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News Service of the Southern Baptist Convention

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July 5, 1978

78-108

Court Says FCC May  
Ban 'Indecent' Words

By Stan Haste

WASHINGTON (BP)--A powerful federal agency may ban certain indecent language from the airwaves, the U. S. Supreme Court ruled.

By a narrow 5-4 margin, the high court said that the Federal Communications Commission was within the bounds of the Constitution and federal law in telling a New York City radio station it could not broadcast a controversial recording consisting largely of seven "filthy words."

The decision marks the first time the nation's high court has given its approval to disciplining a radio station for airing allegedly "indecent" words.

The court's main finding in the case has the effect of separating broadcasting from other forms of communication. "Of all forms of communication," Justice John Paul Stevens wrote for the court majority, "it is broadcasting that has received the most limited First Amendment protection."

Stevens explained that the reasons for considering radio and television on a different free speech standard were that "the broadcast media have established a uniquely pervasive presence in the lives of all Americans" and that "broadcasting is uniquely accessible to children"

The court thus upheld two of the principal arguments made by the FCC both in written briefs filed with the court and during oral arguments in April.

The case came to the high court after a New York man complained to the FCC that a 12-minute satiric monologue by comedian George Carlin, "Filthy Words," should not have been aired at an early afternoon hour when children were listening. The man had heard the broadcast at 2:00 p.m. while driving in his car accompanied by his young son.

Although the FCC did not impose sanctions on Radio Station WBAI, a New York station owned and operated by the Pacifica Foundation, it did issue an official opinion calling the Carlin monologue "patently offensive" and "indecent." It also barred the station from further broadcasting of such materials.

The seven "filthy words" used by Carlin were contained in a monologue designed to satirize popular public reaction to offensive language. All seven had reference to sexual and excretory functions. The monologue is part of a Carlin album recorded before a live audience who heard the comedian say the words repeatedly in a variety of colloquial uses. Carlin told his audience they were "words you couldn't say on the public airwaves."

Justice Stevens' opinion for the court sought to clear up an apparent conflict in the 1934 Communications Act under which the FCC operates. One section of the law forbids the FCC from censoring broadcast material, while another section declares that no person shall be permitted to utter any "obscene, indecent, or profane" language on the airwaves.

Stevens emphasized that the high court, by upholding the FCC ban on the questioned words, was not engaging in censorship, which he defined as an act which occurs before actual broadcast. The FCC's ban came after the words had been broadcast, he went on.

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The court also held that words can be "indecent" without being "obscene." The radio station had argued that the phrase prohibiting "obscene, indecent, or profane" language must be taken as a whole. The high court has been struggling for the past several years to define what constitutes "obscenity" in relation to printed and filmed material.

Joining Stevens to form the bare majority were Chief Justice Warren E. Burger and Justices Harry A. Blackmun, Lewis F. Powell Jr., and William H. Rehnquist.

The four dissenting justices filed two separate opinions. In the first, written by Justice Potter Stewart, the four disagreed with the majority's finding that the Carlin monologue was not "obscene" but "indecent." On that basis, Stewart wrote, the FCC "lacked statutory authority to ban it."

Two of the four dissenters disagreed with the majority decision on constitutional grounds. Writing for himself and Justice Thurgood Marshall, Justice William J. Brennan Jr. attacked the majority position, declaring: "I would place the responsibility and the right to weed worthless and offensive communications from the public airways where it belongs and where, until today, it resided: in a public free to choose those communications worthy of its attention from a marketplace unsullied by the censor's hand."

Brennan warned that in his view the majority ruling was "dangerous" and "lamentable" in that it attempted to unstitch...First Amendment law." He also decried what he called "a depressing inability to appreciate that in our land of cultural pluralism, there are many who think, act, and talk differently from the members of this court, and who do not share their fragile sensibilities."

In his opinion for the majority, Stevens disagreed, taking the unusual step of concluding the decision with an analysis of "the narrowness of our holding."

"We have not decided that an occasional expletive in (other) setting (s) would justify any sanction...the commission's decision rested entirely on a nuisance rationale under which context is all-important," Stevens said. "We simply hold," he concluded, "that when the commission finds that a pig has entered the parlor, the exercise of its regulatory power does not depend on proof that the pig is obscene."

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Bakke Aftermath Continues  
As Supreme Court Recesses

By Stan Hastey

Baptist Press  
7/5/78

WASHINGTON (BP)--In a series of actions the day it adjourned for the summer, the U. S. Supreme Court applied its recent decision in the Allan Bakke case to other, similar cases.

In the most important of its actions, the high court upheld the affirmative action hiring program of the giant American Telephone & Telegraph Co. Five years ago, the 767,000-employee company implemented the plan, designed to open up employment opportunities for women, blacks, and other minorities.

The high court refused the request of three separate labor unions to which AT&T employees belong to invalidate the company hiring plan on grounds it upset the unions' seniority plans and amounted to reverse discrimination.

In its Bakke decision of June 28, the court struck down strict quotas in school admissions but upheld the concept of affirmative action as a means of ending discrimination against deprived and disadvantaged minorities.

According to the "Washington Post," the AT&T plan has resulted in significant gains for women and minorities in the company. Minorities in management positions have nearly doubled, climbing from 4.6 percent to 8.7 percent, while women in managerial posts have climbed from 22.5 percent to 27 percent.

Overall employment figures show that minorities now account for 16.6 percent of the work force, compared to 13.8 percent five years ago. In crafts traditionally considered the domain of men, women have risen from 2.8 percent to 8 percent.

In another action taken in the aftermath of the Bakke decision, the court sent back to a federal district court in California a challenge to the Public Works Employment Act of 1977 requiring that 10 percent of all contracts let under the law go to minority companies.

The law was passed last year by Congress in an effort to reduce unemployment, particularly among minority groups where the problem is most acutely felt.

Associated General Contractors, a Los Angeles firm, insisted that by requiring the 10 percent "set aside," the government had established a quota system which in effect discriminated against whites.

The high court's brief statement remanding the case to the district court ordered that tribunal to reexamine the challenge's "mootness." According to reports, most of the money in the challenged program has already been spent.

By taking its mootness action, the Supreme Court indicated it is not yet ready to grapple with quotas in employment as it did this term with quotas in school enrollment.

In another related action, the high court sent back to the Court of Appeals for the Fourth Circuit a case involving white students' claims at a North Carolina University that a plan guaranteeing black students' representation in the student legislature amounts to reverse discrimination.

The plan also established a rule that women and minority students brought before the campus disciplinary court be allowed to request that four of the seven judges hearing their cases be of the same sex or race.

In sending the case back to the lower court, the justices ordered the panel to reexamine the claims in light of the Bakke ruling. The Court of Appeals earlier overruled a federal district court which dismissed the action, saying that the white students had no grounds for their complaint.

In yet another action relating to discrimination, the high court noted that it will hear next term a case challenging the University of Chicago for allegedly failing to comply with federal civil rights legislation banning discrimination on the basis of sex.

Geraldine G. Cannon, who brought the action, accuses the medical school of the famous Midwestern University with failing to live up to the requirements of Title IX of the Civil Rights Act, which bans sex discrimination in educational programs or activities financed with federal funds.

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Charismatics Feel Southern  
Baptists Attitudes More Open

By Orville Scott

Baptist Press  
7/5/78

DALLAS (BP)--The charismatic movement, which many think is losing steam, has only gone low key and is actually getting stronger, pastors said at the third "National Charismatic Conference for Southern Baptists."

"There's probably not a Southern Baptist church of any size that doesn't have at least two or three charismatic families," ventured one of the conference leaders, Don Lemaster, pastor of the West Lauderdale Baptist Church, Ft. Lauderdale, Fla.

The conference, which has no official connection with the Southern Baptist Convention or state Baptist conventions, came 10 days after the death of Howard Conatser, pastor of Beverly Hills Baptist Church, Dallas, co-founder of the meeting and one of the best-known leaders in the charismatic movement.

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About 2,500 people attended the conference at Southern Methodist University, near where two churches were dropped from the Dallas Baptist Association in 1975. The churches, Beverly Hills of Dallas, and Shady Grove of Grand Prairie, Texas, were also excluded from the Baptist General Convention of Texas annual meeting in 1976, but their messengers were seated at the state convention in 1977.

Ruth Carter Stapleton, the president's sister, delivered the conference's closing message in the vein of her book, "The Experience of Inner Healing."

Pastors at the conference said attitudes of most Southern Baptists are becoming more open toward charismatics. Most agree with Lemaster that the movement has settled down from its early stages when there was "a lot of fanaticism, and Southern Baptists felt threatened."

Both pastors and lay persons interviewed at the conference said they aren't insisting that anyone must "speak in tongues" as a requirement for being filled with the Holy Spirit.

Olen Griffing, pastor of the Shady Grove Baptist Church, said he doesn't sense the same animosity that he first encountered as a charismatic, but "that's the only noticeable difference. I'm just as isolated."

Wendell Parr, pastor of Western Hills Baptist Church, Stephenville, Tex., noted that "the Southern Baptist Convention as a whole hasn't taken an active stand against the charismatic movement." He predicts Southern Baptists will become more tolerant toward the movement within the next few years.

Milton Scott, pastor of Emmanuel Baptist Church, Cahokia, Ill., said about 50 pastors attended the workshop session he led on "The Roles of a Charismatic Pastor." Scott said that earlier in his ministry he fought against tongues "tooth and toenail," but he changed his view in 1963.

Scott said there's a hunger for the power of the Holy Spirit on the part of pastors as well as lay people. He said he knows of two Baptist associations in Missouri where 45 percent of the pastors have had the "baptism of the Holy Spirit."

"I'm not a missionary for tongues," said Scott. "I preach the lordship of Jesus, and the natural result is that people are getting a fuller relationship with him." He believes this has led the 400-member Emmanuel Church to rank in the top 10 in the state in baptisms for the past two years.

Most observers at the conference don't feel Conatser's death will seriously affect the charismatic movement. Plans were announced for a fourth National Charismatic Conference of Southern Baptists at SMU, June 3-5, 1979.

Calvin Grantham, interim pastor at the 7,000-member Beverly Hills Church, said, "His (Conatser's) death is bound to affect the movement because he was the foremost leader among charismatic Southern Baptists."

But Grantham added quickly that he believes Beverly Hills will continue to be a strong Southern Baptist church. "I would like to see the church reinstated in the Dallas Association," he added.

Beverly Hills baptized 399 people last year, ranking second among Texas Baptists and also was one of the convention's leaders in gifts to the denomination's Cooperative Program unified budget.

Conatser, who died of cancer, had asked that his funeral be a praise service. He said in a printed message, "If anyone here wants to get happy in the Lord, they can do it. If, in fact, anyone wants to dance in the Spirit, feel free to do so, because that is what I'm doing now in the presence of the Lord because it was so hard for me to do here on earth."

Mrs. Stapleton, who told the crowd, "I'm a Texan now," has established a retreat called "Holivita" near Dallas.

The printed program stated that none would speak from the floor, but just before Mrs. Stapleton rose to speak, a man and a woman stood in the audience, speaking in tongues and apparently trying to prophesy. They were told they were out of order by Grantham, the moderator. When the man persisted, apparently in a trance, he was led from the coliseum by ushers.

Otherwise, except for the occasional participation of the audience through hands and arms upraised, it resembled any state Baptist evangelism conference.

A slim attractive blonde, Mrs. Stapleton spoke without notes for about 45 minutes with simplicity and candor concerning "inner healing." Noting that God wants people to have good spiritual, physical and emotional health, she said she has found that most illnesses aren't physical but emotional.

She said she has seen blind people miraculously gain their sight and deaf people their hearing but she has seen more physical healings take place where a person's emotional condition was behind his problem.

"It's his (Christ's) desire that we be free, that we be healed emotionally, his desire that we come into harmony with every relationship in life," she said.

She closed with a prayer and meditation time in which she invited her listeners to turn over to God any guilt feelings or resentments they felt toward anyone, including their parents, and to let themselves be filled with the Holy Spirit.

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Christians Should Not Ignore  
Positive Values of TV

Baptist Press  
7/5/78

RIDGECREST, N. C. (BP)--Christians should be careful not to get so caught up in popular "turn-off-the-television" campaigns that they ignore the medium's positive values, warned one of Southern Baptists most outspoken critics of television.

Harry N. Hollis Jr., director of family and special moral concerns for the Southern Baptist Christian Life Commission, told a conference on "Television and Morality" that "Christians have been so rightly indignant at the abuses of television that we have not given enough attention to positive uses of television.

"With at least one TV set in 97 percent of the homes in America," Hollis said, "we have incredible opportunities as Christians to use television for good. If we spend all our energy condemning television, we may miss one of the greatest opportunities for communicating the gospel in human history.

"We certainly ought to turn morally offensive programs off," he continued, "but we ought to turn on those wholesome programs which television offers us."

At its best, Hollis explained, television offers morally uplifting entertainment, provides religious inspiration and instruction, and enhances, rather than hinders, communications within the family.

Stewardship, he declared, is the key to using television positively. "When people exercise responsible stewardship of their viewing, and officials of the television industry act as responsible stewards of the airwaves, then television can become an ally, rather than a foe, of the family," he said.

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**Proposition 13 Opens Doors  
For Churches to Minister**

By Bracey Campbell

RIDGECREST, N. C. (BP)--Southern Baptists have new avenues of missions open to them as a result of the adoption of the property tax reduction known as proposition 13 in California, participants in a Bible Preaching Conference were told.

John Havlik, director of the department of evangelism development at the Southern Baptist Home Mission Board, said churches in California and across the nation have excellent opportunities, as the tax reduction spreads, to step in where services are being terminated by state government because of revenue losses.

Havlik told the participants in the conference, sponsored by the Sunday School Board's church administration department, that Southern Baptists have long complained about the many charitable functions taken over by the state.

"Just think about the opportunities now available for California churches," said Havlik, speaking at Ridgecrest (N.C.) Baptist Conference Center after spending two weeks at Golden Gate Baptist Theological Seminary near San Francisco.

For example, he said, churches may offer remedial reading programs and instruction in other areas no longer available since many summer school programs have been cancelled.

Instead of one or two weeks duration, Vacation Bible Schools may expand into a summer-long program, he said, noting that the unoccupied church space just sits there--waiting for use on a daily basis.

"Even the most atheistic of mothers will send her children to church just to get them out from under foot," he said. "What an opportunity for witnessing! The great thing about this opportunity, which God has made available, is that all the potential programs can be coordinated with an evangelistic effort."

Havlik, emphasizing the importance of realizing the potential of open-door evangelism for churches, said the services which may be made available are not just limited to educational opportunities.

"A number of food providing programs are also being shelved in California," he continued. "Every midsize Southern Baptist church could afford to provide a meals-on-wheels-type program without having to sacrifice anything more than a few panes of glass in their \$50,000 chandeliers."

Havlik told the seminar participants that they are fortunate to be working in this period of revival and awakening to the love and authority of Jesus Christ.

"Why did God begin this revival during the 1970s--for the same reason that he has always been behind such a movement," he said. "God always works where men are most desperate. It's a new day for Southern Baptist churches. Look around you, even the most sophisticated of churches have the picking-and-grinning guitar players as part of their services."

He said the 1960s was the age of the new morality. "I think the 1970s will be recalled as the age of the spirit--the time that people turn again to the divine wisdom of Jesus Christ."

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**Alaska Pastor Expands  
Concept of Sunday School**

By Linda Lawson

Baptist Press  
7/5/78

GLORIETA, N. M. (BP)--Bill Lyons, pastor of one of the most rapidly growing churches in Alaska, travelled more than 8,000 miles from Anchorage to Glorieta (N.M.) Baptist Conference Center to learn how to continue the growing trend of his Sunday School.

Lyons, one of 2,000 persons attending the second of three Sunday School leadership conferences, baptized 88 persons last year at New Hope Baptist Church, a "mostly black" Southern Baptist congregation.

Describing the factors behind his church's growth, Lyons said, "I just took what I learned as associational Sunday School director and began to major on building a Sunday School."

Lyons, a native of Alabama and a member of one of the National (black) Baptist Conventions until 1964, said he has changed his major focus from preaching to building a Sunday School.

"I tell my people it's impossible for them to learn all they need for life in a 30-minute sermon on Sunday morning. The best way to learn is in Sunday School--the church studying the Bible together."

The retired Air Force officer said his major concern in his church now is "to discipl and train the new members."

On this, his second trip to Glorieta, Lyons said he has learned that the Sunday School ought to be ministering to people as well as teaching the Bible. "While our Sunday School has outreach leaders, I'm going back and organize group leaders in classes to help meet the needs of people," he said.

Although his church is made up primarily of black members, Lyons estimates he has baptized 25 white persons in his 12 years as pastor.

In addition to his pastoral responsibilities, Lyons is a special worker for the Alaska Baptist Convention, leading Sunday School conferences for general officers at th convention's request.

About 75 special workers from various states will receive training during the three Sunday School leadership weeks at Glorieta.

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(BP) Photo mailed to Baptist state papers by Baptist Press Sunday School Board Bureau.

Carlyle Marney Dies  
In Waynesville, N.C.

Baptist Press  
7/5/78

WAYNESVILLE, N. C. (BP)--Carlyle Marney, a prominent Southern Baptist minister, died July 2 in Waynesville, N.C., of an apparent heart attack on the same day he was to begin a series of lectures to 600 ministers at Furman University's annual Pastors' School in Greenville, S. C.

The Baptist university held a memorial service that evening during the time that th 61-year-old head of Interpreter's House in Lake Junaluska, N. C., was to deliver the first lecture on "Christian Life Styles." Funeral services were held in Charlotte, N. C., July 5, with burial there.

Marney founded Interpreter's House, an ecumenical ministry, 11 years ago. Previously, he had served as senior minister of Myers Park Baptist Church, Charlotte, for nine years. Other pastorates included the First Baptist Church, Austin, Texas.

A native of Tennessee, Marney has taught at Austin Presbyterian Seminary, Southern Methodist University, Texas Christian University and Austin College and has lectured all over the country, including lectures at Princeton Theological Seminary and Harvard, Yale and Duke Universities.

Marney was a graduate of Carson-Newman College, a Baptist school in Jefferson City, Tenn., and earned master's and doctor's degrees in theology from The Southern Baptist Theological Seminary, Louisville, Ky.

Survivors include his wife, Mrs. Elizabeth Marney; his mother, two daughters, a brother and two grandchildren.

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Swiss Baptists Rally  
To Help Ruschlikon Seminary

BERN, Switzerland (BP)--The Swiss Baptist Union, meeting for the first time ever in Bern, expressed hope that the Baptist Theological Seminary in Ruschlikon, Switzerland, will remain in the country.

The international seminary, struck with financial problems because of inflation and decline in value of the U. S. dollar against the strong Swiss franc, has faced the possibility of closing or moving to another country.

The Union approved a 260 percent increase in seminary support for 1978, according to European Baptist Press Service, which noted that additional gifts from individual churches are expected to total more than 30,000 Swiss francs (about \$16,500 U. S.) during the year.

Also, the Nydegg Church, a Reformed congregation where the Union met, asked that its entire Sunday offering, later reported as 1,600 francs (about \$880 U. S.) be given to the seminary as a gesture of solidarity.

Earlier, the Southern Baptist Foreign Mission Board voted to offer European Baptists financial and administrative responsibility for the seminary. It approved a five-part recommendation to provide a maximum of \$300,000 subsidy for the seminary in 1979 if the European Baptist Federation Council accepts responsibility for the institution.

The proposal offers use of the seminary property, plus administrative control of the seminary and all other Baptist facilities at the location, for a five-year period beginning Jan. 1, 1979, with the possibility of renewal after that period.

J. D. Hughey, the board's secretary for Europe, the Middle East, and South Asia, and a special subcommittee of the board have been considering the future of the seminary since it has been hit with financial problems. The seminary had a \$48,730 budget deficit in 1977, met by the board, and the 1978 deficit could run as high as \$100,000.

The \$300,000 subsidy proposed under the new arrangement--close to the amount provided in the board's 1978 budget for the seminary--would increase \$5,000 annually through 1983. This figure does not include the additional support given through salaries and housing of Southern Baptist missionary faculty members which the board would continue to furnish the seminary.

The Foreign Mission Board received and considered many expressions of appreciation for the seminary and notes of concern that it may close since a study began in April. Selling the property in Switzerland and relocating had been one option, but subcommittee chairman, Raymond L. Spence, said the board "never intended to close" the seminary.

The subcommittee and Hughey will attend the European Baptist Federation Council meeting and visit the seminary in September. More recommendations are expected to be brought to the Foreign Mission Board in October, following that meeting.

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CORRECTION

In Baptist Press story mailed 6/30/78, entitled "Board Approves 55 Missionaries, 13 for MSC; Adds 91st Country," please add the following to the last graph, beginning, "Also, Mr. and Mrs. Thomas L. Smith...(etc.): Mr. and Mrs. Robert L. Ullom of West Virginia and Georgia, to Japan.

Thanks, Baptist Press Staff



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