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The plurality concludes that the differential treatment of nondependent widows and widowers results not from a deliberate congressional intention "to remedy the arguably greater needs of the former, but rather from an intention to aid the dependent spouses of deceased wage earners, coupled with the presumption that wives are usually dependent." The only conceivable justification for this statutory presumption, is the unverified assumption "that it would save the Government time, money, and effort simply to pay benefits to all widows, rather than to require proof of dependency." Such an assumption, does not suffice.

Concurring in the result, Mr. Justice Stevens is convinced that the relevant discrimination in this case is against surviving male spouses rather than against deceased female wage earners. He characterizes the statutory discrimination against males as merely "the accidental by-product of a traditional way of thinking about females" and concludes that something more than accident is necessary to justify the disparate treatment of persons "who have as strong a claim to equal treatment as do similarly situated surviving spouses." (Page 3051)

No Federal Jurisdiction

DISPUTÉ OVER AIRLIFTED VIET CHILDREN MUST GO TO STATE COURT

It is common knowledge that federal courts are loath to have anything to do with domestic relations matters. But federal jurisdiction seems to make more sense where the U.S. Government was involved in airlifting Vietnamese children into this country and relatives of some of the children seek to prevent adoption or to have the children returned. The U.S. Court of Appeals for the Fifth Circuit holds, however, that the traditional hands-off policy of the federal bench regarding domestic relations matters must prevail as a Vietnamese grandmother and uncle seek to halt adoption proceedings. They seek the return of four small children who found their way into the homes of two Michigan families after being brought to the U.S. by the Federal

Government in its babylift operation.(Anh v. Levi, 2/15/77)

The children had been placed in a Vietnamese orphanage for safekeeping by their paternal grandmother and uncle. While they never signed a release for adoption, the director of the orphanage did sign an order to expedite their airlift to safety from the expected fighting. The Michigan families with whom the children found a home want to adopt, but their efforts in the Michigan courts to effect a parental rights termination were met by a federal temporary restraining order.

The federal forum is just not the proper place to decide custody, however, and the TRO is allowed to expire without ripening into permanent injunction. 28 U.S.C. 2241 clearly prohibits federal court determination of custody but the fact is that the Federal Government through the Immigration Department expedited the admission of the children into the country. Once they were here, though, the federal agency had nothing to do with custody. Federal courts do have habeas corpus jurisdiction where a constitutional right to custody is asserted, but the court concludes that this right should first be pursued in the state courts in order to avoid procedural delay and unnecessary cost.

Pursuit of custody in state court would sufficiently protect the due process rights of the grandmother and uncle, the court declares. The inappropriateness of the federal jurisdiction is highlighted by the fact that the state, and not the federal, government has the judicial and social welfare structure necessary for determining custody and supervising children, as well as the ability to find what is in the children's best interests. (Page 2276)

The status of airlifted Vietnamese children has been in controversy before. In a challenge to the legality of how the children were brought here and the nature of their custody, the U.S. Court of Appeals for the Ninth Circuit held that a federal court under the Administrative Procedure Act could review the propriety of such federal administrative conduct where there is a violation of constitutional rights. Moreover, the court also noted that federal habeas corpus jurisdiction could apply as well. (See 2 FLR 2075) Later on, the U.S. District Court for Northern California, while noting the prior Ninth Circuit decision, refused to certify as a class action a claim which alleged that some of the children airlifted from Vietnam were brought here improperly. (See 2 FLR 2370)

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A protection under the Fourteenth Amendment must also af under our holding that foster parents have no right to adopt a foster child and thus no right to contest the agency's withholding of consent." * * *

As the trial court recognized, a state statute or state policy that every child having mixed black and white parentage could not be adopted by a white family could not be countenanced under the United States Constitution. * * *

Liberty under law extends to the full range of conduct which the individual is free to pursue, and it cannot be restricted ex-

cept for a proper governmental objective. * * *

While it is true, as stated by the Georgia Supreme Court, that property rights that are protectable under the due process clause of the Constitution are generally created by state law, a determination of what is a "liberty" interest has been a matter of federal constitutional law. * * Thus, while this Court recognizes the Georgia Supreme Court's decision that the Drummonds have no "property" interest in their plea to adopt Timmy, arising from their being "psychological parents" of the child, the absence of such right does not foreclose the claim that they have a "liberty" right of which the State cannot deprive them without a due process hearing. * * *

Furthermore, the Drummonds claim that they have been denied the opportunity to adopt a mixed race child because of a rule or policy of the defendant Board that such a child will, as a matter of course, be placed for adoption only with black parents, if available. * * *

The defendants contend that the record, which we have attempted to outline above, supports the trial court's determination that the defendants did not use the factor of race impermissibly in denying the Drummonds' right to adopt the child. They further argue that there is no protectable interest under the Fourteenth Amendment of which the state action has deprive them. Thus, they contend that no process is due in the decisionmaking that resulted in their denial. * * *

As is already clearly indicated, neither the Drummonds nor Timmy were accorded elemental due process in the proceedings that resulted in the termination of the Drummonds' familial relationship with the child and in his being finally and irreversibly taken away from the only parents he had known during his infancy. * * * The record now available is strongly suggestive of the fact that the decision was made before the first time the Drummonds were interviewed and that at no time thereafter were they given an opportunity to meet any set of required stan-dards either by evidence or other proof. * * * The one recurring theme that more than arguably runs throughout the record is the one dealing with race and the desire of the caseworkers and supervisors to explain to the Drummonds not what other reasons existed for their not being permitted to keep Timmy, but to explain to them why the underlying policy existed, such policy allegedly being that if a black family was available, a black or mixed race child would be placed with such family rather than with a white family. * * *

We have already discussed the existence of a liberty interest in the Drummonds. We now turn to the question whether their ontention that they have been denied equal protection of the

iws because of the alleged policy of the defendants entitles hem to a hearing. * * * No amount of analysis or explanation of the documents repared and utilized by the defendants would support a finding any basis on which they actually decided that the Drum-nonds were not suitable as adoptive parents. * * * There is no tatement or fact finding or determination that this fact was the asis for the denial. * * *

We conclude that under the law of this Circuit as announced Mergill, the Drummonds are entitled to have a hearing with least some of the elements of procedural due process before ey can be bound by a bald determination (which, in fact, was of even made by the defendants here) that no impermissible andards of race controlled their action. * * *

In sum, we conclude that both the foster parents having a se familial relationship during the first years of this child's te and the child himself have a protectable interest under the ourteenth Amendment which cannot be denied them without he process of law. We also conclude that their contentions

that they have been denied equal protection of the laws because their joint familial relationship had been broken by state action solely on account of race requires a due process hearing to determine the truth or falsity of this contention. We also conclude that Timmy has a right to intervene by proper order in the trial court. [End Text] -Tuttle, J.

Dissent: [Text] The majority opinion opens with a question that simply is not asked in this case. The question accurately put is this: may a state agency, charged with the responsibility of placing for adoption a child in its legal custody, take into consideration the race of the child and the race of prospective adoptive parents without violating the Constitution of the

United States?

The record does support the fact that race was taken into consideration in a rather substantial way in the agency decision that the child would be better placed in a home other than the plaintiffs'. The question is whether the agency, not acting under the imperative of any law or unvielding automatic rule, but rather in the exercise of its own discretionary concepts of successful child placement, may constitutionally take into consideration as an important factor the race of the child and

prospective parents.

On this narrow point of constitutional law I would affirm the decision of the district court. No interpretation of the Constitution by any case cited to this Court prevents a state child placement agency from looking to the best interests of a child in its custody, as judged by agency determined criteria, in deciding where that child should be placed for permanent adoption. If the agency decides that physical characteristics of prospective adoptive parents in relation to those of the child are important criteria for protecting the best interests of the child, the Constitution does not prevent it. To permit consideration of physical characteristics necessarily carries with it permission to consider racial characteristics. This record reflects nothing more than a large number of agency and social workers with unquestioned credentials endeavoring to find a permanent family home for Timmy that would be best for him for the rest of his life. [End Text] -Roney, J.

(Drummond v. Fulton County Dept. of Family and Children's Services; CA 5, 2/2/77)

FEDERAL JURISDICTION UNAVAILABLE TO DETERMINE VIET CHILDREN'S CUSTODY

State, not federal, structure is equipped to deal with custody matters, constitutional rights assertable in state court; state remedies must be exhausted.

The hands-off policy concerning federal court jurisdiction in domestic relations cases has not changed, the U.S. District Court for Eastern Michigan explains, and therefore it prevents the court from entertaining jurisdiction to enjoin adoption proceedings of Vietnamese babies brought here at the end of the Viet Nam war. The paternal grandmother and uncler of four Vietnamese children sought their return from the two Michigan families who want to adopt them. As plaintiffs, the grandmother and uncle had joined federal, state, and local officials and the foster parents as defendants. The children were placed in a Vietnamese orphanage for safekeeping and airlifted to the States, but no release for adoption was ever signed by the grandmother and uncle although the director of the Vietnamese orphanage did sign one.

With adoption proceedings pending in Michigan probate courts, the U.S. court temporarily enjoined parental rights termination. However, under 28 U.S.C. 2241 federal courts are without jurisdiction to make custody decisions at all. Federal law gives federal immigration of-

ficials authority to control admission of aliens as they have here but have nothing to do with custody. True, federal courts do have habeas corpus jurisdiction with regard to states, their courts and foster parents under 28 U.S.C. 2241 (c) (3). However, this jurisdiction is only authorized after exhaustion of state remedies unless such an effort would prove useless according to Section 2254. Any absolute constitutional right to custody at issue could and should be pursued in the state courts in the first place in order to avoid procedural delay. This process is enough to protect the due process rights of the grandmother and uncle in this instance. The fact that the state and not the federal system has the judicial and social structure necessary for properly determining custody and supervising children, along with the ability to gather the necessary information to consider the children's best interests, is important. Moreover, since the state and not the federal structure presently controls the children, federal habeas corpus jurisdiction is just not appropriate. (Anh v. Levi, 2/15/77)

Digest of Opinion: [Text] Adoption proceedings for the children are now pending in different stages in the two defendant Probate Courts, but no final order pending adoption has been entered; and this Court, on July 7, 1976, enjoined the Probate Court defendants from issuing final orders of adoption or further orders terminating parental rights with respect to said adoption proceedings. Said order did not restrict the Probate Court defendants from supervision of the custody of the children or from investigation and other normal preliminary adoption proceedings. * * *

If the Court has jurisdiction to order any party or combination of parties to surrender or deliver custody of the children to the plaintiffs, it must be pursuant to 28 U.S.C. 2241. Federal courts do not have jurisdiction to make a custody determination every time it is asserted that a person's custody is wrongful.

It is provided in 8 U.S.C. 1182 (d) (6) that the Attorney General shall prescribe conditions, including exaction of such bonds as may be necessary, to control and regulate the admission and return of excludable aliens applying for temporary admission under subsection (d). The Federal defendants correctly argue that the statutory grant of authority to the Attorney General is to insure that the alien does not put himself beyond the reach of immigration authorities. It is not a grant of authority to adjudicate or enforce custodial or constitutional tights and claims.

The ultimate custody battle here is between the plaintiffs on one hand and the Foster Parent defendants on the other. No matter which side is eventually successful, the children will remain in the United States. The palintiffs here do not claim the custody of the children on behalf of the children's parents, but rather for themselves. There is no allegation or pretense that the plaintiffs are attempting to obtain custody to return the children to Vietnam.

The children are in the custody of the United States in one sense, but such custody is not challenged. Under these circumstances, it is my opinion that the Court has no power to make an effective custodial order against the Federal defendants.

If the Court has authority to exercise habeas jurisdiction against the State, Probate Court, and Foster Parent defendants, it is pursuant to Section 2241 (c) (3).

There is overwhelming authority that state prisoners must exhaust available state court remedies before resorting to federal habeas corpus.

It became an absolute rule that federal courts not grant writs prior to exhaustion of state remedies where no special circumstances were present. The rule in the normal state criminal law context was codified. 28 U.S.C. 2254. * * *

Section 2254 contains its own exceptions, including the situation where there are circumstances rendering such process ineffective to protect the rights of the prisoner. Most of the case law defining the exhaustion requirement involves criminal prosecutions under state law. * * *

It is my opinion that the plaintiffs not only have effective remedies available in state court, but also that the available state remedies are more effective for a number of reasons than those offered here.

Unless the plaintiffs have an absolute constitutional right to custody, the final determination of custody will depend in whole or in part on issues of state law. * * *

If the plaintiffs have a constitutional right to enforce in this court, then they have the absolute right to enforce the same right in state court, and there is no reason to believe that the plaintiffs' procedural right to assert such substantive right will not be respected. * * *

There are other reasons for not entertaining federal habeas jurisdiction in this case against the State, Probate Court, and Foster Parent defendants. If this court were to exercise federal habeas jurisdiction, some further state court involvement would be necessary because supervision of the conditions of temporary custody while the children are in the homes of foster parents is necessary. The state has the judicial and social structure for such supervision. This court does not.

Furthermore, if the ultimate question of custody turns on determinations of best interest, the state courts and their ancillary social agencies are in a far better position to gather data from neutral sources to make such determination.

Obviously, there is no effective habeas jurisdiction in this court against the Other defendants because they have no present control over the children. [End Text] —Churchill, J. (Anh v. Levi; USDC EMich, 2/15/77)

TEXAS COURT ALLOWS MARRIED WOMAN TO HAVE NAME CHANGED

Cites general policy of other state courts to grant requests for name changes.

The Texas Court of Civil Appeals reverses a lower court's refusal to let a married woman change her name back to her maiden name. The lower court held that her husband was a necessary party to the action since he had a vested right in the subject matter; that the petition failed to state a sufficient legal or equitable grounds for the grant; that there is no statutory or case law authorizing a married woman to change her name from that of her husband; and that to grant the name change would give "the appearance of an illicit cohabitation against the morals of society." The appellate court rejects each of these arguments and cites recent cases from Indiana and Maine for the proposition that courts should grant name-change petitions unless there exists some "wrongful, fraudulent or capricious purpose." "To deny her this right," the court states, "would be a violation of equal protection under the law by creating an invalid classification based on sex." (In re Erickson, 2/9/77)

Digest of Opinion: [Text] The court denied the change of name stating in its findings of fact and law that: (1) the appellant's husband had a vested right in the subject matter of the petition and, therefore, was a necessary party; (2) the petition failed to state sufficient legal or equitable grounds for the grant; (3) there is no statutory or case law authorizing a married woman to change her name from that of her husband; and (4) to grant the change of name would give "the appearance of an illicit co-habitation against the morals of society," that it would not be in the best interest of their minor children, and that without evidence of some advantage in her professional capacity, the grant "would be detrimental to the institution of the home and family life and contrary to the common law and customs of this state."* * *



Aug. 27-28, 1977

当了打造的国家的情况为自然之下,但是国际的 200 · 500 · 2

By PETER FAUR Globe-Democrat Religion Writer

The American ability for organization was never so evident as after the fall of Saigon on April 30, 1975.

By May 5, U.S. camps for about 150,000 Vietnam refugees had been established, and by May 15, through the cooperation between U.S. churches and volunteer organizations and the federal government, those refuees were being placed with sponsors in communities throughout the nation.

About 1,000 refugees came to the St. Louis area, and about 400 are still here, according to Norman J. Schnegelberger, director of Hispanic and immigration ministries for Lutheran Family and Children's Services of Missouri. The Lutheran church bodies were among the prime movers in the refugee resettlement effort.

IN THE TWO years since the refugees arrived, many have developed problems in adjusting to their new home, Schnegelberger said.

At least one in the St. Louis area has attempted suicide; others have had mental health problems ranging from depression to paranola, he said.

"I think they're going through a cycle that's becoming a pretty dominant pattern," he said. "In the first two to five weeks after they arrived from Vietnam, they all went through a period of feeling relieved at having been saved from what they thought would be a bloodbath.

"After that, they faced the survival questions: How do I support my family? Where do we get shelter and food? Once those questions are answered, they have to start dealing with two other problems — culture shock and identity crisis."

Schnegelberger said Indochinese refugees have found their images of American life, gathered from motion pictures and television, don't conform to how things are.

"The most common belief about the United States was

that it is a country where no one goes hungry," he said. "But when you have to take a job at \$2.30 an hour to support a family with two, four or seven children, you learn quickly that that's not the case."

SCHNEGELBERGER said most refugees have been forced to take minimum-wage jobs, "politely called entry-level employment."

"Quite a few of these people were college-educated and held high ranks in educational institutions or the military," he said. "Others elers. One in the St. Louis area owned his own shoe factory.

"Now they find that all that means nothing. In

America, one's status in Vietnam means nothing. Here, whether you were a general or a fisherman in Vietnam,

you are another Vietnamese refugee."

The loss of class status has resulted in an identity crisis for many refugees, Schnegelberger said. This has been compounded by a sense of not really belonging in the United States, he said.

"These people no longer have a country," he said.
"They are called 'parolees,' which means that technically they will be allowed to stay in the country only as long as the condition that caused them to be refugees exists. That won't be a problem for any of them, because Vietnam is likely to remain a communist ountry.

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population. There are about 35,000 to 40,000 Ind in California. New Orleans and Texas, especiall Houston, have also become popular areas," S

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Schnegelberger noted that climate has been factor in the departure of many refugees from Louis area

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In dealing with Vietnamese mental health

Schnegelberger listed a number of barriers:

—Language. "If I can't speak with them, it impossible for me to deal with the problem as he said. "You can't develop a therapeutic re through an interpreter."

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The loss of class status has resulted in an identity crisis for many refugees, Schnegelberger said. This has been compounded by a sense of not really belonging in the United States, he said.

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berger said. "This promotes a real sense of not belonging," he said. "The refugees can't take part in government. In state schools like the University of Missouri, even if they've lived in the state for the required residency time, they have to pay nonresident rates. For some professions in Missouri, you can't be licensed unless you're at least a permanent resident. After awhile, this feeling of not belonging and the problems it brings, make the refugees feel totally unwanted."

ANOTHER problem for the refugees is the lack of a visible community of Indochinese persons in the area. Schnegelberger said. Without some sort of group to draw on, and some of the old resources from their homeland, the refugees become depressed, he said. "That's why many have moved from the St. Louis area. They want to be near a larger Vietnamese

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Most refugees have not been troubled by facilities to practice their religion, Schnegell About half are Roman Catholic, and Vietnamese priest in University City available said. Most of the others are Buddhist religion doesn't require temples to practice,

"FOR THEM, the biggest problem comes of ancestor worship. It's difficult to care worship properly without being on the gro your ancestors are buried," he said.

News from Vietnam has not been end Schnegelberger said. Indications are that this good, leading the refugees to worry a relatives, he said. On the other hand, there is have been the bloodbath the refugees a making them feel guilty that they left their behind, he said.

Schnegelberger said he believes refugees ally forge better lives for themselves in States but that the process could take a inadequate social welfare services and Engi will hold up the process, he said.

Federal funds for special Vietnamese pro run out soon, he said. However, more forthcoming if pending action is taken to a more refugees into the United States he said.

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"That's why many have moved from the St. Louis

area. They want to be near a larger Vietnamese

to want to be together," he said. "As a rest areas have been impacted with employment

Schnegelberger noted that climate has been factor in the departure of many refugees from Louis area.

"THERE'S A direct correlation between we the number of problems my office hears ab refugees," he said. "Especially last winter, the got, the more people called with problems."

Most of the problems he deals with are r common depression, Schnegelberger said. M. families worry about the fate of relative

Vietnam, he said.

"I tell them that it's normal to be concern one's relatives, but when it becomes such a that it interferes with the ability to function, a needs to be done," he said. In dealing with Vietnamese mental health I

Schnegelberger listed a number of barriers:

-Language. "If I can't speak with them, it impossible for me to deal with the problem as he said. "You can't develop a therapeutic rel through an interpreter."

-Attitude. "The Vietnamese have what we very old-fashioned attitudes toward menta problems," Schnegelberger said. "It's very di them to admit even that they have a prob Vietnamèse person approaches me to say problem, I don't even ask if it's serious. It m he's willing to admit it."

-CULTURE. "They don't operate the sam do," he said. "The American approach is to lo problem, isolate it, then get to work on it. Western method, and Vietnamese people don't way. We have to find new approaches with the

Schnegelberger said there is only one V psychiatrist in the United States. He is writing help mental health professionals understand t problems of dealing with Vietnamese, he said.

Schnegelberger's most difficult case has b Vietnamese man showing signs of paranoia, he

"This man was convinced that everyone get him," Schnegelberger said. "He was everyone was carrying a gun, that kids on the people generally were talking about him all the took weeks for us to convince him that I serious help. Finally, he came to see the couldn't continue to live his life like this."

Those refugees left all alone, without their are most likely to suffer mental health pro said. They have almost nowhere to turn whe

into difficulty, he explained.

Most refugees have not been troubled by facilities to practice their religion, Schnegel About half are Roman Catholic, and a Vietnamese priest in University City available said. Most of the others are Buddhist, religion doesn't require temples to practice, h

"FOR THEM, the biggest problem comes of ancestor worship. It's difficult to carr worship properly without being on the gro your ancestors are buried," he said.

News from Vietnam has not been end Schnegelberger said. Indications are that this good, leading the refugees to worry a relatives, he said. On the other hand, there s have been the bloodbath the refugees a making them feel guilty that they left their behind, he said.

Schnegelberger said he believes refugees ally forge better lives for themselves in States but that the process could take a Inadequate social welfare services and Engli will hold up the process, he said.

Federal funds for special Vietnamese prorum out soon, he said. However, more forthcoming if pending action is taken to a more refugees into the United States he said.

The Washington Post UTLOCK

SUNDAY, MARCH 13, 1977

Life in the New Vietnam

By Andre Gelinas

HAT struck me during the 15 months I lived in Saigon after the takeover was the continual hardening of the regime. When the Bo Doi [the North Vietnamese soldiers] entered Saigon on April 30, 1975, the first reaction among the people was one of fear. And then slowly they began to go out again. There were few acts of violence and, it seemed, few executions. The great "campaign" for "purification of morals and culture" took the form of vast autos-dd-fe. All the adornments of "bourgeois" culture were to be destroyed. In our [Catholic education] center we had some 80,000 volumes, a large number of which we had to burn. Lists were compliled of all those who had collaborated with the old regime and of all "intellectuals."

After freezing bank accounts in June, the government announced in September that everyone had 12 hours to take his money to the banks before it became valueless. Each family henceforth had the right only to the equivalent of 1,000 French francs [about \$225].

An epidemic of suicides followed. Entire families killed themselves with revolvers. A former police officer shot his 10 children, his wife and his mother-in-law, and then himself. A father, after explaining to his family at

dinner that they had to put an end to their sufferings, distributed poisoned soup.

Some came to see me before such suicides to ask whether it was a grave sin. Here and there someone who had been saved just in time would tell what had happened. A young woman told me that she had awakened in a hospital corridor piled with hundreds of bodies. Those who were still living had their stomachs pumped out. Group suicides went on for several weeks.

Problems of Survival

O EAT, to survive — that was the main problem. When I left [Saigon], I was little more than skin and bones, and I gained over 30 pounds after I returned [to France]. But still I was one of the privileged; as a foreigner I had the right to receive money from abroad.

Fish is a luxury. The fishermen are no longer allowed to go out to sea because people used the boats to escape, and many of the motors were removed to avoid this. At Vungtau, the large port near Saigon, the authorities decide every morning which fisherman can go out, and he is "accompanied," while his family, as a guarantee, must stay on land.

There is no famine; but many live in misery. The two staple foods are rice and the Chinese potato, which is normally eaten by animals but is now mixed with rice to make it go further. It's a good day when one can get hold of some shrimp. Two pounds of meat costs half of one month's salary of 15,000 piastres, a good salary. Dogs and cats disappeared long ago.

Gelinas, a French Canadian Catholic priest and a Chinese scholar, lived in Vietnam from 1948 until he was expelled last year, 15 months after the fall of Saigon. An account of his experiences, given to two reporters of the Paris weekly L'Express, appeared in The New York Review of Books, from which this article is excerpted.

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VIETNAM, From Page C1

The rich from time to time sell an object, a piece of furniture. Those able to do so still trade on the black market with the Bo Doi. The soldiers and cadres use special state stores and can resell the merchandise at 10 times the price. In principle, of course, holding on to supplies and concealing them is "antipatriotic" behavior and therefore forbidden. Now and then someone is arrested and killed, but all this is rather unsystematic either because of inefficiency or calculation: so long as there are supplies of goods a source of possible profit remains for those in power.

One of my students, the son of a big shopkeeper, told me that he would have to be away for two or three weeks. The police had come to the store to arrest the entire family, but the officer in charge had proposed a deal: for 8 million piastres he would hold off for a month. So the family had to try to borrow the money from friends and relatives and then quickly sell off their goods to pay them back.

The poor have no such recourse. They have to try simply to subsist in Saigon; I began to see many with swollen stomachs. Or they must go to the "new zones." Or they could beg, but now that's forbidden and no one has the right to help a beggar; government policy is to send such people away from Saigon.

At the beginning one saw people hawking goods on every street corner in order to live — a cup of tea, a bowl of soup, a few cigarettes. But last June the authorities "cleaned up" the streets. The famous "thieves' market" has now disappeared, but one can still see some small-time peddlers, always on the lookout and ready to run.

With so many shortages, possibilities for corruption and black-marketeering abound. When I left, the black market was thriving more than ever, for without it there were many things you simply could not get — for example, writing paper. If you wanted to obtain some, you had to specify why, which meant you had better not ask.

Under such a system you can always be found in violation of some rule. If you have a bicycle, you have to have a receipt for it. Either the receipt has disappeared or it's a phony, and even if it's authentic, they'll prove to you that it's false, that your bicycle vendor was a forger, etc. If you have a typewriter, again you're likely to be in violation of the rules; for all typewriters have to be taken to the police who examine them to see if they typed the dissident tracts that sometimes circulate. But once the police have your typewriter you never see it again.

Instilling Fear

A T THE BEGINNING, the regime evidently felt it had to take the population in hand and instill fear. One day I saw a little vendor who did not get out of the way quickly enough; a soldier took out his pistol and fired a bullet right next to his head.

For the soldiers, such acts seem natural enough. They have been formed by violence. One would watch them strolling along like big children with their weapons, free to use them, to do as they pleased. At the corner near our center, a thief grabbed a bracelet from a young girl. A Bo Doi caught him and then asked those who gathered around what he should do. They didn't know what to say. He took out his pistol, grasped the thief's hand and put a bullet through it.

There were a great many thieves at the beginning because of the misery, but now the police are better organized. And the Bo Doi never steal. Many can be bribed, but if they want something, they pay for it.

The Bo Doi also act as guardians of "good morals" and "correct dress," the pajamas worn by peasants. Since they're expensive and the material is hard to get, people wear their old clothes, often of "Western" cut, and so may find themselves pushed about and questioned by soldiers who accuse them of "insulting the people" and "displaying their riches." Coquetry is seen as capitalist, bourgeois. From time to time, a soldier will enter a bus with a small scissors and cut the nails of young women if they seem too long.

Although there are no more night clubs or bars, there are still prostitutes. One sees them on Tu Do Street, leaning against the trees as they always did.

From time to time, the newspapers announce the execution, imprisonment or dismissal of certain officials for "dishonesty," abusive acts of seizure, etc. It's impossible to say whether these announcements are true.

Such questions are decided entirely in secret. By contrast, a citizen can be arrested simply for saying yes or no. The regulations are such that everyone is always a little guilty. Walking in the street you may see that the police have cordoned off a house, the family waiting in the street while a search takes place. If they want to arrest someone they can always produce, as coming from the house, something they've brought in themselves. And so you see them coming out with a radio transmitter, a submachine gun, etc. — evidence of a "plot."

In the countryside, when they want to arrest a priest or a "traitor," they often accuse him of rape. There are always four or five sturdy women, whose rape one would think quite unlikely, to swear they have been violated. No one believes it, but that makes no difference.

In fact, most arrests are based on "denunciations." The very organization of the new society encourages informing as a "patriotic" duty. The fundamental social unit, the To, is directed by the To Chuong, who is always a southerner. You can do hardly anything without his permission, whether it is a matter of seeing people or having guests, going to the hospital, making a large purchase, etc.

Indoctrination takes place at the lowest level, within the To. In certain neighborhoods, where those in authority are more zealous, there are meetings every night, at which people are supposed to report what they've seen happening at a neighbor's house — for example, who visited — and to point out which people still seem anti-revolutionary. If you "forget" to point out something, you're at fault. In these sessions there are also discussions of local cleanliness, health, the upkeep of the quarter, its morale, the different jobs, the work on the arch of triumph each neighborhood has to build.

The leaders also set themes for discussion which are laid down by official directives. At one time, the theme was "American atrocities." An official speaker I heard of revealed that these included, among other crimes, the practice of American soldiers of consuming human flesh and eating babies. After such a lecture the audience is supposed to explain why they hate the Americans, sometimes with odd results. One evening an old woman got up and started talking furiously: "Yes, I hate them, they're odious, foul, and the proof is that they left, leaving us in the hands of the Communists!" — at which the entire group broke out laughing and clapping.

Ordinary people have found sly strategies to make fun of what's happening and protest against it without taking too many risks. When propaganda becomes too inflated, they interrupt the speaker continually with bursts of applause, as when one speaker announced that a factory in the North is producing one truck every minute. The only thing the authorities can do in the face of such reactions is to split people into smaller groups so as to deal more effectively with "bad" attitudes.

At the neighborhood level most of the people seem either indifferent or, to feel a kind of passive resistance. One phrase that remains very current is "Don't listen to what they say, but watch what they do" — even if its author, former President Thieu, is not particularly liked. At night people still write this slogan on the walls.

Punishment

A RRESTS are not officially announced; they have to be deduced from certain facts. One day you may not return home and your family begins to worry. Your wife may go to the police station and ask if you might possibly have had an accident. She will be sent from one police station to another, a bad sign. If after two or three days she's told to go home, that it's all none of her business, she can conclude that you've been arrested.

To be put in prison itself is not too serious. Ordinarily, they take you there to be questioned, and you may leave fairly quickly. But if you are sent away for "re-education," you may be away a long time.

Transfer to a camp is never described as a police measure, as a punishment, but on the contrary as a favor, a chance the government offers you to purge yourself of your errors and to begin again with a new self. According to official statistics, the number of "re-educated"

people would be 300,000 but, from our many attempts to cross-check information, a figure of 400,000 to 500,000

would appear much more accurate.

Between 3,000 and 5,000 people are interned in a camp. The locations are often kept secret and those who return are under orders, and keep quiet. The periods of prescribed internment vary, but three years would appear to be common. People are liberated if they've made sufficient "progress" and their families are judged worthy of receiving them. From time to time, the government presents someone who has been "re-educated" on television to speak of his "past errors" and all he has come to understand since.

Certain families, in view of the prisoner's "good conduct" and if they're judged "worthy," are authorized to write him. They are given a postal code number without any geographic location, and have the right to send a letter every two months. The model of this letter is published periodically in the press and is always the same. "We are glad that the government could give you the chance to recognize your past errors," etc. The prisoner is authorized to write along the same lines.

The regime in the camps varies depending partly on the camp director but mainly on the seriousness of one's "past errors." Former officers and high officials are in special camps and have a much harder time. In one camp of former parachute commandos four or five men were killed in a day, for example. An extreme case was the camp for ex-police officers, which, the evidence seems to show, was completely destroyed.

But that again is an extreme case. Life is very hard in the camps but executions are exceptional. Some are badly treated — hit with clubs or, more frequently, put in foot-irons. But the prisoners suffer more from malnutrition and bad care, from scabies and beri-beri. I knew a man of about 65 who'd been released after five and a half months. Of the 200 people in his own group in the camp, 10 had been released. But release is not final: a source of anguish for those who return to their families is uncertainty about whether they'll have to go back.

According to this man, the prisoners worked on the land all day. In the evening there were re-education courses and at the end of each week the activities of the preceding days were discussed in order to extract lessons from them.

There are no barbed-wire fences, but an escaped prisoner couldn't last more than 48 hours without having the various cards and papers that are necessary to justify all travel. The entire country is under surveillance, so where could he go?

Forced Resettlement

A "New Economic Zones." One of the first aims of the Vietnamese Communists was to empty the cities, to disperse their populations in order to control them better.

The regime therefore invented the "New Economic Zones." Civil servants, urban employees and shopkeepers suddenly found themselves designated as settlers and transplanted to remote places where often nothing had been done to receive them.

The newspapers and television explain that people will find water, houses, markets when they reach these places. But they often arrive to discover that the housing consists of bamboo huts open to the winds.

What happens is that a month before the settlers arrive students are sent out to prepare the terrain; for each house they set up four bamboo stakes which they roof over with lantana and banana leaves, constructing several rows of such shelters in a partially cleared corner of a zone: no walls, floors of packed earth.

Life is very hard in the zones. Conditions of hygiene are deplorable. Malaria is again reappearing, and food is insufficient.

Often in the early morning I saw lines of military trucks filled with civilians leaving for the zones. About 3,000 leave each day. Among them are volunteers. For them transport is free and they also have the right to take some things with them. They become volunteers because they can no longer subsist in the city, have nothing more to sell. In certain cases teams of young men have even come to demolish the homes of people who were too slow in deciding to leave.

Others are sent to the zones forcibly. Acting on reports from the To in each quarter, the government decides that certain families are "non-producers" and these families are simply expelled from the city. They pay for their own transport and only have the right to take supplies if they pay extra.

Stifling Society

ERSONALLY, I'm rather pessimistic about the future because the old structures have been destroyed without replacing them with something workable. Blunders are too numerous. People are too crushed. Instead of increasing productivity, the contrary is taking place. Peasants are not planting all their rice fields because the government takes nearly everything away from them and the harvests also suffer from a lack of fertilizer and insecticides. And even when the rice grows, it is so taxed that there is little motive to harvest it. And why grow mangos when each tree is also taxed and other people get to eat the fruit? So the growers prefer to cut these trees for firewood.

The economy is also impoverished by the exactions of the North. Factories have been dismantled and sent to Hanoi. So has some sophisticated hospital equipment.

But when something goes wrong the "enemies and exploiters" of the people are blamed. This is the slogan which is used to explain or justify everything, and since there are acts of resistance that are difficult to hide, some explanation must be given. Some violent outbreaks have occurred, a certain amount of armed resistance.

Fairly often Bo Doi have been killed in the more heavily populated quarters where police are not heavily spread about. Normally, the soldiers go through such places in groups, but there are always some who are rash. The usual weapon is a kitchen knife and those who use it are generally young people or former soldiers who want to "pay back" an officer. But all this serves no purpose except to make repression more severe.

Many Vietnamese find solace in prayer and the churches have never been fuller. In the countryside, Catholics have more difficulties; the foreign missions have been closed and there are fewer priests. About 200 priests remain in prison, none of them foreigners. Thirteen hundred others are still free but must say nothing

that would displease the authorities.

The authorities have installed an enormous apparatus for surveillance and for bureaucratic administration. The bureaucratic mind is capable of a kind of sadism that is insupportable. If one of your family dies, for example, what would be more normal than to bury him peaceably? But no, it becomes an elaborate affair. A friend of mine had to wait eight days before burying his father. The poor boy had to go to the To, where the chief had to attest that his father was indeed dead; then to the chief of the Khom, who asked him, "Are you sure he's dead? Have you a photo? Was he really your father? Why didn't you report his illness? Where is your marriage certificate?"

I don't think such men harass people as they do because they are wicked or spiteful; but these small bureaucrats tremble that they might make a mistake, that they haven't done enough; that they might be given a

slap by the fellow who is above them.

The large work projects and the "New Economic Zones" are clearly inspired by the Chinese, but the methods, the doctrine and very weight of the police and bureaucratic apparatus are entirely Russian. The Russians have been and remain very powerful in the North, and in Saigon the television is full of Soviet propaganda films, some with subtitles in Arabic, having done service elsewhere.

Russian experts are in every ministry, as well as Cubans, Poles and Hungarians — but no Chinese. In fact, the only Chinese who remain are those of the Cholon quarter who used to control much of the commerce, including the export-import trade. They run what is left of commercial life and are also a possible source of profit, for the Communists as well as others.

Election Farce

A DECISIVE test of the direction the new regime was taking was the general election on April 25, 1976—one year after the end of the war. The election was preceded by an extensive campaign, a general mobilization of people's minds which took the form of a barrage of propaganda in the press, radio and television, and on the street loudspeakers.

The slogans invited each person to "do his duty and demonstrate his patriotism by voting to build a new Vietnam." But you could only vote for a single list of candidates chosen by the government.

In our district there were 13 candidates and it was much argued that the election was a "free one" because you had the right to cross out three names out of 13. In other districts it was two out of 13 or one out of 11.

The freedom in question was relative. In the district meetings the names to be struck were pointed out. In my own district someone said, "Look. You tell us that these are free elections and at the same time you indicate whom we should vote for." The cadre was not at all abashed. He replied, "It's exactly our duty to clarify your liberty and to help you act really freely by indicating the people who will best represent you. Without that, since ignorance is a lack of freedom, how would you be capable of voting well?"

In the provinces they were able to keep track of those who had voted badly. The father of one of my students was called in by police for having crossed out the name of a "good" candidate. They explained to him that freedom did not allow people to "do stupid things in a bad spirit" by choosing men who were "less competent."

Your voting card, duly stamped, became your identity card. On election day the old identity cards became obsolete; and without an identity card you can't buy rice, you are automatically in violation of the law, you can't live. If you didn't vote, you were simply a non-citizen.

Assuring Mastery

ARTICULARLY striking has been the nearly total eclipse of the old revolutionaries of the Provisional Revolutionary Government [the Vietcong shadow government]. Their systematic elimination started very early, beginning in the summer of 1975. On July 19 and 20, a weekend, something very curious took place in Saigon. The city woke up in a state of siege; the soldiers carried gas masks and had fixed bayonets; machine guns were set up on the street corners, and tanks were all around. The central police office, where the PRG had its head-quarters, was surrounded by armored cars.

At the time, people didn't understand what was happening. In fact we had been present at a coup d'etat against the PRG. The conqueror had brought out his cannons to show who would be the master. I also suspect that there had been some wavering among the North Vietnamese troops and that this demonstration of force was designed to show a recovery of control. The Bo Doi had been told that they had come to liberate their brothers who were miserable, enslaved by the Americans, etc. They had discovered a country with freedoms, and a rich one, a real Ali Baba's cave. They discovered above all that they were not welcomed as "liberators" but that they were more often hated.

How these people will evolve is difficult to say. Propaganda here and there has started to have an effect, above all among the young. We were made aware of a kind of constraint, a stiffening toward us, and divisions

are taking place within families.

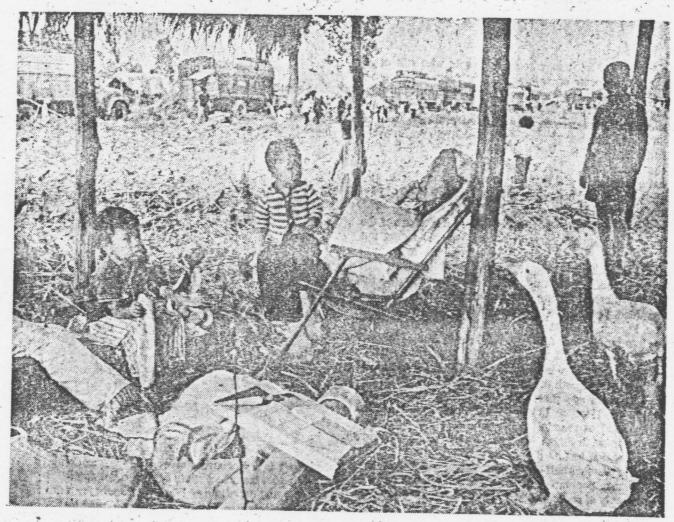
It is certain that the old regime and the Westerners also did great harm and made many errors. So all is not entirely negative. I sensed, for example, a new solidarity, the opposite of that frantic individuality which is one of the vices of our own systems. There is something positive as well in the politicizing of masses of people who heretofore showed too much passivity, too much indifference. No doubt all the construction projects, all the collective labor involve a frightful waste of energy, but

there also people are learning to live and work together: something good can come out of it. On the other hand, I think it is dangerous to promote constantly the themes of nationalism and independence, because the people do not become more patriotic but only more hating.

I believe above all that this people is in the process of

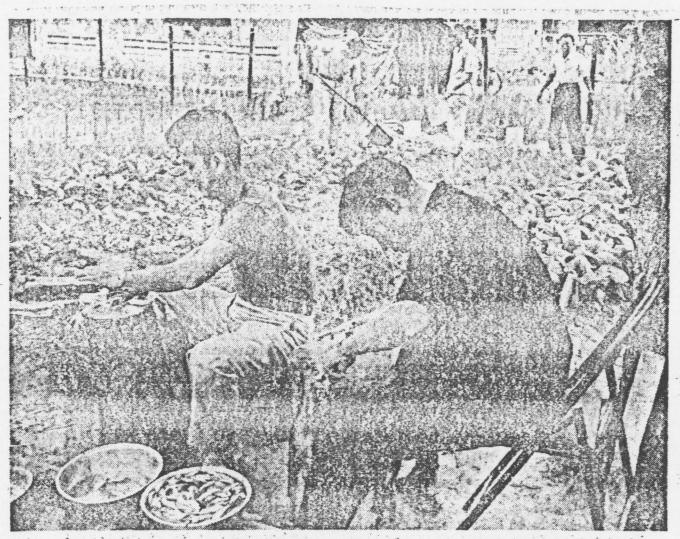
I believe above all that this people is in the process of forging a spirit and a strength that are extraordinary. But they are doing so in their resistance to oppression, in destitution and in suffering. Did they ever wish to follow such a path?

C 1976, L'Express



Saigon residents are resettled in a New Economic Area.

Photos by Marc Riboud - Magnur



Former generals prepare fish, others garden in a re-education camp.



t is almost two years now since the U.S. withdrew its last fighting men from Vietnam-long enough for many Americans to blot out the memory of that thankless battlefield, and the children who became its innocent victims. But Dick and Jodie Darragh have not forgotten-nor are they likely to. Through their dedication and sacrifice, and the travel privileges they enjoy as Eastern Airlines employees in Atlanta, the Darraghs have been the link by which dozens of Vietnamese orphans -some abandoned by GI fathers -have reached the arms of adoptive American parents. The young couple has made 10 trips to an orphanage at Anloc, near Saigon, bringing medicine and clothing, and trying to organize a clinic and school. They have personally escorted 62 children to the U.S., and many more (ranging in age from 5 months to 11 years) have been brought back by AEVOES (Airline Employees Volunteer Escort Service), a group the Darraghs helped create.

Five years ago, at the Atlanta airport, Jodie, now 29, met Dr. and Mrs. Patrick Tisdale, an Army physician and his wife, who were bringing two adopted Vietnamese daughters home to Columbus, Ga. Recalls Jodie: "Lein, then 3, just walked over and kissed me. And that's how it began." Several months later, Jodie made her first 72hour trip to Anloc to deliver medical supplies. Whenever vacation time or days off allowed, she repeated her marathon journey. "When I married Jodie in 1971," says Dick, 35, "I had no idea what made her so interested in those children. Then we kept Lein for the Tisdales while they made a trip to Vietnam, and I saw what a beautiful little thing she was." Afterward the Darraghs made their first trip to Anloc together and returned with six children -Dick fastening bassinets to the plane's bulkhead, while Jodie mixed formula on a hot plate. Now raising funds for Anioc consumes nearly all the Darraghs' free time. "This has made us a team," says Jodie. Adds Dick: "I just wish we could do a hundred times more than we do."

Childless themselves-Jodie is un-



At Atlanta's airport, Jodie Darragh caims 6-month-old Thi Thank Nya before leaving for the baby's new Detroit home.

ING COUPLE BRINGS HOME LITTLEST VICTIMS OF WAR



Moments after the child's arrival, Jon and Becky Harkins of Atlanta (left) proudly display their newly adopted son, Jon

Christopher, while the Darraghs admire Thi Thank Nya. Both children were brought from Vietnam by other airline employees.



The Darraghs have become oriental food enthusiasts: here, at home, they prepare a favorite, "glo qui," for friends Carolyn and Chuck Willis.

able to bear children-they hope to adopt a 2-year-old girl from the orphanage with whom they have fallen in love. The child's mother has disappeared. but her father, a Vietnamese soldier. refuses to sign for adoption although she is living in the orphanage. "The father loves his little girl," says Jodie, "and we know she's loved at Anloc. Still, I wish we could buy her little dresses." The Darraghs' own case points up the strictness of Vietnamese adoption procedures. Although some regulations have been relaxed recently, the Saigon government still considers a child unadoptable unless both parents are proved dead or a living relative will sign a release. These rules are often nearly impossible to follow in the warravaged country.

Meanwhile, the Darraghs are in constant touch with the children they've helped, sometimes making 20 phone calls a night from their home in Marietta. Ga. Several mothers have gratefully named their new daughters after Jodie, and often call to tell her of a first tooth or a first step. Only one tragedy has marred the Darraghs' efforts: the child adopted by close friends, Jim and Elsie Wallace, died in a playswing accident. The Wallaces are now anxiously awaiting another orphan from Anloc. To Dick, the Darraghs' last trip, two months ago, was their most rewarding. "We took rubella and mumps vaccine for 700 children. It's good to know they will never be maimed by those diseases." Jodie is already romantically matching up their children's futures. "Wouldn't it be funny," she muses, "if Le Guang Trung [now Jon Christopher Harkins] grows up to marry Thi Thank Nya [now Elizabeth Le-Thi Fox]?" □

Photographs by Leviton-Atlanta

In pursuit of scapegoa struggling with their

Those who fought in Southeast Asia have trouble coming to grips with their own role in the only war America lost. They are torn between pride in having served their country and tremendous guilt.

By Jeffrey A. Jay

HE VIETNAM VETERAN had come to the Veterans' Administration Hospital because of tormenting nightmares, rage and depression. He wanted an opportunity to testify about his actions and suffering.

I know it sounds crazy to say it, but I loved it and at the same time I hated it. Like the time I cut off the gook's ear and I cut him in two with my automatic; I got to say it, I loved killing. And at the same time I know it was terrible. But now I don't understand it. I don't want to talk about it. Or it's like I really can't talk about it, but I can't stop thinking about what happened. It's been like this for seven years. Going from one doctor to the next, one V.A. clinic after the other, and all I got was medication. That helps a little but nobody listens. . .

So long as I could view the young man as a patient, I needed to think of his cure as only a problem of technique — not an unusual response among therapists, for it keeps the roles perfectly clear. Scared and confused by my own feelings, I retreated into the safety of professionalism. I put the veteran into a trance. In fact, hypnotherapy was a treatment of choice for the war-related problems of this ex-Marine, yet it helped neither him nor the other half-dozen Vietnam veterans I counseled. Hypnotherapy assumes that a psychiatric conflict exists to be treated only inside the unconscious mind. And both psychiatrists and the lay public are quick to see the ruined marriages, unemployment and drug abuse among the 3 million Vietnam veterans as symptoms of psychiatric damage, warranting compensation or medical attention.

plains that I cannot possibly understand what it was like. While that statement has much truth, it is also a defense masking a deep resentment toward anyone who did not serve. This resentment wears two faces. First, he describes a sense of injustice that he risked his life while others avoided commitment by dodging the draft. But more tormenting is the anticipated judgment of those who did not fight, a judgment he fears will condemn him as foolish for going to war, wrong for participating in its acts of barbarism, and inadequate for losing it. He feels he is on trial, unfairly, for doing a job that was once endorsed with enthusiasm. He resents these accusations, but he is also haunted by them because he believes them to be true.

As a student I had been against the war. As a therapist I was shocked to find that I could identify with the veterans' wounded pride: They feel personally responsible for the only war America has lost. And despite their efforts to blame politicians, radicals, the military's upper echelon, the South Vietnamese — any possible group — for the loss, the overwhelming response of these sons of working-class America is guilt for letting their country down. They never became the men they hoped to be when, as adolescent recruits, they believed themselves and America invincible. Marked as losers, they feel constantly challenged to prove their manhood.

S THE PROFOUND inadequacy felt by these veterans theirs alone, or does it reflect a less acute but similar public sentiment? Certainly the heroic rescue of the Mayaguez that demonstrated our virility following our with-



patrol was brackish and pollu diarrhea that trickled down tigues. The monsoon was equistep required a concentrated boot from sucking mud. The torted, even in therapy, when leeches were pulled off neck spections for "jungle rot" ensure that the swelling and disable the foot soldier.

The Vietnamese people se the weather to the America

My own talks with veterans convince me that their problems are not so simple, nor so easily addressed. The veteran's conflicts are not his alone but are bound to the trauma and guilt of the nation. And our failure to deal with our guilt renders the veteran the symptom-carrier for society and increases his moral and emotional burden. This burden isolates the veteran and will freeze him in an attitude of perpetual combat until the issues of the war are confronted in the national conscience.

The veteran's isolation was maintained in my hypnotherapy; hence its failure. Group therapy provided a forum in which individual experiences

could be shared and validated.

After I got home I wore my uniform everywhere. I was real proud 'cause I fought and I knew that it was crazy there, but at home, "back in the world" we called it, it would make sense. But it was all crazy here too. All those damn protesters, and nobody knew what it was realy like (in Vietnam) or to come back . . . I was as jumpy as when I was on patrol. I began drinking again and took off my uniform. I didn't drink with nobody either because they would say something to me about being crazy for all the war shit, and I fought until I almost killed someone. killed someone.

killed someone.

I know what you're talking about. I know I shouldn't, but I keep watching war movies and I cry . . . My wife says I'm silly, and she is a real good wife, but I can't help it. And then I can't talk to her for a week and it's like I hated her, but I know I don't. Then someone says something about Vietnam . . . like in a joke. . . . They don't know what it was like. And you can't talk to them. They don't even want to know what it was about. Everyone got some damn theory about it anyway.

It's like it never happened to me, but it's in my dreams and I keep seeing it all over again. My motorcycle backfires, and I feel like I'm there fighting slant-eyes. Then I want to kill them all again.

Yeah, that's it. Exactly. I'm in a bar and somebody says something about my nerves because I got this little shake, and I walk right out of there because he makes me feel like a poor jerk who needs his sympathy or something.

They think you're crazy or some kind of a fool for going in the first place. Look, we all know what the outcome of all that fighting was. . . . I thought when I went it was for the country. But it was for nothing, and all those guys killed and shot to pieces and there's no monuments. Nobody remembers or says anything about them. And what's the government doing for all those families; is it telling anybody what really came down there? There's nothing being done, and it will never be finished for me until something is done. That's what gets me the most; it was all for nothing and all those guys......(Crying interrupts the session.)

Although the nation hastens on to new issues, the veteran - years after discharge - repeatedly reviews the events of his Vietnam duty. He seeks to justify his war experiences in a society that now denies them any meaning. The veteran cannot reconcile the beliefs that propelled him through combat with his current social isolation; he cannot accept the status of social pariah. It may well be that isolation, the burden of conflicted feelings, and not being heard makes people crazy.

Typically the veteran enters therapy with complaints of depression, chronic tremors, disturbed sleep, rage attacks, and flashbacks — periods when he believes himself once again in combat, acts irrationally and appear agitated. He describes this behavior with a remorse that is often suicidal. He complains, almost pleads, that he was not like this before the war, begins to explain how he has changed, then stops and asks suspiciously if I was in Vietnam.

My negative answer prompts a dramatic change in his tone, a shift from involvement in his tale to resignation, apathy and futility. He ex-

drawal from the battlefield supports this hypothesis. Further evidence is the nation's manifest desire to forget that the war ever took place. News of Southeast Asia is seldom reported now. Foreign policy, once riveted on Indochina, is no longer focused there. Promised aid to North Vietnam has not been forthcoming. And having survived the war, the veterans are ignored by society and have the benefit of few government programs that might ease their adjustment.

The veterans' own observations are perhaps most telling:

If we weren't failures, why aren't there any If we weren't failures, why aren't there any monuments? Can you name any of the Marines who, in another war, would have been heroes? Do you remember any celebrations when we got back? How come I feel like I did something wrong, like holding up a bank, when someone asks about my shrapnel wound? How come I can't tell anyone I am proud to have fought for my country without wondering what they will think of me?

The veteran is trapped in contradictory logic: "If I believe in America, I must feel guilty for letting it down; if I am critical of America, I cannot understand why I fought and saw so many killed.' There are no simple answers, and none expected. A political commitment is no longer at stake, but rather an emotional crisis that turns upon vain sacrifice and silent recrimination.

What was the experience that is so difficult for us to hear? Typically, after entry into the service and a short training period, recruits embarked for Vietnam. Particularly during the early years of the war, recruits left expecting to contain handily a belligerent group of communists in a limited military action following the rules of basic training. They expected to win.

Naively unaware of the nature of jungle warfare, they arrived in Vietnam ignorant of both the conditions and the enemy. They were surprised by the unrelieved heat of the dry season, draining them of strength and patience. The only water on

invading Viet Cong. But most villagers seemed indifferent to that ideal, and behaved like spectators to the war. As if to demonstrate their ringside relationship to the American fighting machine, they would sell American goods, supposedly stolen from the PX, at inflated prices. The disarray of the South Vietnamese army in battle proved to the American soldier the racial inferiority of the Asians, and made their disdain of American fighting skill all the more insulting.

Racism was compounded by paranoia: Every Vietnamese began to look like a Viet Cong. Rumors spread that the liquor sold by civilians, often children, contained ground glass or poison, and that articles were booby-trapped. There was no place and no time when the soldier did not feel in peril. He would return from the apparent danger of patrol to the nerve-wracking threat of pervasive, unseen danger. Everything constituted

harassment.

The military command responded to the dilemma of distinguishing civilians from Viet Cong by defining the enemy as "anyone who runs or shoots." Any harm to a civilian would result in court-martial. However, snipers and Viet Cong patrols killed American troops and then disappeared into the jungle, rice paddies or villages. There were no positions to attack, no strongholds to besiege, no victories to claim. In typical combat, wandering jungle patrols would capture nameless hills and return to base camp, knowing that already the Viet Cong occupied the same hills and roamed the same jungle. Thus orders not to harm civilians only aggravated the soldier's feelings of helplessness and vulnerability. He was an open target, while the Viet Cong, hidden in the jungle and disguised in the civilian population, were further protected by the orders not to shoot. In therapy, the veterans claimed that these orders are crucial to understanding why the war was

The gnawing sense of futility assumed extra

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U.S. Marines at Hue: Vietnam wasn't what they expected.

uly 2, 1978

end

Commentary Editorials Business

ts: Vietnam veterans nation's nightmare



American GIs in Vietnam: Was it all for nothing?.

United Press International

ted, giving everyone the legs of his faally relentless. Each effort to reclaim the veterans' faces conthey described how so and legs, and inwere conducted to sliguring would not

m as menacing as

force when major campaigns, involving air strikes, sophisticated weaponry, heavy artillery, and hundreds of troops, often yielded only a few captured suspects and even fewer Viet Cong bodies. Unable to capture strongholds or to occupy territory, the American strategy degenerated to a numbers game. Returning from the relatively ineffective campaigns, soldiers would read in the military newspaper Stars and Stripes inflated tallies of the enemy killed. Recalling the experience in group theorem.

went down I ran up to him and he was crawling through the grass, I saw his face and I felt so sure of myself, I slowly sliced him in two with the automatic, right across his middle. Then I knelt down and cut off his ear, and I was still hearing the other fire and yells. I knew I could be court-martialed and later I realized that it was wrong, that he was a person and all that, but at the time I was so proud. I knew what everyone in the platoon would think, I was so proud I just swaggered back to camp right through all the fire and grass, standing up real straight

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The gnawing sense of futility assumed extra

HE NEED to accumulate body counts pressured officers to produce dead Viet Cong. This led to the working rule that a dead Vietnamese was a Viet Cong. The paradox for the soldiers was clear: Civilians were to be protected; soldiers would be court-martialed for harming civilians; once dead, civilians could be counted as Viet Cong — and a dead Viet Cong was the only spoil rewarded by superiors. In this "don't shoot but kill" game, soldiers became frustrated and trigger-happy. The constant fear of death devastated morale and responsibility, and American brutality flourished. Even a helicopter pilot who avoided the hardships of the jungle recalled nothing extraordinary in watching suspects pushed hundreds of feet to the ground from his helicopter or women machinegunned from the air: He was just doing his job, increasing the body count.

The ambivalence of the veterans' response to battle makes their present conflicts especially difficult to resolve. In the following passage, one Marine describes this ambivalence, crystallized

We were back at a fire base when I heard a noise and saw someone that might have been a VC. I yelled, and when he didn't stop I just grabbed my automatic and took off after him. I heard the other Marines yelling to get down and get back and shooting in the air to cover me when they saw me keep on going. I heard every word each one of them said as if it was said real clear to me, but I knew I was going to get that VC. There was even enemy fire, but I kept my eye on that guy as he ran through the grass. The tall grass swept my face and I could see myself take each step through the field and I watched every movement he made, somehow even when he disappeared for a minute behind a clump of trees. I figured I might not catch him so I stopped and opened fire to slow him down. I just squared myself and fired. When he

in a few moments of combat:



U.S. Marines at Hue: Vietnam wasn't what they expected.

United Press International

attempting to tire himself of it as well, so that it can be exorcised. But it cannot be exorcised because what he did in the name of his country is no longer sanctioned. In a guilt-ridden society, no one wants to hear about the atrocities of a lost

Every era has its own vocabulary. One word common in the past decade - and one that recurs with great frequency in therapy with veterans — is "wasted." All the meanings that the war had for the veteran, its peak moments and its intolerable cruelty, became empty in the subsequent "peace with honor." We have failed to understand the war's brutality, to make legitimate the sacrifice of lives, or to acknowledge the valor of heroic acts. We have thus squandered the idealism and commitment of these men, proving not only that their sacrifices were wrong, but also that they were needless and must be forgotten.

How might this country address its responsibilities for Vietnam? Political leaders and policymakers can offer public acknowledgment of their once-active support of the war, pointing out what they have learned and justifying their current attitudes. Conferences similar to the teach-ins of the '60s can be organized to review and evaluate America's participation. The churches can direct attention to the moral problems of the war that we have not begun to resolve. A legal investigation into war crimes undoubtedly would expose the hidden responsibility of leaders for the soldiers acts of atrocity.

Reparations can be offered to the people of Vietnam, if not to their present government. A more humane immigration policy can benefit the esti-mated 100,000 refugees scattered throughout Southeast Asia as a result of the war. These refugees find themselves literally afloat in the South China Sea, refused asylum anywhere. And to the mass killings and devastation reported in Cambodia, there can be a voice of protest. We can bear witness to inhumanity rather than to ignore it.

We fail to act because to do so is to acknowledge complicity in a war we have no wish to remember. The veteran's obsession is thus particularly disturbing and the community's response predictable. The veteran is sick; we are not. We diagnose him as a "traumatic neurotic" and proceed to "uncover the traumatic event that threatened to overwhelm his ego." But many veterans can eloquently describe the "trauma" their problem is that they can find no one who will see value in their service and absolve their brutal-

ity.
They cannot understand what was right and what was wrong, not because they have no moral convictions, but because they cannot begin to be responsible for their actions until the nation recognizes its responsibility for waging the war through them. Their actions cannot be fairly judged and reconciled so long as the veterans are made the nation's scapegoats.

Programs intended to aid the veterans cannot relieve their despair if the guilt, anger, and embarrassment buried in our society are not confronted. If public responsibility is acknowledged, the veteran's nightmares may persist but their alienation and loneliness may be partially relieved.

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Jeffrey A. Jay is a postdoctoral fellow at the Center for Family Research at George Washington University, Washington, D.C. This article appeared originally in Harper's Magazine.

wie's Influence On American Life Recounted

years ago when the country icentennial country, that is awash with limited edition gles, Betsy Ross Cookies, nnial ties and raspberry masquerading as Valley reeze, the American Film joined in the spirit by protuo-hour special for the roadcasting System.

roadcasting System.
led "America at the the program was designed le a historical perspective in pictures and show how ulture, itself, shaped the image.

nably, it began to gather quite a few Bison-Tennial this year when the pros pulled from the archives of the Public Television '79, a two-week fund-raising and programing event with themes devoted primarily to the American past. The festival concludes Sunday. Meanwhile, there will be two airings of "America at the Movies" on KPBS — one at 11:30 tomorrow night and another at 4:30 p.m. Sunday.

and another at 4:30 p.m. Sunday.

The program was produced by George Stevens, AFI director, and narrated by Charlton Heston, chairman of the AFI board of trustees. It features scenes from 83 films focusing on American character and how it has been portrayed in relation to five areas: The land, the cities, the families, the wars and the spirit.

families, the wars and the spirit.

Movies, for better or for worse,
have mirrored — and shaped —
American lives and fantasies for
nearly 80 years. They exist in the
shadow of reality, yet the shadow
frequently has overwhelmed history.

Our image of the American West, for certain, relies more on John Ford than on Alexis de Tocqueville.

Movies have a strange and fascinating power of making the unreal seem real, of turning the illusionary

Inside The Arts

into the matter-of-fact. They make us believe that, regardless of how silly, stupid and inane, we are travelers together on our way to see an elephant. And, we emerge from a movie theater firm in the belief that we have seen an elephant.

Heston at the start of the program suggests the persuasive power of movies and its relation, specifically, to Americans as an immigrant culture: "At the movies we could go

across time and remember the hopes and fears of being strangers in a strange land. The movies did not always get the history straight, but they told the dream."

The dream, obviously, has been of fundamental importance to the American movie character and his relation to the land. He fought upon it and over it and, somehow, it became more than a place to settle down because moving on became habit. Showdowns over its possession in some form or other became a classic movie ritual, not only for John Wayne in films such as "The Gunfighter," but for the Marx Brothers as well in "Go West."

"America at the Movies" features segments from 23 movies relating characters to the land and none of the classics have been overlooked.

The selections range from "Shane" to "Cheyenne Auturnn" and from "Giant" to "The Grapes of Wrath."

While the land was not always friendly to the American movie character (although hostility tended to be romanticized by such elements as picturesque thunderstorms), the city has generally found him engulfed by place of evil, hustle, confusion and derring-do.

Ranging from the earliest film clip on the program ("Bumping Into Broadway," 1920) to the most recent ("The French Connection," 1971) movie characters have tough times in the city.

"Well, sister, what's your racket?" Clark Gable asks a hopeful chorine in "San Francisco."

(Continued on D-4, Col. 1)

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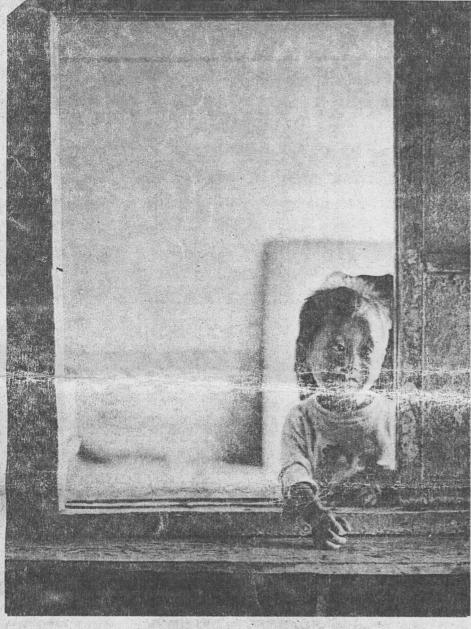
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By NOEL OSMENT Staff Writer, The San Diego Union

One could look at Ross Meador's exhibit of photographs as a study in poverty and despair.

There are the old people of Vietnam, some little more than skeletons, as well as the children, many abandoned and living in orphanages.

But the 24-year old visual arts student at UCSD sees them more as a reflection of a strong, human spirit, whether it be in wartorn Vietnam or any place else in the

"I think people are tired of hearing about Vietnam," he says. "The pictures are really about people."

Meador's own favorite is of a face of a very old person, wrinkled skin drawn over bones and a toothless smile, but with mirth and delight shining in the eyes.

Whatever the appeal is, the show was so well received during the week it was up at The Other Gallery in the Humanities Library, it was given space for another week in a Mandeville Center Gallery.

His works will be on display at the Unicorn Theater for the month of April.

Most of the pictures were taken during

the year he spent in Saigon, which ended in April 1975 when he was one of the last evacuees flown out by helicopter from the roof of the American Embassy as North Vietnamese troops took over.

He had been working for the Friends of Children of Vietnam, a non-profit organization which took children from the crowded orphanages of Saigon, cared for them at centers while arranging for their adoptions.

It was a job that paid only living expenses and a bare stipend, but answered the needs of the young man, only two years out of high school with a yen to travel and to accomplish something.

At La Jolla High, he had been a good student and class leader, but, like many of his friends, didn't want to go to college at that time, so he spent a year or so doing odd jobs and spending the money he earned on a trip through Mexico.

"But I didn't like just traveling as a tourist — I didn't want to just kick back," he said.

When he heard about the organization he immediately hitchhiked to Colorado, found a phone booth outside of Denver, where the organization is headquartered, and called.

(Continued on D-6, Col. 1)

Meador Pictures Reach The Soul

The child in the window was photographed by Ross Meador in a Saigon orphanage just before the country fell, but to the photographer, who helped find homes for the orphans, he symbolizes all children waiting for love and security. The man was one of many older Vietnamese Meador came to know during his year there.

Meador, an employee of an adoption agency then, now is a visual arts student at



They'll Scale Bars To High Note On St. Pat's

The San Diego Drinking Society — which exists solely to conduct and survive a grand pub crawl on St. Patrick's Day — is at it

A less peripatetic celebration will be staged tomorrow by the Friendly Sons of St. Patrick, who'll have a banquet at the Hilton Hotel on



Ross Meador Photos Examine The Soul

(Continued from Page D-1)

"I'm Ross Meador and I want to go to Vietnam," he told them. He thinks a point in his favor was that he

had spent a summer as part of a student group in India when he was in high school.

His first few months in Vietnam were lean ones, he said, but as the organization gained stature, contributions began coming in to help with the work of finding homes for the children.

He came to know not only the homeless children, but also the very old and destitute people whose entire world consisted of cots in a house where they were placed, waiting to die.

He said they seemed to have accepted this way of ending their lives and, once they got to know him, enjoyed visiting and talking with him.

Those who express doubts about the wisdom of taking children from their native cultures just don't know what they are talking about, he believes.

"Any child is better with a family than

in an orphanage. Many of the children were in bad shape because they had no one to spend time with them and hold them."

When Vietnam fell, he wasn't ready to come home and first went to Bangkok in hopes he eventually could get back into Vietnam. Before he did return he spent a year traveling through Southeast and Central Asia and through Africa. He returned here to go to school for a quarter, then went to Korea for the Friends to see if they were needed there.

"We decided there just wasn't a crucial need there. By this time, I wanted to get back into being an American kid again.'

However, he admits, it hasn't been easy becoming an American kid again.

Sitting in political science classes (the subject is his minor) discussing theories is pretty far removed from the problems of humanity as he has seen them.

"When you know a kid will die tomorrow if there is no milk today, it doesn't seem like the time for chitchat on American foreign policy.'



Photographer Ross Meador, a former La Jolla High School student, caught the strong spirit shining through the eyes of this woman living in a home for the old and destitute in Saigon.

Computer Aids C

AKRON, Ohio (UPI) - dozen Akron Using contour charts plotted known tumor: by computer from stereo scribed by Dr. photographs, an Akron can-Loughry, chief cer researcher has reported Akron City Hor an 80 percent success rate in professor of in the use of an experimental cine. breast cancer detection tech-

The process machines and a

The pilot test, involving a draw contour of





Meador with two friends he met in Africa during his travels after he left Vietnam.







11/4/79 Denver Post

GOVERNOR'S GRIPPING ACCOUNT OF REFUGEE CAMPS

How Do You Watch Children Die?

EDITOR'S NOTE: The following report was prepared for United Press International by Colorado Gov. Dick Lamm, one of six governors who toured refugee camps in Thailand Oct. 27-28. Lamm will serve on the U.S. delegation at a United Nations' meeting on Cambodian relief Monday.

By GOV. DICK LAMM

How does one describe a child dying of malnutrition? Worse yet, how does one describe 50 children dying of malnutrition, dysentery and malaria. The mind humbs

There are now 300,000 refugees in Thailand from Laos and Cambodia and 100,000 or 200,000 additional Cambodians are poised on the border ready to flee into Thailand when the Vietnamese launch their post-monsoon attack against what's left of Cambodia's previous two administrations.

Southeast Asia is awash with refugees from Vietnam, Laos and Cambodia amidst a famine of major proportions in that country. "Boat people" flee or often are pushed out of Vietnam and those who survive are often brutalized when they land. Not since World War II has so much suffering spread throughout Asia.

Last weekend, I and five other governors, along with our wives, visited four refugee camps in Thailand. People in our group had seen war, the poverty of South America; the starvation of Calcutta. None of us had experienced the trauma that we experienced at those camps.

AT SA-KAO on the Thai-Cambodian border, 30,000 people have been dumped in a rice field with absolutely no preparation for their arrival. They now sit in shock in a sea of mud and wait for the food rations to be distributed. On Wednesday, this was a rice field; on Sunday, it was one of the larger "towns' in Thailand with 30,000 more refugees expected to arrive any day.

The International Red Cross and other voluntary agencies struggled mightily to bring order out of chaos, but it is like building a city "ab initio" around the people after they have arrived.

Refugee Plight Subject of Talk

Dick Lamm will discuss the plight ring Cambodian refugees and

Sanitary facilities are hurriedly dug, roads are bulldozed in the morning and by noon are often impassable through the mud. The worst of the sick and dying are given shelter in crude lean-tos without walls. The rest, some 30,000 men, women and children, attempt to erect small plastic tarps against the monsoons which last through early November. Most just huddle in family groups and stare vacuously at the jungle.

Six long canvas tarps have been erected, where under each approximately 100 of the worst medical cases lie as 10 overworked doctors and about 30 volunteers hurry from case to case, rendering what are essentially triage judgments.

"This child is too far gone," says one nurse sadly and passes to the next still form.

MOST OF those 600 under the medical tarps have intravenous needles in their arms and a saline-dextrose liquid treatment attempts to reverse their dehydration and malnutrition. The horrible fact of malnutrition is that it is irreversible beyond a certain stage, no matter how much food is available.

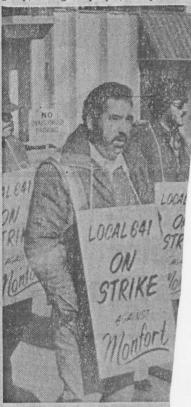
Those who die are picked up and put by the end of the tarp and burial teams which have been recruited from among the refugees themselves soon come and carry the victims to a place near the trash disposal site. Death has been a frequent companion of these people and what was once a ritual is now just a chore

A young baby attempts to suckle the breast of a woman whose own malnutrition has stolen all her milk. Another mother bends in anguish over the body of a small boy who had miraculously endured a six-week trek through the jungle, but died just hours after reaching the safety of Sa-Kao.

A 99-year-old woman, hailed by a reporter as the oldest refugee, walks into camp after a perilous march through the jungle with her 12-year-old grandson. Tragically, his emaciated body gave out a week before reaching the border. The toothless old woman sits rocking back and forth moaning, "Will someone please adopt me?"

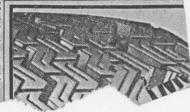
Many of the children are suffering from Marasmus, a malnutrition triggered by carbohydrate deficiency and they slowly die a day at a time. They resemble little breathing corpses. At one camp, a woman hanged herself so she wouldn't have to watch her children die, adding former hans to the camp.

attacked his village, killing many of his fellow tribesmen and burning their houses and rice fields. Nao rounded up the survivors and began a 13-day journey to Thailand. Ten people died from starvation along the way, and when they attempted to cross the Mekong River at night, border troops opened fire on his group, killing 27 people, many women



PICKET LINES GO UP IN

Picket lines by members of the l Commercial Workers, Local 64 Friday at the two entrances of Colorado Inc. packing plant in C spokesman said the 900 union m pared to stay on strike "for as la Meat cutters are striking over a



and children.

wound in his right hand while crossing refugees the river. Chung Toua Yang was not so lucky; he lost his wife and all six children survive. at the border as they fled the last few feet to safety.

Life goes on, even in extreme condi-

nd children.

Nao's 14-year-old son received a bullet to a baby two hours before. The other now 3½ million. War and famine have refugees trudge past her without noticing taken an immense toll.

The tragedy will be seriously completely be lost his wife and all six children.

ions. On the border, a starved woman among the worst. In 1975 there were 7 don't respond.

The tragedy will be seriously compounded if massive relief isn't soon made This century has seen much war, much dislocation and much suffering. The tragedy now going on in Southeast Asia ranks caust, history will judge us severely if we

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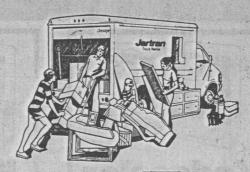
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