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90-55

High court rejects  
anti-dancing case

By Kathy Palen

N-BJC

WASHINGTON (BP)--The Supreme Court has refused to review a dispute over whether high school dances should be allowed in a small Missouri community.

A group of high school students and their parents from Purdy, Mo., charged the local school board's anti-dancing rule promoted the religious beliefs of the town's fundamentalist churches. The rule, which has been in place for a number of years, prohibits dancing on school premises.

When the students petitioned to have the rule changed, members of the town's Ministerial Alliance -- made up of the pastors of five churches, including First Baptist Church of Purdy -- voiced their opposition and enlisted their congregations to oppose the change, calling dancing a "sin."

In a closed-door session, the school board rejected the students' request. The students and their parents then filed suit against the school board.

A federal district court held the Purdy School Board's actions on the dancing question violated the First Amendment's establishment clause. The anti-dancing rule, the court said, is "inherently religious."

But a panel of the Circuit Court of Appeals reversed that decision, holding that since dancing is a secular activity, the rule is neutral. The religious effect of the rule, the panel said, is "indirect, remote and incidental."

By a 5 to 4 vote, the full appeals court refused to rehear the case.

In his dissent, the court's chief judge wrote: "In Purdy, Mo., the no-dancing rule differs little from a school's posting of the Ten Commandments on its classroom walls. In both cases the school makes it abundantly clear to the students that it embraces the tenets of a particular religion."

In appealing to the nation's highest court, Larry M. Schumaker, attorney for the students and parents, said the anti-dancing rule made members of minority faiths "feel the school district considers their religious beliefs to be inferior."

Calling the rule "neutral" is a concept that "immunizes otherwise objectionable government conduct," Schumaker wrote. Although dancing is a secular activity, he said, the school board's opposition to it was intended to promote certain religious beliefs.

But Ransom A. Ellis III, who represented the Purdy School Board, argued the real issue is whether public school officials may continue a "long-standing practice of not including in their extracurricular program a social activity without being found to make a law respecting an establishment of religion." To do so, he said, would call into question any public school rule or decision that has its basis in traditional morality, such as dress codes and rules against vulgarity.

Parallelism between religious beliefs and legislation does not always make a law religious, Ellis wrote.

Church members, he added, are still constituents and should not be denied their right to engage in the political process.

Historian notes loss  
of tolerance in SBC

By Pat Cole

N-CO  
(SBTS)

LOUISVILLE, Ky. (BP)--A "genius for compromise" that historically characterized the Southern Baptist Convention has fallen victim to increased demands for doctrinal uniformity, said church historian Bill J. Leonard.

Until the current denominational controversy, the SBC stated its doctrines in terms broad enough to include "churches which reflected a wide variety of diverse theological traditions," said Leonard, professor of church history at Southern Baptist Theological Seminary, during the Louisville, Ky., school's Denominational Heritage Week. Persons who "affirmed certain 'universally prevalent' Baptist beliefs were permitted to unite together in missionary action," he said.

Yet the SBC's lack of precision in defining doctrine also provided fertile ground for controversy and "potential schism as representatives of one particular theological viewpoint sought to impose their interpretation on the entire body," Leonard said.

Statements of faith approved by the SBC have been "specific enough to identify the denomination as a theologically conservative, distinctly Baptist denomination," he said. However, the framers of the denomination's confessional statements recognized the SBC's diversity and resisted efforts to "define dogma too narrowly lest they alienate large segments of the constituency."

SBC doctrinal statements include the Abstract of Principles, approved in 1859 as a guide for faculty members at Southern Seminary, and the Baptist Faith and Message, the denomination's official confession of faith, ratified in 1925 and revised in 1963.

"During the 20th century, Southern Baptists have moved steadily, if not reluctantly, toward creedalism, all the time insisting that it was not really happening," Leonard said. SBC confessions of faith "originally used by denominationalists to preserve unity and avoid schism have become a source of division as groups debate the definition of specific dogmas," he observed.

Leonard emphasized the current denominational controversy has precipitated various attempts to interpret the denomination's confessional statements with increasing specificity. Since 1979 the already thin line between a confession and a creed "has become a particularly academic distinction," he said.

Some within the SBC have "gone to great lengths to ensure" that the Baptist Faith and Message be "interpreted in the light of the doctrine of biblical inerrancy," he said. Others, he said, have "tried to establish their own list of non-negotiables as the basis for Southern Baptist theological unity." Still others have "attempted to clarify the meaning of the Baptist Faith and Message" by using other documents such as the Chicago Statement on Biblical Inerrancy, he said.

"Intricate doctrinal definitions" have become more important to many Southern Baptists as a source of denominational unity, said Leonard, noting that cultural and denominational ties that once held the SBC together have collapsed.

Recent efforts to narrow the theological parameters of the convention have "upset the delicate balance" that the denominations successfully maintained in former years. "By 1989, the real question was: How narrowly can the denomination define itself and still remain intact?" he said.

Other lecturers during the denominational heritage emphasis, Robert K. Johnston and David Wells, added perspectives from the broader evangelical world.

Addressing "The Varieties of American Evangelicalism," Johnston, provost and dean of North Park College and Theological Seminary in Chicago, said evangelicals are composed of diverse "Christian subcultures" that have a "certain family resemblance."

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Evangelicals, he asserted, have "common understandings of faith and of mission that knit this otherwise disparate group of Christians together." Johnston noted a threefold commitment characterizes evangelicals: a dedication to the gospel expressed in personal faith in Christ, an understanding of the gospel "as defined authoritatively by Scripture," and a desire to "communicate the gospel both in evangelism and social reform."

In his address, Wells, Andrew Mutch professor of historical and systematic theology at Gordon-Conwell Theological Seminary in South Hamilton, Mass., said evangelical churches have become dangerously apathetic in their concern for theology.

"Evangelical theologians have no audience in the church," he said. "The church has no interest in theology." Yet, he added, theologians cannot do their work without an audience.

He cited a survey that revealed 87.5 percent of the books produced by evangelical publishing houses is "geared to the interest of the self movement." Evangelical scholars, pastors and laity need to find ways to work together to bring about a resurgence of interest in theology, he said.

Unless the current situation changes, Wells said he does not know "how theology can flourish nor can I see how the evangelical movement can survive until it does flourish."

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Braidfoot elected academic v.p.  
at William Carey College

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4/19/90

HATTIESBURG, Miss. (BP)--Larry Braidfoot has been elected academic vice president and dean of the college, as well as professor of religion and political science, at William Carey College in Hattiesburg, Miss.

Braidfoot currently is general counsel and director of Christian citizenship development for the Southern Baptist Christian Life Commission in Nashville, where he has worked since Sept. 1, 1981.

Braidfoot was elected unanimously to the William Carey College posts during a special meeting of the Mississippi Baptist school's trustees, announced WCC President Jim Edwards. Braidfoot will assume his new duties in May.

Prior to joining the Christian Life Commission, Braidfoot worked at Dallas Baptist College, now Dallas Baptist University, for nine years. There he taught courses in religion, philosophy and political science and was president of the Faculty Council.

His publications include "The Bible in America," "Gambling: A Deadly Game" and "The Bible Speaks to Today's Moral Issues."

His work with the Christian Life Commission has been concentrated in the areas of Christian citizenship, gambling, pornography and AIDS education.

Braidfoot earned a bachelor of science degree from Texas A&M University, a law degree from the University of Texas School of Law and a doctor of philosophy degree in religion from Baylor University.

His major areas of academic concentration are in theology, Christian ethics and political science.

He is married to the former Frederica Storm, and they are the parents of a son and a daughter.

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Peyote decision to affect  
future free exercise cases

By Kathy Palen

N-BJC

Baptist Press  
4/19/90

WASHINGTON (BP)--The U.S. Constitution does not require a state to allow the religious use of the drug peyote, the Supreme Court has ruled.

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In an April 17 decision, the high court held the state of Oregon not only can prohibit the use of peyote but also can deny unemployment compensation to individuals dismissed from their jobs for using the drug.

The case involved two drug rehabilitation counselors who were fired for using peyote as part of Native American Church ceremonies. When Alfred Smith and Galen Black applied for unemployment compensation from Oregon's Employment Division, they were turned down because they had been discharged for work-related misconduct.

The Oregon Court of Appeals reversed the decision, holding the denial of benefits violated the men's free exercise of religion rights. The Oregon Supreme Court agreed that benefits should be paid.

In 1987, the nation's highest court heard the case, which it sent back to the Oregon Supreme Court for determination of whether the sacramental use of peyote was prohibited under Oregon's controlled substance law.

The Oregon Supreme Court held such use of the drug did fall within the state law's prohibition. But the state court also held the law to be invalid in light of the First Amendment's free exercise clause.

The case then went back to the U.S. Supreme Court, which heard a second round of oral arguments last November.

Writing for the court's majority, Justice Antonin Scalia said, "If prohibiting the exercise of religion is ... merely the incidental effect of a generally applicable and otherwise valid provision, the First Amendment has not been offended."

He added: "We have never held that an individual's religious beliefs excuse him from compliance with an otherwise valid law prohibiting what the state is free to regulate. ...

The only decisions in which we have held that the First Amendment bars application of a neutral, generally applicable law to religiously motivated action have involved not the free exercise clause alone, but the free exercise clause in conjunction with other constitutional protections, such as freedom of speech and of the press."

Although concurring with the majority's judgment in the case, Justice Sandra Day O'Connor wrote a lengthy opinion opposing most of Scalia's arguments.

"In my view, today's holding dramatically departs from well-settled First Amendment jurisprudence, appears unnecessary to resolve the question presented and is incompatible with our nation's fundamental commitment to individual religious liberty," O'Connor began.

Because the First Amendment does not distinguish between religious belief and religious conduct, O'Connor said, both must be at least presumptively protected by the free exercise clause. But, she added, the court's majority now has interpreted the clause to permit the government without justification to prohibit religious conduct, so long as the prohibition is generally applicable.

O'Connor flatly rejected Scalia's contention that a "compelling state interest" test should not be applied to most free exercise of religion cases.

In its 1963 decision in *Sherbert v. Verner*, the Supreme Court set forth a test requiring that governmental actions that substantially burden a religious practice must be justified by a compelling governmental interest.

But in his April 17 opinion, Scalia argued the *Sherbert* test should be applied only in unemployment compensation cases.

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"The government's ability to enforce generally applicable prohibitions of socially harmful conduct, like its ability to carry out other aspects of public policy, cannot depend on measuring the effects of a governmental action on a religious objector's spiritual development," Scalia wrote. "To make an individual's obligation to obey such a law contingent upon the law's coincidence with his religious beliefs, except where the state's interest is compelling -- permitting him, by virtue of his beliefs, to become a law unto himself -- contradicts both constitutional tradition and common sense."

Such application of a compelling state interest requirement would produce a "constitutional anomaly," opening the prospect of constitutionally required religious exemptions from almost every conceivable kind of civic obligation, Scalia said.

O'Connor wrote, however, that the compelling interest test "reflects the First Amendment's mandate of preserving religious liberty to the fullest extent possible in a pluralistic society. For the court to deem this command a 'luxury' is to denigrate the very purpose of the Bill of Rights."

The First Amendment, she argued, at least requires a case-by-case determination of whether the burden on specific plaintiffs is constitutionally significant and whether the particular state interest is compelling.

"The court today gives no convincing reason to depart from settled First Amendment jurisprudence," O'Connor wrote. "There is nothing talismanic about neutral laws of general applicability or general criminal prohibitions, for laws neutral toward religion can coerce a person to violate his religious conscience or intrude upon his religious duties just as effectively as laws aimed at religion."

In addition, O'Connor rejected Scalia's claim that generally applicable laws are "one large step" removed from laws aimed at specific religious practices.

"Our free exercise cases have all concerned generally applicable laws that had the effect of significantly burdening a religious practice," she wrote. "If the First Amendment is to have any vitality, it ought not be construed to cover only the extreme and hypothetical situation in which a state directly targets a religious practice."

O'Connor also opposed Scalia's argument that accommodation for cases such as the peyote dispute are better left to the nation's political process than its court system.

Explaining that a number of states have made exceptions to their drug laws for sacramental peyote use, Scalia wrote: "It may fairly be said that leaving accommodation to the political process will place at a relative disadvantage those religious practices that are not widely engaged in; but that unavoidable consequence of democratic government must be preferred to a system in which each conscience is a law unto itself or in which judges weigh the social importance of all laws against the centrality of all religious beliefs."

But O'Connor countered: "The court today suggests that the disfavoring of minority religions is an 'unavoidable consequence' under our system of government and that accommodation of such religions must be left to the political process. In my view, however, the First Amendment was enacted precisely to protect the rights of those whose religious practices are not shared by the majority and may be viewed with hostility."

The court's decision is a dangerous one that has serious implications for all laws affecting churches, said Oliver S. Thomas, general counsel for the Baptist Joint Committee on Public Affairs.

"Taxation of church assets, regulation of church schools and child-care centers, zoning and other land-use questions are all areas of the law where we've relied upon the compelling state interest test to provide churches with exemptions," Thomas said. "With a stroke of his pen, Justice Scalia has overturned 27 years of legal precedent and made the 'first liberty' a constitutional stepchild."

Hinson to speak  
at BPFNA meeting

N-10

NEW ORLEANS (BP)--E. Glenn Hinson, professor of church history at Southern Baptist Theological Seminary in Louisville, Ky, will be the speaker for the Baptist Peace Fellowship of North American luncheon Monday, June 11, prior to the Southern Baptist Convention annual meeting in New Orleans.

"Each year we sponsor this luncheon as a fellowship occasion for our members and other interested persons," said Ken Sehested, executive director of the fellowship and co-editor, along with Hinson, of Baptist Peacemaker, a quarterly journal mailed to 14,000 individuals and congregations.

"The key to our work is developing a leadership structure at several levels," Sehested said, "including local church groups, regional groups and Baptist convention groups." Outside the SBC, Baptist Peace Fellowship groups are active in American Baptist, Baptist General Conference, Baptist Convention of Ontario & Quebec, Baptist Churches of Puerto Rico and Seventh Day Baptist conventions.

"Our role as an organization is not to speak for Baptists, but to empower Baptists to speak and act for themselves from a biblical perspective on a wide variety of justice and peace issues," he said.

The luncheon will be held at the Clarion Hotel, 1500 Canal St., beginning at 12:15 p.m. Tickets are \$10, or \$5 for students and low-income people and can be ordered from BPFNA, 499 Patterson St., Memphis, Tenn. 38111.

Founded in 1984 by Southern and American Baptists, the fellowship is a network linking Baptists involved in justice and peace issues throughout North America, its members come from 15 Baptist conventions in the United States, Canada, Puerto Rico and Mexico. The organization has no official sponsorship of any convention. Its purpose is to encourage greater Baptist involvement in justice and peace concerns and to help clarify understanding of such involvement as essential to Christian discipleship.

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Ex HMB staffer joins  
South Carolina staff

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WHITE OAK, S.C. (BP)--B. Carlisle Driggers, Southern Baptist pastor and denominational worker, has been elected executive assistant to the executive secretary-treasurer of the South Carolina Baptist Convention by the convention's general board.

Driggers, currently minister of outreach and pastoral care at Northminster Baptist Church in Conyers, Ga., will begin work on June 1 and assume the position of executive assistant following the retirement of E.C. Watson June 30.

The executive assistant's primary assignments relate to program planning, coordination and evaluation; and to Christian life and public affairs matters.

A native of Hartsville, S.C., Driggers worked with the Southern Baptist Home Mission Board from 1975 to 1988. He was associate director in the black church relations department, and regional coordinator in the planning section. In 1988, Driggers left the Home Mission Board to move back to local church work with Northminster Baptist Church.

Previously, he has been pastor, associate pastor and minister of education at Baptist churches in Kentucky, Alabama and West Virginia.

Driggers is a graduate of Mars Hill College, Mars Hill, N.C.; Carson-Newman College, Jefferson City, Tenn., and Southern Baptist Theological Seminary, Louisville, Ky., where he earned the master of divinity degree in 1964, and master of arts degree in Christian education in 1967. In 1976, he earned the doctor of ministry degree at Pittsburgh Theological Seminary. He also completed clinical pastoral education at Weston State Hospital, Weston, W.Va., in 1974, and certification in church finance and administration at Emory University, Atlanta, in 1984.

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Marketing is meeting  
needs: Fred Phanco

By Linda Lawson

F-SSB

NASHVILLE (BP)--When a church conducts a demographic study to learn who lives in the community and what their needs are, that's a kind of marketing.

When Southern Baptists choose "Here's Hope" as a theme for conducting simultaneous revivals to lead people from the despair of their daily lives to eternal hope found in Jesus Christ, they are providing a message people need to hear, and that's marketing.

When the Southern Baptist Sunday School Board publishes Bibles with dusty rose, taupe and teal covers in addition to the traditional black and brown because customers want the timeless gospel in contemporary colors, that also is marketing, according to Fred Phanco, director of the board's new marketing division.

Phanco, 53, was elected to the post in February and assumed his position March 1 after heading his own Atlanta-based personnel and career planning consulting firm. Earlier, he was executive vice president of Walk Thru the Bible Ministries for three years and held executive positions in sales and marketing with several firms. He also is an ordained minister who has served as a bivocational pastor of two mission churches.

At the board, Phanco oversees the work of three departments -- trade sales, direct sales and marketing planning and promotion.

"Marketing is seeing the needs of our customers and delivering effective products and services on a timely basis that meet those needs," said Phanco, a graduate of Penn State University and Dallas (Texas) Theological Seminary.

Phanco, who learned the board was looking for someone to head a new marketing division through a friend who saw an ad in a Baptist state paper, said he had prayed for 10 years for God to lead him to a position where he could use his business and ministry experience.

"The self-supporting nature of the board requires that it be operated by sound business principles," said Phanco. "And we've got a great message to tell of hope and joy and growth. We must do that well."

Among needs the board can meet, Phanco cited new churches which need resources for getting started and churches of all sizes needing assistance in the area of growth. Also, individuals and families are struggling with problems of drugs and challenged by ideas such as the New Age Movement.

"The Sunday School Board has produced resources to meet every one of these needs. You can trust the board," he said.

Throughout the board's history, Phanco said the board has produced the best available resources for Southern Baptist churches. However, he noted, other publishers are competing for the business of Southern Baptist churches.

Phanco emphasized that competition should be a positive factor, "challenging us to rise to our potential. This can shock us into greater efforts at innovation, creativity and relevance to meet the needs of the marketplace. We can continue to produce the best in the face of competition."

Phanco said he hopes to contribute to the Sunday School Board being a vital force in bringing about revival and a revolution in the marketplace where "evangelism and discipleship are taking place in the world as a whole.

"We have the opportunity through the churches to bring God's message of hope and love and life and discipline," said Phanco. "We can contribute to changing lives that glorify God. We must work on and believe in what we do and live our lives as examples of the gospel we represent."

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BP photo mailed to state Baptist newspapers by SSB bureau of Baptist Press

Gurley offers employees  
eternal benefit package

By Jim Burton

F- (CO  
(B'hood)

MEMPHIS, Tenn (BP)--When industrialist Bill Gurley arrives at his clay-processing plant in Middleton, Tenn., he has to like what he sees. Workers take the earth's clay and transform it into consumer products -- cat litter, oil absorbents and grease absorbents.

The earth's clay has been good to Gurley. His company holds an estimated 13 percent of the U.S. market share of cat litter. But despite his business success, the 67-year-old Gurley is a modern-day potter who is more interested in molding and transforming the hearts of men and women.

At least once a month, Gurley drives from his Memphis, Tenn., corporate headquarters to Middleton and meets one-on-one with new employees. It is the new employee's opportunity to ask the boss any questions. And Gurley gets to ask some important questions, too.

"I want to spend some time with you talking about where you are going to spend eternity," says Gurley to each employee.

Casually dressed so as not to intimidate employees, he clearly notes that their conversation will have no effect upon employment. Employees are not to respond because of who he is.

During a simple presentation of the gospel, he asks employees if they know why Jesus Christ died on the cross.

"That I don't know," said one man who claims to be in church every Sunday. "But I sure believe in it."

"Man, that I don't know," responded another.

Gurley finds that most people don't understand the significance of Christ's death and resurrection because no one has ever taken the time to explain it to them.

"I try to take advantage of any opportunities that are available to bring as many people to a saving knowledge of Jesus Christ in as short a period of time as possible," said Gurley. "That's my desire."

During one recent afternoon visit with 10 employees, eight men made professions of faith in Christ.

"I feel a little better," said one new Christian after sharing personal problems with Gurley. "I got a little warm."

Gurley prays with each one after giving the employee a Bible and a tract of his personal testimony. He asks each new Christian to make a commitment to begin reading the Bible that day and to tell someone about their decision.

Gurley's commitment to marketplace evangelism stems from his own conversion experience. He is quick to share his testimony of how a Mississippi dentist led an 18-year-old farm boy and budding entrepreneur to Christ during an office visit.

"The question is, if he hadn't cared enough to share Christ with me, where would I be today?" asked Gurley. "No one knows."

He didn't get serious about his faith until he was 25. Since then Gurley's personal ministry has centered around starting churches and leading people to faith in Christ.

For years he helped start new churches. The burden for new churches grew to the point that he initiated an interest-free loan program to finance new church buildings. Gurley now employs one person full time to administer the church loans and assist in marketplace evangelism.

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But it wasn't until the last 10 years that Gurley realized he had "a place of evangelism right here in my own organization" and began witnessing to employees.

He was anxious to expand his marketplace evangelism strategy for two reasons: to reach more people and measure the response of people who didn't work for him.

Gurley visits other businesses at the invitation of the owners and meets with each employee. Through the years, he has found that the percentage of those who pray to receive Christ is the same whether he is witnessing to his own employees or in another company. In one year, he led 130 people to Christ.

The key to his success is asking people for a decision, said Gurley. Other Christian businessmen sponsor Bible studies or bring speakers to their business, but they fail to ask for decisions. Others fear rejection.

"I can sit down and talk with a person, and I understand that if he does not accept Christ as his savior he has not rejected me," said Gurley. "He has rejected Christ. I can go just as fresh to that next person and talk to him as if the other person had prayed to receive Christ."

Gurley's zeal for evangelism comes naturally, just as his business acumen does. At 15 he bought a truck and began hauling items for hire. Since then has owned trucking firms; a petroleum processing, blending and packaging plant; and gas stations. He also is involved in land development.

He admits to parallel drives for success in business and personal ministry. But Gurley qualifies his success. "I have worked within the realms of my ability to function and took advantage of opportunities," he said.

And Gurley lives his life with the confidence that he understands his limits and abilities.

"If the Lord has prospered you, you should give," he said. "But I don't think we should give with the expectation of, 'Now Lord, I've given and I expect you to give it back to me.'"

"The Lord really doesn't need what I have, because he's got it all already. But he needs my commitment and my faithfulness. If I don't do that I don't feel like I'll be a complete person that can be submissive to whatever God's will is for my life."

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Photo available upon request from Brotherhood Commission