

Supreme Court to Get State Abortion Case

Albany — The 5-2 decision by the State Court of Appeals against the petition of Fordham Law Professor Robert Byrne to halt abortions as unconstitutional sets the stage for trial in The United States Supreme Court.

Even before the case was tried in Albany, it was clear that whether the abortion law was affirmed or struck down a clarifying appeal would be made to the country's highest court.

In their decision, the five judges who voted to permit abortions to continue leaned heavily on the position that it was up to the Legislature to determine whether unborn children had legal rights as persons under the state law.

Professor Byrne's argument was based on the unconstitutionality of the liberal abortion law since it deprived the unborn children of their right to life.

The five judges who voted to continue permitting abortions are Associate Judge Charles Breitler, who wrote the majority opinion, Chief Judge Stanley H. Fuld, and Associate Judges Francis Bergen, James Gibson and Matthew Jasen.

The two judges who voted to scrap the law are Associate Judges Adrian Burke and John Scileppi.

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"Whether the law should accord legal personality is a policy question which in most instances devolves on the Legislature, subject again of course, to the constitution as it has been 'legally' rendered."

Judge Burke, in his dissent, cited among other sources, the recent decision of the Supreme Court which found capital punishment "immoral and therefore unconstitutional" because it involved "The taking of a life."

Since the evidence is clear

that the unborn child lives, and has life, it is an "irrational" legislation which permits the taking of a life for "purposes of comfort, convenience, property or peace of mind" as does our liberal abortion law, Justice Burke argued.

Many Attend Burial of Patriarch

Istanbul (RNS) — In a grave near the tombs of 14 of his predecessors, Ecumenical Patriarch Athenagoras I was buried here following a funeral attended by the great and lowly.

The body of world Orthodoxy's spiritual leader was buried at Balikli, outside the walls of Old Constantinople, the Greek name for Istanbul. (Balikli continued as a Christian center after the Turks, who are Muslims, conquered the area in the 15th century.)

The funeral service was held in St. George's church, located within the cramped compound of the Ecumenical Patriarchate in the Phanar section of Istanbul.

Among those attending were Cardinal Jan Willebrands, president of the Vatican's Secretariat for Christian Unity and the representative of Pope Paul; Dr. Eugene Carson Blake, head of the World Council of Churches; Archbishop Michael Ramsey of Canterbury, head of the world Anglican Communion, and delegations from most of the world's Orthodox patriarchates and independent Churches.

Many clergy and laity from the Greek-Orthodox Archdiocese of North and South America — which is directly under the Patriarch's jurisdiction — attended. Archbishop Iakovos, primate of the American Church, could not attend. He was barred by Turkey as "persona non grata."

K. of C. Gives \$100,000 To Parents Education Unit

Washington, D.C. (RNS) — A new organization called Parents for Nonpublic Education has received a \$100,000 grant from the Knights of Columbus, the international fraternal society of Catholic men.

Parents for Nonpublic Education is an association of Catholics formed to lend support to an interreligious organization called Citizens' Relief for Education by Income Tax (CREDIT), according to Robert N. Lynch, executive director of the Catholic group.

Lynch said CREDIT "is composed of Catholic, Protestant and Jewish leaders and representatives of non-public schools who are seeking to obtain relief through income tax credits for parents who are educating their children in non-public schools."

CREDIT, he said, also stresses the right of parents to educate their children in accord with their religious conscience and emphasizes the value of non-public schools in a pluralistic society. Rabbi Morris Sherer of Agudath Israel of America is chairman of CREDIT.

Commenting on the \$100,000 grant, Supreme Knight John W. McDevitt said: "Non-public schools are performing an important service to all Americans. Their contribution is as precious today as it has been in decades past."

"However, rising costs are placing an increasingly intolerable burden on these schools and their supporters," McDevitt said. "The end result of this is that parents are denied their fundamental human rights to edu-

cate children in the schools of their choice. It also deprives the nation of the immense benefits which come from diversity of choice in education."

The grant was lauded by Cardinal John Krol of Philadelphia and Cardinal Terence Cooke of New York, both of whom have endorsed Parents for Nonpublic Education.

"For more than a century the Knights of Columbus have been in the forefront of educational, charitable and social welfare activities," Cardinal Cooke said. "It is in keeping with their history that once again they have given outstanding support to a notable effort which only can rebound to the well-being of all Americans of whatever religious persuasion."

Ulster Priest Runs Factory

New York — (RNS) — Father Austin Eustace is a parish priest in Northern Ireland who knows something about glass — enough to design, build and operate a cut-crystal factory that employs 75 persons and make it a success.

In operation for about a year, Tyrone Crystal, Ltd., in Dunganon, County Tyrone, is a public company underwritten by a Catholic parish that was set up mainly as a "self-help" project to relieve a dire unemployment situation.

In 1964, the priest set up an agricultural co-operative which is still flourishing in County Tyrone and more recently promoted a "do-it-yourself" housing project which produced 36 badly-needed homes. The glass factory undertaken with the approval of

Cardinal William Conway of Armagh, the priest's "boss," is his latest contribution to alleviate the socio-economic problems of his area.

Father Eustace, a native of the Irish Republic who has spent all 27 years of his priesthood in Ulster, bristles at press reports which describe the current discord and violence in Northern Ireland simply as a "Catholic-Protestant conflict."

The priest remarked that not only does his factory hire and train Protestants, but some of the financial backers of the enterprise are local Protestants. "At the first organizational meeting, I announced that the company was public and that I would not have anything to do with

discrimination or segregation."

He does not deny that discrimination exists throughout the country but insists it is grounded in socio-economic deficiencies.

Because the manufacture of cut crystal requires an emphasis on men rather than on machines, Father Eustace chose that field. He opened a training school, built the factory, and started production.

Describing Tyrone Crystal as "the most exclusive lead-cut crystal in the world," Father Eustace claimed that U.S. markets are opening up to his tableware products. So far he has designed several "suites" of table glasses, and will soon be moving into the design and production of candle holders, dishes, vases and "art pieces."

St. Paul's Theology in 'Rescue' Movement

A move is underway to reassert the theological importance of St. Paul and to rescue the Apostle's reputation from modern detractors.

The man who wrote a hefty chunk of the New Testament is not, of course, out of vogue in many sectors of the church; no Christian theology can totally circumvent what he said.

But the native of Tarsus has fallen on bad times in some cultural streams and among certain highly vocal groups: women's liberationists accuse him of implanting anti-feminism in Christianity; others draw a sharp line between the religion of Jesus and Paul, praising the simplicity of the former and criticizing the abstractness of the latter.

"Paul suffers from a 'bad press' among self-conscious moderns," Prof. Walter Arnold of Fordham University has observed.

An emerging pro-Paul movement is neither organized in any formal way nor blind to problems that Paul does raise for modern people. It is also diverse, at times impressionistic, such as in a British Broadcasting Corporation series in which Malcolm Muggeridge and Alex Vidler literally retraced the missionary journeys of the Apostle.

The variety of reactions to Paul are reflected in a long list of quotes prefacing the printed text of the Muggeridge-Vidler programs. "Envoy Extraordinary" (Harper & Row) notes that Abelard said he did not want to be a philosopher if he had to "rebel against St. Paul," while philosopher J. S. Mill said, "I hold St. Paul to have been the first great

corrupter of Christianity."

At least three, often interrelated, fronts can be seen in contemporary reassessing of Paul. One is really very old and has to do with Paul as a Jew who became a Christian. A second involves study of the Apostle's attitude towards women; the third with relation of Jesus and Paul.

It is not surprising that Christianity's first major evangelist and theologian has not been a popular figure in Jewish circles. For centuries he stood as a prime apostate from Judaism. More recently he had been considered a non-Palestinian Jew with little understanding of the faith of his fathers.

Now Rabbi Richard Rubenstein, a professor at Florida State University, has challenged traditional Jewish treatments. In his book "My Brother Paul" (Harper), the rabbi asserts that Paul can be a reconciling rather than a divisive force between Christians and Jews.

While himself stopping far short of Paul's confession of Jesus as Christ, Rabbi Rubenstein sees the Apostle as a "Jewish mystic" who understood but disagreed with the Judaism of his time. He says Paul was a religious genius, giving expression to human yearnings for "a new and flawless beginning that could finally end the human cycle of anxiety, repression, desire and craving."

The rabbi admonishes today's people to go to Paul for instruction on how to make the human pilgrimage, how to tap the "meaning of the human world."

None today can write about

Paul without mentioning women. The author of "My Brother Paul" is no exception, and makes a point stressed by Christians eager to clear the apostle of anti-feminist charges. He says Paul's attitude toward women "represented an advance" over previously held ideas.

"How is that true?" ask "women's lib" exponents offended by such passages as I Corinthians 14:33-36, which prohibits women from speaking in churches; I Timothy 2:11-14, which says women may not tell a man what to do, and I Corinthians 8:34, which lectures wives on how to please their husbands.

Two responses are forthcoming. One says to study the particular passages that offend; the other suggests close investigation of the whole of Paul's writing.

Dr. Robin Scroggs, professor of New Testament at Chicago Theological Seminary, proposes that Paul was quite remarkable for his day in seeing men and women as equal. Dr. Scroggs, discussing Paul in a March Christian Century article, hopes moderns will take seriously an affirmation in Galatian 3:28: "There is neither Jew nor Greek, there is neither slave nor free, there is neither male nor female; for you are all one in Christ Jesus."

Dr. William and Mrs. Marianne Radies, a writer team from Michigan, said recently: "Followers of the women's liberation movement would, we think, if they looked carefully, find more in Paul to encourage than to oppose their movement." They call attention to the Apostle's treat-

ment of women as "fellow-workers."

In addition to being accused of relegating women to a secondary human role, Paul has also been faulted for having a negative, puritanical outlook on all sex.

Rabbi Rubenstein reminds women critics that Paul believed the whole "order of mortality" was coming to an end so that his concern was "with death and resurrection, not sexuality."

The Paul versus Jesus issue is about a century old and no doubt has been revived, perhaps unintentionally, by the "Jesus revolution."

"What is all the fuss about?" an author in America, the Jesuit weekly, asks. It is about claims that Paul misconstrued the life and teachings of Jesus. This claim goes back to late 19th and early 20th Century scholars.

Philosopher Alfred North Whitehead quipped, "The man who, I suppose, did more than anybody else to distort and subvert Christ's teaching was Paul."

Psychoanalyst C. G. Jung had a similar opinion: "It is frankly disappointing to see how Paul hardly ever allows the real Jesus to get a word in."

No one denies that Paul did more than any other single individual to spread Christianity to the Gentile world. Although he did not know the historical Jesus, Paul's writings are considered the oldest in the New Testament. His presentation of the faith was authoritative from early Christian times; Pauline themes have been involved in virtually every significant Christian "revival."