

Abortion, Obscenity on Supreme Court Docket

Washington, D.C. — (RNS)— Cases involving obscenity or obscene matter and abortion are of major interest to religious groups as the U.S. Supreme Court pursues its 1971-72 term.

There are more than two dozen cases on the main docket of about 725; some concerning the controversial Swedish film, "I am Curious (Yellow)," others on the burgeoning sales in recent years of obscene matter (magazines, books and films) and related freedom-of-speech issues, inter-state distribution of obscene material, and standards establishing what is or is not considered obscene.

As in previous years, abortion cases are numerous (more than a half dozen), although fewer than considered in recent terms. The court will consider whether state anti-abortion laws violate the constitutional rights of pregnant women by denying them the right to determine whether they should have children.

The states involved are Georgia and Texas, and if the court concludes after arguments that it has jurisdiction to decide the merits, it will rule on important issues that could

affect practices in the 48 states which have laws against abortion; observers say.

Typical of the statutes in effect is the Texas law which prohibits abortion operations. It authorizes abortions only to save the life of the mother. The Georgia law permits abortions when there is danger to the life or health of the mother, when the child may be physically or mentally deficient, or when the woman has been raped.

In both cases, lower courts issued declaratory judgments stating that the laws were unconstitutional, but both also refused to enjoin state officials on the ground that the U.S. Supreme Court had discouraged interference with state officials.

Observers here have noted that when the Court hears the appeals of the women, it will confront for the first time a question which has been raised in courts around the country: whether anti-abortion laws violate constitutional rights of privacy and individual freedom by preventing women from choosing themselves whether they will bear children.

Cases concerned with conscientious objection to military service will also come before the justices, although this term there will be less than a half dozen.

One of them involves a member of the Black Muslims, Lionel A. Joseph, in a case similar in some respects to the Ali v. United States (boxer Cassius Clay) case in which the Court ruled for the former heavyweight champion.

Joseph's attorney contends his client's case is "an even stronger one" than Clay's because, he states, "The record is silent as to why (Joseph's) religiously based objections to participation in war deserved neither comment nor refutation by either the Selective Service System or the trial or appellate courts."

His attorney further states that Joseph informed induction center personnel that he was refusing to submit to induction "not only as a conscientious objector but because he was 'a Muslim minister,'" but that he was "deprived of an administrative adjudication of his claim for a ministerial exemption."

The Court also will consider Thomas S. Eisenstadt v. William R. Baird in which the latter was arrested while addressing a group of students at Boston University on the topic of contraceptive devices after handing an unmarried adult woman a package of vaginal foam. He was subsequently indicted and convicted of "exhibiting and distributing contraceptive devices."

On appeal, the Massachusetts Supreme Judicial Court unanimously held that the conviction for exhibiting contraceptive articles violated Baird's First Amendment rights, but affirmed the conviction for giving away the article, and he was sentenced to imprisonment for three months.

It was reported that the Supreme Court, due to the two vacancies resulting from the retirement of Associate Justices Hugo L. Black (who shortly afterward died) and John M. Harlan, has postponed crucial arguments on the death penalty.

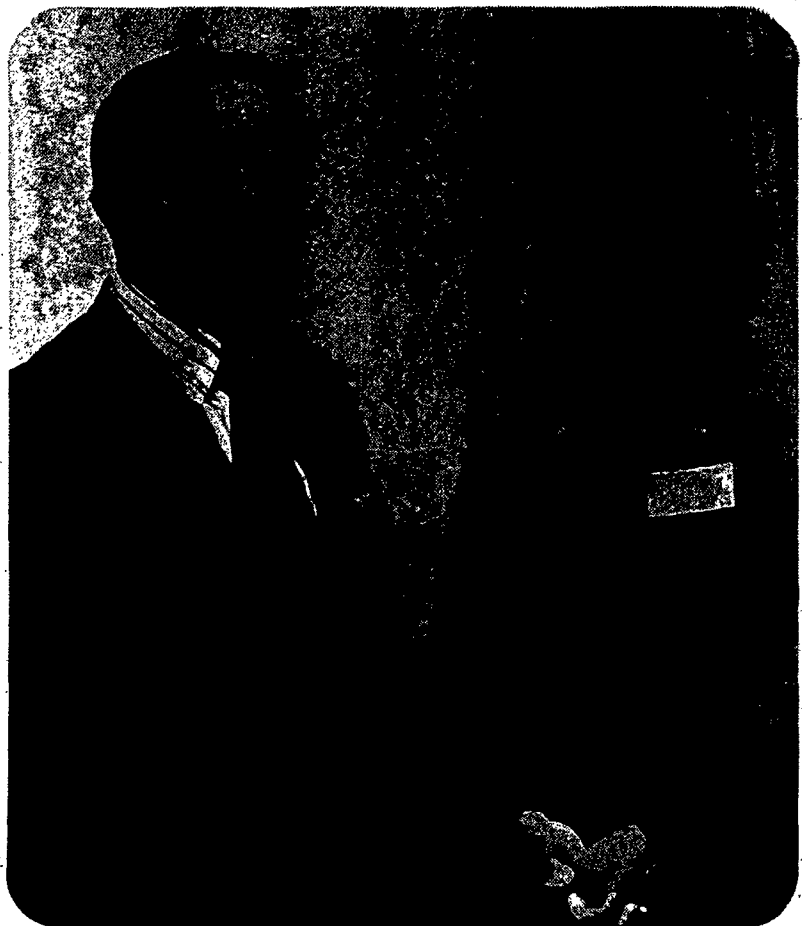
A case originating in a Wisconsin lower court is that of Father James E. Groppi of Milwaukee, the Roman Catholic

priest who gained national news attention for his civil rights activities.

Father Groppi was found guilty of contempt of the Assembly of the Wisconsin Legislature after leading a group of people in September 1969 onto the floor of the Assembly during a session, "preventing the Assembly from conducting public business and performing its constitutional duty."

He was ordered imprisoned for six months by the Legislature, and was held in the Dane County (Wis.) jail for 10 days, then released after a petition for writ of habeas corpus was filed in the U.S. District Court for the Western District of Wisconsin. That judgment was later reversed by the U.S. Court of Appeals for the Seventh Circuit.

Among questions presented is "whether a legislative body can, consistent with due process of law, two days after alleged contemptuous conduct, ex parte imprison a person under its contempt power without giving the person any notice of the charge against him or any opportunity whatsoever to appear before the legislative body and respond to the charge."



Head Catholic Lay Groups

Ferd J. Niehaus of Cincinnati, newly elected president of the National Council of Catholic Men (NCCM), chats with Mrs. Thomas J. Burke of Carbondale, Pa., his counterpart in the National Council of Catholic Women (NCCW), as the two organizations held simultaneous annual meetings in Cincinnati. Mr. Niehaus had been vice president of the NCCM. The NCCW did not elect new officers this year. Following the separate meetings of the two organizations, they joined to form the National Council of Catholic Laity (NCCCL). The new Council will represent some 20 million persons. Both the NCCM and NCCW will remain autonomous organizations, however. (RNS)

M. Teresa Opens Center in Belfast

Belfast No. Ireland (RNS) — Mother Teresa, the Yugoslav-born nun who founded the Missionaries of Charity to work among the poor and sick in Calcutta, India, and elsewhere throughout the world, has opened a center in this embattled provincial capital.

The 61-year-old nun, described by British columnist Malcolm Muggeridge as "a living embodiment of Christ's Gospel of love," arrived here unannounced with four other members of her order, and set up a center in a room in a Belfast Council House.

The Sisters told newsmen they had come "try to improve relations between people in the whole of Belfast in the little way that we can."

Courier-Journal

FRANCISCAN FRATERNITY RECEIVES TWO NOVICES

Watkins Glen—Father Austin Lewinski, OFM., director of the received two postulants as novices in ceremonies Nov. 7. They are Mrs. Helene Allen of Alpine and Mrs. Grayce Walsh of Watkins Glen.

THIRD MARRIED DEACON

Northampton, Eng. —(RNS) A former Anglican clergyman will be Britain's third married Roman Catholic deacon. He is Grant Scarfe, 66, father of three children and grandfather of seven. An announcement here said he would be ordained a deacon by Bishop Charles Grant of Northampton on Nov. 13.



Few Anti-Nazi Churchmen Still Alive

Chicago — (RNS) — Death has claimed all but a few of the German churchmen who made heroic stands against Hitler and survived Nazism, according to a report in Christian Century, the ecumenical weekly.

Ewart E. Turner, a frequent contributor to the Century and the Religious News Service, made a survey of the remaining anti-Nazi stalwarts during a recent trip to Germany. Four of the men he discussed were 80 or over this year; a fifth will reach 80 in January. Most of the others are retired.

The four who turned 80 in 1971 are:

Heinrich Grueber, imprisoned by Hitler for helping Jewish people. He was called to testify at the trial of Adolf Eichmann in Israel.

Reinold von Thadden-Trieglaff, a layman who led the church forces against Hitler in Pomerania and was forbidden by the Fuhrer to speak in Germany. He was a military governor of Louvain, Belgium, during World War II and there aided both Jews and Christians. He founded the annual Protestant Kirchentag (Church Day) in Germany.

Adolf Kurtz, pastor of Berlin's Twelve Apostles Church for 27 years before the war. Because of the shelter it provided for Jews, the church was called "the synagogue on Nollendorf Platz" by the Gestapo.

Moritz Mitzenheim, now retired as bishop of the Church of Thuringia in East Germany. Mr. Turner noted that the bishop remained controversial after the Communist takeover, seeking to "maintain a friendly footing with Communist officials in order to safeguard the pastors and congregations."

Pastor Martin Niemoeller will mark his 80th birthday in January. He spent eight years in Nazi concentration camps and emerged as one of the era's most famous prisoners. He was pastor of a Berlin church before World War II.

Turner noted that Bishop Hans Lilje of Hanover retired earlier this year at the age of 72. Bishop Kurt Scharf of Ber-

lin will retire next year at age 70. Also remaining is Prof. Rudolf Bultmann, 87, who, Mr. Turner said, "lent his considerable influence to the church's resistance to Nazism."

Turner said that today's youth compose the last generation "able to meet and talk with these valiant men in this

earthly life." Already passed from the scene are such anti-Nazi churchmen as Roman Catholic Cardinals Faulhaber, von Galen and Preysing; Protestant Bishops Dibelius, Wurm and Meiser, and such pastors as Gerhard Jacobi of Berlin's Kaiser Wilhelm church, who died July 13.

Orthodox Jews Compare Abortion to Pogrom

New York — (RNS) — A "pro-life" rally was held here to commemorate the notorious Crystal Night Pogrom in Nazi Germany in 1938 when hundreds of the nearly 1,000 synagogues were burned to the ground and scores of Jews were beaten to death by mobs.

The Rally for the Defense of the Sanctity of Innocent Human Life was also intended as a protest against the drive to legalize abortions in the U.S. It specifically attacked the New York State abortion law and called for its repeal.

The Crystal Night Massacre, Nov. 9-11, 1938 "ushered in Adolph Hitler's 'final solution to the Jewish problem' which saw the soil of Europe drenched with the blood of 6 million Jews," said Rabbi David B. Hollander, president of the Metropolitan Board of Orthodox Rabbis and vice president of the Rabbinical Alliance of America.

He said the rally was designed to mark the anniversary of the Crystal Night Pogrom to "bring it up to date as a reminder to our present generation of how the virus of disrespect for human life unleashed by Nazi ideology can poison our own society."

Moses A. Lerman, a prominent Jewish lay leader and moderator of the rally, scathingly condemned New York State legislators who voted to legalize abortion. He charged that "New York State is a cradle of legalized murder."

Rabbi Hollander said, "Ortho-

dox Judaism in America wishes to make known its grave concern at attempts to legalize abortion nationally which are a threat to our people and to the moral and social foundations of our republic."

He expressed "particular alarm and dismay at the sanctions of abortion" in New York State.

"As Jews," he said, "who in our own very lifetime witnessed the most scientifically advanced nation in Europe methodically kill a third of our people — including the gassing and incineration of 1 million defenseless officially 'unwanted' Jewish babies — we have the most profound reason to feel endangered when in the name of the so-called advanced, utilitarian and 'new morality' we see the legislature of New York begin to tamper with the sanctity of all innocent human lives."

The rabbi noted that "considering the fact that the unborn child is innocent and defenseless makes abortion doubly sinful and repugnant, thus abortions are transgressions against religion and against humanity."

CATHOLIC SCHOOL TO BE ALL-FAITH

Duluth, Minn. — (RNS) — Duluth Cathedral High School, a Catholic institution for 80 years, will open the 1972-73 academic year as an "ecumenical high school," offering educational and religious programs to students of all faiths.