

# Associated Baptist Press

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## **Church-state experts divided on dispute over campus paper**

By Robert Dilday

CHARLOTTESVILLE, Va. (ABP) -- The University of Virginia's refusal to fund a Christian newspaper on campus is drawing headlines around the country -- and Baptists are coming down on both sides of the issue.

Attorneys for Wide Awake, a Christian student paper whose request for money was denied by UVA administrators in 1991, argued their case before the U.S. Supreme Court March 1. Justices are expected to render their decision by June.

Baptist advocacy groups have entered the fray, staking claims on both sides of the issue. The Baptist Joint Committee backs the university. The Southern Baptist Christian Life Commission supports the newspaper.

Almost everyone agrees the case will significantly affect First Amendment religious-liberty rights.

Wide Awake was founded in 1990 with an explicitly religious goal: "To challenge Christians to live, in word and deed, according to the faith they proclaim."

As a recognized student organization, Wide Awake had access to campus facilities -- including computers loaded with word processing and desk-top publishing software -- and distributed its issues across campus without restriction.

But school administrators balked when the organization asked to be included in funding given to other recognized student groups.

Mandatory activity fees -- currently \$14 per student -- provide a financial pool for such organizations, which apply to the student council for the funds. But the board of visitors, UVA's governing body, bars the funds from being used by fraternities and sororities and political or religious groups.

However, included in the funding are groups that the university views as cultural rather than religious, including the Jewish Law Student Association and the Muslim Student Association. Also granted financial assistance are campus newspapers like The Yellow Journal, which occasionally advocates positions some Christians

claim denigrate their faith.

For those reasons, argued Wide Awake founder Robert Rosenberger of Great Falls, Va., the university should also fund Christian publications to provide students another viewpoint.

Administrators disagreed, citing separation of church and state. After exhausting appeals within the university system, Rosenberger challenged the decision in federal court. Both the trial court and the Fourth Circuit Court of Appeals upheld the university's decision, paving the way for an appeal to the nation's high court.

At stake are questions of whether government funds can be used to subsidize religious activities and how far officials can go in fulfilling their mandate to guarantee equal access to campus facilities for faith groups without advancing religion, which is constitutionally impermissible.

A brief filed by several religious groups argues that the line becomes blurred when funding is involved.

"When the government pays the bills, it is no longer granting access, it is actually advancing the religious message," notes a brief filed by several religious groups supporting the university's stand, including the Baptist Joint Committee, a Washington-based religious liberty watchdog coalition.

"It is no longer removing a governmental-imposed burden on religious speech," the brief continues. "It is directly supporting the religious communication itself. It is no longer getting out of religion's way; it is getting behind to push."

Not so, says the Christian Life Commission, the ethics and religious liberty agency for the 15 million-member Southern Baptist Convention. The CLC argues the key issue is not advancement of, but discrimination against religion.

"We think the principle of nondiscrimination is at the heart of this case," said Michael Whitehead, the CLC's general counsel. "There is no right of governmental support for private speech, but if the government chooses to fund it, it cannot discriminate against religious speech."

Others monitoring the case are just as divided.

Wellford Tiller, Baptist campus minister at UVA, disagrees with the CLC's position. "I don't think it's appropriate for a religious publication playing an advocacy role to get funding from institutional monies," he said. The Baptist Student Union which he leads, while a recognized student organization, would never request money from the university, he said, though it can -- and does -- make use of the school's facilities.

But Greg Baylor, assistant director of the Christian Legal Society's Center for Law and Religious Freedom, says that is a fine line. "If the University of Virginia had a building with a printing press, Wide Awake would be able to have access. Why is the result different from giving them money to print the paper?" he asked the Chronicle of Higher Education,

At least one Supreme Court justice wondered the same thing. During arguments before the court March 1, Antonin Scalia asked if there was "a major step" between providing a room and providing money to rent a room. "Is that the step off the cliff?" he asked. UVA attorney John Jeffries responded that "access to a budget is a major step."

"There's no doubt that the giving of money violates the line," noted Brent Walker, general counsel for the Baptist Joint Committee. "Access to rooms or computers really carries only marginal cost to the university." That kind of assistance, Walker said, is "constitutionally insignificant."

Use of campus facilities is permissible, while direct funding is not, Walker reasons. "Equal access to speak and publish" along with other groups is constitutionally protected, while "equal advancement" in the form of governmental subsidies is prohibited, he said.

But the CLC's Whitehead says government subsidies for religious publications need not be perceived as endorsements if they are granted without regard to content. "If the government doesn't take sides, this can never become official speech," he said.

Complicating the issue is the university's muddy distinction between cultural and religious groups. One

group, "Black Voices," a group of students who met to sing gospel songs, at first received funding from the university, but support was later discontinued when concerts became more explicitly religious.

"That's a good example of a gray area," said Tiller. "Where do you draw the line between cultural and religious? ... It's very hard to say in some cases. In the Wide Awake case, I don't think the line is hard to see at all. They were in an advocacy role."

The BJC's Walker and others find the university's cultural and religious categories troubling. "I'm not comfortable about some government action at the university saying this group is really religious and this one is not," he said.

USA Today agreed in a March 2 editorial. "Why are any organizations like these -- with a narrow interest or special purpose base -- being funded with student fees on any campus?" the paper asked. "Maybe each of them, and every similar group, should stand on its own. Fund raising for an organization you believe in could be a useful learning experience," it continued.

That view is acknowledged even among Wide Awake's supporters. The brief endorsed by the Christian Life Commission admitted that religious freedom would be "better served by no funding or by universal funding" than by "discriminatory funding," which it described as "the worst possible policy."

A policy that distinguishes between culture and religion may tempt religious groups to water down their message in order to retain funding, Whitehead noted.

"The current methods of discrimination [at UVA] encourage groups on the edge of having an arguably religious message to be silent about those opinions that one might describe as proselytizing or persuasive."

Offering an undiluted message as an alternative voice on campus was precisely what Rosenberger hoped to do through Wide Awake. But after three issues, the paper ran out of money and ceased publishing. Other publications and groups that espouse viewpoints some Christians consider antithetical to their faith, meanwhile, continue to receive subsidies.

"As someone whose viewpoint and opinions are informed by a larger religious framework -- in my case the Christian viewpoint -- why should I be treated differently than anyone else?" Rosenberger asked following the Supreme Court hearing March 1.

In publications like The Yellow Journal, a campus paper receiving university funds, "standard moral values are held up to ridicule" at times, said Tiller.

Other groups also funded, such as Students for Animal Rights and the Lesbian and Gay Student Union, also advocate views some Christians oppose, notes a brief from the Commonwealth of Virginia, whose attorney general is supporting Wide Awake's claims.

"That is Wide Awake's strongest argument," opined Tiller. But, he adds, those groups are not religious in character and while their views may be objectionable, there is no constitutional prohibition against funding them.

Steve McFarland, director of the Center for Law and Religious Freedom, told reporters that "nobody has the right to have their views published with public funds, but when government chooses to subsidize private speech in the public square, it cannot disqualify those with a religious perspective."

But it can and should, say others. "The Baptist Joint Committee vigorously supports the right of students to speak and to publish a religious message," said Walker. " ... But we strongly oppose the claim that the state has a duty to pay for it."

Such support inevitably waters down the messages, warns Walker. "What government funds, it sooner or later controls," he said. "Governmental funding creates an unhealthy relationship in which the sacred becomes dependent upon the secular for its sustenance, thus compromising its religious witness."

Whitehead agreed that government funds rarely come without government strings. "Religious groups must be sensitive to the fact that if you take government money and become dependent on it, there might be some rules attached."

Lack of funding "may be a limitation that we as religious entities have to accept," said Tiller. "But better to accept that limitation and not risk entanglement with a secular institution."

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## **Billy Graham kicks off largest-ever global crusade**

SAN JUAN, Puerto Rico (ABP) -- Evangelist Billy Graham kicked off what organizers call the largest outreach in church history March 14, aimed at presenting the gospel message to a billion people.

Preaching to a crowd of 23,000 in the open-air Hiram Bithorn Stadium in San Juan, Puerto Rico, the 76-year-old Baptist evangelist opened his five-day Global Mission. Graham's words were interpreted into 116 languages for broadcast into 117 countries over a three-day period, March 16-18.

The \$25 million effort employs both technology and groundwork. Eight culturally specific editions were broadcast to 29 time zones over 17 pathways to 30 satellites, for a total of 300 hours of programming. Meanwhile, 500,000 volunteers waited to counsel new converts and 1.5 million Christians were trained in how to share the gospel.

The broadcasts originated from a production facility dubbed "Global Village," the size of two football fields with offices for 240 people, 15 tractor-trailer loads of equipment and 13 massive generators, enough to carry on the entire operation unaffected even in the event of a total power blackout on the island.

Among "hot spots" targeted in the outreach were:

-- Goma, Zaire, where 30 giant, 45-foot television screens were to be shipped in and erected on hillsides in five camps where more than a million Rwandan refugees were expected to attend mission meetings.

-- Kobe, Japan, where government leaders allowed organizers to bulldoze an entire city block of earthquake rubble for an open-air meeting in the city where buildings were destroyed at most mission sites.

-- Haiti, where appeals from local pastors resulted in the setting up of two major sites after it originally looked as if meetings would be prohibited.

-- Middle East, where heavy interest was reported among Christians and over 200 locations were prepared.

-- Former Yugoslavia, where evangelistic missions were planned in every former republic, even in some of the most war-torn areas and, as in other countries, in prisons.

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-- By Bob Allen

## **California Baptists minister to storm-battered state**

By Mark Wyatt

WATSONVILLE, Calif. (ABP) -- Southern Baptists are providing help and hope to thousands of

Californians affected by the state's latest natural disaster, floods spawned by recent winter storms.

"A lot of people are very happy to see us," remarked Don Hargis, men's ministries director for the California Southern Baptist Convention. Hargis is coordinating Baptist aid to victims of the March storms which spawned the state's worst flooding in 100 years.

Southern Baptist disaster relief stations were set up in two cities as the deadly storms battered California for several days beginning in early March. Mudslides swallowed houses in the southern California community of La Conchita and collapsed bridges in several locations.

The worst bridge collapse occurred near Coalinga on Interstate 5, California's main north-south artery. At least six people died when several cars and trucks plunged 40 feet into the flood-swollen torrent.

Forecasts of even more rainfall in northern California raised fears of renewed flooding, further endangering lives and property. By Mar. 15 the statewide death toll blamed on the storms had reached at least 14.

Damage estimates to structures and crops are running into the billions of dollars.

As record rainfall amounts fell across the state, American Red Cross officials requested assistance from California Southern Baptist Convention disaster relief workers on March 12, Hargis said. Less than 24 hours later, Baptist volunteers were operating a temporary field kitchen in Watsonville.

"We're set up just about the same place we were in 1989," Hargis said, where Baptists conducted extensive relief efforts following the Loma Prieta earthquake.

Fifteen volunteers from churches in Fresno, Sacramento, Orange County and San Jose served some 2,500 hot meals at the Watsonville site the first day. Among those seeking shelter and food were hundreds of field hands suddenly left without work or homes when the lush Salinas Valley was inundated.

"Most of these people came from the Monterey area, mostly Hispanic migrant workers who speak no English," Hargis explained. "About half of our volunteers are bilingual, so that helps," he continued.

In the central California town of Clovis, nearly 100 residents -- most of them Hmong immigrants forced from their homes by flooding -- took shelter at an adult community center. Southern Baptist volunteers operated a kitchen at the center to provide hot meals for the evacuees.

Hargis said both relief centers would remain in operation for at least one week. But even when relief work at those centers is completed, there is more work awaiting Baptist volunteers.

Dennis Schmierer, business services director for California Baptists, said some volunteers likely will relocate to help with repairs and cleanup at Jenness Park, the Baptist state camp in the Sierra Nevada mountains near Sonora.

Flood damage to grounds and structures at the 160-acre complex will likely take several weeks and thousands of dollars to repair.

Initial reports indicated little or no damage to Southern Baptist church structures across California. But in many communities, individuals and congregations pitched in to help residents affected by the storms.

"Southern Baptists have a good reputation and we want to keep it that way," Hargis explained. "That's the reputation of Jesus."

## Cothen writes sequel to history of SBC conflict

MACON, Ga. (ABP) -- Former Southern Baptist executive Grady Cothen, whose earlier history of the Southern Baptist controversy sold more than 6,000 copies, is writing a sequel.

"The New SBC: Fundamentalism's Impact on the Southern Baptist Convention" will be published this summer by Smyth & Helwys, a Baptist publishing house based in Macon, Ga. The 240-page paperback volume will chronicle changes in the denomination since 1993, when Cothen's "What Happened to the Southern Baptist Convention?" appeared.

Cothen retired as president of the Southern Baptist Sunday School Board after a 40-year career in Baptist life that included stints as a pastor, state Baptist executive, university president and seminary president. He also was an unsuccessful candidate for SBC president in 1984 in an attempt to block the rise to power of SBC conservatives.

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-- ABP staff

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CORRECTION: In the 11th paragraph of the March 14 ABP story "Hemphill says abortion flap no factor in prof's departure," please change the number 25 to 221. Thank you.

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