Spectrum
The Journal of the Association of Adventist Forums

Making Babies

THE ODYSSEY AND THE ECSTASY

PROPOSED ABORTION GUIDELINES

WHOSE BABY IS THIS, ANYWAY?

GOD AND THE ADOPTION OF SPERM AND OVA

GC COMMISSION ON GOVERNANCE

CONGRESSMAN SOLARZ VS. THE SUPREME COURT

THE PRESIDENTS AND ANONYMOUS DONORS

RESPONSES
A Plea for Pacifism

August 1991
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SPECTRUM is a journal established to encourage Seventh-day Adventist participation in the discussion of contemporary issues from a Christian viewpoint, to look without prejudice at all sides of a subject to evaluate the merits of diverse views, and to foster Christian intellectual and cultural growth. Although effort is made to ensure accurate scholarship and discriminating judgment, the statements of fact are the responsibility of contributors, and the views individual authors express are not necessarily those of the editorial staff as a whole or as individuals.

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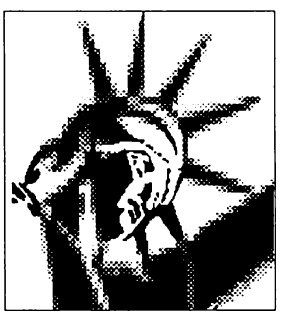
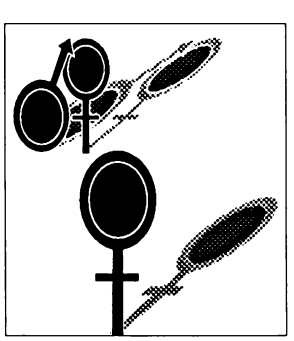




Committees As Christian Fellowship

Participating for two years as a lay member of the General Conference Committee on the Christian View of Human Life has made me more hopeful about the Seventh-day Adventist Church than I have been for 20 years. . . .

For me, being a part of this process has meant being a part of an effort by a church to embrace a core of biblical beliefs, entertain both conservative and liberal views, and address fundamental issues while holding together a world-wide church. After each session, I return to my law office excited to share with my non-Adventist coworkers the spiritual experience I have participated in and proud to report the way the committee is working on such emotionally charged topics. I believe the committee's working method, as much as its product, should be the envy of other Christian denominations.

Margaret McFarland
"Inside the Committee on the Christian View of Human Life"

Margaret McFarland begins and ends her essay in this issue with enthusiastic expressions of devotion to the Adventist Church. Intriguingly, this outpouring of unabashed pride in Adventism comes from the kind of well-educated, accomplished professional that the church sometimes assumes is hopelessly dissaffected. A graduate of not only Andrews (B.A.) and Loma Linda (M.A.) Universities, but also the University of Michigan Law School (J.D.), Margaret heads a large office of attorneys in the Maryland state government. Anyone who knows her quickly learns that her critical faculties are well-honed, her knowledge of the church's shortcomings detailed. But Margaret has been invited to participate meaningfully in the life of the denomination, and she loves it. Who ever said church committees were dry and boring?

Not William Loveless, formerly a college and conference president, and now the senior pastor of the Loma Linda University church, North American Adventism's largest congregation. For years, he has said that church administration can be a form of Christian fellowship.

If so, much of this issue expands that circle of church fellowship. The special section on "Making Babies" grows directly out of the two years of conversations and bonding that have so excited Margaret within the Committee on the Christian View of Human Life. The process of discussion, debate, and consensus-building that she describes taking place within her committee of laypersons and denominational employees is a form of pastoral care writ large; a way the denomination can combine freedom of expression with harmony of action.

The report that begins this issue comes from another General Conference study committee that includes laity and denominational leaders. The lay members showed their enthusiasm by paying their way to Washington, D.C. to attend the group's frequent meetings.

That spirit is one reason the initially diverse voices in the General Conference Commission on Church Governance have, within a few months, united in a strong call for major changes in the structure of the Adventist Church. (Other recent examples of committees whose members have been inspired by their involvement is the committee that revised the church hymnal—as chronicled in the latest issue of *Adventist Heritage*—and the many committees undertaking the valuegenesis studies in North America.)

Whatever one thinks of the recommendations in this issue from either the Committee on the Christian View of Human Life or the Commission on Church Governance, both groups are evidence that the General Conference is attempting to expand the conversation that defines the church's thought and action.

Roy Branson

Draft Report of the General Conference Commission on Governance

Almost precisely one year after its election at the 1990 General Conference Session, the new denominational leadership passed a significant milestone. On July 23, 1991, Robert S. Folkenberg chaired an all-day briefing of the General Conference Executive Committee concerning the most important initiative of the new GC administration. Copies of a draft (sixth) report of General Conference commission on Governance were for the first time distributed to the General Conference Executive Committee.

From its first meeting on January 15, 1991, to the distribution of its sixth draft report in July, the commission set a fast pace, meeting 22 times. With the church concerned about finances, lay members paid their own expenses to attend commission meetings. The comments and criticisms made at the July 1991 briefing will be studied by the commission before writing its final draft and submitting it to the 1991 Annual Council meeting October 8-15 in Perth, Australia. The General Conference officers may recommend that the Annual Council adopt the commission's final draft, or suggest amendments.

At the July meeting no one quarreled with the commission's implied assumption (see "Introduction") that it was proposing the most important changes in denominational structure in 90 years—since the famous 1901 reorganization. In terms of the draft as a whole, discussion revolved around whether the commission was proposing modifications in operating procedure or a major shift in philosophy of church administration. Attention—most of it highly favorable—was directed to the proposed reduction of committees, combined with enhanced power to act.

As for specific recommendations, perhaps it is not surprising that the General Conference Executive Committee devoted most of its time to discussing the proposed role and function of the GC Executive Committee (See Recommendation No. 5, p. 8). Commission members emphasized that their mandate was to study organizational changes at the General Conference headquarters, and that questions of representation should be studied by another commission (see "Areas for Further Study").

Included here is the entire 23-page sixth draft, excluding 45 pages of appendices. Of course, the final draft the commission submits to the Annual Council will reflect its further deliberations. The authors of the present draft and of the future final report are the commission members appointed by the General Conference Committee (see sidebar, p. 4).

The Editors

At the July meeting no one quarreled with the commission's implied assumption (see "Introduction") that it was proposing the most important changes in denominational structure in 90 years—since the famous 1901 reorganization.

Introduction

The Seventh-day Adventist Church has grown from 75,000 members to 6.7 million in the past 90 years. Beginning as a small North American church, the denomination has become an international, multi-ethnic church. Starting as a small group of similar people with a mission to the world, the church now reflects the diversity of that world. Taking seriously the Lord's command, "Go ye into all the world," the church has reached almost every part of the globe. As no other Protestant

Members of the Commission on Governance

Robert J. Kloosterhuis (Chairman), general vice president of the General Conference; **Calvin B. Rock** (vice chairman), general vice president of the General Conference; **Fred G. Thomas** (secretary), under-secretary of the General Conference; **Marvin Anderson**, president of Southwestern Adventist College; **Maurice T. Battle**, associate secretary of the General Conference; **Gordon Bietz**, senior pastor of the College Church at Southern College of Seventh-day Adventists; **W. Floyd Bresee**, secretary of the General Conference Ministerial Association; **Linda M. DeLeon**, administrative secretary for the Treasury Department of the General Conference; **Philip S. Follett**, president of the Atlantic Union; **Stanley M. Grube**, president of Versacare Corp.; **Israel Leito**, director of the General Conference Department of Church Ministries; **Duane McBride**, associate professor of behavioral sciences, Andrews University; **Alfred C. McClure**, president of the North American Division; **Thomas J. Mostert**, president of the Pacific Union; **Robert E. Osborn**, associate treasurer of the General Conference; **Ernest J. Plata**, director of science administration at Bristol-Meyers Pharmaceutical Institute, Seattle, WA; **Don E. Robinson**, undertreasurer of the General Conference; **Charles Sandefur**, president of the Hawaii Conference; **Susan Sickler**, laymember of the Columbia Union Executive Committee and the General Conference Executive Committee; **Mack Tennyson**, professor, Charleston School of Business and Economics; **Kenneth H. Wood**; chairman of the board and president of the Ellen G. White Estate; **Henry M. Wright**, secretary of the Columbia Union.

denomination, Adventism has maintained a unified vision of family, although that family now extends throughout the earth.

The church that consisted of fewer than 100,000 members, two unions, and no divisions in 1900, has expanded in 1991 to more than 6.7 million members, 92 unions, 11 divisions. The church continues to grow so rapidly that according to current projections it will number at least 12 million by the year 2000. It is not reasonable to expect that the same organizational structures that satisfied the church in the early 20th century will suffice for the 21st. The General Conference president, working with a small staff and decades-old organizational patterns, cannot provide adequate leadership to a world church of more than 12 million.

As a denomination, we have continuously sought the power of the Holy Spirit to achieve success in fulfilling the great commission. We have prepared for that success theologically, prayed for it earnestly, hoped for it devoutly, and now must prepare for it organizationally. The structures of 1863, 1901, and 1903 are severely strained in 1991. An organizational structure is urgently needed that, under God, can adapt easily and responsibly to accommodate the expected addition of five million members during the coming decade.

In the last 90 years of rapid growth and change the Church as made few organizational changes. Because of this rapid growth there is a conviction by many that the headquarters operations of the General Conference need modification to more effectively accomplish the mission of the Church to the world.

At its September 13, 1990 meeting, the General Conference Executive Committee voted, upon the recommendation of the General Conference President, Robert S Folkenberg, to establish the "General Conference Commission on Governance" with the following terms of reference:

GCO/GCC to RJK&FGT

Commission on Governance (GCC-A)—Appointment

VOTED, To appoint the following Commission on Governance:

Terms Of Reference	Authority And Responsibility
1. Evaluate the internal system of governance in the General Conference.	Recommend to GC Officers.
2. Review the functions, composition, and terms of reference of all GC standing committees.	Recommend to GC Officers.
3. Prepare recommendations for the governance of the General Conference.	Recommend to General Conference Executive Committee.

The Work of the Commission

Up to mid-1991, the Commission has met seven times, beginning on January 15, 1991, for a total of 22 full working days. Elder Robert S Folkenberg joined the Commission at its first meeting and outlined his concerns and hopes. He expressed the critical needs (a) to improve credibility between leadership and the pew, (b) to find more effective ways of communication with the world church, and (c) to streamline the decision-making process to more effectively fulfill the Church's mission.

From the outset the Commission took its work seriously. This fact led at times to the expression of strong differences among members. However, all discussions were conducted in a professional manner, and reflected the group's clear intent to seek solutions that would strengthen the church. The mission of this Church, its scope and diversity, are not matched by any other Protestant denomination, therefore the Commission found no adequate historical models to follow to prepare the church for the 21st century.

Spirit of This Report

The Commission presents this with a single compelling motivation: To help the Church organize in the best way possible to capitalize on the dramatic opportunities and challenges presented now and in the future by this rapidly changing world.

The Commission reaffirms its belief that while the final events of Earth's history, like many recent examples, will be swift and without precedent, the remnant will be

doing God's bidding lovingly, with order and yet without delay, until He comes.

Individually and organizationally Seventh-day Adventists need renewed trust in, and loyalty, passion, and excitement for, God's mission for this Church. Such renewal must be seen equally among the membership at large, the ministers, the divisions, the conferences, the supporting staff, and institutions all around the globe.

In a time of declining confidence, the "General Conference" must demonstrate that it possesses a clear vision of the Commission of Seventh-day Adventism; it must evolve strategic plans on how it may be best used by the Holy Spirit; it must delegate responsibilities unequivocally to the operational levels and the persons of the church who can perform each task most effectively. The General Conference Executive Committee is essential to this process.

The General Conference and its Headquarters are unifying symbols, expressions, and facilitators of the unity and highest purpose of the Church. When the "General Conference" speaks, it carries significant spiritual weight and authority. Greater opportunities must be created for this agency, under God, to build genuine spirituality, oneness in Christ, and efficacy of action in the church throughout the world.

Standing Committees

Recommendation #1

That there be fewer standing committees with more authority and accountability.

Accomplished by:

1. Reducing the number of standing committees from 85 to 27.

2. Authorizing committees to act rather than refer decisions. No committee shall report through no more than two layers of organization to obtain action.

3. Decreasing the average membership of committees.

Explanation:

There is widespread frustration among many General Conference employees over the current ponderous committee structure. It could and should be more efficient and productive. Many employees spend an excessive amount of time in committees that do not have power to act. In fact, many committee decisions must pass through several committees (sometimes as many as six or seven) before recommendations are implemented. As a result, attendance is frequently sparse, necessitating the increase of committee size in order to maintain adequate representation.

Too many committees are simply rubber-stamping the decisions of other committees. Reducing the number of committees and giving the retained committees greater power to act will reduce duplication of action, as well as place decision-making authority at the lowest level.

In an information age holding the church together in unity is not achieved by large numbers on committees or paying for numerous meetings where people gather together; rather it is achieved by using communication technology to communicate the sense of family to that world Church.

Concerning committee membership, it is recommended that in the overall selection of committee members, consideration be given to maintaining a balance of representation, taking into consideration the following:

1. Ethnic background
2. Gender
3. Non-Exempt vs. Exempt Employees
4. Language Groups
5. Departmental and Service Personnel
6. Pastors
7. Laypersons

And furthermore, the Commission suggests the committee size be five to seven members as the ideal, with the understanding that consultants could be used as needed for special items.

The following comprises a list of the suggested committees:

Standing Committees accountable to the Administrative Committee

Allowances and Adjustments
Annual Council Planning
Appointees
Biblical Research Institute Administrative
Building, Borrowing and Blueprint
Calendar of Special Days and Offerings
Church Manual
Constitution and Bylaws
Credentials and Licenses
Eastern Asia
General Conference Session Physical Arrangements
In-house Operations
Interdivision Worker Remuneration
Investments and Securities
Jerusalem Center Coordinating
Legal Affairs
Middle East Union Affairs
Policy Review
Retirement Plan
Southern Africa Affairs
Soviet Affairs and Development
Spirit of Prophecy
Statement Review
Thirteenth Sabbath Special Projects
Trust Services Management
Women's Ministries Advisory
World Sabbath School Lesson Curriculum

Subcommittees accountable to the General Conference Executive Committee

Financial Audit Review
Policy
Strategic Planning and Budgeting

General Vice Presidents

Recommendation #2

That the General Vice Presidents exercise greater authority over assigned areas of responsibility.

Accomplished by:

1. Delegating presidential authority to General Vice Presidents in assigned areas.
2. Establishing direct line administrative authority over departments and services with designated power to act and consequent accountability.
3. Reducing the span of control of the President by having the General Vice Presidents represent the authority, advice, and concerns of the President.

Explanation:

Currently 37 persons report to the General Conference President. Many are of the opinion that unless they can do so their programs will not succeed. Departmental Directors believe that their ability to execute a plan or a decision is directly related to their access to the President. This "span of control" of the President is not workable and frustration levels are high.

This situation also contributes to the gap of understanding and confidence that exists between administration and department/service directors.

By delegating presidential authority to the General Vice Presidents and by giving them direct line administrative authority over departments and services, the President's "span of control" will be reduced to 16.

Recommendation #3

That all departments/ services have clearly defined authority to accomplish their mission.

Departments

Accomplished by:

1. Granting each department/service authority to act.
2. Granting departmental/service directors control and responsibility over their departmental and travel budgets.
3. Making each department/service accountable to an assigned General Vice President.

Explanation:

Department and Service Directors almost without exception have voiced frustration at being unable to make decisions in areas of their responsibility. Their relationships to the President and General Vice Presidents at present are not well-defined.

Item 2 above grants Department and Service Directors the control and responsibility in their respective areas and holds them accountable to an assigned General Vice President. Item 3 above gives the General Vice Presidents authority and responsibility in their dealings with departments and services.

Thus clear lines of authority and accountability will be effected, leading to better communication and decision-making.

Recommendation #4

That in-house operations and support services be consolidated under the authority of an assigned General Vice President.

In-house Operations

Accomplished by:

1. Appointing an In-house Operations Manager who is directly responsible to a General Vice President.
2. Establishing an In-house Operations Committee and chaired by a General Vice President comprised of representatives of all departments.

Explanation:

The creation and expression of an organization's culture and image is the primary responsibility of its leaders. The General Conference in-house operations are a very visible expression and model of the Adventist culture and image seen throughout the world.

There is a need for someone at the officers' level whose responsibility is the in-house operations of the church headquarters. By placing these in-house operations in Presidential, an improved system of checks and balances on the functions of these areas will result.

Treasurers and General Vice Presidents have heavy responsibilities caring for the work of the world Church. They should not have to divide their time between that work and "home-office" operations. Because officers must travel extensively and spend considerable time addressing world Church issues, they are frequently unable to devote adequate study and attention to the in-house needs of the General Conference headquarters.

There is no one person in-house who currently has the assignment to oversee the needs and requirements of all the service departments and how they interact. Someone needs to evaluate the needs and problems of the service departments and the needs of the other departments as they relate to those services. This person should have an understanding of how well the departments are functioning on a day-to-day basis, and what is required to enable them to function better.

The creation of this office will relieve the General Conference Executive Committee and Administrative Committee (General Conference Officer Group) of items that have in-house rather than world-related import.

The functions reporting to the In-house Operations Manager:

Adventist World Purchasing and Services
Duplicating
Custodial
Employee Food Service
Graphics
In-house Transportation

Information Systems Service
Library Services
Management Information Systems (ADRA, HSI, ISS, RMS)
Media Services
Micrographics
Personnel Service
Plant Services
Security
Telecommunications

Executive Committee

Recommendation #5

That the General Conference Executive Committee focus primarily on worldwide mission, goals and plans, and the formation of general Church policy.

Accomplished by:

1. Delegating more operational items to the Administrative Committee (ADCOM) (General Conference Officers) and standing committees.
2. Meeting two to four times a year and/or at the call of the chair instead of weekly.

Explanation:

The weekly meetings of the General Conference Executive Committee, which are poorly attended, often deal with minor operational issues. In a committee of 365 it is sometimes difficult to get a quorum of fifteen. Such a small percentage of attendance is not representative of the Church. Many of these operational items that occupy so much of the Executive Committee's time can be better handled by other existing standing committees and/or ADCOM.

If the General Conference Executive Committee met less often, as recommended, it could meet longer and thus have more time to address substantive issues.

Reducing the weekly General Conference Executive Committee to two to four meetings yearly is intended to substantially increase world Church attendance. The vast majority of Executive Committee members rarely attend—many from overseas attend less than once a year on a committee that currently schedules itself to meet weekly. Since it was not within this Commission's terms of reference to re-examine the basis for representation on the Executive Committee or its size, that task will be left to others. But it is hoped that by reducing the number of meetings attendance will increase, especially if the agenda focuses increasingly on issues of worldwide significance.

The Responsibility of the GC Executive Committee

1. Establish world Church policies.
2. Approve the General Conference budget.
3. Approve and/or revise the annual budget requests.
4. Elect and discharge elected personnel as necessary.
5. Function as the constituency for certain General Conference boards, institutions, and legal entities.
6. Receive and review the Auditor's Report.
7. Evaluate:
   a. Major strategic programs such as Global Mission.
   b. Various services and departmental activities on a rotating basis.
   c. General Conference Officers twice per quinquennium.
8. Approve editors/associate editors according to policy.
9. Approve worldwide goals and mission plans of the Church.
10. Delegate specific authority and responsibility to ADCOM.

Recommendation #6

That the Administrative Committee (General Conference Officer Group) shall have delegated authority given to it by the General Conference Executive Committee.

Administrative Committee

Accomplished by:
Action of the General Conference Executive Committee.

Explanation:

The General Conference Officers should be given authority by the General Conference Executive Committee to care for most routine items that are currently referred to the weekly Executive Committee meeting through delegation to standing committees. Officers are elected to administer and with proper authority and clearly defined terms of reference a more efficient operation can be accomplished.

In the past the Officers have functioned as a group but without their authority being formalized and clearly understood. Many have felt that at times the Officers have made decisions beyond their authority and yet others have desired to be included in the group believing that this was the way to get into the decision-making process. Others have felt that the only way to change an Officer's decision is to oppose it on the floor and this has led to an uncomfortable situation at times.

The Administrative Committee should meet regularly and be chaired by the President, or a General Vice President. A quorum should consist of a majority.

The Administrative Committee would be comprised of General Conference Officers only as follows:

President
General Vice President
Secretary
Undersecretary
Associate Secretaries
Treasurer
Undertreasurer
Associate Treasurers
North American Division President
North American Division Secretary
North American Division Treasurer

The suggested Terms of Reference for the Administrative Committee are as follows:

Terms of Reference	Authority and Responsibility
A. Standing Committees	
1. Develop, approve, and adjust terms of reference for Standing Committees.	1. Power to act.
2. Evaluate the work of Standing Committees on an annual basis.	2. Power to act.
B. Financial Oversight	
1. Develop the General Conference budget in harmony with established procedures.	1. Recommend to Annual Council.
2. Review the operations of the General Conference in relation to the budget.	2. Power to act in counsel with the responsible officers.
3. Approve the opening and closing of bank accounts with appropriate signatures.	3. Power to act.
4. Authorize expenditures of Emergency and Contingency Funds as provided for in the budget.	4. Power to act.
C. Planning and Development	
1. Direct in the formulation and publication of internal policies, pro-	1. Power to act.

Terms of Reference, cont'd.	**Authority and Responsibility,** cont'd.
tocols and procedures.	
2. Direct in the development of long-range planning for the staffing and operation of the General Conference headquarters.	2. Recommend to the Executive Committee.
3. Development of General Conference Executive Committee agendas.	3. Recommend to the Executive Committee.
D. Personnel Matters	
1. Evaluate department directors.	1. Power to act.
2. Recommend employment or discharge of all elected personnel.	2. Recommend to the Executive Committee.
3. Approve and/or employ appointed personnel.	3. Power to act.
E. General Administrative Items	
1. Express condolences and appreciation as circumstances may indicate.	1. Power to act.
2. Place calls for General Conference headquarters personnel (other than those indicated in D2).	2. Power to act.

Strategic Planning and Budget Development Process

Recommendation #7

That a clearly defined strategic planning and budgeting process that is mission driven be established.

Accomplished by:

1. Implementing a strategic planning and budget cycle.
2. Creating a Strategic Planning and Budgeting Committee.
3. Presenting a strategic plan to Annual Council that is initiated and directed by the President.
4. Assigning responsibility to the Undertreasurer for reporting budget variances to those responsible.
5. Holding the General Conference President, Secretary, and Treasurer responsible for continuing budget compliance in cost centers under their administration.

Explanation:

It is important that the budget be mission driven and be a major expression of church priorities. Input from the General Conference Executive Committee and the Administrative Committee should be received early in the process and not as a general review at the end.

Currently much confusion and mystery surrounds the budgeting process. Many have expressed lack of knowledge, and therefore accountability, regarding budget planning and spending.

Each year the Executive Committee at the Annual Council performs two important planning and budgetary functions:

First, the committee completes the strategic planning and budget development cycle by reviewing and approving the budget for the next fiscal year (January through December).

Second, it initiates a strategic planning and budget development cycle by receiving from the General Conference President and his staff broad strategic plans for the next five to ten years, as well as a more detailed proposal for the fiscal year due to begin 14 months hence.

The following steps and explanations clarify the planning and budget phase of the process illustrated in Chart 1 [See page 12].

A. Strategic Planning

The president leads in strategic planning for the General Conference. He formulates the strategic plan with input from officers and division presidents. The Executive Committee modifies and approves the plans at the Annual Council.

B. Undertreasurer

1. Undertreasurer Accumulates
   a. Unfunded requests from previous budget process.
   b. Ongoing needs arising since last budget process.
   c. New requests from General Conference institutions, divisions, and in-house cost centers.
2. Undertreasurer Analyzes
   a. Available resources to be applied forward to the budgeted year(s).
   b. Trends in giving to predict contributions available in that budget year.
   c. Year-end working capital needs for that budgeted year.

C. Strategic Planning and Budgeting Committee

The Strategic Planning and Budgeting Committee receives resource projections and the strategic plans from Annual Council [See Section A above]. It states the actions as concrete plans and objectives and studies the percentage of resources given to each major category, entity, and function within the past budget and modifies them to express the current mission priorities of the Church [See Chart 2, page 13]. The final product will be a plan showing major budget headings and the percentages of resources that should be allocated to each major category for that budget year. Ideally, this should be done with anticipation of categorical-budget allotments projected over a several year period. This report will be widely circulated.

D. Spring Meeting

The Spring Meeting of the Executive Committee is given an opportunity to modify and approve the report.

E. Undertreasurer

The Undertreasurer prepares rough draft with input from COST CENTERS.

F. President, Secretary, Treasurer

The President, Secretary, and Treasurer review and modify rough draft.

G. Administrative Committee

ADCOM reviews and modifies rough draft.

H. Strategic Planning and Budgeting Committee

The Strategic Planning and Budgeting Committee begins finalization process by reviewing and recommending budget for presentation to Annual Council.

I. Annual Council

Annual Council approves final budget.

J. Implementation and Accountability

1. Appropriate budget segments are sent to each cost center director before December 31, of the previous year. This means the final budget numbers may be readjusted based on the most recent projections of the previous year's contributions and other factors that may affect income.

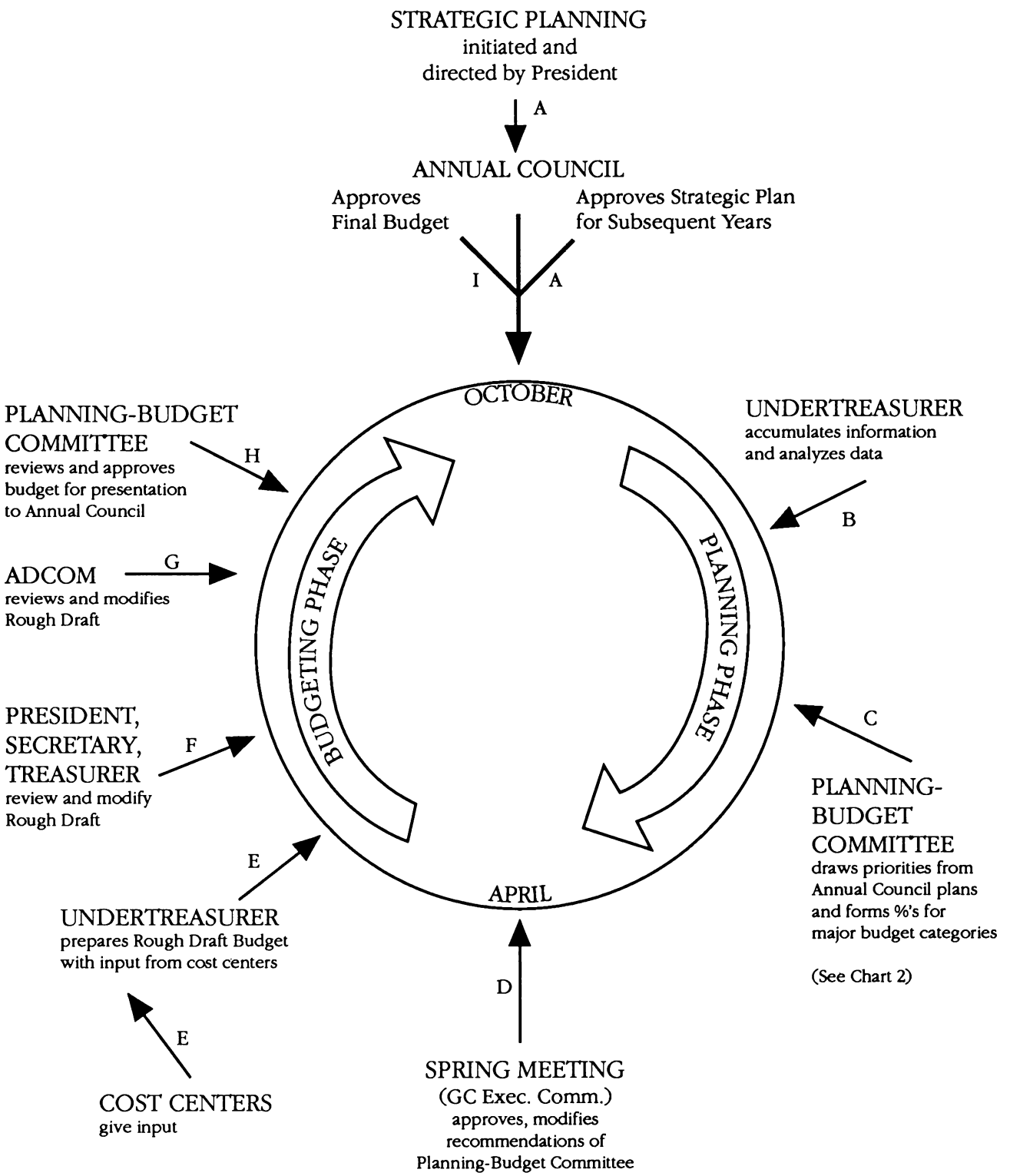
2. Treasury prepares a monthly report showing budget and actuals to date.

3. The President, Secretary, and Treasurer are individually responsible for the cost center budgets under their supervision.

4. The Executive Committee is responsible for monitoring the President, Secretary, and Treasurer for budgetary compliance.

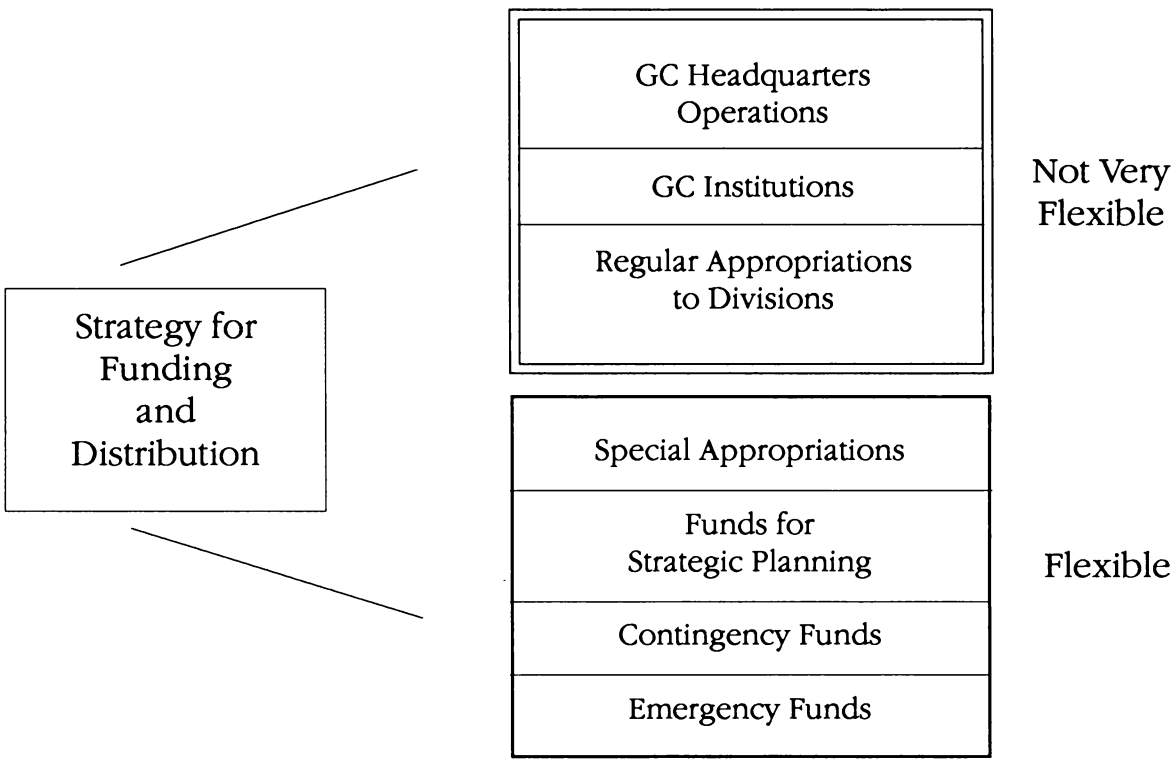
Chart 1

STRATEGIC PLANNING AND BUDGET DEVELOPMENT CYCLE



BUDGET CATEGORIES

Chart 2



Strategic Planning Committee assigns percentages to the above categories including entities/functions.

Recommendation #8

That an ongoing evaluation process be developed and implemented by the General Conference administration to measure the contribution to mission of all headquarters programs, committees, and personnel.

Accountability

Explanation:

Performance evaluation is a natural and essential extension of delegated responsibility. It demands definition of assignments, clarity of relationships, and two-way communication throughout the entire organization.

In day-to-day responsibilities, employees (appointed, elected, and general staff) must be responsible to individuals and not to committees or general constituencies. The President, Secretary, and Treasurer of the General Conference are the only exceptions.

A periodic performance evaluation process must be designed and implemented at every level as a positive, unifying, and planning activity.

The effectiveness of each committee and program will be evaluated periodically by administration.

The outcomes of this process are to:

1. Improve fulfillment of mission,
2. Focus accountability,
3. Provide opportunities for personal growth and professional development through continuing education, job skill development, and clarification of responsibilities.

Areas for Further Study

The Commission has limited its recommendations to its Terms of Reference. At the same time it became aware of the fact that organizational changes at the headquarters inevitably affect the world Church both directly and indirectly—the latter by serving as a model.

The Commission in its deliberations discovered what it sees as changes that still need to be made but has steered away from making any formal recommendations. It does however, urge that the General Conference Executive Committee establish another Commission with worldwide representation under expanded terms of reference to pursue these matters.

Appendix I

Letter from Robert S. Folkenberg addressed to members of the General Conference Commission on Governance.

September 21, 1990

Dear Fellow Believer:

The structure for providing appropriate governance in our General Conference headquarters is extremely complicated. The church governs through a large number of standing, sub and ad hoc committees each with their clearly defined "term of reference" defining their responsibility, authority and membership. Each of these derives its authority from another, more authoritative body, ultimately reporting to the constituency. Overall guidance is provided by the various administrators and their associates as well as departmental directors with their respective staffs.

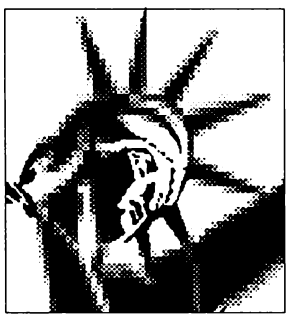
Periodically every organization needs to review its governance process to assure its effective and efficient operation. I have recommended, and the General Conference committee approved the formation of an ad hoc "Commission on Governance" to examine the entire General Conference headquarters governance process and to report its findings to the president.

Your name has been approved by the General Conference Committee to serve on this Commission. I would appreciate it if you would accept this invitation to work with this Commission in this vitally important process. Elder R. Kloosterhuis, who has been appointed as chairman of this Commission, will be communicating with you about the date, time and place of its first meeting.

Thank you so much for your help in this major and important undertaking.

Sincerely,

Robert S. Folkenberg,
President



Congress vs. the Court: Rescuing Religious Liberty

Congressman Stephen J. Solarz decries recent decisions by the Supreme Court that he believes jeopardize religious liberty. He spoke before an interfaith audience March 20, 1991.

by Representative Stephen J. Solarz

IT IS A PLEASURE TO BE ABLE TO ADDRESS THIS distinguished gathering of religious leaders today. Interfaith Impact for Justice and Peace is a remarkable demonstration of the power of interreligious dialogue and cooperation. It is indeed an inspiration to see religious Americans acting on the dictates of their faith to build a better America and a more just world.

It is, therefore, a bit disheartening to note that as we meet to discuss the role that religious communities can play in promoting justice, the cause of religious freedom in America has just suffered its most significant setback in years.

On April 17, 1990, a day that will live in constitutional infamy, the U.S. Supreme Court dealt a devastating blow to religious freedom in the United States. In the case of *Oregon Employment Division vs. Smith*, a majority of the justices discarded a decades-old balancing test used by the courts to safeguard the free exercise of religion. Under the old test, the Court would invalidate the laws that had the effect of placing a burden on religion unless the government could demonstrate that the law furthered a "compelling" governmental interest and had used the least-restrictive means to further that interest. This test is the strictest standard of review available.

Instead, the Supreme Court held that laws neutral toward religion, which are generally applicable, would not be ruled invalid if they had the effect of burdening the free exercise of religion.

It is interesting to note that the current Supreme Court majority, whose members were appointed because of their credentials as judicial conservatives, should be responsible for one of the most unvarnished examples of judicial activism in decades. Instead of con-

The Hon. Stephen J. Solarz (D - N.Y.) is the senior member of the House Foreign Affairs Committee and chairs its subcommittee on Asian and Pacific Affairs.

serving a workable, long-standing rule, this court has chosen a radical break with established law. As a result, the rights of all Americans are likely to suffer.

The Religious Freedom Restoration Act would correct the Court's unwise and unwarranted action simply by reinstating the compelling interest test that has served our country so well. The legislation would make the test applicable to both federal and state laws and would allow individuals to seek court enforcement of their rights.

This legislation restores the religious rights of all Americans as they were prior to *Smith* without tampering with the Bill of Rights, by recreating the old pre-*Smith* balancing test. It is a measured, prudent response to the work of an activist Supreme Court majority.

The diversity and intensity of support that the Religious Freedom Restoration Act has attracted in Congress from a wide range of religious and civil-rights organizations indicates just how fundamental are the values at stake in this effort. One hundred one members of the House and eight members of the Senate agreed to cosponsor this legislation in the 101st Congress. This group includes members from both sides of the aisle, liberals and conservatives, and members from all parts of the country.

The coalition for the free exercise of religion, which has been formed to support the bill, is "ecumenical" in both the political and religious sense of that term. It is composed of more than 35 organizations representing diverse religious and political viewpoints. In fact, many of the organizations and denominations represented here today have actively supported passage of RFRA.

America cannot afford to lose its first freedom, the freedom not just to believe, but to act according to the dictates of one's religious faith, free from the unwarranted and unjustified restrictions of governmental regulation and interference.

In practice, that threat comes not from laws which are aimed at specific religions, but from the enactment of neutral laws of general applicability that adversely affect specific religious practices, which the Court has placed beyond the reach of the First Amendment.

By refusing to balance free-exercise rights against the interests being advanced by laws of general applicability, the majority in *Smith* has slammed shut the courthouse door on virtually every governmental violation of religious freedom likely to arise in the future.

The majority in Smith *has slammed shut the courthouse door on virtually every governmental violation of religious freedom likely to arise in the future.*

These concerns are far from hypothetical. In the 11 months since *Smith* was handed down, the courts and governmental agencies have moved with alarming swiftness to take advantage of this new power conferred by the high court:

- Jews and Hmong tribesmen whose religious objections to autopsies were ignored by medical examiners have had their cases thrown out of court. The Rhode Island court expressed its "deep regret" in its decision withdrawing its judgment in favor of the Hmong, citing *Smith*.
- The Occupational Safety and Health Administration withdrew its long-standing exemption from its ruling requiring hard hats at construction sites for Sikhs, whose religion requires the wearing of turbans, and the Amish, whose religion requires them to avoid manifestations of modernity, citing *Smith*.
- A court in Minnesota upheld a zoning

ordinance which excluded churches from commercial and industrial areas, again citing *Smith.*

Perhaps the most disturbing is Justice Scalia's observation that the loss of liberty likely to be suffered by minority religions as a result of the Court's ruling is an "unavoidable consequence of democratic government." This view demonstrates an appalling lack of regard for this proud American heritage. We have been strengthened rather than weakened as a nation by this remarkable record of accommodation. Yet Justice Scalia derided this outstanding and uniquely American tradition of religious tolerance as a "luxury" we cannot afford, "precisely because 'we are a cosmopolitan nation made up of people of almost every conceivable religious preference.'"

In fact, the fundamental purpose of the Bill of Rights is to place beyond the reach of temporary majorities and the passions of the moment our most cherished rights. Surely no right is more highly prized than our first freedom, the right to worship freely.

Our diversity has always been our greatest strength, rather than the inherent weakness Justice Scalia imagines it to be.

The Court's reading of the First Amendment is out of step with the nation and with our commitment to religious liberty. Our nation has historically accommodated religion, even when religious practices have conflicted with important national goals. We have allowed the Amish to withdraw their children from compulsory education. We have allowed the use of wine in religious ceremonies during prohibition. We have allowed deferments from conscription to accommodate religious pacifism even in times of war.

In fact, legislation I sponsored which became law in 1987 allowed Americans serving in the military to wear unobtrusive religious articles while in uniform. This legislation overturned the Supreme Court's decision in *Goldman vs. Weinberger.* In that case, the Court held that the free-exercise clause did not protect the right of an Orthodox Jewish Air Force officer to wear a yarmulke while in uniform.

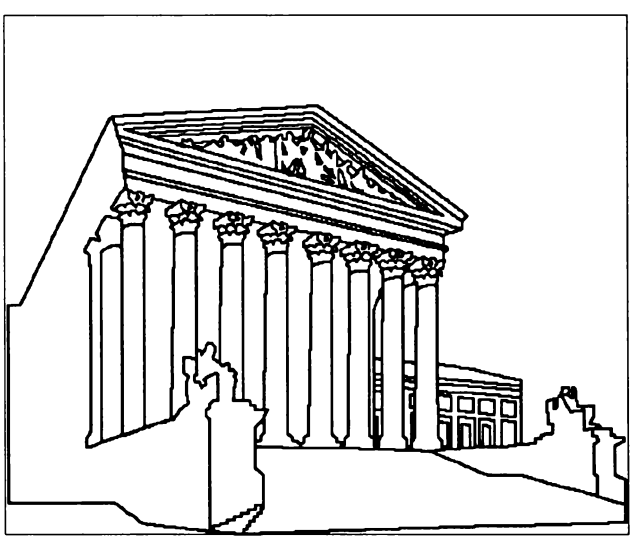
Justice William Brennan, in his historic dissent, argued thoughtfully and passionately that respect for religious diversity is entirely consistent with, and appropriate to, the armed forces of a free and democratic nation.

After the legislation passed, I sent Justice Brennan a note thanking him for his efforts to preserve religious liberty and to let him know of our success in Congress. I also enclosed a camouflage yarmulke as a memento.

I was delighted to receive a letter back from him thanking me for the yarmulke. According to Justice Brennan's account, he tried the yarmulke on in chambers, only to forget he was wearing it. The honorable associate justice caused quite a stir when he left the Court later that day, still wearing the yarmulke.

I mention this legislation to illustrate two important points. First, Congress has legislated to protect religion in the past when the courts have refused to do so.

Second, accommodating religious diversity is perfectly consistent with two of our most important governmental functions: maintaining national security, and preserving a fair and independent judiciary.



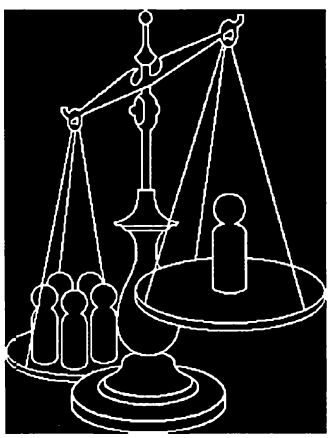
Somehow, the United States managed to survive decades of the compelling-interest test and countless instances in which the beliefs and practices of religious minorities were accommodated by the majority.

The compelling-interest standard is not a "luxury" but a necessity. We have succeeded as a democracy not in spite of it, but because of it.

The compelling-interest test has proved a workable standard. While not allowing an absolute exemption for all religious practices at all times from all laws, it does require the government to have a good reason for burdening religion. More than that, it requires the government to show that there is no way to avoid burdening religion. The test strikes the proper balance between the needs of the majority and the rights of the minority.

Religious freedom is the foundation of our way of life. This nation has always provided a haven for refugees from religious persecution. We are Americans because those who came before us voted for freedom with their feet. My family, like many of yours, came here to worship freely. Even today, Jews from the Soviet Union, Buddhists from Southeast Asia, Catholics from Northern Ireland, Bahai's from Iran, and many more, willingly renounce their homelands and risk their lives for the "luxury" of religious freedom.

Respect for diversity, and particularly religious diversity, was one of the fundamental principles that guided the framers of the Constitution. The Constitution's guarantee of religious freedom is as much a practical guide for good government and social stability as it is a moral imperative. By restoring the workable constitutional standard that protected the free exercise of religion in this country for nearly 30 years, the Congress can present a most appropriate gift to the American people when we celebrate the 200th birthday of the Bill of Rights later this year.



Solarz Is Right, The Court Is Wrong

Adele Sherbert, a Seventh-day Adventist, won a landmark case before the Supreme Court in 1963. The case established new frontiers for religious liberty from which this court is retreating.

by Mitchell A. Tyner

THE PRECEDING STATEMENT BY CONGRESSMAN Stephen J. Solarz would seem to indicate that the United States Supreme Court did something to raise his ire. The Court did: it ruled that if the State of Oregon can prohibit the use of peyote, it can also deny unemployment benefits to those fired for using it. But does this single decision really justify legislation to reverse the country's highest court? Yes, it does. To understand why, you must understand the background of the decision.

Alfred Smith is a Klamath Indian who lives outside Eugene, Oregon, with his wife, Jane, and their children, ages eight and three. The rites of the Native American Church are an integral part of his life. Those rites include the use of peyote.

Smith's peyote use is seen not as an aid or thrill but as a direct pipeline to God; it's a central part of his church. "I am not a drug dealer or a drug addict," Smith said. "I am trying to find my way on a spiritual path."

His path involves a cactus native to the southwestern United States. Cactus tops—peyote buttons—contain mescaline, a hallucinogen. Use of peyote is a sacrament for thousands of Native American Church members. It's also a drug with the same legal classification as heroin, LSD, and cocaine. The federal government and 23 states have made statutory exceptions for peyote use in Smith's church. Oregon has not.

When Smith went to work as a drug rehabilitation counselor for the Council on Alcohol and Drug Abuse Prevention Treatment (ADAPT), he signed a standard contract stipulating that he would not use drugs or alcohol. Smith thought an exemption would be made for his religious use of peyote, but ADAPT officials thought differently, and Smith was fired. When Smith applied for unemployment benefits, he was turned down. The State Employment Division said he had been fired for misconduct and therefore didn't qualify. Smith then turned to the court system.

Mitchell A. Tyner, both an ordained minister and an attorney, is Associate Director of the General Conference Public Affairs and Religious Liberty Department.

An Oregon appeals court reversed the decision of the Employment Division and, four years after Smith was fired, the Oregon Supreme Court ruled that the ceremonial use of peyote was protected by the Free Exercise Clause. State officials appealed that ruling to the U.S. Supreme Court in 1987, arguing that Smith wasn't entitled to benefits because peyote use was a crime in Oregon. Uncertain about that, the High Court sent the case back to the state supreme court to determine whether religious use of peyote was indeed a crime in Oregon.

The state court emphatically reaffirmed its earlier ruling, concluding that the Oregon statute against possession of controlled substances makes no exception for the sacramental use of peyote, but that outright prohibition of good-faith religious use of peyote by adult members of the Native American Church would violate the Free Exercise Clause of the U. S. Constitution. On that decision this case made its second trip to the nation's highest court.

The Sherbert *test wasn't perfect, but it had merits. Religious minorities didn't always win under* Sherbert, *but if they lost, the government was forced to justify its actions by meeting a very high standard of evidence.*

In its first major Free Exercise Clause opinion, in 1878, the Supreme Court ruled that the statutory prohibition of polygamy could be enforced against Mormons, for whom the practice was a religious requirement. Over the next half-century the Court restricted other practices, ruling the common good to be a proper barrier to some religious practices.

Beginning in the 1940s, the Supreme Court held that the freedoms of religion, speech, press, and assembly were "fundamental" freedoms—preferred and precious—unlike, for example, freedom of contract or economic freedoms. The latter were protectable, but not to the degree of First Amendment rights. The Court was moving toward so-called "strict scrutiny" of any governmental burden on fundamental rights, while employing a more lenient test in relation to nonfundamental rights.

The application of strict scrutiny in Free Exercise cases was crystallized in the 1963 case of *Sherbert vs. Verner.* Adele Sherbert, a Seventh-day Adventist, lost her job because she refused to work on her Sabbath. Because her refusal was deemed misconduct, she was then denied unemployment compensation. She filed suit, alleging the denial to be a contravention of her right to the free exercise of her religion. The Supreme Court agreed. In an opinion written by Justice Brennan, the Court held that one may not be forced to choose between allegiance to sincerely held religious belief and the receipt of generally available governmental benefits. Brennan did more: he enunciated a three-part test for application of the Free Exercise Clause. The so-called "*Sherbert* Test" said that a governmentally imposed burden on free exercise must be justified by showing a compelling state interest that cannot be met by any method that is less intrusive on religious practice.

Since 1963, the *Sherbert* test has become the standard analytic tool for deciding cases of governmental burdens on religious practices. By the time of the *Smith* decision, *Sherbert* had been cited in 546 recorded federal court cases and 393 state court cases—a total of 939 applications over 27 years.

The *Sherbert* test wasn't perfect, but it had merits. Religious minorities didn't always win under *Sherbert,* but if they lost, the government

was forced to justify its actions by meeting a very high standard of evidence.

On November 6, 1988, the parties argued *Employment Division vs. Smith* to the Court using the *Sherbert* analysis—the state contending that its interest was compelling, Smith contending that it was not. Court-watchers, as they had for the better part of three decades, debated how the Court would apply its standard analytic framework.

Then, on April 17, 1990, came the bombshell. The Court, through an opinion written by Justice Scalia and concurred in by Chief Justice Rehnquist and Justices Kennedy, Stevens, and White, held that the Free Exercise Clause does not bar a state from applying its general criminal prohibition of peyote consumption to individuals whose religion prescribes its sacramental use. But that wasn't all.

Scalia wrote that unless a law either singled out a religion or singled out an individual *because* of religion, the Free Exercise Clause would not require an exemption from a law of general applicability. In other words, if the law burdens religion incidentally (as opposed to intentionally) and that law is generally applicable and is otherwise valid as applied to secular subjects, the First Amendment is not violated. Reviewing courts need no longer engage in a search for a compelling public interest; strict scrutiny is not required.

Under the new standard, only burdens on religious *belief* get strict scrutiny. Religious practice receives much less protection. Laws that interfere with religious practices are just fine as long as the rule applies to everybody, the government has a palatable reason for the rule, and it doesn't single out religion for negative treatment. There is no need for balancing. States may *choose* to grant exemptions, but they may not be forced to do so.

According to Scalia, making an individual's obligation to obey a law contingent upon the law's coincidence with his or her religious beliefs, except where the state's interest is compelling, "contradicts both constitutional tradition and common sense." That would create "a private right to ignore generally applicable laws," which would be "courting anarchy." For Scalia, giving that much weight to individual opinion and conviction in a society as religiously diverse as ours is a "luxury" we can no longer afford.

Justice O'Connor concurred in the result, but not with the rationale of the decision. She argued that since (in her opinion) Oregon had a compelling interest in the enforcement of its drug laws, the Court could—and should—have reached the same result while retaining the *Sherbert* strict-scrutiny test. Said O'Connor,

> The compelling interest test reflects the First Amendment's mandate of preserving religious liberty to the fullest extent possible in a pluralistic society. For the Court to deem this command a "luxury" is to denigrate [the] very purpose of the Bill of Rights.

Justice Blackmun, joined by Justices Brennan and Marshall, went further. They argued not only against their fellow justices' near-total rejection of *Sherbert*, but that Oregon had *not* met its burden of showing a compelling interest, since it had not sought to enforce criminal penalties against Smith and had made virtually no effort to enforce the law against other Indian users of peyote. Blackmun wrote that the majority decision

> effectuates a wholesale overturning of settled law concerning the Religion Clauses of our Constitution. . . . I do not believe that the Founders thought their dearly bought freedom from religious persecution a "luxury," but an essential element of liberty—and they could not have thought religious intolerance "unavoidable," for they drafted the Religion Clauses precisely in order to avoid that intolerance.

From the ranks of religious bodies, legal scholars, and civil-rights groups came a grand chorus of voices agreeing with either O'Connor or Blackmun. The petition asking the Court to rehear the case (denied) was joined by the American Jewish Congress, the

Baptist Joint Committee on Public Affairs, the Christian Legal Society, the National Council of Churches, the Evangelical Lutheran Church of America, the Seventh-day Adventist Church, the Presbyterian Church (USA), and the Worldwide Church of God, as well as by a long list of legal scholars including Gerald Gunther of Stanford, Lawrence Tribe of Harvard, Michael McConnell of the University of Chicago, Norman Redlich of New York University, and Robert Drinan of Georgetown University. The National Conference of Christians and Jews expressed "profound disquiet" with the *Smith* decision; the National Council of Churches called it "a decision of disastrous significance"; and the American Jewish Congress called it "devastating to the free exercise rights of all Americans, particularly those of minority faith."

Those opposing the Smith *decision include an amazing spectrum of voices frequently at odds with one another. What has produced this remarkable unanimity?*

Those opposing the *Smith* decision range from the American Civil Liberties Union to the Rutherford Institute—an amazing spectrum of voices not infrequently at odds with one another. What has produced this remarkable unanimity? Their disquietude centers on three points.

First, this decision moves the Free Exercise Clause to the back of the bus. It no longer merits the same strict scrutiny given to alleged violations of other fundamental rights. The Supreme Court deems free exercise to be a free-standing right only in that highly improbable situation where government singles religion out for regulation.

Second, the decision is patently majoritarian, a phenomenon laudable in the legislative and executive branches, but disquieting in the judicial branch, whose responsibility is to enforce the constitutional rights of individuals, not majorities. Scalia wrote,

> It may fairly be said that leaving accommodation to the political process will place at a relative disadvantage those religious practices that are not widely engaged in; but that unavoidable consequence of democratic government must be preferred to a system in which each conscience is a law unto itself or in which judges weigh the social importance of all laws against the centrality of all religious beliefs.

In response, Justice O'Connor noted that "the First Amendment was enacted precisely to protect the rights of those whose religious practices are not shared by the majority."

Third, as a practical matter, this decision makes any legal action challenging a governmental burden on religion much more difficult, if not impossible. Previously, one need only show that a law or governmental action burdened a sincerely held religious belief. The evidentiary burden then shifted to the government to justify its action. Now the plaintiff must not only demonstrate the burden on belief, he must also show that the act complained of is not generally applicable, not facially neutral, or fits into some other narrow exception to *Smith*. The amount of evidence that the plaintiff must bring in order to shift the burden to the government has been greatly increased.

The other obvious fallout of this decision is that churches will now be subject to all sorts of regulations. Zoning, landmarking, taxation of various types, day care and church school licensing and regulation, home schools, medical care for children, attendance at graduation ceremonies on one's day of worship, academic or professional examinations on one's Sabbath—these are all arguably facially neutral

and generally applicable laws. And they will fall with added force on those groups who do not change their teaching to accommodate every shift in social and political styles.

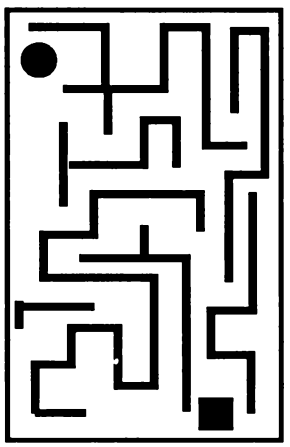
So that's what Congressman Solarz, quite rightly, finds so disturbing. And he's prepared to do something about it. He has introduced a bill—The Religious Freedom Restoration Act—which requires that any governmental burden on religion be justified by a compelling interest and a showing that no less-intrusive means exist to further that interest. In effect, it would reestablish the *Sherbert* test.

The reason why Solarz' bill hasn't yet been passed is sad but simple: although virtually all the rest of the religious community supports it, the bill is opposed by the anti-abortion group, who fear it could be used to justify a religiously-mandated abortion. The number of abortions that might be so justified would be minute.

Yet on that basis this group is sabotaging the most effective means in sight of restoring some meaning to the protection of religious practice.

There's more. While Solarz and his colleagues wait for the religious community to find alternate wording to satisfy the anti-abortionists, the Supreme Court is on a roll. It has accepted for review another case, *Lee vs. Weisman*, to be heard in the fall of 1991. In this case the Department of Justice is asking the Court to reverse the traditional understanding of the Establishment Clause—just what it did to the Free Exercise Clause in *Smith*. The chances are that the Court will do what the Justice Department is requesting.

Under the Free Exercise Clause, one asks, "What can I do to keep government from burdening my religious practice?" Under the Establishment Clause, one asks, "What can I do to prevent government from aiding and giving preference to religion?" After the decision in *Smith* and the anticipated decision in *Weisman*, the answer to both questions will be the same: Not very much.



The Presidents and Anonymous Donors

The General Conference Executive Committee hears the GC and North American Division presidents explain why they accepted—and then terminated—salaries to their wives from private sources.

by Roy Branson

At its June 20, 1991, meeting, the General Conference Executive Committee was informed that the president of the General Conference of Seventh-day Adventists, and the president of the North American Division had acted to resolve personal financial arrangements involving anonymous donors and the Columbia Union that troubled the General Conference auditing service.

With neither president in attendance, the General Conference Committee listened to the GC treasurer read letters from Robert S. Folkenberg, the president of the world church, and Alfred C. McClure, president of the denomination's North American Division. These letters asked the Columbia Union Conference to stop paying Folkenberg's and McClure's wives the equivalent of a salary each from funds provided by anonymous donors. (See first two letters in box.) The money received from these sources had allowed the wives to avoid office jobs so that they could assist their husbands and travel with them.

Roy Branson is the editor of Spectrum *and a senior research fellow at the Kennedy Institute of Ethics at Georgetown University.*

McClure had also received from a secret donor or donors an interest-free, $140,000 loan, passed through the Columbia Union, which he used to purchase a home in the Washington, D.C. area. When McClure sells his house the money will return to the Columbia Union to be used for education. In his letter, McClure said that the Columbia Union attorney was working on documents that would allow his house to be jointly owned by the union, in compliance with recently approved union policies.

The letters brought to a climax events that began immediately after Folkenberg and McClure were elected to their presidencies. As recounted to the June 20 meeting of the General Conference Committee by treasurer Donald F. Gilbert, and Ronald Wisbey, president of the Columbia Union, the story had begun last year at the July 1990 General Conference Session in Indianapolis.

Wisbey said that two individuals approached him, wondering if it would be possible to provide funds so the wives of Folkenberg and McClure would not be forced to take jobs in the General Conference building. It would be awkward for the wives to receive employment at a time when employees at headquarters were losing their jobs because of downsizing. The assistance would also

permit the presidents' wives to travel with their husbands.

Wisbey went to Gilbert, newly re-elected treasurer of the General Conference. Gilbert said he did not see how the General Conference could accept such funds; it didn't fit into the General Conference's policies. However, Gilbert raised no objections to Wisbey's finding a way to make the private funds available through the Columbia Union.

According to his letter that was read to the General Conference Committee, Folkenberg felt that he was facing an impossible financial situation, and so "when I was informed that an anonymous donor had offered a solution, I considered it an answer to prayer." Gilbert recalled that following his conversation with Wisbey, Folkenberg came to him during the General Conference Session to say that the Columbia Union would be taking care of the matter. Referring to this alternative channeling of anonymous funds to the Folkenberg and McClure families, Gilbert told the GC Committee that he now wonders if he shouldn't have "advised against its propriety," or at least its appearance of impropriety.

Some time after the General Conference Session, the wives of Folkenberg and McClure were put on a "courtesy payroll," which Wisbey said also exists elsewhere in the denomination. From the time the Columbia Union began sending the two wives money until the end of 1990, each woman had received $10,260. In 1991, each wife received the same amount.

Shortly after the General Conference Session, according to Wisbey, a second set of donors called him to see if the Columbia Union would accept a gift for McClure, to help with his housing. Wisbey agreed. So, a $140,000, interest-free loan was made available to McClure in the form of a donation to Christian education in the Columbia Union. The loan enabled McClure to purchase his present home in the Washington, D.C. area.

It was unclear at the meeting whether the anonymous donor or donors had claimed tax deductions for contributions to the Columbia Union. Subsequently, the donors have informed Columbia Union officers that they have not claimed tax deductions. Although all the "paperwork" for the secret donors' funds for McClure had not been completed, Wisbey told the GC Committee, on June 20, 1991, that when the legal work was completed the union and McClure would be co-owners of the house. According to Wisbey, when McClure finishes his assignment and sells his home, at least the $140,000 will return to the Columbia Union to be used for Christian education.

In response to a member of the GC Committee, Wisbey confirmed that when McClure moved to the Washington, D.C. area, the Adventist Health Systems/Sunbelt purchased, at market value, the Atlanta home of its outgoing chairman of the board, McClure. He said Sunbelt was leasing it to the incoming chairman, McClure's replacement as president of the Southern Union.

Because the funds for the presidents' wives and the interest-free loan to McClure were provided by anonymous donors, Wisbey was emphatic that "not one dime of Columbia Union money went to the General Conference men." (Gilbert assured the GC Committee that Folkenberg had not received a loan from the Columbia Union, but had arranged for an interest-bearing loan from the General Conference to help him buy his house. The amount is well within policy for salaried employees of the General Conference, which holds the mortgage on Folkenberg's house.)

Wisbey said that it was embarrassing and extremely distasteful to him to discuss publicly someone else's private business. He had sought legal and accounting counsel and had been assured that there was nothing wrong with what the union was doing. He had tried to honor the request for anonymity by the donor. He had not been trying to conduct this matter in secret, but to facilitate, Wisbey said, what "I thought was a God-given miracle."

Wisbey therefore had tried to keep arrangements at the Columbia Union office within, as he put it, "the financial group." So, the Columbia Union Conference Association of Seventh-day Adventists approved the terms of the $140,000 donation, to be given first as an interest-free loan to McClure and eventually to be part of the union's funds for Christian education.

However, Wisbey's account of what happened underscored the fact that the GC auditors had insisted that he inform and receive approval from a

widening circle of people. In 1991, when the General Conference Auditing Service performed their regular audit of the Columbia Union's 1990 accounts, Daniel Herzel, a GC auditor, told Wisbey that the union executive committee needed to officially approve the arrangements that had been made.

Therefore, in February 1991, months after the Columbia Union had already begun channeling money to the wives of the two presidents, and had sent the interest-free loan to McClure, Wisbey sought and received official approval from the Columbia Union Executive Committee for passing on anonymously donated funds to the wives.

In April, the Columbia Union Executive Committee talked face-to-face with the head of the General Conference auditing service. Wisbey pointed out that the committee is comprised of 60 members, half of whom are lay persons. He wished that he had arranged to have that meeting videotaped. The union committee had expressed an overwhelming desire to affirm the ministry of these two presidents and their wives. Their attitude was "praise God, someone cares!" In effect, the committee affirmed its February action.

Still, that seemed inadequate to the General Conference auditors. Within a few days of the executive committee meeting, some 400 delegates would gather for the May 1991 Columbia Union constituency meeting. The union officers, preparing materials to distribute to the delegates, discovered that they had not yet received an audited statement from the General Conference Auditing Services. In fact, the union found that an opinion-writing committee within the auditing service was still debating what notation to require on the financial report to explain the anonymous donations.

Wisbey reported that the union had begged the General Conference auditors not to require that a note be attached to the financial report being prepared for the union constituency. At least, Wisbey said, the union did get the auditors to change the wording in the note. Instead of the recipients of money from the Columbia Union being referred to in the note as wives of a General Conference and a North American Division *officer*, the union succeeded in substituting the word *employee*.

Wisbey felt badly that the Columbia Union meeting had been the one constitutency meeting that Mrs. McClure felt she could not attend with her husband, for fear of what might be said on the floor concerning the anonymous donations. But thankfully, according to Wisbey, the gifts were not a matter of discussion at the Columbia Union constituency meeting.

This picture contrasted vividly with Wisbey's earlier complaint about all too frequent comments of "disparagement" and the "conversation meat market that goes on regularly within this organization." Wisbey also reported that he had been told by an editor of the Adventist underground press that his sources of information were within the General Conference headquarters—that people there often called him before he called them.

Listening to Wisbey from a seat on the back row of the committee was David Dennis, director of the General Conference Auditing Service. After the Columbia Union Constituency meeting in May, his office had released, June 1, to the entire Columbia Union Conference Executive Committee, a copy of an earlier report from the GC auditors to the officers of the Columbia Union. That report said that the salaries for the presidents' wives and the interest-free mortgage loan to McClure did not conform to denominational policy. More dramatically, the auditor's report said that if the donors availed themselves of tax deductions for loans to the Columbia Union intended for specific individuals there could be legal problems. The report even raised the specter of the Columbia Union's actions in this case threatening its tax-exempt status.

The next person to speak after Wisbey was Neal Wilson, the immediate past president of the General Conference. Like other former officers, Wilson remains for five years a member of the GC Committee. Wilson said he had not been consulted when the arrangements had been made—there was no reason that he should have been.

Wilson said that he had first heard about this matter about two months ago. His immediate response, Wilson said, was, "I don't believe it!" Hearing about private funds being channeled through the Columbia Union to the presidents of the General Conference and the North American Division, he had said, "my two fellow leaders are smart enough not to be drawn into that."

Wilson then recounted that many times during his long tenure as president of the North American Division and then of the General Conference, he had been approached by members with offers of personal financial assistance—things like shares in nursing homes, even free stock in Worthington Foods. He had felt he simply could not accept these offers. For example, he had had to remind Worthington Foods that their competitor, Loma Linda Foods, was a General Conference institution.

Coming to the present, Wilson said that the previous evening he had spent two hours talking with Elder Folkenberg about recent developments in Russia. He had then raised with Folkenberg the topic of anonymous sources of personal funding. Wilson said he had talked about the problems raised when things are not fully disclosed; that it always leaves some sort of cloud. It was his conviction, Wilson said, that especially when people are under financial strain, "money clouds judgment." After an hour of discussion and prayer, and conversation with the treasurer of the General Conference, and more prayer, Wilson reported, President Folkenberg had written the letter read that morning to the GC Committee.

Wilson felt that a case could be made for supporting the wife of the General Conference president, so she could travel with her husband. However, he wasn't sure how much beyond that the General Conference would want to go. There was a big difference between the demands upon the president of the General Conference and those on the president of the North American Division—and Wilson was the only person alive who had done both. Furthermore, while a case could be made for the General Conference Committee voting special support for the president's wife, Wilson felt that the way this arrangement was packaged was a problem.

For example, "anonymous donors." After saying the two words, Wilson almost snorted. "Anonymous donors never remain anonymous." Therefore, Wilson emphasized, looking at Wisbey, sitting directly in front of him, it was unfortunate to take the attitude that no one would have heard about these donations unless the auditors had revealed them. When "anything given by an anonymous donor is going to be channeled to a particular individual, you're in trouble." The identity of the donors always comes out. These donors would also become known; not because of him, though he knew, Wilson said, who the donors were. If special financial consideration should be made for the president of the General Conference, it should come openly from the GC Committee, not from some "handout."

Wilson began his conclusion by saying that he was supposed to be on a plane at this hour, but he had wanted to be with the committee to discuss this matter. Now, he had to leave to catch his plane. But, reacting to the sympathetic response to his remarks about leaders not accepting private sources of remuneration funnelled through denominational channels, Wilson could not resist pausing to make a final comment. In the months since the last General Conference, he had not always attended, or said much, at meetings of the GC Committee. Now, he had a feeling that period was passing and that the committee would be hearing his voice more often.

In their remarks, Gilbert, Wisbey, and Wilson all referred to a speech that actually opened the committee's discussion and put the actions of the two presidents and the Columbia Union within the broadest context. Some of the speech's recommendations have yet to be acted upon.

At the beginning of the day's deliberations, after Gilbert had introduced the subject and entertained questions, Mitchell Tyner, an associate director of the General Conference Department of Public Affairs and Religious Liberty, stood up, walked to a microphone on the floor, and, in effect, proceeded to challenge his superiors—the two presidents—to consider the seriousness of what they had done. Heightening the drama was the fact that not only is Tyner an attorney, but also an ordained minister who was born, raised, and has pastored in the Southern Union, where both McClure and Folkenberg most recently worked. Indeed, Tyner began his ministry as an intern under a young Alfred C. McClure.

Tyner began by asking for more specific information. He next explored potential legal problems, then devoted most of his 15 minutes to what he considered the most profound problem—the ethical issues raised by the presidents' actions.

First, was "facial" conflicts of interest. There was a potential conflict between the interests of the church that had elected the presidents and the interests of "thinly veiled anonymous donors." There was also the obvious problem that the presidents might get caught in a conflict between the interest of the entire North American or world church, and the opposing interest of the Columbia Union, which had channeled funds to their wives. The presidents even faced a potential conflict be-

The Presidents' Letters

June 19, 1991
Elder Donald Gilbert
OFFICE
Dear Don,

Please indulge me a moment of reflection as I begin this letter. Along with the major shock of last July 5 came the startling realization that, on a personal basis, I was facing an impossible situation. I was confronting both significantly increased expenses *and* limited employment opportunities for my wife, the latter due to the planned staff retrenchment as well as the need and expectation in some areas for her to be by my side as I travel. I did not have the answer to this dilemma but was certain the Lord would provide.

When I was informed that an anonymous donor(s) had offered a solution, I considered it an answer to prayer. However, in order to assure appropriate review and correct procedures, I asked: 1) that counsel be sought from a fellow GC officer, 2) that the anonymity of the donor be assured and 3) that this entire matter be fully disclosed and voted by the Union Committee involved. When all three were done I felt that the organizational interests had been assured, and gave thanks to the Lord.

You cannot imagine my surprise and dismay when some of our own staff seemed intent on painting with sinister hues that which was done in the light of day! I cannot know why for only the Lord knows motives. I only know that it is vital that my integrity be unsullied.

Therefore, though with appreciation expressed to the unselfish donor(s) and the Columbia Union, both of which acted disinterestedly and in good faith, I am asking the Columbia Union to discontinue the current assistance being offered to my wife. I hope that this step will contribute to calming the storms which the evil one has used to distract and divide.

Thank you for handling this matter for me.

Yours in Christ,

Robert S. Folkenberg,
President
xc: R Wisbey

June 19, 1991
Elder Donald Gilbert, Treasurer
General Conference of Seventh-day Adventists
12501 Old Columbia Pike
Silver Spring, MD 20904

Dear Elder Gilbert:

While recognizing that although the Columbia Union has been careful to safeguard the ethical and policy procedures relating to the request of anonymous donors, I have notified Elder Ron Wisbey of my request to terminate the salary which my wife has been receiving.

In addition, the Columbia Union attorney is currently developing the joint ownership documents which will provide for complete policy compliance.

Throughout my professional career I have assiduously attempted to conduct myself in a manner that is above reproach. While I had full confidence that the above mentioned activity was done in the proper manner, I deeply regret any question that might have arisen that would reflect negatively upon myself and particularly the church.

Very sincerely,

Alfred C. McClure
President
North American Division

tween the interest of Ronald Wisbey, who had arranged these benefits for their wives, and the interests of other denominational leaders.

Tyner assured the GC Committee that the potential conflicts of interest raised by these arrangements would never pass the ethical standards required of the United States judiciary or Congress. What the Adventist presidents had done would be equivalent to a newly-appointed U.S. Secretary of Housing and Urban Development believing that

July 23, 1991
Elder A. C. McClure
OFFICE

Dear Al:

I have become aware that the issue of my wife's employment continues to be a topic of conversation. I am anxious that the full facts be known in order that our pastors, and/or members, can form valid conclusions. I am attaching a copy of the letter I wrote Elder Don Gilbert, treasurer of the General Conference, which was read to the General Conference Committee on June 20, 1991. I hope that you will send copies of this letter, and the one attached, to the North American Division union and conference presidents. They can use these letters in a manner that will be most helpful in answering questions they or their pastors face.

The attached letter provides a simple recital of the facts but doesn't communicate matters of the heart. In hindsight I would not have made the decision that I had made in Indianapolis. I only hope that people will remember the unspeakable pressures of the Session and consider that this matter was dealt with "on the fly" in a total of about 10 minutes. Certainly, I now wish I had sought wider counsel.

Thank you for helping me communicate this information to our leaders in North America.

Sincerely,

Robert S. Folkenberg
President

July 24, 1991
NAD Union and Conference Presidents

Dear Fellow Leader:

You will find enclosed a copy of a letter that Elder Folkenberg has requested I distribute to NAD leadership. It addresses an issue that has generated some questions that deserve a forthright response. I have chosen to add my comments since the questions involve my activity as well. At the time of our invitation to the NAD, there were three opportunities provided to assist in the transition:

1. A salary for my wife from anonymous donors through the Columbia Union so that she could assist me in my work. This has been discontinued.
2. A home loan with the Columbia Union through which anonymously donated funds were provided. A regular joint ownership loan is in progress.
3. Purchase of our two-year-old home in Atlanta at market value by AHS/Sunbelt to facilitate a rapid move.

The above mentioned items were all done in consultation with superior officers of the General Conference prior to the fact.

As stated in my acompanying letter that was read to the General Conference Committee on June 20, while I had full confidence that the above mentioned activity was done properly and with counsel, I deeply regret any question that has arisen that would reflect negatively upon myself and particularly the church.

Very sincerely,

A. C. McClure
enclosures

he couldn't live in Washington on his salary, and then quietly taking money from the mayor of Chicago, who had received the funds from "anonymous donors."

Second, there was the issue of fiduciary duty. The presidents, Tyner said, had a responsibility to put the church's interest first. Had the presidents, in the midst of the recent downsizing and layoffs at the General Conference, carefully determined that the money from these donors could not be made available to prevent layoffs?

Third, there was the issue of "secretness." On the face of it, Tyner pointed out, secretness was an obvious acknowledgement of a problem. Why did the Columbia Union not reveal these arrangements until they were forced to reveal them? The problems of housing and living expenses in the Washington, D.C. area have been faced by virtually everyone who comes to the General Conference. But the top leaders of the church, Tyner said, are also Seventh-day Adventist ministers and subject to the same rules and policies as other ministers.

Fourth, was the issue of "self-dealing." Tyner quoted several thinkers on the need to avoid secrecy and to submit one's actions to review by others. He referred to James Madison's statement that "no man is allowed to be a judge in his own cause," and to Immanuel Kant's remark that "if actions must be kept secret in order to succeed, it is likely they threaten injustice and unfairness." Tyner also referred to contemporary thinker John Rawls' conviction that publicity ensures that those working in an institution know what limitations on conduct to expect of one another and what kinds of actions are permissible.

Tyner proceeded to make some concrete proposals for remedying the situation. The presidents needed to terminate the salaries from the Columbia Union to their wives. If the wives needed jobs, they should apply along with others. If provisions for assistance in purchasing a home in the Washington, D.C. area were inadequate, then the policy should be changed for all. Finally, the General Conference should consider establishing an ethics committee to produce a code of ethics and to review difficult questions brought by employees.

Tyner concluded by saying that if actions along these lines were not taken, then whenever in the future we hear an appeal for offerings, when we are asked to sacrifice, when we are told to curtail departmental budgets, when we are told layoffs are necessary, when we are counseled to live within the limits of our financial ability, we will remember and wonder: what quiet deals do you have going that we don't know about right now?

One of the most interesting aspects of the entire situation is the comparison between the views of Wilson and Tyner, and the attitudes expressed by the principals. Of course, it is difficult to know whether the anonymous donors have reconsidered the propriety and wisdom of their making tax-deductible contributions through the Columbia Union to assist the two presidents. Wisbey was sorry for the embarrassment to McClure and Folkenberg, but the Columbia Union, he said at the June 20 meeting, had sought counsel, felt that what it had done what was correct, and was not apologetic. McClure, who received the most money, did say that "I deeply regret any question that might have arisen that would reflect negatively upon myself and particularly the church." (See McClure's June and July letters.)

Folkenberg, in his letter drafted hours before the climactic June 20, 1991, meeting of the General Conference Committee, expressed "surprise and dismay when some of our own staff seemed intent on painting with sinister hues that which was done in the light of day. I cannot know why, for only the Lord knows motives. I only know that it is vital that my integrity be unsullied." He concluded his letter by saying, "I hope that this step will contribute to calming the storms which the evil one has used to distract and divide."

However, a month later Folkenberg, while asking McClure to distribute his first letter to North American Division union presidents, said in a covering letter: "In hindsight I would not have made the decision that I had made in Indianapolis," and "certainly I now wish I had sought wider counsel." (See Folkenberg's letter.) Those receiving the information in these letters were part of a process of accountability not imposed by external forces, but carried out by the General Conference itself.

The Odyssey And the Ecstasy

Bonnie Dwyer and her husband underwent the ordeal of fertility testing in search of conception. Along the way they discovered things they hadn't known about themselves.

by Bonnie Dwyer

OK, YOU WANT AN APPOINTMENT AS AN INFERTILE—when?" the receptionist asked. By the time we had scheduled a time for me to see the ob-gyn and confirmed it, she had called me an "infertile" at least six times. As I hung up, I cried over this telephone diagnosis. I felt as if I was wearing a giant "I" for all the world to see.

That is how my odyssey through the maze of reproductive medicine began. Given the psychological side effects, counseling might have made the journey easier, but since I felt like a healthy person, I continued to function with the myth that this process would be over quickly. There were lots of surprises to come, not the least of which was the fact that insurance companies did not recognize "infertility" as an illness, and therefore would not pay for the cost of treating it.

In contrast to her receptionist, the doctor was a very considerate woman with whom it was easy to discuss the private side of life. I left after my first appointment with charts to record my daily temperature and help predict when I ovulated. I also had materials outlining the "infertility workup," a series of tests used to figure out what might be interfering with the reproductive process.

One of the first tests ordered by the doctor was an x-ray of the pituitary gland. Getting one's head x-rayed to start things off seemed metaphorically too perfect. I wondered if it wasn't a not-so-subtle way of letting me know the whole problem was in my head.

Well, there was nothing wrong with my pituitary gland. "Everything appears to be normal" became a familiar, frustrating refrain as we worked our way through the series of tests. Medical science, astounding the world with its ability to fertilize eggs in petri dishes and artificially inseminate women, couldn't figure out why a perfectly healthy person like me could not conceive.

Of course, my husband, Tom, also went through a series of tests starting with a semen analysis. He had a varicocelectomy to increase sperm motility. I had a laparoscopy to remove

Bonnie Dwyer is a free-lance writer and newspaper columnist who lives in Fulsom, California.

a few spots of endometriosis. That should do it, we thought. But months went by, and all our efforts were unsuccessful.

It might have been easy to get wrapped up in the rest of life's activities and not think about infertility, if it had not been for the daily temperature routine. Every morning, as soon as I woke up, I had to take my temperature and record it on a chart. Starting each day by staring at these charts became depressing. It was a daily dose of failure. No two months of my cycle were ever the same. Sometimes they would be 29 or 30 days long, sometimes 45. Often when the cycle was long, I would start thinking I was pregnant about day 35, only to have my hopes dashed within a week. (This was in the days before over-the-counter pregnancy tests.)

Sex had to be planned for post-coital testing, and scheduled sex became work. As such, it no longer bound us together as a couple. Instead it became a strain on the relationship. We did try to joke about the situation. Tom would talk about who among our acquaintances we might call upon for sperm donations.

But it was hard to laugh when people would pass along the old wives' tales on how to become pregnant. "Tell Tom to wear boxer shorts instead of briefs," they would say. "Don't take hot baths or sit in the Jacuzzi." We would smile and tell them we were taking all of these suggestions very seriously, including the recommendation that the woman stand on her head after sex, "to get the sperm swimming in the right direction."

My mother probably asked me about the state of things more than anyone else. She had informed me, not long after Tom finished graduate school, that she needed another grandchild. She would try to end conversations by saying cheerfully, "Well, Bonnie, don't give up. There's always hope."

But frankly I was tired of hoping. Hope hurt. I had hoped every month for a very long time. I was ready to declare this phase of my life over, and move on to other things. Children might be nice, but one could have a fulfilling life without them. I was tired of having my life on hold, waiting for something that might never happen.

After a few years of trying to find the answer to our infertility "problem," my doctor concluded that we fell into that small percentage of people for whom there was no explanation for their inability to conceive.

After a few years of trying to find the answer to our infertility "problem," my doctor concluded that we fell into that small percentage of people for whom there was no explanation for their inability to conceive. Our doctor assured us there was no physical reason why we could not have children. She recommended that we investigate *in vitro* fertilization and suggested a physician specializing in this procedure at a hospital in Long Beach, 60 miles from our home.

Then one evening we got a telephone call from an old high school friend living in Arizona. She knew a pregnant teenager who wanted to put her baby up for adoption. Were we interested? For some reason, she needed an answer within 24 hours. We told her we could not make a decision that fast to buy a piece of furniture, so there was no way we could decide on something like a baby in 24 hours. Besides, Tom did not want to adopt. He wanted his own child. We made our appointment with the Long Beach specialist.

After reading our medical records, the doctor was encouraging about our potential for success with a new procedure called Gamete Intra-Fallopian Transfer (GIFT), an *in vitro* process in which the woman's eggs are collected, fertilized, and replaced the same day. This means that only one surgery is necessary instead of the two used in the regular *in vitro* process. But the doctor also told us that he was switching his practice to Cedars Sinai Hospital in Los Angeles the following month.

On the way home I voiced my apprehensions about being a biology experiment. "You've done everything else," Tom argued. "Why not this one last step?" We agreed to wait at least until the doctor was settled into his new office before undertaking this procedure. That gave me time to think about it a little more.

Three months went by. I decided Tom was right; I ought to give the process one last chance. I called Cedars Sinai. The operator had never heard of the physician. She checked her records. He was not on the staff.

I was relieved and ready to call it quits.

Tom found out that the other physicians in the clinic the doctor was joining had decided to stay at Good Samaritan Hospital rather than move across town to Cedars Sinai. "Tell your wife to call after her next period," he was told. I was having my period right then.

After years of having pregnancy continually put off for another month and then another and another, it was difficult to feel a sense of urgency about the process. But we had decided to move to Northern California. In fact, Tom was working in Sacramento during the week, and commuting to our home in Southern California on the weekends. Soon I would also be moving north. This clinic knew our history and would accept us now.

The time had come. I called, and two days later I was sitting in the waiting room at Good Samaritan. The doctor explained what the following days would involve. Every day my husband would give me a shot. In the last few days before ovulation, I would need, every day, to have my blood drawn and ultrasounds taken at their clinic. That way, the doctors could pinpoint the precise moment for the laparoscopic surgical procedure: removing my eggs, fertilizing them with my husband's sperm in a glass petri dish (*in vitro*) and then returning the newly fertilized eggs from the dish to my body. The doctor told us this clinic had a success rate of about 23 percent, depending on the age of the woman. The younger the woman, the better the success rate. At 36, I was creeping up on the age where the success started to decline. We took home a two-inch-thick stack of consent forms to sign.

With Tom spending the work week in Sacramento, we had to recruit a nurse friend to give me daily shots. My first day for blood tests and ultrasounds fell during the week. So, after work I drove to Los Angeles by myself and spent a very lonely night in a hotel room. I wondered why I was doing this. It all seemed so mechanical. Being a romantic at heart, I wanted to have warm emotional memories of conception. This setting did not fit any of my fantasies. Then I thought about the success rate for the procedure and told myself it didn't

matter that there was no romance, because it would never work for us anyway. I would go through all of this to prove that we had tried everything possible, and then we could put this idea to rest and move on with our lives.

Sitting in the doctor's office waiting for my turn for an ultrasound proved enlightening. Some women were going through this process for a second or third time. They all looked like yuppies and hailed from the four corners of the state. We chatted to distract ourselves from the discomfort of having to drink and hold a half gallon of water in our stomachs, a step necessary for the ultrasound.

At work, I advised my supervisor that I would be absent on the following Monday because of an outpatient surgical procedure. She asked about the seriousness of my illness. I brushed it off, and assured her that I would be in the office on Tuesday.

On the drive into Los Angeles, I told Tom I would go through this process once. But if it did not work I did not want to try again. After all, the odds of success did not improve with second and third attempts; they actually got worse. So for us, this was a one-shot deal. We checked into our hotel room next door to the hospital and briefed ourselves on our appointments the next day: a shot to be given in the emergency room about 11 p.m., an early-morning blood draw, and finally the surgery, at 10 a.m. Monday. Then we paced the streets of Los Angeles, distracting ourselves by wandering in and out of shops.

The way I figured it, the surgery would be over by 11:30 or 12:00. It would take me a couple of hours to recover from the anesthesia, and we would be out of there by 2:30, 3 p.m. at the latest. That meant we would miss rush-hour traffic.

Monday morning we kept all our appointments, and performed our parts as instructed by the medical directors in this biological drama.

The drive-time news reported a papal proclamation that modern medicine's interference with procreation was sinful. Sinful. . . . No matter how I turned the issue over in my head, the label hurt, just like "infertile" hurt.

The surgery went well, the doctor told me as I came to in the recovery room. They had harvested 16 eggs, rejected and discarded four, fertilized and implanted four, and retained eight, just in case.

I smiled and tried to look at the clock to see what time it was—1:30 p.m. I would be on my way shortly. Unfortunately, I kept getting nauseated. The nurse would not let me leave. I didn't get dressed until after 4 p.m. We had to drive home through Los Angeles' beastly rush-hour traffic.That's about all that I remember from that day.

A few weeks later there were more blood tests, and I was told to phone on Friday afternoon for the results. When I sat down to make the call I told myself I was prepared for the negative outcome. But the test results were positive; I was pregnant. That was something I had not let myself anticipate. So I cried for a while. Then I went to the airport to pick up Tom and tell him the results. He smiled.

But we both knew that this was just the first step toward having a child. We had nine months to go. A clinical success at this point did not ensure our being parents. Miscarriage rates for *in vitro* fertilization are high. It was with some trepidation that we told our families that at last, after 16 years of marriage, we were with child. Or maybe children. Now the question

was how many we would have.

I went back to the Good Samaritan Hospital for my final appointment with the *in vitro* specialists. The doctor gave me a referral to a group of ob-gyn specialists in Sacramento with whom he had worked. He also loaded me down with the ultrasound photograph of my single fetus at five weeks, a tiny T-shirt, and a button that read, "Believe in miracles, I am one!"

Once I announced my pregnancy at work, I discovered the bond that childbearing elicits in women. Everyone told me stories about her pregnancies and deliveries. Coworkers gave me advice on what to eat and how to sleep. Those who knew how I became pregnant were intensely interested in the process. It seemed as if that was all I talked about for days.

Then one morning, the drive-time news reported a papal proclamation that modern medicine's interference with procreation was sinful. Sinful. It was difficult for me to put that label on what I had been through. I wondered what the psychological effect would be on my child to have been conceived in sin. I thought of all the other children whose conception probably would also be declared sinful by the Catholics: all those born out of wedlock, or as a result of adultery, or worse. No matter how I turned the issue over in my head, the label hurt, just like "infertile" hurt. I was glad Adventists had not put a label on this process.

The weeks went by swiftly. We sold our house and we bought a new one in Sacramento. I quit my job and we moved. One of the first things my new physician began talking to me about was amniocentesis. Given my age, and the way in which I had conceived, amnio was highly recommended. Friends told me about the huge needle used in the procedure, and I wasn't sure I wanted to have it done. Besides, whatever they told me, it would be very hard for me to decide to have an abortion after what I had been through already.

Tom's response was, "Of course an amnio should be done." And if they found problems, he would want to abort the pregnancy. When his mother told me about her niece who had been born with spina bifida, I decided to go ahead with the procedure. Tom accompanied me to have the amniocentesis done. We watched as the technician found the fetus on the ultrasound.

Suddenly, pregnancy took on new meaning. It was more than a condition. Now there was a person involved. I was extremely relieved when the results of the test were read and everything was declared fine. I was told that I would have a boy.

Each month during my doctor's visit, we would chat about *in vitro*. It was a topic of mutual interest. He told me about the first *in vitro* baby born in Sacramento, and about another patient who had traveled to New York, England, and Australia to have the procedure done. Her plan was to try 10 times before giving up. I shook my head in disbelief. "She must have a lot of money," I commented. "Well, she's a psychologist," the doctor replied. "That's good," I said, "because she will probably need a lot of counseling, too."

The first *in vitro* babies were all delivered by Caesarean section, he told me. But doctors soon learned that while the conception in these cases was exceptional, pregnancy and delivery followed a normal course. So he assured me I could have a natural childbirth.

We signed up for Lamaze classes. We were the oldest people there, older

even than the teacher who was describing the differences in delivery between her first and second children. By the end of the class I knew I wanted more than breathing routines to get me through labor. I asked for an epidural anesthesia. My doctor was very sympathetic. His wife was pregnant and said she wanted an epidural at month eight.

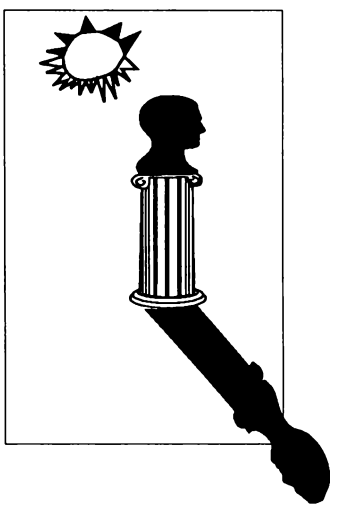
I got my shot block not long after checking into the hospital the day my water broke, signalling the onset of labor. Tom sat with me in the hospital room watching the monitors, which showed the baby's heart rate and the strength of the contractions.

We sat there all day. Finally after 18 hours of labor I was exhausted, and I had not dilated sufficiently. A Caesarean was performed. Mark Nathan checked into the world at 8 pounds, 2 ounces on July 17, 1987.

The next day, when my doctor came by to check on me, one of his questions was what we planned to do about birth control. The question made me laugh. It had been a very long time since I thought about preventing pregnancy. He told me, however, that just because it had been difficult to conceive once did not necessarily mean it would be that way again. He had a patient who had had *in vitro*, and a few months after her first child was born, she got pregnant a second time. "I just want you to understand this so you aren't surprised," he said. It was a lovely way of saying that everything was normal again.

But all of this seems as if it happened in another lifetime, long ago and far away. When we were going through this process, *in vitro* babies were front-page news. Now there are thousands of them. Success rates at good clinics are twice what they were in the 1980s. Couples need not feel as if they are taking part in a biology experiment. They are receiving treatment for an illness—infertility—just as people with kidney disease receive treatments.

Mark takes it all for granted, too. The picture in his baby book that shows him wearing the "Believe in miracles, I am one!" button is just one of the many he enjoys looking at from his infancy. When we read stories about miracles, he says "Just like me, huh, Mom?"



Inside the Committee on the Christian View of Human Life

Margaret McFarland reports on a GC committee organized to discuss bioethical issues facing the church.

by Margaret McFarland

PARTICIPATING FOR TWO YEARS AS A LAY MEMBER of the General Conference Committee on the Christian View of Human Life has made me more hopeful about the Seventh-day Adventist Church than I have been for 20 years. It has been deeply satisfying to be a part of a committee with a representative membership (14 of the 30 committee members are women), whose members vigorously express widely divergent opinions, listen carefully to one another, and then find common ground within Adventism regarding fundamental issues confronting contemporary society. I am proud to be taking my spiritual pilgrimage at the end of the 20th century in a church that can produce a group this thoughtful, tolerant, and productive.

The Committee on the Christian View of Human Life had initially set out three topics for study: termination of pregnancy, *in vitro* fertilization, and euthanasia/termination of life. The first topic the committee took up was the most difficult: abortion or pregnancy termination. Indeed, the first four sessions, through 1989-1990, focused on that issue.

The most recent session, in spring 1991 [at which Jack Provonsha and David Larson presented the papers appearing in this issue of *Spectrum*], took up the human and spiritual issues presented by the high technology of *in vitro* fertilization.

From the beginning, the committee members insisted that the recommendations of the committee not be turned into doctrinal statements of the Seventh-day Adventist Church. Rather, statements should be used as pastoral guidance. Indeed, at its first meeting in 1989, the committee set for itself the goals of developing a consensus statement on abortion, some guidelines for Adventist hospitals, and some counsel for individual members facing a decision to abort or continue a pregnancy. In addition, the committee hoped, at some time, to also develop guidelines for teachers in acad-

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emies and colleges, and for pastors of churches.

So far, the committee has drafted a set of biblical principles for reference during our deliberations on all the human-life issues, a set of guidelines for hospitals addressing the difficult abortion issues, and a draft statement concerning Adventist teaching on abortion.

I purposely use the word *teaching*, to distinguish it from a doctrine and any test of fellowship. A teaching is what the church has on military service. Since the Bible gives us guidance, but no "thus saith the Lord," on war, the church has a teaching on military service. The Adventist consensus view on military service favors a noncombatant position. However, serving in the military and bearing arms, or refusing to join the military voluntarily or involuntarily, also are actions accepted by the church without impugning the good and regular standing of its members.

The same is true with the draft consensus statement of the committee on abortion. There are no "thus saith the Lord's." When agonizing over the moral choices about abortion, euthanasia, or *in vitro* fertilization, some committee members would increase reliance on the doctrine of Creation and its corollary, individual choice and responsibility. Other committee members believe Scripture points to only one choice: preservation of life, in whatever form, at whatever cost. But both groups—and the great number of those in between—have worked to forge a consensus view of Adventist teaching.

I have found it exhilarating to gain an enhanced view of what the Adventist Christian heritage brings to these difficult contemporary issues. Our emphasis on both the Old and New Testaments has given us experience in discerning God through the stern face of the Old Testament and the forgiving face of the New Testament. As Adventists we emphasize both Creation and the cross, the commandments of the Old Testament and the loving forgiveness of Christ in the New Testament.

The committee's draft consensus statement on abortion appears in this issue of *Spectrum*. Drawing on the committee's study of Scripture, the statement affirms the sacredness of life in the process of becoming and affirms those confronted with the burden of a choice to terminate life at any stage. It attempts to set out "teaching" guidelines that define what is morally acceptable for Adventists in most circumstances.

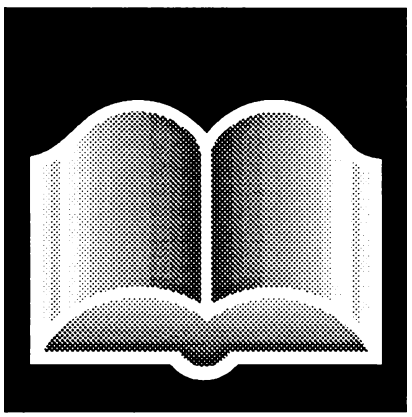
I have found it exhilarating to gain an enhanced view of what the Adventist Christian heritage brings to these difficult contemporary issues.

General Conference officers have asked the committee to continue studying the draft statement and to solicit comments from church members worldwide. Any responses from *Spectrum* readers regarding abortion or the high tech reproductive techniques will be passed on to the committee.

Perhaps as interesting as the content of the abortion or *in vitro* fertilization discussions is the process the committee has followed in working toward a consensus on a topic as controversial as abortion. In addition to its representative membership—half male, half female, and one-fourth of its members not employed by the church or its institutions—the committee has been unusual in its high rate of attendance: 25 of 30 members have come to at least three of the five sessions. There are no silent members, more than a few vocal ones, and a high degree of Christian fellowship and

respect even when there is disagreement. The group has been drawn together by the excitement of searching Scripture together in a quest for the common ground of Adventism.

For me, being a part of this process has meant being a part of an effort by a church to embrace a core of biblical beliefs, entertain both conservative and liberal views, and address fundamental issues while holding together a worldwide church. After each session, I return to my law office excited to share with my non-Adventist coworkers the spiritual experience I have participated in and proud to report the way the committee is working on such emotionally charged topics. I believe the committee's working method, as much as its product, should be the envy of other Christian denominations.



Proposed Abortion Guidelines

Scriptural Principles for a Christian View of Human Life

The GC Committee on the Christian View of Human Life outlines its stand on abortion, offers scriptural guidelines, and suggests how Adventist hospitals might deal with the issue on a daily basis.

Introduction

"Now this is eternal life: that they may know you, the only true God, and Jesus Christ, whom you have sent" (John 17:3, NIV). In Christ is the promise of eternal life; but since human life is mortal, humans are confronted with difficult issues regarding life and death. The following principles refer to the whole person (body, soul, and spirit), an indivisible whole (Gen. 2:7; 1 Thess. 5:23).

Life: Our valuable gift from God

1. God is the source, giver, and sustainer of all life (Gen. 1:30; Job 33:4; Ps. 36:9; John 1:3, 4; Acts 17:25, 28).

2. Human life has unique value because human beings, though fallen, are created in the image of God (Gen. 1:27; John 1:29; Rom. 3:23; 1 Peter 1:18, 19; 1 John 2:2; 1 John 3:2).

3. God values human life not on the basis of human accomplishments or contributions but because we are God's creation and the objects of His redeeming love (Matt. 5:43-48; John 1:3; 10:10; Rom. 5:6, 8; Eph. 2:2-9; 1 Tim. 1:15; Titus 3:4, 5).

Life: Our response to God's gift

4. Valuable as it is, human life is not the only or ultimate concern. Self-sacrifice in devotion to God and His principles may take precedence over life itself (1 Cor. 13; Rev. 12:11).

5. God calls for the protection of human life and holds those who destroy it accountable (Gen. 9:5, 6; Ex. 20:13; 23:7; Deut. 24:16; Prov. 6:16, 17; Jer. 7:3-34; Micah 6:7; Rev. 21:8).

6. God is especially concerned for the protection of the weak, the defenseless, and the oppressed (Ps. 82:3, 4; Prov. 24:11, 12; Micah 6:8; Luke 1:52-54; Acts 20:35; James 1:27).

7. Christian love (agape) is the costly dedication of our lives to enhancing the lives of others. Love also respects personal dignity and does not condone the oppression of one person to support the abusive behavior of another (Matt. 16:21; 22:39; John 13:34; 18:22, 23; Phil. 2:1-11; 1 John 3:16; 4:8-11).

8. The believing community is called to demonstrate Christian love in tangible, practical, and substantive ways. God calls us to restore gently the broken (Isa. 61:1-4; Matt.

1:23; 7:1, 2; John 8:2-11; Rom. 8:1, 14; 12:20; Gal. 6:1, 2; Phil. 2:1-11; 1 John 3:17, 18).

Life: Our right and responsibility to decide

9. God gives humanity the freedom of choice—even if it leads to abuse and tragic consequences. His unwillingness to coerce human obedience necessitated the sacrifice of His Son. He requires us to use His gifts in accordance with His will and ultimately will judge their misuse (Gen. 3; Deut. 30:19, 20: Rom. 3:5, 6; 6:1, 2; Gal. 5:13; 1 Peter 2:24).

10. God calls each of us individually to moral decision making and to search the Scriptures for the biblical principles underlying such choices (Acts 17:11; Rom. 7:13-25; 1 Peter 2:9).

11. Decisions about human life—from its beginning to its end—are best made within the context of healthy family relationships and the support of the faith community (Ex. 20:12; Eph. 5, 6).

12. Human decisions should always be centered in seeking the will of God (Luke 22:42; Rom. 12:2; Eph. 6:6).

General Guidelines for a Christian Approach to Abortion

Many contemporary societies have faced conflict over the morality of abortion.[1] Such conflict also has affected large numbers within Christianity who want to accept responsibility for the protection of prenatal human life while also preserving the personal liberty of women. In the 1970s the Seventh-day Adventist Church issued guidelines concerning abortion. More recently the need to clarify, revise, and expand these guidelines has become evident, as the church attempts to follow Scripture,[2] and to provide moral guidance while respecting individual conscience. Adventists want to relate to the question of abortion in ways that reveal our faith in God as the Creator and Sustainer of all life and in ways that reflect our Christian responsibility and freedom. Though honest differences on the question of abortion exist among Adventists, the following statement represents an attempt to express consensus on a number of major points.

1. "Pre-natal human life is a magnificent gift of God. God's ideal for human beings affirms the sanctity of human life (in the image of God) and requires respect for pre-natal life. However, decisions about life must be made in the context of a fallen world. Abortion is never an action of little moral consequence. Thus pre-natal life must not be thoughtlessly destroyed. Abortion should be performed only for the most serious reasons."

2. Abortion is one of the tragic dilemmas of our fallenness. The church should offer gracious support to those who face personally the decision of abortion. Attitudes of condemnation are inappropriate in those who have accepted the gospel. As Christians, we are commissioned to become a loving, caring community of faith that assists those in crisis as alternatives are considered.

3. In practical, tangible ways, the church as a supportive community should express its commitment to the value of human life. These ways should include: (a) educating both genders concerning Christian principles of human sexuality, (b) strengthening human relationships, (c) emphasizing responsibility of the male and female for family planning, (d) calling both to be responsible for the consequences of behaviors that are inconsistent with Christian principles, (e) creating a safe climate for ongoing discussion of the moral questions associated with abortion, (f) offering support and assistance to women who choose to complete crisis pregnancies, and (g) encouraging and assisting fathers to participate responsibly in the parenting of their children. The church also should commit itself to assist in alleviating the unfortunate social, economic, and psychological factors that may lead to abortion and to care redemptively for those suffering the consequences of individual choices on this issue.

4. We do not condone abortion for reasons of convenience or birth control. However, we recognize that there are exceptional circumstances in which abortion may be considered. These circumstances may include significant threats to the pregnant woman's life or physical or mental health, severe congenital defects carefully diagnosed in the fetus, and pregnancy resulting from rape or incest. The final decision regarding termination of the pregnancy should be made by the pregnant woman after appropriate consultation. She should be aided in her decision by accurate information, biblical principles, and the guidance of the Holy Spirit.

5. As Christians, we acknowledge our accountability to God and seek balance between the exercise of individual liberty and our accountability to the faith community and the larger society. Attempts to coerce women to remain pregnant or to terminate pregnancy should be rejected as infringements of personal freedom.

6. Church institutions should be

provided with guidelines which will assist them in developing their own institutional policies regarding abortion. Persons having a religious or ethical objection to abortions should not be required to participate in their performance.

7. Church members should be encouraged to participate in the ongoing consideration of our moral responsibilities with regard to abortion in the light of the teaching of Scripture.

NOTES

1. Abortion, as understood in this document, is defined as any action aimed at the termination of a pregnancy already established. This is distinguished from contraception, which is intended to prevent a pregnancy. The focus of the document is on abortion.

2. The fundamental perspective of this consensus statement is taken from a broad study of Scripture. Among the important biblical passages that inform this perspective are the following: Genesis 1-3; Exodus 19-21; Deuteronomy 30:15-20; Psalms 19, 36, 104, and 139; Jeremiah 1:1-5 and 20:14-18; Matthew 10:29-31, 18:2-14, 19:1-6, and 25:40-45; Mark 10:1-12; Luke 1-2, John 5:39-40, 8:1-11, 10:10, 11:25, 14:6, and 17:3; Acts 17:27-28; Romans 1:19-20 and 12:1-2; 2 Corinthians 9:7; Galatians 6:2; Ephesians 4:31-5:3; Philippians 2:3-7; 1 Peter 2:9-10; Revelation 14-15.

Abortion: Guidelines for Adventist Healthcare Facilities for Intentional Termination of Pregnancy

Draft, November 2, 1989

The following statements are intended to serve as guidelines to assist the leadership of Adventist healthcare facilities in the development and implementation of institution-specific policies regarding abortion–the intentional termination of pregnancy.

Guiding Principles

Pre-natal human life is a magnificent gift of God and deserves respect and protection. It must not be thoughtlessly destroyed. Since abortion is the taking of life, it should be performed only for the most serious reasons. Among these reasons are:

- Significant threat to the pregnant woman's life or health.
- Severe congenital defects carefully diagnosed in the fetus.
- Pregnancy resulting from rape or incest.

Abortion for social or economic reasons including convenience, gender selection, or birth control is institutionally prohibited.

Notification and Referral

Attending physicians and patients requesting an intentional termination of pregnancy prohibited by policy should be so informed and may be referred to other community agencies for care.

Review Committee

A standing committee appointed by the President of the Medical Staff in consultation with the Chairman of the Department of Obstetrics and Gynecology*, should be charged with *prospectively reviewing* all requests involving an intentional termination of pregnancy.

Standing committee members should be qualified to address the medical, psychological, and spiritual needs of patients. There should be an equal representation of women on the standing committee.

Abortions deemed appropriate should be performed only after a recommendation to do so is approved by the standing committee following consultation with the patient's primary physician. A satisfactory consultation includes: examination of the patient, if indicated; review of the chart; and a written report of findings and recommendations signed by the primary physician and each member of the standing committee.

In the event that a standing committee member is the patient's primary physician requesting an intentional termination of pregnancy, she or he should declare a conflict of interest and an alternate qualified member of the medical staff should be appointed.

When an institution lacks sufficient medical staff structure or subspecialty depth, standing committee functions may be performed by telephone with external consultants.

Counseling

When an intentional termination of pregnancy is requested, the interests of both the woman who is pregnant and the fetus must be considered. When available, professional counseling regarding those interests should be provided and alternatives to the intentional termination of pregnancy should occur before a final decision to proceed is reached by the pregnant woman. Such alternatives include parenting and adoption. The availability or non-availability of support systems should also be considered when reviewing options.

Under no circumstances should a woman be compelled to undergo, or a physician, nurse, or attendant personnel be forced to participate in

an intentional termination of pregnancy if she or he has a religious or ethical objection to doing so. Nor should attempts to coerce a woman to remain pregnant be permitted. Such coercion is an infringement of personal freedom, which must be protected.

A minimum period of twenty-four (24) hours should elapse between counseling and the choice to proceed with an intentional termination of pregnancy, except in emergent situations.

Available professional counseling should continue to be made available to *support* the woman in her choice to parent, adopt, or intentionally terminate pregnancy.

Intentional termination of pregnancy during viability

If an intentional termination of pregnancy is medically indicated after viability begins, the medical treatment of an infant prematurely born during the course of termination of pregnancy should be provided the same level of care and life support efforts by the medical staff and hospital personnel as would be provided any other similar live born fetus. Viability means that stage of fetal development when the life of the unborn child may, with a reasonable degree of medical probability, be continued indefinitely outside the womb.

Notwithstanding the above, the woman's life and health should constitute an overriding and superior consideration to the concern for the life and health of the fetus, when such concerns are in conflict.

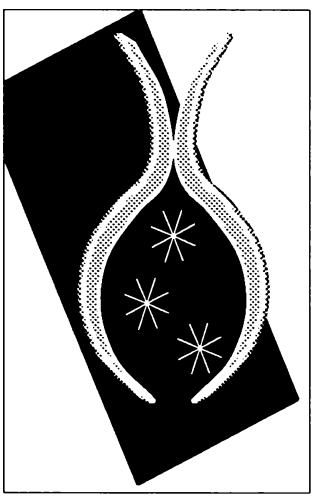
Reporting

The hospital shall maintain a record of all intentional terminations of pregnancies. The record shall include:

- Date
- Procedure performed
- Reasons for procedure
- Period of gestation at the time procedure performed.

A summary report containing the above information should be forwarded annually by the Quality Assessment Committee of the hospital to the Board of Directors for their review.

*When defined by medical staff structure.



Whose Baby Is This, Anyway?

Reproductive technology methods such as artificial insemination raise significant moral dilemmas, not the least of which is the question of personhood.

by Jack W. Provonsha

IMAGINE A SCENARIO IN THE YEAR 2000 A.D. An affluent, career-oriented couple respond to the biological, reproductive urges placed in most of us by God for the purpose of assuring the survival of the race, and decide to have two children. For reasons of efficiency, they decide to have them both at once—twins. They also decide not to interrupt their careers (chiefly hers) to do this. The woman is fertile and anatomically normal (although she wouldn't have to be; she could always hire a surrogate). He is also fertile and anatomically normal (although he wouldn't have to be, either; an anonymous donor could provide the sperm). A half-dozen mature eggs are obtained from the woman's abdomen via a laparoscope. These are fertilized *in vitro*, and a healthy-looking pre-embryo is selected for implantation. The remaining pre-embryos are frozen for future use by this or some other woman.

After the choice is made, one of the still-undifferentiated cells is separated from the developing cell mass and examined for chromosomal abnormalities and to determine the sex of the child. Then, the cell mass is "surgically" divided into two equal portions (theoretically, it could be more than two). Since these cells are still undifferentiated, each half of the mass could go on to become a full embryo—the desired twins—and each genetically the children of the involved couple.

Since they want her career to be unjeopardized by the pregnancy, and for her to avoid the trauma of delivery, they could then hire one or two surrogates to carry the fetuses to term. Nine months or more later, one or two surrogate mothers with uteri to rent could offload the twins to the house of the original couple, signed, sealed, and delivered; unless, of course, the surrogates decided to keep them, in which case there would be lawyers to pay.

Jack Provonsha, Emeritus Professor of Christian Ethics at Loma Linda University, was the founding chairman and director of the Loma Linda University Center for Christian Bioethics. This essay is taken from an oral presentation he gave to the spring, 1991, meeting of the Committee on the Christian View of Human Life.

The Principle of Personhood

Should Adventists have nothing to do with the new reproductive techniques? Not necessarily. But how do we decide what is right and wrong about techniques that are unprecedented in the history of humankind? How shall we do ethics-without-precedent?

One way, with a long history behind it, is to discover our moral patterns by reasoning from nature—God's "other book." The apostle Paul seems to have suggested something like this in his letter to the Romans.

> Indeed, when Gentiles, who do not have the law, do by nature things required by the law, they are a law for themselves, even though they do not have the law, since they show that the requirements of the law are written on their hearts, their consciences also bearing witness, and their thoughts now accusing, even now defending them (Romans 2:14, 15, NIV).

In Romans, chapter 1, Paul referred to "unnatural" sexual behavior.

St. Thomas Aquinas, surely one of the most influential post-biblical moral theologians, outlined the method of relying on nature. In the 14th century, long before the so-called "age of reason," Aquinas spoke of "certain axioms or propositions [that] are universally self-evident to all." He referred to these as the laws of nature to which belong "those things to which man is inclined naturally; and among these it is proper for man to be inclined to act according to reason."[1]

Much later, in the late 19th and early 20th century, social Darwinism propounded a naturalistic ethic. The Darwinians conceived of humanity as an integral part of nature. This being the case, human beings also conform to nature's laws, including—and here is where the social Darwinism ultimately ran into difficulty—being participants in nature's predatory struggles for survival and domination.

Actually, the naturalistic principle contains a measure of truth, providing we, like Paul, define nature as that which comes from the hand of the Creator both in Eden and in the earth made new. God's laws are not arbitrary. They reflect the character and intentions of the Creator. They are descriptions of the way he has made and is making things in the world. We probably would need nothing else but nature to tell us how to live had sin not entered the picture. But, according to the Bible, nature as it now is has fallen into a confusion of the demonic and the divine. Revelation from God is required to disentangle the threads. Christians believe that the Bible and especially Jesus are normative to that divine disclosure. The measure of success attributable to ethics that claims to be independent of biblical revelation nearly always reveals at least a cryptic dependence on the sure foundation of revelation, whether or not the indebtedness is acknowledged.

We probably would need nothing else but nature to tell us how to live had sin not entered the picture. But, according to the Bible, nature has fallen into a confusion of the demonic and the divine.

In the Creation account there is, significantly, a hierarchy of goods: The original man and woman stand above all other forms of life. Of them alone was it said that they were created in the image of God. The value of human life was not absolute, to be sure. It could be sacrificed for other human life in situations of necessity, especially after the Fall, but it is a revealed "given" that human life is to be valued. After all, Jesus valued human life, promis-

ing his followers "life more abundantly. . . ."

One of my professors claimed that the preservation of human life is mainly what ethics is all about. Ethics, he said, quite correctly I think, is "what God is doing in the world to make and to keep human life human."[2] But what is it to be human?

Ellen White's answer is to say humanity is made in the image of God, with autonomy and responsibility. The *Imago Dei* is

> a power akin to that of the Creator—individuality, power to think and to do, . . . [to] bear responsibilities, . . . to be thinkers, and not mere reflectors of other men's thought. . . . strong to think and to act, . . . masters and not slaves of circumstances, . . . possess[ing] breadth of mind, clearness of thought, and the courage of their convictions.[3]

Ellen White's definition of the image of God provides us with a principle of personhood—actual or potential—which we can use to evaluate the morality of the new reproductive technologies. A biblically based ethic must resist any technology that diminishes, either directly or indirectly, personhood.

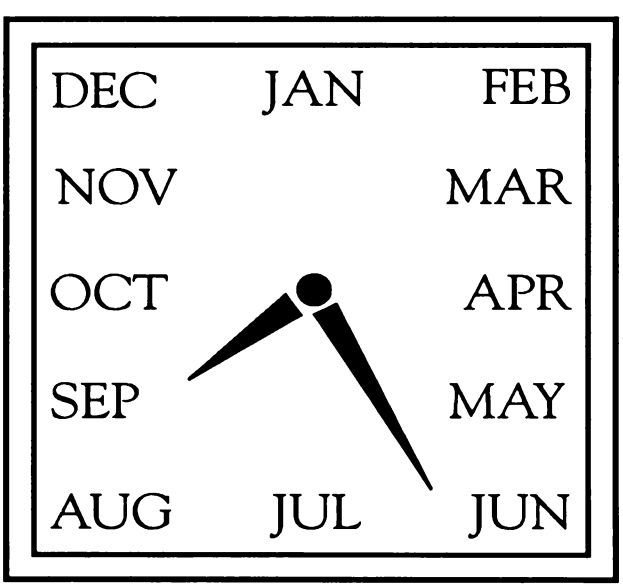
How does making personhood the highest value help us deal with the new reproductive technologies? Whatever individually or societally diminishes or distorts the image of God, defined as personhood, is wrong. Whatever technology serves and enhances personhood is right.

Surrogate Parents

Let us return to the case that opened this essay—surrogate parenthood. Employing a surrogate is, of course, not a loving act in the sexual sense of the word. Indeed, it had better not be for the sake of the marriage of the contracting couple. (A married friend of mine was shaken by a female neighbor who accosted him in the hall of their apartment building, asking him to have sex with her so that she could have a baby that she very much wanted. Her husband was infertile and she was therefore being deprived of the joys of motherhood. She said that her husband had agreed to the arrangement. Being a man of principle, my friend refused, although he admitted that it was a minor, transitory temptation.) The only difference between this encounter and the technique usually employed is the personal physical contact of the former and the anonymity of the latter.

The identity-bonding between a child conceived through artificial insemination and its infertile "father" should also be a matter of concern—at least for the father, since the child may be kept in the dark about its conception. The very fact of the need for secrecy underscores the potential problem for the child.

Human beings differ from lesser creatures in significant ways. Most living creatures need parents only for the gift of life (grasshoppers have no other reason for having parents). However, if higher forms of life, especially mammals, are to survive, they require parental guidance, nurture, and protection for varying periods of time. But even the highest forms of life mature quickly compared to humans. A six-year-old gorilla is essentially ready for life. Human offspring require a level and duration of support, nurture, and defense unknown to the rest of the animal kingdom. Nowhere else



in nature is the social environment, namely the family, so important to survival and health. Nowhere else do the rules regarding monogamous sexual continuity and fidelity loom so large in importance.

But, it may be asked, what of adoption? Is it not in some ways similar? Yes. In the adoptive situation the child is neither a love creation of its new parents, nor is there any retained responsibility on the part of those who gave the child up for adoption. The difference is that adoption is usually a "redemptive" act after the fact, rather than an intentional creation of a possible problem. Adoption is surely an appropriate way to manage the situation where a lonely child needs a home and adults desire a child. Some of us will also find adoption the option of choice over an unwanted pregnancy (and a better option than some of the foster homes I've seen). However, I can't imagine any enlightened society countenancing an adoption enterprise that brings children into the world merely to satisfy the adoption market.

Adoption is not without its problems, and some of these lend support to our method's apprehension about modalities that place stress on family's continuity. Most people who have adopted children are aware that it isn't quite the same as having your own. But adoption problems are minor compared to the family-threatening nuances of the newer surrogate arrangements.

What has been said above raises warning flags regarding most of the other artificial procreation modalities, particularly where a person other than a husband or wife is introduced into the reproductive protocol.

Artificial Insemination

Pope Pius XII pronounced in 1947 that AIH (artificial insemination using the husband's sperm) was acceptable, providing no moral principle was violated in the process. (Masturbation, as a way of obtaining the husband's semen, was prohibited on the grounds of its immorality.) But AID (artificial insemination using a donor's sperm), according to the pope, was adultery, clear and simple. He had a point, even if he seemed to redefine adultery in the process. I am certain that Pius XII would make the same point with *in vitro* fertilization involving donor semen. I agree with the pope's objections to AID, though not necessarily with his reasons.

If parents, therapists, and researchers are going to play God, they should always do so with appropriate humility and in harmony with his character. That means doing what enhances, not diminishes, the personhood of his creatures.

The point is that the biblical "they twain shall be one," does not admit to a threesome in a system of social morals built around the integrity and continuity of family. These three (or more) "shall be one flesh" somehow does not come out the same. I repeat, any practice that diminishes or threatens personal identity, especially by jeopardizing the social structures that help to create that identity, violates placing the highest value on personhood.

In the treatment of infertility, we must limit our methods to those that enhance personhood, the sense of self; that strengthen rather than weaken the familial pattern, and that secure the identity of the children born of such scientific wonders. Honoring and strengthening the husband-wife bond would proscribe AID. Protecting family ties establishes a proscription against surrogate mother-

hood. I suppose it might be less objectionable if a near relative, say a sister of the woman, were involved as the surrogate, and the egg and sperm were provided by the eventual parents. But, for the most part, surrogacy creates overwhelming problems.

If parents, therapists, and researchers are going to play God, they should always do so with appropriate humility and in harmony with his character. That means doing what enhances, not diminishes, the personhood of his creatures.

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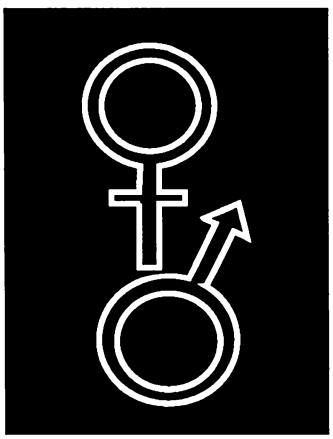

God and the Adoption of Sperm and Ova

Christians are wise to "gauge the thickness and strength of the moral ice" beneath reproductive technologies like artificial insemination from the husband, and donor *in vitro* fertilization.

by David Larson

CINDY AND JIM WAGNER LOVE EACH OTHER PROfoundly. They are in their middle twenties. Professionals with advanced degrees in their specialities, both are attractive, energetic, and cheerfully resourceful. They are convinced and convincing Christians who are among the most active and respected members of their congregation. And they are both overflowing with happiness, because today, for the very first time, they both felt their baby move within Linda's womb.[1]

Linda is Cindy's sister. She is happily married to Bob Hamilton. Linda and Bob, who are also leaders in the congregation and community, already have two children. They desire no more youngsters even though Linda feels exhilarated during pregnancy.

Although they very much wanted to be parents, Cindy and Jim had come to fear that they would never have children. Cindy knew for some time that she had been born without a uterus, even though in other ways she was quite normal.[2] She and Jim learned after they were married that his sperm count was dangerously low, though perhaps not so low as to guarantee his sterility. The combination of these factors, plus the difficulties they experienced in finding a child to adopt, sometimes led them to despair of ever having a "real family," as they often put it.

Not long ago a number of normal and healthy ova were removed from Cindy's intact ovaries. These were fertilized in a clinical laboratory with sperm from Cindy's husband that had been combined with sperm from an anonymous donor. The doctors placed three of the resulting pre-embryos within Linda's womb. One of these successfully implanted and now appears to be on its way to a normal delivery. The pre-embryos that were not used at that time were frozen. If all continues to go well, several years from now three of the frozen pre-embryos will be thawed and implanted into Linda in hope that Cindy and her husband can have another child. Eventually, Cindy and her husband will donate any frozen

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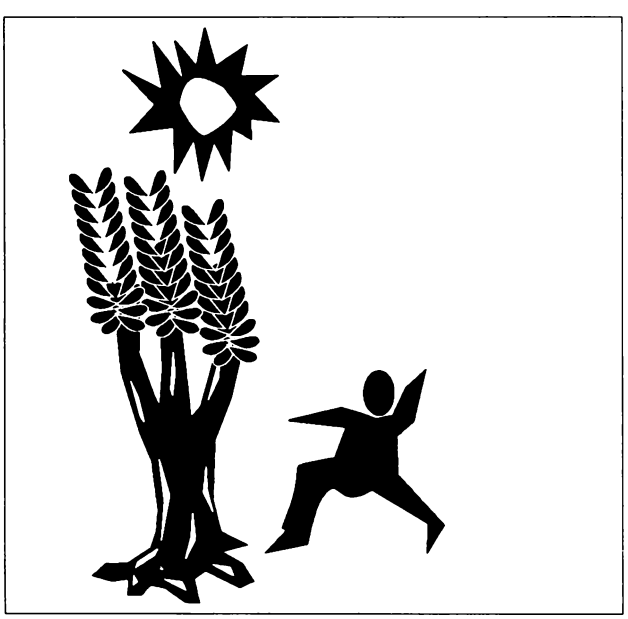
pre-embryos they do not use to other infertile couples.

At least three primary reactions to cases like this can be distinguished on Christian grounds. One stance rejects all medical attempts to assist human procreation in these ways. A second position endorses those techniques that utilize the physical resources of husbands and wives but rejects the contributions of all donors and surrogates. The third option contends that it is a worthy thing for Christian individuals and institutions to assist human procreation even if such assistance utilizes the contributions of donors or surrogates or both. These three primary alternatives can be divided and combined in a variety of ways.

Which of these reactions is the most persuasive?

Before attempting to answer this question, we would do well to review the primary affirmations of the Hebrew and Christian Scriptures about human sexuality, in hope of placing our ethical inquiry into an appropriate theological context. It would also be helpful to explore more fully the ethical relationships between the unitive and procreative purposes of human sexual congress as these are now being discussed by thoughtful Christians. We will then be able to assess in a more responsible way the morality of what can be done in cases like that of the Wagners and Hamiltons.



This discussion focuses primarily upon the morality of assisting human procreation and only secondarily upon ethical issues in doing so. There are many ethical issues in carrying out reproductive techniques, including confidentiality, due process, allocating scarce medical resources, truth-telling, medical experimentation, marketing, advertising, and similar matters about which we should also be sensitive. But such issues need not be explored unless it is first established that assisting human procreation in these ways is a morally commendable activity. This presentation concentrates upon the prior and more fundamental question—the ethics of human procreation.

Theology and Human Sexuality

What the Bible says about sexuality can be distinguished from that of other sacred texts by at least six broad affirmations. Taken together, these six affirmations compose a foundation for a Christian understanding of human sexuality that can inform our convictions about assisting human procreation.

The material universe in general and the human body in particular are made by God and therefore of positive reality and value.

From a Christian point of view, there is no reason to deprecate the material world or the human body as illusory or evil. Rather, the Christian is to rejoice in his or her physical embodiment, and in the material world in which he or she lives, as these are precious gifts from a loving Creator who desires nothing but what is good for all creatures.

This aspect of the biblical doctrine of creation, when properly understood and applied, spares the religions of the Hebrew heritage—Judaism, Christianity, and Islam—from the negative consequences of the various forms of dualism and monism, the latter of which is

sometimes known as pantheism. Dualism contends that every particular thing is an instance of the convergence of two ultimate and irreconcilable principles, one spiritual and the other physical. In the long run, dualism not only distinguishes between the spiritual and the physical but also separates them and deprecates the physical. This is one source of human discontent with the physical body. As such, dualism is like a spring that continually issues the contaminated waters of excessive asceticism.

Monism, or pantheism, is hardly less kind to particular things. It holds that only the universe as a whole (the Absolute) is ultimately actual. Individuals throughout the universe, including particular human beings, are somewhat deficient in actuality because they are fragments of the Absolute that alone is ultimately real. This too can be a spring of excessive asceticism, sexual and otherwise.

Monogamy is a sexual analog of monotheism because they both understand that one can be ultimately loyal to only one other person. . . . It is no more possible to be ultimately loyal to more than one lover than it is to be ultimately devoted to more than one nation or cause.

The religions of the Hebrew heritage know the value of asceticism when it is understood as self-control and sacrifice for the sake of others. But these religions, when they are true to themselves, are uncomfortable with asceticism when it is prompted by a melancholy view of the material world and of the physical body, whether dualistic or monistic. The more extreme the asceticism, the more uncomfortable the Abrahamic religions become.

The differentiation between man and woman is created by God and therefore a positive feature of human life.

Unlike many in ancient and modern times who believe that gender differentiation is an unfortunate happenstance, or perhaps even a divine curse, the religions of the Hebrew heritage view it happily, though with an eye and ear to the pain that men and women often experience in each other's presence.

It is hard to imagine a contrast greater than that between the Genesis account of gender differentiation and the words of Aristophanes in Plato's *Symposium*. In one of its expressions, the biblical story connects the differentiation of humankind into male and female with the idea of humanity existing in the image of God, as though to emphasize that we live in a *communiverse* rather than in a *universe*. In its other expression, the Genesis account portrays the emergence of gender differentiation as the fashioning of woman from the rib of man, as though to underline the essential identity and equality of man and woman as well as their differentiation.

Both of these biblical accounts are a conceptual chasm away from the view of the *Symposium* that the differentiation of humankind into man and woman occurred as a divine punishment for human arrogance. Far from deprecating it, or being ashamed of it, or longing for some more androgynous alternative, the Genesis account looks upon the similarities and differences between men and women with joy and satisfaction, except, as is so often the case, when these become occasions for injustice.

The Creator's first hope is that men and women will relate to each other as equals.

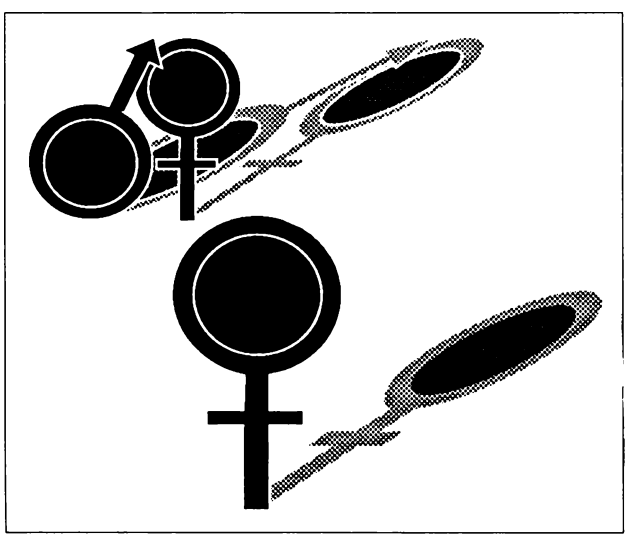
This means that men and women are equal

in Creation, equal in sin, and equal in redemption. It also means that men and women are equal in value and significance. During long stretches of Christian history this view of things was lost sight of, as evidenced by Tertullian's rebuke to the Christian women of his day:

> The sentence of God on this sex of yours lives on in our times and so it is necessary that the guilt should live on also. You are the one who opened the door to the Devil, you are the one who first plucked the fruit of the forbidden tree, you are the first who deserted the divine law; you are the one who persuaded him whom the Devil was not strong enough to attack. All too easily you destroyed the image of God, man.[3]

It is difficult to see how Tertullian could find biblical support for his idea that sin did not merely deface but also destroyed the image of God in humanity. And it is difficult to understand how Tertullian could fail to notice the Bible's claim that the image of God in humankind is closely connected to the creation of humanity as male and female. But in that time and place, his views were typical.

Today, very few Christians, if any, would find interpretations like Tertullian's persuasive. Important disputes remain among Christians as to what practical arrangements the equality of men and women should take. But even those who reserve some roles for men and others for women almost always insist that these differences in function do not constitute differences in value. Those who now oppose the ordination of qualified women to the Christian ministry, for instance, usually do so with an insistence that, contrary to the views of Tertullian and others like him throughout the centuries, women are equal in worth to men even though their roles should be different.



For those, like myself, who long for the day when qualified persons will be ordained to the Christian ministry in all denominations without regard to differences in gender, the realization that since the time of Tertullian we have made some moral progress is small consolation—though it is better than nothing. And it is frank acknowledgement that it is no longer credible to state or imply that men and women are less than equal in value to each other.

A permanent and exclusive commitment of love between one man and one woman for the whole of their lives is the optimal form of marriage.

The Bible is well aware of the practice of polygamy. It also knows the ways in which marriages are often destroyed by death, desertion, and divorce. The Scriptures do reach out in supportive ways to those whose lives have been filled with pain by such heartaches. But the Scriptures reach out to people in their marital disappointments and sorrows in ways that do not compromise or contaminate the ideal of permanent and exclusive commitment. They portray this ideal, this loyal love between one man and one woman who are ultimately faithful to each other, and only to each other, throughout all the trials and tribulations of their lives, as a reminder of God's steadfast love. And it portrays God's steadfast love as the goal and norm of marital commitment.

Monogamy is a sexual analog of monotheism because they both understand that one can be ultimately loyal to only one other person. Ultimateness implies and entails singularity. This is as true of sexual relationships as it is

elsewhere. It is no more possible to be ultimately loyal to more than one lover than it is to be ultimately devoted to more than one nation or ultimately committed to more than one cause. Sooner or later, every lover says to his or her beloved what Yahweh said to the people of Israel: "Thou shalt have no other gods before me." Those who do not pay sufficient attention to this logical and psychological truth often discover that their various relationships are marred by jealousies and conflicts as to who is most important.

Within the context of the permanent and exclusive commitment of love we call marriage, the pleasures of coitus are right and good.

The Bible is as explicit as any document can be that Christian husbands and wives are to be sexually faithful and sexually available to each other. Each side of this moral agreement is as important as the other. From a biblical point of view, it is morally wrong for a Christian to betray his or her spouse sexually. According to the Scriptures, one can cheat one's spouse by being sexually intimate with another, and one can cheat one's spouse by refusing to be sexually intimate with him or her. The fact that many conventional Christians view the first form of betrayal more harshly than they do the second has more to do with cultural assumptions than with the witness of Scripture.

This positive affirmation of sexual pleasure within what we call marriage is at odds with the single most influential book other than the Bible ever published in the entire history of Christian sexual thought: *The Good of Marriage* by Augustine of Hippo. Augustine taught that marriage is good but only secondarily, temporarily, and instrumentally so. Every Christian's first moral hope should be that of lifelong celibacy, he contended. Those who find celibacy too challenging do well to marry, but should live as soon as possible as though they are brothers and sisters, he wrote. It is permissible for Christian husbands and wives to experience coitus, Augustine taught millions of Christians throughout the centuries, if and only if each sexual union intends conception. When Christian husbands and wives are sexually intimate with each other when they do not desire offspring, he believed they commit a sin, albeit a venial sin:

> In marriage, intercourse for the purpose of generation has no fault attached to it, but for the purpose of satisfying concupiscence, provided with a spouse, because of the marriage fidelity, it is a venial sin; adultery or fornication, however, is a mortal sin. And so, continence from all intercourse is certainly better than marital intercourse which takes place for the sake of begetting children.[4]

Nowhere does the Bible state or imply that it is sinful for husbands and wives to enjoy each other sexually when procreation is not intended. . . . These negative attitudes have been bequeathed by Augustine and others like him.

It is easy to smile at Augustine's utterances until one recalls that over the centuries millions of lives have been frustrated and harassed by genuine but difficult attempts to practice what he preached. These disappointments were unnecessary because they were prompted by interpretations of human sexual life that are neither scriptural nor scientific.

Nowhere does the Bible state or imply that it is sinful for husbands and wives to enjoy each other sexually when procreation is not intended. Nowhere does it suggest that coitus within marriage is acceptable only when conception is intended. These negative attitudes

have been bequeathed by Augustine and others, and not by the Bible, to unsuspecting and unfortunate Christians right down to the present time, with negative results for many.

Children, grandchildren, and great-grandchildren are precious treasures.

Men and women are portrayed by the Bible as most unfortunate if they are sterile or barren. On the other hand, to have many descendants, to have offspring more numerous than the stars in the sky or the sands of the sea, is considered a great blessing. The Hebrew and Christian Scriptures are pro-natal.

Some may dismiss the Bible's delight in offspring as the assumption of tribal groups whose very existence was constantly threatened by low birth rates and high death rates. Although these factors cannot be denied, they hardly constitute the entire picture. The Hebrew and Christian Scriptures presume that it is a good thing to be a father or a mother, a grandfather or a grandmother. It is almost as if they suggest that in the process of being a parent and grandparent one can learn something about the steadfast love of God and can experience the joys and the sorrows that come only from investing one's self in some appropriate way in the next generation.

The Bible is not sentimental about children. It does not portray youthful humans as unending and undiluted sources of pleasure. The Scriptures are sturdy and sober in their depictions of the enormous grief and sorrow children often cause, sometimes without realizing or caring how much pain they prompt. Hardly a family portrayed in the Bible is unscarred by strife, contention, rivalry, and even warfare. Eve's delight and disappointment in Cain, a man who is a symbol of all who murder their own siblings, is a metaphor of the joys and sorrows of parenthood. But despite its clear-eyed view of human children as they actually are, the Bible rarely doubts that it is a good thing to be a parent, that it is a very good thing to have children and grandchildren and many great-grandchildren.

Of all the affirmations of the Hebrew and Christian Scriptures about human sexuality we have surveyed, the Bible's affirmation of procreation may be the most difficult to accept today. For perfectly legitimate reasons, people must now limit the size of their families, not merely for their own sakes but also for the sake of the survival of life on planet Earth. This is an ethical and ecological necessity as well as a financially prudent course of action.

Ethics and the Unitive and Procreative Purposes

So far we have seen that the Hebrew and Christian Scriptures exhibit positive views of: (1) the human body, (2) sexual differentiation, (3) equality among men and women, (4) permanent and exclusive commitment between spouses, (5) sexual pleasure within marriage, and (6) human offspring. It is now appropriate to inquire more directly into the proper relationships between the fifth and sixth of these biblical affirmations.

We will now explore the ethical relationships between the so-called "unitive" and "procreative" purposes of human sexual union. Alternative interpretations of these relationships are directly related to differing views among Christians about the ethics of assisting human procreation. Other factors also contribute to these disagreements, but the importance of this consideration cannot be overemphasized.

One way to clarify what we mean when we speak of the "unitive" and "procreative" purposes of sexual intimacy is to recall the summary of the proper ends of sexual intercourse provided by Jeremy Taylor, an Anglican clergyman of 17th-century England. Speaking of Christian husbands and wives, Taylor wrote that:

> In their permissions and licence, they must be sure to observe the order of nature, and the ends of God. He is an ill husband that uses his wife as a man treats a harlot, having no other end but

> pleasure. Concerning which our best rule is, that although in this, as in eating and drinking, there is an appetite to be satisfied which cannot be done without pleasing that desire; yet since that desire and satisfaction was intended by nature for other ends, they should never be separate from those ends, with a desire *to have children, or to avoid fornication, or to lighten and ease the cares and sadnesses of household affairs, or to endear each other:* but never with a purpose, either in act or desire, to separate the sensuality from these ends which hallow it.[5]

When Jeremy Taylor speaks of the ends "which hallow" human sexual union for Christians, he expands and enlarges the earlier view of Augustine and others that the threefold goodness of marriage entails: (1) offspring, (2) fidelity, and (3) sacramental grace. Today we might say that when Taylor speaks of "a desire to have children," he refers to the procreative purpose of sexual union. When he writes of a desire "to lighten and ease the cares and sadnesses of household affairs, or to endear each other," Taylor depicts what we now mean by the unitive purpose of the conjugal act.

Even though for many centuries this was not the case, today there is widespread agreement among Christians that within marriage the procreative and unitive purposes of human sexual union are both morally commendable. Disagreement persists, however, about the proper relationships between these purposes, and these differences have important practical consequences. At least three alternatives can be identified.

The unitive purpose may not be separated intentionally from the procreative purpose and the procreative purpose may not be separated intentionally from the unitive purpose.

According to this view, the two purposes are always to be connected and equally valuable. They are always to reinforce and invigorate each other. It would not be right to deprecate one purpose in favor of the other. Neither would it be right to affirm the two purposes as though they are equally valuable but also separate matters. The two must always be held together in thought and in action. Perhaps it is not an exaggeration to say that this position tends to think of a single twofold purpose for human sexual union instead of two distinct purposes.

If this is so, virtually all forms of artificial contraception and sterilization are morally wrong because, among other things, they intentionally separate the procreative purpose from the unitive purpose. Likewise, if this view is correct, virtually all forms of artificial insemination and *in vitro* fertilization are morally wrong because they intentionally separate the unitive purpose from the procreative purpose. And this is so even if the sperm and the ova are derived exclusively from the husband and the wife, even if the procedure is limited to married couples and uses or makes use of no donors or surrogates.

This approach is similar to the position that the official leadership of the Roman Catholic Church circulated in March of 1987 in a document entitled "Instruction on Respect for Human Life in Its Origin and on the Dignity of Procreation." This statement condemns artificial insemination in many cases when limited to spouses and in all cases when utilizing donors. It also condemns *in vitro* fertilization in all cases, whether limited to spouses or

using donors. It finds that such medical interventions separate the unitive and procreative functions of human sexuality in ways that are morally unacceptable for Christians:

> The church's teaching on marriage and human procreation affirms the "inseparable connection, willed by God and unable to be broken by man on his own initiative, between the two meanings of the conjugal act: the unitive meaning and the procreative meaning. Indeed, by its intimate structure, the conjugal act, while most closely uniting husband and wife, capacitates them for the generation of new lives, according to laws inscribed in the very being of man and of woman." This principle, which is based upon the nature of marriage and the intimate connection of the goods of marriage, has well-known consequences on the level of responsible fatherhood and motherhood.[6]

Some of these "well-known consequences" include the condemnation of all forms of artificial contraception and sterilization, as well as all forms of artificial insemination by the husband (except for those that are not masturbational and those that assist the conjugal act instead of replacing it), all forms of *in vitro* fertilization, and all forms of surrogate gestation.

I find it difficult to imagine a more negative and less convincing analysis of the morality of assisting human procreation. But if this approach is rejected, it should be rejected for primary and not secondary reasons. I believe the primary reason for not accepting this interpretation should be that one finds the reciprocal and symmetrical connection it posits between the unitive and the procreative purposes of human sexual union untenable for scriptural, logical, scientific, and experiential reasons.

Experientially, the claim strikes many Catholics and non-Catholics as counter-intuitive. It strikes me that way too. Scientifically, one wonders what empirical evidence has been presented, and what empirical evidence could possibly be presented, that would demand so tight a linkage between the unitive and procreative purposes. If anything, the empirical evidence might suggest that among humans the two purposes are physiologically and psychologically separate to a significant degree, as implied, for instance, by the extent to which, among human females, sexual responsiveness is not wholly determined by the estrus cycle.

When persons consider the logic of the argument under consideration, they cannot help but notice that it functions with a very narrow understanding of the unitive purpose. Surely the conjugal act itself is not the only sexual way a husband and wife can "lighten and ease the cares and sadnesses of household affairs, or to endear each other," as Jeremy Taylor put it. Many couples might even find that they do "endear each other" during the process of conceiving a child through the assistance of a fertility clinic and that these interactions are for them more bonding, more unifying, than were the experiences of their honeymoon or most recent vacation. And finally, but most importantly, where is the biblical evidence, direct or indirect, that suggests that in every instance the unitive and procreative purposes must always be inseparable? The evidence from the Hebrew and Christian Scriptures has not yet been presented in a convincing manner, and I doubt that it can be done.

I find it more helpful to think of accepting the contributions of donors or surrogates as "adoption" than as "adultery." . . . In the Bible, the theme of "adoption" is far more positive than is that of "adultery."

This alternative does have at least one merit that is often overlooked, however. Its insistence on reciprocal and symmetrical relationships between the unitive and procreative purposes does imply that it would be wrong from a Christian moral point of view for a husband to cause his wife to conceive by raping her or by compelling her to participate against her will in an artificial insemination or *in vitro* fertilization project, with or without donors and surrogates. Such coercion would certainly separate the unitive from the procreative functions, and would be morally wrong. Although it is frequently forgotten, this insight ought to be included in any Christian stance toward assisted procreation.

The unitive purpose may be separated from the procreative purpose and the procreative purpose may be separated from the unitive purpose.

This position recognizes the dual purposes of human sexual union as clearly and as happily as does the first option. But it sees them as two related but distinct functions and not a single twofold function. It posits a radical disjunction between sexuality as "making love" and as "making babies" and treats them differently even though it values both. When the purpose is to "make love," that should be done with energy and enthusiasm with full advantage of all contraceptive measures. When the purpose is to "make babies," that should be done as earnestly and skillfully as possible, taking full advantage of every technological possibility.

To be certain that one was conceived in love, in this view of things, is not so much the ability to trace one's origins back to moments of passionate parental ecstasy as it is to be able to know that one was planned, desired, and maybe even designed, to the extent this is possible. Because the unitive purpose may be separated from the procreative purpose, all forms of artificial insemination and *in vitro* fertilization, including those that accept the contributions of donors and surrogates, can be morally commendable. Because the procreative purpose may be separated from the unitive purpose, there is no ethical objection to the various forms of artificial contraception and sterilization, providing they are safe and effective.

Joseph Fletcher, one of the fathers of modern biomedical ethics, is among those who morally approve the separation of the unitive and the procreative purposes of human sexual intimacy.

> Love as an interpersonal sentiment is of course wider and deeper than sexual intercourse, just as "sexuality" is. But in the restricted sense of intercourse, "love making" like other human acts, is not inherently either right or wrong. Our moral judgments on sex acts are determined by many extrinsic and contextual variables—such factors as the intentions and attitudes of the parties, their marital status or lack of it, their health, their age and competence, and so on.
>
> If we keep two crucial realities in mind—the separation biologically of love making from baby making, and the critical need socially to arrest or even reverse population growth—we will see that our moral scheme must have a place for sex freedom and variety. Love making has a two-dimensional nature, "procreation and recreation." On its procreative side, sex should be well controlled, a discipline of careful calculation, whether it is carried out naturally or artificially. On its recreative side, spontaneity and personal feeling should reign.[7]

The strengths and weaknesses of this approach are almost the mirror image of those of the first alternative. It is difficult to imagine a more severe separation between the two purposes. It it is also hard to exaggerate the differences between the ways the first and second alternatives view the nature of moral obligation, Christian or otherwise. The first alternative is so "objective" and the second so "subjective" that one can only hope there is another alternative between the two. In addition, the two views vary considerably in their understanding of love. The first alternative emphasizes love as structure and stability. The second

stresses love as immediacy and spontaneity.

This second alternative can rightly be viewed as a moral revolt against the first one. Like many revolutionary movements, it has its legitimate grievances. But it also exhibits some excesses. One of these is that in failing to retain the conviction that procreative acts should be unitive, a door is left open, if ever so slightly, for coerced sexual intimacies on the one hand and for cold, forbidding, or even harsh technological interventions on the other. There must be a better approach.

The unitive purpose may not be separated from the procreative purpose but the procreative purpose may be separated from the unitive purpose.

This point of view agrees with the first alternative that every act should be unitive. It condemns conception through any form of sexual coercion, whether by rape or by forced participation in the activities of a fertility clinic. But this alternative proceeds with an understanding of the unitive purpose that can be at least a bit wider than the one that functions in the first option. According to this somewhat more comprehensive reading of the unitive function, it is not necessarily and automatically wrong for a husband by masturbating to acquire semen to be artificially inseminated into his wife. In addition, in some cases this more encompassing understanding of the unitive function is able to endorse the techniques of artificial insemination, and perhaps even those of *in vitro* fertilization, providing that in neither case a donor or surrogate is used. But perhaps the most dramatic difference between the first alternative and this one is that, even though this one does hold that every conjugal act must be unitive, it does not contend that every conjugal act must be procreative; i.e., it does not hold that both parties must be open to the possibility of conception and that neither may take artificial steps to prevent it.

More than two decades ago, Paul Ramsey of Princeton University published an ethical evaluation of assisted human procreation that was similar to this third alternative. Ramsey did everything he could to show that each conjugal act must be unitive but that not every conjugal act must be directly and immediately procreative. This position made him critical of the use of donors. It is a safe guess that if he were alive today he would oppose the use of surrogates as well. But Ramsey did not condemn every instance of artificial contraception and sterilization:

> In relation to genetic proposals, the most important element of Christian morality—and the most important ingredient that the Christian acknowledges to be deserving of respect in the nature of man—which needs to be brought into view is the teaching concerning the union between the two goods of human sexuality.
>
> An act of sexual intercourse is at the same time an act of love and a procreative act.
>
> To put radically asunder what God joined together in parenthood when He made love procreative, to procreate from beyond the sphere of love (AID [Artificial Insemination by Donor], for example, or making human life in a test-tube), or to posit acts of sexual love beyond the sphere of responsible procreation (by definition, marriage), means a refusal of the image of God's creation in our own.[8]

Because it is less wooden and more subtle and nuanced than the first and second alternatives, and because it seems to resonate with "common sense," both in its acceptance of contraception and sterilization and in its rejection of the contributions of donors and surrogates, this third approach is far more attractive

than the first and second ones.

Nevertheless, we must still ask if its rejection of the gifts of donors and surrogates is necessary as a matter of Christian ethical principle. There is no doubt that the inclusions of these other participants introduces a host of psychological, legal, and medical challenges. But that is not the primary question at hand. The question before us, as I understand it, is: Would it be morally commendable for Christian individuals and institutions to make use of donors and surrogates in fertility clinics if and only if the various practical challenges can be successfully met?

From a Christian point of view, is there in every case an unconditional, absolute, universal, categorical, eternal, and irreducibly moral objection to the contributions of all donors and all surrogates no matter what the circumstances?

I believe the answer to this question should be "no." And I believe that on reflection, irrespective of their initial reactions, most Christians would agree that such an absolute and universal prohibition would be too sweeping.

Such sweeping claims are vulnerable to refutation by the successful presentation of merely one convincing counter-example. I believe the case of the Wagners and Hamiltons is enough to demonstrate that accepting the contributions of donors and surrogates is not always morally wrong from a Christian point of view. But even if I am incorrect about this, I suspect that someday someone will be able to present a case in which Christians would rightly approve the participation of donors or surrogates or both. If only one such case can be anticipated, a total and uncompromising condemnation of all such protocols should not be adopted at this time.

Two of the most important ethical reasons for contending that in every instance it is categorically immoral to accept the contributions of donors and surrogates are (1) that such protocols always alienate the unitive purpose of sexuality from its procreative purpose, and (2) that they always come too close to adultery. If these charges were always telling, I would agree that Christian individuals and institutions should always reject the contributions of donors and surrogates. But because I don't find these criticisms valid in every case, I prefer a more cautious conclusion.

My discomfort with the criticism that accepting the contributions of donors and surrogates always alienates the unitive from the procreative is that this criticism often proceeds with an understanding of the unitive purpose that is still too narrow even though it is wider than many. Paul Ramsey and people of his persuasion easily convince me that Christians should not "make babies" unless they "make love." But I am not convinced that the conjugal act is the only way to "make love." It is very easy for me to imagine that a youngster who knew that he or she began life in a fertility clinic could be truly thankful for having been conceived in love, in an extraordinary love, a great, passionate, and noble love, a love that secures and sustains for the whole of life.

But what about the issue of adultery? Do Christians violate the seventh commandment, and similar reminders of the permanence and exclusiveness of marriage, by accepting the contributions of donors and surrogates? This can and perhaps does happen. But it does not necessarily happen in every case.

Adultery has at least two essential features. On the one hand, adultery is a form of intimacy that is physical, but usually not merely physical. On the other hand, it is a form of disloyalty, profound disloyalty. In order to qualify as adultery, an

act or relationship must be both intimate and disloyal. As our various words demonstrate, one or the other is not enough. An act that is intimate but not disloyal is not adultery but fornication. An act that is disloyal but not intimate is not adultery but treachery. Intimacy plus disloyalty (plus perhaps some other factors) equals adultery. Anything less than this or anything other than this is not adultery.

It is certainly possible, perhaps even probable, that there have been cases of adultery among those who have been involved in programs that assist human procreation. But it must also be possible to participate as a patient in the activities of a fertility clinic without being intimate, even though one is physically exposed. If this is not the case, no man or woman could ever have a thorough physical examination from any doctor, male or female, without committing adultery. And it must also be possible to participate in the activities of a fertility clinic without being disloyal to one's spouse, otherwise fertility clinics would not be frequented by couples who are working with each other, as well as with the specialists at the clinic, to become parents. In those instances where participation in the activities of a fertility clinic do not entail both intimacy and disloyalty, I believe we would do well not to insinuate that people are coming too close to committing adultery.

I find it more helpful to think of accepting the contributions of donors or surrogates as "adoption" than as "adultery." Both notions are powerful themes in the Hebrew and Christian Scriptures. In the Bible, both point to intimate and important relationships among humans. And in these Scriptures, both highlight life and death alternatives in the relationships between humans and God. But in the Bible, the theme of "adoption" is far more positive than is that of "adultery"; the first is a symbol of salvation while the second is a symbol of damnation. Why should Christians, in every case, apply the more negative symbol to gamete donation or surrogate gestation?

Virtually all would agree that it is morally permissible to adopt a human child. Many would approve of the adoption of a human fetus. Some would endorse the adoption of a human embryo. A few would agree that it is ethically acceptable to adopt a human preembryo. And a very few would approve of the adoption of a human gamete in at least some circumstances, whether sperm or ovum. Is there any reason why Christians should not be able to affirm each of these forms of adoption as appropriate ways to resolve at least some crises? I doubt that such a reason can be found.

Now that we have reviewed aspects of the recent discussion among thoughtful Christians about the relationships between the unitive and the procreative purposes of human sexual intimacy, we can come to some conclusions about the following theological interpretations and their ethical implications:

1. The view that the unitive purpose may never be separated from the procreative purpose and the procreative purpose may never be separated from the unitive purpose is inadequate. It claims too much and condemns too much.

2. The view that the unitive purpose may be separated from the procreative purpose and the procreative purpose may be separated from the unitive purpose is also inadequate. It claims too little and condemns too little.

3. The view that the unitive purpose may not be separated from the procreative purpose but that the procreative purpose may be separated from the unitive purpose is the most promising of the three alternatives. However, this alternative will be more persuasive and effective than it sometimes is if it utilizes a more comprehensive understanding of the unitive function and a more precise understanding of adultery as intimacy plus disloyalty.

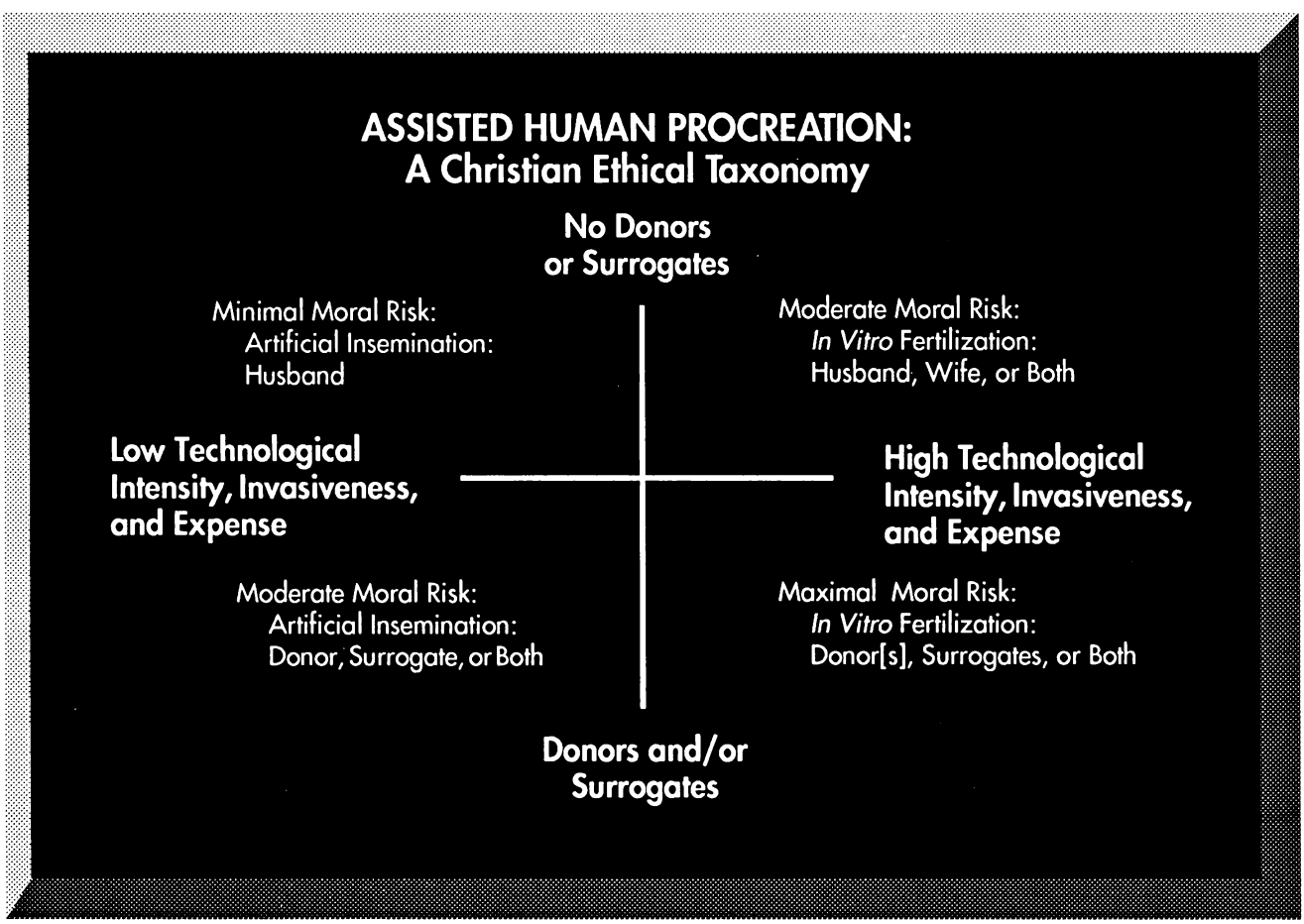
These conclusions may be be clarified if we utilize a simple diagram that exhibits the various ways the ethical relationships between the unitive and procreative purposes of human

sexual union are understood:[9] The conclusions we have reached suggest that the first alternative (unitive but not procreative) and the second alternative (both unitive and procreative) are both morally acceptable purposes of human sexual union from a Christian point of view, as are the various medical technologies that enable them. The third alternative (procreative but not unitive) is not acceptable from a Christian point of view. However, a wider understanding of the unitive function than is customary is ethically appropriate. This wider understanding would approve of technological interventions that thoughtful Christians have sometimes criticized.

If these conclusions are valid, and I believe they are, Christian individuals and institutions do that which is morally right and good when they participate responsibly in attempts to assist human procreation through a variety of means, including artificial insemination and *in vitro* fertilization, and with a variety of personnel, including donors and surrogates. It must be emphasized, however, that responsible participation in such medical protocols requires a keen awareness of the varying moral risks presented by the differing medical possibilities. In each case, individuals and institutions that employ these measures should keep these moral risks clearly in view.

One way to exhibit these differing moral risks is to compare the alternatives according to their use or nonuse of donors and surrogates and according to the degree of their technological intensity, invasiveness, and expense, as is shown in the diagram below.

As this scheme suggests, the more technologically intense, invasive, and expensive a method of assisting human procreation is, the more ethically doubtful it is for Christians.



Likewise, the more such a method makes use of donors and surrogates, the more questionable it is from a Christian moral point of view. The least objection should be raised against artificial insemination protocols that utilize the husband's sperm. More ethical hesitancy should be experienced by the use of *in vitro* fertilization protocols that rely exclusively upon gametes provided by husbands and wives because of their greater technological involvement. For a different reason—the involvement of anonymous "third parties" in the process—artificial insemination by donor should be greeted with moderate moral hesitancy by Christians. The strongest reservations should be expressed toward *in vitro* fertilization projects that involve the use of donated sperm or ovum or both, or the use of surrogates for gestation.

To use an analogy, all of these procedures rest on moral ice that differs in thickness and strength. From a Christian point of view, the moral ice is thickest and strongest beneath artificial insemination by husband. It is thinnest and weakest beneath *in vitro* fertilization that accepts the contributions of donors or surrogates or both. It is moderately thick and strong, though not always morally safe, beneath *in vitro* fertilization protocols that use neither donors nor surrogates and beneath artificial insemination protocols that use donors or surrogates or both.

Christian individuals and institutions are morally free to utilize all of these alternatives; however, they are morally wise if in each instance they gauge the thickness and strength of the moral ice beneath a procedure before utilizing it. They are also ethically prudent if they post warning signs where the moral ice is thin and weak, and if they prepare themselves with rescue devices for those who venture too far and fall through the ice into the cold and dark waters of moral disappointment.

In each alternative, every measure should be undertaken to ensure that the contributions of donors and surrogates are gifts, and not sales of products or services. For this reason, I believe donors and surrogates should be compensated for their actual expenses and nothing more. This will make it more likely that the donations of donors and surrogates will be genuine gifts to infertile couples who need their help. By minimizing or even destroying any financial motive for being a donor or surrogate, the fertility center will fail to appeal to many whose participation would not be consistent with Christian beliefs and values.

Wagners and Hamiltons

All Christians should be able to rejoice with Cindy and Jim Wagner that, thanks to the fertility clinic and to Linda and Bob Hamilton, they will soon have a child to share with their congregation and community. There may be some who glance upon them with the eyes of moral suspicion. But such gestures are unnecessary and inappropriate. Of all people, Christian individuals and institutions should be among those who are able and willing to develop new ways to solve old problems. As they do so they can be sure that the One who works for good in all things is striving to spark their imaginations, refine their understandings, improve their skills, and strengthen their courage.

Some may wonder if the Wagners should spend so much money to become parents. But they can afford it and could spend their money on much worse things. Others may wonder if Cindy and Linda will still be friends after the baby is delivered. But they've been through so much together already that it is doubtful they will become estranged. In any case, we would do well to lessen the likelihood of such problems by supporting them as much as possible instead of criticizing them. Others may wonder if it is appropriate to try so hard to bring another child into the world in view of the population explosion. But only those who have voluntarily chosen not to have children for this reason are morally qualified to ex-

press an opinion on this matter. Still others may suspect that the clinic will discard viable pre-embryos that Cindy and Jim do not need. But they have already contracted with the fertility clinic to donate these to other infertile couples.

Some may wonder if the Wagners and Hamiltons considered the prenatal influence Linda and Bob might have on Cindy and Jim's baby. They did. That's why the two couples spend so much time together these days. All four adults want the baby to be as familiar as possible with Cindy and Jim, and with their way of life, when the delivery occurs. Fortunately, the Wagners and the Hamiltons have very similar beliefs and values.

Others may be curious as to what will happen if divorce or death separates Cindy and Jim before Linda delivers their baby, something no one expects. What then? I don't know. But Cindy and Jim know. And Linda and Bob know. And their doctors at the fertility clinic know because written advance directives are on file at the medical office that cover these contingencies. The clinic requires this of all the couples it serves.

Not long from now we will dedicate the new babies of our congregation to each other and to the one before whom we are all children. It will be a very special worship service. Linda and Bob Hamilton will be there. Cindy and Jim Wagner will be there. Their friends and relatives will be there. The doctors and nurses from the fertility clinic and from the hospital will be there. And yes, of course, Baby Wagner will be there, too!

I plan to be there. I hope you do, too. It would be too bad to miss a chance to express our gratitude to the Giver of all good gifts!

NOTES AND REFERENCES

1. Earlier versions of this paper were presented to the Randall Visitors Center Sabbath school class in Loma Linda, California, on April 13, 1991, and to a meeting of the Committee on the Christian View of Human Life of the General Conference of Seventh-day Adventists at Pine Springs Ranch in Mountain Center, California, April 15, 1991. I am thankful to both groups for their spirited but friendly criticism. I am also thankful to Gayle Foster of Loma Linda University's faculty of religion for her cheerful and professional assistance.

2. I am grateful to Doctor Elmar Sakala, a perinatologist at the Loma Linda University School of Medicine, for informing me about Mullerian Aplasia which, according to Mary Louise Baker, ed., *Birth Defects Encyclopedia* (Dover, Mass: Center for Birth Defects Information, 1990), p. 1171 is "congenital absence of the uterus in a 46 xx individual with normal ovarian development and normal female external genitalia."

3. Tertullian, "The Apparel of Women" in R. J. Deferrari, ed., *The Fathers of the Church: A New Translation* (New York: Fathers of the Church, Inc., 1959) Vol. 40, p. 118.

4. Augustine, "The Good of Marriage" in R. J. Deferrari, ed., *The Fathers of the Church: A New Translation* (New York: Fathers of the Church, Inc., 1955), Vol. 27, p. 17.

5. Jeremy Taylor, *The Rule and Exercises of Holy Living* (New York: Harper and Row, 1970), pp. 44, 45. Emphasis supplied.

6. Thomas A. Shannon and Lisa Sowle Cahill, *Religion and Artificial Reproduction* (New York: Crossroad, 1988), p. 161.

7. Joseph Fletcher, *The Ethics of Genetic Control: Ending Reproductive Roulette* (Buffalo, N.Y.: Prometheus Books, 1988), p. 175.

8. Ramsey, *Fabricated Man: The Ethics of Genetic Control* (New Haven and London: Yale University Press, 1970), pp. 32, 39.

9. I am grateful to Professor Sydney Allen of San Bernardino Valley College for suggesting the use of such a diagram.

One reader calls for Adventist adherence to the principles of peace found in Jesus—especially in light of the Gulf war.

On the Gulf War

Roy Branson's editorial on the impropriety of rejoicing over the slaughter in the Persian Gulf was right on the mark ("To the Gulf War Dead," Vol. 21, No. 2). If only the Adventist Church would make an unequivocal, clear-cut, ringing affirmation of its belief in noncombatancy—for reasons wholly compatible with Dr. Branson's eloquent statement! Here's why:

1. One can cite Old Testament texts as sanctioning war, but those texts also sanction a form of genocide as well as the vengeful slaying of "enemy" livestock—actions we all regard as barbaric today. If we believe Jesus was the most accurate reflection of the mind and character of God, we must give his views pre-eminence over any conflicting evidence concerning God's will.

2. The most beautiful and distinctive teaching of Jesus was his admonition to love our enemies and do good unto them—a position starkly at odds with killing and crippling them and leaving grieving widows and orphans behind.

3. It is impossible to imagine Jesus wielding a machine gun, throwing a hand grenade, or dropping bombs that kill, mutilate, and burn alive men, women, and children. If Jesus could not conceivably do this, neither should we.

4. The early Christian church disbelieved in bearing arms, as numerous writers have noted. We take legitimate satisfaction in that church's continued respect for the Sabbath; why shouldn't we heed its stance on war?

5. Once the Augustinian heresy of the "just war" took root, Christians have almost invariably wound up interpreting whatever wars their nation engaged in as a "just war." This has made a mockery of the entire "just war" theory.

6. Christian participation in wars like the Crusades, the religious wars of the 17th century, and subsequent nationalistic wars have done more to discredit Christianity among its critics than anything Christians have done.

Yes, America and 20 other countries won a quick and decisive victory over Iraq, but 150,000 dead Iraqi soldiers (none of whom had a voice in Hussein's aggressive move and each of whom is a child of God as much as any American), the devastation of Kuwait, the wreckage of Iraq, the pollution of the environment, the plight of 5 million refugees (the *N.Y. Times* estimates), plus 170,000 children under the age of five who will die because of conditions growing out of the war—all testify to the wisdom of Jesus' way.

We don't expect the world to follow the teachings of Jesus. But we should—and we ought not to hide our light under a bushel. The Quakers haven't, and they have won widespread respect for their quietly courageous and well-known opposition to the un-Christian horrors of war.

The hour is late for us—but it's never too late to manifest the spirit of Christ and proclaim its relevance for all.

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