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**Moore's fellow justices order removal of Ten Commandments monument**

**By Robert Marus**

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MONTGOMERY, Ala. (ABP) — Alabama Chief Justice Roy Moore has been overruled by his colleagues, who have ordered Moore's monument to the Ten Commandments removed from public areas of the Alabama judicial building in Montgomery.

After a special conference Aug. 21, the court's eight associate justices, without dissent, ordered the building manager to remove a two-ton monument to the Protestant King James translation of the commandments. Moore had placed the monument in the center of the building's rotunda during the summer of 2001 — without the associate justices' consent or knowledge.

Last fall, U.S. District Judge Myron Thompson declared the display in violation of the Constitution's ban on government endorsement of religion. After being upheld unanimously by a panel of the 11th U.S. Circuit Court of Appeals, Thompson ordered the monument removed by Aug. 20, threatening to levy fines against the state if Moore did not comply with his injunction. Moore refused, saying to do so would violate the state constitution. Moore claims that document allows the state to "acknowledge God" as the source of law.

But the eight associate justices — seven of them, like Moore, Republicans — invoked a little-used Alabama law that allowed them to overrule an administrative decision of the chief justice. The building manager erected partitions Aug. 21 to block the monument from public view.

Moore's supporters have been gathering outside the courthouse in recent days. About 500 people filled the plaza for a rally Aug. 20, the deadline for the monument's removal. Inside, 22 people who locked arms around the monument were arrested after they refused to leave when the building closed, according to the Montgomery Advertiser.

Moore, in another part of the state, reportedly cut his trip short to return to Montgomery upon hearing the justices' decision. According to The New York Times, he ordered the partitions removed and threatened to jail his fellow justices.

But in their order, his peers issued a stern rebuke to Moore. "The justices of this court are bound by solemn oath to follow the law, whether they agree or disagree with it," they said. Moore's continued failure to comply with a higher court's order "would impair the authority and ability of all the courts of this state to enforce their judgments," they added.

In a statement released through a spokesman, Moore said of the move to hide the monument from view, "This is an example of what is happening in this country: the acknowledgment of God as the moral foundation of law in this nation is being hidden from us."

Moore's supporters reacted angrily to the associate justices' decision. "What they did was against the Lord," said Rusty Thomas, a Waco, Texas, minister quoted in a New York Times online story. "They betrayed a righteous man," said Thomas, who called the other justices "Judases."

Moore is a Southern Baptist. At least one of his fellow justices is as well, and all others except one list memberships in Episcopal or Methodist churches in their biographies on the state court's website. Senior Associate Justice Gorman Houston is a Methodist Sunday school teacher and the father of a minister.

Alabama Attorney General Bill Pryor, himself a Republican, a Catholic and a previous defender of Moore's action, endorsed the associate justices' decision after it was announced. "The taxpayers of this state should not be punished for the refusal of the chief justice to follow a federal court order," he said.

The state could incur fines to exceed \$1 billion in four months if the monument is not removed, said Gov. Bob Riley.

Riley, also a Southern Baptist, released an Aug. 21 statement saying, "Although I fundamentally disagree with what the federal courts have ordered, the state Supreme Court was correct in unanimously voting to uphold the rule of law." He added that, "Because we are a society of laws, the Alabama Supreme Court has a duty to comply with the federal court order, whether they agree with it or not."

However, Riley also said he would be willing to file a friend-of-the-court brief in Moore's behalf asking the U.S. Supreme Court to review the ruling. Moore ran out of legal options for keeping the monument in place for the immediate future late on the afternoon of Aug. 20 when that court declined to delay implementation of Thompson's order pending Moore's appeal.

The U.S. Supreme Court has never ruled directly on a case about the display of the Ten Commandments in a public building. But lower federal courts have ruled consistently that such displays may be permissible as long as they would not, to a reasonable viewer, convey an endorsement of Christianity over other religions and as long as they appear as part of a larger display with other historic legal documents. Such a display of tablets depicting commandments appears on a frieze at the Supreme Court building itself.

Although Alabama clergy have been largely silent on the sensitive issue, one Baptist pastor in the state said the associate justices' decision pleased him. "I think they made the right decision," Jim Evans, pastor of Crosscreek Baptist Church in Pelham, a Birmingham suburb, told Associated Baptist Press. "They may suffer for it politically, but they absolutely did the right thing and I think they're showing a lot of courage."

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**Baylor faculty senate may consider 'no confidence' vote for Sloan****By Ken Camp****Associated Baptist Press - www.abpnews.com****August 21, 2003****Volume: 03-78-3774**

WACO, Texas (ABP) – Some Baylor University faculty leaders said Aug. 20 they will seek a vote of no confidence in President Robert Sloan, saying he is too divisive to continue guiding the school.

Henry Walbessar, a computer science professor and former dean, announced he will make the motion at the faculty senate's next meeting Sept. 9, or sooner if a special meeting is called.

Chuck Weaver, chairman of the 33-member faculty senate, said any senate member has the right to introduce a motion of this kind, but he acknowledged its gravity. "Everyone involved is aware of the magnitude of this kind of action," he said. "It is not something that is being done lightly."

Neither Weaver nor Joe Cox, who assumes the faculty senate chairmanship Aug. 25, was willing to predict the outcome of a vote. But both noted "widespread" concerns among faculty members about Baylor's leadership. They both pointed to a faculty survey taken earlier this year that revealed low levels of trust in the university, particularly among tenured faculty.

Baylor University spokesman Larry Brumley disputed that assessment, saying it was "unfortunate" and "outrageous" that a handful of individuals would presume to speak for the faculty at large. More than two thirds of the non-tenured faculty support the direction Sloan has led the university, Brumley said. But critics have chosen to focus only on the dissatisfaction of "a group of tenured, mostly male faculty" who have resisted changes at the school, he said.

Meanwhile, other faculty members registered their support for Sloan after they learned about the proposed no confidence vote. According to Brumley, nearly 100 e-mails from faculty and staff members had been copied to the chairman of the Baylor regents.

Barry Harvey, associate professor of theology in the honors college, agreed that the call for a vote of no confidence in the university's top administration is "totally off the mark." Harvey, who has been at Baylor for 15 years, said that at the university general faculty meeting on Aug. 21 Sloan and the provost "received a warm and sustained ovation, signifying broad and deep support" for the administration and its long-range plan for the school.

"If the faculty senate proceeds with a vote of no confidence in light of the reception the president and the provost received at the general university faculty meeting this morning, they will surrender any pretence to being a representative body," Harvey said.

Scott Moore, a philosophy professor, added that a significant number of faculty members are "outraged" that any faculty senators would consider giving Sloan a vote of no confidence. "I genuinely doubt that the faculty senate will go ahead with the vote of no confidence in light of the long, sustained and enthusiastic reception the president and provost received today," he said.

National media attention recently has been drawn to a scandal in the basketball department that resulted in the resignations of the head coach and athletic director.

But Weaver said most faculty concerns were only "tangentially" related to athletics. The neuroscience professor pointed to other "real concerns in a number of different directions."

"These are very, very troubling times for the university," Weaver said. "Leadership needs full faculty support, and it's fair to raise the question as to whether the present administration can provide that leadership."

Sloan has been under increasing fire in recent months, particularly from some vocal alumni, for his "Baylor 2012" long-range plan. Sloan's critics have cited concerns about his emphasis on making Baylor a major research institution and his emphasis on the role of faith in learning, as well as increasing debt and hiking tuition costs.

Cox, professor of management and chairman-elect of the faculty senate, agreed that "without a doubt there is a wide degree

of dissent and dissatisfaction" among faculty regarding Sloan's leadership. At the same time, he added, "The president has strong support also."

"There's a lot of emotion here. This is a horrible time for Baylor University," Cox said. "Nobody wants to hurt this university any more than it's already hurting. But there are some who think changes are required to get us out of this situation."

The call for a faculty senate vote of no confidence came the same week that a major metropolitan Texas newspaper called for Sloan's resignation.

The Houston Chronicle published an editorial saying, "As university head, Sloan bears the ultimate responsibility for ensuring Baylor runs an upright program. Having failed dramatically, it's time for him to step down. Failing that, the board of regents must make the decision for him."

The unsigned opinion article focused primarily on alleged NCAA violations in the men's basketball program, controversy surrounding the death of missing basketball player Patrick Dennehy, and an attempted "cover up" by recently resigned head coach Dave Bliss.

"The crisis in the basketball program is one that could and should have been avoided," the editorial stated. And it noted the scandal occurred on Sloan's "watch" at the university's helm. However, the editorial added, "The scandal is only the latest in a series of painful blows to the university under Sloan's leadership."

The newspaper cited Sloan's endorsement three years ago of a proposed Michael Polanyi Center devoted to the study of the idea that life on earth originated through "intelligent design." "More recently his plan to enhance the school's reputation as an academic powerhouse has irritated faculty members for its emphasis on research and publishing over teaching," the editorial stated.

The editorial called on regent chairman Drayton McLane to "show decisiveness by ridding the school of those whose weak oversight, poor judgment, sleazy morals and possibly criminal behavior have caused Baylor so much damage."

Charles Wade, executive director of the Baptist General Convention of Texas, issued a statement affirming Sloan as a friend and "a man of integrity and vision."

"I appreciate the breadth of the vision he, along with the trustees, have set for our oldest and largest Texas Baptist university. He and the regents of Baylor University have my prayers as they work through one of the most difficult times in the history of the school," Wade said.

"Texas Baptists are a free people, and we do not expect that we will all agree with one another all the time," Wade said. "But we are also a praying people, and we know how to pray for one another in the good times and the bad."

"Our process of governing the institutions that relate to us through boards of trustees has proved to be a wise and effective process," he said. "We believe that the administration and the board will together find the right path through this painful and turbulent time."

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**Texas funding channel will keep former SBC missionaries on field**

**By John Hall and Greg Warner**

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DALLAS (ABP) – Texas Baptists may soon have a way for churches and individuals to provide financial support to former Southern Baptist missionaries who were terminated or resigned over the 2000 Baptist Faith and Message doctrinal statement.

The Baptist General Convention of Texas already offers a "missionary transition fund" to help former missionaries as they seek new positions. The new funding mechanism would help missionaries stay on the field after losing support from the Southern Baptist Convention's International Mission Board.

"We are making it possible for churches and individuals to support missionaries whose ministry was taken away from them by the International Mission Board," said E.B. Brooks, coordinator of the BGCT church missions and evangelism section. "We are doing this at the request of our churches who want to support their continued ministry."

At least 77 of the IMB's 5,500 missionaries have left the mission field because of the new, more conservative doctrinal statement, including 13 who were fired for refusing to sign the statement. The exodus is presumably the IMB's largest departure ever over one issue.

An IMB spokesman declined to comment on the BGCT plan.

At least 10 missionaries have shown interest in receiving funds through the new Texas Baptist funding channel. The Texas convention already channels some support to four missionaries who returned to their field.

Brooks said the program will be a cooperative effort between Texas Baptists and Baptists in the host countries who want the former missionaries to return to their fields of service.

The funding channel, approved unanimously by the BGCT's State Missions Commission Aug. 19, will be operational by Oct. 1 if approved by the convention's Executive Board Sept 30. It may eventually become part of a new as-yet-unnamed missions network of the BGCT.



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