

# IMB attorney says board has power to suspend Burleson

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**By Robert Marus**

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RICHMOND, Va. (ABP)—Although the full Southern Baptist Convention is the only group with the power to unseat a trustee of one of its agencies, the International Mission Board's attorney said the board has legal power to effectively bar the participation of trustee Wade Burleson.

Derek Gaubatz, the IMB's general counsel, said: "Any board has the ability ... to regulate how it will conduct itself. And anybody, including the International Mission Board ... has the power to take measures that it thinks will help it function most effectively as a deliberative body."

Trustees [voted Nov. 6 to censure Burleson](#) and suspend him from voting and other official participation in the board's work for its next four meetings. The censure resolution accused Burleson of intentional and unrepentant violation of board policies—approved in 2006 over his objection—that bar trustees from speaking critically of any board action or publicizing any information from a non-public conversation with a fellow IMB trustee or a senior staffer.

Burleson characterized those policies as “the worst policies that have been published in the history of any Southern Baptist Convention agency.”

Burleson, pastor of Emmanuel Baptist Church in Enid, Okla., and a leader of a group of reform-minded bloggers across the SBC who want the massive denomination’s agencies to be more accountable to and inclusive of average Southern Baptists. His feud with IMB trustees fueled a denominational revolt that helped elect the current SBC president.

Burleson has blogged repeatedly in criticism of two board policies—adopted in 2005—that tighten the doctrinal parameters for who may be appointed an IMB missionary. The policies limit the proper mode of baptism and prohibit the practice of glossolalia, or speaking in tongues, when in private prayer moments.

The censure resolution, which the board approved in a closed session and reported publicly Nov. 7, effectively prevents Burleson from any participation on the board, including serving on its committees or speaking or voting in meetings.

Burleson has said his participation in trustee meetings is governed by the SBC members who elected him, not his fellow trustees. He has vowed to continue to attend IMB meetings—at his own expense—and will attempt to vote and carry out his other duties, short of being disruptive.

But Gaubatz said Burleson’s colleagues were within their rights to do anything they could short of actually removing him from office.

“Any board, whether it is the board of IMB or the board of IBM, has the power to take measures that it thinks will help it function most effectively as a deliberative body,” he said. “The only limit that exists on that power is if there’s something in the bylaws that says, ... you can’t do such-and-such.”

He said a much more extreme example of such a situation would be

suspending a trustee who “came into a meeting and used a bullhorn the whole time and was disrupting the meeting.” The board would have the right to eject that person from the meeting even though the SBC had not unseated him, Gaubatz said.

But Burleson, contacted Nov. 8, called that analogy “irrational and illogical,” because he is not disrupting the board’s business.

“In the past year and a half, I have spoken politely in public board meetings—and very courteously—only twice,” he said. “And it was about raising the pay we give our missionaries when they retire.”

He also noted that he has served as a parliamentarian for the Baptist General Convention of Oklahoma. “So I completely understand how one must conduct business in a manner that is conducive to order.”

Gaubatz also noted that although Burleson said he disagrees with the code of conduct under which he was censured, he has not made any official attempt to rescind it. “Mr. Burleson like any other trustee, has been free since that code was passed to express his dissent about that by, in a proper forum, bringing a motion to the board to rescind it or rescind portions of it he disagrees with,” he said. “To my knowledge, he has not done that.”

Burleson countered that he knows any such motion would garner no support other than his vote and perhaps a handful of others on the board.

He noted that the trustees approved those policies March 22, 2006—the same day they rescinded an earlier attempt to ask the SBC to unseat him. The ouster attempt came in response to Burleson’s initial blogging in opposition to the restrictive new missionary policies. It was widely criticized in the Southern Baptist blogging community, and contributed to a wave of discontent that lifted long-shot candidate Frank Page, a South Carolina pastor, to the SBC presidency that year over candidates endorsed by the denomination’s fundamentalist power structure.

Burleson said the new trustee-conduct policy essentially took his critiques of the missionary requirements “out of the hands of the Southern Baptist Convention to deal with, and they brought them in internally, and said, ‘We’re going to deal with it by passing new (trustee-conduct) policies.’”

“In the beginning, I tried to abide by those policies,” he continued. “But what I found is those policies about prohibiting dissent are the worst policies that have been published in the history of any Southern Baptist Convention agency.”

The Nov. 6 censure came two weeks after a fellow IMB trustee who has been highly critical of Burleson sent his colleagues a 153-page letter accusing the Oklahoma pastor of “gross and habitual sin” for his blogging. Trustee Jerry Corbaley, an associational director of missions from California, also said Burleson “continues to initiate slander and gossip against the trustees.”

Gaubatz said that Corbaley’s letter only precipitated the censure action against Burleson in the sense that Burleson’s decision to publicize the letter was itself a violation of the trustee-conduct policy.

“This was not a public letter; it was a private communication and it was released, and that was a violation of the code of conduct,” he said.

Some of Burleson’s supporters have asked whether IMB Chairman John Floyd or other trustee officials would also recommend censure of Corbaley for violating the trustee-conduct code. It also bans trustees from speaking disparagingly of their fellow board members.

Asked if trustee officials would recommend censure of Corbaley, Gaubatz said he could not reveal the contents of any internal or executive session of IMB trustees.

However, he added: “The code of conduct is enforced consistently against

all trustees. Part of that code of conduct includes how steps of discipline should be followed. The first thing that's taken in any case is to allow an opportunity for someone to repent and apologize for what he's done and promise to not engage in such action again. If that takes place, you don't get to the next step of having to take a censure."

Floyd did not return a message left with him requesting comment. Wendy Norvelle, an IMB spokesperson, directed a reporter inquiring about the censure vote to Gaubatz.

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