

Abyssinian Baptist Church welcomes dismissal of pastor candidate's discrimination suit

by [Adelle M. Banks](#)

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Ebony Marshall Turman, then a professor at Duke, preaching at the Duke Divinity School's 90th Baccalaureate service, May 14, 2016. (Duke Divinity School via AP)

A federal judge has dismissed a gender discrimination lawsuit brought against Abyssinian Baptist Church by a onetime candidate to be the historic Harlem church's senior pastor, the sole female candidate among finalists for the role.

Ebony Marshall Turman, an associate professor at Yale Divinity School, [filed the complaint in 2023](#). The church had asked a judge to dismiss the case on the grounds of "ministerial exception," under which religious institutions are given more latitude

in personnel and other matters.

“There is no way for this Court to resolve Dr. Marshall Turman’s employment discrimination claim without becoming entangled with Abyssinian’s ecclesiastical innerworkings,” ruled US District Judge Dale E. Ho in a March 31 opinion for the US District Court for the Southern District of New York.

“It is therefore not premature to apply the ministerial exception at the motion to dismiss stage of this litigation. Accordingly, because the ministerial exception applies, Dr. Marshall Turman’s employment discrimination claim against Abyssinian is dismissed.”

The ministerial exception, in some cases, prevents courts from interfering with “the employment relationship between a religious institution and one of its ministers,” according to *Hosanna-Tabor Evangelical Lutheran Church & School v. Equal Employment Opportunity Commission*, a 2012 US Supreme Court case that Ho cited in his decision.

The judge wrote that Marshall Turman’s petition was “a somewhat close case,” noting her claim that ministerial exception did not apply because the church said in its advertisement for the pastoral position that “The Abyssinian Baptist Church in New York City Inc. shall not discriminate on the basis of race, color, religion, gender, age, or sexual orientation.”

But Ho determined that the “boilerplate antidiscrimination statement” was not sufficient to demonstrate that the church was waiving its First Amendment rights under the ministerial exception, based on the facts of Marshall Turman’s case.

The judge also dismissed Marshall Turman’s employment discrimination claim against Valerie S. Grant, the pulpit search committee chair, saying the ministerial exception also applied to that claim.

The church welcomed the judge’s ruling.

“We are grateful that the members of Abyssinian can continue to worship, heal and embrace their new senior pastor [Kevin R. Johnson](#) who has already helped to grow the historic church,” said spokesperson LaToya Evans in a statement. “Under Rev. Dr. Johnson’s leadership, Abyssinian’s congregation has already experienced meaningful growth and renewed spiritual connection.”

Evans said 255 people have joined the church, which has about 3,000 members, since Johnson's first sermon as the 21st senior pastor on July 14, 2024.

Johnson succeeded the [Rev. Calvin O. Butts III](#), who died in 2022 after serving as minister at the church for 50 years.

Marshall Turman, who served for about 10 years in ministerial positions at Abyssinian, including as an assistant minister from 2010 to 2012, said in a statement that she is "prayerfully preparing" an appeal.

"The case was not dismissed on its merits but on a technicality — religious exception — which contends that the church has a right to discriminate, even though the Bible says, 'in Christ there is neither male nor female,'" she said in the statement. "My moral claim still stands: gender discrimination, against me or anyone else, has no place in God's house."

In a statement on her Facebook account, she added her gratitude for those who have offered her support.

"To the Black women who, even in their silence, have rallied behind sexism and misogynoir; and to the Black men who have viciously and thoughtlessly attacked me in their attempt to maintain aspirational patriarchy in the Black Church, 'the wages of sin is death (Romans 6:23),' " she wrote.

Abyssinian is the subject of another lawsuit filed in October by some members of the church seeking to have the "purported election" of Johnson annulled. A GoFundMe page, titled "Help Us To Restore Integrity at Abyssinian," has raised more than \$104,000 toward a \$200,000 goal to pay for the legal costs of that suit.

A March 25 update on the page referred to the funeral of Grammy-winning singer Roberta Flack, held at the church earlier in the month, and noted that Johnson had called the church the "Black Vatican" on that occasion.

The update added: "a well-attended celebrity funeral does not erase or correct the many wrongdoings that have occurred over the past year concerning the pastoral election process." —Religion News Service