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Missionary doctrinal statement rated top news story of 2002

By Greg Warner

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JACKSONVILLE, Fla. (ABP) – The International Mission Board's requirement that all 5,100 of its missionaries sign the Southern Baptist Convention's new confession of faith was rated the top news story of 2002 by Baptist editors.

IMB president Jerry Rankin issued the mandate in January, reversing an earlier decision. Missionaries were asked to sign an affirmation of the more conservative 2000 version of the "Baptist Faith and Message" statement or list their objections to it. Supporters said the move was necessary to assure Southern Baptists and the board's trustees that their missionaries are doctrinally sound. Opponents said the signing requirement made the confession into a creed.

By year's end, more than 30 missionaries had resigned rather than endorse the revised faith statement. Others are waiting to hear the IMB's response to their objections. But most missionaries complied.

In an informal survey by Associated Baptist Press, editors of Baptist newspapers overwhelmingly chose the IMB action as the top story of the year. News of the terrorist shooting of three missionaries in Yemen came too late in the year to make the list. But other denominational issues and world affairs made the list. Here's a summary:

1. **Missionary doctrine** – IMB asked missionaries to affirm 2000 "Baptist Faith & Message" statement.
2. **D.C. dispute** – The SBC's North American Mission Board decided to end the cooperative agreement with District of Columbia Baptist Convention. NAMB, which has provided nearly \$500,000 annually to the DCBC, sought to gain greater accountability from the D.C. convention. DCBC Executive Director Jeffrey Haggray called the proposal an "ultimatum" that violated the convention's autonomy.
3. **New Missouri convention** – Moderate Baptists launched the new Baptist General Convention of Missouri in response to conservative dominance of the traditional Missouri Baptist Convention. The MBC also filed lawsuits against five agencies that severed ties with the convention.
4. **Texas Baptist mission plan** – The Baptist General Convention of Texas launched a new missions network and established a "rescue" fund for IMB missionaries who resign or are fired over the issue of the "Baptist Faith and Message."
5. **Catholic sex scandal** – Sex-abuse allegations among priests rocked the Roman Catholic Church, particularly in Boston, where Cardinal Bernard Law eventually resigned.
6. **Vines and Mohammed**. Former SBC president Jerry Vines of Jacksonville, Fla., called Mohammed a "demon-possessed pedophile" during a June speech before the Southern Baptist Convention, launching a storm of criticism.
7. **War** – The ongoing war against Al-Qaida and possible war with Iraq heightened Christian-Muslim tensions even further.
8. **Faith-based initiatives**. Legislation to authorize faith-based social initiatives failed in Congress, but President Bush later issued an executive order enacting some similar provisions.
9. **BWA and CBF**. The Baptist World Alliance agreed in July to consider the moderate Cooperative Baptist Fellowship for membership, over the objection of Southern Baptists.
10. **Baptist Foundation of Arizona** – A \$217 million settlement was reached in the lawsuit against the embattled accounting firm of Arthur Andersen for its role in the collapse of the Baptist Foundation of Arizona. The collapse cost about 13,000 investors an estimated \$570 million. Criminal charges were later filed against foundation executives.

Other prominent national stories of 2002 that received some notice from editors: The words "under God" in the Pledge of Allegiance were deemed unconstitutional; a tax break for clergy housing expenses became law; kidnapped missionary Martin Burnham was killed in the Philippines; and legendary Dallas pastor W. A. Criswell died.

On the state level, denominational politics and gambling issues dominated the year's news. Among the top stories in several state conventions:

Alabama – Video gambling was ruled illegal after years of debate and confusion.

Louisiana – The Louisiana Baptist Convention's executive board transferred control over the hiring and firing of associational directors from the state convention to the associations themselves. Although member churches in each association now control those positions, they are still funded by the state convention.

Missouri – The Missouri Baptist Convention's executive board filed suit against five Missouri Baptist agencies that severed ties with the state convention.

New Mexico – In May, the forest fires that were rampant in the Southwest caused damage to the camp owned by the Baptist Convention of New Mexico.

North Carolina – The Baptist State Convention of North Carolina voted to study whether the funding plan generally preferred by moderates – Plan C, which sends money to moderate causes – is consistent with the convention's constitution. Since the constitution has as one of its purposes "to cooperate with the work of the Southern Baptist Convention," moderates fear the study will result in a showdown over their ability to fund non-SBC causes like the Cooperative Baptist Fellowship.

Tennessee – Despite the opposition of Tennessee Baptists, a referendum to allow a state-operated lottery passed.

Texas – The Baptist General Convention of Texas launched a new missions network and established a "rescue" fund for Southern Baptist missionaries who are fired or resign.

Virginia – In a special meeting in May, the Baptist General Association of Virginia endorsed a new strategy called Kingdom Advance.

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News briefs from ABP's Washington Bureau
By Robert Marus
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Judge rules 'Choose Life' license plates unconstitutional

COLUMBIA, S.C. – A federal judge ruled a South Carolina program that offers license plates with an anti-abortion message is unconstitutional because it does not allow pro-abortion-rights groups to present their message via license plates.

U.S. District Judge William Bertelsman said the "Choose Life" license plate program was an unconstitutional government facilitation of private anti-abortion-rights speech without a corresponding facilitation of other viewpoints.

The state's Planned Parenthood affiliate had challenged the law shortly after it took effect in 2001. The law allowed South Carolina motorists to buy the special tags for \$70.

The U.S. Supreme Court recently declined to hear a similar case on appeal from abortion-rights supporters in Louisiana who sued to end a "Choose Life" license plate program in their state. In that case, a federal court ruled in favor of the program.

In the South Carolina case, attorneys for the state had argued that the speech protected in the program was not private speech but rather government speech expressing the state's preference for live births over abortion. Therefore, the state argued, other viewpoints did not need to be considered. But Bertelsman disagreed, saying the pro-life messages constituted private speech because motorists chose whether to have the plates or not. (ABP)

N.Y. Catholic bishops sue over birth-control law

ALBANY, N.Y. – Roman Catholic leaders in New York have sued the state over a new law that would require employer-provided health-insurance plans to provide coverage for birth control. The state's Catholic bishops sued state officials Dec. 30, attempting to invalidate the law.

The bishops said the law would force Catholic organizations that provide health insurance to their employees to violate church teachings. The Catholic Church has explicitly forbidden its members from using any artificial form of birth control for more than 100 years.

Some Protestant groups joined the bishops in their opposition to the law. Earlier, the church had lobbied the state legislature for a religious exemption from the law, but they did not succeed. (ABP)

U.S. most religious industrialized nation, poll says

WASHINGTON – Despite laments from some quarters about America's secularization, the United States is the most religious nation in the industrialized world, according to a new poll. The Pew Global Attitudes Project, released in December, showed that six in 10 Americans said religion plays a "very important" role in their lives. That is twice the rate of Canada and England, and almost six times the rate of Japan and France.

The survey covered 44 nations. It found that America's religiosity appeared more akin to the high rate of religious commitment in predominantly Muslim nations than to its secularized peers in the Western world. For example, 91 percent of Pakistani respondents to the survey said religion was very important in their lives.

"The jury is still out on whether the United States will become as secular as Europe one day," Fuller Theological Seminary missiologist Eddie Gibbs said, according to the Washington Times. Fuller is an evangelical school in Pasadena, Calif. "The predictions from the 1960s that American church attendance and conventional belief would decline did not come true." (ABP)

Federal court upholds new law protecting religious practice

By Robert Marus

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[Editor's note: This story updates a story originally published Jan. 3 with additional information from the California Attorney General's Office.]

SAN FRANCISCO (ABP) – The same federal appeals court that last year declared the words “under God” in the Pledge of Allegiance unconstitutional has upheld a law designed to protect religious freedom from state interference.

A three-judge panel of the 9th U.S. Circuit Court of Appeals unanimously upheld the Religious Land Use and Institutionalized Persons Act, which offers some protection against government actions – such as zoning laws and prison rules – that can be used to restrict religious practice.

The Dec. 27 ruling turned back a challenge from the state of California. A group of Muslim inmates at Solano State Prison for Men in Vacaville sued state officials in 1996 because they prohibited the men from growing beards or attending Friday prayer services. The prisoners said Islam required the beards and worship attendance. The prisoners sued under the First and 14th Amendments to the Constitution, saying their rights to free exercise of religion were being unfairly infringed.

After Congress passed the Religious Land Use and Institutionalized Persons Act in 2000, the inmates added a RLUIPA claim to their ongoing case.

The Religious Land Use and Institutionalized Persons Act encourages states and municipalities to refrain from imposing “substantial” burdens on any religious practice of individuals or groups unless the government has a significant reason for doing so. The act was Congress' second attempt to rectify a problem that religious-liberty advocates say was created by a 1990 U.S. Supreme Court decision.

The act uses the commerce and spending clauses of the Constitution to withhold federal funding from states or municipalities that substantially burden religious practice without a reason that serves a greater state interest. Other laws use the same principle to encourage state and local governments to adopt certain policies, such as the law that withholds federal highway funds to states that do not raise their drinking age to 21.

In 1993 Congress passed the Religious Freedom Restoration Act to try to reinstate the strong legal protections for religious practice that existed prior to the 1990 Supreme Court ruling. The 1993 act prohibited federal, state and municipal governments from burdening religious practice without a compelling cause. But the Supreme Court in 1997 overturned the Religious Freedom Restoration Act as it applied to state and local governments, saying it unconstitutionally imposed federal standards on those governments.

The newer Religious Land Use and Institutionalized Persons Act has a similar effect to the Religious Freedom Restoration Act, but it uses federal coercion – in the form of funding restrictions – rather than compulsion to achieve its goal.

In the case of the Muslim prisoners, a lower court ruled the state of California could not prohibit the men from growing beards or attending Friday prayer services. State officials appealed to the 9th Circuit.

The opinion accompanying the 9th Circuit's decision, written by Judge Dorothy Nelson, said the state was incorrect to claim that the Religious Land Use and Institutionalized Persons Act violates the First Amendment. Instead, the court said, the statute does just the opposite by extending the First Amendment's protections.

“Protecting religious worship in institutions from substantial and illegitimate burdens does promote the general welfare,” Nelson wrote. “The First Amendment, by prohibiting laws that proscribe the free exercise of religion, demonstrates the great value placed on protecting religious worship from impermissible government intrusion. By ensuring that governments do not act to burden the exercise of religion in institutions, RLUIPA is clearly in line with

this positive constitutional value.”

The opinion also rejected two other challenges from the state of California: that RLUIPA was not authorized by the constitution's spending clause and that its enactment to rectify a court decision violated the constitutional separation of powers between branches of the federal government.

Members of the broad coalition that supported both the Religious Freedom Restoration Act and RLUIPA hailed the most recent ruling. “The decision is a welcome addition to the growing number of cases upholding the constitutionality of RLUIPA,” said Holly Hollman, general counsel for the Washington-based Baptist Joint Committee on Public Affairs.

Hallie Jordan, a spokesperson for the California Attorney General's Office, said "we expect to file a petition for re-hearing en banc," which means they will ask the entire 9th Circuit panel of judges to re-hear the case in hopes they will overturn the decision of the three-judge panel.

The case is *Mayweathers vs. Newland*.



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