

# Associated Baptist Press

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## Supreme Court upholds child-pornography law

WASHINGTON (ABP) -- A federal child-pornography law struck down earlier by a federal appeals court has been upheld by the nation's highest court.

In a 7-2 ruling announced Nov. 29, the U.S. Supreme Court upheld the constitutionality of a 1977 law that criminalizes the distribution or receipt of sexually explicit materials involving minors.

The high court's decision hinged on an interpretation of the law's wording to determine whether the law requires that prosecutors show that defendants charged under the law knew that minors are depicted in sexually explicit videos or publications.

A federal appeals court struck down the law, saying it could be unconstitutionally used to convict defendants who sell sexually explicit videos and publications without knowing they depict minors.

But seven Supreme Court justices, in an opinion written by Chief Justice William H. Rehnquist, disagreed.

The court majority acknowledged their interpretation was not "the most natural grammatical reading" of the statute but nonetheless concluded that the law should be interpreted as requiring knowledge of involvement by minors.

The high court's decision reinstated the conviction of a California store owner who sold videos featuring sexually explicit scenes involving an underage actress to undercover police.

Justice Antonin Scalia, joined by Justice Clarence Thomas, dissented.

"Today's opinion converts the rule of interpretation into a rule of law, contradicting the plain import of what Congress has specifically prescribed regarding criminal intent," Scalia wrote.

The Clinton administration had asked the court to uphold the law and reinstate the conviction.

## Guide offers 'common ground' in religion-in-schools debates

By Pam Parry

ARLINGTON, Va. (ABP) -- Public school officials caught in religion-and-school conflicts may find relief in a document exploring "common ground" on which Americans with deep religious differences can "negotiate their differences with civility and respect."

The guide, "Finding Common Ground: A First Amendment Guide to Religion and Public Education," was produced by the Freedom Forum First Amendment Center at Vanderbilt University in Nashville, Tenn. It was released Nov. 28 at The Freedom Forum World Center in Arlington, Va.

The guide is designed to help school officials across the country deal with religious issues in the classroom. It proposes an antidote for the shouting matches and lawsuits that often characterize debate between those who think public schools should indoctrinate students with religious values and others who believe the separation of church and state requires open hostility to religion.

Instead, the publication proposes "bold new strategies for resolving conflicts over the role of religion in public education" using "consensus guidelines" drawn from the religious-liberty clauses of the First Amendment, said Charles Haynes, who edited the publication.

"The guide demonstrates that the religious-liberty clauses of the First Amendment can provide a civic framework for negotiating even our deepest differences," Haynes said.

The debate over school prayer is the tip of the iceberg of problems facing public school educators who must discern the role of religion in the classroom, said Oliver Thomas, former general counsel of the Baptist Joint Committee and legal editor of "Finding Common Ground."

Thomas and Haynes worked with public educators across the nation to develop the guide over the past decade.

John Seigenthaler, chairman and founder of The Freedom Forum First Amendment Center, wrote in the guide that some teachers become frightened at the simple suggestion that religion should be discussed in the classroom.

"The mere mention of a curriculum that would include teaching about religion causes a knee-jerk response: It would violate the U.S. Constitution; it would contradict the First Amendment," Seigenthaler wrote. "After all, has not the Supreme Court struck down, over and over, efforts by educators to mandate prayers in public schools? Indeed it has."

But there is a clear difference between teaching religion and teaching about religion, he said.

Quality education must include an understanding of religious influences that have molded American society, Seigenthaler continued, but must not advocate one particular religious point of view. Between that "must" and "must not," Seigenthaler says, lies "common ground."

The guide offers help for educators on issues including prayer in school, religion in the curriculum, protecting the religious rights of students, religious holidays and equal access to school facilities for religious meetings.

Evelyn Blose Holman, former superintendent of schools for Wicomico County in Maryland, said the approach outlined in the publication works and helped her board of education adopt a policy on teaching about religion.

"There is so much suspicion" among the different groups that having this model of civility and fairness worked in Wicomico County, she said.

In 1991 the Wicomico County Board of Education adopted a policy that had the community's endorsement after open discussions among parents, teachers and school administrators. Because the community engaged in a process of dialogue and education, much of the rancor that can occur over such issues was avoided, Holman said.

Americans can negotiate their differences with civility and respect, according to the guide, when they return

to the shared obligations of citizenship that are found in the Constitution.

"Public schools must be places where Americans forge a common vision for the common good, not the storm center for conflict," said Haynes, visiting professional scholar at The Freedom Forum First Amendment Center. "The aim of the schools must be fairness to citizens of all faiths or no faith. We can take religion seriously in public education while simultaneously protecting the conscience of every parent and student.

"Failure to do this threatens the future of public schools and calls into question the vision of America as one nation of many peoples and faiths."

Education Secretary Richard Riley, in a written statement, said Americans "are a deeply spiritual people" who "express our faith in God in different ways" in a context of religious freedom.

Riley said that the religious impulse of democracy leads Americans to refrain from forcing their religion on others and from fostering hostility to religion. The vast majority of Americans, he said, do not want public schools to become a battleground.

"This guide may be one way to build those bridges," Riley said. "We need to find new rules of public engagement, and there is no area where we need more to extend ourselves, to learn to trust one another, to lower our voices and respect the civic rights of all Americans than in this public space where religion meets public education."

Riley said he will not mandate specific curriculum regarding religion, but he does encourage "this good effort."

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-- Bob Allen contributed to this story

### **Contributions to Fellowship grow despite SBC vote refusing funds**

ATLANTA (ABP) -- So far the Cooperative Baptist Fellowship has suffered little from the decision by the Southern Baptist Convention to refuse Fellowship funds, according to financial data released by the Atlanta-based moderate organization.

Five months after the Southern Baptist Convention instructed its agencies not to accept contributions channeled through the Fellowship, gifts to the CBF continue to grow. By the end of October, the Fellowship had received about \$9.2 million from churches and individuals in 1994 -- up 12 percent over the same period in 1993.

Many people, including Fellowship leaders, expected Fellowship contributions to drop once Baptists could no longer use the alternative organization as a conduit to support Southern Baptist missions and other selected SBC causes.

Instead, most churches that had been earmarking money for the SBC have told the Fellowship to use it for its own ministries, said Fellowship Coordinator Cecil Sherman.

As a result, the Fellowship has posted gift increases in four of the five months since the SBC action. In October, churches and individuals contributed \$771,473 to the Fellowship and Fellowship-supported causes. That's an increase of 20 percent over October 1993.

Of the \$9.1 million received by the Fellowship so far this year, \$6.1 million has gone to support the Fellowship's ministries and global missions offering -- or 67 percent.

Other non-SBC ministries supported by the Fellowship budget received 9 percent, while 8 percent was designated by contributors for various state Baptist conventions. Fourteen percent was collected for Southern

Baptist agencies, most of it prior to the June SBC vote.

So far this year, 1,325 churches have sent contributions to the Fellowship, compared to the 1,210 churches that contributed in all of 1993. About half of those churches include the Fellowship in their budget, Sherman said, while the others simply pass along funds designated by individual members.

From its beginning in 1990, the Fellowship promoted itself as a channel for Baptists to support selected SBC agencies while bypassing causes they don't support. As the Fellowship has expanded its own ministries, attracting more and more support from churches, funds earmarked for SBC causes has steadily declined.

By cutting off that channel entirely last June, SBC leaders hoped to isolate the Fellowship from the SBC mainstream or, some say, to force the Fellowship out of the Southern Baptist Convention.

"What happened (at the SBC meeting) in Orlando really did send shock waves through us," Sherman said. "Everything nailed down came loose."

While the SBC action has not hurt the Fellowship financially, it has changed the way the organization does business, admitted Sherman. "They were not successful in diminishing us; they were successful in defining us," he said.

"We wanted to be a both/and organization," both funding some SBC causes and starting its own ministries, Sherman explained. By forcing the Fellowship to focus its funding on its own ministries, he said, the SBC action changed the nature of the organization.

"That has far from killed us," he concluded. "We will thrive in a singular position."

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-- By Greg Warner

### **National Council of Churches adopts policy on evangelism**

NEW ORLEANS (ABP) -- The National Council of Church's general board adopted a statement in November affirming the duty of all Christians to evangelize.

The policy statement, adopted unanimously by the board at a meeting in New Orleans, declares "evangelism is inseparable from the Christian community, the Church." The statement calls on Christians of all ages, both clergy and laity, "to give witness to the faith that is within them with conviction, common sense and humble confidence."

The council adopted a statement on evangelism in 1976, but critics continue to see it as an area of weakness in NCC churches. The main NCC member churches have reported significant membership losses since the 1960s.

"Standing and witnessing together as one evangelizing body will change the way we live and work as Christians," the statement notes.

Evangelical denominations, like the Southern Baptist Convention, which stress the need for religious conversion, have historically shied away from involvement in the National Council of Churches, an ecumenical agency with 32 Protestant and Orthodox member churches with a combined membership of 49 million. One exception is the American Baptist Churches in the USA, an NCC founder which has reviewed its participation in the council periodically, most recently in 1988.

Joan Parrott, the ABC's deputy general secretary for cooperative Christianity, called the council's policy statement "an unequivocal affirmation of the Great Commission" largely due to American Baptist influence.

"Because we stayed at the table, we were able to help make this important document a vital tenet of the

council's ministry," she told American Baptist News Service.

In a letter to NCC General Secretary Joan Brown Campbell, Southern Baptist evangelist Billy Graham praised her efforts "to bring about a renewed understanding of the priority of evangelism and a rededication to the practice of biblical evangelism within the churches you serve."

The statement notes that "communions, evangelistic and mission organizations, religious professional organizations and para-church communities are called to work together through Christ to evangelize." It endorses "an evangelism that is biblically centered, theologically sound and respectful of our varied histories and traditions."

The statement links authentic evangelism to a call to discipleship in a context of congregational life. "We believe that an evangelistic congregation will: announce and share the good news of God in Christ; seek to demonstrate God's rule of love and justice; call individuals to repentance, to confession and to conversion to new life in Christ; (and) invite and receive new believers into the Christian community," it says.

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#### **Alabama Baptist board chooses interim editor**

BIRMINGHAM, Ala. (ABP) -- Directors of the Alabama Baptist have named the newspaper's associate editor, Johnie Sentell, acting editor and voted to change the name of the building which houses the paper's offices after long-time editor Hudson Baggett, who died Nov. 17.

The called meeting on Nov. 21 was the first meeting of the paper's board of directors not attended by Baggett in more than 28 years, observed Mike Shaw, the board's chairman.

Sentell, 53, is an Alabama native and a graduate of Auburn University who has worked at the paper since 1980.

The board also voted unanimously to rename the newspaper's building, built in 1976 under Baggett's leadership, "The Hudson Baggett Memorial Building" and to establish an endowment fund honoring Baggett to be used for "worthwhile causes to be determined later" by the board and Baggett's family, Shaw said.

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#### **Non-profit postal rates expected to climb Jan. 1**

WASHINGTON (ABP) -- State Baptist newspapers and other non-profit mailers may need to brace for a double-digit rate hike, perhaps as early as Jan. 1.

The Postal Rate Commission recommended Nov. 30 that non-profit mailers pay a higher rate than that proposed by the U.S. Postal Service. If that recommendation is approved by the Postal Service governing board later this month, second-class non-profit publications will face a rate hike of nearly 20 percent. Second-class publications with less than 10 percent advertising may see increases in the 23 percent range.

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