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TO DEFEND CATHOLIC TRUTH AND UPHOLD CATHOLIC RIGHTS

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A Quarter-Century of Canonical Frustration

By Charles M. Wilson

[I acknowledge with thanks the extensive contributions made to this article by Philip C.L. Gray, JCL, who for many years has served the Saint Joseph Foundation as a consulting canonist. CMW]

This issue marks the start of our twenty-sixth year of publishing a newsletter. It also recognizes the twenty fifth anniversary of the Code of Canon Law now in force, which was promulgated by Pope John Paul II on January 25, 1983.

Actually, as many of our long-time readers may remember, this newsletter began as FIDELITATIS in 1982, some two years before the Foundation itself was incorporated and the present name of CHRISTIFIDELIS was adopted. On May 18th of that year, Pope John Paul II celebrated his sixty-third birthday; the present Code of Canon Law was in the final stages of preparation and Joseph Cardinal Ratzinger, then 54 years old, had been Prefect of the Congregation for the Doctrine of the Faith for less than a year. In North America, the licit celebration of the Traditional Mass according to the 1962 *Missale Romanum*, except by aged priests in private, had been virtually stamped out; and the *motu proprio Ecclesia Dei*, which urged bishops to be generous in permitting this venerable form of the Mass, would not be issued for another six years. Have conditions in the Church improved over the past quarter-century? That is a question for each of us to answer for ourselves.

Since 1984, the Foundation's fundamental purpose has been to help Catholics know their rights in the Church and to provide them with professional assistance to protect and defend these rights. Furthermore, we concentrate our efforts on those Catholics who are faithful to the authentic doctrines and discipline of the Church because experience has shown us that it is their rights to true teaching and true worship that are most in need of protection. The past twenty-five years have seen some notable successes; but, on the whole, the Foundation's mission has proven to be far more difficult than we thought it would be and it remains so today.

This article will examine four factors that I believe have most impeded the administration of justice in the Church. They might be identified collectively (with apologies to Ken Jones) as the "Index of Leading Canonical Indicators," so to speak.¹ The first is antinomianism or anti-juridicism. The direct effects of the harm that it has produced can be seen principally in Church's legal system. The remaining three are internal dissent, lack of faith and anti-Catholicism. Antinomianism is not their cause, although it has contributed to their spread, and most of the terrible damage they have caused is in other facets of the life of the Church, especially teaching and worship. Canon law surely is not the only response to them; but

if canonical means had been used, their spread would have been slowed and their harm ameliorated. Thus, how they have been addressed—or not addressed—by ecclesiastical authorities is useful in evaluating the health of the domain of canon law. That is why they are included in the "index".

1. Antinomianism

Strictly speaking, the term antinomianism means substitution of faith for the moral law.² In everyday use, though, it refers to an attitude of hostility or at least suspicion toward law, such that law and faith are not considered compatible. This is the sense in which the word was used by a prominent American canonist, Dr. Edward N. Peters, when he remarked on the twenty-fifth anniversary of the promulgation of the 1983 Code: *It is a marvelous achievement, all the more so, I suggest, because it was developed during one of the most intense periods of antinomianism the Church ever suffered.*³

Antinomianism, also referred to as anti-juridicism, is as much a force in the Church today as it was in 1983. We encounter it most often in those schools of thought that marginalize or even seek to eliminate ecclesiastical law from a role in ecclesial life. I think it can also be said that antinomianism probably has produced more ill-effects in the Church's legal system than the other components of our "index" combined.

We addressed this problem last year in the lead articles of the Eastertide and Christmas issues of CHRISTIFIDELIS. The former was devoted to the effects of antinomianism in the life of the Church, principally in the last half-century, and the latter focused specifically on its effects in church renovation cases.⁴ More examples of an antinomian approach can be seen in the book review by Dr. Peters on page three of this issue and in "Straws in the Wind."

The expression of antinomianism takes as many forms as there are expressions of law. It is easily concealed as ignorance or explained away with the need to address unique circumstances in a particular case. Any intentional avoidance of legal norms is an expression of antinomianism. When perpetrated by one in authority, the harm is substantially increased for the simple reason that the law presumes that one in authority knows his obligations, and therefore will follow the law to fulfill his obligations. When one to whom the exercise of authority has been entrusted repeatedly fails to discharge these obligations, we can presume that an anti-juridic element exists. And when enforcement of societal norms for the good of all does not take place, an essential element of authority vanishes.

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Probably the most egregious and widespread expression of antinomianism entails the deliberate circumvention or manifest disregard of procedural law. We have seen countless examples of this in connection with the pervasive violations of liturgical laws. In addition to being illegal, liturgical abuses are unjust because canon law recognizes the right of the Christian faithful *to worship God according to the prescripts of their own rite approved by the legitimate pastors of the Church*.⁵ These prescripts obviously include liturgical law and the diocesan bishop has an obligation *to promote the common discipline of the whole Church and to urge the observance of all ecclesiastical laws*.⁶ He is also required *to exercise vigilance so that abuses do not creep into ecclesiastical discipline, especially regarding the ministry of the word, the celebration of the sacraments and sacramentals, the worship of God and the veneration of the saints, and the administration of goods*.⁷ Procedural laws are there to assist the bishop to fulfill the responsibilities assigned by canon 392. When one diocesan bishop was asked why these procedures were not being used to protect the right of the faithful to proper worship, his reply was simply: *Because I choose not to*.⁸ I am sure that other bishops have made the same choice. To the best of my knowledge, this is the only one who has made a public admission.

Members of our staff and consulting canonists have frequently pointed out examples of procedural abuses in marriage nullity trials, the removal of pastors, the closing or merger of parishes and trials involving allegations of sexual offenses. In addition to the technical standards contained in the Code of Canon Law that apply to judicial or administrative processes, there are broader procedural norms that need to be followed. These general rules are sufficient disclosure, adherence to the truth and adequate consultation.⁹ As a matter-of-fact, I would argue that they ought to govern the way in which all significant decisions are made in the Church. Failure to observe them is another reliable indication that antinomianism is present.

It is in controversies concerning how liturgical law applies to the renovation of parish churches that we have most often observed the disregard of the three general procedural rules. Important decisions are made in secret by a small clique of insiders; false claims such as “Vatican II forbids altar rails” are circulated and consultation meetings are manipulated so as to produce the results desired by the clique of insiders. Time and time again, the merely personal preferences and ill-founded opinions of an elitist body of liturgical “experts” have been imposed upon the faithful as if they had the force of pontifical legislation.

To restate the obvious, antinomianism has certainly made our work more difficult and has frustrated the pursuit of justice in the Church. Given its limited resources and influence, there does not appear to be much that the Foundation can do about it; but this does not relieve us of our obligation to try. We will continue to respond positively whenever individual canonists address the harm that it has caused and will make their work known to others.¹⁰ We will also do whatever we can to encourage pontifical faculties of canon law, the learned societies and ultimately the Magisterium itself to more vigorously confront the wolf in its lair. Then we might see further progress.

2. Lack of Faith

In a general sense, the word faith means belief in something that we cannot prove, especially with our senses. Every reasonable person of any religion or none will regularly accept on trust something that cannot be proven. For example,

even an atheist will have no qualms in believing that it is really oatmeal and not dog biscuits that he is buying at the supermarket because he has faith in what the label tells him is inside the box.

In matters of religion the principal is essentially the same but the subject is more complex and the stakes are much higher. As the *Catechism of the Catholic Church* explains:

Faith is the theological virtue by which we believe in God and believe all that he has said and revealed to us, and that Holy Church proposes for our belief, because he is truth itself (CCC, 1814). If what Holy Church proposes for our belief, say as summarized by the Nicene Creed could be proven beyond doubt, all save the mentally defective would be Catholic. As we all know, that is not how things are. Some of those who do not accept what the Church proposes may have faith in other things that cannot be proven or in opposing philosophical systems. Here we are not referring to them but to those who seem to have little or no religious faith; in other words, the religiously indifferent. This may be what Our Lord had in mind when he asked: *But when the Son of Man comes, will he find faith on earth?*¹¹

As we know, the theological virtues of faith, hope and charity were infused in us at baptism. These are gifts that God will not take from us; but we can choose to neglect them or even reject them entirely. Therefore, it is not surprising that we who believe what the Church proposes often do so with weak and wavering faith. Our Lord told what could happen if we do not receive the word of God with a strong faith in the parable of the seeds that fell on rocky soil and were devoured by birds or choked by thorns.¹² He also chided his apostles, including Saint Peter, for their lack of faith.¹³

Throughout history of the Church, beginning perhaps with Judas Iscariot, persons of little or no faith could be found within the visible structure of the Church, including some in religious life, the priesthood and the episcopacy. As to the faith of the laity in our own time, I wonder what would go through the mind of a Catholic at Sunday Mass (Novus Ordo) when everyone stands and recites the Nicene Creed aloud and he considers the possibility that three out of four don't feel obligated to be there on the following Sunday; two out of three don't see anything wrong with marrying outside the Church; three out of five do not agree with the Church teaching on the sanctity of human life and one out of four think that you can be a good Catholic and not believe in the bodily resurrection of Christ! Is this a healthy state of affairs? Does anyone except a small minority really care? Could this explain the virtual surrender of the Church in America to secular culture?¹⁴

Persons of little or no faith are not necessarily vocal dissenters; in fact, if they hold positions of responsibility in the Church, they often tend to be careerists who will support whatever views they deem to be in their best interests. Thus, they sometimes can make the right decisions; albeit based upon less than worthy motives. If they should hold positions within the canon law community or the Church's legal structure, it is not difficult for me to imagine the damage they can cause. Since dissent and lack of faith typically produce similar results, the same questions posed above to gauge the contemporary atmosphere of hostility toward the core doctrines of the Church could be used to estimate the impact of the lack of faith.

Our Lord likened faith to a plant. Once the seed is planted, it can grow and flourish or it can wither, become dormant or die. The bulk of the responsibility rests with us; but

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the Church provides powerful helps, foremost among them being the word of God and the sacraments. The Church can also provide the atmosphere for our faith to grow and remain strong. For example, just as strengthening Catholic education might encourage dissenters to reconsider their views, exposure to the beauty of Catholic truth could fan the embers of a dying faith.

In considering canonical options, we must face the fact that there is no canonical process that can instill faith anymore than there is one that can instill orthodoxy. Canon 833 requires certain individuals to make a profession of faith before assuming specific responsibilities or ecclesiastical offices; but only God and the person making it knows if the profession is a sincere one. This does not mean, however, that the requirement should be dropped. It is an important part of using the provisions of canon law to reinvigorate the Catholic identity of hospitals, schools, seminaries and other institutions of higher learning.

Unless the lack of faith leads to the public offense of apostasy, a penal process is unlikely to be of any help. Absent an admission, lack of faith, unlike heterodoxy, is almost impossible to determine by objective evidence. To accuse publicly someone of lacking religious faith, or even to imply as much, carries with it the grave risk of committing a dreadful injustice. Judging the degree of faith in a particular person is best left to the internal forum.

3. Systematic Dissent from Within

As a major element of our canonical “index”, systematic or organized dissent is more difficult to evaluate than anti-nomianism because its influence extends far outside the confines of canon law. Still, it does have some canonical effects. For example, the Christian faithful have a right to know what the Church teaches and to have these teachings properly explained. In other words, *they have a right to a Christian education, which genuinely teaches them to strive for the maturity of the human person and at the same time to know and live the mystery of salvation.*¹⁵ Due in large part to internal dissent, faith formation programs and academic studies of the sacred sciences in Catholic institutions of higher learning have been so watered down over the past 40 years that many Catholic teachers don’t even know what it is that they dissent from. The most troubling aspect of the issue is the incommensurable damage done to souls by teaching what is false or ambiguous instead of providing instruction on authentic Catholic faith and morals. The injury is compounded by the reluctance or even the deliberate failure on the part of ecclesiastical authorities to take any effective corrective measures. Indeed, in many cases their response is to deny that a problem exists at all.

In this day and age it seems that there is hardly anything that the Church has proposed definitively pertaining to faith and morals that has not been called into question. As we know, attacks on Catholic teaching are not new. The difference is that in the past they were more likely to come from individuals who had never been Catholic or who had manifestly and totally repudiated the Christian faith.¹⁶ Such assaults from outside the Church continue; now they increasingly come from within the Church as well. Historically, attacks from the outside have often served to strengthen the Church while the greatest destruction is caused by attacks from within.¹⁷

The major elements of our faith that are being challenged include but are not limited to the following: belief in the Real Presence; belief in the sanctity of human life from conception to natural death; belief in the necessity of the Church and bap-

tism for salvation, and to belief in marriage as a covenant between one man and one woman until death. Secular society in Europe and America has demanded that the Church abandon these beliefs by dropping its opposition to abortion, stem cell research, contraception, homosexual activity, homosexual marriage and the ordination of women. It is obvious to all that the secularists have many, many allies pushing for the same things from inside the Church; and soon the demand will be that the Church not only cease her opposition to these abominations but embrace and promote them as good things.

Has the contemporary atmosphere of hostility toward the core doctrines of the Church influenced how the lay faithful put them into practice? To answer the question we might consider: How many Catholics actively participate in New Age rituals, or defend the false beliefs of celebrities who encourage participation in things like scientology? How many Catholics adore God when they receive Holy Communion? How many Catholics are “pro-choice”? Or, to take a specific example by turning again to Dr. Peters’ book review on page 3, how can the terms “staunch Catholic” and “strongly pro-choice” be used to describe the same person? Similarly, how many “staunch Catholics” are actively homosexual or defend the behavior of those who are? More important, how many Catholics who hold public office take an active role in some way to protect the lives of unborn children in our country? Do parishes and diocesan programs engage in evangelism or do they seem to encourage accommodation with the standards of the temporal order? These are only a few of the questions that might be asked.

For one last bit of evidence — as if we really needed any — consider the following excerpt from an open letter to the planners of Pope Benedict’s pastoral visit to the US.

*A survey in 2005 found that 76 percent of the Catholics of the United States thought someone could be a good Catholic without going to church every Sunday. Other elements of Catholic belief and practice also fared poorly. Three out of four said good Catholics needn’t observe the teaching on contraception; two-thirds said the same of having their marriages blessed by the Church and accepting the teaching on divorce and remarriage; 58 percent took the same view of giving time or money to the parish and also of following Church teaching on abortion. These numbers have gone up dramatically since [Professor James D.] Davidson [of Purdue University] and his colleagues began collecting them in 1987. And, by 2005, nearly one in four held that a good Catholic needn’t believe that Jesus rose bodily from the dead.*¹⁸

In considering what can be done to turn the tide, many possibilities come to mind. Certainly, a complete overhaul of Catholic catechetics and study of the sacred sciences from pre-kindergarten through graduate school would be a good place to start; but that falls outside the scope of this article. When considering canonical approaches, the first thing to remember is that the obstinate denial or doubt of a definitive teaching of the Church is a violation of law, even if the offense does not reach the level of heresy.¹⁹ We must also recognize that only the Ordinary can initiate a penal process and that he may choose some less formal way to approach an incident where dissent or error is at issue.²⁰ Nonetheless, the faithful are free to submit complaints — or denunciations in canonical terminology — to the competent authority. The Foundation has assisted in the preparation of such denunciations on more than a few occasions and we will certainly do it again in the future.

Canon 1311 states: *The Church has the innate and proper right to coerce offending members of the Christian faithful with penal*

sanctions. Secular governments can apply physical and moral coercion; the Church is limited to moral coercion. If non-penal means prove fruitless, a canonical penal process just might provide sufficient incentive for the offender to repent, which is why it could be thought of as a corporal work of mercy. Also, a penal process is often the most just and efficacious way to prevent further scandal and to repair the resulting damage to innocent souls. The statutes are already in place; what is lacking is the will to use them. We can be reasonably sure that antinomianism plays a prominent role in this failure to take action. What other reasons might be present remains an open question.

What else can we do as individual members of the faithful? Prayer, of course, is always necessary. For our part, we must tirelessly make known the Gospel by word and example. A change in ideals happens in society because of the propagation of ideas. Strong, orthodox catechetical programs for our children are essential. And, we need scholars who will publish material in a manner and with means to reach a large audience. We cannot change people's minds overnight. But we can infiltrate secularism in the Church by imbuing secular society with Catholic thoughts and ideals. The Foundation has provided canonical advice and assistance to hundreds of lay Catholics in forming and sustaining associations that, in various ways, work both to promote Catholic truth and to instill in the temporal order the spirit of the Gospel. The work of these apostolates includes such matters as upholding sanctity of human life, promoting authentic Catholic worship, engaging in Catholic apologetics and preserving the artistic patrimony of the Church. An excellent example is EWTN. Founded by Mother Angelica in 1981, the network now offers programming in English and Spanish twenty-four hours a day, capable of reaching approximately 150,000,000 homes worldwide. Besides television, EWTN has extended its reach to radio and the Internet, so one can say that its message can be received by well over half of the world's population of 6,500,000,000.

Finally, we can resist the temptation to succumb to an "all is lost" point of view and heed good advice, such as the following:

Could it be mostly doom and gloom in American Catholicism? Yes, and quite probably. But, amazingly enough, in no other nation on earth there are so many islands of orthodox resistance, of love for Tradition, of strengthened passionately and unapologetically Catholic families. Traditional Catholicism, though still a very small minority, has found in America a great vitality, and it is almost certain that the nation of so many deviated priests and nuns has become the home of the largest number of Traditionalists in the world, even more so than France.

As Pope Benedict readies for his visit to Washington and New York in April, we remind our readers that, whatever Potemkin Village the Bishops of the United States may stage, there is an Archipelago of Hope in the American Church—priests and religious, parents and children, linked in their common struggle: for Christ and His Holy Church.²¹

4. Hostility from Without

Hostility is the element that distinguishes non-acceptance of Catholicism from what we call anti-Catholicism. At first glance, anti-Catholicism hardly seems to be a topic that should be included on an "Index of Leading Canonical Indicators." Anti-Catholics are outside the Church and are not subject to canon law, so how could they affect the Church's internal legal system? Especially in the present era, those forces that shape

secular cultures are for the most part hostile to organized religion in general and Catholicism in particular. Catholics are subject to a barrage of negative images in the communications media that demean their perception of their own religion and thereby undermine their confidence in its ability to dispense justice.

Here in North America anti-Catholicism has been around in various forms for more than 150 years.²² In the nineteenth century, among the anti-Catholic tracts being circulated was "The Awful Disclosures of Maria Monk," a lurid account published in 1836 of what supposedly went on behind the walls of a convent in Montreal. Rumors circulated that arms were being stockpiled in Catholic churches and there was anti-Catholic violence in Philadelphia and other cities. This was out-and-out hostility; there was nothing subtle about it.

By the time I was growing up as an Episcopalian in the 1940's and 50's things had mellowed. I do not recall encountering the openly aggressive anti-Catholicism of the kind seen more than a century earlier. However, among many members of the mainline Protestant denominations to which most of my friends and family belonged, I do remember two widely held presumptions about the Catholic Church. The first was that its members were discouraged from thinking for themselves by their clergy and the second was that if Catholics would ever comprise a majority of the U.S. population, our our freedoms of religion and speech would not be safe.

The "Maria Monk" variety of anti-Catholicism can still be seen here and there; but it and the more discreet outlook of mainline Protestantism have been eclipsed by something far more threatening.²³ This current menace is the transformation of our secular culture, accompanied by the collapse of the moral standards which Catholicism and mainline Protestantism once held in common. At one time, the latter was the *de facto* established religion of the United States. Its adherents viewed marriage as a life-long union and pre or extra-marital sexual activity as sinful. Abortion was regarded as wrong and illegal in all states. Laws forbidding homosexual acts and the sale of pornography, as well as contraceptives, were in most cases passed by state legislatures dominated not by Catholics but by mainline Protestants.

Within the lifetimes of most readers of this article, secular culture has rejected what it once acclaimed and embraced what it once denied. As to what has become of mainline Protestantism itself, which has with few exceptions embraced the cultural revolution, about all that remains—as I recall Fr. George Rutler saying about ten years ago—"are some endowments and a few impressive looking buildings that can't hide the rot and corruption that's inside."

What is far worse is the apparent embracing of the new American culture by key institutions once considered bulwarks of Catholicism. Examples of what has taken place on Catholic—or, more accurately, Catholic-in-name-only—campuses are too numerous to mention and the Catholic identities of thousands of schools, health care facilities and charitable institutions for all practical purposes no longer exist. The performance of individual Catholics is no better; statistics cited in this article and elsewhere confirm that their moral standards are no different than those of their non-Catholic neighbors. In sum, one can say that the Church in North America has lost the culture war. Moreover, it has not only lost; its leaders have abjectly surrendered to the new culture without a struggle. So Fr. Rutler's characterization of mainline Protestantism, not excluding the rot and corruption, might just as well apply to Catholicism.²⁴

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This new cultural anti-Catholicism, combined with the effects of lack of faith and internal dissent, has succeeded where previous versions have failed. Significant numbers of Catholics have accepted some or all of its basic allegations. Consequently, millions no longer fully participate in the life of the Church, do not practice at all or have defected from the Church to other religions. One such accusation that has enjoyed wide acceptance among Catholics, both lay and clergy, is that the Church's governance is arbitrary, authoritarian and unjust. This can have serious consequences, as one prominent American Canonist, Rev. John Beal, has noted: *When Church authorities exercise their discretion in a manner that is, in fact, unjust or when affected individuals and the faithful at large perceive their discretionary decisions as unjust, the consequences reach far beyond the individual case. The very credibility of the Church as herald of the gospel is called into question.*²⁵ As the endnote states, these words were published in 1984. In view of the sexual abuse crisis that erupted in 2002, they have, sadly, become prophetic; and damages from the ruinous lawsuits and bankruptcies are insignificant in comparison with the harm done to souls.

Some Final Thoughts

Canon law alone is not the answer to the problems that plague the Church. It cannot by itself cause faith to grow; but it can be used by ecclesiastical authorities to maintain Catholic institutions as beacons of faith. It cannot transform heterodoxy into orthodoxy; but it can help protect innocent souls from the ravages of heterodox teaching. It cannot stop the assaults of anti-Catholics; but it can help in preventing the resources of Catholic institution from being used by enemies of the Church. In addition, a well ordered and efficient legal system would increase the effectiveness of other means of addressing these problems.

As long as antinomianism, dissent, decreased faith, anti-Catholicism and reluctance by higher authorities to intervene remain threats to the Church, we have much work to do. To paraphrase many saints and learned men, evil will continue to grow rapidly when it can grow in secret. For 26 years, we have tried to expose and challenge the evils that beleaguer the Church and thwart her mission. With God's grace and your help, we will continue to do so.

Notes

- 1 See Jones, Ken, *Index of Leading Catholic Indicators*, St. Louis, Oriens Publishing Co., 2003
- 2 The Catholic Encyclopedia, Volume I. Published 1907. New York: Robert Appleton Company.
<http://www.newadvent.org/cathen/01564b.htm>.

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grant that Coriden is only asking questions (which I don't), I submit that it is irresponsible to ask certain kinds of questions today and *not* give them an immediate and correct answer.

Suppose, for example, that someone were to say, "Condemned prisoners are going to be executed anyway, so why not run experiments on them if it might help find cures for several deadly diseases?" but then not give an answer to that question. Surely, even to suggest that such a superficially intriguing, but ultimately gruesome, position is worthy of consideration, is to challenge the right of a class of human beings to not be treated as means to someone else's ends.

At some point, hypothetical formulations and rhetorical questions cease serving as attractive ways to introduce topics

3 "In the Light of the Law:" a Canon Lawyer's Blog on Current Issues, <http://www.canonlaw.info/2008/01/code-of-canon-law-turns-25.html>.

4 See Charles M. Wilson, "The High Cost of Antinomianism," CHRISTIFIDELIS, Vol. 25, No. 2, (<http://www.st-joseph-foundation.org/newsletter/lead.php?document=2007/25-2>) and Duane L.C.M. Galles, JD, JCD, "Episcopal and Sacerdotal Antinomianism," CHRISTIFIDELIS. Vol. 25, No. 7.

5 Canon 214.

6 Canon 392, §1.

7 Canon 392, §2.

8 Charles M. Wilson, "No Glue for the Posters," CHRISTIFIDELIS, Vol. 23, No. 3, (<http://www.st-joseph-foundation.org/newsletter/lead.php?document=2003/21-3>).

9 See R. Michael Dunnigan, "The Narcotic of Secrecy," CHRISTIFIDELIS, Vol. 20, No. 2, (<http://www.st-joseph-foundation.org/newsletter/2002/cfd20-2.htm>).

10 We have cited the works of several distinguished canonists in this and other recent issues of CHRISTIFIDELIS. These authors include Dr. Edward N. Peters, Msgr. Cormac Burke and Rev. John J. Coughlin, OFM. An important longer work in Italian, *Il Diritto e La Giustizia Nella Chiesa*, by Carlos José Errázuriz, a member of the Canon Law Faculty at the Pontificia Università della Santa Croce in Rome was published in 2000. An English translation is in progress.

11 Luke 18:8.

12 Luke 8:4-8.

13 Luke 12:28, Matthew 8:26, Matthew 14:31.

14 See Carlin, David, *The Decline and Fall of the Catholic Church in America*, Manchester, NH, Sophia Institute Press, 2003.

15 Canon 217.

16 Cf. canons 750, §3, 751.

17 See Count Neri Capponi, "The Saint Joseph Foundation," December 3, 1999. <http://www.st-joseph-foundation.org/ci12-3-99.htm>.

18 Russell Shaw, *Please Look Behind the Bishops' Potemkin Village*, Catholic World Report, February 2008. I highly recommend the entire article, which can be read on-line at

19 Canon 1371.

20 Canons 1717 and 1718.

21 <http://rorate-caeli.blogspot.com/>. The author is anonymous. http://www.ignatius.com/Magazines/CWR/shaw_feb08.htm.

22 See Schwartz, Michael. *The Persistent Prejudice Anti-Catholicism in America*. Huntington, Ind: Our Sunday Visitor, 1984. This excellent work was written before some of the worst quality had fully emerged from the shadows; but it remains a valuable resource. For a listing of libraries where it can be found, see <http://worldcat.org/wcpa/ow/7f7b3d0c26396ed0a19afeb4da09e526.html>

23 The book is still available on Amazon.com. The best source for information about anti-Catholicism and the responses to it is Catholic Answers (<http://www.catholic.com/>).

24 Carlin, op. cit.

25 John P. Beal, "Confining and Structuring Administrative Discretion," *The Jurist*, 46 (1986):1, pp. 73-74.

for consideration, and become instead vehicles for promoting the opinions of those placing them in conversation. It is the responsibility of those who such literary devices to make very sure that they are not misleading their audiences thereby.

Back in 1994, Russell Shaw, not a canonist of course, published a very good introduction to personal rights in the Church entitled *Understanding Your Rights: Rights and Responsibilities in the Catholic Church*. It is not listed in Coriden's short guide to further studies on rights (137-139), but I think Shaw's book is still well worth reading today. Meanwhile, despite his mastery of canonical sources, and notwithstanding his solid presentation of some topics (e.g., admitting homeschooled children to the sacraments at 105-107), the kinds of weakness-