

# The Bishop And the Man Condemned

Washington (NC) -- Several years ago, Bishop Rene H. Gracida visited a Florida prison and talked to death row inmate Robert Sullivan.

Now, thoroughly convinced that Sullivan is innocent, the bishop is trying to stave off impending execution.

Bishop Gracida, formerly bishop of Pensacola-Tallahassee, Fla., and now of Corpus Christi, Texas, has campaigned for the end of the death penalty, joining in statements by the Florida bishops and writing a pastoral letter.

But the Sullivan case, he said, is particularly urgent because a new death warrant authorizing Sullivan's execution was signed Nov. 9 by Gov. Robert Graham of Florida. The bishop said he will keep up his appeals to Graham to commute the sentence to life imprisonment "right up until the end," if necessary.

Discussing the case with NC News when he was in Washington for the National Conference of Catholic Bishops' general meeting, he said he became aware of Sullivan's case after talking with the prisoner and reading details of his case.

"My intuition was -- and is -- that he is innocent," said Bishop Gracida.

He said the case began when two thugs held up a restaurant and took as a hostage the manager, whom they later murdered and left in the Everglades swamp. The victim's credit cards and keys were found in Sullivan's apartment. However, the bishop and supporters of Sullivan believe the real culprits were two would-be friends of Sullivan who had been staying with him, and who allegedly left the incriminating evidence in Sullivan's apartment. Arrested, the two turned state's evidence, implicated Sullivan as the murderer, and were subsequently paroled from prison after relatively light sentences, the bishop said.

Sullivan claims that at the time of the crime he was about 40 miles away at a bar where the bartender and other patrons knew him, Bishop Gracida said. After nine years, a private investigator located those people, who signed statements under oath asserting that Sullivan had indeed been at the bar when the crime was committed, the bishop added.

But, Bishop Gracida said, although this is new evidence it is not likely to result in exoneration for Sullivan or even halt his execution, precisely because it is new evidence, which cannot be inserted into a case at a higher court level. At the same time, said Bishop Gracida, a lower court will not reopen an old case without a higher court's instruction to do so, and so the condemned man is caught in a "catch-22" situation.

All the condemned man needs is a commutation, an opportunity "to prove his innocence and ultimately gain his freedom," Bishop Gracida said.

He added that lawyers from various anti-death penalty groups are working on Sullivan's case, but in light of recent Supreme Court actions involving capital punishment cases, he is not certain the case will be granted further appeal. Bishops in Massachusetts, where Sullivan had lived, and that state's governor also have appealed for mercy for Sullivan, he said.

"He's in total isolation and he knows the chair is right behind the door," the bishop said. "If he's innocent, as my intuition tells me, this is truly cruel and unusual punishment."

# New Team Heads U.S. Bishops

Washington (NC) -- Bishop James W. Malone of Youngstown, Ohio, was elected president and Archbishop John L. May of St. Louis was elected vice president of the National Conference of Catholic Bishops Nov. 15.

Bishop Malone, 63, NCCB vice president for the past three years, was elected president on the first ballot with 150 votes. The nine other nominees combined received 127 votes.

Archbishop May, 61, was then elected vice president, defeating Archbishop James A. Hickey of Washington 156-82 after two earlier ballots for vice president had given no candidate a majority.

Under NCCB rules, the nine remaining nominees after the president is elected are automatically nominated for vice president. Both Bishop Malone and Archbishop May will serve three-year terms.

Bishop Malone, the first bishop rather than an archbishop to be elected NCCB president, succeeds Archbishop John R. Roach of St. Paul-Minneapolis, whose three-year term as president was scheduled to end at the conclusion of the bishops' Nov. 14-17 meeting in Washington.

Archbishop May's election

as vice president was greeted with an ovation from the bishops.

In addition to being vice president, Bishop Malone has chaired the NCCB Ad Hoc Committee for Conference-wide Priorities, the committee for followup to last year's 10-day retreat by the bishops in Collegeville, Minn., and the NCCB Personnel and Administration Committee. He is a consultant to the NCCB's Liturgy Committee.

Archbishop May, a native of Evanston, Ill., succeeded Cardinal John Carberry as archbishop of St. Louis in 1980. Prior to that he had been bishop of Mobile, Ala., for more than 10 years.

Archbishop May was ordained to the priesthood in 1947 and has served as a general secretary and vice president of the Catholic Church Extension Society. He also was an auxiliary bishop in Chicago for two years in the late 1960s.

In the bishops' conference Archbishop May has been chairman of the bishops' Committee on Church-Government Issues.

Bishop Malone is the sixth prelate to serve as president of the NCCB and its public policy arm, the U.S. Catholic Conference, since the twin agencies were formed in 1966.



Bishop James W. Malone of Youngstown, Ohio (left), elected president of the National Conference of Catholic Bishops, is congratulated by his predecessor, Archbishop John R. Roach of St. Paul-Minneapolis. It was the first time a bishop rather than an archbishop had been elected to the post. (NC Photo)

The other presidents have been Cardinal John Dearden of Detroit (1966-71), Cardinal John Krol of Philadelphia (1971-74), Archbishop Joseph L.

Bernardin of Cincinnati, now cardinal of Chicago (1974-77), Archbishop John R. Quinn of San Francisco (1977-80) and Archbishop Roach (1980-83).

# Bishops Stress Celebration Part of Holy Day Obligation

By James B. Burke  
Washington (NC) -- The U.S. bishops want to emphasize holy days as celebrations of faith as well as days of obligatory Mass attendance, Bishop R. Pierre DuMaine of San Jose, Calif., said.

He spoke during a Nov. 16 press conference at the National Conference of Catholic Bishops' annual meeting before the bishops voted to retain the six holy days which have been observed in the United States. A committee had recommended reducing the number to three.

In answer to a question on the binding nature of Mass attendance on holy days,

Bishop DuMaine said the bishops did not want only to emphasize the holy days as obligations.

Such an approach, he said is "from quantitative concepts."

The bishops "pastorally and theologically are trying to work out of" a framework which "emphasizes the holy days as celebrations" of faith, he said.

Canon law calls the obligation to attend Mass on holy days "serious," said Bishop Anthony J. Bevilacqua of Pittsburgh, chairman of the NCCB Canonical Affairs Committee.

He added, however, that canon law leaves the evalua-

tion of sinfulness up to moral theologians. The traditional teaching of moral theologians has been that it is gravely sinful to deliberately miss Mass on holy days without good cause, he said.

The sinfulness involved for a particular individual must be determined, he said, with some reference to the individual's conscience.

Asked if he thought Pope John Paul II was oppressing women, Archbishop Rembert Weakland of Milwaukee said, "I certainly don't believe the holy father is oppressive to women."

He said the pope not only reaffirmed the church's prohibition of women's ordina-

tion but also had taught that women "must be given full rights."

Archbishop Weakland said the pope had specifically mentioned "equal salaries" and "equivalent jobs" in discussing women's rights with him during a recent meal in Rome.

In regard to the case of Mary Agnes Mansour, the former Sister of Mercy of the Union, who resigned from her order rather than lose her job as director of the Michigan Department of Social Services, Bishop Bevilacqua said Miss Mansour had received full due process.

# Bishops to Write Pastoral

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Paul to head the study, emphasized in a speech that the purpose of the study was not for bishops to intervene in the legitimate autonomy of religious orders.

Rather, he said, the study was for the bishops to be of "pastoral service" to Religious, to get to know them and understand them and to join with them in the common task of the Church.

But Sister of St. Joseph Bette Moslander, a member of an advisory committee of Religious for the study, in a separate address warned of a possible fragmentation of religious communities and "intense pain and suffering" because of the study.

She also expressed concern that the study might be looked upon by U.S. women "as another painful example of the inability of the clerical Church to receive and honor the experience of women as full members of the Church."

Archbishop Roach also referred to the study in his presidential address opening the meeting Nov. 14. He said

the study on Religious, along with another study on U.S. seminaries, was requested by the pope "largely, I believe, because of his legitimate concern about the consequences for the Church elsewhere of trends and developments in this country."

On the holy days issue the bishops debated for nearly an hour Nov. 16 before deciding to retain the current schedule of holy days. The debate was necessitated by the newly revised Code of Canon Law, which lists 10 holy days unless a conference of bishops seeks permission from the Vatican to reduce the number in their country.

The bishops also had a proposal before them to reduce the current list of six to only three: All Saints' Day (Nov. 1), the Feast of the Immaculate Conception (Dec. 8), and Christmas (Dec. 25).

Most of the debate centered not on specific holy days but on whether or not it would be pastorally wise to change the current practice without first engaging in a broader consultation of the Catholic people of the

country on the purpose of holy days and the reasons for changes.

Of the three holy days for which the obligation to attend Mass would have been eliminated or shifted to Sunday, two -- the Feast of Mary, Mother of God on Jan. 1, and Ascension Thursday -- received majority support from the bishops for the change. But each needed a two-thirds vote to lift the obligation to attend Mass.

On the sixth feast in question, the Assumption (Aug. 15), the bishops voted 173-132 against removing it from the holy day list.

The Hispanic pastoral, meanwhile, was approved unanimously by the bishops on the final day of the meeting.

The new pastoral focuses on a variety of concerns of the Hispanic community, particularly the needs of Hispanic youth. It urges bilingual education, asks those who employ Hispanics to provide them with decent working conditions, and says one of the most serious problems facing the Church is

the scarcity of Hispanic priests, brothers and sisters. It also urged a struggle against the "radical evil" of racism.

The pastoral was prepared by the bishops' Hispanic Affairs Committee chaired by Archbishop Robert Sanchez of Santa Fe, N.M.

Earlier the same day the bishops also approved their liturgy statement for issuance Dec. 4, the 20th anniversary of the Second Vatican Council's "Constitution on the Sacred Liturgy."

The statement, titled "The Church at Prayer -- A Holy Temple of the Lord," evaluates the liturgy constitution's impact on the American Church over the past 20 years and stresses its "continued importance" in the United States.

It also notes the liturgical gains of the period but says many areas of unfinished liturgical business remains.

As the meeting adjourned the bishops also approved a 400-word resolution on Central America expressing solidarity with the bishops of the region and joining them in a call for dialogue among

the contending parties there. The resolution quoted from a joint communique issued by the Central American bishops earlier this year and said the U.S. bishops' concern for the sufferings of the Church there had been heightened by "continued instances of violence directed against bishops, priests and laity."

Among other actions the bishops:

- Were told that an ad hoc committee developing a pastoral letter on "Catholic Social Teaching and the American Economy" would not issue its first draft until after the 1984 presidential election.

- Archbishop Rembert Weakland of Milwaukee, chairman of the committee, in a progress report on his committee's work said the committee wanted "to avoid false possible partisan implications of the letter."

- Agreed that in addition to meeting twice a year beginning in 1985, they also would hold in 1986 another retreat-style assembly similar to the 10-day meeting held in Collegeville, Minn., last year.

# Home Care Week to Begin

Visiting Nurse Service will be joining in the national celebration of Home Care Week beginning Sunday, Nov. 27.

Further information on home service is available from (716)482-0120.

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