

# Associated Baptist Press

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## **Molly Marshall resigns Southern after Mohler threatens firing**

By Marv Knox

LOUISVILLE, Ky. (ABP) -- Molly Marshall, the first woman granted tenure in Southern Baptist Theological Seminary's school of theology, has resigned her position effective Dec. 31.

Marshall, an associate professor of theology, was elected to the Southern Seminary faculty in 1984 and granted tenure in 1988. Controversy -- especially allegations regarding her views of salvation and the roles of women in ministry -- has dogged her from the beginning.

During most of her career, Marshall received the support of seminary administrators, even as some trustees and others called for her dismissal. But that balance shifted last year, when trustees elected Albert Mohler to succeed Roy Honeycutt as president of the Louisville, Ky., school, the oldest of six Southern Baptist seminaries.

The situation climaxed June 21, when the administration informed her charges for her dismissal would be initiated if she did not resign, Marshall said. That assertion was documented by her correspondence with David Dockery, the seminary's vice president for academic administration.

Mohler declined to comment on the specifics of the charges that would have been brought. However, a June 30 memorandum from Dockery to Marshall indicates the charges would have centered around two areas.

First was her alleged "failure to relate constructively to" the Southern Baptist Convention, such as "teachings that might be in conflict with motions or resolutions passed at the SBC or support of/involvement with the Cooperative Baptist Fellowship."

Second was alleged "violations of the Abstract of Principles," the seminary's governing theological

document, regarding the doctrines of atonement, universalism, perseverance of the saints, God and Holy Scripture.

"The Abstract has been a smoke screen," Marshall contended. She said she sent Mohler a memo Aug. 16 in which she reviewed each of the Abstract's 20 principles, particularly noting her beliefs regarding each principle under question. Mohler responded with a brief letter that acknowledged receipt of the memo but did not deal with the substance of her comments.

"Given a chance to respond to a clear presentation of my views, there was none," she said. "Hence, the issue is not theology."

She also charged that the administration's actions to remove her had constituted "a direct breach of contract" because she was notified of the plan to remove her even before charges against her were presented.

Mohler countered that the issue is indeed theology, and that the appropriate forum for presentation and response to her views would have been provided if charges had been presented. He said the contract was not breached because the process for removal would have been initiated when he brought charges against her.

Mohler's recommendation for dismissal, which he confirmed he would have made, would have called for Marshall's case to be given a hearing before a disciplinary panel. If the panel affirmed Mohler's move, the charges to fire her would have gone to the seminary's board of trustees in October.

And that would have resulted in her ouster, Marshall said, noting she was told her trustee adversaries had both the votes and the will to fire her. If so, she would have been removed from the classroom immediately and denied official contact with all students.

Because her resignation will not be effective until Dec. 31, she will conduct her doctoral seminar this fall. The action had the effect of removing her from her master's-level theology course.

Since Marshall joined the faculty in 1984, she has been a student favorite, known especially for her spirited, rapid-fire lectures and difficult exams. In 1993, she won the seminary's award for teaching excellence.

But her detractors -- primarily conservative trustees -- persistently have accused her of theological liberalism. It's a charge she successfully answered until this summer.

The difference between the early encounters and this summer's lies with the change in seminary administration, Marshall said.

"What has made the difference is the change in president," she said. "I've always had unequivocal support from the president, provost and dean until the election of Al Mohler.

"He promised to enforce the Abstract of Principles. He has enforced it in his own rendering, which now stands as the measure of the faculty members' fidelity. We've never had an official interpretation. It always has been left to the liberty of the conscience of the individual faculty member."

Although he declined to cite specific charges, Mohler confirmed he believed Marshall crossed the line of fidelity to the Abstract.

"My commitment has been to be faithful to the charge I received by my investiture in the office," he said. "I am responsible to report to the board of trustees where there is a question of faithfulness to the Abstract and (a failure) to engage the denomination constructively.

"I believe my interpretation of the Abstract is constant with the founders of this institution," he said. "In my most honest judgment, significant concerns (about Marshall) remained, and these concerns were of a significant nature which would have produced formal charges."

Mohler rejected the notion that his decision to press charges would be tantamount to a guilty verdict. But he noted the trustees see the Abstract his way. "The president and the trustees share a basic understanding of the meaning and governing role of the Abstract. But I believe a hearing process would have been fair, thorough and respectful."

Observers of the situation have speculated that Marshall's gender has much to do with her troubles.

For her part, Marshall said: "I would say that is certainly a part of it. I'm an ordained Southern Baptist

minister who has served as a pastor and am unapologetic for my views on the calling of women to ministry.

"They'll say it's not because I'm a woman, that we have other women on the faculty. But because my position personifies a view that challenges hierarchical views against women in ministry, I have been the most visible target."

Mohler categorically denied gender had anything to do with the situation.

"The issue is not the gender of the professor, but the substance of what the professor teaches," he said. "Even though I believe the New Testament excludes women from teaching authority and the pastorate in the church, this does not mean women should not teach on the faculty of the seminary or even in the school of theology."

Mohler declined to elaborate on the details of his problems with Marshall's teaching. But he did note: "Feminist theology, as distinct from the issue of the service of women in the church, is and has been one of proper concern related to Southern Baptist theological education. Without apology, Southern Seminary will not be open to a revision of basic Christian doctrine or of the text and character of Christian Scripture in order to meet the demands of what is now considered the mainstream of feminist theology."

Marshall said she was not an adherent of the "mainstream of feminist theology." However, she said the perspectives of a woman who is a theologian seem to be threatening to the new SBC power structure.

"The conservative resurgence is very fearful of the new wine of the liberating gospel of Jesus Christ," she said. "It breaks down barriers and stands in judgment on dominative power."

"I'm interested in the gospel being good news for people on the margin, for that is a theology of the Cross. The conservative resurgence portrays a triumphal theology of glory that finds ways to exclude people."

Marshall's career has been impacted by the larger "culture war" in society, she said. "There's a huge ideological critique going on, and I have attracted some issues. I think my views have been horribly misrepresented and caricatured. Fundamentalist men selectively read the Scripture and eschew women as equals in the body of Christ."

Mohler contended the issue is the integrity of theological education. "The Abstract of Principles has and will function as the anchor which will hold this institution to the truth of the gospel and the trust of the churches," he said. "I will answer to the board of trustees, to the churches and to God himself concerning my stewardship of office. ..."

"There is absolutely no vindictiveness or personal agenda. The issues were theological."

Marshall said she chose to resign rather than fight the charges for three primary reasons.

"First, there was no chance of a fair hearing of my theological views because the decision to fire me was made prior to the disclosing of any charges," she said.

"Second, I have become increasingly aware that the voices of dissent would not be tolerated under the Mohler presidency. I have no future here."

"And third, I care deeply for Ph.D. students whom I am supervising. If fired, I could not complete their supervision."

While affirming her colleagues, especially noting the other women on the faculty, Marshall claimed her ouster will send a message to them.

"The purging of one faculty member is a signal to others how the president and trustees plan to deal with dissenting voices."

## **Complaints about Molly Marshall focus on universalism, feminism**

LOUISVILLE, Ky. (ABP) -- Molly Marshall has been a target of conservative criticism since her hiring to the faculty of Southern Seminary in 1984. Key examples of the charges include:

-- 1986: The Southern Baptist Convention's Peace Committee expressed some concerns about faculty orthodoxy. Trustees examined the concerns and cleared all faculty of any claims of heresy.

-- 1986: John Michael of Louisville, then a seminary trustee, charged Marshall with universalism. A special committee heard Michael's charges and commended Honeycutt's defense of Marshall, thus affirming his positive response to her.

-- 1986: David Simpson, then editor of the Indiana Baptist, accused Marshall of universalism. She responded with an essay that noted: "I ... clearly affirm the historical position of the evangelical church in its central belief in the necessity of Christ for salvation. Second, without qualification I affirm the church's evangelistic role in the proclamation of the gospel."

-- 1988: Opponents of granting her tenure claimed her 1983 doctoral dissertation affirmed universalism. Trustees refused to give credence to the charge and granted her tenure by a vote of 45-7.

-- 1990: Marshall was one of five faculty members who, along with President Honeycutt, were accused of liberalism in a paper distributed by trustee Jerry Johnson of Aurora, Colo. After a year of study, a trustee/faculty committee determined the charges basically were a rehash of complaints registered with the Peace Committee and determined invalid by the trustees. That decision led to the 1991 Covenant Renewal between trustees and faculty, which was designed in part to lay to rest old charges against faculty.

-- 1992: The trustees' academic personnel committee formally "brought to a conclusion several years of continuing concern related to certain writings" of Marshall and church historian Glenn Hinson. The committee cited the positive results of the 1991 Covenant Renewal and said its deliberations should bring "closure" to the charges against the professors.

-- 1992: Some Virginia Baptists accused Marshall of liberal statements of feminist theology during two lectures at Averett College in Danville, Va. The academic personnel committee studied Marshall's speeches and found "no charges for dismissal."

-- 1994: Administrators demanded a clarification of Marshall's remarks at a conference on women and the church. Marshall noted she had been asked to present an overview of the thinking of feminist theologians, and she had made clear to participants that the views were not her own.

## **Faculty, student groups criticize forced resignation of professor**

LOUISVILLE, Ky. (ABP) -- Faculty and student groups at Southern Baptist Theological Seminary reacted strongly to news of the Aug. 22 forced resignation of female theology professor Molly Marshall.

Marshall, associate professor of theology at the Louisville, Ky., seminary, agreed to resign, effective Dec. 31, after being informed that administrators were prepared to initiate charges for her dismissal.

The school's faculty association, in a statement adopted Aug. 22, expressed "outrage" at Marshall's "unjustified and untimely forced resignation."

The faculty group, which had been informed of the resignation only unofficially, said during a 10-year career Marshall "has taught in accordance with and not contrary to" the seminary's Abstract of Principles, the 135-year-old doctrinal guideline for selection of faculty. Critics have charged Marshall's teaching violates the Abstract, an allegation she denies.

Seminary President Albert Mohler said "significant concerns" about Marshall's adherence to the Abstract "would have produced formal charges" for dismissal. He declined to specify the concerns.

A statement signed by officers of the Graduate Club, which includes all students registered in the seminary's graduate programs, called for "a full investigation" into Marshall's resignation.

Co-presidents Bruce Gentry and Joni Paterson said the "coerced resignation without specified charges" violated due process, "severely undermined the integrity of the school's tenure structure and mocked the principle of academic freedom."

Gentry noted that Marshall's dismissal leaves no tenured female professors in the School of Theology. "The president's personal belief that women should not serve in top ministry positions seems to have been translated into a political vendetta against women and those persons who hold different views," he said.

William Hendricks, outgoing chair of the seminary's Theology Department, termed the request for his colleague's resignation "inexplicable."

"In my opinion, those who engineered the resignation did not have Southern Seminary's best interest in mind, said Hendricks, who added Marshall's only apparent "crime" was "being born a threateningly brilliant woman."

Marshall's colleagues in the Christian Life and Thought Division said she will be "profoundly missed." They deplored a "lack of responsiveness to her request for due process." The professors asked the seminary's faculty committee to "express our grave concern about this precedent to the trustees and to the president."

"We need to discuss ways in which Christian relationships can be modeled before our students," their statement concluded.

Dixie Petrey, president of the seminary's student government association, said Marshall is "an outstanding teacher and theologian" whose dismissal "is harmful to students and to the larger Southern Baptist Convention community."

Marshall is extremely popular among students, Petrey said, particularly as a role model for women in ministry. But both male and female students in the future will "be graduating at a disadvantage because they've had no opportunity to learn from an outstanding woman theologian who is a Baptist," said Petrey, pastor of a Baptist church in Kent, Ind.

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-- By Bob Allen

### **HMB's Lewis says Florida plan could be 'death blow' to cooperation**

By Greg Warner

RIDGECREST, N.C. (ABP) -- If Florida Baptists withhold their funding of the Southern Baptist Home Mission Board, they would be "striking a death blow to the very heart of what the Cooperative Program is about," said HMB President Larry Lewis.

Lewis was reacting to a proposal, approved by a Florida Baptist committee Aug. 18, which would allow the Florida Baptist Convention to keep most of the money it sends to the Home Mission Board through the national Cooperative Program budget, the Southern Baptist Convention's financial lifeline.

"I'm really aghast and appalled that a budget-planning committee would recommend a Cooperative Program budget that would exclude any agency in the Southern Baptist Convention, and especially a major missions agency," Lewis said Aug. 22 from Ridgecrest, N.C., where he was attending the annual Home Missions Conference.

Traditionally Southern Baptist churches contribute to the Cooperative Program through their state conventions, which retain a portion of the funds for state-level ministry and send the rest to fund 18 national SBC agencies. The Home Mission Board, which in 1993 received \$1.9 million in Cooperative Program funds from the Florida Baptist Convention, sends most of its money back to the state conventions to support jointly funded missions personnel and projects - - to the tune of \$1.3 million in Florida in 1993.

Under the proposal, Florida would keep the amount of funds it normally expects to receive from the Home Mission Board and conduct statewide missions on its own, without input from the SBC agency. The proposal, in effect, would take the HMB out of missions work in Florida, one of its most fertile fields.

"We are capable of doing our own mission program in the state of Florida," explained John Sullivan, executive director of the Florida Baptist Convention.

Sullivan cited the HMB's own statement encouraging state conventions to assume financial and administrative responsibility for missions in their states. Florida Baptists, he said, are only following that suggestion, which is spelled out in the "Cooperative Agreement," the joint document that governs the missions partnership between the HMB and the state.

Florida is home to 32 missionaries paid jointly by the HMB and state convention -- 17 field missionaries and 15 state convention staffers. Under terms of the "Cooperative Agreement" with Florida, the HMB pays 65 percent of those salaries.

"I would be more than happy for the Florida convention to take over the funding of those staff members, but do it with Florida money," Lewis said. "We can't accept that the state convention could cabbage the funds that would normally go to the Home Mission Board and use them. ... It's not state convention money, it's money that comes from the churches."

But, Sullivan said, the state conventions and churches raise the money that supports the Cooperative Program, not the Home Mission Board. A 6 percent cut in funding from the Home Mission Board, which was recently announced for 1995, threatens missions work in the states, he said.

"We can't afford in the state of Florida not to take a posture that protects our ministries," Sullivan said. "If we're going to raise the money, we need to protect our ministries."

Sullivan said the HMB violated the "Cooperative Agreement" by taking "unilateral" action to cut state funding 6 percent. But Lewis denied the HMB acted unilaterally.

"In each state convention," Lewis said, "we very carefully negotiated with the staff," determining which ministries to phase out or trim back. "In no case were there unilateral decisions made about what would be done."

The 6 percent cut is necessary because of an anticipated \$4 million drop in Cooperative Program income for the HMB next year, he said. "I can assure you that at no point and in no way does this violate the 'Cooperative Agreement.'"

Prior to the 1960s, both the Home Mission Board and state conventions sponsored their own missionaries -- a situation that produced confusion and competition, Lewis said. The "Cooperative Agreements" were designed to create partnerships between the HMB and the states, so that virtually all missions work was jointly sponsored.

"We don't have to do that in Florida or anywhere else," said Lewis. "We can have our own missionaries. But we feel that is a step backward."

Partnership "demands trust" from both the HMB and the states, Lewis said. "And I don't see that is evidenced in this proposal."

Sullivan also objected to the recent decision of the HMB trustees to study the agency's relationship to state conventions -- like Florida -- that allow churches to designate money to the Cooperative Baptist Fellowship, an alternative moderate organization. The HMB has no right to "investigate" state conventions, he said.

But Lewis said the study was prompted by state actions like the proposal in Florida which threaten the Southern Baptist tradition of cooperation. "We're living with the reality that state conventions are radically redefining what the Cooperative Program is," he said. "We've

been forced to look at how that will impact us in the future."

"The very future of the Cooperative Program is being threatened" by the state actions, Lewis said.

Morris Chapman, president of the SBC Executive Committee, which oversees the Cooperative Program budget, declined to comment on the dispute.

The Florida proposal must be approved by Florida's State Board of Missions Sept. 9 and the annual Florida Baptist State Convention in November and would not take effect until 1996. Lewis said he hopes to convince Florida leaders to abandon the proposal.

Meanwhile, Texas Baptists will vote this fall on a plan that would allow churches to designate all their Cooperative Program gifts for use in Texas, rather than sending a required portion to the SBC, and count contributions to virtually any Baptist cause, including the Cooperative Baptist Fellowship, as Cooperative Program.

In Virginia and North Carolina, churches are allowed to support alternative budgets that steer money away from some or all SBC agencies and toward moderate alternatives.

The Florida proposal would affect only Home Mission Board funds. All other Cooperative Program gifts from Florida churches -- about \$8.3 million a year -- will be sent through the SBC as designated funds for distribution to all other agencies according to standard percentages. Since Florida receives less money from the HMB than it sends to the agency, the difference -- about \$600,000 a year -- would be sent through the SBC as a designation to the HMB to support missions work in other states.

Untouched by the committee's recommendation is the \$2 million Florida Baptists contribute annually to the HMB's Annie Armstrong Easter Offering for home missions. But Lewis objected to Florida's plan to merge the Annie Armstrong Offering and the state missions offering into one yearly appeal.

It would be illegal for Florida Baptists to use the Annie Armstrong name in connection with the joint offering, he said. "The Annie Armstrong Offering is not a home missions offering but a Home Mission Board offering," he said.

"We would object to anyone raising money under the name of Annie Armstrong and using it for any other reason," he said.

This is not the first time Florida and the Home Mission Board have disagreed over how missions money is spent in the state. In 1992 Sullivan objected to the process that required Florida mission pastors who receive HMB salary supplements to be approved by the agency. "We bent over backward," Lewis said, to resolve the dispute, allowing the Florida convention to control appointment of all mission pastors. Since Florida then picked up the entire cost of funding the pastors, the HMB agreed to increase its funding of all other joint positions from 60 percent to 65 percent.

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EDITOR'S NOTE: Home Mission Board administrators were unavailable for comment when the following story was issued Aug. 19. The story has been revised to include reactions from HMB President Larry Lewis.

## **Florida plan would eliminate HMB involvement in state**

By Greg Warner

JACKSONVILLE, Fla. (ABP) -- In yet another demonstration of the independent mood of state Baptist conventions, a Florida Baptist committee voted Aug. 18 to keep most of the money the state convention sends to the Home Mission Board through the Southern Baptist Convention budget.

The proposal, which awaits approval by another committee and the full convention this fall, represents a major change in the way Florida Baptists relate to the Home Mission Board, effectively taking the HMB out of missions work in Florida, one of its most fertile fields.

The Florida Baptist Convention, the sixth largest in the SBC, sent \$1.9 million to the Home Mission Board in 1993 through the national Cooperative Program, the SBC's central budget. In turn, the HMB sent \$1.3 million back to the state to support jointly funded missions personnel and projects.

The Florida proposal, in effect, gives the state convention sole control of home missions work in the state, which traditionally has been done in cooperation with the Home Mission Board.

HMB President Larry Lewis said the plan could strike "a death blow to the very heart of what the Cooperative Program is about."

John Sullivan, executive director of the Florida Baptist Convention, cited two events that prompted the action -- the "unilateral" decision of the HMB to cut funding of state conventions by 6 percent next year and the recent decision of the HMB trustees to study the agency's relationship to state conventions that handle contributions from the rival Cooperative Baptist Fellowship.

"They have no right to investigate us, just as we have no right to investigate them," said Sullivan. The Florida convention allows churches to designate money to the CBF.

Members of the convention's budget and allocations committee, which unanimously approved the proposal, said the HMB funding cut poses a threat to missions work in the state and violates the "Cooperative Agreement," the document that defines how the HMB and Florida convention will relate.

That agreement, which governs Southern Baptist missions work in all states, prohibits

"unilateral actions in areas of cooperation" by either the HMB or the state convention, according to an official interpretation written by HMB vice president Ernest Kelley. The agreement also encourages state conventions "to assume administrative and financial responsibility for direct mission work now conducted by the HMB as rapidly as possible," Kelley wrote.

"All we are doing," said budget committee chairman Jerald Hicks of Orlando, "is what their guidelines permit us to do."

"And encourage us to do," added Sullivan. "There was a time when we needed funding for home missions. We don't need that any more. ... All we're asking is to follow this document, becoming self-sustaining, self-supporting. The only way we can do that is by retaining the funds."

"I would be more than happy for the Florida convention to take over the funding of those staff members, but do it with Florida money," responded Lewis. "We can't accept that the state convention could cabbage the funds that would normally go to the Home Mission Board and use them. ... It's not state convention money. It's money that comes from the churches."

"I'm really aghast and appalled," Lewis continued, "that a budget-planning committee would recommend a Cooperative Program budget that would exclude any agency in the Southern Baptist Convention, and especially a major missions agency."

Lewis said the HMB did not act unilaterally in cutting funds to state conventions but negotiated the cuts in good faith with each state. "I can assure you that at no point and in no way does this violate the 'Cooperative Agreement,'" he added.

The Florida proposal came from a special budget study committee, which considered several ways to recoup the anticipated 6 percent cut in HMB funds. Rejected were cuts in Florida personnel, reductions in the Florida budget, and reductions in the amount of money Florida sends to the national Cooperative Program, which would have made all SBC agencies pay for the loss of HMB funding.

Instead, the committee chose to retain the amount of Cooperative Program money that normally would return to Florida via the HMB. Since Florida receives less money that it sends to the HMB, the difference -- about \$600,000 -- would be sent through the SBC as a designation to the HMB to support missions work in other states.

Likewise, all other Cooperative Program gifts from Florida churches -- about \$8.3 million a year -- will be sent through the SBC as designated funds for distribution to all other agencies according to standard percentages.

Although that practice would place the Florida convention outside traditional Cooperative Program channels, Sullivan said he is hopeful the SBC will still count the convention's gifts as Cooperative Program funds.

Untouched by the committee's recommendation is the \$2 million Florida Baptists contribute annually to the HMB's Annie Armstrong Easter Offering for home missions.

Committee members who spoke in favor of the proposal said it was preferred because it would mean no net loss in HMB mission work and eliminate "mounds of paperwork" required by the HMB.

No committee members spoke against the plan. However, member Ferrell Mills of Green Cove Springs said the convention "would have been branded as uncooperative" for the action a few years ago.

Mills said he supports the action but warned it could hurt mission giving. "The perception of the man in the pew of the Cooperative Program is worldwide missions, not state convention," he said. "When you chip away at that, some people will be willing to chip away on what they give."

Florida is home to 32 missionaries paid jointly by the HMB and state convention -- 17 field missionaries and 15 state convention staffers. Under terms of the "Cooperative Agreement" with Florida, the HMB pays 65 percent of those salaries. The HMB claims another 76 missionaries in Florida, including 38 long-term volunteers, but does not pay their salaries.

To take effect, the new procedure must be approved by the State Board of Missions Sept. 9 and the Florida Baptist State Convention, which meets Nov. 14-16. The change won't take effect until 1996 and will be reconsidered after three years.

To compensate for the 6 percent HMB cut in 1995, Florida Baptists will draw \$76,620 out of reserves, according to a recommendation approved by the budget and allocations committee Aug. 18.

The Florida proposal is the latest in a series of state-level actions that are redefining the relationships between the SBC and state conventions, which are autonomous bodies.

Lewis said those actions threaten "the very future of the Cooperative Program." The HMB's current study of states that channel funds to the Cooperative Baptist Fellowship was prompted by such actions, he said. "We're living with the reality that state conventions are radically redefining what the Cooperative Program is," he said. "We've been forced to look at how that will impact us in the future."

Among the changes in the states:

-- In Texas, Baptists will vote this fall on a plan that would allow churches to designate all their Cooperative Program gifts for use in Texas, rather than sending a required portion to the SBC. The plan also would count contributions to virtually any Baptist cause, including the moderate Cooperative Baptist Fellowship, as Cooperative Program.

-- In Virginia, churches are allowed to support any of three budgets -- one which follows traditional CP patterns, one that funds CBF but not SBC, and one that is a hybrid of the other two.

-- In North Carolina, churches can choose an alternate Cooperative Program budget that steers money away from some SBC agencies to moderate alternatives.

-- Georgia Baptists last fall authorized a study of whether churches must cooperate with the SBC to be in good standing with the state convention.

Critics say such changes will cause an erosion in historic Baptist cooperation and undermine the Baptist cause. Others say the changes reflect a social trend of decentralization and a loss of confidence in the conservative leadership of SBC agencies.

Under the traditional Cooperative Program system, state conventions send a portion of

their receipts -- in Florida's case 42 percent -- to the Southern Baptist Convention for distribution to its agencies, including the Home Mission Board. The HMB uses the money to appoint and support missionaries, mission pastors, some state convention personnel and projects in the states.

In states like Florida where Baptist work is well-established, the convention usually contributes more money to the HMB than it receives in grants from the agency. In states where Southern Baptists are less numerous, like Pennsylvania and Nevada, the state conventions receive more money from the HMB than they contribute, making them much more dependent on the agency's help.

This is not the first time Florida and the Home Mission Board have disagreed over how missions money is spent in the state. In 1992 Sullivan objected to the process that required Florida mission pastors who receive HMB salary supplements to be approved by the agency. "We bent over backward," Lewis said, to resolve the dispute, allowing the Florida convention to control appointment of all mission pastors. Since Florida then picked up the entire cost of funding the pastors, the HMB agreed to increase its funding of all other joint positions from 60 percent to 65 percent.

Another change approved by Florida's budget and allocations committee would cut the amount of money the state gives to the Cooperative Program further by reducing the SBC's share of Florida's budget from 42 percent to 40 percent by 1996. In the 1980s, Florida was the first state convention to send 50 percent of receipts to the Cooperative Program but like all other states has backed away from that level in recent years.

"We were sending too much out too fast, but churches stopped while we kept going," explained Sullivan. If and when CP giving by Florida churches increases, the state convention will raise the percentage, he said. Florida remains among the top three states in CP percentage, Sullivan said.

Another proposal from the budget committee asks the state convention to endorse the concept of two annual special offerings in place of the current four. One spring offering would fund the Annie Armstrong offering and state missions. A fall offering would support the Lottie Moon Christmas Offering for foreign missions and world hunger.

For Florida Baptists to use the Annie Armstrong name in connection with the joint offering would be illegal, Lewis said. "The Annie Armstrong Offering is not a home missions offering but a Home Mission Board offering," he said. "We would object to anyone raising money under the name of Annie Armstrong and using it for any other reason," he said.

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CORRECTION: In the Aug. 19 story "Florida plan would eliminate HMB involvement in state," please substitute the following for the 8th paragraph:

That agreement, which governs Southern Baptist missions work in all states, prohibits "unilateral actions in areas of cooperation" by either the HMB or the state convention, according to an official interpretation written by HMB vice president Ernest Kelley. The agreement also encourages state conventions "to assume administrative and financial responsibility for direct mission work now conducted by the HMB as rapidly as possible," Kelley wrote.

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### **Congress votes to remove religion from EEOC guidelines**

WASHINGTON (ABP) -- Congress has voted to forbid the Equal Employment Opportunity Commission from enforcing its proposed guidelines on religious harassment in the workplace.

The Senate voted 88-10 and the House of Representatives 322-98 to approve a conference report appropriating funds for the Commerce, Justice, State and Judiciary departments and related agencies. The measure includes an amendment requiring the EEOC to remove religion as a category in the guidelines on harassment.

The Congressional measure mandates that any new EEOC regulations must clearly not restrict the portraying of religious symbols or expressions of religious belief. The measure also requires the EEOC to hold public hearings on any new guidelines related to religious harassment and to receive additional comment before issuing any new regulations.

The EEOC guidelines, drafted to help interpret what constitutes workplace harassment based on race, color, religion, sex or national origin, have been widely criticized as being too vague in their references to religion.

Some religious-liberty groups, among them the Christian Life Commission, claimed the rules rather than preventing religious harassment would create "religion-free workplaces" if implemented. A spokesman for the CLC, the Southern Baptist Convention's moral-concerns agency, hailed the order to strike religion from the guidelines as a win for religious liberty.

"Congress has seen the light, because they felt the heat from the outrage of the American people," said Michael Whitehead, CLC general counsel.

But Brent Walker, general counsel of the Baptist Joint Committee, a religious-liberty watchdog group, said attempts to remove religion from the guidelines are misguided. The BJC is one of several religious-liberty and civil-liberties groups that urged the EEOC to keep religion in the guidelines but clarify them to ensure legitimate religious expression is not stifled.

"Properly crafted guidelines will promote religious liberty in the workplace, not impede it," Walker said.

The measure awaits presidential action.

-- By Pam Parry

### **Coalition launches defense of RFRA in NY courts**

WASHINGTON (ABP) -- Sixty-six religious and civil-liberties groups that worked together to pass a federal law protecting religious liberty are now asking courts to uphold the law's constitutionality.

The Religious Freedom Restoration Act, the law approved in 1993 by a unanimous vote in the House of Representatives and a 97-3 vote in the Senate, restored a high level of protection for religious practice.

The Coalition for the Free Exercise of Religion worked more than three years to enact RFRA after the U.S. Supreme Court ruled in 1990 that government need not justify laws that incidentally hurt religion. The measure, signed into law by President Clinton Nov. 16, 1993, restored the requirement that government must show a compelling reason before it can restrict religious practice.

The broad-based coalition represents Christians, Jews, Muslims, Native Americans and Sikhs and reflects a wide range of theological and political views.

Congress' authority to enact the law has been challenged by New York officials defending lawsuits filed by prisoners who allege violations of their religious rights.

The coalition is filing friend-of-the-court briefs in six New York disputes. While taking no position on the specific claims put forth by the prisoners, the coalition insists that Congress exercised legitimate power when it approved the religious-liberty measure.

By enacting RFRA, Congress did not create "a right out of whole cloth" but enforced "a right with firm roots in constitutional text and history," the coalition's brief argues.

The Constitution "establishes a floor for our civil liberties -- it doesn't erect a ceiling," said Brent Walker, general counsel of the Baptist Joint Committee and one of several coalition attorneys who helped prepare the brief. "Congress quite properly can extend more protection than the Constitution is interpreted (by the courts) to provide."

Walker emphasized that Congress did not override a Supreme Court decision in enacting RFRA.

"Congress was only providing a statutory right where the Supreme Court refused to recognize a constitutional right," he said. "The same thing happened with laws providing voting rights and equal access for student religious groups."

Marc Stern of the American Jewish Congress, lead attorney in the New York briefs, said the coalition "is committed to defending RFRA wherever it is attacked."

Oliver Thomas, special counsel to the National Council of Churches, said the coalition's

legal support team "will vigorously advocate for RFRA in the courts, just as we did in Congress."

In a further effort to secure favorable treatment of RFRA, Thomas, former general counsel at the BJC, and Walker wrote governors and state attorneys general throughout the country on behalf of the coalition.

"Generally, the response has been favorable," Walker said. "Other than New York, those who have responded have no immediate plans to challenge the constitutionality of RFRA," he said.

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-- By Larry Chesser

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