

# NEWSLETTER

## EDITORIAL: THE PROPERTY TRUST

After a number of years' consideration our Churches have been presented with a set of proposed amendments to the Baptist Churches Property Trust Act (1984; amended 1992). These proposals include some sensible amendments that would benefit the Churches and the Property Trust, others whose merits are more difficult to judge, and some which are more controversial. In our view the proposal to require Churches to appoint ministers who are on or applying to be on the accredited or recognised persons' list changes the nature of the relationship of the Churches, the Property Trust, and the committees of the Union in such a way that it seriously undermines the freedom of local congregations to govern their own affairs. Not only will the local Churches' freedoms be curtailed, the

Property Trust's independence diminished, but also we believe they will make the Union's committees' work even more onerous. Instead of a convictional basis of union as we have now, in the 'Pastoral Leadership' amendment we are given an institutional one.

In this occasional newsletter we present arguments for rejecting the proposed 'Pastoral Leadership' amendment to the Property Trust Act. Though the proposals have been under consideration by a committee for some years, they have reached the churches for consideration during the busy Easter period. Although this is a busy time, we recommend that churches give careful thought to the implications of the Property Trust proposals and come to the mini-Assembly at Epping Baptist Church, 7 May 2011.



**Philip Calman**  
Chatswood  
Baptist Church

### WHOSE VALUES, WHAT EXPECTATIONS?

Whose values ought to govern the appointment of a pastor in a local church? Who ought to determine what expectations are appropriate for local church leadership?

Historically, NSW Baptists have held the view that under Christ, in accordance with his Word, it is the local church that determines the values and expectations for the selection of local church officers. The Property Trust Act has been set up in such a way to maintain independency from the Baptist Union in this matter. Unfortunately the proposal to amend the Property Trust Act undermines this whole principle. I

don't doubt that the proposal springs from good intentions but to adopt it would be a serious mistake.

The proposal suggests that the amendment is intended "to highlight to churches the importance of seeking an Accredited or Recognised Pastor (or someone currently applying to be Accredited or Recognised) and in good standing with the Baptist Union." I would argue that this proposal does more than just "highlight the importance of seeking an Accredited or Recognised Pastor" it mandates it. It shackles the churches so that they must first tip their hats to the Union

before considering who they can appoint as their pastor. Ultimately it will be the Union's values and expectations that will need to be satisfied when a pastor is appointed.

There is a great danger in this for local churches, for the expectations and values that the proposal is talking about are undefined. Even it was possible to define the Union's expectations and values of pastors there would be no guarantee that they wouldn't change over time. A number of Baptist churches have recently found this to be the case in Victoria. The Baptist Union of Victoria (BUV)

*(Continued on page 2)*

***“this highlights just how far a union’s values and expectations can change in a relatively short space of time.”***

*(Continued from page 1)*

has appointed a lecturer to the Baptist College of Victoria (Whitley) whose published views on homosexuality many Baptists would believe to be contrary to what the Bible teaches. What was most surprising was that his appointment came not only with the unanimous recommendation of the college council but also with the support of the Baptist Union leadership in Victoria. What this highlights is just how far a union’s values and expectations can change in a relatively short space of time. For some Baptist churches in Victoria their own values and expectations are now greatly divergent with those in leadership within the BUV.

Let me put a hypothetical to you to illustrate the danger of linking the Property Trust Act to the Baptist Union’s expectations and values. In time just suppose that the BUV decided that the sort of tolerance that they were looking for in their accredited pastors demanded pastors holding their tongue on this issue and not being criti-

cal of such an appointment supposedly for the good of the denomination as a whole. What if a pastor refused to hold their tongue? Such a person would no longer be in good standing with the Union and might be deemed unsuitable for accreditation or recognition. Where would this then leave a local church wanting to appoint such a pastor? If a church appointed such a person it could be argued that they were in breach of the Property Trust Act. A church would then be put in the difficult position where in order to maintain its own values and expectations it would be forced to forfeit its property.

While the proposal to change section 22 might seem to provide some advantages in protecting churches from unwise pastoral choices what it ultimately will do is open our churches up to interference and control by the Baptist Union. While we have good people working in the Baptist Union, as we have at present, there is little danger of this happening. Yet what you cannot guarantee is how

things might change in the course of time.

What I find ironic about this whole proposal it is that it is being justified on the basis that overseas pastors and pastors from other denominations are coming into Baptist churches with values and expectations that don’t sit comfortably in the context of an Australian Baptist church. It’s ironic because what is being proposed to fix this is itself a solution that doesn’t sit well with historical Baptist values and traditions. The freedom of the local church to appoint its own leadership is something that Baptists have defended and upheld for centuries. It is why the Property Trust Act was set up in the way it was. As it stands now it ensures independency from the Baptist Union. The Baptist churches of NSW and ACT need to protect this freedom by rejecting this proposal for what is being suggested is to hand over what is essentially the responsibility of the local church to the Baptist Union of NSW.

---

## Sledgehammers & Screwdrivers

It’s possible, I’m sure, to use a sledgehammer to hammer in a screw. I’ve never tried to do it, but I have no doubt that if the screw is sufficiently sharp and the

wood is sufficiently forgiving, it can be done. Whether it is a good way to do things is another question entirely. The Committee for the Ministry is a committee en-

trusted with the kind of work that is generally done best with a screwdriver: careful, case-by-case assessments of the gifts, character, gifts and convictions of individ-

*(Continued from page 2)*

ual applicants for accreditation and recognised minister status, and persons whose names have come before the Committee because of the breakdown of a marriage or a complaint about alleged misconduct.

They make their decisions and recommendations as agents of the denomination in the measured, just and prudent application of its disciplinary responsibilities, both proactively (at the entry-gate into denominational accreditation and recognition) and reactively (in the imposition of the various sanctions that the denomination imposes on the ministers whom it accredits and recognises). In the exercise of those responsibilities, up until now, the main sanction that they have been responsible for imposing (or threatening) has simply been the removal of denominational recognition.

Suddenly, in the first of the proposals being brought to the May Assembly, we are being urged to take the screwdriver out of their hands and replace it with a sledgehammer. By linking the decisions of the Committee for the Ministry to the right of congregations to meet and minister in properties administered by the Property Trust, we are freighting every decision that the Committee makes about sole or senior pastors of churches with the potential to smash apart the fi-

nancial and logistic viability of the churches that have called them. If a church calls a pastor whose application for recognised minister status is subsequently rejected, the church is forced into a choice between sacking their pastor or abandoning their buildings.

The way in which this recasts the relationship between the member churches of the denomination and its central administration is obvious. All of a sudden, local churches will find themselves served by a denominational committee that holds in its hands a sledgehammer capable of smashing the church's assets apart in a single decision of its unfettered discretion. In practice, of course, the Committee for the Ministry (and the denominational officers who advise it) may choose to exercise their power in an extremely gentle manner, setting the bar for recognition very low. But the fact will remain that they hold the sledgehammer in their hands, with the power to take a swing whenever they want to.

Less obvious but almost as worrying would be the burden that this change would place on the committee itself. Like a jury operating with the frightening prospect that a guilty verdict would lead to the death sentence for the accused, the Committee for the Ministry would be saddled with

the knowledge that a decision to say no to an applicant for recognised minister status would suddenly carry an enormous extra weight of consequences. Refusing an application would not just clip the applicant's wings and preclude him or her from performing a number of ministry functions as a representative of the denomination; it would force a crisis in the church's relationship with its pastor and its denomination.

Under the present form of the by-laws and the property trust, the Committee for the Ministry performs a vital service to the churches, and is set up in a way that enables it to operate with precision and proportion. Let's not spoil that arrangement by tying the Committee's decisions to the workings of the Property Trust and making it an instrument of economic coercion.



**David Starling**  
Lecturer New Testament & Theology,  
Morling College

***“we are being urged to take the screwdriver out of their hands and replace it with a sledgehammer”***



**Ian Deane**  
Castle Hill Baptist  
Church

***You need to  
ask yourself if  
you are  
willing to take  
this  
significant  
risk? .***

## Fellowship & Freedom

Imagine owning a house, but placing the house in the trust of a group of individuals who assure you they have your best interests at heart, but in practice you discover they have removed your ability to decide who occupies the house. In fact, depending on their approval, you run the risk of losing the house completely. Though the analogy is not perfect, it highlights one of the dangers facing NSW Baptists if they vote in favour of amending the Property Trust Act concerning the appointment of a pastor.

One of the distinctives that has characterised Baptists over the years, is the freedom of the church to govern itself. Such freedom empowers the church, under the direction of God, to make decisions without outside interferences. Thus it prevents external bodies, such as the Union, from imposing its decisions upon a church and thereby robbing them of their freedom.

However, such churches also recognise the mutual benefit in working together with other like-minded churches (where there is a commitment to a set of shared beliefs), without compromising their freedom. The Baptist Union provides this structure and serves the churches in various ways (e.g. by providing resources like Colleges, financial aid, insurance; by encouraging collective

participation in missions; etc.).

This results in mutual benefit to each other as collectively we are able to accomplish more than individually. Collectively, churches direct the Union as to how it can best serve them, and the Union accomplishes such directives through the support of churches. The system is not perfect, but enables greater fellowship with each other without churches losing their freedom.

Unfortunately, though it may not be the intention of the Union, they are seeking to remove some of those freedoms by centralising power. By insisting that churches may only appoint pastors that have been approved by the Union (through the Committee for the Ministry), the Union is removing the freedom of individual churches to call and appoint a pastor of their choice. Whereas churches are now able to call a pastor that would fit into their particular theological emphasis or context, this freedom is now being put under threat since the Union will make that decision (i.e. have the final say over whether or not the choice of the church's pastor is acceptable). This may result in pastors not being approved because they do not fit into the particular theological direction of the Union at the time (this may vary greatly as is evidenced by comparing to-

day to a hundred years ago). Furthermore, this would limit churches in calling a pastor from overseas, (or even another denomination). Consequently, the Union will severely curb the ability of a church to find a pastor suitable for them. This has the potential to have far reaching implications.

In effect, if a church believing God has led them to call a particular pastor, appoint that pastor and the Union does not approve, the Union will be in a position to take control of the property owned by the church. This means the church will lose their property and be left stranded with no fixed assets, thus requiring them to start again. More broadly, the church will be marginalised, the Union left weaker, and fellowship broken.

Thus you need to ask yourself if you are willing to take this significant risk? Under the current Property Trust Act, churches have the freedom to appoint a pastor that may not be on the Accredited or Recognised Persons lists of the Union. However, the proposed changes will remove this freedom and place enormous pressure on churches to 'toe the denominational line' when it comes to whom they may call to be their pastor, which, to coin a phrase, is 'unbaptist!' Instead of strengthening fellowship with each other, it will be weakened.

## What's the Property Trust For?

What is the Property Trust for? For who's benefit was the Baptist Churches Property Trust Act (1984) set up? Many of us have been under the impression that the Property Trust was set up as a service for the churches but currently proposed amendments seem to suggest that the Property Trust is being turned into a means of conformity to the committees of the Baptist Union.

Let me explain. Prior to 1984 various solutions had been adopted by Baptist Churches and by the BU of NSW to the problem that churches as unincorporated associations could not own real estate. Churches could have their own trust deeds and their own trustees, or they could appoint the Union as its sole trustee. The disadvantages of individual Churches having their own trust deeds and trustees were that there were larger costs involved when trustees retired and had to be replaced, greater dangers that trustees would refuse to act, and the fact that churches often lost track of who their church property trustees were. However, many churches had not taken the option of appointing the Union as their trustee since that seemed to compromise the Baptist principle of the freedom of the local congregation. Further, the Union saw advantages to retiring itself as the trustee

of many churches in that it would allow the Union to focus on its core ministry objectives. An added advantage was that the Property Trust could be seen to largely act independently of the committees, officers, and employees of the Union. The Property Trust was set up to help the churches in administering their property and to keep their costs down, and to do so in a way that would ensure the ongoing Baptist character of the churches. The Property Trust is a service organisation for Baptist Churches.

The Property Trust as originally set up guarded the principle of Baptist voluntary associationalism in a number of ways: the Property Trust generally acts only under the direction of the congregations; the Property Trust has not been used as a means of enforcing the policy of the committees of the Union except in some very narrow and circumscribed ways; and, as originally set up, the Property Trust could be retired as the trustee of the church property at the direction of the church. A later amendment to the Act in 1992 removed that final guard of voluntary associationalism. However, the Property Trust, as it has operated to the present, has been willing to allow congregations which believe in Baptist convictions but who are not affiliated to the BU NSW to remain in

their property. This seems to me to be an appropriate, if limited, expression of the freedom of association that Baptist churches should enjoy.

The proposed Property Trust Act amendment regarding "Pastoral Leadership" (22.2.d) removes the freedom of the churches to employ any suitable person who holds to Baptist convictions. The committee for ministry would now hold a veto over every ministerial appointment in every church held by the Property Trust regardless of that church's affiliation to the Union. It is also worth noting that the proposals regarding "Governance" would probably lead to a further 10% or so of the churches in the Union having their freedom curtailed. The committees' of the Union jurisdiction would be considerably extended.

Passing these proposed amendments would further compromise the freedom of congregations and diminish the independence of the Property Trust from the Baptist Union.



Hefin Jones  
Chatswood  
Baptist Church

***"The Property Trust as originally set up guarded the principle of Baptist voluntary associationalism".***

Baptist Evangelicals Today  
P.O. Box 1712,  
Chatswood,  
NSW 2057.

## Baptist Evangelicals Today

Baptist Evangelicals Today (BET) is a network of evangelical Baptist pastors who are keen to promote evangelical belief and ministry among Australian Baptists. We believe that as Australian Baptists we are privileged to have a strong evangelical heritage but that we should never take that heritage for granted. Each generation needs to both promote and defend the truth of the gospel and BET aims to do both of these things by acting as a catalyst among Baptists for evangelical thought and discussion on a variety of issues. We hope, through a variety of ways, to promote a dialogue between Baptists that is true to the Scriptures and therefore to the evangelical faith.

For more information visit [www.bet.org.au](http://www.bet.org.au)

### The Lever

*The Lever* aims to open up healthy and respectful reflection in our denomination on the Bible's role in our identity and decision making. We want us all to be moved by the fulcrum of the Biblical Gospel – the unmovable centre of the Apostolic witness to Jesus – and to revolve around that centre, and derive our power from that centre. The journal aims to be a biblical, loving, robust lever for such aims.

To subscribe or to download back-issues visit:

[www.bet.org.au/pages/the-lever-bet-journal.php](http://www.bet.org.au/pages/the-lever-bet-journal.php)

Make sure  
that you are  
there at the  
7th May Mini  
Assembly.

## MINI ASSEMBLY DETAILS

This year's mini assembly will be held at Epping Baptist Church on Saturday 7 May.

**Epping  
Baptist Church,  
1-5 Ray Rd,  
Epping**