

Force, intimidation compounded woman's abortion

By Father Anthony P. Mugavero
Guest contributor

The degradation of women in our area hit a new low on April 26 when, in the town court of Brighton, a woman who had had an abortion was forced to testify against her will by Judge James E. Morris, by the district attorney, and by the Brighton police department.

When the woman did not show up for the trial, the Brighton police were dispatched to go and get her at her home. She was told if she did not come with them to testify, she would be held in contempt of court and might have to spend up to a year in jail. I do not know what could be more of a threat or intimidation to her than this. Nevertheless, when she arrived in the courtroom, she told Judge Morris more than once and quite openly that she just wanted to make one thing clear: "I do not want to testify against this man," referring to me.

Though it was against her will, once she was made to take the stand, her testimony went completely

against what the prosecution was supposed to prove, even though she was one of the prosecution witnesses.

As the trial transcript shows, her testimony was clear from the beginning and throughout. There was no harassment, and she knew I intended none. There was no blocking of doors, no stopping of elevators. There was nothing like that. I had merely spoken quietly with her and she knew it was out of love and concern. She verbalized this a number of times and in many ways.

After her testimony, the judge intimidated her by asking if she knew what perjury was all about. Then, at the end of the trial, when the judge announced his decision, he completely disregarded and discarded her testimony.

So sadly, this woman who most everyone thought was bringing the complaint, was exposed publicly by being forced against her will to come to court.

However, when she surprised those who had wanted her to testify and spoke the truth, her witness was discounted. It did not fit with what was expected or an-



icipated. It verified the testimony of all the on-site witnesses for the defense, and it completely countered the only other on-site witness for the prosecution: the jail counselor who knew neither this woman, her internal struggle regarding the abortion, nor the external pressure on her to have this abortion.

No concern was shown this woman by the judge, the district attorney, the jail counselor, the Brighton police, or those people behind the scenes who set the stage for her being forced to appear in court to serve their own agenda.

In line with the evil of abortion, when the woman and her testimony were no longer useful, she and it were discarded and aborted as well.

Orthodox by what standard?

To the editor:

Your recent article on those who consider themselves "orthodox" prompts some reflection and historical perspective-taking.

Orthodox by whose definition? The stances taken by these people differ considerably from the Christian community of the first century, of the third, or the sixth, etc. Is it not rather that humans tend to canonize the institution of their experience, and so what orthodox really means is keeping things exactly as I learned in my youth?

As the official magisterium of the Church, Vatican II must be considered orthodox, and we are only beginning to understand its implications. One of the teachings of that council was about the "hierarchy of truths," that is, some of our beliefs are more important, more central to our faith, than others. This does not seem to be recognized in "orthodox" circles.

It is an irrefutable fact that change and theological development have been part of the church since earliest times. The diaconate, established in the first century, is a good example of the church responding to the needs of the times by developing a new ministry. Also, the early church had a much different understanding of sacrament — one which is closer to post-Vatican II — than the one developed in the Middle Ages and handed on to those of my generation.

The church is the People of God and so takes on flesh from the historical and cultural situations in which it finds itself. Those who consider this view heretical might wish to reflect on our history. For example, for a significant period of history, church councils were held in great esteem. Because of historical circumstances, the Council of Constance (1414-18) declared that the general council "possesses the authority which Christ gave his church," which authority everyone "even if he be the pope" is bound to obey



(decree *Sacrosancta*). Responding to a different set of historical circumstances, Vatican I emphasized — in a far more nuanced way than is commonly understood — the authority of the pope (decree *Pastor Aeternus*). Vatican II provided a way to reconcile this apparent contradiction, helping us to understand how both teachings need to be side by side.

This century has seen new sources for and methods of Scripture scholarship which have been approved by Rome but which affect our understanding of Jesus and his mission. The evidence does not support the idea that Jesus gave us a "blueprint" for a church separate from the Jewish community and replete with internal structures, dogmas and doctrines. In fact, the evidence is that there was a marked plurality in the early church.

Scripture does indicate that Jesus promised to send us his Spirit and to be with us always. How much healthier and more faithful we would be if, instead of living as if through a rearview mirror, we would live in joyful confidence and prayerful discernment, as though we really believed Jesus' promise.

Deirdre McKiernan Hetzler
Rochester Street Scottsville

Church's abortion teaching breaks tradition

To the editor:

Tony Mugavero's appeal to Catholic tradition to support civil disobedience is admirable. Tradition is rich and wise and attention to it can only be enlightening and encouraging.

However, without calling into question the rightness or wrongness of Tony's abortion position, I purport that he is untraditional within the Catholic tradition in identifying an embryo as an "innocent human life" and concluding abortion to be murder.

For 1,420 years until late in the 19th century Catholics, including popes, took it for granted that the soul is NOT infused at conception and abortion should not be considered murder. There are significant philosophical and theological issues at

stake in not holding this position.

The Church's greatest canon lawyer, Gratian, in the 12th century said: "He is not a murderer who brings about abortion before the soul is in the body." Pope Gregory XIII (1577-85) said it was not homicide to kill an embryo of less than 40 days since it was not human. Even after 40 days, though it was considered homicide, it was not as serious as killing a person already born. This was also the position of St. Alphonsus Liguori, St. Thomas Aquinas and St. Augustine.

We are certainly free to deviate from tradition but it is dangerous to do so without knowing it.

Father William M. Kelly, Ph.D.
Trumansburg

'Spiritual AIDS' plagues diocese

To the editor:

Your article of the Holy Week issue (CC: April 12) about the plight of "orthodox" Catholics in our diocese only begins to scratch the surface of our real problem. We have no idea how perceptive you or Bishop Clark are, but it is obvious to all that a significant number of Catholics have been alienated by the absence of leadership, evident partiality and lack of the most elementary pastoral sense of the current diocesan administration. The causes of this alienation are not difficult to ascertain.

The fact of the matter is that people are simply sick and tired of being disfranchised. The bishop pays lip service to participation, but he has not given any evidence of listening to anyone except for those who already agree with him. People are also tired of the bishop selling out the patrimony of the diocese to pay for an overgrown and unproductive bureaucracy. People are tired of pro-abortion nuns (everybody knows we have plenty in this diocese). Catholics are alienated, sick and tired of our seminaries closed, the laws of the Church systematically ignored, a courageous bishop (Austin Vaughn) attacked by our diocesan newspaper as a public sinner (such as "Father McBrien" did but a few weeks ago), a once fine Catholic school system devastated (under the euphemism of reorganization), the closing of churches and in general the atmosphere of defeatism ...

... In professing to be a Catholic, the priests, religious and laity have the duty to know, teach by word and example, and to defend the Truth which Christ gives us through the Church. However, most parishes visibly reject Catholic Faith — they disregard Church Teachings, Disciplines, Directives, and Authority.

We know sisters and priests in this Diocese who do not believe in the Real Presence, Angels, Purgatory, or that people are saved or damned for all eternity — human

development rather than saving souls is their primary concern. Does Bishop Clark see that he is not just destroying an institution, but endangering souls? For these, he will one day have to answer.

The Vicar of Christ, Pope John Paul II, recently told the Brazilian bishops (Feb. 10, 1990), "The 'salvation of souls' is her (the Church's) essential goal and her supreme law." The salvation of souls, not mere human development, is the primary mission of the Church.

By the very nature of Catholic Faith, Catholics do pray for the Bishop, for the women religious, and especially for priests who are leaders or followers of our Bishop. Their delusions of a rock-foundation for their feelings and theologies lead them blindly into "well-intentioned" perversions and subversions of the Truth — into acts and teachings of self-worship.

Acts of self-worship are so widespread and pervasive as to be designated as a plague of Acquired Inspirational Delusions — Spiritual AIDS.

Only the Divine Physician can cure the Spiritual AIDS victims of their delusions and self-worship. Catholics must be the instruments of prayer and Truth for the victims to be drawn to see their nothingness, become humble, become a LITTLE Child, returning God's Love with love and gratitude, rather than self-worship.

Bishop Clark's writing is nice and sweet. Words, however, are not enough. Nor is it enough to publish letters such as this one. We need the Bishop to be competent AND faithful to the Catholic Tradition and the Holy See, rather than to his own fancy. We've had enough of Diocesan self-worship.

Joseph J. Murray, chairman
Concerned Roman Catholics
of the Diocese of Rochester

EDITOR'S NOTE: Mr. Murray's letter has been edited to comply with the Catholic Courier's Letters Policy.

CATHOLIC COURIER

Bishop Matthew H. Clark, President
Bishop Dennis W. Hickey, Gen. Mgr.
Karen M. Franz, Editor/Asst. Gen. Mgr.

1150 Buffalo Road • Rochester, New York 14624 • 716/328-4340

Editorial Department:

Richard A. Kiley, Managing Editor • Teresa A. Parsons, Associate Editor
Lee Strong, Staff Writer • Rob Cullivan, Staff Writer

Babette G. Augustin, Photographer • Susan S. Petersen, Photo Intern

Business Department:

Mary E. Bittner, Office Manager • Bernie Puglisi, Advertising Manager
Jeanne A. Morin, Circulation Mgr. • Kathy Welsh, Ad. Account Executive

Production Department:

Lorraine Hennessey, Graphics Mgr. • Wayne A. Holt, Graphic Artist
John Kastner, Contributing Artist