## Opinion NCR Voices



Bishop Robert Barron, founder of the Catholic media apostolate Word on Fire, arrives at St. John the Evangelist Co-Cathedral in Rochester, Minnesota, July 29, 2022, where he was installed as the ninth bishop of the Winona-Rochester Diocese. (CNS/Courtesy of Word on Fire Catholic Ministries/Clare LoCoco)



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First it was the <u>bodybuilders and Black Friday sales</u>. Now it is a lousy public relations team, or maybe even a lousy lawyer. Bishop Robert Barron's Word on Fire Ministries' <u>decision</u> to ask Commonweal magazine to retract a passage in an article by Massimo Faggioli that they didn't like has created a mess entirely of their own making.

The "Editor's Note" accompanying the retraction read: "With the author's permission, the editors have removed a paragraph that originally appeared here because Bishop Robert Barron's media ministry, Word on Fire, informed us that they consider it slander for them to be in any way associated with Donald Trump or Trumpism."

What did Faggioli write that so offended Word on Fire? This is the sentence that mentioned the organization: "There is on the Right no shortage of academic and intellectual initiatives in varying relationship to Trumpism, but all anxious about orthodoxy (consider Bishop Robert Barron's Word on Fire project and its new tagline — 'journal of theology and philosophy' — or the 'Sacra Doctrina Project' in Boston)."

All of us who write about politics and culture in the United States today do so "in varying relationship to Trumpism." He is the dominant political and cultural figure of our time. The burden of Faggioli's article was to look at the different ways Catholics were positioning themselves accordingly.

You can agree or disagree with what Faggioli wrote. In some ways, it updated a thesis first articulated by Jesuit Fr. Antonio Spadaro and Marcelo Figueroa in their 2017 article "<u>Evangelical Fundamentalism and Catholic Integralism in the USA: A</u> <u>surprising ecumenism</u>." Regular readers of my columns will know that Trump and his relationship to religion is one of my most frequent topics.

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It is worth calling attention to the verb "slander." It is a moral term, but also a legal one. Slander usually involves oral speech while libel involves written defamation, raising a question about whether or not Word on Fire's complaint was even drafted by a lawyer, but that is not the real problem. No, the real problem is that the standard for defaming a public figure is really high and there is no sense in which the retracted words were legally slanderous.

When researching my biography of the Rev. Jerry Falwell, it quickly became clear that his lawsuit against Larry Flynt warranted an entire chapter. Flynt had published a parody suggesting Falwell had lost his virginity to his mother in an outhouse, which is pretty outrageous and hurtful. But, in 1988, the U.S. Supreme Court <u>unanimously ruled</u> in favor of Flynt.

Citing a string of prior First Amendment cases, especially <u>New York Times v. Sullivan</u>, the justices concluded that the standard for finding something libelous against a public figure was higher than that needed for a private citizen. In short, if preachers and candidates and other public figures can't learn to take a joke, or have their arguments and integrity attacked, they should stay out of the public square. The decision was authored by Chief Justice of the United States William Rehnquist, not exactly a liberal icon.

You do not need a law degree to read any of these decisions. *New York Times* v. *Sullivan* is not esoteric. It belongs in the category of landmark court decisions that are essentially common knowledge: <u>Marbury v. Madison</u>, <u>Dred Scott v. Sandford</u>, <u>Plessy v. Ferguson</u>, <u>Buck v. Bell</u>, <u>Korematsu v. United States</u>, <u>Brown v. Board of Education</u>, <u>Roe v. Wade</u>, <u>Shelby County v. Holder</u>.

Maybe it was not a lawyer, but a PR person at Word on Fire who objected to what Faggioli wrote? There is no greater Luddite than me on the entire planet, but even I know that in the internet age, once something is published online, you can remove it but it is always going to be somewhere in the ether of the World Wide Web. Nothing vanishes forever. So asking Commonweal to retract what offended Word on Fire was foolish.

A cease-and-desist letter makes Barron look like a bully trying to intimidate. If Commonweal did not comply, would Word on Fire have threatened Faggioli with the rack?

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More importantly, the way for a public figure to dispute something with which they disagree is to write a response and publish it. That kind of debate and discussion is what propels the culture forward. Why not take that route, which would have made the bishop look engaged?

A cease-and-desist letter makes Barron look like a bully trying to intimidate. If Commonweal did not comply, would Word on Fire have threatened Faggioli with the rack?

The Holy See must interest itself in this matter because it raises a still larger issue, the fact that a diocesan bishop, armed with a personal media empire, thinks it is appropriate to try to stifle public discussion with a magazine and a theologian, neither of which are found in his diocese. In the age of social media, are the boundaries of a diocese of any consequence?

The problem is not entirely new: <u>Fr. Charles Coughlin</u> was probably the most wellknown churchman in the 1930s, even though his views did not reflect the teaching of the church. But social media has raised the ante.

Barron is the most effective apologist for the Catholic faith in the U.S. church. My disagreements with him over the years rest almost entirely on the fact that he mistakes apologetics for evangelization.

Whatever good his media empire achieves, however, it continues to make egregious mistakes that end up with Barron and the Catholic Church looking terrible. Word on Fire should write a letter of apology to Commonweal and Faggioli and ask them to publish that.