



Word on Fire, a media organization led by Bishop Robert Barron, has sent a second letter to Commonwealth magazine, threatening again to sue the outlet and one of its contributors. Screenshots of both letters are included in this graphic. (NCR graphic)



by Brian Fraga

Staff Reporter

[View Author Profile](#)

[Join the Conversation](#)

May 15, 2024

[Share on Bluesky](#)[Share on Facebook](#)[Share on Twitter](#)[Email to a friend](#)[Print](#)

A media organization led by a prominent U.S. Catholic bishop sent a second letter this month to a national Catholic magazine, threatening again to sue the outlet and one of its contributors over an article that questioned how the bishop and his organization have engaged with former President Donald Trump's political movement.

Word on Fire, a nonprofit founded by Minnesota Bishop Robert Barron, was contesting how Commonweal, an historic U.S. Catholic journal celebrating its centenary, [responded to an earlier request for changes](#) to an article by popular author Massimo Faggioli, a theologian at Villanova University.

According to the three-page letter, unsigned and dated May 1, Word on Fire said it considers an editor's note that explained Commonweal's decision to retract a paragraph from the April 22 essay, "[Will Trumpism Spare Catholicism?](#)," itself to be "clearly malicious" and defamatory.

Word on Fire not only demanded that the clarification be removed, but also notified Commonweal to consider its letter, which was sent to several members of the magazine's editorial staff, as "a formal notice to preserve all records in anticipation of litigation."

"The Editor's note, with the author's permission, clearly was published with not only a reckless disregard for the truth and the publisher knowing that the statement was false but with what is clearly actual malice for WOF and its leadership," the letter states.

Commonweal had added the note to Faggioli's article after receiving an earlier letter from Word on Fire, unsigned and dated April 25, requesting changes to the essay.



Massimo Faggioli, professor of historical theology at Villanova University near Philadelphia, is seen on the Catholic university's campus March 11, 2021. (CNS/Chaz Muth)

NCR obtained the April 25 and May 1 letters from a source affiliated with Commonweal, who was not the author nor the editor on the original article. Word on Fire did not respond to multiple requests from NCR seeking comment for this story.

In both letters, Word on Fire emphasizes its stated identity as a "non-partisan, non-profit, Catholic apostolate," and suggests that any statements insinuating otherwise is intentionally false, defamatory and grounds for legal action.

But media law scholars and experts in defamation case law told NCR that Word on Fire's position is contradicted by several decades worth of legal precedents that have bolstered press freedoms to publish critical news reporting, commentary, analysis and unflattering opinions.

"Word on Fire would have to prove not only negligence, but also show that Commonweal acted with a reckless disregard for the truth, presenting clear and convincing evidence that either they published the essay knowing it was false, or that they had serious doubts about its accuracy but published it anyway," said [Erik Ugland](#), a communications professor at Marquette University.

Those legal standards, media experts say, especially apply when the subject is a public figure like Barron, the bishop of the Diocese of Winona-Rochester who [founded](#) Word on Fire in 2007 and [uses that platform](#) to comment on [political controversies](#), and to interview outspoken conservative culture warriors such as [Chris Ruffo](#), [Jordan Peterson](#) and [Ben Shapiro](#).



Bishop Robert Barron of Winona-Rochester, Minnesota, arrives for the first working session of the assembly of the Synod of Bishops Oct. 4, 2023, at the Vatican. (CNS/Lola Gomez)

"Whether it'd be Word on Fire or the individual pastor suing, either way, they'd be treated by the courts as public figures, so they would have a higher burden of proof in presenting their [defamation] claim," Ugland said. "Given the difficulty of meeting the burden of proof and the fact that [the essay] could be reasonably characterized as opinion, or even that the accusation in it is substantially true, I just think there'd be very little chance of success for them."

[Lyrisa Lidsky](#), a constitutional law professor at the University of Florida Levin College of Law, told NCR that Barron and Word on Fire "need to have a thicker skin."

"He entered into the public fray, and when you do that, you are subject to criticism," said Lidsky, who studies defamation and free speech issues.

Lidsky and other media law experts also said the country's judicial system to date has refused to declare that someone having their political beliefs mischaracterized is defamatory, because in doing so the courts would be endorsing the idea that having liberal or conservative views is shameful.

"Nobody wants to be mischaracterized, in any setting, but a mischaracterization of one's political views is a trivial mischaracterization," Lidsky said. "It's also based on the opinion of the observer. How would we verify factually whether you were ideologically close to Trump or not?"

Advertisement

"That is the kind of speech that we allow people to engage in to support the vitality of public discourse, particularly when someone thrusts themselves into prominent public issues," Lidsky added.

[Dan Novack](#), a First Amendment and media law expert who hosts the [SLANDERTOWN podcast](#), agreed, telling NCR that defamation claims rest on allegations that society recognizes to be shameful, such as adultery, political corruption, stealing, and using racist language.

"Is it defamatory to be aligned with Donald Trump? If so, that would mean that 35 to 52% of the country is shameful," Novack said. "I think it would be hard for a court to define as a matter of law that anyone who voted for Donald Trump, or has any close

thematic relationship with him, to be morally perverse."

Word on Fire's letters both indicate that the organization took strong offense to a brief line in the original version of Faggioli's essay where the Villanova academic highlighted Barron's multimedia ministry as one example of conservative Catholic initiatives in the United States being "in varying relationship to Trumpism, but all anxious about orthodoxy."

"In this article, Mr. Faggioli spouts a myriad of laboriously derived and contrived political and religious assertions," Word on Fire said in its first letter. "He draws puzzling and irrelevant parallels neither based in fact or reason and his attempts to draw a corollary between our organization and several unrelated associations are completely and totally without merit."



Former U.S. President Donald Trump, the presumptive Republican presidential nominee, speaks during a campaign rally April 2 in Grand Rapids, Michigan. (OSV News/Reuters/Rebecca Cook)

Writing about the ideological currents roiling the U.S. Catholic church, Faggioli's essay described what he said were overlaps between Trump's controversial brand of right-wing nationalism and the hardline conservative Catholicism championed by outspoken figures such as Bishop Joseph Strickland, the firebrand prelate who Pope Francis removed from leadership of the Diocese of Tyler, Texas, [in November 2023](#).

The essay mentioned Word on Fire's new academic-style journal, [The New Ressourcement](#), which prompted Barron's organization in its first letter to argue that Faggioli "ignores" what it says was "clear evidence" that "there is no logical leap that could tie this religious publication to promoting any particular political movement or partisan agenda."

Word on Fire's first letter added: "The overarching theme of many of the statements made in the article are clearly incendiary, rife with bias, baseless and are noticeably intended to deceive readers into forming an unfounded and derogatory opinion of our organization and its senior leadership. Based on this, we are left to conclude that Mr. Faggioli not only knows that his statements are patently false but that he has made such statements with actual malice with an intent to harm the reputation of Bishop Barron and the WOF organization as [sic] whole."

[Related:](#) [Commonweal magazine edits article after legal threat from Bishop Barron's Word on Fire](#)

While both of Word on Fire's letters use phrases from media defamation case law, such as "actual malice" and "reckless disregard for the truth," media law experts said Word on Fire would be hard-pressed to identify a specific harm done to Barron or the organization.

"I don't know what the harm here is. They just seem to think it's not nice to hear that about themselves," said Novack, who added that Word on Fire in court would have to provide a provably false assertion of facts to support a defamation claim.

Novack said that proving absolutely no "varying" ideological relationship exists between Trumpism and Word on Fire's messaging would be difficult at best.

Said Novack, "You'd have to disprove that nothing in the theology of Word on Fire has any resonance with things in the political commitments of the Trump movement. Impossible. So, I don't think this is something that could be subject to being provable, one way or the other."