



## The American Society for the Defense of Tradition, Family and Property

—TFP—

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### Response of the American TFP and Its America Needs Fatima Campaign to “Statement to the Faithful of the Archdiocese of Miami”

On October 18, 2022, the Communications Department of the Miami archdiocese published a statement in which it affirms that America Needs Fatima:

- a. is not endorsed by the archdiocese of Miami;
- b. is not allowed to solicit within the archdiocese;
- c. never requested the archbishop’s permission to exercise this “prayer ministry” within the archdiocese; and,
- d. that the decision [to publish this statement] was based on the organization’s “very aggressive fundraising and marketing strategies”. . .
- e. and because “there are many complaints against the group posted online.”<sup>1</sup>

These affirmations are ambiguous and biased. They insinuate that America Needs Fatima:

- has an irregular canonical situation vis-à-vis the ecclesiastical authorities; and
- is required to have some form of canonical recognition or ecclesiastical authorization in order to carry out its activities and request donations in the archdiocese.

As we shall see, both insinuations are baseless and unsupported in canonical law and doctrine.

#### **1. America Needs Fatima Is a Campaign of the American Society for the Defense of Tradition, Family and Property—TFP**

America Needs Fatima is the campaign of the American Society for the Defense of Tradition, Family, and Property—TFP to win the heart and soul of America for Mary by spreading her Fatima message and promoting devotion to her Immaculate Heart.

America Needs Fatima does not have an autonomous existence of its own. It is only one of the American TFP’s campaigns. Therefore, to answer the objections raised about America Needs Fatima, it is necessary to understand the TFP and its methods.

#### **2. A Civil Association of the Faithful Acting in the Temporal Sphere**

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<sup>1</sup> “Statement to the Faithful of the Archdiocese of Miami,” MiamiArch.org, Oct. 18, 2022, [https://www.miamiarch.org/CatholicDiocese.php?op=Article\\_archdiocese-of-miami-statement-on-america-needs-fatima](https://www.miamiarch.org/CatholicDiocese.php?op=Article_archdiocese-of-miami-statement-on-america-needs-fatima).

The American Society for the Defense of Tradition, Family and Property—TFP defines itself as an “association of Catholics,” constituted by lay members of the faithful acting in the temporal sphere under their sole responsibility, and which has *structured itself under civil law*. In its activities, the organization is guided by the traditional doctrine of the Supreme Magisterium of the Church.

Please note that, although Catholic-inspired, the primary theater of TFP’s activities is in temporal society. This is because TFP members see no other solution to the problems of the modern world.

The American TFP matches a type of association described by Fr. Luis Navarro, former Dean of the Canon Law Faculty and current Rector of the Pontifical University of the Holy Cross in Rome. After speaking about the relationship between the ecclesiastical authority and the associations of the faithful categorized in the current canonical legislation, the distinguished Spanish jurist states:

One should remember that together with the associations, movements, and groups born within the Church in the exercise of the right of association by the faithful, there are others. These are likewise born at the initiative of the faithful but in the bosom of civil society. There are many variations, but they all possess the following characteristics: (a) their promoters strive to imbue temporal society with the Christian spirit; in other words, these associations are born because of the Christian values that inform their founding members; and (b) their goals, although related with Christian charity, faith, and doctrine, are not *exclusively* ecclesial in their nature; instead, they can be legitimately classified as civil.

The Italian Bishops’ Conference calls them “organizations of Christian inspiration” and states that through them, “the lay faithful act in their own name, as citizens, guided by their Christian conscience.” Therefore, this is a personal or associated action that some Catholics carry out in civil society under their own responsibility. Logically, their interventions in the sphere of culture, politics, labor, etc., must always be inspired by the Christian Faith and moral principles because they must show themselves to be members of the faithful also in civil society since one should never split the Catholic from the citizen.

*Canonically* speaking, such organizations do not stem from the exercise of the right of association of the faithful within the Church. Rather, they are the expression of the right to freedom of the faithful in temporal society.<sup>2</sup> In such associations, the faithful must follow Church Magisterium guidelines in all that concerns them and should imbue social activities with the Christian spirit. Given these characteristics, one concludes that these are more properly civil than ecclesial organizations, albeit directed by members of the Christian faithful because of their faith and charity.

Such organizations, therefore, are the fruit of the human right of association recognized in the civil sphere. They are regulated by Civil Law and adopt a specific legal structure according to its Code. They are, therefore, civil associations . . . Concerning such entities, the ecclesiastical authority only exercises a magisterial role and moral supervision. As civil associations, such organizations do not depend on the hierarchy in any way.<sup>3</sup>

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<sup>2</sup> “Can. 227 The lay Christian faithful have the right to have recognized that freedom which all citizens have in the affairs of the earthly city.” *Code of Canon Law*, [https://www.vatican.va/archive/cod-iuris-canonici/eng/documents/cic\\_lib2-cann208-329\\_en.html#TITLE\\_I](https://www.vatican.va/archive/cod-iuris-canonici/eng/documents/cic_lib2-cann208-329_en.html#TITLE_I). (Our footnote).

<sup>3</sup> Luis Navarro, *El derecho de asociación de los fieles y la autoridad eclesial*, no. 4, 18–21, accessed Oct. 31, 2022, [https://dadun.unav.edu/bitstream/10171/6491/1/VIII-Derecho\\_asociacion.pdf](https://dadun.unav.edu/bitstream/10171/6491/1/VIII-Derecho_asociacion.pdf). (Our translation. Italic emphasis in the original. In this quote, our emphasis is underlined.)

As French canonist Msgr. Dominique Le Tourneau explains when speaking about these same associations, they “are not canonical institutions, i.e., they are not the subject of rights and obligations different from those of the physical persons who form the association.”<sup>4</sup>

Consequently, from everything stated above, the American TFP as such is not subject to the ecclesiastical authority’s *power of governance* but only to its *power of vigilance* “in rebus fidei et morum” (in matters of faith and morals) and in what concerns ecclesiastical discipline, in the same way, and in the same measure as the members of the faithful who constitute the TFP, considered individually.

### **3. The Right to Choose Either a Civil Juridical Structure or a Canonical One**

The right of association of Catholics does not depend on the adoption of canonical bylaws. This right allows associations founded and directed by them to adopt a civil juridical structure.

According to Pope Leo XIII, “All such societies [private associations], being free to exist, have the further right to adopt such rules and organization as may best conduce to the attainment of their respective objects.”<sup>5</sup> According to the commentators, this doctrine was incorporated into canon law.

Thus, Prof. Javier Hervada, Chair of Philosophy of Law and Natural Law at the University of Navarre, Spain, explains: “Associations, undertakings, or works of apostolic inspiration ‘established by the free choice of the laity and regulated by their prudent judgment’ (*Apostolicam Actuositatem* 24), can have either a civil juridical structure or a canonical one.”<sup>6</sup>

In the same line, Prof. Giuseppe Dalla Torre, Chair of Ecclesiastical Law at the University of Bologna, Italy, observes, “[When these associations of the faithful] pursue *purposes inscribed immediately in the temporal order, and purposes in the spiritual order only mediately*, the Code renounces to regulate them, consequently relegating this—even if tacitly—to civil law.”<sup>7</sup>

True, the present Code of Canon Law permits associations founded and directed by members of the faithful to be included in the ecclesiastical juridical order through a review (*recognitio*, canon 299 §3) of their bylaws. However, the Code does not order such inclusion. This is a right of freedom that cannot be blocked or imposed. The faithful use it or not, depending on their free choice. If the contrary were true, the right assured to the faithful to freely form and direct associations (see canon 215) would be gutted and rendered meaningless. The canons that regulate this right (canons 298–329) apply exclusively to those associations that have chosen to be included in the ecclesiastical juridical order.

As for an association of the faithful with a civil juridical structure declaring itself *Catholic* in its inspiration, methods of formation, activities, etc., not only is this a right but even a duty if the faithful

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<sup>4</sup> Dominique Le Tourneau, “Réflexions sur la partie ‘De Christifidelibus’ du Code,” in *L’Année Canonique* (Paris) 28 (1984): 188.

<sup>5</sup> Leo XIII, encyclical *Rerum novarum* (May 15, 1891), no. 56,

[http://www.vatican.va/holy\\_father/leo\\_xiii/encyclicals/documents/hf\\_l-xiii\\_enc\\_15051891\\_rerum-novarum\\_en.html](http://www.vatican.va/holy_father/leo_xiii/encyclicals/documents/hf_l-xiii_enc_15051891_rerum-novarum_en.html).

<sup>6</sup> Javier Hervada, “Libro II: Del Pueblo de Dios,” (commentary on canon 225), in *Código de derecho canónico*, ed. Pedro Lombardía and Juan Ignacio Arrieta, annot. ed. (Pamplona: Ediciones Universidad de Navarra, S.A., 1983), 181.

<sup>7</sup> Giuseppe Dalla Torre, (commentary on canon 215) in *Comento al codice di diritto canonico*, ed. Pio Vito Pinto (Rome: Urbaniana University Press, 1985), 121.

do not want to betray their Baptism. They do not need, therefore, any permission or license from ecclesiastical authority to do this.<sup>8</sup>

#### 4. America Needs Fatima and Other TFP Campaigns in Defense of Christian Civilization

The American TFP *further*s the values of *Christian civilization* in what directly concerns the temporal order or what is indirectly related to it. It does so in light of the aggression—sometimes hidden, other times open and declared—of irreconcilable adversaries of principles of the natural law and Catholic morality; thus, its motto—Tradition, Family, Property—pillars of Christian civilization.

TFP activities cover the gamut of the aberrations tormenting the nation and which result from the sinful abandonment of the Ten Commandments and the collapse of Western Christian civilization. Without intending to be exhaustive, these include:

- protests and petitions against public blasphemy and sacrilege;
- public square Rosary rallies for the nation’s conversion, to keep Christ in Christmas, and to support the police targeted by the left;
- participation in Marches for Life, Rosary rallies and vigils outside abortuaries, and other efforts against procured abortion;
- street campaigns alerting the public to the evils of Socialism;
- Rosary rallies protesting school policies promoting Critical Race Theory, LGBT and pornographic books for students, and After School Satan Clubs;
- Rosary rallies to protest satanic monuments, black Masses, baby Baphomet cribs, and other efforts to mainstream Satanism;
- Rosary rallies protesting attacks on monuments and the Marxist deconstruction of the country’s heroes and historical figures;
- Rosary rallies protesting Drag Queen Story Hour and other transgender programs in libraries, restaurants, and even churches;
- street campaigns, protests, and petitions against same-sex “marriage,” PRIDE Masses, and the LGBT ideology.

In carrying out these efforts—whether acting individually or in an associated manner—the faithful do not need any ecclesiastical recognition or authorization since it expresses a right and the fulfillment of a duty incumbent upon baptized and confirmed Catholics. Such right and duty are referenced in the Code of Canon Law, as can be seen, for example, in these canons:

Can. 211 All the Christian faithful have the duty and right to work so that the divine message of salvation more and more reaches all people in every age and in every land. . . .

Canon 225 §1. Since, like all the Christian faithful, lay persons are designated by God for the apostolate through baptism and confirmation, they are bound by the general obligation and possess the right as individuals, or joined in associations, to work so that the divine message of salvation is made known and accepted by all persons everywhere in the world. This obligation is

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<sup>8</sup> The case is different when the association or apostolic work wants to include the title *Catholic* in its name. In that case, the organization can only do this with permission from competent ecclesiastical authority (see canons 216, 300, 803 §3 and 808). The permission requirement stems from the need to distinguish institutions with an official character, invested with a mission to act *nomine Ecclesiae* (“in the name of the Church”; see canons 116 §1 and 313), from those undertakings which operate under the sole responsibility of the private persons who direct them. As is obvious, TFP does not include the term *Catholic* in its name.

even more compelling in those circumstances in which only through them can people hear the Gospel and know Christ.<sup>9</sup>

## **5. There Is No Canonical Basis for the Alleged Need for the Ordinary's Authorization for America Needs Fatima Fundraising**

As for the supposed need for America Needs Fatima to request the ordinary's authorization to carry out fundraising in his diocese, there is no ordinance in the *Code of Canon Law* or supplemental legislation imposing this as an obligation.

The *Code of Canon Law* has only rules for the solicitation of alms by *ecclesiastical public or private juridical persons* in churches and other ecclesiastical premises. As demonstrated, the American TFP cannot be considered an *ecclesiastical juridical person*, whether public or private.

The mentioned rule is found in canon 1265 §1: "Without prejudice to the right of religious mendicants, any private person, whether physical or juridic, is forbidden to beg for alms for any pious or ecclesiastical institute or purpose without the written permission of that person's own ordinary and of the local ordinary."<sup>10</sup>

It should be noted that, in the *Code of Canon Law*, canon 1265 is part of *Book V: The Temporal Goods of the Church—Title I: The Acquisition of Goods*. It is not part of *Book II: The People of God*, where associations of the faithful are discussed.

This detail is important, for it provides the context in which canon 1265 is inserted. It deals with Canonical Patrimonial Law.

Can. 1254 §1. To pursue its proper purposes, the Catholic Church, by innate right, is able to acquire, retain, administer and alienate temporal goods.

§2. The proper purposes are principally: to order divine worship, to care for the decent support for the clergy and other ministers, and to exercise works of the sacred apostolate and of charity, especially toward the needy.<sup>11</sup>

In that context, there is nothing applicable to an association like the American TFP. As mentioned, it is a *civil association* founded and directed by the faithful acting in the temporal sphere under their sole responsibility.<sup>12</sup>

## **6. The Right to Fundraise Stems From the Right of Association**

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<sup>9</sup> *Code of Canon Law*, canons 211, 225 §1.

<sup>10</sup> *Code of Canon Law*, canon 1265 §1.

<sup>11</sup> *Code of Canon Law*, canon 1254 §1 and §2.

<sup>12</sup> In addition, "Traditional commentators [of the Code of Canon Law] understood this restriction to apply to verbal solicitation of funds, but not to the seeking of funds by mail or advertising." John J. Myers, "Book V: The Temporal Goods of the Church (cc. 1254-1310)," (commentary on canon 1265), in *The Code of Canon Law: A Text and Commentary*, ed. James A. Coriden, et al. (Mahwah, N.J.: Paulist Press, 1985), 867.

Independent of canonical stipulations, the right to freely solicit donations flows from the right of association itself. As noted by Pope Leo XIII, that right stems from human nature itself. It is not a concession from civil or religious authority.<sup>13</sup>

The natural right to found and direct private associations also includes the natural right to provide for their support. If private associations needed the authorization of ordinaries before collecting donations in dioceses, they would not be truly *free*, as their existence would depend on that authorization. In such circumstances, that natural right—which the Code of Canon Law recognizes—would be deprived of substance and expression. Accordingly, the canons that recognize the right of the faithful to freely establish and direct associations are not accompanied in the Code by the alleged restriction.

Thus, concerning such private associations, Leo XIII’s admonition to civil authorities (extendable to ecclesiastical ones as well) remains timely: “But every precaution should be taken not to violate the rights of individuals and not to impose unreasonable regulations.”<sup>14</sup>

## **7. There Is Much Ecclesiastical Support for TFP Campaigns**

Although developed and carried out privately under the sole responsibility of its directors, actions of the American TFP and its various campaigns, including America Needs Fatima, have garnered significant support over the years from numerous prelates, priests, and religious.

At the apex of the clergy sexual abuse scandal, legislative bills imposing the violation of the seal of Confession by priests were proposed in several states. *The Church Shall Prevail* campaign of the American TFP alerted the public to the scandalous attack on the Church’s freedom and labored for the bills’ tabling. To assist this TFP effort, Most Rev. Robert F. Vasa, then-bishop of Baker, Ore., wrote: “I invite you to join with [TFP Vice President] Mr. Thomas McKenna in *The Church Shall Prevail* campaign, which is dedicated to defending the honor of Holy Mother Church and in this specific instance, the inviolability of the Seal of Confession.”<sup>15</sup>

## **8. “There Is Never Enough of Mary”**

That hierarchy-erected or recognized organizations promoting devotion to Our Lady of Fatima exist is no reason to exclude other initiatives from the private sphere. The great Saint Bernard teaches, “De Maria numquam satis”—“There is never enough of Mary.”

## **9. “Listen to the Other Side”**

When mentioning, “there are many complaints against the group posted online,” the archdiocesan statement could have also said that many of these complaints are anonymous. In addition, it could have referenced [\*THE TFP ANSWERS an Unsigned Attack on Its America Needs Fatima Campaign\*](#), the TFP’s online refutation of the lies contained in one of these anonymous smears. *Audiat et altera pars*. “Listen to the other side,” says the ancient phrase from Roman law. To hear both sides is absolutely necessary for the good administration of justice.

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<sup>13</sup> See Leo XIII, *Rerum novarum*, nos. 13, 50–53, 56.

<sup>14</sup> Leo XIII, no. 52.

<sup>15</sup> “Letter From Bishop Vasa,” TFP.org, accessed Nov. 1, 2022, <https://www.tfp.org/letter-from-bishop-vasa/>.

## **10. Why America Needs Fatima Has Not Requested the Ordinary's Endorsement or Authorization**

From everything stated above, it is easy to understand that America Needs Fatima did not request the archbishop's endorsement because it is not needed. Similarly, it does not need his permission to solicit funds or to carry out its activities within the archdiocese.

## **11. "The Holy Freedom of the Children of God"**

The directors, members, and volunteers of the American TFP and its America Needs Fatima campaign are Roman Catholic faithful who are lovingly subject to the archbishop's vigilance in matters of faith, morals, and ecclesiastical discipline, to the full extent required by Church law.

At the same time, however, they reaffirm their right (see canon 221 §1),<sup>16</sup> acquired at Baptism, to enjoy "the holy freedom of the children of God that exists in the Church,"<sup>17</sup> as referenced by Saint Paul the Apostle (see Rom. 8:21).

In conclusion, America Needs Fatima's fundraising efforts are transparent and tactful. No one has ever questioned the American TFP's legitimate use of the donations it collects.

November 2, 2022

*The American TFP*

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<sup>16</sup> "Can. 221 §1. The Christian faithful can legitimately vindicate and defend the rights which they possess in the Church in the competent ecclesiastical forum according to the norm of law." [https://www.vatican.va/archive/cod-iuris-canonici/eng/documents/cic\\_lib2-cann208-329\\_en.html#TITLE\\_I](https://www.vatican.va/archive/cod-iuris-canonici/eng/documents/cic_lib2-cann208-329_en.html#TITLE_I).

<sup>17</sup> John XXIII, "Address of the Holy Father Closing the First Period of the Council," (Dec. 8, 1962), no. 4, Vatican.va, [https://www.vatican.va/content/john-xxiii/it/speeches/1962/documents/hf\\_j-xxiii\\_spe\\_19621208\\_closing-i-period.html](https://www.vatican.va/content/john-xxiii/it/speeches/1962/documents/hf_j-xxiii_spe_19621208_closing-i-period.html). (Our translation from the Italian original.)