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July 15, 1993

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Amnesty International releases
grim report on human rights

WASHINGTON (ABP) -- Governments across the globe continued to put politics ahead of people in 1992, resulting in human-rights catastrophes, according to an annual report recently released by Amnesty International.

The 1993 report, released in the wake of the first United Nations World Conference on Human Rights in 25 years, chronicles carnage on a terrifying scale, with thousands of men, women and children tortured, killed, imprisoned or unaccounted for in several countries.

And while most governments give lip service to human rights, the report says, their responses to the tragedies have been marked by "a conspicuous lack of political integrity."

"Self-interest has guided governments' responses to human--rights crises and has prevented or hindered action in many countries where it is desperately needed," the report says.

The grim, 350-page report details human-rights violations in 161 countries -- the most in the 32-year history of the human-rights movement.

Some human-rights violations listed:

-- Killings by official security forces occurred in 45 countries.

-- More than 4,400 prisoners of conscience -- those imprisoned for peaceful exercise of their basic rights -- were held in 62 countries. At least 300,000 political prisoners were jailed without charge or trial in more than 60 countries.

-- More than 1,500 political prisoners were incarcerated after unfair trials in about 30 countries, the report says.

-- In at least 110 countries, victims were tortured or treated badly, with more than 500 people apparently dying from this treatment in some 48 countries.

-- After being arrested, at least 950 people were reported to have "disappeared" in some 25 countries.

-- Women were victims of a range of violations in at least 45 countries.

-- The report says that 1,708 prisoners are known to have been executed

in 35 countries and another 2,697 were sentenced to death in 62 countries. Amnesty International opposes the death penalty and continues to work for its total abolition.

The 1993 report also notes that the growing number of refugees reached crisis proportions. In Europe, particularly the former Yugoslavia, horrific abuses led to hundreds of thousands of people fleeing and seeking safe haven.

Civil wars, religious persecutions, coups and uprisings prompted hundreds of thousands to flee countries in Asia, Africa, the Americas and the Middle East.

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-- By Pam Parry

Faith in God gets
ex-con free at last

By Marv Knox

EMINENCE, Ky. (ABP) -- Prison walls can't hold Ricky Holcomb, thanks to God and Eminence Baptist Church.

Holcomb broke at least one federal gun-control law in 1989. That's a major crime for an ex-con who's not even supposed to touch rifles, much less sell them illegally.

But a judge who examined Holcomb's life this summer ruled the soon-to-be deacon should not go to prison.

His story really begins more than 20 years ago, when a red-headed kid from Eminence, Ky., started drinking. Then he started using drugs. When he was 21, an assault conviction landed him in the penitentiary, and the long shadow of his past darkened his life.

Light began to penetrate that darkness in 1985. "I was overwhelmed by the presence of God," he says, remembering the night he watched evangelist Billy Graham preach on television. "I spent the next two years trying to stay sober, making deals with God. But God used my consequences to get my attention."

In 1987, life got so bad he let go of his bottle and reached out to Christ. That decision changed him for the better, but it didn't eliminate mistakes.

Stupid mistakes, he admits. In 1989, Holcomb was working part-time in a sporting-goods store while earning a college degree. Following the orders of his boss, he falsified papers for the sale of some guns. The "buyer" turned out to be a federal agent, and the "sale" turned out to be a sting.

No matter how the feds interpreted his actions, Holcomb looked to be in trouble.

But the wheels of justice turn slowly, and he didn't hear much about his case from the time of the bust in February 1990 until September of last year.

Meanwhile, Holcomb and his wife, Pam, moved back to the church of his youth, Eminence Baptist, where their faith began to grow.

"This is a love story," he confesses. "I found the older people were the ones who had been there when I was a kid. That was a testimony to me. I had been squandering my life, and they stayed right there.

"I felt their love and acceptance too. They knew me. They knew my past, but they accepted me anyway."

Eminence's members also called out skills and commitments from the

Holcombs. In the fall of 1990, the church asked them to lead the youth group. They looked past his prison record and wrist-to-shoulder tattoos and saw a couple who love God and youngsters.

Starting with only two regular attenders, the Holcombs and Eminence Baptist eventually witnessed the baptism of 11 teenagers in one day.

When Holcomb's legal troubles resurfaced last September, he backed away from the youth program. "I didn't want to drag them through it," he says. Not one to quit completely, he started a Sunday school class for alcoholics.

When he finally went to court for the 1989 gun-selling charges, his outlook appeared grim. The prosecutor emphasized his criminal record. "He tried to cite me with three felony convictions and hit me with 10-to-20 years in prison," Holcomb says.

In those dark days, Eminence Baptist and its pastor, Michael Duncan, stood solidly beside Holcomb and his family.

"Michael put his reputation on the line. He stuck his neck out," Holcomb says of his pastor. "He said that he believes in me. He said that if he had the least bit of doubt, he wouldn't back me -- no way, no how."

Last fall, during a Sunday morning worship service, Duncan gave Holcomb a chance to tell fellow church members about his situation. He told a story many of them already knew -- about his fight with alcohol and his time in prison. And now about his uphill battle to beat another rap.

When the service was over, nobody came to shake Pastor Duncan's hand at the church door. Everybody lined up to hug the Holcombs.

"That was the most overwhelming love I've ever felt," Holcomb says. "There was not a dry eye in the house."

Months later, Duncan told the church: "I knew then that even if we were wrong about Ricky -- which I didn't think we were -- we were being church. Our necks were in this together."

Church members put more than their necks into the effort. They wrote letters and made calls to everyone they thought could make a difference -- the judge, the prosecutor, his probation officer, even legislators.

And the effort spread beyond the church. Eminence residents know Holcomb and his past, but they've seen him change into a loving father, strong church member, community leader and role model for kids.

"Almost every church in Henry County was praying for me," he reports, "and people would stop me on the street to let me know they were for me."

That helped, especially in the dark days when Holcomb feared the worst. He now admits he might have turned back to the bottle or run away, were it not for the strength he received from Christ expressed by fellow believers.

Despite the darkness, he persevered. He earned a social-work degree from Spalding University with a 3.95 grade-point average, got accepted into graduate school and lined up job offers.

When he walked into Judge Joseph Hood's U.S. district court June 22, he didn't know where his future would lead. Even though the judge had received 75-100 supportive letters, the prosecutor wanted a stiff sentence.

But rather than talk about the background of the case and the criminal record, Judge Hood wanted to know how Holcomb had changed. With his pastor and several deacons sitting nearby, Holcomb told the story of the power of Christ and a church's love.

Hood sentenced him to two years' probation, with two months' home detention and 120 hours of community service.

"Mr. Holcomb essentially has rehabilitated himself through the church and his friendship with the people in the church," Judge Hood told the Western Recorder. "You hear stories about people who say, 'Judge, give me a

chance and I'll make something of my life.' Mr. Holcomb had already done that. There wasn't any reason to rehabilitate him further."

What the judge calls "rehabilitation" Holcomb calls "being Christ-filled."

"The witness here is that Jesus Christ can work in anybody's life," he told fellow church members the following Sunday. "The hope the Bible gives me is that no matter what I've done, no matter where I've been, Jesus still loves me and loves everybody here."

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Sandi Patti finds God
in 'darkest times' too

By Mark Wingfield

ANDERSON, Ind. (ABP) -- Even gospel superstars sometimes sing the blues. Just ask Sandi Patti.

The winner of five Grammys, 32 Dove awards and considered by many as the foremost contemporary Christian singer in America, Patti was riding the crest of popularity a few years ago. Then her marriage fell apart, her office and headquarters in Anderson, Ind., were destroyed by arson, and she began unraveling childhood secrets of sexual abuse.

These were the "darkest of the darkest times" in life, she said.

There were times, Patti said recently in a telephone interview with the Western Recorder, when she thought she might never be able to sing again. And if she did sing, she thought, perhaps no one would listen anymore.

"I knew I had a lot I wanted to say, but I thought, 'God, have I blown it so far with you that I'll never have another way to say it?'" she recalled. "Then the Lord said, 'Sandi, I'm here with you, and if there's something you need to say, I'll help you say it.'"

"Then I thought maybe nobody would listen," she continued. "But I've realized I just have to leave that in the Lord's hands. He has had his hand in all I've done in this last year. ... It's my responsibility to do what he calls me to do today."

Patti is back now with a new album, "Le Voyage," which uses the framework of "Pilgrim's Progress" to talk about life's journey.

And although most of the album's songs were written by someone else four to five years ago, they express many of the lessons Patti has learned through her recent difficulties, she said.

"I felt like it was a wonderful way of talking about the Christian life, about how life does have some ups and downs, and how the one thing that is constant is our companion, Jesus Christ."

Only one song, "Hand on My Shoulder," was written within the last year. Patti calls it a "Cliff's Notes version of the whole project."

"It has been a song that I've been able to say is not only true for someone else, it's true of my life. There have been days when I've felt like all is lost, and yet when the smoke clears, there is this hand on my shoulder.

"I have really found that to be so true in my life. It reminds me of the Scripture, 'Nothing can separate us from the love of God which is in Christ Jesus our Lord.'"

The Christians Patti feared wouldn't listen to her anymore apparently have seen themselves in that song, she explained. "People have found a real

message of hope with that."

The Christian life must revolve around more than praise songs, she said. "There are days when we do mess up. There need to be some songs that talk about God's faithfulness in those times. ... Sometimes there are days that don't have happy endings."

After the past year, Patti said, she doesn't worry about portraying a perfect image anymore. And that makes her a more honest person, she added.

"It's not that I was dishonest before. But now I'm honest in the sense to say I failed in some ways. I made some bad decisions."

On the other hand, Patti said, she never has felt closer to God than she does now. "It's not anything I can really explain. Some people who have walked through tough times and come out on the other side will understand."

The singer said she has learned several valuable lessons through her trials.

"The first lesson I have learned for myself is that I am no one's judge but my own," she said. "I used to be a very black and white person."

Now she sees things differently, realizing that "judgment is in God's hands, not in mine."

A second lesson is that "God loves me unconditionally," she said. "His grace abounds. That is something I really have had to learn. I've not ever known what that was about before."

Patti is taking her message about the Christian journey on the talk show circuit to promote her new album. She recently has appeared on "Entertainment Tonight," "Crook & Chase," "John and Leeza from Hollywood," and "Live with Regis and Kathie Lee."

Next spring she plans to take "Le Voyage" on tour.

Meanwhile, she's preparing for a Christmas tour of "Handel's Young Messiah" with several other Christian artists. And she is caring for her four children.

The children, Anna, 9, Buddy and Jenny, 5, and Erin, 3, live with her during the school year and then share time with her and their father during the summer.

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Latest Supreme Court term leaves
church-state law largely intact

By Larry Chesser

WASHINGTON (ABP) -- Although some justices favored a more radical overhaul of church-state law, a cautious and restrained U.S. Supreme Court barely nudged the wall separating church and state during its 1992-93 term.

The justices sided with religion in three cases but did so on narrow grounds. They left intact the court's much-maligned legal tests for determining when government violates the Constitution either by establishing religion or interfering with its free exercise.

In disputes involving religion, the Supreme Court ruled:

-- Officials in Hialeah, Fla., wrongly singled out religion for adverse treatment by enacting laws that barred animal sacrifice but not animal killing for non-religious reasons (Church of Lukumi Babalu Aye, Inc. vs. City of Hialeah);

-- A New York church could not be denied after-hours use of school facilities to show a film addressing family issues when the school district permitted other community groups to address the same topic from non-

religious perspectives (Lamb's Chapel vs. Center Moriches Union Free School District);

-- The First Amendment's requirement of church-state separation does not bar state and local school officials from providing a sign-language interpreter for a deaf student at a religious school (Zobrest vs. Catalina Foothills School District).

The Supreme Court left for another day the task of resolving one other church-state dispute -- prayers at public school commencement programs. A year after the high court struck down a Rhode Island school district's practice of providing clergy-delivered prayers at graduation programs, it declined to review a federal appeals court's approval of student-initiated, student-led prayers at a Texas school district (Jones vs. Clear Creek Independent School District).

The court's rejection of the Jones case prompted some court watchers to conclude that the justices would accept student-initiated, student-led prayers at commencement exercises. Others said the court's refusal to hear the case has no significance, given the thousands of cases rejected each term by the court.

"I don't think the court wants to face a controversial establishment clause case every year," said Gregg Ivers, assistant professor of government at American University. "It doesn't allow the previous decision to take effect in the lower courts."

The closest the court came to altering the church-state boundary was in its decision that the establishment clause did not bar the provision of an interpreter for a parochial school student.

In a dissenting opinion, Associate Justice Harry Blackmun warned that the court for the first time authorized a public employee to participate directly in religious indoctrination.

The extent to which the church-state line was redrawn depends upon how broadly Zobrest is interpreted.

Some interpret it to permit government-provided vouchers to attend private and parochial schools as long as the aid goes to the student and not the school.

"Not necessarily," said Baptist Joint Committee General Counsel Oliver Thomas. "The court was careful to point out that the program in Zobrest created no incentives or inducements to attend parochial schools. That would not be the case with a tuition voucher.

"Also Zobrest was a 5-4 decision. The likely replacement of Byron White with the more separationist Ruth Ginsburg could mean the case would go the other way."

Surviving the court's term were:

-- The Lemon test -- a legal standard formulated in 1971 to ensure governmental neutrality toward religion. Under Lemon, governmental policies and actions must have a secular purpose, neither advance nor restrict religion, and avoid excessive entanglement between church and state.

-- The Smith rule -- a relaxed standard adopted by the court in 1990 that made it easier for government to restrict religious practice. In most cases under Smith, government does not need a compelling reason to restrict religion. Generally applicable laws that burden religion need only be rational; they are not subject to the strict scrutiny of the compelling-interest test used by the court before Smith.

While they survived the court's 1992-93 term, these legal tests remain under attack by foes on and off the court.

Five justices -- a majority -- have been critical of Lemon, but the court to this point has failed to toss out the test.

The court's use of Lemon in the Lamb's Chapel case sparked a strongly

worded protest from Associate Justice Antonin Scalia, who argues that the test should be buried.

"Like some ghoul in a late-night horror movie that repeatedly sits up in its grave and shuffles abroad, after being repeatedly killed and buried, Lemon stalks our establishment clause jurisprudence once again, frightening the little children and school attorneys of Center Moriches Union Free School District," Scalia wrote in a concurring opinion joined by Associate Justice Clarence Thomas.

In holding that the establishment clause did not bar the state from providing a sign-language interpreter for a Catholic student, the court did not specifically apply Lemon but cited cases based on Lemon.

Like the high court itself, U.S. religious bodies are divided over the Lemon test.

Church groups seeking greater accommodation of religion in the public arena, including public schools, want Lemon scuttled or modified.

Groups including the Southern Baptist Christian Life Commission, the National Association of Evangelicals and the Christian Legal Society tried unsuccessfully in *Zobrest* to get the court to modify Lemon.

"I think *Zobrest* reaffirms that the Lemon ship is sinking, but no one can find an acceptable lifeboat (to replace it)," said Steven McFarland, director of Christian Legal Societies' Center for Law and Religious Freedom. "Lemon needs some surgery but does not need to be buried."

Others say the neutrality embodied in Lemon has served both church and state.

"When Lemon is properly applied, it tends to ensure that government remains neutral and prevents unwholesome meddling by the state in church affairs," said BJC Associate General Counsel Brent Walker. "Both the church and the state are better off for it."

While Lemon survived the just-concluded term, it does not carry the punch it once did, said Ivers of American University.

"I don't think the court views Lemon as quite the rigorous test that the courts of 10-to-15 years ago did," he said. The court has weakened the test without discarding it, he said, much like it has with the *Roe vs. Wade* abortion ruling.

Despite that, Ivers does not think the court will go further in approving a larger role for government in religion.

The court, he said, "will frown on cases that ask it to affirm teaching religious doctrine in public schools but will welcome cases touting access to public places and, in some cases, public funds."

While American religious groups are deeply divided over the Lemon test, they united in opposition to the newer *Smith* standard which weakens protection for religion.

Virtually all U.S. religious bodies are supporting a bill in Congress to reverse *Smith* and restore the strict level of scrutiny for protection of religious practices. The Religious Freedom Restoration Act is backed by the 65-member Coalition for the Free Exercise of Religion and is expected to clear Congress this summer, according to Thomas, who chairs the coalition.

Even with *Smith* in place, however, the Supreme Court had no trouble finding that *Hialeah's* ban on animal sacrifice violated the Constitution.

The court said *Hialeah's* actions were neither neutral nor generally applicable -- the standards applied in *Smith*. That left *Hialeah's* laws subject to the court's strict scrutiny, which meant the laws were constitutional only if they were the least restrictive means of achieving a compelling governmental interest. The high court said they were not.

In the *Hialeah* ruling, six justices agreed the case was governed by *Smith*, one more than the five justices who joined the original *Smith*

opinion.

Encouraging to the religious groups who oppose Smith was a 20-page concurring opinion by Associate Justice David Souter arguing that the court should reconsider Smith in a future case.

"In the meantime," Souter said, "we are left with a free-exercise jurisprudence in tension with itself."

McFarland said the court's Hialeah decision "makes it all the more clear why we need the Religious Freedom Restoration Act."

Hialeah was an "easy and narrow case of transparent" discrimination that provides little comfort for the large majority of instances in which government restricts religion through generally applicable laws," McFarland said.

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White's departure may signal
shifts in church-state law

By Larry Chesser

WASHINGTON (ABP) -- American religious bodies will keep a close eye on the U.S. Supreme Court next term to see if the successor to Associate Justice Byron White shifts the existing balance in church-state law.

White, a conservative justice who left the bench at the end of the 1992-93 term, is expected to be replaced by Ruth Bader Ginsburg, a centrist judge on the U.S. Court of Appeals for the District of Columbia. Confirmation hearings for Ginsburg begin July 20.

White consistently opposed the Supreme Court's test for settling disputes over church-state separation but he favored the court's recent move to reduce the protection for the free exercise of religion.

Since 1971, the high court has said governmental laws and policies violate the First Amendment's requirement of separation of church and state unless they have a secular purpose, neither advance nor inhibit religion, and avoid excessive entanglement between church and state.

Known as the Lemon test, that three-part standard long has drawn criticism from Americans seeking a larger accommodation of religion in the public arena. The Lemon test also has drawn fire from White and four of his colleagues on the Supreme Court.

In 1990, White was among the five justices who ruled that government no longer had to demonstrate a compelling reason to justify generally applicable laws that happen to restrict religion.

The court's ruling in *Employment Division vs. Smith* has united virtually all U.S. religious bodies behind the Religious Freedom Restoration Act, a legislative approach to restore the compelling-interest level of protection for religious practice.

While it is always risky to predict how a judicial nominee would vote as a Supreme Court justice, Ginsburg's writings support the assessment that she would be a stronger supporter of First Amendment freedoms.

Brent Walker, associate general counsel at the Baptist Joint Committee, said Ginsburg's elevation to the high court could make a difference in establishment-clause cases, which frequently have been decided by 5-4 votes.

"Justice White consistently voted in ways that weakened both clauses," Walker said. "And while she doesn't have an extensive church-state track record, Ginsburg's coming to the court is bound to make things better. The

only question is how much better and how fast."

How Ginsburg would approach church-state issues may become clearer when the Senate Judiciary Committee begins confirmation hearings.

Gregg Ivers, assistant professor of government at American University, said the addition of Ginsburg to the court would not necessarily transform the court's support for Smith's reduced level of protection for religious practice. Souter's lengthy call for reconsideration of Smith is encouraging, he said, but the facts remain that a working majority on the court remain comfortable with Smith.

"It seems to me that the court has sort of said that the bed in Smith is made and we're going to lie in it," Ivers said.

Walker agreed, noting that Smith now has six supporters on the nine-member court.

"Even though we have every reason to think Ginsburg would vote with those justices critical of Smith, it wouldn't alter the balance of power," he said.

Walker said the court's failure to retreat from Smith "will be made less important by the passage of the Religious Freedom Restoration Act. It will accomplish by legislative enactment what it may take the court years to do."

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BJC, CLC oppose court's effort
to get bankrupt couple's tithes

WASHINGTON (ABP) -- Baptist and other religious groups have joined a Minnesota church's fight to keep more than \$13,000 in tithes that a couple contributed during the year before they filed for bankruptcy.

The church is being forced by court order to turn over the money to a bankruptcy trustee to help pay debts owed to the couple's creditors.

But the Baptist Joint Committee, the Southern Baptist Christian Life Commission and six other religious and civil-liberties groups are asking the 8th U.S. Circuit Court of Appeals to reverse the lower court's ruling.

Federal laws allow bankruptcy trustees to recover certain transfers of property made within the year before a bankruptcy filing. This prevents debtors from giving away or shielding assets before they become subject to court action.

Citing this provision, a lower court held that Bruce and Nancy Young's contributions of \$13,450 to Crystal Evangelical Free Church during the year preceding February 1992 had to be turned over to a bankruptcy trustee.

In a friend-of-the court brief written by the Christian Legal Society, the religious groups said the court's sanctioning of "the government sticking its hand into the offering plate is a breathtaking interference with the First Amendment freedoms of churches and synagogues."

The First Amendment's religion clauses protect the free exercise of religion and require separation of church and state.

"It is difficult to think of a more serious infringement on collective free exercise of religion, or a greater entanglement of church and state, than to hold that a church's offerings are subject to after-the-fact seizure by government officials," the brief states.

The CLS brief also argues that the Youngs contributed the money freely as part of their religious practice. To retrieve the money to pay debts would violate the couple's free exercise of religion, the brief says.

The government could restrict the Youngs' free-exercise rights in this case only if it had a compelling reason. Recent Supreme Court rulings have permitted government to restrict religion without a compelling reason when the restriction results from a neutral, generally applicable law.

Because the bankruptcy process involves "tailoring general requirements to individualized circumstances," the brief argues that the law is not generally applicable.

The brief argues that the state's interest in increasing the pool of funds available to pay creditors cannot be considered compelling because of an array of assets and expenditures that can be shielded from creditors.

"How can you possibly have a compelling interest when the law allows all kinds of exemptions but not religious exemptions?" asked Brent Walker, associate general counsel at the Baptist Joint Committee.

"Tithing is nothing less than an act of religious worship," Walker said. "When the state reaches into the collection plate it desecrates that sacred act. I cannot imagine a more serious abridgment of free-exercise rights."

Walker said churches across the country should be alarmed over the threat of having to return money already given and in some cases spent.

"What makes this decision especially troubling is that the bankruptcy laws do provide for numerous exemptions -- one's home, insurance policies, personal goods, farm machinery," he said. "So you can keep your stereo but your church cannot keep your tithe."

Additionally the brief argues that Supreme Court precedent requires that laws be interpreted to avoid the risk of violating religious freedom unless an interpretation that would restrict religious practice was clearly expressed by Congress.

Contributions to churches by people already in bankruptcy were not at issue in this case. "This case is concerned only with past gifts," said Baptist Joint Committee General Counsel Oliver Thomas.

"If a debtor wishes to continue tithing after filing for bankruptcy, the payment schedule can be extended to ensure that the creditors receive the amount to which they are entitled," Thomas said.

Other groups signing the brief are the National Association of Evangelicals, Americans United for Separation of Church and State, Concerned Women for America, the General Conference of Seventh-day Adventists and the Evangelical Lutheran Church in America.

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-- By Larry Chesser

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CORRECTION: In the July 8 story "Charles Stanley, wife seek legal separation," the wrong dates were listed for Stanley's terms as SBC president. Please change the reference in the 10th paragraph to 1985 and 1986. Also the July 12 hearing for the lawsuit was cancelled.

***** END *****