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The Principle of Subsidiarity and Catholic Ecclesiology: Implications for the Laity

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LOYOLA UNIVERSITY CHICAGO

THE PRINCIPLE OF SUBSIDIARITY AND CATHOLIC ECCLESIOLOGY:
IMPLICATIONS FOR THE LAITY

A DISSERTATION SUBMITTED TO
THE FACULTY OF THE GRADUATE SCHOOL
IN CANDIDACY FOR THE DEGREE OF
DOCTOR OF PHILOSOPHY

PROGRAM IN THEOLOGY

BY

KATHRYN REYES HAMRLIK

CHICAGO, IL

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For my children,
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LIST OF ABBREVIATIONS

<i>AA</i>	<i>Apostolicam Actuositatem: Decree on the Apostolate of the Laity</i>
CARA	Center for Applied Research in the Apostolate
CDF	Congregation for the Doctrine of the Faith
<i>DH</i>	<i>Dignitatis Humanae: Declaration on Religious Liberty</i>
<i>DV</i>	<i>Dei Verbum: Dogmatic Constitution on Divine Revelation</i>
<i>GS</i>	<i>Gaudium et Spes: Pastoral Constitution on the Church in the Modern World</i>
<i>JW</i>	<i>Justice in the World</i>
<i>LG</i>	<i>Lumen Gentium: Dogmatic Constitution on the Church</i>
<i>MM</i>	<i>Mater et Magistra: Christianity and Social Progress</i>
OFM	Ordo Fratrum Minorum (First Order of Franciscans)
OP	Order of Preachers (Dominicans)
<i>QA</i>	<i>Quadragesimo Anno: After Forty Years</i>
<i>RN</i>	<i>Rerum Novarum: The Condition of Labor</i>
SJ	Society of Jesus (Jesuits)
USCCB	United States Conference of Catholic Bishops
VOTF	Voice of the Faithful

ABSTRACT

This dissertation examines the principle of subsidiarity as articulated within the body of Catholic social thought, and explores its validity within the governance structure of the Catholic church. Special attention is given to the status and role of the laity, and the implications of subsidiarity with regard to lay authority and decision-making in the church. Chapter One outlines some problems with ecclesial governance today, discusses the current status and role of the laity, and proposes an application of subsidiarity in the church. Chapter Two provides an overview of how the laity has been understood throughout church history to the present day. This chapter also examines alternative understandings of the laity's nature and place in the church, offered by liberation and feminist theologians, and in response to the priest sexual abuse scandal uncovered in the United States. Chapter Three attends to questions of ecclesiology and authority. The author argues that an examination of the nature of both magisterial and lay authority reveal expanded opportunities for laypersons to exercise substantial authority within the church, the theological foundations of which are grounded in a *communio* ecclesiology and the *sensus fidei*. Chapter Four provides a history and development of subsidiarity in the Catholic tradition, including a summary of the arguments at the magisterial level both supporting and contesting the validity of the principle's application in the church. The author asserts that, based on an ecclesiology of *communio* and a renewed understanding of magisterial and lay authority, subsidiarity is a valid principle with regard to ecclesial

governance, allowing for laypersons to exercise a substantial role in decision-making in the church. The final chapter places subsidiarity in relationship with the principles of justice, human dignity, the common good, and solidarity; suggests concrete practices that the church might adopt in order to reflect subsidiarity in ecclesial governance; and discusses implications for clergy, laity, and church as a whole.

CHAPTER ONE

INTRODUCTION

The climate of the Catholic church in the United States today has been profoundly shaped by the priest sexual abuse scandal and the dwindling number of active priests. Both of these phenomena have raised important questions regarding ecclesial governance, authority and accountability, and the role of the laity in the church. While the Second Vatican Council supported lay participation in the liturgy and in the pastoral life of the church, a highly centralized hierarchical system continues inhibiting the lay voice in ecclesial matters, and no institutional model exists to encourage lay participation in ecclesial governance.

In this dissertation, I argue that the church must draw from within its own tradition and apply the principle of subsidiarity to ecclesial governance in order that laypersons may exercise a real voice in the church and become substantially involved in important decision-making processes that affect the ecclesial community. Subsidiarity, originating in Catholic social thought, has for decades called governments and the private sector toward more participatory and empowering roles at the local level; yet, little has been done to apply the principle internally at the ecclesial level. I contend that subsidiarity is not only compatible theologically with the church, but also necessary morally and pragmatically in today's current crisis of governance and participation within the church.

Why the Laity? Problems and a Proposal

In 2002, the *Boston Globe* uncovered what has been said to be the greatest crisis ever to face the U.S. Catholic church.¹ After reporting the abuses of former priest John Geoghan of the Boston Archdiocese that took place over a span of 34 years and a half dozen greater-Boston parishes, more and more reports surfaced throughout the country of similar abuses. In many of these cases, it was found that the local bishops were aware of the offending priest's actions yet did little to prevent further abuses from occurring. Often times they either turned a blind eye to the situation or, as in the Geoghan case, addressed it simply by transferring the offender to another parish without seeking necessary counseling or legal action.

Beyond an issue of sexual ethics, the priest abuse scandal has been a failure of ecclesial governance, a systematic misuse of institutional authority. As Stephen Pope describes in his introduction to *Common Calling: The Laity and Governance of the Catholic Church*, clerical leadership operates under a system of institutional power that is "isolated, secretive, and unaccountable."² Polls conducted in 2003 examining the opinions of the Catholic laity found that decision making by clergy alone, along with an excessive concern to avoid scandal, were the two most frequently cited factors leading

¹ Though the *Boston Globe's* reporting of the priest abuse has become the most well-known in the United States, in fact, cases of clerical sexual abuse were reported and made public before 2002. For example, such abuse gained wide national notoriety in 1985, when Louisiana priest Gilbert Gauthe pled guilty to 11 counts of molestation of boys. However, the *Boston Globe's* Pulitzer prize-winning reporting drew heightened awareness to the issue.

² Stephen J. Pope. "Introduction: The Laity and the Governance of the Church Today." *Common Calling: The Laity and Governance of the Catholic Church*. Stephen J. Pope, editor. Washington: Georgetown University Press, 2004. pp. 1-22, at 3.

to the crisis.³ Though bishops sometimes consulted selected laypersons, such as physicians, lawyers, and therapists, ultimately their decisions were made behind closed doors. Even for Catholics inclined to defer to clerical leadership, the scandal raised questions regarding the moral appropriateness of this system of authority. That the timing of the crisis coincided with a number of other major scandals of financial and business institutions in the United States, the many problems of accountability, management practices, and governance structures that pervade the institution were underscored. Historian Scott Appleby voiced the view of many Catholics when he said to the American bishops at their June 2002 meeting in Dallas: “I do not exaggerate by saying that the future of the church in this country depends upon your sharing authority with the laity.”⁴

Though the scandal served as a morally urgent impetus to examine the role of the laity in the church, there are other reasons that suggest such a reflection is necessary. From 2005-2008 alone, the number of priests in the United States decreased 5%; this is an 11% drop since 2000. Nearly 17% of all parishes in the U.S. do not have a resident priest pastor.⁵ In many of these parishes, pastoral care has been entrusted to a deacon, or religious brother or sister, or other layperson. These numbers are unlikely to improve in the near future. Overall, 69% of ordained priests are over the age of 55,

³ Alan Cooperman. “Bishops Get Low Ratings in Poll of Catholics.” *Washington Post*, November 14, 2003.

⁴ R. Scott Appleby. “What is at Stake in the Present Crisis?” *Origins* 32. June 27, 2002. p. 114.

⁵ Center for Applied Research in the Apostolate (CARA). <http://cara.georgetown.edu/bulletin/index.htm>. Accessed May 15, 2009.

while a substantial number are over 70.⁶ Meanwhile, laypersons are increasingly responding to the shortages by assuming more leadership roles, especially in parishes and schools.

Beyond a response to the sex abuse scandal and the dwindling number of priests, there are also important theological reasons for the laity to exercise an active, participatory role in the church. The Second Vatican Council's Decree on the Apostolate of the Laity, *Apostolicam Actuositatem*, issued a special call to the laity toward greater participation in the liturgy and in the pastoral life of the church. The document states:

...Through this holy synod, the Lord renews His invitation to all the laity to come closer to Him every day, recognizing that what is His is also their own (Phil. 2:5), to associate themselves with Him in His saving mission. Once again He sends them into every town and place where He will come (cf. Luke 10:1) so that they may show that they are co-workers in the various forms and modes of the one apostolate of the Church, which must be constantly adapted to the new needs of our times. Ever productive as they should be in the work of the Lord, they know that their labor in Him is not in vain. (cf. 1 Cor. 15:58).⁷

In *Lumen Gentium*, the Dogmatic Constitution of the Church, the Council affirmed the universal priesthood of all through the sacrament of baptism. The faithful all share in a common priesthood, each a form of participation in the one priesthood of Christ.⁸ It is

⁶ Patricia Levefre. "Lay Ministry: The State of the Profession." *National Catholic Reporter*. September 16, 2005. p. 1.

⁷ Second Vatican Council (promulgated by Pope Paul VI). *Apostolicam Actuositatem: Decree on the Apostolate of the Laity* (1965). *The Basic Sixteen Documents of Vatican Council II: Constitutions, Decrees, Declarations*. Austin Flannery, O.P., editor. Northport, NY: Costello, 1996. pp. 403-442, at par. 33. Hereafter referred to as *AA*.

⁸ Second Vatican Council (promulgated by Pope Paul VI). *Lumen Gentium: Dogmatic Constitution on the Church* (1964). *The Basic Sixteen Documents of Vatican Council II: Constitutions, Decrees, Declarations*. Austin Flannery, O.P., editor. Northport, NY: Costello, 1996. pp. 1-96, at par. 10. Hereafter referred to as *LG*.

through baptism and not ordination, the Council insists, that one is called to a life of holiness and service.

But while the Second Vatican Council theologically affirmed the work of laypersons as directly contributing to the mission of the church, their participation is severely limited, because a comprehensive model of lay participation in regard to leadership, authority, consultation, and governance, remains undeveloped. Part of the problem lies in the Council itself. The Council reflected a clergy-laity dualism in which the latter was characterized by a focus on ‘temporal’ affairs, while their work within the church lies in assisting the clergy in their ministry in the ‘spiritual’ realm. In this dualistic framework, laypersons may assist the clergy in ecclesial ministry yet are not granted any sort of formal responsibility or authority in their own right. As Stephen Pope asserts:

[T]he dominant paradigm of clergy-laity relations in governance is consistent – in its letter if not in its spirit – with the framework of power that created conditions that led to the crisis of sexual abuse. This paradigm continues to allow the clergy to be the primary decision makers who are accountable only to other (and usually more powerful) members of the hierarchy. The relevance of the laity to the governance of the church, particularly regarding oversight and accountability, is left entirely up to the discretion and personal predilections of a local ordinary. A bishop or archbishop is free, if he so chooses, to give significant responsibilities to individual members of the laity for certain institutional functions of the church, but others are equally free not to do so.⁹

Vatican II made great strides in promoting lay activity in the church. However, calls for greater lay participation are ineffective without structures and models of governance that support such participation. Because of their non-ordained state, the laity are relegated to a passive role in church governance, leaving those in charge

⁹ Pope, p. 12.

unaccountable and isolated. As Pope points out, the current climate of the Catholic church highlights the need for lay participation to extend beyond assisting the clergy in ministerial responsibilities to include a decision-making voice on issues pertaining to the church community. Models of ecclesial governance that support participation *by* and collaboration *with* the laity must replace those that call for mere delegation or consultation *by* the hierarchy.

Suggestions have been made that the church draw from various secular, philosophical and political systems as a model of church governance. Numerous scholars have urged the church to draw from democratic principles, for example, to ensure greater participation of the laity and accountability among its ecclesial leaders.¹⁰ While the church can certainly benefit from drawing from democratic ideals, I believe that a valuable model of governance can be found within the Catholic tradition itself, for though the church is critiqued for its overly-centralized hierarchical structure internally, at the same time, it is very much applauded for its call to governments and the private sector for more participatory and empowering roles at the local level through the principle of subsidiarity.

The 1931 encyclical *Quadragesimo Anno* describes subsidiarity as follows:

Just as it is gravely wrong to take from individuals what they can accomplish by their own initiative and industry and give it to the community, so also it is an injustice and at the same time a grave evil and disturbance of right order to assign to a greater and higher association what lesser and subordinate

¹⁰ See for example: Eugene C. Bianchi and Rosemary Radford Ruether, editors. *A Democratic Catholic Church: The Reconstruction of Roman Catholicism*. New York: Crossroad: 1993 and Robert McClory. *As It Was In The Beginning: The Coming Democratization of the Catholic Church*. New York: Crossroad, 2007. I include a discussion of these works in Chapter 3 of this dissertation.

organizations can do. For every social activity ought of its very nature to furnish help to the members of the body social, and never destroy and absorb them.¹¹

An important concept within Catholic social thought, subsidiarity argues that a government or central authority is seen to have a subsidiary function, performing only those tasks that cannot be achieved more effectively at a more immediate or local level. In terms of governance, subsidiarity means that authority is not concentrated in a single center, whether person or institution; it is spread out across a plurality of agents who exercise various degrees of authority.

Can the principle of subsidiarity be used in regard to the governance and participation structures of the Catholic church, and, in particular, to the voice and authority of the laity? Drawing from subsidiarity's origins and development within Catholic social teaching, and from discussions among the hierarchy and at the level of canon law on the matter, I contend that the principle has theological validity within the hierarchical structure and governance of the church. Of course, the grounds for such an argument depend on how one understands both the nature of "church" and the nature of "authority". Whereas pre-conciliar models leave little room for shared governance outside the ranks of the clergy, the ecclesiology of Vatican II suggests – and early church history supports the claim – that laypersons ought to exercise a greater authoritative voice, in areas such as the development of doctrine and the selection of church leaders. Subsidiarity can serve as a normative principle of participation through

¹¹ Pius XI. *Quadragesimo Anno: After Forty Years* (1931). *Catholic Social Thought: The Documentary Heritage* (Eighth Printing). David J. O'Brien and Thomas A. Shannon, editors. Maryknoll: Orbis, 2001. pp. 40-79, at par. 79. Hereafter referred to as *QA*.

which laypersons can exercise a real voice and demonstrate substantial involvement in church governance. The dissertation explores the ecclesiological implications of subsidiarity as applied to the current Catholic church context, with special emphasis on its effects on the role of the laity.

State of the Laity in the Church Today

It is no exaggeration to claim that the Second Vatican Council, in its call to the laity toward greater participation in the liturgical and pastoral life of the church, dramatically increased opportunities for lay ecclesial service and was revolutionary in forming more active and vibrant faith communities. To many, the Council's affirmation of the universal priesthood of all through the sacrament of baptism, and its special invitation to laypersons in particular, was considered a complete reversal of what the church had taught for generations before on the status of the laity.

The Council perhaps could not have envisioned the overwhelming enthusiasm with which the laity has responded over forty years later. In the United States today, the number of lay Catholics who work more than 20 hours a week in parishes, schools, health care and other settings exceeds 34,000. They assume positions as directors of religious education, pastoral life coordinators, pastoral associates, and liturgical, music, youth, and campus ministers. Some 18,000 adult Catholics are in training for professional ministry roles, while over 100,000 catechists serve U.S. parishes and countless thousands of laity volunteer for liturgical ministries as lectors, eucharistic ministers, musicians, and ushers. Lay volunteers are also involved in parish and institutional outreach to the poor, to the sick, to new immigrants and refugees, to

prisoners, as well as to the elderly and homebound. Parish councils and finance boards depend on skilled laypersons.¹² This trend will likely continue as the number of priests in the country dwindle. Positions once restricted to priests – including hospital and university chaplains, school administrators, and even church pastors – are increasingly being filled by the laity.

Despite the increasing lay involvement in the church in recent decades, including positions of leadership, and despite the fact that today's Catholic laity are more educated than ever, including theological education, the lay role remains severely limited, particularly in governance and decision-making in matters of doctrine and even in the daily life of the church. According to canon law, diocesan and parish pastoral councils and parochial finance councils possess only consultative status and “cannot in any way become deliberative structures.”¹³ As much as an individual bishop or priest may seek the advice or expertise outside the ranks of the clergy, such laymen and -women possess no *formal* voice in governance or teaching.

In *The Liberation of the Laity: In Search of an Accountable Church*, Paul Lakeland describes this condition of the laity in the church as one of structural oppression, in the form of clericalism. Like other oppressive systems, such as racism and sexism, at the root of clericalism is the belief, however inchoate, in the lesser humanity or lesser intelligence of the oppressed group, thus justifying the subordinate position in which the underclass is then to be maintained. Lakeland posits that the

¹² Lefevere, p. 1.

¹³ “Instruction on Certain Questions Regarding the Collaboration of the Non-Ordained Faithful in the Sacred Ministry of the Priest.” August 13, 1997, article 5, par. 3.

division between clergy and laity as understood in the Catholic tradition systematically subordinates and undervalues the lifestyle, talent, leadership, experience and spirituality of the laity.¹⁴ The problem, he maintains, is not that the church has two classes of people, ordained and non-ordained. Rather, the oppression and sinfulness lies in that one class has a voice and the other does not.

Lakeland outlines several problems with this type of oppression in the church. First, from the standpoint of liberation theology, in any given community the perspectives of people coming from a wide spectrum of experiences must be honored.¹⁵ Lakeland argues that the crisis of leadership in the church is attributable to the fact that leadership is the province of an enclosed elite caste. In the current ecclesial system, the greater the authority the individual possesses in the structure of the church, the further divorced the individual is from the ordinary life of the people he is supposed to lead. That the enclosed group is limited to a select few based on gender and a calling to celibacy exacerbates the problem. He writes: “There is nothing wrong with being a male celibate, but the restriction of leadership to celibates impoverishes the institution by the exclusion of so much experience that the celibate cannot access. The restriction

¹⁴ Paul Lakeland. *The Liberation of the Laity: In Search of an Accountable Church*. New York: Continuum, 2004. p. 194.

¹⁵ Lakeland notes: “One of the most striking characteristics of much contemporary theology is the attention paid to the context of the theologian or the community engaged in theological reflection. Attention to context is a direct result of the turn to experience as normative for theology which marks the entire development of Latin American theology of liberation and those other theologies sharing a family resemblance – especially in feminist, womanist, and *mujerista* thought – the concrete circumstances of the doer of theology come into prominence. In the past, they were not merely in the background; they were invisible. Increasingly today the theologian is expected to be open about her or his social location and identity, because factors such as class, race, gender, age, and sexual orientation are considered germane to understanding the conclusions at which a particular thinker might arrive.” *Liberation of the Laity*, p. 193. The increased attention to the context of the theologian has highlighted the value of a diversity of social locations as representative of a particular community.

of leadership to those of the male gender impoverishes leadership still further.”¹⁶

These issues were quite evident in the sexual abuse crisis: in a *New York Times* editorial on the scandal, theologian Lisa Sowle Cahill placed blame on the closed society “largely insulated from the realities and values of ordinary people” within which the crisis occurred.¹⁷ Similarly, Stephen Pope has pointed out that “by definition, none of the powerful men who made disciplinary decisions about priests who abuse children are themselves parents.”¹⁸

This is not to say, however, that the structural oppression and leadership crisis in the church will be alleviated by opening ordination to women and married persons. Even though the ordained would have richer experience on which to draw, to exclude secular people from leadership in the church is problematic both humanly and theologically. The leadership crisis in the church, Lakeland maintains, will not be solved merely by broadening the ranks of the ordained, but necessitates the inclusion of the voice of the laity.¹⁹

Feminist theologians in particular have argued for the importance of including a diversity of voices into the decision-making processes within the church at the highest levels, especially the voices of women, who have been long excluded from leadership roles in church life. Moving beyond the debates centering around the ordination of women to the priesthood, feminist theologians insist that church structures need to be

¹⁶ *Ibid.* p. 190.

¹⁷ Lisa Sowle Cahill. “A Crisis of Clergy, Not of Faith.” *New York Times*. March 6, 2002, A21.

¹⁸ Pope, p. 2.

¹⁹ Lakeland, *Liberation of the Laity*, p. 190.

transformed from its current patriarchal form to a community of equals. Elisabeth Schüssler Fiorenza notes that women ought not to “aim for ordination to the lowest rung of the hierarchical ladder”²⁰ through inclusion in the clerical hierarchy, but rather “must insist that as baptized and confirmed members of the church they are entitled to hold responsible leading positions in the church.”²¹

A patriarchal church, feminists argue, runs counter to the mission of the church itself as a community of liberation. Mary E. Hines writes,

Service within the church must, therefore, include the voices, experience, and gifts of all, since internal church structures exist to facilitate the liberating mission of the church for all people. Precisely the exclusion of the voices and experience of the laity from the inner dimensions of the church’s life has resulted in the increasing irrelevance to their lives of the institutional church and its authority and structures. The church’s mission is not well served by its present structures.²²

The future starting point for ecclesiology, Hines argues, should be the local church understood broadly as encompassing the diversity of lived reality of the Christian community. Feminist theologians endorse this direction, underlining that this new church must include the experience of women and other persons marginalized by the present power structure.

The works of Lakeland, Schüssler Fiorenza, and Hines, among others, underscore the need to build an adult, accountable church in which all members, clergy

²⁰ Elisabeth Schüssler Fiorenza. *Discipleship of Equals: A Critical Feminist Ecclesiology Ekklesia-logy of Liberation*. New York: Crossroad, 1993. p. 23.

²¹ *Ibid.* p. 35.

²² Mary E. Hines, “Community for Liberation.” *Freeing Theology: The Essentials of Theology in Feminist Perspective*. Catherine Mowry LaCugna, editor. San Francisco: Harper, 1993. pp. 161-184, at 167.

and laity alike, may exercise a real voice in ecclesial governance. To develop structures and avenues through which the community is better able to include the experiences and honor the wisdom of the people within any society is at the heart of the principle of subsidiarity.

The Principle of Subsidiarity

Though the principle of subsidiarity has wide applications today – in government, in the economic sector, and most notably as a fundamental principle of law in the European union – its origins can be found in the church itself. In the body of Catholic social teaching, hints of the principle of subsidiarity are found beginning in *Rerum Novarum*, which states: “Let the state watch over these societies of citizens united together in the exercise of their rights, but let it not thrust itself into their peculiar concerns and their organization, for things move and live by the soul within them, and they may be killed by the grasp of a hand from without.”²³

However, the actual term ‘subsidiarity’ is found only later in the aforementioned quotation from *Quadragesimo Anno* in which Pius XI refers to the ‘principle of subsidiary function’. A few comments on the context within which this document was written are helpful here. Seeking a type of Christian social order as an alternative to capitalism and socialism, Pius XI’s document observes that the economic and political liberalism of the 19th century led to a situation in which, for the most part, society was composed of only individuals and the state. He writes: “Things have come to such a

²³ Leo XIII. *Rerum Novarum: The Condition of Labor* (1891). *Catholic Social Thought: The Documentary Heritage* (Eighth printing). David J. O’Brien and Thomas A. Shannon, editors. Maryknoll: Orbis, 2001. pp. 12-39, at par. 59. Hereafter referred to as *RN*.

pass that the highly developed social life, which once flourished in a variety of prosperous and interdependent institutions, has been damaged and all but ruined, leaving only individuals and the State, with no little harm to the latter.”²⁴ Because intermediate associations were lacking, society was in a position such that either the pure economic forces of the marketplace prevailed or the state itself was forced to intervene.²⁵ In articulating the principle of subsidiarity, Pius calls for vocational groups or employer-worker councils as a restoration of “that rich social life which was once highly developed through associations of various kinds.”²⁶

Since *Quadragesimo anno*, subsidiarity has been championed as a first principle in civil society by John XXIII (in *Mater et Magistra* and *Pacem in Terris*), Paul VI (in *Populorum Progressio* and *Octagesimo adveniens*) and during Vatican II (in *Gaudium et spes*). In each of these statements subsidiarity is consistently defended on the grounds that the principle would better serve the common good of society by serving both the individual person and intermediate organizations.

However, while the references to subsidiarity seem to be fairly clear in the magisterial statements, the same cannot be said about the efforts of commentators and scholars of Catholic social teaching to explicate its meaning or its implications in civil society. While some equate the principle with its more ‘negative’ senses of decentralization, non-intervention, and autonomy, others connect subsidiarity with its

²⁴ *QA*, par. 78.

²⁵ Marvin L. Krier Mich. *Catholic Social Teaching and Movements*. Mystic: Twenty-Third Publications, 2001. p. 81.

²⁶ *QA*, par. 79.

more ‘positive’ senses of co-responsibility, collegiality, freedom, and

interdependence.²⁷ For purposes of this discussion, I will refer to Joseph A.

Komonchak’s article “Subsidiarity in the Church: The State of the Question,” in which

he helpfully outlines nine elements of subsidiarity:²⁸

1. The priority of the person as the origin and purpose of society: *civitas propter cives, non cives propter civitatem*.
2. At the same time, the human person is naturally social, only able to achieve self-realization in and through social relationships – the principle of solidarity.
3. Social relationships and communities exist to provide help (*subsidium*) to individuals in their free but obligatory assumption of responsibility for their own self-realization. This “subsidiary” function of society is not a matter, except in exceptional circumstances, of substituting or supplying for individuals self-responsibility, but of providing the sets of conditions necessary for personal self-realization.
4. Larger, “higher” communities exist to perform the same subsidiary roles toward smaller, “lower” communities.
5. The principle of subsidiarity requires *positively* that all communities not only permit but enable and encourage individuals to exercise their own self-responsibility and that larger communities do the same for smaller ones.
6. It requires *negatively* that communities not deprive individuals and smaller communities of their right to exercise their self-responsibility. Intervention, in other words, is only appropriate as “helping people help themselves.”
7. Subsidiarity, therefore, serves as the principle by which to regulate competencies between individuals and communities and between smaller and larger communities.
8. It is a formal principle, needing determination in virtue of the nature of a community and of particular circumstances.

²⁷ John Kelley. “Subsidiarity and Social Renewal.” *AFER*. Volume 24, no. 4. August 1982. pp. 200-208, at 202-204. A more thorough discussion of the positive and negative understandings of the principle is found in Chapter 4 of this dissertation.

²⁸ Joseph A. Komonchak. “Subsidiarity in the Church: The State of the Question.” *The Jurist*. Vol. 48, 1988. pp. 301-302.

9. Because it is grounded in the metaphysics of the person, it applies to the life of every society.

The principle prioritizes the dignity of the individual, and holds that all other forms of society, from the family to the state and the international order, should be in the service of the human person. Subsidiarity also emphasizes the social nature of persons, and stresses the importance of small and intermediate-sized communities or institutions, like the family and voluntary associations, as mediating structures which empower individual action and link the individual to society as a whole.

A few points must be emphasized to develop further this understanding of the principle. The first concerns subsidiarity and its relationship with the principles of solidarity and the common good. The common good is dependent upon smaller, subsidiary communities. In *Mater et Magistra*, John XXIII explains the importance of subsidiary communities to the common good:

This [the common good] comprises the sum total of those conditions of social living, whereby men are enabled more fully and more readily to achieve their own perfection. Hence we regard it as necessary that the various intermediary bodies...be ruled by their own laws and as the common good itself progresses, pursue this objective in a spirit of sincere concord among themselves. Nor is it less necessary that the above mentioned groups present the form and substance of a true community. This they will do, only if individual members are considered and treated as persons, and encouraged to participate in the affairs of the group.²⁹

Intermediate social structures allow individuals to achieve participation, meaning, fulfillment, and personal identity in smaller communities rather than functioning simply

²⁹ John XXIII. *Mater et Magistra: Christianity and Social Progress* (1961). *Catholic Social Thought: The Documentary Heritage* (Eighth Printing). David J. O'Brien and Thomas A. Shannon, editors. Maryknoll: Orbis, 2001. pp. 82-128, at par. 65. Hereafter referred to as *MM*.

as individuals lost in a vast collectivity. The values of the common good are mediated to individuals through such intermediary structures, and through them, individuals can in turn influence the life and values of the larger society.

At the same time, not only is the common good dependent upon the principle of subsidiarity, but the reverse is also true: subsidiarity relies upon and presupposes the common good. Because subsidiarity allows for more local and particularistic factors in decision-making, rather than one central authority exclusively, diversity and dissent are inevitable; this community must thus rely upon a higher unity that binds the various groups together in a concern for the common good. Subsidiarity assumes and requires that each smaller group remains in solidarity with and loyal to the larger community.

Second, the principle of subsidiarity insists that the state and all other associations exist for the individual; it prioritizes the person as the origin and purpose of society. Rather than taking away tasks and responsibilities from individual persons, the state must instead provide the framework or preconditions that allow individuals to develop themselves. As stated by Thomas Kohler:

To the extent that institutions contradict subsidiarity – by replacing personal and local decision-making authority with distant bureaucracies and experts intent on doing other people’s thinking for them – they presume that the average person is incapable of self-rule. Such arrangements are truly dehumanizing.³⁰

Subsidiarity demands that the central governing body relinquish certain powers in order to leave as much freedom as possible to individuals and subordinate bodies. As such, subsidiarity requires a great deal of trust of individuals at the local level by the higher

³⁰ Thomas C. Kohler. “In Praise of Little Platoons: *Quadragesimo Anno* (1931).” *Building the Free Society: Democracy, Capitalism and Catholic Social Teaching*. George Weigel and Robert Royal, editors. Grand Rapids: Eerdmans, 1993. pp. 31-50, at 43.

levels. The higher levels must trust the gifts and competencies of the associations and individuals at the local level, as well as their steadfast commitment to the common good. Here already, we might be able to see some important implications in the church, particularly in regard to the role of the laity.

Subsidiarity in the Church

Can the principle of subsidiarity be applied within the church's own governance structure? One of the main arguments in support of the principle is the idea that the church is a *societas*; thus, like any other organization, subsidiarity is necessary for the health of the community and the development of its members. But of course, there are objections too that the church is not just any organization but rather is a unique reality in which principles of social theory cannot be applicable.³¹ Some arguments against the application of subsidiarity to ecclesial structures include claims that the principle is based on the natural law rather than divine law; the structures of the church are dogmatically determined wherein official authority has a special and protected place; subsidiarity is too individualistic to apply to the church community; and hierarchy is an essential element, not a supportive function, of the church.³²

Though relatively sparse, there has already been some discussion among the hierarchy and at the level of canon law regarding an ecclesial application of subsidiarity.

³¹ Terence L. Nichols. *That All May Be One: Hierarchy and Participation in the Church*. Collegeville: Liturgical Press, 1997. p. 307. Nichols writes: "The argument seems to be that the Church has a different principle of hierarchy and authority than secular society; the authority of the pope and bishops is based on divine commission, not on any kind of representation, and so the principles that apply to secular society do not apply to the church."

³² Ad Leys. *Ecclesiological Impacts of the Principle of Subsidiarity*. Kampen, Netherlands: Kok Pharos, 1995. p. 113. These arguments are discussed in more detail in Chapter 4.

In 1946, in an address to the College of Cardinals, Pius XII draws from *Quadragesimo anno* and states: “All social activity is by its nature subsidiary: it must serve as a support for the members of the social body and must never destroy or absorb them. These are truly enlightening words which apply to social life at all of its levels and also for the life of the Church, without prejudice to her hierarchical structure.”³³ In this argument, the Pope is contrasting the church with modern imperialism: while the church seeks to cultivate the inner dimensions of the person and to provide opportunities for responsibility and initiative, modern imperialism deprives the person of these by centralization and uniformity. He states that the laity, “within the limits of [their] role and those traced by the common good of the church, should be able to act freely and on [their] own responsibility.”³⁴ Though the Pope is careful to qualify his arguments by defending the church’s hierarchy, his recommendation of an application of subsidiarity to the life of the church is quite clear throughout the body of his address. In fact, scholars have argued that such qualifiers actually refute the objection that subsidiarity is incompatible with the hierarchical structure of the church; for if that were the case, the Pope would not be able to contrast the church to imperialistic tendencies which deprive people of all responsibility and initiative in the first place.³⁵

From that point forward, the question of an ecclesial application of subsidiarity begins to center around concerns raised over the power of local bishops. At the 1969

³³ Pius XII, Consistorial Allocution, February 20, 1946: *AAS* 38 (1946) 144-145. There is an English translation of this speech in *The Catholic Mind* 44 (April, 1946).

³⁴ Pius XII, Consistorial Allocution, October 5, 1957: *AAS* 39 (1957) 926.

³⁵ Komonchak, p. 306.

Bishops' Synod, it was argued that the valid diversity in the local churches and their need to be able to act in a timely fashion require subsidiarity in the church. At the Synod, Paul VI accepts subsidiarity as a relevant principle for relations between the pope and bishops, though warns that it cannot be confused with pluralism or forms of autonomy, which would harm the unity and common good of the church.³⁶ The 1983 Revised Code of Canon Law reflects this, stating: “[T]he new code should leave to particular laws or to executive power matters which are not necessary for the disciplinary unity of the universal Church, so that a healthy so-called ‘decentralization’ might appropriately be provided for, as long as the danger of disunity and of the establishment of national churches is avoided.”³⁷

The principle of subsidiarity was also debated at the 1985 Synod of Bishops, though a consensus on the matter was not reached, in favor of a call for further study. Though some defended its application as a means to support greater self-responsibility, autonomy and diversity in the local churches, as well as to promote a greater role for the laity, others expressed reservations about a principle of social philosophy being applied to the sacramental reality of the church.³⁸

While the details of subsidiarity's application in the church were widely debated in these discussions, there seems to be relative agreement that subsidiarity *should* apply to the life of the church and should support the bishops in the free exercise of their proper power. Underlying this is the idea that the particular church is not simply part of

³⁶ *Ibid.* p. 317.

³⁷ *Codex Iuris Canonici auctoritate Ioannis Pauli PP. II promulgatus*. Principle no. 5.

³⁸ Komonchak, p. 324.

but indeed is a realization of the universal church. As Gaillardetz notes:

A communio-ecclesiology demands the preservation of the full integrity of the local church as the concrete presence of the one Church of Christ in that place. Any exercise of authority at a level beyond the local can never be undertaken in a way that undermines that church's integrity. The exercise of "higher authority" must always be a means toward preserving the integrity of the local church and its communion with other churches.³⁹

An application of the principle of subsidiarity to the church would affirm the true character of the local church and rightfully acknowledge its integrity and authority as such.

Subsidiarity and the Laity

Using the ecclesiology of Vatican II to defend my position, at this point I would like to propose the following: just as local dioceses and bishops are granted freedoms and responsibilities by virtue of their status as fully church, the laity must also be granted certain freedoms, authority and governance responsibilities by virtue of their status as full members of the People of God. This proposition is made possible by the ecclesiological shifts found in *Lumen Gentium*. Prior to Vatican II, as a result of ideological efforts of the Counter Reformation, the predominant model of church (to use Avery Dulles' framework) was that of institution, with its ecclesiological emphasis on the hierarchy. The 1943 encyclical *Mystici corporis Christi*, for instance, identifies the Roman Catholic Church with the mystical body of Christ and points to the pope and bishops as the joints and ligaments of that body, asserting that "those who exercise

³⁹ Richard R. Gaillardetz. "The Ecclesiological Foundations of Modern Catholic Social Teaching." *Modern Catholic Social Teaching: Commentaries and Interpretations*. Kenneth R. Himes, OFM, editor. Washington: Georgetown University Press, 2004. pp. 72-98, at 93. A discussion of the meaning of *communio* ecclesiology is found in Chapter 3.

sacred power in the Body are its first and chief members.”⁴⁰ In turn, the laity are said to “assist the ecclesiastical hierarchy in spreading the Kingdom of the divine Redeemer” and thus to occupy an honorable, though often lowly, place in the Christian community.⁴¹

Though Vatican II does retain this image of the Body of Christ in *Lumen Gentium*, the dominant model becomes that of the People of God. This paradigm focused much less attention on the hierarchical, institutional dimensions and instead on the church as a network of interpersonal relationships or, more simply put, the church as a community. No longer are the clergy considered the chief members of the mystical body and the laity somehow lesser; instead, through the equal dignity of baptism, all are full members of the People of God who share directly in the mission of the church. In a Mystical Body framework, the layperson is deprived of any active role in the life of the church and is defined by his or her beliefs and obedience to hierarchical authority.⁴² But in the ecclesiology of Vatican II, the layperson has the additional responsibility of exercising ministry, a form of participation in the universal priesthood of all the baptized.

⁴⁰ Pius XII. *Mystici Corporis Christi* (1943), par. 17.

⁴¹ *Ibid.*

⁴² Prior to Vatican II, the predominant model for lay participation in the Church was Catholic Action, defined in 1927 by Pius XI as “participation of the laity in the apostolate of the hierarchy.” Catholic Action was lay-led work conducted under the auspices of the hierarchical church, accompanied by ecclesiastical sanction and mandate. While the movement became an extraordinary means of harnessing lay enthusiasm and expertise in the Church, at the same time, the problem with this model is reflected in its language of lay participation *in* the hierarchy. The theological problem here is the danger that the apostolic activity of laypeople is understood only as collaboration with the hierarchy, implying that without this particular kind of activity, they are merely passive. A specifically lay apostolate – ministry of the laity by virtue of their baptism, and not exclusively in relation to the hierarchy – is essentially absent in pre-Vatican II ecclesiology.

As will be demonstrated in further detail in this dissertation, a Vatican II church does allow room for subsidiarity: if, as already affirmed, subsidiarity can apply to local churches and bishops based on the belief that they are fully church, then the laity, as the People of God, must also be given recognition and authority. If the sacred is to be found in both the church and the world, as the Council articulates, then the Holy Spirit guides the church through *all* of the faithful, clergy and laity alike.

Two issues, however, remain when applying subsidiarity to the role of the laity in the church. First, if it is asserted that members of the church – clergy *and* laity – all share a common dignity as the People of God, how then are the hierarchy to be considered in such a framework? It is important to note that in the social encyclicals, an application of subsidiarity does not mean an elimination of hierarchy. A central body of governance is needed to maintain order, to coordinate social life in its totality, and of course, to intervene when necessary to remedy harm or to promote the common good.⁴³ Subsidiarity presupposes a hierarchical structure, but at the same time calls for greater participation by the lower levels. While Vatican II does not eliminate an ecclesial hierarchical structure, a vision of the church as the entire people of God does allow room for a greater voice for the laity. Paragraph 37 of *Lumen Gentium* deserves close

⁴³ See, for example, Terence L. Nichols' *That All May Be One: Hierarchy and Participation in the Church* (Collegeville: Liturgical Press, 1997) in which he introduces the notion of a 'participatory hierarchy'. Nichols outlines the role of hierarchy throughout church history; he ultimately defends a hierarchical structure but only upon function or office, and not implying an inequality of persons. Both the higher and lower units must be enabled to function according to their own laws; therefore, the higher offices must not dominate the lower but instead encourage active participation in accordance with the common good of that community. Nichols includes a brief discussion of the principle of subsidiarity within this framework of a participatory hierarchy, positing that authority should not be concentrated in a single center but spread across a plurality of agents with various degrees of authority.

study here. It states that laymen and –women, “in accordance with the knowledge, competence or authority they possess, ... have the right and even sometimes the duty to make known their opinion on matters which concern the good of the church.”⁴⁴ In turn, the clergy have a responsibility to “recognize and promote the dignity as well as the responsibility of the laity,...willingly employ their prudent advice,...confidently assign duties to them in the service of the Church, allowing them freedom and room for action,... and encourage lay people so that they may undertake tasks on their own initiative.”⁴⁵

The issue is not hierarchy in and of itself, but rather that the hierarchy remain true to *Lumen Gentium*'s ecclesiology and the role of the laity that a People of God model implies. This however raises a second problem. As mentioned earlier, clergy are free to reject such models of lay participation; this perhaps can be attributed to elements of paternalism still found in the conciliar documents and canon law, as well as in practice. Again in *Lumen Gentium* par. 37, we find images of the clergy likened to a loving father who should listen to the projects, suggestions and desires proposed by his children. The laity, in turn, should “promptly accept in Christian obedience decisions of their spiritual shepherds, since they are representatives of Christ as well as teachers and rulers in the Church.”⁴⁶

Though much more muted than in the pre-conciliar documents, it is no exaggeration to say that the paternalism found in *Lumen Gentium* par. 37 is a common,

⁴⁴ *LG*, par. 37.

⁴⁵ *Ibid.*

⁴⁶ *Ibid.*

if not dominant, way of perceiving the role of the laity in the church. Of course, more and more laypersons today are assuming very active leadership roles in their parishes and other faith communities. However, the practice of clergy seeking advice from laity, assigning them duties, and encouraging them to initiate tasks in the community is not normative. This inattention to lay involvement not only undermines the degree of dignity and responsibility of the laity emphasized throughout *Lumen Gentium*, but is also inconsistent from what we often see today – the de facto exercise of governance by laypersons in the church, a result of the rise of lay ecclesial ministries, especially as the number of clergy are dwindling and more and more laymen and -women fill in roles formerly performed by priests. Further, by treating the laity like children and discounting their relevance in the faith community, the church perpetuates the framework of power that can breed abuse: clergy accountable only to each other within the hierarchy.

In offering subsidiarity as applied to church governance, I am not suggesting that the principle would be a panacea for all the issues the church faces moving forward from the sexual abuse crisis. Theologies of the laity, the priesthood, and the church – particularly questions concerning authority and the hierarchy – need to be more fully developed as the church continues to address the structural issues that the scandal brought to surface. What I am proposing, however, is that subsidiarity, as a normative principle when addressing matters of church governance, can serve as a corrective to an overly-centralized hierarchy that, in its current form, undermines the laity and can lead to the abuse of power. While earlier discussions affirmed the applicability of

subsidiarity in the church in regards to particular churches and the power of local bishops, subsidiarity needs to be expanded to include the rights and responsibilities of the laity in such a way enables laypersons to exercise a real voice in governance and decision-making, beginning at the local level. Though the Holy See has made it clear that, according to canon law, parish pastoral and finance councils possess only consultative status and “cannot in any way become deliberative structures”⁴⁷ this does not contradict *Lumen Gentium*’s call for lay participation. Laypersons could be given some role in decision-making in the selection of parish priests and pastors, staff appointments, and even in selecting their local bishop, a practice that can be found early in our tradition (3rd-5th centuries). The laity could have a voice in ecumenical councils, ensuring that a diversity of experiences and social locations are represented.

Substantial lay involvement in ecclesial governance would bring about greater transparency and accountability among church leadership; an application of subsidiarity to include the laity would allow such participation to become normative. Subsidiarity would do justice to the rights and responsibilities that Vatican II offers to the laity, while providing a helpful model for clergy and the wider church to better support and encourage greater lay participation.

Plan of the Dissertation

To make the case for the application of subsidiarity within the ecclesiological structures of the Catholic church, as a corrective to overly-centralized governance systems that can breed the abuse of power, and as a means by which greater lay

⁴⁷ “Instruction on Certain Questions Regarding the Collaboration of the Non-Ordained Faithful in the Sacred Ministry of the Priest,” 13 August 1997, article 5, par. 3.

participation can be encouraged, I will proceed in four parts. In Chapter Two, I provide a brief overview of how the role of the laity has been understood in the church, up to and through the Second Vatican Council, and a discussion of where matters are today in regard to lay participation, authority and governance. In addition to addressing some of the positions as outlined in official Catholic church teachings, I also explore the extensive works of theologians in this area, including those taking on liberation and feminist perspectives. Liberation and feminist theologians have argued for the importance of experience as a moral resource in church doctrine; this chapter will draw extensively from their work to demonstrate that the experience of the laity must be included in the governance and decision-making structures of the church.

In Chapter Three, “Ecclesiology and the Nature of Authority,” I provide an overview and evaluation of some predominant models of church, focusing especially on models outlined during Vatican II, particularly in *Lumen Gentium*. I discuss questions of authority and governance, addressing in particular some of the questions and discussions that emerged in light of the priest sexual abuse scandal.⁴⁸ Special attention will also be given to the idea of the *sensus fidei*, or sense of faith given to all believers by the Holy Spirit in baptism and confirmation, as the theological underpinning of lay

⁴⁸ Some of the major texts that I will use in this chapter include: Eugene Bianchi and Rosemary Radford Ruether, eds. *A Democratic Catholic Church: The Reconstruction of Roman Catholicism*. New York: Crossroad, 1993; Francis Oakley and Bruce M. Russett, editors. *Governance, Accountability, and the Future of the Catholic Church*. New York: Continuum, 2004; Robert McClory. *As It Was in the Beginning: The Coming Democratization of the Catholic Church*. New York: Crossroad, 2007; Terence L. Nichols. *That All May Be One: Hierarchy and Participation in the Church*. Collegeville: The Liturgical Press, 1997; Avery Dulles. *Models of Church*. Expanded edition. New York, Doubleday, 1987; Richard R. Gaillardetz. *By What Authority? A Primer on Scripture, the Magisterium, and the Sense of the Faithful*. Collegeville: Liturgical Press, 2003; and Francis A. Sullivan, S.J. *Magisterium: Teaching Authority in the Catholic Church*. New York: Paulist Press, 1983.

authority in the church.⁴⁹ The chapter concludes with an analysis of which model(s) of church and understanding(s) of authority and governance are most conducive to an application of the principle of subsidiarity in the ecclesial realm.

In Chapter Four, I begin by defining broadly the principle of subsidiarity, offering a general overview of its origins, applications, and development to the present day.⁵⁰ I outline the arguments supporting and contesting subsidiarity's application in the church and I draw from Vatican II's understanding of the church as *communio* and *societas*, as well as the council's retrieval of the *sensus fidei*, to demonstrate the principle's validity in ecclesial governance.

In the concluding chapter, “Ecclesial Implications of the Principle of Subsidiarity,” I discuss subsidiarity's relationship with the principles of justice, human dignity, the common good, and solidarity in the church. I suggest concrete practices that the church can adopt as examples of subsidiarity in ecclesial governance, and conclude with implications for the laity, clergy, and church as a whole.

The Catholic social teaching principle of subsidiarity can be a helpful resource to guide the church as it moves forward from its current crisis of governance. Just as the local church is fully church, as the realization of the universal church, so too are the laity fully members of the People of God, as Vatican II affirmed, and therefore should be afforded the responsibility and initiative due to them in service of the church. Not

⁴⁹ Cf. Carolyn Weir Herman. “The *Sensus Fidei* and Lay Authority in the Roman Catholic Church.” *Catholic Identity and the Laity*. Tim Muldoon, editor. *College Theology Society Annual* Volume 54. Maryknoll: Orbis Books, 2008. pp. 155-168.

⁵⁰ Recognizing that subsidiarity has been adopted well beyond its initial understanding as a theological principle, I will limit my comments in this area to its use within Catholic social thought.

only would subsidiarity serve as a corrective for overly-centralized structures that can breed the abuse of power, but subsidiarity is also an integral part of the common good. An application of subsidiarity at the ecclesial level ensures the possibility of real participation; it is a matter of justice, and it is consistent with the belief that the Spirit guides the church not through the hierarchy alone, but through all the faithful as the People of God.

CHAPTER TWO

THE LAITY

In this chapter, I demonstrate that lay involvement in decision-making has been an important practice in the early church, provide a brief explanation of how views of the laity changed, and argue that substantial lay participation in governance is necessary in the church today. Before engaging in a discussion on the application of subsidiarity in the church, as a normative principle of governance through which Catholic laity may exercise greater voice and decision-making roles in ecclesial leadership, it is important first to understand the nature, mission, responsibilities and limitations of laypersons in the church. This chapter will provide an overview of how the laity has been understood, beginning with the New Testament and early church, through the Council of Trent and Vatican I, up to the Second Vatican Council. This chapter also examines alternative understandings of the laity's nature and place in the church, offered by liberation and feminist theologians, and in response to the priest sexual abuse scandal uncovered in the United States.

Leadership, Clergy, and Laity in the New Testament and Early Church

Though the New Testament does not describe any sort of framework that resembles the lay-clerical system we have today, scholars contend that models of church leadership and governance can be drawn from Jesus' teachings and example, as well as from the practices of the early communities. New Testament scholar PHEME

Perkins notes that throughout the Gospels, Jesus provided stories and parables illustrating that the accepted cultural and social forms of domination are not representative of God's order.¹ Mary's Magnificat, the Beatitudes, the parables of the Rich Fool or the Rich Man and Lazarus are some examples of God's disapproval of forms of human domination and injustice. Images of status or power are overturned in the Kingdom of God; instead, the true servant of God is one who follows the way of the cross.

For example, James and John assume that when Jesus arrives in Jerusalem, there will be a reversal of status that will mean eliminating the current leadership and placing Jesus in charge of God's people. They make a secretive request for the highest administrative posts (Mark 10:35-45), a move that enrages the other disciples. Jesus not only reminds his followers that discipleship requires suffering in this world, but also enunciates a principle of greatness that is the reverse of ordinary human behavior: "whoever wishes to be first among you must be the slave of all" (Mark 10:44). This saying cannot be enacted by simply naming leaders 'servants' while leaving them in possession of all power and authority. Rather, this phrase serves as shorthand for a more striking image from the prophet Isaiah, that of God's suffering servant (Isaiah 52:11-53:12).² Perkins notes that Jesus enacts the role of God's servant as he makes his way to death on the cross, negating every form of human self-assertion and domination.

Whatever form the Kingdom of God will take, Jesus indicates that its pattern of

¹ Pheme Perkins. "'Being of One Mind': Apostolic Authority, Persuasion, and Koinonia in New Testament Christianity." *Common Calling: The Laity and Governance of the Catholic Church*. Stephen J. Pope, editor. Washington: Georgetown University Press, 2004. pp. 25-38, at 27.

² *Ibid.* pp. 28-29.

authority should not resemble that of the governments of this world; rather, it must operate in a fashion contradictory to the worldly model. Perkins concludes that anyone who would claim to be the 'slave of all' must engage in real acts of low status that can only draw scorn and derision from the world's elite.³

After Jesus' death and resurrection, his followers were left with the challenge of forming a "church" and the leadership structures of this faith community. It is interesting to note that in Paul's letters, he did not appoint any single person or group as overseer in the churches he founded, nor is there evidence that he gave anyone authority to act in his name.⁴ As his writings insist, it was the whole community that constituted the Body of Christ and the bearer of the Holy Spirit; Paul's teachings, appeals, apologies, scoldings and warnings are invariably sent to the whole community. There are virtually no references to bishops, elders, or other official exercisers of authority. These offices had not yet evolved. First Corinthians, for example, is addressed "To the church of God which is at Corinth, to those sanctified in Christ Jesus, called to be saints together with all those who in every place call on the name of our Lord Jesus Christ, both their Lord and ours" (1 Cor. 1:2). First Thessalonians is sent "To the church of Thessalonians in God the Father and the Lord Jesus Christ: Grace to you and peace: We give thanks to God always for you all, constantly mentioning you in our prayers" (1 Thess. 1:1-2).

³ *Ibid.*

⁴ McClory, p. 26.

This does not suggest a total disregard for leadership on Paul's part. In First Thessalonians, he says, "We beseech you, brethren, to respect those who labor among you and are over you in the Lord and admonish you, and to esteem them very highly in love because of their work" (1 Thess. 5:12). But Paul was more concerned with the leadership provided by the charisms at work in the community than with the appointment of persons holding juridical office.⁵ In First Corinthians he says, "And God has appointed in the church first apostles, second prophets, third teachers; then deeds of power, then gifts of healing, forms of assistance, forms of leadership, various kinds of tongues" (1 Cor. 12:28). It appears from the context that Paul was not setting up some kind of list of superiors and inferiors; rather, he was insisting on the basic equality of all parts of the Body of Christ. In First Thessalonians he warns against privileging any of the charisms over the others: "Do not quench the Spirit, do not despise prophesying, but test everything; hold fast what is good" (1 Thess. 5:19).

For Paul, the community that makes the decisions. Paul's intent is not to decree for all time a system of church governance. His purpose is largely pastoral: to clarify the gospel message, to correct misunderstandings, and to stem the rivalries that apparently threatened to tear apart these new communities. "Without imposing a dogmatic conformity," notes New Testament scholar Stephen Harris, "[Paul] asks his readers to work together cooperatively for their mutual benefit."⁶

⁵ *Ibid.*

⁶ Stephen L. Harris. *The New Testament: A Student's Edition*. Boston: McGraw Hill, 2002. p. 321.

Though the early Christian communities did eventually utilize formal leadership positions in the form of presbyters or elders, one would be mistaken to believe that such structures are parallel to the notions of clergy and laity as we understand them today. Although Paul's letters describe celebrations of the Lord's Supper in local Christian communities, the New Testament does not mention who presided at these ritual meals. Francine Cardman notes that what we know about Greco-Roman customs suggests that the person who hosted or presided at such a meal was likely to be the owner of the house where the church community gathered; such presiders also likely included women, as indicated by some of the lists of believers named in greetings in Paul's letters.⁷ What these passages indicate, Cardman believes, is that ministries were fluid and diverse in these early communities, lacking formality and definition.

Even the biblical use of what we now refer to as "lay" and "clergy" shifted in meaning over a period of centuries. The Greek *kleros*, from which "cleric" and "clergy" are derived, means "portion" or "lot." When used in the New Testament, the term refers to the whole of the believing people.⁸ Paul Lakeland cites some examples. In the first Letter of Peter, the author addresses the elders or presbyters:

Tend the flock of God that is your charge, not by constraint but willingly, not for shameful gain but eagerly, not as domineering over those in your charge but being examples to the flock (1 Peter 5:3).⁹

⁷ Cf. Romans 16. Francine Cardman. "Laity and the Development of Doctrine: Perspectives from the Early Church." *Common Calling: The Laity and Governance of the Catholic Church*. Stephen J. Pope, editor. Washington: Georgetown University Press, 2004. pp. 51-70, at 52.

⁸ Lakeland, *Liberation of the Laity*, p. 10.

⁹ *Ibid.* p. 11.

Lakeland notes that the *kleroi* referred to here are not the presbyters but the “charge” which has been given to them to tend; in other words, the *kleroi* are actually what we would call laity. Moreover, these *kleroi*, all Christians in fact, are those of whom Paul speaks when he tells the Galatians that “if you are Christ’s, then you are Abraham’s offspring, heir [*kleronomoi*] according to the promise” (Galatians 3:29).¹⁰ Moreover, the term *laikos* (whence our word “lay”) is not found in the Bible, whereas *laos* is used frequently, when referring to “the people” or the whole community. Lakeland argues,

While the word *laikos* comes to be used in the early church to refer to those who are not especially qualified or assigned to some office in the church, it always retains the sense that these “laypeople” are the ordinary members of the people of God, *all of whom* constitute a consecrated, holy people. The term is not used to distinguish the ordinary people from the holy minority to whom office has been assigned, at least not at this formative stage of the church’s life.¹¹

In short, Lakeland posits that there is no distinction between ‘laypeople’ and ‘clerics’ in the vocabulary of the New Testament.

While it is not possible to recount here the full development of ministerial offices and ecclesiastical roles in the early church, Cardman offers a helpful summary of some critical points in the process.¹² Offices of bishop and deacon began to be differentiated from other ministries (e.g., apostles and prophets) toward the end of the first century, with Ignatius of Antioch vigorously promoting the role of the bishop early in the second. Over the course of the next century, the threefold offices of bishop,

¹⁰ *Ibid.*

¹¹ *Ibid.*

¹² Cf. Cardman, “Laity and the Development of Doctrine: Perspectives from the Early Church,” pp. 52-54.

presbyter, and deacon gained definition, becoming fairly common by the time of Irenaeus of Lyon (c. 180). Hippolytus recorded ordination prayers for all three offices early in the third century. Among the eastern churches, the *Didascalia* (c. 230) struggled to urge acceptance and respect for these offices, while in the West they seem to have become more firmly established by the time Cyprian became bishop of Carthage in North Africa in 248. The rapid elaboration of ecclesiastical structures and hierarchy began in the fourth century under the reign of Constantine (312-317), and the distinctions between laity and clergy accompanied this process. During this time, Christians had to adjust to a world in which they were no longer persecuted but tolerated and then favored, until Christianity became the established religion of the Roman empire under Theodosius (379-95). Cardman believes that distinctions of the role and status within the church might have developed more gradually and less sharply than they ultimately did had it not been for the momentum generated by social and political forces endemic to the new religious environment. As the empire grew more Christian, the churches, especially those in major cities, became more imperial in their outlook and expression. As Cardman points out:

Over the course of the fourth century, ecclesiastical office took on a sacral cast even as it clothed itself in imperial garb. The liturgy expanded in form and style to fill the new, grand spaces available to it, especially in the imperial cities; theological understandings of priesthood and eucharist developed apace. The divide between laity and clergy widened dramatically. In time, the church emerged as the dominant institution in the West as the Roman empire declined and then disintegrated across the western Mediterranean from the late fourth century through the fifth. The rising power of bishops, particularly the Roman bishop, in the West in late antiquity and the early Middle Ages owed as much to the effects of geopolitics and demographics as to any internal logic or ecclesiastical necessity.¹³

¹³ *Ibid.* p. 53.

As the understandings of “clergy” and “laity” shifted, so too did their roles, privileges and responsibilities in the church. Yet the early church enjoyed significant influence by the laity, whose participation was crucial in shaping our church structure and even faith beliefs today.

The Role of the Laity in the Early Church

While the distinctions between clergy and laity were defined gradually over several hundred years, with marked differentiation between the two by the fourth century, the laity were not complacent in the formation of the early church. History reveals that the laity were influential in key areas: the election of bishops, the appointment of clergy in the local church, and in the development of doctrine.

From the time of the Pastorals, Christian communities had chosen their leaders from within their midst.¹⁴ Some of the earliest documents of the church characterize the election of bishops as a grace and an essential responsibility for all the members of the local church. The *Didache*, dating from the early second century, addresses all those who participate in the Eucharist: “Therefore, elect/appoint [*cheirotoneate*] for yourselves bishops and deacons worthy of the Lord, meek men and not lovers of money, and truthful, for they also minister to you the ministry of the prophets and teachers.”¹⁵ Early church documents by Hippolytus, Cyprian, Origen and Gratian also

¹⁴ Cf. 1 Timothy 3:1-13 on bishops and deacons.

¹⁵ Michael J. Buckley, S.J. “Resources for Reform from the First Millennium.” *Common Calling: The Laity and Governance of the Catholic Church*. Stephen J. Pope, editor. Washington: Georgetown University Press, 2004. pp. 71-86, at 72. Cf. The *Didache*, or Teaching of the Twelve Apostles, in *The Apostolic Fathers*, ed. With trans. Kirsopp Lake, Loeb Classical Library (London: William Heinemann, 1930), 15.1.

indicate that the laity were present and vitally influential within an episcopal election throughout the first millennium.¹⁶ Ambrose of Milan and Augustine of Hippo are two well-known examples: Ambrose, a catechumen at the time, was spontaneously acclaimed as the new bishop of Milan in 374 when a crowd chanted, “Ambrose for bishop, Ambrose for bishop!” while Augustine was pressed, much against his will, into accepting ordination as a presbyter in Hippo, where he would become bishop in 396.¹⁷

Francis A. Sullivan, S.J. points to letters from St. Cyprian, bishop of Carthage from 248 to 258, regarding the role of the laity in the election of bishops and appointment of clergy.¹⁸ In a letter in which he defended the legitimacy of the election of a Spanish bishop named Sabinus, Cyprian argued that the procedure being followed in the choice of bishops was based on “divine teaching and apostolic observance”:

Moreover we can see that divine authority is also the source of the practice whereby bishops are chosen in the presence of the laity and before the eyes of all, and they are judged as being suitable and worthy after public scrutiny and testimony. For just so the Lord bids Moses in the Book of Numbers with the words: *Take your brother Aaron and Eleazar his son, and place them on the mountain in the presence of the assembled people. Strip Aaron of his robe and put it upon Eleazar his son, and there let Aaron die and be laid to rest.* Here God directs that His priest is to be invested before all of the assembled people; that is to say, He is instructing and demonstrating to us that priestly appointments are not to be made without the cognizance and attendance of the people, so that in the presence of the laity the iniquities of the wicked can be revealed and the merits of the good proclaimed, and thus an appointment may become right and lawful if it has been examined, judged, and voted upon all.... [T]he bishop is then selected in the presence of the people, for they are the ones

¹⁶ *Ibid.* pp. 72-73.

¹⁷ Cardman, “Laity and the Development of Doctrine: Perspectives from the Early Church,” p. 54.

¹⁸ Francis A. Sullivan, S.J. “St. Cyprian on the Role of the Laity in Decision Making in the Early Church.” *Common Calling: The Laity and Governance of the Catholic Church*. Edited by Stephen J. Pope. Washington: Georgetown University Press, 2004. pp. 39-49.

who are acquainted most intimately with the way each man has lived his life and they have had the opportunity thoroughly to observe his conduct and behavior.¹⁹

Over and over in his correspondence, Cyprian emphasizes that the full church, especially the laity, are to have a voice in the major decisions of his diocese. Furthermore, he assumes that this practice is not unique to him or a mere personal preference; it is, he says, the way the church is supposed to operate everywhere.²⁰

The advocacy of such practices was not limited to the local church, but the Roman See also insisted on consultation by the laity. Celestine I (422-432) stipulated that “A bishop should not be given to those who are unwilling [to receive him]. The consent and the wishes of the clergy, the people, and the nobility are required.”²¹ This teaching was affirmed in the fifth century by Pope Leo the Great’s maxim, “Let the one who is going to rule over all be elected by all.” Leo concretized this maxim, as Robert L. Benson notes, by insisting that a “proper election needs not only the will of the clergy, but also of the more eminent laymen and of the common people.”²² Buckley points out that for centuries, the Roman See viewed its primatial powers as a support of the freedom of the local church in times of great crisis. The Gregorian formula that “the bishop had to be ‘chosen by the clergy and the people’” was enacted repeatedly

¹⁹ *Ibid.* p. 40. Cf. Letter 67:4.1-5.2, trans. G.W. Clarke, in *The Letters of St. Cyprian of Carthage, Ancient Christian Writers*, 43, 44, 46, 47 (New York: Newman Press, 1984-89), vol. 4, 23-24.

²⁰ See also McClory, pp. 38-47, for several examples of Cyprian's insistence that the laity be consulted in the election of bishops and in other doctrinal matters.

²¹ Robert L. Benson. *The Bishop-Elect: A Study in Medieval Ecclesiastical Office*. Princeton: Princeton University Press, 1968. p. 25.

²² *Ibid.* p. 25. See Benson for similar assertions of the election of the bishop by all concerned and the application in the early and Medieval church of the principle of Roman law: “quod omnibus similiter tangit, ab omnibus comprobetur.”

throughout the first millennium, while even in the great investiture controversy between Gregory VII and Henry IV in the eleventh century, the effort of the papacy was not to transfer power from the secular lords to the Apostolic See but “to win the freedom of the local church in selecting their bishops.”²³

Not only were laypersons influential in the selection of bishops, they were also instrumental in the development of doctrine. Perhaps the best known example from the early church is the laity’s – rather than the bishops’ – role in ensuring Christological orthodoxy during the Arian crisis. Despite councils held in 359 and 360 contradicting the Council of Nicaea (325), the laity did not recognize the doctrine coming out of the later councils, and were quite vocal about their disagreement. As such, teachings of Arianism no longer carried an authoritative status. In an appendix to his monograph *The Arians of the Fourth Century*, John Henry Newman observed:

The episcopate, whose action was so prompt and concordant at Nicaea on the rise of Arianism, did not, as a class or order of men, play a good part in the troubles consequent upon the Council; and the laity did. The Catholic people, in the length and breadth of Christendom, were the obstinate champions of Catholic truth, and the bishops were not...[O]n the whole, taking a wide view of the history, we are obliged to say that the governing body of the Church came short, and the governed were pre-eminent in faith, zeal, courage and constancy.²⁴

²³ Buckley, pp. 73-74. Cf. William Henn, O.F.M. Cap., “Historical-Theological Synthesis of the Relation between Primacy and Episcopacy during the Second Millennium,” in *Il primato del successore di Pietro: Atti del simposio teologico*, Roma, dicembre 1996. Vatican City: Libreria Editrice Vaticana, 1997. p. 225.

²⁴ John Henry Newman. *The Arians of the Fourth Century*, with introduction and notes by Rowan Williams. Notre Dame: University of Notre Dame Press, 2001. Appendix 5, “The Orthodoxy of the Body of the Faithful during the Supremacy of Arianism,” p. 445. The appendix is found in the third edition of the book, published in 1871.

Newman cites numerous examples of laypeople publicly supporting Athanasius and other pro-Nicene leaders during the height of the controversy. During Athanasius' clashes with emperor Constantius II, when imperial soldiers attempted to exile Athanasius from his episcopal see, laypersons hid him in the desert for five years. They were instrumental in the removal of Athanasius' successor, an Arian bishop, and thereafter Athanasius' return to his see.²⁵

Given the lay role in such important decisions in the church, what conclusions can be drawn? Sullivan notes that obviously, one cannot simply repeat history; too many factors are different to allow anything like a reproduction of third-century practices in the twenty-first century. He then rightly adds, "However, there is one conclusion that I think can certainly be drawn from this history: it is that genuine participation of the laity in decision making cannot be contrary to the nature of the church."²⁶

The Laity Before Vatican II

The following excerpt from Pope Pius X's 1906 encyclical *Vehementer Nos* illustrates well the view of clergy-laity relations in the church, certainly prior to Vatican II, and arguably even still today.

It follows that the Church is essentially an unequal society, that is, a society comprising two categories of persons, the Pastors and the flock, those who occupy a rank in the different degrees of the hierarchy and multitude of the faithful. So distinct are these categories that with the pastoral body only rests the necessary right and authority for promoting the end of the society and

²⁵ Cardman, "Laity and the Development of Doctrine: Perspectives from the Early Church," p. 65. See also McClory, Chapter 3: "A Rising Up of the Faithful" pp. 48-57 for more on the Arian controversy and Newman's analysis.

²⁶ Sullivan, "St. Cyprian on the Role of the Laity in Decision Making in the Early Church," p. 48.

directing all its members towards that end; the one duty of the multitude is to allow themselves to be led and, like a docile flock, to follow the Pastors.²⁷

The question naturally arises: how did the church move from a role of the laity – albeit a limited and inconsistent one – that involved the selection of bishops and the development of doctrine, to one relegates them to more passive roles to the clergy?

The process was a slow, gradual one, yet certain defining moments in church history reveal a bit about this progression. As noted above, distinctions between the clergy and the laity developed in the second century, but the third century witnessed the emergence of a third group, the monks. Yves Congar attributes this development to the problem of the status (or lack thereof) of the laity in the church.²⁸ Lakeland summarizes the implications:

Clerics and monks were “sharply differentiated,” the former term indicating a function, the latter a state of life. So when laity were compared to clergy, the distinctions were those of function or office within the church. But monks and the laity were contrasted in terms of states of life. Hence, “lay” could sometimes refer to a function in the church, at other times to a state of life – and frequently the two could be confused.²⁹

Moreover, Lakeland adds, the differences between clergy and monks could become occluded. Congar gives three good reasons. First, it was thought fitting that those dedicated to the altar should possess the virtues and spirit of the monks. Second, in the Western church in particular, monks came to have clear liturgical roles, though this is

²⁷ Pius X. *Vehementer Nos: On the French Law of Separation* (1906). par. 8. http://www.vatican.va/holy_father/pius_x/encyclicals/documents/hf_p-x_enc_11021906_vehementer-nos_en.html. Accessed March 12, 2009.

²⁸ Yves J.M. Congar, O.P. *Lay People in the Church: A Study for a Theology of Laity*. Translated by Donald Atwater. Revised edition. Westminster: Christian Classics, 1985. p. 10.

²⁹ Lakeland, *Liberation of the Laity*, pp. 12-13. Cf. Congar, *Lay People in the Church*, “Chapter 1: What is a Layman?” pp. 3-27.

not of the essence of the monastic life (and by no means so common in the Eastern church). Third, as late as the twelfth century, monks often insisted on the title of cleric. The consequences are well stated by Congar: the church moves from a “triple division” of laypeople, clerics, and monks to “a double division into men of religion and men of the world.”³⁰

This double division is reflected in Pius X’s quotation above and in the clergy-laity dualistic framework of *Lumen Gentium* noted in the last chapter. From the twelfth century until Vatican II, the laity are those who live in the world and who receive spiritual goods from the clergy; they are passive – the object of the clergy’s ministry – and defined negatively, i.e. ‘not clergy’, lacking a precise characterization or mission of their own. The Council of Trent, reacting against the Reformers’ argument that church office was a temporary function constructed by humans, and not a distinct condition reflective of the divine will, responded by teaching that “the sacrament of orders was instituted by Christ and by it a certain permanent ‘character’ was impressed (*imprimitur*).”³¹ As such, the Council’s emphasis on rules and regulations placed laypersons in a strictly obedient and passive role. Vatican I solidified this understanding through its declaration of the primacy and infallibility of the pope, diminishing the authority and voice of the laity further still. Later, the dual status within the church was stated clearly in 1917 in the first Code of Canon Law: “by divine

³⁰ *Ibid.*

³¹ Jon Nilson. “Laity.” *The Gift of the Church: A Textbook on Ecclesiology in Honor of Patrick Granfield, O.S.B.* Edited by Peter C. Phan. Collegeville: Liturgical Press, 2000. p. 398.

institution clergy are distinct from laity in the Church, though not all clerics are of divine institution; however, both can be religious.”³²

Despite the clear distinctions, however, there were some significant movements that encouraged a more active lay role even prior to Vatican II. Catholic laborers, office workers, industrialists and students organized to form groups of Christian outreach. Lay movements such as the Young Christian Workers and Young Christian Students, who exercised ministry within their own communities, flourished.³³ The most prominent lay movement was Catholic Action, defined in 1927 by Pius XI as “participation of the laity in the apostolate of the hierarchy.” Catholic Action was lay-led work conducted under the auspices of the hierarchical church, accompanied by ecclesiastical sanction and mandate. It did not refer to devotional organization, or to such things as professional associations or trade unions, which are “temporal and secular,” but rather to lay associations with a “more narrowly religious apostolic purpose.”³⁴

Yet while Catholic Action became an extraordinary means of harnessing lay enthusiasm and expertise in the Church, at the same time, the problem with this model is reflected in its language of lay participation *in* the hierarchy. The theological problem here is the danger that the apostolic activity of laypeople is understood only as

³² Kenan B. Osborne. *Ministry: Lay Ministry in the Roman Catholic Church, Its History and Theology*. New York: Paulist Press, 1993. pp. 41-42.

³³ Young Christian Workers, or Jeunesses Ouvrieres Chretiennes (JOC), or *jocistes*, were founded in Belgium by Cardinal Cardijn (1882-1967) as a kind of young wing of Catholic Action. Cardijn encouraged a form of reflection and analysis based on the “see, judge, act” trilogy to which the methodology of liberation theology’s “base Christian communities” is deeply indebted.

³⁴ Congar, p. 363.

collaboration with the hierarchy, implying that without this particular kind of activity, they are merely passive. Members of the laity are allowed to “participate” in the mission of the clergy, but they do not have their own distinctive mission. As Paul Lakeland notes in *Liberation of the Laity*, “Is there not in fact a specifically lay apostolate that is theirs in virtue of their baptism, which is not collaboration in a hierarchical apostolate, and which they conduct without direct ecclesiastical oversight?”³⁵ This was the point made by Yves Congar, whose work on the laity was instrumental in shaping the status of laypersons as envisioned by Vatican II.

The Contribution of Yves Congar

The road to Vatican II was paved in part by Dominican theologian Yves Congar, whose writings on the laity informed the thinking of the council fathers, particularly in the writing of *Lumen Gentium's* chapter on the laity and *Apostolicam Actuositatem*. Congar's *Lay People in the Church*, first published in French in 1953, called for the layperson to exercise a role in the eucharistic worship of the church, actively bringing the world and its concerns before God in Christ. For Congar, the laity are secular; that is, while the clergy are primarily occupied with direct service of God in the church, the laity are “there to do God's work *in so far as it must be done in and through the work of the world*.”³⁶ This is not to say, however, that the work of the layperson is not properly the work of the church. The layperson may cooperate, through Catholic Action, in the work of the hierarchical apostolate; however, such participation in the church was not

³⁵ Lakeland, *Liberation of the Laity*, pp. 27-28.

³⁶ Congar, p. 19. Italics original.

Congar's emphasis. Rather, the laity are called through baptism and confirmation to a direct evangelization of the world that is exercised independently of the hierarchical apostolate.³⁷ These characteristics of lay apostolicity, Congar explains, are *priestly* roles. While the hierarchical ministry is a priesthood of a different order from that of the priesthood of the laity, lay priesthood is real in itself and *not* derivative of ministerial (ordained) priesthood. The laity who engage in apostolic actions are not mini-priests, but rather “lay priests.”³⁸ “There are particular forms of exercise of the Church's mission,” Congar writes, “but there is no particular mission differentiating the faithful and the ministerial priesthood.”³⁹ Referring the world to God is also part of the hierarchical ministry, and “the lay faithful in their own way carry on the Church's evangelizing mission.”⁴⁰

Congar challenged the clericalization of the church and emphasized the fundamental parity of clergy and laity. Lay activity in the world is not something delegated to them by the clergy, but theirs by right and responsibility as laypeople. Significantly, Congar distinguishes Christ's spiritual authority in the church, where he reigns, from his temporal authority in the world, where he does not yet reign.⁴¹ If it is in the work of laity in the secular realm that Christ's temporal authority is forwarded, it is important to see that this temporal authority is not mediated through the spiritual

³⁷ *Ibid.* p. 366.

³⁸ Lakeland, *Liberation of the Laity*, p. 58.

³⁹ *Ibid.* p. 25.

⁴⁰ *Ibid.*

⁴¹ *Ibid.* pp. 79-107.

authority within the church. Indeed, the laity's priesthood is a "true priesthood" which has its place both in "the order of the holiness of life" and in "the order of sacramental worship."⁴² While the ordained priesthood has particular responsibilities not shared with the laity pertaining to the celebration of the sacraments other than baptism and Eucharist, Congar argues, all other aspects of priesthood are shared by clergy and laity.

At the end of *Lay People in the Church*, Congar stresses the importance of understanding the lay apostolate as central to the mission of the church. In Jesus Christ, he says, we see God's self turned to service in love. In Christ, God "has shown a pattern not of exaltedness, but of lowly service."⁴³ Congar provides here a different understanding of *kenosis*, or self-emptying. The idea is usually employed to stress the truth of God's self-identification with lowly humanity, the incarnation as a precondition for the redemptive acts of God in Christ. Here, however, Congar uses *kenosis* to highlight the structural similarity between God's descent and the apostolate of the laity. "We begin to scale the heights," he says, "when we go down to the lowest place, moved by love to serve in love. That is the mission of the Incarnate Word."⁴⁴ This, for Congar, is the mission of the lay Christian at work in the world, loving the world for God.

Robert McClory offers a helpful summary of Congar's major themes.⁴⁵

⁴² *Ibid.* p. 191.

⁴³ *Ibid.* p. 451.

⁴⁴ *Ibid.*

⁴⁵ McClory, pp. 103-104.

Consent: Although he accepts the hierarchical structure of the church as a given, Congar finds the texts of early Christianity as “absolutely communitarian.” For him there must be a balance, “a meeting and harmonizing between a hierarchical communication from above and a community's consent.”

Independence: Congar sees the contributions of the layperson as distinct from that of the priest and the monk. There is one source of the church, he says, “but it flows in two ways – from the apostolic ministry and the sacraments and also through the personal life of the laity who have received God's gifts.” In this way “divine grace builds the church from below.”

Priesthood: While the ordained priest has special responsibilities not shared with the laity pertaining to the celebration of the sacraments, especially Penance and Eucharist, “all other aspects of the priesthood are shared by clergy and laity.” The laity's priesthood is a “true priesthood,” not a watered-down derivative, in Congar's theology.

Service: The job of the priests is not to make the laity the long arm of the clergy, telling them what they must do, “but to make them believing men and women, adult Christians, leaving them to meet and fulfill the concrete demands of their Christianity.” This means “engaging the world and taking responsibility for it through humble service.”

Secularity: Congar insists on recognizing that the secular world is important and valuable in its own right. He rejects the world-hating tendencies of those spiritualities that relativize earthly life in comparison to the spiritual realities of the life to come.

In all of these areas, McClory notes, Congar was departing from the time-honored definition of the church of Robert Bellarmine: “The community brought together by the profession of the same Christian faith and conjoined in the communion of the same sacraments, under the government of the legitimate pastors and especially the one vicar of Christ on earth, the Roman Pontiff.”⁴⁶

Shortly after the publication of *Lay People in the Church*, along with another book, *True and False Reform in the Church* (1950), Congar was silenced by the Holy

⁴⁶ Quoted and discussed in Dulles, p. 16.

See, a ban that was only lifted in 1959 when Pope John XXIII called him to serve on the preparatory commission for the Second Vatican Council. A number of the Council documents, particularly *Lumen Gentium's* chapter on the laity, were drafted by teams in which Congar was prominent, and naturally reflect much of his thought. Pope John Paul II named him a cardinal in 1994, shortly before his death in 1995.

The Impact of Vatican II

Much of Congar's work is easily identifiable in the Council documents. *Lumen Gentium* follows Congar in identifying the laity as primarily secular, yet “by their very vocation, seek the kingdom of God by engaging in temporal affairs and by ordering them according to the plan of God.”⁴⁷ Because the world has become more populous and complex, only the laity can respond to such complexities of the world, based on their skills, expertise and lived experience. The laity are also urged to promote moral and religious values in the many autonomous sectors of human life (e.g. political life).⁴⁸ Such tasks are unique to the laity due to their position “in the world.” Bishops and priests must be aware of lay rights and responsibilities and encourage them in their apostolic endeavors.⁴⁹ They may offer wisdom and support, but are not expected to answer every problem that arises in the apostolate, for that is not their duty and mission.⁵⁰

⁴⁷ *LG*, par. 31.

⁴⁸ *AA*, par. 1.

⁴⁹ *Ibid.* par. 25.

⁵⁰ Second Vatican Council (promulgated by Paul VI). *Gaudium et spes: Pastoral Constitution on the Church in the Modern World* (1965). *The Basic Sixteen Documents of Vatican Council II: Constitutions, Decrees, Declarations*. Austin Flannery, O.P., editor. Northport, NY: Costello, 1996. pp.

Also following Congar, *Lumen Gentium* acknowledges that all the baptized share a common dignity as members of Christ's body; in virtue of their baptism and confirmation, all are given the power of the Holy Spirit, all are obliged to spread the faith by word and deed, all take part in the eucharistic sacrifice, all “offer the divine victim to God and themselves along with it,” and all play their own part in the liturgical action.⁵¹ Again, it is not a derivative of the ministerial priesthood; rather, the lay apostolate is a participation in the salvific mission of the church itself. *Lumen Gentium* declares that all members of the church participate in the threefold ministry of Christ as priest, prophet and king. Lay people carry out Christ's priestly function through their sacrifice and holiness as they live their lives in the world:

For all their works, prayers, and apostolic endeavors, their ordinary married and family life, their daily occupations, their physical and mental relaxation, if carried out in the Spirit, and even the hardships of life, if patiently borne – all these become “spiritual sacrifices acceptable to God through Jesus Christ.” Together with the offering of the Lord's body, they are most fittingly offered in the celebration of the Eucharist. Thus, as those everywhere who adore in holy activity, the laity consecrate the world itself to God.⁵²

Lumen Gentium depicts the prophetic function of the laity as the promise that “the power of the Gospel might shine forth in their daily social and family life.”⁵³ The laity are to give witness to their faith by the way they live. The kingly function of the laity is expressed as the call to spread the kingdom of God throughout the world. The laity are to work to bring the world in the direction of “truth and life... holiness and grace...

163-282, at par. 43. Hereafter referred to as *GS*.

⁵¹ *LG*, par. 11.

⁵² *Ibid.* par. 34.

⁵³ *Ibid.* par. 35.

justice, peace, and love.”⁵⁴ Again, it is through the manner in which the lay person lives that the mission of Christ is carried to the world.

Despite the progress credited to the Council, however, it has also been pointed out that portions of Congar's work were neglected. In *Lay People in the Church*, Congar insistently stresses the fundamental parity of clergy and laity. First, all are Christians; some are lay, some are ordained. There is also a clear sense in Congar's writings that lay activity in the world is not something delegated to them by the clergy, but theirs by right and responsibility as laypeople. Lakeland points out that neither of these insights are emphasized in the Council documents.⁵⁵ This is perhaps attributed to the fact that the Council chooses to focus on the lay apostolate – the *function* of the laity in the church – rather than treating Congar's explication of the theological meaning of lay life. The documents of Vatican II lack thorough definition of the lay identity in the church, apart from its relationship with the clergy.

Nevertheless, Jon Nilson characterizes the Second Vatican Council as the “Council of the Laity” in virtue of three major decisions.⁵⁶ First, rejecting the Preparatory Commission's original schema of the church that emphasized a juridical and hierarchical ecclesiology, the bishops opted instead for a vision of the church that was informed by biblical studies, historical research, and ecumenical openness. Second, the placement of the chapter on hierarchy only after the chapters on “The Mystery of Church” and “The People of God” in *Lumen Gentium* reflects the fundamental belief

⁵⁴ *Ibid.* par. 36.

⁵⁵ Lakeland, *Liberation of the Laity*, p. 77.

⁵⁶ Nilson, pp. 400-404.

that all Catholics, by virtue of baptism, share a basic equality, dignity and call.

Finally, in addition to extensive treatment in other conciliar documents, a separate document, *Apostolicam Actuositatem*, was devoted entirely to the laity. Each of these key decisions highlighted the Council's attempt to replace the superiority/inferiority, active/passive distinction between clergy and laity with their complementarity: "In the Church, there is diversity of ministry but unity of mission."⁵⁷

Yet, Nilson also explains that, according to the council, while both clergy and laity participate in Christ's roles of prophet, priest, and king, they do so differently.⁵⁸ Christ conferred the duty of teaching, sanctifying, and ruling in his name and power on the apostles and their successors alone. The common priesthood of the faithful and the "ministerial or hierarchical priesthood" differ "in essence and not only in degree,"⁵⁹ although the Council itself did not specify what this difference was. Yet it resonates in the adjective "sacred" that often modifies the noun "pastors" in the conciliar texts; for example, in *Lumen Gentium* paragraph 30. Furthermore, the Council affirms that the mission of the church "is done mainly through the ministry of Word and of the sacraments, which are entrusted in a special way to the clergy."⁶⁰ The bishops and their assistants, the priests, are to order and coordinate the various ministries and apostolates

⁵⁷ *AA*, par. 2.

⁵⁸ *AA*, par 2; *LG* par 31.

⁵⁹ "Essentia et non gradu tantum different," *LG*, par. 10. On the issues raised by this formula, see Osborne, pp. 547-55, 580-1.

⁶⁰ *AA*, par. 6.

of the laity.⁶¹ To them belong the tasks of discerning, judging, and ordering the charisms given by the Spirit.⁶²

Accordingly, Nilson points out, the laity have no official role in the governance of the church. The 1983 Code of Canon Law maintains that without the sacrament of orders, laypersons are unable to exercise jurisdiction⁶³ and their participation and vote in councils and synods is consultative, not legislative.⁶⁴ Though the Council emphasized that the laity may exercise power in the church in other ways – such as through making their opinions about the good of the church known to their pastors,⁶⁵ and though their active participation in the liturgy – nevertheless, the Council also makes clear that the proper sphere of the laity's vocation is the world and the “temporal sphere” and not in the governance structures of the church. While there may be truth in this approach, dubbed as the “distinction of planes” by Gustavo Gutierrez,⁶⁶ it perhaps also separates the church and world too clearly and leaves the laity with much of the same passive role as it had prior to the Council.

The attention to the role of the laity as initiated by Vatican II was furthered by the establishment of the Council of Laity by Paul VI in 1967 (later called the Pontifical Council on the Laity in 1976), “a dicastery of the Roman Curia that assists the Holy

⁶¹ *AA*, pars. 23-4; *LG*, par. 32

⁶² *LG* pars. 12, 23-4. See also Nilson, p. 402.

⁶³ 1983 Code of Canon Law, c. 129, no. 2.

⁶⁴ *Ibid.* nos. 4,5.

⁶⁵ *LG*, par. 37.

⁶⁶ Gustavo Gutierrez. *A Theology of Liberation: History, Politics, and Salvation*. Revised edition. Maryknoll: Orbis, 1988. pp. 56-58.

Father in the exercise of his supreme office for the good and the service of the universal Church and the particular Churches, as regards the promotion and coordination of the lay apostolate and, in general, the Christian life of lay people.”⁶⁷

However, Nilson points out that the Pontifical Council, since it is administered largely by clerics, has not been particularly effective in advancing the role of the laity in the church, and thus cannot serve as a truly representative voice for the laity.⁶⁸ Leonard Doohan notes:

The total absence of laity from leadership roles, even from those Church organizations specifically for laity, is an extremely unhealthy dimension of the Church. Power in the Church is linked to office, not to competence, and even non-sacramental jurisdiction is granted only to the cleric.... The laity, then, participate less in the structures of today's Church than they do in those of civic life.⁶⁹

The results of a Synod of Bishops that met in Rome in 1987 to examine the condition of the laity since the close of the council were likewise disappointing. Prior to the synod, preparatory consultations were held worldwide, with 250,000 Catholics in the United States participating on various levels.⁷⁰ The bishops' Committee on the Laity sponsored several meetings between lay leaders and bishops who were to attend the synod. The synod, however, proved to be a lost opportunity for a deeper understanding and enhancement of the laity's role. It was reported that the working paper was bland and the results of the bishops' preparatory consultations that had been sent to Rome

⁶⁷ “The Pontifical Council for the Laity.” Description on Vatican website. <http://www.vatican.va>

⁶⁸ Nilson, p. 404.

⁶⁹ Leonard Doohan. *The Lay Centered Church: Theology and Spirituality*. Minneapolis: Winston Press, 1984. pp. 30-31.

⁷⁰ Margaret O'Brien Steinfels. “The Bishops' Right-Hand Woman: An Interview with Dolores Leckey.” *Commonweal* 125:10. May 22, 1998. p. 17.

ahead of time were kept secret. Only summaries of the debates and discussions within the synod itself were released to the faithful public. “Its most notable result, John Paul II's apostolic exhortation *Christifideles laici*, did not grapple with the radical questions raised in the consultations and seemed too concerned about regulating and controlling the level of lay activity within the Church itself.”⁷¹ In the document, John Paul II affirms as permissible the laity's role as lectors, eucharistic ministers, and other liturgical roles, but only in cases of necessity,⁷² implying that these activities are conceded to the laity in virtue of need and not in virtue of their baptism. Moreover, their work must always be exercised under the control of the clergy.

Nilson points out that since the council, the traditional distinction between clergy and laity has been reasserted, even as that distinction has become more and more problematic, both theologically and practically. He writes: “Though the word itself is not used, lay submission to the ordained is the ideal and norm. In these documents, the authority of the ordained is always framed as 'service' in accordance with Vatican II's texts, but how authentic can this service be when those who are served have no say in deciding who is to serve them or how they are to be served?”⁷³ Declarations of equality and communion among all the members of the church ring hollow, Nilson contends,

⁷¹ Nilson, p. 406.

⁷² John Paul II. *Christifideles laici: Post-Synodal Apostolic Exhortation On the Vocation and the Mission of the Lay Faithful in the Church and in the World* (1988). par. 23.

⁷³ Nilson, p. 406.

when one class has so little voice and role in the ecclesial decisions that profoundly affect them.⁷⁴

John Paul II's determination to boost the image of the clerical priesthood surfaced again in the 1997 Vatican "Instruction Regarding the Collaboration of the Non-Ordained Faithful in the Sacred Ministry of Priests." The non-ordained person may never be allowed to use titles such as "pastor," "chaplain," "coordinator," or "moderator," said the instruction, since that would confuse their role with that of a priest. Nor may a layperson ever be allowed to preach or give the homily at Mass; nor may such a person ever preside at a liturgy or wear a stole or other kind of vestment. Extraordinary ministers of communion should be used only in cases of necessity, lest the practice become habitual. Once again, it was made clear that parish councils and parish finance councils are advisory bodies only and their decisions invalid unless approved by the pastor.⁷⁵

Though the Second Vatican Council and efforts by the Vatican and bishops afterwards elevated the status and rights of the laity on a theological level in significant ways, it remains clear that the structures, policies, and attitudes required to implement these rights fully are still undeveloped in the church. Since the Council, numerous movements have formed in efforts to lead the church to a fuller realization of its vision regarding the laity, including more substantial lay involvement in governance. Two

⁷⁴ *Ibid.* p. 407.

⁷⁵ Cited in Lakeland, *Liberation of the Laity*, p. 128.

such movements include strands of liberation theology and lay organizations formed specifically in response to the priest sexual abuse scandal as uncovered in 2002.

Liberating the Laity

From the perspective of liberation theology, the exclusion of the laity from substantial participation and decision-making in the church is highly problematic. Since the emergence of liberation theology during the 1960's in Latin America, emphasis has been placed on the context of the theologian or the community engaged in theological reflection, resulting from the turn to experience as normative for theology. Arguing that the experiences and perspectives of the poor and marginalized have been largely ignored by traditional structures of power and authority, liberation theology favors more participatory models of organizing and decision-making, emphasizing solidarity with the wider community.⁷⁶

Though liberation theology finds its roots in the poor of Latin America,⁷⁷ its methodology has been applied to other oppressed and marginalized groups. Feminist theologians privilege the experience of women as a source for theological reflection and advocate for women's voices to be included in both social and ecclesial structures.

⁷⁶ Leonardo and Clodivis Boff describe “the strategy of liberation”: “In liberation, the oppressed come together, come to understand their situation through the process of *conscientization*, discover the causes of their oppression, organize themselves into movements, and act in a coordinated fashion. First, they claim everything that the existing system can give: better wages, working conditions, health care, education, housing, and so forth; then they work toward the transformation of present society in the direction of a new society characterized by widespread participation, a better and more just balance among social classes and more worthy ways of life.” Leonardo Boff and Clodivis Boff. *Introducing Liberation Theology*. Translated by Paul Burns. Twentieth Printing. Maryknoll: Orbis, 2006. p. 5.

⁷⁷ James Cone's *A Black Theology of Liberation* (1970) precedes Gustavo Gutierrez's *A Theology of Liberation* (1972), but the methodology arising from Latin America is the one most associated with the liberation theology movement today.

Mujerista and womanist theologies (representing Latina and black women, respectively) have since emerged, recognizing that their particular social location carries its own set of concerns that are not always addressed within traditional feminist, Latin American, or black liberation theological discourse. While differing in focus and populations for whom they are advocating, the method of these theologies share in common an emphasis on solidarity with the oppressed; an attentiveness to the role of experience, particularly the experience of the poor and marginalized; a preferential option for the poor and marginalized; and an advocacy toward more participatory structures in society and the church. Regarding an application of liberationist methods within ecclesiology in particular, I will rely on the works of four scholars: Leonardo Boff, a prominent Brazilian liberation theologian; Rosemary Radford Ruether and Elisabeth Schüssler Fiorenza, both feminist theologians; and Paul Lakeland, whose book *The Liberation of the Laity* advocates for the inclusion of the lay voice in church leadership in the wake of the priest sexual abuse scandal.

Leonardo Boff

Leonardo Boff's 1985 book *Church, Charism and Power: Liberation Theology and the Institutional Church* demonstrates a preferential option for the oppressed in the church, arguing that all previous ecclesiologies, including those of Vatican II, are inadequate to the historical reality of today. For Boff, the Catholic church must be a community of liberation, working on behalf of the poor and demonstrating a commitment to human rights. The laity are instrumental in this mission, whose position in the world enables them to address the social and political issues of the

current environment: “The activity of the laity is not an extension of the hierarchy... [The layperson] is a member of the Church in the secular world and has a direct mandate from Jesus Christ.”⁷⁸

Boff offers as a model the Latin American phenomenon of base ecclesial communities, which are grass-roots Catholic communities that stress attention to scripture and social change, and most commonly led by laypeople, often women.⁷⁹ Such base Christian communities were born and nurtured in response to two needs. First, there were not enough priests to minister to the people in the regular structure of parishes; the base communities became of necessity the primary experience of church for many people. Second, there was a great need for a mostly passive people to find their voice. Given the shortage of ordained ministers in our current day, and especially given the need for laypersons to find voice in the context of the church, the model of ecclesial base communities is a helpful one in advocating for greater lay involvement in the work and mission of the church.

For Boff, these base communities exemplify the liturgical and sacramental mission of the church as necessarily linked with its liberating mission. Though laypersons assume leadership roles partly out of need (due to the lack of priests), this practice more so stems from the belief that the laity are essential in addressing the social and political issues of the world:

⁷⁸ Leonardo Boff. *Church, Charism and Power: Liberation Theology and the Institutional Church*. New York: Crossroad, 1985. p. 30.

⁷⁹ Boff expands this particular discussion in a later book, *Ecclesiogenesis: The Base Communities Re-Invent the Church*. Maryknoll: Orbis, 1985.

The base communities working at their best show a serious degree of lay involvement in the worship and leadership of the local community, coupled with an equally vigorous outreach to the world. The social and political realities of life in the secular world come to be seen as genuine concerns of the church. They are also obviously the primary task of laypeople. This emphasis explains the charges often levied against liberation theology, that it “reduces” salvation to a political liberation. But a look at the life of the base community shows this charge to be a falsehood. Liturgical life and the struggle for justice become intertwined in liberation theology in a way that has not occurred elsewhere in the Catholic world.⁸⁰

As a community of justice and liberation, Christian life in the base communities are characterized by an absence of alienating structures, by direct relationships, by reciprocity, by a deep communion, by mutual assistance, by communality of gospel ideals, and by equality among members. Absent are rigid rules, hierarchies, prescribed relationships in a framework of a distinction of functions, qualities, and titles.⁸¹

Because the equality of all persons is assumed, “all are sent, not just some; all are responsible for the church, not just a few; all must bear prophetic witness, not just a few persons; all must sanctify, not just some”⁸² – including, and especially, the laity.

Rosemary Radford Ruether

Along with the Latin American liberation theologians, feminists have also connected the liberating mission of the church with efforts to give greater voice to the laity in ecclesial governance structures. In her book *Women-Church: Theology and Practice*, Rosemary Radford Ruether demonstrates a preferential option for women, arguing that “women in contemporary churches are suffering from linguistic deprivation

⁸⁰ Lakeland, *Liberation of the Laity*, p. 142.

⁸¹ Boff, *Ecclesiology: The Base Communities Re-Invent the Church*, p. 4.

⁸² *Ibid.*, p. 27.

and eucharistic famine. They can no longer nurture their souls in alienating words that ignore or systemically deny their existence. They are starved for words of life, for symbolic forms that fully and wholeheartedly affirm their personhood.”⁸³

Frustrated with male leadership, male-dominated theology, and the hierarchy’s refusal to integrate women and feminist theology into worship, women began participating in feminist liturgies as a means to remove their experience of church from institutional control. Ruether describes the Women-Church movement as a “feminist-exodus community” – a liberation from patriarchy – in which women claim collectively to be church. She argues that in order to be truly liberated from a patriarchal church, we must move beyond debates about whether women should be included in ordained ministry. The priesthood, as it has been traditionally defined, is “symbolically and socially misogynist and hierarchical in a way that women [find] contradictory to the authentic meaning of Christian ministry. So women really cannot be included in ordained priesthood without a fundamental redefinition of the way it was imaged and of the way it functioned.”⁸⁴

Ruether claims that such liberation must take the form of a dismantling of clericalism, which she describes as

the separation of ministry from mutual interaction with community and its transformation into hierarchically ordered castes of clergy and laity. The clergy monopolize teaching, sacramental action, and administration and turning the community in passive dependents who are to receive these services from the clergy but cannot participate in shaping and defining themselves. An understanding of ministry as originating from the community and continually

⁸³ Rosemary Radford Ruether. *Women-Church: Theology and Practice*. San Francisco: Harper & Row, 1985. p. 4.

⁸⁴ *Ibid.* p. 66.

based in it is suppressed in favor of ministry as “the ordained” who possess a heteronomous power beyond the capacity of the community.⁸⁵

She suggests that a ministry of function, rather than of clerical caste, can allow the true plurality of the ministerial needs of the community to be defined and met.

Elisabeth Schüssler Fiorenza

Feminist biblical scholar Elisabeth Schüssler Fiorenza complements Ruether's work. Her book *Discipleship of Equals: A Critical Feminist Ekklesiology of Liberation*, offers a collection of papers, presentations and prayers from 1964-1991, in which she argues not for a “clericalization of women but the declericalization of the church as the people of God.”⁸⁶ Though she contends that specifically women's voices and perspectives must be included in church leadership, Schüssler Fiorenza is careful not to reinscribe the cultural feminine and thus construct a gender dualism that perpetuates the oppression of one gender over another. She avoids two approaches of feminist theology: the first emphasizes the unique gifts that feminine persons can offer to leadership and ministry in the church. Such an approach presupposes the complementarity of the sexes and relies upon false, essentialist claims. The second approach claims that Christianity itself is patriarchal and therefore inherently sexist. Schüssler Fiorenza refuses to self-identify as a “post-Christian” but rather prefers a more practical approach that reconstructs ecclesiology and Christology in a way that reflects theologically on the alienation, pain, and oppression of Catholic women deeply committed to Jesus Christ. She calls this third approach a “critical theology of

⁸⁵ *Ibid.* p. 75.

⁸⁶ Schüssler Fiorenza, p. 15.

liberation” because it “acknowledges and critically analyzes the oppressive sexist structures of Christian church and tradition while at the same time rediscovering the liberating traditions and elements of Christian faith and community.”⁸⁷ In distinction to the first two approaches, a critical theology of liberation does not base its theology and strategies on “special” feminine nature but on women's experiences of and their struggles against oppression in church and society.

This critical theology of liberation requires a dismantling of clericalism, as Ruether describes, as well as a revised theological understanding of the laity. The dominant model in the church today understands laypersons as non-ordained, non-professionals, “ordinary” believers as objects of pastoral power or pastoral care, who are distinct from those who by ordination, training, or celibate lifestyle are set apart as clergy. They are of a lower order and subsidiary class, serving as supporting cast in a church that sustains communal life by control from top to bottom. A more participatory-inclusive model of church understands ministry to be rooted in the baptism of all believers, and therefore enables laypersons, especially women, to become actively involved in ecclesial as well as sociopolitical ministries. Such a model resembles some of the New Testament structures of church and therefore can claim Jesuanic and apostolic succession.⁸⁸

⁸⁷ *Ibid.* p. 139.

⁸⁸ *Ibid.* p. 229.

Paul Lakeland

As discussed briefly in the previous chapter, Paul Lakeland's *The Liberation of the Laity* offers the most comprehensive treatment of liberation theology as applied specifically to laypersons in the church. He questions why, given the attention paid to the context of the theologian or community engaged in theological reflection within contemporary theology, more authors in the Catholic tradition have not reflected upon the particularity of *lay* experience as a starting point for theology. The context of lay Catholics, Lakeland argues, is just as distinctive as that of *mujeristas* or gay and lesbian Catholics. He attributes the low level of lay protest at the role of laypeople in the church to systemic or structural oppression of the laity, the systematic subordination and undervaluing of the laypersons as a result of the clergy-laity division.⁸⁹

The patterns of behavior and the structures of the lay/clerical divide within the church, Lakeland says, suggest that the laity are systematically treated as if they have lesser talents and are of lesser account. He notes that a major element of this division is the issue of clerical lifestyle (celibate, male), which creates a class division as pronounced as that between rich and poor in Latin America.

Catholic clergy have the most secure lifestyles of anyone in the community, except perhaps for the fabulously wealthy. While not highly paid, their material circumstances are never under threat, and downsizing, outsourcing, and the other manifestations of the new social barbarism that render even the upper middle classes anxious today are unknown to the clergy.... As celibate individuals, they do not know many of the more demanding forms of personal responsibility; and as essentially private, bachelor individuals, their ethical accountability in small matters and large is entirely located in their own

⁸⁹ Lakeland, *Liberation of the Laity*, p. 193.

consciences. The laity, on the other hand, typically live with those who hold them accountable and to whom and for whom they are responsible.⁹⁰

Lakeland is quick to note, however, that this lifestyle divide is only a symptom and not the source of lay oppression. The real issue is that all forms of authority, influence, leadership and power in the church are reserved to a small minority within the community distinguished only by ordination status and their possession of a radically different lifestyle. It is a type of caste system based on vocation and gender, with little regard to the qualifications, virtues and talents of those it excludes.

In order to emerge from such structural oppression, Lakeland contends that the laity must first recognize their oppression – a process known in liberation theology as *conscientization*, the “primary awakening of a community, through which it begins the struggle to pass from being object or victim of history, as defined by someone else, to subject of its own history.”⁹¹ He calls upon lay theologians to stimulate and give language to the process of *conscientization* by engaging in dialogue with the community through ethnographic interview, “working with and in the community to loosen the ideological and hegemonic chains that bind it.”⁹²

The agenda for a lay liberation theology has as its both site and source of religious reflection the intentional experience of being *lay within the church*. Lakeland notes several examples of debates within the church wherein the lay experience would be crucial: artificial means of birth control; Vatican debate on population policies and

⁹⁰ *Ibid.* p. 200.

⁹¹ *Ibid.* p. 198.

⁹² *Ibid.* p. 204.

the rights of women; patterns and practices for the appointment of bishops; homosexuality; and the clerical sexual abuse of minors. “Lay experience has an impact on each of these pathologies, either by shedding light on the problem, by rejecting the notion that there is a problem at all, or perhaps by cutting down to size some of the issues that seem blown out of proportion by the seemingly unhealthy level of interest the teaching church appears to display in sexual sin.”⁹³

What each of the various strands of liberation theology emphasizes – whether Latin American, feminist, or specifically lay-focused – is that the experience of the wider community must be included when important decisions regarding the life of the church are made. It is imperative that those whom such decisions affect have a voice, if the decisions are to have any bearing on the lived reality and serve as authoritative in any way. Church structures that operate otherwise do so contrary to the mission of the church as a community of liberation and justice.

Laity in the Aftermath of Scandal

In the period between the end of the Second Vatican Council and the height of the U.S. priest sexual abuse crisis in 2002, groups of Catholics organized in the effort to more fully actualize the Council's vision of the church, including a more active, participatory role for the laity. Many of these organizations adopted liberationist methods as outlined above. One such group was Call to Action, founded in Chicago in 1976 as a response to the Council's challenge to Catholics to "scrutinize the signs of the times" and respond in the light of the gospel. The organization contends that Vatican II

⁹³ *Ibid.* pp. 201-202.

provided a wake-up call for lay Catholics who had tended to defer initiatives entirely to the clergy; thus, Call to Action is almost entirely lay-led, providing an arena in which the laity may exercise the fundamental belief that “the Spirit of God is at work in the whole Church, not just in its appointed leaders.” Call to Action's writes as its mission statement: “The entire Catholic Church has the obligation of responding to the needs of the world and taking initiative in programs of peace and justice. Call To Action promotes its vision of a progressive, engaged Catholicism through its acclaimed annual conferences, award-winning publications, extensive network of regional groups and joint programs with other Catholic renewal organizations.”⁹⁴ The organization claims 25,000 national members, and additional members within 53 local chapters.

The 2002 uncovering of the priest sexual abuse scandal and the outrage it prompted served as a powerful impetus for clergy and laity alike to re-examine the governance structures of the church. On the academic level, numerous books, speaker series, conferences and colloquia have been dedicated to examining not only questions of sexuality and sexual abuse in the church, but more so the problems of secrecy, unaccountability and deception among clerical leadership that exacerbated the abuse of power.⁹⁵ While churches, universities, and Catholic centers across the country organized to provide resources for both victims of abuse and the wider faithful public,

⁹⁴ Call to Action website: <http://www.cta-usa.org>. Accessed February 26, 2010.

⁹⁵ Some examples include: Peter Steinfels' best-selling book, *A People Adrift: The Crisis of the Roman Catholic Church in America* (New York: Simon and Schuster, 2004); a conference sponsored by Yale University's Saint Thomas More Chapel, March 28-30, 2003, entitled “Governance, Accountability, and the Future of the Church,” which resulted in a book of the same title, edited by Francis Oakley and Bruce Russett (New York: Continuum, 2004); and Boston College's “Church in the 21st Century” initiative, offering symposia lectures, conferences, publications, online courses and other resources dedicated to exploring neuralgic issues facing the church today.

the bulk of mobilization in response to the crisis came from a grass-roots level from the laity themselves.

Voice of the Faithful (hereafter VOTF), a predominantly lay-led organization that began in Boston, where the scandal was uncovered most extensively and media attention has focused, is one such group that formed to address questions surrounding the emerging role of the laity and the governance structures of the church, particularly governance issues that the scandal highlighted. The mission of VOTF is “to provide a significant role for the laity in the governance and guidance of the Catholic Church” and identifies three goals: to support survivors of clergy sexual abuse; to support priests of integrity; and to shape structural change to ensure that such problems do not recur.⁹⁶ Regarding the third goal, the intention was to ensure that the systems and structures that facilitated clergy sexual abuse and its cover-up were changed – namely, that secrecy, concealment, and deception were to be practices of the past. VOTF's Structural Change Working Group worked with canon lawyers, theologians, and church historians to define a practical approach to structural change. The document became the basis for dialogue with bishops about the meaning of VOTF's controversial slogan, “Keep the Faith. Change the Church.”⁹⁷

In 2010, the priest sexual abuse scandal resurfaced in the United States and Europe, this time linking the transferring of abusive priests to Pope Benedict XVI. Though Pope Benedict did not directly oversee or approve cases in which abusive

⁹⁶ James E. Post. “The Emerging Role of the Catholic Laity: Lessons from Voice of the Faithful.” *Common Calling: The Laity and Governance of the Catholic Church*. Stephen J. Pope, editor. Washington: Georgetown University Press, 2004. p. 223.

⁹⁷ *Ibid.* p. 224.

priests in Wisconsin, Germany and Ireland were transferred to different parishes, only to abuse again, it was reported that during his time as Archbishop of Munich and as head of the Congregation of the Doctrine of the Faith, then-Cardinal Ratzinger may have had knowledge of these cases. As more and more reports of abuse were made known in Europe, again theologians and other commentators highlighted the need for lay participation in ecclesial governance in order to ensure accountability in the church. In an editorial on the crisis, the editors of *America* magazine called the church to seek out the victims, come clean, be accountable, and empower the laity. On this last point, they wrote:

Lay participation in church governance is a conciliar value more honored in the breach than in the practice. That is no longer acceptable. The faithful must insist that parish and diocesan pastoral councils be activated and that they be given greater authority in canon law. Positions of real responsibility also need to be assigned to lay people and women religious for decision-making roles in church government. Humility should be a virtue for all to embrace not just now, but especially for church leaders in seeking the guidance of the faithful.⁹⁸

Though the scandal served as an impetus to engage in serious reflection on the laity, it simply highlighted theological, ecclesiological, and cultural issues that permitted such a crisis to occur, conditions that on some levels had already been in place for centuries in the church. If leadership in the church is to be characterized by transparency and accountability, and if it is to be genuinely representative of the people whom it serves – qualities cited as necessary to move beyond the scandal – then substantial participation in governance and decision-making by the laity is crucial in today's church.

⁹⁸ Drew Christiansen, S.J., editor-in-chief, et. al. "The Millstone." *America*. Volume 202, Issue 12. April 12, 2010. p. 5.

Where To Go From Here

While the New Testament does not reveal a distinct differentiation between laity and clergy, even when such distinctions were established in the early church, the laity exercised an influential voice in the selection of leaders and in the development of doctrine. The emergence of monks in the third century along with growing imperialistic attitudes within the church contributed to a confusion and eventually a division between the clergy and laity, with the latter falling into a more passive and even inferior role during the Council of Trent and Vatican I. Yves Congar's insistence that the laity, by virtue of their baptism, share a dignity and call equal to that of the clergy was adopted by Vatican II, but at the same time, the Council also maintained that only the ordained may exercise a role in governance and decision-making in the church.

Liberation theologians have attempted to connect the church's liberating mission with arguments to include a greater lay voice in ecclesial governance. To include the voice, wisdom and experience of the laity, they contend, is quite simply a matter of justice. The sexual abuse crisis in the church powerfully highlighted many of the shortcomings of the current ecclesial governance system and its failure to include the laity, emphasizing the need to create greater accountability among church leadership.

Moving forward, the lay voice is becoming more and more crucial and valuable within the church. James Post notes,

During 2002 and 2003, the Catholic Church in the United States provided a unique opportunity to consider whether democratic principles such as openness, accountability, and participation could be introduced into one of the world's longest-operating institutions, an institution whose authoritarianism is legendary. In the face of a host of new realities, is the Catholic Church fit to

survive in the twenty-first century as a more open system, adaptive to its environment, in ways that incorporate the interests of all its stakeholders?⁹⁹

Despite the progress made through the centuries within the church, the laity today remains on the margins of decision-making, its role in the governance and guidance of the church disproportionately small relative to its education and talents. The next chapter addresses more specifically issues of ecclesiology and church governance structures, as well questions on the nature of authority held by both the magisterium and the laity.

⁹⁹ Post, p. 219.

CHAPTER THREE

ECCLESIOLOGY AND AUTHORITY

Having discussed how the laity has been understood within the church from the New Testament to today, this chapter attends to questions of ecclesiology and authority as the context within which the laity practice their faith and participate in the mission of the church. I begin by responding to theologians who have argued for more democratic principles to shape church leadership, as well as those who would maintain the status quo. Using Avery Dulles' framework, I contend that the church still operates out of a primarily institutional model in regard to sharing authority with the laity. However, an examination of the nature of both magisterial and lay authority reveal expanded opportunities for laypersons to exercise substantial authority within the church, the theological foundations of which are grounded in a *communio* ecclesiology and the *sensus fidei*. This understanding of ecclesiology and authority provides the foundations for an application of subsidiarity within the church, allowing for greater participation by the laity in ecclesial governance.

Claims for a Democratic Church

Since Vatican II, more and more Catholics – laypersons and clergy alike – have called for increasingly democratic structures as a means of church governance. In 1993, theologians Eugene C. Bianchi and Rosemary Radford Ruether edited a volume entitled *A Democratic Catholic Church: The Reconstruction of Roman Catholicism*.

Responding to declarations by bishops and others that “the church is not a democracy,” Bianchi and Ruether state in their introduction that “Those who make such statements assume that the Roman Catholic Church historically has always possessed a centralized monarchical and hierarchical form of government and that this government was given to it by Jesus Christ. It is therefore divinely mandated and unchangeable.”¹ Their intention in the book is “to challenge this set of assumptions, to show that democratic elements have always existed in the past in certain aspects of church government, and that democratic polity suits the theological meaning of the church as redemptive society better than does monarchical hierarchy.”² The chapters in the volume explore the democratic basis of church governance from the standpoints of theology, history, canon law, social teaching, and current movements in the church. The editors conclude that a democratic Catholic church must be characterized by the following traits: participation, conciliarity, pluralism, accountability, and dialogue.³

The 2003 Yale University Catholic Center's conference “Governance, Accountability, and the Future of the Catholic Church” also addressed questions of democracy within the church. To set the tone of the conference, Donald Wuerl, then bishop of Pittsburgh, gave the keynote address and journalist Peter Steinfels offered a response. The exchange between the two reveals the need and desire for democratic principles to operate within the church on the one hand, and the prevailing ecclesiologies and paradigms that prevent this shift from occurring on the other. “We

¹ Bianchi and Ruether, p. 7.

² *Ibid.*

³ *Ibid.* pp. 254-260.

do not vote or take a headcount to determine what we should believe or how the church should be structured,” says Wuerl.

When we address accountability in the church, we must be careful not to use a political model for a reality that transcends human political institutions. ... At every level in the church we are accountable to the Gospel, to the teaching of the church on faith and morals, and to the liturgical and canon law that directs and gives order to the mission and ministry of the church. No one can claim – either by word or deed – to stand above or outside the structure of the faith and order that is essential to the church.⁴

Wuerl's words echoed the response of other bishops and clerics when the scandal broke: Yes, we will handle the problem, but it is inappropriate to question the changeless structure of the church. In response, Steinfels points out that in the two-thousand-year history of the church, the faith has been understood and lived in very different ways, and indeed, its essential structure has taken strikingly different forms; therefore we must not privilege our own moment as the perfect realization of Jesus' intentions and the Holy Spirit's guidance.⁵

Steinfels also takes issue with “the sharp distinctions in Bishop Wuerl's presentation between making use of political models, by which he seems to mean *democratic* models, and fidelity to a founding truth.”⁶ Steinfels agrees with Wuerl that Catholics do not vote on articles of the faith or how the church should be structured, but also points to examples in church history in which headcounts did in fact determine

⁴ Donald W. Wuerl. “Reflections on Governance and Accountability in the Church.” *Governance, Accountability, and the Future of the Catholic Church*. Francis Oakley and Bruce Russett, editors. New York: Continuum, 2004. pp. 13-24, at p. 18.

⁵ Peter Steinfels. “Necessary but Not Sufficient: A Response to Bishop Wuerl's Reflection.” *Governance, Accountability, and the Future of the Catholic Church*. Francis Oakley and Bruce Russett, editors. New York: Continuum, 2004. pp. 16-28, at 26-27.

⁶ *Ibid.* p. 27.

certain beliefs and structures.⁷ The church, he notes, reflects a wide variety of political models it has absorbed over centuries: “Catholic institutions and governance incorporate elements of political Rome, medieval feudalism and monarchy, Renaissance bureaucracy, modern diplomacy, and the nineteenth-century nation state.”⁸ Contrary to what Wuerl and others might suggest, Steinfels, Bianchi and Ruether argue that democracy is not entirely antithetical to the spirit and structure of the church.

In *As It Was in the Beginning: The Coming Democratization of the Catholic Church*, Robert McClory alleges that a democratic church is imminent, with consciously participative structures coming to fruition in the twenty-first century. McClory traces the church's application of democratic methods from Jesus' time and early Christianity, through the Arian controversy and laypersons' selection of bishops and participation in the formulations of doctrine, within the body of Catholic social thought, to the Second Vatican Council and up to the present day. Within the United States, for example, the USCCB gave a glimpse of democracy in its participatory process of creating pastoral letters on nuclear war and the economy in the 1980's.

According to McClory, the trajectory indicates that the church has functioned like a democracy in the past and is now ripe to adopt more democratic methods of authority and governance. Doing so is not only desirable among many Catholics, but is crucial for the survival of the church. He writes: “the abiding conviction that the Holy Spirit operated in the whole church gave rise in the eleventh century to notions of

⁷ *Ibid.*

⁸ *Ibid.* p. 28.

community and individual rights, constitutional guarantees, the people's consent, and representative government – concepts eventually enshrined by civil governments, though not by the church from which they originated.”⁹ Now in the twenty-first century, he asserts, the time is right for the recovery of full, open, communal participation. The rise of the laity, the widespread acceptance of democracy, the developments in theological and biblical interpretation, the emphasis on the church as the People of God, the ideal of collegial decision making, the whole thrust of the Second Vatican Council, and ironically even the sense of crisis and uncertainty, all point to a readiness and willingness by the church as a whole toward new structures and ways of governance.

Others, however, while in agreement that the current ecclesial governance structure is deeply flawed, are more reluctant to characterize the church as 'democratic'. These scholars are, however, in favor of more participatory structures, including increased participation by the laity. In *That All May Be One: Hierarchy and Participation in the Church*, Terence Nichols introduces the notion of a “participatory hierarchy.” Nichols outlines the role of hierarchy throughout church history and acknowledges that a 'command model' has dominated church governance. In this model power tends to be centralized, in which control is top-down and based on force or threat of force. The weakness of this type of hierarchy, Nichols points out, is that it does not

⁹ McClory, pp. 196-197.

foster participation of those lower on the scale; rather, over the long term it tends to provoke passivity, apathy, and rebellion (by either passive or active resistance).¹⁰

While critical of a “command hierarchy,” Nichols also warns against the other extreme – egalitarianism, often promoted by feminists as an alternative to domination and patriarchy – in arguing that any sizeable society needs *some* kind of hierarchical structure to preserve its identity and function as a unified whole. A hierarchy of expertise and competence is recognized in all societies, from the family, to schools, to corporations. Without an organization of leadership, such groups would become fragmented and incapable of concerted action. He states: “Egalitarians are right in stressing the basic equality of *persons* before God, and with respect to basic rights. They err, however, in extending this to mean that there cannot be hierarchical *roles* within a society.”¹¹ Further, lacking an episcopal link to the apostolic tradition, an egalitarian church would disintegrate into dispersed factional congregations, and would be liable to tailor the faith to fit the taste of any particular congregation or group – an ongoing problem with congregational ecclesiologies.

Nichols ultimately defends a hierarchical structure as both appropriate and necessary within the church; however, such hierarchy must be based only upon function or office, and not imply an inequality of persons. In a participatory hierarchy, both the higher and lower units must be enabled to function according to their own laws; therefore, the higher offices must not dominate the lower but instead encourage active

¹⁰ Nichols, *That All May Be One*, p. 7.

¹¹ *Ibid.* Italics original.

participation in accordance with the common good of that community. Such participatory hierarchy, he notes, is distinct from democracy:

In a democracy, authority is vested with the people. Democratic ecclesiologies typically result in congregational or representative churches with no bishops (e.g. the Presbyterian). The Catholic principle of the Spirit operating through the bishops, as the successors of the apostles, is not present in such churches. Thus, in a Catholic participatory hierarchy, authority is vested in the bishops and the pope, but also in the priests, the theological community, the religious, and the people. The Spirit acts simultaneously at many levels.¹²

Both McClory (along with Bianchi, Ruether, and Steinfels) and Nichols raise important points. McClory, Bianchi, and Ruether are right to suggest that the best practices of a democratic system ought to be adopted by the Catholic church: participation, accountability, conciliarity, representation, pluralism, dialogue, consent. On the other hand, a dismantling of leadership also carries undesirable consequences, as Nichols correctly perceives. A centralized body of authority enables the community to adopt collectively and publicly stances on issues of morality and social justice. However, following the liberation and feminist theologians outlined in the previous chapter, such a body of authority must be characterized by genuine participation, in which a diversity of peoples and experiences within the community are represented and allowed to exercise a real voice in authority and decision-making.

I do not think McClory or others who advocate for democratic structures are trying to argue that a democratic church would require an elimination of leaders, as Nichols at times portrays. McClory even admits:

¹² Terence L. Nichols. "Participatory Hierarchy." *Common Calling: The Laity and Governance of the Catholic Church*. Stephen J. Pope, editor. Washington: Georgetown Press, 2004. pp. 111-126, at 124.

Will the Catholic Church become a democracy? Not in the sense of a secular, “direct” democracy like the one in Switzerland, where citizens are called to the polls numerous times a year to vote on long lists of bills and referendums. And I don't think it will come in the sense of the democracy we have in the United States, where elected representatives in federal, state, and local legislatures vote on behalf of their constituents. Democracy in the church will always be different because it's not just another secular organization. It is, we believe, a divinely founded institution, and it has a hierarchy that is not going to go away.¹³

While the church may never be a democracy that is identical to the vision that U.S. citizens are accustomed to, and while the church will perhaps always maintain a hierarchical leadership system,¹⁴ at the same time, I do not believe that Nichols' model of a participatory hierarchy goes far enough to ensure that participation is genuine and truly inclusive of the laity. Nichols' urging that the 'higher levels' of the hierarchy ought to extend participatory rights to the 'lower levels' while retaining the current governance structure, I believe, remains paternalistic and too closely resembles the church teaching currently in place. That is, church leaders are encouraged to listen to the needs of the laity (cf. *LG* par. 37), yet such practice is not normative; priests and bishops are as free to reject such teaching as they are to embrace it. The current structure does not properly honor the gifts of the laity and ensure that their rights as full members of the church are protected and promoted.

It is my contention that ecclesial governance needs to retrieve a proper understanding of lay authority – that full participation in church decision-making is a right, and not a gratuitous gesture on behalf of the hierarchy. Ecclesiology must reflect

¹³ McClory, p. 124.

¹⁴ Nichols is correct, I believe, in maintaining that the church must protect the theological concept of apostolic succession within its governance structure. At the same time, this does not preclude the belief that the Holy Spirit also acts among all the baptized, and therefore, lay participation in church leadership is also valid theologically.

this understanding of authority and governance if real participation among the laity is to take place. Important questions arise: which ecclesiologies are most appropriate to support lay participation? And by what authority might lay people be able to exercise a role in governance? The remainder of this chapter examines questions of ecclesiology and authority as has been taught and exercised in the church historically, as well as how models of church and authority might shape ecclesial governance and lay participation today.

Models of Church

In his now classic *Models of Church*, Avery Dulles, S.J. explores several of the underlying guiding concepts of church in contemporary Christian theology, with each model finding significant support in the Vatican II documents, particularly in *Lumen Gentium*. The document's purpose is stated as unfolding the "inner nature and universal mission of the church."¹⁵ *Lumen Gentium* does not present the church as a monolithic institution, but rather offers several models and images of the church. Dulles discusses five overlapping models, each with its own distinct nature and mission.

The *institution* model, as Dulles characterized it in the original version of his book, makes primary the institutional elements of the church, such as offices, doctrines, laws, and ritual forms. The people, their relationship with God, Scripture, and justice issues become subordinate. This model, unlike the other four, is by definition a limited starting point: Dulles states that any of the models could be a good starting basis for

¹⁵ *LG*, par. 1.

one's view of church, except this one.¹⁶ He does add, however, that whatever one's model of church, one needs to incorporate and appreciate the benefits that the institutional model offers: its prominent endorsement in official Church documents, its strong insistence on continuity with Christian origins, and its ability to give Catholics a strong sense of corporate identity.

In a chapter added to the later edition of his book, Dulles admits that he was somewhat too severe in his portrayal of the institution model. He still holds that institutional structures should not be taken as primary, but adds that some problems with the model could be overcome if one thinks not simply in sociological terms but in terms of “what God 'instituted' in Christ.”¹⁷ In other words, there are ways of thinking of the church as basically an institution without pitting the structural elements over against the people and their spirituality. This clarification is important because the institution model is the one most directly associated with pre-Vatican II views of the church.

The *mystical communion* model places emphasis on the people who make up the church and their connectedness with each other and with God. This model, while not necessarily rejecting the institutional elements, places more stress upon spirituality, community, and fellowship. The church in this view is a sort of spiritual support group

¹⁶ Dulles states: “One of the five models, I believe, cannot properly be taken as primary – and this is the institutional model. Of their very nature, I believe, institutions are subordinate to persons, structures are subordinate to life. 'The sabbath was made for man, not man for the sabbath' (Mk. 2:27). Without calling into question the value and importance of institutions, one may feel that this value does not properly appear unless it can be seen that the structure effectively helps to make the Church a community of grace, a sacrament of Christ, a herald of salvation, and a servant of mankind” p. 198.

¹⁷ *Ibid.* p. 205.

that aids people in their quest to live holy lives. Dulles associates two images with this model, the Body of Christ and the People of God. These images, although they can be harmonized, stand in conflict with each other in contemporary theological debates. Both functioned prominently at Vatican II as images for church renewal. The Body of Christ image is often used to support a strong role for the hierarchy as the particular 'member' that functions in the place of Christ as the 'head' of the body. The People of God image tends to be favored by those who push for continuing reform in the church by granting larger roles in ministry and decision making to women and the laity.

The *sacrament* model is the view that focuses on the church as the continuing presence of Christ in the world: the church is seen as the sacrament of Christ. For Dulles, this model is especially useful in reconciling elements that were in tension in institutional and mystical communion models, with the former stressing the visible organization to the neglect of the spiritual, while the latter demands the question of why a visible organization is necessary in the first place. The sacrament model explains how visible realities mediate invisible realities. This model also allows the believer to maintain a critical distance from the symbols themselves: the church is a sacrament of Christ, but is not equal to Christ.

The *herald* model emphasizes the primacy of the Bible. The church consists of those who hear the word and are converted; the mission of the church is to preach the word to all. The chief proponent of this type of ecclesiology in the twentieth century is Karl Barth, who draws abundantly on Paul, Luther, and others when distinguishing between a theology of glory and a theology of the cross. A church that proclaims its

own glory is working counter to the gospel; the task of the church is to point humbly away from itself toward its Lord and Redeemer.¹⁸

The *servant* model stresses the need for the church to be engaged in social transformation. In contrast to images of the church as a refuge from a world of vice and temptation, this model presents a church that should be at the service of a world that is basically good. Members of the church are seen as part of the larger human family; God is known not simply through the church but also through human experience and the things of this world. Culture and science are recognized as having their own legitimate autonomy apart from the dominance of the church. The most striking contemporary example of a servant model today can be found in Latin American liberation theologies, in its strong emphasis on the need for the church to be involved in social change.

In the expanded edition of the book, Dulles adds a new category, the *community of disciples* model. This model is not just another model added to the others, but a more inclusive one intended to integrate the best elements of the other five. Dulles says that it is in a sense a version of the mystical communion model, but without the tendency to be satisfied with internal mutual support. Rather, this model focuses on discipleship. This model is intended to illuminate the purposes of the institutional structures and the sacramental aspects of the church, and to ground the missionary thrust toward evangelization and social transformation.

¹⁸ This view is closely paralleled in Catholic theology by Hans Kung, who has emphasized that the church is not the kingdom of God but rather its proclaimer and or herald. The official Catholic position, in contrast, holds that the church is the seed of the kingdom but not the fullness of the kingdom. See *LG*, par. 5.

Writing in 1978, Dulles anticipated several long-range changes occurring in secular society and correctly predicted a continuing impact of such trends on the church.

One such change was the “modernization of structures”:

The current structures of the Church, especially in Roman Catholicism, bear a very strong imprint of the past social structures of Western European society. In particular, the idea of an “unequal” society, in which certain members are set on a higher plane and made invulnerable to criticism and pressure from below, savors too much of earlier oligarchic regimes to be at home in the contemporary world. In its stead, modern society is adopting a more functional approach to authority. The task of Christianity will be to harmonize the right kind of functionalism and accountability with the evangelical idea of pastoral office as a representation of Christ's own authority.¹⁹

Dulles is correct in his observation that, unlike the other models, only the institutional model cannot properly be taken as primary. To do so would subordinate the mission and persons of the church to its structure. The Catholic church has certainly observed the ramifications of an overemphasis on the institution, particularly the negative effects of the “unequal” society in which the hierarchy is left unaccountable to those “below.” However, when Dulles calls for the harmonizing of function and accountability with “the evangelical idea of pastoral office as a representation of Christ's own authority,” one is not precisely clear about his understanding of pastoral office and authority. It appears that Dulles suggests that, following the institutional model, ecclesial authority rests solely with the church hierarchy.

This position becomes more evident when discussing another trend, “voluntariness,” describing the situation in which the church is no longer able to rely to canonical penalties and sociological pressures to keep its members in line. He predicts

¹⁹ *Ibid.* 199-200.

that the internal pluralism of the church will be such that directives from on high will be variously applied in different regions, so that the top officers will not be able to control in detail what goes on at the local level. In this situation the church will have to rule more by persuasion and less by force:

The officers will have to obtain a good measure of consensus behind their decisions, and this in turn will require increased dialogue. To some extent this development may seem a humiliation for the Church, but in another sense it may appear as progress. The Church will be better able to appear as a home of freedom as a “sign and safeguard of the transcendence of the human person.”²⁰

Dulles is clearly in favor of a more communal and dialogical method of governance within the church, including an exercise in humility by the hierarchy. Elsewhere, when discussing pluralism internal to the church, he even argues for decentralization: “There is little reason today why Roman law, the Roman language, Roman conceptual schemes, and Roman liturgical forms should continue to be normative for the worldwide Church. Without increasing decentralization, the Catholic Church in various regions will be able to enter more vitally into the life of different peoples and to relate itself more positively to the traditions of other Christian denominations.”²¹

Despite his call for increased dialogue and decentralization, however, Dulles does not seem to be willing to shift away from an institutional framework in which authority and governance remain strictly with the clergy. His position reflects that of *Lumen Gentium* par. 37 and the stance Nichols adopts – that hierarchy ought to have a

²⁰ *Ibid.* 201.

²¹ *Ibid.* p. 200.

firm place in the church, though tempered by ongoing dialogue and consultation with the laity.

I contend that such a position does not adequately recognize the skills and competencies of the laity and the authority granted to them – authority not bestowed upon them by the hierarchy, but an authority that is theirs by virtue of their baptism and as full members of the Catholic church community. Without a real, participatory role in governance and substantial decision-making by the laity, the institutional model remains overemphasized in the church, to the detriment of the other models that make the Church a community of grace, a sacrament of Christ, a herald of salvation, and a servant of all. The remaining sections of this chapter will outline the ecclesiologies of the First and Second Vatican Councils, as well as the nature of authority as held by both the magisterium and the laity, and the relationship between the two.

Ecclesiology in the First and Second Vatican Councils

This section discusses ecclesiological shifts of the First and Second Vatican Councils, the evolution of *Lumen Gentium*, and the meaning of *communio* ecclesiology, particularly its elucidation of the relationship between the universal and local church.

First Vatican Council

The First Vatican Council met from 1869-1870. The council had planned to offer a comprehensive document on the church, but was only able to approve a document on the Catholic faith and another on the papacy before the council was suspended due to the Franco-Prussian War. The original document had proposed to define the duties of the pope and the bishops, reflecting many juridical concerns about

the distribution of power in the church. Segments regarding the primacy and infallibility of the pope were passed, but parts of the documents dealing with the bishops were not finalized. The result was a tendency to emphasize the power of the pope to the neglect of the bishops, since the bishops' powers remained relatively undefined. Further, though the document included important limits to papal authority, those limits were often little understood, resulting in a strongly papo-centric vision of the church that would continue until Vatican II.²²

The tone of the First Vatican Council was largely defensive, reflecting a church struggling against Protestantism and secularism. The teaching authority of the magisterium became primary and not to be questioned. This was reflected, for example, in the “Oath Against Modernism” – promulgated by Pope Pius X at the beginning of the twentieth century as a barrier against certain liberal theories regarding Scripture and church history – that priestly candidates were required to profess. Those taking the oath declared that they “firmly embrace and accept each and every definition that has been set forth and declared by the unerring teaching authority of the Church”; that they “believe with equally firm faith that the Church, the guardian and teacher of the revealed word, was personally instituted by the real and historical Christ when he lived among us, and that the Church was built upon Peter, the prince of the apostolic hierarchy, and his successors for the duration of time”; that they “reject that method of judging and interpreting Sacred Scripture which, departing from the tradition of the Church, the analogy of faith, and the norms of the Apostolic See”; and that they

²² Dennis M. Doyle. *The Church Emerging from Vatican II: A Popular Approach to Contemporary Catholicism*. Mystic: Twenty-third Publications, 1993. pp. 12, 21.

“sincerely hold that the doctrine of faith was handed down to us from the apostles through the orthodox Fathers in exactly the same meaning and always in the same purport.”²³

During this time, by both clergy and laity alike, the church was seen as the unique beacon of truth; it alone had preserved the message of Christ intact, and it alone had full custody of the means of salvation. Such was the tone of the church regarding magisterial authority until the unfinished agenda of Vatican I was revisited nearly one-hundred years later in the drafting of *Lumen Gentium*.

The Second Vatican Council and the Evolution of *Lumen Gentium*

Some sense of the evolution of *Lumen Gentium* can be gained by examining the progress of its three major drafts. The first draft of the document on the church proposed at Vatican II was written by a highly traditional preparatory commission. The document presented the Catholic church as a visible, hierarchical institution identical with the Body of Christ on earth. It contained some very significant advances, but in many ways it had more in common theologically with the unpassed Vatican I document than it did with the final version of *Lumen Gentium*. From its chapter titles one can gain a sense of the archaic language and stark tone of the document:

First draft, 1962²⁴

1. The nature of the church militant.
2. The members of the church and the necessity of the church for salvation.
3. The episcopate as the highest grade of the sacrament of orders; the priesthood.

²³ Pius X. “The Oath Against Modernism.” September 1, 1910. Cited by McClory, p. 8.

²⁴ Gerard Philips. “History of the Constitution.” *Commentary on the Documents of Vatican II* (5 vols.). Herbert Vorgrimler, editor. New York: Herder and Herder, 1967-1969. p. 106.

4. Residential bishops.
 5. The states of evangelical perfection.
 6. The laity.
 7. The teaching office (magisterium) of the church.
 8. Authority and obedience in the church.
 9. Relationship between church and State and religious tolerance.
 10. The necessity of proclaiming the gospel to all peoples and in the whole world.
 11. Ecumenism.
- Appendix: “Virgin Mary, Mother of God and Mother of Men.”

In a famous address at the council, Bishop Emile De Smedt of Brueges denounced this first draft for its clericalism, juridicism, and triumphalism.²⁵ A new draft was called for that stressed more the call to holiness throughout all the people of the church, the mystery of the church in the plan of salvation, and the need for the church to tread the path of reform and renewal.

A second draft, written by a new commission established by John XXIII to represent traditional and progressive views equally, was put forward in 1963. It contained many of the sweeping changes that would characterize the third and final draft. The topics of chapters 9, 10, and 11 in the first draft were seen as so important as to call for separate documents on each (Religious Liberty, Missionary Activity, and Ecumenism). The strictly institutional concerns of chapters 3, 4, 7, and 8 in the first draft were collapsed into one segment and therefore received relatively less emphasis in the second draft. The term “People of God” emerged as a title of one segment addressing the laity. The call to holiness in the church received its own section. The second draft was organized as follows:

²⁵ Dulles, p. 39.

Second draft, 1963²⁶

Section 1:

- I. The Mystery of the Church.
- II. The hierarchical constitution of the church and the episcopate in particular.

Section 2:

- III. The people of God and the laity in particular.
- IV. The call to holiness in the church.

The second draft was accompanied by a supplement that suggested that “the People of God” should become its own chapter. This change was accepted almost unanimously; this was extremely significant insofar as it signified a shift away from an emphasis on the hierarchical nature of the church to a new emphasis on the church as made up in a primary sense of all its members. Before there could be any consideration of the unique ministry of the clergy, one must first acknowledge that all believers shared a common identity and equality by virtue of faith, baptism and the call to discipleship. In the final version of *Lumen Gentium*, the chapter on the People of God appeared second, after the opening chapter that stressed the mysterious (more than juridical) nature of the church:

Final Version, 1964

1. The Mystery of the Church
2. The People of God
3. The Hierarchical Structure of the Church, with Special Reference to the Episcopate.
4. The Laity.
5. The Call of the Whole Church to Holiness.
6. Religious.
7. The Eschatological Nature of the Pilgrim Church and Her Union with the Heavenly Church.
8. The Role of the Blessed Virgin Mary, Mother of God, in the Mystery of Christ and the Church.

²⁶ Philipps, p. 110.

As Richard Gaillardetz describes it, through *Lumen Gentium*, the Council recovered the properly *theological* foundations of the church. He writes: “The Church certainly was a visible institution, but its visibility was no longer understood exclusively through the lens of canon law. The Church's visible structures were not ends in themselves. The sacraments, church office, daily Christian witness, these were the visible elements of the Church that made the Church itself a sacrament of salvation in the world. The council described the Church as a spiritual communion with God in Christ by the power of the Holy Spirit.”²⁷ This emphasis on communion becomes central in shaping ecclesiology as well as the church's understanding of both clergy and laity.

Communio-Ecclesiology

Important strands of the teaching of Vatican II offer an alternative vision of the laity and its relations to the clergy based on a new way of thinking about the identity of the church. *Lumen Gentium* describes the church as a “mystery” or “sacrament,” thus emphasizing its spiritual, grace-filled, and symbolic significance as a complement to the First Vatican Council's concern with visible structures. The document begins by describing the church as a “sacrament or instrumental sign” of the “intimate union with God and of the unity of all humanity.”²⁸ The church, according to this vision, is a sacrament of *communio*.

Lasidslas Orsy, S.J. explains that the theological meaning of *communio* is grounded in the inner life of God: God is one in divinity and three in persons.²⁹ In God,

²⁷ Gaillardetz, *By What Authority?*, p. 58.

²⁸ *LG*, par. 1.

²⁹ Ladislav Orsy, S.J. “The Church of the Third Millennium.” *Common Calling: The Laity and*

there is unity in diversity, or diversity in unity. This belief, Orsy says, speaks of the very nature of *communio*: it tells us that no person can exist without being in unity with other persons. “In the divine 'model,' mysterious as it is, we find the clue for achieving some understanding of what *communio* among human beings ought to be – in particular in God's fledgling Kingdom that is the church.”³⁰ The church itself can be described as “one person in many persons” – that is, the one Spirit of Christ is holding many individuals together. This is, Orsy contends, the theological meaning of *communio*.

This emphasis on “unity in diversity, diversity in unity” finds shape in the relationship between the universal and local church, particularly as articulated in Vatican II. A *communio* ecclesiology emphasizes the local, particular church, in contrast to the strong theology of the universal church that was dominant since the Middle Ages.³¹ The council retrieved an understanding of the universal church as the sum and communion of the local churches and rediscovered the universal church in the local church.³² No longer is the local church seen to gravitate around the universal church, but the church of God is found present in each celebration of the local church.

Key conciliar texts support this theology of the local church. The Constitution on the Sacred Liturgy states: “The principle manifestation of the church consists in the

Governance of the Catholic Church. Stephen J. Pope, editor. Washington: Georgetown University Press, 2004. pp. 229-251, at 233.

³⁰ *Ibid.* p. 234.

³¹ Susan K. Wood. “The Church as Communion.” *The Gift of the Church: A Textbook on Ecclesiology in Honor of Patrick Granfield, O.S.B.* Peter C. Phan, editor. Collegeville: Liturgical Press, 2000. pp. 159-176, at 160.

³² Herbert Vorgrimler, editor. *Commentary on the Documents of Vatican II*, Volume 1. New York: Herder and Herder, 1967. p. 167.

full, active participation of all God's holy people in the same liturgical celebrations, especially in the same Eucharist, in one prayer, at one altar, at which the bishop presides, surrounded by the college of priests and by his ministers.”³³ *Lumen Gentium* says: “Individual bishops are the visible source and foundation of unity in their own particular churches, which are modeled on the universal church; it is in and from these that the one and unique catholic church exists. And for that reason, each bishop represents his own church, whereas all of them together with the people represent the whole church in a bond of peace, love and unity.”³⁴ Later, the document states:

The Church of Christ is really present in all legitimately organized groups of the faithful, which, insofar as they are united to their pastors, are also quite appropriately called church in the New Testament. For these are in fact, in their own localities, the new people called by God, in the holy Spirit and with full conviction (see 1 Thess 1:5). ... In these communities, though they may often be small and poor, or dispersed, Christ is present through whose power and influence the one, holy, catholic and apostolic church is constituted. For the sharing in the body and blood of Christ has no other effect than to accomplish our transformation into that which we receive.³⁵

The universal church is the *corpus mysticum*, the mystical body of Christ, and this is an undivided body which is also present wholly and entirely in the local eucharistic assembly and the local or particular church around its bishop. It is evident that the universal church does not result from an addition or a federation of particular churches. The particular church is the universal church in the sense that it is the particular,

³³ Second Vatican Council (promulgated by Pope Paul VI). *Sacrosanctum Concilium: Constitution on the Sacred Liturgy* (1963). *The Basic Sixteen Documents of Vatican Council II: Constitutions, Decrees, Declarations*. Austin Flannery, O.P., editor. Northport, NY: Costello, 1996. pp. 117-162, at par. 41.

³⁴ *LG*, par. 23.

³⁵ *LG*, par. 26.

concrete place where the universal is found. The unity between the particular church and the universal church is not the unity of a plurality of churches, but the unity of the one church which finds concrete, historical objectification in a plurality of particular churches.

This emphasis, complementing and correcting the one-sided institutional and centralizing emphasis of the First Vatican Council, supports collegiality among bishops and cooperation between the clergy and the laity. A *communio* ecclesiology thus also shapes how one understands the nature of both magisterial and lay authority.

Magisterial Authority

One of the major obstacles in allowing laypersons a substantial voice in ecclesial governance is an understanding of magisterial authority that is grounded firmly in an institutional model of church. Though the Second Vatican Council shifted away from the monarchical, institutional ecclesiology that had characterized the church for centuries, certain pre-conciliar assumptions remained regarding the role of the magisterium. Beyond the conciliar documents, clericalist attitudes by both clergy and laity alike still demonstrate permeating beliefs regarding the nature of magisterial authority reminiscent of Vatican I. However, an examination of documents from Vatican II, particularly *Lumen Gentium*, reveals a much more nuanced role of the pope and bishops, thereby allowing a clearer understanding of lay authority to emerge. This section will examine the nature and exercise of the authority of the magisterium and its impact on contemporary understandings of the church's teaching office.

Authority of the Bishops

Several important clarifications were addressed during Vatican II regarding magisterial authority. When the council turned to its consideration of ordained ministry in chapter three of *Lumen Gentium*, it focused on reasserting the authority of the bishops, both as individual pastors and as belonging to a universal college that shared, with the bishop of Rome, responsibility for the welfare of all the churches. Vatican I had considered the role of the bishops largely in the context of the papacy. Vatican II, by contrast, began with consideration of the bishops. In its theological reflection on the ministry of the bishops, the council drew inspiration on the practice of the early church.

The early church held together three basic convictions: 1) that the bishop was the apostolic leader of the local church; 2) that communion with him was a visible sign of communion in the Church; 3) that the bishop was not above the local church but bound to it as its pastoral leader.³⁶ By the mid-third century, St. Cyprian of Carthage had developed a strong theology of the bishop's authority. To be united with Christ in the church one had to be united with their bishop. At the same time, he believed that, precisely as their spiritual leader, the bishop was also accountable to his community. In a letter to his clergy, Cyprian wrote: “from the beginning of my episcopate, I decided to do nothing of my own opinion privately without your advice and the consent of the people. When I come to you through the grace of God, then we shall discuss in common either what has been done or what must be done concerning these matters, as

³⁶ Gaillardetz, *By What Authority?* p. 63.

our mutual honor demands.”³⁷ St. Augustine similarly expressed later the ancient conviction that the bishop was bound to his people in an intimate way: “When I am frightened by what I am for you, then I am consoled by what I am with you. For you I am the bishop, with you I am a Christian. The first is an office, the second a grace; the first a danger, the second salvation.”³⁸

The spiritual bond between a bishop and his people was reflected in the early church's prohibition against ordaining a bishop without a pastoral charge to a local church. To do so would turn episcopal ordination into an honorific rather than a call to serve a church. This was also why, as explained in the previous chapter, bishops were ordained for a local church only with the consent of the people. The spiritual bond between bishop and people was often expressed in marital imagery. The bishop was, in a sense, “married” to his local church. Consequently, bishops were prohibited from transferring from one diocese to another.

Vatican II drew from many (though clearly not all) of these practices in outlining the role of the bishops. *Lumen Gentium* par. 21 affirms that the office of the bishop was not just the “highest degree” of the priesthood, but the fullness of the sacrament of holy orders. Following the ancient practice, it is now the bishop, rather than the priest, who is the principal minister of the local church. The council also taught that episcopal power was communicated through episcopal ordination itself. The pope did not delegate power and authority to the bishops, though he could regulate

³⁷ *Ibid.* p. 63. Cf. St. Cyprian of Carthage, *Epistle*, 14, 4.

³⁸ *Ibid.* p. 64. Cf. St. Augustine, *Sermon*, 340.

episcopal jurisdiction. The bishop was more than a vicar of the pope, but rather a “vicar of Christ.”³⁹ Regarding the nature of the bishop's pastoral responsibilities, *Lumen Gentium* par. 27 states: “The pastoral charge, that is, the permanent and daily care of their sheep, is completely entrusted to them fully; nor are they to be regarded as vicars of the Roman Pontiff; for they exercise a power which they possess in their own right and are most truly said to be at the head of the people whom they govern.”

The council also addressed a topic almost completely overlooked by Vatican I, namely, the bishops' relationship to one another as a “college.” The council taught that through episcopal ordination each bishop was inserted into the college of bishops.⁴⁰ It taught that the bishops, “together with their head, the Supreme Pontiff, and never apart from him... have supreme and full authority over the universal church.”⁴¹ By joining papal authority with the authority of the college of bishops, and recognizing that they share supreme and full authority over the church, the council placed the papacy in a new – or more accurately, a more ancient – ecclesiological context. Vatican II reaffirmed Vatican I's teaching within an ecclesial vision in which the pope and bishops shared responsibility for the welfare of the whole church.

In short, any consideration of episcopal teaching authority must hold together both the Catholic conviction regarding the authority the bishop possesses by virtue of his office and his integral relationship to the local church he serves.

³⁹ *LG*, par. 27.

⁴⁰ *Ibid.* par. 22.

⁴¹ *Ibid.* par. 22.

Authority of the Pope

Vatican II also clarified, and in some ways modified, the church's understanding of papal authority since Vatican I. *Lumen Gentium* properly affirmed that the pope is neither head of the whole church, nor bishop of the whole church. It is Christ, and not the bishop of Rome, who is head of the church.⁴² Failure to preserve this truth is, in part, what paved the way for a monarchical view of the church with an overemphasis on its institutional aspects. Nor is the pope the bishop of the universal church. Rather, he is the pastor of the universal church by virtue of his role as bishop of the local church of Rome.

Gaillardetz points out that papal election is not a sacrament – that is, one is not ordained pope.⁴³ The pope is pope only because he is first the bishop of the local church of Rome, which from ancient times was granted a distinctive primacy among all the churches. When the church of Jerusalem died out near the end of the first century, Rome supplanted Jerusalem as Christianity's “mother church.” The Roman church was granted a certain priority among the churches in virtue of the tradition that it had received the apostolic teaching of two apostles, Sts. Peter and Paul. At the beginning of the second century, St. Ignatius of Antioch would refer to Rome as the church “foremost in love”⁴⁴ and by the end of the same century St. Irenaeus of Lyons would refer to it as the church “of most excellent origins.”⁴⁵ The authority of the church of

⁴² Cf. Eph 1:22-3; Col 1:18

⁴³ Gaillardetz, *By What Authority?* p. 69.

⁴⁴ *Ibid.* Cf. St. Ignatius of Antioch, *Epistle to the Romans*, 4.

⁴⁵ *Ibid.* Cf. St. Irenaeus of Lyons, *Against the Heresies*, Book III, 3, 2.

Rome was gradually extended to its bishop. By the middle of the third century, the pope's authority as bishop of Rome was being grounded in the unique authority that Christ gave to St. Peter. Rome was viewed as a court of final appeal in disputes among the churches. In the fifth century the bishop of Rome began to exert his authority over the whole church (though the scope of his authority was much disputed in the East).⁴⁶

The unique pastoral responsibilities and authority of the pope today are still grounded in his ministry as bishop of Rome. Vatican I taught that it was in his capacity as bishop of Rome that the pope possesses a unique responsibility to preserve and nurture the unity of the faith and the communion of churches. At the same time, many theologians now believe that all significant papal actions exercised for the good of the whole church are, by definition, collegial. This collegiality is made explicit when a pope convenes and presides over an ecumenical council. Yet, they would contend, even when the pope acts "alone," he does so as head of the college of bishops. His role as head of the college presumes that he is maintaining an informed communion with all the bishops. That communion with the bishops underlies all papal actions. Certainly, Vatican I taught that a pope cannot be legally bound to consult the bishops either before or after a solemn papal definition. At the same time, it is generally accepted today (as was the opinion of many bishops at Vatican I) that the pope is still morally bound to engage in such consultation. Vatican I did not wish to place juridical limits on effective papal action. At the same time the council clearly presumed the pope would always act in communion with his brother bishops. To fail to consult the bishops would suggest a

⁴⁶ *Ibid.* pp. 69-70.

failure of the pope's responsibility as head of the college to preserve the unity of the college.⁴⁷

Pope John Paul II's encyclical on ecumenism, *Ut unum sint* (1995), further developed these ideas. In the encyclical he avoids traditional papal titles like “vicar of Christ” or “sovereign pontiff,” preferring instead “bishop of Rome” and “the servant of the servants of God.” The pope offers a vision of the papacy that goes beyond that commonly associated with Vatican I. He presents the papacy as a ministry of service within the context of an ecclesiology of communion. Seen from this perspective, the church is neither a federation of autonomous congregations nor a universal corporation with branch offices throughout the world. As a communion of churches, the pope insists that the primary responsibility for shepherding a local flock lies with the local bishop, the ordinary pastor of the local church. Extraordinary circumstances may require the pope to intervene in the affairs of a local church for the sake of the unity of faith and communion of all the churches; however, the principal exercise of papal primacy is to support the bishops in the fulfillment of their pastoral ministry. He writes:

The mission of the bishop of Rome within the college of all the pastors consists precisely in “keeping watch” (*episkopein*), like a sentinel, so that through the efforts of the pastors the true voice of Christ the shepherd may be heard in all the particular churches.... All this, however, must always be done in communion. When the Catholic Church affirms that the office of the bishop of Rome corresponds to the will of Christ, she does not separate this office from the mission entrusted to the whole body of bishops, who are also “vicars and ambassadors of Christ.” The bishop of Rome is a member of the “college,” and the bishops are his brothers in the ministry.⁴⁸

⁴⁷ *Ibid.* pp. 70-71.

⁴⁸ John Paul II. *Ut unum sint: On Commitment to Ecumenism* (1995). par. 95.

In this encyclical the pope offered an important advance, or perhaps more accurately, an important return, to a more ancient ecclesial vision of the papacy in service of the churches.

What conclusions can be drawn from this analysis of magisterial authority?

First, magisterial authority must always be understood within the context of a *communio*-ecclesiology. *Lumen Gentium* rejected an exclusively, or even primarily, institutional or juridical model of the church, opting instead for a model of church as a spiritual communion with God in Christ by the power of the Holy Spirit. In this model, all the faithful share a common identity and equality. Second, the authority held by the bishops within the local church is theirs by their own right, and not derivative of papal authority. This stance is related to a third conclusion: though the pope possesses a unique responsibility to preserve the unity of the communion of churches, papal authority must always be characterized by collegiality with the other bishops. In short, all magisterial authority must be exercised in communion with the wider church. Though bishops are not mere delegates of the community of the baptized, neither are they free to ignore the community of believers; likewise, the pope may not act independently of the bishops. This schema, I believe, with its emphasis on communion, paves the way for an increased role for the laity to participate with the magisterium in ecclesial governance.

Though the previous chapter discussed the nature and state of the laity, little has been said thus far about lay authority. If the church is to be understood as the people of God and as a “communion of communions” it follows then that magisterial authority

cannot be properly understood apart from its relationship with lay authority. It is on the authority of the laity that the next sections of this chapter specifically address.

Lay Authority and the *Sensus Fidei*

In defining the lay role in ecclesial governance and decision-making, the ecclesiological question becomes intrinsically linked with questions of lay authority, the capability bestowed on all believers in baptism and confirmation to act with a certain influence in the church and the world. This section describes the theological foundations, nature and scope of lay authority that provides the basis for the argument that the laity have a legitimate claim to a substantial governance role in the church.⁴⁹

Theological Foundations of Lay Authority

Lay authority has its theological grounding in the supernatural sense of faith, or *sensus fidei*. According to Francis A. Sullivan, this mystical instinct or understanding of the faith is a gift given to all believers by the Holy Spirit in baptism and confirmation.⁵⁰ It enables the faithful to perceive the truth of Christian revelation and to reject erroneous opinions.⁵¹ The *sensus fidei* exists in the individual faith-consciousness of every believer as well as in the corporate faith-consciousness of the church as a whole. This collective sense of faith is known as the sense of the faithful, or *sensus fidelium*.⁵² While the *sensus fidei* is the subjective disposition of the believer, the

⁴⁹ In this section I draw from an excellent article by Carolyn Weir Herman, “The *Sensus Fidei* and Lay Authority.” *Catholic Identity and the Laity*. Tim Muldoon, editor. The Annual Publication of the College Theology Society, Volume 54. Maryknoll: Orbis Books, 2008. pp. 155-168.

⁵⁰ Sullivan, *Magisterium*, p. 21.

⁵¹ *Ibid.* p. 23.

⁵² Herbert Vorgrimler, “The *Sensus Fidei* to *Consensus Fidelium*.” *The Teaching Authority of All*

sensus fidelium is the objective consciousness or understanding of the faith by the entire church. The *sensus fidelium* becomes universal when there is complete agreement among the whole people of God on a particular matter of belief. This consensus of the faithful, or *consensus fidelium*, results from the *sensus fidei* and thereby cannot be in error.⁵³

Though the specific terms were not always used, the realities of the *sensus fidei*, *sensus fidelium*, and *consensus fidelium* have existed with more or less emphasis throughout church history. In general, they have had a significant and distinct place when a communion ecclesiology has been prominent and a minor and ambiguous role when a hierarchical, institutional ecclesiology has prevailed. For instance, most of Catholic theology between the first and second Vatican Councils ignored these realities because of the predominant pyramidal ecclesiology and “trickle-down” theory of revelation. The church was viewed as an unequal society in which the teaching church (*ecclesia docens*), or the hierarchy, was thought to have sole possession of divine revelation, and the learning church (*ecclesia discens*), or the laity, was seen as the passive recipient of the revelation given to the hierarchy. Revelation, in turn, was regarded as a deposit of faith, which has been passed down through apostolic succession to the hierarchy, who then relayed this set of propositional truths to the laity, whose task

Believers. Johannes-Baptist Metz and Edward Schillebeeckx, editors. Edinburgh: T & T Clark, 1985. pp. 3-11, at 3.

⁵³ Sullivan, *Magisterium*, p. 23. Sullivan notes that since the terms *sensus fidei*, *sensus fidelium*, and *consensus fidelium* overlap in meaning, sometimes they are used interchangeably; however, while they are interrelated, they are clearly distinct from one another.

was to accept passively the hierarchy's teaching.⁵⁴

In light of its renewed theology of church and revelation, the Second Vatican Council retrieved the notion of the *sensus fidei*.⁵⁵ Rejecting the idea of the church as an unequal society, Vatican II opted instead for a view of the church as mystery founded on the trinitarian communion; the church is described as “people one with the unity of the Father, Son, and the Holy Spirit.”⁵⁶ In the time between the ascension and the parousia, the church as mystery is lived out historically as the people of God. As one people, this community shares a common and equal dignity in virtue of their baptism, and all believers partake of Christ's threefold ministry of priest, prophet, and king.

Additionally, *Dei Verbum* says that the whole church has the task of “hearing the Word of God with reverence, and proclaiming it with faith.”⁵⁷ The Word of God, which has existed from the beginning of creation, was made incarnate in Jesus Christ and is now announced by the church. Vatican II rejects the idea that revelation is a deposit of faith communicated as a set of propositional truths and instead views it as a relationship, or dialogue, between God and humanity. God offers humanity the Word in love, and through the power of the Holy Spirit humanity is able to respond. By the aid of the Spirit, believers come to know and accept divine revelation. This ability to recognize and respond to God's Word is the supernatural sense of faith. *Lumen Gentium* par. 12

⁵⁴ Gaillardetz, “The Ecclesiological Foundation of Modern Catholic Social Teaching” p. 81.

⁵⁵ *LG*, par. 12.

⁵⁶ *LG*, par. 4.

⁵⁷ *Dei Verbum: Dogmatic Constitution on Divine Revelation* (1965). *The Basic Sixteen Documents of Vatican Council II: Constitutions, Decrees, Declarations*. Austin Flannery, O.P., editor. Northport, NY: Costello, 1996. pp. 97-116, at par. 1.

states:

The holy People of God share in Christ's prophetic office. It spreads abroad a living witness to him, especially by means of a life of faith and charity by offering to God a sacrifice of praise, the tribute of lips which give honor to his name (cf. Heb. 13:15). The body of the faithful as a whole, anointed as they are by the Holy One (cf. 1 Jn. 2:20 and 27), cannot err in matters of belief. Thanks to a supernatural sense of faith which characterizes the People as a whole, it manifests this unerring quality when, "from the bishops down to the last member of the laity," it shows universal agreement in matters of faith and morals. For, by this sense of faith which is aroused and sustained by the Spirit of truth, God's People accepts not the word of men but the very Word of God (cf. 1 Th.2:13). It clings without fail to the faith once delivered to the saints (cf. Jude 3), penetrates it more deeply by accurate insights, and applies it more thoroughly to life.

This text indicates that Christ imparts the truth of the Christian faith to the entire people of God and subsequently calls all believers to participate in his prophetic ministry. In order to share in this mission, the Holy Spirit anoints all the faithful with the *sensus fidei*. This mystical instinct of faith characterizes the whole of God's people; it belongs to all believers, not only to select individuals. It is evidence of the indefectibility and vitality of the entire body of Christ.

Moreover, the sense of faith is of the same nature as the gift of faith; it is not something natural or acquired but something supernatural and infused, similar to the virtue of faith.⁵⁸ In addition, the sense of faith, like the virtue of faith, develops during one's life. Since the Word of God is living and dynamic, it communicates in new ways to each generation and thereby takes new forms as it roots itself in the hearts and minds

⁵⁸ Francis A. Sullivan. "The Sense of Faith: The Sense/Consensus of the Faithful." *Authority in the Roman Catholic Church*. Bernard Hoose, editor. Aldershot, UK: Ashgate Publishing Company, 2002. pp. 85-93, at 86.

of believers.⁵⁹ As *Dei Verbum* 8 asserts:

The Tradition that comes from the apostles make progress in the Church, with the help of the Holy Spirit. There is a growth in insight into the realities and words that are being passed. This comes about through the contemplation and study of believers who ponder these things in their hearts. It comes from the intimate sense of spiritual realities which they experience. And it comes from the preaching of those who, on succeeding to the office of bishop, have received the sure charism of truth. Thus, as the centuries go by, the Church is always advancing towards the plenitude of divine truth, until eventually the words of God are fulfilled in it.⁶⁰

This pneumatological perspective makes it inaccurate to believe that divine revelation belongs exclusively to any one group in the church, including the pope and bishops. The Word of God lives in the whole church through the Holy Spirit. Through the *sensus fidei*, the Holy Spirit enlightens all the faithful, enabling them to recognize and respond to God's Word.⁶¹ This mystical instinct of faith guides believers to make right judgments concerning matters of belief, which leads them to more “accurate insights” about Christian revelation. In this way, they reject erroneous beliefs and cling to the faith “once delivered to the saints.”

Due to the *sensus fidei*, the people of God cannot err when they universally agree on matters of faith and morals. That is, a *consensus fidelium*, or a consensus of the entire church “from the bishops down to the last member of the laity,” on a matter of belief is infallible. Though this claim was believed throughout the church's history, Vatican II was the first ecumenical council to declare explicitly the infallibility of a

⁵⁹ Gaillardetz, “The Ecclesiological Foundation of Modern Catholic Social Teaching,” p. 82.

⁶⁰ *DV*, par. 8

⁶¹ *Ibid.* p. 82.

universal consensus.⁶² Moreover, *Lumen Gentium* affirms the infallibility of a *consensus fidelium* before it deals with the infallibility of the pope, ecumenical councils and the ordinary universal magisterium. This placement is significant because it indicates that any special exercise of infallibility is rooted in the infallibility of the believing people of God. All the faithful, the laity and hierarchy alike, thereby have the right and responsibility to preserve and penetrate the faith, and when this right and responsibility leads to a universal agreement on a matter of belief, the consensus reached is infallible.⁶³ In sum, Vatican II's renewed ecclesiology and theology of revelation led to a retrieval of the *sensus fidei*, which, I believe, is the primary theological basis of lay authority in the church.

Nature of Lay Authority

Having discussed the theological foundations, we now explore the nature of lay authority. As was noted above, lay authority refers to the ability given to all believers in baptism and confirmation to act with a certain influence in the church and the world. This authority is rooted in the supernatural sense of faith and enables the whole people of God to participate in Christ's prophetic ministry. Lay authority then is common and universal among the faithful; however, it is also diversified by a variety of charisms. Along with the sense of faith, the Holy Spirit gives the people of God a multiplicity of spiritual gifts to be used in the service of the church.⁶⁴ These distinct charisms

⁶² Sullivan, "The Sense of Faith: The Sense/Consensus of the Faithful," p. 91.

⁶³ Aloys Grillmeier. "Chapter II: The People of God." *Commentary on the Documents of Vatican II*. Volume 1. Herbert Vorgrimler, editor. New York: Herder and Herder, 1967. pp. 153-85, at 164-165.

⁶⁴ *LG*, par. 12.

differentiate the common and universal authority of the baptized, and in this way enable the church to undertake its mission and ministry.

This authority, furthermore, rooted in baptism and confirmation, is related to but distinct from the authority that is grounded in holy orders. Though the clergy share in lay authority, they also possess unique authority that comes from sacramental ordination. In addition to celebrating the sacraments and leading God's people, the clergy exercise the “official” teaching authority (magisterium) of the church. According to Vatican II, the bishops, who receive “the fullness of the sacrament of orders,”⁶⁵ are “authentic teachers, that is, teachers endowed with the authority of Christ, who preach the faith to the people assigned to them.”⁶⁶ Priests and deacons are helpers to the bishops in teaching God's Word.⁶⁷

Yet, as we have seen, Vatican II asserts that the hierarchy are not in sole possession of divine revelation. Rather, the whole church discerns the truth in matters of faith and morals because all the baptized share the supernatural sense of faith. While the hierarchy have the task of officially naming and defining doctrine, their articulation should reflect the faith of the entire people of God. They no longer are thought to exclusively possess divine revelation, and the laity no longer are seen as the passive recipients of defined doctrine. Instead, the entire church is called to teach and to learn. All the faithful are teachers, not only the clergy in the official teaching office but also the laity who mainly witness to Christ in the world. Moreover, all believers are

⁶⁵ *LG*, par. 21.

⁶⁶ *LG*, par. 25.

⁶⁷ *LG*, par. 20. Cf. *Presbyterorum Ordinis*, par. 4.

learners; the hierarchy must learn from the laity's faith and experience in formulating doctrines, and the laity must continue to receive and be educated by magisterial teaching. For this reason, there must be collaboration and co-responsibility among all the faithful in discerning and naming new and deeper understandings of the Christian faith.

Scope of Lay Authority

The next issue to consider is the scope of lay authority. Since the laity typically are engaged in secular affairs, lay authority predominantly involves the renewal of the temporal order in light of God's reign. According to Vatican II, this renewal occurs through both action and word. Action refers to the witness of a Christian life; it means doing one's earthly duties in the spirit of the Gospel.⁶⁸ As *Lumen Gentium* par. 38 states:

Each individual layman must be a witness before the world to the resurrection and life of the Lord Jesus, and a sign of the living God. All together, and each one to the best of his ability, must nourish the world with spiritual fruits (cf. Gal 5:22). They must diffuse in the world the spirit which animates those poor, meek, and peace-makers whom the Lord in the Gospel proclaimed blessed (cf. Mt. 5:3-9). In a word: “what the soul is in the body, let Christians be in the world.”

Besides Christian witness, lay authority in the secular realm also includes the explicit proclamation of the gospel. It extends to “occasions of announcing Christ by word, either to unbelievers to draw them towards the faith, or to the faithful to instruct them, strengthen them, incite them to a more fervent life.”⁶⁹

⁶⁸ *AA*, par. 6; *GS*, par. 43.

⁶⁹ *AA*, par. 6.

Though Vatican II underscores lay authority in the world, it also plants seeds for cultivating lay authority within the church: I contend that the conciliar texts support an understanding of intra-ecclesial lay authority that includes receiving the hierarchy's teachings as well as teaching the hierarchy. *Lumen Gentium* par. 37 points to both of these tasks. It first signifies the laity's role in teaching the hierarchy, asserting that the laity should freely and confidently "disclose their needs and desires" to their leaders; in other words, the laity teach the hierarchy in the broad sense of informing them of their personal and communal experiences in the church, and knowing such experiences enables the hierarchy to minister more effectively.

The text also indicates that lay people should bring their knowledge and experience to bear on issues affecting the larger community. It states: "By reason of the knowledge, competence or pre-eminence which they have the laity are empowered – indeed sometimes obliged – to manifest their opinion on those things which pertain to the good of the Church." Manifesting one's opinion could be interpreted as dialoguing with the hierarchy through informal listening sessions of more established institutions like parish or diocesan councils. Yet it might also be interpreted as challenging or protesting the hierarchy's actions or decisions when they are unjust or fail to represent the faith of the whole of God's people.

Following these claims, *Lumen Gentium* par. 37 proceeds to affirm the laity's role in receiving the hierarchy's teaching. It emphasizes that, "Like all Christians, the laity should promptly accept in Christian obedience what is decided by the pastors." The laity, however, are not to be passive recipients of the hierarchy's teaching; rather,

they are to be active recipients who evaluate and accept what the hierarchy teaches in light of their supernatural sense of faith.

Before concluding, *Lumen Gentium* par. 37 again recognizes the active role of the laity, not just in receiving teaching but in using their experience for the good of the community. This time, it reminds the clergy of the laity's authority, stating that:

The pastors, indeed, should recognize and promote the dignity and responsibility of the laity in the Church. They should willingly use their prudent advice and confidently assign duties to them in the service of the Church, leaving them freedom and scope for acting. Indeed, they should give them the courage to undertake works on their own initiative. They should with paternal love consider attentively in Christ initial moves, suggestions and desires proposed by the laity. Moreover the pastors must respect and recognize the liberty which belongs to all in the terrestrial city.⁷⁰

To summarize, the scope of lay authority spans both the temporal and ecclesial arenas. It includes proclaiming the Gospel in the world by witness and word; it also involves receiving the hierarchy's teaching and stating one's needs and opinions for the good of the church. Therefore, in both the secular and ecclesial realms, the laity are called to manifest the authority that comes to them through baptism and confirmation and in this way properly share in Christ's prophetic ministry.

Relationship Between Magisterial and Lay Authority

Much more can be said about the laity's receiving of the hierarchy's teachings, for it is such reception that lies at the center of the relationship between lay and magisterial authority. It seems fairly obvious that a teaching of the church is only as authoritative as how it is received by the community; Pope Paul VI's 1968 encyclical *Humanae Vitae*, for example, in failing to take seriously the experiences of Catholic

⁷⁰ *LG*, par. 37.

married couples, is widely dismissed as unrealistic and irrelevant in the faith lives of many in the community. But the reception of teaching by the faithful goes much deeper than simply relevance among the community. Indeed, as has been demonstrated above, the nature of lay authority demands that a teaching be properly received in order to be authoritative. The expected response to defined doctrine, whether from a pope or a general council, is “reception” by the faithful through a sincere act of faith. Yet so serious are the requirements of consultation that Sullivan concurs with theologian B.C. Butler in saying, “If a definition failed in the end to enjoy such a reception on the part of the Church, this would prove that the definition had not in fact met the stringent requirements for an [infallible] pronouncement.”⁷¹ A similar view was expressed by Joseph Ratzinger in 1969, some years before he became pope: “Where there is neither consensus on the part of the universal Church nor clear testimony in the sources,” he said, “no binding decision is possible. If such a decision were formally made, it would lack the necessary conditions and the question of the decision's legitimacy would have to be examined.”⁷² Indeed, Canon 749.3 of the 1983 code states, “No doctrine is understood to have been dogmatically defined unless this is manifestly the case.”⁷³

The laity have a distinct role in the development of tradition itself. Gaillardetz points to a helpful image offered by Cardinal John Henry Newman regarding this relationship between the bishops' role in teaching and safeguarding doctrine, and the

⁷¹ Sullivan, *Magisterium*, p. 180.

⁷² Patrick Granfield, *The Limits of the Papacy: Authority and Autonomy in the Church*. New York: Crossroad, 1987. p. 150.

⁷³ Sullivan, *Magisterium*, p. 106.

laity's encounter with such teachings in their daily lives. Newman describes this relationship as the *conspiratio fidelium et pastorum*, the “breathing together of the faithful and the pastors.”⁷⁴ Today, Gaillardetz notes, it is common to see the bishops pitted against the faithful in a relationship of opposition and subordination.

Newman's image avoids this in two ways. First, it is important to remember that the pastors are also part of the faithful: Vatican II taught that the faithful are the whole people of God, lay and clergy, and thus there can be no opposition. A bishop's role of leadership is always situated within his common Christian identity as a *Christifidelis*. Secondly, the image of *conspiratio* points to the Holy Spirit as the “holy breath” of God. “Breathing together” requires a shared rhythm established by the Spirit. Newman believed that the one apostolic faith given to the whole church was manifested in different forms in the life of the church. To discover this faith one must look to “the mind of the Church.”⁷⁵ Consequently, in some sense the whole church could be teachers and learners, breaking from the tendency to divide the church into two, the *ecclesia docens* and the *ecclesia dissens*. For Newman the whole church participated in handing on the faith. This sharing of roles was a manifestation of *conspiratio*: for Newman, it did not mean that the bishops abandoned their unique role as authoritative teachers. Rather it meant that before they taught, along with their careful and prayerful study of Scripture and tradition, they might profitably inquire after the insights of the faithful as part of their preparation for teaching.

⁷⁴ Gaillardetz, *By What Authority?* p. 111.

⁷⁵ John Henry Newman. *On Consulting the Faithful in Matters of Doctrine*. Original published in 1859. Kansas City: Sheed & Ward, 1961 (reprint). p. 163. Cf. Gaillardetz, *By What Authority?* p. 111.

The early church exercised this sort of reciprocal relationship between the bishops and their churches in shaping doctrine, as discussed in the previous chapter, with the practices of St. Cyprian as a prominent example. Bishops' teaching and ecclesial reception were inseparable elements of the larger process of handing on the apostolic faith. This process, however, was weakened as the church gradually shifted toward a more pyramidal view of the church in which reception was governed by the juridical notion of obedience: the magisterium promulgates the law and teaches doctrine, while the faithful obediently accepts these laws and doctrines. Vatican II, in emphasizing the active role of the whole people of God in the church's "traditioning" process, challenged this juridical view but did not offer a developed alternative. Though the conciliar texts support an understanding of intra-ecclesial lay authority that includes receiving the hierarchy's teachings as well as teaching the hierarchy, structures and normative practices are not in place to ensure that the laity's authority may be fully exercised in the church.

My objective in the next chapter is to offer a more developed means through which the vision of Vatican II – with its *communio* ecclesiology and openness to lay authority – might be more adequately realized. Calls for a democratization of the church have highlighted the need for the church to adopt democratic principles of participation, accountability, conciliarity, representation, pluralism, dialogue, and consent. However, an historical overemphasis on an institutional model of church has not only inhibited such democratic principles but has also tended to overshadow other important and theologically valid models of the church, and precluded lay participation

in ecclesial governance. The *sensus fidei* and the reception of teaching by the faithful establish the basis of lay authority and substantial participation in the church. What is missing is an underlying principle to direct *how* lay authority and governance is to be exercised. If the church hierarchy and the laity are truly to “breathe together,” structures must be in place and guiding principles must be applied in order for such cooperation and collaboration to be effective, and the gifts and authority of the laity properly honored. My contention is that ecclesial governance must be characterized by subsidiarity. The origins, development, application and implications – particularly for the laity – of the principle of subsidiarity within the ecclesial realm will be the focus of the next two chapters.

CHAPTER FOUR
THE PRINCIPLE OF SUBSIDIARITY AND ITS VALIDITY AS APPLIED WITHIN
THE CATHOLIC CHURCH

The previous chapters have discussed the role of the laity in the church, and explored issues and understandings of ecclesiology and authority in order to establish the framework in which the question of subsidiarity's validity within the ecclesial realm will be examined. This chapter begins with a history and development of subsidiarity in the Catholic tradition, as well as an overview of subsidiarity understood in both positive and negative senses. Defining the principle precisely becomes important in determining, first, whether or not an application of subsidiarity is appropriate within the church, and secondly, *how* the principle might be applied and its implications.

I will demonstrate that Catholic ecclesiology has indeed drawn from principles of Catholic social teaching in the past, and has in some ways already affirmed the theological validity of subsidiarity's application within the church. However, such applications of subsidiarity have not yet been extended to include a role in governance and substantial participation by the laity. It is my contention that a *communio-*ecclesiology and an understanding of lay authority grounded in the *sensus fidei*, as discussed in the previous chapter, provide the foundations for subsidiarity's validity in the church as the guiding principle for governance and decision-making roles by the laity.

The Catholic Tradition of Subsidiarity

According to Richard Mulcahy and Thomas Massaro in *The New Catholic Encyclopedia*, “the principle of subsidiarity is broadly concerned with the limits of the right and duty of the public authority to intervene in social and economic affairs.”¹ It is a principle that operates in two directions: from the 'bottom up,' it insists that individuals and lesser communities within society are responsible for their own appropriate functions.² From the 'top down,' subsidiarity acknowledges that higher authorities such as the state may intervene among smaller social units in order to “encourage, stimulate, regulate, supplement and complement” them – that is, render *subsidiuum* or aid.³ The principle of subsidiarity does not permit all aspects of society to be absorbed into the state but does encourage an active state within society.

Subsidiarity is named as such and articulated by Pius XI in 1931 when he declares in *Quadragesimo anno*:

It is an injustice and...a disturbance of right order to transfer to the larger and higher collectivity functions which can be performed and provided for by lesser and subordinate bodies. Inasmuch as every social activity should, by its very nature, prove a help [*subsidiuum*] to members of the body social, it should never destroy or absorb them. The state should leave to other bodies the care and expediting of matters of lesser moment. ... The more faithfully the principle of subsidiarity is followed and a hierarchical order prevails among the various organizations, the more excellent will be the authority and efficiency of society.⁴

A number of comments are necessary regarding the context and purpose of this teaching.

¹ Richard E. Mulcahy, SJ and Thomas Massaro, SJ. “Subsidiarity.” *The New Catholic Encyclopedia*. Second edition. Detroit: Thompson/Gale, 2003. p. 567.

² *QA*, pars. 79-80.

³ *MM*, par. 53.

⁴ *QA*, pars. 79-80.

First, Pius wanted to reiterate and extend the teaching on social and economic issues initiated by his predecessor Leo. At a time when Mussolini's fascist regime pressured Pius and the church to retreat to “spiritual” matters, Pius reasserted the importance and legitimacy of the church's social role.⁵ Second, Pius contended that spiritual renewal itself is a necessary condition for social reform. As Christine Firer-Hinze comments, “If the evils besetting modern society are to be cured, and genuine peace – which encompasses both justice and charity – attained, God's reign must be restored to the heart of each person *and* to the heart of familial, political, and economic life.”⁶ Pius was not content to allow the church to stand entirely independently from the world. Instead, he wished to transform diverse structures of the social order in such a way that each order of public life would be transformed both materially and spiritually. With this articulation in *Quadragesimo anno*, subsidiarity becomes a fundamental tenet of Catholic social teaching.

Even before this clear enunciation of the principle, one can find foundations for the principle of subsidiarity in church teaching. Franz Mueller finds such precursors in the writings of Ambrose, Chrysostom, Theodoret, and Augustine, where autonomy of smaller groups and individuals within the greater organism of society is safeguarded. Mueller observes that these Fathers “devoted detailed studies to this analogy: man is created and destined for social life; in human communities there is need for authority and

⁵ Cf. Paul Misner. “Catholic Labor and Catholic Action: The Italian Context of *Quadragesimo Anno*.” *Catholic Historical Review*. Volume 90, 2004. pp. 650-74.

⁶ Christine Firer-Hinze. “Commentary on *Quadragesimo Anno*.” *Modern Catholic Social Teaching: Commentaries and Interpretations*. Kenneth R. Himes, editor. Washington: Georgetown University Press, 2005. pp. 151-174, at 153.

differentiation; the 'members' must, as in the case of the natural body, have different functions, rights and duties; the equal and the unequal must join in God-intended harmony and order.”⁷

John Kelley traces this path as it continues through Thomas Aquinas. Following Aristotle, Aquinas held that all things have an immanent purpose that was divinely implanted. For Aquinas, “God not only causes creatures to be. He causes them to be in the specific ways in which they exist and orders them to their specific goals.”⁸ These specific goals exist at different levels. Human creatures, for example, have goals in common with other creatures; with animals, humans share the goals of self-preservation, sex and food; and with other rational beings, the search for truth and community. These various levels of goals exist in subsidiary relationship to one another; the lower levels of human society are taken up within the higher.

Mueller argues, “St. Thomas states that *una congregatio vel communitas includit aliam*, i.e. one social body ('congregation') or community includes another, naturally smaller one, as in a system of concentric circles. This applies to both secular and sacred association.”⁹ This concentric ring of lesser societies grows naturally from one to the next, each building upon or supporting the other. Aquinas used the example of a family

⁷ Franz H. Mueller. “The Principle of Subsidiarity in the Christian Tradition.” *American Catholic Sociological Review*. Volume 4, 1943. pp. 144-57, at 145.

⁸ John E. Kelley. “The Influence of Aquinas' Natural Law Theory on the Principle of 'Corporatism' in the Thought of Leo XIII and Pius XI.” *Things Old and New: Catholic Social Teaching Revisited*. Francis P. McHugh and Samuel M. Natale, editors. Lanham, MD: University Press of America, 1993. pp. 104-143, at 108.

⁹ Mueller, p. 147. The citation from Aquinas is *In IV. Sent.* d. 25, q. 3, a. 2, q. 3, sol. 3.

growing to a village, and then to a city and a principality.¹⁰ When functioning harmoniously, this ordering of society permits each person to fill his or her particular goals at appropriate levels. This set of relationships is discernible via the natural law. Subsidiarity is not a novelty with *Quadragesimo anno* but has roots in the church fathers and especially in the thought of Aquinas.

Though the principle of subsidiarity has been present throughout the church's history, it is widely conceded that Bishop Wilhelm Emmanuel von Ketteler of Mainz brought this idea forward into modern Catholic social teaching in the 1850's.¹¹ William Hogan notes that Ketteler pointed back to the Middle Ages when the autonomy of spontaneously formed social groups, such as towns, guilds, and religious associations, were not mere creatures of the state, but were real entities anterior of the state. Bishop Ketteler taught 19th-century clerics and laymen that “the state had the duty of furnishing by means of legislation the necessary assistance to the working class in organizing a corporative structure in which the new corporations would enjoy autonomy within their respective spheres.”¹²

It is likely due to Ketteler's influence on Leo XIII¹³ that we find the concept of subsidiarity seminally present in *Rerum novarum*, where Leo writes, “The law must not

¹⁰ Thomas Aquinas. *Summa theologica*. Cambridge: Cambridge University Press, 2006. Book 3, q. 8, q. 1, ad 2.

¹¹ See Paul Misner. *Social Catholicism in Europe: From The Onset of Industrialization to the First World War*. New York: Crossroad, 1991.

¹² William E. Hogan. *The Development of William Emmanuel von Ketteler's Interpretation of the Social Problem*. Washington: Catholic University of America, 1946. pp. 80-83. Cited in Kelly, p. 119.

¹³ Kohler states: “The authority of Ketteler's thought became immense. *Rerum Novarum* was so influenced by it that Leo XIII referred to Ketteler as 'my great predecessor.’” p. 34.

undertake more, nor go further than is required for the remedy of the evil or the removal of the danger.”¹⁴ Leo XIII's *Immortale Dei* (1885) also suggests the principle of subsidiarity – for example: “Even in physical things, albeit of a lower order, the Almighty has so combined the forces and springs of nature with tempered action and wondrous harmony that no one of them clashes with any other, and all of them most fitly and aptly work together for the great purpose of the universe.”¹⁵

As noted above, the definitive statement employing and describing the principle of subsidiarity in Catholic social teaching was written by Oswald von Nell-Breunning and promulgated by Pius XI as *Quadragesimo anno*.¹⁶ There Pius responded to the conditions that European and American believers faced during the Industrial Revolution and the Depression. While addressing economic concerns in detail, the real bedrock assumption behind *Quadragesimo anno* is anthropological.¹⁷ The whole person must be able to pursue his or her goals within society, and these certainly included the economic aspect of life. Speaking of the encyclical, Thomas Kohler notes:

Since spirit and body are co-principles in the constitutions of the person, no such distinction (that the church's place in society is confined to the spiritual realm) can be made. The temporal and spiritual have a mutually conditioning effect on the person, who exists as an inseparable whole. Consequently, everything that touches upon the well-being of the person is of interest to the church. ... Its

¹⁴ *RN*, par. 29.

¹⁵ Leo XIII. *Immortale Dei*, par. 14.

¹⁶ Firer Hinze, p. 154.

¹⁷ Kohler, p. 32. Kohler writes: “The encyclical's core concern, however, is with the sorts of social institutions that are most conducive to the full development of the human personality. In a world increasingly dominated by large and often state-controlled institutions, the encyclical seeks to carve out the grounds for authentic individual self-determination.”

function is not to govern but to advise and offer commentary on the arrangements by which we order our lives.¹⁸

Pius's goal for subsidiarity was the full development of the human person within a system in which the person can flourish. He believed that, due to the Industrial Revolution and the Depression, these purposes of human existence had been abrogated by an economic system that pitted employee against industrialist. He proposed a “corporatist”¹⁹ solution that would include intermediary associations that would enable people to fulfill their various goals. These associations, largely trade-related groups, would have semiautonomous status vis-a-vis the state.²⁰

The principle reappears in *Mater et magistra* (1961) and is again applied to economic matters. Here, John XXIII shows his desire to protect individuals against interference by higher collective groups, but he also insists on the need for larger groups to support the lesser. He argues that, in economics, lower and smaller entities such as

¹⁸ *Ibid.* p. 41.

¹⁹ Kohler, discussing the context of *Quadragesimo Anno*, describes corporatism, also known as solidarism, as “an attempt to work out the principle of subsidiarity in the economic order of a society. Meant to represent a 'third way', solidarism rejects the premises of both socialism and liberal individualism. It locates in the nature of man and society a principle for the order of the economy as a whole. Repudiating both centrally planned command economies and unrestricted competition, solidarism proposes the establishment of free, voluntary, and self-governing organizations composed of all the members of the various professions and occupations represented in the economy. These organizations, encompassing both employers and employees, are to act as self-regulating bodies, providing the opportunity for an ordered economic freedom. In keeping with the principle of subsidiarity, these occupational groups are to mediate the relationship between individuals and the state; they are to stand apart, and to enjoy a large measure of autonomy, from the state. The state's function is to oversee the activities of the various economic associations only to the degree required by the common welfare. In this view, the economy is a set of social relations composed of various autonomous vocational organizations that are bound together to achieve the welfare of all.” p. 37. See also Marie Giblin, “Corporatism,” in *New Dictionary of Catholic Social Thought*. Judith A. Dwyer, editor. Collegeville: Liturgical Press, 1994. p. 244.

²⁰ *QA*, pars. 81-95.

individuals or firms are the proper origin of business ventures.²¹ Nevertheless, greater corporate entities must increase the output of goods produced and see to it that they are used for the common good. John XXIII explains this relationship with a reference to subsidiarity. “This intervention of public authorities that encourages, stimulates, regulates, supplements and complements is based on the principle of subsidiarity as set forth by Pius XI in his encyclical *Quadragesimo Anno*.”²² Later, without mentioning subsidiarity by name, John XXIII recognizes the increasing complexity of social life and expresses his wish that *all* social organizations contribute to the common good. The greater public authorities should understand the common good and direct the intermediate and smaller social groups toward it. Individual members of society can then be encouraged and enabled to “achieve their own perfection,” as they participate in larger social groups.²³

When addressing the issue of poverty in less developed nations, John XXIII urges that those in authority help the poor to help themselves. Here, he combines the principle of solidarity with that of subsidiarity. Given our solidarity with others of the human race, he argues, we owe them our help as fellow members of the human family. Expressions of this solidarity, however, are to be formulated from the bottom of the subsidiarity pyramid, with individuals helping first themselves and then their nearby communities. The pope writes:

²¹ *MM*, par. 51.

²² *Ibid.* par. 53.

²³ *Ibid.* par. 65.

Hence, those also who rely on their own resources and initiative should contribute as best they can to the equitable adjustment of economic life in their own community. Nay, more, those in authority should favor and help private enterprise in accordance with the principle of subsidiarity, in order to allow private citizens themselves to accomplish as much as is feasible.²⁴

In *Pacem in terris* (1963) John XXIII applies the principle of subsidiarity to the international community, urging that international relations also be guided by the principle. By this he means that, as national governments direct smaller organizations within their nation toward the common good, so too should international bodies direct national governments toward the common good of people worldwide.²⁵ John XXIII goes on to say that he does not wish to supplant the responsibilities of individual authorities but judges that only a worldwide authority can create the conditions in which individual nations can prosper and pursue their true common good.

In the 1980s the U.S. Catholic bishops applied the principle of subsidiarity to both the content and the production of church social teachings when they published *The Challenge of Peace* and *Economic Justice for All*. In preparing these statements, the bishops followed the principle of subsidiarity by including listening and working sessions within a number of dioceses and congregations.²⁶ The content also reflected influence of

²⁴ *Ibid.* par. 152.

²⁵ John XXIII. *Pacem in Terris: Peace on Earth* (1963). *Catholic Social Thought: The Documentary Heritage* (Eighth Printing). David J. O'Brien and Thomas A. Shannon, editors. Maryknoll: Orbis, 2001. pp. 131-162, at par. 140.

²⁶ Richard R. Gaillardetz writes: "By adopting a methodology, at least with respect to the pastoral letters, *The Challenge of Peace* and *Economic Justice for All*, which incorporated open listening sessions conducted in individual diocese and by the drafting committee itself, the bishops took seriously the assumption of both Vatican II and Paul VI that not only the hierarchy but all God's people must engage in the central processes of ecclesial discernment." Gaillardetz, "The Ecclesiological Foundations of Modern Catholic Social Teaching," p. 85.

Quadragesimo anno and later reflections on subsidiarity. For example, *Economic Justice for All* states:

Catholic social teaching calls for respect for the full richness of social life. The need for vital contributions from different human associations – ranging in size from the family to government – has been classically expressed in Catholic social teaching in the “principle of subsidiarity.” This principle guarantees institutional pluralism. It provides space for freedom, initiative, and creativity on the part of many social agents. At the same time, it insists that all these agents should work in ways that help build up the social body. Therefore, in all their activities these groups should be working in ways that express their distinctive capacities for action that help meet human needs, and that make true contributions to the common good of the human community.²⁷

Later in the document, the bishops specifically name intermediate structures such as families, neighborhoods, and community and civic associations that link individuals to their societies. All together contribute to the creation of the common good.²⁸ In light of their understanding of subsidiarity, the bishops also express regret that there is no international organization with the authority to promote economic justice at the international level.²⁹

In 1991, on the 100th anniversary of *Rerum novarum*, John Paul II issued his encyclical *Centesimus annus* on economic justice, applying the doctrine of subsidiarity in a way that both strengthens the role of the individual and establishes the limits and responsibilities of state action. Emphasizing the creativity and responsibility that each individual person has, the pope writes:

²⁷ United States Conference of Catholic Bishops. *Economic Justice for All: Pastoral Letter on Catholic Social Teaching and the U.S. Economy* (1986). *Catholic Social Thought: The Documentary Heritage*. David J. O'Brien and Thomas A. Shannon, editors. Maryknoll: Orbis, 2001. pp. 572-680, at pars. 99-100. Hereafter referred to as *EJA*.

²⁸ *EJA*, par. 308.

²⁹ *EJA*, par. 323.

The role of disciplined and creative *human work* and, as an essential part of that work, *initiative and entrepreneurial ability* becomes increasingly evident and decisive. ... Indeed, besides the earth, man's principal resource is man himself. ... It is his disciplined work in close collaboration with others that makes possible the creation of ever more extensive working communities which can be relied upon to transform man's natural and human environments.³⁰

Turning toward global responsibilities and connections, John Paul II emphasizes that we are all part of one human family, and insists that we cannot be indifferent to the plight of any family members. He cites biblical examples such as Cain's question about being his brother's keeper, the parable of the Good Samaritan and the judgment scene in Matthew 25 to illustrate that our common human nature demands acts of mercy and justice towards others.

John Paul II also clarifies the role of the state in four ways. First, stronger nations must provide opportunities for smaller ones in the international arena, including its economic life.³¹ Second, the state may not become totalitarian, absorbing many of the functions of the intermediary groups.³² Third, the state must step in to fulfill crucial roles when other social sectors are not equal to the task at hand. This type of state action, however, must occur on an *ad hoc* basis, and not be permitted to take over the roles of intermediate groups.³³ Finally, while constantly vigilant to promote the common good, the state is not responsible for all goods. Smaller groups such as individuals, families,

³⁰ John Paul II. *Centesimus annus: On the Hundredth Anniversary of Rerum Novarum* (1991). *Catholic Social Thought: The Documentary Heritage*. David J. O'Brien and Thomas A. Shannon, editors. Maryknoll: Orbis, 2001. pp. 437-488, at par. 32. Hereafter referred to as *CA*.

³¹ *CA*, par. 35.

³² *CA*, pars., 13, 45.

³³ *CA*, par. 48.

and businesses are prior to the state and responsible for the good of their own sector of social life.³⁴

John Paul II extended and clarified the social theology begun in the late 19th century. Commenting on the advantages of subsidiarity, so articulated, in contemporary pluralistic societies, Brian Stiltner notes:

The plurality of associations is a consequence of human finitude and a guard against hubris. In sum, pluralism is central to the common good because different communities center on the pursuit of different components of the complex human good; because institutional diversity facilitates extensive participation in social life [a strong element of the Catholic component of the good society is, after all, justice as participation]; and because no one association can claim to be a perfect community.³⁵

In the Catholic Church's teachings on subsidiarity, two important themes emerge. The first is that of “greater and lesser.” It emphasizes a hierarchical principle in which greater associations support the lesser and permits lesser associations to accomplish smaller tasks. As the principle develops from *Mater et Magistra* onward, the church clarifies the roles that greater authorities should play in the lives of the lesser, “encouraging, stimulating, regulating, supplementing and complementing.”³⁶ In *Economic Justice for All*, the types and nature of the associations themselves are expanded. Not only are greater institutions such as church and state mentioned, but also explicit reference is made to intermediary groups such as “families, neighborhoods, church congregations, community organizations, civic and business associations, public

³⁴ *CA*, par. 11.

³⁵ Brian Stiltner. *Religion and the Common Good: Catholic Contributions to Building Community in a Liberal Society*. Lanham, MD: Rowman & Littlefield, 1999. p. 178. Cited by John A. Coleman, S.J. “The Future of Catholic Social Thought.” *Modern Catholic Social Teaching*, p. 522-544, at 528.

³⁶ *MM*, par. 51.

interest and advocacy groups, community development corporations, and many other bodies.”³⁷ The state is the regulator and aid of the smaller groups, and each smaller group has its own area of responsibility. This theme places associations in order by size and relates greater size with greater authority.

A second theme emerges that points to a teleological approach. Following Aquinas, the church argues that each creature has its own divinely appointed reason for existence. The good for that creature is that it fulfills its own *telos*. Given the differences among creatures and people, there must be a wide range of *teloi*. Even within each person, there are various *teloi*. Subsidiarity encourages each distinct being, and perhaps each intermediate institution, to achieve its appropriate end. When each part does so, it contributes to the good of the whole or the common good. While the vertical and hierarchical viewpoint of subsidiarity is central, this horizontal element functions as its complement. The entire *subsidiuum* is geared toward the common good, as each individual or group achieves its own good within the good of the whole. The vision of the principle of subsidiarity is thus one of complementary associations of varying sizes working together in solidarity for the common good. It is this goal – the common good – that gives subsidiarity its focus.

Negative and Positive Understandings of Subsidiarity

While the references to subsidiarity seem to be fairly clear in the magisterial statements, the same cannot be said about the efforts of commentators and scholars of Catholic social teaching to explicate its meaning or its implications in civil society or in

³⁷ *EJA*, par. 308.

the church. A few points of clarification regarding subsidiarity's meaning may be helpful before embarking on the question of whether or not the principle is applicable within the church. Generally speaking, subsidiarity is understood both negatively and positively.³⁸

Negative Understandings of Subsidiarity

Negatively, subsidiarity is often understood as decentralization, non-intervention, and autonomy. Decentralization, Kelley notes, “suggests a movement to unclog a congested operation – it is a negation of centripetal attraction.”³⁹ Business management, for example, has been widely critiqued when characterized by over-centralized organization and excessive bureaucracy. William Sexton describes subsidiarity as the delegation of authority to bring power as closely as possible to where decisions must actually be implemented. He sees the negative process of decentralization as one of gradual involvement of people in decision-making.⁴⁰

Subsidiarity is also understood as non-intervention. The papal encyclicals declare that the state should intervene as little as possible in the life of lesser societies. It has been argued that the state and other authorities do not merely serve subsidiary functions, but that they *are* subsidiary functions.⁴¹

Finally, Vatican II “accorded to each individual a high degree of autonomy.”⁴² Pope Paul VI expanded this notion in subsequent writings under the titles of liberation

³⁸ Kelley, “Subsidiarity and Social Renewal,” pp. 202-205.

³⁹ *Ibid.* p. 202.

⁴⁰ William Sexton. “Collegiality and Subsidiarity.” *Review for Religious*. November 1970. pp. 857-864.

⁴¹ Cf. William W. Bassett. “Subsidiarity, Order and Freedom in the Church.” *Once and Future Church*. New York, NY: Alba House, 1971. pp. 205-265.

⁴² Paul VI, July 1969. See Kelley, “Subsidiarity and Social Renewal,” p. 203.

and development. In *Octogesima Adveniens*, he says: “The ideal to be achieved...is self-determination, so that each country is allowed to promote its own development, free from any spirit of domination, whether economic or political.”⁴³

We shall see that those who argue against subsidiarity's application in the church tend to understand the principle in these negative senses, particularly as decentralization and autonomy. When emphasized negatively, the principle is seen as individualistic and threatening to the unity of the church, in part because decentralization, non-intervention, and autonomy call for some relinquishing of power by the hierarchy. This caution regarding subsidiarity's application in the church is seen, for example, in Pius XII's statement that subsidiarity must “apply to social life at all levels and also for the life of the Church” though qualifies his remarks by adding, “without prejudice to her hierarchical structure.”⁴⁴ Additionally, during the 1969 bishops' synod, Paul VI accepts subsidiarity as a relevant principle for relations between the pope and bishops, though warns that it cannot be confused with pluralism or forms of autonomy, which would harm the unity and common good of the church.⁴⁵ Subsidiarity understood not exclusively negatively but also in its positive senses, however, connotes not a power struggle between the hierarchy and the laity, but shared responsibility among the community as a whole.

⁴³ *OA*, par. 43.

⁴⁴ Pius XII, Consistorial Allocution, February 20, 1946: *AAS* 38 (1946) 144.145.

⁴⁵ Komonchak, p. 317.

Positive Understandings of Subsidiarity

Positively, subsidiarity has been understood as co-responsibility, collegiality, freedom, and interdependence. Co-responsibility is described as “that moral quality and exercise of personal concern in virtue of which each member of a social body declares or at least perceived responsibility for the entire body.”⁴⁶ It connotes awareness, concern, and solidarity: for example, in team ministry, each member is concerned for the operation of the whole ministry and supports the others in their various functions and roles. Decision-makers in line with this principle must attempt to involve the “appropriate maximum” of persons, that is, all the persons who might reasonably share in the decision-making procedure.⁴⁷ Structures must therefore be conducive to eliciting input from persons who are to exercise shared responsibility.

Collegiality is a complementary notion suggesting a solidarity of those who constitute the group that makes decisions. It was an important notion at Vatican II, while the Synod of Bishops is an example of episcopal collegiality. The collegiality of bishops prompts reflection on the collegiality of all Christians; just as the bishops wanted to recover shared governance tradition that preceded Vatican I, so do most Catholics want a say in the decision-making that affects their faith lives.

Freedom is stimulated by the right use of subsidiarity, which offers whatever freeing support is necessary. The support of “subsidiuum” is not a paternalistic one but rather a response to needs which have been identified at the level of action. Such aid is

⁴⁶ Kelley, “Subsidiarity and Social Renewal,” p. 203.

⁴⁷ *Ibid.*

offered in response to request, or by mutual agreement or consensus. Kelley emphasizes that this freedom is not one-sided: in situations where subordinates develop more power to deal with issues at their level, superiors are freed to concentrate on matters which could not be delegated. Freedom increases at both levels.

The principle of subsidiarity may also be understood as interdependence. Subsidiarity does not suggest absolute autonomy; it rather suggests that there is a larger context of the reality of human life in which everything is inter-related. It becomes essential to see that the exercise of freedom on the part of one impinges on the freedom of others. This idea of interdependence takes us to the matter of authority, traditionally conceived as the right to command. But with the application of the principle of subsidiarity, this notion shifts to understand authority in a more functional and dynamic way. Kelley notes: "There is great need for the individual to first seek out answers for himself, rather than looking first to authority figures for answers."⁴⁸ This concept of authority and interdependence corresponds to the understandings of lay authority discussed in the previous chapter.

Those who support subsidiarity's application in the church tend to draw upon these positive understandings to argue that co-responsibility, collegiality, freedom, and interdependence are needed in order to negotiate the relationship between the universal and local church. These differing emphases on the principle's meaning, we shall see, become important in the debate over subsidiarity's validity in the church.

⁴⁸ *Ibid.* p. 204.

The Contribution of Catholic Social Teaching to Ecclesiology

Having reviewed a more precise understanding of subsidiarity, particularly as developed within Catholic social thought, we now turn to the question: can principles of Catholic social teaching, including subsidiarity, be applied to the church itself? Some who view subsidiarity as strictly a sociological principle have criticized its application to the church as inappropriate. They contend that the church is no mere sociological reality but a spiritual communion and therefore not subject to the sociological rules that apply to other secular institutions.⁴⁹ More will be said later about subsidiarity specifically as applied to the church; in this section, I examine the ways in which principles of Catholic social thought in general have influenced ecclesiological understandings.

In an essay entitled “What Catholic Ecclesiology Can Learn from Official Catholic Social Teaching,” Charles Curran argues that ecclesiology can and should learn from Catholic social thought. Responding to objections that the church is a unique community founded on the grace and the call of God, and thus has a structure distinct from human structures and especially human political society, Curran points out that traditional Catholic self-understanding does not see such a dichotomy or difference between the two. “Catholic faith has always seen the divine as working in and through the human. The human as such never stands in opposition to the divine.”⁵⁰ Since the divine uses the human and is mediated in and through the human, in accord with an

⁴⁹ Jean Marie-Roger Tillard. *Church of Churches: The Ecclesiology of Communion*. R.C. DePeaux, translator. Collegeville: Liturgical Press, 1992. pp. 336-337.

⁵⁰ Charles E. Curran. “What Catholic Ecclesiology Can Learn from Catholic Social Teaching.” *A Democratic Catholic Church: The Reconstruction of Roman Catholicism*. Eugene C. Bianchi and Rosemary Radford Ruether, editors. New York: Crossroad, 1993. pp. 94-112, at 94.

incarnational theology, the church can and should learn from human understandings. It then follows that the church and the human political order are not identical, but there can be and are important similarities.

Curran notes that the fact of God's working in and through the human is very evident in Catholic ecclesiology. He writes:

Catholicism insists in contradistinction to some Reformation perspectives that the church is a visible human society with a visible human structure. The church is not an invisible relationship of the individual believer with God but is rather a visible, human community animated by the Holy Spirit. As the incarnational principle brought the divine and human together in Jesus, so too in the church there is both the divine and the human aspect but not merely existing in juxtaposition.⁵¹

Indeed, Catholic social teaching has acknowledged that the church can and should learn from the models and structures of secular government and the political order.

One explicit mention of the relationship between life in the church and life in human political society is found in the 1971 document of the world synod of bishops, *Justice in the World*: “While the church is bound to give witness to justice, she recognizes that anyone who ventures to speak to people about justice must first be just in their eyes. Hence, we must undertake an examination of the modes of acting and of the possessions and life style found within the church herself.”⁵²

The first area mentioned in this document is human rights, including the right of workers in the church to a suitable livelihood and social security, the right to a suitable freedom of expression and thought, and the right to procedural justice, including the

⁵¹ Curran, p. 95.

⁵² Synod of Bishops. *Justice in the World* (1971). *Catholic Social Thought: The Documentary Heritage*. David J. O'Brien and Thomas A. Shannon, editors. Maryknoll: Orbis, 2001. pp. 287-300, at par. 40. Hereafter referred to as *JW*.

accuser's right to know the accused. *Justice in the World* also insists on the right of all members of the church to “have some share in the drawing up of decisions” and urges that women should have their own share of responsibility and participation in the life of society and in the community life of the church.⁵³

Echoing this assertion, the U.S. Catholic bishops, in their pastoral letter on the economy, add: “All the moral principles that govern the just operation of any economic endeavor apply to the church and its agencies and institutions: indeed the church should be exemplary.”⁵⁴ The bishops then reflect in a special way on five areas – wages and salaries, rights of employees, investments and property, works of charity, and working for economic justice. Even though this particular letter deals with economic activity, the bishops in their closing paragraph of this section recognize that the principle involves more than just the economic order and includes the cultural order. “As we have proposed a new experiment in collaboration and participation in decision-making by all those affected at all levels of United States society, so we also commit the church to become a model of collaboration and participation.”⁵⁵

Curran attributes the development of linking the internal life of the church with the life of human political society to the ecclesiological shifts that occurred with Vatican II. According to Curran, a pre-Vatican II understanding of the church and the relationship between the church and the human political order saw no basic bond or connection between the two; from a purely ecclesiological perspective, pre-Vatican II

⁵³ *Ibid.* pars. 257-258.

⁵⁴ *EJA*, par. 347.

⁵⁵ *Ibid.* par. 358.

Catholicism tended to see the church as the kingdom of God and thus basically holy, without spot, and in no need of reform or change. With Vatican II, however, the church overcame the supernatural-natural dichotomy, which had become almost a dualism in Catholic thought and practice. This dichotomy, Curran asserts, had been used to prevent any direct linkage between ecclesiology and Catholic social teaching. In contrast, *Guadium et Spes* taught that redemption is not limited only to the sphere of the supernatural and the church; the document insisted on the need to overcome the split between the Gospel and one's daily life in the world.⁵⁶

These theological changes were reflected in ecclesiology. Vatican II accepted the notion of the church as always in need of reform. The principle of *aggiornamento*, or updating, included considering both the signs of the times and the historical sources. The structures of the present had developed and grown over time. The return to the sources and the needs of the present provided criteria for judging and reforming the existing structures and laws of the church.⁵⁷ Curran points out that the theological basis for reform came from eschatology: “The church lives in the tension between the now and the future of the fullness of grace. The church is a pilgrim church. In the light of its eschatological fullness the church is never perfect and always in need of change and reform.”⁵⁸

⁵⁶ *GS*, par. 43.

⁵⁷ John W. O'Malley, SJ. *Tradition and Transition: Historical Perspectives on Vatican II*. Wilmington, DE: Michael Glazier, 1989.

⁵⁸ Curran, p. 98.

The council recognized that the church is the people of God and not simply the hierarchical structure, thus opening the door for rethinking the nature of authority in the church. The church is the community of the baptized, the people of God animated by the Holy Spirit and served by the office holders in the church. Catholic ecclesiology prior to Vatican II had all but identified the church with the kingdom of God. Now the kingdom of God was seen as much broader than the church. The church is a sign of the kingdom, which in its eschatological fullness and even its contemporary reality is more than the church. The church is now seen in terms of its service to the kingdom and to the world.

In addition, Vatican II accepted a sacramental ecclesiology – the church is a sign of the kingdom. The sign must point out to others the presence of the kingdom. The church must show to others the meaning, dignity, and respect of the human person. The church as a sign helped pave the way for a reforming effort to make sure that the church was such a sign and beacon in our world.⁵⁹

All these changes, Curran argues, brought about a more direct link between Catholic ecclesiology and Catholic social teaching, a connection made clear in *Gaudium et Spes*:

Everything we have said about the dignity of the human person and about the human community and the profound meaning of human activity, lays the foundation for the relationship between the church and the world, and promotes the basis for the dialogue between them.... Thus the church, at once a visible assembly and a spiritual community, goes forward together with humanity and experiences the same earthly lot which the world does. She serves as a leaven and as a kind of soul for human society as it is to be renewed in Christ and transformed into God's family.⁶⁰

Since the church and the world are mutually related, there is a reciprocal relationship between them. The document later states:

⁵⁹ *Ibid.*

⁶⁰ *GS*, par. 4.

The church knows how richly she has profited by the history and development of humanity. ... Thanks to the experience of past ages, the progress of the sciences, and the treasures hidden in the various forms of human culture, the nature of man himself is more clearly revealed and new roads to truth are opened. ... Since the church has a visible and social structure as a sign of her unity in Christ she can and ought to be enriched by the development of human social life.⁶¹

The dialogue and reciprocal relationship between church and world link the two and recognize that the church can and should learn from the world in its understanding, proclamation, and living as a human community. Catholic social teaching itself, Curran contends, recognizes a mutual relationship between ecclesiology and Catholic social thought.

Catholic ecclesiology not only *can* learn from Catholic social teaching, but *should*, argues Curran. Since Vatican II, Catholic social teaching has been characterized as adopting an historically conscious methodology; Curran cites shifts throughout the body of Catholic social thought regarding the church's approach to freedom, equality, participation, human rights, and democratic forms of government.⁶² Such an approach does not merely accept or canonize the status quo, but will critically evaluate the present in light of the past and the future, ready to oppose and criticize that which contradicts the gospel. In the same way, Catholic ecclesiology, he contends, must also adopt a more historically conscious methodology, one that is willing to criticize and reform existing church structures in light of Scripture, tradition, the signs of the times, and the coming of the reign of God. "A more rigorously consistent historically conscious methodology in

⁶¹ *Ibid.* par. 44.

⁶² Cf. Curran, pp. 104-108.

ecclesiology will share with official Catholic social teaching the importance of freedom, equality, participation, basic human rights, and democratic forms of government.”⁶³

Curran mentions subsidiarity specifically as one area of Catholic social thought that can be helpful and applicable to Catholic ecclesiology. He again points to the ecclesiological shifts of Vatican II as the basis for its application:

The ecclesiology of Vatican II recognizes that too much emphasis has been given to the universal church and to the hierarchical leadership in the church. The church is primarily the people of God and not just the universal governing function in the church. Vatican II emphasizes the importance of the local church. The church is above all the church as the community of God gathered around the eucharistic banquet table. The universal church is a community of local churches. More importance is also given to the local or diocesan church and to the local bishops and the college of bishops.⁶⁴

Especially in the light of the growing centralization in Roman Catholicism in the pre-Vatican II period, Curran argues, there is a great need for the principle of subsidiarity today. More emphasis must be given to local, national, and regional churches with the church universal truly exercising only a subsidiary function.

The Validity of the Principle of Subsidiarity for the Church Itself: Hierarchical Discussions

Can subsidiarity apply within the church itself? As discussed in Chapter 1, the magisterium has, to some extent, already affirmed the appropriateness of an application of subsidiarity within the church. In particular, the Bishops' Synods of 1969 and 1985 agreed that subsidiarity should apply to the life of the church in order to respect the bishops' authority within the local churches. The 1983 Revised Code of Canon Law

⁶³ *Ibid.* p. 109.

⁶⁴ *Ibid.* p. 101.

reflects this, stating: “[T]he new code should leave to particular laws or to executive power matters which are not necessary for the disciplinary unity of the universal Church, so that a healthy so-called ‘decentralization’ might appropriately be provided for, as long as the danger of disunity and of the establishment of national churches is avoided.”⁶⁵

Further, statements made by individual popes have also affirmed the validity of the principle in the ecclesial realm.

Two problems remain, despite such statements by the hierarchy and at the level of canon law. The first is that these statements have not been fully developed, nor has an entirely consistent position emerged. Leys believes that the hierarchical statements on the matter are ambiguous. The most positive statements on the matter were given by Pius XII, as mentioned previously, who in 1946 stated explicitly that the principle is valid in the church (though with the caveat that doing so must not infringe on its hierarchical structure). Again in 1957, in his address to the Second World Congress of the Lay Apostolate, Pius refers to *Mystici corporis Christi* (1943) where it stated that all members are called to cooperate in the building up of the church and in its fulfillment. The validity of subsidiarity for the church is implicit: for society as well as for the church it holds that associations are intended to help individual persons in their self development. The individual person retains, also in the church, his or her own responsibility: that is the meaning of the principle for the church itself.⁶⁶

⁶⁵ *Codex Iuris Canonici auctoritate Ioannis Pauli PP. II promulgatus*. Principle no. 5.

⁶⁶ Leys, pp. 87-88.

Vatican II unfortunately did not adopt Pius' vision. John XXIII pointed to the importance of subsidiarity for society in *Mater et Magistra* (1961) and *Pacem in terris* (1963)⁶⁷ and implicitly in relation to the church itself when he attributed a reasonable freedom to persons and organizations in the church, and said that this freedom is the source for abundant energies and initiatives in society. However, Leys points out that in the Constitutions and Decrees of Vatican II the principle of subsidiarity was not applied to the church itself. It was mentioned in the preparatory phase and when the decentralization of church government is treated, but was not addressed explicitly, especially considering that the Council underlined the importance of the principle for society on several occasions.⁶⁸

Leys outlines the bishops' deliberations on the matter during the synods of 1967 and 1969, each time noting that the meaning of the principle of subsidiarity for the church remains vague. In 1969, disputes arose over the meaning of subsidiarity, which in turn led to problems regarding the balancing of the authority of the Bishops' Conferences with the interests of the Holy See and the proper responsibility of each local bishop. The synod states that the local bishop must be left to do what he himself can do, that the Bishops' Conference should be allowed to determine a common approach to questions which are best handled in the same way in a given region, and that the Holy See must intervene only when there is a necessity to keep the unity of faith and the *communio*. At the same time, Leys notes that Paul VI wanted to respect the position of the bishops, yet

⁶⁷ Cf. *MM* pars. 51-58, 117, 152, 219; *PT* pars. 140-141.

⁶⁸ See for example *GS* par. 25, which discusses the content of the principle of subsidiarity and its mutual relationship with the principle of solidarity. See also *Gravissimum educationis* pars 3, 5, 25, 26, and 63.

stressed that the primacy has its own special place in the order of things. The pope was open to recognizing the proper character and needs of the local churches as a true recognition of the principle of subsidiarity, but it still needed further theoretical and practical study. He stated: “The principle of subsidiarity should not be confused with pluralism which damages faith, morals, and the main reality of the sacraments, the liturgy, and canonical order; these are needed to maintain the unity of the church”.⁶⁹

Leys also mentions that again, in 1971 and 1972, comments made by Paul VI suggested a relation between subsidiarity and the place of the diocese in the universal church, but also spoke about negative criticisms within the church which attack the nature of the magisterium. “This criticism bases itself on pluralism, on the principle of subsidiarity seen as autonomy, on a free and conceited position for the local church. ... A possible positive interpretation of the principle of subsidiarity was not mentioned.”⁷⁰

The Pontifical Commission for the Revision of the Code of Canon Law affirmed the principle of subsidiarity in the context of the relationship between the episcopacy and the papacy in the principles it drew up to guide its work, and the 1983 Code referred to it in its Preface. However, Leys argues that the Code, in failing to develop the consequences of subsidiarity and by accentuating the power of the pope at the expense of the bishops, “opens all the doors to a centralist exercise of primacy.”⁷¹ He attributes this to an identification of subsidiarity with decentralization, again highlighting that the discussion neglected to determine precisely what the meaning of the principle could be

⁶⁹ Leys, p. 96.

⁷⁰ *Ibid.* p. 97.

⁷¹ *Ibid.* p. 100.

for the church. Finally, there was some discussion of subsidiarity at the 1985 Synod.

Leys summarizes:

They accept that the principle of subsidiarity is indeed valid for the church but they say that it is often understood as the autonomy of the local churches in relation to the primacy, which is impossible because of the “highest, full direct and universal power” of the primacy and considering the primary task of the bishops, which is to guard the unity of faith and the unity of common discipline. What the principle of subsidiarity then could mean in the church they did not say.⁷²

Largely due to disagreement upon the meaning of subsidiarity itself,⁷³ its application within the church remains vague, according to the bishops' deliberations.

The principle of subsidiarity has been declared valid for the relations between the papacy and the episcopacy, and is seen as useful in order to formulate the relationship between the papacy and the episcopate juridically. But an application has not been implemented concretely nor developed fully.

The second problem with these discussions is that very little is said about the role of the faithful in relation to subsidiarity. Pius XII does state at the Second World Congress of the Lay Apostolate in 1957 that the principle of subsidiarity means for church authority that it must entrust to lay people those matters concerning the relation between church and world. They can do this just as well if not better than priests; one must recognize his or her own proper responsibility in fulfilling this task.⁷⁴ Beyond this

⁷² *Ibid.* p 103.

⁷³ Leys contends: “The philosophical sharpness of earlier descriptions e.g. in Vatican II or even earlier ones in Pius XII, has disappeared. The insight into the fundamental nature of the principle of subsidiarity seems to be absent. That is not good for providing an adequate basis for the formation of an opinion about the validity of the principle for the church itself or at least to provide a feeling for this.” p. 106.

⁷⁴ *Ibid.* p. 87.

statement, however, the focus has mainly been on the Pope and the bishops, and the relationship between the universal and local church, and not on the laity. Questions regarding the nature of magisterial and lay authority in the church in recent years demand that any serious study of subsidiarity as applied in the ecclesial realm include a discussion of the lay role in church governance and their rights and responsibilities therein.

Validity of the Principle of Subsidiarity for the Church Itself: Theological Discussions

Having outlined the deliberations of the bishops, I now turn to the debates among theologians regarding the validity of subsidiarity in the church. This discussion includes the arguments of both those who affirm the principle's validity (positive answers) and those who dispute it (negative answers).

Positive Answers

The main argument given by theologians who support an ecclesial application of subsidiarity is that the church lies not just in the spiritual or divine realm but is also a *societas*, a concrete, institutionalized, organized society with its own legal order; therefore, subsidiarity applies to the church. As Leys states: “The fundamental character, the principle of subsidiarity as ontological principle, which is rooted in the very nature of the person and his social relations, makes it valid for all associations of people and, therefore, also for the church, which is also a human society.”⁷⁵

Organized society, the *societas*, is important as the concrete human order in which the church can fulfill its mission. In view of the church as *societas*, Leys emphasizes its

⁷⁵ *Ibid.* p. 107.

juridical character and how this structure must apply subsidiarity in fulfilling its spiritual, religious-moral task. “The religious and moral values, faith and formation of conscience, can only be realized by the person,” he writes. “They cannot be enforced by internal organizational rules, they can perhaps be supported by those. One can force someone to stick to norms but one cannot force someone to accept values and make them one's own. As a whole the church should provide the framework for this internalization of values and that is her supportive function in relation to individual persons and smaller associations.”⁷⁶

Similarly, Peter Huizing argues that what is important in the church is that the meaning and purpose of pastoral leadership and the rules which should help this cannot be found in maintaining external public order, but rather in the support and the stimulus of a personal experience of Christian faith, and the personal participation in ecclesial community life. That is for him the truly theological meaning of the principle of subsidiarity in the church community.⁷⁷

Given that the church is indeed a type of society – one in which its social structure must essentially serve its mission – and given also that the church has drawn from principles of Catholic social thought in its own ecclesiology, is subsidiarity valid in the ecclesial realm?

Yes, suggests Terence Nichols, offering three reasons.⁷⁸ First, the fundamental theological reason for respecting subsidiarity in the decision-making process of the

⁷⁶ *Ibid.* p. 110.

⁷⁷ Peter Huizing, SJ. “Subsidiarity.” *Concilium*, Volume 22, 1986. pp. 105-109.

⁷⁸ Nichols, *That All May Be One*, pp. 307-308.

church is that the Spirit does not guide the church through the pope and the Curia alone, but through the bishops and all the faithful. It is true that decision-making in the church is not identical with that in a secular society or a corporation; ecclesial decision-making requires a process of discerning the will of the Spirit. But for this discernment to be effective, it is essential that subsidiary units be allowed to participate in the decision process.

Secondly, argues Nichols, the principle of subsidiarity is based on justice: the claim of the popes has been that it is a grave injustice for a higher social unit to take over the work of a lower social unit. Should not the church, as a sign of justice to the world, also allow for such dignity and respect for its own people?

Nichols' final point is from a purely sociological standpoint. He writes: 'The churches which are growing, even in secular environments (e.g. the United States), are those that have participatory structures and elicit a high degree of participation from their members.'⁷⁹ Though these groups may differ greatly with respect to their theology, what they share in common is a participatory social structure, locally and democratically run, with a high degree of commitment among their members. Nichols concludes: "Though Catholic decline can be explained in part by secularism and by other factors, probably the single most important factor is the authoritarian, command hierarchy enforced by Rome (and by some bishops). ... [C]hurches that emphasize member participation are growing;

⁷⁹ *Ibid.* p. 308. He cites typically evangelical churches, including Protestant (e.g. Assemblies of God), the Jehovah's Witnesses, and the Mormons as examples.

churches that do not are dying.”⁸⁰ In short, the Catholic church, like any other society, *needs* to adopt subsidiarity for its survival.

The evidence provided by sociology regarding the importance of subsidiarity are rather convincing. However, as has been pointed out, the case for its application in the church should not be made primarily by such arguments, for the church is not only a society in the world but is also a divinely constituted institution, whose hierarchical structure flows from its ontological structure. Thus the traditional justification for its current governance structure has been on theological grounds; it is that argument that has been most emphasized by those opposing subsidiarity's validity within the church.

Negative Answers

Those who reject the validity of subsidiarity within the church point to the place of the Christian faithful in the church; the role of authority; the identification of subsidiarity with autonomy and decentralization; and the nature of the church.⁸¹

First, subsidiarity is based on the insight that the person is prior to any form of association; therefore, associations in society and the state must recognize the dignity of the person and of his or her rights. However, the rights and duties of the faithful are not prior to the church, but originate in baptism and are attributed by the church. As such, the church does not have to take into consideration the rights of the faithful in the same way as the principle of subsidiarity prescribes this for the state and society.⁸² This

⁸⁰ Nichols, *That All May Be One*, p. 309.

⁸¹ Cf. Leys, pp. 113-117.

⁸² Giovanni Barberini. “Notes and Reflections on the Principle of Subsidiarity in the Church.” *Ephemerides Iuris Canonici*. Volume 36, 1980. pp. 329-361, at 347.

becomes concrete in the fact that human rights or the basic rights of the person are not, in the church, real sources of knowledge or criterion for the rights of the Christian faithful. These are not based on faith itself but on the natural law; they cannot be criteria for church law. The relation between these basic rights and the rights of the faithful in the church is comparable to the relationship between the Decalogue and the Sermon on the Mount; the first one is valid for human society, the latter for the church.⁸³ Ecclesiastical justice demands that faith, hope, and charity constitute the ecclesiastical community structure.

Regarding questions of authority, it is argued that the structure of the church is dogmatically determined wherein official authority has been given a special place, thus invalidating subsidiarity in the church. The immediate and all-encompassing character of the primacy of jurisdiction may not be hindered in any way: the validity of subsidiarity would be a hindrance because the principle has to do with autonomy, democracy, and the rights of freedom. In the church, authority must always be able to maintain the substantial homogeneity of faith and discipline.⁸⁴

Finally, it is the contention of the opposition that subsidiarity means that citizens of a state, which respects human rights, can do themselves (alone or together) what does not belong to the direct competency of the state. The first priority of the state must be to guarantee and foster the autonomy of the citizens. The state intervenes on the level of the

⁸³ Eugenio Corecco. "On the problem of the fundamental rights of Christians in Church and society." *AfkKR*, Volume 150, 1931. pp. 421-453, at 447-449.

⁸⁴ Barberini, pp. 354-356, 361.

common good and helps the citizens where they cannot themselves realize what they need.

This is the understanding of the principle held by Jürgen Beyer, SJ, who suggests that the subsidiarity cannot be applied to the church and should be substituted by a principle of “rightful autonomy.”⁸⁵ For Beyer, subsidiarity presupposes the independence of parts of society so that they can maintain their own identity; it is essentially individualistic. Rightful autonomy, in contrast, points to the charismata which God gives to the individual Christian and individual ecclesial group. These charismata give the person and the group their identity, but they are also given so that the whole church may profit from them. Beyer cannot see that the structure of the church could be modeled on the principle of subsidiarity, for in that structure there is continuous interference and immanence, e.g. between the universal and the local church. The office of Peter is not a supportive function for the particular church, he argues, but is an essential element of it. The principle of subsidiarity, in Beyer's interpretation, places the primacy of the pope and the collegiality of the bishops, and the link between the universal and the particular church in danger.⁸⁶

Responding to these arguments, Leys contends that insofar as the opposition see a role of subsidiarity, it is to be found only in decentralization or in the balancing of unity and diversity; they do not see the principle in the wider or more positive senses. Leys responds to Beyer, stating: “[Beyer's] interpretation of the principle of subsidiarity

⁸⁵ Jürgen Beyer, SJ. “The principle of subsidiarity: its application in the church.” *Gregorianum*, Volume 69, 1988. pp. 435-459, at 445-446.

⁸⁶ *Ibid.*

forgets its relation with the principle of solidarity. The principle of subsidiarity should not be seen as individualistic and it does not presuppose (complete) autonomy.”⁸⁷

Those who argue against the principle's ecclesial application not only fail to understand subsidiarity in its positive senses, but they also tend to draw upon a more narrow ecclesiology. For the detractors, the rejection of subsidiarity's validity in the church lies in their belief that the church has its own proper origin and nature in such a way that principles of social teaching cannot be applied (contrary to Curran's argument above). Ironically, their arguments rest on the idea that the church is not simply a *societas* but rather a *communio* as explicated in *Lumen Gentium*. Leys explains:

The systematic unfolding of the *communio* ecclesiology develops the thesis of the special nature of the church and from this follows according to one view the impossibility to combine it with the principle of subsidiarity. The relation of being in *communio* with God and with other people has its very own proper nature. The goal of canonical order is to bring about *communio*; *communio* is the formal principle of church law. *Communio* relativizes the juridical principle of legal security⁸⁸ and of natural human rights very much. The principle of subsidiarity is the exponent of the emphasis on natural human rights: it seems then as absolute. That is why the principle of subsidiarity is heterogeneous in relation to *communio*; it leads to a juridical protection of the rights of the faithful in the same way as civil law does. But natural values are relative if seen in relation to the supernatural values and rights of the faithful in the church.⁸⁹

One concept of the church, *societas*, demands that the principle of subsidiarity will be respected because for the church, as *societas*, precisely as for other societies the principle must be valid. The other concept, *communio*, according to some authors, means that the juridical order in the church cannot possibly accept this principle because the church is

⁸⁷ Leys, p. 115.

⁸⁸ Corecco, p. 449.

⁸⁹ Leys, p. 117.

totally different. This reiterates the point that because subsidiarity is a formal principle, it can only be given form and substance in a developed ecclesiology. The question about subsidiarity's validity must be examined within a broader ecclesiological context.

A *communio*-ecclesiology does not, as the opposition suggests, preclude an application of subsidiarity in the church. Rather, a closer examination of *communio* in the spirit of Vatican II, alongside an understanding of the nature of both lay and magisterial authority as discussed in the previous chapter, provide firm theological bases for subsidiarity's validity in the ecclesial realm.

Subsidiarity in the Context of *Communio*-Ecclesiology

Can the two concepts of the church – *societas* and *communio* – be reconciled?

The dualism presented here must be rejected on two grounds, allowing for an ecclesial application of the principle of subsidiarity. The first argument concerns a more precise understanding of *communio* ecclesiology, with emphasis on the relationship between the universal and local church; the second involves a sacramental model of church that allows the *societas* and *communio* concepts to exist simultaneously.

As outlined in Chapter 3, the church as *communio* understands that the unity between the particular church and the universal church is not the unity of a plurality of churches, but the unity of the one church which finds concrete, historical objectification in a plurality of particular churches. A *communio*-ecclesiology demands the preservation of the full integrity of the local church as the concrete presence of the one church of Christ in that place. This understanding of *communio* has important implications

regarding authority and governance in the relationship between the universal and local churches.

In this context, subsidiarity can be seen as the concrete structural realization of what it means to say that the universal church is a communion of churches. Any exercise of authority at a level beyond the local can never be undertaken in a way that undermines the church's integrity. The exercise of "higher authority" must always be a means toward preserving the integrity of the local church and its communion with the other churches. This is why one must resist the tendency to identify subsidiarity with decentralization. The latter concept starts with the rights of the higher authority to intervention and then "concedes" authority to the lower levels. The principle of subsidiarity, on the other hand, begins with the relative autonomy of local authorities and demands justification for the intervention of higher authorities.

This relationship between the universal and local church relates to a second point: that the universal church is manifested in and through the particular church finds its theological and ecclesiological basis in the notion of the church as sacrament. In Dulles' framework, the sacrament model of church explains how visible realities mediate invisible realities; the church, as sacrament, mediates the continuing presence of Christ in the world. In this sense, a *communio* ecclesiology is compatible with the idea of the church as *societas*, a notion upheld in *Lumen gentium* par. 8. The text starts by saying that Christ founded his church in the world as a "visible structure". The church as *societas* and as *mysticum Christi corpus*, the concrete organized association and the spiritual communion, form one complex reality with a divine and a human element. With

this it is stated that both visions of the church belong together as one dissoluble reality.

The divine element of the church, its origin in Jesus' preaching of the good news and the permanent influence of the Holy Spirit,⁹⁰ is given concrete, incarnate form. As in Jesus Christ the divine and the human element are brought to unity, so too in his church. In other words, *communio* as transcendental and salvific reality manifests itself in a visible way in the church as an ordered association, as *societas*.

These points were made by those defending an ecclesial application of subsidiarity against its detractors during the 1985 Synod. Oswald von Nell-Breuning insisted that subsidiarity remained applicable because the church was comprised of two simultaneous dimensions, one social and the other pertaining to its supernatural mission. These two dimensions were inseparable.⁹¹ Walter Kasper also spoke out against what he saw as an inappropriate spiritualization of the church. The council's elucidation of the theological concept of *communio* did not negate the claim that the church was, still, at the same time, a *societas*, a human society.⁹² Kasper's insistence on the continued relevance of seeing the church as a society did not constitute a return to a more juridical *societas perfecta* ecclesiology. Rather it presumed the incarnational character of the church as a human reality whose supernatural mission could not negate its humanity.⁹³ In a similar

⁹⁰ *LG*, pars. 3-5.

⁹¹ Oswald von Nell-Breuning. "Subsidiarity in the Church." *Stimmen der Zeit* 111 (1986). pp. 147-157. As cited in Richard R. Gaillardetz, *The Church in the Making: Lumen Gentium, Christus Dominus, Orientalium Ecclesiarum*. New York: Paulist, 2006. p. 133.

⁹² Walter Kasper. "Der Geheimnischarakter hebt den Sozialcharakter nicht auf. Zur Geltung des Subsidiaritätsprinzips in der Kirche." *Herder-Korrespondenz* 41 (1987). pp. 232-236. As cited in Gaillardetz, *The Church in the Making*, p. 133.

⁹³ Leys, pp. 140-142.

vein, Joseph Komonchak has pointed out the danger of responding to a sociological reductionism “with a theological reductionism which considers the Church so unique and transcendent that it can only be described in theological language.”⁹⁴ And again, as discussed earlier in this chapter, Charles Curran has made similar points, in his contention that Vatican II's adoption of a sacramental ecclesiology enables ecclesiology to draw from Catholic social teaching.

Leys argues that as sacrament the church is both *communio* and *societas*, and so must have the juridical structures to guarantee the “tensile” relationships – episcopacy and papacy, particular churches and universal church – which constitute it. Hence it needs the principle of subsidiarity:

[T]he church is an incarnate salvific reality, so that the socio-ethical principles which the church offers to structure human associations must be also valid for itself. Incarnation means that the divine element does not deny the human element but preserves it intact and brings it to fulfillment. That is why all socio-ethical principles are valid for the church too. That is certainly true for the principle of subsidiarity which, as a metaphysical principle is rooted in the christian understanding of the human person, which, according to John Paul II, is the way of the church.⁹⁵

Subsidiarity in the church is not only theologically valid, but is obligatory for a church understood as both *communio* and *societas*.

Subsidiarity in the Context of Lay Authority

Having outlined the sacramental nature of the church, understood as both *societas* and *communio*, I now turn to lay authority as another basis on which to ground the validity of the principle of subsidiarity in the church. The discussions regarding

⁹⁴ Komonchak, p. 339.

⁹⁵ Leys, p. 193.

subsidiarity's application in the ecclesial realm among the hierarchy primarily center around the power of the bishops and the local churches. The debates have thus far said very little, even by theologians, about subsidiarity in the church as extended to include the entire body of the faithful, particularly the laity. The grounds on which subsidiarity should extend to the laity include both theological and pragmatic reasons.

Regarding the theological justifications, the nature of lay authority, as outlined in Chapter 3, demand that the lay faithful have a voice in the governance structures of the church. If, as has been demonstrated, the entire church is called both to teach and to learn, and if, as *Lumen Gentium* articulates, the whole church discerns the truth in matters of faith and morals because all the baptized share the supernatural sense of faith, and that the teaching authority of the magisterium must reflect the faith of the entire people of God, then subsidiarity must be extended to the laity.

In the current structure, Gerald Mannion observes, priests are often expected to be 'experts' in a variety of roles beyond the explicitly pastoral and sacramental, in the areas of finance, education and administration, for example. In contrast, the earliest Christians recognized that people of the church have different gifts and therefore should quite properly exercise different ministries and forms of leadership.⁹⁶ Mannion identifies as a problem the “jack of all trades” model of church leadership and governance. The “assumed” authority ultimately means that many leaders will prove to be neither “jacks of all trades” nor “masters” of any. This scenario applied to a legion of different situations and issues. He adds:

⁹⁶ Cf. 1 Corinthians 12; Romans 12:4-8; 1 Peter 2:9f.

In many societies the laity express their frustration because many of them have the skills, experience, education, training, and *hence* competence to fulfill many roles and many ministries in the church more ably than their ordained church leaders. Progress is being made in some quarters, but in others the underlying hierarchical ethos persists. Only the arena of finance, unsurprisingly, do we frequently see bishops and priests defer to the laity on a regular, albeit purely expedient, basis.⁹⁷

Mannion further notes that a hierarchical interpretation of the doctrine of God along subordinationist lines is deemed heretical because the orthodox understanding of the Christian God is that of a threefold community of loving, co-equal, co-eternal, and co-divine persons-in-relation. However, in the current framework, such a doctrine of God is not allowed to inform and shape ecclesiological decisions.⁹⁸

It is ironic that even Pius XII, who understood the church very much in hierarchical terms, recognized both that the principle of subsidiarity should be applied *within* the church itself and that, in particular, this also applied to the ministry of lay people within the church. According to Peter Huizing, Pius asserted

...that the authority of the Church has to apply the principle of subsidiarity with regard to the lay apostolate, in other words, that the laity has to be entrusted with the tasks that it can carry out as well or even better than the priests. Lay people must be able to act freely and accept responsibility within the limits of their particular task and that which is placed before them by the universal importance of the Church. This principle of subsidiarity was, for Pius XII, *a fundamental norm of justice both for the hierarchical authority of the Church and for the order that had to be maintained by that authority.*⁹⁹

⁹⁷ Gerald Mannion. "'A Haze of Fiction': Legitimation, Accountability, and Truthfulness." *Governance, Accountability, and the Future of the Catholic Church*. Francis Oakley and Bruce Russett, editors. New York: Continuum, 2004. pp. 161-177, at 171. Italics original.

⁹⁸ *Ibid.*

⁹⁹ Peter Huizing. "Subsidiarity." *Synod 1985: An Evaluation*. Giuseppe Alberigo and James Provost, editors. *Concilium*. Edinburgh: T.&T. Clark, 1986. pp. 118-23. Italics original.

Subsidiarity would allow the gifts, skills and competencies of the laity to be respected and utilized in the church, thus doing justice to the ecclesiology of *Lumen Gentium* and to the proper nature of lay authority in the church. In short, the fundamental theological reason for respecting subsidiarity in the decision-making process of the church, and in particular for including the laity, is the belief that the Spirit guides the church through the entire body of the faithful. Applying subsidiarity to include the laity in the church allows them to manifest the authority that comes to them through baptism and confirmation and in this way properly share in Christ's prophetic ministry.

A second reason that subsidiarity in the church must necessarily include the laity concerns matters of justice, on two levels. First, it is a matter of justice that whatever the church insists for society must also apply within the church itself. That is, if the church is to be a sign of justice in the world, then it must be exemplary in its claim that it is a grave injustice for a higher level to interfere with the rights and responsibilities of the lower levels. The application of subsidiarity should include not only the relationship between the pope and the bishops, but the hierarchy and the laity as well.

Secondly, the principle of subsidiarity prioritizes the dignity of the individual, and holds that all other forms of society, from the family to the state and the international order, should be in the service of the human person. The goal of subsidiarity, in its origins in Catholic social teaching, was the full development of the human person within a system in which the person can flourish. As such, subsidiarity in the church as applied to laypersons becomes a matter of human dignity and flourishing, in both the world and as a baptized member of the church. This is where it again becomes important to

understand subsidiarity not simply as decentralization or non-intervention, but also in its positive senses as collegiality and co-responsibility.

In doing so, it becomes apparent that subsidiarity is not considered as a gratuitous gesture by the hierarchy, but instead a proper exercise of lay authority; it is quite simply the *right* of the laity to participate in the decision-making processes of the church. Leys writes: “A proper basis for the rights of the individual believer lies in his value and rights as a human being. If one recognizes that, the human element becomes a constitutive reality of the legal system in the church.”¹⁰⁰ Moreover, subsidiarity is connected with the common good. John A. Coleman notes that the laws of subsidiary function and the law of the common good are in substance identical because

...in Catholic thought the common good envisions not only the good of the whole but the good of individuals who comprise that whole as well. In this sense, authority does not replace nor should it interfere with the rights of persons and their legitimate intermediary groups. Authority's function is subsidiary: to help the individual and intermediary groups to help themselves. The law of subsidiarity function prescribes that authority act for the common good in accord with the dignity of the human person by allowing men and women and lesser societies through social action to freely pursue their own perfection, diversity, and creativity. The freedom and dignity of human persons sets constitutional limits on the power of authority, even in the church.¹⁰¹

Subsidiarity is not simply a helpful principle by which to guide ecclesial governance, but, when considering the rights of the laity in regard to the nature of lay authority, is also an obligatory one from the standpoint of human dignity, justice, and the common good.

¹⁰⁰ Leys, p. 191.

¹⁰¹ John A. Coleman, S.J. “Not Democracy but Democratization.” *A Democratic Catholic Church: The Reconstruction of Roman Catholicism*. Eugene C. Bianchi and Rosemary Radford Ruether, editors. New York: Crossroad, 1993. pp. 226-247, at 233.

The pragmatic reasons for applying subsidiarity in the church and extending the principle to include the laity are many and are quite evident when considering the crisis of leadership the Catholic church faces today. As noted above, allowing the laity to take on greater responsibilities in the church, including governance and participation in decision-making processes, would honor their gifts and talents and would properly manifest their authority as full members of the faith community. But doing so would also bring about significant – and in my estimation, necessary – changes in how churches operate both on a daily basis as well as in more substantial and long-term matters, such as in the development of doctrine and the selection of leadership. It would also have important implications regarding how we consider both lay and magisterial authority, and the role of the clergy in the church. The final chapter of this dissertation discusses these implications of an ecclesial application of subsidiarity and offers some suggestions as to directions the church can go from here.

CHAPTER FIVE

ECCLESIAL IMPLICATIONS OF THE PRINCIPLE OF SUBSIDIARITY

This concluding chapter discusses the application and implications of subsidiarity in the ecclesial realm with regard to church governance and particularly in relation to the laity. In this dissertation, I have argued that the Catholic social teaching principle of subsidiarity can and must serve as a normative principle in ecclesial governance, thereby allowing church leadership to be held more accountable to the wider community, and enabling the laity to exercise a more substantial voice in the governance structures of the church. While the priest sexual abuse scandal and the sharp decline in the number of active priests in the United States today prompt serious reflection on the role of the laity, important theological, ecclesiological, and moral reasons suggest that the laity can and should be involved in important decision-making processes within the church.

The early church was characterized first by fluid ministerial positions, with little distinction between ordained and non-ordained members of the church. Even as ministerial and leadership roles became more differentiated, the laity remained a crucial voice in important decision-making processes, such as in the selection of bishops and other church leaders, as well as in the development of doctrine. Later, shifting attitudes regarding clergy and laity led to a dualism that characterized the latter as passive and lacking a characterization or mission of their own; such views were solidified by the Council of Trent and Vatican I, diminishing the voice and authority of the laity, and

placing greater emphasis on obedience to the pope.

Vatican II's *Lumen Gentium*, influenced by French Dominican theologian Yves Congar, emphasized the common dignity among all baptized members of the church, noting that all share in the priestly, prophetic and kingly roles of Christ. However, structures remain in the church such that laypersons are unable to exercise a substantial role in ecclesial governance. Numerous scholars and movements – particularly liberation theologians, as well as lay-organized groups – have argued for reform in order that laypersons may be represented in church leadership and decision-making processes.

An examination of the nature of both hierarchical and lay authority reveal expanded opportunities for laypersons to exercise substantial authority within the church, the theological foundations of which are grounded in a *communio* ecclesiology and the *sensus fidei*. The nature of magisterial authority within a *communio* ecclesiology dictates that all magisterial authority must be exercised in communion with the wider church. Though bishops are not mere delegates of the community of the baptized, neither are they free to ignore the community of believers; likewise, the pope may not act independently of the bishops. This schema, with its emphasis on communion, paves the way for an increased role for the laity to participate alongside the magisterium in ecclesial governance. The theological foundations of lay authority lie in Vatican II's retrieval of the *sensus fidei*: the whole church – both clergy and laity – discerns the truth in matters of faith and morals because all the baptized share the supernatural sense of faith. In both the secular and ecclesial realms, the laity are called to manifest the authority that comes to

them through baptism and confirmation and in this way properly share in Christ's prophetic ministry.

An application of subsidiarity as a normative, guiding principle in church governance would enable such lay participation in important ways. In Chapter 4, I argued that subsidiarity is an appropriate and necessary principle within the church. An incarnational theology and sacramental ecclesiology, adopted by Vatican II, imply that the church can and should draw from its own social principles when addressing church matters, including governance. The church is both *societas* and *communio*, held together as one dissoluble reality, which is why the notion that socio-ethical principles cannot apply to the church must be rejected.

Subsidiarity, in particular, would preserve the integrity of the local church, which is understood as the concrete manifestation of the universal church. As such, the church understood as both *societas* and *communio* demand an application of subsidiarity in the ecclesial realm. Further, regarding an application of subsidiarity as extended to the laity, the principle would allow the gifts, skills and competencies of the laity to be respected and utilized in the church, thus doing justice to the ecclesiology of *Lumen Gentium* and to the proper nature of lay authority in the church. Such an application of subsidiarity with regard to the laity and church governance is also a matter of upholding justice, human dignity, and the common good.

In this concluding chapter, I expand further on this last point to argue that church governance must be characterized by a concern for justice, human dignity, and the common good, vis-a-vis an application of subsidiarity as a normative, guiding principle.

I discuss concrete practices that the church might adopt that would reflect an application of subsidiarity in the church, particularly in regard to lay participation and governance. Finally, I conclude with the implications of the argument for the laity, clergy, and church as a whole.

Subsidiarity in the Church: Justice, Human Dignity, and the Common Good

Subsidiarity in the church is, put simply, a matter of justice, human dignity, and the common good. The failure by the church to apply the principle of subsidiarity within its own practices have violated these other principles.

Subsidiarity and Justice

The Catholic church as a whole, and ecclesial governance and practices in particular, must be characterized by justice. As the liberationist and feminist theologians discussed earlier have pointed out, internal church structures must facilitate the liberating mission of the church for all; this means that as a community of liberation and justice, the church must include the voices and experiences of those within the community. Indeed, official church teachings have affirmed that regarding the principles of justice in any society, the church must be exemplary.¹ Subsidiarity within the church is an important matter of justice, in that a grave injustice occurs when higher levels interfere with what individuals or more local or lower levels might accomplish on their own.

Recent church practices have violated this principle. In recent years, national bishops' conferences have been the target of efforts to reduce their authority, moves that

¹ *EJA*, par. 347.

limit the real commitment to episcopal collegiality evident at Vatican II.² Gaillardetz notes some examples of curial intervention in the church in North America, such as interventions regarding the renovations of the cathedral in Milwaukee, Wisconsin, and the American implementation of *Ex corde ecclesiae*, the apostolic constitution on Catholic higher education.³ Nichols cites as another example that, after the United States bishops had approved an inclusive-language lectionary for the nation's Catholic parishes and had received tentative approval from Rome, the Vatican reversed its position and prohibited the lectionary: "Thus regional and national bishops cannot even make decisions concerning the use of their own native language. This is a flagrant violation of the principle of subsidiarity, which would be judged by the Church to be a serious sin if it occurred in the social order."⁴ Additionally, the Cologne Declaration of 1989, signed by 165 European theologians, accused Rome of "robbing" the local churches of their autonomy, of "autocratic methods" in episcopal appointments which overrode traditional local prerogatives, of demanding "blind obedience," and of "violating the principle of subsidiarity in the church."⁵

² Paul Lakeland. *Catholicism at the Crossroads: How the Laity Can Save the Church*. New York: Continuum, 2007. p. 95. See also John Paul II's 1998 apostolic letter *Apostolos Suos: On the theological and juridical nature of episcopal conferences*.

³ Gaillardetz, "The Ecclesiological Foundations of Modern Catholic Social Teaching." p. 98, fn. 93. See also "Do Not Extinguish the Spirit," the statement of the Catholic Theological Society of America inspired by the Cologne Declaration. *Origins*. Volume 20, Issue 29, 1990. pp. 462-467.

⁴ Nichols, *That All May Be One*, p. 306.

⁵ "The Cologne Declaration." *Origins* 18:38. March 2, 1989. pp. 633-634.

One notable example of the violation of subsidiarity in the church occurred with the Catholic church in Asia.⁶ In 1998, the Asian bishops were summoned to Rome for a synod with John Paul II. As the title of the event, the Pope chose “Jesus Christ the Savior and his mission of love and service in Asia that they may have life and have it abundantly.” The local bishops, however, expressed concern with this language, favoring instead a title and overall vision that was more sensitive to the diverse cultures, faith, and ethnic identities of the Asian people it served. The Indonesian delegation said, “Jesus Christ is best preached as Savior by a church that is in solidarity with the people whose lives are marked by poverty, oppression, discrimination and all kinds of injustice.” The Japanese bishops said, “If we stress too much that Jesus Christ is the one and only Savior, we can have no dialogue, common living or solidarity with other religions.”⁷ The Japanese delegation also contended that the synod agenda should not be determined by the Curia but by the Asian bishops themselves, that the chairpersons be chosen by the Asian bishops and not the curia, and that women and leaders of other Asian religions be invited.⁸ During the actual synod sessions, the bishops received little of what they requested, but did succeed in presenting a united face in defending the value of dialogue. They were also candid in protesting the micromanaging tendencies of Vatican officials, particularly their handling of translations of the liturgical texts. An Indonesian bishop said it makes no sense for bishops' conferences to translate these texts into their local languages, only to then submit them to the Vatican for approval from people who do not

⁶ Cf. McClory, pp. 166-170.

⁷ Thomas C. Fox. *Pentecost in Asia: A New Way of Being Church*. Marynoll: Orbis, 2002. p. 167.

⁸ McClory, p. 169.

understand the language fully: “What we need is trust,” he stated, “trust in God and trust in each other.”⁹

A church characterized by justice would honor the role of subsidiarity in both the world and in the church, particularly with respect to the local churches and to the wider community. Violations of the principle of subsidiarity, as in the examples cited above, constitute an injustice in the church in the same way as it would in society.

Subsidiarity and Human Dignity

That any organizational structure in society, including the church, provide opportunities for individuals and intermediate groups to participate in the community is a matter of human dignity. The principle of subsidiarity supports upholding human dignity in recognizing that the origin and the purpose of society is the priority of the human person; all forms of society, from the family, to the state and the international order, must be in the service of the human person. We can recall one of the characteristics of subsidiarity that Komonchak outlines: “Social relationships and communities exist to provide help (*subsidium*) to individuals in their free but obligatory assumption of responsibility for their own self-realization. This 'subsidiary' function of society is not a matter, except in exceptional circumstances, of substituting or supplying for individuals self-responsibility, but of providing the sets of conditions necessary for personal self-realization.”¹⁰

⁹ Fox, p. 178.

¹⁰ Komonchak, pp. 301-302.

Since all rightly ordered societies exist for the individual, the emphasis in establishing any sort of social order must be on setting the conditions that will enhance opportunities for individuals to deliberate, choose, and act for themselves. Rather than taking away tasks and responsibilities from individual persons, the state must instead provide the framework or preconditions that allow individuals to develop themselves. Absorbing these tasks into the responsibilities of the higher or more central government is dehumanizing, in failing to provide individuals with the opportunities to reach their full potential and achieve human flourishing. In addition to the examples mentioned above, such dehumanizing practices have been found within the church, particularly with regard to the laity.

Lakeland accuses the current church of “infantilization” of the laity. He describes the layperson as living a divided life in the church:

She or he is an adult, with adult responsibilities and concerns. This person may be highly educated and employed in a profession requiring enormous skills and highly refined capacities for judgment. She or he probably has family responsibilities, children, and perhaps an aging parent to care for. The layperson may have a complex and demanding life. But in the church, he or she is an infant. What other word can there be for someone who is cared for by the clergy, whose needs for sustenance are met in the sacraments administered by the clergy, and who is allowed absolutely no voice in the church, no say whatsoever in the formation of Catholic positions on religious or ethical matters? Swathed in the comforting blankets of ecclesial life, he or she is prized most when heard least, sleeping peacefully in the arms of holy mother church.¹¹

Lakeland later adds that while the church of the mid-twentieth century was marked by its laity's deference to the clergy and a mostly passive though rich devotional life, adult lay Catholics today are ready and willing to take more responsibility for the church and to

¹¹ Lakeland, *Liberation of the Laity*, pp. 7-8.

speak out about its ills. This causes some pain, he contends, because the adult and educated status of the average Catholic today does not fit well into an institutional framework designed in and for an age when the laity were treated as children.¹²

In the current framework of church governance, this denial of the laity to use their gifts to contribute to the well-being of the church diminishes both the community and individual human flourishing – a violation of human dignity. Key to the notion of subsidiarity is the understanding that what makes human beings distinctly human is their capacity for reflection and choice. This implies a great deal about human potential, stressing as it does the primacy of persons as intelligent, reasonable, free, and responsible beings.¹³ Subsidiarity in the church entails establishing structures that provide the space for freedom, initiative, and creativity on the part of many agents. It thus would eliminate forms of clericalism that systematically undervalue the lifestyle, talent, leadership, experience and spirituality of the laity.

Subsidiarity and the Common Good

Gaudium et spes describes the common good as “the sum of those conditions of social life which allow social groups and their individual members relatively thorough and ready access to their own fulfillment, today takes on an increasingly universal complexion and consequently involves rights and duties with respect to the whole human race.”¹⁴ A Catholic understanding of the common good is rooted in Thomas Aquinas' natural law reasoning and begins with a teleological understanding that human beings are

¹² *Ibid*, p. 39.

¹³ Kohler, p. 39.

¹⁴ *GS*, par. 26.

fundamentally oriented toward a final end, or final good. This final good common to all people is, according to Aquinas, God, or the “attainment or enjoyment” of God.¹⁵

Developing structures and policies that allow the laity to exercise their gifts and talents in the church is thus not only a matter of human dignity and individual fulfillment but also of the common good.

Throughout the body of Catholic social thought, subsidiarity is consistently defended on the grounds that the principle would better serve the common good of society by serving both the individual person and intermediate organizations. In *Mater et Magistra*, for instance, John XXIII explains the importance of subsidiary communities to the common good:

This [the common good] comprises the sum total of those conditions of social living, whereby men are enabled more fully and more readily to achieve their own perfection. Hence we regard it as necessary that the various intermediary bodies...be ruled by their own laws and as the common good itself progresses, pursue this objective in a spirit of sincere concord among themselves. Nor is it less necessary that the above mentioned groups present the form and substance of a true community. This they will do, only if individual members are considered and treated as persons, and encouraged to participate in the affairs of the group.¹⁶

Intermediate social structures allow individuals to achieve participation, meaning, fulfillment, and personal identity in smaller communities rather than functioning simply as individuals lost in a vast collectivity. The values of the common good are mediated to individuals through such intermediary structures, and through them, individuals can in turn influence the life and values of the larger society. The entire *subsidiuum* is geared toward the common good, as each individual or group achieves its own good within the

¹⁵ *Summa Theologiae*. I.II:3.1.

¹⁶ *MM*, par. 65.

good of the whole. The vision of the principle of subsidiarity is thus one of complementary associations of varying sizes working together in solidarity for the common good. It is this goal – the common good – that gives subsidiarity its focus.

According to the principle of subsidiarity, the role of the “higher” or more central governance levels is to uphold and protect the common good. This entails not only enabling individuals and intermediate structures the freedom and opportunity to pursue their own goods and fulfillment (thus exercising its subsidiary function vis-a-vis the 'negative' understanding of non-intervention), but also 'positively' ensuring two critical elements of the common good: participation and pluralism.

Subsidiarity supports the common good by promoting participation within the community. David Hollenbach notes, “A good community is a place where people are genuinely interdependent on each other through participation in, discussion concerning, and decision making about their common purposes. It is a place where people make decisions together about the kind of society they want to live in together. It is a community that goes beyond tolerance to the pursuit of the common good.”¹⁷ Essential to the common good is ensuring that members of society are able to participate in the life and activity of the community. Subsidiarity encourages participation in establishing intermediate structures in which individuals and smaller groups may more readily and easily become involved, and in which their voices can be heard and contributions considered for the benefit of the larger community. Moreover, the principle promotes

¹⁷ David Hollenbach. *The Common Good and Christian Ethics*. New York: Cambridge University Press, 2002. p. 42.

participation through its emphasis on collegiality and co-responsibility among all members of society.

Subsidiarity also supports the common good in allowing for – indeed, encouraging – freedom and pluralism in society.¹⁸ The principle dictates that the central levels of authority do not micromanage the local levels, but rather allow subordinates the freedom to address their own issues as they see fit,¹⁹ even if this freedom leads to disagreement and pluralism. Contrary to the belief that a pluralistic society makes it impossible to arrive at any consensus of the common good,²⁰ Catholic teaching believes that the common good demands this sort of freedom of belief and opinion in order to safeguard the rights and duties of the human person.²¹ The Vatican II document *Dignitatis Humanae*, for instance, points out that as persons endowed with reason and free will, we have a moral obligation to seek truth (especially religious truth), without external coercion.²² This search for truth must be carried out in a manner appropriate to

¹⁸ For example, *Economic Justice for All* states: “[Subsidiarity] guarantees institutional pluralism. It provides space for freedom, initiative, and creativity on the part of many social agents. At the same time, it insists that all these agents should work in ways that help build up the social body. Therefore, in all their activities these groups should be working in ways that express their distinctive capacities for action that help meet human needs, and that make true contributions to the common good of the human community.” *EJA*, pars. 99-100.

¹⁹ Of course, subsidiarity also dictates that the central levels of authority intervene when the local levels need assistance or in matters of protecting the common good. Such intervention, however, should occur only in instances of necessity and not as a matter of rule.

²⁰ See for instance Hollenbach's discussion on pluralism and the common good in *The Common Good and Christian Ethics* (Cambridge: Cambridge University Press, 2002), pp. 9-22. He mentions specifically the work of John Rawls, who contends that the pluralism of the contemporary landscape makes it impossible to envision a social good on which all can agree. Cf. John Rawls, *Political Liberalism*. New York: Columbia University Press, 1993. p. 201.

²¹ Second Vatican Council (promulgated by Pope Paul VI). *Dignitatis Humanae: Declaration on Religious Liberty* (1965). *Vatican Council II: Constitutions, Decrees, Declarations*. Austin Flannery, O.P., editor. Northport, NY: Costello Publishing Company, 1996. pp. 551-568, at par. 6. Hereafter referred to as *DH*.

²² *Ibid.* par. 2

the dignity and social nature of the human person – by free enquiry with the help of teaching or instruction, communication and dialogue. Such is not simply an individual but a communal endeavor: “It is by these means that people share with each other the truth they have discovered, or think they have discovered, in such a way that they help one another in the search for truth.”²³ In other words, not only does allowing a freedom of beliefs and ideas honor human dignity, it is also beneficial to the common good by encouraging others to seek the truth as well.

Within the church, Bianchi and Ruether have argued that the theological basis for the principle of pluralism resides in the freedom of God's leadership as well as in respect for the diversity of the Holy Spirit's gifts. “By honoring a plurality of myths, rituals, and institutions in the church, we confess to the splendid freedom of God expressed in wonderful multiplicity.”²⁴ A theological problem with present Vatican control over the whole church, they contend, is the identification of God's will with the will of the pope or magisterium exclusively. The freedom of God, the gifts of the Spirit, and the common good of the church would be more truly respected in a pluralistic church.

Of course, pluralism in any society, including the church, means diversity of opinion, disagreement, and the threat of disunity. Allowing for freedom and pluralism thus requires a strong sense of solidarity among the community members. The implications of such pluralism within the church, along with subsidiarity's relationship with the principle of solidarity, are further discussed later in this chapter.

²³ *Ibid.* par. 3

²⁴ Eugene C. Bianchi and Rosemary Radford Ruether. “Conclusion: Toward a Democratic Catholic Church.” *A Democratic Catholic Church: The Reconstruction of Roman Catholicism*. Eugene C. Bianchi and Rosemary Radford Ruether, editors. Crossroad, NY: 1993. pp. 248-260, at 256.

The church must be a community characterized by a concern for justice, human dignity, and the common good. These principles apply not only to the church's social mission, but must also be present within its internal structure and governance processes. Subsidiarity in the church is a matter of justice, human dignity, and the common good in allowing more local levels of governance to make decisions affecting their particular community without interference by the higher levels; in establishing structures and conditions that encourage the laity to dedicate more fully their skills and talents to the church, thereby promoting human flourishing; and in encouraging participation and allowing for pluralism within the ecclesial community.

Applying Subsidiarity in the Church: Concrete Steps

While there are many areas of the church in need of reform, particularly with regard to leadership and lay participation, specific steps can be made that would better promote subsidiarity within ecclesial governance. These recommendations include a restoration of more local episcopal gatherings and councils; new methods of selecting bishops and other leaders; greater emphasis on deliberative lay participation in decision-making; and increased opportunities specifically for women's involvement in church leadership.

1. Restoration of episcopal gatherings and regional and national councils²⁵

Subsidiarity entails greater emphasis on the local church rather than the universal church; decisions should thus be made at the most immediate or local level possible. Most often, it is appropriate that church doctrine and practices are formulated within dioceses instead of within the Vatican. Michael Buckley, S.J. observes:

²⁵ This proposal would involve revoking or drastically reinterpreting *Apostolos Suos* (1998).

Almost everything in the church is ruled finally by Roman prescriptions or Roman officials, despite the increasing anger that this denial of local authority is awakening. There is a growing restiveness in the Catholic Church in the United States that is unprecedented. And I wonder if very neuralgic and delicate issues such as presently divide the church would not have been handled more successfully if they had made their way through open, careful conversations among regional gatherings of bishops – as was done in the early church – before being considered by the Holy See.²⁶

In such local and regional gatherings, the voice, the experience, and the concerns of the laity have a much greater chance of an effective presence.

Similarly, Francine Cardman points out, “As the implications of globalization within the Catholic Church unfold, and as the consequences of autocratic decision making become more apparent across the church, the need for more participatory and accountable structures of ministry, authority, and decision making at all levels of church life increases.”²⁷ She and others argue that except in extraordinary circumstances, an “ecumenical” council (i.e., an assembly representing the whole Roman Catholic Church) is not the most appropriate forum for church governance. Rather than highly centralized and comprehensive forms of decision making, a global church requires decentralized structures of authority to make decisions appropriate to the ecclesial life of all its members. At the same time, it needs webs of relationship and accountability that connect all levels of the institution to each other in mutual care and responsibility.

Cardman proposes that the practice of regional councils in the third and early fourth century offers a historical prototype for a legitimate alternative ecclesiology. She

²⁶ Buckley, p. 79.

²⁷ Francine Cardman. “Myth, History, and the Beginnings of the Church.” *Governance, Accountability, and the Future of the Catholic Church*. Francis Oakley and Bruce Russett, editors. New York: Continuum, 2004. pp. 33-48, at 48.

suggests that today, the equivalent of a regional council might be a national conference of bishops, or a council formed from a cluster of smaller national conferences from the same geopolitical area. Regional councils require and allow for communication, communion, and of course conflict from time to time. They also provide a forum for resolving conflicts among member churches. “Regional councils offer a good model for the kind of participation and subsidiarity promoted by Vatican II and so needed at every level of ecclesial life today. They are sufficiently local to be sensitive to cultural contexts and pastoral needs, yet not so localized as to be entirely self-referential. At the same time, regional councils are sufficiently global through integration into structures of the larger church to share collegial responsibility for the church as a whole.”²⁸

To be truly participatory and collegial, present-day regional councils will have to include lay women and men, non-ordained as well as ordained ministers, and religious men and women in addition to bishops. Such regional decision-making bodies would not in themselves detract from a papal ministry for the entire Roman Catholic church. Nor would they obviate the need for participation and collegiality at the parish and diocesan levels, but rather would increase it. This new kind of regional council could become the means for broad renewal of church structures in the service of mission.

A return to an emphasis on decision-making at the local level would honor the true character and mission of both the local and universal church, and would provide more opportunities for the laity to become involved and have a voice in decisions that affect their faith community.

²⁸ *Ibid.* p. 48.

2. *Bishops should be elected by both the clergy and laity of the particular community they will serve. The pope should approve the elected candidate, or disprove for serious reasons, but not directly appoint bishops.*

One structure that would serve as an appropriate expression of subsidiarity is retrieving a variety of methods for the appointment of bishops.²⁹ As was noted earlier, during the first thousand years of the history of the church, bishops were elected without any formal intervention on the part of the pope. As recently as the beginning of the 19th century, nearly 80% of the bishops were named locally and only confirmed in Rome. That proportion has now reversed itself, with 80% of the bishops of the world named and confirmed in Rome.³⁰ Throughout the first millennium, popes stated that bishops should be selected by all the faithful, that they should be chosen from their own number and not imposed upon the local people from elsewhere, and that they should enjoy the love and esteem and trust of their people. Joseph Komonchak remarks:

I would like those who would wish to defend the present structure for the selection of bishops to explain why the ancient maxims should no longer apply? Has something changed in the nature of the Church that what popes and councils once enjoined is though no longer valid, is considered revolutionary? ... The Church has never enjoyed as much freedom as it has now; should not the selection of leaders be a responsibility of the whole Church?³¹

²⁹ Cf. John M. Huels, O.S.M. and Richard R. Gaillardetz, "The Selection of Bishops: Recovering the Traditions." *Jurist* 59 (1999): 348-376.

³⁰ Cf. Garret Sweeney, "The 'Wound in the Right Foot': Unhealed?" *Bishops and Writers*. Adrian Hastings, editor. Wheathampstead-Hertfordshire, England: Anthony Clarke, 1977. Cited by James L. Heft in "Accountability and Governance in the Church." *Governance, Accountability, and the Future of the Catholic Church*. Francis Oakley and Bruce Russett, editors. New York: Continuum, 2004. pp. 121-135, at 130.

³¹ Joseph Komonchak, unpublished paper presented at Boston College, Fall 2002. Cited by Heft, "Accountability and Governance in the Church," p. 130.

An excellent case can be made that the people in parishes should have a say in who should be their bishop. The first seven verses of Chapter 3 of the First Letter to Timothy lists the qualifications needed for someone to be considered for the position of bishop: he should be a good teacher, not a new convert, not contentious, not given to drink, well thought of outside the church, a man of peace and modesty and married only once.³² The qualities listed there are ones that would be best known by the people whom a priest has served as pastor. Hence, it makes sense that in some way the members of the congregation should be consulted, particularly when they know a candidate.

William Byron, S.J. suggests that before the names of three priests being considered for the bishopric are sent to Rome, they should be published “in a way similar to the old-style publication of the banns of marriage,” and the people of the priests' parishes should be given the name and address of the papal nuncio so that they could communicate anything that would bear upon the wisdom of such an appointment.³³ Certainly, the opinions of fellow priests and bishops should also be included in such a consultation. A priest who is considered for a bishopric but not selected may be relieved or humbled, reactions that in either case, Byron says, could contribute to his growth in holiness.³⁴ Such decision-making privileges should be extended such that the laity are consulted in the appointment of their local pastor and other church leaders as well.

³² Cited by Heft, “Accountability and Governance in the Church,” p. 130.

³³ William Byron, S.J. “Thinking Systemically: the Church in Crisis.” *Origins* 32, no. 1. May 16, 2002. p. 7.

³⁴ For a brief history of how bishops have been selected, cf. Heft, “From the Pope to the Bishops: Episcopal Authority from Vatican I to Vatican II.” *The Papacy and the Church in the United States*. Bernard Cooke, editor. Mahwah: Paulist, 1989. pp. 64-66.

These methods of selecting church leaders are examples of the principle of subsidiarity in practice, by preserving the integrity of the local church (subsidiarity understood negatively as decentralization, autonomy, and non-intervention), and by encouraging the laity to participate in important decisions within the church (subsidiarity understood positively as co-responsibility and collegiality).

3. Lay participation must move from consultative to deliberative within the church and at every level of the church.

Subsidiarity requires respect for the competence and autonomy of communities and groups, including those which are lay directed. The fullness of the intra-ecclesial lay apostolate must be recognized and upheld. Thus, lay persons should be involved in decision-making matters that affect the church community at every level: in the administrative and financial concerns, as well as in pastoral care and liturgical matters. True collaboration, not just consultation, is essential.

What would such deliberation and collaboration look like? Bianchi and Ruether offer some concrete ways in which participation can be encouraged at every level within the church, from parish to papacy.³⁵ On the parish level, the parish assembly as a whole would participate in selecting a pastor, in the administration of resources of the parish, and in planning ministerial programs. On the diocesan level, representatives of parish councils would collaborate in a deliberative way in the selecting of a bishop, as well as in the accountability of funds and in program and policy development in the diocese.

³⁵ Bianchi and Ruether, pp. 254-255.

On a national level, the present National Council of Catholic Bishops would be complemented by a national assembly of representatives of priest and lay councils. These representatives would meet with the bishops at stated times to vote on areas such as budgets and programs for the national church. This body would also propose candidates for episcopal office who would, in turn, be selected by diocese. On the international level, the pope might continue to be elected by a college of electors, but this body would be much more representative of national churches than the present college of cardinals.

How would these decision-making processes operate? Though Bianchi and Ruether advocate for a democratic church, I should emphasize again that allowing the laity to participate in decision-making within the church should not necessarily be confused with turning the church into a democracy. Subsidiarity does not mean that every person gets a vote at an equal level. Rather, subsidiarity would simply make room for important dialogue to take place.

Mary Jo Bane suggests a model of “deliberative democracy”: instead of a notion of democracy in which persons vote in his or her own interest and outcomes are determined by a combination of bargaining, compromise, and majority rule, a deliberative democracy encourages individuals to work together to discover or create the best outcome for the community as a whole through a process of analysis, reflection, and respectful deliberation.³⁶ This is analogous, Bane believes, to a process of collective or

³⁶ Mary Jo Bane. “Voice and Loyalty in the Church: The People of God, Politics, and Management.” *Common Calling: The Laity and Governance of the Catholic Church*. Stephen J. Pope, editor. Washington: Georgetown University Press, 2004. pp. 181-193, at 185.

communal discernment, which some religious orders have engaged in for centuries – a process of reflective and prayerful deliberation intended to arrive at a workable consensus based on an enhanced understanding of the will of God regarding a particular area of concern. It might not be the most expedient way of decision-making, but it would honor the community’s capacity for reflection, and their commitment to the common good and to the mission of the church. Bane states: “If we believe that our goal is to discern the will of God concerning the various concrete actions that we take, and if we believe that the Spirit works in the community as a whole, then mechanisms that are grounded in the tradition but take advantage of the insights of all are more likely than more restricted processes to reveal God's plan.”³⁷

Again, it must be emphasized that neither a deliberative democracy nor communal discernment gives equal weight to all opinions. Informed and reflective insights, grounded in serious and prayerful study of the foundational documents, of history and tradition, and of current circumstances, are privileged, as are the insights and experiences of the poor, the oppressed, and the otherwise voiceless.

In short, these decision-making processes at every level in the church are examples of subsidiarity in the form of collegiality. Such methods also honor the proper authority of the laity and the nature of a church in which clergy and laity alike are called to both teach *and* learn.

³⁷ *Ibid.*

4. *Women should be assured full participation and equality in the life of the church.*

One such group that deserves special attention with regard to contributing their voice, skills and talents within the church is women, who have long been excluded from roles in ecclesial leadership. In 1994, the U.S. Bishops wrote a “pastoral reflection” on issues related to women's church participation.³⁸ In this document, they express the aim of welcoming and respecting “the gifts and competencies of all persons,” and assert that “[w]omen are essential in ministry both within the church and to the world.”³⁹ They recognize and enumerate many ways in which women are already involved in parishes, in education, in social justice programs, and in advocacy for women's issues. They even cite a study estimating that 85% of non-ordained ministerial positions in parishes are now held by women.⁴⁰

Nonetheless, the bishops admit that an unresolved “important issue for women is how to have a voice in the governance of the church to which they belong and which they serve with love and generosity.”⁴¹ Consultation is one way the bishops name, but the obvious shortcoming here is that the means, degree, and use of consultation are still in the hands of the bishops. Beyond consultation, the bishops suggest “cooperation in the exercise of authority.”⁴² The bishops cite in favor of this route Canon 129 of the 1983 Code of Canon Law, which provides that “those who have received sacred orders are

³⁸ United States Conference of Catholic Bishops. “Strengthening the Bonds of Peace: Pastoral Reflection on Women in the Church and in Society.” (1994) *Origins* 24, no. 25. pp. 417, 419-22.

³⁹ *Ibid.* p. 419, 421.

⁴⁰ *Ibid.* p. 419.

⁴¹ *Ibid.*

⁴² *Ibid.*

capable of the power of governance, which exists in the church by divine institution.” It continues: “[L]ay members of the Christian faithful can cooperate in the exercise of this power in accord with the norm of law.”⁴³ The bishops suggest that not all forms of church governance that are now restricted to priests need to be assigned exclusively to priests in the future. Thus, there may be no real reason, as far as even present church law is concerned, that women cannot be involved in the higher administration of local dioceses, or even of the Vatican and its offices. Some argue that changes in church law, for example, to permit the ordination of women as deacons, would more accurately reflect the practices of an earlier church.⁴⁴

The inability of Catholic leaders to separate authority within the church from gender, John T. McGreevy argues, has had devastating consequences for Catholic credibility. This is the case especially in areas such as sexual ethics and family ethics. McGreevy notes that it is trite, but true, to say that if any Catholic mothers had been on lay boards reviewing sexual abuse cases or priest personnel assignments in the archdiocese of Boston, Father John Geoghan and Father Paul Shanley would not have received parish assignments.⁴⁵ He continues:

To regain credibility on any topic related to sexuality and gender, Catholic leaders must acknowledge this fact and integrate women into decision-making processes

⁴³ *Code of Canon Law*, English translation by the Canon Law Society of America. Washington: Canon Law Society of America, 1983.

⁴⁴ Lisa Sowle Cahill. “Feminist Theology and a Participatory Church.” *Common Calling: The Laity and Governance of the Catholic Church*. Stephen J. Pope, editor. Washington: Georgetown University Press, 2004. pp. 127-149, at 144. See also Phyllis Zagano, “Catholic Women Deacons: An Update on the Discussion.” *America* 188, no. 5. February 17, 2003. pp. 9-11.

⁴⁵ John T. McGreevy. “The Sex Abuse Crisis: The View from Recent History.” *Governance, Accountability, and the Future of the Catholic Church*. Francis Oakley and Bruce Russett, editors. New York: Continuum, 2004. pp. 136-142, at 141.

within the church at the highest levels. Families, not bishops, carry and transmit Catholicism, in our culture as in any culture. And if the deepening alienation of Catholic women from a church hierarchy seen as distant and unsympathetic is not creatively addressed, the consequences for an American Catholic Church will be immense.⁴⁶

While the church needs to be more intentional about including specifically women's voices and experiences in its decision-making processes, another less explicit issue concerns an entrenched bias in the church to women's detriment. The bishops rightly cite the continuing use of exclusive language in catechetical, pastoral, and liturgical materials as a source of women's pain and as a contributing factor to the persistence of sexism.⁴⁷ The essentialist anthropology of complementarity that characterizes the official church's teachings about women continue to alienate them from the church. Thus, in addition to structures, shifts in attitudes – recognizing women as fully human participants – must take place in order for church governance to become more inclusive of the community as a whole.

Implications: The Church as a Community of Solidarity and Trust

To enact such changes described above, as an expression of subsidiarity in the church and as a means of promoting more substantial lay participation in ecclesial governance, requires cooperation among the entire community, clergy and laity alike. In this final section of the dissertation, I discuss the implications of subsidiarity in the church with regard to the principle's relationship with solidarity; implications for the clergy; and finally, implications for the laity.

⁴⁶ *Ibid.*

⁴⁷ USCCB, "Strengthening the Bonds of Peace." p. 421.

The Principles of Subsidiarity and Solidarity

One result of subsidiarity's application in the church is that greater participation by the laity and more open, inclusive, participatory decision-making structures and processes will necessarily involve diversity and differences of opinion. Because subsidiarity allows for more local and particularistic factors in decision-making, rather than one central authority exclusively, disagreement and dissent are inevitable; the community must thus rely upon a higher unity that binds the various groups together in a concern for the common good. Subsidiarity assumes and requires that each smaller group remains in solidarity with and loyal to the larger community. When discussing the implications of subsidiarity in the church, some preliminary remarks are thus necessary regarding the relationship between the principle of subsidiarity and the principle of solidarity. These connections are important in ensuring that subsidiarity is properly applied in the church; that the dignity, rights and responsibilities of the laity are honored; and that the good of the entire ecclesial community is preserved.

In the CDF document *Libertatis Conscientia* (1986), subsidiarity and solidarity, both directly based on the dignity of the human person, are mentioned together as the fundamental principles of the social doctrine of the church: "People are the active and responsible subjects of social life. Profoundly connected to this basis of human dignity are the principles of solidarity and subsidiarity."⁴⁸ The first principle refers to the social responsibility of persons and implies a rejection of individualism; the second refers to the

⁴⁸ Congregation for the Doctrine of the Faith. *Libertatis Conscientia: Instruction on Christian Freedom and Liberation*. 1986. par. 73. Available at http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19860322_freedom-liberation_en.html. Accessed 9/26/2010.

responsibility of people and intermediary communities, and implies a rejection of collectivism. Thus the two principles must always be connected to one another. Subsidiarity is a principle that distinguishes and demonstrates differences in the size and nature of associations. Solidarity, by contrast, balances subsidiarity with its insistence that all humans are of one flesh and family, created as equals and before God. In this vision, community is not meant to service one or more individuals, but neither is the individual subjected to collective interests.

This connection between the two principles is emphasized throughout Catholic teaching. Vatican II, for example, uses for socio-ethical reflection the biblical-theological basis that all people are created in the image of God, and that all are called to one goal, the love of God. Love of God and love of neighbor cannot be separated.⁴⁹ The Council then indicates how essentially the personal and communal are interwoven in society: “the human person, by its very nature, absolutely needs a social life.”⁵⁰ As Leys explains,

The principle of solidarity and the principle of subsidiarity belong together. The first states that solidarity is not only an ethical attitude, but that it expresses an essential relationship; people are essentially (ontologically) united with each other in their social relationship and they are mutually obligated. These obligations demand an organization in society in the sense of the principle of subsidiarity, that it is possible to fulfill the obligation while (in freedom) developing oneself.

Within the church, the principle of subsidiarity complemented by the principle of solidarity preserves individual human dignity (by allowing individuals, particularly the laity, to exercise their authority and gifts in the church), while at the same time

⁴⁹ *GS*, no. 24.

⁵⁰ *Ibid.* no. 25.

recognizes that inevitable disagreements are not a threat to the church, but rather can be means of strengthening the community.

A church with a strong sense of solidarity among its members sees little harm in conflict and dissent. One mistake made over and over in the institutional church is to suppress conflict and dissent in the name of the unity of the Body of Christ, to the point of overriding subsidiarity.⁵¹ However, as then-Cardinal Karol Wojtyla once argued, participation entails both solidarity and constructive opposition, that is, opposition maintained out of concern for the common good. “More precisely, in order for opposition to be constructive, the structure, and beyond it the system of communities of a given society must be such as to allow the opposition that emerges from the soil of solidarity not only to *express* itself within the framework of the given community, but also to *operate* for its benefit.”⁵² Wojtyla thinks that the dialectical tension between solidarity and opposition is a permanent feature of the common good, notions of which should never lead to the stifling of oppression. Rather, what must occur is dialogue: “The principle of dialogue allows us to select and bring to light what in controversial situations is right and true, and helps to eliminate any partial, preconceived or subjective views or trends.”⁵³

⁵¹ Thomas O'Meara. “The Raid on the Dominicans: the Repression of 1954.” *America*. Volume 170, no. 4. February 5, 1994. pp. 8-16, at 8. Cited by Nichols, *That All May Be One*, p. 302.

⁵² Karol Wojtyla. *The Acting Person*. Dordrecht: D. Reidel, 1979. (Original published in Polish in 1969). pp. 286-287. Emphasis original. Wojtyla thinks this analysis of participation applies to all human communities (hence presumably the church): “Our concern is therefore with the *genuinely personalistic structure of human existence in a community*, that is, in every community that man belongs to.” p. 282. Emphasis original.

⁵³ *Ibid.* p. 287.

Margaret O'Brien Steinfels makes the same point in her article, "Dissent and Communion," in which she discusses the role of dissent in the church. In her view, "a true understanding of communion implies dissent, and real dissent demands communion."⁵⁴ Nichols points out that even great theologians who were once silenced accepted the authority of the magisterium and abided by its decision, until the magisterium itself recognized the merit of their positions.⁵⁵ Constructive dissent works within the communion of the church, and attempts to enrich that communion with its insights. Destructive dissent, on the other hand, destroys communion, and so undermines its own authority. Steinfels writes: "There is a danger today of established dissent, dissent as a way of life, dissent as the primary stance some take towards the church.... There is something we might want to call dissent of the heart – a state in which one's own spirit stands pridefully apart from the community."⁵⁶ Of course the line between constructive and destructive dissent may be difficult to judge in some cases, but that does not impugn the validity of the distinction. It is this distinction that highlights the importance of solidarity among the community of faithful when addressing disagreement and diversity that arises with the principle of subsidiarity as applied in the church.

⁵⁴ Margaret O'Brien Steinfels. "Dissent and Communion." *Commonweal*. Volume 121, Issue 12. November 18, 1994. pp. 9-15, at 10.

⁵⁵ Nichols, *That All May Be One*, p. 303. For example: John Courtney Murray, S.J., was silenced for a number of years for his teaching that the church should be separated from the state, but his position was eventually vindicated at Vatican II, where he was the principal architect of the council's Declaration on Religious Freedom. Yves Congar, as discussed in Chapter 2 of this dissertation, and Henri de Lubac were also silenced, though their teachings, too, were vindicated at Vatican II. Both Congar and de Lubac were eventually named Cardinals.

⁵⁶ Steinfels, "Dissent and Communion," p. 11.

Implications for the Clergy

Applying subsidiarity to the church carries with it important implications for the clergy. Overall, the clergy must shift their own self-understanding as leaders in the church, moving away from clericalist and paternalistic attitudes, toward increased collegiality and shared responsibility with the laity. While much more can be said with regard to theologies of the priesthood and the role of the ordained, in terms of subsidiarity's ecclesial application, implications for the clergy include a willingness to relinquish some power, an exercise of genuine authority in the church, and an increased trust in the gifts and capacities of the laity.

Subsidiarity for the clergy entails a *relinquishing of power* and non-intervention in activities and initiatives that are able to be performed by more local levels, especially those led by the laity. The cases described above that exhibit a violation of subsidiarity demonstrate that some members of the clergy do not appear eager to give up power. This is perhaps attributed to the fact that many priests, especially those entering the seminary prior to Vatican II, have never been trained to exercise power collaboratively.⁵⁷ Today, many seminaries are recognizing the importance of collaboration with the laity and are adopting methods of training accordingly. For example, many provinces of the Society of Jesus are today engaging in regular retreats for Jesuits in formation that focus specifically on Jesuit-lay collaboration. Growing numbers of future priests are studying philosophy and theology alongside lay students preparing for professional ministry. Seminaries can no longer ignore the growing number of educated, trained Catholic

⁵⁷ Mary Jo Bane. "Exit, Voice, and Loyalty in the Church." *America*. Volume 186, no. 19. June 3, 2002. p. 12.

laypersons in church leadership positions today; emphases on collegiality, co-responsibility, and conciliarity must become standard in any ministerial training program moving forward.

Relinquishing some power requires an exercise in humility, in which clergy begin to shed clericalist attitudes and undertake their responsibility to “recognize and promote the dignity as well as the responsibility of the laity,... willingly employ their prudent advice,... confidently assign duties to them in the service of the Church, allowing them freedom and room for action,... and encourage lay people so that they may undertake tasks on their own initiative.”⁵⁸ In an address later printed in the *National Catholic Reporter*, South African Bishop Kevin Dowling critiques current church leadership through the lens of Catholic social teaching and calls for subsidiarity in the church. Dowling's remarks echo the need for clergy to assume greater humility in their leadership:

Church leadership, instead of giving an impression of its power, privilege and prestige, should rather be experienced as a humble, searching ministry together with its people in order to discern the most appropriate or viable responses which can be made to complex ethical and moral questions – a leadership, therefore, which does not presume to have all the answers all the time.⁵⁹

Rather than feel the pressure to oversee every aspect of church life, clergy – as well as the laity – can benefit from models of leadership that distribute power and encourages broad participation in the life of the church.

⁵⁸ *LG*, par. 37.

⁵⁹ Bishop Kevin Dowling. “Social Teaching Finds Church Leadership Lacking.” *National Catholic Reporter*. Vol. 46 Issue 20. July 23, 2010. <http://ncronline.org/new/vatican/catholic-social-teaching-finds-church-leadership-lacking>. Accessed October 15, 2010.

Complementing this notion of relinquishing power is a shift toward understanding and exercising *genuine authority* in the church. Stephen Pope distinguishes proper authority from authoritarianism:

Christian authority is best based on trustworthiness and reason-giving; authoritarianism expects commands to be obeyed without reflection or internal conviction. Genuine authority engages in respectful dialogue and moves toward conclusions after listening to all the relevant sources; authoritarianism does not. Genuine authority is essentially a form of teaching, and forms of governance follow from its primarily educational task – a notion communicated in the word *magisterium*, which means “teaching authority.”⁶⁰ Governance is, or ought to be, exercised in the service of genuine authority in the church.⁶¹

Mannion points to the lack of accountability in the church that was highlighted by the priest sexual abuse crisis, particularly in the treatment of victims and survivors of abuse and their families, as an example of authoritarianism versus true authority. “Too often in the church today, confusion exists between what constitutes genuine authority and the outright *abuse* and exploitation of power. Authoritarianism is as far away from genuine authority (which, of course, is something literally *invested* in persons by those who are then subject to their authority; i.e., they *authorize* those in authority) as it is possible to be.”⁶² What appears to be at work in the church today is the exercise of power without real authority.⁶³ Authority cannot be exercised without regard for the opinions, wishes, and needs of the wider community of the church faithful. So it is vital, in the current

⁶⁰ See Nicholas Lash. “Authors, Authority, and Authorization.” *Authority in the Roman Catholic Church: Theory and Practice*. Bernard Hoose, editor. London: Ashgate, 2002. pp. 59-71.

⁶¹ Pope, pp. 15-16.

⁶² Mannion, “A Haze of Fiction,” p. 170. Italics original.

⁶³ Cf. Gerard Mannion. “What Do We Mean by Authority?” *Authority in the Roman Catholic Church – Theory and Practice*. Bernard Hoose, editor. Aldershot, England and Burlington, Vermont: Ashgate Press, 2002. pp. 19-36. Italics original.

climate and in order for the church to become a community which is truly accountable, for the church hierarchy to re-examine its own understanding and conceptualization of authority if it is to exercise legitimate authority.

This sort of exercise of authority relies upon more participatory methods of decision-making rather than the present emphasis on obedience. This is not to say that obedience in the church is always illegitimate; on the contrary, under the right conditions, every Christian has a moral obligation to display proper obedience, subjection, and subordination to genuine authority (properly understood, or course, within the limits of justice and self-respect).⁶⁴ Yet true authority must rely less on obedience by one group to the other, and instead on processes that encourage participation and dialogue, an engagement of real listening based on mutual respect and good will.

Undoubtedly, reluctance to engage in collaborative decision-making and genuine authority stems from the fear of a weaker, less unified church. Dowling notes the rise of more conservative groups and organizations in the church that tend to rely on a strong central authority to ensure unity through uniformity, in belief and praxis, in the face of secularism and moral relativism. “The fear is that without such supervision and control, and that if any freedom in decision-making is allowed, even in less important matters, this will open the door to division and a breakdown in the unity of the church.”⁶⁵

Ultimately, the willingness to share power and to exercise genuine authority are matters of *trust* – trust in the Holy Spirit to work in and through the gifts and capacities of

⁶⁴ See Leo Jozek Cardinal Suenens. “Obedience and Faithfulness.” *Obedience and the Church*. Karl Rahner, SJ, et al., editors. Washington, DC and Cleveland: Corpus Books, 1968. pp. 190-196. Similarly, see Bernard Häring. *Free and Faithful in Christ*. New York: Seabury Press, 1978-1981.

⁶⁵ Dowling

the laity in serving the church's mission faithfully. Subsidiarity in the church depends on trust in the competencies between individuals and communities and between smaller and larger communities. In accord with a *communio* ecclesiology, the pope must trust in the good will of the bishops; the bishops in the local priests; the clergy at large in the laity. All must remain in solidarity with one another, having faith that each strives to serve Christ and the church lovingly and faithfully.

Implications for the Laity

If the laity are to exercise their authority as baptized members of the church, and if they are to serve the church in ways befitting of their mission, then laypersons must engage in education and formation appropriate to their ministries. Moreover, just as clergy members must work to overcome clericalist attitudes, so too must the laity move beyond the 'clergy-laity dualism' thinking that justifies lay passivity and deference to the clergy.

Lay Catholics must remain informed in matters of theology and church history, and engage in activities of faith formation in order to be taken seriously and contribute positively to the church. That said, one does not need to be a professional theologian in order to engage in such education and training. Lakeland points out that theology can at times be a highly technical subject challenging even to theologians, but there is also a sense in which theological reflection is the rightful possession of every Christian.⁶⁶ Moreover, even if theology is highly technical and thus not for everyone, the same is not

⁶⁶ Lakeland, *Catholicism at the Crossroads*, p. 109.

true about church history, an invaluable tool in understanding our faith tradition and thus in helping to navigate the future of the church. Lakeland writes:

History teaches us that the church is a dynamic reality, always on the move, always engaged in that common historical process of remembering and forgetting. As a body in history, the church is as susceptible as any purely human institution to the accidents of history. It has its saints and its sinners, its heroes and heroines, its criminals and manipulators. All of them together make up the history of the church, and knowledge of how they have played their roles helps us to understand where the church is today. Above all, it helps us distinguish between what is of the essence of our tradition and what, as a product of historical accident, is not.⁶⁷

To engage in theological study and theological reflection – even at the level of simply hearing the gospel and asking oneself, “How does this speak to my life?” – and to be informed in the tradition and history of the church, allows the layperson to make informed decisions in matters of faith and in the life of the church (particularly in governance), and also to become less dependent on the clergy for all the answers. In this way, laypersons are exercising subsidiarity by assuming self-responsibility, while also living out their own authority as baptized believers to both teach and learn.

Secondly, just as clergy members must learn to move beyond clericalist attitudes, so too do the laity need to recognize their own authority in the church, and no longer fall into roles of passivity and deference to the ordained. Lakeland likens this process to the liberation theology concept of conscientization, the “primary awakening of a community, through which it begins the struggle to pass from being object or victim of history, as defined by someone else, to subject of its own history. Through conscientization, people begin to take charge.”⁶⁸ Laypersons must begin to understand their rights and

⁶⁷ *Ibid.* p. 110.

⁶⁸ Lakeland, *Liberation of the Laity*, p. 198.

responsibilities of their baptism, and the call issued by Vatican II to service in the church and the world.

Thomas Groome, in an article on religious education and the domestic church, recalls one such moment of “awakening”: “I recently had a notable theologian...complain to me that his children simply don't know their faith and he blamed the local parish program. I finally said, 'But why don't you teach them yourself?' It was as if I had taken the ground from under him. We then had an insightful conversation about how readily parents can expect 'them' to do religious education instead of 'us.'”⁶⁹

Ultimately, the responsibility for more active lay participation in governance and in the life of the church rests on the laity, not the clergy. To be sure, the structures and conditions must be in place such that laypersons may exercise their proper authority. But subsidiarity in the church means not 'granting' laypersons authority, rights and responsibilities, but rather providing the sets of conditions necessary for the laity to achieve personal self-realization. It means, for laypeople, that their authority in the church must be claimed as rightfully theirs. The principle of subsidiarity prioritizes the dignity of the individual, and holds that all other forms of society should be in the service of the human person. The exercise of lay responsibility both within and outside official channels of church governance can then enable the church better to function as the sacrament of love that is said to characterize the inner life of the Body of Christ.

⁶⁹ Thomas Groome. “Good Governance, the Domestic Church, and Religious Education.” *Common Calling: The Laity and Governance of the Catholic Church*. Stephen J. Pope, editor. Washington: Georgetown University Press, 2004. pp. 195-208, at 203.

Conclusion

The application of subsidiarity in the church, and the development and actualization of lay authority, are essential components in renewing the Catholic church in the aftermath of the clerical sexual abuse scandal and more importantly in becoming the community envisioned by Vatican II. This dissertation has demonstrated the validity of the principle of subsidiarity's application within the church and with regard to lay participation in church governance, the theological foundations of which lie in Vatican II's *communio* ecclesiology and understanding of lay authority. As a normative principle of governance, subsidiarity would encourage dialogue, participation, and collaborative methods of decision-making in the church. As both clergy and laity learn to engage in such practices, they will be building more vibrant parishes and laying the foundations for new ways of working together in dioceses and the universal church. In this way, the entire people of God will be able to fulfill their baptismal right and responsibility to participate fully and actively in the ministry of Jesus Christ.

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