

Attorney: Pastors, Don't Fear IRS

Mathew Staver says this Sunday more than ever pastors must boldly proclaim biblical values and encourage their congregations to vote



[] As the 2008 presidential election approaches its final days, a religious liberty attorney is encouraging pastors to speak out on political issues, saying fears that their churches will lose their tax-exempt status as a result are unfounded.

“My advice is for pastors to confront the culture and not be worried about the consequences,” said Mathew Staver, founder of Liberty Counsel and dean of the Liberty University School of Law in Lynchburg, Va.

On the Sunday before Election Day, Staver says he wants to see pastors “remove the muzzle of fear and replace it with a megaphone of boldness.”

Staver says the law restricts churches from endorsing candidates, but pastors can privately endorse or oppose a candidate as long as the pastor makes clear it's a personal choice.

Pastors can preach on any topic even if it's become political, and they can distribute voter guides that objectively summarize candidates' political positions, said Staver, who addresses the issue on a CD and DVD titled *What Pastors Can and Cannot Do Politically*. They also can educate their congregations about bills or amendments, discuss their biblical relevancy and urge congregations to vote for or against amendments. But pastors cannot endorse candidates on behalf of their churches.

“You can go all the way and put your toe to the line, and

people will get the message," Staver said. "It is misunderstanding and misbelief that oftentimes shackles pastors unnecessarily. ... I understand the call of God on a pastor's life, and that call is to preach the Word, and I want to liberate pastors to preach the Word."

Staver notes that no church in U.S. history has ever lost its tax-exempt status for lobbying or endorsing a political candidate, and even if a church broke the law it would be difficult for the IRS to render real punishment. That's because churches automatically are tax-exempt by their very existence.

Some pastors obtain an IRS tax-exempt "letter," but Staver said no such paperwork is needed for a church to maintain tax-exempt status. If a church did endorse a candidate and the IRS revoked the letter, after the election the candidate no longer would be running for office and the church's tax-exempt status would continue, Staver said.

A good example is a church in New York that in 1992 endorsed former President Bill Clinton in ads appearing in *USA Today* and *The Washington Times*. After the election the IRS revoked the church's tax-exempt letter, but because Clinton no longer was a candidate the church could endorse, the church maintained its tax-exempt status, he said.

"Churches could never permanently lose their tax-exempt status," Staver told *Charisma*. "From a church's perspective what I want to convey is there is nothing to fear."

Although he believes any hint of restriction to pastors' speech should be removed from current tax laws, Staver says he worries that the recent Pulpit Freedom Sunday initiative, during which 33 pastors nationwide publicly endorsed a presidential candidate from their pulpits, may have created confusion about pastors' rights, which is one reason he did not endorse it.

He said the campaign may have caused some pastors to think any talk of politics was a violation of tax laws, a fear Staver

says he has sought for years to alleviate. "What I have been saying for years is that pastors have a lot of liberty to speak about biblical and moral issues, educate their congregations about where the candidates stand on these moral issues and encourage people to vote," Staver told *Charisma*.

This year perhaps more than ever, Staver says pastors must feel free to speak out on moral issues. "I believe pastors are the watchmen on the wall," he said. "This Sunday more than ever pastors need to preach on biblical values and urge people to vote."

Staver's own "Voting Christian Values" message, which he delivered at Liberty University earlier this month, will be broadcast this weekend on INSP, TBN, Daystar, FamilyNet and other major Christian networks.—**Amy Green**