



BAPTIST PRESS

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Laboratory Life Forms
Covered by Patent Laws

WASHINGTON (BP)--The U.S. Supreme Court ruled here June 16 that federal patent laws extend to human-made living organisms.

By a 5-4 vote, the high court held that General Electric Co. scientist Ananda M. Chakrabarty's laboratory creation of a form of bacteria designed to break up oil spills is protected by patent laws dating to 1793.

Neither the majority opinion, written by Chief Justice Warren E. Burger, nor a dissent filed by senior Justice William J. Brennan Jr. addressed the bioethical issues involved in laboratory-created life forms.

Many ethicists have expressed the fear that patenting such life forms could make genetic engineering profitable for both companies and individuals by giving them exclusive selling rights on products they invent.

Chakrabarty's and General Electric's application for a patent had been denied earlier by the U.S. Patent Office. But the Court of Customs and Patent Appeals reversed the denial, leading to the government's high court appeal.

Referring to applicable patent law, Burger said the court set out simply to determine whether Chakrabarty's microorganism constituted a "manufacture" or "composition of matter." The law declares that "whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter...may obtain a patent."

The court majority concluded that "Congress plainly contemplated that the patent laws would be given wide scope."

Burger's opinion also cited Thomas Jefferson, author of the 1793 statute, who believed that "ingenuity should receive a liberal encouragement."

Because Chakrabarty's discovery was "not nature's handiwork, but his own," the court declared it may be patented.

The court rejected the position of the federal government, which had sought to deny the scientist's patent application, despite the government's presentation of what Burger termed a "gruesome parade of horrors."

These "potential hazards" did not figure in the court's decision, Burger said, because the granting or denial of patents to microorganisms "is not likely to put an end to genetic research or to its attendant risks."

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Beyond that, Burger went on, courts are "without competence" to deal with the bioethical implications of Chakrabarty's discovery.

"Whatever their validity," the chief justice declared, "the contentions now pressed on us should be addressed to the political branches of the government, the Congress and the executive, and not to the courts."

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'You're My President,'
Carter Tells Bailey Smith

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ST. LOUIS (BP)--Soon after Bailey Smith was elected president of the Southern Baptist Convention, one of the first to call and congratulate him was the president of the United States.

President Carter, also a Southern Baptist, began the call by saying to Smith, "You're my president."

Smith, pastor of First Southern Baptist Church, Del City, Okla., told President Carter, "Our people enjoyed having you in our church (.in 1976)."

Then Smith asked Carter to pray for him, and Carter replied, "I have prayed for you, and I am going to continue to pray for you in the days to come."

Smith also said President Carter invited him and his wife, Sandy, to visit in the White House.

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Former SBC Chaplain
Ivan Bennett Dies

Baptist Press
6/17/80

WASHINGTON (BP)--Retired Maj. Gen. Ivan L. Bennett, the last Southern Baptist to serve as chief of chaplains for the U.S. Army, died Sunday, June 15.

A native of Regan, N.C., Bennett graduated from Wake Forest College in 1916 and was first appointed a chaplain in the Army in 1918. After being designated chief chaplain of the U.S. Army forces in the Far East in 1943 and chief chaplain of the U.S. forces in the Pacific in 1945, he was named chief of chaplains in May 1952. He served in that position until his retirement in April 1954.

Following retirement, Bennett served as head of the Washington office of the American Bible Society.

Bennett is survived by his wife, Ruby Jenrett Bennett of Arlington, Va., and two sons, Ivan L. Bennett Jr., of New York City, and Richard T. Bennett of Charlotte, N.C. One son, retired Maj. Gen. John C. Bennett, died recently in a plane crash in Alaska.

Funeral services were scheduled for June 19 at the Old Post Chapel at Fort Myer with burial to be in Arlington Cemetery.

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Walsh, Kimball See
Iran Trip as Ministry

By Norman Jameson

NASHVILLE, Tenn. (BP)--Two Southern Baptist ministers who participated in the conference on American intervention in Iran with former U.S. Attorney General Ramsey Clark see the trip as an extension of their Christian ministry.

John Walsh, campus minister at Princeton University, and Charles Kimball, doctoral candidate in world religions at Harvard University, say their trip was an attempt to reconcile differences between the nations to avoid the increasing likelihood of military confrontation.

"It's becoming clearer and clearer the two countries are heading on a collision course, the only outcome of which is military conflict," said Walsh, a Southern Baptist home missionary, assigned to Princeton through the New York Baptist Convention.

Walsh, Kimball and eight other Americans joined 500 delegates from 60 nations at the conference which also aired grievances against Soviet intervention in Afghanistan. Iranian President Bani-Sadr asked specifically that Walsh and Kimball be included among the participants. The Iranian government paid the bill for all delegates.

Walsh and Kimball were part of a seven-man fact-finding trip to Iran in December. Since their return from that trip they have actively pursued a greater understanding between the nations through extensive writing and speaking on college campuses.

The Americans who attended the June conference returned a week later to face possible prosecution for violating an April 17 travel ban by President Carter which was to keep everyone but journalists from going to Iran. Maximum penalties under the ban are 10 years in prison and a \$50,000 fine.

Kimball feels the possibility of prosecution is remote because the president has the authority neither to make nor enforce law. Those two functions, he says, are responsibilities of Congress and the Justice Department. He says he finds it "frightening" that anyone would think he needs to be punished for disobeying a presidential statement that doesn't carry the force of law.

Members of the group were in contact with the State Department for months before they went. Walsh indicated that officials there said a positive outcome was possible from such a trip, but they doubted they could support the trip publicly.

Because of the direct State Department involvement, Walsh said, "I find it impossible to believe the White House was not fully aware of what we were doing." Walsh said when they left for Iran May 31, they were not aware of penalties that might await their return.

Kimball and Walsh have both had opportunities to minister to students at the embassy in Tehran and with members of hostages' families in the States, because of their involvement. They took mail for hostages in June, although they were not able to see them.

The embassy where 50 hostages were kept until a rescue attempt failed in May was nearly deserted, leading Walsh to believe there were probably no hostages being kept there. A United Press International story said a source inside the embassy indicated some hostages remained there although most had been transferred to other cities to thwart another possible rescue attempt.

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The rescue attempt, which cost the lives of eight American soldiers, was a "foolish move, doomed to failure," according to Kimball.

"I, too, condemn the attempt," Walsh said, "because even the Defense Department, in its planning, admits there would have been deaths among the soldiers and hostages in the attempt."

They condemned the attempt as further evidence of American willingness to kill other human beings to save a concept inconsistent with universal human worth.

The attempt was especially distressing because the young ministers feel certain, as they've said since December, that the hostages' lives are not in danger. They say the students holding the hostages would defend them with their lives and would welcome such a chance for martyrdom.

In January, Walsh called for the American government to apologize for its support of the shah when the shah was killing and oppressing thousands. He and Kimball still feel an investigation into American involvement in Iran would go a long way toward resolving the current conflict.

If, after thorough research, it was proven that America knowingly committed acts that led to oppression in Iran, the pair feel an apology is in order. "In fact, if we just admitted publicly what we already know, it would make a tremendous difference," Kimball said. He pointed out that America still has not formally recognized the end of the Iranian monarchy.

He also emphasized that America should not apologize for its actions just to get the hostages back, but "we should do it because it is right and fair and decent."

Iranians continue to be amazed at America's preoccupation with 53 countrymen and total disregard for the 70,000 Iranians who died in the revolution.

"If the American people could just see the suffering Iranians have lived under for 30 years, they would understand," said Walsh. "If you can't understand, you'll try to destroy them and I think that's what our government is trying to do right now."

Walsh said Carter's human rights foreign policy, which "comes out of his Christian experience," is "one of the most creative, exciting policies ever developed in this country."

"My question to my president," Walsh said, "is why did he never apply his human rights policy to Iran and the shah?"

Walsh said records show the only telephone call Carter made during the Camp David peace summit with Menachem Begin and Anwar Sadat in September 1978 was to the shah on Black Friday, to tell him the U.S. still supported him after the shah's forces had just killed thousands of demonstrators. The Iranians see anyone connected with the government as guilty of similar complicity.

Walsh would like to see the government resume negotiations with Iran and stop "the tough talk," which can only lead to confrontation. He said the economic sanctions are hurting Iran, although Bani-Sadr told him nearly 1,200 American corporations still deal with Iran.

Kimball's and Walsh's participation in the conference has not received unanimous endorsement from their fellow Baptists. The majority of letters received by the Southern Baptist Home Mission Board concerning Walsh have been negative. Walsh's personal mail has been divided evenly in support and disagreement, while comments Kimball has received have been primarily positive.

Walsh discreetly attended the Southern Baptist Convention meeting in St. Louis June 10-11, but he made no public statements there for fear of his trip becoming the focus of the meeting.

Walsh is aware of his potential difficulties in a denomination that is historically "God and Country" but he says, without antagonism, "I didn't go to win a popularity contest among Southern Baptists. I went to be an agent of reconciliation. That's never been a very popular action historically."

Defending his efforts in the process, Kimball asks, "Would our Christian brethren prefer military confrontation to dialogue and understanding?"

He said, "If my response to oppression, exploitation and human suffering is to stand by and wave the American flag, I've sunk to a low level as a human being and as a Christian minister."

Walsh said if his actions need a defense, it can be found in the resolution on human rights passed at the Southern Baptist Convention meeting in Atlanta, Ga., in June 1978.

That resolution called human rights a major moral issue of our time and said, "Let Southern Baptist citizens be committed to political action on behalf of human rights at home and abroad."

It quoted Luke 4:18 which says "He has sent me to proclaim release to the captives... to set at liberty those who are oppressed." (RSV) The resolution said human rights include freedom of thought, speech, movement and participation in government.

It also expressed grave concern "about the widespread denial of human rights at the hands of our political allies as well as our political adversaries." The Southern Baptist Christian Life Commission, which presented the resolution, said it was not referring specifically to Iran.

Walsh acknowledges he is on the "fringe" of the denomination politically but said he has always felt extremely comfortable among Southern Baptists. He said the phrase "priesthood of the believer" is "more than a slogan" among Southern Baptists.

That liberty is especially valuable in the university setting in which he works, Walsh said. He feels his involvement will be a positive influence in his ministry at Princeton. Walsh, 34, attended Golden Gate Baptist Theological Seminary and graduated from Pacific School of Religion. He transferred there when he became assistant campus minister at UCLA Berkeley which was within walking distance.

Kimball, a graduate of Southern Baptist Theological Seminary, feels tension has increased in Iran since May as Iranians realize the revolution has taken place but problems still exist. Still hanging over their heads is the unspoken threat of what America will do when the hostages finally come home. America has not said what action it will take, but the current "belligerence is wholly unacceptable," Kimball said.

Walsh said the trip was a success. Where before he had been pessimistic about a peaceful solution to the crisis, he no longer feels a military confrontation is inevitable if the U.S. will pick up the dialogue.