

## World &amp; Nation

## Supreme Court agrees to take Missouri abortion-law case

By Liz Schevtchuk

WASHINGTON (NC) — The U.S. Supreme Court agreed Jan. 9 to take up a Missouri law, largely negated by lower federal courts, that declared life begins at conception, banned abortions at public hospitals and otherwise restricted abortion.

Church and pro-life sources welcomed the court's involvement.

"I'm cautiously hopeful that acceptance of this case signals a new willingness by the Supreme Court to reconsider the line of cases on abortion which begins with *Roe vs. Wade*," the high court's 1973 ruling legalizing abortion nationwide, said Mark E. Chopko, general counsel for the National Conference of Catholic Bishops.

Samuel Lee, state legislative chairman for Missouri Citizens for Life, said, "This is very exciting for all pro-lifers, especially those in Missouri, to see on the horizon protection of the unborn for abortion."

The Supreme Court, following its usual procedures, did not discuss the merits of any view in the case, *Webster vs. Reproductive Health Services*, when it announced that it would consider the case.

The Supreme Court is scheduled to end its argument period — the days when cases are actually argued before the bench — at the end of April. If arguments on the Missouri case are heard by then, a ruling might be possible — but is not guaranteed — by the end of the court's 1988-89 term in mid-summer.

Chopko cautioned that the high court, in taking the case, might stop short of reversing *Roe vs. Wade*.

"It is also possible for the court to reconsider *Roe* without ever overturning *Roe* itself," he said. "I think it will be highly unlikely for the court to reconsider and then overturn *Roe vs.*

*Wade* and thus rule abortion is no longer legal."

Sections of the Missouri statute struck down by lower courts included:

- A declaration that "the life of each human being begins at conception."
- A requirement that physicians perform various viability tests on fetuses apparently 20 weeks old or older before abortions.
- A provision forbidding public hospitals and personnel from performing any abortion not required to save a woman's life.
- A ban on use of public funds "for encouraging or counseling a woman to have an abortion not necessary to save her life."

In November, the Reagan administration asked the high court to take the case and to consider it as a vehicle for overturning the 1973 Supreme Court abortion legalization. The state of Missouri, in seeking Supreme Court intervention, also requested that the high court reconsider the 1973 ruling.

Missouri's disputed statute involved no extraneous, technical questions that would confuse the issue, and "accordingly, if the court is prepared to reconsider *Roe vs. Wade*, this case presents an appropriate opportunity for doing so," the Reagan administration said in its brief, filed by the Justice Department Nov. 10.

Passed by the Missouri Legislature in April 1986 and signed into law by the governor, the statute was scheduled to go into effect that August, but was challenged in court by two abortion agencies — Reproductive Health Services of St. Louis and Planned Parenthood of Kansas City — and three doctors, a nurse and a social worker.

In March 1987, a U.S. district court struck down major sections of the measure, and in July 1988 the 8th U.S. Circuit Court of Appeals concurred in nearly all of the district court's decisions.

## Pope, U.S. bishops to hold meeting on church challenges

By Cindy Wooden

WASHINGTON (NC) — Pope John Paul II and at least 33 U.S. cardinals and archbishops will meet at the Vatican March 8-11 to discuss the church in the United States.

The meeting dates were announced Jan. 5 by William Ryan, acting secretary of public affairs for the National Conference of Catholic Bishops.

Archbishop John L. May of St. Louis, NCCB president, was on retreat Jan. 5 and not available for comment. Ryan said details of the meeting would be released later in January.

In a Jan. 9 statement announcing the meeting, the Vatican said that "the agenda is being worked out."

"It is expected that the meeting will cover the topics regarding the challenges that the church must face today," said the statement issued by Vatican press spokesman Joaquin Navarro-Valls.

Archbishop May asked bishops at last November's NCCB general meeting to "reflect upon the potential significance" of the gathering at the Vatican and to share their thoughts on what might be discussed.

The U.S. delegates to the meeting will include the heads of the 33 metropolitan Sees — the chief dioceses of ecclesial provinces which

include other dioceses, sources told National Catholic News Service.

In the United States, 31 Latin-rite archdioceses and two Eastern-rite archdioceses are metropolitan Sees. The only U.S. archdiocese not considered a metropolitan See is the Archdiocese for Military Services.

A meeting to discuss U.S. church issues was first suggested in late 1986 by Bishop James W. Malone of Youngstown, Ohio, then-president of the NCCB.

The suggestion came as the church in the United States was reacting to Vatican actions in the cases of Archbishop Raymond G. Hunthausen of Seattle and Father Charles E. Curran, a professor at The Catholic University of America.

Pope John Paul II announced last March that the meeting would take place in the spring of 1989.

After the pope's announcement, Archbishop May told NC News that the meeting would be similar to a 1986 discussion at the Vatican with representatives of the Brazilian bishops' conference.

At that three-day meeting, which included Brazil's five resident cardinals and 14 regional secretariats, the Brazilians, Vatican officials and Pope John Paul discussed liberation-theology and other issues of concern.

## Cardinal says pope will visit Cuba

By Greg Erlanson

VATICAN CITY (NC) — Cardinal Roger Etcheagaray, who spent 11 days in Cuba, said Pope John Paul II will visit the communist island nation, but he did not know when.

"I am absolutely sure that the pope will make a visit to Cuba," said the cardinal, president of the Pontifical Justice and Peace Commission, at a Havana press conference Dec. 31.

Cardinal Etcheagaray visited Cuba Dec. 23-Jan. 2. His remarks, reported by the Italian press, were confirmed by the Vatican press office.

According to Vatican spokesman Joaquin Navarro-Valls, the cardinal's statement did not say anything new about the pope and his willingness to visit Cuba.

Navarro-Valls said Jan. 3 there is no program or date for such a visit. The preparation for any papal trip takes a great deal of time, he said, and is the work of the local bishops.

Cardinal Etcheagaray said a papal visit "is de-

sired by the pope himself, by the bishops" and by Cuba's Christians.

"Such a trip is desired also by (Cuban President) Fidel Castro," Cardinal Etcheagaray added.

"I don't know when it will happen, but it will be a benefit for all Catholics and for the entire Cuban people," he said.

The cardinal's comments came after a private meeting with Castro in Havana.

Cardinal Etcheagaray celebrated Mass New Year's Day in Havana's cathedral, Vatican Radio reported Jan. 2. He also celebrated midnight Mass in Pinar del Rio in western Cuba.

In a press conference held upon his arrival Dec. 23, the cardinal said his visit came at "a grand moment for the Cuban church, always more present in Cuban society, and whose only preoccupation is to offer an original contribution to the efforts of the Cuban people marching toward more justice, more peace and more solidarity with other peoples."

On one issue — use of public funds to pay for an abortion — the appeals court overruled the district court and said Missouri could prohibit such funding.

The appeals court differentiated between banning abortions at government-funded public hospitals, since a woman might be using such a hospital for an abortion but paying for it herself, and banning direct state funding of abortions.

Lee of Missouri Citizens for Life said that when pro-lifers first began working on the measure in the legislature, "we expected a court challenge and hoped to get this case be-

fore the Supreme Court."

"All along, we hoped the statute would be a vehicle for partial or total reversal of *Roe*," he said. "The right to life of the unborn was first lost in the courts; I believe that right will be finally gained back in the courts."

Chopko said that while not ruling on abortion directly, the court might focus attention on such other abortion-related questions as state regulation of medical industry practices, protection of unborn life, and state funding restrictions.

Yet, he added, "that will be significant in and of itself."



Polish-born Pope John Paul II admires a large painting of the city of Warsaw given to him by Polish pilgrims during a general audience at the Vatican.

## Pax Christi will not comply with U.S. immigration law

By David Zeiler

WASHINGTON (NC) — Pax Christi USA has declared that it will not cooperate with a U.S. immigration law it says violates refugees' rights to seek asylum, immigrate and work in keeping with their human dignity.

The Immigration Reform and Control Act of 1986 requires employers to verify that employees are authorized to work in the United States by having those employees filing an I-9 form. Employers who refuse to fill out the forms or who hire unauthorized workers are subject to fines or imprisonment.

Pax Christi has declared its "Pledge of Non-Cooperation" with the law, citing Pope John XXIII's encyclical, *Pacem in Terris*, which said all people have both the right to immigrate and the right to work in accord with their dignity as human beings.

The pledge means Pax Christi will not file I-9 forms for any of its dozen or so employees, although the law says one should be filed for every employee hired after Nov. 6, 1986, a spokesman said.

"It's a technical violation of the law," said Tom Cordaro, assistant to the national coordinator for Pax Christi. "The INS (Immigration and Naturalization Service) could make a case."

Pax Christi conceivably could face fines ranging from \$250 to \$10,000, Cordaro said, as well as the possible imprisonment of the group's president, Auxiliary Bishop Thomas J. Gumbleton of Detroit.

"If they come after us, our cause will be furthered by putting the issue before the people," Cordaro said. "If they don't, others may be encouraged to take action. If enough people non-cooperate, the law will be changed."

Pax Christi said the law will increase unemployment and poverty among an estimated 3 million refugees.

Furthermore, the law has created "misunderstanding and fear" that has led to discrimination in the hiring of members of minority groups who can work legitimately in the United States, especially Hispanics, the statement said.

Pax Christi also objects to the immigration law because it declares that those who have entered the United States since 1982 are not eligible for amnesty and are subject to deportation.

"The threat of deportation clearly violates Article 14 of the United Nations Declaration of Human Rights," Pax Christi said. Its statement was issued by the national council at a December meeting to mark the 40th anniversary of the U.N. human rights declaration.