



'Vocations' Ad Runs in Playboy

Pickersville, Md. (RNS) — Young men leafing through the January issue of Playboy magazine will be in for a gentle surprise. For interspersed between the beer ads and the "business" is this \$10,000 full-page ad for vocations placed by an 800-year-old order of Catholic priests and Brothers.

Father Joseph Lupo, O.S.S.T., vocations director for the Order of the Most Holy Trinity, said he placed the ad in Playboy because "I wanted to get the most

mileage from my advertising dollar." The order, also known as the Trinitarians, is experiencing a drastic decline in vocations and for Father Lupo, it seemed that drastic measures were needed to reverse the trend. He felt that Playboy, which is read by 80 per cent of college men, "was simply the best way I knew of reaching the young men we want." The approach apparently worked, for Father Lupo says, "We've gotten more responses to this ad than any other we ever ran."

Laymen's Group Report Called 'Willfully Naive'

Washington, D.C. — (RNS) — A spokesman for the U.S. Catholic bishops has charged a national Catholic laymen's group with being "willfully naive" about the crisis in Catholic education, and using "Mickey Mouse" techniques in rating diocesan fiscal disclosures. He also challenged the lay group's estimates of church spending on "lobbying."

Russell Shaw, director of the U.S. Catholic Conference's information office, took issue with a report on finances of the American Catholic Church published by the National Association of Laity (NAL) which claimed that many U.S. bishops are issuing "misleading" or "incomplete" financial reports.

Shaw said 80 per cent of the Catholic dioceses are issuing fiscal reports.

He also scored the NAL for being "reduced to the Mickey Mouse gimmick of assigning grades to these reports in order to express its predictable displeasure with them."

The NAL, an association of independent chapters in 25 U.S. cities, issued a 111-page report (Jan. 11) in Pittsburgh which gave F (failure) grades to 36 dioceses and "barely passing" grades to 27 others in its A to F classification of diocesan financial statements. No diocese received an A, and only one received a B.

(The Rochester diocese was rated D.)

Other major criticisms by the NAL report were the failure of dioceses to include parish finances in their statements, and the charge that the bishops spent collectively \$6 million a year on school aid lobbying activities.

Shaw charged that the NAL carefully avoided "being graded for its own venture in financial analysis" by keeping its

latest report "under wraps."

He said this "makes one wonder whether the NAL's primary concern is improving Church financial disclosures" or "grabbing headlines . . . by tossing broadside charges at that convenient collective entity known as 'the bishops.'"

Conceding that accounting and reporting systems in many U.S. Catholic dioceses are "open to improvement" Shaw said efforts to improve these systems are under way.

Turning to education, Shaw said the "financial crisis of Catholic schools is overwhelmingly apparent to anyone with eyes" and he charged that the NAL is being "willfully naive in questioning this reality."

(A NAL spokesman said in the recent report that no public tax aid should be sought or given Catholic schools until the bishops make full financial disclosures and prove the need for such assistance.)

Shaw went on to challenge the NAL's contention that the bishops devoted \$6 million a year to lobbying efforts in behalf of school aid.

"I have no hesitation in saying that the NAL's guess is wildly inflated," he said, "and that if this figure comes from budgets of state Catholic conferences it should be pointed out that conference activity includes "far more" than lobbying for educational benefits.

Finally, he defended the bishops' efforts in publishing financial reports, noting that in February the NCCB will initiate seminars to train diocesan financial officials in the use of the new uniform accounting and reporting system.

"The NAL has chosen to ignore all this," he said, "and chosen to indulge instead in negative carping about alleged shortcomings."

Text of Court Opinion on Parochial Aid

COMMITTEE FOR PUBLIC EDUCATION AND RELIGIOUS LIBERTY, BERNARD BACKER, ALGERNON D. BLACK, THEODORE BROOKS, HERSCHEL CHANIN, NAOMI COWAN, REBECCA GOLDBLUM, BENJAMIN HAIBLUM, BLANCHE LEWIS, EDWARD D. MOLDOVER, ARYEH NEIER, DAVID SEELEY, ALBERT SHANKER, HOWARD M. SQUADRON, and CHARLES H. SUMNER, plaintiffs, v. ARTHUR LEVITT, as Comptroller of the State of New York, and EWALD B. NYQUIST, as Commissioner of Education of the State of New York, defendants.

Decided Jan. 10, 1972
Before Hays, circuit judge; McLean and Briant, district judges.

Leo Pfeffer, New York, N.Y., for plaintiffs.

Jean M. Coon, assistant attorney general of the State of New York (Louis J. Lefkowitz, attorney general; Ruth Kessler Toch, solicitor general, on the brief), for defendants.

Sneeringer & Rowley, Albany, N.Y., submitted a brief amicus curiae for the New York Teachers Association, on behalf of plaintiffs.

Rocky Maps New Plan

Albany — (RNS) — Gov. Rockefeller said here that his administration would draft a private and parochial school aid plan to replace one declared unconstitutional on Jan. 11 by a federal court.

He said the new plan would be presented to the state legislature in "maybe a month."

Gov. Rockefeller said he was convinced "of the need for financial assistance within constitutional limits" and that an appropriate method could be found.

Senate Majority Leader Earl Brydges also pledged himself to find other methods of giving aid if the court decision is upheld. Atty. Gen. Louis Lefkowitz was studying the decision and was expected by some to appeal the decision to the U.S. Court of Appeals.

The court decision was applauded by Isalah Robinson, president of the New York City Board of Education, and Mrs. Blanche Lewis, president of the city's United Parent Associations.

Asked if the city's public school system could absorb the students now in parochial and private schools if they were forced out of existence, Robinson replied, "It is not for us to make that decision. It is up to the state to make sure we are ready to handle all the students we get."

Msgr. Joseph T. O'Keefe, secretary of education for the Archdiocese of New York, declared that "we had anticipated the ruling" and that the act passed by the state legislature "was not the type of legislation we had hoped for."

He suggested that tax credits, tax reductions, parent-aid plans, educational vouchers and other programs would be found constitutional.

Private and parochial schools in New York State enroll about 800,000 students. Of the 800,000, about 85 per cent are in Catholic schools, a Catholic spokesman said, with about 350,000 students in the Catholic schools of New York City.

Wednesday, January 19, 1972

PAROCHIAL '72

Hays, Circuit Judge:

The plaintiffs contend that Chapter 822 of the New York Laws of 1971 entitled "An Act to provide acceptable secular educational services for pupils in nonpublic schools and making an appropriation therefor," is unconstitutional under the First Amendment to the Constitution of the United States. They ask this court to declare that Chapter 822 is unconstitutional in so far as it provides for state financial aid to church-related elementary and secondary schools, and to enjoin its enforcement.

An analysis of Chapter 822 reveals that the statute is in all important respects substantially similar in purpose and effect to statutes enacted in Pennsylvania, Rhode Island and Connecticut which were held un-

constitutional in *Lemon v. Kurtzman* (Pennsylvania) and *Earley v. Di Censo* (Rhode Island, 403 U. S. 602, 1971), and *Sanders v. Johnson* (403 U. S. 955, 1971, Connecticut). In fact, quite understandably, the brief in behalf of the State of New York hardly even attempts to argue that there is any significant difference between the New York statute and the others.

In view of the authorities cited it is unnecessary for us to engage in any re-examination of the basis on which the statute must be held unconstitutional.

We grant the application to enjoin enforcement of Chapter 822 in so far as it provides for state support for church-related elementary and secondary schools.

Appellate Division Denies Abortion Bar

New York — (RNS) — The Brooklyn Appellate Division has refused to bar abortions in municipal hospitals while judges decide whether to uphold a preliminary injunction granted by Queens Supreme Court Justice Francis X. Smith.

Justice Smith issued a temporary injunction to block abortions in city hospitals on a professor's statement that "a fetus is a living human being" entitled to the court's protection. Abortions were not halted however, because the injunction was automatically stayed by the filing of an appeal.

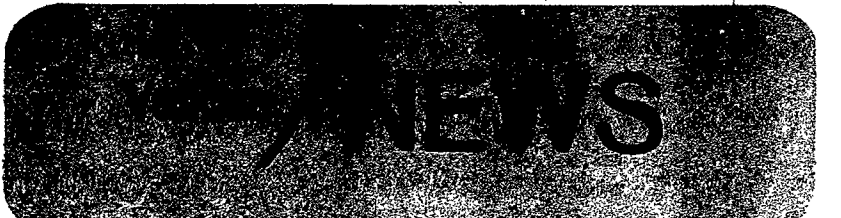
In their appeal, state and city officials asked the court to overrule the preliminary injunction, dismiss the original suit brought by Fordham law professor Robert M. Byrn, and

vacate the lower court appointment of Bryn as, in effect, the legal guardian of fetuses.

Byrn, who is challenging the constitutionality of the New York abortion law, asked the Appellate Division to vacate the stay that resulted from the city and state appeal, but the judges refused.

Presiding Justice Samuel Rabin and four colleagues reserved decision on the state and city's motion to dismiss the suit, and also stayed a trial of the case scheduled for Jan. 11 before Justice Francis X. Smith.

The Appellate Division courtroom was filled with some 200 women spectators, supporters and opponents of the liberalized state abortion law. More than half of them wore plastic roses, as symbols of life and their opposition to the 18-month-old law.



Pope Receives Delegates To New Charities Board

Vatican City — (RNS) — Pope Paul VI has made it apparent that he is aware of a fear among Catholic charitable organizations that the Vatican might try to take them over through the recent establishment of a central charity agency.

The pontiff received delegates Jan. 13 to the first plenary session of *Cor Unum* (One Heart), also known as the Pontifical Council for Emergency Relief and Development (CERD).

"We have intended that you should yourselves construct a work that does not take the place of any existing organizations, nor diminish their administrative autonomy," the Pope said.

"On the contrary, if you work respects the original character of each organization and benefits from this, it will be the framework for the development of outstanding collaboration which will give rise to common undertakings and projects."

The Pope reminded delegates that there is a "distressing vastness" of needs throughout the

world. That is why, he said, "the Church cannot permit herself any waste of the modest resources which the generosity of her members put at her disposal."

Shortly after the new organization was formed last July, there were complaints from many heads of Catholic organizations that do charity work. In Germany, officials of *Misereor*, a fund-raising organization, complained openly that the new Vatican agency would try to control all charity work throughout the world. The U.S. National Conference of Catholic Charities also were reported to be annoyed at the establishment of the new pontifical organization.

Critics said the agency would be nothing more than "another umbrella under which the Holy See can sweep independent agencies."

Vatican Radio said that, since its establishment on July 15, the new pontifical agency had channeled hundreds of thousands of dollars to various relief operations in the Indian subcontinent.