

## WORLD &amp; NATION

## List of martyrs includes Martin Luther King

By Jerry Filteau  
Catholic News Service

WASHINGTON — As Americans prepared to observe the anniversary of the Rev. Martin Luther King Jr.'s birthday, popular interest was piqued by media reports that the Vatican might declare him as a modern Christian martyr later this year.

The speculation is not entirely accurate. It appears that very few and possibly even no names will actually be announced at the event in question — an ecumenical jubilee year service May 7 at Rome's Colosseum honoring thousands of 20th-century Catholic and non-Catholic Christians around the world who shed their blood for Christ.

Nor is the event to be anything like the church's ceremonies formally pronouncing someone blessed or a saint — as is usually implied in discussions of the church declaring someone a martyr.

Even without added hype, though, the bare facts behind the speculation are noteworthy:

- When the Vatican asked church officials around the world to submit names of 20th-century martyrs who could be honored for having given up their lives in witness to their faith, it specifically asked them to include non-Catholics. Many scholars have described this as an unprecedented ecumenical gesture.

- On the short list of about two dozen names submitted by the U.S. bishops was Rev. King, a Baptist minister.

The slain civil rights leader, whose Jan. 15 birthday is commemorated as a national holiday, exemplified nonviolent resistance to racial injustice.

Bishop Wilton D. Gregory of Belleville, Ill., said the wide public interest in the ap-



A Catholic school girl holds up an image of Martin Luther King Jr. during a program honoring the slain civil rights leader in Newark, N.J.

pearance of Rev. King on the bishops' list of U.S. Christian martyrs "is indicative of the broad general respect that Dr. King enjoys in the United States."

Bishop Gregory, vice president of the National Conference of Catholic Bishops and head of its Subcommittee on the Third Millennium, spoke with Catholic News Service by telephone shortly before he appeared Jan. 13 on the "CBS Evening News" to comment on the matter.

Rev. King "deeply touched and impacted the life of this nation," Bishop Gregory told CNS. "He is one of our national heroes."

"The uniqueness of his approach to social change," he added, "was bringing together the Christian tradition of nonviolence and love of neighbor, with a deep

Christian history as a Baptist preacher and a man of the Word of God, and combining that with his understanding and appreciation of the nonviolent movement so effectively exercised by Mohandas Gandhi.

"It was a wonderful interfaith combination of principles of justice and serving justice in a democratic nation."

Bishop Gregory declined to release other names the U.S. bishops sent to Rome, saying it would be up to the Holy See to decide how to release the more than 10,000 names submitted from around the world. A Vatican official later told CNS in Rome that there is no intention to publish the names at the May 7 ceremony.

Bishop Gregory noted that people knew of Rev. King's presence on the U.S.

list only because of a CNS story in May 1998 when Archbishop Crescenzio Sepe, secretary for the Vatican jubilee committee, mentioned that Rev. King would be among those listed.

Bishop Gregory said Rev. King "was not the only non-Catholic" on the U.S. bishops' list.

Paul Henderson, director of the bishops' national third millennium office, said he received phone calls from media across the country Jan. 13 after wire services picked up a *Boston Globe* Page one feature story about the Catholic list naming Rev. King as a martyr.

"It sparked a good amount of interest in both the church's celebration of new martyrs and Dr. King's connection to that," he said. "I think it raises up the fact that at this time we need people to look up to who lived a noble Christian life, who became witnesses, pointers to living out the Gospel, to the point of the supreme sacrifice of their lives."

Bishop John H. Ricard of Pensacola-Tallahassee, Fla., who like Bishop Gregory is African-American, said he was not involved in putting Rev. King's name on the list, but he regarded it as a good choice.

"I think it would be based on our experience in the United States of the struggle of African-Americans and all minorities against the oppression of racism. Dr. King personified that struggle," he said.

In the "enormous history" of overt discrimination and violence that Native Americans and African-Americans faced in the United States, Bishop Ricard said, "Dr. King was the personification of all those who died for freedom and righteousness out of selfless concern ... for the needs of others who had no voice and no one to speak on their behalf."

## Parents' rights under attack in Cuban, grandparents' cases

By Patricia Zapor  
Catholic News Service

WASHINGTON — Two prominent cases this winter are raising questions about a well-established legal practice and common societal belief — that parents are almost always the best decision-makers for their children.

In Florida, a great-uncle of Elian Gonzalez is trying to win custody of the 6-year-old, despite the fact that Elian's father is alive and apparently anxious to raise his son himself, in Cuba.

Meanwhile, the Supreme Court is considering the case of Jennifer and Gary Troxel, who petitioned for visitation rights to see two grandchildren. Tommie Granville Wynn tried to limit the amount of time her two daughters spent with their paternal grandparents after their father killed himself and she married someone who also had children and who adopted her two girls.

A Washington court established regular visits, but the state Supreme Court overturned the decision, saying the law allowing a judge to override the wishes of a competent parent and set mandatory visitation was unconstitutional.

In hearing oral arguments Jan. 12 about the Troxels' case, the Supreme Court justices seemed concerned that the state law is so broad that anyone — from a distant relative to someone off the street — could file for visitation rights against a parent's wishes.

Justice Sandra Day O'Connor called the statute "breath-takingly broad" and said she was worried that anyone could force a parent into an expensive court fight by demanding visitation rights.

Chief Justice William Rehnquist noted that a long line of court rulings gives parents the right to decide what's best for their children except when the parents are proven to be unfit.

Justice Antonin Scalia commented that there are many cases when it might be in the best interests of a child to not be raised by his parents, "but parents have rights."

When there is a dispute between parents, courts resolve the question by deciding what would be in the best interests of the child, Scalia explained. "But when the dispute is between a parent and someone else, it's what the parents want."

All states have some sort of law permitting grandparents and close relatives to petition for visitation rights. But only a handful of statutes are similar to Washington's in giving judges broad discretion to supersede parents' decisions over who their children may see, and allowing nearly anyone to take a parent to court over it.

Notre Dame Law School professor Richard Garnett helped write friend-of-the-court briefs for the Society of Catholic Social Scientists and for the Christian Legal Society arguing that the Washington law should be found unconstitutional.

He told Catholic News Service that discussion about the Troxels' case has gotten hung up on the "misty-eyed" idea that grandparents ought to be able to see their grandchildren no matter what. But the case really is about whether a parent who is not abusive or otherwise unfit "has to spend a lot of money and go to court to justify a decision about who has access to her children."

Catholic teaching as well as U.S. constitutional jurisprudence are firm in asserting that children are best served by a society that gives parents ultimate control over what happens with their minor children, Garnett said.

"Early U.S. cases over parents' rights arose in response to anti-immigrant and anti-Catholic local laws that were designed to second-guess the German-speaking, Catholic immigrants," he said. The belief of well-intentioned reformers who wanted

to put the children of recent immigrants into certain types of schools was that the youngsters could "be turned into good little Americans. ... All they had to do was get them out of their parents' control."

Diane Geraghty, a professor at the Child Law Center of Loyola University in Chicago, said some children ought to be allowed to decide for themselves who they want to see, but when they're too young and there's no evidence that the parents are unfit, "it should tilt to the parent."

And anyone who challenges a parent's decision in court "should have to climb a mountain of proof" to support their claim, Geraghty said.

Geraghty and Garnett see similarities between the Troxel case and that of Elian Gonzalez, whose Miami relatives are trying to get custody so he can remain in the United States, instead of going home to

his father in Cuba.

"In each case, it should be the parents who get to decide what's in the best interests of the child," Garnett said.

While he has "a gut reaction" that a child should not be sent back to a communist country, Garnett ultimately comes down on the side of parental autonomy.

"The father's views are more important than the great-uncle's," he said, with the clause that given the hot political implications of the case, it's difficult for anyone in the United States to really know what Juan Gonzalez wants for his son.

Geraghty agreed that the Gonzalez case is complicated by the involvement of two national governments with huge political stakes in the outcome.

"But the same kind of tilt has to exist in both cases," she said. "And the reason is, we assume that it is going to be best for a father to be with his kids."