

JOHN AND PAT SCHWIEBERT PAY THE PRICE FOR PEACE

(Article from the January – March 2007 Social Questions Bulletin)

John and Pat Schwiebert have long provided a powerful witness for peace. This witness includes refusing to support the waging of war. Thus, for many of the last 30 years, they have not paid Federal Income Taxes.

John currently serves as pastor of Metanoia Peace Community United Methodist Church. Pat is employed as a full full-time volunteer director of Grief Watch, a mission of the congregation. John and Pat have been MFSA leaders: within their local MFSA chapter, by serving on the MFSA national Board of Directors, and by volunteering with MFSA at General Conference.



John and Pat Schwiebert speaking at the GBOPHB Meeting

NOTICE OF LEVY

In December 2006, John and Pat received a letter from the General Board of Pensions and Health Benefits (GBOPHB) of the UMC notifying them that the IRS was putting a lien on John's UM pension for payment of federal taxes for the years 2002-2003.

Payment of these taxes by the GBOPHB would reduce John's monthly pension benefit by more than 52% until the taxes were paid. John contacted the legal department of the GBOPHB and requested that the staff delay the honoring of the Notice of Levy by not forwarding to the IRS a portion of his pension benefit for January 1, 2007. The delay would have allowed all concerned parties within the UMC to take time to consider arguments against the honoring of this Notice of Levy. A representative of the legal department informed John that the General Board has a policy that includes the honoring of all IRS levies.

John and Pat subsequently requested an opportunity to address the Board of Directors of the GBOPHB to ask them not to honor the levy. They did so at a Board in Hollywood, Florida on January 26, 2007.

BACKGROUND

The amounts that the IRS is seeking to collect by means of this Notice of Levy, are not amounts that the Schwieberts have kept back by fraud or neglect. Rather they are amounts that the two quite openly refused to pay for the tax years 2002 and 2003 because of religiously based conscientious objection to the primary purposes for which the money was to be used, namely U.S. military violence, including the illegal and immoral war against, and subsequent occupation of, Iraq, with its devastating toll of human life.

The Schwieberts decision to withhold federal income tax is consistent with numerous other conscientious acts of civil disobedience or non-cooperation they have undertaken over the past 30 years, and for which both have incurred penalties including the seizure of personal savings and property. In some years they have forfeited more than double the amount of the income tax owed because they “redirected” the amount owed to non-profit agencies that (unlike the U.S. government) are not engaged in the business of killing.

In several cases the IRS seized that same amount anyway, along with additional monetary penalties, using the means of expropriation granted to it by statute.

During more recent years John and Pat managed to owe nothing to the Federal Government by choosing voluntary poverty and learning how to live on a less-than-taxable income.

Neither John nor Pat has derived any financial benefit from their conscientious refusal to pay the war taxes that the IRS claims that John currently owes. Instead the Schwieberts took the entire amount that they refused to pay (\$7,500 for the tax years 2002 and 2003) and donated that amount to the government of Multnomah County, Oregon. This was their way of affirming that they were not attempting to evade their responsibility for supporting the common good through the payment of taxes (the county government bears the brunt of the cost of local human services), but that they could by no means agree to pay taxes that would be used for the propagation of military violence.

In their nearly thirty-year odyssey of military tax resistance, Pat and John have enjoyed the support and cooperation of the Oregon-Idaho Annual Conference. As an example, for some 15 years prior to John’s retirement the Annual Conference Executive Session voted each year to allow John to work full-time in pastoral ministry (and to garner pension credit for that full time ministry) while receiving a less-than-full time salary, in order that Pat and John might live below a taxable income and thus avoid participating in the funding of U.S. military violence. This situation prevailed until John retired and his pension benefit raised their joint income above a taxable level.

The Social Principles of the UMC state that “we reject war as an instrument of national foreign policy,” and “we assert the duty of churches to support those who suffer because of their stands of conscience represented by non-violent beliefs or acts.”

It would be strange indeed, and perhaps an admission of the captivity of the United Methodist Church to the principalities and powers of this world, were the GBOPHB to offer nothing more than sympathetic verbal support to one of its own participants, while actively collaborating with a government agency to penalize that participant and his family because they put their non-violent faith into action.

There are church-state issues that are raised when the IRS demands that a church body serve as its collection agent, especially when an act of conscientious civil disobedience is involved. The American Friends Service Committee, a Quaker agency has won concessions from the IRS, which has agreed not to pressure the agency to join in actions that violated the peace witness of its employees who were bona fide conscientious objectors, based upon their Quaker heritage. The GBOPHB owes it to its participants to explore such possibilities for United Methodist conscientious objectors.

**Presentation to the
Presentation to the Board of Directors
of the General Board of Pension
and Health Benefits of the UMC
by John and Pat Schwiebert
January 26, 2007**

In early December, when your staff informed us that our monthly pension benefit would be reduced in order to comply with a Notice of Levy from the Internal Revenue Service, we immediately asked the staff to delay any decision to honor the levy in order to allow time for all concerned parties within the United Methodist Church to consider the appropriateness of compliance with this IRS order.

We then described several compelling circumstances that the Board and the larger Church might want to consider before automatically bowing to the demands of the IRS.

We were informed by the staff that it is the policy of the Board to honor all levies by the IRS, and that the staff could not therefore grant our request even under the most unusual of circumstances.

We then resolved to confront you, the Board of Directors who, we presume, are responsible for making policy and who are therefore able to change the policy or to authorize an exception to the policy when it is in the best interest of the Board and of the larger UMC to which it is accountable.

Circumstances did not allow for a meeting with you before your staff proceeded to act as a collection agent for the Federal government by diverting 52% of our January 1 pension benefit to the IRS.

Unless the Board instructs the staff to do otherwise, the staff will continue to collaborate with the IRS until the Levy is satisfied, reducing our monthly benefit by more than half for the next 5 or 6 months.

We are not here today to ask you to make a final decision not to act as a go-between between the two of us and the IRS, although that is ultimately what we think would be the most appropriate action for the followers of Jesus Christ.

What we are asking you to do at this meeting is to instruct your staff to delay any immediate further implementation of the current levy, to give you on this Board and the leadership of the larger UMC an opportunity for prayerful spiritual discernment around the serious theological and moral issues raised by this current circumstance.

We further ask that you direct that the money in question be set aside and given neither to the IRS nor to us while the discernment is in process.

Questions to be considered during this discernment process would certainly include the following:

1. Is it ever appropriate for the church to act as an agent of the Federal government in resolving an issue between the Federal government and members of the church who are acting out of conscience and in the Spirit of Christ, and who stand in the great historical tradition of civil disobedience?
2. Should not a general agency of the UMC at least challenge the assumption that church and state will automatically act as partners in punishing persons who put their non-violent faith into action consistent with the social principles of the UMC?
3. Are there times when a general agency of the UMC must choose a particular path even though it may involved adverse financial risks, because as followers of the Christ we are called to serve God rather than Mammon?
4. Is the UMC called to be a leader in active opposition to war as an instrument of U.S. foreign policy, as stated in the Social Principles, or does it merely make statements, leaving it up to individual United Methodists to take up the cross of non-violent action, while the denomination itself watches from a safe distance?
5. What message does the church send to the general public when, after two of its members have successfully diverted tax money from the making of war to the promotion of God's peace, that same church then takes money already committed to the promotion of God's peace, and sends it to a government which clearly intends to use it for the furtherance of military violence?

Today we are not asking you to do anything for our personal benefit. We expect to continue to say no to war through acts of civil disobedience, and to pay the penalty for so doing, as we have for the past 30 years, regardless of what you decide today.

Our proposal to you today is not about us and what we need, but about the faithfulness of the General Board of Pension and Health Benefits and the witness and integrity of the United Methodist Church.

(The above remarks were read by John and followed by some strong personal words by Pat. Then Kathryn Johnson, Exec. Director of the MFSA made a presentation in support of the above request.)

CURRENT STATUS

In a press release following the board meeting the GBOPHB said:

The Board of Directors honors the Schwieberts' conviction and appreciates their ministry and the time they took to share their views. It is the established policy of the Board of Directors to comply with all laws in carrying out the mission to care for the clergy and lay workers of The United Methodist Church.

In a letter dated January 31, 2007 to Kathryn Johnson, Bishop Ben R. Chamness who chairs the board of the GBOPHB wrote:

...it is customary for us to hear such reports and to remand them to one or more of the Board's Committees for further study and discernment about our response. That was done in this case.

As the GBOPHB continues to deliberate they also continue to act as an agent of the state in withdrawing and forwarding money to the IRS from the Schwiebert's pension funds. John has written that he is grieving for "the lack of prophetic imagination in the GBOPHB."

Action

The action of the GBOPHB board has resulted in a significant loss of income each month for John and Pat.

You can express your support for them and this powerful witness by sending a check to them as follows:

John and Pat Schwiebert
2116 N.E. 18th Ave.
Portland, OR 97212

The GBOPHB is genuinely struggling with the issues raised by this challenge. It presents a good opportunity for all of us to reflect, personally and corporately, about how to make a prophetic witness for peace and what risks we are willing to take individually and as a denomination.