

# Children's Healthcare Is a Legal Duty, Inc.

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"Sunny"  
June 23, 1979-March 9, 1984

## CHRISTIAN SCIENCE MOM CONVICTED OF MANSLAUGHTER

On July 27, Laurie Walker was sentenced for involuntary manslaughter in the 1984 death of her daughter, Shauntay. Walker waived her right to a jury trial and was convicted by Sacramento Superior Court Judge George Nicholson June 21.

A convert to Christian Science, Walker deprived her daughter of medical help for hemophilus influenza meningitis. The little girl was home sick from her preschool for 17 days. She was born June 23, 1979, but weighed only 29 pounds when she died on March 9, 1984.

Manslaughter and child endangerment charges were filed against Walker on March 22, 1984. She was the first Christian Scientist to be  
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## U. S. SUPREME COURT REJECTS CLAIM FOR RELIGIOUS EXEMPTION FROM CRIMINAL LAW

On April 17, the U. S. Supreme Court ruled that the Constitution does not require a state to grant a religious exemption from criminal conduct. In the case of *Oregon Department of Human Resources v. Smith* the High Court upheld the state's right to prohibit sacramental use of the drug peyote. First Amendment rights to the free exercise of religion do not prohibit application of Oregon's drug laws to the ceremonial ingestion of peyote, the Court said.

This important ruling should be quite helpful in CHILD Inc.'s struggle against religious exemptions from parental duties of care. Pertinent portions of the High Court's argument include the following.

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## Freedom of belief absolute

"The free exercise of religion means, first and foremost, the right to believe and profess whatever religious doctrine one desires. Thus, the First Amendment obviously excludes all governmental regulation of religious *beliefs* as such."

"Government may not compel affirmation of religious belief, punish expression of religious doctrine it believes to be false, impose special disabilities on [the] basis of religious views or religious status, or lend its power to one or [the] other side in controversies over religious authority or dogma."

## State can restrict conduct

But "we have never held that an individual's religious beliefs excuse him from compliance with an otherwise valid law prohibiting conduct that the State is free to regulate. On the contrary, the record of more than a century of our free exercise jurisprudence contradicts that proposition. As described succinctly by Justice Frankfurter in *Minersville School Dist. Bd. of Educ. v. Gobits*. . . (1940): 'Conscientious scruples have not, in the course of the long struggle for religious toleration, relieved the individual from obedience to a general law not aimed at the promotion or restriction of religious beliefs. The mere possession of religious convictions which contradict the relevant concerns of a political society does not relieve the citizen from the discharge of political responsibilities. . . . We first had occasion to assert that principle in *Reynolds v. United States*. . . (1879), where we rejected the claim that criminal laws against polygamy could not be constitutionally applied to those whose religion commanded the practice. 'Laws,' we said, 'are made for the government of actions, and while they cannot interfere with mere religious belief and opinions, they may with practices. . . . Can a man excuse his practices to the contrary because of his religious belief? To permit this would be to make the professed doctrines of religious belief superior to the law of the land, and in effect to permit every citizen to become a law unto himself.'"

"Subsequent decisions have consistently held that the right of free exercise does not relieve an

individual of the obligation to comply with a 'valid and neutral law of general applicability on the ground that the law proscribes (or prescribes) conduct that his religion prescribes (or proscribes).'"

## Balancing test requested

The defendants relied heavily on *Sherbert v. Verner* (1963) in which a Seventh Day Adventist was denied unemployment benefits because she refused to accept Saturday employment. The High Court required the government to engage in a balancing test weighing the importance of the state's interest in regulating conduct against the freedom to practice religion.

## Anarchy from manslaughter and child neglect exemptions predicted

In the Smith case, though, the Court refused to extend that test into criminal law. "Any society adopting such a system would be courting anarchy," said the Court. It would "open the prospect of constitutionally required religious exemptions from civic obligations of almost every conceivable kind--ranging from compulsory military service, to the payment of taxes, to health and safety regulation such as manslaughter and child neglect laws, compulsory vaccination laws, drug laws, and traffic laws" (citations omitted)....

Twenty-three states and the federal government have enacted exceptions in their drug laws for sacramental peyote use. The Supreme Court suggested that Native Americans approach other state legislatures to obtain exceptions. The Court conceded 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."

## Religious exemptions not mandatory

The U. S. Supreme Court has stated loudly that religious exemptions from criminal law are not mandated by the Constitution. Many state legislators have assumed that they were, but can



perhaps be persuaded otherwise now.

Leaving religious exemptions entirely to the political process is not desirable, however. It certainly would give a strong advantage to those churches with the best lobbying methods. Of course, the Court mentioned in this regard only an exemption for the virtually harmless practice of sacramental peyote use and not exemptions for religious practices that kill children.

What we still need is a U. S. Supreme Court ruling that religious exemptions that deprive children of necessary medical care are unconstitutional and *not* a legitimate act of legislative discretion.

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charged for the death of a child since Emerson Sortore in Alaska in 1969 and the first Christian Scientist in California since 1902.

The Christian Science church was stunned. Church officials warned that Orwell's nightmare had come true, that godless materialism was taking over the world, etc.

#### **Church sought exemption from law**

In *People v. Arnold* (1967), the California Supreme Court had ruled that the law did "not sanction unorthodox substitutes for 'medical attendance.'" Arnold was convicted of manslaughter in the death of her 13-year-old daughter, Sandra. Arnold was a member of the Church of the First Born, a sect that has lost children in several western states because of its rejection of medical care. Sandra was ill for 18 days with an intestinal blockage; she died a few hours after being immersed and baptised in a river.

In 1974 Alice and Larry Parker were convicted of manslaughter in Barstow, California, for withholding insulin from their diabetic son Wesley, age 11. An itinerant evangelist had proclaimed the boy healed of diabetes.

The Christian Science church decided it was time to go to work on the state legislators. California's child support law requires parents to

provide "necessary clothing, food, shelter, medical attendance or other remedial care." In 1976 the church got an amendment stating that spiritual treatment qualified as other remedial care. The law classified failure to provide such necessities as a misdemeanor.

With that, the church wrote its California legal advice booklet so as to imply that members had the right to deprive sick children of medical care. California did not have a religious exemption to a child endangerment or manslaughter charge, but the church conveyed the impression that it did.

#### **Shauntay's agony**

Stipulated testimony introduced at the preliminary hearing gave sharply divergent reports of Shauntay's final weeks. Her cousin Danyelle saw her six days before her death. She could not hear Shauntay breathing so she walked toward her and called her name. Shauntay awoke and stared at her, but did not move or say anything. It seemed to Danyelle that Shauntay could not move her arms or legs and that her body was stiff.

Laurie Walker's mother, Emily Stutsman, suspected something was wrong with Shauntay. She asked Laurie many times about her. Laurie claimed that Shauntay did not want to return to nursery school because of some kids. Laurie also claimed that Shauntay had had the flu and was steadily, but slowly recovering. Mrs. Stutsman offered to come over and help care for Shauntay, but Laurie would not allow her to do so.

On March 8, Stutsman sent her other daughter, Claudia Oswald, to check on Shauntay. "To Claudia," says the stipulation, "Shauntay was comatose and was just lying on the couch. Shauntay was not responsive to anything, had lost a lot of weight and was just lying there with her eyes open staring into space. She knelt down beside Shauntay and tried talking to her but still got absolutely no response. Shauntay's arms had become very thin. She told Laurie to take Shauntay to the doctor but Laurie refused." Oswald then told Laurie she was going to notify the authorities.



### **Police called**

After leaving Laurie's house, Claudia called her parents and then the police to learn what could be done when a Christian Science child was in danger. Claudia called the Christian Science practitioner Norma Alpert and asked what was going on. Alpert refused to talk to her. Stutsman also called Alpert to ask about her granddaughter's welfare. Alpert told Stutsman she knew for a fact that Shauntay had eaten a good lunch that day and been walking outside in the sunshine.

Laurie dealt with her sister's threat by moving her children to the home of a Christian Scientist that evening. Shauntay died there a few hours later.

### **The practitioner's view**

Alpert testified that she was first retained to treat Shauntay's illness on February 21st. She visited the girl only twice, on February 25 and March 3. She "neither noticed, nor looked for, symptoms of fever." She also did not diagnose the illness nor recommend medical care.

Laurie noticed that Shauntay's neck hurt and was stiff beginning on the fourth day of the illness. She informed Alpert of the neck problem, but Alpert testified that she "saw no evidence of this." Indeed, Alpert "never saw anything about Shauntay" to suggest "that she was experiencing more discomfort than any sick child typically would manifest when recovering from the flu."

Laurie had also told her that Shauntay was not "real alert and responsive all of the time," but Alpert "saw no evidence of this during either visit with Shauntay." Alpert talked with Shauntay about God's love for her; Shauntay listened to her and talked with her.

After February 28, the reports Alpert "was receiving about Shauntay's condition always seemed to indicate improvement."

### **The nurse's view**

A Christian Science graduate nurse Carol Strobe visited Shauntay four times. Strobe saw Shauntay "lying on the couch with her legs tucked up toward her stomach, as though she had a stomach ache." A week later Strobe observed

that Shauntay still lay with her knees bent and apart. She also noticed that Shauntay's head was always tilted "slightly" to the side and that she "tensed up" when moved.

But Strobe also reported details that the Christian Scientists interpreted as signs of progress: Shauntay enjoyed her bath, she had "a normal bowel movement," she drank 7-Up through a straw, and she walked ten feet by holding Strobe's hands.

### **Hiding from police--death comes**

Christian Scientist Cherie Johnson who kept Shauntay in her home after Oswald threatened to call the police thought the girl "had been sick, but that the problem had been resolved and that she was on the road to recovery." She did notice, though, "that Shauntay sometimes seemed to be far away, seemed to drift off."

After 10:30 p.m., March 8th, Cherie noticed that Shauntay was having difficulty breathing. Laurie called Alpert for treatment. "Shauntay's breathing returned to normal shortly thereafter." But about 1 a.m., March 9th, "Laurie came out of the bedroom and told Cherie that Shauntay had stopped breathing."

### **Medical information sought**

Claudia Oswald talked with her sister on March 9th and asked if she would get medical help in the future should her other children get sick. Laurie told her she would not.

Walker called a physician about the results of the autopsy and cultures. She asked if Shauntay would have recovered with medical treatment. She asked how a doctor would have responded to the symptoms at each stage of the illness. The doctor told her that by the fourth day when the neck stiffness could be seen, he would have wanted the child brought in for a spinal tap.

Pathologist Dr. Gwen Hall stipulated her opinion that meningitis was present in Shauntay's body for at least two to three weeks and possibly four weeks before her death.

### **Claims of religious privilege denied**

Walker petitioned the courts to dismiss the charges against her because of the state's religious exemptions and the First Amendment of



the U. S. Constitution. Both the District Court of Appeals and California Supreme Court ruled against her. The U. S. Supreme Court declined to review their rulings.

The state courts concluded that the legislature had not intended for the religious exemption to the misdemeanor to provide a shield against felony charges. Some prosecutors and judges pointed out that the child support law simply required parents to provide various things when necessary to a child: "clothing, food, shelter or medical attendance, or other remedial care," including spiritual treatment of the proper recognized variety. The key was the word "necessary." The grammar did not indicate that Christian Science treatment could be substituted for necessary medical care any more than a bandaid could be substituted for necessary surgery. These observers also pointed out that the purpose of the child support laws was to ensure that financial obligations were met. The law meant, they said, that delinquent fathers should pay up on their bills from Christian Science practitioners.

#### **An editorial view**

Others feared that the legislators did intend to let Christian Science children die. Peter Schrag, a *Sacramento Bee* editor, wrote:

"What the court probably can't say is that were it not for the venality of the political process in this case, it would not be in the Supreme Court and, just perhaps, Walker's child might still be alive. . . . [When medical attention is withheld] to the point where it endangers life itself, the society ought to leave not the slightest doubt where it stands. There are a lot of people in this case who are as culpable as Walker."

#### **California Supreme Court ruling**

The California Supreme Court's 49-page opinion remains the most extensive ruling on prosecution of a Christian Scientist. "The relevant inquiry," said the Court, "turns not on defendant's subjective intent to heal her daughter but on the objective reasonableness of her course of conduct." The Court cited the U.S. Supreme Court's ruling in *Prince v. Massachusetts* (1944) that parents are not free "to make martyrs of their children" and that the government has a paramount interest in protecting children upon

whose "healthy, well-rounded growth. . . into full maturity as citizens" our "democratic society rests, for its continuance. . . ."

The Christian Science church argued that the state can protect children through court-ordered medical treatment without prosecuting parents, but the California Supreme Court ruled that "child dependency proceedings advance the governmental interest only when the state learns of a child's illness in time to take protective measures, which quite likely will be the exception rather than the rule." The Court concluded that "an adequately effective and less restrictive alternative [to prosecution] is not available to further the state's compelling interest in assuring the provision of medical care to gravely ill children whose parents refuse such treatment on religious grounds."

Justices Mosk and Kaufman wrote an additional opinion that California's religious exemption to nonsupport charges was unconstitutional because it established favoritism of the Christian Science church over others. CHILD also asks how it can possibly be the state's business to require people to pay for prayers.

#### **Conflicting church positions on medical care**

The Christian Science church joined in Walker's defense as an amicus curiae and was represented by Warren Christopher, a former Undersecretary of State for President Carter. Walker's unsuccessful petition for review by the U. S. Supreme Court was signed by Lawrence Tribe, a Harvard law professor.

The petition contains the following remarkable declaration:

"Christian Science provides that no person may become a member of the Church unless he or she is prepared to rely completely on spiritual healing as practiced in Christian Science. Members of the Church believe that attempts to use medical means as an adjunct to or in combination with spiritual healing destroy a Christian Scientist's power to heal through prayer. Thus, spiritual healing is the *sine qua non* of Christian Science and a religious imperative for members of the Church." (p. 5)

For years the church has responded to our son's death with the claim that Christian Science has no strictures against medical care. But now



it claims that reliance on their spiritual treatments and rejection of medical care are an "imperative" for church members. We believe this imperative has been made public in order to provide a religious defense for parents facing prosecution.

### **Personal vendetta claimed**

On May 2, 1990, Walker filed a motion to compel discovery of documents held by the prosecutor, John O'Mara. Included on the list was all correspondence from Rita Swan. The motion complained of the "ominous... efforts of prosecutors on a national level to go after Christian Scientists" and of my "efforts to use the courts as a forum for discrediting Christian Science." "Prosecutors throughout this state and nation," said Walker, "have aligned themselves with a private citizen on a personal vendetta against the Christian Science church." More than a hundred Christian Scientists packed the courtroom for the hearing. They wouldn't even let O'Mara through. The judge moved the hearing to a larger courtroom, letting them take every seat in the jury box, but pointing out that he would not be influenced by their presence.

The motion also charged selective prosecution on grounds that 17 children had died of meningitis in Sacramento County over a decade, but Walker was the only parent prosecuted for the death of her child.

The judge denied the motion.

### **Position on plea bargaining reversed**

Through the six years the case was pending, O'Mara had repeatedly offered Walker a sentence of probation and community service work in exchange for a guilty plea. She had consistently rejected it. The first week of June she reportedly went to Boston with her expenses paid by the Mother Church. On June 12, 1990, she told the court in Sacramento that she was interested in a plea bargain.

Under its terms Walker preserves the right to appeal. She was sentenced to formal, supervised probation until the 18th birthday of her surviving daughter, Tamu. Walker must offer Tamu the choice of medical treatment for illnesses. Also, she must immediately notify Tamu's father of any

serious illness and obtain medical care if Tamu is "in a dazed, delirious, incoherent or unconscious condition." Tamu currently lives with her father, Andre Walker, a convicted child molester.

Walker was also sentenced to 600 hours of community service work. She complained that such work would prevent her from bonding with her daughter, so the judge sentenced her to 8 hours of work a month for the first year and promised a review of the situation after that.

### **Church educates members on law?**

Several people were interviewed for a probation report before the sentencing. Nathan Talbot, the church's public relations and lobbying manager, told probation officers that Christian Scientists "are very law abiding citizens" and that his office educates the members on the laws. Talbot noted that several medical doctors have contributed to Walker's defense fund and that "some of the church's biggest supporters" are medical doctors.

Laurie Walker stated, "I relied on God when my daughter was ill because I understand and believe that is the most effective healing method available."

"When asked if she had to do it all over again, would she have treated the victim the same way, the defendant replied that was an unfair question that she could not answer."

### **Misinformation on laws**

The Christian Science church tells its members that state laws require a medical doctor's attendance at childbirth, but give them a religious right to deprive the child of medical care after birth. In fact, however, no state laws to our knowledge require medical attendance at childbirth, and the Christian Science church's provision for such attendance is likely due to the sensational murder trial of Abbey Corner, who practiced the "metaphysical obstetrics" taught by church founder Mary Baker Eddy on a mother and baby who died during her performance. After that public relations disaster, Eddy changed her rules on childbirth.

Walker followed the church party line when a police officer asked her why she sought medical care at Shauntay's birth. He reported:



"She stated her children were born at a hospital because she was legally responsible to have a doctor in attendance at their birth. . . . She related that while delivering the victim, she began experiencing complications which had the doctors concerned. However, due to her prayers with a Christian Science practitioner, the complications soon corrected themselves and she was able to deliver the victim naturally.

"Regarding the fact that she has taken her children to the dentist, the defendant stated it is common practice for Christian Scientists to submit to dental care. Regarding the information that the defendant had taken her pets to a veterinarian, the defendant again stated she had legal responsibility, in Sacramento County, to ensure that her dogs have all the required shots."

Walker makes \$42,000 a year as a financial analyst for California Department of Health Services, perhaps the most health-oriented Department in state government.

#### **Loss to sister and father**

Tamu reported that she has been tremendously lonely since Shauntay's death and is angry about losing her sister, but not angry with her mother. Tamu also said she wanted medical care when she is seriously ill.

Andre Walker reported that Shauntay was a "bright and bubbly young child whose nickname was 'Sunny.' He stated he still finds it difficult to look at her picture." The only picture of Shauntay in his house is in Tamu's bedroom. Andre stated that "all he has to do is close his eyes to see her smiling face." But he also felt his ex-wife should have freedom of religion and should not have been charged with a crime.

#### **Probation officer's recommendation**

The probation officers disagreed with him. "It is difficult to imagine a more grievous act of criminal negligence than allowing a sick child to lie ill for 17 days and die without medical treatment. . . . The nature, seriousness and circumstances of this crime are such that anything less than a substantial period of incarceration would depreciate the value of the life of the child victim," said the report. "A gravely ill four year old child in her mother's care is totally dependent."

The probation officers recommended that Walker serve a year in the county jail and years beyond that on probation. They added that they would have recommended four years in the state

prison except for the stipulation that she was sincerely practicing her religion.

Since the judge and the parties had already agreed that Walker would serve no jail time, the probation officers' recommendations were not acted upon.

#### **Mom's goal: be a church practitioner**

She reportedly wants to become a Christian Science practitioner. If she does, she will be making her entire living by promoting the methods of health care that killed her daughter.

Taken in part from *The Sacramento Bee*, March 23, 1988, other local press coverage, and court records.

## **CHARGES FILED IN COLORADO GIRL'S DEATH**

Charges of felony child abuse have been filed against Colorado parents who allowed their daughter to die of peritonitis following a ruptured appendix. Angela Sweet, age 7, of Olathe was last seen in school May 3. Her parents, David and Barbara, refused to get medical care for her because of their allegiance to the Church of the First Born. She died June 26th. Montrose County District Attorney Mike Stern filed the charge August 10.

Janice Hartmangruber, the principal of Angela's school, knew of the family's religious beliefs against medical care and asked Child Protection Services (CPS) to investigate on May 14th.

#### **Protective Services on scene**

Not until May 26th did CPS worker August Martinez visit the family. He was concerned enough to bring Public Health nurse Cinda Caddy back on May 29th. Caddy claims she asked for permission to examine Angela and the mother said she would rather Caddy did not do that. The mother says Caddy never asked, but would have been allowed to examine her if she had asked.



Martinez and Caddy told Sweet that she should take Angela to a doctor. Caddy even told her that Angela might have a ruptured appendix. Sweet told them that the family would not get medical care because of their religious beliefs.

Martinez returned for a third visit June 14 and thought Angela was improving, but again told the parents that Angela needed to see a doctor.

#### **Medical examiner's view**

County Medical Examiner Tom Canfield, a forensic pathologist who performed the autopsy, said it was hard to imagine Angela seeming better June 14 than she did May 29. "The course of her illness would have shown a steady decline in her condition. Perhaps she could have shown some brief and slight improvements, but the overall course would have been downhill," he said.

At death, Angela was emaciated, almost "skeletonized," Canfield said. "She was sick for weeks, and she must have suffered quite a bit." Her abdomen was riddled with infection and pus.

Child Protection Services will not explain why Martinez did not seek a court order for a medical examination of Angela. Stern has said that he cannot file charges of misconduct against the county officials because he must use them as witnesses, but that a special prosecutor might do so.

#### **Other recent deaths in Church of the First Born**

Church of the First Born has lost three children in western Colorado since 1982. In each case county officials were aware that the children were ill and did not get medical help for them. In 1982 Travis Drake, 14, died several days after his appendix ruptured. Prosecutors decided not to charge the parents because a CPS worker had seen him two days before his death and said his condition had improved.

In 1987 infant Lukas Long died about eight hours after being delivered by unlicensed midwives. The sheriff was told that the baby was having trouble breathing. The sheriff called a prosecutor and was told he needed to find out if the baby had died before going to the home.

One can only speculate about the timidity of these county officials. One factor may be

officialdom's awareness of the western ethic of rugged individualism and hostility toward government intrusion in general.

#### **Church's vicious charges against doctors**

When challenged, the Church of the First Born unleashes a torrent of bombastic rhetoric against its critics. After Lukas Long's death, an enormous letter appeared in the local newspaper with such arguments as the following.

"In Nazi Germany, the world's leading medical establishment, pushing even beyond Hitler's directives, spearheaded the eugenics movement, developed the gas chamber, was exclusively responsible for killing 275,000 Germans apart from the death camps and experimented on live Jewish concentration camp victims. . . . In the U.S.S.R., the medical profession frequently serves as an adjunct to the secret police. . . . The venality of American medicine most saliently emerges from the abyss of the abortion holocaust. Not to be outdone by their Nazi colleagues, the participants in this multi-billion-dollar megabusiness have reduced both mothers and children to commodities."

"We are supposed to trust these fiends because the State has licensed them."

"The claim to absolute authority that the State doctors have arrogated to themselves throws a barrier before Christians like Danny and Raya Long because it forces them to deny God as the ultimate authority in their lives if they seek this self-proclaimed medical priesthood."

"Many of these parents fear that if they go to these totalitarian agents, who do not recognize any private sphere protected from State intrusions, the parents will be removed from responsibility for the children that their blood, sweat and tears have brought forth and nurtured."

#### **"Except they let their daughter die."**

When not under challenge, Church of the First Born members are in many ways model citizens. They are described as hard-working and devout. Pathologist Canfield said he was struck by the simple goodness of Angela Sweet's family.

"They certainly seem to be a model family," he said. "They aren't rich, but their house was spotless. Their [ten] kids were clean. They're the kind of people you'd be proud to have as next-door neighbors. Except they let their daughter die."

#### **Way to challenge new exemption law**

The charges against the Sweets may provide a vehicle for a judicial ruling on Colorado's new religious immunity law. As adopted in 1989, it



allows parents to deprive children of medical care if they instead treat their diseases with prayers that insurance companies will pay bills for, or that the Internal Revenue Service recognizes as deductible medical expenses, or that heal disease as effectively as medicine.

Christian Science faith healers send bills for their prayers that are reimbursed by most insurance companies and recognized as medical expenses by the IRS. Thus Christian Science parents in Colorado have an automatic right to deprive their children of medical care, while Church of the First Born members must submit evidence to the court that their prayers heal diseases as effectively as medicine does.

Such discrimination among religions is, we believe, a blatant violation of the Constitution.

The Christian Science church has promoted its victory in Colorado as a model for legislation in California, South Dakota, and Massachusetts, but was defeated by the aggressive work of many child advocates.

Taken in part from *The Denver Post*, July 15, 1990, and *Delta County Independent*, September 23, 1987.

## MORE DEATHS OF FAITH ASSEMBLY CHILDREN IN INDIANA

On April 8, five-month-old John David Ricks died of untreated bacterial meningitis in Kimmel, Indiana. His parents, Michael and Diane Ricks, are members of Faith Assembly, a church that has lost more than a hundred people, the majority children and women in childbirth, to medically treatable illnesses since 1973.

Michael Ricks had completed four years of medical school before dropping out to join the Faith Assembly, exmembers say. He moved his family from Toledo, Ohio, to Indiana about 1984 to be near the church. Since then, the family has struggled financially, at one time living out of their car.

The Rickses told the coroner their son developed a fever April 3. According to the coroner's affidavit, they said they "rebuked the fever, and he wasn't hot anymore." On April 7 he

stopped breathing three times. Each time the father "rebuked the spirit of death in Jesus' name" and the baby "perked right back up and started breathing." The next day he died despite the father's prayers.

Noble County Prosecutor David Laur has filed charges of reckless homicide and child neglect against the parents.

In 1984, Laur prosecuted Faith Assembly members Kathleen and David Bergmann for letting their daughter die of untreated meningitis. They were convicted and sentenced to ten years in prison. The conviction was upheld on appeal. Then the Bergmanns returned to the trial court and told the judge they had left Faith Assembly and were taking their surviving children to doctors. The judge suspended their sentence.

That won't happen with Michael Ricks according to sources. "I think he would gladly serve a prison term and feel he was persecuted," an exmember said.

### CDC statistics on death rates

Faith Assembly death rates from 1975-82 were studied by the Center for Disease Control and the Indiana Department of Health. The researchers determined that death rates among Faith Assembly women in childbirth were 8700% higher than those of Indiana women in general and that death rates among their infants were 270% higher than the statewide average.

Faith Assembly founder Hobart Freeman died of untreated diabetes and pneumonia in December, 1984. His death triggered schisms and apostasy; no clear leader has emerged yet. Indeed, the Bergmanns gave Freeman's death as a reason for their own exodus. It is curious that they could rationalize the death of their own daughter as the will of God, but not Hobart Freeman's.

A follow-up study released in March, 1987, showed the death rate among Faith Assembly infants had dropped 48% since 1982.

### Selective prosecution?

Nevertheless, some Faith Assembly children continue to die without medical treatment. In recent years, two died in Whitley County, Indiana. The first was Juliana Keys, 9 months



old, of Columbia City. She died March 26, 1988, of an abdominal infection caused by a twisted bowel. She was in severe pain for many days. The second was 20-month-old Joel Romine, who died March 27, 1989, of pneumonia.

Whitley County Prosecutor John Whiteleather was the first Indiana prosecutor to charge Faith Assembly parents for withholding lifesaving medical care. He obtained the convictions of Gary and Margaret Hall in 1984. However, he chose not to file charges in the deaths of Juliana Keys and Joel Romine. If more Faith Assembly deaths occur in Whitley County, criminal charges might be dismissed on grounds of selective prosecution.

Taken in part from the *Fort Wayne News Sentinel*, April 18, 1990.

## FAITH ASSEMBLY CHILD DIES NEAR INDIANAPOLIS

On April 15, six-month-old Sean Woodrum died of untreated bronchial pneumonia in Noblesville, Indiana. He was sick for several days, but his parents, Roberta and Robin Woodrum, were opposed to medical care because of their affiliation with Faith Assembly.

When the baby started to turn blue, Mrs. Woodrum called her husband and asked him to come home from work. After he got home, they called 911. Emergency medical help came, but the baby had already died.

The Woodrums have four surviving children.

The Hamilton County Prosecutor's Office has filed charges of involuntary manslaughter and reckless homicide against the parents. Trial has been set for January 8th.

Many previous Faith Assembly defendants have claimed religious beliefs against using lawyers as well as doctors. Courts have appointed them lawyers over their protest; during their trials their lawyers would sit in the audience. But Robin Woodrum has retained a lawyer who reportedly is a member of Faith Assembly. Mrs. Woodrum asked for a public defender to represent her.

## FAITH ASSEMBLY PARENTS ACQUITTED IN CHILD'S DEATH

On June 21, an Elkhart, Indiana, jury found Gary and Rachel Carlton innocent of reckless homicide for failing to get medical help for their son, Christian Kyle Carlton, who was born two months premature on May 5, 1988.

In accordance with Faith Assembly beliefs, the baby was born at home with no medical attention. He died perhaps nine hours later because his heart and lungs were not fully developed. The parents called 911 to report the death. Rigor mortis had set in by the time the paramedics arrived.

The pathologist, Dr. Marcia Garcia, first told the prosecutor that the baby had been dead for five hours before the parents called 911. On the stand, she testified he had been dead for two hours.

She also testified that Christian would have had an 80 to 90 percent chance of survival if he had been born in a hospital.

The paramedics arrived seven minutes after they were called. The pathologist testified that the baby would have had to get medical attention within four minutes of birth to prevent brain damage.

Like other recent Faith Assembly defendants, the Carltons sought out legal counsel. The defense put on no witnesses, but did cross-examine the state's witnesses.

The Carltons are the first Faith Assembly couple to be acquitted of criminal charges for depriving their child of medical care.

Based on the facts available to us, CHILD Inc. expresses some concern with the jury's judgment. The jury appears to have concluded that the parents had no obligation to get the baby medical help because he would have been brain damaged anyway given his unattended home birth and the paramedics' response time. In a nutshell, the parents had no legal obligation to have a doctor for prenatal care or delivery. Their obligations to their son began when he was born, and they had only four minutes to prevent brain damage. We still think he deserved a chance to live.

Taken in part from the *Cult Awareness*



*Network News*, August 1990.

## CANADIAN CHILD STARVES ON QUACK'S ADVICE

A couple let their 17-month-old daughter die of malnutrition and pneumonia because they believed in the medical and religious advice of a herbal healer.

Sonia and Khochadour Atikian of Toronto were convicted of failing to provide the necessities of life to a child. On July 6 they were sentenced to jail terms of two years less a day.

Mrs. Atikian first went to herbalist Gerhard Hanswille for her own "sore knee," which she said was cured by his methods. Quitting work and having a baby had long been her dream, she said, and when she got pregnant Hanswille had promises for her. He said the baby would be a "super baby" because it was sustained by the pure forces of the earth and protected from doctors and medicine. Hanswille made predictions about the baby's birth weight and height that were more accurate than those of an attending physician, thereby convincing the Atikians that Hanswille was right and medical doctors were wrong about everything.

Hanswille persuaded the Atikians not to have their daughter Lorie immunized because serums are "poison." He was also opposed to her eating any meat or dairy products. He prescribed a diet of brown rice, homeopathic "cell salts," and pureed fruit for Lorie.

### Lorie's suffering

Lorie suffered from an ear infection so severe that pus and blood drained from her ears. She had a fungal growth and ulcerated rashes which destroyed the skin of her groin, buttocks, and lower legs. Her hair and skin changed colors; she also lost large clumps of her hair.

A pathologist testified that her body was consuming its muscle tissue to maintain life and probably could not even control her temperature during her final weeks. He said she suffered agonizing pain for months, but may not have had the energy to cry. He also said kids quit crying

"if they find it doesn't do them any good."

At her death on September 25, 1987, Lorie weighed 11 pounds.

An ambulance attendant who picked up her body at the home testified, "I thought somebody had handed me a doll. . . . I couldn't believe this was a human being."

### Quack's demands escalate

Sonia Atikian testified that she paid Hanswille \$450 for a nutrition course and more than \$400 for a juice machine after he told her that her own juicer "burned the nutrition" out of foods.

The more Lorie's condition deteriorated, the more dependent Atikian became on Hanswille. He berated her for losing faith in his teachings and told her to "start using" what he had taught her. He complained of her bad attitude. "He said my negative thoughts would make phantoms that would hurt the baby," she testified.

"He said, 'That baby's much smarter than you. She knows what she needs,'" she testified. In Lorie's final days when she was vomiting constantly and secreting fluid from her ears, Hanswille said those were good signs that poisons were being excreted. He also told her it was "normal" for clumps of her hair to fall out.

The day before her death, he told the mother to wrap her in cabbage leaves to draw poisons out of her body and treated her with an electromagnetic machine. The machine passed an electric current through the body to "help the circulation" and "give energy," Hanswille testified. It includes an electrified comb to "liven up the hair."

### From Nevada quackery to California religion

Hanswille received a doctorate in naturopathy from Bernadine University, an unaccredited Las Vegas correspondence school. After being closed by the state in 1976, it moved to California where it received state "authorization" as a branch of the Church of Universology.

Hanswille has written books describing how to heal diabetes, epilepsy, tumors, paralysis, etc. by "touchless massage," by collecting "universal energy," and by making clay dolls with semen and



blood.

His books also warn against giving children medicine. Atikian testified that he told her Lorie would die if she was taken to a doctor.

Hanswille testified that he never discouraged the parents from seeing a doctor. He described himself as just a giver of information. People "come to me and ask me questions and I give them answers," he said. "It's just like someone asking how to paint a wall."

### Parents awaken to unnecessary death

The Atikians were devastated by Lorie's death. "I can't believe what I see," Sonia sobbed when shown photographs of the baby's emaciated corpse. "I feel like I was . . . blind. I can't forgive myself. I don't think I can be sane any more. . . . I did it all."

But when Lorie was alive, Sonia had a different perception of her appearance. "She was a very quiet baby, like a little angel. She never cried. . . . We thought it was because she was special."

Judge John O'Driscoll told the jury that neither herbalism nor Hanswille were on trial and that the law did not allow parents to escape responsibility for the care of their children by blaming others. If a person pulled a thick sack over his head, he said, "surely that person cannot then be heard to blame the bag maker for his or her inability to see."

A parent is not at liberty to substitute something in place of necessities "even though the person has a bona fide belief in its efficacy," he said.

### Judge condemns parents

After the guilty verdict, the judge said he would have been "amazed" if the jury had acquitted. "How could anyone in their right mind and their right senses not see this helpless child? I'd call not one but a dozen ambulances," he said.

Although adults are free to join "weird and wonderful cults," they cannot use such memberships as a basis for depriving defenceless infants, he said. "Neither one of you is mentally retarded; neither one of you is stupid," he said. "[You could] see what is before your eyes."

He accused Mrs. Atikian of throwing "overboard all good common sense" and called her belief that herbs could make Lorie a "super baby" "scary stuff."

### Appeal based on "honest belief"

The Atikians are appealing. They have complained that an "honest belief" in Hanswille's teachings should have been allowed as a defense to the crime.

Crown attorneys are considering charges against Hanswille for the unlicensed practice of medicine. An attorney for the Atikians says they will file a civil suit against the herbalist.

Taken from *The Toronto Star*, *The Toronto Globe and Mail*, et al.

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## FEMALE CIRCUMCISION SEEN IN UNITED STATES

American physicians are seeing more instances of female circumcision, a ritual of tribal identity practiced in at least twenty Central and West African countries plus some Southeast Asian and Middle Eastern nations.

Female circumcision is used to guard virginity and deter sexual intercourse outside marriage. The common form involves slitting the hood of the clitoris and removing the labia minora. The most extreme form, pharonic circumcision, involves excision of the entire vulva and then stitching the sides of the vulva with thread or thorns, leaving only a matchstick-size opening for urine and menstrual flow.

The procedures are performed without anesthesia on girls between one month and twelve years old. After the operation, the girl's feet are tied together for several weeks to promote healing of the wounds.

The operation, considered in many African nations as a prerequisite for marriage, is usually done by a local woman who has no formal medical training. Old razors, broken glass, or knives are used. Performed on a struggling girl held down forcibly, the procedure is often imprecise.



## Cause of many deaths

It often has serious consequences, including shock, infection, and hemorrhage. There is a high risk of vaginal fistula and incontinence as well as of injury to the rectum, bladder, and urethra. Evidence from the World Health Organization and elsewhere suggests that dozens of girls die during or immediately after the operation, but the secrecy surrounding the ritual makes verification difficult.

Many women must have their scars partially opened to allow sexual penetration on the marriage night. Circumcised women also require an anterior episiotomy during childbirth. In some the scar tissue becomes so dense that they cannot have vaginal deliveries.

The Population Crisis Committee, a Washington-based research and advocacy group, estimates that 84 million girls have been circumcised in 26 African nations and the custom has been spread to the West through migration.

Dr. Judianne Densen-Gerber, a New York psychiatrist and lawyer, says African immigrants are getting their daughters circumcised secretly in the United States to prevent their access to the sexual freedoms American women have.

In 1985 Great Britain passed a law labelling female circumcision as child abuse. France criminalized female circumcision in 1978 after a blood poisoning death caused by the operation. American courts have not dealt with the practice. Some American child advocates say explicit legislation banning the practice is long overdue.

Taken from the *American Medical News*, April 27, 1990.

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## HMONG ANIMIST BELIEFS CAUSE REJECTION OF SURGERY

In Fresno, California, the Laotian immigrant parents of a 6-year-old boy born with clubfeet say they oppose court-ordered corrective surgery because spirits inflicted the defect to punish the family.

The boy, Kou, shares his parents' beliefs. He feels the physical defect makes him special and

that he was born that way to atone for his great-grandfather's sins.

## Divine retribution feared

Tampering with the deformity could bring more divine retribution, the family believes. The father, Ger Xiong, promised the spirits they believe in that Kou would be left as he is. Xiong said the birth of another child with no deformities proves the spirits were appeased by his promise.

Two of Kou's younger brothers were, however, born with cleft palates. The Xiongs allowed those defects to be corrected by doctors because, they said, the cleft palates were brought about by spirits upset with the efforts to correct Kou's clubfeet.

The parents have gotten these interpretations of the handicaps from a shaman. "These people have no country any more. Basically, all they have left is their religious faith and their family," said Joe Reich, a lawyer representing the boy's father.

## County asked to join in religious ritual

Fresno County Social Services obtained a court order for the surgery. The Xiongs then proposed allowing the surgery if the county participated in a religious ceremony to relieve the family of responsibility for interfering with God's will.

The proposed ceremony included burning incense, killing a chicken, sprinkling blood on ceremonial papers, and then burning the papers.

However, this potential compromise was abandoned because, said Fresno County Social Services Director Ernest Velasquez, the court complained that the ceremony would taint judicial "dignity" and because defense attorneys wanted to appeal the order. The U. S. Supreme Court refused to overturn the order.

## Hospitals unwilling to do surgery

Then Social Services could not find a hospital willing to perform the operations over the parents' objection. Doctors have stated that Kou needs a series of operations and therapy over two or three years and that parental support is essential. Also, doctors feel that the surgery can be delayed for awhile without adverse



consequences.

Social Services is currently discussing the case with medical anthropologists in an effort to communicate better with the family.

About 26,000 Hmong people from the mountains of northern Laos live in the Fresno area.

Taken in part from the *Sacramento Bee*, June 24, 1990.

## JEHOVAH'S WITNESSES FILE TWO LAWSUITS OVER TRANSFUSIONS

On April 13, a San Francisco Superior Court jury ordered the University of California Medical Center to pay \$500,000 to a family of Jehovah's Witnesses whose faith prohibits accepting blood transfusions.

The jury concluded that the hospital committed fraud and misrepresentation by giving a blood transfusion to 3-year-old Casey Lunsford in 1984 after assuring the family the procedure would not be necessary. It awarded damages to his parents, James and Lori Lunsford of Antioch, for their emotional distress.

The jury declined to assess punitive damages against the hospital.

James Lunsford donated a kidney to his son in a successful operation.

Also in April a Jehovah's Witness couple and their teenaged daughter of Imperial Beach, California, filed suit against the county for the right to refuse blood transfusions on religious and constitutional grounds.

The lawsuit was filed by Marcelino and Maria Niebla. It charges civil rights violations and has therefore been placed in federal court.

Their daughter, Angelica Niebla, 16, suffers from lupus-related illnesses, serious and often fatal conditions in which antibodies attack the body's own cells. The chronic disease causes severe inflammation in organs, particularly the kidneys.

The county Department of Social Services and Board of Supervisors are named as defendants for forcing Angelica to have a blood transfusion against her will.

The suit seeks a court order giving complete control and management of Angelica's health care to her parents, as well as affording all children, depending on age and maturity, the right to refuse treatment.

In Chicago, after several days in hiding, a Jehovah's Witness who had abducted her daughter from Children's Memorial Hospital finally returned to the hospital with her daughter. The girl's family pled with the mother through the media to surrender the girl.

Kimberley Winfield, 12, needed surgery for a serious heart ailment. But on May 11, her mother removed her from the hospital to avoid her receiving a transfusion.

Upon her return, Kimberley had the surgery; her recovery so far has been normal. No charges were filed against the mother.

Taken from the *Sacramento Union*, April 18, 1990, *San Diego Tribune*, April 27, 1990, and *Cult Awareness Network News*, August 1990.

## WASHINGTON SUPREME COURT RULES ON CHILD ABUSE REPORTING BY CHURCH EMPLOYEES

On March 22, the Washington Supreme Court handed down a ruling dealing with the obligation to report child abuse on the part of Community Chapel employees. The controversial Seattle-area church has been blamed for suicides, murder of a child, marital breakups, and mental illness.

A primary church activity is spiritual counselling. The counselling is all encompassing, including topics such as marriage, family, and finances. The ultimate goal of each counselling session, however, is "developing and enhancing personal relationships with Jesus Christ."

### Convicted for failure to report sexual abuse and beatings

The three defendants, Scott Hartley, David Motherwell, and Louis Mensonides, are employed as paid religious counsellors at the Community Chapel. Motherwell and Hartley were told by



mothers that their husbands were sexually abusing their daughters. Mensonides was told of severe beatings of children. None of the counsellors reported the abuses to Child Protection Services.



*Kate Flack*

King County Deputy Prosecutor Kate Flack won convictions against them for failure to report child abuse. She argued that they were acting as social workers and were therefore mandated reporters.

The defendants claimed that they were clergy and exempt from reporting obligations because the legislature had removed clergy from the list of mandated reporters in 1975.

#### **State Supreme Court upholds 2 of 3 convictions**

The Washington Supreme Court ruled that the legislature had intended to exempt clergy from mandatory reporting. It reversed the conviction of Hartley because he was an ordained minister at all relevant times. It upheld the convictions of Motherwell and Mensonides because they were not ordained ministers when they learned of the suspected child abuse.

#### **Reporting laws held constitutional**

The Court also held that the reporting

statute does not violate the free exercise clause of the First Amendment because the state's interest in protecting the welfare of children was compelling and the state used the least obtrusive means of implementing that interest.

In other words, Hartley's conviction was reversed not because of the First Amendment, but because of the state legislature.

#### **Reports from church personnel rare**

An interesting fact cited in the Court's ruling is an American Humane Association statistic that in 1984 less than 2% of all child abuse reports came from religious personnel.

Community Chapel is best known for its practice of forming "spiritual connections" with people other than spouses. Calling it divine revelation, Pastor Donald Barnett advised members to express fervent love for another soulmate by dancing, hugging, and kissing. Such practices were blamed for depression, divorce, and two suicides though Barnett also condemned adultery.

#### **Earlier death of child**

In March, 1986, church member Janet Cole drowned her 5-year-old daughter Brittany in a motel bathtub, apparently because she believed the girl was possessed by demons and would still have the chance to go to heaven if she died before reaching "the age of reason." She was found guilty of murder except for insanity and was sent to a mental hospital. On her release, she stated her intention to return to Community Chapel.

Community Chapel still functions in the Seattle area, but has reportedly split into two factions.

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## **DEADLY BLESSINGS: A REVIEW**

*by Carol Lorraine*

*Deadly Blessings* by Richard J. Brenneman (Prometheus Books) is a book of interest not only to child welfare advocates but also those wishing to understand more about the origins of society's attraction to various forms of mysticism.



In a stimulating introduction Brenneman traces this thread of mysticism from the very birth of our nation, symbolized by the "levitating, all-seeing, ray-streaming mystical eye" atop the pyramid on the dollar bill, from the Freemasonry of many of the Founding Fathers, to a popular fascination with the new invisible (hence magical) energy of electromagnetism. This converged with the equally new thought-force called mesmerism to form a bizarre hybrid: "animal magnetism." When combined with the adjective "malicious" some decades later by the founder of Christian Science, the phrase denoted a kind of latter-day witchcraft.

Such inquiries into the nature of reality commingled in the public mind with spiritualism, transcendentalism, theosophy, and the New England seafarer's encounter with Hindu ideas like *maya* (illusion). This flood of speculative thought formed the muddy seedbed in which Christian Science and the New Thought movement grew like weeds and came to be known as the "Boston Craze."

### Twentieth century consequences

Brenneman's book is really a look at two "New Ages." Two thirds of it is on the consequences of some "fringy" twentieth century New Age practices, psychic surgery and psychotherapies using hallucinogenic drugs. The most compelling section, however, deals with the lingering consequences of a 19th century New Thought phenomenon: reliance on "spiritual healing" to the exclusion of medical care. The case he focuses on is the death of baby Seth Glaser due to bacterial meningitis and the subsequent trial of his Christian Science parents, Eliot and Lise. See the CHILD newsletter, #1, 1990, for another discussion of this case.

Brenneman brings powerful credentials to this subject. First, he is an investigative newspaper reporter with years of experience on the courthouse beat. More importantly, he is a former Christian Scientist who had risen to the most respected position in any branch church, that of First Reader.

Brenneman ultimately left the church for the most basic of reasons: he could not make its doctrine work. Suffering from crippling

rheumatoid arthritis, he finally heeded his wife's urging and sought medical treatment for the condition. Assuming at the outset, as most every believer does, that the failure was due to his own lack of spiritual understanding, he came ultimately to conclude that the fault lay more in the doctrine than in his own application of it. Or, to reverse Shakespeare: the fault is not in ourselves, dear Brutus, but in our stars.

### Current tragedy interlaced with movement's history

The Glaser story is told by interlacing it with an examination of the history of Christian Science and its founder, Mary Baker Eddy. It makes for a compelling and insightful read, allowing us to see how the contradictions and hypocrisies of a "healing system" developed and promoted over a century ago are still having tragic results today. We learn, for example, of Eddy's plagiarisms from the mental healer Quimby and other philosophers, then jump to the Santa Monica detectives' questioning of the Glasers and the church practitioner who "treated" Seth.

Brenneman also examines Eddy's establishment of her public relations and lobbying officers, the Committees on Publication, and their activities today.

### Why no access to data?

In an appendix, Brenneman has an interview with the current Manager of the Committees on Publication, Nathan Talbot. It is an interesting, if familiar, look at the sidestepping of Brenneman's central and oft-repeated question: why will the church not reveal the data it purports to have supporting its claims of effective spiritual healing? The refusal exposes the irony in the term "Christian Science," a "science" which arrogantly deigns not to be sullied with the scientific method of investigation and verification that physics, chemistry, and biology have had to make do with.

Finally, of course, the tragedy of the church's misrepresentations to parents is the death of a young human being who had no choice in the matter. It is useful for those seeking to prevent such deaths to understand the underpinnings and the methods of the belief systems that give rise to



them in the first place. For this, *Deadly Blessings* is highly recommended.

## ETHICS IN THE SANCTUARY: A REVIEW

"Any average selection of mankind, set apart and told that it excels the rest in virtue, must tend to sink below the average," said Bertrand Russell in "Religion and the Churches." Society does expect clergy to excel in virtue and vents its outrage against the flagrant hypocrisy of, for example, a Jim and Tammy Bakker.

Nevertheless, neither society nor scholarship has subjected religious institutions to ethical analysis. As Dr. Margaret Battin explains in her book, *Ethics in the Sanctuary*, this vacuum is largely due to the role of these institutions as the custodians of morality.

Battin does not dispute the appropriateness of such a role, but she contends that religious institutions can be evaluated with the methods of applied professional ethics. A philosophy professor at the University of Utah, Battin is well qualified for her work in this pioneering book. She is both hard hitting and fair. She rejects the notion that acting out religious dogma automatically makes an action ethical, but also shows how cultural perceptions influence our evaluation of religiously-motivated behavior. We tend to think, she points out, that abuses coming from mainline denominations are due only to "deviant clergy," while abuses by "cults" are central to the group's belief system.

### Confessions and crimes

The first section deals with lay members' confidential communications to their clergy. It discusses whether it is ethical for clergy to hold confessions confidential when a crime has been or will be committed and, contrariwise, for clergy to disseminate information or rumors about a member's sexual affairs given to them in confidence.

Other sections deal with the ethics of aggressive conversion techniques, problems in mainline denominations, and the pastoral

counselling received by a man who subsequently shot himself.

### Information that makes risk miscalculation inevitable

The second section, entitled "High Risk Religion," deals with religions that encourage serpent handling or rejection of medical care. Battin's discussion of Christian Science is brilliant. She illustrates how the Christian Science church supplies its members "with information that makes miscalculation inevitable":

What are *not* available from the Christian Science church or from its publications are data. . . that could contribute to establishing reliable base-rate information: How often, given a specific medical condition, does Christian Science healing appear to be effective? This is a much easier question to answer than "How often is Christian Science healing actually effective?"--but even for the easier question about apparent results no data are available. . . . Testimonials of failure are, of course, not published in the church's periodicals. Furthermore, the lack of negative information is compounded by false positives--cases in which Christian Science healing is credited with the cure of a condition that was self-limiting or would have resolved spontaneously anyway. . . . The basis on which a Christian Scientist makes a choice in seeking relief from symptoms is not rationally defensible.

Christian Science, Battin continues, fails to satisfy a basic criterion for autonomous choice: "not only must it be voluntary and rationally unimpaired, it must be adequately informed."

### "manipulation, callousness, or deception"

"Inasmuch as Christian Science practices involve providing only partial, misleading information wholly inadequate for the sort of choice to be made, they involve manipulation, callousness, or deception," Battin states.

In the face of the church's relentless claim to the mass media that Christian Science parents have made an informed judgment that Christian Science methods are more effective than medicine, Battin's book is very timely.

*Ethics in the Sanctuary* is published by Yale University Press. It is, we believe, the most rigorous critique of Christian Science ever published by a university press.

This book well deserves the acclaim it has received in many reviews.



## LIVING WITH UNCERTAINTY

by Scott Sokol, M.D.

Uncertainty. It pervades our lives--personal, professional, and otherwise. It is the disquiet that undercuts our belief systems, be they political, scientific or religious. However, it is the very essence of uncertainty that is a linchpin of the most innovative and important discovery of the twentieth century and perhaps of all time: the theory of quantum mechanics.

It is important not only because of its role in defining our universe from the infinitely small to the infinitely large, but because no matter how skeptically it is analyzed, quantum mechanics and its tenets have never been proven wrong.

An exposition of the theory of quantum mechanics and the role of the uncertainty principle would require a discussion far beyond the scope of this column. Suffice it to say that, paradoxically, it was the discovery of the uncertainty principle that helped prove the theory of quantum mechanics to be inviolate.

Christian Science scholar, Robert Peel, the author of *Spiritual Healing in a Scientific Age*, and others have seized upon the concept of uncertainty and taken it out of context. With classic illogic, they argue that, since quantum mechanics allows for uncertainty, no branch of science should be trusted, and especially not medicine. Their diatribe against medicine is unconscionable. It would lead us to believe that the practicing physician exists in a maelstrom of misdiagnosis and malpractice without regard for the patient, either in spiritual or physical terms. Thus, we are left with only one viable alternative--spiritual healing.

It is here that Peel and others have conveniently supplied the noose and placed it around their necks. They have established the "certainty" principle of spiritual healing. We can predict with almost absolute certainty that those with a number of medically curable illnesses will die if treated with prayer alone.

In point of fact, a great majority of physicians are trained and subsequently treat their patients with attention not only to their medical well being, but also their psychological and spiritual well being. They understand that physical and

spiritual health are inexorably linked. They often find no incompatibility between science and faith. Neither do many physicists. Some of the most brilliant physicists freely admit our observable universe could only be the work of some omnipotent master being.

Contrast their attitude to that of religious zealots who promote unproven methods that exact a horrific toll on those individuals they purport to serve.

*Sokol, a pediatrician in private practice, is a member of CHILD Inc.'s Board of Directors and a regular contributor to the CHILD newsletter.*

## SPECIAL CHILD DISCOUNT ON CULT VIDEO

The International Cult Education Program (ICEP), directed by Marcia Rudin, and the National Association of Secondary School Principals have released a videotape entitled *Cults: Saying No Under Pressure*.

The twenty-five minute videotape focuses on deception and manipulation used to recruit and keep members in cults and on how young people can resist these techniques.

The video is narrated by Charlton Heston. It includes statements by UCLA Psychiatry Professor Dr. Louis Jolyon West and therapists Lorna and William Goldberg, a performance by mentalist/magician Bob Fellows, and a dramatization of a recruitment effort.

The videotape retails for \$75. It is available to CHILD members for \$59 plus \$2 per tape for shipping and handling. New York residents need to add 8.25% sales tax. It can be ordered from ICEP, P. O. Box 1232, Gracie Station, New York NY 10028, Ph. 212-439-1550.

## ELECTIONS

Michael Botts and Rita and Doug Swan were elected to three-year terms on the CHILD board of directors. Botts is an attorney in Kansas City



specializing in consumer protection, defamation, and copyright issues. He is the general counsel of the National Council against Health Fraud with which CHILD Inc. is affiliated.

Adrienne Southgate, a Rhode Island attorney, and Rev. Ralph Brown of Grosse Pointe Park, Michigan have retired from the board. We are very grateful for their many years of service.

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## TWITCHELL CONVICTION

On July 4, Christian Science parents Ginger and David Twitchell were convicted of involuntary manslaughter for letting their baby Robyn die of a bowel obstruction in suburban Boston. The next issue of the CHILD newsletter will feature a report on the lengthy trial.

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## MEDIA NOTES

On July 14, *The Los Angeles Times* ran columns by Rita Swan and Christian Science apologist Stephen Gottschalk on preventable deaths of Christian Science children. On August 6, *The New York Times* had a lengthy front-page article on these deaths.

Stephen Chapman, Nat Hentoff, Ellen Goodman, and Rev. Robert Drinan are some of the nationally known columnists who have defended the rights of Christian Science children to medical care.

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## CORRECTION

The CHILD newsletter, 1989, #3, states that Mark Rippberger contacted Al Carnescioli, Committee on Publication (COP) for legal advice when his daughter was fatally ill. However, we have recently received a transcript of the Rippberger trial, and it names John Selover as the COP contacted by Rippberger.

## MONOGRAPH AVAILABLE

CHILD Inc. has for sale a monograph entitled "The Law's Response when Religious Beliefs against Medical Care Impact on Children," in which Rita Swan reviews case law and Christian Science lobbying strategy of the twentieth century.

This research was supported by a grant from the National Council against Health Fraud.

The cost of the monograph is \$6 including postage and handling for CHILD members and \$10 for non-members.

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## ABOUT CHILD INC.

CHILD, Inc. is a nonprofit tax-exempt organization dedicated to the rights of children. CHILD speaks out against all forms of child abuse and neglect that are encouraged or justified on religious grounds. CHILD believes that no one has a religious right to cause or allow injury to children. CHILD Inc. opposes all religious exemptions from parental duties of care and does a limited amount of lobbying against such exemptions. CHILD is an affiliate of the National Council against Health Fraud. Membership in CHILD is by application; dues are \$25 per year and include a subscription to the newsletter.

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## THE THREE IANS

This issue of the newsletter is dedicated to three boys who died because of Christian Science selfishness: Seth Ian Glaser, Ian Burdick, and Ian Lundman.

Not only were they robbed of life, but also of justice in the courts.

We echo the words inscribed at the shipyard in Gdansk, Poland: "O, you who harmed a simple man, do not feel secure, for a poet remembers."



## **ANOTHER CHRISTIAN SCIENCE DEATH FOUND; DISTRICT ATTORNEY REFUSES TO FILE CHARGES**

In the fall of 1989 CHILD Inc. learned of another Christian Science child dying without medical treatment. The boy's name was Ian Burdick of Sherman Oaks, California. He died of diabetes on November 10, 1987, at age 15.

Ian attended Berkley Hall, a school for Christian Scientists, from grades K through 9. In the fall of 1987 he enrolled in a public high school.

Some observers thought Ian was quite ill, but did not know the parents were Christian Scientists and therefore assumed Ian was getting medical treatment. School officials did not recall symptoms of a life-threatening illness.

Ian's parents, Edward and Maralee Burdick, were on a vacation to Hawaii when Ian died. They had left him in the care of fellow church members. A Christian Science practitioner and nurse were retained to heal and care for him by church-sanctioned methods.

At his death, Ian was 5'8" tall and weighed 87 pounds.

**Coroner did not report death to police**

The Los Angeles County Coroner did not refer the death to the police or district attorney's office for investigation.

When we learned of the boy's death, nearly two years after the fact, we asked the police to investigate. A homicide detective and his partner undertook a thorough investigation and then reported to the Los Angeles County District Attorney's office.

The District Attorney's office decided not to file charges. One reason given was that the hospital had discarded the pathology evidence a year after Ian's death because the coroner had designated the death as due to natural causes.

The Los Angeles County Coroner's office has a long history of inaction on deaths of Christian Science children. In the early 1980s we asked the office whether two deaths were referred to the District Attorney. The deputy coroner seemed surprised by the question and said of course they were not because the children died of "natural causes."

## **Specious data**

Ian Burdick's death raises the question of how many other Christian Science children have died without coming to public attention.

It also illustrates the point that the only dead Christian Science children their church knows about are the ones the press knows about. After a Sarasota, Florida, jury convicted Christian Science parents for letting their daughter Amy die of diabetes in September, 1986, the Christian Science church took out full-page ads in Florida newspapers. The ads, dated May 9, 1989, made the following claim: "since Amy died, over a hundred other children, sadly, have died of diabetes--none under Christian Science treatment."

## **Talbot overlooks deaths**

CHILD member Henrietta Crampton of Redondo Beach, California, challenged the church in the press to prove it could heal diabetes. Christian Science spokesman Nathan Talbot wrote her a letter dated August 15, 1989, that typically shifted the blame to medicine.

"Since Amy Hermanson died of [juvenile diabetes] a couple of years ago, over a hundred additional children have died of the same disease but within the medical context of our society instead of Christian Science treatment," Talbot claimed.

By the time Talbot wrote this letter, two other Christian Science children, Ian Burdick and Ian Lundman, had been dead of diabetes for several months.

## **Mortality statistics**

The church claims that it keeps no figures on its membership. In 1989, however, it claimed to have developed statistics comparing mortality rates among its children to those in the general population. To do that, it estimated that 7,000 children were enrolled in Christian Science Sunday Schools through the age of 14. Ian Burdick had become 15 ten weeks before his death, but we are still looking at three diabetes deaths in a group of about 7,000 children in less than three years.

That is an astronomical death rate compared to the normal population.