

Federal court grants bishops reprieve from contempt fines

New York (NC) — The U.S. bishops won a reprieve May 14 when a federal appeals court agreed to set aside \$100,000-a-day contempt-of-court fines until the court could hear the bishops' appeal in an abortion-related tax case.

The 2nd U.S. Circuit Court of Appeals in New York delayed the fines and tentatively set the week of June 23 to hear oral arguments on the bishops' refusal to release subpoenaed, detailed records of pro-life activities by their two Washington agencies: the National Conference of Catholic Bishops and its action arm, the U.S. Catholic Conference.

The fines originally had been imposed on the bishops May 8 by U.S. District Judge Robert Carter.

The bishops' records are being sought in a case brought by Abortion Rights Mobilization against the Internal Revenue Service. The abortion rights group is seeking to force the IRS to remove the Church's tax-exempt status because the Church allegedly engaged in illegal activities by supporting or opposing political candidates based on their views on abortion.

Msgr. Daniel Hoye, NCCB-USCC general secretary, said the delay of the penalties and the chance to appeal opened the door for the bishops to address a number of important issues, including the "chilling effect" that the case and the subpoenas could have on First Amendment rights of all U.S. religious groups.

He said the subpoenas "raise the prospect of the court's and ARM's involvement in the internal affairs of the Church. We do not consider this fair and reasonable."

Msgr. Hoye said the dispute "touches directly on fundamental issues" of church-state relations.

"Do religious groups in the United States have a right to speak and act in permissible ways on behalf of their conscientious convictions regarding public issues?" he asked. "We contend that they do, and it is this fundamental principle which we seek to uphold."

Msgr. Hoye's concerns were echoed by spokesmen for other churches.

"A good portion of the religious community agrees...that what is happening to the Catholic Church should be resisted," said Earl Trent, general counsel for the American Baptist Churches.

Trent called the subpoena for internal documents "an invasion of First Amendment rights" of free exercise of religion.

Trent indicated that his church would file a friend-of-the-court brief in support of the Catholic bishops.

The Rev. Dean Kelley, director of religious and civil liberty at the National Council of Churches and an expert in church-state relations, said every American individual and organization would be at risk if "a third party has standing to challenge your tax status."

The case also raises the question of whether the tax exemption which churches enjoy "has anything to do with their degree of participation in the civic processes," he added.

The National Council of Churches will also file a brief on behalf of the bishops, Mr. Kelley said.

The New York Times editorially supported the bishops May 10 and predicted that the "underlying lawsuit will ultimately be thrown out of court."

"When the bishops enter the political arena, they have to expect the rough-and-tumble," the newspaper said. "But they have a legal right to disobey the court order (for documents) for the purpose of testing it."

Cardinal John J. O'Connor of New York, in his weekly column in Catholic New York, the archdiocesan newspaper, also commented on the importance of the case.

"In my view," said the cardinal, "critical constitutional issues are at stake in this case, including...separation of church and state, First Amendment rights of free speech and, of crucial importance, I believe, whether legitimate efforts to shape public policy (in this case to save human lives) are to be trivialized as 'meddling in politics.'"

Referring to The New York Times editorial, Cardinal O'Connor said he has had "more than one encounter with those two characters: Rough and Tumble. That's perfectly acceptable. What is not acceptable, however, is the allegation that a bishop has no right to even enter the (political) ring."

Council of churches exec to speak at GEM dinner

Dr. Arie R. Brouwer, general secretary of the National Council of Churches of Christ, U.S.A., will be the featured speaker at the Genesee Ecumenical Ministries (GEM) annual dinner, Thursday, May 29.



As chief executive officer of the nation's largest ecumenical organization, Brouwer serves as an official spokesman for the council on world and national events. At the dinner, Brouwer will speak on "Ecumenical Vocation."

On Friday, May 30, at noon in the Asbury First United Methodist Church, Brouwer will speak again on "What's Happening with the National Council of Churches?" He is expected to discuss such issues as advocacy for social justice, evangelical forums and broadcast communications.

GEM's annual dinner, which begins at 5:30 p.m. at Twelve Corners Presbyterian Church, will also feature the presentation of an award for outstanding ecumenical leadership and the installation of newly elected officers. For information on either event, call GEM at (716)232-6530.

Mercy religious life candidate to be received as a novice

Barbara Stinard's reception into the Sisters of Mercy novitiate will be celebrated at 7 p.m. on Friday, May 30, in the Mercy Motherhouse chapel. She has lived in the congregation as a candidate since 1984.

The daughter of Charles and Ann Stinard, Stinard is from Ithaca, N.Y. In her home parish, Immaculate Conception, Ithaca, she had been active in religious education, lecturing, RCIA and Ultreya.

St. Mary's wine tasting party to benefit Family Birthplace

Come sample more than 200 wines and champagnes from around the world at the 10th annual wine tasting party to benefit the Family Birthplace of St. Mary's Health Care Services. Coordinated by Sherwood Deutsch, owner of Century Wine and Liquor, the wine tasting will be Friday, June 6 from 7 to 10 p.m. at the Nazareth College Otto Shults Center.

Tickets are now available at \$12.50 per person and must be purchased in advance by calling (716) 464-3255 (days) or 247-3052 (evenings).



Bishop Matthew H. Clark

Along the Way

One of the recurrent thoughts I have about the Church and her teaching authority is the manner in which the Lord calls me to be a part of it.

I have a growing sense that to be a good teacher means to be a good learner. And I am more convinced than ever that in order to be a good learner one must share in and try to absorb as fully as possible the wonderful gifts of the Spirit, as they are lavished on those joined to Christ in baptism.

The sense of growth to which I refer is both personal and corporate. Let me give examples of each by commenting on the Eucharistic liturgy in my own life and in the life of the Church. First, the personal: The Eucharist I celebrated with the Church when I was a young boy is the same Eucharist I celebrate with the Church as a bishop. But I have grown up a lot in those years, and I now have a deeper understanding of the mysteries celebrated in the Eucharistic assembly.

My theological education, a growing experience of life and ministry, the powerful witness of the faith of the community, and friends who have loved me deeply and accepted my love have all contributed immensely to that growth. Because of all this, the mystery of the Eucharist — which I believe through the gift of faith is everywhere and always the same — is at the same time continually new to me. I think of it and speak of it, understand it and love it now in ways different from my childhood ways. And, if I continue to love and be loved, I expect that I shall enter more deeply into the mystery of it all as the years go by.

Secondly, the corporate: The Church, too, in her developing life appreciates and celebrates the Eucharist in new ways. Worshipers receive the Eucharist much more frequently than they did 100 years ago. The Word of God is proclaimed in a language we understand. People are more active in our celebrations, and there is a wider variety of expression in our liturgical experiences. All of these changes are based in and give expression to the Church's continuing reflection on the real-

ities we celebrate in the Eucharistic liturgy and on the faith experience of the community.

In both cases, the reality remains the same, but the individual and community come to a deeper understanding of the mystery and express this understanding in language and practices different from those used before. This is in no way a repudiation of the past; it is a rather a growth or deepening of faith that will happen as long as persons and communities contemplate the great mysteries of faith.

The bishop is witness to the faith of the apostles in the Church entrusted to his care and, as such, participate with the Church in the experience of faith by which all of us grow in the Lord. His charge is to proclaim the same good news proclaimed in the first century but in words and forms that can be understood by today's men and women.

He is the center of unity of belief and is the judge of the genuineness of the experience of faith in his own Church. He is primarily a witness for his own community and, in his relations with the universal Church, he guarantees the authenticity of faith as expressed in his own Church.

To the degree in which his own Church's faith is partial and incomplete, the bishop's witness must be brought into harmony with that of the other Churches so as to arrive at a truly Catholic unity. As Vatican Council II reminds us, "each individual bishop represents his own Church, but all of them together in union with the pope, represent the entire Church joined in the bond of peace, love and unity."

It is a rich and magnificent charge I have, and I love it very much. And although I am deeply aware of the grace of my office, I am conscious as well that I can carry out my ministry properly only if I study and pray and, perhaps above all, keep in loving touch with the beautiful faith of our people.

Peace to all.

Diocesan Appointments



Bishop Matthew H. Clark has announced the following diocesan appointments, effective May 24:

Monsignor George A. Cocuzzi from sabbatical at Fordham University, New York City, to diocesan sabbatical assistance at Sacred Heart Cathedral.

Father Daniel V. Hogan from diocesan sabbatical assistance at Sacred Heart Cathedral to weekend assistant at St. Mary Magdalen Church, Wolcott; St. Thomas the Apostle, Red Creek; and St. Jude Chapel, Fair Haven.

A 1977 graduate of Ithaca High School, Stinard received a bachelor's degree in communication arts from Cornell University in 1981.

The theme of her reception is "Live on in my love" (John 15:9).

Parish schedules an evening to honor our Blessed Mother

Parishioners of St. Mary's Church in Elmira are invited to a special evening in honor of Mary on Wednesday, May 28.

The evening will begin with a pass-a-dish supper from 6-7 p.m. in the Marian Center.

The spirituality committee will then present the final Scriptural Rosary for May at 7 p.m. in the church, 224 Franklin St., Elmira.

Father John Hayes will conclude the program with a lecture, "A Traveler Looks at Our Lady," from 7:35 to 9 p.m. in the Marian Center. Father Hayes' talk will feature a look at the history of devotion to Mary and slides of the shrine at Lourdes.

Call (607)734-5220 for information.

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