

EUTHANASIA:
Mercy or
Murder?

Euthanasia: Mercy or Murder?

By Eric Cameron

Doctors seldom admit it publicly, but occasionally they intentionally kill people. Some physicians do it directly with a lethal dose of a pain-relieving drug or by switching off a respirator. Or they may inject air into the circulatory system to cause an embolism. Other doctors kill patients indirectly by stopping all life-supportive treatment so that the dying period is not prolonged. This act is called euthanasia, from the Greek—*eu* meaning "well" or "good" and *thanatos* meaning "death."

An act of mercy . . . or murder?

The lingering and often painful death of the old and incurably ill has always been a moral and legal dilemma for the medical profession. Today, euthanasia has become a dilemma for lawmakers and politicians also, because more and more people are expressing their views on the subject of dying.

Do we have the right to take anyone's life, no matter how hopelessly ill he might be? Everyone dies sooner or later. Many patients suffering a lingering death from cancer wish that it could be sooner. Then there are the old and senile who degenerate into human cabbages kept alive by intravenous fluids. There are accident victims with brains so severely damaged that they lie in a coma for months and even years, kept "alive" by a tangle of tubes, mechanical respirators, and other marvels of modern science.

In such cases the debate centers on whether doctors, by continuing treatment, are preserving life or merely prolonging the dying period. Even if a physician does not administer medication to shorten a patient's life, does he commit murder if he withholds some medical procedure that could prolong the person's life for several days or weeks?

Those who oppose even passive euthanasia insist that doctors must do everything possible to sustain life, regardless of the prognosis. They cite instances where patients pronounced incurable have miraculously recovered.

They maintain that where there's life there's hope. Some very ethical doctors share that view. There are many more, however, who prefer not to see patients suffering when their case is hopeless.

"Last week it was an 81-year-old man with incurable cancer," a Toronto, Ontario, specialist disclosed after as-

Increasingly society is being confronted with the question of what to do about the lingering and often painful death of the incurably ill.

surances that his name would not be used. "The family knew the case was hopeless. He had to have larger and larger doses of pain-killing drugs to help ease his suffering, because after a time the usual amount has no effect. His son and daughter-in-law kept saying what a pity it was that he had to suffer so much. I knew what they meant. That night the patient received a lethal dose."

In his best-selling book *The Making of a Surgeon*, Dr. William A. Nolen described a case in which a 25-year-old man involved in a motorcycle accident suffered massive brain damage in addition to serious internal injuries. For three weeks he was kept "alive" with tube feeding and respirator. Dr. Nolen writes that he wanted to shut off the respirator and let the patient die. "But I didn't. Few doctors do. Instead I waited for, almost prayed for, a complication. It makes the decision easier." The complication

came. The patient got pneumonia. Dr. Nolen decided not to administer antibiotics, and three days later the patient died.

This is an example of *passive* euthanasia. Had Dr. Nolen shut off the respirator his action would have been defined as *active* euthanasia. When a doctor accelerates the dying process by affirmative action he exposes himself to damage suits and possible criminal liability.

Passive euthanasia is performed every day in every part of this continent. Doctors simply let nature take its course. Few of the cases receive publicity, because usually the decision is not made by the doctor alone. It's the result of consultation between the physician, the family, the minister, and even the patient. The ethical "act of mercy" frequently consists of injecting morphine to ease the patient's pain. As his tolerance to the drug increases, the doctor gives larger and larger doses until, eventually, the patient receives a lethal amount.

A common situation involves infants who are born badly deformed. Hundreds die every year after their parents and doctors make a conscious decision not to treat them. While these instances seldom receive publicity, one case in Maryland last year was widely reported in the press, when the State Health Department went to Baltimore County Circuit Court in an attempt to obtain guardianship of a severely deformed infant girl whose parents had refused to allow surgery that might have saved her life. Their decision was made after some doctors had advised them that their child's chances of leading a "meaningful" life after corrective surgery were slight. But doctors at Rosewood State Hospital thought differently and recommended the surgery. The court hearing was postponed when the infant was judged too weak to undergo surgery, and she died before the issue was resolved.

One reason for the mounting public interest in euthanasia is the rapidly in-

creasing number of 65-and-over people in the population. Sociologists are predicting that today's "youth culture" will have disappeared by the year 2000, when the Western world will be dominated by the middle-aged, and pensioners will outnumber teen-agers. The trend toward an aging population is already under way in the industrialized countries of the West, the Communist world, and Japan. One cause is decreasing birth rates. Another is that science has been increasing life expectancy with new drugs that prevent the elderly from succumbing to once-fatal and common diseases such as pneumonia. The result is that we now have a medical crisis because hospitals are unable to cope with all the chronically ill old people suffering from cancer, heart trouble, strokes, et cetera.

Concern about prolonging the dying period is most evident among the elderly, who feel they are entitled to a dignified death with a minimum of anguish. The prospect of being kept barely alive as a "vegetable" by extraordinary measures is more frightening than the inevitability of death itself.

The problem is basically moral, not scientific. Most religions adopt the view that because human life is divine, only God has the right to decide when a life shall end. However, while Protestant, Catholic, and Jewish religious leaders emphatically prohibit any kind of active euthanasia, they have a more tolerant attitude toward passive euthanasia.

Many sanction the removal of extraordinary techniques or apparatus designed to artificially sustain life in the last stage. In 1957 Pope Pius XII said that with the consent of the dying person "it is permissible to use with moderation narcotics that will allay suffering but also cause a quicker death. In this case, death is not the direct intention." The pope also said that he did not consider the use of respirators as obligatory, "since this form of treatment goes beyond ordinary methods."

What are considered "extraordinary" means for prolonging life in hopeless cases? The respirator, mechanical kidney, radiation therapy, organ transplants, and experimental drugs.

Medical groups have been wrestling with euthanasia for a long time, because professional, as well as public, opposition has been growing to the practice of extending the lives of patients by mechanical means when death is inevitable. In December, 1973, the American Medical Association (traditionally regarded as a stand-pat, conservative group) passed a resolution clearing the way for terminally ill patients to ask formally



ILLUSTRATED BY MARY MOSSER

that they not be kept alive by artificial means. At its annual meeting in 1974 the Canadian Medical Association resolved that it is "ethically acceptable" for a doctor to decide beforehand in the case of a terminally ill patient that no attempts at resuscitation are necessary when death is imminent. Delegates accepted 75 to 66 the recommendation that such a decision be written on a patient's order sheet, replacing the existing word-of-mouth understanding on the wards. During the discussion, however, the concept of allowing a dying patient the privilege of signing a request form for "death with dignity" was rejected unanimously. Many of the doctors felt that signing such a form would be unethical in relation to the physician's Hippocratic oath.

Even when doctors have been found "guilty" of hastening the dying process, few legal prosecutions have resulted.

No doctor has been convicted for performing euthanasia.

In 1950 Dr. Herman Sander was arrested and tried for killing an elderly woman in Manchester, New Hampshire, who was ravaged by terminal cancer. The doctor injected air into the woman's veins after the family had asked him to do something to end her agony. A nurse reported the incident. Although Dr. Sander was acquitted by the court after pleading temporary insanity, the State Board of Medicine suspended him for two months.

In Colorado, Dr. Harold Blazer was exonerated in the death of his polio-afflicted daughter, whose death was attributed to chloroform and poison.

Dr. George B. Mair, a 60-year-old retired surgeon near Glasgow, Scotland, last year revived Britain's long controversy over euthanasia with his autobiography *Confessions of a Surgeon*. In his book Dr. Mair referred to mercy killings administered by himself and other doctors to terminal patients at their request. Dr. Mair employed an intravenous dose of evipan (a truth serum), causing the patient to fall asleep within a minute or so. Painless death resulted within an hour.

The British Medical Association, however, does not condone euthanasia. A 1971 BMA study stated that the aim of medical treatment is to alleviate pain in terminally ill patients, not to inflict death, although the study did recognize that pain-killing drugs might have to be given in such massive doses that death results.

Last year in Mineola, New York, a jury found insufficient evidence existed to find Dr. Vincent A. Montemarano guilty of killing a terminally ill cancer patient by injecting a fatal dose of potassium chloride into the man's veins. The victim, who was in a coma, was believed to have no more than two days to live. Apparently this was the first legal action taken against a physician for "mercy killing" since the Sander case.

The law usually has not dealt severely with mercy killers who are not doctors, although in 1940 a Pennsylvania nurse was sentenced to life in prison for the mercy killing of her sister. In 1939 a New York man was acquitted, even after he admitted having killed his imbecile son. More recently a New Jersey Superior Court in 1973 acquitted Lester Zygmanski on the ground of temporary insanity when he was tried for the shooting death of his older brother, George, as he lay in a hospital bed paralyzed from the waist down after a motorcycle accident. George allegedly had begged Lester to kill him.

In 1974 Mrs. Elizabeth Wise, a cousin to England's Queen Elizabeth, was convicted of manslaughter and placed on 12 months' probation for the mercy killing of her 9-month-old daughter, who suffered from severe brain damage after a disease. She was brought to trial because British law does not recognize euthanasia, and taking a human life is either murder or manslaughter.

Suppose you are desperately ill, pronounced incurable, and have ethical doctors who refuse to practice euthanasia, even though you and your family beg them to "do something" on humanitarian grounds. The doctors might cite part of the Hippocratic oath: "Never will I give a deadly drug, not even if I am asked for one, nor will I give any advice tending in that direction." They might take the attitude that while there is life there is always hope. They might also refuse your request for euthanasia because they fear the legal consequences.

Must you continue to suffer to the bitter end, submitting to whatever special treatment the doctors order?

In 1971 a troubled Florida physician went to court to ask for a ruling after an elderly woman patient, suffering from a fatal disease, pleaded with him to stop the blood transfusions that were causing her intolerable pain. Although the judge was unable to decide whether the patient should live or die, he ruled that she did not have to accept treatment that was painful. The woman died within a day after the transfusions were stopped.

While a doctor may feel obligated to do everything possible to preserve life, probably only a few physicians feel so strongly about it that they would not exercise passive euthanasia in genuinely hopeless cases. Their doubts and misgivings might be allayed by the words of the Archbishop of Canterbury:

"Thou shalt not kill but needst not strive

Officially to keep alive."

The British Euthanasia Society believes that it is not right to take unusual measures to resuscitate patients when they are very old or are suffering badly.

In 1967 an order on the bulletin board of a hospital in London, England, created a public and official furor. Said the memo: "The following patients are not to be resuscitated: Very elderly, over 65 years old; malignant disease; chronic chest disease; chronic renal disease." A list of names was below the directive.

According to the British Health Ministry, the order was never put to the test and was taken down the day it appeared on the bulletin board. The hospital's chief physician stated that the notice

had been addressed to doctors and nurses. The British Medical Association's official attitude was that it could not approve of the existence of any such rule.

The day is almost here when the burden of decision will not rest entirely upon the medical profession. If proponents of euthanasia are successful in their campaign for the legal right to "death with dignity," responsibility will be passed to the courts.

Bills to legalize euthanasia were unsuccessfully introduced in the British Parliament in 1936 and 1968, in Nebraska in 1937, and in New York in 1947. In 1965 the Swedish National Board of Health legalized a limited form of euthanasia.

The Euthanasia Society of America

for making decisions in cases where active euthanasia seems warranted. For some time experts have maintained that the brain instead of the heart should be legally designated as the principal indicator of clinical death. An electro-encephalogram (EEG) would clearly indicate when the brain has ceased functioning, even though other vital organs are kept "alive" by extraordinary means and special equipment.

A new definition of death is sought because doctors want legislative protection from lawsuits for taking an organ for transplant out of a person whose brain stopped functioning but whose heart had not stopped before life-support equipment was switched off.

So many devices are capable of maintaining heart function that a real need



has been active since 1936 in petitioning legislatures for legalization of euthanasia. The society also makes efforts to educate professional groups and the public by distributing literature.

In 1972 Oregon's Governor Tom McCall was the subject of controversy when he raised the issue of legalization of active euthanasia. He also sponsored a conference of doctors, lawyers, theologians, sociologists, and government leaders to attempt to determine whether legislation could provide the answers that so many elderly people are seeking today.

In Florida, Dr. Walter Sackett, of Miami, has been leading a drive for a euthanasia bill, and there is a similar campaign in Montana and Hawaii.

The medical fraternity maintains that it has never had a clearly defined guide

now exists for a more precise measure for determining legal death. Once the brain stops functioning and has no possibility of recovering, the medical definition is *irreversible coma*. Even though the patient's heart function is maintained by some apparatus, medical experts consider him dead. Cessation of brain waves would seem to be the most logical definition of death. Continued efforts to revive the patient merely sustain a human vegetable with a semblance of body function—and impose a terrible burden on the patient's family.

Suppose you're in a coma and it's impossible to express your wishes to family and physicians. How can you make sure they don't use heroic measures to keep you lingeringly alive when there really is no hope of recovery? Or, on

the other hand, should your convictions dictate otherwise, that they not assist you to whatever "beyond" you anticipate?

One way is to write a short testament addressed to your family, doctor, clergyman, and lawyer. In this document you state your wishes. The Euthanasia Educational Fund sponsors a "living will" for people who do not wish to be kept alive by artificial means or heroic measures if there is no reasonable expectation of recovering. Your request that you be permitted to die rather than forced to live against your will is not legally binding. But according to the fast-growing group of euthanasiasts who endorse it, the document is given very serious consideration.

You can obtain a free copy of "A Living Will" by writing to the Euthanasia Educational Council, 250 West 57th Street, New York, New York 10019. Recently more than 50,000 people a year have been requesting copies.

How does the public feel about euthanasia?

Public approval of the idea has increased sharply since a 1950 Gallup Poll, when 36 per cent of Americans said they approved of euthanasia. In a 1973 survey, 53 per cent expressed the view that physicians should be allowed by law to end the life of the incurably ill if the patient and family request it. A national poll conducted by *Life* magazine in April, 1972, indicated that 90 per cent of the 41,000 readers who returned the questionnaire felt that a patient with a terminal illness should have the right to refuse treatment that would artificially prolong life. The Canadian Institute of Public Opinion published results of a Gallup Poll in October, 1972, which indicated that Canadian opinion over the years is swinging toward a permissive attitude about mercy killing. Some 20 years ago, 62 per cent of Canadians were against euthanasia; today 52 per cent approve of a doctor taking the life of a hopelessly ill patient, at the patient's request.

Whatever your viewpoint, you'll likely have an opportunity to express it. Both medical advances and public opinion are forcing legislators to wrestle with the question of euthanasia. And ultimately many of us must face it. It seems the part of wisdom to do so now, while we can still register our vote. □

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LIBERTY asked three experts to add their personal viewpoints on euthanasia.

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Allowing to Die is not Killing

By Roy Branson

Euthanasia is a very confused term. Literally, it means "good" or "happy" death. If one accepts that definition, one has implicitly accepted an ethical judgment about euthanasia—it is by definition good. Another use of euthanasia is more specific and neutral: the active killing of

MODES OF DYING

| | <i>Voluntary</i> | <i>Involuntary</i> |
|----------------|--|------------------------|
| Active | SUICIDE (Voluntary Euthanasia) | KILLING |
| Passive | DYING | ALLOWING TO DIE |

a terminally ill patient. It might be best to understand our topic to be the evaluation of modes of dying. Within that discussion we will later place euthanasia narrowly defined. We will thereby avoid implying at the outset that the active killing of a terminally ill patient is a "good death."

Two sets of distinctions help clarify an ethical analysis of dying: active and passive dying (what means the *physician*, though sometimes the patient, uses to respond to death); and voluntary and involuntary dying (whether or not the *patient* has chosen how he will die). Analytically, at least, these are independent factors and it may be useful to illustrate how differently we label the modes of dying distinguished in this way.

If a doctor injects air into a patient's veins he is *actively* contributing to that patient's death. However, if he decides not to prescribe or continue utilizing a respirator for a hopelessly ill patient the physician is *passively* responding to the patient's impending death. Legally, and for many moralists, the first act is killing and the second is allowing to die. If a patient asks to be taken off a dialysis machine, that person is regarded as having voluntarily chosen to die. If the patient then goes on to ask for a fatal dose of morphine, he is regarded as having opted for suicide. Both decisions are *voluntary*, though requesting the end of dialysis treatments is choosing a passive response to dying, and asking for a fatal drug dosage is choosing an active means of dying. If a doctor makes the choice for the patient, whether or not the patient is conscious, the mode of death is, of course, considered *involuntary*.

The major purpose of the *active-passive* distinction is to allow some means between destruction of the dying, "putting them out of their misery," and the use of every medical-technological means available to prolong life. Destroying the dying strikes most people (including many moralists) as killing; prescribing every chemical and machine for a terminally ill patient appears to be not prolonging life, but prolonging dying. The passive response to dying recognizes that cure is not always possible, but that care of the dying is. The distinction makes it clear that allowing to die is not the same as killing.

The distinction between *voluntary* and *involuntary* dying emphasizes the importance of the patient's freedom of choice. Unconscious and comatose patients obviously cannot choose how they will die. But if there is a recognition of the importance of the patient's choosing his own manner of dying,

greater care will be taken to solicit the wishes of the terminally ill, but still conscious patient, as to how he desires to be treated. Does he want every means physically possible used, or does he wish ordinary measures only, or does he possibly want nothing done apart from what will provide him minimal comfort?

The voluntary-involuntary distinction emphasizes that when a patient's death is impending the patient himself is the first person who should decide how his death should be approached. It also underlines the importance of the conscious individual's deciding in advance who can speak for him if he becomes unconscious. If the patient becomes unconscious, whoever he designates should be the person deciding the manner of the patient's death. Often that person will be a relative, and if the patient has not designated any individual, the family should be regarded as speaking for the patient. The doctor decides, irrespective of the patient's wishes or those of his advocate or family, only when he cannot learn their decision.

The difference between voluntary and involuntary modes of dying and the emphasis on an individual's freedom is also the impetus behind the idea of a living will. The person will decide, while he is in full possession of his faculties, how he wishes to avoid pain and preserve personal dignity. One practical problem is the difficulty of the will being specific enough to be of any real guidance to a physician in actual hospital conditions. Even more of a problem is whether the will should be able not only to prevent physicians from taking extraordinary measures and to request the physician passively to allow

the patient to die but also to dictate that the physician must actively kill the patient.

One of the points of this exercise has been to emphasize that even if one cannot approve of euthanasia in the strict sense—a doctor actively killing a terminally ill person or assisting in a suicide—one can endorse individuals insisting to their doctors, personally, or through an advocate or living will, that they be allowed to die. Similarly, those doctors should be applauded who follow their patients' stated wishes as far as their own consciences allow, and who, though they cannot endorse actively killing a patient, recognize that allowing their patients to die may not only be permissible but morally required. □

What Does it Mean to be Human?

By Jack W. Provonsha

The euthanasia issue has been modified of late by the development of effective resuscitation and life-support techniques. These raise a whole new set of questions and ask old ones in new ways. In addition to the former, "Is it permissible to hasten the death of a patient so as to release him from intolerable suffering?" we are now faced with such questions as, "How long shall we postpone his death?" Some-

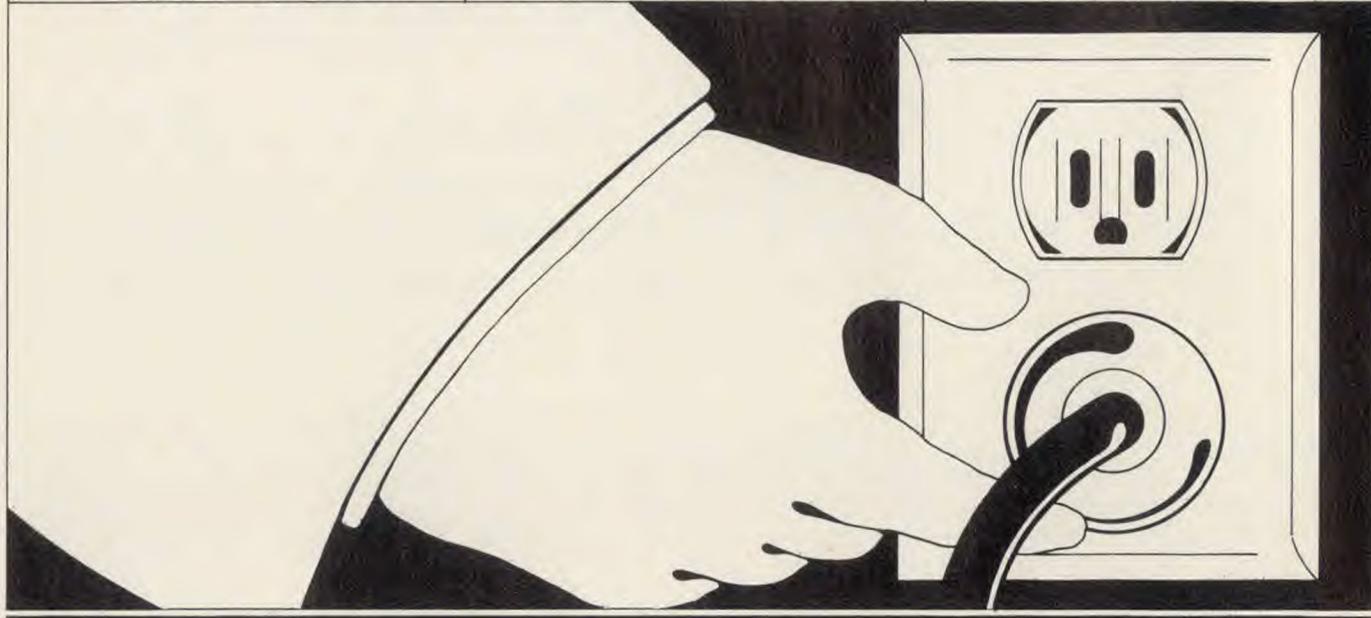
times the end can be delayed almost indefinitely. Under what circumstances is it permissible to "pull the plug" on a human life? Who shall decide, and when?

Such questions thrust upon us another at a deeper level that must be answered before these practical issues can be faced. It has to do with the definition of human life. What does it mean to be human?

Human life can be defined in terms of those functional qualities that distinguish man from the merely animal—the capacity for rationality and the ability to make responsible decisions. Such a definition enables us to face such practical questions as "When?" That is, so long as these qualities remain, no lesser value such as cost or other material consideration can be permitted to come into serious competition with them. They can, of course, be diminished in a variety of ways, including disease and certain drugs. Even pain can be dehumanizing if extreme or prolonged. But the point is, so long as these qualities remain every effort must be put into their preservation.

When these human qualities are irretrievably lost, however, what life remains can only be considered as less than human and bearing a different, lesser kind of value. Life on this level assumes primarily a symbolic value. The individual may still "mean" human even when functionally he is not.

Since man's attitudes and values are deeply conditioned by his symbolic activity, if one is concerned with keeping human life human he must also be careful to preserve what is representatively such. No man, even if he is unable to function in human ways, may be treated as an object—a vegetable—without damage to our human-valuing sensitivities. Nuremberg should have taught



us at least that. Auschwitz and Dachau began in those experiments on institutionalized defectives.

The protection of human symbols may not, however, require the full expenditure of our resources. This is particularly true if heroic efforts may bring them into serious competition with fully human individuals who might benefit better from them. Thus there may come a time when it is not only right but necessary to cease postponing the inevitable for a subhuman, even if symbolically human, existence. It is also a mark of our human respect, however, that we grant fully human, not merely symbolic, persons the freedom to refuse heroic treatment.

In summary, so long as a man is actually or potentially a man no cost is too great to pay to preserve his human existence, no heroics too heroic. But as soon as a man is not a man our obligation shifts to doing only what is required to preserve our individual and collective capacity to *value* humanhood. For it is a fact that a society that fails to show reasonable respect for what is symbolically human places its individual and collective humanity in jeopardy.

Such respect may permit society either to resist the dying process if it seems appropriate or compassionately to allow nature to take its course (although not to give nature a boost, since the ethical meaning of that act is different). But it can never extend to depriving others who are fully human of their legitimate needs.

No man may assume that he may casually take the life of another, but neither may he be required needlessly to prolong dying when existence has lost its meaning. It is both the value of human existence and our need to value it that condition such decision in a Christian context. □

A Time to Die

By Russel J. Thomsen

As a practicing physician, I believe the first thing wrong with a discussion of euthanasia is the passion evoked by the word itself. For many persons *euthanasia* is but another way to spell *murder*. A commonly substituted phrase, mercy killing, is little better for calming rancor. In treating the issues of euthanasia, I cannot ignore these words. But

I do beg relief from allowing a dictionary or someone's passion to be the focal point from which I view mankind's mortality.

Scenes kaleidoscope across my mind as I look back over years devoted to bringing new life into the world, increasing the quality of other lives, and struggling to stave off my patients' inevitable appointment with death. Such moments of reflection are for me a mixture of pleasantness and sadness. The pleasures are obvious.

Sorrowful scenes, though, must be the subject of the moment.

Medicine has so spectacularly changed the flow of history that but one or two generations separate today's miracles from yesterday's fatalities. Those not fully aware of medicine's foibles praise the intrepid advances of science against disease and death while not considering a pathetic side effect of those advances.

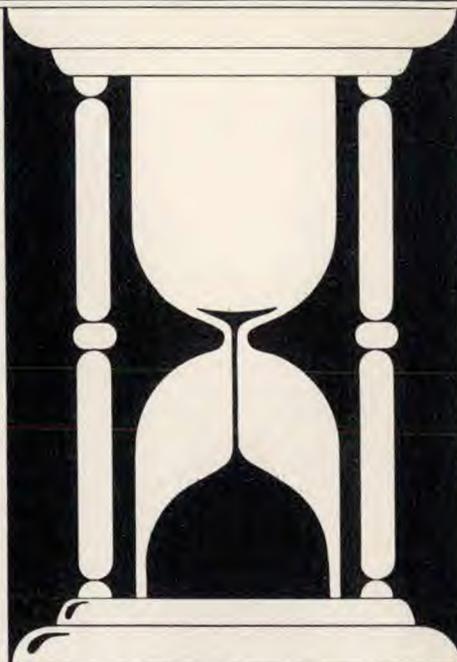
It is an incontestable fact that the same medical advances that have cured the ravages of disease have at times heaped misery on unfortunate beneficiaries of our ability to prolong life.

I was a neophyte medical student when I went on a tour of one of those special California State Hospitals. One building I will never forget. Its occupants haunt my memory. One child in that building lay on a short bed—unknown, unseeing, uncaring. Its head was the size of a basketball. Its body was shriveled in comparison. The attendants instilled calories through a tube. Antibiotics were periodically administered to prevent fatal pneumonia. The basketball-sized head was rotated on a sheep fleece to prevent bedsores. For years that child had been so attended so that no accusation of euthanasia could be made against any of its caretakers.

Another picture. Thirteen years old, but she had never seen the light of day, heard the voice of a friend, or uttered a sound. Severe birth injuries had destroyed all brain function but those vital to heart and lungs. Her arms, legs, and neck were frozen in an extended position; she had no control of bowel or bladder. Again, thirteen years she had been kept "alive" by tube feedings and powerful medications to ward off disease.

And what pictures have I seen at the far end of life's scale?

Medicine's miracle drugs have combined with a form of collective guilt to actively withhold from countless persons enfeebled by age the privilege of dying in peaceful dignity. Untold thousands of our elders lie encaged or strapped in beds. They lack both the physical strength and mental presence to refuse



medicine injected into their shrunken tissues or infused through plastic tubes.

Such acts have often appeared to me not to be a merciful extension of life, but an unnatural—even cruel—prolongation of the death process.

Death is our common enemy. But when the ravages of age, disease, or injury have exacted an unbearable toll, death can become a welcome interlude for the person afflicted.

Many physicians more astute than myself have pondered what right medicine has to withhold death from those to whom release from life would appear to be a blessing.

I am far from being the only physician who has looked at a patient and seen an unspoken pleading for the right to die. And I also share with others in the health-care field the experience of seeing a patient's eyes and face hatefully protest my efforts to sustain the life breath.

I have been with physicians and nurses who stepped away from such a bedside to say, "I pray that if I ever get in that condition, no one will force me to stay alive."

I neither condemn myself nor society for failing to hold the ultimate answers to the problems of dying. Frankly, I as a physician am frustrated by those problems.

Birth imposes on mankind not only the assurance of death but the right to die—peacefully, honorably, and even hopefully.

As a Christian physician, I can view my feeble and even confused efforts to deal with death through the promise that beyond the grave is a realm that will eternally exclude pain, disease, sorrow, and even death. □

ISRAEL'S GREAT AUTOPSY WAR

By Macabee Dean

“Guardians of the Faith” snatch bodies and harass pathologists to educate the public.

A little-reported war rages within Israel as a handful of ultraorthodox Jews battles pathologists over the question of autopsies.

Weapons of the *Natorei Karta*—the Guardians of the Ramparts of the Faith—include nighttime telephone calls, scurrilous letters, threats of violence, and an occasional body snatching from a hospital morgue.

Though they number only a few hundred and certainly less than one thousand, the Guardians try with fervor to convince other Israelis that autopsies are wrong.

The basis of the Guardians' religious belief is that the dead will be resurrected at the “end of the days.” “How,” they ask, “will a dead person—after his resurrection—be able to function without vital organs?” They describe heads with gaping holes instead of eyes, chests without hearts, and heads without brains.

Guardians teach that the burden of seeing that the dead rise with all organs intact has been placed on the living who must guarantee that respect be shown for the “sanctity of the human body,” the physical castle containing the soul.

The precept of “sanctity of the human body,” however, is outweighed by another precept, in Hebrew called *pikuah nefesh*, roughly translated as “reverence for human life.”

To save a human life, even the most orthodox Jew will violate the religious ban against driving a vehicle—horse-drawn wagon, an automobile, or an airplane—on the Sabbath. One orthodox physician in Tel Aviv, for instance, will dash in his automobile to the local hospital on Saturday to answer an emergency call. But when the emergency has passed, he walks, rather than drives, home because there is no longer any *pikuah nefesh*.

Like many religious precepts, *pikuah nefesh* has been widely interpreted. The ultraorthodox interpretation was made by a scholar at the dawn of modern

medicine. Simply stated, an autopsy can be performed if it leads to saving a human life *here and now*. *Here and now* means that a physician could perform an autopsy in one room if in an adjoining room lay a patient whose life could be saved by knowledge gleaned from the autopsy. This interpretation, of course, permits few autopsies.

Another orthodox interpretation widens the *here and now* principle to fit the electronic age, rather than limiting it to a horse-and-buggy time of communications and transport. An autopsy performed in New York City, it reasons, can save a patient ten thousand miles away by way of a telephone call. Since the call can be completed in less time than it takes to walk into an adjoining room, for all practical reasons isn't the patient within the next room?

Some orthodox physicians go even further and agree with the overwhelming majority of non-Jewish physicians, who hold that autopsies are one of their most valuable tools in discovering the cause of death and in increasing medical knowledge. Such orthodox physicians argue that increased medical knowledge when used to save lives meets the requirements of reverence for human life.

How successful has the ultraorthodox campaign been?

Dr. Ram Ishay, chairman of the Israel Medical Association, recently said that due to a vicious anti-autopsy campaign some years ago the number of autopsies had dropped to the bare minimum “red line,” under which the practice of medicine no longer would be compatible with the best interest of the profession.

The efforts of the few hundred antiautopsy zealots probably can be attributed to the deep sensitivity of both the Jewish and non-Jewish general public to the question of death. The public seems to be particularly receptive to arguments that the autopsies are performed not to save human lives but to advance science through general biological knowledge, that



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Jerusalem police disperse ultraorthodox demonstrators from Sharre Zedek Hospital, where autopsy protesters snatched a body.

Israeli physicians receive grants from foreign institutions, which themselves are forbidden to perform research experiments, and that pathologists have little respect for the dignity of the dead, while they push and slam bodies about irreverently and return them—cotton or wool stuffed—for burial.

A government report several years ago lent some dignity to such claims. The State Comptroller discovered that in one government hospital 78 per cent of the autopsies were illegally performed, because the orders were not signed by three physicians, as required by law.

Guardians also have produced as evidence stacks of nameless, dateless forms already signed en masse by two physicians, thus allowing a third physician to fill in pertinent details and to sign it, making it "legal." Physicians counter that this does not indicate disrespect for the dead, only disrespect for written regulations.

Guardians ask, if a person has legal control over his body when he is alive, why should he be deprived of that control when he dies? Should a person be forced to contribute to medical knowledge against his will?

In such an emotional climate, it is difficult for a pathologist to get consent from the relatives of the deceased when such requests recall the propaganda illustrations of saws ripping through skulls and of father's brain being coarsely removed while the pathologist jokes with his assistant. Thus most relatives—be they ultraorthodox, orthodox, liberal, or even nonreligious—say No to the request.

As Dr. Ishay commented, "It is hard to educate the general public in this matter. Few persons have to make more than one such decision—'Yes, go ahead with the post mortem examination'—in their lifetimes. The educational process needs many cases."

In addition, many persons abstain subconsciously from thinking about death in connection with their

friends and family. In the few hours between death and the time an autopsy can be performed, it is hard to persuade one who is psychologically prepared *not* to listen.

"Under these circumstances," Dr. Ishay said, "it takes a long time to persuade a person that an operation on the dead is just as life-saving as an operation on the living."

That the Guardians have succeeded in forcing a sharp decrease in autopsies is a blow to Israel's medical profession, but their campaign has had another important effect. Several pathologists actually have had to move their families or change their telephone numbers because of Guardian harassment. And when faced with the possibility of being awakened in the middle of the night to hear a stream of hysterical abuse, with receiving threatening notes containing razor blades and the notation that they'll soon be used on him, young physicians tend to choose other specialties than pathology. As a result, Israel is short of pathologists.

The medical profession, of course, has counter-attacked with a campaign denying any disrespect for the dead, claiming no research experiments have been carried out, saying the few autopsy errors were mere human mistakes, not deliberate abuse of the dead. Physicians also point out that the work of the pathologists is mainly concerned with such matters as biopsies on the living, not autopsies of the dead. Without biopsies, they argue, diagnosis of many diseases would be curtailed.

So the emotional propaganda and guerrilla war between Israel's ultraorthodox Guardians and its pathologists continues, largely unreported by the Israeli and foreign press, unless, of course, Guardian zealots snatch a body from a hospital or are arrested at an archeological dig. □

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One of our colleges is missing

By F. Thomas Trotter

Will the church-related institution of higher learning survive? The question is hardly academic, given such factors as an identity crisis, competition with public institutions, and spiraling costs.

Remember Gregory Peck, standing grim, damp and cold on a deserted airfield in England, counting the B-17's returning from a World War II mission? That heroic jaw and that searching stare at the darkening sky betokened the hopeful yet desperate commander so familiar to movie fans in the '50's. They were of a piece with the laconic announcement, "One of our aircraft is missing."

Like "General" Peck, denominational officers in the various church agencies concerned with higher education find themselves counting their institutions at dusk, wondering whether they will all come back, albeit limping with only a prayer holding them together. These officers too now and then make the laconic announcement, "One of our colleges is missing."

The Vanishing Private College

The past decade has seen a quiet revolution in higher education—a "revolution" worked by the pattern of events and circumstances that threatens the survival of private church-related colleges. The private institution is in serious trouble; the church-related private institution of higher learning may be in even more serious trouble. In fact, it is no longer news when a famous century-old American institution of higher learning closes its doors. Since January 1, 1970, seventy-one private colleges have disappeared. Fifty of them simply closed, fifteen merged with other institutions, and six converted to public ownership.

As recently as the turn of the century, private institutions were the center of the college and university system in America. The seventy-one great land-grant colleges, made possible by the Morrill Act of 1862, thrived but did not rapidly expand until after World War II. At the close of that postwar period, the majority of our college and university graduates came from private, mostly church-related, institutions. Today, the constituencies have been reversed: 25 per cent of the graduates are from the private sector while a whopping 75 per cent receive their

degrees from large public institutions.

At present there are 790 private church-related institutions of higher education in the United States. According to the National Center for Education Statistics, 501 are Protestant, 253 are Roman Catholic, 24 are Jewish, and 12 are "other." But the total number is decreasing at a startling rate. Only last summer, the United Methodist Church saw one of its universities asking for formal disaffiliation and another in a governance struggle, and a third institution, a college, offered by its own trustees as a gift to the state. The circumstances differed in these cases, but all of them reveal one major problem: a serious crisis of identity. The university requested disaffiliation presumably because church-relatedness has become an embarrassment to institutions that do considerable business with federal agencies. Inevitably, federal guidelines are forcing private institutions to divest themselves of even symbolic relationship to a denominational past or future. The second university is involved in a governance debate that will test whether the university is to be shaped by its historic religious commitments or by the interests of some of its governors. The third instance—the college given to the state—reflects the most desperate crisis of all: the ravages of inflation.

. . . and the Crisis Continues

But "identity" crisis is the general problem, and one that the private church-related institution shares with all colleges and universities. The demand for universal access to higher education has created an establishment that, in 1973-1974, served 9,215,000 students in 2,738 colleges and universities. Of these, the largest single group was the 1,008 junior colleges, three fourths of them public. Of the four-year institutions, 446 (including the various state universities) are public.

More than half of all the institutions are private (1,528), and half of these (782) are church related or controlled. In other words, the church-related institution continues to play an important part in private higher education as a

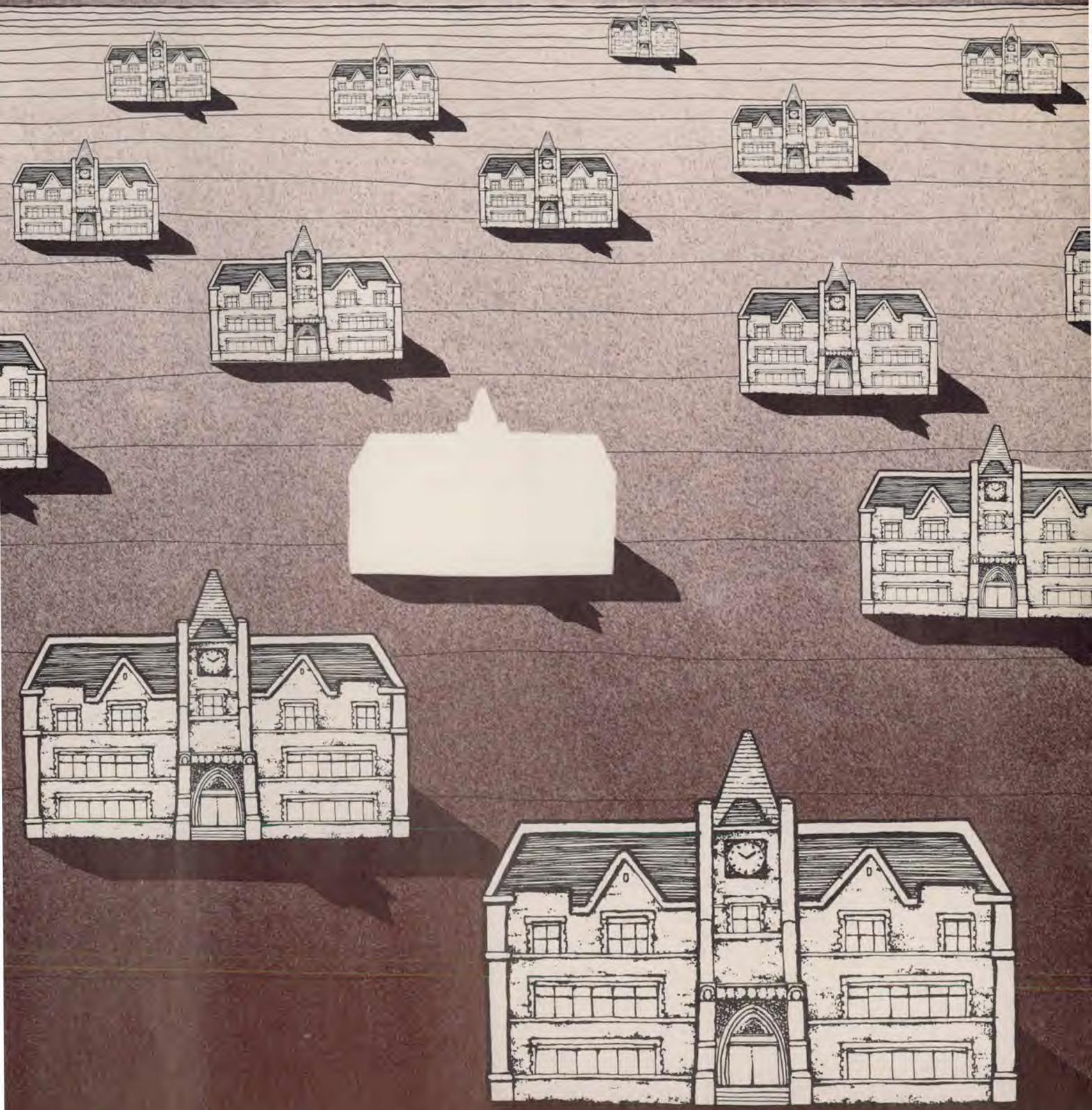
whole. But the malaise created in these institutions by competition with larger public institutions, by rising costs, by inability to attract students to a significantly alternative style, and by changing student expectations, has accentuated the crisis and made survival ever more perilous.

Our image of the college is mostly shaped by more tranquil times. Tweedy deans and rural environments fit our perceptions. But today higher education is the nation's biggest single industry. Other industries depend on its health, for it employs thousands of people and buys enormous amounts of goods. Moreover, it participates largely in public policy. Hence a major focus for the development of academic policy has shifted from the campus to the statehouse.

The spiraling costs of education are making it increasingly difficult for any institution, private or public, to carry on without drastic revision of goals and styles. Well-run private institutions operate on a formula that assumes income from tuition, from endowment, and from gifts and generated operating income. Tuition rates have soared and may now have reached a plateau beyond which they cannot reasonably be expected to go. Income from endowment investments has gone down sharply, and no relief is in sight. Even well-endowed institutions cannot easily cope with a market decline that reduces real income from investments by 50 per cent. Along with tuition and investment woes, the college faces the inexorable 12 per cent inflation, which seems to become more permanent with each passing quarter. Under such pressures, a relatively small institution with a budget of \$5 million will see its effective buying power drop at the rate of \$600,000 per year. And when that happens the questions of faculty salary raises and expansion of program become "academic questions."

Public institutions are not immune from these fiscal stringencies. They live on tax money, and their arena is the state legislature, where accountability may be sharp and "retribution" immediate. There are indications that tuition

ILLUSTRATED BY TOM WILSON



schedules in public institutions will be raised in a dramatic reversal of earlier visions of "free" higher education. But even if the "tuition gap" is closed somewhat, that should be no comfort for the private school. Public support of all higher education requires the private school to plan carefully and to refrain from taking temporary gains at the expense of other families of schools.

Church Ties or State Money?

In any case, its increased dependence on federal and state governments for aid bears heavily on the future of the private church-related college. This dependence produces secondary problems that, ironically, are more decisive than any formal decision the school might make. Participation in government programs inevitably means compliance with government regulations. And private church-related schools have indeed been participating in government programs—e.g. student loan insurance, campus housing loans under the Hill-Burton Act, direct tuition support (through most states), the work-study program designed to support students holding community service jobs, and various local and individual programs related to special needs and research. Especially with regard to housing and student aid, participation in these programs has been the *sine qua non* of survival. But invariably it has narrowed the range of administrative options available to the private school administrator. Guidelines from the Department of Health, Education, and Welfare have tended to move schools away from patterns of governance that reflect their historic church-relatedness. The hard choice before some private college administrators is literally to "disaffiliate" by removing charter clauses that require a fixed number of trustees to be of the supporting denomination.

A recent example of this problem illustrates both the tendency and the need for vigilance. Early in 1973 the Department of Labor's Office of Federal Contract Compliance issued *Guidelines on Discrimination Because of Religion or National Origin*. This document was designed to implement Executive Order 11246, which prohibits organizations under federal contract from discriminating in employment. Thus church-related colleges and universities found themselves facing a demand to adopt an affirmative action program in faculty hiring that would destroy their character as religious institutions. That demand was particularly harrowing for schools (e.g. Roman Catholic, Jewish) whose academic purpose and religious identity are tightly intertwined. Persistent effort on the part

of the Commission on Religion in Higher Education of the Association of American Colleges seems to have persuaded the OFCC that appropriate amendments to the *Guidelines* should be made.

This episode, illustrating how "compliance" not only follows but inadvertently shapes institutional decisions, clearly points to the danger attending the steps taken by church-related private institutions in the interest of survival; the danger, namely, of erosion. The Constitution enjoins the government from prohibiting the free exercise of religion, but presumably the government may insist that a church-related or -controlled institution not hire staff from its own religious community. In other words, federal and state decisions seem to lead inexorably toward secularization of private church-related institutions.

Secularized Education

Typical of the confusion surrounding this church-school-state affair is the fact that, in several states . . . groups have brought suits aimed at excluding private church-related schools from participation in state tuition-support programs. So far, the Nebraska Supreme Court has ruled (*Rogers v. Swanson*, 1974) against the schools, and a Kansas court has ruled in their favor; while in Maryland, Kentucky, and Tennessee suits are pending. Thus the issue is still in doubt. But the result may well be not the separation of church and state but the complete secularization of private church-related higher education. To cut students off from the tuition support due them as citizens of a state merely because they elect to attend a private church-related institution would force the colleges into irreversible decisions against their traditions and predetermine a totally state-operated college and university system in America.

For the schools, this is an agonizing dilemma. In order to survive, they have had to participate in state and federal programs; but the cost appears to be the acceleration of formal separation from their church origins. . . . The pressures for a system of higher education totally under state control suggest that this nation will presently be faced with a grave question of public policy. The question: Is it important for the republic that the private church-related schools survive? If not, then these 782 institutions should quickly be set to other endeavors. But if they are important to the future of the republic, then they and their church traditions must quickly reaffirm their role in the economy of that future.

There are thoughtful critics who say

that the state has now pre-empted the higher-education field and the churches ought therefore to turn to other tasks. Their logic is neat, to be sure, but unconvincing on several counts. It touches only one aspect of the problem, and that a highly pragmatic one. Its vision comports with the notion of "upward social mobility" so prominent in earlier periods of church activity in education. And it is based on the assumption that higher educational responsibilities have either been mostly discharged or can be discharged by state schools. It seems to me that church leaders who accept such logic make use of a deficient anthropology. A Calvinist or even a Wesleyan view of sin would suggest less optimism as to the predictability of idealistic assumptions.

A case in point here is that of the black colleges related to the churches. Having survived for a hundred years, they now find themselves socially useful in profoundly new ways. The pain and untidiness of their past years have faded in the light of the truly remarkable vision of educational utility and quality that has come to them—the vision of shaping black communities conscious of their worth and power. Several times in the past, prudence and institutional sin ought to have dictated the demise of those black colleges, but somehow they were kept alive to serve new greatness today. The federal government and the public colleges are latecomers to the black scene. Boston University, which has a long history of church relationships, pioneered in the admission of blacks to its graduate professional programs. That was long before the Ivy League found it advisable to declare for the principle of affirmative action. Incidentally, now that the black community is well on its way to self-identity, it might be argued that we need colleges for other communities—Hispanic, Asian, Native American, retirees—so that the vast national and human resources latent in them may find institutional existence and, consequently, social force.

Preservers of Diversity

Why now should the church-related college survive? (1) *For academic reasons*. A year ago I visited a former colleague, Barnaby Keeney, president of the Claremont (California) Graduate School. Keeney is a man of considerable educational experience. He was once president of Brown University and the first director of the National Endowment for the Humanities. I asked him to state, "in twenty-five words or less," what should be the mission of the church-related college. He answered with startling directness: "To

make the liberal arts necessary again." His reply impressed me deeply. As I understand it, the mission of these schools ought to be to maintain the possibility of a humane and humanizing tradition in our land—to ensure the rearing of self-critical and politically informed citizens in each generation, and to counter what C. Robert Pace (in his *Education and Evangelism* [McGraw-Hill, 1972]) calls the "decline of diversity"—that flatness of value, taste, style and discrimination that seems to be characteristic of monolithic institutions. In other words, private church-related schools should carry on their historic mission.

(2) *For experimental reasons.* Church-related schools have done much to shape higher education and, given the chance, can continue to do so. Despite judgments to the contrary, private church-related colleges are largely free from the restraints under which large public institutions have to work, such as legislative approval. They can be for the last quarter of the twentieth century what they were for the last quarter of the nineteenth: an *avant-garde* of the experimenting schools. Conservative church pressures may hamper them in some cases; but by and large these colleges have the capacity to give leadership in addressing the peculiar issues Christ's gospel raises in our time. All colleges seem to hold that their constituency is limited to people in the 18-23-year bracket. But, as someone recently suggested, there are today 6 million potential customers who are not being reached by those schools. That is to say, the nation's leading industry is catering to one small group of citizens (those 18 to 23) while denying to millions of persons the presumed humane benefits of higher education. Given its particular thrust, the church-related school ought to lead in rectifying this unhappy, indeed this "irreligious," situation.

(3) *For political reasons.* Our society is based on a system of checks and balances. Prophetic criticism is built into the very fabric of our government. The law, the church, the school, and the press—these four institutions or "estates"—are granted special immunities from the restraints normally exercised by the state. They exist to be critics of the state, for the sake of the state's health. Three of these institutions—church, school, and law—represent impersonal, disinterested responsibility for truth and justice. But recent events have shown that they can be compromised to an alarming degree by non-direction or by careless or partisan exercise of their function. It is here that private church-related colleges and

universities can render a service they alone, perhaps, are capable of rendering—that of carrying out fully their prophetic role in the development of social policy. Indeed as the state becomes more abstract and more monolithic, the survival of these free private institutions becomes ever more important to the nation's political and moral health.

(4) *For religious reasons.* Intellectual discipline is a permanent, if unstable, part of the church's life. From the very beginning, the church sought to relate the gospel to contemporary thought forms and world views. Today, a time of skepticism on the one hand and of militant religious competitiveness on the other, the church-related college is the place where the religious thinking of the church can be brought into focus. The classic statement of the case is St. Anselm's "I believe in order to understand." That is, belief in the structure of the world alone makes possible knowledge of the world. The act of trust precedes the acts of learning and knowing. Hence the intellectual love of God is not only a faithful act; it is also a profoundly practical act, and the survival of a vital Christian movement depends on it. It is no coincidence that the great church reformations—the times of restating the power of the gospel—began in centers of learning: at Bec with Anselm, at Wittenberg with Luther, at Oxford with Wycliffe and, later on, Wesley; and in our own era at Cornell with Mott. There is occasional talk of the church doing this work in public settings. Some years ago it was suggested that state university departments of religion would end the need for both the church's theological seminaries and church-related college religion programs. But such a development would radically change the intellectual climate in the churches. To be held accountable for scientific theological work has a sobering effect on the church, and for it to abdicate to the state even that responsibility would be a tragic mistake. If it is to keep its mind clear, its apologetics timely, and its community life fresh and vigorous, the church must have its own schools.

(5) *For practical reasons.* Church-related colleges, strategically located as they are across the nation, have for years been a stabilizing force in many a downstate county seat town. The cost of a public system paralleling these colleges is so enormous as to be staggering. Yet some states—Illinois, for one—have already risked such an expenditure. Useful in some instances might be the step some have suggested: that the state buy the private college campus and make it a branch of

the state system. But a much simpler and socially beneficial move would be the development of programs of tuition-aid and contract instruction that would at once preserve the independence of the church's historic institutions, save the taxpayer the vast cost of duplicated campuses, and offer the community highly flexible and diverse educational options.

Can the Church Live Collegeless?

So far the response to the attrition of this country's 790 church-related institutions of higher education has been blindly immoral, in an ecological sense and in other senses too. It must give way to open-eyed debate and reflection on the future of these schools. They are a treasure in history and possibility as well as in physical assets, and to allow them to be frittered away is to prove unworthy of the generations of church folk who cared about the nation's moral and intellectual welfare. To assume some vast secular plot against these schools is paranoid. Nevertheless, the acids of secularity are at work in the society in which the schools must live and work.

The issues of survival loom so desperately that the school governors can be excused for not being educational philosophers. But for the church not to have the will to shape these schools into something religiously and socially useful is for it to admit that it has no contingency plan, no posture against continuing erosion of its prophetic role, no final care for a humanely and religiously informed future.

Churches these days are in agony over the collapse of the Sunday school movement. How can the church go on living when it no longer raises up each generation of children as members? That question raises a precisely parallel one: How can the church go on living when its colleges no longer raise up an informed church leadership?

Like Gregory Peck in the war movie, the denominational executive knows that more than an aircraft is missing. But he needs to sense too that lives are missing, that hope is being deferred, and that the losses are not reversible. It is this that finally makes the question of the survival of the private church-related college so crucial. □

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Freedom

Joe Connors—an attorney in New York City and member of a New York City school board—wants to tax all citizens for support of all schools, including denominational and other private schools. Such support is intrinsic in his advocacy of “freedom in education.”

***Liberty* asked two experts in church-state affairs to respond to Mr. Connors’ arguments. Dr. Leo Pfeffer, famous constitutional lawyer and authority on separation of church and state, does so in “Taxes—the Price of a Civilized Society.” Edd Doerr, managing editor of *Church and State*, a publication of Americans United for Separation of Church and State, emphasizes other dimensions of the issue in “Freedom, Religion, and Education.”**

Freedom in education is becoming one of the most talked about issues in America, mainly for two reasons.

First, a government monopoly in education is being created by government policy, from recent Supreme Court decisions on down to the changing methods in financing local government school systems.

Second, the values—the spiritual, moral, cultural values—being taught in government schools are no longer based on Judeo-Christian beliefs. They are based instead on a secularistic, materialistic philosophy.

As more and more Americans come to understand that they are being forced to send their children to government schools, and that these government schools no longer reflect their cherished values, traditions, and beliefs, the whole question of freedom in education is being examined more closely.

If the term “freedom in education” is to have any meaning, we must define it in terms of the rights of individual citizens: The right of a parent to freely educate his child in a democratic society.

In Western thought the basic principles governing education of children are that the child belongs to the parents, not the state, and that parents rather than the state have the prime responsibility in educating their children. The U.S. Supreme Court affirmed these rights in the *Pierce* case. It said: “The child is not the mere creature of the State; those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations.”

The right of parents to educate their children is a basic human right—a natural right. As such, this right of parents exists apart from and independent of civil society. It is an inalienable right—a right that the state cannot take away.

Though the state has a definite interest in education, it must provide the parents with the freedom to choose the kind of education their children will receive. As the United Nations Universal Declaration of Human Rights states, “Parents have a prior right to choose the kind of education that shall be given to their children” [Article 26 (3)].

In practice, American parents have no prior right to choose the kind of education that shall be given to their children. This universal human right exists here only in theory. In practice, there are very real financial restrictions on parents in exercising their basic right to educate their children. Only if they are rich or if they

in Education

By Joe Connors

“choose” to make significant economic sacrifices are they “free.”

A right dependent on wealth or conditioned on one's financial ability is not a right at all—it is only a privilege, the privilege of the rich. Russian Jews are not free to emigrate when the Soviet Government requires tribute. Blacks and poor whites were not free to vote when the state required payment of a poll tax.

Granting parents the right to send their children to free, government-owned and government-operated schools is not freedom. It is a form of freedom, but it is not *freedom*. Granting parents the right to educate their children in schools of their choice is a fraud if parents do not have the financial means to exercise that right. Furthermore, it becomes tyranny if the state itself, through its laws, takes away the financial means of parents, or otherwise effectively inhibits them from exercising their freedom of choice.

Not only is the educational system in America depriving parents, in practice, of their basic human rights, but the taxing powers of the state (Federal, State, and local governments) are forcing parents, through economic coercion, to send their children to government schools. To any civil libertarian, the dangers to a free people and to a democratic society are obvious when the government educates all the children.

John Stuart Mill, in his essay “On Liberty,” pointed out the major problem. He said: “A general State education is a mere contrivance for moulding people to be exactly like one another; and as the mould in which it casts them is that which pleases the predominant power in the government, whether this be a monarch, a priesthood, an aristocracy, or the majority of the existing generation, in proportion as it is efficient and successful, it establishes a despotism over the mind, leading by natural tendency to one over the body.”

The state has a right to run schools, but it does not have the right to force (even indirectly through taxing policies) parents to send children to government schools. Parents are now constitutionally protected from being directly forced to send their children to government schools, but little consideration has been given to those indirect means that cause the same result.

It is an inescapable fact that in America the education of most of the people is in the hands of the state (Yes, my fellow Americans, your local school board is the state, just as your local draft board is) and a virtual government monopoly in the education of children is being created, indirectly, by the taxing powers of the state (Federal, State and local governments). Federal and State income taxes, State sales taxes and local

property taxes are forcing parents through economic coercion to send their children to government schools. Thus, through indirect means, the state is achieving an oppressive result, viz., denying the prior right of parents to educate their children; and, at the same time, establishing “a despotism over the mind, leading by natural tendency to one over the body” (to quote John Stuart Mill again).

The announced purpose of government in these United States is to “secure the blessings of liberty to ourselves and to our posterity.” When the principles of individual rights and personal liberty are applied to the current educational system in America, one can conclude only that the freedom of parents is being denied. By operation of law, American parents do not have any prior choice in the education of their children, in reality and in fact. There is no freedom in education in America today.

All Americans should be concerned about the dangers to a free, democratic society where the government owns, operates, and monopolizes the school system, and where its taxing powers and policies effectively deny citizens the liberty to choose where and how their children will be educated. All Americans should face the problem of the civil liberties of parents under the existing educational system.

The political principle of separation of church and state should not be used to confuse the issue of freedom in education. A political principle governing the relationships of institutions within society should not be used as a device to deprive citizens of their basic human rights, which come from God and not from some political organization.

When the state takes monies away from parents through taxes to “help” parents educate their children; and, when the state, by its taxing power, takes away the financial means of most parents to send their children to a nongovernment school, it is hypocritical to talk of “state money” and “state treasury” and then use this as an excuse to deny parents freedom in education. Such hypocrisy turns into a cruel trick when, through economic coercion, parents are forced to send their children to government schools in which the basic values, traditions, morals, and beliefs of the parents are openly opposed.

In a free, just, pluralistic society, parents should be able to exercise the widest possible choice among competing educational systems. Availability of true options and real alternatives would best preserve the rights of parents and the rights of all citizens in a free society. □

Taxes: The Price of a Civilized Society

By Leo Pfeffer

Mr. Connors' article rests on the premise that public education is a commodity a parent has the right to purchase or not to purchase. Just as a consumer can shop around for the article he wants and cannot be compelled to pay for what he elects not to buy, so a parent should not be compelled to pay taxes to maintain a public school system his children do not attend.

The logic of this position would require that corporations and childless individuals be exempt from school taxes. Nor could they be compelled to contribute through taxes for the support of dependent or abandoned children. The rich could not be required to help support the poor through tax-financed welfare payments. A person electing not to use city parks or police or fire protection could similarly demand a rebate on his taxes.

Mr. Connors does not limit his claim that freedom requires exemption or rebate to those who do not utilize public education because of religious reasons—such as belief that the sacred cannot be divorced from the secular but must be taught simultaneously and under the same auspices. But even if he did, results would be far reaching. Christian Scientists and other believers in faith healing could not be required to pay for municipal hospitals or fluoridated water supplies; Jehovah's Witnesses for the cost of blood transfusions in these hospitals or American flags flown on public buildings; Jews and seventh-day Christians for the costs of keeping post offices open on Saturdays; Old Order Amish for the upkeep of public secondary schools; religiously motivated vegetarians for the cost of ensuring safe meat products; and Quakers, Mennonites, and other pacifist faiths for the costs of maintaining the defense establishment.

The crux of the matter is that taxes are not sums paid for specific services or commodities. "Taxes," Justice Holmes said in 1927, "are what we pay for civilized society." Whatever may have been the views of John Stuart Mill in the midnineteenth century, the enlightened American consensus today deems a free, universal, nonsectarian public educational system to be an indispensable element of a civilized society. As long ago as 1835, Thaddeus Stevens, in supporting a measure in the Pennsylvania legislature that would give tax benefits to public schools, answered the claim that it was unjust to tax

people to educate others' children:

"It is for their own benefit, inasmuch as it perpetuates the government and ensures the due administration of the laws under which they live, and by which their lives are protected. . . . If an elective republic is to endure for any great length of time, every elector must have sufficient information, not only to accumulate wealth and take care of his pecuniary concerns, but to direct wisely the Legislature, the Ambassadors, and the Executive of the Nation, for some part of all these things, some agency in approving or disapproving of them, falls to every freeman."

Since the Civil War every applicant for statehood has been required by Congress to include in its constitution state responsibility for the maintenance of a free public school system. Those States which, having formed the original Union or been admitted before the Civil War, were not required to include such a provision in their constitutions, have nevertheless voluntarily done so. There is, concededly, considerable disaffection with many of our public schools, particularly in city ghetto areas, but it is far too late in the day to challenge the premise, stated by Stevens, Jefferson, and others, upon which the system is based. The cure for the ills of public education lies in its improvement, not its dismemberment.

Mr. Connors notes that in the *Pierce* case the Supreme Court ruled that parents could fulfill their obligation to provide an elementary school education for their children by sending them to private or church schools. (In the *Yoder* case in 1972 the Court ruled that the Amish could not be compelled to send their children to any secondary school, public or private.) But the same Supreme Court—we have only one in the United States—ruled that it is not unconstitutional to exclude church schools from programs of tax support for education and indeed that it would be unconstitutional not to do so. You cannot cite a Supreme Court decision for something you like in it and ignore the many other Supreme Court decisions that qualify it.

One of the many reasons why tax-raised funds should not be used for support of religious schools is implicit in the *Pierce* case. There the Court held that an order of nuns had a constitutional right to maintain a parochial school limited to Catholic children, and parents had constitutional freedom to send their children there, in fulfillment of their obligations under the compul-

sory school attendance law. But even Justice White, sole dissenter in the decisions barring direct aid to parochial schools, agreed that if a school restricted entry on religious grounds, it could not constitutionally receive public funds.

If I bring my child to the entrance of a public school, the door cannot be closed against him because he is Catholic, Jewish, Lutheran, or atheist. Because access is universal, taxation to support it may rightfully be universal. I believe it to be immoral and no less unconstitutional to tax persons of all faiths and of no faith to support an institution that closes its doors against them or their children because of their particular religious faith (or, for that matter, race).

The *Pierce* decision guarantees that the state does not monopolize education and that religious groups are free to establish separate schools to provide the type of education that the state has neither the competence nor the constitutional authority to provide. So long as the *Pierce* decision stands, there is freedom in education; but it can last only so long as religious schools remain independent of governmental entanglement, whether in the form of hostile restrictions or friendly financing.

The Supreme Court has often noted what history has proved, namely, that the state, whether autocratic or democratic, will seek to control that which it finances. It cannot be expected that control will be limited to the institution's admissions policies. Dissenting Justice White agreed that a school is barred from receiving tax-raised funds not only if it restricts admissions on the basis of religion but also if it requires all students gaining admission to receive instruction in the tenets of a particular faith.

What remains of a religious school's freedom if it cannot teach its tenets, and what remains of its sacred mission if it bargains away that freedom for tax-raised dollars? Freedom is precious, but it often requires sacrifice, and this is no less true of freedom in education. □

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Freedom, Religion, and Education

By Edd Doerr

Joe Connors' advocacy of taxing all persons for the support of denominational and other private schools, in the name of educational freedom, ignores the claims of religious liberty and unfairly attacks basic American institutions.

Almost 95 per cent of the students in nonpublic schools are in denominational schools—Roman Catholic, Missouri Synod Lutheran, Jewish, Christian Reformed, Seventh-day Adventist, et cetera. Anyone familiar with the operation of these schools (and I am a graduate of parochial schools) knows that they are pervasively religious institutions. Their primary purpose is religious. Their educational philosophy has a religious basis. Their teachers are, with few exceptions, members of the church operating the school. Well more than 90 per cent of their students are members of the sponsoring church. Denominational schools teach religion wherever possible and appropriate in the curriculum, involve students in worship activities, and promote church vocations. In short, the parochial or denominational school is an educational arm of the sponsoring church.

No one in our country seriously questions the right of religious bodies to operate schools or of parents to send their children to them for a religion-centered education. Indeed, the dedication of church school parents to their schools is widely admired. But should all persons be required by government to help support such religious institutions through taxation? Returning a portion of a parent's taxes to pay or help pay parochial school tuition would benefit only families of moderate or better means and would discriminate against the poor; in any event, this tax credit plan was ruled unconstitutional by the U.S. Supreme Court in 1973. Any other plan would involve government aid to church schools from funds taken from all taxpayers.

A great many of our ancestors fled to these shores to escape religious persecution and/or the second class status accorded dissenters and/or taxation for the benefit of established or preferred churches. After tasting the bitter fruits of religious taxation in Virginia and other colonies, Americans rebelled against established churches and taxes for religion, and separated church from state. Every State constitution, from Alabama to Wyoming, contains language prohibiting the use of public

funds for religious institutions, and the Supreme Court has repeatedly ruled that no level of government may establish or prefer one or many churches or compel citizens through taxation to contribute involuntarily to their support. Plainly and simply, taxation of all citizens for the full or partial support of the educational arms of churches violates every citizen's basic right to support only the religious institutions of his or her free, uncoerced choice.

The reliance of American churches upon volunteerism has made them strong and free. Our free churches attract far more people than the kept churches of the Old World.

Should churches and church schools accept and become dependent upon public aid, sooner or later they would find the concerns of the taxpaying public coming in either the front or back door. If a public school may not apply a religious test in selecting teachers, how long would a public-supported church school be able to do so? If the courts will not permit school sponsored devotions or denominational religious instruction in public schools, how long would tax supported church schools be allowed to do so? All of us pay taxes to support public schools and we all have the right to vote in school board elections; if church schools accept public funding, would they be willing to allow the community at large to elect their governing boards and determine their hiring, admissions, and curriculum content policies? True independence can be retained only by refusing to accept government handouts.

Parents who prefer to send their children to private schools do so, of course, at some sacrifice, because they continue to pay taxes like all other citizens for the public schools, which serve nine out of ten American children. They make this sacrifice because they want an education for their children with an added religious dimension, something that public schools serving a religiously pluralistic population cannot do. It goes without saying that those private schools serving the needs of their sponsoring religious bodies and parent/patrons are attracting sufficient support. The denominational schools that are declining, and nearly all are Roman Catholic, are declining because the sponsoring church or parents are not sufficiently interested in keeping them going or in patronizing them.

Let me turn to Mr. Connors' attack on our public schools as "government"

schools based on a "secularistic, materialistic philosophy." Our public schools are operated by elected boards, or boards appointed by elected officials, in nearly 17,000 separate communities. They belong to and are operated by us, not some distant and alien force. Whether our children attend them or not, we the people operate them. We are a religious people, as Justice Douglas once pointed out, and therefore our public schools represent not a "secularistic, materialistic philosophy" but rather a patriotic and basically Judeo-Christian consensus stripped of sectarian particularities. Our school boards, faculties, and student bodies are across section of our population and bring with them into the schools their religious and moral training, concerns, and ideas. Consistent with the pluralistic nature of our society and the constitutional requirement that public institutions remain religiously neutral, our public schools avoid promoting any particular sectarian views or practices.

Most parents are willing to utilize the public schools for their children's secular (not "secularistic") education and supplement it with religious training at home and through the church. Parents preferring to educate their children in the very special atmosphere of a religious private school support and patronize church schools. They want something that cannot be provided by government or by the people of the community as a whole, and they willingly pay for it.

People who share Mr. Connors' view, it seems to me, would blur the distinction between government and religion, between the realm of God and the realm of Caesar. They would abandon the church-state separation principle that has contributed so enormously to religious freedom and interfaith harmony in America. They would have our country emulate the policies and practices of the Old World countries that drove our ancestors here in the first place. Americans who prefer Irish or Dutch or German or English ways in religion and education might care to change places with Europeans who look to America as freedom's beacon. □

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PAROCHIAID IN THE STATES

Compiled By Edd Doerr

United States Supreme Court rulings from 1971 to 1975, together with several lower court decisions, outlawed a number of state plans for providing tax aid for parochial schools. Among the plans found to violate the First Amendment are the "purchase of secular educational services" plan, salary supplements for parochial teachers, grants for parochial school maintenance and repair, tax credits and reimbursements for parochial school tuition, payments for testing and record keeping, lending of teachers and equipment to

parochial schools, "reverse shared time" (the locating of public school "annexes" in parochial schools for the purpose of aiding the parochial schools), and, most recently, the providing of "auxiliary services" personnel and "lending" of instructional equipment and materials.

The following tabulation summarizes the current parochiaid situation in the fifty states.

The most common form of state aid is transportation, provided in half the states. Transportation aid ranges from allowing parochial students to ride pub-

alaska: State contracts with nonpublic schools to provide "educational opportunities" for certain rural students.

california: Bus transportation at the option of local public school district; textbooks for elementary school pupils (under court challenge); "shared time"; tax credits for parochial tuition outlawed by Supreme Court in 1974.

connecticut: Bus transportation, driver education grants; remedial programs and special tutoring for educationally disadvantaged.

delaware: Bus transportation; driver education.

illinois: Bus transportation in some areas.

indiana: Textbooks may be rented from public schools; bus transportation in some school districts.

iowa: "Auxiliary services," instructional materials and services for educationally disadvantaged students (under court challenge).

kansas: Bus transportation.

kentucky: Bus transportation in some counties; dual enrollment is allowed but restricted so far in practice to only 500 pupils; "reverse shared time" outlawed by a federal district court in 1974.

louisiana: Textbooks, library books and instructional materials; optional bus transportation; tax credits and tuition reimbursements outlawed by U. S. district court in 1973 and 1974.

maine: Bus transportation; "shared time."

maryland: Bus transportation in some counties; transportation services, loans of books, equipment, materials defeated in referendum in 1974.

massachusetts: Bus transportation; textbook loans and special services bills enacted in 1974.

michigan: Bus transportation; "reverse shared time" outlawed in 1974 by county circuit court; "shared time."

minnesota: Bus transportation; "shared time"; tax credits and tuition reimbursements outlawed by state supreme court in 1974; "auxiliary services" and equipment loan parochiaid enacted in 1975, to be tested in court.

mississippi: Textbook loans (textbook loans to schools practicing racial discrimination outlawed by Supreme Court in 1973); driver education; \$240 annual grant for pupils with learning disabilities.

missouri: Textbook loans outlawed by state supreme court in 1974.

lic school buses on public school bus routes to full transportation services on the same or better terms than that provided public school students.

Several states—the exact number is not known—aid parochial schools under “shared time” or “dual enrollment” plans. These involve public-parochial school arrangements under which the public schools take over part of the parochial school teaching function.

Tens of millions of dollars in federal aid go to parochial schools in all states under the 1965 Elemen-

tary and Secondary Education Act, which is soon to be tested in court.

Seventeen states provide no state aid to parochial schools. They are: Alabama, Arizona, Arkansas, Colorado, Florida, Georgia, Hawaii, Idaho, Montana, Nevada, Oklahoma, South Carolina, Tennessee, Texas, Utah, Virginia, and Wyoming.

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nebraska: Textbook loans outlawed by state supreme court in 1974.

new hampshire: Bus transportation through grade nine; “reserve shared time” outlawed in 1973 by U.S. district court.

new jersey: Bus transportation; “auxiliary services” and textbooks ruled unconstitutional by federal district court in 1973, ruling upheld by U.S. Supreme Court; new textbook loan law enacted in 1974.

new mexico: Textbooks and bussing at option of local authorities.

new york: Bus transportation; textbook loans, tax credits, tuition reimbursements, repair and maintenance grants, mandated services payments ruled unconstitutional in 1973 by U.S. Supreme Court; new mandated services plan under court challenge.

north carolina: Driver education.

north dakota: Bussing at discretion of local districts; parochial lay teachers participate in public school teachers retirement program.

ohio: Bus transportation; driver education; vocational education; “auxiliary services” and equipment loans ruled unconstitutional by U.S. Supreme Court in 1975.

oregon: Optional bus transportation in some areas and assistance in central purchasing.

pennsylvania: “Shared time”; health and welfare services; bussing; textbook loans; driver education; “auxiliary services” and equipment and material loans ruled unconstitutional by U.S. Supreme Court in 1975.

rhode island: Bussing; health and welfare services; science, math, and foreign language textbooks; “reverse shared time” under court challenge.

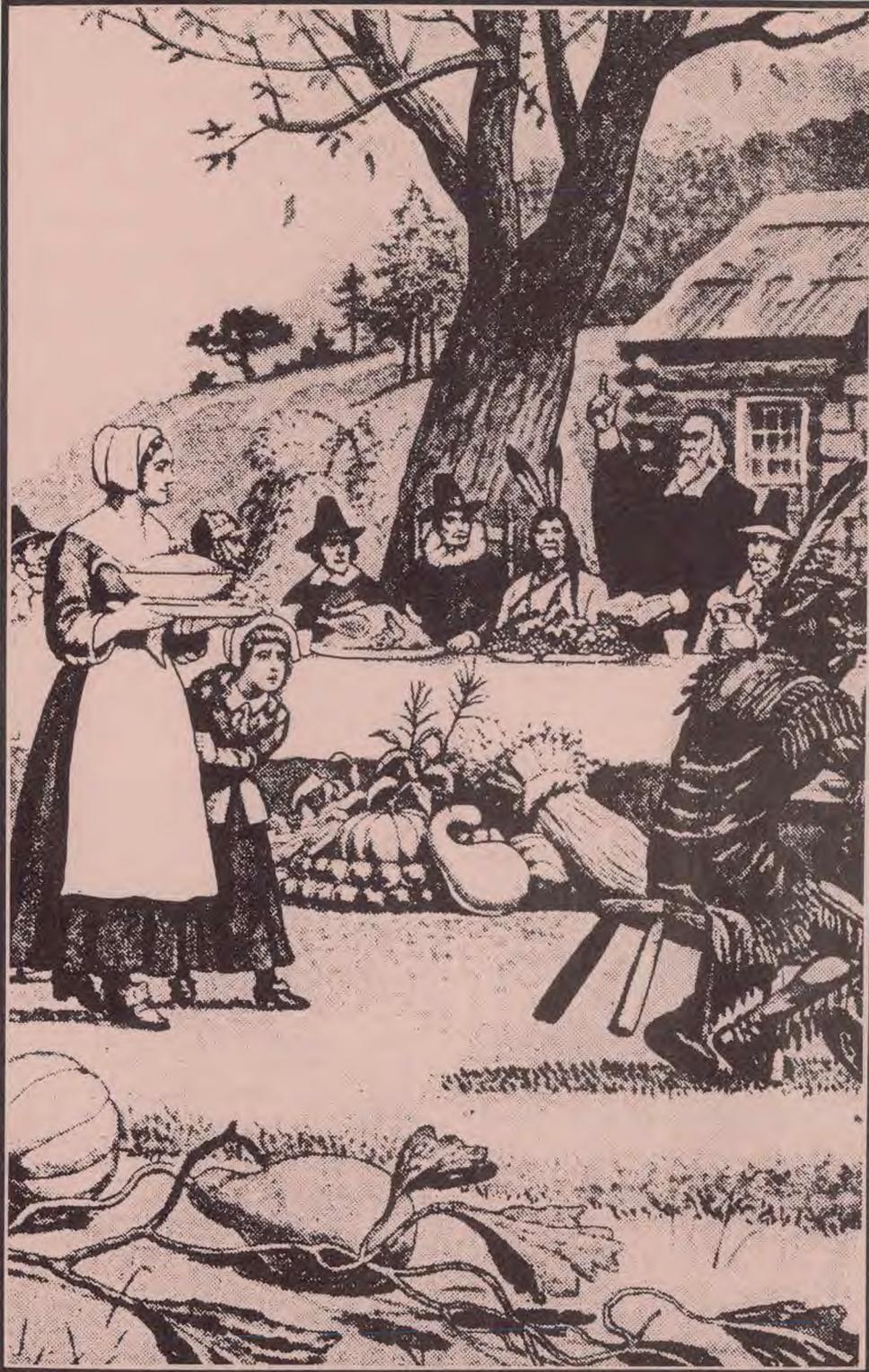
south dakota: “Shared time”; bussing; public school districts may lease office space in parochial schools for hiring teachers and general administration of federal programs.

vermont: Bus transportation.

washington: Student grants ruled unconstitutional in 1973; “shared time”; “auxiliary services”; joint purchasing.

west virginia: Bussing on “space available” basis; reimbursement for testing in grades three, six, nine and eleven.

wisconsin: Bus transportation.



Thanksgiving Proclamation Unconstitutional?

By Miriam Bunce

When a member of the first United States Congress offered a resolution requesting a day of thanksgiving and prayer to observe "with grateful hearts the many signal favours of Almighty God," another member objected. He declared the proposal a religious matter prohibited by the Constitution—"a business with which Congress has nothing to do."

Today, we have become so accustomed to Presidential Thanksgiving proclamations that any objection may seem an extreme application of the policy of separation of government and religion. Yet Thomas Jefferson, Andrew Jackson, and James Madison stoutly opposed such action, and both President Jefferson and President Jackson refused to issue such a proclamation during their administrations.

They declared that every religious society has the right to determine for itself the nature and time of its religious exercises. It is not, they said, in the interest of religion for government to effect a uniformity in any way. Such proclamations, said Jackson, "might disturb the security which religion now enjoys in this country, in its complete separation from the political concerns of the general Government."

President Madison issued a Thanksgiving proclamation under pressure and with reluctance, taking care to couch it in nonsectarian terms. But after he left office, he stated five objections to the practice. In essence, they were as follows:

1. Such proclamations are recommendations only and as such are not a function of government. They are merely advisory, and "advisory government" is a contradiction in terms.
2. Government in this country "cannot act in ecclesiastical matters."
3. Governmental religious proclamations carry the implication of a national religion. (We should remember that experience with national religions in Europe had left our founding fathers with justified mistrust of such establishments. National religions usually attempted to solve the problem of dissent by prohibiting deviations from the national standard. The result was suffering and bloodshed.)
4. Such proclamations would tend to conform to standards of the predominant religious sect. (And, indeed, President Adams' proclamation called for a Christian observance, ignoring any other religious beliefs.)
5. Presidential proclamations would tend to make the particular religious practice subservient to political views and might increase party animosities.

Events can be cited in support of the last theory. During the French Revolution, President Adams proclaimed a day of fasting and prayer for protection against "the unfriendly disposition, conduct and demands of a foreign power." Many citizens considered his proclamation an attack on the Republican movement in France. Since there was considerable sympathy for the movement in this country, his words aroused bitter resentment.

Some suggest that President Franklin Roosevelt's attempt to change the time of our Thanksgiving observance was political. There seems little doubt that an important purpose was to increase the number of shopping days between Thanksgiving and Christmas. Because some Christians saw the change as a concession to the demands of Mammon, this proclamation also generated considerable hostility.

During the Continental Congress, governmental regulations of a religious nature were numerous. The Congress passed legislation on "sins, repentance, humiliation, divine service, reformation, mourning, public worship, funerals, true religion, chaplains, etc." Proclamations of the Continental Congress abound in references to religion both distinctly Christian and distinctly Protestant. They include such phrases as "Holy Ghost," "Jesus Christ," "Christian Religion," and "free Protestant Colonies."

With development of the separation theory that marked the framing of the Constitution, most of the religious provisions and religious references were dropped. The Thanksgiving proclamation was one of the few that remained. Today few citizens think of it in terms of an establishment of religion or interference with free exercise.

Yet we should not forget the Old World history of church-state alliance, with its bloodshed and bigotry—all in the name of the Prince of Peace. Old World history was the history of the secular use of religion for political purposes and of the submission of religion to secular use for the purpose of gaining preferential treatment. The American experiment has been singularly successful in avoiding such terror, because of separation of church and state.

Although the issue of a Thanksgiving proclamation may seem unimportant to the point of triviality, it serves to point up the extreme caution with which our founding fathers wisely defined the relationship between government and religion. □

Miriam Bunce is a free-lance writer in Denver, Colorado.

MADELEINE JARRET

By Richard Barness

When Lieutenant Monnerie and forty soldiers from Montreal sprang from their canoes to the landing, the Indians attacking Fort Vercheres slipped away into the woods.

The fierce seven-day siege was over. "Who is in command of this fort?" cried the young officer.

"I am, sir," replied Madeleine Jarret, giving him a snappy salute. "I am very glad to turn my command over to you." The soldiers looked in amazement at the slim young woman standing, musket in hand, before them.

It was in 1692 that Capt. Rael Jarret, his wife, and three children arrived at Fort Vercheres, about 10 miles down the St. Lawrence from Montreal. In 1534 Jacques Cartier had planted the flag of France at the mouth of the river, and by 1692 a number of French colonies had been established along its banks. Although living conditions were rugged, a man could make a fortune in the fur trade. The soil was fertile and those who chose to farm the land prospered.

As an inducement to army officers to settle with their families in the vast wilderness of Canada and establish forts for protection of the colonists, the King of France had rewarded military men with large tracts of land at the various settlements. So it was that the Jarrets arrived at Fort Vercheres. Captain Jarret immediately recruited a number of the young settlers to build a blockhouse enclosed by a stockade of pointed poles. Inside the fort a tower was erected, with a bell to be rung in time of danger. Although roving bands of Indians were seen during the summer months of 1692, Fort Vercheres was not attacked.

On October 1, 1692, Captain Jarret, his wife, and two armed men prepared to leave the fort to secure supplies for the long winter months ahead. The three Jarret children accompanied their parents to the canoe landing near the fort.

"Oh, Papa, why can't we go with you?" begged Madeleine, embracing her father. "We're small and won't take up much room in the canoe."

"Yes, dear, but it would mean three sacks less of supplies we could bring back," explained her father, leaning

down to kiss his golden-haired daughter on the cheek. "You will be in charge of your brothers while we are gone. See to it that they help Mrs. Lacroix with the daily chores, as you will stay with her until we return home."

A hint of tears in their eyes, the three children gave their mother a farewell kiss and watched their parents get settled in the long canoe.

"There will be surprise gifts for you two weeks from now when we return," promised Mrs. Jarret. "God bless you, and take care."

The children stood on the landing waving to their parents until the canoe



disappeared around a bend in the river.

"I think I'll try to catch a few fish," said 10-year-old Alexander, glancing at Madeleine for approval.

"And I'd like to go wading in the shallow water," said 12-year-old Louis.

The sun was shining brightly, and from the nearby fields the children could hear the voices of the settlers working to get the harvest in before winter. Madeleine shrugged her shoulders and sat down on a log.

"Well, if you kids want to wade in the water," she said, "I'll wait here for you, but no longer than half an hour, for we must help Mrs. Lacroix prepare dinner."

Madeleine hummed to herself as the two boys waded along the shore. In a nearby maple tree she could hear birds

twittering. Suddenly the beauty of the autumn morning was shattered by rifle shots and screams of terror. Madeleine sprang from the log and waved to her brothers.

"Run to the fort," she shouted, and then groaned as 10-year-old Alexander calmly sat down to put on his shoes. "Forget about your shoes, Alexander! Run to the fort!"

Waiting until both boys sped past her, she pulled up her skirts, and ran like a deer to the safety of the stockade. The bell in the tower began to peal its alarm as the three dashed through the gate. Inside two women stood embracing each other for comfort, crying that their husbands had been killed by the Indians.

"None of the men in the fields survived the sudden attack," sobbed one. "And we'll be the next victims."

At that moment a party of Iroquois, faces streaked with war paint, bounded out of the woods.

"Close the gate!" Madeleine ordered. As the heavy bolt fell into place she breathed a sigh of relief. "I'll have the two soldiers on duty fire the cannon at the Indians. We shall not become their victims!"

Looking about she saw with satisfaction that most of the women and children of the settlement had reached the fort. The women shuddered as the Indians outside the stockade chanted and screamed, preparing to attack.

Madeleine ran to the powder room of the fort. Sunk about ten feet below the floor, covered with heavy oak logs and a mound of earth, the powder room contained rifles, shot, shell, and powder.

"Fire the cannon!" she shouted at the two young soldiers who crouched near the keg of powder. "I'll bring you shot and shells."

The men glanced at Madeleine, terror etched on their faces. One was inserting a fuse in a powder keg, the other preparing to light it.

"We haven't a chance, Miss Jarret," one man mumbled. "Much better to blow the fort up than have the women and children captured by those savages."

"You fool!" shouted Madeleine, kicking at the fuse. "Are you men or

ILLUSTRATED BY MARY MOSSER

The Girl Who Saved a Fort

cowards? Get up on the wall and start firing that cannon!"

The two soldiers stared at the young girl, her eyes blazing with anger. After a moment of indecision, they meekly obeyed her command. Moments later the cannon roared. Madeleine grinned with satisfaction as she strolled across the yard of the fort. She paused a moment as her eyes fell upon a wide-brimmed army hat. She picked it up and thrust it upon her head at a jaunty angle.

"The young women will line up here for their rifles," she ordered. "The older women and children will bring up ammunition. Fire through the musket loopholes of the fort only when you see an Indian. We must convince them that we have a strong force here at the fort."

Madeleine brought out rifles and was pleased to see that Alexander and Louis were busy bringing water to the women and children. Many of the women who had been hysterical at the start of the attack now were busy bringing ammunition or caring for the small children. One of the soldiers on the wall came down the ladder to present a new crisis to Madeleine.

"A canoe is approaching the landing," he said in a low voice. "It looks like Burt Fontaine and his family from a settlement up the river."

"Can't you signal him some way?" asked Madeleine. "Wave your hat or fire the cannon. They are doomed once they start up the path to the fort."

"We did that," he said, "but Burt just waved back. He and his wife have relatives among the women here at the fort."

"We can't let them walk into a trap," said Madeleine, a determined look on her face. "I'll have to dash down there and warn them. Keep firing the cannon, and have the women lay down a hail of bullets as I run to the landing."

"But, you—you can't leave the fort!" stammered the soldier, horror on his face. "The Indians could capture you before you ever reached the landing."

"Pray with me that my plan succeeds," said Madeleine quietly. "The Indians may be so surprised to see me running down the path that they will think it is a trick to draw them out of the woods."

Pulling her army hat down over her

curls, Madeleine embraced her brothers, and gave instructions to the women with rifles. Two women clung to her, begging her not to venture out of the fort.

"I must save that family," she said. "Lock the gate as soon as I leave, and no matter what happens to me, don't surrender the fort!"

Sliding the heavy bolt back from the gate, Madeleine waited until the cannon boomed and the women fired their rifles before she slipped out the door and sped down the path. The Fontaines were already part way up to the fort when Madeleine reached them. Quickly she explained the danger.

"Act unconcerned," she told them. "If we ran to the canoe now, they would get us before we could grab a paddle. Just walk up the path as fast as possible, and when the gate is opened, sprint the last few yards."

Each carrying a child, the Fontaines walked toward the fort under cover of a barrage of bullets from the defenders. As the gate swung open, they sprinted for it. There was a scream of anger from the woods as the Indians realized they had been outmaneuvered. A few dashed out to brandish their tomahawks, but rifle fire drove them back.

Within the fort the settlers knelt to give humble thanks to God for delivering the Fontaines and to petition Him for deliverance. Burt Fontaine agreed to relieve the men at the cannon, and Madeleine called everyone together to announce her plans for the night.

"To convince the Indians that we have many sentries," she said, "we will patrol the walls of the fort in groups of four every three hours. Now and then call out, 'All's well,' and the Indians will hear many different voices throughout the night."

The next morning Madeleine looked worried, and confided in Burt Fontaine, "I've checked the food and water supply. We can hold out a week, but not much longer."

The Indians kept up the siege, now and then trying to drag a notched log near the fort so that they could scale the wall. Rifle fire would drive them back, but they were patient. They knew that soon the defenders would need food and water. Madeleine slept only

a few hours each day, staying awake all night to direct the defense. On the seventh day the defenders' situation was becoming critical. Only one day's supply of food and water remained. As the sun went down that evening, one of the soldiers in the tower shouted to Madeleine.

"Several canoes at the landing! Can't tell, though, if it is more Indians or Frenchmen."

Madeleine raced up the ladder and cried out,

"Who are you, friend or foe?"

"Lieutenant Monnerie and forty soldiers from Montreal," came the welcome reply. "I am a personal friend of Captain Jarret, stopping to pay my respects to him."

Madeleine grabbed a musket, ordered the gates opened, and for the second time that week ran down the path toward the landing. There was no outcry from the Indians, who had fled when they saw the canoes loaded with soldiers.

"I—I expected to greet Captain Jarret," stammered the young officer, amazed to see a girl march up to him. "Who is in command of this fort?"

"I am, sir," replied Madeleine, giving him a snappy salute. "I am very glad to turn my command over to you!"

The brave deeds performed by Madeleine during the siege of Fort Vercheres made her famous. The Canadian Government awarded her a gold medal and a lifetime pension. On the banks of the St. Lawrence River, on the site of the old fort, there is today a bronze statue erected to the memory of Madeleine Jarret. She is wearing a long skirt, an old army hat is perched upon her curls, and a musket rests upon her shoulder. The inscription reads: The Heroine of Vercheres.

The destinies of our own great nation and of our neighbor to the north were carved out of the wilderness by courageous pioneers who braved death and danger daily. The deeds by Madeleine Jarret during the siege of Vercheres were, however, a bit unusual, even in those heroic days, for she was only 14 years old! □

Richard Barness is a free-lance writer in Minnesota.

HIGH COURT ACTIONS: a mixed bag

By Stan Haste

Actions by the United States Supreme Court in its just-concluded term can be described as a "mixed bag" in the areas of church-state relations and human rights.

On one hand, the Court issued its most definitive decision to date opposing state aid to parochial schools, stood firmly by its controversial 1973 abortion position, and agreed to hear a case next term that should go a long way in deciding the validity of state aid to non-public colleges and universities.

On the other hand, the Court disappointed many observers by holding over any decision on the constitutionality of the death penalty and by refusing to clarify its ambiguous stance on obscenity and pornography.

By its tendency to avoid making tough decisions and issuing opinions instead based on procedural questions, the Burger Court is gaining a reputation for acting definitively only when absolutely necessary. Some, including former President Richard M. Nixon, have called such a judicial posture "strict constructionism." Others see it instead as obstructionism.

The contrast with the Supreme Court under the leadership of the late Chief Justice Earl Warren is inevitable. Whereas the Warren Court jumped at the opportunity to confront controversial questions, the Burger Court seems often to go out of its way to avoid them, even when written briefs and oral arguments have sought them out.

While some observers defend the new cautiousness and regard it as a needed corrective to what they viewed as the "social engineering" done during the Warren years, the Court by adopting a posture of "decide only when absolutely necessary" encourages protracted litigation of the same cases. That, in turn, contributes to the log jam of cases in the Federal court system.

All this comes at a time when Chief Justice Burger is making a concerted effort to convince Congress that an overhauled Federal courts system is imperative. Burger is crusading for more judgeships and for better pay for Federal judges, whose salaries have been frozen at \$40,000-\$42,500 for six years, thereby precipitating an exodus

of seasoned judges who are returning to private practice.

Unfortunately, the Chief Justice's Capitol Hill lobbying does not seem to square with his judicial philosophy of avoiding deciding cases on their merits and deciding them rather on procedural grounds. Instead of dispatching cases expeditiously, he appears committed to the view that the Supreme Court should act on many controversial matters only reluctantly.

The most obvious recent example was the Court's decision (or non-decision) to delay making a judgment as to the constitutionality of the death penalty. In the case of Jesse Thurman Fowler, a convicted murderer from North Carolina, the Court was asked by both sides to determine whether the death penalty itself constitutes "cruel and unusual punishment" in violation of the Constitution's Eighth Amendment.

Although the case was remarkably free from other potentially complicating questions, the high court declined to rule, deciding instead to hear the case again next term. The likely explanation for the delay is that the Court was so badly divided that a definitive decision, one that would establish a firm precedent, was impossible to reach. This in turn would seem to bode ill for those hoping for the banning of the death penalty because it indicates, at the very least, that a strong minority of the Justices are holding out in favor of execution.

A clearer example of this Court's unwillingness to meet certain hard questions head-on is its posture on obscenity and pornography. Two years ago in *Miller v. California* the Court declared that local communities may determine what is obscene for their own citizens. On the surface that sounds reasonable enough.

What it really represented was a classic example of the non-decision the Burger Court is prone to make. What, after all, constitutes local standards? The aftermath of that decision has been predictable—an endless stream of appeals working themselves to the high court, where in turn they must be considered one by one in a painfully time-consuming process.

In the wake of the ambiguous decision in *Miller*, the Court was forced

during its latest term to declare that the stage production "Hair" cannot be banned by local communities because it contains a nude scene and that a drive-in theater cannot be forbidden by a city to show films containing nudity when the screen is visible from streets or other places.

This is not to say that the present Court never makes momentous decisions. It has demonstrated, on the contrary, that it is capable of lucid opinions that will undoubtedly serve as strong precedents for future cases.

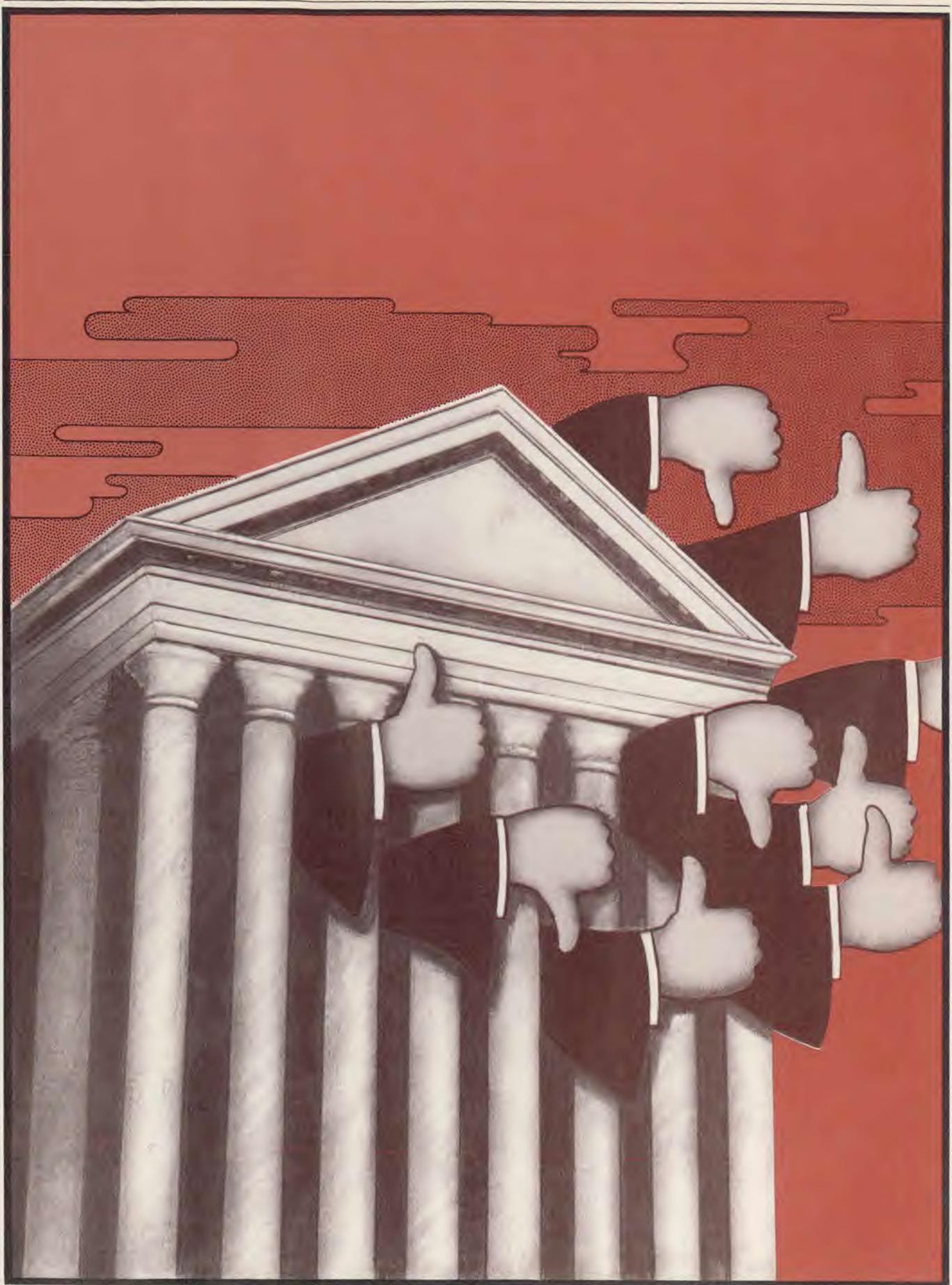
The most notable example during the recent term was *Meek v. Pittinger*, the case that successfully challenged Pennsylvania's multimillion-dollar aid to nonpublic schools in the form of "auxiliary services."

The high court's decision was the most definitive yet in this prickly, highly emotional field. The Court declared that Pennsylvania's plan was squarely opposed to the First Amendment's prohibition of establishment of religion. By a solid 6-3 majority the Court issued an opinion that will make it difficult for State legislatures to circumvent constitutional arguments in seeking to pass such plans in the future.

The Court was also called upon to stand by its highly controversial 1973 abortion decisions, which declared that the State has no interest in the termination of pregnancy within the first trimester and only a limited interest during the second trimester. It did so, thereby reaffirming a decision that should also stand for the foreseeable future.

Thus, the picture of the recent term is blurred. Despite a general tendency to avoid clear-cut statements in some controversial areas, the Court has nevertheless shown that it can do so in others. Civil libertarians and advocates of church-state separation can hope that as the four Nixon appointees to the Court gain seasoning, the Court's clear-cut decisions will be more and more frequent. □

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ILLUSTRATED BY TOM WILSON

INTERNATIONAL

New Organization Will Emphasize Protestant Opposition to Abortion

WASHINGTON, D.C.—A group of prominent Protestants, most of them evangelicals, have formed a Christian Action Council that will stress non-Roman Catholic opposition to abortion.

Sponsors include Mrs. Ruth Bell Graham, wife of evangelist Billy Graham, and Dr. Harold Lindsell, editor of *Christianity Today*, the evangelical fortnightly.

The two basic goals of the council are:

—To remind non-Roman Catholic Christians that “virtually all Christians from the beginning have been against permissible abortion and for the protection of all human life.”

—“To make clear to lawmakers that abortion and related problems are not merely sectarian or ‘doctrinal’ issues but of fundamental importance to the whole of Western civilization.”

Dr. Harold O. J. Brown, acting council chairman, said the immediate purpose is to emphasize that defense of the unborn, the aged, the ill, and “unwanted” is not limited to Roman Catholics as the press often implies.

“We can no longer leave our legislators and judges . . . under the mistaken impression that the abortion issue is of concern only to a ‘sectarian’ minority in our ‘pluralistic’ society,” said Dr. Brown, a clergyman of the National Association of Congregational Christian Churches.

Dr. Brown, currently a visiting professor at Trinity Evangelical Divinity School and editor of *Human Life Review*, charged that in practice pluralism “has come to mean that no Christian has the right to contribute anything to the discussion of public policy and ethics if his contributions happen to come from his Christian heritage.”

Other sponsors include Dr. J. A. O. Preus, president of the Lutheran Church-Missouri Synod; the Reverend Carroll E. Simcox, editor of *The Living Church*, an unofficial Episcopal magazine; the Reverend William Bentley, president of the National Black Evangelical Association; C. Everett Koop, M.D., a pediatric surgeon; the Reverend Peter C. Moore, an Episcopal clergyman and director of the Fellowship of Christians in Universities and Schools; Dr. Howard Thomas of Gordon College, and the Reverend J. Robertson McQuilkin, president of Columbia Bible College.

Romanized Bibles Returned to Taiwan Bible Society

NEW YORK—Officials of the Republic of China (Taiwan) have returned 655 copies of the old edition of the Amoy Romanized Bible to the offices of the Bible Society in Taiwan, according to its executive secretary, Jen-Li Tsai.

Tsai said he had been reassured by government officials that Scriptures already published in Mandarin/tribal language diglot form would continue to be made available for distribution.

Earlier this year, the Taiwan Bible Society surrendered Romanized Bibles to government authorities. New officials in the organization apparently were not aware that the law prohibited distribution of any materials that had been reprinted in Chinese languages other than Mandarin, the official language of the country.

Under the law, only reprinted materials of non-Mandarin Chinese languages are prohibited. The 655 Bibles that have been returned were old editions of a 1933 version, rather than reprintings, and thus are permitted.

Tsai also reported that the Bible Society in Taiwan continues to distribute Scriptures in Mandarin Chinese and all foreign languages with the approval of the government.

India's Premier Bans Religious Groups

NEW DELHI—Dissident religious groups were among the 26 parties recently banned by decree of Prime Minister Indira Gandhi.

Pleading “a deep and widespread conspiracy” against “the very functioning of democracy” in India, Mrs. Gandhi in June decreed a state of emergency, imposed strict press censorship, and jailed thousands of persons, including her most prominent political opponents.

Chief among the groups banned by decree on July 4 was the Rashtriya Swayamsevak Sangh, the paramilitary wing of the Jan Sangh, a right-wing opposition party that preaches Hindu militance.

Also banned were the Anand Marg, a sect that seeks spiritual guidance through a combination of yoga, prayer, and mysticism, and the Jamaat-e-Islami, a Moslem extremist organization.

Prime Minister Gandhi also placed a formal ban on the Naxalites, followers of a Maoist, and often terrorist, movement centered in Northeastern India.

Several leaders of India's 60 million Moslems have affirmed their support for Mrs. Gandhi's assumption of sweeping powers. India's Moslems constitute the largest minority in a nation whose 600-million population are mostly Hindus. Over the years bloody Hindu-Moslem rioting and violence has flared up with some regularity, with the Moslems generally the losers.

Greek Court Ruling Forecasts Freedom for Adventists, Witnesses

ATHENS—Seventh-day Adventists and Jehovah's Witnesses have won major court cases aimed at extending the practical implications of religious freedom to nonorthodox minorities in Greece.

In two rulings, dealing with quite different issues, the State Council, a kind of supreme court, said that Adventists and Witnesses are “well-known” religious groups.

One decision exempts Adventist ministers from military service. The other will enable Witnesses to register their children as legitimate.

While guaranteeing freedom of religion, Greece's several constitutions of recent years have restricted certain rights to members of the state Greek Orthodox Church and other “well-known” religious groups.

Constitutional interpretations by government departments have traditionally denied the “well-known” designation to Adventists and Witnesses.

New Ethiopian Law Affects Church Holdings

ADDIS ABABA—An Ethiopian Government decision to confiscate all property from which owners derive rent applies to churches, mission societies, and charitable organizations.

According to the World Council of Churches, houses of worship and other buildings used for religious activities are exempt from the seizure, which is expected to bring the state about \$46.5 million in new income. The government now will collect rents.

German sources report that the Ethiopian Orthodox Church has been receiving some \$484,000 per year from rents and the Mekane Jesu Church (Lutheran) some \$20,000. Owners of rental houses will be compensated, although in urban areas no owners will be paid in excess of 598 square yards of property.

Because of sizable land grants from

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the former monarchy, the Ethiopian Orthodox Church was one of the largest property holders in the country before the *coup d'état* last year.

FCC Rejects Freeze on Religious Broadcasting

WASHINGTON, D.C.—The Federal Communications Commission has rejected a petition that it put a freeze on applications by religiously affiliated groups to secure FM and television educational channels.

In its unanimous decision, the FCC declared that any "religiously affiliated educational organization . . . may become an educational broadcast licensee."

The FCC received 700,000 letters on the issue, almost all opposing the petition. Previously, the most letters received on a single issue was 100,000 in relation to hearings on whether to limit advertising on children's programming.

However, Ashton Hardy, FCC gen-

eral counsel, denied that the vast outpouring of letters influenced the decision. "Policies can't be dictated by public outpourings of opinion," he said. "The commission has to go by the law. It sometimes is difficult to decide, but I think this decision is in the public interest."

Crèche Barred From Public Schools When Classes Are in Session

SALEM, Oreg.—Public schools in Oregon must not permit nativity scenes in school buildings while classes are being held, according to State Attorney General Lee Johnson's ruling in answer to a question asked by the Oregon Board of Education.

"It would not be permissible to maintain a crèche in an Oregon public school room while school is in session and children are required to attend," he said. "The crèche would not be simply a recognition of a 'holiday' season, participated in to some extent, at least,

even by non-Christians and with substantial secular significance. Instead, it would presumably be designed to emphasize the religious aspects of the Christmas season.

"We point out," he added, "the existence of the 'Keep Christ in Christmas' movement specifically intended to emphasize the religious and de-emphasize the secular aspects of Christmas, with a crèche or other Nativity display as the usual focal point.

"We cannot avoid a conclusion that the courts would hold that under the proposal you describe, the school attendance laws and the governmental structure of the public school system would be used to acquire an audience for the Christian religious exhibit, thus implying sponsorship by the school district itself. The doctrine of separation of church and state, of religion and law, would be considered breached."

The issue arose in Portland in the 1973 Christmas season, when a volunteer room mother took a nativity scene to school. She was told that school policy and Federal law forbid it.

Western Maryland College Removes Chapel Crosses

WESTMINSTER, Md.—Crosses have been removed from atop the two chapels at Western Maryland College as part of a decision to sever ties with the United Methodist Church and to settle a court fight.

College administrators reportedly have also agreed neither to "sponsor nor conduct any religious services" and to "remain totally neutral to the spiritual development in a religious sense of its students." Prayers, religious hymns, and sermons are not expected to be part of commencement exercises.

Removal of crosses from the tops of "Big Baker" and "Little Baker" chapels is a symbol of the nonsectarian nature of the school. It was also required, according to Dr. Ralph John, the college president, as a condition in the settling of a suit seeking to bar public funds to the institution.

The three-year-old litigation cost the college \$75,000 annually in legal fees, Dr. John said, explaining why a settlement was reached before the Supreme Court of the United States has a chance to rule on an appeal.

The case started in 1971 when the Maryland Legislature enacted a program of grants to nonpublic colleges and universities. The State agreed to



DISPUTE OVER ABRAHAM'S TOMB—The Ibrahimi Mosque in Israeli-occupied Jordan, built on the "double cave" of Machpelah, traditional burial site of Abraham, Isaac, Jacob, and their wives, has become involved in a dispute between Jordan and Israel. In early August, Israel proposed a plan under which Moslems would worship at the cave of Isaac and Rebecca, while Jews would use the cave of Abraham, Sarah, Jacob, and Leah. Israel has rejected as "completely baseless" the charge that Moslem religious rights will be violated. Both Arabs and Jews revere the site, since both consider Abraham the father of their people.

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pay \$500 for each Bachelor's degree awarded and \$200 for each graduate of two-year colleges.

Payment of such grants to Western Maryland and four Roman Catholic schools (one now closed) was challenged by the Maryland chapters of the American Civil Liberties Union and Americans United for Separation of Church and State. Public aid to private, nonsectarian colleges was not challenged.

A Federal district court upheld the State program. Plaintiffs appealed. Should the Supreme Court overturn the lower court, Western Maryland would lose some \$373,000 annually. The college did not want to take the risk. Earlier this year, Dr. John informed the United Methodist Board of Higher Education and Ministry that the Westminster school had decided to disaffiliate from the denomination.

"Removing the cross put us in a more honest position," Dr. John said. "How do you say that Western Maryland is a nonsectarian institution enforcing no particular religious position and leaving each student free to find his own beliefs, while displaying such a conspicuous symbol of one religious tradition?"

Western Maryland reportedly will limit the number of United Methodists on its board of trustees and among its teachers.

Sunday Sales Law Upheld in New York

ALBANY—The New York Court of Appeals has upheld the State's Sunday-closing laws, but at the same time reversed the convictions of a group of supermarkets for "uneven enforcement" of the laws.

Four of the seven judges ruled in the majority opinion that prosecution of a group of Buffalo supermarkets that had stayed open on Sunday violated the equal protection clause of the Constitution. But they said the law itself was constitutional.

The court said that in Erie County where Buffalo is located—as in other parts of the State—there is no "policy of general enforcement," and the blue laws are enforced only after private citizens have registered complaints to public officials.

In minority opinions, three judges criticized the "wholly irrational" maze of Sunday-closing laws, which they said were therefore unconstitutional.

Here and There

▶ The Supreme Court of the United States has reversed the conviction of the editor of a now-defunct underground newspaper in Virginia under a 97-year-old law making it a crime to advertise abortion services in Virginia. The 7-2 decision held that Virginia violated the First Amendment by regulating what Virginians may read about services in another State.

▶ The Union of Muslim Organizations has urged British education officials to provide separate schools for Moslem children so that they may observe Islamic principles. The Muslim Union said that under Koranic law "any kind of free intermingling and discussion between adolescent girls and boys would be extremely suspect. . . . Girls are certainly not allowed to enter the free society of males, other than close relations. This means that no Moslem girl ought to go to a mixed secondary school."

▶ President Samora Machel of Mozambique has banned infant baptism in Mozambique because it interferes with the fundamental principle of freedom of belief.

▶ A vigilante group in Mendoza, Argentina, calling itself the "Pius XII Morals Squad," has embarked on a campaign of violence to rid the streets of the provincial capital of prostitutes. About a dozen prostitutes were beaten up and badly injured in three separate street attacks by hooded members of the squad wielding chains, belts, and ropes.

▶ A Tennessee Court of Appeals has ruled that a dissident church that withdrew from the Presbyterian Church in the U.S. (Southern) is not entitled to ownership of the church building. The court upheld a lower court decision recognizing the "loyal minority" in the congregation as the rightful owners of the Fairmount Presbyterian church building.

▶ An Idaho judge has given a 48-hour jail sentence to a Jehovah's Witnesses member who said serving on a jury would conflict with his religion. Gustave D. Schultz, 53, was sentenced after he told First District Court Judge Watt E. Prather that his religious convictions made him unwilling to judge another human being.

▶ The Internal Revenue Service will reconsider a June ruling denying tax deductions on contributions to the Bach Mai Emergency Hospital Fund, an organization formed to rebuild a North Vietnamese hospital bombed by United States forces.

▶ Nearly 150 national, regional, State, and local organizations, both religious and secular, have indicated their support of a "united effort to restore prayer in public schools," led by the National Back to God Movement. The organization's goal is to get Congress to pass a bill barring the Federal courts from entering "any judgment, decree or order denying or restricting, as unconstitutional, voluntary prayer in any public school."

▶ Carver and Anoka counties in Minnesota must pay for abortions for women eligible for medical aid from their welfare departments, United States District Judge Earl R. Larson has ruled. The judge said the policies of the counties of not paying for nontherapeutic abortions for welfare recipients violate the equal protection clause of the Fourteenth Amendment of the U.S. Constitution.

▶ Twelve of the 16 Italian Roman Catholic missionaries in Uganda have been expelled for "smuggling of essential commodities" and writing "secret and malicious letters" to their superiors in Italy about the political situation in Uganda.

▶ The government of Poland has raised the status of the Academy of Catholic Theology in Warsaw to that of "a higher school of learning," and granted it all the rights and privileges of a university.

▶ Three members of the Unification Church founded by the Reverend Sun Myung Moon of South Korea have been expelled from the Malagasy Republic on suspicion of spying for the CIA.

▶ More than 300 years of state control of Church of England services ended on September 1, when repeal of the 1662 Act of Uniformity—which made the Common Prayer Book of that year the only legal service book in England—became effective. The General Synod of the Church now may authorize alternative services. Methodists are expected to ask Parliament for similar doctrinal freedom.

PERSPECTIVE

Drive-in Erotica

The Court has done it again! (Of course, there is only one *the* Court.) By a 6-3 decision it ruled unconstitutional the Jacksonville, Florida, ordinance by which the University Drive-In Theater was prohibited from showing a movie featuring coveys of "vile bodies." By doing so, a number of religious and "patriotic" magazines would have us believe, the Court continues its misguided course, corrupting American youth, and now causing pile-ups on the freeway by the theater, as tillated drivers sneak a peak at the pulchritude.

Before performing an exorcism for the justices consider the following: The Jacksonville ordinance would have ruled out not only pornography but also showing a "baby's buttocks, the nude body of a war victim, or scenes from a culture in which nudity is indigenous," as Justice Powell pointed out in the Court's decision. And, in its well-intentioned, but too-broad construction, the ordinance would have prohibited a documentary tour of the National Gallery of Art in Washington, D.C., or, even more proximate to the justices, close-ups of the frieze that adds aesthetics to the interior of the Supreme Court chamber itself.

Certainly safety of drivers is a valid concern for city fathers. Based on the Court's decision, we believe Jacksonville could enforce a constitutionally defensible ordinance requiring that all drive-in movies be shielded from surrounding highways, byways, freeways, throughways, and what-other which ways. But it is not likely that our opinion will calm the Court's critics.

Nor, perhaps, should they be totally tranquilized, for the decision raises substantive questions concerning the right to privacy, and answers them in a way that makes us feel the last words have not yet been heard. Our point is, people who dislike the Court's rulings on pornography, free speech, and allied issues should dislike them for the right reasons. And recognize, moreover, that there is quite as much danger in too-broad laws as in too-permissive decisions.

As an example, recall the Anti-Pandering Act, enacted in 1970 by a Congress too anxious to please constituents by eliminating dirty advertising from the mailboxes of the offended. Most parents who have seen what is

being mailed to homes by pornographers soliciting business will endorse the purpose of the Anti-Pandering Advertising Act. But so broadly is it written and so perfidiously applied, that companies advertising the Bible itself have received cease and desist notices from the postmaster. LIBERTY subscribers offended by an editorial viewpoint have resorted to the Act to cancel subscriptions (just a letter will do!).

Threats to freedom of speech or any other freedom come not only from "dirty" old men (as some have typed the Court) but from "clean" new laws. We must interpret dangers to our freedoms not by a period that begins and ends in one spot, but rather by a line that had its beginning in hoary tyrannies, and may yet lead to the graveyard of hard-won liberties.—R.R.H.

People who dislike the Court's rulings on pornography, free speech, and allied issues should dislike them for the right reasons.

Madalyn and the Astronauts

One would assume that Christians, by the very nature of their profession, reflect a high standard of integrity. But assumptions, like mirages, have a way of distorting reality. Consider the travel-worn petitions being circulated throughout an excitable segment of evangelical Protestantism. According to one version, Atheist Madalyn Murray O'Hair is campaigning to stop astronauts from praying in space. Another version has her trying to prohibit Bible reading by astronauts. In still another scenario she's responsible for a petition to halt all religious radio and television broadcasting.

The truth?

After Col. Frank Borman read from the Bible while circling the moon on Christmas Eve, 1968, Mrs. O'Hair did campaign to prevent a recurrence. Federal Courts subsequently dismissed her two lawsuits against NASA and the astronauts, and the Supreme Court refused to hear her appeals. The latest Court action was in 1971, *four years ago!*

Says S. Neil Hosenball, NASA's general counsel: "The action of the Supreme Court, denying a further hearing, has

settled the matter for all practical purposes. The space agency's position is that astronauts, like all other citizens, are free to exercise their constitutional right to free exercise of religion wherever they are."

Mrs. O'Hair denies that she or anyone on her staff is involved in or knows anything about a current petition drive against the astronauts. "Any such movement is strictly a figment of somebody's imagination."

The broadcasting issue? The FCC did receive a petition asking that no additional educational, noncommercial FM or television channels be granted to religious broadcasters, but Mrs. O'Hair was not involved. The FCC rejected the petition in August, 1975.

Responsible officials in a number of denominations have sought to enlighten their constituencies. The Baptist Joint Committee on Public Affairs reported:

"Acting on or distributing these unfactual circulars is just one of many instances in which a number of religious people have responded without determining the facts. Such uninformed response dilutes their present and future influence with Congress and the administrative agencies."—*Report From the Capital*, July-August, 1975, p. 1.

An editorial in *The United Methodist Reporter* commented:

"The well-intentioned plea for letters to NASA is not only useless but counterproductive. It stirs people up unnecessarily. It gives unnecessary publicity to Ms. O'Hair, crediting her with more clout than she has.

"It wastes the time of persons at NASA who have to wade through the unneeded letters. And it diverts the attention and energy of many Christians from real issues to this pseudo-issue."

Apart from the immorality of bearing false witness against one's neighbor, concerned Christians might well ponder the potential consequences to Mrs. O'Hair. After her legal battle involving prayer in public schools, stores refused to sell to her. She could not find a job. Her oldest son was beaten repeatedly and her youngest son was stoned. Foes broke her office windows and vandalized her car. And the daily mail brought such wooing appeals for conversion as this:

"You will have bad luck forever. You atheist, you mongrel, you gutter rat. Jesus will fix you, you filthy scum."

All this in the name of Christ!—R.W.N.

LIBERTY AND THE LAW

Separation of Church and Trade

By Elvin L. Benton

Young v. Southwestern Savings and Loan Association, 509 F. 2d 140 (5th Cir. 1975).

Should an employee told by a superior to attend a religious devotional held in connection with staff meetings be expected to ferret out a secret policy of her employer that would have exempted her from attendance? No, said a Federal appellate court in a case involving a classic absence of communication.

When Martha Young took a job as a teller at the Bellaire, Texas, branch of the Southwestern Savings and Loan Association, she knew that on the third Wednesday morning of every month she was expected to attend a 45-minute staff meeting. She knew that various business matters, and future plans, would be discussed.

What Mrs. Young didn't know was that her first such staff meeting would begin with a short religious talk and a prayer, both by a local Baptist minister. Mrs. Young, a member of the Unitarian Church (which she later left), nevertheless professed atheism. What the court was later to term quaintly "this theological appetizer, nondenominational though it might be," was offensive to Mrs. Young. After attending one more such meeting the next month, also inaugurated by the prose and prayer of a Protestant cleric, she resolved not to come back for more. She didn't object to the business part of the sessions, but though she made no formal protest at that time, she felt that her freedom of conscience was being violated by forced attendance at what she called "prayer meetings."

Six months went by before someone noticed that Mrs. Young wasn't coming to staff meetings. When she explained to the Bellaire branch manager, Michael Bostain, that she could not attend because of the religious content of the devotionals, Bostain, surprised, pointed out to Mrs. Young that the primary purpose of the meetings was discussion of business matters and added that she had an obligation to attend the entire meeting. If she objected to the corporate Christianity, she could simply "close [her] ears" during that time. Bostain repeated his insistence that the meetings were mandatory and told Mrs. Young he would leave the decision to her. Neither was aware of a company policy, known only to a few high-ranking officers, permitting

objecting employees to miss the disfavored devotionals.

Later that same day Mrs. Young told Bostain she was checking out her cash drawer, turning in her keys, and leaving Southwestern, giving the required "prayer meeting" attendance as her only reason. When Bostain asked her for a letter of resignation, Mrs. Young refused, saying, "No, I am being fired." Bostain tried to assure her she was not being fired, but Mrs. Young, by all accounts an excellent employee, left without further discussion. In a letter she explained her reason for leaving and asked for two weeks' termination pay, a request Southwestern granted.

After an unfruitful contact with the Equal Employment Opportunity Commission about the possibility of filing charges against Southwestern, Mrs. Young filed suit in the United States District Court for the Southern District of Texas, seeking reinstatement, back pay, and attorney's fees and asking the court to enjoin Southwestern from "presenting religious activities at their monthly meetings and in all other aspects of their relationship with their employees."

District Court Judge Woodrow B. Seals turned Mrs. Young away with the insistence that she had voluntarily resigned her position, and that therefore the religious exercises at the monthly staff meetings could not be termed an act of discrimination against her. Her disbelief in a Supreme Being was paralleled by her skepticism as to the omniscience of the court, and she appealed to the Court of Appeals for the Fifth Circuit.

Circuit Judge Irving L. Goldberg's opinion for the 2-1 majority in the Court of Appeals reversed the District Court's judgment and ordered that consideration be given to the relief Mrs. Young sought in her suit. Without questioning the lower court's finding of facts, Judge Goldberg held that the District Court had "incorrectly applied the law to the peculiar facts of this difficult case. We find that Mrs. Young was constructively discharged in circumstances which amounted to religious discrimination against her by Southwestern."

Judge Goldberg offered some judicial guidance for the court's determination: "The general rule is that if the employer deliberately makes an employee's working conditions so intolerable that the employee is forced into an involuntary resignation, then the employer has encompassed a constructive discharge and is as liable for any illegal conduct in-

volved therein as if it had formally discharged the aggrieved employee." The only reason Mrs. Young left, said the judge, "was her resolution not to attend religious services which were repugnant to her conscience, coupled with the certain knowledge from Bostain, her supervisor, that attendance at the staff meetings—in their entirety—was mandatory and the reasonable inference that if she would not perform this condition of her employment, she would be discharged." "Surely," asserted Goldberg, "it would be too nice a distinction to say that Mrs. Young should have borne the considerable emotional discomfort of waiting to be fired instead of immediately terminating her association with Southwestern. This is precisely the situation in which the doctrine of constructive discharge applies, a case in which an employee involuntarily resigns in order to escape intolerable and illegal employment requirements."

Southwestern didn't try to say in court that it couldn't have accommodated Mrs. Young's request. Instead, it attempted to use as a defense the assertion that Mrs. Young should have inquired and found out about the obscure company policy permitting her to be absent from religious exercises, and that had she contacted a high-ranking official before leaving, the entire matter would have been quickly resolved. Circuit Judge Homer Thornberry, in dissent, bought that argument and would have affirmed the District Court's judgment.

Judge Goldberg saw the same facts differently. "We do not see how Mrs. Young's obligations were in any way altered by the existence of this secret policy."

The appellate court didn't question the impropriety of requiring employees, whose work presumably had nothing to do with religion, to attend a religious observance as a condition of employment.

The court questioned, rather, the duty of an employee to use heroic means to discover whether her employer is telling the truth about its own rules.

Within that framework Judge Goldberg's parting shot makes sense: "The subtle and unrealistic distinction drawn by Southwestern here between resignation and discharge does not deter us from enforcing the statutory mandate. Accommodation as a defense must be unsubtle, direct, undelayed and communicated without equivocation. The statutory defense of accommodation is not met by some *post hoc* hypothesis."

LETTERS

Julian the Apostate

Charles Ludwig's article "Julian the Apostate" (July-August), apparently written with a Christian bias, is unfair to one of the true heroes of fourth-century Rome. Ludwig selects and emphasizes the unfavorable, neglects the favorable almost completely, imputes the guilt of others upon Julian, and delivers the history of the fourth century to twentieth-century readers without discussion of the standards of the period.

Julian lived in a world in which separation of church and state was unknown. If it existed at all, it did so not when Christians dominated but more likely in pagan societies.

After the conversion of Constantine, there followed a persecution of pagans by Christians who desired to convert all souls to the "true faith." Pagan temples were destroyed, pagan priests were murdered. Also, there were fierce and bloody disputes between Athanasian Christians, who believed Jesus was co-eternal with God, and Arian Christians, who held that God the Father was greater than God the Son. Julian saw Christianity as a divisive force in the empire, which it clearly was in that period, and longed for the relatively tolerant pagan religions to return to prominence. He was, indeed, biased toward paganism and used equally unfair tactics to promote it. His followers sometimes pillaged and murdered, just as the Christians had done and would do again, but Julian never condoned or promoted this violence.

Julian was one of the greatest men in history, certainly one of the few greats of his tragic century. Like all other mortals, he had weaknesses. He was superstitious and excessive in his pagan sacrifices. Perhaps he overdid stoicism. These—the superstitiousness at least and the sacrifices—were not uncommon in that age (or for twelve centuries thereafter).

He was a learned man, wise for one so young, a great and successful general whose victories against the Alemanni and the Franks probably prolonged the life of the Western Empire.

With the hindsight of sixteen centuries, we can easily see Julian's faults, small as they are when seen from perspective. The unfortunate thing about him was not that he was pagan but that he didn't rule long. He was foolishly wasted in a war against another civilized nation, Persia, at a time when he should have allied with Persia against the Huns and Avars. If Julian had lived and ruled an additional several decades instead of the decadents

who followed him, Western history may not have been so black for the next thousand years. Roman rule, however imperfect, would have been immensely better than the barbarism that followed it in the West.

ULYSSES NICK
Orlando, Florida

The Wends

I have long been an admirer of your magazine and have read it with interest, if not always agreement.

I was especially appreciative of your article on the Wends in the July-August issue. Both my wife and I grew up in the religious community of the Wends in Bethlehem, Pennsylvania, and fondly recall our heritage. There are several thousand Wends residing there who are of the Lutheran or Roman Catholic tradition, as well as some smaller groups located in places other than Bethlehem. The immigration of these people occurred later than the Texas Wends.

Your article is correct in stating that the Windish, as we are called in eastern Pennsylvania, are dying out as a distinctive nationality with a separate language. However, your article should be corrected in the fact that, besides those in Europe, Texas, and Australia, there are indeed other groups surviving.

F. PETER MUHR
Pastor
Zion Evangelical Lutheran Church
Tamaqua, Pennsylvania

Prohibition: Round Two

In the July-August letters section N. D. Lamar asked the valid and incisive question, How can Seventh-day Adventists who advocate separation of church and state consistently attempt to influence governmental bodies to pass legislation that would prohibit the manufacture, sale, or use of alcoholic beverages? Francis A. Soper, editor of *Listen*, made a beautifully worded, tactful, lovingly persuasive reply showing (1) many spiritual reasons why we should try to persuade all of our fellow men not to use alcoholic beverages, (2) that the problems of the alcohol user can hurt non-users and be detrimental to society at large, and (3) that the tax revenue from alcohol traffic does not cover society's costs of coping with alcohol-related problems.

However, Soper failed to justify the means of pressing for legislation, because such a justification cannot be made with logic and consistency.

The facts presented in the third part of Soper's reply (showing that alcohol revenue cannot cover society's costs of coping with alcohol-related problems) may be appropriately used for purposes of individual persuasion. But a small governmental jurisdiction surrounded by "wet" areas bears most, if not all, of these costs whether it prohibits or not. Furthermore, if we look objectively at our national history of prohibition, those costs were still present as well as some other costs resulting from widespread use of "rot-gut" products.

In the second part of his reply, Soper touches on the point that the drinker's freedom ends where the nondrinker's nose begins. This justification does have limited validity. The church could quite appropriately, corporately (and even more appropriately, individually) press for legislation that would define drinking driving as a felony. It seems more inhuman, and therefore even less excusable if possible, to giddily, emotionally risk wasting a life during the selfish pursuit of pleasure than to attempt to take a life with some "emotional need" to do so.

For even more effectiveness we could press for preventive law enforcement patterns such as routine drinking driver tests similar to routine vehicle inspection. But beyond this point the dangers to other members of society become somewhat less obvious. We must concede that the majority of drinkers cause no significant social problems; that any man with two hands and a hot temper may be "a potential menace to his family"; and that as many, if not more, members of society were hurt by the social evils accompanying national prohibition as are being hurt without it. In fact, there is probably no other single factor that has lent as much impetus to the growth of organized crime in our country as did prohibition.

It is with the first part of his reply (there are spiritual or moral reasons not to use alcohol) and with his closing statement (these are our real reasons for advocating prohibition) that Soper gets onto really thin ice.

Urging legislation for someone else's moral well-being denies the doctrine of free moral agency, denies the omnipotence and redeeming grace of our Lord, and denies the golden rule. We don't like Sunday-closing laws which some people think are for our moral well-being. Furthermore, such urging denies the tolerance that LIBERTY has been es-

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pousing for a good many years. Therefore, Mr. Lamar's implied allegations that we espouse liberty only when selfish motives exist stand inadequately answered.

But, most important, Seventh-day Adventists must realize that the rationale that leads men to legislate prohibition, censorship, what-have-you, for the moral or temporal betterment of society, is the same rationale that might lead men to legislate a uniform compulsory day of worship in order to secure the blessings of God to a decaying, crumbling world. It might be expedient to have some clear-cut, consistently held principles to allude to while trying to stem the tide and proclaim God's beautiful love story as it uniquely pertains to earth's closing generations.

CARL D. WILLIAMS
Medway, Ohio

Life seems replete with tightropes we are forced to walk. The issue of local option "wet" or "dry" referred to by N. D. Lamar is unquestionably one of them. Though I could not agree more with Soper's analysis of the dangers and damaging effects of alcohol and alcoholism, I disagree with the premise that any denomination, yours or mine, has the right to determine life-styles for anyone but its own members. Too long Christians have depended on the government to enforce our religious and moral convictions on the general public. Prohibition and Sunday blue laws are, of course, the glaring examples! Legal measures taken to correct social and moral evils simply indicate that we in the church have failed to offer convincing and attractive alternatives to those who seek escape from the pressures of life through alcohol and drug addiction.

True as the arguments Soper presented are, it still stands that they are the panic-stricken polemic of failure to speak out against the equally damaging evils of inadequate housing, racial, cultural, and class discrimination, unfair employment practices, and benign neglect, which tend to lead people to turn to alcohol and drugs for escape.

It is my firm conviction that when Christian churchmen take seriously the task of improving and helping our communities improve the quality of life, we will not have to engage in panic-stricken polemics against alcohol beverage stores in our communities. And further, until we do, we will simply be treating the symptoms of the disease rather than at-

tacking the viruses that tend to bring on the disease in people. We say that Christ is the answer! But His answers are not the restraining of options, but rather the expanding of them. When we get serious about offering people outside and inside the church attractive and workable options for dealing with frustration, boredom, and despair our work will be more in keeping with the freedom for which Christ has set us free.

ALBERT S. HOYER
Pastor
First Presbyterian Church
ChIPLEY, Florida

Billy Graham's America

I generally appreciate the quality of the articles of your magazine, but you hit a real low in Billy Graham's "God and America" (July-August). I have never read an article in a first-class magazine so unbelievably shallow, naive, parochial, un-Biblical—yes, unchristian! Wow! Billy has hit a new low in his proof-text preaching, and if many people believe him, our country is in real jeopardy. There will not be any tricentennial.

If you want to help our nation, let us hear from an Amos or a Micah. Please! No more Billy.

EARL D. BIGGERS
Pastor
Trinity United Methodist Church
Swanton, Ohio

"God has mightily blessed America. He has given us wonderful natural resources, perhaps beyond those of any other country."

Did God take away one half of Mexico from the Mexicans and give it to us? Oil, fertile land, minerals, et cetera?

DAVID SCHNEIDER
Klamath Falls, Oregon

Bible Thumpers

I am writing to comment on a letter to the editor entitled "Bible Thumpers" (July-August).

I can relate to the "vexation" of the writer, as I did not cherish the challenge against prayer in the schools, but I do agree with LIBERTY that enforced Bible reading and prayer in public schools is unconstitutional.

I only hope LIBERTY is being as consistent in other areas of violation of the spirit of the First Amendment.

In the areas of parochialism and the "tax free" status of the churches, I believe there is greater cause for alarm and potential danger than the reading of the

Scriptures or prayer in the school and probably more evidence against it in terms of our founding fathers' intentions.

PATRICK A. TRAVIS
Atlanta, Georgia

Snake Handling

A friend sent me LIBERTY for May-June, the one of the rattlesnake on the cover coiled around a church. I found the cover fascinating.

I read the whole article and to my way of thinking, I'd say that if those church people in Tennessee want to handle rattlesnakes in their services, the authorities have no business interfering.

I've been interested in snakes for many years. As an oriental acrobatic dancer, I used big pythons and boa constrictors in one of my routines in show business. I danced under the professional name of Neryda.

I've never handled any poisonous snakes, but I find them fascinating. Rattlesnakes are very much gentlemen, as they always warn you with that interesting rattle. Snakes are not the culprits that most people make them out to be.

This picture of me and one of my pythons was taken many years ago.
EVA NEWTON
New York, New York



Religion in the Schools

I have just read in your November-December, 1974, issue the letter from Guy Frantz explaining how he wants religion taught in what he calls "free public schools," and I am puzzled by his suggestion that the teachers ask, "Whence, but from God come all these lovely things?" Among the lovely things he

LETTERS

cites are "true love in a human heart," "kindliness," "the way of birds," et cetera.

How convincing will be the teachers' replies when their students ask, "Where does evil come from?" "Why is my baby sister in such pain?" "Did the creator of the birds also create leukemia and the lack of love in a human heart that results in rape and murder?" The discussion is likely to result in conclusions entirely different from those sought by Mr. Frantz.

What your correspondent is advocating is a double denial of religious liberty. The suggested teaching would be forced on children who are required by compulsory education laws to attend school; the children would be forced to receive indoctrination in a religious belief that they and their parents do not hold. No one can pretend that this is *freedom* in any sense of the word.

The use of tax funds (which is how the public schools are operated) for Mr. Frantz's program is nothing but compelling the taxpayer to pay to spread Mr. Frantz's religion. No one can call this *freedom*.

Since I believe in freedom of religion, I want Mr. Frantz to be free to spend his own money to spread his beliefs to anyone who wants to listen, but no one has the right to compel me to spend my money to propagate his beliefs and no one has a right to compel my children to listen to the propagation of his beliefs.

ARTHUR BERNSTEIN
Miami, Florida

Massacre at Mountain Meadows

I have read with much interest the letter of Dr. H. J. Davidson, printed in your July-August issue, particularly his comment that "the Church of Jesus Christ of Latter Day Saints is against murder of any kind and has always been." (Italics supplied.)

It is surprising that Dr. Davidson is not informed about the doctrine of Blood Atonement. It was taught by Brigham Young, Joseph Smith, and others, and is well documented. The theory of the doctrine is that there are certain sins man may commit so grievous that even the blood of Christ cannot cleanse the sinner of them and their only hope is to have their blood shed to atone as far as possible in their behalf. (See the writings of Joseph Fielding Smith, president of the Mormon Church, in the book, *Doctrines of Salvation*, vol. 1, pp. 135 and 136.)

For an authoritative, well-documented, and interesting discussion of the doctrine, I recommend *Inside Story of Mormonism*, by Einar Anderson, Kregel Publications, Grand Rapids, Michigan, 1973.

JNO. B. COBB, JR.
Attorney
Nashville, Tennessee

I am confused! H. J. Davidson exonerates his church for any part in the Massacre at Mountain Meadows. But the history of the church—a host of battle skirmishes in Joseph Smith's day—and what I read in volume four of the *Journal of Discourses* by Brigham Young seem to add credence to the view that Mormon teachings at the least would encourage bloodshed in some cases. Here are some statements from Young:

"I want all the people to say what they will do, and I know that God wishes all His servants, all His faithful sons and daughters, and men and the women that inhabit this city, to repent of their wickedness, or we will cut them off."

"There are sins that men commit for which they cannot receive forgiveness in this world, or in that which is to come, and if they have their eyes open to see their true condition, they would be perfectly willing to have their blood spilt upon the ground, that the smoke thereof might ascend to heaven as an offering for their sins, and the smoking incense would atone for their sins, whereas, if such is not the case, they will stick to them and remain upon them in the spirit world."

"I know, when you hear my brethren telling about cutting people off from the earth, that you consider it strong doctrine but it is to save them, not to destroy them."

"If they knew themselves, and the only condition upon which they can obtain forgiveness, would beg of their brethren to shed their blood, that the smoke thereof might ascend to God as an offering to appease the wrath that is kindled against them, and that the law might have its course."

"I could refer you to plenty of instances where men have been righteously slain, in order to atone for their sins. I have seen scores and hundreds of people for whom there would have been a chance (in the last resurrection there will be) if their lives had been taken and their blood spilled on the ground as a smoking incense to the Almighty but who are now angels to the devil, until

our elder brother Jesus Christ raises them up—conquers death, hell, and the grave. I have known a great many men who have left this church for whom there is no chance whatever for exaltation, but if their blood had been spilled, it would have been better for them. The wickedness and ignorance of the nations forbid this principle's being in full force, but the time will come when the law of God will be in full force."

"This is loving our neighbor as ourselves: if he needs help, help him; and if he wants salvation and it is necessary to spill his blood on the earth in order that he might be saved, spill it. Any of you who understand the principles of eternity, if you have sinned a sin requiring the shedding of blood, except the sin unto death, would not be satisfied nor rest until your blood should be spilled, that you might gain that salvation you desire, that is the way to love mankind."

Am I confused, or are Davidson and other Mormons? Do Mormons have two sets of doctrines, one they hold to themselves and the other they present to the public? Do not these quotes add substance to contentions that the Mormon leadership had a hand in the Mountain Meadows Massacre?

ROBERT WIEDEMANN
Muscatine, Iowa

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W. Melvin Adams (left) and Gordon Engen enjoy a faux pas in a legal brief.

Staff Changes

In *LIBERTY* for May-June, 1960, appeared an article titled "The Man Behind the President." It was written by Marvin E. Loewen, newly elected director of the Department of Public Affairs and Religious Liberty of the General Conference of Seventh-day Adventists. For the next fifteen years Loewen was the man behind *LIBERTY*, counseling, writing, appraising manuscripts, helping shape editorial policy. Recently, at a General Conference session in Vienna, Austria, he announced his retirement.

Fortunately for the department and *LIBERTY*, he will continue to live nearby and, at the department's request, continue as our watchdog of calendar reform developments and resident Sineologist (he was, in the 1940's, director of Kiangsi and Honan missions, and, later, president of the West China Union Mission).

Taking his place is W. Melvin Adams, 60, who since 1959 has served as associate director of the department and a *LIBERTY* associate editor. A specialist in labor problems who appears frequently before Congressional committees and in court to offer expert testimony, Adams should have no difficulty mediating the sometimes conflicting views of his associates.

Joining the department as associate director is Gordon Engen, 48, who has served for seventeen years as editor of the *Lake Union Herald*, and for fifteen years as religious liberty and communications director of the four-state Lake Union Conference of Seventh-day Adventists. Gordon recently finished a thesis on postal regulations and religious magazines. In the face of astronomically rising rates and hassles over mailing regulations, this expertise alone should ensure his reception on the *LIBERTY* staff as associate editor.



When is it permissible to pull the plug on a human life?

ILLUSTRATED BY TOM WILSON

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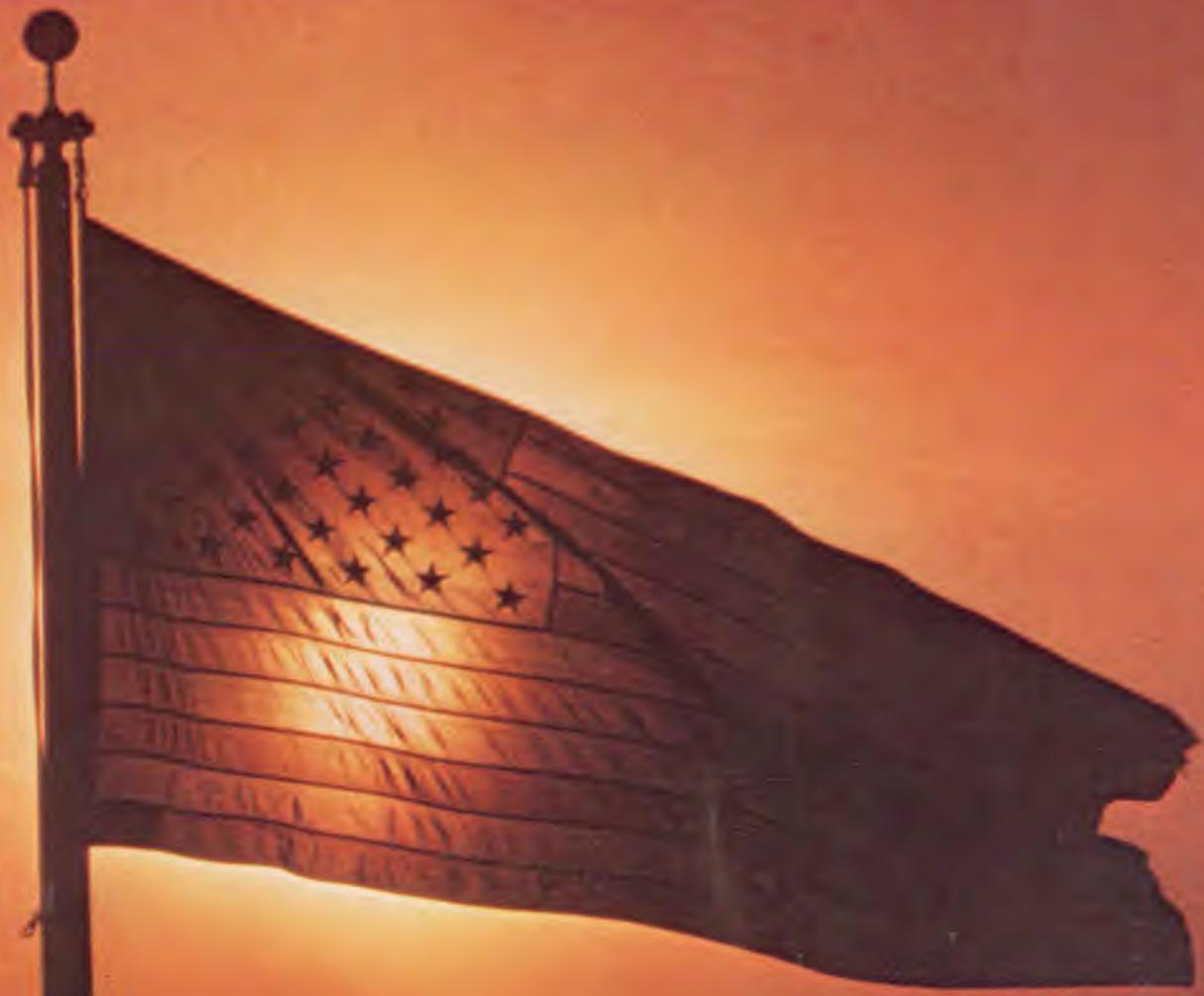
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“It is not our frowning battlements, or bristling seacoasts, our Army and Navy. These are not our reliance against tyranny. All of these may be turned against us without making us weaker for the struggle. Our reliance is the love of liberty which God has planted in us. Our defense is in the spirit which prized liberty as the heritage of all men, in all lands everywhere. Destroy this spirit and you have planted the seeds of despotism at your own doors.”

—Abraham Lincoln



“We here in America hold in our hands the hope of the world, the fate of the coming years; and shame and disgrace will be ours if in our eyes the light of high resolve is dimmed, if we trail in the dust the golden hopes of man.”

– Theodore Roosevelt