

## Editorials

# Humane Decision

In California, at least a temporary victory has been won by those who recognize the rights of unborn human beings.

Judge Eli Chernow of the Los Angeles Superior Court has ruled that "religious-minded" citizens are legally entitled to conduct a memorial service in conjunction with the burial of more than 16,000 aborted fetuses which were discovered earlier this year in containers at the home of a laboratory operator.

Why would such a ceremony, obviously humane in concept, have to be decided upon in court? Because the Feminist Women's Health Center, an abortion clinic, brought a suit to prevent religious burial of the fetuses. These people were joined in their suit by the American Civil Liberties Union, which seems able to defend everyone from abortionists to Nazis, but somehow just can't bring itself around to recognizing the rights of unborn human beings, despite conclusive scientific evidence that fetuses are indeed just that — unborn human beings.

There is some purpose to the perversity of the abortionists and the ACLU. The Los Angeles district attorney has withheld 193 of the larger fetuses for possible prosecution of providers of abortion services. Apparently, if the clinic operators can disparage the fetuses, by withholding any recognition of them as human, then potential prosecution would be weakened, at least in their judgment.

But Judge Chernow has thwarted all that. A spokesman for the Catholic League praised his "stand in favor of individual rights, human decency and common sense."

Another bright light in the bizarre case comes from the non-denominational Valhalla Memorial Park, a cemetery, which has donated its services and facilities for the burial.

And unfortunately there is a balancing dark side. Such stances by ultra-militant feminists damage the legitimate struggle for women's rights. And chances are that the abortionists will appeal the ruling.

## Success Stories

Going through a period when much of the news is of a depressing nature, it is important to note the uplifting stories in our midst. The Courier-Journal has two such stories on Page 1 this week.

The first concerns our schools. For the first time, the state education department broke down the results of its Pupil Education Program reading test scores to reflect diocesan results. And, lo and behold, there were our diocesan sixth graders at the head of the class.

Ninety percent of the 2,170 diocesan sixth graders scored above the state reference point, a score of 50. Public schools, statewide, had 70 percent; nonpublic schools 82 percent; county pupils 83 percent and city school pupils 72 percent.

Surely, the pupils deserve plaudits. So, too, do diocesan school administrators and teachers. A school official attributed the success to Project Upgrade which was incorporated into the system in 1976. But it should be pointed out that such academic expertise cannot work without the human element of dedication and effort. Our often criticized school system delivered just that and congratulations are in order to all involved.

The other success story on Page 1 had to do with the overwhelmingly happy results of the Courier-Journal/Catholic Charities Christmas Fund. At a time when the economy is seriously hurting, diocesans came through for their fellows in an unprecedented fashion. Their response is heartwarming and all contributors deserve the gratitude of the diocesan community.

## and Opinions

### J & P Claim Disputed

Editor:

The letter from the International Justice and Peace Commission of the Diocese of Rochester (Courier-Journal, Nov. 24) contained a startling falsehood.

The commission is calling for members of the diocese to boycott Stouffer's and Nestle because, it alleges, they are guilty of violating the World Health Organization Code of Marketing of Breastmilk Substitutes.

The commission writes that the WHO code "asks for a monitoring commission to be set up but specifies that it should be a fully independent organization." On the basis of this bogus provision of the code, the International Justice and Peace Commission portrays the Nestle Infant Formula Audit Commission as somehow incompatible with the WHO code.

### Nestle Opinion Questioned

Editor:

Mary Greisen's letter of Nov. 17 raised some questions on the Nestle boycott issue that were answered in the Q and A article of Nov. 24.

Other points raised by Mrs. Greisen require additional response. These include:

1. "Milk nurses (are) employed with the approval of government authorities." Nestle has finally stated its intention to stop using milk nurses or "mother-craft" nurses, a euphemism used to describe company personnel dressed in white uniforms who distributed free samples of infant formula to new mothers. In addition, Nestle often recruited bona fide trained nurses in poor Third World countries where they were in short supply, to distribute their product, luring them with highly attractive salaries, thus pulling health professionals out of the primary health care system.

As for "government approval," since when have governments always acted totally responsibly towards the needs of their citizens?

The WHO code does not require any monitoring commission of any kind, under any auspices. The code does not contain the word "commission" or any synonym for "commission."

I want to call particular attention to this point. The International Justice and Peace Commission is in a position to know what is in the WHO code, and it publicly claims to know. And it claims, as a diocesan commission, at least to share in the moral authority of the diocese when it speaks. And then it writes a letter to the public containing a "provision" of the WHO code which is a pure fiction. And on the basis of this fiction, the commission urges that Catholics in Rochester attempt to hurt their neighbors economically, possibly throwing them out of work.

I have written to Bishop Clark about this letter of the commission's. My question to the bishop is whether deception is an acceptable

way to promote either justice or peace, and whether he intends to prevent the circulation of deceptions by officials in his diocese.

I am sending a copy of the WHO code to the editor of the Courier-Journal so that he may verify that the provision of the code the commission "quoted" is non-existent. I would ask him to research the commission's claims in the future before printing them.

The actual requirements of the WHO code are quite different from the International Justice and Peace Commission's imaginary version. First, the foremost responsibility for implementing the WHO code belongs to governments, who are urged to formulate their own national codes. Unfortunately, despite the ratification of the WHO code in 1981 by 118 countries, fewer than 30 have their own codes. Seventy of those countries have done nothing to develop a national code.

The International Justice and Peace Commission has not, to our knowledge, issued any criticisms of these governments.

Second, companies are required to monitor their own implementation of the WHO code:

Section 11.3: Independently of any other measures taken for implementation of this code, manufacturers and distributors of products within the scope of this code should regard themselves as responsible for monitoring their marketing practices according to the principles and aim of this code, and for taking steps to ensure that their conduct at every level conforms to them.

As one part of the self-monitoring effort required by the code, Nestle set up the Muskie Commission and its activities are completely in accord with the provisions of the actual WHO code.

Third, the code has this to say to others who are concerned about the marketing of infant formula:

Section 11.4: Nongovernmental organizations, professional groups, institutions, and individuals concerned should have

### Fund Workers Appreciated

Editor:

On behalf of Catholic Charities and the many poor served by the annual Courier-Journal/Catholic Charities Christmas Fund, I would like to thank the many people and offices who make our "100 Neediest Cases" program one of the most outstanding in the country.

Anthony J. Costello, publisher, Courier-Journal.

Carmen J. Viglucci, editor, Courier-Journal.

John Dash, news editor, Courier-Journal.

Nancy Brone and Debbie Ferris, staff, Catholic Charities.

James M. Maloney, director, Catholic Family Center.

Marcia Fedyk, Cheryl D'Amato, Jean Lombardo, staff, Catholic Family Center.

Gail Blanchard, director, Charles Settlement House.

Volunteers, Charles Settlement House.

Father Neil Miller, director, Southern Tier Office of Social Ministry.

Sister Judy Reger, SJ, and volunteers, staff, Southern Tier Office of Social Ministry.

Giovina Caroscio, director, Finger Lakes Office of Social Ministry.

Sister Alicia Schur, SSJ, and volunteers, staff, Finger Lakes Office of Social Ministry.

Sister Mary Wintish, RSM, director, Urban Ministries, Diocese of Rochester.

Board and volunteers, Christmas Bureau of Rochester.

And special thanks to everyone throughout the diocese for responding to the call of the poor at Christmas and during the year.

Maurice Tierney, Director, Catholic Charities, 50 Chestnut Plaza, Rochester, N.Y. 14604

read the code, to stop making up fictitious provisions of the code, and to obey the code?

I must say that, as a representative of the Nestle company, I share the company's century-old commitment to promoting sound nutrition for the world's infants and children. Nestle has taken many steps to implement the code which I have not mentioned here. The cause of improving infant nutrition is not helped by the publication of misinformation and innuendos. It is not helped by people who claim to support the WHO code and then flout its clear requirements. The Catholic people of Rochester have the right to expect that their bishop's employees will obey the WHO code, and that they will not publish falsehoods in order to incite economic attacks against their neighbors in Rochester.

Rafael D. Pagan, Jr., President, Nestle Coordination Center for Nutrition, Inc., 1120 Connecticut Ave. NW, Suite 310, Washington, D.C. 20036

the responsibility of drawing the attention of manufacturers or distributors to activities which are incompatible with the principles and aim of this code, so that appropriate action can be taken. The appropriate governmental authority should also be informed.

The International Justice and Peace Commission apparently believes it has evidence against Nestle, or it wouldn't be calling for a boycott. Yet it has not sent any complaint to Nestle, to the Muskie Commission (which has widely distributed a formal complaint form), or to any government authorities. Therefore it is violating the WHO code by keeping its evidence from the proper authorities.

The International Justice and Peace Commission says it will announce the end of the boycott as soon as Nestle complies "with the guidelines set in the WHO/UNICEF code." Nestle welcomes this news, but it raises some questions: How will the people of the Diocese of Rochester know when the commission has decided to

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### Guidelines

The Courier-Journal welcomes your opinions. Letters must bear the writer's signature, full address and telephone number. They should be sent to Opinion, Courier-Journal, 114 S. Union St., Rochester, N.Y. 14607.

Opinions should be brief, typed, double-spaced, no longer than 1 1/2 pages.

We routinely condense letters, edit offensive words and libelous statements, and reserve the right to reject letters. Generally speaking, however, only limited grammatical corrections will be made and the letters will reflect the writer's own style.

Because submitted opinions exceed the space for letters, we publish only original letters addressed to us. We will not use poetry, open letters, or copies of letters sent elsewhere. To ensure diversity, we limit each writer to one letter per month.