

possession of his/her capabilities for decision-making (area 1); the individual faced with imminent death from terminal illness but not possessing capabilities for decision-making (area 2). We are only considering cases where terminal illness is involved.

(1) Consider the ethical decision involving the patient who decides that he or she does not want the drugs or treatment recommended by the doctor as a requisite to continued life. Generally a patient has the right to refuse operations and treatments, even if the refusal is expected to lead to death. (Normally written consent is required.)

Nothing in Jewish or Christian traditions or in medical ethics presumes that a physician has a mandate to impose his or her wishes and skills upon patients for the sake of prolonging the length of their dying where those patients are diagnosed as terminally ill and do not wish the interventions of the physician. People who are dying have as much freedom as other living persons to accept or to refuse medical treatment where that treatment provides no cure for their ailment. Thus the freedom of the patient to choose his/her own style for the remainder of his/her life and the method and time for dying is enhanced. Here the illness, or, depending on one's theology, God, has already made death imminent.

Some people realize that when the time comes for a specific decision in their terminal illness they may be comatose and unable to make their wish known. To prepare for this contingency while still in good mental health, they may sign a "living will," or a document like a will in its formalities, or a formal direction to a guardian or committee appointed to represent them while non compos mentis, expressing their desire or stating their orders that they may not be kept alive by artificial means or "heroic measures" and requesting that drugs be administered to alleviate terminal suffering even if they hasten the moment of death. While not legally binding under present law, such a document is a responsible act to the family, the attending physician, and clergy.

We believe it is ethically and theologically proper for a person to wish to avoid artificial and/or painful prolongation of a terminal illness and for him or her to execute a living will or similar document of instructions. It must be recognized, however, that such a document, at times, may work to the harm of the patient.

(2) In another situation the patient may be in an irreversible terminal illness, perhaps with substantial pain or physical distress, but in no condition to give instructions and without a previously made living will or document of instructions. Again, life or death itself is no longer a question. The only question is "when." These are patients who would die reasonably soon if given only painkilling treatment but whose body could be kept alive, or at least with functioning organs (heart, lungs) by artificial means. The question is whether extraordinary measures should be used or whether the patient should be allowed to complete his or her natural death.

Every day in hospitals across the land, these decisions are made clinically. Too often they are made covertly. Too many hospitals, doctors and relatives feel vulnerable when facing the issue and so refuse to have the decision-making process open. Some are torn over their own motivation. Some fear they may be violating the will of God. Some fear malpractice suits by a money-seeking heir or ambitious prosecuting attorney.

We believe there comes a time in the course of an irreversible terminal illness when, in the interest of love, mercy and compassion, those who are caring for the patient should say: "Enough." We do not believe simply the continuance of mere physical existence is either morally defensible or socially desirable or is God's will.

### A Challenge

The progress of medical technology has developed new possibilities and new problems contained in the care and perpetuation of human bodies. New conditions inevitably raise new ethical and religious questions. As in both areas above, they call for fresh deliberations and possibly new answers.

We call upon the members in the United Church of Christ to recognize the new problems, consider the principles set forth above, and to seek to determine, with tolerance and prayer, the Will of God in today's world. We encourage the Church, pastors and lay persons, to stand with those who face these decisions and accept responsibility for their participation in these decisions.

We call for greater and stronger emphasis on consultation between relatives and the attending physicians with members of the clergy when death approaches; and we urge that a group be appointed by the Executive Council in consultation with the President of the United Church of Christ to make contact with the American Medical Association to consider the development of guidelines for clergy and physicians in counseling a patient facing death and the family of a patient facing death.

Christians can and do affirm the miraculous acts of God; hope and pray for such acts and yet also know that God's will does not involve suffering beyond limits of human endurance. God's miracles are beyond human power to control.

### 6. Evangelism Issue

Moderator Colwell recognized Chairman Smith of the Executive Council who referred the delegates to the report and recommendation on Evangelism, page 49 in *Advance Materials*, Section III. On behalf of the Executive Council Mr. Smith moved the adoption of the recommendation and there was a second. A motion was made to amend the motion to adopt alternative 1 on Evangelism proposed by the small group. The amendment was seconded and there was discussion.

A motion was made to amend the motion by adding at the end of the two proposed paragraphs the following: "The Ninth General Synod affirms the valuable work of the present Inter-Instrumentality Committee on Evangelism, but recommends that the committee be expanded and renamed \_\_\_\_\_, and to include persons representing other Instrumentalities, Conferences and local congregations. That such persons be appointed by the President of the Church and be encouraged to study, evaluate and share models of how congregations, agencies and institutions of our own and of other denominations are involved in evangelism and to act ecumenically." The motion was seconded. Upon being put to a vote, the motion was lost.

A motion was made to amend the motion by adding at the end of the two proposed paragraphs the following: "The Ninth General Synod recognizes the ecumenical opportunity we have through Key 73 to introduce every person in the United States and Canada to the Gospel of Jesus Christ and we encourage national and local participation to achieve this

goal." The motion was seconded. Upon being put to a vote, the motion was lost.

There was additional discussion on the motion to adopt alternative 1 of the small group. It was

73-GS-37 VOTED: The General Synod adopts the following statement on Evangelism:

The Ninth General Synod calls upon the people in the local congregations of the church, all Associations and Conferences, and all agencies and institutions to give high priority to the evangelistic witness of the United Church of Christ in the next biennium.

The Ninth General Synod proclaims that evangelism is the costly and joyous response of the people to God's acts in Christ and through His disciples in every age. It is not an activity separate unto itself, but it is related to the total life of the church. For the United Church of Christ evangelism must be a matter of telling the story and living it, of being God's people and of celebrating God's grace.

#### 7. Assistant Moderator Elected

The Moderator recognized Secretary Evans who announced the results of the contest between Mr. Chas W. Elicker and Mr. Peter Thundercloud for the office of Assistant Moderator. Mr. Elicker received 468 votes. Mr. Thundercloud received 82 votes. Mr. Elicker is elected.

#### 8. Criminal Justice—Penal Reform (Excessive Bail)

Moderator Colwell recognized Chairman Smith of the Executive Council who referred the delegates to the report and recommendation on Excessive Bail, page 56 in *Advance Materials*, Section III. Mr. Smith moved the adoption of the recommendation and there was a second. A motion was made to amend the motion to adopt alternative II which would add a statement to the original recommendation. The motion was seconded, and it was

73-GS-38 VOTED: The General Synod adopts the statement as amended on Excessive Bail.

The Ninth General Synod of the United Church of Christ

1. Denounces the practice of setting excessive bail, especially in the case of political activists.

2. Calls upon the Criminal Justice Priority Team of the United Church of Christ to develop viable revisions and alternatives to cash bail and transmit those revisions to our membership, to congressmen, and legislators.

3. Make available staff consultative and financial support for local programs which share this goal, and for Conferences which in cooperation with other agencies are working toward this goal; said support may come in the form of a pilot project in one or more Conferences.

#### 9. Criminal Justice—Penal Reform (Reinstitution of Capital Punishment)

Mr. Smith referred the delegates to the report and recommendation on Reinstitution of Capital Punishment, page 56 in *Advance Materials*, Section III, Mr. Smith moved the adoption of the recommendation and there was a second. A motion was made to amend the motion to adopt alternative 1, plus alternative II, which would substitute these statements for the original recommendation. The motion was seconded, and it was

73-GS-39 VOTED: The General Synod adopts the statement on Reinstitution of Capital Punishment.

The Ninth General Synod urges the United Church of Christ:

1. through the Office of the President and in conjunction with the 40 Conferences of the United Church of Christ to communicate our continuing opposition to capital punishment and its reinstatement in the American judicial system; and

2. to continue to make available staff, consultative and financial support for the United Church of Christ and community-based programs to prevent the reinstatement of capital punishment in any state and support repeal of capital punishment in states where the death penalty has been reinstated;

3. to make available information and study resources for Conferences, Associations, and local churches concerning capital punishment.

#### 10. Criminal Justice—Penal Reform (Post Incarceration Discrimination) Issue

Mr. Smith referred the delegates to the report and recommendation on Post Incarceration Discrimination, page 56 in *advance materials*. Mr. Smith moved the adoption of the recommendation and there was a second. A motion was made to amend the motion to adopt alternative 1 which would substitute a statement for the original recommendation. There was a second to the motion.

A motion was made and seconded to amend the motion to add an additional paragraph to the statement. This amendment was adopted.

A motion was made and seconded to amend the alternative to add a fifth part to the statement "No person shall be disqualified from employment by public or private employers simply because of a felony conviction unless there is a direct relationship between the felony committed and the position of employment sought or the specific occupation, trade, vocation, profession or business for which a license, permit or certificate is sought, in which case disqualification shall be dropped five years after completion of sentence. When put to a vote, the motion was lost.

There was further discussion, and it was

73-GS-40 VOTED: The General Synod adopts the statement as amended on Post Incarceration Discrimination:

*Whereas* employment discrimination against ex-offenders is a major reason that ex-offenders revert to a life of crime in an attempt to survive,

*Whereas* it is not only consistent with Christian principles but also good public policy to encourage and contribute to the rehabilitation of felons and to assist them in the assumption of the responsibilities of citizenship, and

*Whereas* the opportunity to obtain employment or to pursue, practice or engage in a meaningful and profitable trade, occupation, vocation, profession or business is an essential ingredient in the assumption of the responsibilities of citizenship,

*Be It Resolved That* the Ninth General Synod of the United Church of Christ

1. Urge the United States Congress and the legislative bodies of the fifty states and their subdivisions to enact legislation which will guarantee that no person shall be disqualified from employment by public or private employers simply because of a felony conviction;

2. Call on the Conferences, Associations, and congregations to urge that public and private employment and licensing policies relative to ex-offenders in their areas be consistent with this resolution.