

J.M. DAWSON INSTITUTE OF CHURCH-STATE STUDIES

JAMES DUNN AND SOUL FREEDOM:  
A PARADIGM FOR BAPTIST ENGAGEMENT IN RELIGIOUS-POLITICAL ISSUES

A PAPER SUBMITTED TO  
DR. CHARLES MCDANIEL  
IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR  
CHS 5399

BY  
AARON WEAVER

WACO, TEXAS  
NOVEMBER 12, 2007

“Eternal vigilance is the price of liberty.”<sup>1</sup> This famous phrase characterizes the ministry of Baptists such as Thomas Helwys, Roger Williams, John Leland and others. In the last half of the twentieth century, James Dunn’s name has been added by many Baptists to the list of freedom-protectors. Over the past thirty years, James Dunn has been the loudest and most aggressive Baptist proponent for religious liberty in the United States. Dunn is known for his leadership as Executive Director of the Baptist Joint Committee on Public Affairs, an organization comprised of multiple Baptist bodies that deals with religious liberty issues on Capitol Hill. Dunn’s defense of religious liberty and the separation of church and state became one of the pivotal issues in the Southern Baptist Controversy during the 1980s. He was one of the primary targets of the “conservative resurgence” that ultimately gained control of the convention and subsequently defunded the participation of Southern Baptists in the Baptist Joint Committee on Public Affairs.

James Dunn embodied and articulated a paradigm for Baptist engagement in religious-political issues which was based upon the concept of soul freedom: voluntary uncoerced faith and an unfettered individual conscience before God. His vision of religious liberty and separation of church and state was especially rooted in the doctrine of soul freedom. Dunn argued that soul freedom is the cornerstone that precedes and demands religious liberty and separation of church and state for all persons in the political arena. After demonstrating that Dunn’s views were rooted in the Baptist heritage, I will reveal how his philosophy of soul freedom was applied in two specific pieces of legislation.

---

<sup>1</sup> Wendell Phillips, in *The Home Book of Quotations*, ed. Burton Egbert Stevenson (New York: Dodd & Mead, 1964), 1106.

## **A Brief Overview of Baptists and Soul Freedom**

### **From Apostolic Succession to the Priesthood of All Believers**

In its earliest centuries, the Christian Church developed a hierarchical form of church leadership. Leadership became rooted in the concept of apostolic succession—Jesus passed down his teachings to his twelve apostles who passed the truth to their successors who passed it on to their successors and so on. These leaders (bishops) were considered the arbiters of church discipline and defenders of church orthodoxy against heresy. As Christianity flourished, this focus upon bishops who could trace their pedigree back to an apostle essentially resulted in the elevation of clergy over laity. Clergy became the approved way for people to communicate with God. Looking back from a Protestant perspective, the church mistakenly insisted that the people had access to God only through the special priesthood.<sup>2</sup>

In the early sixteenth century, Martin Luther, a devout Roman Catholic monk, said that three Roman walls had to come tumbling down: the elevation of the clergy over the laity, the assertion that only the Pope was competent to interpret Scripture, and the claim that only the Pope could convene a church council. Luther attacked these church traditions and argued that the Bible taught that all Christian believers, not merely the clergy, were free to be priests before God as well as responsible to be priests for God. According to Luther, "Christ has made it possible for us...to be...his fellow priests."<sup>3</sup> Consequently, Luther asserted that all individuals should be able to read the Bible on their own. Each person should be able to pray to God directly without an earthly mediator. This New Testament doctrine (1 Pet 2:5,9; Rev 1:5-6; 5:9-

---

<sup>2</sup> Martin Luther, "An Appeal to the Ruling Class of German Nobility," in *Readings in Christian Thought*, ed. Hugh Kerr (Nashville, TN: Abingdon Press, 1999), 142-145. See also Leonore Siegele-Wensckewitz, "Priesthood of All Believers," in *The Encyclopedia of Christianity*, ed. Erwin Fahlbusch (Grand Rapids, MI: Wm. B. Eerdmans, 1997), 350-351. Walter B. Shurden, "Priesthood of All Believers," in *Dictionary of Baptists in America*, ed. Bill J. Leonard (Downers Grove, IL: InterVarsity Press, 1994), 225-226. Carolyn D. Blevins, *The Priesthood of All Believers* (Brentwood, TN: Baptist History and Heritage Society, 2001).

<sup>3</sup> Luther, 142-145.

10; 20:6), firmly rooted in the Old Testament (Ex 19:4-6), came to be known as the "priesthood of all believers." Rediscovered by Luther and fundamental to the foundation of the Protestant Reformation, the priesthood of believers and the acknowledgement of individual conscience became key components in the development of subsequent reformation events.<sup>4</sup>

### **Baptist Origins: Smyth and Helwys**

In the early seventeenth century, Baptists emerged out of the Puritan-Separatist movement in the Church of England. The earliest Baptist leaders, John Smyth and Thomas Helwys, agreed with the Reformation emphasis upon the priesthood of believers and the right to individual freedom of conscience.

After leading a group of believers in England to migrate to Holland to avoid religious persecution, Smyth and Helwys founded the first Baptist church around 1608/1609. The church was constituted upon believer's baptism; infant baptism was rejected as unbiblical since the infant was not free to profess faith. In *Differences of the Churches of the Separation*, Smyth, when arguing for a genuine "believer's church," said that the church is a "kingly priesthood" and that the saints (i.e. professing Christians) are "kings and priests."<sup>5</sup> Two years after Smyth's death, his followers produced a confession authored by Smyth which contained a strong affirmation of religious liberty (the first by a person of English descent). Advocating against a union of church and state that he had experienced in the Church of England, Smyth contended that magistrates should handle civil affairs only and "leave the Christian religion free, to every man his conscience."<sup>6</sup>

---

<sup>4</sup> Ibid.

<sup>5</sup> John Smyth, *Differences of the Churches of the Separation*, in H. Leon McBeth, *A Sourcebook for Baptist Heritage* (Nashville, TN: Broadman Press, 1990), 15.

<sup>6</sup> Ibid.

Thomas Helwys' *Mystery of Iniquity* (1612) is best known as the first treatise in England which called for complete religious liberty. In this groundbreaking document, Helwys challenged the role of the state in the affairs of the church. Helwys lambasted the Anglican Church for requiring conformity in worship and biblical interpretation. Helwys held that believers must be free to read and understand the Bible for themselves. While acknowledging the divine right of civil government (according to Romans 13), Helwys boldly wrote, "The King is a mortal man and not God, therefore no power over the immoral souls of his subjects, to make laws and ordinances for them, and to set spiritual lords over them." According to Helwys, every person regardless of religion must be free to follow God according to the dictates of his or her conscience. In radical terms for his day, Helwys contended:

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, Jews, Turks or whatever, it pertains not to the earthly power to punish them in the least measure.<sup>7</sup>

Ultimately, according to Helwys, individuals must be free to form their own beliefs "seeing they only must stand before the judgment seat of God to answer for themselves." Believers voluntarily gathered together in a covenant relationship, which preserved that the right to dissent was consistent with faithfulness to God who alone was Lord of the conscience.<sup>8</sup>

## **Baptists in America**

### **Roger Williams**

Like Smyth and Helwys in England, Baptists in America were advocates for the rights of the individual conscience and complete religious liberty. Baptists in 17<sup>th</sup> century America were few and generally located in New England. Militant Puritans in the leading colony of Massachusetts successfully established the Congregational Church as the official state-sponsored

---

<sup>7</sup> Thomas Helwys, *The Mystery of Iniquity*, in McBeth, *A Sourcebook for Baptist Heritage*, 72-75.

<sup>8</sup> *Ibid.* See also Blevins.

religion of most of New England. The union of church and state by the Puritans demanded religious conformity from its citizens. This atmosphere of coercion inevitably led to the persecution of Baptists and other dissenters.<sup>9</sup>

While historical records do not indicate who the first Baptist in America was, they do show that the first organized Baptist church was formed at Providence in early 1639 by Roger Williams (1603-1683).<sup>10</sup> Williams concluded that the Church of England was a false church from which the Puritans in New England should separate. Williams lashed out at the Puritan establishment for having the civil magistrates attempt to enforce the first tablet (i.e., relationship to God) of the Ten Commandments.<sup>11</sup> According to Williams, the only way to have conformity of belief was to commit “spiritual rape” against the conscience.<sup>12</sup>

After several clashes with the government, Williams was formally banished from Massachusetts. From its inception, the new colony of Rhode Island provided for democracy, liberty of conscience, religious freedom and the separation of church and state. Although Williams remained a Baptist for only a few months, he retained many Baptist convictions until his death. The novel notion of religious liberty for all became Williams’ trademark. Almost all of his writings dealt with the radical notion that a person must be free to worship according to the dictates of his or her conscience. Williams believed that personal heart-centered religious experience must be completely voluntary to be genuine. Coercive faith was an oxymoron. Williams explicitly affirmed: “That Christ is King alone over conscience is the sum of all true preaching.”<sup>13</sup>

---

<sup>9</sup> McBeth, 123-124.

<sup>10</sup> Ibid, 127-129.

<sup>11</sup> Leonard, “Dictionary of Baptists in America,” 289-290.

<sup>12</sup> Doug Weaver, “The Spirituality of Roger Williams,” *Baptist Studies Bulletin*, July 2007.

<sup>13</sup> Ibid. See also Charles Dewesee, *Doing Freedom Baptist Style: Liberty of Conscience* (Brentwood, TN: Baptist History & Heritage Society, 2001). Williams left organized religion because he came to believe that no church was pure. He became a “seeker.”

In 1644, Williams published what is now his most famous work, *The Bloudy Tenet of Persecution, for Cause of Conscience* and declared that “it is the will and command of God that (since the coming of his Son the Lord Jesus) a permission of the most paganish, Jewish, Turkish, or antichristian consciences and worships, be granted to all men in all nations and countries.” Williams argued that the only appropriate sword in matters of faith was the sword of the Spirit and its methods of persuasion and love. He lamented, to the fact that “the sword may make a whole nation hypocrites, but it cannot bring one single soul in genuine conversion to Christ.”<sup>14</sup>

### **John Clarke**

John Clarke (1609-1676), founder of the second Baptist church in America located in Newport, Rhode Island, was another intrepid advocate of the unfettered conscience. Building on the work of Roger Williams, Clarke helped secure religious liberty for Rhode Island in 1663, establishing the colony as the first purely “secular state” in the modern era.<sup>15</sup> Clarke’s views were unmistakable in the colony’s charter which expressed that “all and every person...freely and fully have and enjoy his own judgments and conscience in matters of religious concernments.”<sup>16</sup>

In 1652, Clarke published a courageous defense of religious liberty appropriately entitled *Ill Newes from New-England*. *Ill Newes* details incidents of religious persecution in New England by the Puritans. Clarke himself was no stranger to persecution. He had been arrested with his assistant pastor Obadiah Holmes for leading a worship service in Lynn, Massachusetts. Ultimately, Clarke’s *Ill Newes* was successful in securing British sympathy for the Rhode Island

---

<sup>14</sup> William M. Tillman Jr., “Religious Liberty,” in *Has our Theology Changed? Southern Baptist Thought Since 1845*, ed. Paul Basden (Nashville, TN: Broadman & Holman Publishers, 1994), 310. See also Bill J. Leonard, *Baptists in America* (New York: Columbia University Press, 2005), 158-159. Edwin Gaustad, *The Religious History of America: The Heart of the American Story from Colonial Times to Today* (San Francisco: Harper San Francisco, 2002), 65-73.

<sup>15</sup> Tillman, 312. See also Bill J. Leonard, *Baptist Ways: A History* (Valley Forge, PA: Judson Press, 2003), 76.

<sup>16</sup> Leonard, *Baptists in America*, 159.

colonists.<sup>17</sup> Unlike Williams, Clarke never left the Baptist fold. His views of religious liberty remained persuasive among many colonial Baptists.

### **Isaac Backus**

Isaac Backus of Massachusetts (1724-1806) was another courageous advocate of religious liberty during an era when Baptists were quickly becoming the largest denomination in America.<sup>18</sup> In the books he published as a historian of early Baptist life, Backus helped rediscover and popularize Roger Williams and viewed himself as a part of the Williams legacy. Backus applied many of the pioneer arguments of Williams to the freedom struggle in the late 18<sup>th</sup> century. He described the Revolutionary War as a fight on two fronts, against the British troops for civil liberty and against the American establishment for religious liberty. Backus employed the popular revolutionary language of “no taxation without representation” to tie the quest for religious liberty to the cause of political liberty. He bemoaned,

Many who are filling the nation with the cry of LIBERTY...are at the same time themselves violating that dearest of all rights, LIBERTY OF CONSCIENCE.” They denounce “being taxed without their consent...(but) force large sums from (their neighbors) to uphold a worship which they conscientiously dissent from.”<sup>19</sup>

During the Revolutionary War, Backus continued to fight Massachusetts’ authorities over tax support for the majority religion (Congregationalists). He repeated the calls for the freedom of the individual conscience: “As religion must always be a matter between God and individuals, so no man can be made a member of a truly religious society by force or without his own consent.” Because Christianity would provide the indispensable underpinnings of successful civil democracy, Backus desired a “sweet harmony” between church and state.” Nonetheless,

---

<sup>17</sup> Gaustad, 68-69. See also McBeth, 139-141.

<sup>18</sup> McBeth, 200. The 18<sup>th</sup> century proved a turning point for Baptists in America. In 1700 they could count only 24 churches with 839 members. By the end of the century, Baptists had become the largest denomination in America. By 1790 they numbered 989 churches with 67,940 members.

<sup>19</sup> Leonard, *Dictionary of Baptists in America*, 36-37. See also McBeth, 259-262.

Backus was clearly an ardent advocate of the sacredness of the individual conscience before God.<sup>20</sup>

### **John Leland**

Along with Isaac Backus, John Leland (1754-1841) was Baptists' most impassioned proponent for religious liberty during the 18<sup>th</sup> century. These two men continued the Baptist plea for an unfettered conscience already seen in Thomas Helwys, Roger Williams, and John Clarke. While Backus was more willing to speak in terms freedom from government establishment and coercion in religion, Leland was a strict separationist in the mold of Roger Williams who wrote in the context of the Enlightenment in colonial Virginia and thus echoed freely from the thought of James Madison and especially Thomas Jefferson. Leland's focus on the individual conscience revealed his rationalism and pietistic revivalism. While clearly a Jeffersonian individualist, Leland was also an archetypal Baptist, a Biblicist who sought to model certain New Testament practices that related to the freedom of the individual relationship to God.<sup>21</sup>

Leland's most influential treatise on religious liberty was *The Rights of Conscience Inalienable*, first published in 1791. In this treatise, Leland argued that the rights of conscience are inalienable, for "every man must give an account of himself to God, and therefore every man ought to be at liberty to serve God in a way that he can best reconcile to his conscience."<sup>22</sup> "Religion is a matter between God and individuals," concluded Leland, with "the religious opinions of men not being the objects of civil government, nor in any way under its control." He attacked the idea of religious establishments and instead argued for the sacredness of the

---

<sup>20</sup> Ibid. See also Leonard, *Baptists in America*, 160-161. Joe L. Coker, "Sweet Harmony vs. Strict Separation: Recognizing the Distinctions Between Isaac Backus and John Leland," *American Baptist Quarterly* 16, no. 3 (1997), 241-250. Historians offer different interpretations of the radical nature of Backus' views on religious liberty. Some scholars refer to Backus as an "accommodationist" rather than a "strict separationist." Battling coercive established religion rather than urging a completely neutral separation between church and state seemed to be Backus' chief interest. He did not object to the religious oaths required of elected officials nor did he object to "blue laws".<sup>20</sup>

<sup>21</sup> McBeth, 273-283. See also Leonard, *Baptists in America*, 160-161.

<sup>22</sup> L.F. Greene, ed., *The Writings of John Leland* (New York: Arno Press, 1969), 179.

unfettered individual conscience. With their support for the unfettered conscience, Baptists provided many of the ideas foundational to religious liberty and they contributed to the public agitation which led to the Bill of Rights.<sup>23</sup>

### **19<sup>th</sup> Century Baptists: Francis Wayland and W.B. Johnson**

The period between 1800 and 1900 has appropriately been dubbed by historians as the “Great Century” of advancement for Christianity. Baptists similarly experienced radical growth and transitioned from a small dissenting body of believers to a major denomination. During this era, Francis Wayland and William B. Johnson were two of the strongest champions for the unfettered individual conscience among Baptists in America.<sup>24</sup>

A Baptist minister and educator, Francis Wayland (1796-1865) is best known for his tenure as the fourth President of Brown University in Providence, Rhode Island from 1827 until 1855.<sup>25</sup> In his book, *Notes on Principles and Practices of Baptist Churches* (1857), Wayland evaluated what it meant to be a Baptist. Like his Baptist forefathers, Wayland associated the importance of the individual conscience with the sole authority of Scripture. He borrowed the term “soul liberty” from Roger Williams and used it to describe the “absolute separation of church and state” as the “peculiar glory” of Baptists. Describing the right of private biblical interpretation he wrote, “It is our essential belief that Scriptures are a revelation from God...given to every individual that he might understand them for himself, and the word that is given him will judge him at the great day.”<sup>26</sup>

William B. Johnson who held views similar to Wayland was the most influential Southern Baptist during the mid-19<sup>th</sup> century. Just a year after becoming the first President of

---

<sup>23</sup> McBeth, 282-283.

<sup>24</sup> Ibid, 285-287.

<sup>25</sup> Wayland’s administration at Brown has been referred to as the “golden age of the university.”

<sup>26</sup> Francis Wayland, *Notes on the Principles and Practices of Baptist Churches* (1857; repr., New York: Arno Press, 1980), 4-14. See also Leonard, *Dictionary of Baptists in America*, 283-284.

the Southern Baptist Convention (1846) Johnson wrote *The Gospel Developed Through the Government and Order of the Churches of Jesus Christ* in which he affirmed “fundamental principles” found in Baptist life. These “fundamental principles” included the “right of private interpretation” of Scripture.<sup>27</sup>

### **Edgar Young Mullins and Twentieth Century Southern Baptists**

Known as Mr. Baptist<sup>28</sup>, Edgar Young Mullins was the single most important shaper of Southern Baptists in the twentieth century.<sup>29</sup> Mullins’ colleague at Southern Baptist Theological Seminary, Harold W. Tribble, referred to him as “the greatest thinker produced by Southern Baptists.”<sup>30</sup> According to prominent literary and cultural critic Harold Bloom, Mullins was “the Calvin or Luther or Wesley of the Southern Baptists...not the founder of the Southern Baptists, but their refounder, the definer of their creedless faith.”<sup>31</sup>

After the formation of the Baptist World Alliance in 1905, Mullins set out to unite Baptists throughout the world with a sense of identity and mission.<sup>32</sup> He did this through the publication of *The Axioms of Religion: A New Interpretation of the Baptist Faith*, a book which observers contend has done more than any other single volume to define Baptist identity in the twentieth century.<sup>33</sup> Translated into many languages, Southern Baptist theologian W.O. Carver stated that Mullins’ *Axioms of Religion* “became almost a character of Baptist orthodoxy....a

---

<sup>27</sup> Leonard, *Baptists in America*, 99-100. See also McBeth, 389-391. Historians consider W.B. Johnson to be the major architect of the Southern Baptist Convention and its most important spokesman.

<sup>28</sup> Gaines S. Dobbins, “Men Who Have Made Seminary History,” *Quarterly Review* 18 (1958): 32.

<sup>29</sup> Timothy D.F. Maddox, “E. Y. Mullins: Mr. Baptist for the 20<sup>th</sup> and 21<sup>st</sup> Century.” *Review and Expositor* 96, no. 1 (Winter 1999): 32.

<sup>30</sup> Harold W. Tribble, “Edgar Young Mullins,” *Review and Expositor*, 49 (April, 1952): 125.

<sup>31</sup> Harold Bloom, *The American Religion: The Emergence of the Post-Christian Nation* (New York: Simon and Schuster, 1992), 200-217. See also Dilday, 76. Princeton Seminary’s J. Gresham Machen described Mullins as the “spokesman not merely for the Southern Baptist Church (sic) or for the Baptist churches of America, but also to a considerable extent for the Baptist churches throughout the world. And there are many in other communions also who look to him as their spiritual guide.”

<sup>32</sup> E. Glenn Hinson, “E. Y. Mullins as Interpreter of the Baptist Tradition,” *Review and Expositor* 96, no. 1 (Winter 1999): 109.

<sup>33</sup> Fisher Humphreys, “Edgar Young Mullins,” in *Theologians of the Baptist Tradition*, ed. Timothy George and David S. Dockery (Nashville, TN: Broadman & Holman Publishers, 2001), 187.

touchstone by which Baptists around the world could recognize a similar heritage of faith – in no way a creed but a restatement (of historic Baptist distinctives) in the language for the day.<sup>34</sup>

Mullins argued that the most distinctive and important of all Baptist beliefs is the belief in “soul competency,” that is, in the freedom, ability, and responsibility of each person to respond to God for herself or himself.”<sup>35</sup> He wrote: “The sufficient statement of the historical significance of the Baptists is this: the competency of the soul in religion.” This basic theological assumption serves as an underpinning to all other Baptist assumptions.<sup>36</sup> Mullins proposed “soul competency” as a centering point around which a broad and diverse group of Baptists could come together.<sup>37</sup>

From this simple “mother principle” of Christian truth and cardinal doctrine of Baptists, Mullins derived six propositions which he argued were axiomatic to all who accept Christianity. The theological axiom is that “the holy and loving God has a right to be sovereign.”<sup>38</sup> The religious axiom is that “all souls have an equal right to direct access to God.”<sup>39</sup> This axiom asserts the inalienable right of every person to deal with God directly. No barriers can exist between God and a human being. According to Mullins, “It is a species of spiritual tyranny for men to interpose the church itself, its ordinances, or ceremonies, or its formal creeds, between the human soul and Christ.”<sup>40</sup> The ecclesiastical axiom states that “all believers have a right to equal privileges in the church.” Mullins strongly believed that democracy is the only form of church polity which is really true to this axiom. No other polity leaves the soul free. He posited that “because the individual deals directly with his Lord and is immediately responsible to Him,

---

<sup>34</sup> Carver, 135.

<sup>35</sup> Humphreys, 187.

<sup>36</sup> E. Y. Mullins, *The Axioms of Religion* (Boston, MA: Judson Press, 1908), 53.

<sup>37</sup> Maddox, 93.

<sup>38</sup> Mullins, 73-74.

<sup>39</sup> *Ibid.*

<sup>40</sup> *Ibid.*, 92.

the spiritual society must needs be a democracy.”<sup>41</sup> The moral axiom which is the basis of all ethics holds that “to be responsible the soul must be free.” The religio-civic axiom is “a free church in a free state.”<sup>42</sup> Mullins understood that “soul competency” implies a separation between church and state. According to Mullins, “When Roger Williams founded the commonwealth of Rhode Island, a new era in man’s spiritual history began.” By rejecting mere toleration and embracing the separation of church and state, Baptists “made a real contribution to the world’s civilization.”<sup>43</sup> The social axiom, “You shall love your neighbor as yourself,” was Mullins’ sixth and final proposition. Since every human has worth and every individual is a social being, Christians are compelled to work for the welfare of all persons.<sup>44</sup>

### **James Dunn and Soul Freedom**

#### **James Dunn’s Theology of Soul Freedom**

Ideas like soul liberty and soul competency that had been trumpeted frequently in Baptist history found a home in the thought and rhetoric of James Dunn. Dunn became the heir of Mullins and those before him who insisted that freedom of the individual conscience and the emphasis upon direct personal experience of God without reliance upon ecclesiastical leaders were at the heart of the best of the Baptist tradition. In fact, Dunn’s work for an unfettered conscience, religious liberty for all, and the separation of church and state was especially rooted in his understanding of soul freedom. While prominent early twentieth century Southern Baptists E.Y. Mullins and G.W. Truett referred to “soul competency,” James Dunn again used the earlier Baptist language of “soul freedom.” Dunn believes, like Mullins did, that soul freedom, the key distinctive of Baptists and their greatest contribution to understanding the

---

<sup>41</sup> Ibid, 129.

<sup>42</sup> Ibid, 74-75.

<sup>43</sup> Ibid, 186-187.

<sup>44</sup> Ibid, 201-203.

Christian faith, is simply the freedom, ability, and responsibility of each person to respond to God for herself or himself. This freedom implies the ability to have a personal relationship to Jesus Christ and the capacity to deal directly with God without a human mediator such as a priest or bishop.<sup>45</sup> Throughout his career, Dunn has often described soul freedom as “the fire that burns in the innards of every true Baptist.” According to Dunn, since Thomas Helwys’ bold proclamation that “the king is not Lord of the conscience,” the hallmark of the people called Baptist is that “dogged determination to be free – free and faithful.”<sup>46</sup>

For religious faith to be authentic, Dunn believed, it must be free and cannot be coerced.<sup>47</sup> Citing E.Y. Mullins, Dunn declared that to deny a person direct access to God “is nothing less than tyranny.” The influence of E.Y. Mullins and *The Axioms of Religion* on Dunn’s thought is undeniable. Dunn has credited Mullins with investing energy and meaning into the phrase “soul competency” and placing it at the center of a “coherent cluster of beliefs that define Baptists.”<sup>48</sup> Like Mullins, Dunn also affirmed that the biblical revelation clearly pointed to the principle of soul freedom. He also agreed with Mullins that “the voluntary principle is at the heart of Christianity” and consequently “the right of private judgment in religion is a right that lies at the core of Christian truth.”<sup>49</sup> Building on Mullins’ cornerstone that religious experience was the beginning point of understanding divine revelation, Dunn asserted that soul freedom is axiomatic, a self-evident truth “that when seen needs no proof of its reality.”<sup>50</sup>

Dunn believed that soul freedom was based on a biblical view of persons. In the creation account of Adam and Eve found in Genesis 1:26-27, God called the first humans *imago Dei*

---

<sup>45</sup> James M. Dunn, *Soul Freedom: Baptist Battle Cry* (Macon, GA: Smyth & Helwys Publishing Co., 2000), 63-65.

<sup>46</sup> *Ibid.*, 67-68.

<sup>47</sup> James M. Dunn, “Separating church, state, good for both,” *Report from the Capital* 50, no. 11 (November 14, 1995): 2.

<sup>48</sup> James M. Dunn, “Church, State, and Soul Competency,” *Review and Expositor* 96, no. 1 (Winter 1999): 62.

<sup>49</sup> Dunn, *Soul Freedom: Baptist Battle Cry*, 64.

<sup>50</sup> *Ibid.*

which presupposed freedom.<sup>51</sup> Regardless of how one reads the biblical description of creation, in Dunn's view, it clearly suggests that all humans are moral beings, capable of responding to God.<sup>52</sup> According to Dunn, whatever else the classical doctrine of *imago Dei* means, it reveals that persons, made by God, can respond to their Creator. "The roots of freedom are deep within the intimate personhood of God. All true freedom is in a real sense religious freedom. It is that which replicates the Divine in all of us that makes us *response-able*, responsible and free."<sup>53</sup>

God created and endowed all humankind, male and female, to be free moral agents. "We are wired up with a chooser and we live with the consequences of those decisions," according to Dunn.<sup>54</sup> Every freedom, every decision, every deliberate action has certain consequences and invokes some level of responsibility for the individual.<sup>55</sup> All freedom and responsibility are gifts of God. Although two sides of the same coin, freedom and responsibility are indissoluble.<sup>56</sup> Without responsibility, Dunn said, freedom is meaningless, directionless anarchy without accountability.<sup>57</sup> Dunn reasons that soul freedom and individual responsibility are not invented by government or manufactured by social contract. Instead, all dignity and respect afforded persons comes from God as revealed in the Scriptures.<sup>58</sup>

Other Scriptures also affirmed voluntarism as the nature of authentic faith, according to Dunn. Jesus' call to follow him requires a free personal decision. Dunn suggests that every

---

<sup>51</sup> Genesis 1:26-27 NRSV. "Then God said, 'Let us make humankind\* in our image, according to our likeness; and let them have dominion over the fish of the sea, and over the birds of the air, and over the cattle, and over all the wild animals of the earth, and over every creeping thing that creeps upon the earth.' So God created humankind\* in his image, in the image of God created them; male and female he created them.' "

<sup>52</sup> James M. Dunn, "The Baptist Vision of Religious Liberty," in *Proclaiming the Baptist Vision: Religious Liberty*, ed. Walter B. Shurden (Macon, GA: Smyth & Helwys Publishing Co., 1993), 32.

<sup>53</sup> Dunn, *Soul Freedom: Baptist Battle Cry*, 7.

<sup>54</sup> James M. Dunn, "Religious Freedom Award Response," *Journal of Christian Ethics* 5, no. 5 (October 1999). [http://www.christianethicstoday.com/Issue/024/Religious%20Freedom%20Award%20Response%20By%20James%20M%20Dunn\\_024\\_21\\_.htm](http://www.christianethicstoday.com/Issue/024/Religious%20Freedom%20Award%20Response%20By%20James%20M%20Dunn_024_21_.htm) (accessed October 26, 2007).

<sup>55</sup> James M. Dunn, "The Baptist Vision of Religious Liberty," 32.

<sup>56</sup> Dunn, *Soul Freedom: Baptist Battle Cry*, 1.

<sup>57</sup> James M. Dunn, "The Christian and the State: A Constructive Task," *Perspectives in Religious Studies* 12, no. 4 (Winter 1985): 23.

<sup>58</sup> Dunn, *Soul Freedom: Baptist Battle Cry*, 1. See also James M. Dunn, "Religious Liberty and Church-State Separation Go Hand in Hand," in *Defining Baptist Convictions: Guidelines for the Twenty-First Century*, ed. Charles W. Deweese (Franklin, TN: Providence House Publishers, 1996), 71.

inclusive “whosoever will” (Revelation 2:17) found in Scripture necessitates soul freedom. Because there is only one mediator – Jesus Christ – between God and humankind (1 Timothy 2:5), the individual believer cannot be hindered by any human intermediary.<sup>59</sup> Dunn insists that the value of the individual, related directly to being made in the image of God, “calls for freedom, dignity, an access to the Eternal unimpeded and unsullied by institutions, creeds or any sort of intervention.”<sup>60</sup>

Dunn’s view of soul freedom is far reaching and extends beyond personal morality and personal faith. As the ultimate source of all modern notions of human rights, it is the cornerstone that precedes and demands religious liberty and the separation of church and state for all persons in the political arena. It is the biblical and theological starting point from which religious liberty naturally follows. According to Dunn, “if we all, in some serious way, replicate God, religious liberty is a moral and social inevitability.”<sup>61</sup>

Consequently, Dunn declared that “unless religion is free, voluntary, personal, intimate, and inward, it’s not worth anything anyways.” Without a truly voluntaristic faith, individuals may well be kept from an authentic “vital, visceral, life-changing faith.”<sup>62</sup> Thus to deny freedom of conscience to any person is to debase God’s creation. Dunn lamented that “when anyone’s religious freedom is denied, everyone’s religious freedom is endangered.”<sup>63</sup>

Dunn's advocacy for an uncoerced faith and truly voluntaristic religion lead him to oppose creedalism because of its threat to soul freedom and religious liberty. Like Mullins and many other Baptists before him, Dunn noted that creeds were inappropriate prescriptions for what you must believe while confessions were voluntary descriptions of what a person does

---

<sup>59</sup> James M. Dunn, “Reflections,” *Report from the Capital* 46, no. 12 (November/December 1991): 15.

<sup>60</sup> Dunn, “The Christian and the State,” 23.

<sup>61</sup> Dunn, “The Baptist Vision of Religious Liberty,” 33. See also Dunn, *Soul Freedom: Baptist Battle Cry*, 65.

<sup>62</sup> James M. Dunn, “Yes, I am a Baptist,” in *Why I Am A Baptist: Reflections on Being Baptist in the 21<sup>st</sup> Century*, ed. Cecil P. Staton Jr. (Macon, GA: Smyth & Helwys Publishing Co., 1999), 44.

<sup>63</sup> Dunn, “Religious Freedom Award Response.”

believe. He decried creeds as "the necessary requirement to squeeze in and squeak by some theological gate."<sup>64</sup> Dunn did not believe that long confessional statements were helpful because they often functioned as creeds and were used as tools to ensure doctrinal conformity. The only confession that Christians needed, Dunn maintained, was the early Christian affirmation that Jesus Christ is Lord.<sup>65</sup> "If we have anything remotely resembling a creed, it is the Baptist oral tradition that insists, 'Ain't nobody but Jesus gonna tell me what to believe.'"<sup>66</sup>

Baptists throughout their history, Dunn exclaimed, relied on the authority of the Bible and the right of each person to interpret it under the guidance of the Holy Spirit. Consequently, creeds hindered free access to Scripture and coerced believers into an artificial conformity of belief. Since Baptists lack catechistic tests for believers, Dunn argued that "repentance and faith, a personal experience of God's grace - not intellectual assent to arguments - saves." Creeds do not save; an individual's voluntary faith in God's grace does. Dunn believed that creedalism led to legalism and in Galatians 5:12, he indignantly noted, Paul suggested radical surgery for the legalist who could not live without a rulebook religion.<sup>67</sup>

According to Dunn, one explanation for the penchant for creeds among Southern Baptists in the late twentieth century was the fact Southern Baptists viewed the increasingly pluralistic nature of America with alarm. According to Dunn, Southern Baptists sought certainty in uncertain times. Rather than impose creedal statements as his Southern Baptist opponents were advocating, Dunn said the biblical response to pluralism was to be faithful to one's identity and values while living with and respecting people who hold other views. As a champion for soul freedom, Dunn correctly understood that religious freedom to all would foster pluralism.

---

<sup>64</sup> Dunn, *Soul Freedom: Baptist Battle Cry*, 83-84. See also McBeth, 656-657.

<sup>65</sup> James M. Dunn, "Reflections," *Report from the Capital* 49, no. 4 (April 19, 1994): 3.

<sup>66</sup> Dunn, "Yes, I am a Baptist," 46. Dunn originally made this bold statement during the height of the Southern Baptist Controversy or "SBC Holy War" as the new fundamentalist leadership was pushing to defund his Baptist Joint Committee.

<sup>67</sup> Dunn, *Soul Freedom: Baptist Battle Cry*, 83-84.

However, he continued to stand up for the freedom of all, including atheists and agnostics, while advocating “mature missions” and “responsible evangelism” predicated upon the concept of soul freedom.<sup>68</sup> “The complexities of our pluralistic society demand a greater dependence upon the Bible, a deeper reliance upon faith and more fervent prayer than simpler times may have called for.”<sup>69</sup> The biblical response to pluralism is to be faithful rather than creedal.<sup>70</sup>

Not surprisingly, James Dunn’s understanding of soul freedom has not been spared from criticism. Like E. Y. Mullins, Dunn too has been criticized of promoting a radical form of unbounded individualism, a faith without authority. Nearly fifty years ago, American Baptist, Winthrop Hudson, stated that “the practical effect of the stress upon ‘soul competency’ as the cardinal doctrine of Baptists was to make everyone’s hat their own church.”<sup>71</sup> Other scholars have followed Hudson’s lead. Curtis Freeman has argued that James Dunn has abused individualism even further by turning “soul competency” into “sole competency.” Freeman claims that Dunn’s popular quip, “Ain’t nobody but Jesus goin’ to tell me what to believe,” quickly devolves into “Ain’t nobody goin’ to tell me what to believe” as the “me” becomes the exclusive arbiter of what Jesus is saying.<sup>72</sup> Other scholars have made sweeping claims against the excessive individualism they find in Mullins and/or Dunn in attempts to chastise Baptists for a poor social ethic or a poor doctrine of ecclesiology.<sup>73</sup>

However, Dunn has repeatedly refuted the criticism of his Baptist opponents that soul freedom led to a hyper individualistic lone-ranger Christianity. He believed that the dichotomy

---

<sup>68</sup> Ibid, 22-23. See also James M. Dunn, “Being Baptist,” in *Baptists in the Balance: The Tension Between Freedom and Responsibility*, ed. Everett Goodwin (Valley Forge, PA: Judson Press, 1997), 220-223.

<sup>69</sup> “Baptists face challenge, Dunn tells ABC board,” *Report from the Capital* 50, no. 11 (November 28, 1995): 2.

<sup>70</sup> Goodwin, 220-221.

<sup>71</sup> Winthrop S. Hudson, “Shifting Patterns of Church Order in the Twentieth Century,” in *Baptist Concepts of the Church*, ed. Winthrop Still Hudson (Philadelphia: The Judson Press, 1959), 215.

<sup>72</sup> Curtis W. Freeman, “E. Y. Mullins and the Siren Songs of Modernity,” *Review and Expositor* 96, no. 1 (Winter 1999): 41.

<sup>73</sup> Charles Marsh, *God’s Long Summer* (Princeton, NJ: Princeton University Press, 1997), 82-115. See also John Hammett, “From Church Competence to Soul Competence: The Devolution of Baptist Ecclesiology,” *Journal for Baptist Theology and Ministry* 3, no. 1 (Spring 2005): 145-163. Charles Marsh cited Douglas Hudgins’ as a minister who hid behind soul freedom to avoid addressing the issue of race during the 1950s and 1960s.

of individual and community is a false one. The choice is not one over the other, but both together. Dunn contends that the desire for Christian community presupposes voluntary faith. According to Dunn, “The competence of the individual before God does not demand and in fact precludes Lone Ranger religion...no matter what critics left and right may say, autonomous individualism...does not mean that everyone’s church is one’s own hat. The longing for community and social Christianity presupposes voluntarism. Without individual autonomy, there can be no authentic community.”<sup>74</sup>

Dunn’s emphasis on Christian experience also has been criticized as a subjective substitute for the objective authority of Scripture. But Baptists have historically held the objective-subjective balance between *Sola Scriptura* and *Sola Fide*, said Dunn.<sup>75</sup> Dunn has consistently emphasized that Christian experience is always under the authority of Christ as revealed in Bible. Experience does not provide extrabiblical knowledge of God. As Dunn said, “real Baptists still test Scripture by Jesus Christ.”<sup>76</sup>

### **Dunn and the Separation of Church and State**

Dunn believed that the separation of church and state was the logical, theological and political consequence of a genuine uncoerced faith that springs from soul freedom and extends religious liberty to all.<sup>77</sup> Dunn gave three reasons why Baptists must hold to the separation of church and state to ensure an unfettered conscience. First, theology demands church-state separation. Biblical principles, theological presuppositions and historical examples lay the firm

---

<sup>74</sup> James M. Dunn, “Yes, I am a Baptist,” in *Why I Am A Baptist: Reflections on Being Baptist in the 21<sup>st</sup> Century*, ed. Cecil P. Staton Jr. (Macon, GA: Smyth & Helwys Publishing Co., 1999), 46-47. Soul freedom has been harshly criticized by Baptists representing the neo-Calvinist-Fundamentalist “modern” perspective such as Al Mohler and Tom Nettles. This doctrine has also been attacked by baptists from a more post-modern perspective who depend on a postliberal understanding of community which continues the modern bifurcation of “individual or community,” emphasizing community by rejecting any emphasis on the individual. This view is promoted by the authors of the controversial 1997 document known as the *Baptist Manifesto*.

<sup>75</sup> Ibid.

<sup>76</sup> Dunn, *Soul Freedom: Baptist Battle Cry*, 120. See also James M. Dunn, “Baptist Stubborn Award: Response of James M. Dunn on receipt of the Whitsitt Society Baptist Courage Award June 29, 2000,” *The Whitsitt Journal* 7, no. 1 (Fall 2000), 1-4.

<sup>77</sup> James M. Dunn, “The Baptist Vision of Religious Liberty,” in *Proclaiming the Baptist Vision: Religious Liberty*, ed. Walter B. Shurden (Macon, GA: Smyth & Helwys Publishing Inc., 1997), 35.

foundation that demands church-state separation. God's grace is experienced individually and one comes to Jesus Christ freely or not really. Thus, the conscience must be free from the state's coercive powers in matters of faith and religion. Second, the Christian ethic requires church-state separation. "If we do unto others as we want them to do unto us, if we believe that God loves the whole world, if we accept the image of God in every fellow human being, if we love our neighbors as ourselves, all people are entitled to real religious liberty." Invoking the Baptist witness of Roger Williams, John Clarke, Isaac Backus, and John Leland, Dunn concluded that the Baptist experience commends church-state separation.<sup>78</sup>

In his monthly column in *Report from the Capital*, Dunn often quoted Supreme Court Justice Hugo Black, a fellow Baptist, who declared in the landmark decision of *Everson v. Board of Education* (1947) that the Establishment Clause of the First Amendment means at least that:

Neither a state nor the Federal Government can set up a church. Neither can pass laws which aid one religion, aid all religions or prefer one religion over another. Neither can force nor influence a person to go to or to remain away from church against his will or force him to profess a belief or disbelief in any religion. No person can be punished for entertaining or professing religious beliefs or disbeliefs, for church attendance or non-attendance. No tax in any amount, large or small, can be levied to support any religious activities or institutions, whatever they may be called, or whatever form they may adopt to teach or practice religion. Neither a state nor the Federal Government can, openly or secretly, participate in the affairs of any religious organizations or groups and vice versa. In the words of Jefferson, the clause against establishment of religion by law was intended to erect 'a wall of separation between Church and State.'<sup>79</sup>

This powerful statement by Hugo Black best sums up Dunn's Baptist separationism. Throughout his career, Dunn consistently championed full religious liberty and the Jeffersonian wall of separation of church and state as articulated by Black in *Everson*.

Dunn's belief in soul freedom as the foundation for religious liberty and the separation of church and state can be seen in his reactions to recent attacks against the Jeffersonian metaphor

---

<sup>78</sup> Dunn, *Soul Freedom: Baptist Battle Cry*, 44-45.

<sup>79</sup> *Everson v. Board of Education*, 330 U.S. 1 (1947), 15-16. See also James M. Dunn, "Church and State: Friends or Enemies?," *The Baptist Student*, August 1985, 32-33.

of “a wall of separation between church and state.” Over the years, Dunn has had harsh words for former Chief Justice William Rehnquist who in *Wallace v. Jaffree* (1985) announced that “The ‘wall of separation between church and state’ is a metaphor based on bad history, a metaphor which has proved useless as a guide to judging. It should be frankly and explicitly abandoned.”<sup>80</sup> Dunn retorted, “Some of us believe that it is a metaphor rooted in good theology – ‘render unto Caesar what is Caesar’s, unto God what is God’s; that is has proved patently useful as the guarantor of liberty; that while it is not absolute, it is not obsolete and that it should be treated as a distinctive aspect of the American experiment.” Dunn questioned whether anyone could possibly value soul freedom without seeing the dire need for a wall of separation between church and state.<sup>81</sup>

Dunn felt that the “utter wrong headedness” of Rehnquist was eloquently and adequately refuted in Justice David Souter’s concurring opinion in *Lee v. Weisman* (1992).<sup>82</sup> There Souter wrote, “Forty-five years ago, this Court announced a basic principle of constitutional law from which it has not strayed: the Establishment Clause forbids not only state practices that ‘aid one religion over another,’ but also those that ‘aid all religions.’”<sup>83</sup> Like Souter, Dunn believed that the founding fathers intended church and state to be separated and for government to be neutral regarding religion.<sup>84</sup> According to Dunn, “if American history makes any eloquent appeal, it is for the separation of church and state.”<sup>85</sup>

But Dunn understood that the separation between church and state is not always neat and never absolute: “It’s messy, difficult, inconsistent, and it always has been. Today more than

---

<sup>80</sup> *Wallace v. Jaffree*, 482 U.S. 38, 107 (1985), (Rehnquist, J., dissenting). See also James M. Dunn, “A Threatened Heritage,” *The Whittsitt Journal* 1, no. 1 (July 1994): 6-8.

<sup>81</sup> Dunn, *Soul Freedom: Baptist Battle Cry*, 47.

<sup>82</sup> Dunn, “A Threatened Heritage,” 6-8.

<sup>83</sup> *Lee v. Weisman*, 112 S.Ct. 2649 (1992), (Souter, J., concurring).

<sup>84</sup> Dunn, “A Threatened Heritage,” 6-8.

<sup>85</sup> James M. Dunn, foreword to *The Myth of Christian America: What You Need to Know About the Separation of Church and State*, by Mark Whitten (Macon, GA: Smyth & Helwys Publishing Inc., 1999), v.

ever it is important to apply proper tensions between an invasive, intrusive government and religious institutions which are also concerned with all of life. Government often favors religion when it should leave it alone. Churches appeal for state assistance without counting the cost. When government meddles in religion it always has the touch of mud.”<sup>86</sup>

Consequently, Dunn rejected all legislative efforts by accommodationists to fund religion. Due to America’s thriving pluralistic society, Dunn believed that government funded religion was not possible or desirable even if some of the Founding Fathers such as Patrick Henry envisioned it. “Persons of conscience of all religious and non religious hues insist that it is impossible to attain an idyllic state of governmental fairness with aid and benefits for all religions.”<sup>87</sup> Dunn correctly observed that

When the state gets into the missionary business, it fouls things up. When the government claims to aid all religions, it never fails to play favorites. When government tries to find an agreeable level of religious involvement, it winds up advancing an emasculated all purpose god, not the specific Deity of revealed religion.

Dunn advocated that strict neutrality, not benignity, is the proper role for government in regard to religion.<sup>88</sup>

Dunn has stated that if Jefferson’s “wall of separation” is ambiguous or less than the ideal metaphor to describe the constitutional distance between church and state, then perhaps Stephen Carter’s “wall with many doors” or Martin Marty’s “zone” may best describe the present space between these two institutions. Gardner Taylor, the great African-American “Prince of the Pulpit,” stated that separation is desired so that the church will have “swinging room.” Taylor has vividly portrayed separation as preventing either church or state from being trapped in “the

---

<sup>86</sup> Dunn, “The Baptist Vision of Religious Liberty,” 36-37.

<sup>87</sup> James M. Dunn, “Neutrality and the Establishment Clause,” in *Equal Separation: Understanding the Religion Clauses of the First Amendment*, ed. Paul J. Weber (New York: Greenwood Press, 1990), 55-63.

<sup>88</sup> *Ibid.*

bear hug of the other.” Time and time again, Dunn has asserted that at the minimum a strand of “barbed wire” is needed “to keep either church or state from holding the other in a bearhug.”<sup>89</sup>

Dunn did not make the mistake of equating “the separation of church and state” with the separation of religion from politics. In a pluralistic democracy, he fully understood that religion and politics will mix, must mix, and should mix. He often declared that “mixing politics and religion is inevitable but merging church and state is inexcusable.”<sup>90</sup> An advocate of responsible Christian citizenship, Dunn affirmed that the demands of conscience must address public policy decisions but emphasized that there was not a simple plan to implement the proper mix of politics and religion. Dunn viewed the principle of church-state separation as an attempt to write into public policy “the notion that there is no place for coercion in the choice, exercise, or perpetuation of religion. Separation of church and state means at least that Church and State have different reasons for being, diverse functions, separate sources of funding, distinctive methods and strategies and identities.”<sup>91</sup>

Dunn championed soul freedom as the basis of genuine Baptist identity and fundamental to 400 years of the Baptist heritage. While noting that separation of church and state does not define Baptist theology, Dunn argued that it is “a logical, inextricable inevitable corollary of religious liberty...it is the plug which if pulled out of our machine, the motor dies. We go no more.”<sup>92</sup> He often stressed that “it is hard to believe that one could be a Baptist and not cling tenaciously to that baptistic doctrine.”<sup>93</sup>

---

<sup>89</sup> Ibid, 34-37. See also Dunn, *The Myth of Christian America*, v.

<sup>90</sup> James M. Dunn, “Religion and Politics: A Proper Mix,” *Perspectives in Religious Studies* 13, no. 2 (Spring 1986), 155.

<sup>91</sup> Dunn, “Religion and Politics: A Proper Mix,” 155-156.

<sup>92</sup> Dunn, “Religious Freedom Award Response.”

<sup>93</sup> Dunn, *Soul Freedom: Baptist Battle Cry*, 46. In his sermons and monthly column, Dunn frequently would offer ten characteristics that identify a “real” Baptist. 1) If soul liberty is important. 2) If the priesthood of all believers is more than a slogan. 3) If one insists on interpreting the Scriptures for themselves. 4) If one defends the right of each person to come to the Bible and, led by the spirit, seek its truth. 5) If one believes that one must accept Jesus Christ personally. 6) If the church functions as a democracy. 7) If in the fellowship of churches each one is autonomous. 8) If there is no pope or presbyter, president or pastor who rules over you. 9) If religious liberty is the password to public witness and the separation of church and

Dunn often pointed to early Baptist leaders who rooted their religious freedom in the sovereignty of God. These Baptist “saints” such as Thomas Helwys, Roger Williams, Isaac Backus, and John Leland all displayed a deep commitment to soul freedom.<sup>94</sup> Dunn credits Thomas Helwys with setting out for the first time in English “the notion of liberty of conscience as a staple theological concept” and church-state separation as a basic Baptist belief.<sup>95</sup> He declared that Roger Williams, Walter Rauschenbusch and Martin Luther King, Jr. “perhaps more than any other American religious leaders have been used of God to change history by focusing on freedom.” These three Baptist preachers “completely sold out to a faith voluntary and obedient, gave this country the world’s first experiment in total religious liberty (Williams in Rhode Island), the theological base for a social and economic revolution (Rauschenbusch and the Social Gospel), and the nation’s change of heart about racial justice (King and the Civil Rights Movement).<sup>96</sup> To summarize the essence of the Baptist identity, Dunn quoted fellow Texas Baptist and leading Baptist pulpiteer of the twentieth century, G.W. Truett, who hailed the competency of the soul as “the keystone truth of all Baptists.” Out of this cardinal bedrock principle, all of our Baptist principles emerge.<sup>97</sup>

But Dunn has reserved most of his praise for Roger Williams whom he describes as having “fathered philosophically the American experiment in freedom of religion.” Dunn has expressed his admiration for Williams’ willingness to pay the toll of contending that freedom is more important than toleration. “Williams despised toleration as the measure of the majority religion’s relationship with dissenters,” said Dunn. Toleration is a human concession, a “weasel

---

state is its essential corollary. 10) If no mortal has the power to suppress, curtail, rule out, or reign over the will of the local congregation.

<sup>94</sup> James M. Dunn, “Church and State in Contemporary United States: A Wall of Separation?” *Baptist History & Heritage* (Winter 1988): 31-42.

<sup>95</sup> James M. Dunn, “Helwys’ demand for religious freedom for all troubles some,” *Texas Baptists Committed*, accessed 9 November 2007, online: <http://txbc.org/1998Journals/Dec98Jan99/Dec98HelwysDemand.htm>.

<sup>96</sup> James M. Dunn, “Reflections,” *Report from the Capital* 39, no. 3 (March 1984): 15.

<sup>97</sup> James M. Dunn, “Reflections,” *Report from the Capital* 43, no. 4 (April 1988): 15.

word.” Liberty is a gift of God.<sup>98</sup> According to Dunn, Williams is disproportionately important “because he first challenged the old world patterns of toleration, theocracy, church-states and state-churches. He was banished, ostracized, ridiculed, and thought to have windmills in his head. He died poor and rejected, nothing much to show for his labors except the American experiment of religious liberty and the most vital churches in the world.” Throughout his career, Dunn continued to call on Baptists churches across the country to reaffirm their dedication to providing what Roger Williams called a “haven for the cause of conscience” to ensure a healthy distance between the institutions of church and state.<sup>99</sup>

## **Dunn and Legislation Regarding Religious Liberty**

### **Equal Access Act**

On March 15, 1983, Senator Mark Hatfield (R-OR), a friend of Dunn, introduced a bill "to provide that it shall be unlawful to discriminate against any meetings of students in public secondary schools." Hatfield's Equal Access legislation would require secular and religious non-school sponsored student groups to be granted equal access to any limited open forum created in a public school when the students met on their own initiative and without any official encouragement or sponsorship for religious discussion and prayer.<sup>100</sup> The Oregon Senator's bill was a “straightforward measure” to apply the Supreme Court decision in *Widmar v. Vincent* to public high schools which receive federal aid. In *Widmar*, the Supreme Court held that, absent a compelling purpose, a public university may not deny the use of its facilities to student groups

---

<sup>98</sup> J. Mark Brown, “Dunn delivers lectures as part of Shurden series,” *BJC Online*, accessed 9 November 2007, online: [http://www.bjconline.org/news/docs/032107%20\\_dunn%20lectures.htm](http://www.bjconline.org/news/docs/032107%20_dunn%20lectures.htm).

<sup>99</sup> Dunn, *A Wall of Separation*, 35.

<sup>100</sup> Dan Martin, “Committee supports equal access bill; affirms opposition to school prayer,” *Report from the Capital* 39, no. 4 (April 1984): 5. A “limited open forum” means the school permits free discussion of ideas and issues, but the forum is open only to its students, as opposed to the public at large. Under the Equal Access Act, the limited open forum exists when the school allows secular student groups or clubs to use school facilities in non-instructional time for their activities and when those activities are not related to the normal curriculum of the school. When those conditions are met, the school is required to allow religious clubs the same use of its facilities allowed other non-curriculum-related clubs. Religious clubs must be voluntary, student-initiated, and student-led, with no direction from public school employees or nonschool persons.

who wish to meet and speak on religious subjects if it makes its facilities generally available to student groups for meetings on nonreligious subjects.<sup>101</sup>

Testifying in support of a companion Equal Access bill in the House of Representatives, Dunn stated that the measure would aid school officials “in making difficult decisions about the proper role of religion in the public school classroom” and would relieve some of the pressure on Congress to pass a constitutional amendment on school prayer. Dunn believed equal access legislation was desperately needed to restore “basic fairness” to the public schools.<sup>102</sup>

Dunn’s support for Equal Access legislation drew ire from some of the BJC’s friends who believed the agency was kowtowing to Southern Baptist fundamentalists furious at Dunn over his attack on President Reagan’s Prayer Amendment.<sup>103</sup> Most notable of the equal access opponents was Dunn’s predecessor at the BJC, James E. Wood Jr.<sup>104</sup> Equal Access detractors argued that Hatfield’s bill violated the Establishment Clause by having the primary effect of advancing religion. Referring to equal access as the “Son of School Prayer,” the Washington Post found the legislation to be “an unfortunate precedent” and “bad policy.”<sup>105</sup>

Meanwhile, many Southern Baptist fundamentalists felt equal access legislation was an inadequate alternative to the Reagan Prayer Amendment. However, Dunn’s BJC alongside the National Council of Churches, Seventh-Day Adventists, the National Association of Evangelicals, and the Christian Legal Society stood firmly in support of Hatfield’s Equal Access Act.<sup>106</sup> After nearly two years of hearings, lobbying, and negotiations the Equal Access Act passed the Senate 88-11 and the House 337-77. On August 11, 1984, President Reagan signed

---

<sup>101</sup> Pam Parry, *On Guard for Religious Liberty: Six Decades of the Baptist Joint Committee* (Macon, Georgia: Smyth & Helwys Publishing Co., 1996), 25.

<sup>102</sup> Larry Chesser, “Dunn: Restore ‘Fairness,’” *Baptist Standard*, April 4, 1984.

<sup>103</sup> Parry, 26-27. Dunn angered Southern Baptist fundamentalists when he opposed President Reagan’s Constitutional Prayer Amendment in 1982. Dunn exclaimed, “It is despicable demagoguery for the President to play petty politics with prayer.

<sup>104</sup> Wood, 6-10.

<sup>105</sup> T.R. Reid, “House prepares for ‘son of school prayer,’” *The Washington Post*, May 14, 1984.

<sup>106</sup> Parry, 26-27.

the Equal Access Act into law.<sup>107</sup> Missouri Baptist editor Bob Terry called the Equal Access Act “a victory for the Baptist Joint Committee.” Terry declared:

Southern Baptists owe James Dunn and the staff of the Baptist Joint Committee on Public Affairs sincerest congratulations and heartfelt gratitude for their role in the battle for prayer and Bible study in public schools. While other players have grabbed more headlines than the Baptist Joint Committee, it should not be forgotten that equal access legislation had its birth in the Joint Committee.”<sup>108</sup>

### **Religious Freedom Restoration Act**

On April 17, 1990, the United States Supreme Court dropped a “constitutional bombshell” that according to Dunn “gutted the free exercise clause of the First Amendment.”<sup>109</sup> The case of *Oregon Employment Division v. Smith* concerned the denial of unemployment benefits to two Native Americans, Alfred L. Smith and Galen W. Black, who were fired from a drug rehabilitation organization for using the illegal drug peyote in a religious ceremony.<sup>110</sup> For the first time in an unemployment compensation case, the United States Supreme Court ruled against the believer and for the state. Writing for the majority, Justice Antonin Scalia ruled that government would no longer be required to demonstrate a “compelling state interest” to justify burdening the free exercise rights of its citizens.<sup>111</sup> According to Scalia, “if prohibiting the exercise of religion...is...merely the incidental effect of a generally applicable and otherwise valid provision, the First Amendment has not been offended.” Scalia reasoned that Oregon’s law prohibiting certain drugs, peyote among them, was a “law of general applicability”; it applied to everybody, not just members of the Native American Church. Consequently, the Free Exercise Clause of the First Amendment could no longer be used as a defense against such laws of general

---

<sup>107</sup> Flowers, 120-121. See also Walker, 15-18.

<sup>108</sup> Bob Terry, “Editorial,” *Word & Way*, August 2, 1984.

<sup>109</sup> James M. Dunn, “Reflections,” *Report from the Capital* 47, no. 1 (January 1992): 15.

<sup>110</sup> Parry, 33-34.

<sup>111</sup> J. Brent Walker, “BJC=JMD2: The Contributions of Joseph M. Dawson and James M. Dunn to the Baptist Joint Committee,” *Baptist History & Heritage* 16, no. 3 (Summer/Fall 2006): 15-18.

applicability. One cannot claim that their right to practice their religion should take precedents over a law that was not designed to burden religious behavior.<sup>112</sup>

For three decades, the Supreme Court had used the “compelling interest test” established in *Sherbert v. Verner* to decide free exercise cases. After the *Smith* decision was handed down, the burden was no longer on the government to demonstrate an important reason or “compelling interest” to interfere with religious freedom. Many church-state scholars were outraged by Scalia’s opinion. Concurring in the result of *Smith* but dissenting from the methodology of the Supreme Court, Justice Sandra Day O’Connor declared that the holding in *Smith* “dramatically departs from well-settled First Amendment jurisprudence...and is incompatible with our Nation’s fundamental commitment to individual religious liberty.”<sup>113</sup>

Dunn himself was absolutely appalled with the majority’s ruling. He described Justice Scalia’s opinion as “an outburst of judicial activism unworthy of a conservative judge.”<sup>114</sup> Dunn wrote that Scalia “guttured the free exercise clause from the First Amendment calling its application ‘a legal luxury we can no longer afford.’ He cavalierly set aside the need for a “compelling state interest” before government can restrict the free exercise of religion. And this is the same justice who had protested so loudly in the confirmation process that the Supreme Court should only interpret law?”<sup>115</sup>

James Dunn and the Baptist Joint Committee were not alone in their outrage. Opposition to and alarm about *Smith* was wide and deep in both the religious and academic communities.<sup>116</sup>

---

<sup>112</sup> Ronald B. Flowers, *That Godless Court? Supreme Court Decisions on Church-State Relationships*, 2<sup>nd</sup> ed. (Louisville, Kentucky: Westminster John Knox Press, 2007), 42-43.

<sup>113</sup> Flowers, 42-44.

<sup>114</sup> James M. Dunn, “Reflections,” *Report from the Capital* 47, no. 1 (January 1992): 15.

<sup>115</sup> James M. Dunn, “Reflections,” *Report from the Capital* 48, no. 2 (February 1993): 15.

<sup>116</sup> Flowers, 43-44.

Virtually every religious group was opposed to the rule in *Smith*.<sup>117</sup> Led by then-General Counsel Oliver “Buzz” Thomas, Dunn’s Baptist Joint Committee pulled together a large and extremely diverse coalition of fifty-four religious and civil liberty groups to lobby for a legislative remedy to the *Smith* decision.<sup>118</sup> Named the Coalition for the Free Exercise of Religion, the BJC-led coalition included liberals and conservatives, Christians and secularists, Jews and Muslims, and Hindus and Sikhs.

On July 26, 1990, the Religious Freedom Restoration Act (RFRA) was introduced in the United States House of Representatives. Co-authored by the BJC’s Oliver Thomas, RFRA was designed to prevent the government (federal and state) from substantially burdening a person’s free exercise rights unless the burden furthered a compelling interest and was the least restrictive means of furthering that interest.<sup>119</sup> According to Dunn, by reaffirming the compelling state interest test RFRA would restore the religious liberty that the Court, in *Smith*, took away.<sup>120</sup> It took three years of politicking before RFRA was signed into law by President Clinton on November 16, 1993.<sup>121</sup>

Dunn remained proud about the role that his Baptist Joint Committee played in passing RFRA. Reflecting on the legislative victory, Dunn was quick to note that “in 1990-1993 it was our offices, phones, faxes, staff and shoe leather that led the coalition that kept up the heat until the Religious Freedom Restoration Act was passed.”<sup>122</sup> He exclaimed “as a veteran Washington

---

<sup>117</sup> *Ibid.* In the aftermath of *Smith*, attorneys for twenty religious and civil liberties groups and fifty-five law professors petitioned the court for a rehearing which was subsequently denied. Their petition read: “Every religious group in the country will be profoundly disadvantaged by the majority’s rule. Under it, government could, for example, without constitutional impediment, bar all “nonhumane slaughter, and thus effectively outlaw Jewish and Moslem ritual slaughter; outlaw as medically unnecessary all circumcision, including that practiced for religious reasons by Jews, Moslems, and Coptic Christians; and outlaw all use of alcoholic beverages, including that use for communion and other religious purposes by Catholics and other Christians.”

<sup>118</sup> Parry, 36-37. According to Dunn, the Baptist Joint Committee was asked by the coalition to serve as its chair largely because the BJC did not address the subject of abortion and occupied a centrist position in the diverse group. One group conspicuously absent from the coalition was Pat Robertson’s Christian Coalition

<sup>119</sup> Parry, 38-41.

<sup>120</sup> James M. Dunn, “Reflections,” *Report from the Capital*, 45, no. 8 (September 1990): 15.

<sup>121</sup> Parry, 38-41.

<sup>122</sup> James M. Dunn, “Reflections,” *Report from the Capital*, 50, no. 16 (August 15, 1995), 11.

lobbyist, I've seen few such resounding victories for religion and absolutely no interfaith coalition so inclusive. Every American is indebted to Oliver Thomas, who headed the coalition with energy, skill, grace, and patience."<sup>123</sup>

### **Concluding Thoughts**

Chet Edwards, a United States Congressman from central Texas once remarked that “[James Dunn is] the Rosa Parks of the religious liberty issue.”<sup>124</sup> From the Texas State Capitol in Austin to Capitol Hill in Washington, D.C. and hundreds of Baptist churches in between, Dunn has been a bold advocate for the unfettered conscience and the separation of church and state for nearly forty years. Throughout his ministry, Dunn has correctly argued that there is indeed a historical and theological starting point for Baptists. It is the biblical doctrine of soul freedom. As the ultimate source of all human rights, soul freedom is the cornerstone that precedes and demands religious liberty and the separation of church and state for all persons in the political arena. Soul freedom is the “stackpole around which Baptist convictions develop.”<sup>125</sup> Indeed, if there is one tie that binds us Baptists together, it is our belief that each person has the freedom, ability, and responsibility to respond to God directly without a human mediator. No priest; no bishop; no magisterium. And, definitely no spiritual masters. Dunn rightly understood that there is no freedom for the soul with a creed imposed upon the conscience.

In his defense of religious liberty, James Dunn offered a paradigm for Baptist engagement in religious-political issues grounded in a commitment to soul freedom. Dunn believed his "freedom theology" was Christ-centered and biblically based. With Southern Baptist fundamentalists breathing down his neck, he boldly declared, "Ain't nobody but Jesus gonna tell me what to believe." Dunn's quip did not mean that he affirmed the popular cultural

---

<sup>123</sup> Ibid, 41.

<sup>124</sup> John Finley, “Interview with James Dunn,” *The Whitsitt Journal* 6 (Spring 2000), 3.

<sup>125</sup> Walter B. Shurden, *The Baptist Identity: Four Fragile Freedoms* (Macon, GA: Smyth & Helwys Pub., 1993), 1-4.

phrase "anything goes" in his approach to ethics, theology, or church-state relations. Instead, he was uncompromisingly committed to the unfettered conscience as a basis for a personal relationship to God and for dialogue in the public square.

When dealing with Southern Baptists and their battle over the Bible, Dunn used the language of soul freedom explicitly and often to drive his points home. In the political realm of legislation, he did not have to resort to the language of soul freedom but the concept was foundational to his positions. In the Equal Access Act, for example, the insistence upon equal access was rooted in the belief of the equality of all persons. Each person must have free, voluntary equal access to religious practice (or the free choice not to participate). Denial of equal access was a denial of the right to an unfettered conscience. During a recent lecture to college students at Carson-Newman University, Dunn proclaimed:

If we know anything at all of history, law, Scripture, human nature, and the spirit of Jesus, then we must get off our apathies and speak up for Freedom of Conscience. When anyone's religious freedom is denied, everyone's religious freedom is endangered. When government requires religion, it makes a monster of it. If religion is not voluntary, it cannot be vital.<sup>126</sup>

---

<sup>126</sup> J. Mark Brown, "Dunn delivers lectures as part of Shurden series."