

CITATION ROLE OF LAW AWARD

LAWRENCE A. DINARDO

Each year, among its other responsibilities, the Board of Governors is charged with the pleasant duty of determining the recipient of our annual Canon Law Society of America Role of Law Award. This award is given to a canonist who has been outstanding within the field of canonical studies based on the criteria as stated in the *CLSA By-Laws*:

- Embodiment of a pastoral attitude;
- Commitment to study and research;
- Participation in the revision of law;
- Response to needs with practical assistance; and,
- Facilitation of dialogue and the interchange of ideas both within the CLSA and with other groups.

This year's recipient was born in Kansas City, Missouri and attended the Pontifical College of the Josephinum. He received his doctorate in canon law from Saint Paul University, Ottawa, Canada. In his diocese he served as Vice-Officialis and Officialis of the diocesan tribunal for fifteen years and was also involved in other administrative positions.

His involvement in the Canon Law Society of America includes membership on the former Research and Discussion Committee, now the Convention Planning Committee, the Nominations Committee and as a Consultor on the Board of Governors. He has been involved in various projects and workshops, most recently the workshop sponsored by the Canon Law Society on Canon Law and Clergy Misconduct. In addition to his involvement in the Canon Law Society, he has published several articles in *Studia Canonica*, *CLSA Proceedings* and in *Proceedings of the International Congress of Canon Law*. He has also taught in the Summer Institute program at The Catholic University of America.

It is said that every canonist is merely a student of the law. This year's recipient is known to peruse the latest canonical periodicals and theses at The Catholic University of America library on his frequent travels to Washington with as much enjoyment as he does in reading his favorite detective McNally's mystery novels by the author Lawrence Saunders.

He was appointed by Pope John Paul II as Bishop of Victoria, Texas, in 1990. He has served on the Administrative Committee of the National Conference of

Catholic Bishops, the Committee on Women in Society and in the Church, the Ad Hoc Committee on Sexual Abuse, the Committee on Priestly Formation and the Canonical Affairs Committee. He is presently on the Administrative Committee, a member of the Committee on Budget and Finance and Chairperson of the Canonical Affairs Committee.

Our selection for this year's Role of Law Award is no stranger to our Society. He has continued active involvement in the affairs of our Society and has attended the Convention annually since his appointment as the Bishop of Victoria. His academic and personal credentials, as well as his desire to continue in the study and research of law, makes him eminently qualified to receive this recognition.

He has reflected on occasion that his canon law studies and experience have been a highly valued resource and background in taking on the responsibility of a shepherd in our Church.

With much respect, admiration, and appreciation, it is my honor to present in the name of the members, the 1998 Role of Law Award from the Canon Law Society of America to the Most Reverend David E. Fellhauer, Bishop of Victoria, Texas.

RESPONSE
ROLE OF LAW AWARD

BISHOP DAVID E. FELLHAUER

This is certainly a great honor, and I am quite flattered and grateful. You don't have to be under the illusion that you are one of the most deserving individuals in order to be immensely pleased to be honored in this way by your professional peers.

I was initially a reluctant student of canon law. I went off to do graduate studies because I was not only asked to do so, I was begged. The reason, as the then Officialis of the Dallas Diocese explained, is that all the others who had been approached before me flatly refused and I was the only one left.

But the studies soon proved interesting, in fact exciting. And in my teachers at St. Paul University in Ottawa I recognized a professional dedication and excellence, as well as a commitment to the welfare of the Church and its members that were remarkable and inspiring. From my professors I learned to appreciate, and even in a way to love, the pursuit of knowledge of the Church's canonical norms.

Later on I was able to meet, and even in a very broad sense to be a colleague of, a number of the members of the canon law faculty at The Catholic University of America, from whom I often seek advice to this day and who are unfailingly generous with their time and expertise. By the way, in all this I discovered, initially to my surprise, that in the field of canon law at least, the most learned and accomplished persons tended to be the most modest and approachable.

At any rate, I have been privileged to know and be often in the company of much more talented and knowledgeable canonists than myself. And, as in tennis for instance, you can't make progress unless you are on the court with better players than you. That has always been my happy fate.

For fifteen years I was engaged in tribunal work with the added privilege of teaching canon law in a seminary. Since becoming a bishop, my canonical interests have shifted, out of necessity. Victoria, Texas, where I now serve, is by most standards a small diocese. To be bishop there means to be pretty much a hands-on administrator, and a canon law background has been for me simply invaluable.

From a canonical perspective, I now find myself dealing frequently, among other things too numerous to list, with personnel issues, particularly clergy personnel. As you know, it can be a delicate matter to try to balance and

sometimes referee the duties and prerogatives of pastors on the one hand and the rights and legitimate needs of parishioners, especially the frailer ones, on the other.

Questions regarding the functioning of diocesan and parochial consultative bodies often come up. Such groups have to be maintained, nurtured, and listened to. Just as importantly, their spheres of competency need to be clear in order to avoid misunderstanding and disappointment.

In dealing with so many different persons and personalities in the diocese, I have come to appreciate anew the need to respect and take account of peoples' diverse spiritualities, as recognized in canon 214, wherein is upheld the right of the Christian faithful to follow their own form of spiritual life consonant with the teaching of the Church.

Because women and men religious are such a vital force in the diocese, I even have to be involved with canonical issues concerning religious institutes, a topic I should have learned more about when I had the chance.

Liturgical and sacramental questions, some small, some more significant, arise all the time. I have to pay a great deal of attention to, in fact re-educate myself in, the canons of Book V of the code concerning temporal goods. I've even had to immerse myself in Book VI, sanctions. Not that one would ever impose any, but one does well to know the options.

Overall, my canon law background has assisted me immensely as a bishop in being aware of peoples' rights in the Church – clergy, religious, parishioners; in having guidelines for trying to act fairly and equitably; in acknowledging the need to consult others *all* the time; and in understanding my own responsibilities as bishop, which most of the time seem daunting, at least to me, and which I often feel I am as unqualified to fulfill as I am to accept tonight's award. So be it.

Heading now toward a conclusion, I wish to say again how grateful I am for the privilege of having known and shared friendship with so many remarkable men and women who serve our ecclesial community – usually unheralded and inadequately recognized – in the field of canon law. In this regard I want to make public mention tonight of one of my Ottawa professors, Father Albert Gauthier, O.P., a world-class canonist and close personal friend, whose untimely death was a sad loss to the Church. There are many others, of course, too numerous to mention here, to whom I am equally indebted; but I appreciate the opportunity to recall Albert's memory.

And I want to say what a pleasure it is and has always been to be a member of the Canon Law Society of America, which has served the Church so well and through which I have made so many good friends.

Finally, I know that I have spoken mostly of my own experience and have not left you with a serious and incisive commentary on important current canonical

issues. I apologize for that, but I am nevertheless delighted at tonight's honor and for the opportunity to respond with a few words of gratitude.