

A bishop's failure to enforce canon law does not excuse his faithful from following it

Fr. Perozich comments —

Dr. Edward Peters was brought to the diocese of San Diego by bishop Robert Brom. Dr. Peters served as our canon lawyer. I knew him from Sunday Mass attendance at Our Lady of the Sacred Heart.

He is faithful, reasonable, and unambiguous in teaching the faith through the discipline of canon law which many love to cite with their superficial understanding in order to misuse it to make a point. Dr. Peters peels back this type of sophistry, and is respectful in doing so through the Light of the Law, Canon Law.

*Note Dr. Peter's **distinctions** vs. Cupich's **studied ambiguity, sophistry, and novelty**.*

Dr. Peters speaks of iniquity, a tendency to sin which is what a same sex attraction would be.

He speaks also of friendship which is most appropriate to all human beings.

He calls for prudence in making assumptions about people's behavior based on appearance.

Finally Dr. Peters addresses the public sign of marriage and what can and cannot be in fact a marriage.

The lavender mafia from the Vatican to the USCCB into the diocesan offices and even parishes have a clear purpose: affirm homosexuality including acts as good and normal, even if it has to be done piece by piece, so that the AH/HA clergy can feel good about their own homosexual acts and activism.

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It needs no long blog post from a canon lawyer to explain how wrong would be a failure by a bishop to protect his faithful against scandal (CCC **2284, 2287**) and/or to defend the Eucharist against potential sacrilege (CCC **2120**) but, make no mistake, in **reiterating that “it is not [his] policy”** to withhold holy Communion from persons in ‘same-sex marriages’, that is what Cdl. Cupich’s refusal to act as ‘the guardian of the entire liturgical life in the church entrusted to him’ (**c. 835 § 1**) and “to exercise vigilance so that abuses do not creep into ecclesiastical discipline, especially regarding ... the celebration of the sacraments and sacramentals, [and] the worship of God” (**c. 392 § 2**) in this matter, does.

Cupich’s failure ‘to bishop’ in this regard, of course, effectively abandons his pastors and other ministers of holy Communion to face alone the anger of some Catholics in ‘same-sex marriages’ who (like persons in merely civil marriages following divorce) must nevertheless be refused holy Communion by pastors correctly recognizing that, no matter what their archbishop doesn’t say, *they are still required by canon law* not to admit to holy Communion those who ‘obstinately persevere in manifest grave sin’ (**c. 915**).

Canon 915, as **has been explained many, many times**, rests on ancient, indeed Biblical, foundations, nothing in modern canon law or recent magisterial literature annuls it, and it unquestionably applies in regard to Catholics who have attempted a ‘same-sex marriage’. But it might still be useful to explicitate

briefly the application of Canon 915 in some same-sex pastoral situations.

1. A homosexual inclination or orientation does not, in anyone's opinion, disqualify a person from being admitted to holy Communion.

2. Cohabitation by homosexuals does not, in my opinion, disqualify them from being admitted to holy Communion because one does not assume that persons of the same sex are engaged in sexual activity (and in this respect, yes, homosexual cohabitation differs from heterosexual, or has differed, according to about 5,000 years of recorded human behavior).

3. Attempted civil marriage between persons of the same sex (just like those following divorce between heterosexuals) disqualifies, in the common and constant opinion of learned persons (which I share), such Catholics from being admitted to holy Communion because the sign-values that marriage (**c. 1055**) enjoys in the Church and civil society—itsself a public sign proclaimed, by the way, irrespective of whatever private sexual activity might or might not be occurring between the persons involved—are contradicted by persons purporting to be in a 'marriage' that *cannot* be a marriage.

The above analysis applies, I suggest, even if it is not promoted by local Church authorities.

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*PS: Speaking of Chicago, has an announcement been made yet that **the two Chicago-based priests recently arrested for XXXing each other in a car** parked a short distance from a playground in Miami will be prosecuted canonically toward their dismissal from the clerical state? If not, might one ask what the delay is?*

Chicago Cardinal Cupich: 'Not Our Policy' to Deny Communion to People in Same-Sex Marriages



By | October 9, 2018 | 1:01 PM EDT

<https://www.cnsnews.com/blog/michael-w-chapman/chicago-cardinal-cupich-not-our-policy-deny-communion-gay-married-couples>



Cardinal Blase Cupich, head of the Archdiocese of Chicago. (YouTube)

Cardinal Blase Cupich, who was appointed by Pope Francis (in 2014) to oversee the Archdiocese of Chicago, said that it was not his policy to deny Holy Communion or Catholic funerals to people in same-sex marriages.

During an interview on WTTW's *Chicago Tonight*, host Phil Ponce raised the topic of Springfield, Illinois Bishop Thomas Paprocki, who had issued a [decree](#) in June 2017 on "[Same-Sex 'Marriage' and Related Pastoral Issues](#)."



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Ponce asked Cardinal Cupich, “As you probably know, the bishop of Springfield, Illinois, Bishop Thomas Paprocki, decreed in June that people in same-sex marriages should not receive Communion or ecclesiastical funeral rites. What’s your reaction to that?”

Cardinal Cupich said, “Well, we have been asked about that already and we responded that that is not our policy and we, as a matter of practice, don’t comment on the policies of other dioceses.”

In his decree, citing scripture and the Canon Law that governs the Catholic Church, Bishop Paprocki said that homosexual "marriage" marked "a reversal of millennia of legal and judicial recognition of the marital union as possible only between on man and one woman." He also said he had a "responsibility as diocesan bishop to guide the people of God entrusted to me with charity but without compromising the truth."

On the "[Reception of Holy Communion](#)," the bishop decreed, "a) Given the objectively immoral nature of the relationship created by same-sex marriages, persons in such unions should not present

themselves for Holy Communion, nor should they be admitted to Holy Communion ([cc.915-916](#)).

"b) Pastors aware of such situations should address these concerns privately with the persons in such circumstances, calling them to conversion and advising them not to present themselves for Holy Communion until they have been restored to communion with the Church through the Sacrament of Reconciliation.

"c) In danger of death, a person living publically in a same-sex marriage may be given Holy Communion in the form of Viaticum if he or she expresses repentance for his or her sins ([c.921](#))."



Bishop Thomas Paprocki, head of the Diocese of Springfield, Illinois. (YouTube)

As for "[Funeral Rites](#)," Bishop Paprocki decreed, "a) Unless they have given some signs of repentance before their death, deceased persons who had lived openly in same-sex marriage giving public scandal to the faithful are to be deprived of ecclesiastical funeral

rites. In case of doubt, the proper pastor or parochial administrator is to consult the local ordinary, whose judgment is to be followed (cf.c.1184)."

On the issue of same-sex "marriage," Cardinal Cupich told the *Chicago Tribune* in April 2016, "It's a lot easier to tell people what they are doing in black and white. The important thing in all of this as we move forward is to recognize that people's lives are very complicated. There are mitigating circumstances, psychological, their own personal history, maybe even biological. It's not a matter of detracting from what the ideal is."

In October 2015, then-Archbishop Cupich told reporters at the Vatican that "conscience is inviolable, and we have to respect that when making decisions." Asked about homosexual couples and whether they could receive Communion, Cupich said, as reported by the *National Catholic Register*, "Gay people are human beings, too; they have a conscience, and my role as a pastor is to help them to discern what the will of God is by looking at the objective moral teaching of the Church."



(Getty Images North America.)

"At the same time," he said, it was his job to help homosexual couples "through a period of discernment, to understand what God is calling them to at that point -- so it's for everybody."

CNSNews.com has repeatedly asked the Archdiocese of Chicago if Cardinal Cupich supports the teaching of the Catholic Church that [homosexual acts](#) are "intrinsically disordered" and cannot be approved under any circumstances. The cardinal's office has declined to answer this question.