Necessity of Expert's Opinion in Psychic Incapacity

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Introduction

Expertise is the report of an expert on a particular work of art. It is a judicial activity performed by a person specially qualified in virtue of experience or technical, scientific and artistic knowledge. The 1983 Code of Canon Law considers expertise as one of the legitimate juridical proofs of moral certainty.[1] This is quite clear from the position of chapter IV on experts (Cc. 1574-1581) in title IV, 'Proofs', in book VII, 'Processes'. It enunciates the use of experts in the declaration of nullity of marriage on the ground of incapacity (C. 1680).

This presentation discusses certain issues concerning the use of experts in the cases of incapacity. Is the practice of using experts in this type of cases a recent one or a long-standing one? How much importance do Canon Law and Rotal jurisprudence give to the opinion of experts? What do the Popes say concerning the use of experts in these cases? In this presentation, let us first understand in a brief manner the principles in the three species of incapacity and then, the canonical legislation and the praxis of Rotal jurisprudence concerning the use of experts for the cases of incapacity.[2]

1. A Note on the Three Species of Consensual Incapacity for Marriage

Vatican Council II pronounces that married life should be rooted in the conjugal covenant of irrevocable personal consent.[3] The Council, ignoring the 1917 Code's articulation of the object of consent as the perpetual and exclusive right to the body,[4] defines consent as "that human act whereby spouses mutually surrender and accept each other (*sese mutuo traduntatque accipiunt*)".[5] This implies that, for a valid matrimonial consent, both parties have to be in full possession of their triple capacity of understanding, evaluating and assuming the rights and obligations of marriage. C. 1095 in essence states that a substantial lack of this threefold capacity renders a person incapable of contracting marriage. Accordingly, there are three categories of persons who may not be able to contract marriage (or three species of consensual incapacity), namely those who lack sufficient use of reason, those, who suffer from grave lack of discretion of judgment, and those, who are not able to assume the essential marital obligations.

1.1. Lack of Sufficient Use of Reason

The first principle of c. 1095 expresses the criterion of 'simple use of reason'. In jurisprudence, the expression 'sufficient use of reason' was equivalent to a person's ability to elicit a human act proportionate to matrimonial consent, which entails obligations that are both serious and perpetual. Consequently, c. 1095 1° declares incapable of contracting marriage not only those who lack the use of reason altogether, but also those who lack 'sufficient use of reason'.

Two points must be noted in regard to the principle of 'lack of sufficient use of reason'. First, the canon does not indicate whether the incapacity, to be juridically efficacious, must be permanent or temporary. This incapacity refers strictly to the moment of consent and, therefore, the canon implies that the impairment of mental faculties be such that it renders the person incapable of eliciting the human act, which is matrimonial consent, at the very moment of exchanging consent.[6] The underlying cause may be habitual, such as schizophrenia, or temporary such epileptic seizure, acute alcohol intoxication, etc. If the impairment is habitual, its presence at the time of consent can be presumed.

Second, the canon does not require 'absolute' lack of the use of reason. By employing the adjective 'sufficient' qualifying 'use' of reason, the law relativizes its role. In other words, the law does not require total lack of reason to invalidate consent. The lack of reason must be proportionate to the rights and obligations of marriage.

1.2. Grave Lack of Discretion of Judgment

'Discretion' deriving from Latin *discernere* means to sift and separate a thing, or an idea, or a situation into its various parts or elements and to distinguish and perceive them with the mind so as to make a determination or decision regarding it. In the Rotal Jurisprudence, the term 'discretion' means 'maturity' understood in the canonical and not in the psychological sense, and, therefore, when it is used with 'judgment' as 'discretion of judgment', it basically signifies 'maturity of judgment' or simply 'mature decision' or 'mature choice'[7], but does not mean a complete and terminal psychic maturity. It means the minimum about the nature and the

end of matrimony which, however, is sufficient to distinguish marriage from any other contractual relationship.

In Rotal Jurisprudence, this concept has been viewed as consisting of three essential components.[8] They are:

1. 'Adequate knowledge' about all the essential elements, which constitutes marriage including the very persons of the contractants;
2. Sufficient 'critical evaluation' of the object, of the motives and of the subject in order to arrive at a new judgment or decision;
3. 'Internal freedom', which is not only required for critical reflection, but also for making the final decision (election) concerning the object.

This principle further requires that the defect has to be truly 'grave'. The reason, why we are interested in the gravity, is that because mental illness in itself, is not the cause of nullity of marriage. It is the effect of mental illness on man's spiritual powers of mind and will, that renders the marriage null.[9] So, *gravid fectu* refers to the discretion of judgment, which is a juridical term.

1.3. Incapacity to Assume the Essential Marital Obligations

This incapacity consists in the defect of the object of matrimonial consent insofar as the contractant is incapable of giving and receiving the essential rights and obligations of marriage. In other words, this incapacity to assume concerns the formal object, that is, the complex of essential rights and obligations of marriage.

From a juridic point of view, a distinction must be noted between the 'incapacity to assume' and the 'incapacity to fulfil'.

The incapacity to assume is intrinsic to the person, whereas the incapacity to fulfil may be either intrinsic (psychic) or extrinsic. Here 'intrinsic' means it pertains to the content of the very act of consent as its object. The incapacity to assume the essential obligations of marriage causes the nullity of marriage by the fact, it affects the will in the very act of election or decision. The election, which is formally an act of the will, of an impossible obligation is empty and inefficacious, nor can it by its very nature produce the juridic effects. The will that chooses such an impossible obligation lacks power over what is willed; it lacks the faculty to dispose that object which it cannot retain constantly.[10]

With regard to this incapacity, the law requires that it should be 'due to causes of a psychic nature'. The history of the evolution of this clause seems to indicate that the legislator's mind is to exclude any subjective factors that are purely 'physical, organic, hormonal, etc'. That does not mean that these factors cannot be indirect causes of the incapacity. Commentators recognize that any disorder or disturbance of the human mind, if it is sufficiently severe, can prevent a person from assuming the essential obligations of marriage.

To conclude the introductory note on c. 1095, it can be said that though the principles of incapacity are defined in c. 1095, it is open for further development, particularly in view of its basis in natural law. That is why Pope John Paul II said: "There still remain canons of great importance in matrimonial law, however, which have been necessarily formulated in a generic way and which await further determination, to which especially the qualified jurisprudence of the *Rota* could make a valuable contribution, I think for example, of the determination of the 'grave lack of discretion of judgment', of

the 'essential matrimonial rights and obligations' mentioned in c. 1095".[11]

2. Canonical legislation on the Use of Experts in the Cases of Psychic Incapacity

So far, we have presented the principles concerning the three species of psychic incapacity. Now, let us begin to analyze the use/necessity of experts in these cases.

2.1. Use of Experts as Established in the 1917 Code and 'Provida Mater Ecclesia'

The 1917 Code of Canon Law on this head adopts most of the rules laid down for the Roman Rota. While in 1917 Code fourteen canons (Cc. 1792-1805) refer to the expert, *Provida Mater Ecclesia* (*PME*)[12] devotes sixteen articles (Art. 139-154) to the subject of experts. Both the 1917 Code and *PME* prescribe in a separate canon for the use of experts in the cases of insanity (*CIC*/17, c. 1982; *PME*, art. 151).

CIC/17, c.1982, takes up the subject of the behavioural science expert. As to when experts are to be chosen, it lays down that in cases of *amentia* the opinion of experts is to be sought.[13] The canon reads, "Also in cases of defect of consent from *amentia*, there is required the vote of experts who, if there is cause, shall examine the infirm one, according to the precepts of the art, (as well as) the actions that led to the suspicion of *amentia*; moreover, the experts must hear as witnesses those who visited the infirm one before". According to this canon, the opinion of experts is required without any exception. The law requires this in view of the fact that the judge is not expected to be able to evaluate mental normalities without the aid of a psychiatrist. However, the demand of experts was required only for licitness, not for validity.

In *PME*, the use of experts in the cases of insanity is mentioned in art. 151, which prescribed that in cases of insanity one doctor, and if the case is difficult, two doctors may be designated who are skilled in the science of psychiatry. *PME* also prescribed for the use of experts without exception.

2.2. Use of Experts as Developed in Rotal Jurisprudence before 1983 Code

Regarding the evolution of the institute of experts in ecclesiastical decisions, the credit goes to Rotal Jurisprudence. In refining and discerning the cases of *amentia*, Rotal judges became aware of psychological impairments or conditions, which though not amounting to *amentia*, negatively impacted a person's ability to posit a critical, deliberative, evaluative act of consent. Through the dynamism of increasing use of experts, Rotal judges became better informed regarding the extent to which such impairments gave rise to seriously defective judgmental appreciation concerning the essential rights and obligations mutually given and accepted in marriage. The *Rota*, thus, addressed this impairment of the critical, evaluative faculty under the rubric of defect of consent or defect of sufficient deliberation or defect of discretion of judgment, and, applied these developing insights to cases in which judgment was impaired due to alcoholism, anxiety neurosis, cerebral trauma, drug addiction, homosexuality, hysteria, immature personality, manic-depressive psychosis, mental retardation, paranoid personality, schizophrenia, transexualism, transvestism.[14]

2.3. Use of Experts as Required in the 1983 Code and 'Dignitas Connubii'

The revised Code places the topical heading 'Experts' in Book VII on procedures (Cc. 1574-1581) and with regard to

incapacity in c. 1680, while *Dignitas Connubii* (*DC*)[15] provides for the subject matter of our study in articles 203-213. We also present how the Popes and *Apostolic Signatura* have insisted this normative requirement.

2.3.1. Necessity of Using Experts

The norm that speaks on the necessity of using experts (C. 1574; *CCEO*, C. 1255) remains almost the same as the previous general norm (*CIC*/17, C. 1792). It says that while an ecclesiastical judge always retains the right and sometimes even as a duty to secure the services of experts as part of the court's search for the truth, at times the use of experts is required by the law itself. The treatment of experts with specific reference to marriage cases is reduced to a single canon (C. 1680). As per c. 1680, the judges are to use one or more experts in cases of impotence or lack of consent on account of mental illness unless, from the circumstances of the case it appears *evidenter* (that is, 'clearly' or 'obviously' or 'manifestly' or 'evidently') useless. Thus, c. 1680 makes it perceptive to use the assistance of experts.

Different popes have recommended for the use of experts in the cases of incapacity. Pope Pius XII in his allocution to the Roman Rota already on 3 October 1941 commented on the necessity of expounding modern theories proposed by psychiatrists and psychologists in the adjudication of cases in the Roman Rota. He said that they cannot be neglected because they are new.[16] Pope John Paul II in his allocutions to the *Rota* in 1987 in 1988 and Pope Benedict XVI in 2009, reemphasized the prescription of the law. Pope Benedict XVI says: "It follows, in principle, that the causes of nullity through mental incapacity require the judge to employ the services of experts to ascertain the existence of a real incapacity".[17]

Apostolic Signatura declared on 16 June 1998 while responding to a question of a judicial vicar of certain local Tribunal concerning the use of experts: "The services of experts are required in cases based on grounds mentioned in c. 1095, "unless from the circumstances this would obviously serve no purpose" (C. 1680). Therefore, in such cases the services of a psychiatrist or psychologist are mostly required to distinguish the psychic condition of the party or parties at the time of celebrating the marriage".[18]

Finally *Dignitas Connubii*, in art. 203, while repeating the 1983 Code concerning the necessity of using experts in the cases of incapacity (C. 1680), adds a new phrase as, "because of the incapacities described in c. 1095". It states: "In causes concerning impotence or a defect of consent because of a *mentis morbum* or because of the incapacities described in c. 1095, the judge is to employ the assistance of one or more experts, unless from the circumstances this would appear evidently useless." Thus, the norm of law is quite unambiguous. The intervention of experts in cases of nullity being considered under c. 1095 is mandatory, not optional.

2.3.2. Exception to the Use of Experts in these Cases

The law has given an opportunity to omit the use of experts, basing on the principle: 'A man who is already certain does not have to be made more certain'. The canonical legislation in this regard is unambiguous. Both 1917 Code and *PME* required the use of experts without exception (C. 1982, art. 151). But, both the revised Code and *DC* allow the judge to omit the appointment of an expert, if from the circumstances of the case such consultation would be manifestly useless. The Apostolic Signatura in 1998 maintains this position and envisages two instances, where the

assistance of an expert may seem 'obviously useless' in cases of incapacity mentioned in c. 1095: a) when there is a document or testimony sufficient to generate in the mind of the judge moral certitude concerning the alleged incapacity of the person concerned; b) the second instance consists of antecedent, concomitant and subsequent facts which clearly indicate the incapacity of c. 1095.

In the face of such formal and substantial conformity between related canons of the Code, *DC* and the declaration of Apostolic Signatura, it can be concluded that the necessity of employing an expert or experts is not absolute, but only relative (or facultative), i.e., relative to each case to be determined by the judge in the concrete circumstances of the case at hand. The general rule requiring expert help in cases of 'mental disorders' is muted by the exception contained in the same rule, which, as an exception, is subject to strict interpretation (C.18).

Now, we have a question: 'Can the expert opinion be exempted due to other motives, or can it be exempted when it is impossible?' There can be some other motives, such as prohibition by the civil law of a particular country against the use of psychiatric or psychological experts in Ecclesiastical Courts, non-availability of psychiatrists and psychologists, even if available they may not have appreciation of the principles of Christian anthropology or the professional services may be so expensive that an expert report may be financially beyond the reach either of the party or of the Court. In these situations, what can be done? Can non-availability of experts be justified?

Some authors opine that it is legitimate for the judge to apply the natural principle that *ad impossibile nemo tenetur* (No

one is held to the impossible), which permits the judge with his own experience and knowledge to evaluate the case.[19] Some tribunals have attempted to solve the problem in other ways, such as, utilizing the civil maxim 'the common estimation of the ordinary man' in order to reach the moral certitude,[20] or utilizing the divorce decree as a form of proof.[21] But, these solutions are fraught with danger. Though the tribunals have made sincere efforts to deal with this problem of impossibility or non-availability of experts, such alternatives to the use of a qualified expert do not give confidence in an objective evaluation of the nature, origin and effects of the particular psychic difficulty. Hence, a judgment as to the presence of psychic incapacity would have to be based upon more substantial canonical proof than the mere 'common estimation of the ordinary man'.[22]

Apostolic Signatura in 1998 declaration, when there was a question whether it is legitimate to pronounce an affirmative decision in cases of consensual incapacity (C. 1095; CCEO C. 818) on the basis of personal 'non-personal' knowledge in situations, where the assistance of experts is prohibited by civil law, clarified once again the legislation that in such cases the services of experts are mandatory, but not absolute.[23] Hence, in this situation, the opinion of A. McGrath seems to be acceptable to certain extent. He says: "Where it proves impossible to find an expert, the judges, in reading and researching, must be very careful that they retain their own role in the process: they are not to attempt to make a diagnosis or an analysis of behaviour, which lies beyond their competence. Instead, on the basis of the facts before them, they must decide whether or not a particular person was, at the time of marriage, capable of valid consent. If, in spite of

all their efforts, they are not satisfied that they are able to state with moral certainty that the person in question was incapable of that consent, they must return a negative decision".[24]

Regarding the 'Non-use of Experts and the Validity of the sentence', we can say that the services of experts are mandatory, but not an absolute requirement. C. 1680 is not an invalidating or incapacitating law (C. 10). Therefore the consequence of the sentence is not null, but only the facts which are issued without the experts. Hence, it is quite clear that the *peritia* is required not as a requisite for validity, but as a condition for licitness.

2.3.3. Critical Evaluation of Expert's Report

One of the tasks of the judge in pronouncing a judgment is to critically evaluate the report of the experts. If this is not done, the validity of the decision itself may be questioned.[25] Regarding the evaluation of expertise, c. 1579 and *DC,* art. 212 establish the norms.[26] It is the task of the judge to work out a synthesis of all proofs gathered during the judicial investigation including the expertise. The principles of free evaluation of the proofs by the judge should not give rise to any arbitrariness on his part, for the prescriptions of the canons always direct the judge to weigh the evidence objectively and in conscience and, as explicitly required by c. 1579 §2 and *DC,* art. 212, §2, to show in his decision the reasons for accepting or rejecting the conclusions of the expert. In this way, an expertise is juridically subordinated to the work of the judge.

2.3.4. Collaboration between Canonical and Psychological Sciences

While looking into the canonical legislation, we don't have a canon which establishes a norm regarding this subtitle.

Still, while the canons governing the use of experts in ecclesiastical matrimonial process clearly establish the judge as the one who retains control and final authority throughout the process, they also position the expert in a professional, collaborative, mutually respectful, and relational dynamic with the judge. Hence, it is clear that the law expects the judge should work with the expert, and each person in this professional relationship maintains his standing within the legal structure and bears responsibility for certain actions within the process.

The object of the judge's task is canonical marriage, while the object of the expert's intervention is the psycho-physical condition of the parties. The expert just gives to the judge the clarification about the psychic condition of the person without entering into the question about the validity of marriage. Thus, in the collaboration between these two sciences, distinction and at the same time autonomy is respected. Raymond Burke's exhortation to "neither domination nor usurpation but collaboration, always collaboration"[27] seems to be the proper antidote to any of the inadequate attitudes that might surface in the judge-expert relationship.

2.3.5. Translation of Psychological Categories into Canonical Ones

It should be noted that the judge should translate the expertise into canonical categories. Perhaps this is the most difficult part of the task of a judge. The psychological expert will speak of the psychic condition, whatever it is, while the judge will determine whether or not it constituted an incapacity, which rendered the marriage invalid. John Paul II points out explicitly the need to translate the language of the expert into canonical categories while saying: "it is

important that the categories that belong to psychiatry or psychology are not automatically transferred to the field of canon law without making the necessary adjustments which take account of the specific competence of each science."[28] If this translation of categories is not done, then the process of nullity could easily become quite mechanical, and it would cease to be a quest for truth and become instead a search for an easy 'way out' of broken marriages.[29]

2.3.6. Judge - the Expert of the Experts

It is true that the expert has an important duty in arriving at the truth regarding the validity of the marriage, but the final decision as to the value of all experts' opinions and their bearing on the case remains the exclusive province of the judge. It is the role of the expert to describe the condition of the individual according to his or her expertise. It is the role of the judge – and of the judge alone – to make a declaration about the juridical significance of all the facts assembled, including the report of the experts. It is essentially different from one another. Pope John Paul II in his allocution in 1987 brings out clearly this aspect of judge as the expert of the experts while saying: "The judge therefore cannot and ought not to expect from the expert a judgment on the nullity of marriage, and still less must he feel bound by any such judgment, which the expert may have expressed. It is for the judge and for him alone to consider the nullity of marriage. The task of the expert is only that of providing the elements of information, which have to do with his specific competence".[30] Thus, the judge must always remain the *peritus peritorum.*

Conclusion

The 1983 Code, like the 1917 Code, prescribes for the use of experts (C. 1574). And, it treats in a special canon the use of experts in the cases of mental illness (C. 1680). The notable point is that it, unlike the 1917 Code gives an opportunity for the exception to the use of experts, when it is considered useless.

There are certain advantages if experts are used. The core difficulty in the marriage can be more accurately identified; the underlying dynamics of the relationship can be exposed to the light and clarified; the added insights of the expert can convince the previously unconvinced judge that the marriage was indeed null. Furthermore, the regular employment of experts by a Court is a simple recognition of the need to maintain certain standards of professionalism in ecclesiastical tribunals. The involvement of the expert in the tribunal process lets the two professionals do what they do best: the expert diagnoses the problem; the Court judges the validity of the marriage.

(Endnotes)

[1]The Code identifies the major sources of proof: a) the declarations of the parties (cc. 1530-1538); b) documents which are relevant to the point at issue (cc. 1539-1546); c) the testimony of witnesses (cc. 1547-1573); d) the opinions of experts (cc.1574-1581). See A. McGrath, "At the Service of the Truth: Psychological Sciences and their Relation to the Canon Law of Nullity of Marriage," *Studia Canonica* 27 (1993), p. 380.

[2] Sources in this topic in the previous years: L. G. Wrenn, "Marriage Tribunals and the Expert," *The Bulletin of the National Guild of Catholic Psychiatrists* 25 (1979), pp. 53-68; M. Breitenbeck, "The Use of Experts in Marriage Nullity Cases," *CLSA Proceedings* 51 (1989), pp. 30-47.

[3]SeeVatican Council II, Pastoral Constitution on the Church in the Modern World *Gaudium et Spes* (7 December 1965), in *AAS* 58 (1966), p. 1067. English

Translation in A. Flannery (ed.), *Vatican Council II: The Conciliar and Post Conciliar Documents*, St. Pauls, Mumbai 2001, p. 835.

[4] *CIC*/17, c. 1081, §2. (Whenever, a canon is mentioned with *CIC*/17 or *CCEO*, it respectively refers to the 1917 Code or to the Code of the Eastern Churches, but whenever it is simply mentioned, it refers to the 1983 Code).

[5] *GS*. 48, p. 835.

[6] See Ladislas Örsy, "Matrimonial Consent in the New Code: Glossae on Canons 1057-1103, 1107," *The Jurist* 43 (1983), p. 64.

[7] See A. Mendonça, "Consensual Incapacity for Marriage," *The Jurist* 54 (1994), p. 494.

[8] See R. Brown, "Inadequate Consent or Lack of Commitment: Authentic Grounds for Nullity," *Studia Canonica* 9 (1975), p. 263.

[9] See R. L. Burke, "Canon 1095, 1° and 2°," in Sable Robert M. (ed.), *Incapacity for Marriage: Jurisprudence and Interpretation, Acts of the III Gregorian Colloquium*, Gregorian Pontifical University, Rome 1987, p. 90.

[10] See A. Mendonça, "Consensual Incapacity for Marriage," p. 508.

[11] John Paul II, *Allocution to the Roman Rota* (26 January 1984), in *AAS* 76 (1984), p. 648.

[12] This is an Instruction of the Sacred Congregation for the Discipline of the Sacraments, which was issued on 15 August 1936 and promulgated on 10 September 1936 to be observed by diocesan tribunals in the settlement of cases dealing with the nullity of marriage (Sacra Congregatio de Disciplina Sacramentorum, Instruction *Provida Mater Ecclesia* (15 August 1936), in *AAS* 28 (1936), pp. 312-370).

[13] See T. G. Doran, "Some Thoughts on Experts," *Quadernidello Studio Rotale* 4 (1989), p. 60.

[14] *See coram* Jullian, 23 February 1935, in *RRD* 27 (1943), pp. 76-90.

[15] It is an Instruction issued on 25 January 2005 by Pontifical Council for Legislative Texts to be observed by the diocesan tribunals in handling cases of the nullity of marriage, has been drafted and published with the intention of clarifying the provisions of the universal law and elaborating on the manner in which they are to be served (Pontificium Consilium de Legum Textibus, Instruction *Dignitas Connubii* (25 January 2005), Libreria Editrice Vaticana, CivitasVaticana 2005).

[16] See Pius XII, *Allocution to the Roman Rota* (3 October 1941), in *AAS* 33 (1941), pp. 421-426.

[17] Benedict XVI, *Allocution to the Roman Rota* (29 January 2009), in *AAS* 101 (2009), p. 125.

[18] See Supremum Signaturae Apostolicae Tribunal, "Quaestitum de usu periti in causis nullitatis matrimonii (16 June 1998)," *Periodica* 87(1998), p. 620.

[19]See A. Conde, "La Prova Peritale e le Problematiche Processualistiche," p. 408.

[20] See L. G. Wrenn, "Marriage Tribunals and the Expert," *The Bulletin of the National Guild of Catholic Psychiatrists* 25 (1979), p. 63.

[21] See A. McGrath, "At the Service of the Truth: Psychological Sciences and their Relation to the Canon Law of Nullity of Marriage," *Studia Canonica* 27 (1993)," p. 397.

[22] See M. Breitenbeck, "The Use of the Psychological Expert in Formal Cases," *CLSA Proceedings* 46 (1984), p. 92.

[23]See Supremum Signaturae Apostolicae Tribunal, "Quaestitum de usu periti in causis nullitatis matrimonii (16 June 1998)," p. 54.

[24] A. McGrath, "At the Service of the Truth ...," p. 398.

[25] See A. Mendonça, "The Role of Experts in 'Incapacity to Contract' Cases (Canon 1095)," *Studia Canonica* 25 (1991), p. 441.

[26]§1. The judge is to weigh carefully not only the experts' conclusions, even when they agree, but also all the other circumstances of the case. §2 When he is giving the reasons for his decision, the judge must state on what grounds he accepts or rejects the conclusions of the experts." C. 1579, §§1 & 2.

[27]R. L. Burke, "Defectus discretionis iudicii propter schizophraeniam doctrina et recens iurisprudentia rotalis," *Periodica* 73 (1984), p. 567.

[28]John Paul II, *Allocution to the Roman Rota* (25 January 1988), in *AAS*, p. 1182.

[29] See A. McGrath, "At the Service of Truth ...," p. 393.

[30]John Paul II, *Allocution to the Roman Rota* (5 February 1987), in *AAS*, pp.1457-1458.