
ASSOCIATED BAPTIST PRESS

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January 30, 1992

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Sherman accepts Fellowship job

FORT WORTH, Texas (ABP) -- Cecil Sherman has accepted the invitation to become the first "coordinator" of the Cooperative Baptist Fellowship.

Sherman, 64, announced his decision Jan. 26 in a sermon at Broadway Baptist Church in Fort Worth, Texas, where he has served as pastor for the past seven years. Sherman will resign and move to Atlanta, headquarters for the Fellowship.

As coordinator, Sherman will provide executive leadership to all Fellowship operations, said John Hewett of Asheville, N.C., the group's moderator. Sherman was offered the newly created, full-time position Jan. 9 by the Coordinating Council of the Fellowship, a coalition of moderate-conservative Baptists.

Sherman told his 2,300-member Fort Worth congregation he struggled with the decision. Although he regrets leaving, he said, he feels compelled to accept the Fellowship position.

"I feel this is what I'm supposed to be about," he added in an interview with the Fort Worth Star-Telegram. "I'll do the best I can. We have no grand ideas how we can do the job. But we plan to be faithful."

The Fellowship was formed last May by groups that have opposed the leadership of fundamental-conservatives, who since 1979 have gained control of the structure and agencies of the 15 million-member Southern Baptist Convention.

Sherman, as a founding member of most of those opposition groups, was touted as someone who can unite the moderate-conservative elements of the Fellowship, which has eschewed further political opposition in favor of starting alternative ministries.

In 1991 the Fellowship distributed \$4.5 million to its own mission causes and to selected causes within the Southern Baptist Convention. Approximately 500 churches have contributed to the Fellowship and 1,500 churches were represented at the group's assembly last May in Atlanta.

Hewett, pastor of First Baptist Church of Asheville, said Sherman will

represent the Fellowship to all other Christian groups and to its own constituents -- a role Hewett has filled since being chosen for the annually elected position of moderator last May.

"I am delighted to have him join us in full-time ministry at this crucial time in our history," said Hewett, who succeeded Sherman as pastor of the Asheville congregation. "I am also deeply grateful to the visionary people at Broadway Baptist Church for releasing him to this larger ministry among us."

Hewett said Sherman will be installed as coordinator during the Fellowship's annual assembly April 30-May 2 in Fort Worth. He also will be replaced as an at-large member on the 82-person Coordinating Council.

The position with the Fellowship would pay Sherman \$100,000 a year in salary and benefits. Fellowship leaders hope to raise designated gifts to pay the coordinator's salary and other operating costs in 1992.

Sherman, a native Texan, holds a bachelor's degree from Baylor University, which honored him as a distinguished alum Jan. 17. He also has a master of divinity degree from Southwestern Baptist Theological Seminary, and doctorates from Princeton University and Southwestern.

In addition to serving 20 years at First Baptist Church of Asheville, he has been pastor of several congregations in Texas.

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-- By Greg Warner

No vote, but consensus,
says Romanian leader

By Robert Dilday

RICHMOND, Va. (ABP) -- Vasile Talos, president of the Romanian Baptist Union, acknowledged Jan. 27 that the union's general council did not vote to endorse the Southern Baptist Foreign Mission Board's controversial defunding of a Swiss seminary.

However, Talos insists the council discussed the FMB's elimination of \$365,000 to the Baptist Theological Seminary at Ruschlikon and "accepted through consensus this decision."

Talos' explanation, contained in a Jan. 27 letter to FMB leaders, was sent after several Romanian Baptist pastors disputed claims by Talos and Nic Gheorghita, the union's general secretary, that the general council approved the FMB action, taken in October and reaffirmed in December.

Talos and Gheorghita made the assertions in a Dec. 10 letter to FMB leaders, saying the general council "agreed to this (FMB) decision" at a Nov. 26 meeting and decrying liberal teaching at Ruschlikon. FMB trustees said the letter demonstrated Romanian Baptist support for their action.

In a Jan. 22 interview with ABP, Gheorghita also denied a vote was taken.

According to press reports, several Romanian Baptist pastors -- including members of the general council -- confronted Talos Jan. 23 and elicited an admission from him that the December letter did not reflect the council's discussion. Talos agreed to write a second letter clarifying the council's action.

"The leadership of the Baptist Union of Romania did not ask the council for voting in this matter because the Baptist Union of Romania did not want to interfere with the dispute of the seminary from Ruschlikon that has started several years ago," Talos wrote in his most recent letter.

"During these talks the council appreciated that the seminary from

Ruschlikon does not meet the need of God's work in Romania.... The (union) leadership wrote a letter to express the council's position taken through consensus, not by voting, regarding the FMB trustee decision."

Some members of the council have denied that any discussion of Ruschlikon defunding took place. Benjamin Poplacean, a union vice president, and Ovidiu Bulzan, a council member, told FMB news correspondents in Europe that only the seminary's Summer Institute for Theological Education was mentioned.

Whether some Romanians will take issue with Talos' letter of clarification is unclear. Romanians close to the dispute were reluctant to discuss Talos' second letter or predict Romanian reaction to it.

The issue is scheduled to be addressed during the council's meeting in February, and some Romanians said they prefer to settle the dispute without overseas influence or scrutiny.

Some European Baptists have charged Romanians with approving the FMB action in exchange for funding for their own theological schools, including the independent Oradea Bible Institute, affiliated with Second Baptist Church in Oradea. Gheorghita serves as the school's vice chancellor.

Southern Baptist missionaries Charles and Kathie Thomas, who resigned Jan. 11 to protest recent FMB actions in Europe, have made similar accusations.

But Talos insists that, while development of Romanian seminaries was discussed at November's general council meeting, there is no connection between funding for the schools and the council's decision.

"We are sorry that the Baptist union position was misinterpreted and taken as a desire to get the money allocated for Ruschlikon so far," he said.

Talos maintained that a letter written by Josef Tson, rector of the Oradea seminary, was partly responsible for the alleged misunderstanding. That is an apparent reference to a Nov. 1 letter sent by Tson to FMB trustee chairman Bill Hancock praising the board's defunding action.

Tson charged that the Ruschlikon seminary is "dominated by liberal teachers" and contributed to "the deadliness that settled in the Baptist churches of most of Western Europe in the last 40 years."

"Only when we provide Europe with Bible-believing seminaries...are we going to see a revival of the Baptist movement in Western Europe," Tson wrote.

The Oradea school, which Tson founded in 1990, has been cited by FMB trustees as a likely beneficiary of the money cut from Ruschlikon. Tson serves as chairman of the theological education committee for the Romanian union, which will have a hand in deciding how any new FMB money will be spent in Romania.

Union leaders Talos and Gheorghita have denied there was any "deal" to get FMB money in exchange for an endorsement of the Ruschlikon action. And Talos said union leaders were unaware of Tson's Nov. 1 letter at the time of the meeting.

"The leadership did not entrust Pastor Tson to address a letter of congratulations to the FMB trustees," Talos wrote. "This initiative of Pastor Tson was completely unknown to the leadership. This particular letter also aroused suspicions in Romania among some pastors and council members who considered it an intention to orient the financial support to the Second Baptist Church of Oradea."

But Talos said union leaders stand by the position taken in their December letter.

He added: "If in the future the (European Baptist Federation) and the FMB continue to appreciate the work that God performed in Romania and if they want to offer spiritual and financial support to the Baptist churches of Romania, we would gladly greet any concrete initiative in this sense."

Texas church seeking \$500,000
for girl needing transplant

By Ken Camp

ARLINGTON, Texas (ABP) -- Though she is homebound and suffers from a life-threatening pulmonary condition, Wynde Mobley dreams of running and playing like a typical 12-year-old. Her church wants to make that dream a reality.

Woods Chapel Baptist Church in Arlington, Texas, is seeking to raise \$500,000 that would enable Wynde to receive a lung transplant -- possibly even a heart and lung transplant -- and pay for continuing treatment.

Until three years ago, Wynde was a bright, blonde, honor-roll student with no apparent health problems except trouble breathing after strenuous activity. She was active in Sunday school and other church activities and enjoyed participating in safety patrol, spelling bees and talent shows at elementary school.

The first warning sign came when she passed out at school. But doctors initially attributed the incident to activity-induced asthma. However, as breathing problems grew progressively worse in spite of medication, Wynde's parents took her to a pulmonary specialist.

When X-rays revealed an enlarged heart, doctors recommended that Wynde see the cardiac specialists at Cook Children's Hospital in nearby Fort Worth.

Tests there determined that Wynde's enlarged heart was the result of acute pulmonary hypertension -- high blood pressure in the lungs that caused the heart to overwork. Although some highly experimental drugs are being developed, doctors told Wynde's parents there is no proven treatment for the condition other than a lung transplant.

"The doctors at Cook's said they believed her heart was strong and that it would return to normal after the lung transplant when the pressure is removed," said Jerry Mobley, Wynde's father. "Other specialists favor doing a heart transplant at the same time."

Wynde's records have been reviewed by specialists at the Washington University Medical Center in St. Louis, Mo., and she has received a preliminary evaluation at Baylor University Medical Center in Dallas at no cost to her family.

However, neither hospital would perform the complete battery of tests needed to determine if Wynde is a transplant candidate unless they first received a minimum \$200,000 deposit.

Complicating matters, Jerry Mobley lost his job and his insurance one month before Wynde's enlarged heart was discovered. Attempts by the family to find other affordable insurance have been unsuccessful.

Woods Chapel Baptist Church stepped in to help, establishing a fund-raising committee and setting up a trust fund in Wynde's name at a local bank. The church set a half-million-dollar goal, hoping to cover the cost not only of tests and operations, but also post-surgical treatment.

"After the transplant, for the rest of her life Wynde will have to take anti-rejection medication that could average up to \$20,000 per year," said Steve Seidner, publicity chairman of the Wynde Mobley committee at Woods Chapel.

The church hopes to place \$250,000 in a trust fund and use interest earned annually to cover the cost of the medicine, Seidner explained.

The financial, spiritual and emotional support provided by friends at Woods Chapel has been a godsend, according to Wynde's father.

"If it hadn't been for the support of our church family, we wouldn't have made it," Mobley said. "The way they've rallied around us (has) let us know we're not in this alone. That helps."

Mobley realizes that raising money for tests and surgery is only the first step. Finding a compatible donor, undergoing a transplant and facing the ever-present possibility of organ rejection are hurdles that Wynde and her family still face. But he maintains their faith will carry them through the difficult times.

"It is our faith that has sustained us, and it will continue to. God is there for us, and he will take care of things according to his plan and purpose," Mobley said.

"If God chooses to heal Wynde himself or to heal her through doctors, we know that he will take care of all the arrangements. The proper doctors will be available, and the funding will be provided. Our strength is in him and his people."

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'Choice' debate remains despite
Senate's action on education

By Pam Parry

WASHINGTON (ABP) -- The Bush administration's chances of getting Congress to approve its plan to channel federal tax dollars to private schools suffered a significant setback when the Senate approved a major education bill Jan. 28.

The Senate adopted the Neighborhood Schools Improvement Act (S. 2) by a 92-6 vote. The Senate rejected attempts to include elements of President Bush's "choice" proposal to provide federal vouchers for parents to send their children to private and religious schools.

However, a private choice proposal is alive in the House, where the Committee on Education and Labor has approved a bill that would allow states to channel federal funds to private schools if state constitutions permit it. The bill (H.R. 3320) has not come to the House floor.

Before an education bill can be sent to Bush for his signature, any differences in the Senate and House bills must be ironed out.

"The focus of church-state separationists now shifts to the House of Representatives," said James Dunn, executive director of the Baptist Joint Committee. "A bill loaded with church-state entanglement from the House Committee on Education and Labor must be drastically cleaned up."

The Senate-approved bill would authorize \$850 million in annual grants to states to finance comprehensive education improvement at the local school level. The bill, sponsored by Sen. Edward Kennedy, D-Mass., is designed to help the nation achieve its education goals that deal with issues such as school readiness and completion, student achievement, lifelong learning and teacher recruitment.

In two key actions Jan. 23, the Senate defeated attempts to amend S. 2 to include elements of Bush's proposal. The Senate rejected one amendment and approved another only after it had been modified to delete provisions that would have allowed the use of public funds for private schools.

The Senate defeated (57-36) an amendment that would have established a school-choice demonstration project. The amendment would have authorized \$30 million to carry out a maximum of six demonstration projects providing low-income parents with federal money to help pay for public or private education.

Another amendment attempted to include Bush's plan to authorize grants to establish 535 innovative schools across the country. The amendment was approved 96-0 after its sponsor, Sen. Thad Cochran, R-Miss., agreed to alter the proposal. One change was that no grants could be used to establish

private or sectarian schools.

Kennedy noted five key features of S. 2, including the rejection of "the deeply flawed notion that federal aid to private schools should be the heart of our federal efforts to improve the public schools."

He also noted the bill allows local schools to propose changes that will best meet their needs, rather than a "one-size-fits-all" reform model dictated from Washington.

Brent Walker, associate general counsel for the Baptist Joint Committee, lauded the Senate's action: "No matter how good an education bill might be, it's fatally flawed if it doesn't respect the Constitution. Those senators who voted against the amendment did the right thing. It was a courageous act of statesmanship for Republicans...to put principle over politics and vote against the president."

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Senate rejects proposal favoring classroom prayer

WASHINGTON (ABP) -- The U.S. Senate rejected an amendment to an education bill that would have urged the Supreme Court to reverse two landmark decisions banning school-sponsored prayer and Bible reading.

The amendment, offered by Sen. Jesse Helms, R-N.C., came during debate on a major educational-reform bill Jan. 23. The amendment was defeated 55-38.

Helms' amendment to the Neighborhood Schools Improvement Act (S. 2) would have expressed a "sense of the Senate" that the Supreme Court use a pending graduation-prayer case to reverse *Engel vs. Vitale* and *Abington School District vs. Schempp*. The 1962 and 1963 Supreme Court decisions ruled public school-sponsored prayer and devotional Bible reading unconstitutional.

In November, the Supreme Court heard oral arguments in *Lee vs. Weisman*. At issue in the graduation-prayer case is the long-standing *Lemon* test used to decide whether governmental actions violate the First Amendment's ban against an establishment of religion.

The Bush administration has asked the court to abandon the test, which requires government neutrality toward religion, in favor of a more lenient standard that would allow government involvement in religion as long as no coercion is present.

During debate, Helms said the deterioration of school discipline began with the 1962 and 1963 decisions. The vast majority of Americans agree with what this amendment proposes, he said.

But Sen. Paul Simon, D-Ill., disagreed. He said that the national interest and the cause of religion in America would be best served if Helms' proposal was defeated. Simon warned the Senate to be careful in relegating the responsibility of American homes, churches and synagogues to public schools.

Simon also applauded the *Lemon* test, noting the separation of church and state has served the country well.

Helms denied separation of church and state was at issue. He said he offered the proposal so that "voluntary prayer, Bible reading, or religious meetings" in public schools or buildings could be allowed to the extent such activities are not mandatory.

But a Baptist Joint Committee attorney said those rights already exist.

Brent Walker, BJC associate general counsel, said: "The Helms amendment was ill-conceived. The amendment appeared to try to restore state-sponsored classroom prayer. That would be clearly unconstitutional. Nobody in *Lee v. Weisman* is urging the court to go that far -- to deal with classroom prayer.

To the degree the amendment had less ambitious aims, it was unnecessary. Students already can pray and read Bibles privately and meet in groups to do the same under the Equal Access Act. So the amendment's aim was either unconstitutional or superfluous."

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-- By Pam Parry

County's ownership of park
with religious statues barred

By Larry Chesser

WASHINGTON (ABP) -- The U.S. Supreme Court declined to review an appeals-court ruling that a California county's ownership of a park containing Christian statues violates the state's constitution.

The ruling will prohibit San Bernardino County from owning and maintaining the 3.5-acre Antone Martin Memorial Park, which contains statues depicting events in the life of Christ.

A federal district court earlier had ruled that the county's involvement did not violate the establishment clause of the U.S. Constitution. But the 9th U.S. Circuit Court of Appeals' later reversed that decision and was upheld by the U.S. Supreme Court, which refused to hear the case.

The district court had dismissed claims that the park violated the state constitution on grounds that the state constitution's requirements are substantially similar to those of the federal Constitution's establishment clause.

In reversing the district court, the appeals court found that the county's ownership of the park violated the California Constitution and that federal constitutional questions need not be addressed.

The case originated when five San Bernardino County residents charged in a lawsuit that the county's ownership of the park violated the establishment clause, as well as state constitutional provisions. The park contains 36 immovable concrete statues and tableaus weighing from four to 125 tons. The park was donated to the county in 1961, and the county has since maintained it at an annual cost of about \$5,500.

The county originally dedicated the facility as Desert Christ Park and advertised the facility as a "World Famous Theme Park...depicting the life of Christ."

The district court viewed the statues as artistic works of aesthetic, cultural and historical value, but the appeals court characterized the statues as religious symbols. The appeals court noted that five of the six witnesses at the trial "perceived a religious message when they visited the park."

Specifically, the appeals court held that the county's involvement in the park violated two provisions of the state constitution: one barring governmental preference of one religion over another and another prohibiting governmental support for religious purposes.

The case is Joyner v. Hewitt (91-878).

In other action, the Supreme Court also let stand a ruling by the California Court of Appeal siding with the Presbytery of the Pacific in a church-property dispute.

Following a 1988 division in the Korean United Presbyterian Church of Los Angeles, the presbytery determined that an "exiled" faction was the "true church" and was entitled to the property.

The congregation remaining at the original location, which in 1989 withdrew from the parent denomination (Presbyterian Church U.S.A), filed suit

in California Superior Court and the trial court ruled in February 1990 that it was entitled to the property.

On appeal, however, the California Court of Appeal held in May that the trial court erred in awarding the property to the congregation after the presbytery already had determined that the exiled faction was entitled to it.

The case is Korean United Presbyterian Church of Los Angeles v. Presbytery of the Pacific (91-879).

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Proposed CP budget
down slightly for '92

NASHVILLE, Tenn. (ABP) -- The proposed 1992-93 Southern Baptist Convention Cooperative Program budget will not penalize Southern Baptist agencies that receive money from the Cooperative Baptist Fellowship or other alternate sources.

Instead the proposed budget asks all SBC entities that receive Cooperative Program funds to bear equal portions of an anticipated 0.36 percent reduction in CP funds next year.

That was the decision of the members of the SBC Executive Committee's program and budget subcommittee, who met in Nashville, Tenn., Jan. 22-23. The budget will go to the full Executive Committee for action Feb. 17-19 and then on to the Southern Baptist Convention for final approval in June.

"It's a budget that maintains the current percentage balances," said David Hankins of Louisiana, chairman of the Executive Committee. "If Southern Baptists do more, the agencies will get more."

Subcommittee chairman Joe Warwick of Tennessee said, "We went as far with this budget as we could go.... We feel like we have been fair."

The budget goal for 1992-93 will be \$140,200,395, which is \$509,887 or 0.36 percent below the current budget. The annual goal is set by SBC policy, which specifies that the operating budget goal can be no higher than the Cooperative Program receipts of the last year of record.

Prior to the Jan. 22-23 meeting, all SBC entities had been asked to provide a printout of funds received through alternate-funding channels. Some observers feared Cooperative Program allocations would be slashed for those entities receiving such funds.

Some agency leaders openly expressed fear that their appropriations would be cut in order to support some of the pet programs of the current SBC leaders. Last year's budget-making process was cited as proof, in which the portion of the budget that funds the Executive Committee received a 13 percent increase and the Christian Life Commission received a 6.3 percent increase.

Instead, subcommittee members decided that all entities should share equally in the budget reduction.

If 1992-93 receipts go over the budget goal, the excess will be distributed evenly between program funds for the SBC entities and a capital-needs budget previously approved by the Southern Baptist Convention.

The agencies and entities in the CP budget asked for \$150,599,474, or 7 percent more than the money available.

The only new item in the 1992-93 budget is \$60,000 earmarked for the SBC sesquicentennial observance in 1995. Planners requested that \$60,000 be set aside for each of three years to pay for the celebration rather than having to finance the entire event out of one year's budget.

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-- By Bob Terry

Cooperative Program summit
seeks to rebuild trust

NASHVILLE, Tenn. (ABP) -- A summit meeting of Southern Baptist leaders to discuss the Cooperative Program uncovered "enthusiastic support" for Southern Baptists' giving plan but no easy solutions to the problems it faces.

Participants said the meeting was only the beginning in rebuilding trust and commitment to the Cooperative Program within the denomination as a whole.

The Cooperative Program has suffered from sagging support in recent years, resulting in an unusual reduction in next year's CP budget. The Cooperative Program is the denomination's unified budget for funding mission, ministry and educational efforts worldwide.

Two dozen past and present denominational leaders from state and SBC levels participated in the Jan. 20-21 summit meeting in Nashville, Tenn. David Hankins, chairman of the SBC Executive Committee, appointed the special study group last September in response to concerns of the Executive Committee.

The meeting's agenda included a review of the history of the Cooperative Program, an analysis of the nature of it as it is now being interpreted and the development of proposals for the CP's future enhancement.

According to Hankins, pastor of Trinity Baptist Church in Lake Charles, La., the outcome of the meeting was "enthusiastic" support of and commitment to the cooperative concept of missions, with state conventions and the SBC working as partners to promote missionary work on both levels.

But several participants suggested the problems facing the Cooperative Program run deeper than the program itself.

"The general feeling was that the problem is not with the Cooperative Program but in other issues," said Larry Lewis, president of the Home Mission Board. "If we could solve the basic issue of unity and togetherness among Southern Baptists, the Cooperative Program could continue to function in the future as an excellent funding plan."

Hankins told Baptist Press the summit group expressed sympathy for the various struggles -- economic and otherwise -- which have raised concerns in the cooperative effort.

The consensus of the group, he told Baptist Press, is that while churches and individuals should be free to direct their funds as they wish, the best way to do Baptist work is through a unified giving plan in which contributions are channeled "from the churches to the state conventions, then to the national convention to be distributed to the various agencies."

Participants interviewed by Word & Way, newsjournal of the Missouri Baptist Convention, described the discussions as "positive," "open" and "candid." But the meeting was only foundational in addressing the problems surrounding the Cooperative Program, they said.

The HMB's Lewis said he was pleased with the meeting but added, "I did not feel anything substantive resulted in the way of findings or recommendations."

Wayne Dehoney, a retired pastor and former SBC president from Louisville, Ky., voiced similar feelings. "The most significant outcome of the meeting," he said, "was the establishment of an understanding and trust between participants who represented many diverse views in the (SBC) controversy. I am very positive about it and believe out of it will come a new spirit upon the part of everyone."

"This meeting provided a start," said Reginald McDonough, executive director of the Baptist General Association of Virginia. "However, unless

there are follow-up discussions on a state-by-state basis, I fear little will be accomplished."

Others attending the meeting included state convention executive directors from Florida, Georgia, Indiana, the Northwest, North Carolina and Texas. Leaders of the SBC included Harold Bennett, president of the Executive Committee, and SBC president Morris Chapman, the likely successor to Bennett, who is retiring.

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-- Compiled by Teresa Dickens, Word & Way news writer

Committee hears BJC, CLC claims
to disputed fund but doesn't act

By Marv Knox

NASHVILLE, Tenn. (ABP) --Another round in the financial tug-of-war between the Baptist Joint Committee on Public Affairs and the Southern Baptist Christian Life Commission failed to produce a winner Jan. 24.

The current prize is almost \$400,000 -- now held by the Southern Baptist Foundation -- which could help one of the agencies buy a Washington office.

The Foundation has asked the Southern Baptist Executive Committee to referee the contest, and the agencies took their financial battle before a special subcommittee of the Executive Committee in Nashville Jan. 24.

Baptist Joint Committee General Counsel Oliver Thomas and Christian Life Commission Executive Director Richard Land squared off before the subcommittee and agreed on one thing: The money should go to the recipient intended by Southern Baptists, who set up the fund almost three decades ago. But Land and Thomas were not agreed on who was the intended recipient.

History has muddied the water between the opposing forces.

Members of the subcommittee pored over a 27-item "statement of facts," prepared by Executive Committee attorneys, which illustrates the problem:

-- In 1964, the Southern Baptist Convention adopted a capital-needs budget that included a \$300,000 allocation to the "Public Affairs Committee" to help pay for a shared office building in Washington.

-- A footnote on the budget recommendation noted the allocation would be "subject to conditions approved by the Executive Committee or the Southern Baptist Convention."

-- When the shared office building was not constructed or purchased, the funds were deposited with the Foundation, beginning with the first allocation of \$270,000 in 1967. A second deposit of \$30,000 was made in 1968.

-- Beginning in 1968, the Baptist Joint Committee was allowed to use the interest earned by the account to help pay rent on its Washington office.

-- During the summer of 1985, the Baptist Joint Committee received advice from the Foundation concerning the best investment strategy for funds in the account and told the Foundation how to invest the money. The foundation referred to the account as "your investment."

-- By 1988, the Foundation had designated the account as "OC400--BJCPA Capital Needs Fund."

-- Because of terminology, the actual owner of the Foundation's account is ambiguous.

The original motion to set up the fund designated it to the "Public Affairs Committee." Official correspondence at least once calls the Baptist Joint Committee the "Joint Committee on Public Affairs" and at another time

designates it as the "Committee on Public Affairs."

These terms have become increasingly important in recent years. As a rift developed between the Baptist Joint Committee and Southern Baptist fundamental-conservatives, a more clear distinction was made between the Public Affairs Committee, which comprised the Southern Baptist delegation to the nine-denomination Baptist Joint Committee, and the full BJC itself.

When Southern Baptists defunded the BJC and gave its religious-liberty assignment to the Christian Life Commission, the Public Affairs Committee merged with the CLC and PAC members became commission trustees.

With those new members on board, the Christian Life Commission voted last September to ask the Foundation to allocate the fund to the CLC to buy a Washington office. The CLC emphasized its merger with the PAC and maintained Southern Baptists in 1964 intended for the money to be spent by Southern Baptists in Washington.

Since the original recommendation stipulated the fund was "subject to conditions approved by the Executive Committee or the Southern Baptist Convention," the Foundation asked the Executive Committee to clarify any conditions that might pertain to the fund.

When the special subcommittee convened last week, the Baptist Joint Committee's Thomas and the Christian Life Commission's Land presented oral and written reasons why their agencies should get the money.

In a memo to the subcommittee, Thomas noted the dispute swirling around the name of the agency which owns the account is moot.

"When these funds were set aside, the terms 'Public Affairs Committee,' 'Joint Committee on Public Affairs' and 'Baptist Joint Committee on Public Affairs' were used interchangeably," Thomas said. He cited SBC Annuals which listed the BJC staff and executive director as staff and executive director for the Public Affairs Committee.

In addition, the Executive Committee's own records and the Foundation's list of accounts both reference the account to the BJC, he said.

Further, by preparing a plan to use the account solely for capital needs, the BJC meets the only condition placed upon the fund, he added.

"The BJC has been assured by the Foundation many times that the funds were secure and available when needed," Thomas said in his memo.

He told the subcommittee the BJC did not previously try to remove the funds, even though steps were being taken to drop the BJC from the convention's budget, because the agency trusted the SBC, the Executive Committee and the Foundation.

During questioning from subcommittee members, Thomas stressed that the BJC was not threatening to sue to get the money, but he declined to rule out the possibility of a lawsuit.

The agency expects Southern Baptists to do what is right in the matter, and that will alleviate the need for further action, Thomas said.

Land's memo to the subcommittee focused on the legal aspects of the financial arrangement between the convention, Executive Committee, Foundation and Baptist Joint Committee.

"If the facts indicate that a gift to the BJC was completed, then the Foundation should be authorized to deliver the principal and accrued interest to the BJC," Land noted. "However, if the gift was conditional or the transfer incomplete, then your committee should determine from the best available evidence what disposition would best fulfill the intention of the donors, under present circumstances. ..."

"The available evidence does not seem to support donative intent for an unconditional immediate gift which was delivered and completed," he said.

After hearing from Land and Thomas, the subcommittee met with its attorneys for three hours in closed session.

When they emerged, lead attorney James Guenther of Nashville told reporters the subcommittee had not made a final decision.

"The committee is being diligent," Guenther said. "Every one of them is showing a desire to be informed. There is clear evidence from my point of view they want to do the right thing. They left the meeting not knowing what that is. They want to do some more work."

The meeting allowed the subcommittee to focus its investigation and provide Guenther and his law firm with additional assignments, he said.

The subcommittee probably will meet in conjunction with the Executive Committee's Feb. 17-19 meeting in Nashville and "will make some report to the Executive Committee through the appropriate committee."

In addition to the testimony of Land and Thomas and Guenther's "statement of facts," the subcommittee also studied a legal memorandum prepared by Guenther's firm. He declined to disclose the contents of that memo or his counsel to the committee, citing the privileged nature of attorney-client relationships.

Members of the subcommittee also were mum about their deliberations.

"We have decided to continue to study the issue," said Ray Fuller of Joliet, Ill., chairman of the subcommittee. "We have not come to a decision concerning what we will say and how to say it. I wish there was more I could say, and there will be. We will have some good things to say later on."

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CORRECTIONS: In the 6th paragraph of the ABP story "Romanians question endorsement...." (Jan. 23), please change to read: "The pastors cancelled classes they were attending ..."

In the 12th paragraph of the ABP story "Supreme Court to review..." (Jan. 23), please change to read: "In deciding the Pennsylvania case, the 3rd Circuit stated that the Supreme Court departed from Roe v. Wade's strict protections in 1989 and 1990 cases..."

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EDITOR'S NOTE: ABP will cover the Jan. 30-31 meeting of the trustee executive committee of Southeastern Seminary, during which action is expected on a "personnel matter" believed to be the retirement of President Lewis Drummond. The story should be available Friday, Jan. 31.

***** END *****