



# **BOYCOTTS: POLICY ANALYSIS AND CRITERIA**

General Assembly Mission Council  
The United Presbyterian Church in the U.S.A.

Adopted by  
General Assembly Mission Council  
The United Presbyterian Church in the U.S.A.  
March 1979

The 191st General Assembly (1979) took the following actions:

1. That the report of the General Assembly Mission Council on its analysis of issues and criteria related to boycott participation be received;
2. That the report be commended to judicatories and congregations for their use in studying these issues and for guiding decisions concerning boycott participation.

## I. Background and Policy Issues

The subject of boycotts is charged with strong emotions for many people. Therefore, the issues are difficult to define with absolute clarity. The following is presented in the hope that this paper will serve as a step toward defining the various dimensions of boycott as a method and provide criteria for evaluation of boycotts. It should be remembered that such deliverances, even when passed by the General Assembly, are "ministerial and declarative" (FG 31.07) in their guidance. Their purpose is to bring the force of God's love and justice to bear upon the consciences of the members of Christ's body.

The dictionary defines "boycott" as: "to engage in a concerted refusal to have dealings (as with a person, store, or organization) usually to express disapproval or to force acceptance of certain conditions." The addition of adjectives further defines the term and complicates the picture. In the context of this paper, three types of boycott activity are relevant: primary, secondary and consumer.

The church considers boycott activity in light of God's requirement of justice and because of the existence of alleged injustice. Justice is both a question of law and morality. This paper contends that the church must struggle with boycott issues in terms of morality, but deals with the legal questions first, in order to clarify them. Guidance for the church's moral struggle for justice and consideration of possible boycott activity is offered in Section III, "Criteria for Engagement in Boycotts."

"Primary" and "secondary" boycotts are defined in the Labor Relations Act and refer to activities by corporate economic entities whose activities are regulated by that act. In simple terms, according to legal opinion, a primary boycott is a decision or a request to refrain from buying *X* product or doing business with *Y* company

because of the practices of the producer or firm. When such boycotts are directed specifically against the organization with which a labor controversy exists, they are legal for organizations covered by the Labor Relations Act and as regulated by its provisions. A secondary boycott is a decision or request to refrain from buying *A* product or doing business with *B* company (not a party in a labor controversy) because the producer or firm is using *X* products or doing business with *Y* company. When such boycotts are directed against third-party organizations in order to exert pressure on one of the parties in a labor controversy, they constitute an "unfair labor practice" for organizations covered by the Labor Relations Act and as regulated by its provisions.

It is important to note that secondary boycotts are not *themselves* against the law. A secondary boycott is illegal only for entities covered by the Labor Relations Act; that is, in the context of the legally defined range of tactics available to companies and to unions in negotiating their jurisdictional and contractual relationships. The United Farm Workers could legally call for a secondary boycott simply because it was not covered by the provisions of the Labor Relations Act.

So far as our research has found, the General Assembly has only once spoken of secondary boycotts in this sense. In 1947, in a comprehensive statement on industrial relations, the General Assembly enumerated means toward "a strengthening of the techniques of collective bargaining." Among them is the following: "(5) By an employer's refraining from agreements with other employers affecting workers who are not his own employees, and the abolition of the corresponding secondary boycott and 'hot cargo' practices of organized workers."

The term is here used in its proper legal and institutional context, within the sphere of company-union practices in the collective bar-

gaining process. The *church* is in no danger of *legal* jeopardy from charges stemming from "secondary boycott" policies, should it choose to adopt them, since the church is not covered by provisions of the Labor Relations Act. The church is not acting in the context of negotiations and contractual relationships bound by these laws.

It must be noted that the *possibility* of legal jeopardy exists in another area, however. The National Organization for Women is presently involved in three separate cases in the Federal courts, in which the State of Missouri, the State of Nevada, and the Action Committee for Tourism allege that NOW is engaged in an illegal conspiracy in restraint of trade in violation of Federal anti-trust law, because of NOW's activity promoting the boycotting of states that have not ratified the ERA Amendment. The General Assembly Mission Council, the Council on Women and the Church, and the Advisory Council on Church and Society are unindicted co-conspirators in these cases. Whether such boycotting is primary or secondary in form is not at issue. Such boycotts, according to legal advice, should simply be called "consumer boycotts," in essence a third class, which may technically be "primary" or "secondary" or indeterminate.

Again, lawyers advise us to bear in mind that the filing of a suit alleging restraint of trade doesn't mean anything in itself. As they say, anyone with the money can file a civil suit alleging anything. They believe that before a finding could be reached that advocacy of a consumer boycott is an illegal conspiracy in restraint of trade, some very important First Amendment guarantees, notably freedom of speech, would have to be breached.\*

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\*On February 21, 1979, Federal District Judge Elmo Hunter upheld NOW's right to use the convention boycott, calling the boycott a legitimate political venture.

That brings us to a consideration of “consumer” boycotts. A consumer boycott, simply defined, is an effort to organize the consuming general public, or a segment of it, to refrain from purchasing or using a certain product or service or from patronizing a certain establishment or institution. The aim is generally to influence a change in policy or practice through economic pressure and public exposure. Whether the change being sought is “fair” or “just” is, of course, a subjective judgment. Those who seek it feel that it is; some may agree that the desired change is just, but that boycott is an unfair means of seeking it; others will oppose the change as well as the method.

Consider just a few examples:

- Buy American.
- Don't buy Farah slacks.
- Don't patronize stores that sell California grapes.
- Withdraw your account from savings banks that engage in red-lining.
- Buy only from merchants listed in the Christian Directory.
- Don't shop on Sunday.
- Don't patronize that movie house. It shows R films.
- Don't buy any Nestle product.
- Don't ride the bus until “blacks back” is ended.
- Don't meet in any hotel that does not have an EEO/AA plan.
- Don't meet in any state that hasn't ratified the ERA.

That's only a partial listing of the varying patterns and motivations for consumer boycotts. General Assemblies of the United Presbyterian Church and its predecessors have often urged church members to such activity. Some relevant examples follow:

1910 - “We solemnly admonish our people to keep themselves

financially, and politically ‘separate and apart’ from the liquor traffic, and to ‘touch not the unclean thing,’ to the end that this traffic may by organic law be expelled from our land and our people be saved from its despoiling influence.”

1910 - “The General Assembly urges on all families not to buy anything on the Sabbath, to plan for their servants on the Sabbath, and to help them fulfill their religious duties, and to pay laborers so that they may have Saturday afternoon to make provision for the Sabbath.”

“That the General Assembly hereby reiterates its emphatic condemnation of the Sunday newspaper, and urges the members of the Presbyterian church of the United States of America to refuse to subscribe for it or read it or advertise in it.”

1913 - “That any minister or member of the Presbyterian Church USA who is a member of any club or association licensed to sell and does sell intoxicating liquors to its members or to others, should resign from such club or association in order to be free from the traffic in which the club or association is directly engaged.”

1917 - “That in the future, invitations to the General Assembly should be accompanied by the assurance of local committees that a sufficient number of Temperance hotels are available, or that others agree to close their bars during the session of the Assembly and that the local committees will not make assignments to any others.”

1922 - “Resolved, that the General Assembly call upon the constituency of our churches to refrain from attendance

upon any theatre which permits upon its screen the presentation of pictures that are suggestive and unclean, and that whenever possible our membership inform the management of theatres showing such pictures of their intention to do so.”

1937 - “We favor the adoption by the Congress of legislation... which forbids the shipments of Child Labor goods in interstate commerce, and which requires informative labels to be attached to Child Labor goods.” (Presumably for the purpose of discouraging buyers, thus an implicit consumer boycott.)

1952 - “We call on all church members to avoid taking part in any kind of gambling, even for charitable causes.”

1956 - “Urges Christians to give individual and corporate support to employers who have courageously employed Negroes on a nondiscriminatory basis, prevailing patterns and attitudes of their community to the contrary.” (A call for “selective buying” to offset a “consumer boycott?” “Selective patronage” is closely related in both form and purpose to “consumer boycotts.”)

1960 - “Urges our members to take note of hotels, restaurants, and other public accommodations that discriminate and to communicate to the owners or managers their desire to see such discriminatory practices eliminated; and urges United Presbyterians, individually and in concert, to seek out and patronize those places of public accommodation that serve the public without such discrimination.”

1964 - “Investments of the Board (of National Mission); that

the Board shall refrain from investing in the securities of any company that has an open, flagrant policy and/or practice of discriminatory hiring based on race or ethnic group...

The Standing Committee recommends that the Board be commended for its vigorous implementation of the church’s stand in religion and race, and that its policy statements be applied throughout the church...”

1966 - “Directs the Board, the General Council and the United Presbyterian Foundation to adopt...policies prohibiting the allocation or investment of church funds where appropriate steps have not been taken toward racial integration...(and) policies requiring fair employment clauses in all contracts for goods and services.”

1967 - “Urges continued dialogue and personal consultation with U.S. industry and banks operating in the Republic of South Africa to encourage them to use their presence and involvement to oppose the system of apartheid and give assurance that personnel practices within their jurisdiction are not discriminatory...if firms cannot be persuaded to cooperate, we urge the United Presbyterian Church in the U.S.A. and individual investors to protest by beginning to divest themselves of their holdings in such business enterprises.”

And that brings us to the 1970’s: the era of grapes, lettuce, trousers, towels and the ERA!

There is a common theme in that long history in this century: the use of economic power, positively through “selective patronage” or negatively through boycott, “to express disapproval or to force acceptance of certain conditions.” In terms of form, these actions

have varied. Some have urged selective patronage. Some have called for “primary” consumer boycotts. Some have called for “secondary” consumer boycotts. The linguistic distinction between “selective patronage” and “boycott” merits a brief examination though the substantive difference is slight or non-existent. “Selective patronage” generally assumes that the consumer activity is going to occur and seeks to direct it positively in ways that encourage and support. The recent actions of church agencies regarding support for the General Assembly policy on the Equal Rights Amendment have been “selective patronage” actions: “Meet only in states that have already ratified the ERA.” “Boycott” seeks to direct consumer activity negatively, either asking that it cease altogether or be withheld from certain products or purveyors. The form and motivation underlying both is the same: the use of economic power to make a moral witness and seek change.

Is the “practice” of intentional deployment of economic resources, through boycott or selective patronage, a moral means of expressing disapproval and seeking change? The moral propriety of such actions has been assumed to be self-evident by past General Assemblies. Presumably, the moral logic behind such an assumption would go like this: “If a practice or condition is held to be immoral and unjust, Christians will bear witness against it, refuse to support it, and seek to amend it through every practical and moral means at their disposal.” This logic is rooted in one of the central dynamics of the Reformed faith: “That truth is in order to goodness, and the great touchstone of truth, its tendency to promote holiness...there is an inseparable connection between faith and practice, truth and duty. Otherwise, it would be no consequence either to discover truth or to embrace it.” (FG 31:04)

Let us examine some of the other factors involved in such a discussion.

Consumer spending is the result of free choice in our society. One can choose to buy or not to buy, to patronize one purveyor of services or another. The decisions often involve economic considerations, but sometimes involve moral judgments as well. “Trustworthiness,” “reputation for integrity,” “commitment to the community” will sometimes weigh more heavily than price alone.

Consumer spending reflects personal and group values and commitments. Small car or gas guzzler, electric or manual can-opener, flowers or memorial gifts for the funeral, polyester or cotton shirt, meat or soy bean—such consumer decisions arise from beliefs about what is important or right.

In short, it seems “natural” to us that our consumer decisions should be shaped by our beliefs, should translate or be a “sign” of those beliefs in the world of commerce. Christians understand this in terms of stewardship, our responsibility to use possessions as witness to and in service of the Lord of the Church and the world.

There is, then, a constant process of “boycott” and “selective patronage” in consumer decisions. In fact, the market concept of our free enterprise system encompasses that reality. Enterprises that enjoy “selective patronage” are likely to flourish; those that are “boycotted” are likely to suffer, sometimes to the point of failure. That is the nature of our “competitive” system. The secular theorists account for this in terms of price and quality. We have already noted that moral and value commitments both should and do enter in consumer decisions and thus into the “competitive” equation. There are no reasons in law, public policy, theology or ethics to prevent consumers from purchasing or refusing to purchase in concert and intentionally as they ordinarily do individually or informally.

For United Presbyterians, should the pursuit of social justice be one

of the values or commitments to be pursued in concert and intentionally through recommendations for consumer boycotts or selective patronage? Tradition, faith and polity all say “yes.” “The promotion of social righteousness” is one of the great ends of the church. (FG 33.04) To exclude that value from the list of commitments that should shape economic decisions would be a selective severing of the tie between faith and action and would be theologically indefensible.

Why did earlier General Assemblies seem able to call for such actions so forthrightly and vigorously, with no apparent hesitation or ambiguity concerning moral or theological justification? The answer seems to lie in their ability (real or presumed) to define “immorality and injustice” with clarity and near unanimity. When the social evil is manifest, the commitment to seek remedy is urgent and the connection between faith and practice is presumed.

We are less sure today of our ability to “discover truth” and thus in our eagerness “to embrace it” in our practice. The issues of social justice are more complex, and we are more aware of their complexity. But justice is still to be sought and served, and deescalation of the moral crusade style need not and must not end in helpless neutrality or ambiguous equivocation. The issue among us is probably not consumer boycotts as such. The issue is usually whether the alleged evil or injustice in question is sufficiently clear and sufficiently important to call forth such a serious and concerted witness and attempted remedy.

How does the community of faith arrive at a finding of injustice when confronted by complex social issues and then determine appropriate methods for seeking change? The exploration of the factors involved is not a part of this analysis, but a brief note is in order. Such a search in the United Presbyterian Church has at least three major components. First, we believe that the revelation of

God in Scripture and in Jesus brings an understanding of how human life, individually and corporately, should be ordered if it is to conform to the purpose of God. This understanding is never perfect but is sufficient to guide our obedience. Second, we believe that the community of faith needs ordered and representative processes for reflecting on the Scripture and deciding on directions for contemporary obedience. While we do not trust this judicatory process as we trust God, we believe that the ordered reflection of the community of faith is a special vehicle for the advocacy and guidance of the Holy Spirit. Third, we believe that contemporary history—all of it—is the arena where faith and works must be constantly connected; and that our efforts to make those connections effective are an important part of the way God works.

### Conclusion

The occasion for this analysis is the action taken by several United Presbyterian agencies, including the General Assembly Mission Council, to respond to the request of the Council on Women and the Church to schedule meetings only in states that had ratified the ERA. The *policy* of supporting the ERA has been established by several General Assemblies, with calls to United Presbyterians to undertake support for its passage. The agencies of the church are fully authorized to define and approve the strategies and programs needed to implement effectively the policy directions of the General Assembly. The analysis above indicates that there is ample warrant in Presbyterian faith and practice for urging consumer boycotts and selective patronage as a means of witness and a method for seeking change when a judicatory of the church, through regular processes, has determined a particular situation or practice to be immoral or unjust.

The resolution adopted by the General Assembly Mission Council, then, is fully consistent with the faith and practice of the United

Presbyterian Church and with the authority and responsibility given by the General Assembly to its agencies.

## II. Engagement in Boycotts: Preliminary Considerations

The decision to engage in a consumer boycott or to recommend a boycott to agencies, judicatories and members of the United Presbyterian Church is a serious matter and always needs thoughtful consideration. Directing consumer activity *away from* a particular product, company, or establishment affects the livelihood of persons who produce, own, work in or are otherwise economically dependent on the activity. While it is true that most consumer boycotts result in directing the activity *to* another product, company or establishment so that the *overall* economic activity remains constant, Christians cannot ignore the *particular* hurt that may come to *particular* individuals.

There is a "marketplace" argument that responds to such concerns, as previously outlined. We are under no obligation, in our free economy, to purchase a particular brand of pants or linens, to hold our meetings in particular states or in particular facilities, or to eat particular kinds of produce. We can and do shape those decisions to reflect our taste, our economic circumstances, and our values. The economic result is prosperity for some and lean times for others in our "free enterprise system."

That answer alone is not good enough, because our instincts rightly tell us that a new factor enters the equation when we consciously and corporately agree to shape our consumption in order to seek an objective beyond the immediate satisfaction of our consumer need. In such instances, the importance and urgency of the "objective beyond" is the ethical consideration that must be weighed against the inconvenience and dislocation created by the selective patronage or boycott activity. In short, the cost of the action taken

in hopes of changing an unjust situation must be measured against the cost of allowing it to continue uncorrected. We do not like this calculus of hurt vs. hurt, but it is the stuff of nearly every moral decision we make, consciously or unconsciously.

By way of illustration, we do not decide to hold meetings only in states that have ratified the ERA because we want to increase profits for the owners of the Denver Hilton or decrease employment in the Chicago Marriott, though both may in fact occur. We make the decision because we believe that passage of the ERA is necessary to correct a major injustice that causes harm to individuals and to the society and because we believe that our action may help to correct that injustice. It is not callousness to the potential harm implicit in our action that informs the decision, but sensitivity to the greater harm present in the uncorrected injustice.

Persons and groups both within and outside the church will disagree on the application of this equation in specific situations as they see the relative justice or injustice differently.

## III. Criteria for Engagement in Boycotts

No set of criteria can ever provide an automatic mechanism to determine when participation in a boycott is appropriate, but the following set of questions may provide a useful framework for that consideration.

1. Has the General Assembly debated the underlying issue and established a policy for the church's advocacy in regard to it?

As agencies of the General Assembly, we are not authorized to act on issues apart from the policy and direction established by the Assembly. That is an important aspect of our polity not



always understood, even by some in the church. Agencies act on the basis of General Assembly positions and *only* on that basis. It should be noted that participation in a boycott is an *implementing* strategy and not itself a policy direction on a particular matter. The Assembly has authorized its agencies to consider and adopt any appropriate strategies to implement Assembly policies. The General Assembly may itself wish to place its unique visibility and authority behind a boycott recommendation from time to time, but “where the General Assembly does not or has not taken any specific action to direct implementation, it is understood that the boards or agencies have the authority to take any and all actions not inconsistent with the particular policy.” (*Minutes, 1977, Part I, p. 445.*)

2. Is the body recommending participation in a boycott authorized to do so?

In general, only the elected board of an agency or council should authorize participation in a boycott, unless the General Assembly has specifically urged such participation. Decisions about many appropriate implementing strategies may well be delegated to staff officers or committees, but the serious and sensitive character of boycott activity argues for approval by an elected board.

3. Have other approaches to correcting the injustice been seriously undertaken?

There are many methods of seeking social change, and boycott should rarely, if ever, be the strategy of first resort. Discussion and persuasion, exposure to public opinion, legislative remedy, and legal action are only a few of the options.

In recent years, agencies and the General Assembly have embraced these other means at various stages of involvement with particular issues. In relation to the United Farm Workers organizing campaign, the General Assembly asked for special fact-finding and mediation efforts before urging consideration of a boycott. In 1978, the General Assembly adopted a proposal to monitor the dispute between J.P. Stevens Company and the textile workers union for a year as a substitute for a recommendation to support a boycott. The ERA had been the focus of intense legislative work for many years before the boycott strategy was initiated. Numerous conversations and shareholder resolution campaigns with producers of infant formula products were conducted prior to the call for the Nestle boycott.

There will always be differences of opinion on how serious other efforts have been, whether they should be given more time, or whether all have been identified and used whenever a recommendation for participation in a boycott is considered. For some, the time for boycott will *always* be “now;” for others, it will *always* be “later;” for others, it will *always* be “never.” But the decision should never be made without an examination of other methods that have been already employed.

4. Is the issue to which a boycott is to be addressed urgent and timely?

This is a particularly complex question, because it has to do with public perception (including our own) and the vagaries of the political process, as well as with the true *importance* of the matter. Issues of civil rights were terribly important in America long before they achieved an urgent and timely character in the social agenda. There may well be instances

when we and others should undertake a relatively isolated and lonely advocacy in the cause of justice—indeed the history of most “urgent and timely” issues is rooted in a long period of just such persistent, low-visibility prior witness. But organized and widespread collective boycotting becomes both feasible and appropriate when attention is focused, consciousness raised, or decision urgent.

5. Would the boycott, if effective, have potential for achieving the desired effect?

It is sometimes relatively easy to answer that question. If the economic unit is simple and directly related to the issue, then the economic pressure is direct and affects the possible solution directly. In such cases as California lettuce, Farah slacks, J.P. Stevens and Nestle the key to the change sought is directly affected by the economic loss of an effective boycott. This does not, of course, *guarantee* the change. Nothing can do that. But the connection is clear and the line is direct.

In other instances, the line between boycott direction and desired change is less direct and the calculation of potential effect therefore more complex. Would an effective boycott of South Africa by U.S. corporations and banks influence the apartheid policy of the government there? A knowledge of the South African economy and the extent of its dependence on U.S. economic investment leads only to calculations of potential effect. The decision to end apartheid is not directly in the power of business leaders and the apartheid system is held tenaciously as a matter of ideology as well as current economic and social advantage. Will a widespread boycott of non-ERA states produce ratification by the necessary three? The multiple interests that benefit from convention business and their allies

do have considerable political influence in those states, so the potential is clearly demonstrable. But the decision must be made by the legislators and they are beset by other interests, some well-organized to defeat the ERA.

Such complexity does not argue for nonparticipation in boycotts. It does argue for careful discussion of the relationship between the boycott activity and the desired effect and a demonstration that a reasonable potential for effect exists.

Furthermore, in discussions of potential effectiveness, it should be recognized that coalition effort is a major factor in nearly any social-change effort. Given the widely dispersed character of most economic activity in our nation, it is very nearly essential if selective patronage or boycott activity is to have effective influence. The church may alone wish to recommend such action to its agencies and members simply as a means of expressing disapproval and without any expectation that it will have immediate practical effect. Given the potential dislocation inherent in boycott efforts previously discussed, however, those instances will be reserved for rare occasions. It is the superior need for remedy that ordinarily justifies such action, and thus potential effectiveness is an important consideration. In allied efforts, that potential is magnified.

6. Is there a willingness to undertake reasonably serious educational and interpretive efforts to acquaint Presbyterians with the issues and the rationale for church involvement, as well as reasonably serious efforts to organize effective Presbyterian participation?

Headline awareness of issues to which boycott activity may be directed does not bring the kind of informed judgment

and understanding that Christians should have. And it specifically does not prepare Christians to interpret the moral and theological logic that must stand behind the church's witness. Boycott is serious and controversial activity and the church should engage in it with serious purpose to be effective. The real witnessing strength of the church is in its congregations and members, not in its agencies, and that strength must finally be engaged if the policies of the General Assembly on issues of the world's life are to become effective. Both understanding and action are necessary to that outcome. They do not guarantee unanimity but are the prerequisites of faithfulness.

7. What are the implications of the boycott for the whole mission of the Church?

As a church, all that we do is a witness to our faith. Separate actions must be seen in the light of the whole and in relation to other priorities in our life and work.

When it is determined that a boycott is appropriate action, several implications might be considered, several questions asked:

a. Will it remain possible to continue other appropriate avenues of addressing the same issue? Will focus on the issue be maintained and not dismissed as having been cared for by way of boycott?

b. How does a boycott affect efforts directed toward other important issues? Is there provision for weighing contrary values and dictates in particular circumstances? Such a consideration led the Program Agency Board to add the following words to its action to meet only in states which have ratified

the ERA: "except where the specific location is an integral part of the committee's purpose."

c. How will a boycott affect relationships within the church as well as in the world? Are there pastoral ramifications in the boycott decision? What measures should be taken?

8. Has provision been made for a comprehensive review and evaluation?

Because boycotts are "timely" and "urgent" by nature, regular means of review and evaluation should be included in our planning. Periodically our strategies need to be tested. Is the boycott still the best approach, are our methods competent and clear, are our purposes being furthered through the boycott? These and other questions should serve to strengthen our witness and assure the strongest implementation of policies important to our church.

In conclusion, the discussion about the use of the boycott strategy will always be shaped by particular circumstances and the decision will be a matter of judgment, not of applying a formula. Christians will disagree about the seriousness of injustice, the potential for change, the pragmatic effects of efforts, the urgency for action, and the adequacy of our witness. There will be advocacy of interests and commitments in conflict. It is precisely in such an arena that the church has always worked out the implications of its faith in reliance on the Lord and the Spirit.