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Feast of St. Mary Magdalene de Pazzi
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Dear Brother Andre Marie,

I hope this letter finds you and the other brothers well. Allow me to apologize for taking my time in responding to your last letter. I wanted to be thorough in my response - especially since you have asked if my response might be made public, of which I have no objection. Please note that while I do not speak on behalf of the Church in an official capacity - given that I do not hold office with a tribunal or ecclesiastical entity that has been asked to investigate this question - what follows is my professional opinion as a canon lawyer.

To recap our last exchange, you wrote: "I'm wondering if you are able to put in writing something testifying to the lawfulness of holding Father Feeney's position as a Catholic in good standing with the Church. Back in January, you agreed to do this. Again, I'm not asking you to vouch for our canonical situation here in the Manchester Diocese; I'm simply asking for the expert opinion of a canon lawyer on the larger question."

To begin, as you point out, the question concerning your canonical status with the Diocese of Manchester is separate from the question concerning Fr. Feeney's status as one who died in full communion with Rome, as well as the status of his spiritual descendants who hold to his same position. Before we proceed to the larger question, I would just like to assure you of our family prayers that in God's time the question of your canonical status resolve itself favourably. Should you require my assistance at that time, please do not hesitate to contact me.

Having said that, let us move to the larger question. It is clear from the *Catechism of the Catholic Church* (CCC) promulgated by Pope John Paul II that the Church currently promotes a less exclusive understanding of the dogma "Outside the Church no salvation" (EENS) as well as the effects of desire for baptism (BOD) and pre-baptismal martyrdom for the faith (BOB). Lest I be accused of bias in my canonical opinion, I want to note up-front that I personally accept the teaching on these issues outlined in the CCC.

However, that is a debate for another time. The question currently before us is the following: What of those, like the spiritual descendants of Fr. Feeney, who hold to a more restrictive understanding on these issues? Are they Catholics in good standing with the Church?

The answer is yes for a number of reasons:

1) There is no question Fr. Feeney died in full communion with the Catholic Church. Pope Paul

VI lifted Father's excommunication while Father was still alive, and there is no evidence that Father recanted his understanding of EENS, BOB, or BOD. The actual lifting of Father's excommunication was executed by Fr. Richard Shmaruk, a priest of the Boston Archdiocese, on behalf of Bishop Bernard Flanagan of Worcester. While visiting Boston about ten years ago, I spoke with Fr. Shmaruk and he personally corroborated the events that led to him reconciling Fr. Feeney with the Church.

On pages 259 to 262 of his book *They Fought the Good Fight*, Brother Thomas Mary Sennott diligently chronicles the reconciliation of Fr. Feeney, as well as the subsequent reconciliation of several of Father's spiritual descendants. Brother Sennott quotes from two respectable Catholic news sources (*The Advocate* and the *Catholic Free Press*). I have independently confirmed the quotations and context of the primary sources.

Brother Sennott also notes that Father's memorial mass was celebrated by Bishop Bernard Flanagan in the Cathedral of St. Paul, Worcester. This would have given rise to scandal had Father not been fully reconciled with the Church. Br. Sennott's book received an *imprimi potest* from Bishop Timothy Harrington of the Diocese of Worcester, meaning the book is free from doctrinal or moral error. Thus unless one is willing to declare oneself sedevacantist or sedeprivationist, the evidence is overwhelming that Fr. Feeney died in full communion with the Church without recanting his position.

2) Most of Fr. Feeney's spiritual descendants have been reconciled with the Church without having to renounce or recant their interpretation of BOB, BOD, or EENS. This was the case with those who reconciled in 1974 and would go on to found St. Benedict Abbey in Still River, as well as the sisters of St. Anne's House in Still River who reconciled in 1988, and most recently with St. Benedict Centre in Still River who reconciled under Br. Thomas Augustine, MICM.

Regarding the last group, I should note they had achieved a sacramental reconciliation long before their juridical reconciliation. This was the subject of the first paper I ever wrote as a young licentiate student in canon law. While researching this paper in 1997, I visited the various communities descended from Fr. Feeney and the Harvard student movement, noting with interest how despite no formal reconciliation at the time, Br. Thomas's community had an in-residence chaplain appointed by the Bishop of Worcester. I also noted with interest that the Bishop visited the community regularly, and that he also confirmed the community's children. In reading canon 844, sacraments should only be shared with non-Catholics under the most strict and extenuating of circumstances. It is clear, that in keeping with canon 213, the Diocese of Worcester was ensuring for the pastoral and sacramental care of Brother Thomas's community as if they were Catholics.

It was similarly clear from talking to Br. Thomas Augustine, as it was from talking to Mother Theresa next door at St. Anne's House, that each of these communities still held the same interpretation of BOB, BOD and EENS as Fr. Feeney.

With regards to the 1988 reconciliation of Mother Theresa, MICM and the sisters of St. Anne's House in Still River, Fr. Lawrence A. Deery, JCL, at the time the Diocese of Worcester's Judicial Vicar and Vicar for Canonical Affairs and acting in his official capacity, wrote the

following: “1) The Sisters were asked to ‘understand’ the letter of the then Holy Office dated 8 August 1949. They were not asked to ‘accept’ its contents. 2) The Sisters were asked to make to make a Profession of Faith. Nothing else was required [...] In our discussions with the Congregation [for the Doctrine of the Faith] it seemed rather clear that proponents of a strict interpretation of the doctrine should be given the same latitude for teaching and discussion as those who would hold more liberal views. Summarily, Mother Theresa and her community in no manner abandoned Father Feeney’s teachings.” Need I remind you that the man who was Prefect for the Congregation of the Doctrine of the Faith at the time of this consultation is now Pope Benedict XVI, the Church’s Supreme Pontiff?

3) In 1988, Mr. John Loughnan, a layman from Australia who happens to be a friend of mine, wrote the Pontifical Commission Ecclesia Dei (PCED) requesting clarification on several controversies surrounding the SSPX. Mr. Loughnan also inquired as to the status within the Church of Fr. Feeney’s followers.

Concerning this last question, Msgr. Camille Perl, secretary of the PCED, replied to Mr. Loughnan as follows in N. 343/98 dated 27 October 1998: “The question of the doctrine held by the late Father Leonard Feeney is a complex one. He died in full communion with the Church and many of his former disciples are also now in full communion while some are not. We do not judge it opportune to enter into this question.”

While not wishing to engage in this controversy, Msgr. Perl clearly confirms that Fr. Feeney died in full communion with the Church, and that several of his spiritual descendants who hold his same doctrinal interpretations are in full communion with the Church. Such a statement is clearly within the mission of the PCED as this commission was established by Pope John Paul II to oversee the reconciliation and well-being of traditionalists within the Church.

On that note, the evidence is clear: while the position held by Fr. Feeney and his spiritual descendants may be controversial, holding these positions does not, in itself, place one outside of the Catholic Church. In short, it is clear from the Church’s current pastoral and canonical practice that the Church considers this an internal controversy, and that she acknowledges the good standing of most of those who uphold a restrictive interpretation of EENS, BOB and BOD.

Pax Christi,

Pete Vere

Pete Vere, JCL

cc: Brother Matthew, MICM
St. Benedict Centre, Still River