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Gregory resigns Dallas church  
over conflict with Criswell

By Greg Warner

DALLAS (ABP) -- Joel Gregory resigned as pastor of First Baptist Church of Dallas Sept. 30 because of a widening rift with Senior Pastor W. A. Criswell over who will lead the church.

Gregory announced during a Wednesday night prayer service at the church that he was resigning "immediately and irrevocably" from the pastorate of Southern Baptists' largest congregation. The reason: the reluctance of Criswell to leave the pulpit as agreed.

Gregory, 44, was hired in late 1990 to succeed the legendary Criswell, who has been pastor of Southern Baptists' largest congregation for more than 47 years.

In a "verbal agreement" reached at the time with Criswell and the search committee, Gregory said, Criswell agreed to leave after a short transition of "a very few months," during which he and Criswell would share the pulpit and leadership of the 29,000-member congregation in downtown Dallas.

Instead, Gregory told the stunned congregation in a prepared statement, "Recently the senior pastor has announced in several contexts his desire to continue in that role until his 50th anniversary."

That would be two more years.

"I didn't anticipate it would be 20 months. I certainly didn't anticipate it would be four years," Gregory told the Fort Worth (Texas) Star-Telegram in a later interview.

Criswell, 82, was on the podium during Gregory's announcement to the 300 church members attending the prayer service. Gregory left immediately after the announcement, leaving some church members in tears and most in stunned silence.

Observers said Criswell apparently was not aware Gregory was going to resign. Afterward Criswell declined to comment.

Gregory, in his statement, suggested church leaders refused to intervene to resolve the dispute over Criswell's tenure. He said he met with leaders who expressed the desire that Criswell be allowed to remain until his 50th anniversary and "preferred" Gregory work out the problem privately with Criswell.

"That places unilaterally on my shoulders the burden of solving what the congregation and its leadership might have solved," Gregory said in his statement. "For me to force the issue and make demands for myself neither honors God nor conforms to my personality."

The church's "primary agenda" is "the prolonging of the incumbent's ministry instead of the enabling of the new pastor's," he said. "Any conceivable future circumstance presents the specter of a divided congregation, a distracted pastor and a diminishing return," he added.

Gregory said he decided to resign rather than spark a battle within the church over Criswell's tenure. "I got out of the picture before there was a power struggle," he told the Dallas Morning News.

When Gregory was elected pastor in November 1990, many Southern Baptists said the move bore the mark of destiny, linking the denomination's brightest new star and its patriarch, Criswell, in leadership of Southern Baptists' most prominent congregation.

Gregory told the Fort Worth newspaper, however, that fellow pastors warned him ahead of time that it would be impossible for him to lead the church as long as Criswell remained in the pulpit.

"I was told that by many people and, you know, they were right," said Gregory, a Texas native and former pastor of several Dallas-Fort Worth churches.

Most observers close to the situation interpret Gregory's resignation as final and not part of a power play to get Criswell out.

Gregory said he has no immediate plans. "I plan to rest and read," he told the Fort Worth newspaper. "That congregation is a huge burden, a day-and-night responsibility. I'll rest and see what opens up."

Church sources say two factors in the conflict were administrative and preaching responsibilities.

In an interview with Dallas free-lance reporter Scott Baradell several days before his resignation, Gregory said he was carrying the bulk of the day-to-day duties of running the church, which has an annual budget of \$9.25 million.

Meanwhile, Criswell was preaching most of the televised 11 a.m. Sunday worship services, with Gregory preaching more often at the early Sunday service. Gregory told Baradell, however, he expected to be preaching in the 11 a.m. service very soon. He also denied any conflicts with Criswell.

Some church members said differences in the two pastors' styles contributed to the conflict. Gregory's pastoral approach is considered less personal than the venerable Criswell, whom one member called "the ultimate pastor."

Gregory's departure immediately spawned speculation he may become a candidate for the presidency of the denomination's Foreign Mission Board. Gregory, an FMB trustee, serves as chairman of the presidential search committee.

Other observers predict he will wait for one of Southern Baptists' other major pulpits to become available, perhaps if and when the new FMB president is chosen from among the denomination's leading pulpiteers.

Also unclear is if Gregory's resignation will alter his role as a key leader among Southern Baptist fundamental-conservatives, most of whom consider Criswell the archetype of their movement.

For years First Baptist of Dallas has struggled with how to prepare for Criswell's inevitable departure. Other staff members have been brought in with at least some hint of succeeding Criswell, including former associate

pastor Jimmy Draper, who soon left and now is president of the SBC Sunday School Board.

Although the shared-pulpit approach apparently has failed in Dallas, it has been used with greater success at a handful of other SBC churches, such as First Baptist Church in Jacksonville, Fla.

Among the favorites to become Criswell's next apparent successor is O. S. Hawkins, pastor of First Baptist Church of Fort Lauderdale, Fla. Sources say Hawkins was Criswell's choice but not the search committee's when Gregory has hired two years ago.

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Europeans OK ties with Fellowship,  
reconciliation plan with FMB

By Robert Dilday

HODDESDON, England (ABP) -- The Cooperative Baptist Fellowship solidified its role as a key player on the European mission scene when Baptists on that continent approved a working relationship with the group Sept. 29.

Holding its annual meeting just north of London, the 100-member council of the European Baptist Federation authorized the new partnership immediately after approving the Hamburg Agreement, a document which outlines principles for resolving tensions between the EBF's 38 affiliated national unions and the Southern Baptist Foreign Mission Board.

FMB trustees will consider the Hamburg Agreement at their Oct. 12-14 meeting.

The Europeans passed both plans with only one opposing vote -- that of Nicolai Gheorghita, the general secretary of the Romanian Baptist Union, whose conservative theological views have earned him close ties with fundamental-conservative leaders in the United States. Later, Ovidiu Bulzan, the second member of the Romanian delegation, told ABP he would have joined Gheorghita in voting against the two plans but misunderstood the voting procedure.

The CBF-EBF agreement places the stateside moderate-conservative organization in the same position as other mission-sending bodies -- including the Foreign Mission Board and American Baptist Churches -- which support workers in Europe.

Links between the CBF and EBF were initially forged following the defunding last October of the Baptist Theological Seminary at Ruschlikon, Switzerland. When FMB trustees eliminated their \$365,000 annual contribution to the school, European Baptists' only international seminary, the CBF promptly replaced the amount.

Since that time, at least eight FMB missionaries and staff members -- including Ruschlikon's president -- have resigned from the FMB and been appointed as CBF missionaries. It was learned here this week that at least six more are expected to announce similar plans within the next month.

The new EBF-CBF agreement replaces the earlier ad hoc relationship with a more structured, formal approach based on the Dorfweil principles adopted Jan. 28 by the Europeans. The Dorfweil principles are mutual respect, spiritual freedom, moral integrity, genuine consultation and reciprocal sharing.

To strengthen the relationship, an EBF bylaw change also was adopted Sept. 29, giving the CBF non-voting representation on the council. The FMB and other Baptist entities already have non-voting delegates.

"I appreciate very much the Cooperative Baptist Fellowship's

involvement, its intention to work closely with us," Karl-Heinz Walter, EBF general secretary, told ABP.

"Of course, this is only a beginning. No one knows how it (the relationship) will develop," he added.

Cecil Sherman, CBF coordinator, expressed gratitude for the vote of approval, which he said "opens doors for us."

Sherman, who spoke to delegates prior to their vote, was joined at the meeting by CBF moderator Pat Ayres and Jimmy Allen, co-chairperson of the CBF's global missions committee. Also in the CBF delegation was Keith Parker, the Fellowship's coordinator for Europe missions, who resigned as the FMB's area director for Europe in January.

In addition to conferences with the EBF itself, the four met separately with leaders of individual Baptist unions in Europe.

Sherman said a "shopping list" of ministry projects which emerged from those sessions includes assistance with EBF ministries in Albania and the former Yugoslavia; the possibility of financial aid for home missionaries in Russia and for children suffering from radioactivity released by the failure of the nuclear power station in Chernobyl, Ukraine, in 1986; and continuing support for Ruschlikon and the eight CBF missionaries.

The CBF, which plans to have 20 missionaries in Europe by January, will spend \$2.5 million on ministries on the continent during 1993, Sherman said.

Although EBF delegates were generally enthusiastic about their new partner, some expressed concern that the new tie may bring with it doctrinal disputes that have plagued the Southern Baptist Convention.

Prior to the vote, David Coffey, general secretary of the Baptist Union of Great Britain, asked for assurances that CBF and SBC leaders "have made attempts at reconciliation."

Coffey, who indicated he would vote for the agreement, nevertheless added that bringing "a deep hurt from another family into this family is troubling."

Sam James, attending the meeting as the FMB's newly elected vice president for Europe, said he expected "no problems" from the EBF's new relationship, although he added he could not "speak for the convention."

Sherman was less sanguine. "I am not sure I want to make an altogether diplomatic remark to you...", he said. "To stand here and pour chocolate over things and make it sweet and pretty -- perhaps that's the way it ought to be done. But surely there is a place for truth."

"I want very much for the gospel to advance," Sherman continued. "I'll do nothing to impede the gospel.... Can I work with the Foreign Mission Board? By all means."

But he added: "If you get the idea that inside me are mixed signals and unresolved conflict -- you're right. But how can we deal with each other if we're not transparent?"

Parker assured delegates that any tensions between the CBF and the FMB would not impact their respective ministries in Europe, which would be "non-competitive." The CBF has made a commitment not to recruit FMB missionaries, he said.

The EBF's Walter agreed, saying he had "no fear we will go into a competitive situation. I know those working here well enough to know they will not do that."

Wiard Popkes of Hamburg, chairman of Ruschlikon's board of trustees, expressed hope that the new partnership "may help launch the healing process in the United States."

Gheorghita, who registered the lone vote against CBF ties, later told ABP he did so because "no man can serve two masters." The co-pastor of the 2,000-member Second Baptist Church in Oradea, Romania, the largest Baptist congregation in Europe, is a vocal proponent of maintaining "doctrinal purity" and has warned of encroaching theological liberalism, especially at

Ruschlikon.

Following the seminary's defunding, former FMB missionary to Romania Charles "T" Thomas charged Gheorghita told him the seminary's loss would be Romania's gain, since a Bible school operated by Second Baptist Church would be the beneficiary of some of the funds stripped from Ruschlikon. Thomas has since resigned his position with the Foreign Mission Board and been employed by the CBF.

Gheorghita has vigorously denied the allegation.

It was in part because of those counter charges that Gheorghita also voted against the Hamburg Agreement, he told EBF delegates.

"I was a victim of this whole issue," he said, explaining he was blamed in American press accounts for his alleged statement to Thomas. Thomas is a "liar," said Gheorghita, who maintained his lack of English proficiency precipitated the problem.

"When the EBF will ask T Thomas to tell the truth, then I will raise my hand (in support of the Hamburg Agreement)," he said.

The Hamburg agreement is widely viewed by EBF delegates as a renewal of FMB ties strained during the past year. It affirms "true partnership" with the Foreign Mission Board but acknowledges the EBF's right to work with other groups, including the CBF.

Like the CBF partnership, the Hamburg document is also based on the Dorfweil statement, which FMB trustees endorsed June 24.

Trustees are expected to ratify the Hamburg agreement in October, though perhaps not unanimously.

"I am grateful for the spirit of the council," the FMB's James told ABP. "I realize future action of the FMB will need to strengthen this agreement in every way possible. Out of this will come the increased trust which we need."

Walter of the EBF expressed pleasure at the "atmosphere of openness" which permitted the document's approval. The relationship with the FMB continues to be "very good," he said.

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FMB apology may have been key  
to strong vote on agreement

By Robert Dilday

HODDESDON, England (ABP) -- Assurances that trustees of the Southern Baptist Foreign Mission Board genuinely regret their decision to defund the Baptist Theological Seminary at Ruschlikon, Switzerland, may have garnered the nearly unanimous approval of the Hamburg Agreement by European Baptists.

The European Baptist Federation's council adopted the agreement Sept. 29 after Scottish Baptist leader Peter Barber described apologies offered by FMB trustees during the discussions that led to the document's development.

The agreement, drawn up by six FMB trustees and seven European Baptist representatives meeting near Hamburg, Germany, Sept. 11-12, is designed to ease tensions between the two groups resulting from the FMB's elimination of an annual \$365,000 annual subsidy to the seminary. Trustees cited alleged theological liberalism at the school as their reason for defunding.

But the Hamburg Agreement made little mention of apologies. That absence was noted by some European Baptists, including faculty and students at the Swiss school.

Sources close to the discussions told ABP the apologies were not included in the document itself in order to "save face" for the FMB.

Council ratification of the agreement probably was never in jeopardy. But by clarifying that apologies were in fact offered, EBF leaders assuaged some council members' fears that FMB trustees were unconcerned about distress

in Europe caused by the defunding.

During the Hamburg discussions, an apology offered by FMB trustee chairman John Jackson was seen as "regret over the result of the decision rather than regret at the decision itself," said Barber in introducing the agreement to EBF delegates. Barber was among the European representatives who drew up the document.

That sort of apology would not have been acceptable, Barber said. However, as the talks progressed trustees exhibited genuine repentance, he added.

A clear statement by Skip Smith, chairman of the trustees' Europe committee, apparently clinched the matter. Said Smith at the time: "We deeply regret the grief, anguish and frustration brought about by the action of the trustees of the Foreign Mission Board and pledge that we will give ourselves to closer consultation in the future on key issues."

On that basis, Barber said, "we felt we could bury the disagreement, and we feel that is what was done at Hamburg."

Representatives of the Ruschlikon community did not appear to be completely persuaded.

"We at Ruschlikon reacted to the Hamburg Agreement with mixed feelings," said John David Hopper, the seminary's president. "Members of the faculty and students felt pained, wronged, repudiated." Hopper said an apology by FMB trustees to Ruschlikon itself instead of only to the European council "would be a clean healing."

However, critical needs in Europe should overcome lingering doubts, Hopper said. "This is our golden moment (for evangelism in Europe). It would dishonor the gospel to allow ourselves to be distracted.... I strongly urge the council to ratify the Hamburg Agreement and also urge the FMB to ratify it. We in Europe will see if trustees' future actions are as good as their words."

But "the masterly presentation (by Barber) does bring out very clearly the fact that there was genuine confession, repentance and forgiveness," Hopper added. "That doesn't come across in the paper."

The council later agreed to Hopper's suggestion that Barber's introduction be included when the agreement itself is distributed to council members.

Earlier in the session, EBF General Secretary Karl-Heinz Walter told delegates the distress caused by Ruschlikon's defunding left European Baptists with two options: "We can wait and see how things develop or we can take certain steps to bring about reconciliation."

"I want to help those who are unwilling to give up hope," he said.

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Alliance refocuses agenda,  
recommits to dialogue

WASHINGTON (ABP) -- The board of directors of the Alliance of Baptists refocused the agenda of the five-year-old organization and committed itself to ongoing dialogues with other Baptist bodies during the board's Sept. 24-26 meeting.

Typical of the Alliance's new focus is the board's decision to concentrate more on upholding its organizational principles than promoting its mission projects.

The board agreed to suspend plans for the Alliance's 1993 missions offering and instead ask the Cooperative Baptist Fellowship to assume current missions projects totaling \$123,000.

That decision also will help ease the growing financial burden of the

Alliance, which has lost financial support as the Fellowship has grown in size.

The Fellowship, formed in 1990 with participation from the Alliance, is the larger organization of moderate and moderate-conservative Baptists. Talk of a merger between the two groups have been abandoned for now.

The board's actions were considered by participants to be pivotal to the future of the Alliance, the first broadly based group to form in the wake of the fundamental-conservative takeover of the Southern Baptist Convention.

Alliance President Ann Quattlebaum challenged directors to rethink the group's role, particularly in light of the Fellowship's rapid growth in recent months.

By the end of the meeting, Quattlebaum said, the Alliance board had met her challenge. The result, she said, was a new breath of life for the Alliance. "We are all reinvigorated to the calling of the Alliance," she said. "Though small in size, the Alliance is a clear voice championing God's message of inclusive love and grace."

Stan Hastey, Alliance executive director, said the board "identified clearly what the Alliance does best -- holding up the foundational historical principles of Baptists during a time of transition, maintaining a posture of openness toward other Baptist bodies and the larger Christian church, and championing the causes of oppressed persons, including women in the church."

Reflecting the Alliance's desire to foster continued relations with other Baptist groups, the board unanimously adopted a statement authorizing its two staff members "to work cooperatively with any and all other Baptist bodies, including providing churches with information about those bodies and...soliciting funds from those bodies should they find the vision and purpose of the Alliance worth supporting financially."

Primary among the other Baptist groups referred to in the action is the Fellowship. The prospect of the Fellowship providing funding for Alliance-approved mission projects first surfaced Sept. 9 during a meeting of an Alliance/Fellowship dialogue group considering a merger.

At that time, CBF Coordinator Cecil Sherman invited Alliance missions committee chairperson Lee Gallman to present Alliance mission needs to the CBF missions group in November.

Some Alliance directors who also serve on the CBF Coordinating Council told the board the Fellowship could absorb the entire \$123,000 missions package without disrupting next year's CBF missions budget.

"If we can turn over to the Fellowship projects that both groups feel good about, what is the point of hanging on to them?" Hastey asked. "If the Fellowship will adopt those causes we can mutually agree upon, surely we will want that to happen, given the prospect they might even be funded at a higher level than we've been able to provide."

Of 21 such groups and projects approved for 1993, half a dozen already receive funds from the Fellowship. "And most of the others look a lot like projects the CBF Missions Ministry Group itself has approved for next year," Hastey said.

He added the Alliance will request the Fellowship to allocate additional funds to those causes, such as Baptist Theological Seminary at Richmond and the Baptist Joint Committee, already supported by both groups.

Although no vote was taken, board members expressed the hope that if the Fellowship accepts Alliance mission projects the Alliance will in turn urge its affiliated churches to promote the CBF Global Mission Offering.

After hearing reports from Alliance participants in the Sept. 9 dialogue with the Fellowship, directors endorsed several proposals that emerged during the session.

These include acknowledging "the continued existence of each group at this time," looking favorably "on every opportunity for cooperation," and encouraging the CBF "to consult with and benefit from the experience of the

Alliance in dialogue with other Baptist bodies and the larger church."

Concerning the possibility of common sites and dates for the two groups' annual meetings -- a specific example of cooperation cited in the Sept. 9 agreement -- Alliance directors authorized Quattlebaum to appoint a special committee to discuss such a prospect with the CBF.

In other actions, the Alliance board:

-- Heard a progress report on the 1993 Alliance Convocation, set for Feb. 25-27 in Daytona Beach, Fla. Major speakers include Charles G. Adams, president of the Progressive National Baptist Convention, Margaret Cowden, deputy executive director of the Ministers and Missionaries Benefit Board, American Baptist Churches in the U.S.A., and Glenn Hinson, professor at the Baptist Theological Seminary at Richmond (Va.).

-- Accepted a recommendation from its women in the church committee to schedule an observance of the 10th anniversary of Southern Baptist women in Ministry, a Kentucky-based group supported by the Alliance, during the convocation. The committee also announced plans for workshops in Daytona Beach on sexual abuse inside and outside the church.

-- Heard a progress report from the worship committee on the upcoming publication of an inclusive-language hymnal supplement.

-- Approved recommendations from the Public Affairs Committee making the Alliance a member organization of Interfaith IMPACT for Justice and Peace, an umbrella ecumenical lobby on Capitol Hill, and the National Coalition for the Homeless, also based in Washington.

-- Urged Congress to pass the Religious Freedom Restoration Act before adjourning this month.

In addition, a special Alliance task force on human sexuality held its initial meeting.

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President Bush vetoes attempt  
to overturn abortion 'gag rule'

WASHINGTON (ABP) -- President George Bush vetoed Sept. 25 a measure that would overturn the administration's ban on abortion counseling and referrals at federally funded family-planning clinics.

The ban was proposed by the Reagan administration in 1988 and has been supported by Bush. Ban supporters have said that family planning should not involve discussions about abortion and that the regulation necessarily prevents federal clinics from encouraging abortion.

Opponents, however, have said non-directive counseling does not encourage women to have abortions. They labeled the ban a "gag rule" because they said it interferes with the doctor-patient relationship.

The measure (S. 323) included language designed to overturn the ban in legislation reauthorizing the Title X family-planning program for five years.

Although the Senate voted 73-26 to override Bush's veto, the House of Representatives was not likely to follow suit. The House approved the bill by a 251-144 vote -- short of the two-thirds majority needed to override.

In his veto message, Bush said, "I have repeatedly informed the Congress that I would disapprove any legislation that would transform this program into a vehicle for the promotion of abortion. Unfortunately, the Congress has seen fit to entangle this family-planning program in the politics of abortion."

Bush, who has had each of his more than 30 vetoes sustained, said the family-planning program should be reauthorized but that repealing the ban jeopardizes its integrity.

Title X was instituted in 1970. About 4,000 clinics around the country

provide medical and educational services to more than 5 million low-income women and teenagers each year.

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-- By Pam Parry

RFRA running out of time  
as Congress plans to adjourn

By Pam Parry

WASHINGTON (ABP) -- The Religious Freedom Restoration Act is running out of time as the 102nd Congress scurries to adjourn next week.

RFRA was among dozens of bills pending Oct. 1 as Congress works to adjourn early in this election year. The fate of those bills should be determined by Oct. 6.

Due to a crowded agenda, RFRA has only a slim chance of passage, said Brent Walker, associate general counsel of the Baptist Joint Committee.

RFRA is a bill designed to restore the high level of legal protection for religious practice that virtually was abandoned by the U.S. Supreme Court in its 1990 Oregon vs. Smith decision.

On Oct. 1, the House Judiciary Committee approved the measure (H.R. 2797) by voice vote with little audible opposition. The Senate Judiciary Committee was scheduled to consider the measure (S. 2969) later that same day.

Rep. Stephen Solarz, D-N.Y., chief House sponsor, took hope from the House committee action. "The end of the session is rapidly approaching, but I am optimistic that we will be able to get a vote on the floor before adjournment."

However, committee approval does not assure the bill would move to the floor in time for a vote, Walker said. In the usual process, a committee would have to set the ground rules for debate and amendments before the bill comes to the floor. The rules process could take several days -- time that RFRA does not have.

Walker said the rules process can be circumvented if two-thirds of the chamber shows support for the bill. The Coalition for the Free Exercise of Religion -- 54 religious and civil-liberties groups that back the bill -- was working to bypass the rules committee process.

If the effort fails, RFRA probably will have to wait until Congress's next term. But Walker said it would have a strong chance of passage if it is reintroduced next term.

Other bills pending involve:

-- Taxes. The U.S. Senate approved Sept. 29 a bill that would encourage charitable giving by changing tax laws governing non-profit institutions and their donors. The measure, approved 70 to 29, would amend the tax code to encourage charitable donations and improve compliance with reporting tax deductions.

One provision would make all gifts of appreciated property fully deductible on a permanent basis. Appreciated property includes real estate, stocks and tangible items such as collectibles whose value increased after being purchased.

Two other provisions would require more disclosure and substantiation of charitable contributions.

One specifies that a taxpayer cannot deduct any contribution of \$100 or more without receipts from the church or charity receiving the donation. A proposal introduced earlier by the Bush administration but later abandoned would have required charities to report to the IRS all taxpayers who gave

\$500 annually to the charity.

The other provision involves disclosure requirements related to "quid pro quo" contributions, payments made partly as a contribution and partly for goods and services provided by the church or charity.

Both disclosure provisions would result in churches dealing exclusively with the donor, not the government.

The House also approved a tax bill affecting non-profit organizations. The Revenue Act of 1992 (H.R. 11), approved 356-55, would provide full deduction of gifts of appreciated property for 18 months.

The House dropped proposals to extend beyond 1995 or make permanent the 3 percent floor for itemized tax deductions. Present law limits itemized deductions, including charitable contributions, for higher income individuals. The Senate bill, however, would make the 3 percent floor permanent. The two bills were in conference Oct. 1.

-- Education. Plans to channel public funds to private and religious schools apparently will fail in the 102nd Congress.

The educational-reform bill approved by the House contained none of the "educational choice" provisions touted by the Bush administration. The Senate bill would allow choice but only for public schools. A Senate-House conference committee was ironing out the differences Oct. 1.

Another parochial-aid bill, the GI Bill for Children, has little hope of passage. The bill (S. 3010, H.R. 5664) would provide \$500 million in fiscal year 1993 for \$1,000 scholarships to help low- and middle-income families send their children to public, private and religious schools.

-- Abortion. Congress has worked on several bills related to abortion that virtually have no hope of surviving anticipated presidential vetoes. Bush has vowed to veto any bill that weakens current abortion regulations.

The Congress repeatedly has tried to repeal the administration's ban on abortion counseling and referrals at federally funded family-planning clinics. The administration has vetoed all bills containing language to repeal the so-called "gag rule."

-- Death penalty. An appropriations bill for the District of Columbia contains language that would require D.C. residents to vote on imposing the death penalty.

-- Nuclear testing. Congress has approved for the first time a nuclear test ban, calling for a nine-month moratorium on the testing of nuclear weapons and a complete end to all nuclear testing in the United States in 1996.

The historic test ban provision was included in the Energy and Water Appropriations bill for fiscal 1993. The House and Senate approved the measure Sept. 24. The bill awaits presidential action.

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EDITOR'S NOTE: The two preceding stories will be updated as soon as action is taken on any of the matters pending before Congress.

Animal-sacrifice case tops  
court's church-state docket

By Larry Chesser

WASHINGTON (ABP) -- A U.S. Supreme Court that surprised many observers last term by narrowly rejecting a more lenient test of church-state separation returns to the bench Monday, Oct. 5, with only one major religion

dispute on its docket.

That case -- Church of the Lukumi Babalu Aye Inc. vs. Hialeah, Fla. -- involves a challenge to municipal ordinances that prohibit ritual animal sacrifice but do not restrict the killing of animals for other reasons.

It also is the occasion for a request by a wide range of religious and civil-liberties groups that the high court reconsider its virtual abandonment of the strict protection of the free exercise of religion.

The Hialeah dispute is the first free-exercise case to reach the Supreme Court since justices ruled in Employment Division vs. Smith in 1990 that government at any level need not show a compelling reason for generally applicable laws and policies that restrict religious practice.

"Even if the court refuses to reconsider Smith, we have urged the court to apply the compelling-interest standard in cases such as Hialeah in which religious practice is singled out for discriminatory treatment," said Brent Walker, associate general counsel at the Baptist Joint Committee.

"This will be a difficult case because it involves a religious practice that is offensive to most Americans," said Oliver Thomas, BJC general counsel. "But the law that is made will apply to all religious groups. If Hialeah can ban conduct based solely on its religious motivation, all religious practice will be placed in jeopardy."

While the Hialeah case, scheduled for argument Wednesday, Nov. 4, is the only religion-clause case on the court's docket, justices have been asked to review a dozen other cases involving religion-clause and free-speech claims, as well as disputes over taxation of religious groups and church property.

The chances of these cases being accepted for review are uncertain, but the conclusion of the 1991-92 term may have provided a signal that such a result is doubtful.

In striking down a Rhode Island school district's commencement prayer practice near the end of the term, a 5-4 court majority refused the administration's suggestion that it replace its longstanding strict standard for assuring church-state separation with a more permissive test that would allow government sponsorship of religious activities as long as coercion is not involved.

The court then rejected a dozen church-state cases, in most instances leaving in place lower-court rulings that the practices involved violated the First Amendment's ban against governmental establishment of religion.

"This may turn out to be a light term for church-state cases," Walker said. "The court might be reluctant to take new establishment-clause cases. The graduation-prayer case decision shows how badly divided the court is on how that clause should be interpreted.

"I expect both wings of the court to proceed cautiously in granting review until the balance more clearly favors one side or the other."

Key to the court's decision in the prayer case, as well as its refusal to overturn the 1973 Roe vs. Wade abortion decision, were the votes of three Reagan-Bush appointees -- Associate Justices Anthony Kennedy, Sandra Day O'Connor and David Souter. Walker said the three emerged somewhat surprisingly as a moderate bloc that supplies a pivotal swing vote on these issues.

Because four members of the court -- Chief Justice William Rehnquist and Associate Justices Byron R. White, Antonin Scalia and Clarence Thomas -- have indicated their support for a more permissive church-state standard, the roles of Kennedy, O'Connor and Souter are expected to be crucial in future church-state cases.

High court asked to resolve  
several church-state disputes

WASHINGTON (ABP) -- As it begins its 1992-93 term Oct. 5, the U.S. Supreme Court faces requests to overturn a dozen lower-court rulings involving the First Amendment's protections of religion and free speech and disputes over taxation of religious groups and church property.

That is roughly the same number of such cases that faced the high court when it began its last term a year ago.

Pending cases include:

-- Religious schools. Two cases from Oregon in which churches are seeking to appeal lower-court rulings that subjected their religious schools to state labor laws.

In Archdiocese of Portland in Oregon vs. Oregon State Employment Division (91-1554), Catholic officials argued unsuccessfully that subjecting church schools to Oregon employment laws would violate both the First Amendment and the Oregon constitution's requirement of separation of church and state by creating excessive government entanglement with religion.

In Bible Temple vs. Oregon Employment Division (92-348), 14 churches, including several Baptist churches, contend that subjecting them to unemployment tax violates both the free-exercise and no-establishment clauses of the First Amendment.

-- Sign-language interpreter. In Zobrest vs. Catalina Foothills School District (92-94), lower courts ruled that neither the establishment clause nor the free-exercise clause was violated by an Arizona public school district's failure to provide a state-paid sign language interpreter for a student at a Catholic high school.

Zobrest's case has attracted support from several religious organizations -- including the Christian Legal Society, the Southern Baptist Christian Life Commission and the National Association of Evangelicals -- who joined in a friend-of-the-court brief asking the high court to reverse the lower rulings on both establishment-clause and free-exercise grounds.

The Baptist Joint Committee declined to participate in the brief because it disagrees with the brief's contention that the free-exercise clause requires government to finance religious choices of parents, according to BJC General Counsel Oliver Thomas.

-- Juror's oath. In Society of Separationists Inc. vs. Herman (92-116), the Supreme Court is being asked to reverse a ruling by the 5th U.S. Circuit Court of Appeals that an atheist who refused to take a juror's oath lacked standing to challenge the juror oath practice as a violation of the First Amendment's free-exercise clause.

-- Cross display. In Robbins vs. Murphy (92-195), a California man is asking the high court to reverse lower-court rulings that denied his efforts to intervene in a challenge to the display of a Latin cross at a municipal park in San Diego County. Ray Robbins, whose home had an unobstructed view of the 36-foot cross, argued unsuccessfully that the removal of the cross would impair his view, diminish his property value and violate his free-exercise rights. Lower courts ruled that Robbins lacked sufficient property interest to intervene in the case.

On the merits of the dispute, the appeals court held that the cross display, as well as two others, violated the "no preference" clause in the state constitution.

-- AIDS programs. In New York State School Boards Association vs. Sobel (92-348), the New York Court of Appeals rejected a challenge to a state regulation requiring the inclusion of representatives of religious organizations on advisory councils in the public schools' development of AIDS-educations programs.

-- Use of school facilities. In *Lamb's Chapel vs. Center Moriches Union Free School District* (91-2024), lower courts upheld a New York school district's refusal to allow the Evangelical Christian Church use of school facilities to show a religious film series. The lower courts held that while the district had opened school facilities for various activities by citizens groups, it considered the facilities "limited forums" not open to religious uses by policy or practice.

-- Postal property. In *Longo vs. Postal Service* (91-1988), the lower court upheld a regulation that prohibits election campaigning on Postal Service property. The regulation had been challenged by a political candidate seeking to solicit signatures on a postal walkway. The court said that the restriction is narrowly tailored and serves a significant government interest of helping the Postal Service avoid entanglement in partisan politics.

-- Street preaching. In *Marks vs. Florida* (91-1989), a Loxahatchee, Fla., pastor and street preacher is asking the high court to review his conviction for disorderly conduct for protesting loudly outside an abortion clinic in West Palm Beach, Fla. According to court records, John Wesley Marks shouted the word "murderer" to persons entering and leaving the clinic. Marks' attorneys argue that his actions constituted free speech.

-- Church property. In *Conference of African Union First Colored Methodist Protestant Church vs. Mother African Union First Colored Methodist Protestant Church* (92-260), the conference appealed to the Delaware Supreme Court after a trial court sided with a congregation in a dispute over church property. Although the Delaware high court dismissed the appeal, the hierarchical church conference asked the Supreme Court to reverse the trial court's decision that the congregation is entitled to the property.

-- Tax exemption. In *United Missionary Aviation Inc. vs. Commissioner of Internal Revenue* (91-1743), lower courts affirmed revocation of the tax-exempt status of United Missionary Aviation after finding substantial commercial purpose in its activities. The organization was formed in the late 1960s by a Baptist minister with a primary activity of providing air transportation to various mission fields. The organization later expanded to include a mail-order sales business, prompting the IRS to revoke its tax-exempt status.

-- IRS dispute. In *Church of Scientology of California vs. U.S.*, the high court has agreed to hear one procedural case (91-946) and is being asked to review another (91-1743) in an ongoing dispute involving the Church of Scientology and the Internal Revenue Service.

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-- By Larry Chesser

Access makes big difference  
to people with disabilities

By Shari Schubert

(ABP) -- The privilege of going into a house of worship can be taken for granted by those who can see, hear and move without difficulty. But for those with physical disabilities that hinder mobility, the accessibility of a church building can make the difference between active participation or non-participation.

The Americans with Disabilities Act, which became law a little over a year ago, requires accommodation of disabled people in many buildings used by the public.

Churches generally are exempt from those requirements. But church architectural consultants encourage churches to do all they can to comply

with ADA standards.

While the law does not require compliance, churches still have a moral and ethical responsibility to see that no one is excluded because of architectural barriers, said Spencer Hutson, architectural consultant for the Missouri Baptist Convention.

Areas to be considered in accessibility studies include parking lots and sidewalks, doors and doorways, halls and aisles, access to different levels, seating space, restrooms and water fountains. Attention to small details, such as the height of tract racks, can make a difference for people with disabilities.

Noting that many churches provide space for wheelchairs by shortening one or more pews, Hutson suggested that such spaces be located randomly at different places in the worship center rather than at the front, where the individual might feel conspicuous, or at the back, where he might feel excluded.

Providing adequate lighting in the sanctuary, classrooms and building corridors is an important consideration for people with impaired vision, as well as deaf or hearing-impaired individuals who depend on sign language, lip reading or other visual communication.

A good sound system usually will meet the needs of those who are hard of hearing, since most have their own hearing aids. Depending on the particular needs of the congregation, some churches also provide assistive-listening devices at the pews.

Another building feature often recommended is Braille markings on elevator panels.

In a small church, where individual hosting could be offered to help visually impaired guests until they learn their way around the building, elevator markings might not be as critical, said Gary Wunder, president of the National Federation of the Blind of Missouri.

Braille signs are of only limited usefulness, he pointed out, since they cannot be read from a distance, but can only "confirm" that the person has already found the door, etc., that he or she is seeking.

Churches building new facilities can build in access features without adding significantly to the cost, Hutson noted. But remodeling existing buildings is a different matter.

"The biggest problem with older buildings is getting from one level to the next," Hutson said. He explained that it is almost impossible to add interior ramping in an existing building because of the space required. The cost of adding a small "residential type" elevator is about \$25,000, he noted, and a lift device for a stairway costs about \$9,000 to \$12,000.

If building renovation is not feasible, access problems sometimes can be resolved by careful management of space, locating groups that include disabled individuals in classrooms on the same level as the worship center.

Building renovations alone will not meet all the needs of worshipers with disabilities. Some will need other assistance or accommodations. For instance:

-- Offering transportation can be a very valuable ministry to a disabled person who otherwise would have to pay for a bus or taxi.

-- Guide dogs should be accepted in the sanctuary and other church facilities.

-- Personal assistance such as opening doors, pushing a wheelchair over a rough spot, carrying a tray in the dining area or guiding a blind person to a classroom may or may not be needed. The key to that is simply to ask the person if he needs help.

The writers of "That All May Worship," a guide for congregations produced by the National Organization on Disability, point out that churches need to provide a comfortable way for people with disabilities to offer suggestions for reducing barriers without being made to feel like

complainers.

They suggest enlisting a task force on disability issues and adding disabled persons to committees that make decisions about church facilities.

The guidebook also points out the need to let people in the community know that the church accommodates worshipers with disabilities -- or as one minister quipped, "Don't hide your ramp under a bushel."

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Information available on disability issues

(ABP) -- Listed below are a few of the many organizations and publications that can provide resources on ministry to worshipers with disabilities.

-- An accessibility survey form and a brochure on "Beginning a Ministry with Disabled Persons" are available free from the Southern Baptist Home Mission Board, 1350 Spring St., N.W., Atlanta, GA 30367-5601. Specific questions on home missions ministries with disabled people may be addressed to Ann Putnam in the HMB's department of church and community ministries.

-- The Southern Baptist Sunday School Board's resources for ministry with blind, deaf and mentally handicapped people are listed in the Church Materials Catalog and on the church literature dated form. Or a mini-catalog on special-education resources is available from Ellen Campbell, Special Education Unit, Baptist Sunday School Board, 127 Ninth Ave. North, Nashville, TN 37234.

-- Information on building access can be found in the Church Property and Building Guidebook published by Convention Press and available through Baptist Book Stores.

-- Selected Southern Baptist Sunday school periodicals are available in Braille through Park Avenue Baptist Church, 4301 Charlotte Ave., Nashville, TN 37209.

-- Single copies of That All May Worship, a guidebook on disabilities developed for religious congregations, may be obtained at no charge from National Organization on Disability, Religion and Disability Program, 910 16th St., N.W., Suite 600, Washington, DC 20006. Additional copies may be purchased for \$6.

-- The National Alliance for the Mentally Ill has a toll-free number, (800) 950-6264, to answer questions about serious mental illness.]

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-- By Shari Schubert

EDITOR'S NOTE: This is the last in a series of articles on ministry to disabled persons.

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EDITOR'S NOTE: Only one issue of ABP is scheduled for release next week. That will be sent on Wednesday, Oct. 7.

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