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Stanley Will Allow
One-By-One Challenges

By Dan Martin

ATLANTA (BP)—One-by-one challenges to nominees for the Southern Baptist Convention Committee on Boards, Commissions and Standing Committees will be allowed at the 1986 annual meeting, according to SBC President Charles F. Stanley.

Stanley, pastor of First Baptist Church of Atlanta, told Baptist Press he intends to allow challenges on an individual basis but will rule alternate slates out of order, regardless of what messengers decide to do about changing Bylaw 16, at the annual meeting, scheduled June 10-12 in the Georgia World Congress Center in Atlanta.

The SBC Executive Committee has recommended Bylaw 16 be changed, adding wording to allow one-by-one challenges but prohibiting substitution of alternate slates. The action is scheduled early in the business of the convention, prior to the election of the Committee on Boards. To be adopted, the amendment must be favored by two-thirds of the messengers present and voting.

Under SBC bylaws, the president appoints the 54-member Committee on Committees, which nominates two persons from each of the 27 qualified state conventions to serve on the Committee on Boards. The Committee on Boards, in turn, nominates persons to serve on the 26 national agencies of the SBC.

The sequence, starting with the election of a president and ending with nominees to boards of trust, has been at the center of the seven-year struggle in the 14.4-million-member denomination between those who want to change the denomination to a more conservative direction and others who wish to see it continue as it has been.

In Dallas, Stanley ruled challenges to the Committee on Committees' nominations must be one-by-one, disallowing the substitution of an alternate slate. His ruling was overturned by messengers, 12,576 (51.59 per cent) to 11,801 (48.41 percent).

Stanley, however, following the advice of parliamentarian Wayne Allen of Memphis, Tenn., ruled any attempt to alter the committee nominations out of order and moved on to a vote on the original slate of nominees. The slate was elected, 13,123 (57.8 percent) to 9,581 (42.2 percent).

The ruling was the center of a lawsuit filed in U.S. District Court which sought to have the Committee on Boards election declared invalid, to have the court interpret the bylaws of the SBC and to issue an injunction to prevent a similar ruling in 1986.

U.S. District Judge Robert Hall, however, ruled in favor of the SBC and its Executive Committee, saying the First Amendment to the U.S. Constitution prohibited him from interfering in internal church matters. The court did not deal with the merits of the case, noting whether the rulings "were correct or patently incorrect is irrelevant...."

In advance of the 1986 annual meeting, Stanley told Baptist Press he and parliamentarians he has appointed have discussed the matter and agreed to allow one-by-one challenges but to disallow alternate slates.

Previously, Stanley announced the appointment of three parliamentarians—two veteran SBC leaders and the third a registered, accredited parliamentarian—to help him with presiding at the meeting. On May 20 he added two assistant parliamentarians—both Southern Baptist deacons and attorneys—to help with presiding in the auxiliary meeting halls.

Parliamentarians include James T. Draper Jr., pastor of First Baptist Church of Euless, Texas, and SBC president 1982-84; John Sullivan, pastor of Broadmoor Baptist Church of Shreveport, La., and SBC first vice president 1982-84, and Barry McCarty, a former vice president of the American Institute of Parliamentarians, a professor at Roanoke Bible College at Elizabeth City, N.C., and an ordained Church of Christ minister.

Stanley also named Joe Reynolds, a member at Second Baptist Church of Houston, and Dan Collins, a member of Brushy Creek Baptist Church in Taylors, S.C.

Reynolds is founder and senior director of Reynolds, Allen & Cook, a lawfirm with offices in Houston, Austin, and Washington. He is vice president of the board of regents at Texas A & M University, past president of the Lawyers Society of Houston and a fellow of the American College of Trial Lawyers. He is a Sunday school teacher and deacon at the Houston church.

Collins has his own corporate and tax lawfirm in Greenville, S.C. He recently transferred his church membership from First Baptist Church, Taylors, where he was a deacon and Sunday school teacher, to Brushy Creek church. Collins also has been nominated by the 1986 Committee on Boards to be a trustee of the Southern Baptist Sunday School Board.

"I discussed the matter with Jimmy (Draper) and John (Sullivan) and we are all agreed that if someone wants to make a nomination for some position, fine, we will rule that in order. But I will rule that it is out of order to propose a whole slate," Stanley told Baptist Press.

He noted the "bylaw is unclear," and said he still believes the effort by a single messenger to substitute an alternate slate in 1985 was both out of order and "unfair. I do not think it is right for one person to try to replace the work a whole committee has done, especially when the committee (on Committees) has worked very diligently to come up with these names."

Stanley said he thinks messenger James Slatton, pastor of River Road Baptist Church in Richmond, Va., was out of order when he attempted to substitute the state convention presidents and the state Woman's Missionary Union presidents to serve on the 1986 Committee on Boards.

"He was trying to substitute positions, not people. He had not asked any of them if they would serve, and some of them said they would not serve. I think he was totally out of order," Stanley said.

He said in 1985 he would have allowed individual challenges, and that "is where we stand when it comes to 1986. If somebody attempts to replace the whole slate in one vote, I will rule them out of order. If they have an individual for an individual, then we will consider that and vote on each one."

Stanley said he hopes the revision to Bylaw 16 passes, "not just for my sake, but for the sake of future presidents. The bylaw now is very unclear and what happened last year had never happened before. The change clarifies it for all of us. I think if everybody will just get honest, most people will agree it is the fairest way to do it."

In reference to his presiding, Stanley was asked why he had appointed a Church of Christ minister as one of the parliamentarians.

"We were given a list of 1,300 people (from the American Institute of Parliamentarians) and there was simply no way to find out what denomination these people were, or even if they had a denomination.

"We had to make our selection on the basis of expertise, experience and knowledge and Dr. McCarty was highly recommended. The fact he was a Church of Christ minister was totally unexpected," Stanley said.

"He cannot be categorized as a moderate or a liberal or a conservative. He is just a professional, registered parliamentarian and when he is making rulings on parliamentary procedure, it will not make any difference what he is," he added.

Dunn Asks Reagan Not To Send
New Ambassador To Vatican

By Stan Hasteley

WASHINGTON (BP)—The head of eight U.S. Baptist bodies' Washington office has asked President Reagan not to name a replacement for former American ambassador to the Vatican William A. Wilson, who resigned May 19.

Wilson's resignation as the first U.S. ambassador to the Vatican since the mid-19th century came in the aftermath of reported embarrassment inside the Reagan administration over an unauthorized trip the 71-year-old California businessman made last March to Libyan leader Muammar Qaddafi.

James M. Dunn, executive director of the Baptist Joint Committee on Public Affairs and an outspoken opponent of renewed U.S.-Vatican relations, asked Reagan in a May 21 letter to "rethink this entire arrangement," one he said is "unfair, unequal and unconstitutional." Dunn added, "We call upon you, Mr. President, to refuse to renew this ill-advised venture, a dangerous entanglement of church and state."

He wrote further, "We welcome the fact that today the United States does not have an ambassador to the Pope. Your administration's embarrassment at Ambassador Wilson's behavior is understandable. In fact, for many Americans, the exchange of ambassadors between our government and a church is an ongoing embarrassment."

Wilson, a real estate investor and long-time member of Reagan's California "kitchen cabinet," first was sent to the Vatican in 1981 as Reagan's personal representative to Pope John Paul II. He was named ambassador to the tiny enclave in Rome, headquarters of the Roman Catholic Church, in January 1984 following congressional action in late 1983 lifting an 1867 ban on formal U.S.-Vatican diplomatic ties.

Following a single day of hearings on Wilson's nomination as ambassador, the Californian was confirmed by the Senate on an 81-13 vote. Both houses of Congress subsequently approved funding for the new embassy. The current cost for operating the embassy is about \$2 million annually.

A lawsuit challenging the constitutionality of the exchange of ambassadors, brought by Americans United for Separation of Church and State and others, was dismissed in May 1985 by a federal district judge who agreed with the administration that the Constitution gives the president and Congress virtually exclusive power over U.S. foreign policy. Intervention by the courts, Judge John P. Fullam of the U.S. District Court for the Eastern District of Pennsylvania ruled, would amount to a violation of the doctrine of separation of powers among the three branches of government.

That ruling was upheld April 25, 1986, by a three-judge panel of the 3rd Circuit Court of Appeals in Philadelphia. Americans United has announced it will appeal further, either to the full 3rd Circuit or to the Supreme Court.

The Baptist Joint Committee has supported Americans United in its legal challenge to the exchange of ambassadors in a friend-of-the-court brief. The Washington-based agency is supported jointly by the American Baptist Churches in the U.S.A.; Baptist General Conference; National Baptist Convention of America; National Baptist Convention, U.S.A., Inc.; North American Baptist Conference; Progressive National Baptist Convention, Inc.; Seventh Day Baptist General Conference; and Southern Baptist Convention.

The organization has a history of opposing ties with the Vatican, dating to 1939 when President Franklin D. Roosevelt sent a personal envoy to the Pope. That action broke a tradition dating to 1867, when Congress banned formal diplomatic recognition of the Vatican.

Since Roosevelt's action, most U.S. presidents—Harry S Truman, Lyndon B. Johnson, Richard M. Nixon, Gerald R. Ford and Jimmy Carter—have followed suit. Only two—Dwight D. Eisenhower and John F. Kennedy—declined to send personal representatives. The biggest battle fought over the issue came in 1951, when Truman—a Southern Baptist—sought to upgrade his personal envoy to ambassadorial status. But following a public protest, Truman withdrew his nominee from consideration by the Senate.

Appeal Court Rules
For Children's Homes

By Al Shackelford

CINCINNATI (BP)—The United States Court of Appeals for the 6th Circuit has upheld a district court's ruling which declared that Tennessee Baptist Children's Homes Inc. is an "integrated auxiliary of churches."

The three-judge appeals court filed its written decision May 14 in response to an appeal by the Internal Revenue Service of the lower court decision.

At an August 1984 trial in the U.S. District Court for Middle Tennessee in Cookeville, the jury had determined the children's homes "principal activity is exclusively religious" and therefore are exempt from filing Informational Return Form 990 as required by the IRS.

That verdict and a Nov. 14, 1984, memorandum from Judge L. Clure Morton declared the homes are considered an "integrated auxiliary" of Tennessee Baptist churches under the Tax Reform Act of 1969. The judge had instructed the IRS to refund \$29,665.12 in penalties assessed, plus interest, against the Tennessee institution for failure to file Form 990.

At a Feb. 10 hearing before the Court of Appeals, Ray Hepper, Justice Department attorney from Washington, based the IRS appeal on two points--(1) "religious activity is limited only to the conduct of worship" and (2) the district court erred in allowing a jury trial on what he called "a matter of law."

Hepper did not question the children's homes provide Christian homes for children. "This is child care. Their religious motivation to do this is not relevant," he contended. Frank Ingraham of Franklin, Tenn., in representing the homes, countered, "Child care is not just a matter of motivation but a religious activity motivated by religious concern."

In the written appeals court decision, Judge Robert Krupansky noted IRS regulations do not define "principal activity" and the regulations "left open the factual issue of identifying the 'principal activity' of an organization seeking exemption."

The decision continued, "The government, having ignored the factual issue thus presented, erroneously hypothesized the factually unsupported conclusion that the principal activity of TBCH was as a matter of law the operation of an orphanage dedicated to the public interest...."

"The government assumed without factual support the identification and character of the 'principal activity' pursued by TBCH, which was the ultimate controversial premise presented to the court and/or the jury for consideration and adjudication."

The decision said the court "must, as did the trial court, conclude that within the context of the equally persuasive arguments advanced by the adversaries to this action, there was present a conflict of material fact as to the 'principal activity' pursued by TBCH, which factual controversy was within the province of the jury."

In another section, the written decision declared the children's homes' "sole and primary dedication and purpose for maintaining and operating its child care facilities was and is to create a pervasively Christian environment for leading its enrolled children to a saving relationship with Christ and to systematically indoctrinate and/or convert those children committed to its care to the tenets of the Baptist faith. As such, the children's homes challenged that it had no secular counterpart.... At the conclusion of the evidence, TBCH's affirmative evidence stood uncontradicted."

Although the Court of Appeals upheld the homes are an intergrated auxiliaries of the churches and penalties should be refunded, the judges denied—as did the district court—the homes' request that IRS reimburse attorney's fees and that the statue which had caused the controversy be declared unconstitutional.

Joining Krupansky in hearing the appeal and filing the decision were Judge Ralph Guy and Judge John W. Peck.

Under court regulations, the IRS has 20 days from the appeals court's ruling to file a notice of appeal to the U.S. Supreme Court.

Louisville's Huff First To
Declare For SBC Vice President

By James H. Cox

LOUISVILLE, Ky. (BP)—Saying he believes it is time lay people take a more active involvement in the business affairs of their denomination, Henry B. Huff of Louisville, Ky., May 20 became the first announced candidate for the office of first vice president of the Southern Baptist Convention in 1986.

An attorney and active layman in Louisville's Crescent Hill Baptist Church, Huff, 61, said he would be a nominee for first vice president "no matter who is elected" president of the 14.4-million-member SBC. Huff currently is the convention's second vice president.

The election of president is scheduled on the SBC agenda in Atlanta for 2:10 p.m. Tuesday, June 10. A second election, either a run-off for president, should it become necessary, or the election of the first vice president, is set for 4 p.m. that day. A third election period is set for 7:30 p.m. that evening, which presumably will be for the election of second vice president if there are no run-offs for the previous offices.

Two pastors already have announced their candidacies for president—Adrian Rogers of Bellevue Baptist Church in Memphis, Tenn., and of the denomination's fundamental-conservative wing, and Winfred Moore of First Baptist Church of Amarillo, Texas, representing moderate-conservative cause.

In an interview last week in Louisville Huff, told the Western Recorder, newsjournal of the Kentucky Baptist Convention, he is "answering the call of a number of friends" who have urged him to be a candidate for his denomination's second-highest office.

Huff said he was persuaded that, as second vice president, he has acquired some knowledge in the convention of how it operates and believes he could make a contribution.

"I do know parliamentary procedures," the Louisville lawyer said.

He also acknowledged he is a layman who has not been theologically identified and sees himself as an alternative to some others.

Huff believes Southern Baptists need at this time to "conserve the truth of the Bible while building bridges between us."

Referring to a recent address before employees of the Southern Baptist Sunday School Board, he reiterated he has called for "a long-term commitment to missions, evangelism and biblical truth."

He told board staff members then he did not feel "we can be effective soul winners when we are preoccupied doing battle with one another."

A Sunday school teacher for 35 years, Huff has taught senior men's Bible class at Crescent Hill church for many of those years. He presently is chairman of the church's deacons, is a former moderator of Long Run Baptist Association (1980-81) and a former president of the Kentucky Baptist Convention (1975-76). A year ago he was chairman of the administrative committee of the Kentucky convention's executive board.

Married to the former Mary Anderson of Lenoir City, N.C., Huff is a native Louisvillian and a graduate of Wake Forest College and the University of Louisville. He has been a trustee of Clear Creek Baptist School in Pineville, Ky., and chairman of trustees of Campbellsville (Ky.) College.

Huff is the only layman in a third of a century to be president of the 765,000-member Kentucky Baptist Convention.

He will be nominated as first vice president of the SBC by T.L. McSwain, pastor of Warren Memorial Baptist Church in Augusta, Ga.

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