

Notice of Motions for September 2019 Assembly

Submitted jointly by Newtown Baptist Church, Wollongong Baptist Church, Castle Hill Baptist Church, Campbelltown Baptist Church & Chatswood Baptist Church.

Motions regarding affiliation, foundational beliefs and core values

Explanation

Affiliated churches

Adherence to our foundational beliefs and core values is the substance of what unites us as an Association, providing the basis for a common identity, trust and purpose together in mission and ministry. Thus, our constitution requires churches seeking to join the Association to affirm these beliefs and values:

17.1 Qualifications for Affiliation

A church located within NSW or the ACT is qualified to become an affiliated church of the Association by Assembly if it:

(a) supports the foundational beliefs, the objects and the values of the Association as set out in this constitution.

The constitution also provides provisions for the Assembly to withdraw affiliation of a church from the Association through a process outlined in section 17.5 (a). Just as churches are required to affirm the foundational beliefs and values of the Association to become affiliated, it is only reasonable that they must continue to affirm these beliefs and values to remain affiliated.

We are proposing that, with respect to churches that no longer hold to the Association's foundational beliefs, objects and values, the Assembly Council, in accordance with the procedure 17.5(a) of the constitution, and after appropriate investigation and engagement with the church, should bring a resolution to the Assembly to disqualify the church from affiliation with the Association.

This issue is not merely a theoretical or hypothetical one; we are aware of at least one church currently affiliated with our Association that appears to have publicly embraced a position that places it at variance with the affirmation in the Association's core values regarding marriage as "an institution created by God as the foundation for a lifelong faithful union of a man and a woman." On this and other issues, we need to make it clear that ongoing affiliation with the Association requires shared beliefs and values, and that departure from those beliefs and values means departure from the Association.

Accredited Pastors

Pastors seeking to be accredited with the Association likewise are required to affirm the beliefs and values of the Association outlined in the constitution. The Accreditation Guidelines also specify that 'Persons will be removed from the Accredited List by the Committee for the Ministry under the following circumstances... The Assembly Council resolves that the person no longer subscribes to the basic doctrines, objects and values, ceases to hold to their response to the statement of beliefs, or makes comments or acts in a way which indicates that the person no longer holds to their responses to the statement of beliefs' (Section 6.5 of the Accreditation Guidelines, 2019). We affirm these provisions in the guidelines and we are proposing that the Assembly formally affirm the responsibility of the Assembly Council and the Committee for Ministry to act accordingly.

What about property?

We recognise and share the concern that some may have over what happens to a church's property if they have their Affiliation with the Association withdrawn. We affirm that churches should retain control of their own property, and the proposal to remove churches from affiliation who no longer hold to the Association's foundational beliefs, objects and values, should not be seen in any way as a threat to take away their place of worship.

We believe the Property Trust Act¹ leaves room for a congregation to continue to retain use of property held by the trust, so long as they continue to satisfy the basic requirement of 'the public worship of God according to the usages of the Baptist denomination' and uphold the beliefs outlined in Schedule A of the Baptist Union Incorporation Act 1919. However, we see good grounds for the Assembly to remove any doubt on that question.

One way to achieve that objective may be to reinstate a clause from the original Property Trust Act (1984), which made provision for churches to retire the Property Trust for an equivalent trust, but which was removed in 1992. This clause was designed to uphold and protect voluntary associationalism whilst protecting the intent that such land be used for public worship in line with Baptist convictions.

Thus, although it should not be seen as a necessary condition for the Assembly passing motions (1) and (2) as outlined below, we propose that the Property Trust Act be amended to allow churches to retire the Property Trust as per the 1984 Act, or (alternatively) another mechanism be found that is better suited to achieving the

1. www.legislation.nsw.gov.au/#/view/act/1984/4/full

aim of ensuring that churches ceasing to be affiliated with the Association can still have occupation and use of their property, as long as they continue to uphold the basic doctrines set out in the Baptist Union of NSW Incorporation Act.

MOTIONS

Motion 1. With Regard to churches

- When the Assembly Council is made aware of any church that no longer holds to the association's foundational beliefs, objects and values, that the Assembly council investigates this matter in a timely manner.
- If, upon investigation, the Assembly Council finds that that the church no longer holds to our foundational beliefs, objects and values, that the Assembly council, where possible, engage with the church and its leadership to encourage and urge the church to reconsider their position and affirm the beliefs and core values of the Association.
- If, after a further period of three months from the conclusion of the investigation, the church continues to reject our foundational beliefs, objects and values, the Assembly Council is to begin the process of withdrawal of affiliation in accordance with section 17.5 (a) of the constitution. The name of the church should be brought to the soonest possible assembly.

Motion 2. With Regards to accredited and recognised pastors

- When the Assembly Council is made aware of any accredited or recognised pastor who no longer holds to the Association's basic doctrines, objects and values, that the Assembly Council investigates this matter in timely manner.
- If, upon investigation, the Assembly Council finds that that the pastor no longer holds to our basic doctrines, objects and values, that the Assembly council engage with the pastor where possible to encourage and urge the pastor to reconsider their position, in accordance with section 6.5 (j) of the Accreditation Guidelines.
- If, after a period of no more than three months from the pastor being given an opportunity to be heard by the Assembly Council either in writing or in person at one of its meetings, he or she continues to reject our basic doctrines, objects and values, the Assembly Council is to direct the Committee for Ministry to remove the pastor's name from the list of accredited pastors or the list of recognised pastors in accordance with the Accreditation guidelines section 6.5 (j).

Motion 3. With regard to property held under the Property Trust

- That the Assembly Council make whatever changes are necessary to the Property Trust Act to ensure that churches ceasing to be affiliated with the Association can still have occupation and use of their property, as long as they continue to uphold the basic doctrines set out in the Baptist Union of NSW Incorporation Act.

Note from Assembly Council:

*By agreement with those bringing this Notice of Motions, the intention is that these motions be presented at this Assembly and questions for clarification be answered, but **that the motions be laid on the table and not voted on at this Assembly.***

Please see the Additional Explanatory Material from Assembly Council that outlines the proposed process for discussing these matters in the months ahead and deciding on them at an assembly in 2020.

Appendix (1)

Freedom of Conscience

It has been proposed that the Baptist tenet of 'Freedom of Conscience' needs to be considered alongside our commitment to shared beliefs and core values in the development of an Affiliation Agreement. Freedom of Conscience is certainly foundational to Baptist thought and practice, however (as the vast majority of Baptists across the centuries have affirmed) it is entirely consistent with the freedom of Baptist congregations and associations to articulate their shared beliefs make decisions about affiliation and disaffiliation that are consistent with those beliefs.

Freedom of conscience is both a theological and apolitical idea, flowing from the separation of the church and state and linked intrinsically with freedom of religion.² It has provided the historical basis for churches, such as Baptists, to gather freely to worship without coercion from the state and for individuals to think, speak and act in accordance with their religious beliefs. The proposals in motions 1 and 2 that the affiliation of churches and accreditation or recognition of ministers be dependent on their adherence to the core values and foundational beliefs of the Association, are in no way a violation of the Baptist principle of Freedom of Conscience. Nor do they take away from congregations and their pastors the freedom to worship without coercion from the state or any other institution, including the Baptist Association. Rather, they relate to the basis of our voluntary association, and whether we will maintain meaningful boundaries around that association.

Of course, we affirm the autonomy of the local church and the freedom of churches and individuals to disagree over certain issues and remain unified in the gospel and to remain in association with each other. However, the point is that these differences are not foundational beliefs or core values. If we wanted to say that a certain issue was 'a matter of indifference', we would be declaring that it was not part of our foundational beliefs or core values.³ Whereas to state clearly that an issue is a foundational belief or value is to state that this is not a matter of indifference to us as an association – to associate with us is to affirm these things.

Freedom of conscience as a basic tenet of Baptist life (and the western political tradition) is something to be protected and celebrated, but it is not relevant to the question of whether a church or pastor can dissent from the Association's core values and beliefs and continue to be an Associated Church or Accredited Pastor.

2. See for example: www.bit.ly/foc-assembly

3. For example, when a political party allows a 'conscience vote' they are saying that this matter is not part of the core values of the party.

Appendix (2)

Schedule A of the Baptist Union Incorporation Act 1919

1. The Sinfulness of man
2. The Deity of Jesus Christ
3. His atonement for the sin of Man
4. The need of the Holy Spirit for conversion
5. The Divine Inspiration of the Scriptures
6. The Resurrection of the Dead
7. Rewards and punishments in a future state
8. The Baptism of Believers only by Immersion

Appendix (3)

Relevant Sections of

Baptist Churches of NSW & ACT Constitution (2017)

17.5 WITHDRAWAL OF AFFILIATION

(a) An Assembly may withdraw the affiliation of a church with the Association by:

- (i) Assembly Council passing a resolution to the effect that it proposes to move at an Assembly a resolution to disqualify the affiliated church from membership of the Association
- (ii) prior to the meeting, the Secretary to Assembly Council has given the affiliated church not less than 1 month's notice in writing of the time and place of the Assembly meeting at which it is proposed to move a resolution of withdrawal of affiliation, and
- (iii) at the Assembly meeting, the church is provided with an opportunity to be heard or make written representations at the Assembly when consideration of the motion to disqualify the church from affiliation with the Association is being considered.

17.6 RESIGNATION OF AFFILIATION

A church may resign from being affiliated with the Association by giving 1 month's notice in writing to the Secretary to Assembly Council of its intention, and on the expiration of this period, the church's affiliation with the Association ceases.

Appendix (4)

Section 6.5 of the Accreditation Guidelines (May 2019)

6.5 REMOVAL FROM THE ACCREDITED LIST

Persons will be removed from the Accredited List by the Committee for the Ministry under the following circumstances:

...

- (j) The Assembly Council resolves that the person no longer subscribes to the basic doctrines, objects and values, ceases to hold to their response to the statement of beliefs, or makes comments or acts in a way which indicates that the person no longer holds to their responses to the statement of beliefs, provided that the person has been given an opportunity to be heard by the Assembly Council either in writing or in person at one of its meetings. The person must be given not less than ONE month's notice in writing of the time and place of the meeting and the nature of the business to be addressed at the meeting.