

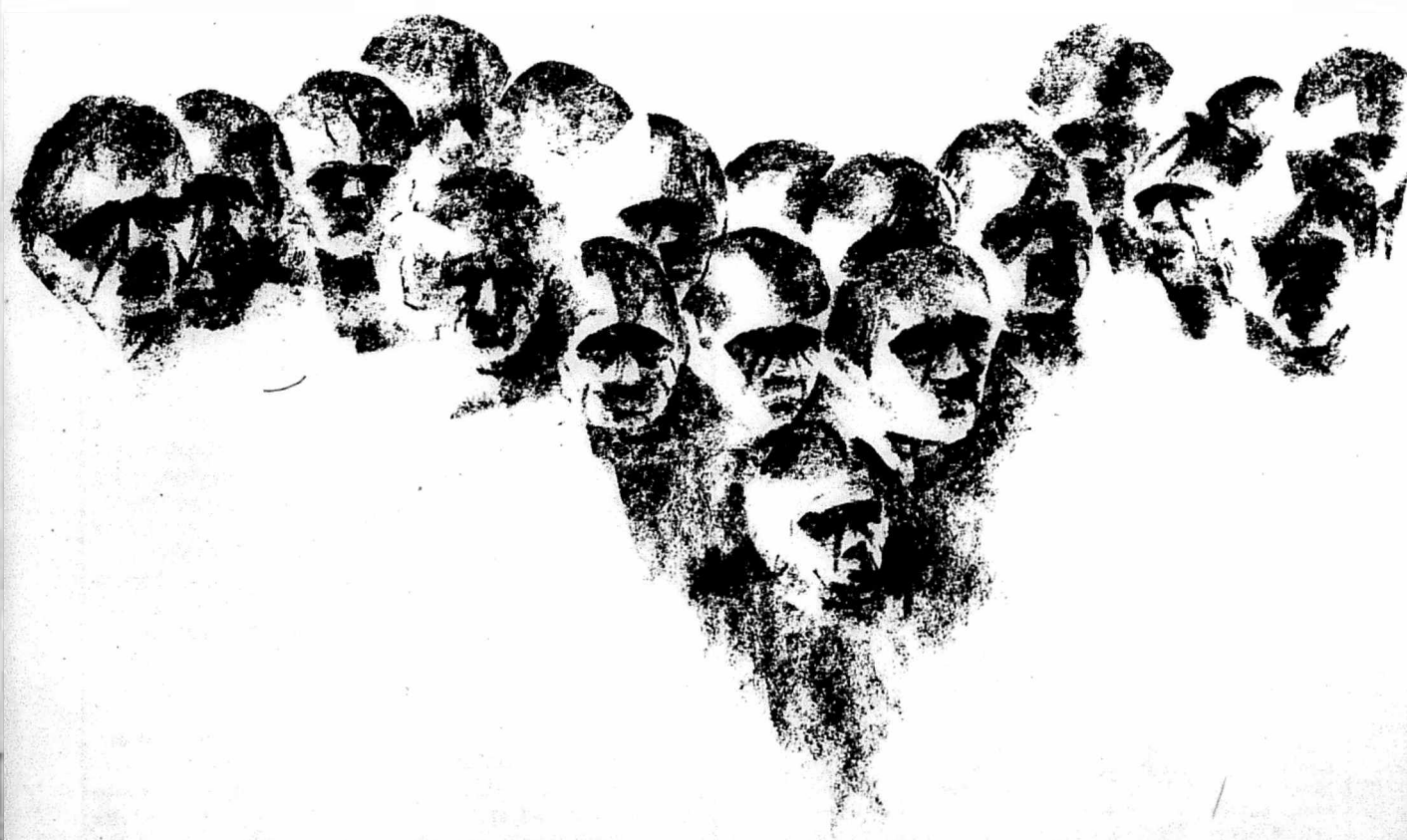
January, 1980

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# REPORT from the CAPITAL

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WE HOLD THESE TRUTHS TO BE SELF-EVIDENT, THAT ALL MEN ARE CREATED EQUAL, THAT THEY ARE ENDOWED BY THEIR CREATOR WITH CERTAIN UNALIENABLE RIGHTS, AMONG THESE ARE LIFE, LIBERTY AND THE PURSUIT OF HAPPINESS.—THAT TO SECURE THESE RIGHTS GOVERNMENTS ARE INSTITUTED AMONG MEN. . .

# REPORT from the CAPITAL

"... a civil state 'with full liberty in religious concerns' ..."

**VOL. 35 NO. 1**  
**JANUARY, 1980**

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**REPORT from the CAPITAL**

200 Maryland Ave. N.E., Washington, D.C. 20002

## Carrying On

At one time or another, most of us have been cautioned against looking backward. Yet, as this staff began planning for a redesigned, expanded *Report from the Capital*, our minds were set at ease by the statement of A. N. Whitehead: "the present is memory tinged with anticipation." A quick review of the thirty-three year life of this publication made it obvious that the past provides the context for understanding the present and the future.

3 The first issue of the *Report* listed names associated with the new-born Baptist Joint Committee, literal giants in terms of their concern over public affairs and commitment to church-state issues. Persons such as 4 Walter P. Binns, chairman, Rufus Weaver, Louie Newton, Brooks Hays and C. Oscar Johnson of the South- 6 ern Baptist Convention, and C. W. Cranford, W. B. Lippard, Gordon Palmer, E.H. Pruden, and Stanley 10 Stuber, American Baptists. A regret was noted over the omission of representatives of the other two 12 founding bodies, the National Baptist Convention and 15 the National Baptist Convention, Inc.

Equally capable and committed persons today serve as their present counterparts, carrying out the demands in the field of religious liberty and public affairs. Look at the issues: that first *Report* called attention to a forthcoming report on religious freedom in the Soviet Union (Louie Newton had been a recent visitor); federal money for sectarian education; containment of communism; race relations; and, naturally, religious liberty. A survey of the past few months shows articles covering religious liberty, religion in Eastern Europe, churches and racism, the use of federal funds for religious purposes, and a multitude of others that confirm the place and role of the Baptist Joint Committee in the life of its member bodies.

This periodical is not meant to be an omnibus of authoritative statements from the Baptist Joint Committee, but rather intends to stimulate interest and to provide a broad spectrum of opinion in public affairs issues. The *Report* will record the involvements of the religious community and particularly of Baptists cooperating through the Joint Committee, sharing information which highlights our contributions at influential levels both national and social.



## WASHINGTON OBSERVATIONS news/views/trends

PRESIDENT CARTER and U.S. Senator Henry M. Jackson, D-Wash., marked the thirty-first anniversary of the adoption of the Universal Declaration of Human Rights with calls for renewed commitment to all human rights, including religious liberty.

IN A PRESIDENTIAL proclamation, Carter renewed his challenge to the Senate to ratify four pending human rights treaties which have languished unratified for years. Noting that most nations have approved the Universal Declaration, Carter charged that "in too much of the world its promise is mocked."

CARTER ALSO USED the occasion to call again for ratification of the stalled Equal Rights Amendment, which still lacks favorable action by three state legislatures before becoming the twenty-seventh amendment to the Constitution.

THE PRESIDENT'S chief rival for the Democratic nomination in 1980, Sen. Edward M. Kennedy, carried his presidential campaign to a black Baptist church in Washington and received the endorsement of several prominent pastors of black churches, including Henry C. Gregory, III, pastor of the host Shiloh Baptist Church.

KENNEDY TOOK AN indirect jab at Carter, saying that "too often in the past, those who were white came to our Black sisters and brothers with their idea of what was best for you." Instead of using such an approach, the Massachusetts Democrat went on, "we must hear your wisdom and heed your will. We must not only ask for your votes in an election year; we must ask for your views on every issue, every year."

A DIVIDED U.S. SUPREME COURT announced it will not hear a First Amendment challenge to a provision of California's Constitution forbidding employment discrimination on the basis of religion.

THE CASE INVOLVES a long struggle by public school teacher Thomas E. Byars to force the Ducor Union School District to provide him with non-paid leave to observe certain holidays of the Worldwide Church of God. The school board argued that giving Byars preferential treatment as a matter of policy would amount to an unconstitutional establishment of religion, while Byars argued that failure to do so deprived him of his free exercise of religion.

THE HIGH COURT'S REFUSAL to hear the case leaves standing a ruling in Byars' favor by the California Supreme Court.

## Gene V. Tunnell

Gene Tunnell is the consultant on Refugees, Language Missions Division, of the Southern Baptist Refugee Resettlement program. As a missionary, he served in Vietnam.



# The Plight of Thousands

## Nothing Less Than Extinction

**W**ith perhaps as many as 10 million refugees world wide and with U.S. immigration policy at a crossroad, we are confronted with a human rights issue of enormous magnitude. Given that government policy may serve as an enabling force or restrictive constraint in relationship to the desires of our constituents to minister to the homeless, I, and I am sure that my American Baptist colleague Mr. Guifrida, would urge the Joint Committee to take an active role in advocating U.S. policy which would maximize the potential for compassionate involvement by all Baptists.

At present there are at least 360,000 refugees from Cambodia, Laos, and Vietnam in the United Nations camps located in Hong Kong, Thailand, Malaysia, and Indonesia, and the Philippines. Perhaps the most frequent question being raised is why the people continue to flee their homelands. The answers often contain more fiction than fact. A brief country-by-country summary will serve to clarify why so many people are fleeing their homelands.

It is unfortunate that the Indochinese refugees are often generically labeled Vietnamese or "boat people" when in reality there are five distinct ethnic groups—Cambodian, Hmong and Lao, ethnic Chinese from Vietnam, and

Vietnamese. While the plight of the boat people, particularly in terms of forceable return to sea by the Malaysian government, has received much media coverage, the Cambodian and Hmong refugees in the Thai camps, who are land refugees, have largely been ignored.

Cambodians are facing nothing less than extinction. The mass extermination perpetrated by the Pol Pot regime, as well documented, has left the country a shambles. Extensive malnutrition and starvation causes many health experts to fear that even emergency food lifts will not avert widespread starvation. The escape to Thailand is the only hope of avoiding death by starvation as fighting continues.

The Hmong tribal people from Laos served as the C.I.A. army during the "secret" U.S. war in Laos. They were assured that they would not be abandoned by the U.S.; but since U.S. involvement in the war has ended, the Hmong have been left to their own devices to survive. They continue to fight for freedom and survival in guerilla warfare against the Vietnam-backed Pathet Lao. Given the preponderance of communist neighbors and the fighting in Laos and Cambodia, the Thai government is in a delicate position. Apart from economic concerns, the Thai government particularly fears military confrontation if Hmong and Cambodians continue to pour across her border. Part of the Thai response to the problem has been the forceable expulsion of Hmong and Cambodian refugees. Malnutrition, disease, and death are escalating, particularly in the Hmong refugee camps. Perhaps more than any other segment of the Indochinese refugee population the Hmong, because of their intense loyalty and sacrifice in the U.S. effort in Laos, deserve responsible assistance from our government.

Refugees from Vietnam, many of

whom are the boat people, are fleeing their homeland in the face of malnutrition, disease, and starvation brought about by crop failures, disastrous weather, poor management, and general economic chaos. Another reason for the exodus came when the Vietnamese draft age was lowered to 16. Confinement to "re-education" camps and the harsh realities of life under the communist regime are also contributing factors. The first of our Baptist pastors to escape from Vietnam since 1975 recently arrived in the U.S. His reasons for leaving included the lack of religious freedom, inability to provide adequately for the needs of his family under the government work plans, and a sense of hopelessness in terms of the future.

Even more than the Vietnamese, the ethnic Chinese are leaving Vietnam because of the total denial of their basic human rights. The policy of the Vietnamese government toward the ethnic Chinese is nothing less than blatant racism; they are given two choices—to go to a new economic zone to begin farming or to leave the country. This is really no choice at all, since their shops have been closed and their assets confiscated. Most of the ethnic Chinese had been merchants and shop keepers. The new economic zones are jungle areas which the government wants to convert into farm land.

Some protest that the ethnic Chinese are not true refugees because they pay for the "privilege" of fleeing. This fact must not obscure the reality that such payment does not impact the odds against survival. The refugees know, even before leaving the homeland, that perhaps 50% will be lost at sea; many on their journey to Thailand or Malaysia will be robbed and raped at sea by pirates; and they also know that arrival in a country of first asylum in no way guarantees resettlement in a free

western nation. No clearer or more forceful indicator of the dire circumstances in the homeland can be found than the fact that thousands of people are voting for freedom with their lives in the face of very intimidating odds. Southeast Asia evidences a widespread denial of the basic rights to live without fear of oppression and to pursue one's vocational interests.

One response to the problem is to condemn Thailand and Malaysia for their forceful expulsion of refugees. Suffice it to say that these countries have performed well as temporary hosts to thousands of refugees whom they can in no way accommodate permanently in light of their very limited geographical and economic resources. Based on the slowness with which the western world has resettled refugees, what these host countries fear is that they will be left with thousands of people they can in no way accommodate.

This criticism causes us to reflect on the reality that the U.S. is also in the business of forcibly expelling boat people. In the past seven years about 8000 Haitian refugees have fled the repressive regime of Duvalier. In spite of State Department disclaimers, it has been documented that many Haitian refugees who are returned to their homeland are imprisoned and tortured. Yet, the official U.S. position is that the Haitians are not refugees but are merely seeking economic opportunities. In fact, the human rights violations of the Duvalier regime are clearly seen in the practice of allowing and/or facilitating the sale of 12,000 Haitians a year at \$11 each to the Dominican Republic. Such flesh peddling is nothing less than slavery. The response of Immigration and Naturalization Service in Miami has been to arrest and jail the Haitian refugees without due process. While the normal rate of INS hearings in a regional office is ten per day, hearings involving Haitians have been conducted at a rate as high as 150 a day. Moreover, the small number of attorneys assisting the Haitians have had hearings or interviews scheduled simultaneously in different lo-

cations making it impossible for attorneys to even attend proceedings involving Haitian clients. A class action suit has now been filed against INS for its apparently unlawful practices. Many voluntary agencies, Florida politicians and government officials, and others have appealed to the president and attorney general to use the parole authority to grant parole to those Haitians who arrived before June 30, 1979 and have applied for asylum.

One criticism of the Indochina Refugee Program is that the U.S. is doing too much and the cost is too great. In per capita resettlement, the U.S. ranks third behind France



and Australia. Refugees themselves are repaying no-interest loans that make possible their travel to the U.S. Another frequent concern is that the refugees will be unemployable. Their unemployment rate, lower than our national average, leads to an opposite concern that the refugees will take jobs that citizens need. Employers across the nation reply that the refugees are taking jobs that citizens refuse. Another major objection is that the refugees are bringing a variety of serious diseases to the U.S. In their August report the Center for Disease Control of the U.S. Health Service stated that the majority of the refugee's health problems are personal, that is, non-communicable. Some point to refugee prob-

lems in Seadrift, Texas, Denver, and Kansas City as proof that the refugees cannot adjust to life in this country. What the sensationally oriented media fails to make clear is that these problems are by-and-large a result of poor performance by the local sponsors, not the refugees.

The question of the successful resettlement of Indochinese leads logically to a brief consideration of the role of the voluntary agencies. The U.S. Indochinese program utilizes four categories, applied at the time the refugees are interviewed in the overseas camps to determine eligibility for the U.S. program. Bio-data on approved cases is then forwarded to the U.S. for assignment to the various voluntary agencies. These agencies are then responsible for finding sponsors who agree to: 1) provide temporary housing and furnishings; 2) help secure employment; 3) provide groceries and clothing; and 4) assist the refugees until they are basically self-sufficient. Helping the refugees learn American customs and to live in their new community is an area in which some agencies have failed by not having local sponsors who understood, accepted, and fulfilled these responsibilities.

Baptists have performed well in resettling Indochinese, particularly in qualitative terms. American Baptists have been leading the way among all denominations that work through Church World Service, while Southern Baptists have begun to make significant strides.

As important as the remedial ministry of refugee resettlement is, careful attention must be given to the root causes of displacement and homelessness. All who are regularly involved in refugee resettlement are keenly aware that there are realistic limits to the number of people that can be absorbed by the free world.

In light of these realities, the Joint Committee might press for a U.S. foreign policy that would impact the causes of displacement and homelessness and toward immigration and refugee policies that would facilitate maximum ministry by the U.S. Baptist community

(Continued on p. 9)

## VIEWS OF THE WALL



The First Amendment built "a wall of separation between Church and State." Thomas Jefferson in a letter to the Danbury Baptist Association

"... the line of separation, far from being a 'wall', is a blurred, indistinct, and variable barrier." Chief Justice Burger, *Lemon v. Kurtzman*.

On November 26, 1979 the United States Supreme Court denied the petition for a writ of certiorari which had been filed by attorneys for those individuals on whom service had been made in the name of the United Methodist Church. In companion cases *Milhouse, et al. v. Trigg* (No. 78-1855) and *United Methodist Church, et al. v. Barr* (No. 79-245) the issue raised was whether a non-hierarchical denomination may be sued as a whole for the actions of one of its constituent members. In *Barr* the California Court of Appeal had established a common name, common purpose test which says, in essence, that any denomination which has a common name (e.g. Southern Baptist) and a common purpose (e.g. the saving of souls) may be sued for the actions of a constituent member.

The Supreme Court, without a dissent, refused to review the cases. This refusal should not be read as a blanket approval of what the lower courts decided, but, for the present, it does leave standing the holdings of those courts that the United Methodist Church, as an unincorporated association, is a jural entity.

On November 9 the United States District Court for the Eastern District of Pennsylvania in the case of *Gilfillan, et al. v. City of Philadelphia* (No. 79-3377) held that the payment by the city for the religious aspects of the Pope's visit to Philadelphia was unconstitutional. See the news story elsewhere in this issue for details.

The California Supreme Court, by a 4-3 vote, denied all pending petitions for hearing in the Worldwide Church of God cases. Chief Justice Rose Bird and Justices Stanley Mosk and Frank Newman voted to hear the cases which, as

has been previously reported here, involve what appears to be an assault by the California Attorney General's office on the Worldwide Church of God. The November 17 decision, in keeping with the court's usual practice, did not state any reasons for the denials of the petitions.

Despite the fact that there have been no formal charges placed, the Church may suffer irreparable damages before the investigation and the lower court hearings are completed. Moreover, these cases—involving the state's claim that all groups incorporated as nonprofit organizations are public trusts, subject to full public control—have ramifications for all churches and the successful assault on one church may serve as precedent for an assault on all.

The United States District Court for the Eastern District of Wisconsin has held that the practice of using Comprehensive Employment and Training Act funds to pay salaries of full-time or part-time employees of elementary or secondary schools operated by or for religious or sectarian organizations violates the establishment clause of the First Amendment. The court issued an injunction prohibiting such grants, requiring the termination of all existing grants, and requiring authorities to make good-faith efforts to transfer all persons employed with CETA funds to jobs within the public school system. *Decker v. United States Department of Labor* (No. 78-C-634).

The Kentucky Supreme Court has held that the Kentucky requirement that private schools meet accreditation standards, employ only certified teachers, and use prescribed textbooks violates the state constitutional guarantee that no one will "be compelled to

send his child to any school to which he may be conscientiously opposed."

The action was initiated by several churches which operate non-public schools, the parents of children enrolled in those schools, and an association of church schools. They asked for and were granted injunctive relief to prevent the state from imposing its education standards on private schools. *Kentucky State Board for Elementary and Secondary Education v. Rudasill*.

The United States District Court for the Eastern District of Tennessee has approved proposals for elementary school courses in Bible study. However, the court did modify the proposals in two significant ways. First, the court rejected the proposed minimum qualification for teachers as insufficient, as favoring the employment or continued employment of teachers whose only significant qualification was study in a religiously committed institution of learning. Second, the court held that the Constitution required the elimination of one lesson in the proposed fourth grade curriculum dealing with the resurrection of Jesus. *Wiley v. Franklin* (CIV-1-78-1).

The United States District Court for the Southern District of New York has dismissed an action filed by the Church of Scientology against the co-authors of a book which investigated the effects on personality of the techniques used by many of the current religious "cults" and by mass-marketed self help therapies. The court held that the authors' statements were their opinions and conclusions about the methods and practices used by the Church of Scientology and the effects of those methods and practices, but that none of the state-

(Continued on next page)

# 'Healthy Communities' Goal of Alcohol-Drug Ministries

INDIANAPOLIS, IND.—The church must be a loving, caring, supportive, serving community if it is to be effective in dealing with the root causes of alcoholism and drug-related problems.

Lucius Walker, Jr., director of the Interreligious Foundation for Community Organization (IFCO) told a National Conference of Religious and Lay Leaders on the Impact of Alcohol and other Drugs that the church's role is "not to browbeat but to heal, not rejecting any of God's children no matter their condition in life."

He called for deep involvement in building "healthy communities" as part of understanding the church's responsibility under God to be at work in the world.

The group of more than 200 clergy and lay leaders representing 20 denominations and religious bodies also heard Foy Valentine declare that "alcohol abuse can best be prevented by abstinence from alcohol."

Valentine, who holds a doctorate in Christian ethics and heads the Southern Baptist Christian Life Commission said "the notion of 'responsible drinking' is a misnomer. In this culture, in these times, all drinking is irresponsible."

Walker and Valentine both urged churches as unique institutions with considerable impact to make an aggressive contribution to the lessening of alcohol and drug-related problems.

Views (from preceding page)

ments went beyond what one would expect to find in a frank discussion of a controversial religious movement. Thus, the court said that none of the statements could be the basis of a defamation action. *Church of Scientology v. Siegelman* (No. 79 Civ. 1166).

Similarly, a New York court has held that statements in a book comparing the Unification Church's organizational structure and procedure with that of occult groups in Nazi Germany were not actionable as libel when they amounted to the statement of the author's opinion. To the extent that the suit involved the validity of the Church's beliefs, the court could not entertain it since the First Amendment bars state inquiry into the truth or falsity of religious beliefs. *Holy Spirit Association v. Harper & Row, Publishers*, 420 N.Y.S.2d 56(1979).

Please send me the following:

## BOOKS

Baker, John W. (ed.) *Taxation and the Free Exercise of Religion*. Papers and proceedings of the Sixteenth Religious Liberty Conference (BJCPA, 1978, \$2.50)

Wood, James E., Jr., (ed.) *Baptists and the American Experience*. Papers delivered at the National Baptist Bicentennial Convocation by outstanding Baptist scholars; (Judson Press, 1976 \$16.50)

\_\_\_\_. *Nationhood and the Kingdom*. An exposition of the role of religion in the life of a nation. (Broadman Press, 1977, \$3.00)

## STAFF REPORTS

Baker, John W., "The Court on Church Tax Exemption." \$.20 single copy; 2.00 dozen copies.

\_\_\_\_. "Government and the Mission of the Churches: The Problem of 'Integrated Auxiliaries'." \$.30 single copy; 3.00 dozen copies.

\_\_\_\_. "Nontheistic Religions and the First Amendment." \$.30 single copy; 3.00 dozen copies.

\_\_\_\_. "Taxation and the Churches." \$.20 single copy; 2.00 dozen copies.

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## AN ANALYSIS

Stan L. Hasteley

# Supreme Court to Consider Legality of Hyde Amendment

WASHINGTON The Supreme Court will consider the constitutionality of the Hyde amendment forbidding publicly-financed abortions in most cases.

In a brief announcement agreeing to hear three cases involving a Chicago physician, the justices nevertheless reserved the right to decide only the question of whether it has jurisdiction in the case rather than pronouncing judgment on the Hyde amendment.

For the past several years, Rep. Henry J. Hyde, R-Ill. has enjoyed remarkable success in tying up federal spending bills, especially to the Department of Health, Education, and Welfare, until Congress agrees to his restrictions.

Until this year, Hyde succeeded in having Congress agree to restrict spending for Medicaid abortions except in cases where the life of the mother is at stake, in cases of reported rape or incest, or where long and severe physical damage to the mother would result if an abortion were not performed.

In action this fall, Congress eliminated the third exception for the 1980 federal budget.

The practical effect of the Hyde amendment has been the reduction of federally-funded abortions from several hundred thousand a year to a figure estimated between two and three thousand.

Provided the court chooses not to sidestep the basic issue, the action agreeing to hear the case represents a victory for women's rights advocates who have fought the Hyde restrictions both in Congress and the courts.

While women's right activists have fought the restrictions, anti-abortionists have strongly supported Hyde's efforts and have interpreted his successes in tying up spending legislation as an indication that they should pursue their ultimate objective of seeking the banning of all abortions.

The dispute has polarized the American religious community as perhaps no other in recent memory.

On one side, the anti-abortion forces have been led by the U.S. Catholic bishops, although Catholic activists in the movement point to support from other religious groups, including the Mormons, certain Lutherans, and numerous evangelicals.

The so-called pro-choice forces have marshalled most of the mainline Protestant denominations and have enjoyed the support of several Jewish organizations as well.

If the high court decides the issue on its merits, it will consider the constitutional question of whether poor women who are denied publicly-financed abortions are denied equal protection of the law as guaranteed by the Fourteenth Amendment.

The justices will also be asked to determine if the Hyde amendment denies due process of law to indigent women.

Also at stake is the question of whether state legislatures, in this instance Illinois, may further restrict Medicaid payment for abortions only to cases where the life of the mother is at stake.

No date has been set for oral arguments and no decision is expected before next spring.

## Treaties Ratification Urged by Wood, BJC

Declaring that "no theme is more central to Baptist faith and practice than the inviolability of the human conscience and the sanctity of human rights," the Baptist Joint Committee on Public Affairs urged the U.S. Senate to ratify four pending international treaties on human rights.

James E. Wood, Jr., executive director of the Baptist agency, told the Senate Foreign Relations Committee that while the Baptist Joint Committee does not "purport to speak for all Baptists," it is confident that its position on the treaties reflects the sentiments of "the overwhelming majority of Baptists in this country."

Wood noted that the Baptist agency "has long called for the elevation of human rights in U.S. foreign policy" and that it commended President Carter's emphasis on the subject just two months after his inauguration in January 1977.

Wood asked the committee to report favorably ratification by the full Senate of all four treaties, the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, and the American Convention on Human Rights. He noted that while the treaties were all signed on behalf of the United States when originally drafted in 1966 and 1977, the Senate has failed to ratify them formally.

Wood's testimony specifically affirmed the role of religious liberty outlined in the treaties, saying that his agency "has long maintained

(Continued on p. 14)



## News in Brief

### Reimbursement Ordered For Papal Platform

PHILADELPHIA (BPA)—Declaring that the First Amendment to the Constitution "has consistently been interpreted in letter and in spirit as prohibiting the expenditure of public funds for a religious service," a federal judge here has ruled that the archdiocese of Philadelphia must reimburse the city for expenses incurred in constructing a platform from which Pope John Paul II said Mass during his recent U.S. visit.

Judge Raymond J. Broderick, himself a Roman Catholic, ruled that the city's purpose in building the platform was religious instead of secular, that the primary effect of its action was to advance religion, and that it fostered an excessive entanglement of the city with religion.

His opinion also called attention to a fourth test enunciated by the nation's high court in recent years, the question of whether such an action as that of the city of Philadelphia would tend to promote divisiveness along religious lines.

The case was brought by two Philadelphia women, one of them American Baptist minister Mary Anne Forehand, who is also an information specialist for the Board of National Ministries of the American Baptist Churches in the U.S.A. in nearby Valley Forge, Pa.

### Court Rules UMC Open to Tenant Suit

The Supreme Court announced that it will not prevent the United Methodist Church (UMC) from being sued by former tenants of a group of bankrupt Methodist-related retirement homes.

The high court's brief order means that it will not rule on the constitutional question of whether a church body such as the UMC can be held liable in such cases until the justices hear the case on its merits.

Pacific Homes, the bankrupt cor-

poration, was named along with the UMC in a series of suits totaling \$366 million brought by 162 former residents.

Two California courts have differed on the question of UMC liability but the higher of the tribunals, the State Court of Appeal, ruled last March that because it interpreted the UMC to be a hierarchical church, the denomination could be held liable in the damage suits.

### Franklin Leaves BJCPA to Join Church Staff

Carol Franklin, assistant to the director of information services, Baptist Joint Committee on Public Affairs and Washington correspondent for Baptist Press, has resigned to accept the position of minister of education at the First Baptist Church here.

Franklin, who joined the staff of the Baptist Joint Committee three years ago, has had the primary assignment of covering capitol hill. She has also handled a wide variety of other reporting assignments in the nation's capital.

The Paris, Tex. native is a graduate of the University of Washington, Seattle, and holds the M. Div. degree from Southern Baptist Theological Seminary, Louisville, Ky. She also attended the University of Hawaii and George Washington University.

### Wood Elected President Of Religion Studies Group

James E. Wood, Jr., executive director of the Baptist Joint Committee on Public Affairs, was elected president of the National Council on Religion and Public Education, an eight-year-old organization which seeks to prepare educators

to teach about religion in the public schools.

NCRPE was organized in 1971 as a coalition of organizations concerned with the study of religion in public schools under guidelines set forth by the U.S. Supreme Court in its historic 1962 and 1963 decisions prohibiting state-sponsored prayer and bible reading in the schools.

The organization has attempted to interpret what the high court did and did not in fact say in those decisions in which it held in violation of the no establishment of religion clause of the First Amendment.

The Baptist Joint Committee on Public Affairs is one of the 39 religious and educational organizations holding membership in NCRPE.

### Plight (from p. 5)

consistent with our traditions and convictions. In response to the present crisis involving Indochinese, Haitians, and undocumented aliens in the U.S., the Joint Committee could seek to determine the will of its several constituencies in the following areas and call for appropriate legislation and action:

- passage of the Refugee Act of 1979—this legislation would make the U.S. definition of refugees consistent with the U.N. definition and bring much needed logic and order to an outmoded, patchwork refugee policy.
- parole for the Haitian refugees
- reform and improvement of Immigration and Naturalization Service—increased funding to permit adequate staffing
- normalization of relations with Vietnam—given the historical precedent for making peace with former enemies and assisting with reconstruction, one wonders how we hope to meaningfully influence the policies of a nation which is playing such a crucial role in the present refugee crisis apart from diplomatic relations. Perhaps normalizing relations if even on a trial basis would be worth the effort if human misery and suffering could be lessened.

PATRICK MALONE

The author is the medical writer for the Miami Herald

## Humane Execution or Medical Veneer?

# DEATH ROW and the MEDICAL MODEL

**T**he hypodermic needle is poised to dispatch its first Death Row inmate in the United States. Four western states where the noose once symbolized frontier justice—Oklahoma, Texas, Idaho, and New Mexico—have adopted lethal injection as the most dignified and humane method of carrying out the death penalty—and not coincidentally, the cheapest. More states are certain to follow.

To the proponents of lethal injection, the hypodermic needle is the next step in the progression of capital punishment techniques from deliberate barbarity to attempted civility. New York gave the nation the electric chair in 1890 and Nevada contributed the gas chamber in 1924—both on grounds of easing the prisoner's suffering.

Whether any means of killing another human being can be called "humane" is of course, arguable. Beyond that, lethal injection raises new and unique issues in the long debate over capital punishment, issues that squarely confront the physician's obligation to, first, do no harm.

Unfortunately, these issues have been muddled in the public debate. Both advocates and abolitionists of the death penalty have been at-

tracted to lethal injection, underscoring the lack of clearly defined arguments for and against its use. Oklahoma, the first state to adopt lethal injection, in May 1977, coupled humanitarian with economic arguments; the rusted electric coils and rotting wood in the state's old electric chair—last used in 1966—required repairs costing \$62,000. An alternative plan to build a gas chamber would have cost more than \$200,000. Death by injection, lawmakers were advised, would cost only \$10 to \$15 "per event."

Texas, the next state to adopt the practice, was persuaded by arguments that the electric chair resembled a medieval torture device. Idaho's injection law was sponsored by a legislator who is an ordained minister and a firm opponent of the death penalty. In New Mexico, a death penalty advocate pushed the law through. Said New Mexico state Senator Les Houston: "It should make the death penalty easier for everyone to swallow. You just take and stick it to 'em until they're dead."

However, lethal injection is not quite that simple technically. Ethically, it is even more complicated since it is the first time that life-saving medical technology will be used to execute people.

### Physicians' Attitudes toward Lethal Injection

In the four states where it has passed, the state medical societies have acted largely to protect their members. Each society sought, and won, assurances that no physician would have to insert the needle. The Texas medical association went so far as to pass a resolution that no member should participate as the executioner. Doctors customarily stand by at executions to pronounce the prisoner dead; but that is an ethical problem that relates to capital punishment in general and not simply to lethal injection.

Dr. William Hughes of Oklahoma City, chairman of the legislative committee of the Oklahoma Medical Association, said that his association remained neutral on the issue once the bill's sponsor assured physicians the law would not require their involvement in the execution. His feelings reflect the ambivalence of many physicians who weighed the proposal in the four states: "I would find it very difficult to consider administering it. I imagine most physicians would be totally repulsed. But it's certainly painless and quick. Personally, I think it's kind of a nice way to do it. It's probably about as humane a way to do it as you can think up."

There seems little argument that a physician who participated actively in an execution—by inserting the needle or pushing the plunger—would be violating the Hippocratic Oath. More subtle dilemmas remain unresolved: is it acceptable for the medical profession to loan its tools to the state for execution? How far can physicians go in giving indirect advice or assistance (such as ordering the appropriate drugs from a pharmacy) and still remain noncomplicit?

Dr. Richard Hodes of Tampa, Florida, is uniquely qualified to argue against lethal injection. He is president of the state's medical association, a state representative (and speaker pro tem) in Tallahassee, and an anesthesiologist who in the operating room daily uses the same drugs proposed for lethal injection (drugs that the Oklahoma law specifies "continuous, intravenous administration of a lethal quantity of an ultrashort-acting barbiturate in combination with a chemical paralytic agent"). "I feel very uncomfortable with a technique that is used routinely for healing purposes also used to destroy human life," argues Dr. Hodes. He was successful in helping to defeat a lethal injection pro-

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posals sponsored by the state attorney general during the 1979 Florida legislative session.

Hodes and other physicians opposed to lethal injection argue that its real appeal is not so much that the prisoner presumably feels less pain, but that a medical veneer has been added to the act. One of the few physicians who has written on lethal injection, Dr. Lonnie R. Bristow of San Pablo, California, says: "Lethal injection is creating a false image about an act which is quite final and quite dehumanizing. Traditionally the giving of injections has been done by physicians, nurses and other health professionals. Generally those groups are considered to have the highest developed quality of love for humanity. So that upgrades this act into something humane and acceptable" (*Forum on Medicine*, June 1979).

Or, if it does not upgrade capital punishment, Dr. Hodes worries that it downgrades his professional tools. He notes that from a practical standpoint, exactly the same dose could be administered to the prisoner as to a surgical patient, although prison officials are likely to use larger doses to make certain. However, the surgical patient is kept alive by a respirator.

Indeed, the similarity between what is planned for condemned prisoners and what surgical patients actually go through is striking. As the procedure is planned in Oklahoma and Texas by prison officials, death by injection would occur in this manner: the prisoner would be strapped to a portable stretcher, such as a hospital gurney, and wheeled into the execution room, perhaps after being given a general sedative. Then, a medically trained technician, though not a physician, would insert a catheter into a vein on one of his arms. The plastic tubing would pass behind a partition to the executioner standing over a plunger (in Idaho, three executioners and three plungers, with only one holding the fatal dose). A neutral solution would begin flowing into the prisoner's arm to be replaced at a signal from the warden with a combination of two anesthetic

drugs. The first of those is to be sodium thiopental, better known by its trade name Pentothal, which usually renders a person unconscious about twenty seconds after injection.

The second drug, as specified in prison memoranda written to carry out the new laws, would be a muscle relaxant, either tubocurarine, a purified form of the curare used on arrow tips by South American Indians, or succinylcholine. Because these drugs paralyze the diaphragm muscles, death then occurs by suffocation.

Oklahoma's procedure, written by the state Corrections Department, requires physician involvement at two points in the execution. The department's medical director orders the drugs from a pharmacy near the state prison; and the physician who attends the execution to pronounce the prisoner dead is directed to inspect the intravenous tube hooked up by a technician to make sure the fluid will flow properly into the vein.

Dr. Armond Start, the Oklahoma Corrections Department medical director, sees no ethical problem for himself in ordering the drug or for other physicians employed by the state in inspecting the intravenous tube. "I'm going to order these drugs," Start says. "How they're used is none of my business. Our medical people are not going to be involved except to see that the highest standards of medicine are followed. What somebody else does with that i.v. is not our business."

Start's counterpart in Idaho would refuse to do more than pronounce the prisoner dead, a duty he would find distasteful but not unethical. "Medicine in no way can be involved," says Dr. Charles Steuart. "It's not a very large step from lethal injections to being part and parcel of Auschwitz or torturing political prisoners."

This is perhaps the subtlest but most compelling argument for physicians to oppose lethal injection, regardless of their beliefs about the broader issue of capital punishment. No matter what safeguards are taken to assure that physicians will not directly have to perform

the injection, the fact that lethal injection appropriates medical technology means that physicians inevitably will be involved at some point in the execution—whether by prescribing the lethal drugs, calculating the required dosage, or coaching the technician who inserts the catheter. The state legislators who worded the laws to insure against physicians becoming executioners neglected to take account of federal prescription laws that require licensed physicians to obtain the necessary drugs. There seems little moral distinction between a physician who purchases a drug for lethal injection and one who actually performs the execution. Even if such a physician were an employee of the state, and legally obligated to follow orders, it would be difficult to rectify his occasional execution of a prisoner with his daily task of caring for the prisoner's health.

#### Is Lethal Injection Humane?

But a broader question is at issue: is lethal injection, in fact, more humane, or at the least, less brutal than other means? Dr. Hodes, the Tampa anesthesiologist, argues that the appearance of less brutality with lethal injection can be deceptive. While the inmate feels no physical pain other than the insertion of a needle into his arm, the psychic agony as he waits to die is certainly as great as with other forms of execution. Death by injection would probably occur in five or ten minutes, as the body slowly suffered oxygen starvation. Dr. Hodes warns that if the procedure is not carried out with great skill, the barbiturate could wear off and the prisoner could wake up only to realize that he was suffocating.

Electrocution, by comparison,  
(Continued on p. 14)

# INTERNATIONAL DATELINE



## Revolution a 'Genuine' Struggle'

**VALLEY FORGE**—Deposed Nicaraguan president Anastasio Somoza climaxed a reign of exploitation and torture by bombing defenseless cities, Gustavo A. Parajón, American Baptist missionary to Nicaragua, told an ABC staff consultation.

Parajón, who is also president of an ecumenical relief and development agency in Nicaragua, told staffers that Somoza and his family appropriated land, properties, utilities, financial holdings, maritime and aviation businesses, enriching themselves at the expense of the country and its people.

The low point of this dictatorship, according to Parajón, came when Somoza used large sums of foreign aid and goods sent after the 1972 earthquake for his own benefit. Martial law was imposed and brutality increased, Parajón said.

The successful revolutionary forces were truly a popular movement, Parajón said. They sought the people's cooperation, building a network of village and community support for shelter, medical assistance, food distribution, information services and other needs, he went on. Parajón asserted that the revolution was more than a band of guerillas but a genuine struggle of the people for freedom and justice. (ABNS)

## Indonesia Improvement Noted

**JAKARTA, Indonesia**—After nearly three months of restricted visa renewals, Southern Baptist missionaries in Indonesia report the situation appears to be improving.

Three mission families have received visa extensions without the notation "not to be extended again," a phrase which had been appearing on renewed visas. Ed-

ward O. Sanders, mission chairman, said reliable sources have told him these three non-restrictive visas mark the beginning of a new trend. Two of the extensions were for six months; the third for the normal extension time of a year.

Sanders said that religious groups, foreign governments, influential individuals, and high government officials have all brought pressure on the Indonesian government to change the policy. Although the situation looks better than it did in July, Sanders said the government is holding to its policy of limiting foreign influence and pushing foreigners to develop plans to train Indonesians to replace them. (BP)

## Human Rights Education Needed

**COPENHAGEN, Denmark**—"In order to be effective, human rights education should be undertaken 'contextually, regionally and in practice'" according to a group of 30 experts and representatives of regional church organizations which met at the invitation of the World Council of Churches.

This was the first meeting of the new Human Rights Advisory Group established to "deal with the global concerns of the WCC in this field"; its agenda explored concerns in the church's struggle for the full respect of basic and essential human rights in different political, social, religious and economic contexts.

Churches should give priority to the information and education of their constituencies about human rights, the group held, finding the basis for this in the mandate of the Gospel. (EPS)

## Suffering in Kampuchea

**GENEVA**—Reports of widespread suffering, starvation and disease in Kampuchea (Cambodia)

have been reaching the outside world with increasing frequency and with graphic descriptions of the plight of the populace. Because of political problems, of access, and of continued fighting the response of relief agencies has been severely curtailed.

A fact-finding team, sponsored by the World Council of Churches and the Christian Conference of Asia traveled to Phnom Penh with medical supplies. They looked at ways to coordinate the relief efforts in cooperation with agencies such as UNICEF, the ICRC, and Oxfam, and explored the possibilities of sending in essential commodities by direct charter from Europe and of food supplies by sea.

The team visited Kampuchea as a follow-up to the six-day trip made during August by a four person team, also sponsored by the WCC and CCA. On the basis of this first team's report an initial appeal for funds was made by Inter-Church Aid Refugee and World Service in order to make available for immediate needs essential items like food and medicine. (EPS)

## Bill Arouses Protests

**BANGALORE, India**—A bill currently before India's lower house of Parliament would restrict Christian witness if passed, but the new government has stated the bill will not be accepted.

The Freedom of Religion Bill, introduced by O. P. Tyagi, would prevent "conversion by force," which Dr. Rebekah A. Naylor, Southern Baptist Press representative, said could include presentation of God's judgment and the result of sin.

Social ministries, including hospitals such as the one operated by Southern Baptists in Bangalore, could be suspected of using physical ministry to force conversion, added Dr. Naylor, a missionary physician.



Presentation of the bill, introduced to protect all religious minorities in India, resulted in massive demonstrations all over India by Christian groups. "Often, the Christians were joined by other minorities," said Dr. Naylor. (BP)

### **Schools Retain Character**

WELLINGTON, New Zealand—The first two Roman Catholic schools have been integrated into New Zealand's state education system under special legislation which came into force in 1976.

The integrated schools will have the financial backing of the state and will have to meet certain state school standards, but will retain their "special character" as church-affiliated institutions.

Rising costs and inflation in recent years have made the integration scheme attractive, even essential, for many private schools in the country. (RNS)

### **Freedom of Religion Growing**

NEW YORK—The first Chinese interreligious group to visit the United States says there is substantial and growing freedom of religion in the Chinese People's Republic.

The delegation, consisting of three Buddhists, four Christians and two Muslims, said that violations of religious liberty are now subject to a two-year term in the new penal code just adopted by the Fifth National Congress.

China's churches were "pretty Western" thirty years ago, Bishop Ding Guangxun of the Holy Catholic Church (Anglican) observed. "Other Chinese regarded Christians as sub-Chinese or less Chinese because of their Christian faith," he said. The major goal of Christians in the new China was to become "just as Chinese as churches in America are American;" the goal of indigenization has been accomplished for Protestants and Roman Catholics. (RNS)

### **Primate Attacks Censorship**

WARSAW, Poland—Cardinal Stefan Wyszyński, the Polish Catholic Primate, has again, as he has often done in the past, complained about government-imposed limitation on freedom of religious expression in Poland.

In an address to a huge crowd of pilgrims at the revered national shrine of the Black Madonna at Jasna Gora monastery in Czeszochowa, the 78-year old prelate condemned in particular what he called the "frequent" censorship of bishops' pastoral letters and of Catholic periodicals.

According to reliable reports from Poland, as soon as Pope John II had left the country the government censor's pens "ripped into Catholic publications." (RNS)

### **U.S.-Soviet Agreement**

MIAMI, FL—A global agreement between the United States and the Soviet Union is the only real hope of avoiding a world war over oil in the Middle East, according to a former president of the United Nations General Assembly.

Dr. Charles Malik, the 77-year old Lebanese statesman, said that a Salt II agreement would be a step in the right direction but would not be enough to stem Russian ambitions.

"Moscow wants to control the jugular vein of the United States" and has been involved deeply in Yemen, Iran and elsewhere to be in a position to cut off oil to America and the free West, noted Dr. Malik.

To counter the Community threat, the United States should be more assertive in the Middle East and do more to shore up the Israeli-Egyptian peace treaty, in the opinion of Dr. Malik, who now maintains homes in Beirut, Lebanon, and Washington, D.C. (RNS)

### **Politics Aggravates Crisis**

AKRON, PA.—Reports from Cambodia reaching the Mennonite Central Committee here indicate that critical food shortages in that Southeast Asian country could reach famine proportions.

The Mennonite Church officials also complained that the volatile political situation there severely complicated relief efforts by voluntary agencies.

Reports of food needs first came from refugees pouring into Thailand. This summer, a French medical team returning from Phnom Penh, Cambodia's capital, confirmed their reports.

Internal Cambodian politics complicated matters, according to a spokesman for the Mennonite Central Committee. "The MCC tries to maintain a neutral stance," the spokesman said. "But the old Chinese-backed Pol Pot regime still controls some areas. (RNS)

### **Tax Ruling Challenged**

WASHINGTON—Efforts are being made in Congress to upset an Internal Revenue Service ruling that some senators fear has broken new ground in limiting the tax deductibility of donations to organizations that provide services.

Proposed legislation would restrict the I.R.S. in challenging contributions to homes for the aged, handicapped or retarded, day care centers, and colleges, as well as parochial schools operated by religious organizations.

At issue is an I.R.S. ruling last March. It disallowed a Texas taxpayer a deduction for a donation to a religious society that ran a Lutheran school which the taxpayer's child attended. The I.R.S. held that the taxpayer "is not entitled to a charitable deduction for payments made to the society that do not exceed fair market value of the child's education."

### Death Row (from p. 11)

takes less than a minute. According to an expert in electrocution (both planned and accidental forms), Dr. Ronald Wright, chief deputy medical examiner in Dade County, Florida, the prisoner feels no pain because, at least in theory, the electrical impulses travel to the brain's pain receptors and short-circuit them before the sensation of electricity has had time to reach those same receptors via the nerves. The brutality of electrocution, he notes, is inflicted on the witnesses and on the prisoner's unfeeling body. Muscles stiffen, eyes pop out, skin smokes, and the brain literally cooks from the build-up of heat caused by the high voltage.

Martin Gardner, a University of Nebraska law professor, analyzed the gruesome details of electrocution and other forms of state-ordered death using the yardstick of the Eighth Amendment's ban on cruel and unusual punishment. Writing in the *Ohio State Law Journal* (Vol. 39, No. 1, 1978), he concluded that hanging, shooting, and electrocution are clearly unconstitutional and the gas chamber possibly so. Lethal injection, he wrote, was clearly the least cruel of the available alternatives. He concluded that a society which insists on having the death penalty should consider allowing the condemned prisoner to kill himself, much as Socrates did, and thus retain a shred of self-respect and control

over his own destiny. But Gardner, a death penalty opponent, hopes that "honest and open scrutiny of the ways we inflict death may serve eventually to raise the collective moral conscience to the point that the public will oppose any infliction of death as a punishment."

One possible argument in favor of lethal injection is that allowing the prisoner to die by injection would enable him to donate his organs to save others' lives. Thousands of Americans, for example, die each year waiting for kidney transplant donors. But, here again, injection would encounter moral and technical problems. To preserve the kidneys undamaged by the anesthesia, they would have to be removed before the prisoner is injected and executed. The law requires that donors be pronounced dead before organs are removed. The prisoner's intent would thus be stymied because of his peculiar legal status as condemned and about to die, but not yet dead. Furthermore, as Hugo Adam Bedau, a Tufts University philosopher and death penalty opponent, points out, if such deaths are presented to juries and judges as "meaningful," even greater incentives to hand out death sentences would be created (*Hastings Center Report*, February 1979, pp. 16-17).

Lethal injection, then, is not an easy answer. The hard questions of capital punishment must still be confronted.

### Treaties (from p. 8)

that religious liberty is, in fact, the cornerstone of all human rights."

He turned aside criticisms of the treaties as secondary in importance to the "major role" which the U.S. must play "in setting a legal and moral tone in human rights" in world affairs.

"A look at the list of our Western allies which have ratified and at the states of the Communist bloc which have also ratified the treaties leads logically to the embarrassing question of why we are not included among the Party States," Wood said. Furthermore, a "look at some of the other states which have not ratified makes it difficult to explain why the United States allows itself to remain in the class of non-ratifiers."

Members of the Baptist Joint Committee, composed of officially elected representatives from eight U.S. Baptist bodies and the Baptist Federation of Canada, voted unanimously in October to push for ratification.

Other religious groups testifying on behalf of the treaties on the final of four days of intensive hearings included the National Council of Churches, the U.S. Catholic Conference, the National Jewish Community Relations Advisory Council, and the Lutheran Council in the U.S.A.

### Reflections (from p. 15)

rights. A look at the list of our Western allies and states of the Communist bloc which have ratified leads logically to the embarrassing question of why we are not included among the Party States. A look at some of the other states which have not ratified makes it difficult to explain why the United States allows itself to remain in the class of non-ratifiers.

Ratification is right and in the best interests of the United States. Ratification is essential to our credibility as a nation. The issue of ratification is morally inescapable for the United States. It is our hope, therefore, that the U.S. Senate in the not too distant future will see ratification of the conventions and covenants pertaining to human rights as both practically necessary and morally imperative.

## CORRESPONDENCE

*Baptist Joint Committee staff believes in two-way communication. Reader response to the actions taken by this office and reported in this publication, and to the feature material on these pages creates worthwhile dialogue and helps sharpen our understanding of the issues. Letters should be kept to about 200 words, signed, with address. Editors reserve the right to edit for length.*

**To the Editor:** I have never, absolutely never, seen anything better in print than your "A Theology of Politics." It could never have been stated better . . . a basic resource article for all times. Please accept my sincere ap-

preciation for your insight and your ability to say it."

Charles H. Ashcraft  
Little Rock, AR

**To the Editor:** May I have 15 copies of the Nov.-Dec. issue? Real good.

Mrs. John Murchie  
Summit, MS.

**To the Editor:** Your "A Theology of Politics" in the Report from the Capital is tremendous! I have a kindred spirit, a personal delightfulness, in reading this magnificent revelation.

Andrew W. Tampling  
Montgomery, AL



## REFLECTIONS

FROM THE  
EXECUTIVE DIRECTOR,  
JAMES E. WOOD, JR.

*James E. Wood, Jr.*



### Lending Credibility to Concern

**T**hirty-five years ago, with strong support for the formation of the United Nations, the Baptist Joint Committee on Public Affairs named four prominent Baptist representatives to the United Nations Organizations in San Francisco. Their assignment, supported by 100,000 petitions from Baptists throughout the United States, was to foster a universal declaration on religious liberty and human rights. In the ensuing years Baptists have given strong endorsement to the UN Declaration of Human rights, the observance of which is officially promoted annually in December through the Baptist World Alliance by Baptist conventions and churches throughout the world.

While deeply committed to the advance of human rights at home—individual and corporate, economic and social, civil and political—the Baptist Joint Committee has worked for the advance of human rights throughout the world through the implementation of human rights in U.S. foreign policy, in the United Nations, and in international affairs. For several decades Baptists in America have urged the churches to initiate studies of the United Nations declarations of human rights, and called on the U.S. Senate “to place itself on record as being opposed to forced labor, arbitrary arrest, and genocide” and “to ratify the UN Conventions (treaties) on the Political Rights of Women, Slavery, Forced Labor, and on Genocide.” Thoroughly consistent with the commitment of Baptists to human rights, the Baptist Joint Committee in plenary session voted on October 1, 1979, without dissent, its support for ratification of the pending UN conventions and covenants, along with the American convention, pertaining to human rights. In doing so, the Committee was confident that it reflected the sentiments of the overwhelming majority of Baptists throughout the nation.

In testimony submitted November 19, 1979 to the Senate Committee on Foreign Relations, the Baptist Joint Committee specifically supported Senate ratification of the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, and the American Convention on Human Rights. We affirmed with the President that “the great majority of the substantive provisions of these four treaties are entirely consistent with the let-

ter and spirit of the United States Constitution and laws.”

In our testimony, we noted that the reservations and statements which were suggested by the Department of State in its letters of transmittal to the President appear to us to be reasonable and in keeping with the Constitution and laws of the United States. They do not constitute wording which would cripple or alter the meanings of the conventions and covenants.

The theological and philosophical bases of human rights are deeply imbedded in both our religious and political traditions. These foundations were recognized in the formation of this nation and even in the language of the Declaration of Independence. Thus our testimony urged that these conventions and covenants be sent to the full Senate without crippling amendments or the alteration of meaning and with a strong recommendation that they be adopted. We urged such action because we believe that it is congruent with our nationhood as well as ethically and morally the only course our nation can take if we are to lend credibility to our many declarations of concern for human rights throughout the world.

We are particularly supportive of those articles in the conventions and covenants in which Party States pledge to guarantee religious freedom to all people within their borders. Article 18 of the International Covenant on Civil and Political Rights closely corresponds to what the Baptist Joint Committee has long held to be the proper relationship between religion and the state. This agency has long maintained that religious liberty is the cornerstone of all human rights, and, to quote from one of the earliest statements of the Joint Committee, “wherever this liberty is questioned, restricted, or denied any group—political, religious, or philosophical—all other human rights are imperiled.” However, we also support with equal vigor the whole range of substantive and procedural rights embodied in these conventions and covenants. As Baptists we support these substantive and procedural rights for all people because our heritage and historical affirmations of faith compel us to do so and because our consciences would admit to no other alternative.

The United States has a major role to play in world affairs in setting a legal and moral tone in human

(Continued p. 14)



## REVIEWS



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...when as a medical student tormented not by the suffering I saw around me in hospitals, but by the subjection and humiliation of human beings in daily life I had seen around me all my life—a subjection and humiliation of live people in which, by my silence and political inactivity I myself took part, with as little say or volition on the victims' side as there was in the black cadavers, always in good supply, on which I was learning the intricate wonder of the human body . . . When I was a student, I found at last the solution to the terrifying contradictions I had been aware of since I was a schoolboy expected to have nothing more troubling in my head than my position in the rugby team. I am talking

### **Burger's Daughter** By Nadine Gordimer Viking Press

of the contradiction that my people—the Afrikaner people—and the white people in general in our country, worship the God of Justice and practise discrimination on grounds of the colour of skin; profess the compassion of the Son of Man, and deny the humanity of the black people they live among. This contradiction that split the very foundations of my life, that was making it impossible for me to see myself as a man among men, with all that implies of consciousness and responsibility—in Marxism I found it was analysed in another way: as forces in conflict through economic laws. I saw that white Marxists worked side by side with blacks in an equality that meant taking on the meanest of tasks—tasks that incurred loss of income and social prestige and the risk of arrest and imprisonment—as well as sharing policy-making and leadership. I saw white prepared to work under blacks. Here was a possible solution to injustice to be sought outside the awful fallibility

in any self-professed morality I knew. For as a great African leader who was not a Communist has since said: "The white man's moral standards in this country can only be judged by the extent to which he has condemned the majority of its population to serfdom and inferiority."

"My covenant is with the victims of apartheid. The situation in which I find myself changes nothing . . . there will be those who cannot live with themselves at the expense of fullness of life for others. They know "world history would be very easy to make if the struggle were taken up only on condition of infallibly favourable chances."

"...this court has found me guilty on all counts. If I have ever been certain of anything in my life, it is that I acted according to my conscience on all counts. I would be guilty only if I were innocent of working to destroy racism in my country."

### **South African Dialogue.** Contrasts in South African Thinking on Basic Race Issues. Edited by N. J. Rhoodie (The Westminster Press; 611 pp, \$12.50)

The "fabric" of apartheid is clearly stated by C. P. Mulder, one of the 35 competent opponents and proponents of South Africa's racial policies who contributed to this Mosaic edited by Rhoodie. He views it "in accordance with both the wording and the spirit of the United Nations Charter, when it speaks of the self-determination 'of peoples,' in that it respects the identity and dignity of the diverse peoples of the Republic and seeks to lead them each and all to a state in which they may competently manage their own affairs." The problem, he says, is that peoples in

### **REPORT from the CAPITAL** Still \$3.00 a year

other countries do not take time to find out what apartheid is and what it hopes to achieve. W. F. Nkomo, a respected voice among black leadership, possessed that understanding; he nevertheless was hopeful of a future harmonious South Africa in which blacks and whites coexist. "Separate development dictates to us what we should have. We envisage a situation where we ourselves can make demands," he wrote, critical of the paternalism implicit in the above definition with its ultimate denial of both human rights and human dignity.