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Theological Perspectives on the Exercise of Synodality

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Theological foundations for the exercise of synodality in the Church may usefully begin with a warning against two closely linked dangers in ecclesiology, abstraction and reification. In a first moment, the Church is abstracted from its members; in a second moment, the Church is abstracted from the Churches; and in a third moment the Church is abstracted from history. The resulting abstractions are then often reified, that is, made the subject of attributes and predications that do not have to be referred to and verified in the actual reality of Christian individuals and communities.¹ A theology of synodality rests upon the conviction, which might be considered too obvious to need to be stated, that there is no Church except in Christian believers, no Church except in and out of assemblies of believers. To take synodality seriously requires one to think concretely about the Church.

1. On not abstracting the Church from believers

I take "*congregatio (convocatio) fidelium*" to be the primary designation of the Church, primary both sociologically and theologically: sociologically, because what most identifies and distinguishes the Church is the shared faith of its members; theologically, because,

¹ The latter danger is accentuated when the Church is reduced to the hierarchy and it is thought that to know what the Church believes, thinks, or does, it is enough to point to papal or episcopal texts.

apart from God's grace, nothing is prior to faith. The Church is the group of men and women who believe that «God was in Christ reconciling the world to himself» (2Cor 5,19). There is a Church, there are Churches, because human beings have made this free decision in response to the Gospel of the redemptive work of God in Jesus Christ.² All of the other names for the Church (people of God, body of Christ, temple of the Spirit, etc.) refer to the concrete group of people who believe in Christ. There is no other Church.³

The Church does not arise simply as the distillate of personal experience; it is born when a word comes from without (*fides ex auditu*), a word which has given life to others who now wish to bring others into the joyful communion they enjoy with God and with his Son Jesus Christ (cfr. 1Jn 1,1-4). This communication and reception/appropriation of the Gospel is the essential event of the genesis of the Church, both historically 2,000 years ago and now today. «Every day», the Venerable Bede wrote, «the Church is giving birth to the Church»,⁴ and it is doing so by processes of communication and confession, of sacramental practice, and of institutional embodiment.

These processes and practices occur at the smallest level where two or three gather in his name and enjoy the presence of Christ (cfr. Mt 18,20), at the level of a parish or other community, at the level of a diocese, and at a universal level. In each of these registers, the Church is the *congregatio fidelium*, and these assemblies, taken together, constitute the whole Church, the *universitas fidelium*. If a diocese represents a communion of communities of believers, the entire Church is a communion of communions of communities of

² As Severino Dianich has put it, for all its communal dimension, «it is not possible to think about the Church, whether theologically or historically, while prescindendo from what happens in the individual consciousness of a person who freely welcomes the announcement and decides for faith. That the members of the Church are people who have freely decided to believe is not a prior or marginal condition with respect to the nature of the Church, but rather its basic constituent»; *Ecclesiologia. Questioni di metodo e una proposta*, Cinisello Balsamo 1993, 73s.

³ Augustine was aware that there is a Church that will become known only at the end when, as we hope, we will be joined to the angels and share their everlasting happiness. Meanwhile, however, «it is the Church still wandering on earth that is better known to us because we are in it and it is made up of human beings, which is what we are» (*Ista vero quae ab illa peregrinatur in terris, eo nobis notior est, quod in illa sumus, et quia hominum est, quod et nos sumus*); *Enchiridion*, 61: PL 40, 260s. Elsewhere he said: «*Ecclesia homines sunt*»; *Quaestiones in Heptateuchum, In Leviticum*, 57: PL 34, 703s.

⁴ BEDE, *Explanatio Apocalypsis*, 41: PL 93, 166.

believers. At every level the Church is constituted by the communication and reception of the word of life on the part of human beings, women and men of flesh and blood.⁵

It is important to recognize how precarious an achievement the genesis of the Church is. Its fragility, of course, is not on the part of God whose word is sure, whose grace is powerful: the Church is solidly built, on rock (cfr. Mt 7,24-27).⁶ But what is erected on that rock is, as St. Thomas noted, only as strong as is its faith.⁷ He was not speaking here of the *fides quae*, whose strength does not admit of diminishment, but of the *fides qua*, the believing of the members of the Church.⁸ And this is all the more fragile because it is, or is supposed to be a *fides quae operatur per caritatem*, and all the members of the Church must pray every day: «Forgive us our trespasses». Where the faith is strong and effective in love, the Church is strong; and it is weak, it limps, when its members falter in their faith and their love. At any given time, then, the self-realization of the Church admits of degrees;⁹ the Church is not always what the Church should be.

⁵ In his unfortunately neglected book, *The Church of God*, Louis Bouyer stresses the inescapably *local* character of the Church. «Unless one wishes to indulge in the most aberrant Gnostic speculations and make the Church a pre-existing 'aeon', one must admit that the Church does not exist, has never existed, and cannot exist except in this 'flesh' of ours. Before existing there, it did not exist, properly speaking, except as a project in the divine thought: his unrealized plan, his Wisdom unexpressed». Catholics can agree with congregationalists, therefore, that the Church has no «existence apart from concrete 'congregations' where believers assemble to hear the Word, to pray, to celebrate the Lord's Supper, and thus to commit themselves to an indissolubly communal and personal life of faith and of love»; L. BOUYER, *L'Église de Dieu. Corps du Christ et temple de l'Esprit*, Paris 1970, 334. 336.

⁶ Bouyer is one of the few ecclesiologists who considers the differing interaction of the divine and the human in the sacraments, in preaching, and in pastoral governing; *ibid.*, 613-616.

⁷ «*Fides est sicut fundamentum ex cuius firmitate tota firmatur Ecclesiae structura*»; THOMAS AQUINAS, *Commentary on Colossians I*, 1.5 (Marietti n. 57).

⁸ In the same way, when Aquinas says that the Church is built upon the faith and the sacraments, I do not think he is talking in the first place about the faith as a creed or the sacraments as instituted; he means that the Church is built up when people come to believe and when the sacraments are actually celebrated. Do the sacraments exist except when being celebrated?

⁹ «Jacob was both blessed and lamed; his withered leg symbolizes bad Christians. Jacob is blessed in those who are living rightly; he limps in those who are living badly.... The Church limps now (*Modo clauda est Ecclesia*); she puts one foot down strongly, but her other foot is weak»; AUGUSTINE, *Sermo 5*, 9: *PL 38*, 59. The Italian Theological Association published an entire volume on love as a constitutive principle of the Church: *De caritate Ecclesia: Il principio "amore" e la Chiesa*, Padova 1987; see in particular the introductory essay by S. DIANICH, «"De caritate Ecclesia". Introduzione ad un tema inconsueto», *ibid.*, 27-107.

This is why, while preaching on the verse of the *Psalms* that praises the just man's wife as «a fruitful vine in the recesses of the house», Augustine asked his congregation: *Sed in quibus?* He was not content with making a vague or abstract statement applying to some entity apart from the congregation in front of him which he knew to include many who were not fruitful but sterile. He asked in whom it is true that the Church is a fruitful vine? Only in holy people, he replied, only in those who cling to Christ, is the Church a fruitful vine.¹⁰

Augustine's question may be posed with regard to every statement made about the Church. Of whom is this statement true? In whom is it true? Answering that question can insure that one is speaking concretely about the existent Church which consists of believers. One will not be tempted, for example, to think of Mother Church as something apart from or over and above believers; for if each of them is a child of Mother Church, Mother Church consists of all of them taken together. Nor will one imagine the Church as a building believers enter without recognizing that this same house consists of them as its living stones.¹¹ Putting it less poetically, one will recognize that the Church is this on-going self-constituting process accomplished by and consisting in what its members are doing together.¹² And what they are doing together is responding to the Word of God and the grace of the Holy Spirit by a faith that is expressed and celebrated in worship and is effective in love. The Church is built up when new men and women are brought to faith and to baptism, which introduces them into a large community of other believers.

All of them, singly and together, are *synodoi*, travel-companions, in hope walking the same road toward the same homeland.

¹⁰ Cfr. AUGUSTINE, *Enarrationes in Psalmos* 127, 11: PL 37, 1684.

¹¹ I borrow the two examples from Augustine. For Mother Church, see *Quaestionum Evangeliorum Libri duo*, I, 18, 1: PL 35, 1327; *De diversis quaestionibus*, 75, 2: PL 40, 87; see also *ibid.*, 59, 3: PL 30, 48: «All the Christians hurrying together to Church are said to be children rushing to their mother, even though the one who is called mother consists of those same children». For the Church as house or temple: «Rejoice that you have entered the house; rejoice that you are being built up into a temple, for those who enter are the ones being built up: they themselves are God's house»; *Enarrationes in Psalmos* 95, 9: PL 36, 1236.

¹² Karl Rahner and Bernard Lonergan have both proposed thinking of the Church as «a process of self-realization». My sentence above paraphrases Anthony Giddens's description of how social structures emerge and continue see *New Rules of Sociological Method. A Positive Critique of Interpretative Sociologies*, London 1976, 121.

Before it describes a task to be undertaken at some second moment, what is called “synodality” defines a constitutive dimension of the Church. It is one of the many names for the fellowship of believers. And, not least of all, a concretely focused ecclesiology will not neglect that, as pope Francis recently reminded us, the vast majority of those of whom and in whom statements about the Church must be verified are lay people (cfr. EG 102). No ecclesiology should ever overlook this most obvious of all facts about the Church: ninety-nine percent of these Christian *synodoi* are lay people.¹³ What does synodality mean and require if we keep this constantly in mind?

Everyone knows that the Second Vatican Council tried to overcome the age-old tendency among Catholics to identify the Church with the hierarchy. Before it treated of differentiated groups within the Church, *Lumen gentium* devoted two chapters to the gifts and tasks that are common to all the members of the Church. Strong statements were made that «in Christ and in the Church there is no inequality on the basis of race or nationality, social condition or sex»¹⁴ and that instead, for all of the different gifts of service that exist among them, they all «share a true equality with regard to the dignity and to the activity common to all believers for the building up of the body of Christ» (LG 32). The clergy have no monopoly on effecting the Church’s mission in the world (cfr. LG 30); the lay apostolate is said to be a participation in the Church’s, not the hierarchy’s mission in the world (cfr. LG 33). No member is to be merely passive, and all of them together «share in the priestly, prophetic, and royal office of Christ and therefore have their own role to play in the mission of the whole people of God in the Church and in the world» (AA 2). From the reception of charismatic gifts, even the slightest of them, derives for believers the right and duty to exercise

¹³ One thinks of the refreshing realism of John Henry Newman who, in response to the question, «Who are the laity?», replied that «the Church would look foolish without them»; *Letters and Diaries*, XIX, London 1969, 140s. – which should not be considered simply a quip.

¹⁴ Is there a single teacher who has read this sentence who has not had to face the immediate objection that, in fact, there is inequality in the Church on the basis of sex? This challenge is not going to go away, and in EG 103, Pope Francis briefly urged that it be addressed: «We need to create still broader opportunities for a more incisive female presence in the Church.... [T]he presence of women must also be guaranteed in the various other settings where important decisions are made, both in the Church and in social structures».

them in the Church and in the world for the good of people and the building up of the Church» (AA 3).¹⁵

The Council spoke too weakly when it said that «in certain places and circumstances it is chiefly through the laity that the Church can become the salt of the earth» (LG 33); that is the normal case. Lay people are the ordinary bearers of the Church's mission in and to the world, and pastors ought to recognize «that they themselves are not meant by Christ to shoulder alone the entire saving mission of the Church toward the world» (LG 32). It is principally through the laity that a force can be injected into modern society «that consists in faith and charity put into vital practice» (GS 42). They may take on this role all the more eagerly because their pastors are not always «such experts that to every problem that arises, however complicated, they can readily give a concrete solution; that is not their mission» (GS 43). The clergy should, therefore, respect the freedom of the laity, and they «should willingly listen to them, consider their wishes in a fraternal spirit, and recognize their experience and competence in the different areas of human activity, so that together with them they will be able to read the signs of the times» (PO 9).

Unless one is quite illegitimately to separate the Church's nature from its mission, the *Ecclesia ad intra* and the *Ecclesia ad extra*, it is precisely as Christians living in the world that lay people have their distinct contribution to make within the Church. They bring not only their experience as married couples and parents or as workers in various fields of endeavor, but also their professional knowledge and competencies. What pope Benedict XVI said about the Church's social teaching should have a larger application: «Lay Christians, in particular, cannot be solely passive beneficiaries but are the protagonists of the Church's social doctrine at the vital moment of its implementation. They are also valuable collaborators of the pastors in its formulation, thanks to the experience they have acquired in the field and to their own specific skills».¹⁶ In fact, a familiar relationship between laity and clergy will enable the latter

¹⁵ Unfortunately, too much reflection on the Church still systematically neglects the 99% of the Church and, consciously or not, gives the impression that by "the Church" they mean the clergy, the 1%. Thus theologians or canonists may be content to devote a single chapter to the laity or to the Church's mission in the world, encouraged in this by a *Code of Canon Law* that is itself very introverted. Cfr. S. DIANICH, *La Chiesa cattolica. Verso la sua riforma*, Brescia 2014, 85-99.

¹⁶ *Speech for the 50th anniversary of "Mater et magistra"*, 16.V.2011.

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more clearly and suitably «to judge temporal *and spiritual* matters, so that the whole Church, strengthened by all of its members, can more effectively fulfill its mission for the life of the world» (LG 37).

In the light of these and many other conciliar texts, might we not paraphrase and generalize the Council's primary criterion for the reform of the liturgy (cfr. SC 14) and urge the need for pastoral and institutional reform for the sake of the «full, conscious, and active participation» of all the faithful in the life and mission of the Church?

Perhaps the greatest criticism that one can justly bring against the Second Vatican Council is that it paid so little attention to the structural and institutional implications of its ecclesiology of communion. LG 37 says that a lay person, has, in virtue of his knowledge, competence, and prominence, «the ability (*facultatem*) and sometimes the duty (*officium*) to express his opinion on things that concern the good of the Church», but it goes on rather weakly to say simply that, «should the occasion arise (*si casus ferat*), this is to be done through institutions established by the Church».

Immediately after the Council, some efforts were made in this direction, often under the name of "co-responsibility," and institutional space for lay people was found in diocesan and parochial Councils; but one may wonder how many of those have been established, and of those that do exist how many provide genuine opportunities for greater lay involvement in the Church. It is hard to deny that over the last thirty years or so, almost all of the institutions designed for synodal responsibility on local levels have been allowed or even made to atrophy. Severino Dianich has recently summed up the situation in a startling statement:

«Apart from the case of religious men and women who elect their superiors and collegially decide upon the rules and programs of their community life, no collegial canonical instance exists in which the faithful, including deacons and priests, have a deliberative vote with respect to the life of their community».¹⁷

The truth of this statement ought to be considered for what it is: scandalous, both because of the sacramental and charismatic gifts all Christians receive but also because in today's world maturity is almost defined by the exercise of freedom and the assumption of

¹⁷ DIANICH, *La Chiesa cattolica*, cit., 129.

responsibility, an anthropological view sanctioned in several places by Vatican II.¹⁸

One is also tempted to ask why injunctions of early popes, later taken up in medieval canon law, requiring the participation of all the faithful in matters that concerned them all,¹⁹ if advanced today, are often dismissed as efforts to introduce an illegitimate democracy into the Church and as threats to its hierarchical structure. In this day and age, what is needed is a recognition that authority is co-constituted by the freedom of those subject to it. Two great nineteenth-century theologians recognized this. Newman argued that the good functioning of authority in the Church rests upon the people's «admiration, trust and love» for Christ and the Church. Antonio Rosmini used almost identical language: «The principal cause of good effects in pastoral government is the love, esteem, and trust that the faithful have for the pastor who is to guide them to eternal life».²⁰

In EG 102, Pope Francis regretted that lay responsibility was not being honored and regretted that an «excessive clericalism» was keeping them «away from decision-making». In his address to the Leadership of the Episcopal Conferences of Latin America, he proposed a set of pertinent questions that may usefully close this section:

1. Is pastoral discernment a habitual criterion, through the use of Diocesan Councils? Do such Councils and Parish Councils, whether pastoral or financial, provide real opportunities for lay people to participate in pastoral consultation, organization and planning? The good functioning of these Councils is critical. I believe that on this score, we are far behind.

¹⁸ Cfr., for examples, *DHum* 1; *GS* 12-17. 55.

¹⁹ E.g., Celestine I: «Nullus invitis detur episcopus. Cleri, plebis et ordinis, consensus ac desiderium requiratur» (*Epistula* 4, 5: *PL* 50, 434); Leo I echoed the point and also provided the reason: «Nullus invitis et non petentibus ordinetur; ne civitas episcopum non optatum aut contemnat aut oderit; et fiat minus religiosa quam convenit, cui non licuerit habere quem voluit» (*Epistula* 13, 6: *PL* 54, 673), and also provided his own pithy statement: «Qui praefuturus est omnibus ab omnibus eligatur» (*Epistula* 10, 6: *PL* 54, 634). And it was a commonplace of medieval law that «Quod omnes tangit ab omnibus adprobari debet». And Cyprian anticipated them all: «A principio episcopatus mei statuerim nihil sine consilio vestro et sine consensu plebis mea privatim sententia gerere» (*Epistula* 5, 4: *PL* 4, 234).

²⁰ NEWMAN, *Letters and Diaries*, XX, cit., 430-431; A. ROSMINI, *Delle cinque piaghe della santa Chiesa*, Rome 1998, 350.

2. As pastors, bishops and priests, are we conscious and convinced of the mission of the lay faithful and do we give them the freedom to continue discerning, in a way befitting their growth as disciples, the mission which the Lord has entrusted to them? Do we support them and accompany them, overcoming the temptation to manipulate them or infantilize them? Are we constantly open to letting ourselves be challenged in our efforts to advance the good of the Church and her mission in the world?²¹

2. On not abstracting the Church from the Churches

By abstracting the Church from the Churches, I refer to the tendency to speak of the so-called “universal Church” as if it is an entity over and above individual Churches, to which may be attributed privileges or promises that do not apply to individual Churches and about which predications may be made that are thought to be true without needing to be verified in the Churches.

The most notorious example of this abstraction is the assertion made in the letter of the Congregation for the Doctrine of the Faith *Communio innotio* (1992) that the universal Church enjoys an ontological and historical priority over any particular Church, that it exists before creation, and that it gives birth to the particular Churches. For the historical priority, the text relied on a peculiar view of Pentecost: the Church was already universal in Peter and the other Apostles whose preaching at only a second moment gathered the local Church in Jerusalem.²² As for the alleged ontological priority, very weak

²¹ Cfr. FRANCIS, *Address to the Leadership of the Episcopal Conferences of Latin America during the General Coordination Meeting*, 28.VII.2013.

²² Louis Bouyer and Henri de Lubac, among many others, offered a different account. Bouyer: «The Church of all times and places was founded in a first local Church, that of Jerusalem, and it has been propagated from it in other local Churches...as if by cutting and grafting»; *L'Église de Dieu*, cit., 337. De Lubac: «One cannot consider particular Churches as resulting from a carving up of a universal Church thought to be prior to them. They all come from a first concrete particular Church, that of Jerusalem; they emerged from it “as if by cutting and grafting”. A prior universal Church, or one thought to exist in itself, outside of them all, is only an abstraction»; *Les Églises particulières dans l'Église universelle*, Paris 1971, 54. When Christians from Jerusalem established a Church in Antioch, there may have been two Churches in the sense that they were composed of different believers living in different cities. But the Church in Antioch and the Church in Jerusalem were one Church because united by bonds of faith, love, and fellowship. Hence the ecclesial mathematics proposed by Nicholas Afanasiev: 1+1+1=1.

patristic evidence was adduced for the claim that the universal Church pre-exists creation,²³ and no evidence at all was offered for the claim that it gives birth to the particular Churches. The document was thought necessary in order to oppose one-sided emphasis on the local or particular Churches, and in particular the view that the universal Church was the result of the confederation of local Churches. This fear led the Congregation for the Doctrine of the Faith to complete, or even to correct, the conciliar statement, quite traditional in fact,²⁴ that the one and catholic Church exists in and out of the particular Churches (cfr. LG 23)²⁵ by balancing it with the claim that the particular Churches exist only in and out of the universal Church.

In fact, however, the great majority of recent ecclesialogists did not suggest that the local Churches came first or that the universal Church arose as a confederation of already existing local Churches. Many of them thought it a mistake even to ask the question of priority.²⁶ On the other hand, they also insisted that the local or particular Church was not to be considered simply an administrative unit of the one and universal Church.

Communione notio was widely criticized, and later clarifications did little to calm the critics.²⁷ The most convincing criticism is the one articulated by Hervé Legrand:

²³ The sole references are to the Shepherd of Hermas and to the apocryphal Second Epistle of Clement of Rome! One thinks of Bouyer's reference to people who wish «to indulge in the most aberrant Gnostic speculations and make the Church a pre-existing 'aeon'», as cited *supra* in n. 5.

²⁴ Augustine, «*Sicut enim universa terra ex multis terris, et universa Ecclesia ex multis constat Ecclesiis...*» (*De civitate Dei* XIII, 12: PL 41, 386); «*...sicut ex Ecclesiis pluribus una constat Ecclesia*» (*Enarrationes in Psalmos* 150: PL 37, 1961); Innocent III, «*...multae sunt Ecclesiae particulares, de quibus una consistit Ecclesia, quae catholica dicitur*» (*De quadripartita specie nuptiarum*: PL 217, 936).

²⁵ It is worth noting that this claim was already made in the first draft *De Ecclesia* briefly debated at the first session of the Council: «*Episcopi singuli centrum et fundamentum et principium unitatis sunt in suis Ecclesiis particularibus, prout in illis et ex illis, ad imaginem Ecclesiae universalis formati, una et unica Ecclesia catholica existit*»; no. 15. Cfr. also *Mystici Corporis* 42. Cfr. S. PIÉ-NINOT, «"Ecclesia" ed "Ecclesiae"», *Gregorianum* 83 (2002), 761-766.

²⁶ Cfr. Giuseppe Colombo's aseptic dismissal of the question of priority as a «pseudo-question»: «Response to Hubert Müller», *The Jurist* 52 (1991), 365-368. More recently, Salvador Pié-Ninot: «If the *Ecclesia universalis* is conceived as the single historical Church of universal extension, which has in the pope its visible principle of unity, as LG 23 says, it cannot be said to exist "in se" except through the local Churches and then it would not be adequate to speak of priority»; «"Ecclesia" ed "Ecclesiae"», cit., 765.

²⁷ On June 23, 1993, *L'Osservatore Romano* published an unsigned article followed by three asterisks taking note of the first anniversary of *Communione notio*. It was later

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«It requires us to imagine that the universal Church could exist *prior to* the concrete processes, confessional and sacramental, which establish it, and *independently of* those same processes, that is, without believers and the sacraments of faith. Such a Church would be an *être de raison* which even the pre-existence of the Church does not demand; it is compatible with the simultaneity of Church and Churches».²⁸

Another effect of this misplaced counterposing of the universal and the local was a tendency to identify the universal Church simply by reference to papal and curial authority, with the universal Church thought of as the one governed by the pope, the local or particular Churches those governed by bishops²⁹ (I once heard a U.S. bishop speak of a draft-document from a Roman dicastery as having come from “the universal Church”!). When Walter Kasper argued that *Communio notio* was written in service of Roman centralization, Ratzinger vigorously replied that the Church of Rome is not the universal Church.³⁰

Canonically and structurally, the abstraction and reification that I have been describing are reflected in the vision of the episcopate proposed in several recent documents from the Vatican. Rather than taking a bishop’s headship of a local or particular Church as the focal point of a theology of the episcopate, his aggregation into the universal college of bishops is made the primary focus. For example, *Apostolos suos* (1998) makes this reifying claim:

«Likewise the college of bishops is not to be understood as the aggregate of the bishops who govern the particular Churches nor as the result of their communion; rather, as an essential element of the universal Church, it is a reality which precedes the office of being the head of a particular Church. In fact, the power of the college of bish-

printed in a booklet, *Lettera “Communio notio” su alcuni aspetti della Chiesa intesa come comunione*, Città del Vaticano 1994, where it is said to be «authoritative».

²⁸ H. LEGRAND, «Du gouvernement de l’Église depuis Vatican II», *Lumière et vie* 288 (2010), 47-56, here 54. To his citation of Henri de Lubac, we can add Paul VI’s statement in *Evangelii nuntiandi* 62: «If it were not embodied and alive in the particular Churches, the Church spread throughout the world would become an abstraction».

²⁹ See how in AS 19, it is said that the exercise of the power of a bishop in his Church «is regulated by the supreme authority of the Church, and this is the necessary consequence of the relation between the universal Church and the particular Church». An earlier draft text on episcopal Conferences had said that «Peter’s primacy itself, understood as a *plenitudo potestatis*, makes no sense and has no theological coherence except within the framework of the primacy of the one universal Church over local and particular Churches».

ops over the whole Church is not the result of the sum of the powers of the individual bishops over their particular Churches; it is a pre-existing reality in which individual bishops participate» (AS 12).

In justification of the first sentence, footnote 55 says: «Besides, as is clearly evident, there are many bishops who are not heads of particular Churches, although they perform tasks proper to bishops». In fact, the number of bishops who are not heads of local Churches is approaching 50%, and there are now four times as many bishops in the Roman Curia as there were a few decades ago.³¹ At Vatican II cardinal Josef Frings made a proposal that clearly has not been taken up: «I think the number of bishops in the Roman Curia should be greatly reduced. No one should be ordained a bishop simply in order to honor him or his office. The episcopate itself is an office, not an honor or glory added on to another office. If someone is ordained a bishop, let him be ordained to be a bishop and not something else».³²

What many theologians regard as an anomaly³³ is here taken as a theological argument *ex facto*. It is worth recalling, however, that the entire discussion of collegial structures and activities in LG 22-23 everywhere assumes that by a bishop is meant the head of a particular Church.

When a bishop is defined more by his participation in the universal college than by his heading a local Church, it is difficult to see how this view differs from the much-criticized position of Karl Rahner that the episcopate be conceived as «the supreme governing board of the universal Church». One is reminded of the helpful distinction which Joseph Ratzinger made during the conciliar debates

³⁰ «The Church of Rome is a local Church and not the universal Church, a local Church (*Ortskirche*) with a universal responsibility, but still a local Church. And the assertion of the inner precedence of God's idea of the one Church, the one Bride, over all its empirical realizations in particular Churches has nothing whatever to do with the question of centralization»; J. RATZINGER, «The Local Church and the Universal Church», *America* 185 (2002), 7-11.

³¹ In an interview given on January 14, 2016, cardinal Pietro Parolin spoke of the need «to avoid an elephantiasis of the Curia».

³² *ASyn* II/IV, 616-618. This paragraph of Frings's intervention, probably written by his peritus Joseph Ratzinger, went largely unnoticed because it was preceded by his severe criticism of the methods of the Holy Office, to which cardinal Alfredo Ottaviani quickly and vigorously replied, *ibid.*, 624-26.

³³ «That a bishop is not in fact pastor of any Church may be a frequent case, but that does not mean that it is not an anomaly»; S. DIANICH, *Diritto e teologia. Ecclesiology e canonistica per una riforma della Chiesa*, Bologna 2015, 180.

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on collegiality, between the modern and the patristic approaches to the question of collegiality. The modern view begins from the universal church and from the whole college. It focuses on the full and supreme power of the college, which is conceived as «the supreme governing board of the Church»; and it is mainly concerned with comparing this power to the pope's full and supreme power. Its historical basis is found in the development of the universalistic ecclesiology of the second millennium, and the political theory that often underlies it, perhaps unconsciously, is that of a Church structured on the model of the modern, centralized nation-state or, even worse, the model of a multi-national business corporation.

The patristic view, on the other hand, begins with the individual local Church, seen not as a part of the universal Church but as a realization of the Church in a particular place. It remembers that, historically, instantiations of collegiality in local and regional Councils preceded that of a universal collegiality in ecumenical Councils. The whole Church is understood as a communion of communions of Churches. The head of a particular Church has significance for the whole Church which exists only in the particular Churches. Correspondingly, the special role of the pope is intrinsically related to his being the head of the Church of Rome. The chief concern of this notion will be to recover the organic role of the particular Churches and groups of Churches in the unity of the whole Church.

Although he clearly seemed to favor the patristic vision, Ratzinger admitted that both views could be found in the conciliar texts, and he was prescient when he observed that the historical effect of the Council would very much depend on which view was adopted and emphasized.³⁴ It is clear that it is the modern view of collegiality that inspires the recent documents of the Curia. Corresponding to this theory or assumption, there has occurred in the modern period a centralization that Innocent III might have envied, which has had the effect of reducing the field of freedom of individual Churches and their leaders and of restricting the authority of intermediate bodies of Churches.

Pope Francis seems unhappy with this development. Not only does he want to reopen the question of the authority of episcopal Conferences, which many thought was definitively answered in

³⁴ Cfr. J. RATZINGER, «Die bischöfliche Kollegialität nach der Lehre des Zweiten Vatikanischen Konzils» in ID., *Das neue Volk Gottes. Entwürfe zur Ekklesiologie*, Düsseldorf 1970, 171-200, here 184-187.

Apostolos suos, but he also wants to see changes in «the methods of the Synod of bishops», and suggests that much can be learned both from studying «how the Church was governed in the early centuries» and from the Orthodox and their «tradition of synodality».³⁵ In the meantime, much could also be learned from how synodality is exercised in the eastern Churches in communion with Rome.

A final note: some theologians have suggested that the danger of reifying the universal Church could be forestalled if the question were reframed as the relationship between the local or particular Church and the entire or whole Church (*Ecclesia universa* rather than *universalis*). This would make it less likely that people will imagine the so-called “universal Church” as an entity distinct from the local or particular Churches.³⁶ It might be useful to recall, also, that the new *Code of Canon Law* uses «*Ecclesia universa*», and never «*Ecclesia universalis*».

3. On not abstracting the Church from history

If the one Church exists only in and out of the many Churches (cfr. *LG* 23), we are bound to consider the concrete circumstances in which the many Churches come to be. The genesis of the Church occurs locally. The Word of God is proclaimed and believed and professed at particular moments and particular times. Baptism is always a local event. There cannot be a universal Eucharistic celebration.

Christians and their Churches exist in wider societies and cultures located in space and time with all the limitations, challenges, and opportunities they represent and embody. For the Church to be born is for men and women, enabled and limited by their economic, political, social, and cultural circumstances and challenged by their situations, to come to believe that «God was in Christ reconciling the world to himself». Situated and challenged, men and women, embarked on the project of their own self-realizations, come to

³⁵ A. SPADARO, *Interview with Pope Francis*, 21.IX.2013.

³⁶ Hervé Legrand prefers to speak of «l'Église entière» rather than «l'Église universelle»; cfr., for example, «Les évêques, les Églises locales et l'Église entière. Évolutions institutionnelles depuis Vatican II et chantiers actuels de recherches», *Revue des sciences philosophiques et théologiques* 85 (2001), 461-509. Pié-Ninot proposes using the traditional adjective «catholic», but in some circles this will be taken as a denominational adjective.

understand and to orient that project by reference to Jesus Christ and the demands of discipleship.

In other words, there is not a first moment in which the Church is born and then a second moment when the Church looks out upon the world and decides how to engage it. The genesis of the Church is itself an engagement with the world, an event occurring in the world and with regard to the world. The emergence of the Church is an event in the self-constitution of humanity.³⁷ The world is different already when there is a Church, that is, a community of men and women distinguished by their faith in Christ. As Joseph Ratzinger pointed out decades ago, there is no such thing as a «world-less Church».³⁸

When the genesis of the Church is considered concretely, that is, locally and historically, then ecclesiologists need to recognize, as Paul VI insisted in an important section of *Evangelii nuntiandi*, that individual Churches are

«made up of such or such an actual part of mankind, speaking such and such a language, heirs of a cultural heritage, of a vision of the world, of an historical past, of a particular human substratum.... In the mind of the Lord the Church is universal by vocation and mission, but when she puts down her roots in a variety of cultural, social, and human terrains, she takes on different external expressions and appearances in each part of the world» (no. 62).

The Council regarded it as providential that in the course of time Churches coalesced into organic groups distinguished by «their own discipline, their own liturgical usages, their own theological and spiritual heritage» and thus became, in a lovely phrase, «*matrices fidei*». This «*Ecclesiarum localium in unum conspirans varietas*» is even pronounced to be «particularly splendid evidence of the catholicity of an undivided Church» (LG 23). That the Church is a concrete universal had already been stated when the same text described, indeed defined what catholicity means:

³⁷ As Yves Congar noted soon after the Council, the world had been historicized; it was now what human beings have made, are making, and will make of themselves: «humanity», he wrote, «has taken charge of itself». The world is now history, and «man is the subject of the process by which he constructs himself»; *Église catholique et France moderne*, Paris 1978, 57. 230. This development was summarized and welcomed in GS 55 and in *DHum* 1.

³⁸ J. RATZINGER, «Der Christ und die Welt von heute», in ID., *Dogma und Verkündigung*, München 1977, 187.

«The universal character that adorns the People of God is a gift of the Lord himself by which the catholic Church effectively and constantly strives to recapitulate all of humanity with all of its good under Christ the Head and in the unity of the Holy Spirit. In virtue of this catholicity, the individual parts bring their own gifts to the other parts and to the entire Church so that the whole and the parts grow because all are communicating with one another and aspiring to a fullness in unity» (LG 13).³⁹

This splendid vision of concrete catholicity naturally found expression in those «organic groups» of Churches of which the Council spoke and in the practices and usages and traditions that would come to characterize them. It was also institutionalized in the first expressions of a sense of collegiality in local and provincial Councils which historically have been the chief instruments of synodality among bishops and which the Council hoped would be revitalized (cfr. CD 30). Vatican II describes episcopal Conferences as equivalent applications of collegial consciousness today (cfr. LG 23).

When the 1985 meeting of the Synod of bishops called for a study of the theological and canonical status of episcopal Conferences, this was understood in Rome to mean that it should be undertaken there. An early *Instrumentum laboris* was severely criticized by several national Conferences,⁴⁰ but this seems to have had little or no effect on the eventual text of *Apostolos suos*.⁴¹ This document rests on the view of collegiality already described above and on the assumption that in the Church only two offices are *de iure divino*: that of the pope and that of the individual bishop, and one could be excused for thinking that the Conferences were seen as threats to one or another of them, or to both. Collegiality is thought of as an all-or-nothing reality: properly speaking it is said to entail the activity of the entire body of bishops; local or regional bodies of institutional episcopal co-operation may not be considered exercises of collegiality except in an improper sense. This in turn is justified

³⁹ See John Paul II's important commentary on this passage in his address to the Roman Curia, 21.XII.1984; AAS 77 (1985), 503-514. I have summarized it in «The Local Church and the Church Catholic. The Contemporary Theological Problematic», *The Jurist* 52 (1992), 416-447, here 440-442.

⁴⁰ For an American example, see Th.J. REESE (ed.), *Episcopal Conferences. Historical, Canonical and Theological Studies*, Washington DC 1989.

⁴¹ Nor did the studies gathered in H. LEGRAND - J. MANZANARES - A. GARCÍA Y GARCÍA (eds.), *The Nature and Future of Episcopal Conferences*, Washington DC 1988.

by a distinction between “effective” and “affective” collegiality that has become common since the extraordinary Synod of 1985.⁴²

Vatican II’s theology is far more complex and far more subtle. The discussion of collegiality in paragraphs 22 and 23 of *LG* should be read as a whole,⁴³ and there is no reason to believe that in passing from the relationship between papal primacy and episcopal collegiality in *LG* 22 to the relationship among bishops within the college in *LG* 23, the Council was passing from collegiality in the strict, full and proper sense to a looser and even improper collegiality that has more to do with affectivity than with effectiveness. The «*affectus collegialis*» of the last sentence of *LG* 23 forms a nice semitic inclusion with the «*collegialis unio*» with which the paragraph begins.⁴⁴ In between are given many historical examples of how a sense of collegial unity has displayed itself, some of them even being described as having occurred by “divine Providence”.⁴⁵ The reduction of the matter of Church-structures to a question of *ius divinum* is procrustean: it cannot account for the facts of history; it narrows ecclesiological reflection; and it severely inhibits apostolic imagination.

There are reasons, however, not to reduce the significance of regional groupings of Churches to the question of episcopal Conferences. The Council’s call for a revival of diocesan and particular Synods has received very uneven responses. This is regrettable because such Synods provide for greater involvement of lower clergy and laity than do the Conferences.⁴⁶

In any case, the challenges of evangelization require that regional groupings of Church be given room to accept and exercise responsibility for that first of all duties: the proclamation of the Gospel and the invitation to the communion of the faith. If the par-

⁴² For a study of the rise and spread of this distinction, foreign to Vatican II, cfr. Kl. WINTERKAMP, *Die Bischofskonferenz zwischen “affectiver” und “effektiver” Kollegialität*, Münster 2003.

⁴³ Cfr. D. VITALI, *Verso la sinodalità*, Magnano 2014, 20-34.

⁴⁴ I once heard the late Vittorio Peri expostulate that in classical Latin “*affectus*” had an objective referent: *affectus collegialis* means an awareness on the part of bishops that they form a college.

⁴⁵ Another forced exegesis: when episcopal Conferences are said to be a way in which the bishops of a region “jointly” (*coniunctim*) exercise their pastoral office (*CD* 38), this adverb is sometimes thought to deny that they are an instance of episcopal collegiality, when in fact it was chosen in order to leave that question open for further theological and canonical clarification.

⁴⁶ This is a point urged by the late J.H. PROVOST, «Protecting and Promoting the Rights of Christians. Some Implications for Church Structures», *The Jurist* 46 (1986), 289-342, here 299-300.

ticular Church is, as pope Francis said, «the primary subject of evangelization» and is encouraged by him «to undertake a resolute process of discernment, purification and reform» (EG 30), it is unlikely to be able to meet challenges that surpass their territories and were well described by Paul VI:

«The individual Churches, intimately built up not only of people but also of aspirations, of riches and limitations, of ways of praying, of loving, of looking at life and the world, which distinguish this or that human gathering, have the task of assimilating the essence of the Gospel message and of transposing it, without the slightest betrayal of its essential truth, into the language that these particular people understand, then of proclaiming it in this language» (EN 63).⁴⁷

As this is not a task that any bishop or diocese can address by itself, it also cannot be carried out by a central bureaucratic organism nor even by the pope, as Pope Francis admits. In EG 16, he wrote:

«Nor do I believe that the papal magisterium should be expected to offer a definitive or complete word on every question which affects the Church and the world. It is not advisable for the pope to take the place of local bishops in the discernment of every issue which arises in their territory. In this sense, I am conscious of the need to promote a sound “decentralization”».

Later in the same document he urged local communities to take up the task of reading «the signs of the times» (EG 51) and he invited them «to complete and enrich these perspectives on the basis of their awareness of the challenges facing them and their neighbors» (EG 108). This was particularly important when it came to addressing contemporary challenges:

«Furthermore, neither the pope nor the Church have a monopoly on the interpretation of social realities or the proposal of solutions to contemporary problems. Here I can repeat the insightful observation of Pope Paul VI: “In the face of such widely varying situations, it is difficult for us to utter a unified message and to put forward a solution

⁴⁷ In SC this project of transposition and translation was assigned to the local or regional Churches, but the requirement of a *recognitio* from Rome for liturgical translations has effectively negated this authority. It took twenty years for a translation of the Mass into Navajo to be approved, and one is permitted to wonder who in the Curia had the competence to pass judgment on it.

which has universal validity. This is not our ambition, nor is it our mission. It is up to the Christian communities to analyze with objectivity the situation which is proper to their own country"» (EG 184).

So, to bring this discussion back to where it began, the task of evangelization, of bringing the Gospel to bear on contemporary challenges, falls largely on the laity, and if it is not undertaken by them and carried through by them, then it will fail, and no manner of document and no amount of documents from Church authorities, local, regional, or universal, will change that. That is why it was so welcome that Pope Francis wished the two sessions of the Synod of bishops on the family to be preceded by a consultation of dioceses and parishes. It might be useful, however, to know what was made of this invitation: e.g., how many dioceses or parishes distributed the questionnaire, what report of responses was made to Rome, and what role these responses played in the Synod's deliberations.

The ecclesiological reflections offered here suggest an implication: that the norm stated in *Apostolos suos* 16, with regard to episcopal Conferences be applied also to the Synod of bishops, that is, that the number of auxiliary and titular bishops attending not exceed the number of diocesan bishops.⁴⁸ It might also be suggested that Roman Curial figures should not be voting members, or at least, if they are, they not exceed a stated percentage of those voting, and certainly that they not exceed the number of bishops elected by the Conferences. It ought to be understood and institutionally guaranteed that this institution is a Synod of residential bishops representing their Churches.

The theological perspective that has guided these reflections is that ecclesiology should be conceived as the heuristics of the self-realization of the Church in the Churches. The one Church is a communion of local Churches, each of which is that one Church in a particular time and place and facing particular opportunities and challenges. The one Church is an historical subject or agent in and

⁴⁸ «*Quod attinet ad episcopos auxiliares ceterosque episcopos titulares, qui Conferentiam episcopalem participant, Conferentiae statuta edicere debent utrum eorum suffragium sit deliberativum an consultivum. Hac de re numerus est considerandus episcoporum dioecesanorum et episcoporum auxiliarium aliorumque episcoporum titularium, ne forsan maiorum pars pastorale episcoporum dioecesanorum regimen quibusdam condicionibus adstringat*»; AS 16.

through the many Churches, which are one Church because founded on the Word of God and given life by the Holy Spirit, and for that reason they are a single, catholic communion. To know the health of the Church one must know the health of the Churches, whether parochial or diocesan or regional or national, and to know and measure the health of these one must ask about the health of the believers whose gathering is the first and always indispensable referent of the word "Church" – the *congregatio fidelium*.