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Wayland Instructor
 Won't Receive Pay

PLAINVIEW, Tex. (BP)--A Wayland Baptist College art instructor, dismissed for allegedly serving alcoholic beverages to students, will receive no further compensation from the college.

President Roy C. McClung said J. D. Whitaker's "severance is final" and he will not be paid under terms of a two-year contract signed before his dismissal in late May.

Whitaker was fired because he allegedly provided alcoholic beverages during social gatherings attended by students.

McClung said Whitaker was dismissed for conduct unbecoming a teacher at the college, for violation of a pre-employment understanding about possession and use of alcoholic beverages and for involving students in a breach of written rules.

One of the students involved has left the college, the president said, and others have received 50 demerits--100 bring dismissal--and have lost their eligibility for institutional financial aid or scholarships.

Whitaker reportedly said he would not appeal the firing and would wait to see if the college paid him under the terms of his contract signed in March.

McClung reiterated no such compensation will be made.

"This is our opportunity to say once again we are going to be different at Wayland Baptist College," he said.

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Judge Gives Option:
 Church or Jail

Baptist Press
 6/23/77

By Laura Deni

FRESNO, Calif. (BP)--Hugh Wesley Goodwin, 54, is a black, Bible-toting judge who is fighting church-state separation, while legal authorities deplore his religious alternatives to jail.

"You can separate religion from government or any other phase of life, but you can't separate God," explained Goodwin, a Baptist.

Last year California Gov. Edmund Brown appointed Goodwin municipal judge. Since that time he has offered more than 200 misdemeanor defendants the option of attending church or Bible-study classes instead of going to jail.

When the state Commission on Judicial Performance began an investigation on Judge Goodwin earlier this year, the judge told reporters the commission was "out to crucify the Lord."

"You know that Guy--the One that was crucified on the first Easter--was completely innocent, and I'll remind the commission not to make the same mistake.

"I also intend to remind them the Lord is watching very closely what they are doing, that they had better be very careful, for some day they will have to account for it--not to me, but to Someone who really has some power."

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The controversy over the judge began when he was sworn into office February, 1976. Instead of the traditional oath-taking, he opted for a religious service reaffirming his allegiance to God.

When the Santa Clara County Human Relations Commission wrote deploring the action, he replied:

"Whether you like it or not, the commission is an instrument of God. It is better that you know this now, while you have time to straighten out your own thinking rather than find out later when it is too late and claim surprise."

The judge denies he wants everyone to become a Baptist. He said in an interview that he would permit a Jewish defendant to attend a synagogue as a condition of probation or a Moslem to visit a mosque.

In response to the commission Judge Goodwin wrote: "Destruction must come to any nation, to any judicial system, which rests on any foundation other than Jesus Christ."

He added, "The issue is not whether I am imposing my religion on others. The legal question is 'What suggestions do I have a choice to offer?'"

He emphasized that offering a defendant the option of attending church in no way threatens religious freedom.

He insists that attending church is more rehabilitative than prison. He said only five of the more than 200 defendants who have chosen church instead of jail have committed crimes again.

"And five is a liberal estimate," he argued. "I've seen a lot of lives changed. One guy came back to me after joining a church and said 'I've never seen so much love. I never had this before.'"

"There was an initial fear in the community over having crooks in the congregation. But people ended up loving them, and businessmen offered them jobs. We have more people in the churches involved in rehabilitation than the probation department. And it's not costing the county a dime."

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She's 'Mom' to Three
Motherless Children

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WASHINGTON (BP)--"Mother of the Year" is an honor regardless of who bestows it.

The fact that President Jimmy Carter is a member of First Baptist Church here, where Mrs. Anice L. Lyon of Alexandria, Va., was chosen Mother of the Year by the Dawson Bible Class, adds to the prestige.

Mrs. Lyon was properly pleased with her selection.

But the way it was done pleased her even more. It came through the three motherless children of widower John Hill, who combined their thoughts on paper for the "Mother of the Year Committee."

The petition of Margaret, 6; Katherine, 8, and Johnny Hill, 10, carried the day:

"We would like Mrs. Anice Lyon to be named Mother of the Year and receive the special honors as we think she has been so good to us since our mother passed away.

"She's been our special grandmother and has helped to take care of us when Daddy had to go to work and no one was available.

"She's hemmed our dresses and baked us cookies; she's patched our clothes and made us birthday cakes. She's sewed on buttons and she's always bringing us presents which we love, but most of all we love her.

"She has two children, four grandchildren and four great grandchildren of her very own, but we think she really loves us best of all. She never forgets our birthdays and sends us special cards, and on Christmas and Easter she showers us with special presents... sort of like our mother would do if she were living with us.

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"Please won't you make her Mother of the Year and make her happy this one time for the three of us?"

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Zambia Baptists Begin
New Work in Central Area

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6/23/77

KAPIRI MPOSHI, Zambia (BP)--The Baptist Convention of Zambia has opened new work in this major railroad town of central Zambia.

A three-member evangelistic team held a week of services in the Kapiri Mposhi Primary School, which resulted in 21 professions of faith and 17 persons signing up for the Bible Way Correspondence School.

Southern Baptist missionary Franklin A. Kilpatrick reported on progress in the area,

The team had an average attendance of 25 to 30 people. They had begun their week with daily visitation in the residential and commercial areas, he said.

"We handed out tracts and talked to as many people as we could," said Pastor Akim Chali, who served as the team's music director.

"The people did respond to our invitations and we had a good attendance every night with people acknowledging Jesus as Savior in each service," added Pastor Eusebio Muloshi, the team's usher and recording secretary.

They followed up on decisions by visiting each convert individually and counseling. Each person was invited to come to a baptism class on Sunday.

Pastor W. A. Shibemba, the team's evangelist, was continuing the work, as the converts were not yet organized into a church.

"We must first teach them and baptize them. Then we will help them to organize into a church," Shibemba said.

One night the people took up an impromptu collection of \$6.07--a good amount for the area, according to Muloshi. The money will be used to promote the congregation's growth, he said.

The new work is being financed completely by the Zambia convention churches.

The executive committee of the Zambia Baptist Convention had considered the new work since January 1977. Kapiri Mposhi is at the juncture of the North-South Highway and the Gr at North Road to Tanzania and East Africa. It is also at the southern end of the Tan-Zam Railroad. These factors have helped the area become one of the fastest growing in Zambia.

"We are already thinking about Mkushi, Mpika and Luapula Province," said Shibemba. These prospective sites are located in the north central, north eastern and extreme northern areas of Zambia, respectively.

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(BP) Photos mailed to Baptist state papers.

Tennessee Pastor's Case
Goes To Supreme Court

By Stan Hastey

Baptist Press
6/23/77

WASHINGTON (BP)--Can a state forbid ministers from running for public office without violating their right to the free exercise of religion?

That question faces the U. S. Supreme Court in a Tennessee case involving a Baptist minister from Chattanooga.

Paul A. McDaniel, pastor of the Second Missionary Baptist Church, Chattanooga, filed as a delegate to a 1977 Tennessee limited constitutional convention, but was challenged in court by one of his opponents, Selma Cash Paty.

Paty cited Article IX, Section 1 of the Tennessee Constitution, which declares that "whereas Ministers of the Gospel are by their profession, dedicated to God and the care of Souls, and ought not to be diverted from the great duties of their functions. . .no Minister of the Gospel or priest of any denomination whatever, shall be eligible to a seat in either House of the Legislature."

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This constitutional prohibition against ministers' candidacy for the state legislature was specifically applied as a qualification for election to the 1977 constitutional convention.

McDaniel's name remained on the ballot, however, and he easily defeated Paty in the race from Tennessee's 29th House District. Among four candidates, Paty finished second.

She then took McDaniel's candidacy to the Chancery Court of Hamilton County, where a jury ruled in favor of the minister.

On appeal, the Tennessee Supreme Court overturned the lower decision, upholding the prohibition against ministers' running for state office.

McDaniel's attorneys have announced in Chattanooga they will ask the Tennessee Supreme Court to stay its ruling denying him a seat because the U. S. Supreme Court will not hear McDaniel's appeal until well after the constitutional convention begins, Aug. 1. If the Tennessee court refuses, the attorneys say they will ask the U. S. Supreme Court to stay the Tennessee ruling.

In its 3-1 decision, the Tennessee high court pointed out that the challenge to McDaniel's candidacy was the first time the state prohibition had been tested in court since its adoption in 1796.

Stating that to seek public office "is purely a secular act," the court ruled that the prohibition "simply does not impose any burden . . . upon religious belief or religious action."

The ruling continued: "It is not religious belief, but the career or calling, by which one is identified as dedicated to the full-time promotion of the religious objectives of a particular religious sect, that disqualifies."

Tennessee's high court also held that because of the numerical superiority of Baptists, Methodists, and Roman Catholics on the religious spectrum, ministerial office-seekers from those three denominations would possess a "far more extensive voter base from which to launch a campaign for office."

The court also cited potential political division along religious lines in campaigns involving members of the clergy.

In an unusual analogy, the court referred to current political warfare being waged along religious lines in Northern Ireland and Lebanon as reminders that "the human race has not advanced to a degree of civilization that will permit us to conclude that the fervor of religion will never again disturb and disrupt secular affairs and government."

The court concluded that by upholding Tennessee's prohibition, it was sustaining a "compelling state interest in maintaining the wall of separation between church and state."

McDaniel has argued, on the other side, that the state's prohibition of his candidacy not only violates his free exercise right, but unconstitutionally establishes religion as well.

In a written brief to the U. S. Supreme Court, McDaniel's attorneys argued that the Tennessee Constitution's provision violates all three tests enunciated by the high court in a 1971 decision. Those requirements state that to avoid the "establishment of religion" trap, the law in question (1) Must have a clearly secular purpose; (2) Must have the "primary effect" of neither advancing nor inhibiting religion; and (3) must avoid "excessive governmental entanglement" with religion.

The brief for McDaniel also asserted that Tennessee's denial of his candidacy violates Article VI of the federal Constitution, which states that "no religious test shall ever be required as a qualification to any office or public trust."

On the free exercise question, McDaniel's attorneys argued that the state "exact[s] a cruel penalty--it relegates Rev. McDaniel and other ministers to the level of second class citizenship."

The case has already attracted wide interest in the nation's religious community. A number of denominations plan to ask permission of the high court to file a "friend-of-the-court" brief on McDaniel's behalf. Southern Baptists have joined the appeal through the Baptist Joint Committee on Public Affairs, Washington, D. C. Writing the brief for the group is the eminent Jewish constitutional lawyer, Leo Pfeffer of New York City.

The case will be heard sometime after the high court convenes in October for its new term. No decision is likely until next Spring.