

Marginalia

EDITORIALS

OPINION

LETTERS

MUSIC

ART

THEATRE

ET CETERA

EDITORIAL:

Tyranny in Los Angeles

In all of the furor surrounding the extraordinary actions of Father William H. DuBay of Los Angeles, everyone's attention has been focussed on what Father DuBay did and almost no attention has been paid to what he did **not** do. When Father DuBay cabled the Pope to ask for removal of Cardinal McIntyre for malfeasance and for abuse of authority, there were some who were disturbed that a priest had gone out into the public domain and exposed what many would have preferred to keep hidden. There were those who said that he should only have protested the Cardinal's failure in the matter of racism, feeling that to ask for the Cardinal's recall was simply going too far. There were others who thought that Father DuBay should have remained silent altogether, while still others felt that he pulled back at the vital moment and that he should have risked suspension or even excommunication in order to extend the battle lines of human justice.

All these opinions address themselves to Father DuBay's actions and to his words, the result being a confusion surrounding the entire affair. However, the DuBay case illustrates so very clearly a more basic issue than those surrounding what he did and said. Far more significant is the fact that Father DuBay's taking the case to the public reveals the appalling fact that within the Church there is no available method of recourse for a diocesan priest whose bishop flagrantly abuses his position of authority.

The particular issue at hand was that of the failure of the Cardinal to promulgate, or even to allow his priests to promulgate, the teachings of the Church vis-à-vis racism. This is only one example of abuse of authority. For example, what of a bishop who arbitrarily refuses to implement the liturgical changes called for by Rome? How can a diocesan priest seek to remedy that situation?

Canon Law does not provide for effective recourse for anyone under a bishop. In theory, Father DuBay, or any other priest, could request that certain things be done or un-





Father DuBay

done, but unfortunately this appeal is lodged with the very bishop he is appealing from. The rules of the game are such that the bishop can merely pocket and ignore all criticism, from whatever source.

What is needed is a democratizing of the means of appeal. Under our current paternalistic structure democracy is anathema since it brings into play two antithetical principles: authoritarianism and democracy. Authority is legitimate when concerning itself with matters of faith and morals, but this in no way denies the possibility of democratic institutions and procedures within the Church and under Canon Law.

In reality, what we have in the Church is a vast body of law, Canon Law, that purports to set forth rights, obligations, procedures, and remedies. The bald fact is that bishops are above the law and while we have Canon after Canon protecting rights there are also other Canons that strip all subordinates of any rights and place them at the complete mercy of their bishops who can make or break the law with impunity. Attention only has to be drawn to Canon 2222 for verification of this fact.

Within the Canonical confines that we have, Father DuBay was completely impotent to effectively protest and to effectively seek any remedy of the situation that existed at the time in Los Angeles. Therefore he chose the only method available: taking his case to the public and letting the world see what was transpiring behind the hierarchical curtain of tyranny.

The DuBay case is only the beginning; others will follow, taking the same course he took, until such time as the Church ends its rigid authoritarianism and absolute paternalism that treats everyone less than a bishop as an object rather than a person and a fellow-member of the Mystical Body of Christ.

Interestingly enough, there are isolated examples of democratic principles within the Church. The Dominicans elect their superiors and in earlier times the people not only elected their bishops, but they also by proclamation acclaimed their saints.

In the Jesuit Order, despite its monarchical structure, there are clearly defined procedures for appeals against abuses of authority. A Jesuit is always free to appeal to Rome without going through his superior. Any letter addressed: **Patri Generali Soli** (to Father General Alone) may not be opened or read by anyone other than the Father General. Violation incurs severe punishment, including the ultimate one of removal from office. In practice there are occasional crank letters and

therefore all letters to Rome are tabulated as to quantity and quality in order to show patterns. If Rome feels that a sufficient basis exists for investigation, a "visitor" is appointed to investigate and, if he is given plenipotentiary powers, he may even act to resolve the situation. The visitor sees every member of the community and they are free to register any complaint without fear of re-primation. The secrecy surrounding all of this is comparable to that around the confessional, except for the fact that the visitor may act upon information given him.

Other religious orders have this system of appeal. Why is there no system available to diocesan priests?

It is obvious that if Father DuBay had had such procedures available, he would not have had to go to the public and risk all that he has risked. Neither would he have been subjected to the debasing experience of kissing the hands of his truant bishop, an act that makes a mockery of the priest's manhood. But Father DuBay has rung the bell and a bell once rung cannot be unring. He has set a new pattern that will someday put an end to the tyranny practiced by men who place themselves above the law, not only Canonical Law but the law of God that rests on charity.

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is only the
beginning . . .*

MUSIC: The Poulenc behind the mask.

*By John
Howard Griffin*

During a telephone conversation with cellist Zara Nelsova I learned that Francis Poulenc had died in Paris.

The scene from the second act of Poulenc's «Dialogues des Carmelites» immediately absorbed my attention. In it, the Mother Superior dies, writhing in agony, crying her doubts about her faith. Did Poulenc die that way, too? He had already died that way once. The death scene of the Mother Superior had been a direct translation into music of his own agony.

He had written me: "My God, you cannot know the anguish. God knows if I shall ever complete «Dialogues des Carmelites» because I am very ill. It is my stomach. Cancer. In spite of my doctors' reassurances that there is nothing wrong with me, I fear that I will never be able to work again. Will you ask the Carmelite Fathers of Dallas to make a novena that I recover my health and that I may be able to glorify God and the blessed martyrs of Compiègne with my music? I am in terrible fear. Will God take into account my poor efforts—the Mass, the religious motets? Will He at least see them and me