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**High Court Limits Power of
School Boards to Ban Books**

By Stan Hastey

WASHINGTON (BP)—High school and junior high school students may take school boards to court for banning books from school libraries, the U.S. Supreme Court ruled June 25.

In a hotly disputed 5-4 ruling, the high court said students possess the right to receive even controversial information in school libraries and ordered the case sent back to a U.S. district court for trial.

Justice William J. Brennan Jr., the court's senior member, conceded that when school boards have broad discretion in managing school affairs, they must do so "in a manner that comports with the transcendent imperatives of the First Amendment."

Brennan noted that unlike textbooks, library books are not required reading and declared that "just as access to ideas makes it possible for citizens generally exercise their rights of free speech and press in a meaningful manner, such access prepares students for active and effective participation in the pluralistic, often contentious society in which they will soon be adult members."

The case arose in 1975 when five Long Island, N.Y. students took the Board of Education of Island Trees Union Free School District to court for removing nine books from the senior and junior high school libraries. School board members said books were removed because they were "anti-American, anti-Christian, anti-Semitic, and just plain filthy," adding that "it is our duty, our moral obligation, to protect the children in our schools from this moral danger as surely as from physical and medical dangers."

The decision to ban the books came after three school board members, including the president and vice president, attended a conference sponsored by a politically conservative organization, Parents of New York United (PONYU). At the conference, school board members were given lists of "objectionable" books.

After a temporary order to remove 11 books was carried out, the school board appointed a "book review committee" to read the books and make recommendations for permanent action. The committee, consisting of four parents and four Island Trees schools staff, recommended that five of the books be retained and two others be removed permanently. Committee members could not agree on two others, took no positions on one and recommended that another be made available to students only with parental approval.

But the school board rejected the findings and ordered nine of the 11 taken off the shelves.

In his opinion for the slim majority, Brennan said that while school boards "possess significant discretion" in deciding what books to place in school libraries, "that discretion may not be exercised in a narrowly partisan or political manner....Our Constitution does not permit the official suppression of ideas."

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Of key significance for the federal district court which will now review the case, Brennan wrote, was the motivation behind the action to ban the books. If the school board intended to deny students access to ideas simply because the board disagreed with them and if such intent was the decisive factor in the banning action, the lower courts must find that the board violated the students' constitutional rights, he added.

Four high court members dissented, including Chief Justice Warren E. Burger, who called the majority judgment "a lavish expansion going beyond any prior holding under the First Amendment," and warned that it brought the court "perilously close to becoming a 'super censor' of school-board library decisions."

Burger particularly objected to the majority view that judges may, under the Constitution, review decisions by locally elected school boards. "It is a startling erosion of the very ideal of democratic government to have this Court arrogate to itself the power" claimed by the 5-4 majority, he declared.

"I categorically reject this notion," Burger concluded, "that the Constitution dictates that judges, rather than parents, teachers and local school boards, must determine how the standards of morality and vulgarity are to be treated in the classroom."

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**Collision Kills Two Missionaries
In Brazil; Another Hospitalized**

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CAMPINA GRANDE, Brazil (BP) -- Southern Baptist missionaries Lois Jennings and Linda Crawford were killed June 25 when their automobile collided headon with a truck.

A missionary journeyman, Dorothy Deese, was hospitalized but apparently not seriously injured.

The three missionaries were traveling from Natal, on the northeastern coast of Brazil, to Garanhuns, some 250 miles to the south. They had planned to attend a meeting of Southern Baptist missionaries stationed in northeastern Brazil.

Miss Deese, 25, a two-year missionary journeyman from Lovington, N. M., was taken to a hospital in Campina Grande, where she was under sedation. She is expected to return to the United States when she is able to travel.

The three lived in Natal, where they worked at the Baptist Friendship House, a social ministry center.

Mrs. Jennings, 36, had returned to Brazil June 7 following a six-month furlough in the United States. The former Lois Drury, she was born in Birmingham, Ala., and grew up in and around Washington, D.C. She was widowed in 1969, and appointed a missionary in 1973 by the Southern Baptist Foreign Mission Board. She had directed the Baptist Friendship House since 1978.

She is survived by her parents, Mr. and Mrs. Walter C. Drury of Ormond Beach, Fla., and a brother, Walter C. Drury III of Lauderhill, Fla.

Miss Crawford, 38, was born in Bagdad, Fla., and appointed a missionary in 1970. She directed the community ministry programs of Friendship House. She is survived by her parents, Mr. and Mrs. H.C. Crawford of Bagdad, and two sisters, Jean Crawford of Bagdad, and Barbara (Mrs. J.R.) Seales of San Diego, Calif.

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Concept of Religious Freedom
Needs Broadening, Educators Told

By Craig Bird

BIRMINGHAM, Ala. (BP)--"Secular liberals" do not have the historical, theological or legal basis to define what religion is or isn't, 200 Southern Baptist educators were told by a Roman Catholic constitutional law expert.

Ed Gaffney, director of the Center for Constitutional Studies at Notre Dame University, opened the annual meeting of the Association of Southern Baptist Colleges and Schools by urging Christians to expand the constitutional protection of religious freedom beyond the separation (of church and state) clause of the Constitution to include such areas as freedom of speech and freedom of association.

"It should be up to the churches, not the Internal Revenue Service to say who our ministers are and how they will minister," Gaffney said. "Our schools, not the government, should decide what is taught, how it will be taught, who will teach and who will be taught."

Gaffney challenged the idea that the concept of free speech originated with John Locke or the French Revolution. "Such thinking ignores the role of the biblical prophets, whose free speech announced a new world order," he said.

Freedom of association has its root in biblical heritage as much as in the Enlightenment, he added, since Christians are instructed to gather together as a community of God's chosen elect.

Gaffney claimed that "a community of Christian scholars has less protection under Supreme Court rulings than the United Mine Workers, the Communist Party and the managers of First National Bank of Boston" since those groups and many others have been granted constitutional protection of speech and/or assembly to advance the common good of their groups.

In contrasting Romans 13 with Revelation 13, Gaffney said many Christians have misplaced emphasis on the loyalty and honor Romans says is due to authority. "A decade after Romans was written, Revelation 13 describes the same Roman government as a mythical beast worthy of death and destruction," Gaffney said.

Quoting Jesus, the Notre Dame law professor stressed that, as Christians, we are commanded to render unto Caesar the things that are Caesar's, but he noted that we are to give Caesar "only" what things are his, while "reserving everything else unto God."

He added that Christians "must be about protecting the religious freedoms of everyone, even those we disagree with, if our own freedoms are to remain unviolated."

When the IRS came up with the concept of "integrated auxiliaries" in determining tax benefits, "it neither sought nor received input from religious sources," he said. (The IRS has said integrated auxiliaries must be "totally religious" and may not be charitable or educational, which puts in question the tax status of church universities and orphanages.)

"The term 'integrated auxiliary' isn't even in our (the religious community's) vocabulary and since IRS coined the phrase, they had to define it," Gaffney said.

He warned that Christian institutions which "capitulate" and allow the government to define their role for them are negligent in their Christian duty. The government would limit the freedom of religion to "the act of worship that takes place on Sunday morning in the sanctuary," he said, explaining such a viewpoint was "shattered by Jeremiah and totally destroyed by Jesus who called his followers to a faith and a mission that involves all of life."

Landes To Become
Baylor Religion Prof

DALLAS (BP)--James H. Landes will join the Baylor University religion faculty in January of 1983, following his retirement as executive director of the 2.2-million-member Baptist General Convention of Texas in December.

Landes, 69, will be distinguished visiting professor of religion.

"Dr. Landes will be teaching courses within the religion department related to Christian ministry. He is held in high esteem by the Baptists of Texas and is a leading statesman in our denomination," said Herbert Reynolds, Baylor president.

Texas Baptists responded to the announcement with strong approval.

Landes became executive director in 1974. He is a native of Arkansas, and received a bachelor of science degree from Ouachita Baptist University, Arkadelphia, Ark.; and a master of theology from Southwestern Baptist Theological Seminary. Landes has been honored with five honorary doctorate degrees, including one from Baylor University in 1951.

After graduating from seminary in 1940, Landes held three pastorates before assuming the presidency of Hardin-Simmons University in 1963. In 1966, Landes left Hardin-Simmons to become pastor of First Baptist Church, Birmingham, Ala., and in 1968, went to First Baptist Church of Richardson, Texas.

Landes has held numerous denominational positions including president of the BGCT from 1960-62.

He is married to the former Irene Pearson of Fayetteville, Ark. They have a daughter--Mrs. William (Ruth) Pitts of Waco.

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Keith Parks Calls Baptists
Back To Basic Principles

By Bill Webb

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RIDGECREST, N.C. (BP)--Referring to "those elements, those forces, those distractions beginning to move among us that would divert us" from the primary tasks of world evangelism, Foreign Mission Board President R. Keith Parks urged Southern Baptists to get back to the basics.

Parks told some 2,000 conferees at the Foreign Mission conference at Ridgecrest (N.C.) Baptist Conference Center:

"I am convinced that the greatest hindrance to the spread of the gospel is the effort from New Testament times until now for Christian people to control the gospel and spread it on their own terms in their own way according to their own plans, and fail and fear to trust the essential freedom that is exercised in the spread of the gospel in New Testament times," Parks said.

In the United States and too often overseas, "we tend to say, 'unless you say what I tell you to say, do what I tell you to do, act as I tell you to act, give up the sins which are particularly offensive to me and measure up to my standards, you can't be a part of my Baptist church,'" he suggested. "If we feel we must determine orthodoxy rather than trust the Spirit of God to lead the new converts, we will have a much more carefully ordered bunch of folks, but we won't have the New Testament explosion of evangelism that will reach the world."

That attitude was characteristic of the Pharisees, Parks said, whom Jesus criticized for their hypocrisy and false pride. They judged the orthodoxy of others by their own criteria, making sure they maintained control, he said.

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"If Jesus would entrust the eternal destiny of the world to the free working of the spirit of God in the hearts of new converts, then we ought to be able to trust that Spirit also," Parks maintained.

Parks told participants that deviation from "basic principles at the home base will erode and strangle what we do overseas," adding that "the basic principles have to apply at home and abroad.

The board president said the message of missions is the Bible, but goes beyond the Bible. The message of missions is the "Living Word -- Jesus Christ" and that makes it unique.

"We have a God-breathed, holy, inspired, written word that, as we study, it is indeed with the spirit of the living Christ who leads us beyond the recorded word to an encounter with the Living Word," he explained. "And I learn who God is by encountering the Living Word called Jesus Christ."

The living message of missions -- Jesus Christ -- also is the method of missions, Park said, explaining that the method was demonstrated as Jesus -- the "logos (word)" -- grew hands and feet and skin and hair and walked among men.

"Jesus incarnated the truth, and walked it forth and lived it out among people," Parks said.