

## Shedding more tears



AP/Wide World Photos

### Religious leaders plead for peace

An elderly Bosnian Muslim refugee wipes the tears from her eyes May 31 as her bus pulls out of the Travnik Refugee center. About 100 refugees were transferred to Zenica from Travnik to make room for new refugees coming from the Banja Luka region today, more victims of Bosnian Serb 'ethnic cleansing.' Major religious leaders last week pleaded for an end to fighting in the Balkans, noting feelings of helplessness as countries stood by and watched atrocities. After the deaths of three unarmed Italian aid volunteers in Bosnia-Herzegovina, Pope John Paul II urged prayers so that people understood 'that violence and hate do not contribute to the good of the country, but only sow destruction and death.'

## Mass celebrates Robert F. Kennedy's life

### Friends, family honor memory

By Bill Pritchard  
Catholic News Service

ARLINGTON, Va. — It had been 25 years since Bobby Kennedy's murder on the presidential campaign trail, and even the children of Camelot were going gray.

But they sought to rekindle some of the Kennedy populism in the 1990s with a call to comfort the afflicted and afflict the comfortable during a commemorative Mass at Robert Francis Kennedy's grave in Arlington National Cemetery on a cool, June 6 evening.

A musical backdrop was provided by a gospel choir from All Saints Catholic Church in Baltimore, crooner Andy Williams and soul singer Aretha Franklin.

Kennedy's burial place lies beneath a plain white wooden cross on a hill in the shadow of the old Custis-Lee mansion. The land that comprises Arlington cemetery was once Robert E. Lee's property. Nearby is the grave of Robert's assassinated brother, President John F. Kennedy.

Eldest son Rep. Joseph P. Kennedy II, D-Mass., 40, faltered with emotion as he stood next to the altar and recalled his father at the beginning of the "Mass for Courage and Reconciliation."

He said that in the midst of the mythologizing over the years, "I have to remind myself ... he was a living person."

His remembrance drew on a picture his father often painted of honest, struggling working-class Americans abused by greedy bankers and corporate magnates. At the end, he started to say: "This was a man, my father ..." and stopped to compose himself.

Joseph was 15 when Kennedy was

shot in a California hotel kitchen, June 5, 1968, as his 11th-hour bid for the presidency seemed to be catching fire.

The congressman took a deep breath and began again.

"Meanwhile ..." Another pause, the strain showing on his face as he struggled to contain his feelings, a cough, then he continued, ending with: "May the Good Lord hold Robert Kennedy close and may we too hold on with our hearts and minds."

Daughter Kathleen Kennedy Townsend, 41, read a call to worship which quoted from one of her late father's speeches: "I come to ask you to help in the task of national reconciliation."

An estimated 18,000 came to the ceremony sponsored by the Robert F. Kennedy Memorial — a private hu-

## Supreme Court sides with religion in rulings

By Patricia Zapor  
Catholic News Service

WASHINGTON — In two cases June 7, the Supreme Court wedged open the door permitting some religious activities on public school property, saying a church may use school meeting space and letting stand a lower court ruling allowing student-led graduation prayers.

The court reversed a 3rd U.S. Circuit Court of Appeals ruling that the Center Moriches Union Free School District on Long Island did not have to permit the Lamb's Chapel congregation to use school property to show films.

Though several justices cited different reasons for agreeing with the church's case, all nine members of the court said the school district was wrong to exclude Lamb's Chapel from using public property to show a film series that addressed family problems from a religious perspective.

Writing for the court, Justice Byron White said considering that the school district permitted a wide variety of organizations to use school property after hours, "there would have been no realistic danger that the community would think that the district was endorsing religion or any particular creed, and any benefit to religion or to

the church would have been no more than incidental."

District employees had testified that the Lamb's Chapel request to use the school had been turned down because the film series "does appear to be church related."

By rejecting the church's application solely because the content was related to religion, the district violated the free speech clause of the Constitution, the court said.

White's opinion, in which he was joined by Chief Justice William Rehnquist and Justices Harry Blackmun, John Paul Stevens, Sandra Day O'Connor and David Souter, pointedly avoided the Lamb's Chapel's claim that the district policy violated the Establishment Clause of the Constitution and was hostile to religion.

"Because we reverse on another ground, we need not decide what merit this submission might have," a footnote said.

In separate opinions, Justices Anthony Kennedy and Antonin Scalia, joined by Justice Clarence Thomas, found fault with the majority's use of the court's 1971 *Lemon vs. Kurtzman* ruling to decide the Lamb's Chapel case. *Lemon* established a three-part test for weighing whether a practice violates the separation of church and state. Scalia has made clear he believes *Lemon* should be overturned.

However Kennedy, Scalia and Thomas agreed with the majority conclusion, that Center Moriches School District violated the free speech rights of Lamb's Chapel members.

In the second case, the court let stand a ruling from the 5th U.S. Circuit Court of Appeals that permits students in Texas, Mississippi and Louisiana to include prayers in graduation ceremonies, as long as they are student organized and led.

A year ago the Supreme Court ruled in a Rhode Island case that public school employees may not be involved in arranging prayer at graduation ceremonies. In *Lee vs. Weisman*, the school's principal arranged for a rabbi to deliver a prayer and provided him with guidelines for making the invocation and benediction non-denominational.

But last November, the 5th Circuit said prayers that are planned and led by graduating students would be permitted.

During the last year, school administrators around the country have struggled with how to apply the *Weisman* ruling to their graduation programs, with the resulting policies ranging from total bans on any prayer, to acceptance of student-led invocations.

The 5th Circuit's ruling applies only to three states. But by refusing to hear an appeal, the Supreme Court sends a signal as to how it would view similar cases from other jurisdictions.

## Protesters ordered to leave church

By William T. Clew  
Catholic News Service

WORCESTER, Mass. — A judge has ordered protesting members of a Worcester parish to vacate the church they have occupied for more than a year in an effort to get it reopened.

In an order June 3 Worcester Superior Court Judge James E. McHugh gave the protesters two weeks to vacate St. Joseph's Church and told them to stay out "until further order of the court."

He ordered them to leave behind all keys and other church property.

He also ordered Bishop Timothy J. Harrington of Worcester to protect the church building and heat and ventilate it to avoid excessive deterioration until other court actions concerning the church's fate are settled.

The parishioners have occupied the church since May 25, 1992, in an effort to fight Bishop Harrington's decision

in February 1992 to close the church and merge it with Notre Dame des Canadiens Parish nearby. Both were originally French national parishes.

Bishop Harrington cited high costs of structural repairs and a lack of priests among his reasons for closing St. Joseph's.

Notre Dame des Canadiens had recently been renovated. The estimated cost to repair St. Joseph's was more than \$750,000.

The dissidents challenged the bishop's decision in civil court and at the Vatican while setting up a system of rotating shifts to occupy the church around the clock.

They lost first-round decisions but still have a civil appeal pending in Massachusetts and an ecclesiastical appeal at the Apostolic Signature, the church's supreme court in Rome.

In March Bishop Harrington asked for a court order to remove the protesters.

### Correction

Last week's page 4 article titled "Catholic Schools Office losing two administrators" erroneously reported when Sister Kathleen Murphy, OSP, was leaving her position as district superintendent for schools outside Monroe County. She is leaving her post on June 30, 1993. We regret the error.