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87-182

Supreme Court Steps Back From
'Moment Of Silence' Decision

N- BJC
By Stan Haste

WASHINGTON (BP)--Sidestepping a decision concerning the merits of its most celebrated church-state case of the current term, the U.S. Supreme Court instead has ruled that former leaders of the New Jersey legislature had no legal right to appeal lower-court rulings that struck down the state's "moment of silence" law.

That law, enacted in 1982 over the veto of New Jersey Gov. Thomas H. Kean, required a one-minute period of silence "for quiet and private contemplation or introspection" in the state's public school classrooms at the beginning of each school day. More than 20 states have similar statutes on the books.

Following enactment of the New Jersey law, the state attorney general announced he would not defend it should it be challenged in court. When several students, their parents and a teacher filed suit challenging the law's constitutionality on church-state grounds within a month of its passage, Alan J. Karcher, speaker of the General Assembly, and Carmen A. Orechio, president of the state Senate, intervened as defendants in their official capacities.

Both a federal district court and the 3rd Circuit Court of Appeals in Philadelphia struck down the law for violating the First Amendment ban on an official establishment of religion. The district panel held the law failed all three parts of a Supreme Court test requiring that such statutes have a secular purpose, have the primary effect of neither advancing nor inhibiting religion and not result in excessive entanglement between church and state.

The 3rd Circuit, on a 2-1 vote, upheld the portion of the lower decision striking down the law for failing to have a secular purpose.

Karcher and Orechio, who appealed the decision of the district court to the 3rd Circuit, meanwhile lost their posts as leaders of the New Jersey legislature.

When they next appealed the 3rd Circuit's decision to the Supreme Court, the justices agreed to consider whether they still were entitled under federal court rules to press the case.

By deciding unanimously the pair had no legal standing to appeal, the high court let stand the lower rulings. The court's decision was handed down Dec. 1.

Writing for the other seven members, Justice Sandra Day O'Connor held that because Karcher and Orechio no longer hold their leadership posts, "they lack authority to pursue this appeal on behalf of the legislature."

She stated further: "Karcher and Orechio intervened in this lawsuit in their official capacities as presiding officers on behalf of the New Jersey legislature. They do not appeal the judgment in those capacities. Indeed, they could not, for they no longer hold those offices. The authority to pursue the lawsuit on behalf of the legislature belongs to those who succeeded (them) in office."

O'Connor and the other justices said nothing about the constitutional issues in the case.

Two years ago, in a case from Alabama, the high court struck down a law requiring a moment of silence to be used specifically for meditation or prayer.

The question of whether more neutrally-worded laws like New Jersey's violate the First Amendment must await another day in court.

State Directors Question
HMB Personnel Policies

N-HMB
By Leisa Hammett-Goad

ATLANTA (BP)--State Baptist convention missions directors expressed concern over the Southern Baptist Home Mission Board's new policy on divorce during their annual meeting in Atlanta.

The board's trustees approved a new policy last summer that says divorced people rarely will be appointed or approved for HMB service unless their divorce was based on "biblical rationale." That rationale was defined as limited to adultery or fornication and desertion or physical abandonment by a spouse.

The state missions directors, representing 37 state Baptist conventions, Canada and Puerto Rico, argued the policy was narrow and restrictive.

Several directors noted cases where a person divorced and remarried before becoming a Christian or where local church pastors are barred from missionary appointment because of the policy.

The missions directors said they perceived the policy not only closed the door to pastors who had been divorced but to all divorced people seeking appointment in any category. They concluded they will address the HMB board of trustees about the policy.

HMB Missions Vice President Gerald Palmer said the dialogue did not indicate a lack of support for the board by the missions directors. But, he added, the board's staff is committed to carrying out policies set by its trustees.

Home missions endeavors are made possible by cooperative arrangements with state conventions and the boards, Palmer said, noting, "We are laborers together with God."

Since 1958, the board has worked cooperatively with state Baptist conventions in funding, appointment and supervision of missionaries.

If the board and state Baptist conventions fail in their goals, it will not be because they lack resources or they did not work toward the goals, but because they did not work together.

The board's expansion will be accomplished through cooperative arrangements with the states, said Palmer, explaining the board is committed to starting 50,000 new churches by the year 2000.

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High Court Weighs Dispute
Over Tribal Worship Site

N-BJC
By Stan Hastey

Baptist Press
12/2/87

WASHINGTON (BP)--The U.S. Supreme Court heard conflicting claims from attorneys representing the federal government and three American Indian tribes Nov. 30 in a long-simmering dispute over the government's right to control its own land and the tribes' right to free exercise of religion.

At issue in the battle is construction of a six-mile stretch of two-lane highway in Six Rivers National Forest in the "high country" of northern California on an ancient site considered sacred by the Yurok, Karok and Tolowa tribes. The six miles would complete a 55-mile highway connecting the towns of Gasquet and Orleans. The U.S. Forest Service already has spent \$17 million building the other 49 miles of roadway.

But the Northwest Indian Cemetery Protective Association and individual plaintiffs thus far have staved off completion of the project in a series of court victories. Both a federal district court and a 9th Circuit Court of Appeals panel ruled earlier that completion of the highway would violate the tribes' free exercise of religion.

According to the appeals panel, the disputed land "is indispensable to a significant number of Indian healers and religious leaders as a place where they receive the 'power' that permits them to fill the religious roles that are central to the traditional religions."

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In oral arguments at the nation's high court, however, Assistant U.S. Solicitor General Andrew J. Pincus noted the 9th Circuit is the only federal appeals court "that has come out in favor of the Indians" in such a dispute. "It is our position that ... the Constitution doesn't require the government to do anything" to accommodate the tribal demands for protecting the sacred site, he added.

Pincus warned the justices that if they decided for the tribes, the door would be opened for other Indian tribes to seek protection of "hundreds, if not thousands" of sacred sites similarly located on federal land. He conceded the government wants to complete the road to accommodate commercial logging interests and open the land for recreation.

The government lawyer insisted the case should be controlled by the 1986 decision in *Bowen v. Roy*, another test pitting American Indian free exercise claims against the government. In that case, the court held 8-1 that the free exercise clause did not extend to an American Indian's effort to prevent the government from requiring use of his daughter's Social Security number as a condition for receiving food stamps and other federal benefits. Use of the number, the father claimed, robbed his daughter of her soul.

But Marilyn B. Miles, a Eureka, Calif., attorney representing the American Indians, countered the earlier decision should not apply because "here you have actual conduct that is being interfered with" by governmental action. She described the disputed site as "central and indispensable" to her clients' ability to exercise freely their religious beliefs.

The appeals court ruling in the case, she argued, "strikes a proper balance" between the Indians' free exercise interests and those of the federal government in controlling its land.

Nevertheless, several of the justices peppered Miles with sharp questions about the earlier *Bowen v. Roy* decision, suggesting repeatedly it should be applied in the present case.

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Latin Church Budgets
Doubling In Campaign

F-FMB
By Eric Miller

Baptist Press
12/2/87

RICHMOND, Va. (BP)--Church budgets in parts of Latin America are doubling, thanks to a stewardship campaign that uses some Southern Baptist money and manpower.

The campaign, known as Total Stewardship Under the Lordship of Jesus Christ, is designed to lead Latin American Baptists toward an aggressive program of evangelism and missions.

Southern Baptists "can look forward to increased effort, manpower and teamwork with Latin America in winning the world to Christ," said Southern Baptist missionary Ben Bedford, treasurer of the campaign's coordinating committee.

A major goal of the campaign is to get Christians committed to giving time, money and talents to spread the gospel, Bedford explained. It also could lead to greater self-support among Latin American churches.

Campaign coordinators want Baptists around the world to pray "specifically for this campaign at noon each day," Bedford said.

Already a Baptist church in Rio de Janeiro, Brazil, has doubled its budget for 1988. Joao Falcao, pastor of the church and vice president of the coordinating committee, has written literature for the campaign, including a book, "The Theology of Christian Stewardship."

The five-year campaign began in 1985 with the preparation of literature for training leaders, said Jose Missena of Paraguay, committee president. Missena is the Southern Baptist Foreign Mission Board's Latin American consultant for evangelism and church growth.

Workshops have been conducted during 1987 to train leaders. Each new leader is being challenged to train 10 others in 1988, "sort of in the principle of MasterLife," Bedford said. As many as 7,000 leaders will be trained in Latin America in 1988.

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During the five-day workshops, individuals are taught financial planning so tithing will not be cumbersome. This applies to family budget planning, which extends into the church, local Baptist association and national convention.

Another new focus in Latin American churches is on stewardship training for children, to get them started early in tithing.

A second book used for training is "The Challenge of Stewardship and Missions," by Aldo Broda, an Argentine who is general coordinator for the Latin American campaign. Other literature includes tracts and a series of five Sunday school lessons, with variations for young and older adults, adolescents and children.

Written in Spanish and Portuguese by Latin Americans, the material is being translated into English and French. Southern Baptists funded the printing of materials. They also are helping provide initial workshop training.

The result of the emphasis on stewardship so far has been a 100 percent budget increase in some churches in Argentina, Barbados and Brazil, said Missena, who travels throughout Latin America. He reported Baptists in those countries and others got so excited about applying their new stewardship training that they did not wait for 1989, the planned application year.

Despite the doubling of some church budgets, Bedford noted several were only half the size they needed to be in the first place.

"Some churches haven't been able to pay their pastors," he said. "They need literature. They need buildings. They need to increase their cooperative program and they need to undergird their institutions. Our stewardship development has not kept pace in many cases with our evangelistic development."

Some Latin American congregations worship in rented buildings, and "hardly any of them have adequate buildings," Bedford added. "They need equipment, tables, chairs, pews and hymn books. If the stewardship develops correctly, then they will be able to buy their own lots and church buildings."

One of the campaign goals is for Baptist institutions, such as hospitals and schools, to be self-supporting. By the early 1990s institutions are expected to start realizing this goal -- one of several stressed by Don Kammerdiener, the Foreign Mission Board's vice president for the Americas. This parallels a Foreign Mission Board goal to funnel less and less money into overseas institutions and church property.

All the Latin American Baptist groups that work with Southern Baptist missionaries have a goal to become involved in foreign missions, Bedford added. Many conventions already have at least one foreign missionary, and Brazil supports more than 120 missionaries in 17 countries.

If the stewardship campaign is successful, Bedford believes, "It could bring an overall revival in Latin America."

Results of the campaign will be evaluated in 1990. Campaign coordinators are "hoping that the campaign will not stop, that it will just keep going," he said.

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(BP) photo mailed to state Baptist newspapers by Richmond bureau of Baptist Press

Cager Dreams New Dream
After Leg Amputation

F-10
By Kim Rodgers (OKIA)

Baptist Press
12/2/87

SHAWNEE, Okla. (BP)--Lynda Ward had big dreams of making the Olympic basketball team before going pro.

Those dreams were sidelined early in 1986, when the highly-recruited Oklahoma Baptist University cager learned she had bone cancer. Her left leg was amputated soon afterward.

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More than a year later, Ward, a second-semester freshman, is back on the OBU campus as a full-time student. Although she has a sunny disposition, she feels pangs of regret when she attends her former basketball team's games.

"It bothers me to watch them play," she admits. "You see these people playing and you think, 'I can do better.' I always strived to do the best in all I did. It bothers me a whole lot."

Despite the pain and disappointment of the past year, Ward's future looks bright. After a year of precautionary chemotherapy, Ward now is cancer-free. She had her last treatment in early November.

Ward continues physical therapy to help her learn to use an artificial leg. With the prosthesis and the occasional aid of crutches, Ward says, she can do almost anything that she did before she lost her leg.

"I can play basketball, climb stairs, play volleyball, ride a bike, kick people -- do just about anything but run. If I were somewhere where people didn't know me, they probably wouldn't know that I have an artificial leg."

Because of her success as a cager at Pryor (Okla.) High School -- she averaged 16.9 points per game her senior year -- and her undaunted determination, her chances of making the Olympics and playing professionally looked good.

The tragedy in her life forced her to set new goals. She wants to get a master's degree in health, physical education and recreation, coach basketball at the college level and later go to medical school to become a sports medicine specialist. She became interested in sports medicine while taking physical training and chemotherapy last year.

Ward's more immediate goal is to be listed on the president's honor roll. In addition to her studies, Ward lifts weights every other day and has a daily regimen of exercises for her leg and abdominal muscles. Staying physically fit helps her maintain her balance on one leg, she said.

Ward also is involved in OBU's Baptist Student Union and Fellowship of Christian Athletes chapter. She does fund-raising for the BSU's summer missions projects. Raising money for worthy causes has always been an interest for Ward. While a high school sophomore, she raised more than \$1,000 in two weeks for Easter Seals, an organization that benefits disabled people.

She also helps teach a missions class to 4- and 5-year-olds at Immanuel Baptist Church. The children sometimes ask her about her leg. They ask if it will grow back, and have called her a pirate and a monster.

"I just talk about it and let them ask questions," she says. "Hopefully, I can help fulfill their curiosity."

Besides staying busy, Ward's faith has been a help throughout the ordeal. Being physically challenged has brought her closer to God, she notes: "When something bad happens, it makes you rely on God more. You have to trust that he will take care of you, that you don't have to take everything in your hands. I've really grown spiritually from this. I think I've become stronger."

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Student Pastor's Ministry
Sign Of Christmas Season

F - (O
(SWBTS)
By Elizabeth Watson

Baptist Press
12/2/87

IRVING, Texas (BP)--Although David Turbeville is pastor at North Irving (Texas) Baptist Church's deaf mission, many hearing-impaired children think he works in the North Pole.

Dressed in a stuffed red suit, black boots and a white beard, the theology student at Southwestern Baptist Theological Seminary is "Signing Santa Claus" to hundreds of deaf children who visit him in Dallas/Fort Worth-area shopping malls.

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"Have you been good this year?" Turbeville hand-signals to a little girl who has crawled up on his knee.

The girl nods her head, then pats her chest as she asks for a Baby Heartbeat doll.

When the girl's mother reaches to take her from Santa's lap, Turbeville invites them both to visit the deaf mission. The mother promises to come.

Playing Santa Claus at Christmas is just one of the innovative ways Turbeville has found to minister to the deaf community. The rest of the year he stays busy interpreting for church members at doctor appointments or planning the church softball-practice schedule.

Turbeville probably won't learn in seminary some of the skills needed for his congregation. "Hearing people don't ask their pastor to accompany them to the doctor's office," he said. "But as pastor of a deaf congregation, it's my job."

Turbeville's first pastorate turned out to be two firsts. "I've learned how to be a pastor and how to minister to a congregation whose culture is unique," he said.

In addition to preparing sermons, Turbeville has to make sure he can translate every idea into sign language.

He also has to communicate in "down-to-earth" fashion. "Hearing-impaired people are common-sense people," Turbeville said. "If they can see it, touch it and smell it -- it's real.

"American Sign Language is more than a language, it's a culture. They communicate in ideas rather than sentences."

So Turbeville often uses visual aids to get his message across. He projects sermon outlines, key words and sometimes cartoons on a screen while preaching.

While most preachers work on improving vocal quality, Turbeville is concerned about facial expressions. "What voice inflection is to a hearing person, facial expressions are to a deaf person," he said. "Facial expressions, like voice inflections, relay different meaning."

Occasionally Turbeville won't know how to sign a word and will have to wait until Sunday to ask a member of his congregation how to communicate the idea. "My skills have improved a lot in the three years I have served as pastor. The people correct me when I make mistakes," he said.

But Turbeville isn't stumped often. He's been signing since he was in the seventh grade. God called him to ministry through his experience in a puppet team that ministered regularly at the Alabama School for the Deaf in Talladega.

Under Turbeville's leadership, the Irving mission is closer to becoming a church. Although subsidized by the Baptist General Convention of Texas and the Dallas Baptist Association, the seven-year-old, 52-member mission now pays a portion of Turbeville's salary and most of its budget expenses.

Hearing-impaired people stay home from church for the same reasons hearing people do -- they think it's boring, he said. So he strives to overcome that barrier as well as the communication barrier.

Not every pastor can be found ministering in an oversized red suit each December. But not every pastor serves a congregation like Turbeville's.