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I. Using legal doctrine as an illustration.

Fruit of the poisonous tree is a legal metaphor in the United States ¹ used to describe evidence that is obtained illegally. The logic of the terminology is that if the source of the evidence (the “tree”) is tainted, then anything gained from it (the “fruit”) is as well. ² Such evidence is not generally admissible in court.

In this study, we will use this legal doctrine as a parallel illustration. We will consider baptism and the authority of the administrator of baptism whether he is properly authorized to perform this ordinance. If the conclusion is that he is not authorized to baptize, then the legal doctrine of the “fruit of the poisonous tree” will illustrate our Biblical principle. If the authority is not there, all thereafter must be rejected as unlawfully administered. In a court trial, no matter how good that case is defended, or how much other evidence is considered, if the evidence is obtained unlawfully, all is to be thrown out. Likewise, regardless of good intentions and adherence to statements of orthodoxy, immersion without Scriptural authority cannot be considered Scriptural Baptism. Subsequent baptisms performed by its recipients are evermore of the same tree.

When we consider the subject of water baptism by an administrator, if he is not authorized lawfully, all baptisms must be rejected. The importance of law enforcement officials obtaining evidence lawfully is equally similar to the lawful baptism of an administrator; its entire case will rest upon lawful authority.

Presbyterians examined this same principle

In 1854, the Presbyterian General Assembly met in Buffalo, NY and this question was presented to them for their decision: *Are the Romish baptisms and ordinations valid?*

There was a heated discussion over this question. The majority report of the committee was that all ordinations at the hands of Romish priest were invalid, because the Roman Catholic Church is no church of Christ, but anti-Christ, and therefore the baptisms and ordinations of such an apostate body are null and void.

The minority report, on the other hand, contended that if they denied the Church of Rome to be a true church of Christ, they unchurched themselves, since they came out of Rome, and received their baptism and ordinations therefrom. Finding they could not extricate themselves from the dilemma, they moved an indefinite postponement of the question. ³

When one examines baptism in light of scriptural authority, one will come to the conclusion that a scriptural administrator invested with authority from a scriptural church is necessary.

If the Presbyterians can see that the baptism of the Catholic institution is apostate, should we not be able to see the same from either the Catholic or Protestant institutions?

¹ The fruit of the poisonous tree doctrine stems from the 1920 case of *Silverthorne Lumber Co. v. United States*.

² The doctrine is an extension of the exclusionary rule, which, subject to some exceptions, prevents evidence obtained in violation of the Fourth Amendment from being admitted in a criminal trial. Like the exclusionary rule, the fruit of the poisonous tree doctrine is intended to deter police from using illegal means to obtain evidence.

³ William Manlius Nevens, *Alien Baptism and the Baptist*, (Emmaus, PA:Challenge Press,1977), forward page

However, when the Presbyterians refused to continue with consistency they stopped and tabled the issue. The logical progression of their inquiry is undeniable that their organization shares the same authority as their mother. That issue was therefore left in the realm of permanent denial. The ramification of that denial defaults to an endorsement of the root from which they sprang (though they may be loath to accept it). It is difficult to imagine, but others that carry the Baptist banner are guilty of this same denial. When one identifies themselves as a Baptist while knowing their baptism is corrupt, they are tabling the baptism issue as the Presbyterian General Assembly. Nothing can spiritually prosper under such a conscience that is being seared or subdued.