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EDITOR'S NOTE: The following story updates and replaces the Nov. 30 ABP story " Student accused of cheating sues seminary over suspension." It contains new information and corrects errors made in editing of the earlier story.

Judge strikes down order in suit by seminary student

By Trennis Henderson

LOUISVILLE, Ky. (ABP) -- A Kentucky Court of Appeals judge has stayed the enforcement of a temporary injunction against Southern Baptist Theological Seminary, meaning the school in Louisville does not have to reinstate a student suspended on cheating charges.

Citing First Amendment concerns, appellate judge William Knopf ruled that courts do not have a right to interfere in the inner workings of a religious organization.

A three-judge panel of the appeals court will review the ruling. Seminary attorney Stephen Pitt said he expects that review to come in January.

A judge in Jefferson County Circuit Court granted a temporary injunction against the seminary Nov. 19 as part of a lawsuit by Henry Judy, a student who was suspended after being accused by a professor of cheating on a quiz.

Following a three-tiered seminary appeals process that upheld his suspension through December 2000, Judy filed suit against the seminary Nov. 16, charging breach of contract and denial of due process.

Circuit Judge Steve Mershon issued a temporary injunction ordering that Judy be allowed to attend classes and take final exams this semester. Seminary officials appealed that ruling, claiming, among other things, the institution's right "to determine whether its students meet the spiritual, religious, moral and ethical standards" of the Southern Baptist Convention.

In deciding to stay the injunction, Knopf sided with the seminary.

Judge Knopf wrote in his decision that he "has serious concerns whether the trial court has subject-matter jurisdiction over the claims presented in Judy's complaint."

Citing religious organizations' constitutional right "to establish their own rules and regulations for internal discipline and government," Knopf added, "the Constitution requires that civil courts accept their decisions."

The appeals-court judge said judicial review of the disciplinary proceeding "represents a significant intrusion into the internal functioning" of the seminary.

Judy's original suit remains pending before the circuit court. It seeks a permanent order reinstating Judy as a student and "ordering that he not be the subject of any form of retaliation." It also seeks actual damages, punitive damages and "damages for embarrassment and humiliation."

Responding to the Nov. 29 ruling, Judy said, "In terms of the overall case, it really doesn't impact us at all. We're going to go forward with the suit."

The seminary attorney, however, said he believes Knopf's conclusion "will not be lightly set aside by a panel."

"I think it's significant that he went beyond the procedural defects and signaled what he saw the substantive issues to be," Pitt said. "I think it bodes well for Southern Seminary and for all other churches and religious organizations in that it upholds their First Amendment rights."

Seminary president Albert Mohler called Knopf's ruling "a very important victory for Baptists and for Christian institutions."

Staying the injunction "affirms the seminary's right and responsibility to judge discipline matters in a way that is in accord with Scripture and the charge we have received from the churches," Mohler said. "This is an issue that should be especially important to Baptists, given our cherished convictions about religious liberty."

Judy, a self-described "A" student, denies that he cheated and claims to have passed a lie-detector test. His lawsuit names the seminary, President Mohler and four other professors and administrators.

Seminary officials suspended Judy, who reportedly planned to finish course work in January and graduate in May, from classes five weeks before the end of the current semester. Seminary professor Eric Mitchell accused Judy of cheating on a quiz in October.

A seminary spokesman said Judy had been on academic probation since last December, when he agreed he had given the appearance of cheating on a final exam in a previous incident and submitted to disciplinary action.

Judy alleges he did not get a fair hearing in the seminary's internal appeals process. He said he learned all his grades for the current semester had been changed to "F" even before he began his appeal to the seminary's three-member Discipline Council.

He also asked that the professor who charged him with cheating last year be removed from a Joint Discipline Committee of both faculty and students. The request was denied, and the committee voted 9-1 to uphold his suspension.

Judy then appealed to Mohler, who also upheld the suspension.

Daniel Hatfield, vice president for student services, wrote Judy a letter stating that he was to be immediately suspended from classes through December 2000 and that Judy and his wife, Darlene, would be evicted from seminary housing at the end of the current semester.

"We commend you and Darlene to the consolation of the Holy Spirit," Hatfield wrote. "We pray that you would submit yourself to the correction of Scripture, such that you might be molded by the Lord's righteousness."

A seminary spokesman said Judy's student-housing rent was two months in arrears.

Judy complained that he was treated unfairly. "Dr. Mohler, in one of his sermons, pointed out that we need to nurture and encourage and love the sheep and if one goes out, you bring him back and restore him," Judy said. "Here you have them saying, 'We're going to throw you out of the pen for your own good.'"

James Smith, director of public relations, countered that the suspension was "the culmination of an extended effort to work with the student in a loving and gracious manner." Smith noted that the seminary did not permanently expel Judy, the most severe action permitted by seminary policy.

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Southern Baptists debate issues in state convention gatherings

By Bob Allen

(ABP) -- If Southern Baptists remember the 1980s for the "battle for the Bible" between moderates and conservatives at national meetings, then the 1990s must be the decade the holy war moved closer to home.

Issues gaining attention at Baptist state conventions this fall included what the Bible says about the roles of women and homosexuality. Moderate-led state groups continued to distinguish themselves from the Southern Baptist Convention, while conservative breakaway groups competed for churches' loyalty. Attempts to defuse political tensions took a step backward in some states, and others dealt with the effects of two decades of controversy on higher education.

Here are some highlights of state Baptist meetings this fall.

-- Texas. The Baptist General Convention of Texas renewed debate over an article of faith adopted by the Southern Baptist Convention last year. Texas Baptists affirmed the 1963 version of the "Baptist Faith and Message" confession of faith, effectively opposing an article on the family added by the SBC in 1998.

Other groups, including the Baptist General Convention of Oklahoma and a breakaway Southern Baptists of Texas Convention, responded by affirming the revised statement, including its teaching that wives should submit to their husbands' loving leadership. New Mexico Baptists went a step further, beginning a process to add adherence to the revised statement as a requirement for membership.

Texas Baptists also set into motion a proposed constitutional change that would open membership in the convention to churches outside of the state that feel more affinity for the moderate-led BGCT than their own conservative state groups.

-- Virginia. The Baptist General Association of Virginia also took exception to the new family article. Virginia Baptists likewise affirmed the 1963 version of the "Baptist Faith and Message."

In other business, the state group altered ties with the University of Richmond in a compromise that avoided a fight over the university's decision to add sexual orientation to its anti-discrimination policy. Some felt the move was at odds with the state convention's position that Christians should feel compassion for homosexuals, but homosexual behavior is a sin.

A second Virginia group, the Southern Baptist Conservatives of Virginia, announced a new relationship with Liberty University, a school in Lynchburg started by Jerry Falwell.

-- Georgia. The Georgia Baptist Convention expelled two Atlanta-area churches that leaders said affirm homosexuality. Oakhurst Baptist Church in Decatur and Virginia-Highland Baptist Church in Atlanta both welcome openly gay members. They are thought to be the first churches kicked out of the state convention for doctrinal reasons in its 177-year history.

-- North Carolina. A shared-leadership plan intended to defuse political infighting in North Carolina fell short of a two-thirds majority needed for passage. The plan, developed over two years of talks, would have alternated key leadership positions between moderates and conservatives. It received a 55 percent vote with most opposition in debate coming from the conservative side.

In other business, North Carolina Baptists took steps toward severing a fraternal relationship with Wake Forest University in a dispute over homosexuality. Wake Forest officials recently gave permission for a same-sex wedding to be conducted in a chapel on campus.

-- Tennessee. A new bylaw that would have changed the way trustees of Tennessee Baptist Convention-affiliated colleges and universities are chosen fell short of a required two-thirds vote. The change was intended in part to resolve a dispute with trustees of Carson-Newman College, who voted last year to change the school's charter to allow them to name their own successors.

-- Louisiana. Conservatives dominated votes at this year's Louisiana Baptist Convention, ending a two-year cease-fire between theological factions. The convention elected a conservative president and passed a strongly worded resolution affirming biblical inerrancy. In a rare and dramatic appeal, Louisiana Baptists' top paid official chided people on both sides for perpetuating debate over doctrine.

-- California. The California Southern Baptist Convention defeated a proposal to remove "Southern" from its name. Supporters of the proposal, which has come up before, said the regional designation hinders outreach efforts. Opponents, meanwhile, said California Baptists should be proud to be Southern Baptists, particularly in light of the SBC's more-recent conservative image.

California Baptists also rejected a motion to create a separate board of directors for their state Baptist newspaper. They passed a motion, however, to instruct their Executive Board to continue to publish the California Southern Baptist as a news journal, reversing a 1997 vote to change it to a "missions and church promotion" magazine.

The California convention also affirmed the 1998 "Baptist Faith and Message," at least in part as a response to state laws granting rights to homosexuals.

-- Kentucky. Moderates succeeded in electing a president in Kentucky but fell short in an effort to affirm the 1963 version of the "Baptist Faith and Message."

-- Missouri. For the second year in a row, conservatives were elected to the top four offices of the Missouri Baptist Convention.

-- Arkansas. Arkansas Baptists elected a staunch conservative as president by a margin of seven votes. Apart from the close vote, the meeting was reported to be harmonious.

-- Arizona. Arizona Southern Baptists took up an offering for individuals who lost savings in the collapse of the Arizona Baptist Foundation. Some 13,000 investors recently learned they can expect to retrieve between 20 percent and 50 percent of their holdings, depending on which of three options they choose in a restructuring plan. The Foundation's obligations to investors total about \$590 million, while its assets are currently valued between \$220 million and \$260 million, according to reports.

-- Indiana. The State Convention of Baptists in Indiana was poised to take action against a church for calling an ordained woman as pastor. University Baptist Church in Bloomington, however, announced it was leaving the Southern Baptist fold to join the Cooperative Baptist Fellowship, rendering the action moot.

Four large Southern state conventions -- Alabama, Florida, Mississippi and South Carolina -- reported harmonious annual meetings.

Texas Baptist leader defends 'Baptist Faith and Message' vote

By Dan Martin

DALLAS (ABP) -- Responding to criticism of Texas Baptists' rejection of an article of faith adopted by the Southern Baptist Convention, the Baptist General Convention of Texas executive director-elect has written the state's 6,000 churches explaining the action.

Texas Baptists, at their annual meeting in November, affirmed the "Baptist Faith and Message" confessional statement as adopted by the SBC in 1963. The vote in effect placed Texas Baptists in opposition to a family article added by the SBC in 1998. Most debate over the statement has focused on a controversial decree that wives should submit to their husbands.

Leaders in the Southern Baptist Convention and new Southern Baptists of Texas Convention decried the BGCT vote. Charges included that Texas Baptists are more captive to modern culture than the Bible and that they disagree with the Apostle Paul.

In a statement mailed to churches, Charles Wade, who takes office as the state convention's executive director Feb. 1, said he was not speaking for 2.7 million Texas Baptists but sought to "express what I understand to be the meaning of our decision" to reaffirm the 1963 statement.

Wade said he is concerned about how the "Baptist Faith and Message" is being used in Baptist life. Contrary to a clear disclaimer in its preamble that it is not a creed, Wade said the confession of faith "is now being used as a convenient vehicle to take away Baptist freedom of conscience and the God-given right to an uncoerced faith."

Wade said he believes the debate is not about belief in the Bible but interpretation.

"Baptists acknowledge no creed or confession of faith to have coercive power over the conscience of the believer," he said. "We have no creed but the Bible itself."

"Confessions of faith" like the "Baptist Faith and Message," he said, "have value in giving a concise and comprehensive overview of those truths deemed most crucial for believers and in seeking to make clear what is unique or distinctive about the doctrines of a particular church or gathering of churches."

But, Wade emphasized, "the traditional Baptist understanding is those statements must not be used to insist on a spiritual and intellectual conformity."

Wade said Baptists have the right to "revise, amend, add to or subtract from their confessions of faith, but we do not have the right to do that to Scripture. The Bible stands above all confessions or creeds that seek to explain it."

Wade said the current discussion "is a powerful reminder of what happens when God's truth becomes captive to religious power."

"People are put into the position of having to agree with a teaching that they may be able to affirm in its essence but have serious reservations about when stated in certain ways or when important truths are overlooked or de-emphasized," he said.

He called the SBC's newly added article on the family a "perfect example" of that problem.

"The article is not wrong in what it says but is limited because it does not fully say what the Bible says," Wade said.

"The Bible says we are to submit to one another out of reverence to Christ (Ephesians 5:21). The problem many Baptists have with Article 18 is not that it calls for women to submit to their husbands (Ephesians 5:22) but that it says nothing about the husband's responsibility to follow the admonition of Ephesians 5:21 and submit to his wife," Wade said.

"Some insist that the Ephesian text specifically says that the wife should submit to her husband but does not specifically say a husband should submit to his wife. However, using this line of reasoning, one would have to say that since the wife is not specifically asked to love her husband, it is not important [for] her to do so."

Some have charged that those who disagree with the article adopted by the SBC do not believe the Bible and are captive to culture, Wade said. But he maintained the view of mutual submission "expresses a fuller and more profound biblical position and is a genuine reflection of Christ's attitude toward women."

"The discussion going on among Baptists just now provides an opportunity for Baptists to ask themselves, 'Do we want to be faithful to Scripture ... all of Scripture ... or do we wish to be coerced into doctrinal positions about which we have another insight?'" he said.

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Number of mixed marriages on rise, magazine reports

By Sarah Griffith

RIVERTON, N.J. (ABP) -- The number of married couples who are of different races or ethnic groups has doubled since 1980, according to a cover story in the November issue of American Demographics magazine.

While inhibitions remain about marriages between whites and blacks, others -- particularly Hispanics and Asians -- are rapidly marrying outside their ethnic groups, according to an analysis of data from the U.S. Census Bureau's 1998 Current Population Survey.

The trend is being fueled by America's first great wave of immigrants that are largely non-white and a foreign-born population that is growing at a rate nearly four times that of the native-born.

The demographic phenomenon has the long-term potential of transforming the American family and challenging conventional wisdom of dividing the population into distinct ethnic groups and addressing each specifically, according to the magazine.

Marrying someone of the same race, ethnicity and even religion were social norms in the United States until recently. Today, there are nearly 3 million mixed marriages -- about 5 percent of married couples -- compared to 3 percent in 1980.

And those figures don't take into account the large but uncountable number of mixed couples who live together but aren't married.

"The country is indelibly changed by this convergence of cultures," said Gary Berman, a Miami-based brand consultant who specializes in multicultural marketing.

The magazine asked William Frey, a senior fellow of demographic studies at the Milken Institute in Santa Monica and a professor at the State University of New York-Albany, to analyze the census data.

Mixed marriages are occurring most among young, higher-income and well-educated individuals, Frey reported. Two-thirds of Hispanics who have attended or graduated from college marry outside of their ethnic or racial group, he said.

Hispanics with a substantial income are "five times as likely to out-marry than those who didn't finish high school or college," the article said.

One fifth of all married Asian women -- and about half that many Asian men -- have a spouse of a different race or ethnicity.

According to Frey, 30 percent of younger married Asians under age 24 are married to a spouse from a different ethnic or racial group. Half of married Asians younger than 35 are married to someone of a different group and a third of Hispanics under age 35 are involved in an out-marriage, he found.

Frey's data suggests inter-racial and inter-ethnic marriages are less of an issue than they were in 1980 and will become less of an issue as more youth begin marrying.

"This trend (out-marrying) has real momentum behind it because it is so pronounced among young people," Frey said in the article.

The article said the trend indicates that immigrants are becoming assimilated into American culture. But, since most out-marriages by Asians, Hispanics and blacks also include a white partner, it also suggests the dominant white culture is assimilating.

"It is cool to be Latin. It is cool to be Asian," said Berman. "And it is more than just a matter of tastes. You see it in the way Americans are embracing the family values that are so basic to Asian and Hispanic societies."

Baptist clergy who minister in multicultural settings said the findings confirm trends they see taking place in their own congregations.

Younger and more educated people may have more opportunity to experience various cultures and appreciate different views due to current technology, said Ellis Orozco, a Hispanic-American pastor at Calvary Baptist Church in McAllen, Texas.

"With computers and email the world is really shrinking," he said. "I feel like in another 10 or 20 years it won't even be an issue. I think in the 21st century [differences] will be drawn more along economic lines than racial lines. Technology is making the world small."

Julie Pennington-Russell, an Anglo pastor in Waco, Texas, said education may make a difference in how families or congregations accept mixed couples.

"It's possible the more educated we become, the more open we are to non-traditional ways of thinking," said Pennington-Russell, pastor of Calvary Baptist Church in Waco.

Pennington-Russell acknowledged she knew some older Asians at her former church in San Francisco who were well educated but still did not want children or grandchildren marrying outside their ethnic or racial group.

"I think it varies from situation to situation, said Pennington-Russell, "though I think education helps us color outside the lines."

Out-marriage rates remain low for African Americans, about one-third the rate for Asians and Hispanics. The findings show marriages between blacks and whites in the U.S. have not increased. However, out-marriages are higher than average among younger African Americans, according to Frey's analysis.

"It is because of social acceptance," said Emmanuel McCall, an African-American pastor of Christian Fellowship Baptist Church in Atlanta. "The acceptance of Hispanic and Anglo marriages is far more frequent."

Frey's data also found more African-American men out-marrying than African-American women. But McCall said his more recent experiences in the community lead him to believe that data may be changing.

"There are more black women who are marrying out primarily because of a lack of black men," said McCall. "There are those who are in prison, those who are not professional, those who are shot young due to the drug culture. They want a man and as long as they find a good man, it doesn't matter what he looks like."

In his congregation McCall said he has had several of Caribbean or African descent marrying Native Americans. An Asian American and Anglo American have also been a part of the church, he said.

McCall said mixed marriages can create a challenge for ministers.

"There are complications you need to help prepare the congregation for," said McCall. "There is some social isolation, and we try to create a caring atmosphere and build through Bible study ways those people are resourced and made to feel part of the church family."

Despite current societal pressures, McCall predicted inter-ethnic and inter-racial marriages "will become less of an issue."

"For many people it is just something they are getting used to," he said. "But as they become more familiar with it and as it happens more, the awkwardness of it will play down."

Orozco concurred. "The younger generation has a completely different world view," he said. "They look at the world differently than my generation did, and especially than my father's generation did."

A white Baptist pastor in Florida said many inter-ethnic and inter-racial couples attend church where he is pastor, but it is not seen as an issue.

"We look at marriage as marriage and not as a racial expression," said Bill White, pastor of University Baptist Church in Coral Gables. "Ethnicity is part of a rich bouquet. We don't deny ethnicity, but we don't over-emphasize it either."

White said churches must adapt to cultural changes in order to reach people for Christ.

"Our churches are wedded to a traditional model and traditional sociology that has more to do with culture than with the gospel," he said. "When the culture shifts we assume we are shifting from the gospel. When that model is threatened, then we may choose to retreat into a theological defense and say we're compromising the word of Christ."

Pennington-Russell observed: "I think that as the world continues to move in a direction where it's a world without borders -- people see people as people and not as black people or Asian people or Hispanic people. It's not that racism is becoming less of an issue, but I think socio-economics are actually a much greater factor in regard to people accepting or not accepting other people."

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