose. Offering worship to God, evangelism to the lost, and the fellowship and equipping of the saints are *among* church’s exclusive purposes.

**The Lord is Sovereign over His Churches :  
Jesus is the Head of the Church, not man**

Paul compares the special relationship of Christ and His church to the God giving relationship of man and wife. What can be closer or more special than this? Would you bring another person into your marriage to control it with worldly principles? I hope the answer is no. Then why would you bring in a "fictitious entity" no less created by the state and man i.e.: corporation, to run and regulate something that belongs to the Lord? The relationship with Jesus and His Church belongs to Him alone. He is the Head of the Church and as such He governs it with His Laws, Principles and Directions. After all He is our King and is Sovereign over His Church. **To become a corporation in effect divorces the church from Christ.** We also commit idolatry by putting something before Him.

**Eph 5:23 For the husband is the head of the wife, even as Christ is the head of the church: and he is the saviour of the body.** Christ is the Saviour of the body (the church); not the state. **24 Therefore as the church is subject unto Christ, so let the wives be to their own husbands in every thing.** The church is subject to Christ not the state. **25 Husbands, love your wives, even as Christ also loved the church, and gave himself for it;** Christ has purchased the church with His own blood. The State can give nothing for the church and should give nothing to the church. **26 That he might sanctify and cleanse it with the washing of water by the word, 27 That he might present it to himself a glorious church, not having spot, or wrinkle, or any such thing; but that it should be holy and without blemish.**

The church should be holy and without blemish, to mingle the church with the state/worldly system is to bring spot and wrinkle to the church because of what the state/world does and says, homosexuality, abortion, adultery and many other things are acceptable, they pass laws making them that way. This goes against God; should the church be partakers of that?

**Eph 5:28 So ought men to love their wives as their own bodies. He that loveth his wife loveth himself.**  
**29 For no man ever yet hated his own flesh; but nourisheth and cherisheth it, even as the Lord the church:** The Lord nourishes and cherishes the church. Throughout history the state has tried to destroy the church. It still does through legislation trying to control all aspects of the free and corporate church.  
**30 For we are members of his body, of his flesh, and of his bones.** The church is a living organism with a living head and body. Therefore the church is not a religious organization. It is possible to be a religious or charitable organization without being a church. **31 For this cause shall a man leave his father and mother, and shall be joined unto his wife, and they two shall be one flesh.** The church is to be joined unto Christ. In Matthew Jesus used the word cleave. I do not see that the church is to be joined to Christ and the state. **32 This is a great mystery: but I speak concerning Christ and the church.** He speaks of the relationship that the church is *supposed* to have with Christ. One that is *supposed* to be holy and true. One, that's with each other without

interference, blessed.

**Eph 1:20 Which he wrought in Christ, when he raised him from the dead, and set him at his own right hand in the heavenly places, 21 Far above all principality, and power, and might, and dominion, and every name that is named, not only in this world, but also in that which is to come: 22 And hath put all things under his feet, and gave him to be the head over all things to the church** Christ is to be all things to the church. He is in Charge and Head of the church not the state. The state is under His feet, it is the footstool of the Lord why put it ahead of Him? **23 Which is his body, the fullness of him that filleth all in all.** KJV There are more Scriptures that would support that Jesus is the sole authority over the church. Most of us Christians know this and believe this. I challenge my brothers and sisters to find them. Study them, to see if the Truth is being brought forth.

## **Jesus Christ Should Be The Head Of The Church - Why Then Incorporate?**

Many people for some reason think that a church has to. This is far from the truth on a few different levels. Here in the United States of America a church does not have to incorporate at all to be recognized as a local body of believers. (Not sure why they would want recognition from the state anyway.) I know some of you are thinking "Well, Romans 13 says..." Most of us have been taught that whatever the government says, goes. Wrong! If the government passes a law that interferes or contradicts one of Gods law we are not bound to follow it. There are examples of this in the Bible ; we have all heard the story of Daniel and the lions' den.

**To think Christians are bound by the laws of men, when it comes to the work of the Kingdom, is just stupid.**

If this were the case the church in Russia, China, Middle East and other places - if they listened to Romans 13 the way it is applied now - would never have seen growth. How about the brothers/sisters that smuggled Bibles into the old Soviet Block, China, Cuba and others? Whose law did they break? Man's. The local government's. They may be held accountable for their actions by men, they might even lose their lives. Guess what? God will reward them for their actions. They were doing the work of the Kingdom.

I know most of us have heard that Federal law supercedes state law. State law supercedes county, city and town law, and so on and so forth. Guess what? The law of God supercedes all of man's law when it goes against His own (Acts 4:18-19). *The point is even if there was a law requiring churches to incorporate we would not be bound to do so.* In doing so we would be removing the Lordship of Jesus and giving it to the state. Thank God we have not reached this point yet in this country but don't be fooled, its coming.

## Why then do churches incorporate?

1. They think they have to.
2. They feel it gives them some benefit.
3. They think it gives them prestige.
4. Asset protection.
5. Think it's the only way gifts are tax deductible.
6. Think its okay with God.
7. They have always done it that way.

The list could go on, I'm sure we could all find some earthly reasons why we think incorporating would be a good idea.

## We Still Think It's The Law - Show me Otherwise...

If you still think it's the law and that would make any difference to you in your relationship with the Lord, I will show you differently: **"Congress shall make no law regarding an establishment of religion, or prohibiting the free exercise thereof"** (U.S. Constitution, First Amendment).

According to the Internal Revenue Code, "a church, its integrated auxiliaries, and conventions and associations of the church **are excluded** from taxation." United States Code, Title 26, 508(c)(1)(A).

**Section 508(c) of the Internal Revenue Code provides that churches are not required to apply for recognition of Section 501(c)(3) status in order to be exempt from federal taxation or to receive tax deductible contributions. Churches are automatically exempt from Federal income tax, and contributions to churches are deductible by donors under section 170.**

Elsewhere, the IRS states: "Although a church, its integrated auxiliaries, or a convention of churches is not required to file Form 1023 to be exempt from federal income tax or to receive tax deductible contributions, such an organization may find it advantageous to obtain recognition of exemption (**Tax Exempt Status for Your Organization, IRS Publication 557**). Just what "advantage" is there for a church in obtaining 501(c)(3) recognition and **thereby exchanging its sovereignty** for a subordinate status in relation to the federal government? Most people would answer that such grants the church exemption from taxation. However, we have already seen that the federal government has never been able to tax the Church of Christ; **the Church is not exempt from taxation, it is immune**. The "advantage" is something else entirely: "By establishing its exemption, potential contributors are assured by the [Internal Revenue] Service that contributions will be deductible" **Tax Exempt Status for Your Organization, IRS Publication 557**. The tragic irony of all this is that, according to the Internal Revenue

Code, financial donations to an unregistered, unincorporated church are automatically tax-deductible (26 USC 170-B).

## **The [U.S.] government has no constitutional authority over the Church.**

It is not allowed to violate the First Amendment protection that the constitution provides. In fact the government may not infringe on any of our constitutional rights at all. They have found a way around this of course. To hold out an unbiblical advantage hoping an **ignorant** clergy person will take the bait and bring the church into **voluntary** compliance by forming a 501(C)(3) corporation, thus placing the church under the authority of the state.

**Once the church has been transformed into a corporation it then becomes subject to control by federal and state governments. In truth, an incorporated church is no longer a church but merely a non-profit organization. Once a church incorporates, the new non-profit organization is subject to total control by the government.**

You will be controlled on who you hire, what you can and cannot preach. You cannot conflict with public policy nor assault the hearer's sense of mental well being, self-esteem, sexual orientation etc. **You can be sued.** The IRS prohibits such organizations from "carrying on propaganda, or otherwise attempting to influence legislation" (26 USC 501-C-3). This prohibition extends, not only to the endorsement of a political candidate, but also any other attempts to "influence legislation," including taking a public stand against such government-protected abominations, such as abortion or homosexuality. Now, the church is discovering that favors from Washington, DC have strings attached. In this case, the string is a rope that is being used to throttle her once-powerful voice, to squeeze out her very life and, eventually, to hang her by the neck until dead!

## **History Of Our New Nation:**

One of the reason people came to the new land was to get away from the entanglements of the old world. Quite a few of the reasons dealt with the issue of church and state. People where fleeing a repressive regime where there was a state-sponsored church or the church was running the governments. It was bad enough that people picked up and left. Now we seem to be returning to what our forefathers left on our own free will. We are taking a license to preach from the state, being told what we can and can't say. One of the things that inspired Patrick Henry's speech "Give Me Liberty Or Give Me Death" was, he saw a man being beaten *for preaching the gospel without a license*. If we forget history we are doomed to repeat it. We as Christians need to wake up and take a stand. One thing that sticks in my mind is when I got married : "By the power vested in me by God and the State of California I now...."

## **This section will not be favored by corporate Pastor/Ministers...**

1. You became incorporated, become unincorporated.
2. Talk to your Pastor/Minister about this important issue.
3. Rescind your membership in an incorporated church.
4. Don't incorporate.
5. Don't support incorporated churches.
6. Find an unincorporated church.
7. Start an unincorporated church.
8. Study Your Bible Daily.
9. Pray for the Body of Christ.
10. Witness and lead people to a personal relationship with Jesus.

I know finding an unincorporated church will be a real chore, as there are not many out there. There is also a real need to hear and study the word. If you must go to an incorporated church I suggest not becoming a member. I know this is not the norm but we have to remember who the head of the church is, and especially, that we are not join to ourselves to a harlot. Churches which have (knowingly or not) substituted the authority of Christ with sinful man's demonically-influenced word system fit this description.

SOURCE: <http://www.guymalone.com/501c3church.htm>

## **Related Material On Unincorporating A Church:**

Disturbing 501c3 Corporate Church Report

Unincorporate Your Church - With Care!

Reasons To Unincorporate Your Church

Church Freedom and The Corporation Sole

501c3 Myths

The Truth About Church Incorporation

IRS Double-talk About Incorporating Your Church

501c3: The Devil's Church (audio message on youtube)

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