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Patterson elected, promises both academic freedom, doctrinal integrity

WAKE FOREST, N.C. (ABP) -- Dallas educator Paige Patterson was elected president of Southeastern Baptist Theological Seminary May 14, promising to honor academic freedom at the school while guaranteeing Southeastern will reflect the "conservative" theology of Southern Baptists.

Trustees of the Wake Forest, N.C., school elected Patterson president on a vote of 24-1 after almost two hours of sometimes intense questioning of Patterson, mostly focusing on his high-profile role in denominational politics. Although the interview was held in open session, the vote was taken behind closed doors.

Patterson, president of Criswell College in Dallas, has been one of the key figures in the Southern Baptist Convention's 13-year shift to the theological right. His outspoken insistence that the SBC's six seminaries adhere to the belief in biblical inerrantist launched him into the national spotlight and won him both critics and admirers.

"Academic freedom must be balanced with academic responsibility," Patterson told trustees. "If the constituencies of Southern Baptists are conservative, then it is incumbent upon the educational institutions to reflect their position."

The election of Patterson, 49, is the most vivid demonstration yet that Southeastern's trustees intend to transform the school, which once was a bastion of progressive Baptist thought, into a stronghold for inerrantist theological education.

But some faculty members and others warn that transformation may come at the expense of genuine education. Theology professor Robert Culpepper, president of Southeastern's faculty association, told reporters the seminary is "moving in the direction of an indoctrination center rather than a school of education. That spells the end of a theological seminary if that is the case."

Patterson said his priorities as president will be to preserve the school's accreditation, which he described as indispensable, and rebuild enrollment, which is critical to the school's financial survival.

"It's a great honor to be chosen for a position like this," Patterson said after his election. "But I don't spend as much time dwelling on the honor of it as I do the responsibility."

Patterson assumes leadership of a school that has weathered five years of turmoil. After former president Randall Lolley and top administrators

resigned in 1987 in protest of the new direction set by trustees, the school's enrollment fell from more than 1,000 to about 500 and fund-raising suffered.

Policy changes, initiated by trustees to ensure that only biblical inerrantists are hired for the faculty, brought scrutiny from the seminary's two accrediting agencies, one of which placed Southeastern on probation in December.

Lewis Drummond, who succeeded Lolley in 1988, resigned in January, unable to resolve the financial and accreditation problems that threaten to derail the trustees' plan to reshape the school.

Meanwhile, most of the 35 faculty members have left or announced plans to leave. Only seven of the professors who were at the school in 1987 will remain by the end of the year, creating a need for Patterson to recruit inerrantist faculty members.

Patterson said he expects to fill some of those vacancies with professors from Criswell College, an independent Baptist undergraduate school founded by First Baptist Church of Dallas and headed by Patterson since 1975. "There are some people there I'd like to take a look at," he said.

Patterson, who holds a doctorate from New Orleans Baptist Theological Seminary, is the most prominent player in the 13-year SBC controversy to take the helm of one of Southern Baptists' 21 agencies and institutions.

His high-profile role in the controversy probably cost him the Southeastern job in 1988, when trustees passed him over in favor of Drummond, whose role they now define as "transitional."

Last year, Patterson himself described his chances of landing an SBC agency post unlikely. But with fundamental-conservatives now firmly in control of the Southern Baptist Convention and its institutions, Patterson was considered the front-runner for the Southeastern job when rumors of Drummond's departure first surfaced last year.

Still it was Patterson's prominent role in the SBC controversy that spawned many of the questions during his interview with trustees. Some were concerned it might hamper efforts to rebuild the school.

Trustee William Delahoyde of Raleigh, N.C., said Baptists in Georgia and the Carolinas view the choice of Patterson as a "divisive act." Trustee Ralph Holt of Wilmington, N.C., voiced concern Patterson's election would be viewed by some as a political "payoff" for his efforts on behalf of SBC fundamental-conservatives.

But the new president said he would not question the integrity of the trustees in choosing him. "Only the trustees know the true motivation of their own hearts," he said.

"I appreciate and love this man so very much," attested trustee Adrian Rogers of Memphis, Tenn. "If people are afraid of Paige Patterson, it is because they are afraid of scholarship, courage, compassion, integrity, dedication, love and encouragement."

Patterson promised he will continue to speak out "for the truth of the Word of God," but he said his new role will force him to find "appropriate means" to express his convictions.

Although his campaign for theological orthodoxy has often put him at odds with SBC seminary administrators, Patterson said it will be "less than appropriate for me to meddle" in the affairs of the other five seminaries once he becomes Southeastern's president.

Jerry Holcomb of Virginia Beach, Va., the lone trustee who voted against Patterson, suggested he was unconvinced by Patterson's promises. "My only concern is that he gave no assurances he would not be active in the political life of the convention," he said.

As Patterson guides Southeastern toward a more conservative stance, he said he will treat faculty members who oppose the school's direction "with dignity."

"I'll ask them to support the general direction of the institution and give me an opportunity to prove I love and respect them," he said.

"If an individual will not be a part of the team and part of the direction, then I'll tell them I'll help them find another place to share their skills."

Current faculty members will find Patterson's words "foreboding," professor Culpepper told reporters.

Other professors, who have joined the faculty since 1987, were more receptive of Patterson. "He's by far the best educational administrator that the conservatives have to offer," said Kurt Richardson, who was appointed assistant professor of historical theology by Drummond.

Most students present at the election seemed pleased with the choice.

"We encouraged the trustees to vote for God's man," said Pat Davidson, president of the 200-student Conservative Evangelical Fellowship. "We need somebody to let people know what kind of school this is. Either it's a moderate school or conservative. It can't be both."

Jeff Perkins of Kentucky said the seminary's more conservative direction helped him pick Southeastern over other options. He said he bumped into Patterson at a nearby sandwich shop during lunch and found the new president to be like one of the guys.

"That's such a crucial thing, because ministers are just people," Perkins said.

Patterson will assume his duties at Southeastern June 15, two weeks before Drummond's scheduled retirement. He will be paid an annual salary of about \$70,000 -- the same as Drummond -- and receive about \$21,000 in insurance and annuity benefits. He also will have use of a campus house and automobile.

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-- By Greg Warner of Associated Baptist Press with Lisa Bellamy of the Raleigh News and Observer, Robert Dilday of the Religious Herald of Virginia, and Marvin Jones of Southeastern Seminary.

House subcommittee explores
religious-freedom measure

By Pam Parry

WASHINGTON (ABP) -- All religions in America deserve heightened and equal protection under the law. Or do they?

That debate raged in the House Subcommittee on Civil and Constitutional Rights May 13-14 as the subcommittee held hearings on the Religious Freedom Restoration Act (H.R. 2797).

RFRA, backed by a 51-member coalition of religious and civil-liberties organizations, would restore a high standard of protection for the free exercise of religion. The bill would reinstate the strict "compelling-interest" standard the U.S. Supreme Court formerly required government to meet before restricting religious practice.

The standard, articulated by the Supreme Court in 1963, virtually was abandoned by the court in the case of Employment Division vs. Smith in April 1990.

Witnesses at the hearing were virtually unanimous in their indictment of Smith and its impact on religious practice in America. They were, however, divided over whether or not the standard should be applied equally to all claims, particularly potential claims to abortion rights that are based on

the free exercise of religion.

Rep. Stephen Solarz, D-N.Y., called the abortion argument, advanced primarily by the U.S. Catholic Conference and National Right to Life Committee, "utterly unfounded."

"Prominent opponents of legalized abortion have joined with their pro-choice foes in support of this legislation because it appropriately takes the position of strict neutrality on the abortion question, as it does on every potential claim," said Solarz, primary sponsor of the bill.

The Southern Baptist Christian Life Commission, National Association of Evangelicals and Concerned Women for America are among the pro-life groups backing RFRA.

The argument that RFRA somehow advances abortion rights is without substance for an obvious reason, Solarz said. If the Supreme Court overturns the woman's right to privacy in abortion decisions, it is inconsistent to assert that the same court would then permit abortion under a new claim, Solarz said.

On the other hand, the problems created by Smith are not hypothetical, he said.

More than 50 free-exercise cases have been decided in the two years since Smith, with religion winning in only a few instances.

The Smith decision will "live in constitutional infamy" because it declared a fundamental right to be a "luxury" this nation no longer can afford, Solarz added.

Rep. Christopher Smith, R-N.J., agreed that religion is in jeopardy, but he spoke against RFRA. Smith has introduced his own bill, the Religious Freedom Act (H.R. 4040), that would restore the compelling-interest test for free exercise of religion except in three instances.

H.R. 4040 would create no free-exercise basis to challenge laws restricting abortion, the tax-exempt status of religious organizations and the use of tax funds by religious institutions. Those three exemptions reflect the position of the U.S. Catholic Conference.

Douglas Laycock, professor at the University of Texas School of Law in Austin, called the three amendments "enormously divisive" and "almost entirely symbolic."

"If I had deliberately set out to draft amendments that would prevent the enactment of any bill, I could not have done better than these three amendments," Laycock said. "The principle of RFRA is that it enacts a statutory version of the free-exercise clause.

"Like the free-exercise clause itself, RFRA is universal in its scope," he continued. "It singles out no claims for special advantage or disadvantage. It favors no religious view over any other, and it favors no state interest over any other.

"It simply enacts a universal standard: burdens on religious exercise must be justified by compelling interests."

Laycock said the three exceptions relate to issues that have been litigated and decided under other clauses of the Constitution.

The bill takes no position on whether any particular government interest, including interest in unborn life, is compelling, he emphasized. "This silence is appropriate; Congress should not attempt to resolve particular controversies in a bill about religious exercise generally."

Rep. Henry Hyde, R-Ill., is the subcommittee's most ardent opponent of RFRA because of the abortion issue. Calling religious freedom perhaps the country's most precious liberty, Hyde said he would not provide a "legal scalpel" for those who want to expand abortion rights.

If abortion is the only thing the congressman cares about, he still needs this bill, Laycock said, calling abortion claims under RFRA "imaginary."

Mark Chopko, general counsel of the U.S. Catholic Conference, disagreed.

"The lives of the unborn are too important to be put at risk.... If, as some supporters of H.R. 2797 so confidently insist, these abortion claims are doomed to failure anyway, there is no reason why they cannot be eliminated from the bill," he said.

Proponents of the bill likened an abortion amendment to a "nuclear bomb" that would destroy the bill's chances of passage.

Hyde also questioned congressional authority to establish a standard for the court. Laycock responded that Congress cannot define a constitutional standard, but it can enact statutory rights under the 14th Amendment.

Nadine Strossen, president of the American Civil Liberties Union, told Hyde that Congress not only had the power but the responsibility to protect the rights of Americans.

"We invest government with broad and important powers that sometimes override individual liberty. It should, however, not be easy for government to do so -- or official bodies will use that power with substantial frequency."

The subcommittee has not set a date to take further action on the bill, which now has about 180 co-sponsors.

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Dream of religious freedom ends for Hmong community

WASHINGTON (ABP) -- A minority religious group faces a perilous future that now lies in the hands of Congress, members of the House Subcommittee on Civil and Constitutional Rights were told in a May 13 hearing.

William Yang of the Hmong faith told subcommittee members that his family, formerly of Laos, came to America looking for freedom to practice their religion. But two years ago, a U.S. Supreme Court decision stripped away that right, Yang said.

The Yang family brought suit against Rhode Island's chief medical examiner because an unauthorized autopsy was performed on Neng Yang. Hmong believe autopsies are a mutilation of the body.

On Jan. 12, 1990, a federal district court ruled in favor of the Yangs because the autopsy "violated their deeply held religious beliefs." The Yangs believe that the mutilation of Neng's body meant his spirit "would not be free, therefore his spirit will come back and take another person in his family," senior district Judge Raymond Pettine wrote.

While the damages portion of the Yangs' case was pending, the Supreme Court handed down *Employment Division vs. Smith* on April 17, 1990. In the decision, the court abandoned three-decades-old precedent that required government to demonstrate a compelling state interest before it could restrict religious practice.

As a result, Judge Pettine reversed his earlier decision.

Pettine said he felt constrained to apply the majority opinion in *Smith* to the Yangs' case, but he expressed his profound regret and disagreement with that opinion.

The Hmong community felt betrayed by the U.S. government and excluded from the protections of the Constitution and First Amendment, Yang told subcommittee members, fighting back his tears.

Yang said the fear that other family members would die came true. Later, autopsies were performed after three other Yang family members died. The family believes the curse will continue unless their religious faith is upheld.

Yang urged the subcommittee and House of Representatives to approve the Religious Freedom Restoration Act (H.R. 2797), which is designed to restore the high level of protection for free exercise of religion abandoned in the Smith case.

"As hard-working, respectable people and citizens of the U.S. and Hmong ancestry, our rights to maintain the body completely intact in conformity with the rites practiced by our people for thousands of years is most important to both the deceased and their survivors," he said.

"We believe that the deceased and the surviving family are cursed if they do not uphold the rites and traditions; therefore, the Religious Freedom Restoration Act is very, very important to us and our community."

Brent Walker, associate general counsel at the Baptist Joint Committee, said: "RFRA will not take away the Yang family's heartache nor ensure free-exercise victories for the Hmong community in the future. But its passage will give them a fighting chance to practice their religion without governmental interference."

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-- By Pam Parry

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