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ST. THOMAS MORE SOCIETY OF ORANGE COUNTY

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A Moment of Truth
JOHN J. FLYNN III

An Open Letter
from St. Thomas More
to the Christian Legal
Community
GREGORY N. WEILER



AN OPEN LETTER FROM ST. THOMAS MORE TO THE CHRISTIAN LEGAL COMMUNITY

A FICTIONAL ESSAY BY GREGORY N. WEILER



“Be that lodestar, that beacon of Truth whose life itself is our Creators argument against injustice and the abuse of power...”

My Dear Brothers and Sisters in the Legal Community:

From my admittedly enviable vantage point, provided to me by my sovereign some five centuries ago, I have come to note with great dismay that the

same issues played out in the despotism of reformation Great Britain, plague the course of human events these many centuries since.

Only with the dawn of the American Republic were the universal principals of the faith proposed as foundational to the legitimate state.¹ Only in America were the truths of transcendent rights, equality of mankind before God and the consent of the governed as the source of legitimate civil government, proposed and implemented. Copied by so many states since 1776, the age-old evils of despotism and slavery nonetheless manifest themselves in ever new ways.

Alas power itself, that ageless antagonist of the Truth, of the love of the creator for each individual human person, by its very nature seeks to ever expand and trammel all in its way. Albeit beneficent power can be shown from time to time as an exception, power’s equilibrium is not beneficent but destructive (a corollary to Lord Acton’s commentary on power²).

I pray that my martyrdom and that of so many over the millennia would provide an object lesson on the proper role of civil government and its counterpart, a faith lived seamlessly in the public square. Transcendent truths first, civil duties second.

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¹ The preface of the Declaration of Independence.
² Power Corrupts, absolute power corrupts absolutely.

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The St. Thomas More Society of Orange County is an independent organization sponsored by lawyers and judges who are practicing members of the Roman Catholic Church.

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IDEALS OF ST. THOMAS MORE

The legal profession is a high calling with corresponding responsibilities to society. The principal objective of every lawyer is to promote and seek justice. Catholic Lawyers pursue the truth in both their spiritual and professional lives. The duty of a Catholic lawyer is to remain faithful to Jesus Christ, His Church and its teachings at all times despite the personal consequences.

THE OBJECTIVES OF STMS

- encouraging its members to live a Christian life and apply the principles and ideals exemplified by St. Thomas More in their lives and encourage same in the legal profession.
- promoting and foster high ethical principals in the legal profession generally and, in particular, in the community of Catholic lawyers.
- assisting in the spiritual growth of its members.
- encouraging interfaith understanding and brotherhood.
- sponsoring the annual Red Mass for

elected and appointed officials and members of the legal profession.

MEMBERSHIP IN STMS

Each member of the Society is committed to:

- strive to live an exemplary Christian life and apply the principles and ideals exemplified by St. Thomas More in their daily lives and encourage same in the legal profession.
- attend monthly meeting of the Society and provide personal support to the St. Thomas More Society.
- attend and support the Red Mass.

LAWYER’S PRAYER

Give me the grace, Good Lord, to set the world at naught; to set my mind fast upon thee and not to hang upon the blast of men’s mouths; to be content to be solitary; not to long for worldly company but utterly to cast off the world and rid my mind of the business thereof.
 - ST. THOMAS MORE

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A MOMENT OF TRUTH

(A FICTIONAL ACCOUNT)

JOHN J. FLYNN III

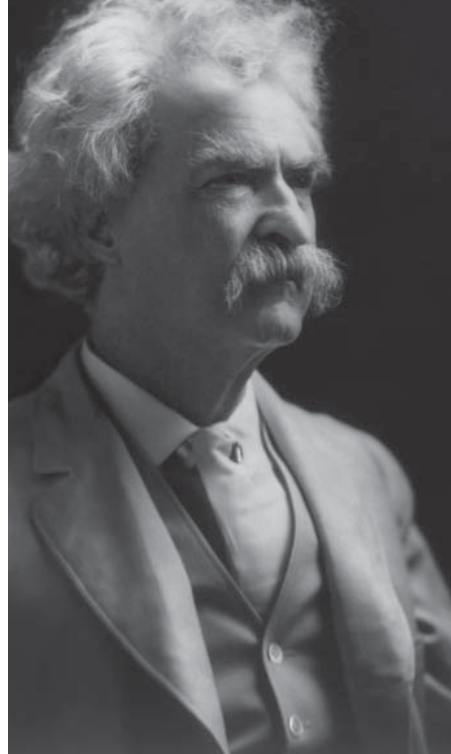
Mark Twain is a well-known, popular and hugely talented travel writer and humorist, still a relatively young man at 32. He also has a reputation for mocking religion, Catholicism in particular. You sometimes move in the same exalted circles, but have never encountered him face to face. One day, you see an announcement in the newspaper of a cruise to Europe and the Holy Land, to be joined by a number of luminaries, including Mark Twain himself. You have both the time and the money, and decide to join the tour, hoping a little for a moment of encounter or, more specifically, for a moment of conflict. You have your own gift for words, and it seems to you that Mr. Twain has a need to learn humility.

Weeks pass on the cruise, and the tour of the Holy Land begins. The word gets around that Twain is to read his latest notes in the ship's theatre that evening, which seems to you the perfect moment to expose his bigotry and rally at least some of your shipmates to your cause, that is, the vindication of the true religion. The hour arrives, and you have seated yourself strategically for maximum effect, the assault to be launched once Twain has concluded his reading, and opened the session for questions.

Here is what he reads:

John preached in this "Wilderness!" It must have been exhausting work. What a very heaven the massy towers and ramparts of vast Mars Saba looked to us when we caught a first glimpse of them!

We staid at this great convent all night, guests of the hospitable priests. Mars Saba, perched upon a crag, a human nest stuck high up against a perpendicular mountain wall, is a world of grand masonry that rises, terrace upon terrace away above your head, like the terraced and retreating colonnades one sees in fanciful pictures of Belshazzar's Feast and the palaces of the ancient Pharaohs. No other human dwelling is near. It was founded many ages ago by a holy recluse who lived at first in a cave in the rock—a cave which is inclosed in the convent walls, now, and was reverently shown to us by the priests. This recluse, by his rigorous torturing of his flesh, his diet of bread and water, his utter withdrawal from all society and from the vanities of the world, and his constant prayer and saintly contemplation of a skull, inspired an emulation that brought about him many disciples. The precipice on the opposite side of the canon is well perforated with the



small holes they dug in the rock to live in. The present occupants of Mars Saba, about seventy in number, are all hermits. They wear a coarse robe, an ugly, brimless stove-pipe of a hat, and go without shoes. They eat nothing whatever but bread and salt; they drink nothing but water. As long as they live they can never go outside the walls, or look upon a

woman—for no woman is permitted to enter Mars Saba, upon any pretext whatsoever.

Some of those men have been shut up there for thirty years. In all that dreary time they have not heard the laughter of a child or the blessed voice of a woman; they have seen no human tears, no human smiles; they have known no human joys, no wholesome human sorrows. In their hearts are no memories of the past, in their brains no dreams of the future. All that is lovable, beautiful, worthy, they have put far away from them; against all things that are pleasant to look upon, and all sounds that are music to the ear, they have barred their massive doors and reared their relentless walls of stone forever. They have banished the tender grace of life and left only the sapped and skinny mockery. Their lips are lips that never kiss and never sing; their hearts are hearts that never hate and never love; their breasts are breasts that never swell with the sentiment, "I have a country and a flag." They are dead men who walk.

I set down these first thoughts because they are natural—not because they are just or because it is right to set them down. It is easy for book-makers to say "I thought so and so as I looked upon such and such a scene"—when the truth is, they thought all those fine things afterwards. One's first thought is not likely to be strictly accurate, yet it is no crime to think it and none to write it down, subject to modification

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CALENDAR OF EVENTS

MONTH	DATE	DESCRIPTION	LOCATION
February	Wed., Feb 15, 12:00 p.m.	Lunch meeting. Andre Vanier, J.D., on the Magisterium of the Church.	Jilio-Ryan Hunter & Olsen 14661 Franklin, #150 Tustin, California jilioryan.com
	Sun., Feb 26	Come to help cook and serve breakfast to the homeless of the community at Isaiah House.	Isaiah House 316 S. Cypress Avenue Santa Ana, CA 92701 (714) 835-6304
March	March 5-16, 2012	Pilgrimage to the Holy Land, led by spiritual director Fr. Hugh Barbour. Contact Greg Weiler or Hon. David Belz for more information.	
	Wed., March 21, 12:00 p.m.	Lunch meeting.	Jilio-Ryan Hunter & Olsen (same as above)
April	Wed., April 18, 12:00 p.m.	Lunch meeting. Hon. Dave Belz will speak about St. Thomas More.	Jilio-Ryan Hunter & Olsen (same as above)
May	Wed., May 16, 12:00 p.m.	Lunch meeting.	Jilio-Ryan Hunter & Olsen (same as above)
June	Wed., June 20, 12:00 p.m.	Lunch meeting. Greg Weiler will speak on the spirituality of Abraham Lincoln.	Jilio-Ryan Hunter & Olsen (same as above)

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AN OPEN LETTER FROM ST. THOMAS MORE TO THE CHRISTIAN LEGAL COMMUNITY

(CONTINUED FROM PAGE 2)

I also observe with interest and dismay that for some half century, America's commitment to the truth and liberty have been slowly eroded by use of a legal system whose very purpose is justice. Just today Mr. Washington and Mr. Lincoln and I were discussing an incomprehensible blindness of a culture that cannot see that secularization is itself the enemy of human freedom as it removes the only real defense against tyranny, i.e., God-granted inalienable human dignity beyond the reach of the State. How soon we forget the lessons of the French Revolution, Communism in Russia and China, State Socialism in Germany, secularization under the banner of tolerance. My dear brothers and sisters, tolerance of evil is no virtue.

Who would have imagined in 1960 that untold millions of children would be killed under legal sanction? Who could have imagined that homosexual activity would be heralded under legal sanction? Who could imagine that the Church itself could be forced to commit immoral acts under legal sanction? Who could imagine that ministers of the Church could be ordered what can and cannot be preached under legal sanction?

To answer my own hypothetical questions, powers and principalities have long imagined the above, and much more.

Integrity and Courage - I sense you thinking if I resist the latest unjust Assembly Bill on this, or unjust Health and Human Services Guideline on that, I may lose my popularity,

my clients, or even my job. I had to consider the consequences of honoring my conscience against my sovereign when I was Chancellor of Great Britain. Just between us, my wife was displeased by my insistence on honoring my conscience vis-à-vis the King. "For heaven's sake just cross you fingers and submit," she said. I reminded my wife and friends that it is "for heaven's sake" that I stand for Truth. Only Bishop Fisher and I stood firm against the howling of Henry VIII and we lost our jobs and our lives. Of the thousands of judges, lawyers and Bishops of my time, who are remembered today? Fidelity is hard, but its legacy lasts.



Like I was, you are in a battle and must use the same sword and shield to prevail against the evils of your time. First, discipline, prayer, the sacraments and service to others (personal holiness); second, formation, both spiritual and secular. It was an advantage to be the best prepared person in the room.

- Always stand for the Truth;
- Use relentless logic, coupled with relentless charity in confronting the lies of your age;
- Participate in the legal systems with brilliance;
- Never compromise with evil;
- Constantly promote justice, mercy and goodness (the beatitudes) in your personal and professional lives;
- Demonstrate self-donation and servanthood even into death;
- Call out and expose evil with fearlessness.

What would I do today? I will watch you show me! ♦

MCLE RECAP

The January MCLE program was a tremendous success, thanks to the hard work of Deborah Knifel, Lydia Duynstee, Judy Patno, John Flynn, Jim Poth and Fr. Hugh Barbour.

Hon. Andrew Guilford spoke on the elimination of bias in the legal profession, recalling some of his experiences as president of the California Bar Association and his current post as a federal judge. Judge Guilford spoke about the importance

of lawyers recognizing the value of every person. He spoke about how the Christian ethic should motivate the civil rights movement, and facilitated a discussion on whether the modern emphasis on diversity distracts from unity and core values.

Forensic Expert and Attorney Ron Moore gave an excellent presentation on addiction and how the Spiritual Exercises have a similar structure to the 12 steps to overcoming addiction. He was joined by Defense Attorney Michael Mack, who shared his journey coping with alcohol addiction and his current

ministry with "The Other Bar," a group that supports confidential recovery for attorneys suffering from addiction.

Louis W. Karlin, an attorney with the California Attorney General's Office and an expert on the trial of St. Thomas More provided a fascinating presentation on how the principles lived by our patron provide are foundational to professional rules of conduct that govern attorneys today. St. Thomas More is an outstanding model for attorneys who choose to practice law with integrity.

A MOMENT OF TRUTH

(CONTINUED FROM PAGE 3)

by later experience. These hermits are dead men, in several respects, but not in all; and it is not proper, that, thinking ill of them at first, I should go on doing so, or, speaking ill of them I should reiterate the words and stick to them. No, they treated us too kindly for that. There is something human about them somewhere. They knew we were foreigners and Protestants, and not likely to feel admiration or much friendliness toward them. But their large charity was above considering such things. They simply saw in us men who were hungry, and thirsty, and tired, and that was sufficient. They opened their doors and gave us welcome. They asked no questions, and they made no self-righteous display of their hospitality. They fished for no compliments. They moved quietly about, setting the table for us, making the beds, and bringing water to wash in, and paid no heed when we said it was wrong for them to do that when we had men whose business it was to perform such offices. We fared most comfortably, and sat late at dinner. We walked all over the building with the hermits afterward, and then sat on the lofty battlements and smoked while we enjoyed the cool air, the wild scenery and the sunset. One or two chose cosy bedrooms to sleep in, but the nomadic instinct prompted the rest to sleep on the broad divan that extended around the great hall, because it seemed like sleeping out of doors, and so was more cheery and inviting. It was a royal rest we had.

When we got up to breakfast in the morning, we were new men. For all this hospitality no strict charge was made. We could give something if we chose; we need give nothing, if we were poor or if we were stingy. The pauper and the miser are as free as any in the Catholic Convents of Palestine. I have been educated to enmity toward every thing that is Catholic, and sometimes, in consequence of this, I find it much easier to discover Catholic faults than Catholic merits. But there is one thing I feel no disposition to overlook, and no disposition to forget: and that is, the honest gratitude I and all pilgrims owe, to the Convent Fathers in Palestine. Their doors are always open, and there is always a welcome for any worthy

man who comes, whether he comes in rags or clad in purple. The Catholic Convents are a priceless blessing to the poor. A pilgrim without money, whether he be a Protestant or a Catholic, can travel the length and breadth of Palestine, and in the midst of her desert wastes find wholesome food and a clean bed every night, in these buildings. Pilgrims in better circumstances are often stricken down by the sun and the fevers of the country, and then their saving refuge is the Convent. Without these hospitable retreats, travel in Palestine would be a pleasure which none but the strongest men could dare to undertake. Our party, pilgrims and all, will always be ready and always willing, to touch glasses and drink health, prosperity and long life to the Convent Fathers of Palestine.

So the reading concludes. Now what do you do with the onslaught you have prepared? St. Francis of Assisi is reputed to have said, "Preach the Gospel; use words when necessary." Love and truth form a perfect unity. There is no opposition between the two. Therefore, in all our efforts to speak the truth, we must be faithful to the demands of love, which will decide for us the words, the tone, the inflection, even the volume we use to state our case, and there is no denying, especially in these times, that our case must be stated. It is the Church that suffers from rhetorical techniques that offend love, since they have the unavoidable effect of disfiguring the face of the Lord, and therefore of impeding the Church's evangelical mission. We complain, and rightly so, about the spiritual harm done by secularism, but think nothing whatever of employing thoroughly secular styles of argumentation, with results equally destructive. It is precisely at moments of clear opposition that we are faced with a challenge to faith, with a crossroads, where we must choose ourselves, or choose Christ. Are we unwilling to deny ourselves the perverse satisfactions of the lacerating word or phrase for the sake of the Gospel? It is a fateful moment in the life of faith, the importance of which we overlook at our peril.¹ We can at those moments choose the way of self-vindication, posing as zeal for the Church, or we can choose the way of the Cross. ♦

¹ Mt 5:21-22, 12:34-37.