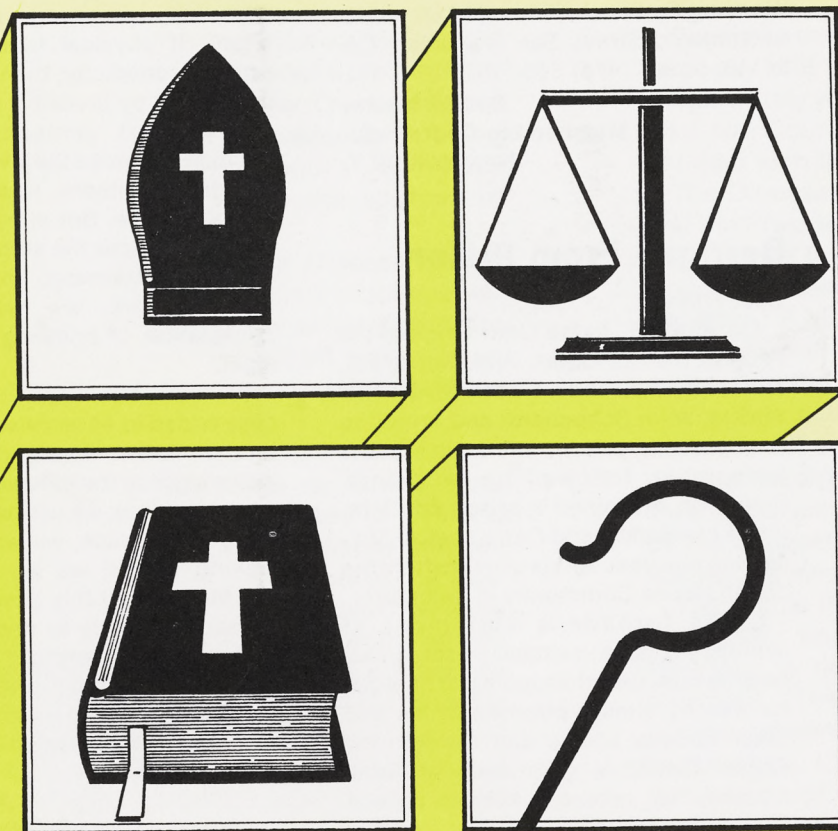


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What Happened To Authority?

John E. Skinner
William Stringfellow
Donald J. Thorman

Response:

Alison Cheek



Notes Amnesty Resource

The Rev. Philip A. Getchell in his article, "Faces from Prison," (June WITNESS) suggested that while it may be easy for us to forget "prisoners of conscience" around the world, "this need not be if we discover that it is often rather easy to help someone."

As the author noted, Amnesty International has organized a mechanism in this country to make it "easy" for members of religious communities to do the hard work of making torture as unthinkable in this century as slavery became in the last. Some of your readers may already be familiar with our Inter-Religious Urgent Action Network (IRUAN), as there are now more than 400 religious communities involved.

The mechanism, based on rapid world-wide communication, works as follows. The AI Secretariat in London learns from reliable sources of someone who has been or is about to be tortured. (Cases of persons kidnapped, or about to be executed, or persons whose health is declining due to a hunger strike or inadequate medical attention, and so forth, are also taken up.) This information is then sent to more than a dozen national sections. Sometimes persons involved are priests, rabbis, Jehovah's Witnesses, or have some religious affiliation which has partially caused the extreme situation in which they find themselves. IRUAN bulletins are sent to religious communities in time for the regular gathering of their congregation on a monthly basis. The

bulletins, containing sample messages and names of officials to write, are then distributed for members in order to send telegrams and air express letters. (Denominational and other office staffs are also joining the IRUAN.)

One can imagine the surprise of an official, who feels he is keeping torture quiet, when he receives appeals from around the world on specific cases.

Does the mechanism work? In 1977, 300 cases were taken up. AI prepared a detailed tabulation in which there was improvement in 47% of the cases, while in 31% the situation did not improve. There was no concrete follow-up information on 21% of the cases. In any event, in one out of every two cases, the appeals helped.

For more information, write: IRUAN, Western Regional Office/AIUSA, 3618 Sacramento Street, San Francisco, CA 94118, or call (415) 563-FREE.

Robert Maurer
AI Membership Coordinator
New York, N.Y.

Berrigan From Prison

Dear Friends:

On April 28, Judge Oren Lewis of the Federal District Court, Alexandria, Va., sentenced Esther Cassidy, Ladon Sheats, John Schuchardt and myself to one year in prison, with six months suspended, followed by two years' probation. We joined in prison Ed Clark, similar sentence, and Carl Kabat, O.M.I., serving one year. All six of us are from the Jonah House Community in Baltimore.

Lewis forbade a statement at sentencing, gave us excessive sentences despite concurrent dropping of charges for exactly similar offenses in his and other Federal courts and disregarded Esther Cassidy's pregnancy of three months, her recovery from a serious Easter Sunday auto accident and her first-offense status.

The witness leading to imprisonment went this way: We first shared a litany of repentance—asking God's forgiveness for the main elements of American war-making, beginning with the

Manhattan Project, Hiroshima and Nagasaki, and ending with the new doomsday weapons systems—Trident, cruise missile, Missile X.

We poured blood on the pillars and floors of the Pentagon, revealing its bloodletting covering three decades. And we scattered ashes, as a symbol of mourning and repentance, and as a warning against a world in nuclear ash.

At Catonsville we said that the genocide stops here. Now we say that the preparations for mass suicide stop here. (To prepare for mass suicide is to be guilty of it.) We will not pay for the conspiracies and mass destruction weapons of this or any government. We will not contribute our silence. Rather, we will testify against official waste and madness, simply because the price of complicity is unconscionably exorbitant. If physical freedom is bought only by complicity, then we will discard complicity by breaking the law.

The court sentenced us purely because we broke the law, and offered to withdraw sentence if we promised to honor the law. But in our view, the law clearly legalizes the state's lawlessness. If we are cremated in mass nuclear destruction, we will have the consolation of knowing that it was all legal.

Perhaps our imprisonment—in my case added to 44 months already served for nonviolent resistance to war—will give weight to the following reflection: If we want peace, we will have to pay for it. If we want peace, we will have to stop making war. If we are silent, we are making war. All this government needs to lead the world to nuclear ruin is an irrelevant vote every four years, a sizable slice of our income (for war) and silence.

We trust that sisters and brothers will awake—as the Gospel entreats. And respond in time.

Philip Berrigan
Richmond (Jail), Va.

WITNESS Undermines

I dispute your comments both about the Study Action Guide, *Struggling With the*

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THE WITNESS

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Conflict in the Council

Robert L. DeWitt

"By virtue of the authority vested in me . . ." — so runs the formula that traditionally has been the credential of people exercising authority in society. Our times have seen an erosion of authority; the credential is being questioned. Articles in this month's WITNESS comment on that fact, and probe the sources of authentic authority.

The report in this issue from the Diocesan Press Service on how the matter of "terminal entitlements" for Maria Cueto and Raisa Nemikin was handled at the May meeting of the Executive Council serves as an illustration of the confusion surrounding genuine authority.

The two former staffers at the Episcopal Church Center refused to testify before a Grand Jury investigating bombings allegedly related to a Puerto Rican terrorist group. They refused because they felt that such testifying would be a violation of the trust implicit in and necessary to their church work with the Hispanic community. Consequently, both served almost 11 months in jail for contempt. The women had previously told the FBI they had no knowledge of the bombings, nor of persons involved; but they refused to so testify before a Federal Grand Jury because of exposing themselves to unlimited questioning. So, as all WITNESS readers know, they went to jail, the National Council of Churches took up their cause, seven others followed their example and were also incarcerated, and considerable emphasis was added to current concern, nationally and congressionally, over the matter of Grand Jury abuse.

Central to this situation now is the simple question of back pay and legal costs for the two women. Or is it simple? They were released from jail in January, and in May, two Council meetings later, that body still could not deal with the issue.

The Diocesan Press Service account makes it clear that the Presiding Bishop's position — and this was the issue before the May meeting — is that he and not the Council "is responsible for the decision made in this situation." A discussion, estimated by some observers to have lasted 45 minutes, resulted in a majority vote supporting the Presiding Bishop.

Why this action, upholding a policy which is less protective of employees than, for example, the policy of most leading newspapers toward their reporters? Two responses to that question provide clues to some of the deepest dangers in both our church and our society, as viewed from a Christian perspective.

The first is that in a contest between justice for the individual, and the stability of the bureaucratic structure, a decision will be made in favor of the structure. "The system" is paramount. A questioning of management is felt to be a questioning of our very foundations. Cover-ups are to be preferred to a clear admission of mistakes. (This, incidentally, is a judgment not on the Presiding Bishop, but on the Council. There are indications that the Presiding Bishop may well be doing what he thinks is proper, regardless of whether one disagrees.) The Council is threatened by the danger of "war in heaven" — conflict

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Authority as Nurture

by John E. Skinner

Many human frustrations and dilemmas can be traced directly to a confusion centering around questions of authority. Is there such a reality as authority? Hannah Arendt, many years ago, answered such a question in an article entitled, "What Was Authority?" In our world authority has disappeared because of the loss of primordial sources for it — constellations of events which focus ultimate reality for us and which give us a direction for the future.

In theological language, such events are called revelation. In the secular world they are no longer viable, so the powermongers have their day, and those who prevail attempt to invent modern myths to take the place of revelation and reinforce their power. Another way of expressing this is that ultimately authority is based on faith, and when the images and models for ultimate reality are lost, then substitutes come in and take their place.

In our Christian faith authority is anchored fully in the reality of God. All questions of authority which we ask ultimately have their referent in the Divine Reality. We have been taught a great deal about the nature of God. We affirm that the source of our being is also the source of our meaning. Another way to say this is simply that the One who creates us also redeems us, the One who gives us our life also makes that life worth living. God is the creator and preserver of all humankind.

Christian believers should be able to affirm the reality of authority because of the constellation of events centering in Jesus of Nazareth, and the revelation disclosed there which affirms that through the divine creative activity there is implicit a nurturing and redemptive presence. God expresses *his* presence in the totality of the creation, both in nature and in history. Theologically, this activity has been called the Word of God. And this Word of God, this nurturing and redeeming presence, is definitively revealed for Christians in Jesus Christ.

A criterion for authority can be found for the Christian in these affirmations of faith. All authority is derived from God, derived from his nurturing and redeeming



presence in nature and in history. Consequently, all authority should express itself as both a nurturing and a redeeming presence reflecting that ultimate source. The Gospel of Christ, as a result, becomes the criterion for determining whether authority is present, or only organized power parading as authority.

Many social structures, both secular and religious, express this nurturing function and serve as ways for bringing worth and meaning to human life. In another article, I have defined authority simply as follows: it is that kind of structured reality, whether societal or personal, which through nurture and cultivation enables individuals to become truly centered selves or persons and thus, relatively free beings. This definition is anchored in the Gospel criterion, and can be used for valuing the presence of such authority in scientific inquiry, artistic creation, political planning, moral struggle, and religious commitment. Furthermore, this criterion may be used for judging the pretensions of scientism, aestheticism, statism, moralism, and ecclesiasticism.

Although there are many appropriate symbols, let me now select one symbol for authority which derives from our Christian faith and embodies the Gospel criterion. Let us test it out on the basis of what has been concluded about authority. The symbol is the shepherd. In our tradition God has been imaged as a shepherd, Jesus Christ is the Good Shepherd, and as Christians look to

The Rev. John E. Skinner is professor of theology at the Episcopal Divinity School, Cambridge, Mass.

their bishops and pastors as shepherds, they often see the symbol of the shepherd's crook, the bishop's crozier.

The shepherd is one who cares for all his sheep, who seeks them out if they are lost, who knows them by name, who provides them with protection and nurture, and who at times risks his life on their behalf. In the Book of Ezekiel (34:11-17) God is identified as a shepherd. *"Now I myself will ask after my sheep and go in search of them. I will search for the lost, recover the straggler, bandage the hurt, strengthen the sick, and leave the healthy and strong to play."*

This is, theologically, a remarkable identification, if we would only take it seriously — the God who searches out the lost, the God who recovers the straggler, the God who permits the healthy and the strong to play. The difficulty is that we Christians do not really believe this.

As A. N. Whitehead has observed, the tender vision of Galilean humility was replaced in Christian tradition by the overpowering imagery of Caesar's court. The attributes of Caesar became the attributes of God, and for hundreds of years Christians have been trying to adapt the Biblical wisdom of God concerning his nurturing and redeeming presence to these attributes of Caesar. God is immutable, God is impassible, we were often taught in the past. If we confronted another human being who acted as though he were immutable, we would classify that person as rigid; or if we met one who was impassible, we would find a person without warmth, without feeling. A human monster, no less! And yet such attributes have been applied to God. Fortunately, the Bible knows better and the Gospel criterion frees us from such affirmations, even though such imagery has influenced our views of human authority and human leadership.

This imagery of God as shepherd is focused poignantly in the New Testament. Jesus Christ, God's Son, is the Good Shepherd who gives his life for the sheep. In Jesus the imagery of the caring God, the loving God, the God who searches and finds, is definitively expressed. In the New Testament this image of Christ opens up the reality of

"The Gospel of Christ is the criterion for determining whether authority is present, or only organized power parading as authority."

God for us, and those of us who would be Christian disciples find that God claims us in this manner, not as the overpowering ruler, but as the tender shepherd, not as the remote monarch, but as one who is with us, (*Emmanuel*).

This is dramatized in the exchange between Jesus and Peter in John 21. Peter, who had denied Jesus three times before his crucifixion, is searched out and confronted with the Divine Love, and Peter affirms that love three times, and is then directed to feed the sheep, to nurture and care for them, to be one of the shepherds (pastors) of Christ. In I Peter (5:1-4) we hear an admonition directed to the shepherds (pastors) of Christ: *"Tend that flock of God whose shepherds you are, and do it, not under compulsion, but of your own free will, as God would have it, not for gain, but out of sheer devotion; not tyrannizing over those who are allotted to your care, but setting an example to the flock."*

Consequently, the God who searches out his people, who wrestles with the forces of evil on their behalf, the God who is revealed as the Man on the Cross, continues to express his love and care through all those societal structures that convey a nurturing and redeeming presence, and through those persons who as shepherds of God search out the people and express in their lives the ultimate acceptance of the God they serve.

The theological dilemma, however, expresses itself fully here in the behavior of shepherds (pastors). Is the shepherd to be the representative of the ruling Caesar or of the Man on the Cross? Is the shepherd to be remote and isolated, or the wrestler with the forces of evil and deprivation? Is the shepherd to be a participant in some exclusive group which to all outside its confines is perceived as chatter reinforcing itself? Or is the shepherd to break from such group protection (whatever its collegial dimension) and be exposed to the reality without?

Adequate answers to these questions necessitate the union of theological reflection and pastoral practice. Here the theologian becomes the shepherd-pastor and the shepherd-pastor becomes the theologian. If this does not happen, the theologian may become the disciple of a God remote from struggle and change, and the shepherd-pastor may become engulfed in a frenzied activism in which the figure of the caring shepherd is lost, or he may act like a petty tyrant in which the figure of the caring shepherd is distorted.

The burning questions are these: Do we, as Christians, believe the Gospel or not? Are we going to let the Gospel

be the criterion for forming our images of God or not? Are we going to permit the Gospel to be the criterion for our views of both secular and ecclesiastical authority or not? The answers to these questions are not easy to achieve. A part of the Christian moral struggle is precisely to attempt an answer in the affirmative. An answer in the negative would have devastating consequences.

The late British theologian, P.T. Forsyth, once said that if reality is not redemptive, it is not moral, and if it is not redemptive then it is alien to the human moral struggle for personhood. An alien reality, however it may be understood, must be resisted by human beings committed to the moral struggle. Many societal structures, both secular and religious, often appear to be alien to the human moral struggle. They have the character of imposing organizations of power solely interested in the maintenance of that power — the “business-as-usual” approach. They are apparently oblivious to the struggle of the outcast, of the neglected, of those without recognition and without worth (nonpersons) in the eyes of those protected within the powerful structures.

These societal structures represent reality for large numbers of people, but they are alien because they do not mediate a nurturing and redeeming presence. They are rather a smothering and oppressive force holding human beings back from full personhood, thus prematurely stopping the moral struggle. The power structure becomes the *substitute* for God’s nurturing presence. As an alien blockage of reality finally begins to crumble, the people within it are bewildered and frustrated, faced with the disintegration of the only reality they ever knew. When this happens, it is a crucial time for genuine authority to act, for genuine authority to nurture, cultivate, and enable the affirmation of a deeper faith in the Divine Reality which transcends organizations of power, and affirms the only genuine authority, the authority of the Divine creative and redemptive activity.

In conclusion, when Christians through their faith can affirm such authority, then this authority expresses itself (a) as a prophetic witness against those societal structures (organized powers) which smother and oppress, and (b) as a witness for and an actual involvement in the nurturing and redeeming presence which enables individuals to become centered persons with relative freedom. Moreover, the community of Christians, the church, expresses its authority as a priestly medium only when it conveys the nurturing and redeeming presence of the Divine Reality. This Reality is the ultimate source for all human authority, and the ultimate Judge against all sinful distortions of authority. ■

Authority as Myself

by Donald J. Thorman

Since Vatican II a new role has been developing for Catholic theologians who began to come into their own publicly as the glamorous and powerful *periti* of the council. It is no secret most bishops are not theologians. The council forced them to rely heavily on the expertise and recommendations of a relative handful of theological experts. Those experts influenced the present and future of the church out of all proportion to their numbers and official status.

Unlike men before them, such as Teilhard de Chardin who no longer published after some frightened curial bureaucrats told him to cease and desist, the new breed of theologians has built its own national and international constituency.

For good or ill, contemporary theologians have direct access to the Catholic community through their writings and lectures. The practical result is that both the wheat and the chaff are able to flourish, at least until harvest time.

An immediate result of this state of affairs in the church is what increasingly is referred to as the “crisis” of teaching authority. It used to be so much easier for us in pre-conciliar days when theologians were kept in line by the strong and frequent declamations of Pius XII. For all practical purposes the pope had the franchise on the magisterium. In *Humani generis* in 1950, Pius declared:

“Thus if the supreme pontiffs render an opinion in their official acts concerning a matter which has been controverted up to that time, it is evident to all that that matter according to the mind and will of the same pontiffs, can no longer be held a question of free discussion among theologians.”

And, in November 1954, speaking to a group of churchmen, he insisted that the church’s power “embraces also all matters of natural law — its institution, interpretation, application — however far the moral reason of things extends.” And he insisted the faithful must obey and accept the decision even when they remain unconvinced by the church’s arguments.

Typical of the highly supportive reaction of most theologians to this almost infinite approach to the truth

Donald J. Thorman, editor and publisher of the National Catholic Reporter until his death in November, 1977, was posthumously awarded the 1978 St. Francis de Sales Award, highest honor of the Catholic Press Association, for his "impact on the Catholic Church." The NCR issue which announced his death also carried this column by Thorman, a propos of how he saw authority in the church. It is reprinted by permission of the National Catholic Reporter, P.O. Box 281, Kansas City, Mo. 64141.

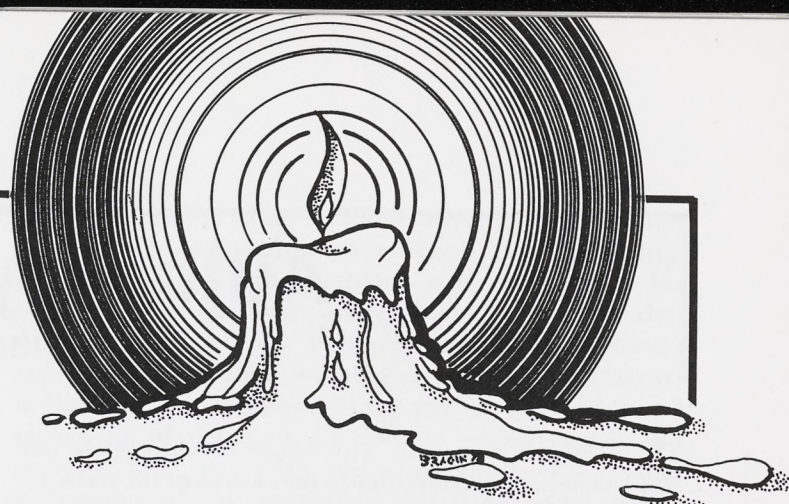
was the very popular text by Jesuits John C. Ford and Gerald Kelly (*Contemporary Moral Theology*, 1962) which proclaimed: "It is hardly conceivable that the papal teachings on such things as divorce, contraception, the direct killing of the innocent and the possibility of observing continence with the grace of God is anything short of infallible."

Is it any wonder then that for most of us brought up in the papal infallibility school, it was a moment of confusion and even momentary scandal when the growing underground-swell of disagreement came out of the closet during the 1960s. Bernard Haring, Hans Kung, Cardinal Leon Joseph Suenens, Karl Rahner, Charles Curran, Archbishop Thomas D. Roberts, John McKenzie, Charles Davis, Avery Dulles, and a growing number of laity began to speak disquieting thoughts on democracy and "co-responsibility" in the church, on responsible parenthood and the supremacy of conscience.

Even when what was said made consummate sense, the old emotional ties made it difficult to begin the process of accepting personal responsibility for our actions. In the confusion, many of us identified with Alice's reaction to the trial of the Mad Hatter: "Nobody believes anybody. It's all stuff and nonsense."

Today, most of us who still believe in the institution, its ultimate values and our spiritual heritage must learn to make do. We don't have enough time left in our lives to wait for the theologians and the official magisterial forces to work out a *modus vivendi*. The "now" we live in demands that we live as best we can, making our own decisions based on the best information available to us and the formation of our own consciences.

Our sacrifice for the future of the institution and its unborn members is to live patiently and with fortitude while a very necessary struggle between honest freedom and a deadening monarchical-hierarchical force from the past works itself out. We shall survive because we know the real life of the church is in the faith-community, and not in the theologians or curial institutions in Rome or those in dioceses and parishes that have become the hand



of death for the life of the spirit. The professional bureaucracy of the church has too often become a kind of neutron bomb leaving church buildings and offices standing, but the spiritual life wiped out.

Frankly, today I'm worried and wary.

I'm worried about my church, which is in disarray. And I'm wary of all theologians — liberal and conservative.

I remember back in early 1963 at a symposium at which some of the speakers were having a hotel room rump session. One well-known and respected observer just returned from the council indicated the changing mood among the theologians on artificial contraception. Disbelief is probably the best way to describe our reaction, especially among those of us who had large families and who had made great personal sacrifices to observe the church's teachings. We simply could not believe the theologians would ever take a contrary position.

Not long after, I was at supper in a rectory with the pastor, a former family life director of his archdiocese, and I asked for his reaction to this information. "My God," he said with anguish, "I can't believe it when I think of all the marriages and lives I've helped ruin because of this teaching."

The examples could be multiplied. But I have learned there is only one person I can entrust with my faith and soul — me. While all the discussions, debates and deliberations go on, my decision making cannot come to a standstill. Many of the issues might not be resolved until long after I'm dead. In the meantime, I'm still responsible for myself and, frankly, I cannot think of any human being I'd be willing to follow indiscriminately.

The institutional church and the theologians all have something to tell me and to teach me. I'll listen, even respectfully. But recent experience has taught me more than ever before that I must think, speak and act for myself. Somehow I don't think I'll be given the opportunity at the judgment seat to turn my defense over to a theologian or institutional official.

Authority as Parable

by William Stringfellow

The elementary reason why issues of conscience and obedience, as related either to the church or the state, are attended by consternation is the presumption that there is a singular proposition in terms of which such questions can be resolved, despite disparate circumstances in which they arise.

Commonly it is supposed that there inheres, somewhere within the corpus of the Gospel, a great fixed principle which — once truly apprehended and appropriately formulated — is capable of application whenever and wherever problems of conscience or claims of obedience in nation or in church require a stand by those aspiring to be faithful to the biblical task in history.

This notion, which is particularly ensconced in American Christendom, is curiously characteristic of pietists as well as activists; is blameworthy for frustration, confusion, mischief and tragedy frequently associated with that which purports to be the Christian witness in the world.

The presupposition is confounding because it is categorically false. It is a radical distortion of the Gospel. When pursued, it dissipates the genius of the biblical life in this world. There is no such simplistic principle in biblical faith to be located, isolated, applied and implemented in answer to any, much less every, question of conscience or obedience.

Instead of proposition or principle, the biblical witness offers precedent and parable. The Bible does not propound guidelines but relates events; the biblical ethic does not construct syllogisms but tells stories; the Gospel is not confined in verities but confesses the viability of the Word of God. The biblical responses to issues of conscience and obedience are empirical and historic or else they are sacramental and portentous. In either style or instance, they exemplify and edify decisions and notions rather than predetermining or otherwise abstracting them.

If this distinction seems fastidious, it is because it is basic and not because it is either esoteric or pedantic. The

concern it signifies is for the biblical credibility of the Incarnation, that is, of the primal status of the participation of the Word of God in common history. It is the event of the Incarnation, at once imminent truth and ultimate reality pertaining to the whole of creation as human beings both perceive and encounter the same, which is definitive for the biblical witness in this world. It is the confession of the militance of the Word of God in this time and in this place, which constitutes the mature ethical knowledge of biblical people.

There is no norm, no ideal, no grandiose principle from which hypothetical, preconceived or pretentious answers can be derived because to the biblical mind there are no disincarnate issues. There are only actual questions requiring historic response on the part of persons and of principalities. There are only those decisions and actions which are judged, freely, in the presence of the Word of God in history.

To speak and act with coherence, biblically, in problems of conscience or obedience in nation or church — for that matter, to deal in biblical terms with ethics at all — is, thus, at radical variance from the way in which such matters are posited in the world. Contrary to worldly conceptions of ethics, the biblical style



William Stringfellow is a theologian, social critic, author and attorney. This article is adapted from his new book, *Conscience and Obedience: The Politics of Romans 13 and Revelation 13 in light of the Second Coming*.

foreswears preemption of the office of God, does not feign coincidence with the mind of God, patiently abstains from claims of precognition of the judgment of the Word of God. Instead of being vain, precocious or premature, the ethical activity of biblical people literally risks the judgment of the Word of God, or simply relies upon God's grace or, as its most essential attribute, esteems the freedom of God's will.

Some, I am aware, may cite here prophetic utterance, especially as that is heard in the Old Testament. What of those who confronted the professed people of God, crying *Thus saith the Lord*? I am neither unmindful nor ungrateful for the prophets, but I receive and affirm the New Testament as the completion or fulfillment of the Old Testament, so that I do not listen to the prophets of old in a vacuum, as if in ignorance of the New Testament. I do not find Amos or Jeremiah or their peers incongruous with Jesus Christ, or, further, to Paul and his peers.

I hear the prophets, then and also now, rebuking the impatience and idolatry of the people, exposing their religious vanity and moral legalism, and denouncing their recalcitrance to the presence of the Word of God. I notice the prophets admonishing the people that all creatures — the nations no less than humans — are subject here and now to God's sovereignty, reiterating that every thought and act and omission is under judgment, and calling for that repentance in which the new life of the holy nation is constituted. Biblically, the mark of the authenticity of prophecy is comprehension of the godliness of God and, thus, awe for the vocation of the Word of God in history. That reverence for the prerogatives of God is signified in the prophetic attribution which commonly follows the herald *Thus saith the Lord*: "*I am the Lord thy God!*"

It is the recognition of God's affirmation of himself in the midst of the history of this world which becomes the introit to all issues of conscience and obedience, rather than any derivation and formulation, however solemn, of any ethical proposition or great principle. It is that which renders vocation the subject of ethics. It is that respect for the integrity of God as God which undoes the profound confusion concerning the vocation of humans and of nations and of all creatures. Repeated, again, doctrinally, if perhaps more quaintly, the attempt to cope with questions of conscience and obedience in nation and in church begins in confession of the Incarnation.

At the outset, the focus is upon the vocation of the Word of God in this world. Yet, with that starting point, the realm of ethical activity implicates the vocation of all of life throughout creation simultaneously. That ethics

have, essentially, to do with the exercise of vocation — with name and identification, selfhood and relationship, capability and function, place and purpose — for institutions and authorities as well as persons, means that decisions and actions of conscience and obedience encompass and utilize the full diversity of gifts or talents indigenous to human life. At the same time it means the eschewing of delusions of divinity which exceed and corrupt those very gifts, and resisting the comparable pretensions of godly status insinuated incessantly by the nations or other assorted principalities and powers.

Ethical deliberation originates vocationally and, for humans, engages every capacity pertinent to living humanly, neither more nor less. This in itself, it seems to me, should occasion our suspicion of any ethical methodology which narrows, distorts, suppresses or denies any human capability or the diversity of gifts within human life.

In other words, any ethical system which is settled and stereotyped, uniform and preclusive, neat and predictable is both dehumanizing and pagan — that is, literally, unbiblical. Such schemas misconstrue the significance of vocation in creation, inflating the role of the principalities while vitiating the human vocation; they issue in bombast and blasphemy, to use the word *Revelation* cites so often, in cursing and usurping the vocation of the Word of God in the present age. ■

Great Beast

India?

Africa?

From which jungle did you come?
Was there rough bark and dust
to ease your itch?
Branches and leaves
sufficient for your belly?
Was your thirst assuaged?
Did you trumpet once
before your fall?
Before they took your tusks?

Dear little ivory Cupid,
poised on your pedestal,
your tiny bow up-raised,
your arrows in their quiver
at your side,
dear little Cupid,
I hold you in my hand . . .
from which jungle did you come?

— Georgia Pierce

Responses to Authority:

'I Kept Remembering My Ordination'

by Alison Cheek

I read the articles by Skinner, Thorman and Stringfellow and then sat down to free-associate about authority in the Church. What quickly surfaced was my own crisis with authority in presenting myself for ordination to the priesthood in Philadelphia in 1974, and in functioning publicly as a priest in the years that followed.

I found myself fleshing out the thoughts presented in the articles with my own personal story. I relived some of the terror, some of the exhilaration, some of the pain and some of the peace of that transitional time for me. It was disturbing. I broke my diet and ate a peanut butter and jelly sandwich. Each of the articles evoked a response of recognition, an "ah-ha!" Memories flooded back.

I remembered the night in July '74 when a sister deacon had called to say that four bishops were going to ordain some women deacons to the priesthood, and to ask if I wished to be one of them. Three distinct things seemed to happen all at once. Something deep within me leaped upwards in a "yes." In retrospect, I think I chose my destiny in one split second. At the same time my body registered symptoms of panic, and my head went to work computing the consequences. I expected one of the consequences to be deposition. I asked for time to consider.

As I turned it all over in my mind, the question which kept repeating itself was: "*What is worth living for, and what is worth dying for?*" I knew in my head I had a choice, but it was as if in my being I had no choice.

At the same time I remember struggling with anguish and doubt. Was I truly called to be a priest? Was I deluding myself? Was I making an awful mistake? Like Donald Thorman I had to take responsibility for myself in the "now" without benefit of certainty, or official approval, and live by faith. If I really cared about women in society, this was the arena in which history

had placed me and in which I must risk myself and give myself.

The memories kept coming, helter-skelter. I remembered the day in 1972 when I was ordained deacon and was asked if I would obey my bishop and those in authority over me, following their godly admonitions. To myself I was saying, "This bishop, yes. No problem." I'd served on the Diocesan Board of Examining Chaplains with him. In very important ways I thought I knew this man, shared the same perceptions and values, and above all the same understanding of the gospel. I foresaw no difficulty. Yet the day came when I disobeyed his inhibition — deliberately, persistently, publicly, painfully — and could do no other. We parted ways over the precedence of Gospel.

I remembered sitting with my professor of canon law and my bishop before the Philadelphia ordination while they discussed the canons, and feeling strangely detached from it all. I knew what I had to do. And before I'd had time to think about it clearly, I already knew in myself that canon law is derivative and rests on the Gospel, and not vice versa. It was begging the issue.

I remembered when I thought that being deposed would feel like being shattered at the center of my being. I had not then yet sufficiently internalized "the Gospel of Christ" as "the criterion for determining whether authority is present, or only organized power parading as authority." (Skinner)

I remembered, in the days following the Philadelphia ordination, living by the authority of the image, the authority of precedent and parable. In particular, the story in Luke 13: 10-17 about the woman bent out of shape, whom Jesus healed on the Sabbath, became a paradigm.

I remembered how slowly I absorbed the realization that my sister priests and I had become symbols of great importance to many other women in our society, and that my decisions, such as that about a compromise staff contract with St. Stephen and the Incarnation, had much wider implications than the state of this parish family and their relationship with their bishop.

I remembered being on the witness stand at the ecclesiastical trial of William Wendt in Washington,

The Rev. Alison Cheek is a psychotherapist practicing in Washington, D.C.; pastoral counselor at St. Alban's, Annandale, Va., and a member of the associated clergy of St. Stephen and the Incarnation, Washington.

D.C., addressing the judges. Since I had chosen not to comply with the inhibition of the Bishop of Washington, they wanted to know by what authority I had done the things I had done, where I was coming from in acting in the way I had acted. I struggled to describe the understanding of life and faith that informed and empowered me. I found myself drawing from Scripture, from church history, from tradition, from my training as a psychotherapist, from clinical

experience, particularly with women, from worship and the prompting of the Spirit. My decisions certainly had not come out of a vacuum, but how difficult to articulate the nexus of that complex of authority!

What joy, then, to read Bill Stringfellow's article, and find myself saying, "Why, yes, that's it;" to read John Skinner and find a description of revelation that draws forth an "Uh-huh;" to read Donald Thorman and meet a fellow pilgrim. ■



Law and Revolution

by Peter Weiss

My thesis, if I may be forgiven a small amount of linguistic levity, is based on the hypothesis that the antithesis between law and revolution, at least in the American context, is a false one. In this as perhaps in no other country, the law has played an enormous role in achieving evolutionary advances at

Peter Weiss, a native of Vienna, Austria, is a Manhattan attorney who serves as Chairman of the Board of Trustees of the Institute for Policy Studies. The above is excerpted from his address at a recent ecumenical, interfaith Law Week service in Calvary Church, Memphis.

times in our history when such advances were most required, and the law retains this revolutionary potential, although its realization, in the present context, hangs precariously in the balance.

Lest I be accused of Pollyannism or some other infantile disorder let me make clear that, along with the rosy view I have just served up, I also hold to the belief that, by and large, American lawyers and judges serve the interests of the ruling class, are unresponsive to the needs of what I recently heard a Catholic nun call "the marginated people" of our society, and frequently carry the

practice of non-involvement — in the case of lawyers — and the doctrine of judicial abstinence — in the case of judges — close to the point of gross negligence.

For the key to this paradox we are indebted, after all these years, to the Founding Fathers (I would like, in deference to the legitimate claims of sisterhood, to be able to call them the Founding Parents, but even consciousness raised to the highest can only correct most of the future and some of the present; our sexist past will always be with us.) The legacy of the Federalist

Papers, and the Constitution and the institutions which it brought forth, is a system admirably suited to the preservation of the *status quo*; but not, luckily, to the point of *rigor mortis*. The beauty of checks is that they yield to intolerable stresses, the advantage of balances that they accommodate what would otherwise be fatal strains.

This therapeutic effect of the law on the body politic is accomplished, I believe, in two principal ways, which, for lack of more precise terminology, we may call propulsion and deterrence.

In the propulsive mode, the courts, giving a new interpretation to a constitutional clause, or taking a hitherto neglected area of the constitution on a first impression basis, move society forward by a quantum leap. Such decisions do not spring full-blown from the heads of Supreme Court Justices; they almost invariably represent not only a judicial, but also a judicious accommodation between the mandates of the Constitution and the temper of the times. As such, they, on the one hand, exert a revolutionary impact on the functioning and value system of the nation, and, on the other, serve to deflect pent-up needs and grievances into constitutional channels, from what in other societies might be revolutionary action in the literal sense of the word.

I cannot, of course, prove this point conclusively. But I invite you to speculate with me what path the nation might have taken:

- If the Supreme Court had adhered to its original interpretation of the Sherman Anti-Trust Act, in *United States v. Knight* (1895) that a combination producing 98% of the refined sugar in the United States was beyond the reach of Congressional control because the commerce clause did not encompass manufacture, and had not, ten years later, in *Swift v. U.S.* conceded to the federal government the power to bust the trusts;

- If, twenty years later, the Court had persisted in its initial frustration of FDR's New Deal policies and had not,

eventually, in a line of cases beginning with *Jones v. Loughlin* (1935), put the Constitutional stamp of approval upon such vital economic recovery measures as the Wagner Labor Relations Act and the Agricultural Adjustment Act of 1938;

- If *Brown v. Board of Education* (1954) had affirmed the "separate but equal" doctrine of *Plessy v. Ferguson* instead of laying the groundwork for the major civil rights advances of the next two decades,

- If *Dombrowski v. Pfister* had not, in 1965, established the principle that the federal courts will intervene to halt unconstitutional state prosecutions, thereby paving the way for much of the so-called "affirmative action" litigation which has occupied public interest lawyers in the intervening period.

Not all propulsive cases have saved the nation from an American version of the storming of the Bastille. Some have merely enlarged the domain of human rights in ways crucially important to certain segments of the population, but not necessarily to the whole of society. A prime example of this is the glorious period of the Warren Court, which Harold Chase and Craig Ducat, two of our leading constitutional scholars, describe as having been concerned with extending protection and participation in society to a whole array of previous out-groups, to wit "black people, poor people, radicals, urbanites, juveniles, people accused of crime, and religious dissenters." (Notice the absence of women, homosexuals, Indians and prisoners. Their turn was yet to come and, indeed, in many respects has not come yet.)

The deterrent cases I call those in which the courts, by exercising a braking effect on popular reactions to previously wrought gains, manage to preserve those gains, often by whittling away at their substance, until the people are ready to resume their forward march. Thus, in the midst of a law and order wave stemming from widespread frustrations with the rising crime rate, the Burger Court, while handing down

one bad decision after another in the area of criminal procedure, has not gone so far as to reverse the Warren Court's landmark rulings in *Gideon v. Wainwright* and *Miranda v. Arizona*. Similarly, while last year's decision upholding the cutoff of Medicaid funds for abortions went a long way toward establishing one law on abortions for the rich and another for the poor, there is no recognizable disposition on the part of the court to go back on its own 1973 decision in *Wade v. Roe* invalidating laws banning abortions, despite the amazingly powerful nationwide assault on that decision mounted by anti-abortion forces.

In all of this, there is a constant interplay between the pronouncements of the law and the shifting moods and social goals of the people. But though the law is frequently only confirmatory of government action or reflective of the interests of certain segments of society — more often than not the conservative ones — there is also in our legal system a bedrock of adherence to principle which is its saving grace. When at their best, our great judges have spoken with the passionate clarity and moral fervor of prophets; indeed, and I say this with some trepidation before a mixed legal-clerical audience, some of our greatest religious leaders have been judges.

Lest I be accused of violating the principle of the separation of church and state, let me hasten to make clear that what I mean by religion, in this sense, is the adherence to a set of moral principles transcending any positive rules of conduct laid down by the state. The disclaimers regularly issued by judges that they merely interpret the law leave me cold. We all know that judges, even the most "abstentionist" and "judicially restrained," make social policy. The only question is, what kind, in whose interest and by what lights?

The best of our judges, and the lawyers who come before them to inspire and goad them, have, I think, some or all of these qualities:

- A sense of justice including distributive justice, which goes beyond mere utilitarianism;

— A sense of community which goes beyond mere loyalty to class or party;

— A sense of outrage at the wounds which privilege inflicts upon disadvantage.

Are there such people among us? I think there are. I have already said that they are to be found among our judges. I know for certain that they exist among the law students and the young and sometimes no longer so young lawyers who are giving up the material rewards of big firm practice for the less tangible but ultimately more satisfying compensation of public interest law. They are, almost without exception, bright, enthusiastic, dedicated and, Mr. Justice Burger to the contrary notwithstanding, *very* competent people. Anyone who accuses them of overzealousness has an argument coming from me because I believe, with my fellow radical, Barry Goldwater, that zealotry in defense of justice is no vice. The all too few hours I spend with them are, without fail, among the best hours of my professional life.

There also are many such people in what the public interest lawyers tend to consider the enemy camp: prosecutors' offices, government agencies, corporate law departments, "straight" law firms. I know, because some of them are my clients and I am fond of them as human beings.

There is a theory that, out of the balancing of interests and the working out of the adversary system, the invisible hand will bring forth the greatest good for the greatest number. Do not believe it for a minute. It is a lie. In the final summing up of our time, one of the principal entries on the minus side of the ledger will be the enormous waste of talent, energy, intelligence and experience which goes into the functioning of the legal establishment. Most of us go to law school to serve justice, uphold the rule of law and build a better society, and most of us spend our lives frustrating these ends, dreaming up ways to beat the antitrust laws, to save this or that client a hundred or a million tax dollars, to put another shoplifter in jail so he can learn to become a real criminal.

None of these things is intrinsically evil, but in the aggregate they amount to shoring up a structure so gross in its inequities, so deficient in *caritas*, so unyielding to genuine change that our powerlessness in the face of it anesthetizes our sense of revulsion. We do these things to make a living because we tell ourselves that there is no other way to keep up with inflation. And when they bother us — *if* they bother us — we salve our consciences by being Sunday Christians or Saturday Jews, by joining the odd Bar Association Committee or taking the occasional pro bono case.

Perhaps it cannot be otherwise in this Roman time in which we live, a time of aggregation rather than congregation, of contract in place of covenant, of interest instead of love (even self-interest instead of self-love), of national security over the life of the tribe.

But when things fall apart, some organizing principle is wanted. I have tried to suggest that such a principle may be found in the Constitution and in the penumbra of rights which hovers over it, provided the reification of these rights keeps pace with the changing social and economic conditions of society. At the moment, it seems to me, this adaption has fallen very far behind.

I have no magic formula to correct this imbalance, but I would suggest that such a correction presupposes our willingness to ask ourselves a series of questions which are generally considered unaskable.

Question:

Why is the United States the only advanced industrial country in the world today in which socialism is still a dirty word?

Question:

Given the centuries of racism and sexism in our history, can there ever be equality of the races or of the sexes without affirmative action?

Question:

Is the Nixonian approach to government by ruthlessness really behind us when we have a President who approves warrantless surveillance in the interest of national security and an Attorney General who argues in court

that every former government employee has a fiduciary duty to withhold from the public information learned on the job, whether classified or not?

Question:

Why are we so far ahead of most countries in the technology of health care and so far behind them in its delivery to the people?

Question:

Do we really lack the will and imagination to devise forms of punishment for crimes which are alternatives to the death penalty, a form of collective murder, or imprisonment, an institution of relatively recent vintage which degrades and dehumanizes both the jailers and the jailed?

Question:

What do we really mean by "human rights?" Must we concede the phrase "right to work" to the union-haters and the phrase "right to life" to the anti-feminists? What does a President who is pledged to *only* 4% unemployment — think of it, *only* three to four million people condemned to the permanent loss of their dignity — have in mind when he signs, as the Chief Executive of this country, the United Nations Covenant on Economic and Social Rights, which guarantees the right to a job to every citizen? Was Thomas Jefferson thinking only of unborn fetuses when he postulated the right to life as chief among our inalienable rights?

These are hard questions, to be sure. But a country which has the freedom to give a forum such as this to one who has the arrogance to ask them, also has the capacity to grapple with the answers. The law is but one instrument for doing so, but it is one of the most powerful. ■

Coming up in THE WITNESS

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 - **Gustavo Gutierrez on "The Poor"**
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Authority vs. MOVE

by Paul M. Washington



In early March of this year, historic Philadelphia again made history. In Powelton Village, some 25 persons — men, women and children (some infants) — were denied food, water, and utility and telephone services by order of Mayor Frank Rizzo. Their home was barricaded and a 24 hour armed police guard set up surrounding the house and the four square block area around it.

Why? These 25 members of the largely Black MOVE organization in their old Victorian house headquarters in West Philadelphia were suspected of illegal possession of weapons and having conspired to riot.

The weapons charges grew out of an armed standoff with police dating back to a year ago. The encounter began like this:

On May 20, 1977, Chucky Africa of MOVE went out to walk his dog. He carried a rifle openly on his shoulder and was immediately arrested for violation of the firearms code. When other residents of the MOVE commune learned of Chucky's arrest, they adorned military type uniforms, brought out an assortment of weapons and strode around a porch which they had built in front of their house and with loud speakers, before an audience of some 200 people, they began to preach the message of John Africa, their leader:

"The police are m-frs, Rizzo is the biggest of them all. America is also run by m-frs. Education is the training of slaves, all American institutions are corrupt and exploitative, all people are living lies which they believe to be truths. America is imperialistic both intranationally as well as internationally and there is one source of truth, John Africa . . ."

All MOVE members, both Black and White, have adopted the surname *Africa*. They do not use soap (it is

poisonous), nor do they eat canned or processed foods. The house is almost completely unfurnished and they have not had electricity for years.

They have forced the message of John Africa into churches, into practically every public meeting that they hear about, into the televised meetings of the Board of Education. I use the word "forced" because they arrive uninvited and speak without regard for anyone else or concern for the agenda.

Officially they have been arrested for misdemeanors some 250 times, but according to their own figures, some 600 times, including numerous beatings by police.

Their sentences have been severe, first, because they show open and violent contempt for the court and secondly, they refuse to allow a lawyer to defend them.

So last May after Chucky Africa was arrested and MOVE members brought out their arms and declared they were not going to be pushed around anymore, the police and firemen — some 200 strong — confronted them.

Two residents of the area called me. "About 200 heavily armed policemen are outside MOVE headquarters. There's going to be violence." I got up from dinner and went over.

The whole block was barricaded. No one was to enter. I entered. Soon I was a messenger between MOVE and the police. Not much happened. MOVE wanted Chucky and the police wanted the guns.

Around 11:30 p.m. the police tried to disperse the people. Suddenly the blockades were thrown down and like a broken dam the people gushed in front of the MOVE house and began singing: "I shall not be moved."

So it was the police who moved, with the exception of about 15 or 20 who remained in front of the house from May 20, 1977 to May 10, 1978. In early March, these were joined by 200 more in riot gear. The MOVE members —

The Rev. Paul M. Washington is rector of the Church of the Advocate in Philadelphia.

who had not left the house since May of the previous year — had been faithfully fed by friends. Then the Mayor said, "We'll starve them out." Hence the blockade.

I asked a prestigious law firm to research this type of action to see if there was any precedent for it in the history of our nation. There wasn't.

To be sure, many in the community found MOVE's lifestyle and philosophy repugnant. MOVE members "looked dirty" and used obscenities in every other sentence. But Black activists remembered police raids on SNCC and Black Panther headquarters in the '60s. The blockade also coincided with a speech Mayor Rizzo had made about "equality for White people" attacking desegregation in housing and affirmative action. Starve MOVE to death? No!!!

Before the barricade was set up, enough food was taken to the MOVE commune by supporters to last them at least seven to eight months.

On April 22 at 11 a.m., I was one of 11 clergymen who informed the police that we would cross the barricade on April 23 with food. On April 22 at 6 p.m., the city announced that it would send food in, but *only for the mothers and babies*.

With TV cameras grinding, reporters present and all the rest, we saw the food taken through the blockade and deposited on a platform. Millions of TV viewers in the Delaware Valley saw what we saw: MOVE men and women (including mothers) kicked the food off the platform back toward the city agents.

"We are one," they said. "Either all of us eat, or none of us will!"

This went on for days. Food was carried in for mothers and babies, food was kicked back into the faces of those who brought it. Some of the public was enraged. They said, "We were worried about these people starving to death, and they just kick food back into our faces." But there were others who said, "Well, you have to respect them for standing by their principles," even though they thought MOVE was crazy.

Then on April 4, approximately 1,000 people marched to stage a symbolic blockade of City Hall in an action sponsored by the Citywide Black Coalition for Human Rights.

As May approached, it became increasingly clear that this drama had to end. The police had spent more than \$2 million in 10 months guarding the house. After the force was escalated on March 15, the cost rose to approximately \$60,000 a day to guard some 25 persons.

The folks inside the house were wearing out too,

although they never indicated this. I had the privilege of visiting them while under siege whenever I cared to.

Then, too, summer was coming. Further, I was convinced that the police did not want their action tested in the courts. And the clergy was raising the question: Can the State prevent the Church from fulfilling its divine mandate to feed the hungry, give water to the thirsty and minister to the oppressed?

Our announced arrest scheduled for April 23, when we were to bring in food, would have openly tested the issue. I must say, we were disappointed that we were thwarted when the city took food in, because we still have no ruling on that legal point.

As things turned out from that day on, MOVE agreed to permit an attorney to work in their behalf along with others, a settlement was negotiated, the barricades removed, the guns surrendered.

MOVE was given 90 days to leave their headquarters (the city in February had demanded *immediate* evacuation, and that MOVE not resettle within a two mile radius of their present cite.) Moreover, the final agreement took note of MOVE's complaints of police brutality, also previously ignored in terms proposed by the city. Charges have also been dropped against MOVE members accused of attacking prison guards and a pledge has been made for resolution of the charges against other MOVE members with due speed. ■

Continued from page 3

between Council and the Presiding Bishop — more than by the danger of acting unjustly. How does this differ from the operating principles of General Motors, IBM, U.S. Steel?

The second response is that persons of minority groups, or women, are simply more expendable than those whose elitist rating is higher. Reread the Diocesan Press Service account through the eyes of a Black, an Hispanic, a gay, a Native American, or a woman, and see if this rings true. Would that account communicate to you that, when it comes to discrimination against the "lesser people" of our society, the church is indistinguishable from the other institutions of business and government? Or, again, what would the response of the Council have been if the two principals were not women, but men — or ordained men — or (tour de force) bishops?

The Council action makes it clear where its priorities are. And they do not include the clear expression, through policy and action, of siding with the poor, the oppressed, the minorities — those precisely whom the church is called to serve. ■

Daddy's Out of Jail



His daughters Leila, 7, and Akilah, 5, were the first to reach Julio Rosado, one of three Puerto Rican brothers released from prison May 8 after serving eight months for refusing to testify before a Grand Jury investigating the FALN. Among supporters on hand to greet the Rosados and Pedro Archuleta, a Chicano who was held for 10 months, were Maria Cueto and Raisa Nemikin, former staffers of the Episcopal Church's National Commission on Hispanic Affairs.

Maria, Raisa Stir Debate in Council

(Diocesan Press Service)

GREENWICH, Conn. — The Executive Council of the Episcopal Church accepted, after considerable discussion, a report from the Presiding Bishop concerning his decision on the termination entitlements of two former Hispanic office employees, as requested by the Council at its meeting last February.

The Rt. Rev. John M. Allin, Presiding Bishop of the three million-member Episcopal Church, told the 41-member Executive Council here on May 18 that he is "responsible for the decisions made in this situation."

Bishop Allin was assisted by the Rt. Rev. Milton L. Wood, Executive for Administration at the Episcopal Church Center, in presenting his report on the termination procedures with regard to Maria Cueto, former Hispanic Officer, and her former secretary, Raisa Nemikin.

Bishop Wood reviewed the events leading up to the termination of the two women last April 1.

The two persons were released from jail in January, he said, following more than 10 months incarceration for refusing to testify before a Federal Grand Jury investigating terrorist activities of a Puerto Rican nationalist group known as the FALN. A member of the Episcopal Church's former National Commission on Hispanic Affairs, Carlos Alberto Torres, is being sought in connection with FALN activities.

Miss Cueto and Miss Nemikin were summoned to appear before a Grand Jury on Feb. 4, 1977, and were sent to jail in March for failing to respond to the question of the Grand Jury, Bishop Wood said. On March 14, 1977, both women were placed on "leave without pay" by the Church Center administration.

At about the same time, Bishop Wood reported, the Presiding Bishop offered to help the two women financially but received no reply from them. He reported that Bishop Allin made a number of visits to the U.S. Attorney's office during the following months, once taking the President of the National Council of Churches, to seek the release of the two women.

Two months after Miss Cueto and Miss Nemikin were released from jail, Bishop Wood said, Robert S. Potter, of the firm Patterson, Belknap, Webb and Tyler, conferred with administration officials and requested full payment of their salaries and legal fees.

On April 1, 1978, personnel policies of the Executive Council were applied for the termination settlements, Bishop Wood said. For Miss Nemikin, this amounted to \$1,491.00 for 11 vacation days and 24 severance days, and for Miss Cueto, \$4,242.87 for 11 vacation days and 22 severance days.

The papers and checks were sent to Mr. Potter, the administration report said, but they were returned on April 25 because Mr. Potter said he would be "embarrassed to give them" to the two women.

The report said that Bishop Allin "continues the offer of help for the needs" of the two former employees.

The members of the Council discussed at some length Bishop Allin's decision and also a request from Mr. Potter that he be allowed to speak to the Council on behalf of the two former staff persons.

A great deal of the discussion centered on a conversation reported by Bishop Wood that took place on Feb. 18, 1977, involving Miss Cueto, Bishop Wood, and Bishop Richard B. Martin, at that time the supervisor of the two women. That day's discussion, according to Bishop Allin's report, raised the possibility of "leave of absence with pay" until the Grand Jury appearances of the two women were completed. The two staff members failed to keep a later appointment on Feb. 22 for further discussion.

Bishop Wood said about the Feb. 18 discussion: "I was prepared — and so implied — to talk about leave with pay until this affair was settled, namely the Grand Jury appearance, which was forthcoming." The assumption was that the two women would agree to answer the questions before the Jury.

The Rev. Paul M. Washington, Philadelphia, commented, "I see this as being a rather unusual situation and I'm just wondering if some unusual settlement had not been called for rather than simply following personnel policies."

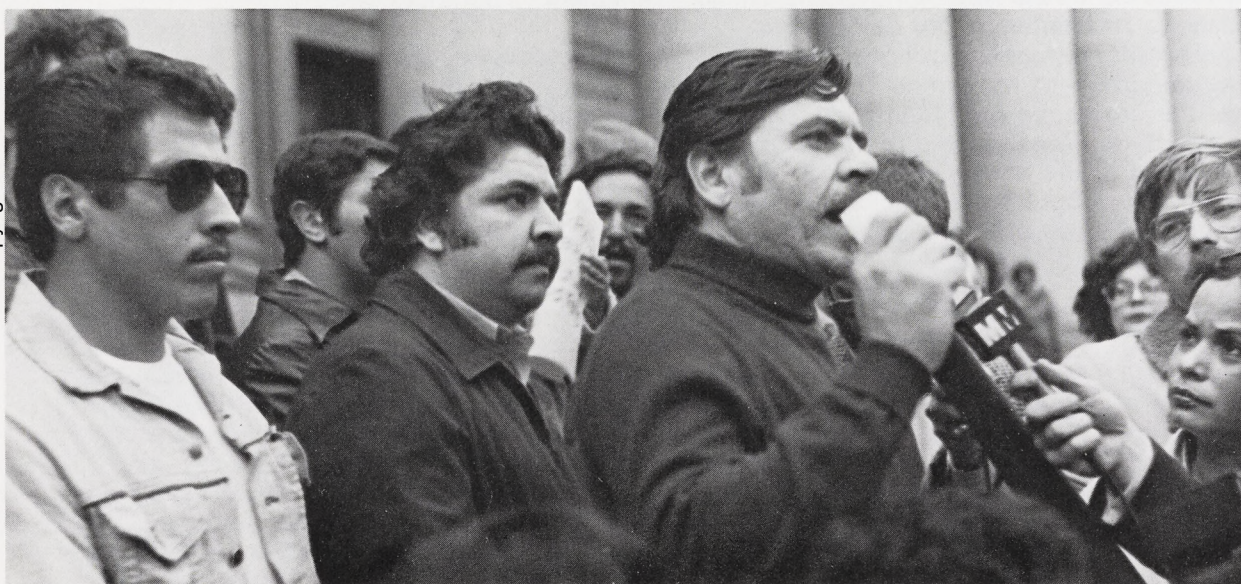
Bishop Wood responded, "When we start doing ad hoc things under the policies, you have a right to take us apart. That's quite different from pastoral financial help," he added. Even though the policies may define the limits, "that does not mean at the same time that if there's a need, something very special, that this cannot be done."

Fr. Washington said, "I think this whole thing is so unusual that even though a decision has been made, I would certainly like to see a discussion of can we somehow bring another spirit and another understanding to this unusual situation."

Bishop Allin said, "I really can't express to you how much I would like to be able to do just that." With regard to his handling of this situation, Bishop Allin said, "I've been lectured on my naivete and my stupidity." He said that his purpose has been "not simply to protect the establishment."

Rather, he said, "At this very moment, if there were a way that we could open up the communication person to person and really deal with the need, there is nothing I would welcome more."

He went on to speak of being in "the complicated arena" in which he is reminded of intricate legal problems and in which he is told "what your motives are,



From left, at a press conference on the court house steps following their release from prison: Pedro Archuleta, Andres and Julio Rosado. Missing from photo, Luis Rosado. The four charged that the Grand Jury was raising the spectre of "terrorism" to discredit the Puerto Rican Independence movement and other Hispanic groups.

and how little you understand." This, he said, "makes it damn nigh impossible to operate."

He said two side agendas had been raised: first, grand jury abuse — which he termed "a major problem this Church has to be concerned with and respond to" — and second, that the "establishment has no capacity to respond to human need."

"I deny that fact," he said. "I won't claim whole knowledge. I'll accept the charge and judgment of stupidity and naivete, but lack of concern I will not accept."

"If I had all power," he added, "with the ability to make all decisions to spend the money of this Church the way I wanted to, that's a different proposition, but we don't operate that way."

After some debate the Council voted not to ask Mr. Potter to address them.

The Rev. Robert M. Wainwright of Rochester, N.Y., chairman of Council's Administration Committee, said that his committee recommended that Mr. Potter not be

asked to speak since his negotiations should be with the Council's attorneys, not the body itself.

Some members, such as the Hon. Chester Byrns of St. Joseph, Mich., and Harrison Tillman of Valdosta, Ga., felt that the Council should follow the advice of its legal counsel in denying the invitation.

Other members said "this body should listen to any arguments and not just put the matter in the hands of lawyers," as expressed by the Rev. Canon W. Ebert Hobbs of Cleveland, Ohio.

Several members of Council, such as Dr. Paul Neuhauser of Iowa City, Iowa, Dr. Charles R. Lawrence of Pomona, N.Y. and the Rev. William V. Powell of Stillwater, Okla., spoke of their mixed feelings and of the difficulty in deciding how to vote.

When the vote to accept Bishop Allin's report was taken, Mrs. Virginia Ram of Los Angeles, Calif., asked that her negative vote be recorded. The motion to deny an invitation for Mr. Potter to speak was approved with several audible negative votes. ■

A Minority View:

Presbyterian Gay Affirmation

The United Presbyterian Church in reports adopted at its recent General Assembly concluded that "homosexuality is not God's wish for humanity," that it is "a result of our living in a fallen world." Although the Assembly affirmed that homosexuals "are to be treated with the profound respect and pastoral tenderness due all people of God," the Commissioners responded "no" when asked by the New York Presbytery if William Silver, a homosexual candidate for ordination, might be ordained.

"Unrepentant homosexual practice," the Assembly said, "does not accord with the requirements for ordination set forth in the Book of Order." It did approve the ordination of "repentant" homosexuals who adopt celibacy or whose orientation is redirected to heterosexual marriage.

In response to the above, one group supportive of homosexual persons drafted the following Affirmation of Conscience, which was signed by several Commissioners and observers at the Assembly.

The 190th General assembly of the United Presbyterian Church (1978) has spoken. Let us acknowledge that among the United Presbyterians gathered here are self-affirming homosexual persons who will be most damaged by this action. Other homosexual persons did not or could not speak out, recognizing the depth of condemnation by our church. Many beloved members of this church who affirm members of their own families

who are gay sat among us in quiet agony as their loved ones were judged. In addition, some heterosexual commissioners have not spoken or voted their conscience for fear of loss of standing in the church. Others who have taken a position of advocacy for homosexual persons may pay a price.

The statement adopted imposes a specific theological and scriptural interpretation upon our church. It

declares that homosexual persons stand in a special situation of alienation from the grace of God by virtue of their sexual orientation and practice. A remnant of commissioners, and many of us assembled who are members of the church, must dissent.

The principle of scriptural interpretation adopted in the statement on homosexuality violates our conscience. We view it to be a perversion of the gos-

pel of grace, and a repudiation of our Reformed theological tradition. Our understanding of scripture leads us to deny that homosexual orientation and the responsible, loving expression thereof is sinful *per se*. The saving and healing Word, to which scripture testifies, has been sacrificed on the altar of legalism, divorced from grace.

Scripture testifies to the One, Holy and Living God. Jesus Christ is the Liberator who bears good news to any and all oppressed under the law. Fidelity to scripture is answering the call of Jesus to be his followers, living in the liberating power of the Holy Spirit. Faithfulness to the Lordship of Jesus Christ requires that in each and every epoch of history those who name the name of Christ must go outside the gate with him and stand with those who are unacceptable under the law. As Jesus was made scapegoat, rejected because he threatened the power of the old order and those who sought justification under the law, so homosexual persons in our church are being asked to bear the burden of sin for our unrighteousness. The preoccupation with homosexual relationships in our church reflects our unwillingness to examine the confusions and distortions in all human relationships and sexuality — exploitation, violence, domination, commercialization.

We remind United Presbyterians that in this culture, self-affirming homosexual persons are becoming the group most actively singled out as victims of political repression. In many places our brothers and sisters are being denied full standing as citizens under the law. Harrassment, acts of discrimination, and violent crimes against their persons are increasing. Recent repeals of civil rights ordinances in Miami, St. Paul, and Wichita are a deplorable offense against human dignity. It is urgent that those of us who follow Jesus Christ the Liberator resist this growing oppression, and reject the culture of fear and death which is enshrouding us. This Assembly has used gentle tones to condemn, and has invoked the rhetoric of love to exclude homosexual persons from institutional participation in a ministry already theirs.


To those who have sought bread, we have offered a stone, nurturing dishonesty instead of truthfulness in the church. We have spoken no word of hope. We have asked, absurdly, the culture to be more gracious and free than we are willing to be ourselves. To speak this way compounds our church's complicity in oppression.

Commissioners at this General Assembly who affirm a gospel of liberation appear to be a minority. Substantial numbers in our church, however, do not live under the theological limitations of the statement adopted here. Those of us who dissent pledge ourselves to return to our communities and congregations committed to work for liberation, continuing

to struggle together with our gay sisters and brothers, ordained or not, who are already ministers of Christ with us. We join hands with them and with all others who are the victims of injustice and ostracism at the hands of the powerful.

We affirm a vision of the church where all may be free in Christ because none are made victims, where oppressors will know that their deliverance is given through the oppressed, for a family of God so full of the power to practice love and justice that all may name God's holy name and receive and celebrate one another in the fullness of our common humanity.

In a Nazi occupied land when Jews were forced to wear the yellow star of David, the King of Denmark wore and urged other Christians of his nation to wear that symbol as a mark of solidarity until all Danes could be free. During that time, homosexual persons were forced to wear a pink triangle as their badge of shame and persecution. In expression of solidarity with our gay sisters and brothers, we invite members of this assembly who share these concerns to wear this symbol through the remainder of this General Assembly. ■



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in the
Church
Speak for
Themselves**

- ellen barrett
- malcolm boyd
- ron wesner
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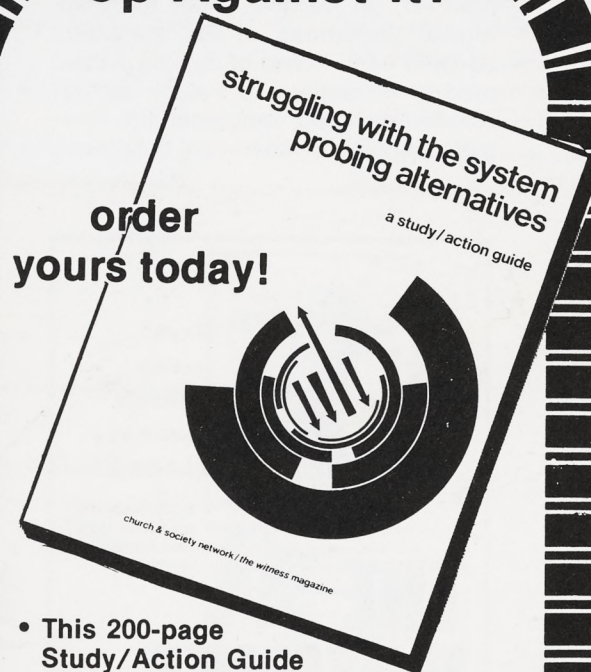
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