

National/International Report

Cardinal reviewing case of AIDS victim denied wedding

By Tracy Early

New York (NC) — Cardinal John J. O'Connor of New York announced January 11 that he is reviewing the case of an AIDS victim denied a Catholic wedding at St. Patrick's Cathedral. The cardinal said he would approve the marriage if the couple meets Church requirements.

Some archdiocesan officials, however, indicated that meeting these requirements would be especially difficult for a person with AIDS, acquired immune deficiency syndrome.

The cardinal commented on the case during an impromptu press conference after Sunday Mass a day after his return from a controversial trip to the Middle East.

The wedding dispute became public January 9 when The New York Times reported the plight of the couple, who said their wedding had been approved by one priest on the cathedral staff but subsequently denied by the rector.

Cardinal O'Connor said he had talked with the rector, Monsignor James F. Rigney, and would check the facts. He said he "would see no problem" with the wedding if the couple got the appropriate instruction, perhaps at a local parish, and met all Church marriage requirements.

Monsignor Rigney, in a written statement released January 9, cited concern about a married AIDS victim transmitting the disease to a wife or child. And, in an interview, Monsignor William B. Smith, dean and professor of moral theology at the archdiocesan St. Joseph's Seminary, questioned whether an AIDS victim would consummate the marriage because of the possibility of transmitting the disease.

Under Church law, an inability to consummate the marriage is an impediment to marriage.

According to the Times, the AIDS patient, David Hefner, is a non-Catholic and former homosexual who married his Catholic wife, Maria, in a civil ceremony in February 1984 after they had lived together a year.

Hefner said that his wife had always wanted a religious ceremony at St. Patrick's Cathedral, so the couple made an appointment in late December with Father John Clermont of the cathedral staff. They said Father Clermont agreed to celebrate their marriage on February 14 at 9 a.m.

But Mrs. Hefner told the Times that Father Clermont called back two days later to say he could not preside at the wedding.

Mrs. Hefner, who reportedly has not contracted the AIDS virus, told the Times that in talking with Father Clermont they discussed miracles and the possibility her husband might recover and they might have a child.

In a brief interview on January 11, Monsignor Rigney cited the confidentiality of marriage counseling and declined to comment on the case.

He did not dispute the Times account, however, except to deny any suggestion that his action reflected dislike for having an AIDS patient in the cathedral.

In his earlier, written statement, Monsignor Rigney said that compassion must be tempered with concern for Church teaching.

"If one party to a marriage is suffering from an illness that may threaten the life of a spouse or a child who may later be conceived, compassion must be accompanied by a most serious effort to see that the problem is met in a manner harmonious with Church teaching," he wrote.

"This may well require time, prayer and discussion, and even rather lengthy counseling. For some, we may urge that this be done in the couple's own parish church where they are and will continue to be better known."

Monsignor Smith said January 9 that marriage of an AIDS patient might be canonically impossible, or at least imprudent.

AIDS in itself is not an impediment to marriage, Monsignor Smith said. But the impossibility of physically consummating a union — presumably the case for an AIDS patient trying to avoid transmitting the disease to a spouse or child — would be an impediment, he said.

If the couple intended to prevent the birth of children, it would be impossible for a priest to witness the marriage, he said. And if they planned to prevent transmission of disease through use of contraceptives, an "intrinsically wrong act," the Church could not approve the marriage, he said.

Catholic press must report dissent, CPA president says

New York (NC) — Catholic newspapers must deal with dissent by presenting all sides of controversial issues, the president of the Catholic Press Association asserted in a recent television interview.

"Dissent is very, very vital to news. We do people no service if we try to stifle what's going on," said Albina Aspell, president of the CPA. "We have to report on what's going on, because this is the only way that people can form opinions, and it does get people thinking."

Aspell, editor of the Catholic Post, the newspaper of the Diocese of Peoria, Ill., appeared on a segment of "Christopher Close-Up" which is scheduled for broadcast this month. The program is produced by the Christophers of New York.

The Catholic Press Association represents nearly 600 Catholic magazines, newspapers and other publications in the United States and Canada.

During the interview, Aspell and CPA

executive director James A. Doyle discussed the role of Catholic publications in presenting dissent in the Church. They were interviewed by Christopher Father John Catoir, CPA vice president.

The "only problem with dissent" from a journalistic point of view, Aspell noted, is "reporting it fairly, reporting all sides of it."

"The people have a right to know what the magisterium teaches," she said. "This is basically the one side of the coin." But in addition to knowing what the Church teaches, "if someone disagrees, they need to know that, too."

Doyle agreed. "To the extent that dissent — legitimate dissent — exists in the Church, it has to exist in the Catholic press," he said. "Otherwise the Catholic newspaper or magazine is not serving the Catholic community adequately. We have to report what's happening."

Aspell also said that the effect of dissent and coverage of it have not reached Catholics at the grass-roots level.

"I think the people who are really talking about it and thinking about it are the ones who are in the schools, the college field and those in Church decision-making positions," she said. "But for the people who come to Mass on Sunday, it (the substance of dissent) hasn't filtered down yet to their level, and some of them may not even be totally concerned about it."

Last June, Archbishop John P. Foley, head of the Pontifical Commission for Social Communications, urged the Catholic press to make Church teaching clear when reporting on dissent.

"Publications which claim to be Catholic should reflect the authentic teachings of the Catholic Church," Archbishop Foley said in a June 6 address at the national CPA convention in Columbus, Ohio.

"Dissent may be a fact to be reported; it is not a norm to be embraced," he added. Archbishop Foley is the former editor of the Catholic Standard and Times, the newspaper of the Archdiocese of Philadelphia.

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