



## **-- BAPTIST PRESS**

News Service of the Southern Baptist Convention

### **NATIONAL OFFICE**

SBC Executive Committee  
460 James Robertson Parkway  
Nashville, Tennessee 37219  
(615) 244-2355  
Wilmer C. Fields, Director  
Dan Martin, News Editor  
Norman Jameson, Feature Editor

### **BUREAUS**

**ATLANTA** Walker L. Knight, Chief, 1350 Spring St., N.W., Atlanta, Ga. 30367, Telephone (404) 873-4041  
**DALLAS** Thomas J. Brannon, Chief, 103 Baptist Building, Dallas, Texas 75201, Telephone (214) 741-1996  
**MEMPHIS** Roy Jennings, Chief, 1548 Poplar Ave., Memphis, Tenn. 38104, Telephone (901) 272-2461  
**NASHVILLE** (Baptist Sunday School Board) Lloyd T. Householder, Chief, 127 Ninth Ave., N., Nashville, Tenn. 37234, Telephone (615) 251-2300  
**RICHMOND** Robert L. Stanley, Chief, 3806 Monument Ave., Richmond, Va. 23230, Telephone (804) 353-0151  
**WASHINGTON** Stan L. Hastey, Chief, 200 Maryland Ave., N.E., Washington, D.C. 20002, Telephone (202) 544-4226

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### **Supreme Court Returns; Declines Religion Cases**

WASHINGTON (BP)--Eight cases dealing with church-state issues were among more than 1,200 cases disposed of by the U.S. Supreme Court during its first two days back on the bench after a summer recess.

All eight were rejected by the justices.

The most prominent of the First Amendment religion cases was that of the Worldwide Church of God's legal battle to have the State of California return thousands of documents seized last year when the state attorney general placed the church under receivership. Attorney General George Deukmejian at the time cited his reading of the Worldwide Church as a "public trust" under state law, thereby allowing the unusual action.

Since then, the California legislature has passed a new law removing churches and their agencies and institutions from the public trust category. Gov. Jerry Brown has signed the law, which takes effect in June 1981.

Deukmejian seized control of the church and confiscated the documents following accusations in court by a group of former members of the controversial sect that church head Herbert W. Armstrong and chief adviser and financial officer Stanley Rader had misused tithes and offerings given by members of the Sabbatarian group.

In another case, the justices declined to disturb a lower federal court ruling that public funds administered under the Elementary and Secondary Education Act may go for remedial education of parochial school students by public school teachers. The federally funded program allows public school teachers to provide the remedial instruction during regular school hours on the premises of parochial schools.

The practice had been challenged as a violation of separation of church and state by the National Coalition for Public Education and Religious Liberty.

In a pair of related actions, the high court upheld a Kansas ruling that a home for unwed mothers must be licensed by the state and refused to interrupt legal proceedings in North Carolina designed to require a church-operated day care center likewise to submit to state licensing requirements.

In the Kansas case, the state supreme court ruled that applying laws regulating children's homes to the home for unwed mothers does not violate the free exercise clause of the First Amendment.

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The high court also declined to review a decision by the Mississippi Supreme Court overturning a state law which permitted parents to refuse on religious grounds to have their children vaccinated. In ruling against the religious exemption the Mississippi court reasoned that the great majority of immunized children were unfairly exposed to non-vaccinated fellow students.

Other cases rejected by the justices included a challenge to Maryland's Sunday closing law, an effort by an unincorporated New Jersey church to avoid producing church documents for a grand jury, and a request by members of a Coptic church congregation in Florida to have lifted an injunction barring the use of marijuana as an aid to worship.

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#### A NEWS ANALYSIS

Family Matters Concern

Baptist Press

Catholic Bishops' Meeting

By C.B. Hastings

10/15/80

VATICAN CITY (BP)--"Married couples alone have experienced the effects of the sacrament. Since they are ministers of the sacrament this gives them a two-fold title to a special authority in matters concerning marriage."

Cardinal Basil Hume, archbishop of Westminster, England, thus acknowledged the silent presence of 16 married couples as auditors to the Fifth General Assembly of the Bishops of the Roman Catholic Church, who began their month-long meeting here Sept. 25th.

This large lay presence is quite an innovation in the synod, which is made up of 189 bishops representing the episcopal conferences of 112 countries of the world. In previous synods, which meet every three years to advise the pope on some special concern of the world church, only a very few non-participating laity, sisters and priests have sat as observers.

"Pastors should listen to the parents themselves," Cardinal Hume concluded.

But whether the couples are allowed to speak in the assembly remains to be seen. Their chief contribution—other than their presence—perhaps will be made in the small language group meetings which will follow. It will be through these that the practical counsels will be formed for this year's agenda on "The Role of the Christian Family in the World of Today."

Beyond the debates on the agenda loom two factors of large significance for the Roman Church today. What style of leadership will the new pope, John Paul II, give in this, his first synod? Will his summary of the matter (heretofore issued as a pastoral letter about a year hence) show he has truly heard the voices that are reflecting the complexities facing Christian families today? Or will he simply repeat traditional teachings and church laws?

The other large factor at work since the 1971 Synod on Priesthood and Justice in the Modern World is the growing influence of bishops from the Third World. There are 97 here from the southern half of the globe, which some observers believe to be the arena of power in the Christian world of the next generation—both Protestant and Catholic.

Missionaries of all churches have long encountered very difficult problems in trying to enforce Christian rites of marriage and moral values on native cultures. The most obvious are polygamy and mixed marriages to non-Christians. Archbishop Wako observed in one of

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the eight-minute "interventions" (written speeches to the general assembly), "No church marriage in the Sudan is stable unless it is first valid and stable according to tribal norms."

Reflecting a remarkable parallel to marriage in New Testament times, he said further, "According to our people's customs, the marriage 'contract' takes place within a series of rites leading to the accompaniment of the bride to the bridegroom's house." Education for marriage, which begins in childhood and is intensified in initiation rites, is under the direction of the community and extends beyond the ceremony itself. This calls for integrating the church's pastoral ministry into this process with due recognition of the role of the community elders.

Archbishop Wako also gave a profound statement of the "sacramentality of Christian marriage," which he said "does not stem from a rite but from the sanctifying presence of Christ at work through the faith and the inter-personal relationship of mutual self-giving of the spouses."

A small tempest in the "aula" (papal conference hall) arose when Archbishop John R. Quinn of San Francisco, who also is president of the National Conference of Catholic Bishops in the U.S., called for a dialog between theologians and the Vatican on the issue of contraception. This, he said, could also develop "clear guidelines on the possibilities and the limits of dissent in the church."

A few interventions later, Cardinal Felici, president of the Pontifical Commission for the Revision of Canon Law, challenged Quinn, saying the issue was closed. In the light of wire reports in the U.S. that played up Quinn's statement as opening the door to modifying the church's stand, Quinn was ready the next day with a "clarification:" "Neither I nor the American Bishops' Conference are calling for any change in the doctrine of the Catholic Church on contraception." Since Pope Paul VI's 1968 encyclical Humanae Vitae (On Human Life), the church has strictly forbidden any artificial means of birth control.

However, this the youngest bishop to preside over the American hierarchy, stood his ground in a later press conference. He pointed out that two weeks after Pope Paul's encyclical, the pope had challenged his own Magisterium (all the hierarchy as the official teachers of the church) to "a fuller, more organic and more synthetic exposition." Quinn is also being realistic in the light of well-known statistics in the U.S. that 79 percent of the Catholic laity are practicing birth control by other than church-approved "natural planning" methods.

Since this issue is not confined to a so-called hedonistic America, it is bound to surface again many times at this synod.

Amid a tidal wave of words during the first week a number of bishops have been able to focus on very practical matters. I have already counted 14 issues, among which are such less obvious ones as "machismo" (assertive masculinity) of husbands towards their wives, alcoholism, and the pastor's problem of having to marry a couple who meet all the church's norms, but belong to what is now being called "baptized, but no longer believing."

In succeeding articles I will attempt to report on the discussions of several of these issues, many of which Baptist pastors and laity alike share.

This is my fourth synod of bishops to cover as a special correspondent for Baptist Press (no non-Catholic observers are invited). Again I am the only reporter for a Protestant press or journal. Next to Bold Mission Thrust there is no greater universal concern among Baptists than the Christian family in today's world. Allowing for specific Catholic issues, we have much in common otherwise.

Again the Rome Baptist Church and its pastor and wife, Dub and Helen Ruchti of Rome, Ga., provide a beautiful island of Christian friendship. Their English-speaking congregation suffers continuing turnover, as would be expected in Rome's international community, but the warmth of the fellowship remains the same.

For this latter I am grateful once again that "the more Rome changes the more she stays the same."

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(C.B. Hastings is associate director of the Department of Interfaith Witness at the Home Mission Board and specializes in Catholic-Baptist relationships.)

Mississippian Named  
Editor in New Mexico

Baptist Press  
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ALBUQUERQUE, N.M. (BP)--J. B. Fowler, 50, pastor of First Baptist Church of McComb, Miss., has been named editor of the Baptist New Mexican, journal of the Baptist Convention of New Mexico.

Fowler, who also was pastor of churches in Texas, will join the New Mexico staff Jan. 1, and will work with the retiring editor, C. Eugene Whitlow, until Whitlow's retirement Feb. 6, 1981.

"I have known J.B. for many years," said Chester O'Brien, executive director of the convention. "When he was pastor in Lubbock, he was recognized across West Texas as one of the most effective preachers in the area. He also has been known for his ability to write clearly and inspiringly, and although he does not have a journalistic background, we believe he has the innate abilities to pick up the technical aspects of the job."

Fowler, a native of Oklahoma, has been pastor of the 2,000-member Mississippi church since January 1974. Prior to moving to Mississippi, he was pastor of Southcrest Baptist Church in Lubbock, Texas, for 10 years and previously served churches in Balinger, Van and Moran, all in Texas.

In Mississippi, he has been a trustee of William Carey College and a member of the advisory committee of the Mississippi Baptist Record, journal of the Mississippi Baptist Convention. He was chairman of the newspaper committee for one year.

In Texas, he was moderator of three associations, a trustee of Hendricks Memorial Hospital in Abilene, Howard Payne University in Brownwood and of the Brownwood Baptist Encampment. He also was on the executive committee of the Baptist General Convention of Texas.

Fowler, who said he is "looking forward" to becoming editor of the 16,000-circulation weekly, noted he has "written a good bit for Baptist publications, as well as writing a column in the McComb Enterprise-Journal on a regular basis."

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Fowler, a graduate of Howard Payne and Southwestern Baptist Theological Seminary, was selected from among more than 30 recommendations, including a number of denominational journalists.

"I believe that in the light of the circumstances which prevail in the Southern Baptist Convention now, with the discussions of conservative and liberal theology, there was a strong bias on the part of committee members to move toward someone with a strong theological background," O'Brien said.

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(BP) photo will be mailed to state Baptist newspapers by the Baptist Record.

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Spanish Southern Baptists  
To Begin First Joint Mission

Baptist Press  
10/15/80

RICHMOND, Va. (BP)--In what was called a "real first," the Southern Baptist Foreign Mission Board approved a proposal Oct. 15 for Southern Baptist missionaries to join Spanish Baptist missionaries in beginning Baptist mission work in Equatorial Guinea.

The work in the small West African nation will not only mark the first time Southern Baptist missionaries and missionaries of another country have joined in a single mission organization, but will be the Spanish Baptist Union's first foreign mission venture.

John E. Mills, the Foreign Mission Board's director for West Africa, said the joint mission concept will help avoid charges sometimes made that missions are allied with colonialism and provincialism. Already Baptists in Brazil have approached Spanish Baptists about the possibility of joining the new mission.

Baptists have an open invitation from the Guinean government, said Mills. He recently visited Pedro Bonet Such, president of the Spanish Baptist Union, and Maximo Garcia Ruiz, promoter-coordinator of evangelism and missions for the union, to draw up a working agreement. The two groups hope to have the first missionaries in place by Jan. 1.

Although missionaries will be joined in one mission organization, each will be responsible to and supported by his own sending agency. The two supporting bodies will share other expenses.

Spanish Baptists voted to undertake their first foreign mission work in their annual convention this summer after seeing a slide presentation and report about Equatorial Guinea. Mary Simmons, Southern Baptist missionary press representative for Spain, said the people were so touched with needs and opportunities in Equatorial Guinea, that the more than 200 delegates gave a spontaneous love offering of \$15,000 to launch the missions effort. That was the largest single offering ever collected by Spanish Baptists.

The Foreign Mission Board recommended that Spanish Baptists consider the work in Equatorial Guinea after Mills and two Southern Baptist missionaries made a survey trip of the country last summer. A Canary Islands school director first brought Spanish Baptist attention to needs there when she urged her church, Las Palmas Baptist Church, to spearhead a food and clothing drive for the citizens of Equatorial Guinea.

The country was left impoverished by the 11-year-rule of former president Nguema Biyoto Masie, who was deposed in August 1979. During his reign about a third of the population fled the country, another 50,000 were massacred, all churches were closed and annual cocoa exports dropped by nine-tenths, according to news reports.

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