



BAPTIST PRESS
News Service of the Southern Baptist Convention

NATIONAL OFFICE
460 James Robertson Parkway
Nashville, Tennessee 37219
Telephone (615) 244-2355
W. C. Fields, Director
Jim Newton, Assistant Director

BUREAUS

ATLANTA Walker L. Knight, Chief, 1350 Spring St., N.W., Atlanta, Ga. 30309, Telephone (404) 873-4041

DALLAS Orville Scott, Chief, 103 Baptist Building, Dallas, Texas 75201, Telephone (214) 741-1996

NASHVILLE (Baptist Sunday School Board) Gomer Lesch, Chief, 127 Ninth Ave., N., Nashville, Tenn. 37203, Telephone (615) 254-5461

RICHMOND Jesse C. Fletcher, Chief, 3806 Monument Ave., Richmond, Va. 23230, Telephone (703) 353-0151

WASHINGTON W. Barry Garrett, Chief, 200 Maryland Ave., N.E., Washington, D.C. 20002, Telephone (202) 544-4226

March 9, 1973

Sioux Catch Christian
Missions in Crossfire

By Sandy Simmons

PINE RIDGE, S.D. (BP)--Christian missions with the Oglala Sioux Indians appears caught in a crossfire between the American Indian Movement (AIM) and free-thinking independent Indians who follow elected tribal leadership.

The future existence of churches on this reservation and others as well, is in question.

One goal of AIM, according to Baptist missionary A.L. Davis, is to get the churches off the reservations all together.

AIM leaders have demanded the removal of Christian churches from the reservations.

Davis said, however, they are largely concerned with the removal of the institutionalized, longer established churches such as the Catholic and Episcopalian.

When Baptists first went to the Pine Ridge Reservation in 1966, fifty per cent of the 11,000 people were Catholic and 40 per cent were Episcopal. Since then, other churches have begun work, such as the Wesleyan Methodist, Mormon, Pentecostal and two Indian originated churches--the Native American Church and Body of Christ Church.

"We smaller groups just sit and wait now. We are in the middle," Davis said. "We don't agree with the violence but have sympathy for the demands that Indian rights be recognized."

Davis said that hopes for the smaller churches remaining on the reservation rest of the friendships developed with the Indian people there. "If you have friends out there on the reservation, then you have hope of staying," he said.

Davis said he hopes the federal government will bring order, but not without dealing with the grievances expressed by the demonstrators.

Southern Baptists have two mission churches in the area, one at Pine Ridge and another at Sharp's Corner. The Oglala Baptist Chapel at Sharp's Corner is housed in a mobile unit on a property controlled by an individual, but the Sioux Baptist Chapel at Pine Ridge meets in a building leased by a permit issued by the town.

Between the two mission points is the beleaguered Wounded Knee where AIM Indians have taken over the Catholic church building.

Wounded Knee, a sparsely settled community with a museum and trading post, is the site of an 1890 massacre in which more than 300 men, women and children died.

In early March, a group of AIM rebels took charge of the trading post, and held several hostages captive in the Catholic church in Wounded Knee. They demanded the removal of Tribal Council President Dick Wilson, charging him with corruption.

Federal troops were called in to surround Wounded Knee. Caught right in the middle between the AIM leaders and the federal troops were about 60 Sioux families that live in the area, according to Southern Baptist missionary Harold Heiney.

Not all these people support AIM, because many of the AIM leaders are considered "outsiders," Heiney said. When the AIM rebels asked for a vote to impeach Wilson, the tribe voted down the ouster.

-more-

"Sioux are free-thinking people, but AIM demands total obedience," said Dorothy Richards, secretary to the tribal court at Pine Ridge. "We don't have too many AIM people here. Most of the ones in Pine Ridge are outsiders, and we hate people coming in from the outside and telling us what to do."

Most support for AIM on the reservation is because of hostility towards persons holding power who are mixed bloods, which includes Council President Wilson, according to a report in Time Magazine.

Davis, longtime home missionary with Indian groups, fears the Wounded Knee incident will affect Baptist work on other Indian reservations.

Davis came to South Dakota in 1966 from Montana mission work and state work on the Oglala Sioux reservation which stretches more than 100 miles long and 60 miles wide. More than 11,000 Sioux live on the reservation. Davis lives now in Rapid City and the reservation work was expanded to include missionary Heiney who lives in Pine Ridge.

Heiney is concerned with ministering to the people there on the reservation. The rift he says, is Indian against Indian, and he fears it could end in bloodshed.

"We are trying to work with our people now so that when all this is over we all will be able to live on the reservation," Heiney emphasized. "Our ministry is to bring reconciliation between the two factions, to pick up the pieces and share the gospel."

Southern Baptists are not among the churchmen serving as negotiators; most of these are outsiders also.

"Now there is not much we can do. A lot of the Indians are not for AIM. We need to try to minister spiritually and stay sensitive to the feelings of all the people. We will carry on our programs to all of the people."

The Indians are not going to forget Wounded Knee, said Irwin Lawson, Home Mission Board language missions staffer.

"Wounded Knee was the last big confrontation with the government in 1890. We do have a ministry with the Indians. If there is going to be any hope of unity now it will be through the unity of the Christian Gospel."

-30-

BP PHOTOS sent to Baptist state papers.

Baptist Agency Files Brief
On Tax Credit Parochial

3/9/73

WASHINGTON (BP)--The Baptist Joint Committee on Public Affairs in an amicus curiae (friend of the court) brief asked the Supreme Court of the United States to rule that "tax credit for tuition paid to parents to nonpublic schools" is a violation of the establishment clause of the First Amendment of the Constitution.

The brief, prepared by the research department of the Baptist Joint Committee, was filed by Joseph B. Friedman, attorney for the committee as amicus curiae.

John W. Baker is the associate director of the Baptist Joint Committee in charge of research services. Rosemary Brevard is his assistant.

The Baptist Joint Committee of which James E. Wood Jr. is executive director, earlier authorized its staff to file amicus briefs on matters on which the committee has taken positions when they consider the subject to be of sufficient import.

At its semi-annual meeting the first week in March the Baptist Joint Committee further authorized its staff at its discretion to identify the committee with a possible brief in the Billy James Hargis case that may be considered by the U.S. Supreme Court.

-more-

The Hargis case involves an Internal Revenue Service ruling that revoked the federal income tax exemption of Christian Echoes National Ministries, Inc., a Tulsa, Okla., based publishing and broadcasting operation.

In the event that the Baptist Joint Committee joins in an amicus brief in the Hargis case, it would be in defense of Christian Echoes National Ministry, Inc. against the IRS ruling.

The current brief on "tax credit" is known as Pearl v. Nyquist. It challenges a New York law which provides for a balloon tax deduction by parents paying parochial or non public school tuition. This "tax deduction" was described by the district court for the Southern District of New York as a "tax credit."

The New York law, which was ruled constitutional in a 2-1 decision by the district court, provides for a graduated scale of tax deductions for parochial school parents based on adjusted gross income and the number of children in nonpublic schools. The maximum benefit a family can receive under this law ranges from \$50 for one child to \$150 for three or more children.

"It is the opinion of the Baptist Joint Committee on Public Affairs that the principle of religious liberty is jeopardized by the decision of the United States District Court for the Southern District of New York, dated October 2, 1972, which is on appeal in this case," the Baptist brief stated.

Five arguments against the New York tax credit were advanced by the Baptist brief.

1. The legislative purpose was to provide public aid to religious parochial schools.
2. The primary effect of the law "is to grant public aid to sectarian religion and its institutions."
3. The law provides for insufficient administrative controls and results in excessive political entanglement between government and religion.
4. The tax credit provided by the New York law constitutes "an unconstitutional public support by the government of the teaching of religion."
5. The law creates "a form of compulsory religion."

This new brief is the fifth to be filed by the Baptist Joint Committee in cases involving church-state questions. Two were filed under the administration of Joseph M. Dawson, the committee's first executive director, and two during the administration of C. Emanuel Carlson, the committee's second executive director. This most recent brief is the first to be filed during Wood's administration.

In 1946 the committee filed a brief in *Everson v. Board of Education* on the subject of using parochial school pupils. In 1949 it filed a brief in *McCollum v. Board of Education* on the subject of released time for religious education.

In 1970 a brief was filed in *Walz v. Tax Commission* on the question of taxation of church property. In 1971 the brief was on compulsory religion at military academies in *Anderson v. Laird* in the U.S. Court of Appeals for the District of Columbia.

-30-

Wood Hits Federal Guidelines
On Religious Discrimination

3/9/73

WASHINGTON (BP)--A Baptist leader here vigorously condemned recent Department of Labor guidelines prohibiting religious discrimination in the nation's church-related colleges that have participated in federal contracts or that have received federal subsidies.

James E. Wood, Jr., executive director of the Baptist Joint Committee on Public Affairs, charged that the Department of Labor guidelines "must be seen as a direct invasion of government into religion and private education in the most sensitive area of school administration decision making."

-more-

Wood made his attack in an article appearing in the March Issue of Report from the Capital, monthly bulletin of the Baptist Joint Committee. He also made identical charges in a special report to the semi-annual meeting of the Baptist Joint Committee.

The guidelines (otherwise known as rules and regulations) took effect on February 20, 1973. They tell how to comply with requirements of Executive Order 11246, as amended, for promoting and insuring equal employment opportunity for all persons employed or seeking employment with government contractors and subcontractors without regard to religion or national origin.

The Executive Order 11246 was issued September 24, 1965 by President Lyndon B. Johnson following the enactment of Title VII of the Civil Rights Act of 1964. The executive order declared that "the policy of equal opportunity applies to every aspect of federal employment policy and practice." The guidelines are administered by the Labor Department's Office of Federal Contract Compliance (OFCC).

Before the religious and ethnic rules and regulations were issued, a group of church representatives, including Wood and John W. Baker, director of research services for the Baptist Joint Committee, met with officials of OFCC. They attempted unsuccessfully to modify the sweeping provisions of the proposed guidelines.

Wood pointed out that one of the most disconcerting aspects of the ruling by the Department of Labor is "that religious nondiscrimination in employment by these schools must apply to persons employed to teach religion as well as other subjects.

"A department of religion in a church-related college or university, if it holds a contract with the federal government for \$10,000 or more, may no longer discriminate in the hiring of its religion faculty on the basis of religion," Wood continued. The only exception would be a chaplain whose religious qualifications might be essential to the performance of his duties.

"Inevitably," Wood asserted, "the enforcement of such a policy requiring nondiscrimination in religion in the employment practices of church schools raises serious questions concerning the continued identity, integrity, and existence of religiously oriented schools as such.

"To take the position that denominational or religiously oriented schools may no longer discriminate on the basis of religion in the selection of their faculty is, in effect, to deny the right of such schools to preserve their religious character."

Wood charged that the department of labor policy on contract compliance is "seriously defective" because (1) "it is far too sweeping in its application" and (2) it fails to distinguish between schools that have federal contracts for services rendered and "those institutions which are partially supported or subsidized by federal funds for the construction of buildings and the general operation of their school program.

"By no stretch of the imagination," Wood declared, should programs involving contracts with the federal government for R.O.T.C., training of Peace Corps volunteers and similar services rendered to the government by the school "be viewed as aid to the school itself."

Wood concluded: "for the state to take the position that denominational or religiously oriented schools which have entered into a contract with a federal agency may no longer preserve their religious identity is a denial of a basic civil right in itself.

"It is to call into question the meaning and substance of the First Amendment: to limit the authority and power of government over religion. For the termination of religious discrimination in church schools inevitably will bring the elimination of the rights of church school to their religious identity."

In response to this report of the executive director, the Baptist Joint Committee voted to offer the services of its staff to any church-related Baptist institution to help clarify the guidelines for Executive Order 11246. The committee also voted for its staff to express its deep concern to the highest governmental officials "about the unfairness of the guidelines, especially in regard to contracts that do not involve subsidies."

Baptist Agency Confronts
Key Church-State Issues

WASHINGTON (BP)--The Baptist Joint Committee on Public Affairs, in semi-annual session here, instructed its staff to develop study papers and strategies on a number of key church-state issues, including the history of tax exemption on church properties and IRS regulations exempting ministerial housing allowances.

The Baptist executive and representatives from six national Baptist bodies in the United States asked further that the Washington staff develop a strategy for launching an intensive educational program regarding religion in public education.

The committee expressed concern that among their constituencies misunderstandings persist regarding Supreme Court decisions in 1963 and 1964 on state-supported prayer and Bible readings in public schools.

"The First Amendment and the Bill of Rights are under seige now more than ever," declared board member Foy Valentine, secretary of the Southern Baptist Christian Life Commission. Unanimously, the committee supported the need for a nationwide program to educate Baptists concerning religious liberty and the danger in continued calls for state-supported and sponsored prayers and devotions in public schools.

The matter of tax reforms now being discussed in Congress was prominent on the agenda of the two-day meeting of the Baptist Joint Committee. Since committee members represent constituencies with varied viewpoints concerning ad valorem taxes on church properties and tax exemption for ministers' housing allowances, no position was taken on these controversial items.

Instead, the committee asked for an indepth study of the history of these exemptions to be shared with their respective denominations.

James E. Wood Jr., executive director of the Baptist agency in the nation's capital, announced that he would testify before the Ways and Means Committee of the House of Representatives on federal income tax deductions of charitable contributions. The committee agreed with Wood that no position would be presented to the Ways and Means Committee concerning tax exemption for ministers' housing allowance.

During the two-day meeting the committee gave attention to reports from the religious liberty conference on "Baptists and the Bill of Rights" sponsored by the Baptist Joint Committee last November.

Following one of the suggestions from that conference the committee asked the staff to work with member bodies of the committee to formulate a statement with reference to church-state relations "as they affect such matters as taxation, lobbying, petition of government and business activities of the church."

Acting on another report from the religious liberty conference, the committee approved a request for the staff to investigate and study the following: (1) amnesty for conscientious objectors; (2) the bail system, especially in cases of minor offenses; (3) inequities in court procedures--especially in relation to the poor and powerless--delays, counsel, and unanimous decision of juries.

Alton L. Wheeler, general secretary of the Seventh Day Baptist General Conference, presided over the meeting.

-30-

Mrs. Gaines Dobbins, Wife
Of SBC Educator, Dies

3/9/73

BIRMINGHAM (BP)--Mrs. Gaines S. Dobbins, wife of one of Southern Baptists' most prominent religious educators, died here at age 86. She had been confined to a nursing home for several years.

Funeral services were held March 3, with burial in Birmingham. Survivors include a son, Austin Dobbins of Samford University, Birmingham; a sister, Mrs. Sim Salter of Hazelhurst, Miss.; and her husband, who for many years taught at Southern Baptist Theological Seminary, Louisville, and Golden Gate Baptist Theological Seminary, Mill Valley, Calif.

-30-