

ASIAN
HORIZONS
Vol. 14, No. 1, March 2020
Pages: 181-208

ENCOURAGING AND DEVELOPING THE PARTICIPATIVE BODIES FOR A SYNODAL CHURCH

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Abstract

An effective means to become a synodal Church is to encourage and develop the participative bodies at the different levels of the Church. The first level is that of particular churches (dioceses/eparchies). Vatican II with its new ecclesiological vision invited the Church to a participative style and proposed to establish structures of participation. The initiations done by the post-conciliar documents to concretize the conciliar invitation and proposals were completed by the new Codes – CIC and CCEO. They made obligatory the establishment of the presbyteral council, college of consultors, and finance councils and recommended the establishment of pastoral councils. Several documents of the Apostolic See also have made references to these canonical bodies. While the importance of these bodies is acknowledged on one side, the canonical discipline and the ecclesiastical teachings have simultaneously placed limitations in the involvement and participative nature of these bodies. Pope Francis invites the particular churches to encourage and develop these bodies to exercise synodality in them. It is an invitation to transform these bodies as forums of honest speaking and sincere listening. Within the

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parameters of the existing canonical discipline, this article tries to indicate some orientations for the achievement of this transformation.

Keywords: Code of Canon Law; Diocesan Councils; Diocesan Synod; Ecclesial Renewal; Eparchial Assembly; Lay Participation; Parish Councils; Participative Bodies; Pope Francis; Synodality

Pope Francis with great enthusiasm and strong conviction leads the Church to a new way of living the deep and true spirit of Vatican II. This new path is evident from the very beginning of his pontificate. On 26 June 2013, he taught,

The Church is not a fabric woven of things and interests; she is the Temple of the Holy Spirit, the Temple in which God works,...the Temple in which, with the gift of Baptism, each one of us is a living stone. This tells us that no one in the Church is useless, and if from time to time someone says to someone else: 'go home, you are no good', this is not true. For no one is no good in the Church, we are all necessary for building this Temple! No one is secondary. No one is the most important person in the Church, we are all equal in God's eyes. Some of you might say 'Listen, Mr Pope, you are not our equal'. Yes, I am like each one of you, we are all equal, we are brothers and sisters! No one is anonymous: we all both constitute and build the Church... No one can go away, we must all bring the Church our life, our heart, our love, our thought and our work: all of us together.¹

"All of us together" is the vision and style of Pope Francis. He invites the entire Church, the pilgrim people of God, to "go forward on the path of synodality."² Synodality is the new way to which and on which the Pope leads the Church. On multiple occasions he has explained the necessity and beauty of "the journeying together," and it has also become the approach of his pontificate.³ The canonical bodies in the Church have got an important role to play in implementing the principle of synodality to build up a synodal Church. The purpose of this article is to present some orientations for encouraging and developing them to imbibe the spirit of synodality within the parameters of the current canonical discipline.

¹ Francis, Message at the General Audience, 26 June 2013, http://www.vatican.va/content/francesco/en/audiences/2013/documents/papa-francesco_20130626_udienza-generale.html (accessed 10.02.2020).

² Francis, Homily on the Solemnity of Saints Peter and Paul and the Imposition of the Sacred *Pallium*, 29 June 2013, http://w2.vatican.va/content/francesco/en/homilies/2013/documents/papa-francesco_20130629_omelia-pallio.html (accessed 10.02.2020).

³ See for example, Mark Coleridge, "From Wandering to Journeying: Thoughts on a Synodal Church," The Cardinal Knox Lecture, Catholic Leadership Centre, Melbourne, 16 May 2016. <https://gippslandordinariate.files.wordpress.com/2016/05/the-knox-lecture21.pdf> (accessed 26.02.2020).

Diocesan/Eparchial Councils in CIC-1917 and in the Parallel Eastern Legislation

On 27 May 1917 Pope Benedict XV promulgated the *Codex Iuris Canonici* (CIC-1917) for the Latin Church. This was the first codification of all the ecclesiastical laws into one Code. For the Eastern Catholic Churches, there was no such code, instead, there were four *motu proprios* promulgated by Pope Pius XII between 1949 and 1957:⁴ *Crebrae Allatae* (CA), *Sollicitudinem Nostram* (SN), *Postquam Apostolicis Litteris* (PAL), and *Cleri Sanctitati* (CS).⁵

Though such a codification was the desire of the entire Church, CIC-1917 was also considered a work of centralization, as an expression of the then prevailing concept of Church—a *societas iuridice perfecta*.⁶ The majority of the canons dealt with the structure of the Church and its functions of teaching, sanctifying and governing, whose exercise was conferred to the clerics. There were only very few canons that were explicitly dealing with the laity. The *motu proprios* for the Eastern Churches also reflected these theological and juridical thinking of the time.

Both, the CIC-1917 and the *motu proprios*, provided norms for the following canonical bodies in a particular church: the diocesan synod in the Latin Church (CIC-1917 356-362) or the eparchial convocation⁷ in the Eastern Churches (CS 422-428); the cathedral chapter (CIC-1917 391-422; CS 464-466); the diocesan consultors (CIC-1917 423-428; CS 458-459); and the council for the administration of temporal goods (CIC-1917 1520; PAL 263).

Membership in the diocesan synod/eparchial convocation was restricted to clerics (CIC-1917 358; CS 424) and they had only a consultative vote (CIC-1917 362; CS 428). Bishops were asked to convoke a diocesan synod/eparchial convocation at least every ten

⁴Though a complete draft of the *Codex Iuris Canonici Orientalis* (CICO) was presented to Pope Pius XII in March 1948 by the *Pontificia Commissio Codicis Orientalis Redigendo* (PCCOR), after a long process that had commenced in 1927, only some portions of the draft were promulgated by the Pope in the form of four *motu proprios*.

⁵*Crebrae Allatae*, the canons on the sacrament of marriage, was promulgated on 22 February 1949 (AAS 41 [1949] 89-119); *Sollicitudinem Nostram*, the canons on trials, was promulgated on 6 January 1950 (AAS 42 [1950] 5-120); *Postquam Apostolicis Litteris*, the canons on religious, temporal goods, and on meaning of words, was promulgated on 9 February 1952 (AAS 44 [1952] 65-150); *Cleri Sanctitati*, the canons on the Eastern Rites and on Persons, was promulgated on 2 June 1957 (AAS 49 [1957] 433-600).

⁶Antony Samy Savarimuthu, "Codification of *Codex Iuris Canonici* 1917," *Studies in Church Law* 12 (2107) 207.

⁷CS uses the word *conventus* instead of *synodus* (CS 422-428).

years (CIC-1917 356 §1; CS 422 §1). However, it was very rarely observed. Together with the eparchial convocation, the Eastern law also referred to the custom according to which the eparchial bishop calls together his clergy every year in order to consider the matters that promote the interest of religion in the eparchy (CS 422 §4). It was also not obligatory, but only recommended.

The cathedral chapter, the historical heir of the old presbyteral college was called the *senatus et consilium* of the diocesan bishop (CIC-1917 391 §1).⁸ The creation or erection of the chapter was reserved to the Apostolic See (CIC-1917 392; CS 465 §1). It had a consultative function in some administrative matters of the diocese,⁹ besides the major role in the vacant see and the liturgical functions.¹⁰ The canonical body of diocesan consultors (*coetus consultorum dioecesanorum*) was a new institution, originated in nineteenth century in the Church in North America.¹¹ CIC-1917 gave it recognition in the universal Church and recommended its constitution in the dioceses where there was no cathedral chapter (CIC-1917 423-428).¹² On the other hand, the Eastern law preferred the college of eparchial consultors (*collegio consultorum eparchialium*) to the cathedral chapter and instructed that the consultors shall be appointed in every eparchy (CS 458-463). The bishop was obliged to request the consent or advice of the eparchial consultors whenever the law requires (CS 459 §1).

CIC-1917, 1520 prescribed to constitute a council with the diocesan bishop as the president and with two or more suitable men (*duobus vel pluribus viris idoneis*), to oversee the administration of the ecclesiastical goods in the diocese. Before performing administrative actions of greater moment, determined by law, the bishop was either to seek the advice of the council (CIC-1917, 1520 §3, 1415 §2, 1532 §§2, 3, 1533, 1541 §2, 1547, 1653 §1) or to obtain its consent (CIC-1917, 1532 §3, 1533, 1538, §1, 1539 §2, 1541 §2, 1653 §1). For the Eastern Churches, the norm regarding the council of administration of ecclesiastical goods was found in the motu proprio *Postquam Apostolicis Litteris* (PAL 263).

⁸The motu proprio *Cleri Sanctitati* did not use this term either for eparchial consultors or for cathedral chapters.

⁹CIC-1917, 386, 388, 403, 406, 454 §3, 895, 958 §1, 3^o, 1234 §1, 1292, 1303 §4, 1359 §2, 1428 §1, 1520 §1, 1532 §3, 1533, 1541 §2, 1574 §2, 1653 §1, 2292.

¹⁰CIC-1917, 113, 381-382, 391 §1, 397, 412, 413, etc.

¹¹John A. Abbo & Jerome D. Hannan, ed., *The Sacred Canons: A Concise Presentation of the Current Disciplinary Norms of the Church*, Second Revised Edition, vol. 1, St. Luis: Herder, 1960, 418-419.

¹²It was also called the senate of the bishop and had all those consultative functions assigned to the cathedral chapters (CIC-1917, 427).

Among these canonical bodies, there had no institution involving the participation of the lay faithful, except the council of administration of temporal goods. With regard to this council, the law prescribed that any “suitable men” (*virii idonei*) could be appointed as its members. Therefore, the members could be clerics or lay men; women were excluded. In many dioceses the diocesan consultors, who were priests, themselves were appointed to the council of administration to facilitate consultation on temporal goods.¹³

In the level of parishes, no canonical body was prescribed either in CIC-1917 or in the *motu proprio*. However, there had structures of participation in some Eastern Catholic Churches as part of their traditions derived from the local customs. For example, in the Syro-Malabar Church in India,¹⁴ in the Ukrainian Church,¹⁵ in the Armenian Church,¹⁶ etc., the laity had roles in the affairs of the Church, especially in the administration of temporal goods.

In General, in the canonical discipline of the Church in the pre-Vatican II period participatory approach was not a familiar or common style in the ecclesial governance. While the priests had some possibilities of participation, the laypersons were almost totally out of ecclesial affairs.

Vatican II: Invitation to Reinstatement of the Participative Style in the Church

Vatican II set aside the long-prevalent hierarchical and juridical conception of the Church, revived the consciousness of communion and emphasized the concept of the people of God. It defined anew the relationships among the members of the people of God and their role in its life and mission.

¹³John A. Alesandro, “The Internal Ordering of Particular Churches (cc. 460-572),” in *The Code of Canon Law: A Text and Commentary*, ed. James A. Coriden, Thomas J. Green, and Donald E. Heintschel, Bangalore: Theological Publications, 1999, 398.

¹⁴The Syro-Malabar Church in India had the tradition, called *palliyógam* (“church assembly”). For details see George Nedungatt, *Laity and Church Temporalities: Appraisal of a Tradition*, Bangalore: Dharmaram Publications, 2000.

¹⁵Sophia Senyk, “The Union of Brest: An Evaluation,” in *Four Hundred Years Union of Brest (1596-1996): A Critical Re-evaluation*, ed. Bert Groen and Wil van den Bercken, Eastern Christian Studies, 1, Louvain: Peeters, 1998, 11. Nedungatt, *Laity and Church Temporalities*, 191-197.

¹⁶Tiran Nersoyan, “Laity in the Administration of the Armenian Church,” in *The Position of the Laity in the Law of the Oriental Churches*, Proceedings of the Third Congress of the Society of the Law of the Oriental Churches, *Kanon* 3 (1977) 96-119. Nedungatt, *Laity and Church Temporalities*, 197-199.

The primary concern of the Council was to address the relationship between the pope and the bishops and it was responded with the doctrine of collegiality of bishops.¹⁷ Regarding the relationship between the bishops and priests, it asserted the sacramental and hierarchical bond between them and called for an active and effective collaboration (LG 21 §1, 28 §2; CD 11, 15, 16, 28, 30; PO 2, 4 §1, 7, AG 39). Regarding the role of the laity in the life and mission of the Church and in their relations to the sacred ministers, the Council stated:

The sacred pastors are well aware of how much the laity contribute to the well-being of the whole church. They know that they were not instituted by Christ to undertake by themselves alone the church's whole mission of salvation to the world; but that it is their noble task to tend the faithful in such a way, and to acknowledge their ministries and their charisms, so that all may cooperate unanimously, each in her or his own way, in the common task (LG 30).

The pastors are "to acknowledge and promote the dignity and responsibility of the laity in the church; they should willingly make use of their prudent counsel; they should confidently entrust to them offices in the service of the church and leave them freedom and space to act" (LG 37).¹⁸ Before Vatican II, it was thought that "all good things, especially intelligence of faith and prudent decisions, should descend from above, from the person of the pope, the Vicar of Christ."¹⁹

However, from the beginning of Vatican II onwards the bishops experienced that it was of immense relevance and above all enriching that the pope and the bishops of the world would actually meet regularly to discuss the challenges the Church is meeting. The bishops at Vatican II not only experienced the benefit of exchanging thought among themselves and with the Pope, they also approved the doctrine of collegiality of bishops in relation to the papacy. It is important to notice that doctrine and experience coincided.²⁰

The new ecclesial consciousness and thinking aroused also the desire and need for a participatory style in the Church. Pope Paul VI erected the institution of "Synod of Bishops" during the Council

¹⁷Myriam Wijlens, "Primacy-Collegiality-Synodality: Reconfiguring the Church because of *Sensus Fidei*," in *Primacy and Synodality: Deepening Insights*, ed. Péter Szabó, Proceedings of the 23rd Congress of the Society for the Law of the Eastern Churches, *Kanon* 25 (2019) 242.

¹⁸These ideas are repeated in several other documents of the Council, such as, CD 16; PO 8-9, 17; AG 21, 30; AA 1, 9-14, 25; GS 43, 72-75, etc.

¹⁹Ladislav Orsy, *Receiving the Council: Theological and Canonical Insights and Debates*, Collegeville, Minnesota: Liturgical Press, 2009, 80.

²⁰Wijlens, "Primacy-Collegiality-Synodality," 243.

itself.²¹ Episcopal conferences were officially recognized and the Council called for its widespread formation around the world (LG 23 §2; CD 37-38).²² The Council also expressed its earnest desire “that the venerable institutions of synods and councils should flourish with renewed strength” (CD 36).

The participative style was initiated not only between the pope and bishops, but also among all the people of God. The Council demanded that the already existing councils in the diocese, such as “the cathedral chapter, the board of consultors or other committees according to the circumstances or ethos of different areas,” should be “reorganized, so far as necessary, to meet modern needs” (CD 27). Since the bishops “must be very ready to listen” to the priests, and should “ask their advice and discuss with them all that concerns the pastoral needs and well-being of the diocese,” it was suggested to establish a new council in the dioceses: “a council or senate of priests” (PO 7).

About the involvement of the laity in the affairs of the Church, the Council taught that “they have the right and sometimes the duty to make known their opinion on matters which concern the good of the church” (LG 37). In order to make it possible to be done “through the institutions set up for this purpose by the church” (LG 37), it was suggested “that in every diocese there should be established its own pastoral council,” composed of “specially selected clergy, religious and laity” (CD 27). Formation of such councils, consisting of clerics, religious and lay people, for the coordination of the missionary activity (AG 30), and for supporting and coordinating the apostolic works (AA 26) was also suggested. In the parishes, the Council did not explicitly suggest any participative body. The proposed council for coordinating the apostolic works in the dioceses was also recommended in the parochial level (AA 26). It was also instructed that priests are to manage ecclesiastical property with the help of skilled lay persons (PO 17). Thus, the Council evidently intended to renew the existing bodies and to establish new ones in order to give concrete communal embodiment to its several central teachings.²³

²¹Paul VI, m.p., *Apostolica Sollicitudo*, 15 September 1965, AAS 57 (1965) 775-780. English trans. *The Canon Law Digest VI* (Reprinted, 1994) 388-393.

²²The assembly of bishops within a nation sprang up spontaneously from the nineteenth century in several nations (Belgium in 1830; Germany in 1848; Austria in 1849, etc.), and many of these conferences had received the approbation of the Apostolic See. However, CIC-1917 did not give any recognition to them as a canonical institution except a recommendation that the local ordinaries may come together at a set time at the residence of the metropolitan at least once in every five years (CIC-1917 c. 292 §1).

²³Bradford E. Hinze, “Synodality in the Catholic Church,” *Theologische Quartalschrift* 192 (2012) 121.

Post-conciliar Documents: Initiations to Establish Participative Structures

Following the Council, the Apostolic See issued several documents with some specific norms to renew the existing organs and to establish new ones. The first important document was *Ecclesiae Sanctae* (ES).²⁴ In its introduction, Pope Paul VI wrote: “the governing of the Church, following the conclusion of the Council, demands that new norms must be established and that new adjustments be made to meet relationships introduced by the Council.” It provided norms on the council of priests (CD 27, PO 7, ES I, 15); the pastoral councils (CD 27; ES I, 16) and the episcopal conferences (CD 38; ES I, 41). In the council of priests “the bishop should listen to his priests, consult them and have dialogue with them on those matters which pertain to the needs of pastoral work and the good of the diocese” (ES I, 15). The pastoral council is “to investigate everything pertaining to pastoral activities, to weigh them carefully and to set forth practical conclusions concerning them so as to promote conformity of the life and actions of the People of God with the Gospel” (ES I, 16 §2). The document also asked the bishops to renew the existing organs: cathedral chapter and college of consultors (ES I, 17 §2).

In 1970, the Congregation for the Clergy issued a circular letter, *Presbyteri Sacra* (PS),²⁵ on the presbyteral council (council of priests). It presented the council as an instrument of common consultation and dialogue between bishops and priests (PS 5). The final document of the 1971 Synod of Bishops on ministerial priesthood, *Ultimis Temporibus* (UT),²⁶ also referred to the presbyteral and pastoral councils as the institutional manifestation of the communion in the local church (UT II, 2,1; II, 2, 3, 13). According to the circular letter of the Congregation for the Clergy, in 1973, *Omnnes Christifideles* (OC),²⁷ on the pastoral councils, though the pastoral questions which involve matters of jurisdiction are more rightly directed to the presbyteral

²⁴Paul VI, m.p., *Ecclesiae Sanctae*, 6 August 1966, AAS 58 (1966) 757-787. English trans. Austin Flannery, ed., *Vatican Council II: The Conciliar and Post Conciliar Documents*, Bombay: St. Pauls, 1997, 529-544, 556-563.

²⁵ Congregation for the Clergy, Circular Letter on the Presbyteral Council, *Presbyteri Sacra*, 11 April 1970, AAS 62 (1970) 459-465. English trans., *The Canon Law Digest VII* (1975) 383-391.

²⁶Synod of Bishops of 1971, Document on the Ministerial Priesthood, *Ultimis Temporibus*, 30 November 1971, AAS 63 (1971), 898-922. English trans., *Canon Law Digest VII* (1975) 341-365.

²⁷Congregation for the Clergy, Circular Letter on the Pastoral Council, *Omnnes Christifideles*, 25 January 1973, English trans., *The Canon Law Digest VIII* (1978) 280-288.

council, the diocesan bishops may bring such matters to the pastoral council for its consideration. The letter highlighted the council's representative nature and the membership of the lay faithful (OC 7). It also promoted the establishment of pastoral councils in parishes (OC 12).

The 1973 Directory on the Pastoral Ministry of the Bishops, called *Ecclesiae Imago* (EI),²⁸ taught that the collaboration of the whole community is a fundamental principle in the exercise of the episcopal ministry. It instructed the bishops to listen to the priests, religious and lay faithful in fulfilling their episcopal function (EI 18, 33, 34, 37). It expanded the membership of the diocesan synod also to the lay faithful (EI 163). The council for the administration of temporal goods is to be established in every diocese, parishes, and other public institutions (EI 135). The presbyteral council is the institutional form of hierarchical communion between the bishop and priests (EI 203) and the pastoral council is to offer the diocesan bishop the serious and settled cooperation of the diocesan community (EI 204). However, the Directory stated that the pastoral council in the diocese is not mandatory (EI 294, 204). It also encouraged the establishment of parish pastoral councils (EI 204).

These documents give witness to the efforts in the universal Church to implement the participative style desired by the Council in the local churches. According to Hinze,

These endeavors to develop a collaborative style of discernment and deliberation were sometimes opposed, sometimes welcomed, but in all cases challenged those involved to develop new skills required for making group deliberative processes effective... Sometimes there were restrictions placed upon, if not outright resistance to, synodal and conciliar practices, often these reflected efforts by those with vested interests in reasserting episcopal and clerical authority by means of the earlier baroque style of paternalism.²⁹

Participative Structures in the New Codes: CIC and CCEO

The new Latin Code (CIC) was promulgated in 1983 and the Eastern Code (CCEO) in 1990. Since the revision of the canon law was a vital means as well as an integral part of the renewal process inaugurated by Vatican II, the new Codes differed substantially in their content from the previous ones.

²⁸ Congregation for Bishops, Directory on the Pastoral Ministry of Bishops, *Ecclesiae Imago*, 31 May 1973. English trans., *Directory on the Pastoral Ministry of Bishops*, tr. Benedictine Monks of the Seminary of Christ the King Mission, Ottawa: Canadian Catholic Conference, 1974.

²⁹Hinze, "Synodality in the Catholic Church," 123.

The Codes present the Church as the people of God (CIC 204 §1; CCEO 7 §1) and give a set of canons on the rights and responsibilities of all Christian faithful before treating them distinctively as clerics, religious, and laity. This set of canons affirms the communion in the people of God; the equality and dignity among them; the contribution of each according to his or her own condition to the building up of the Body of Christ (CIC 208; CCEO 11). They have the right and at times even the duty, to manifest their views on matters regarding the good of the Church (CIC 212 §3; CCEO 15 §3).

The essential communal nature of the Church is emphasized in both Codes. Diocese/eparchy is described as a portion of the people of God (CIC 369; CCEO 177 §1). In fulfilling his duty of shepherding this portion of the people of God, the diocesan/eparchial bishop is asked to listen to the presbyters as his assistants and counsellors (CIC 384; CCEO 192 §4). In the same way, a parish is defined as a community of Christian faithful (CIC 515 §1). Clerics are to cooperate with one another (CIC 275 §1; CCEO 379); and should acknowledge and foster the dignity of lay persons and their proper role in the Church (CCEO 381 §3; CIC 275 §1). Laypersons are to be heard as experts or consultors by ecclesiastical authorities, individually or in the canonical bodies (CCEO 408 §1; CIC 228 §1, 2).

Both Codes speak of several structures of participation in the Church. They use the terms “council” (*concilium*), “synod” (*synodus*), “assembly” (*conventus*), “college” (*collegium*), and “council” (*consilium*) to denote these structures. The Latin term *concilium*³⁰ is used in reference to the ecumenical council (*Concilium Oecumenicum*: CIC 337-341, 749 §2, 1732; CCEO 50-54, 597 §2, 996); and the particular councils (*concilia particularia*: CIC 439-446),³¹ whereas, the term used for the canonical bodies at the diocesan/eparchial level is *consilium*:³² the presbyteral council

³⁰ *Concilium*, a compound of *con* (from the preposition *cum*, meaning ‘with,’ ‘together’) and the verb *cālo, calāre* (meaning ‘to call,’ ‘call out,’ ‘proclaim,’ ‘summon,’ ‘call together,’ in reference to religious matters) has the following meanings: ‘a bringing together of things or persons,’ ‘a collection of people,’ ‘an association,’ ‘gathering,’ ‘meeting,’ ‘assembly,’ especially ‘an assembly for consultation,’ ‘a council.’ Lewis and Short, *A Latin Dictionary*, s.v. *concilium*.

³¹ Latin *concilium* and Greek *synodos* were traditionally used as synonymous. However, CIC makes a distinction between the uses of these words by distinguishing between a particular (plenary or provincial) Council and an ecumenical Council on the one hand, and a Synod of Bishops and a diocesan Synod on the other hand. International Theological Commission, “Synodality in the Life and Mission of the Church,” 2 March 2018, n. 4, http://www.vatican.va/roman_curia/congregations/cfaith/cti_documents/rc_cti_20180302_sinodalita_en.html (accessed 10.02.2020).

³² *Consilium* is connected with the verb, *consulo, consulere*, (frequently used *consulto, consultare*), which means ‘to reflect,’ ‘to consult,’ ‘to consider,’ ‘to ask the advice of,’

(*consilium presbyterale*: CIC 495-501; CCEO 264-270); the pastoral council (*consilium pastorale*: CIC 511-514; CCEO 272-275); the finance council (*consilium a rebus oeconomicis*: CIC 492-493; CCEO 263); and the councils in parishes (*consilium pastorale*: CIC c. 536; *consilium a rebus oeconomicis*: CIC 537; *opportuna consilia*: CCEO 295).³³

Other structures of participation in relation to particular churches are: the particular councils in the Latin Church (CIC 439-446); the patriarchal/major archiepiscopal/metropolitan assembly (*conventus*) in the Eastern Churches (CCEO 140-145, 152, 172); the diocesan synod in the Latin Church (CIC 460-468) and its parallel in the Eastern Churches, called, the eparchial assembly (*conventus*: CCEO 235-242).³⁴

With regard to the particular councils in the Latin Church, the new Code took away the restriction against women and lay persons, insisted by the previous Code (CIC-1917 282 §3, 286 §4). In addition to bishops, who enjoy the deliberative vote, lay persons and religious as well as clergy can participate with a consultative vote (CIC 443, 444).

The patriarchal/major archiepiscopal/metropolitan assembly in the Eastern Code is a forum involving the participation of hierarchs, clerics, religious and laypersons of the entire Church *sui iuris* (CCEO 140-145, 152, 172). As an advisory body, representing the entire church *sui iuris*, it assists those who govern the Church *sui iuris* in dealing with matters of major importance (CCEO 140).³⁵ It is to be convoked at least every five years (CCEO 141). From each eparchy two lay persons are to be convoked to the assembly, and the particular law of each Church *sui iuris* can provide for a larger representation of layperson (CCEO 143 §1, 6^o). Any member of the Christian faithful can propose any topics for discussion in the assembly (CCEO 144 §1). The process of planning and preparatory

etc. *Consilium* has its primary meanings as 'plan,' 'counsel,' 'opinion,' 'advice,' 'consultation,' etc. In its transferred use, it also means 'the assembly of persons giving advice,' 'council,' 'advisory body,' etc. (See *Cassell's Latin Dictionary*, 1968, s.v. *consilium*).

³³Though both, *concilium* and *consilium*, are translated into English as "council," in their specific sense, they differ. *Concilium* is equivalent to Greek *synodos* and is used in reference to episcopal bodies with deliberative nature, where as *consilium* is used for any council, especially those with consultative nature.

³⁴In the Eastern Code, the word "synod" is used only in reference to episcopal bodies: the Synod of Bishops in the universal Church (CCEO 46); *synodus episcoporum* in the patriarchal/major archiepiscopal churches (CCEO 102-113, 152); the *synodus metropolitana* of the metropolitan province in a patriarchal or major archiepiscopal church (CCEO 133 §1, 2^o; 137); and the *synodus permanens* in the patriarchal/major archiepiscopal curia (CCEO 115-120).

³⁵The assembly is also presented as one of the bodies that the patriarch is to consult in matters that concern the entire church or in more serious affairs (CCEO 83 §1).

studies for the assembly also provide opportunities for wider involvement of all groups of faithful (CCEO 144 §2).

Both Codes revised the previous legislations on diocesan synod or eparchial assembly, which provided only for clergy the participation in the synod/assembly (CIC-1917, 358 §1; CS 424). Now it is an assembly representing the entire people of God in a diocese/eparchy (CIC 460). While the bishop is the sole legislator (CIC 466; CCEO 241), other members perform critical tasks of guiding and facilitating his legislative action.³⁶ According to the Eastern Code, the faithful can suggest the subjects to be discussed by the assembly (CCEO 240 §1). Both the Codes instruct that there should be free discussion of all the subjects in the sessions of the synod/assembly (CIC 465; CCEO 240 §4). The preparatory commissions (CCEO 240 §2) and the distribution of the agenda in a timely fashion (CCEO 240 §3) provide the possibility for wide and deep participation of the faithful. With all these characteristics, in a particular church, the synod/assembly is the canonical institution which reflects more the communal ecclesiology of Vatican II. However, its convocation is left to the judgment of the diocesan/eparchial bishop (CIC 461 §1; CCEO 236).

The Codes are significantly same in their legislation on the presbyteral council (CIC 495-501; CCEO 264-270).³⁷ The representative character of the council is explicitly emphasized and its establishment is made obligatory (CIC 495 §1; CCEO 264).³⁸ Its role is “to assist the bishop, in accordance with the law, in the governance of the diocese” (CIC 495 §1). It has got a wide consultative role concerning almost all matters of the eparchial governance (CCEO 264). The diocesan/ eparchial bishop is to consult the presbyteral council not only in cases expressly determined by universal/common law,³⁹ but in all important matters of the diocese/eparchy (CIC 500 §2; CCEO 269 §2).

The diocesan/eparchial college of consultors is another participative body of presbyters which must be constituted in every diocese/eparchy (CIC 502 §1; CCEO 271 §1). The functions and the role of the

³⁶Alesandro, “The Internal Ordering of Particular Churches (cc. 460-572),” in *The Code of Canon Law: A Text and Commentary*, 379.

³⁷A notable difference between the Codes regarding the presbyteral council is that the Eastern Code does not call it the “Bishop’s senate,” as in the previous legislations.

³⁸Cfr. Cusack, “Title III: The Internal Ordering of Particular Churches [cc. 460-572],” in *New Commentary on the Code of Canon Law*, 654.

³⁹CIC 461 §1, 515 §2, 531, 536 §1, 1215 §2, 1222 §2, 1263; CCEO 236, 276 §2, 280 §§1-2, 282 §1, 291, 873 §2.

college are determined from the various canons.⁴⁰ In *sede plena* its consultative role is mainly in the administration of temporal goods (CIC 494 §§1-2, 1277, 1292 §1; CCEO 262 §§1-2, 263 §1, 1036 §1, 1^o-2^o). The diocesan/eparchial bishop is certainly free to take up additional matters with the college, seeking its advice on issues of import for the diocese.⁴¹ The college has significant role in *sede vacante*, as it continues to exist assuring the stability of pastoral governance (CIC 419, 421 §1, 422, 430 §2, 413 §2, CCEO 221, 233 §2) and is entrusted also with the functions of the presbyteral council, which ceases functioning in such situation (CIC 501 §2; CCEO 270 §2).

The diocesan/eparchial finance council is the primary advisory body that assists the bishop to decide on important financial matters, to manage properly the temporal goods, and to formulate financial policies. It is an obligatory consultative body in the diocese/eparchy (CIC 492 §1; CCEO 263 §1). Its membership is open to all Christian faithful, experts in financial affairs and civil law and of outstanding integrity (CIC 492 §1; CCEO 263 §1). Both Codes require the exclusion from the finance council of those who are closely related to the bishop either through consanguinity or through affinity (CIC 492 §1; CCEO 263 §1). Its role is at times consultative⁴² and at other times deliberative.⁴³ Besides the specific matters seeking the consent or consultation of the council mentioned in them, both Codes demand that the eparchial bishop is to hear the council in matters of greater financial importance (CIC 1277; CCEO 263 §4). The council is also responsible for preparing the annual budget of the diocese/eparchy and to review the financial reports submitted by the finance officer (CIC 493; CCEO 263 §5).

The diocesan/eparchial pastoral council is the only stable canonical institution that provides membership to lay persons and which “truly reflects the entire portion of the people of God,” in the diocese/eparchy (CIC 512 §2; CCEO 273 §2). However, in both Codes it is presented as a “discretionary, pastoral, study-oriented” consultative body.⁴⁴ Its establishment in a diocese/eparchy is not obligatory in both

⁴⁰CIC 272, 377 §3, 404 §§1&3, 413 §2, 419, 421 §1, 422, 485, 494 §§1-2, 501 §2, 833, 4^o, 1018, §1, 2^o, 1277, 1292 §1; CCEO 214 §§2-3, 220, 4^o, 221, 1^o-3^o, 226, 231 §1, 232 §§1,3, 233 §2, 255, 262 §§1-2, 263 §1, 270 §2, 271 §5, 284 §3, 3^o, 363, 2^o, 750 §1, 2^o, 928, 2^o, 1036 §1, 1^o-2^o.

⁴¹Cusack, “Title III: The Internal Ordering of Particular Churches [cc. 460-572],” in *New Commentary on the Code of Canon Law*, 662.

⁴²CIC 494 §§1,2, 1263, 1281 §1, 1305, 1310; CCEO 262 §§1-2, 1024 §2, 1049, 1054 §2

⁴³CIC 1292, 1295; CCEO 1012 §1, 1036 §1, 1^o-2^o, 1042

⁴⁴Thomas J. Green, “Commentary on CCEO c. 272,” in *A Practical Commentary to the Code of Canons of the Eastern Churches*, ed. John D. Faris and Jobe Abbass, Montréal: Librairie Wilson & Lafleur, 2019, 565.

Codes (CIC 511; CCEO 272). Its competence is said to be “to investigate, assess, and propose practical conclusions” about those matters which concern the pastoral works in the diocese/eparchy (CCEO 272; CIC 511) with a consultative vote (CIC 514 §1; CCEO 273 §1). It is only a consultative body with no jurisdictional role.⁴⁵ The Codes do not spell out any specific matter of consultation with the pastoral council. The determination of the membership in the pastoral council is under the discretionary authority of the diocesan/eparchial bishop (CIC 512 §1; CCEO 273 §1).

Both Codes propose the establishment of councils in the parishes but do not give the details. According to the Latin Code, each parish may have two parish councils: a parish pastoral council and a parish finance council (CIC 536-537). The establishment of parish pastoral council is not obligatory (CIC 536), whereas the parish finance council is an obligatory body (CIC 537). Its constitution, membership, competence, etc., are governed by the diocesan norms as well as the universal laws on the administration of temporal goods (CIC 1254-1298).

The Eastern Code stipulates that in the parish there are to be appropriate councils dealing with pastoral and financial matters (CCEO 295). It says nothing about the specifics of these councils, but leaves to particular law. This provision recognizes the socio-cultural diversity of the various *sui iuris* Churches.⁴⁶ For example, the two Eastern Catholic Churches in India, the Syro-Malabar and the Syro-Malankara Churches have enacted their particular laws on the councils in the parish, in accordance with the laudable heritage of *Palliyogam* in the tradition of St Thomas Christians in India.⁴⁷

Teachings of the Apostolic See on Participative Structures after CIC 1983

With the revised Codes, these canonical bodies formed part of ecclesial structures, and as such they also became a matter of official teachings

⁴⁵For further details, cfr. Cusack, “Title III: The Internal Ordering of Particular Churches [cc. 460-572],” in *New Commentary on the Code of Canon Law*, 667.

⁴⁶Thomas J. Green, “Commentary on CCEO c. 295,” in *A Practical Commentary to the Code of Canons of the Eastern Churches*, 605.

⁴⁷The Syro-Malabar Major Archiepiscopal Church has enacted the statutes called, *Palliyogam - Procedure Rules* (See *Code of Particular Law of the Syro-Malabar Church*, Syro-Malabar Major Archiepiscopal Curia, Mount St. Thomas, 2013, 108-134). The *Code of Particular Canons of the Syro-Malankara Catholic Church* contains canons on “Parish General Body” (*Itavaka Pothuyogam*) and “Parish Committee” (cc. 142-185) (See *The Code of Particular Canons of the Syro-Malankara Catholic Church*, Major Archiepiscopal Curia, Trivandrum, 2012).

and instructions of the Church. The documents which have made some significant remarks on these structures are mentioned below.

Apostolic exhortation, *Christifideles Laici* (CL)⁴⁸ stated that the Synod of Bishops (1987) had favoured the creation of the diocesan pastoral council as “the principle form of collaboration, dialogue, and discernment” (CL 25). The Synod had also proposed that through the council the lay faithful can be granted a participation “in certain instances also in decision-making—if applied in a broad and determined manner” (CL 25). The document invited the episcopal conferences “to evaluate the most opportune way of developing the consultation and the collaboration of the lay faithful, women and men” (CL 25). For the renewal of parish life, it suggested to adapt “parish structures according to the full flexibility granted by canon law, especially in promoting participation by the lay faithful in pastoral responsibilities” (CL 26).

The multidicasterial Instruction, *On Certain Questions Regarding the Collaboration of the Non-Ordained Faithful in the Sacred Ministry of Priests (Ecclesiae de mysterio)*⁴⁹ indicated that in the area of this collaboration “certain practices have often been developed which have had very serious negative consequences and have caused the correct understanding of true ecclesial communion to be damaged” (Premiss). Article 5 of the “Practical Provisions” given in the Instructions dealt with the “structures of collaboration in the particular church.” After stating that “these structures, so necessary to implement the ecclesial renewal called for by Vatican II, have produced many positive results,” this article gave some guidelines on them. Membership in the presbyteral council is reserved to priests alone (§1). “Diocesan and parochial Pastoral Councils and Parochial Finance Councils, of which non-ordained faithful are members, enjoy a consultative vote only and cannot in any way become deliberative structures” (§2). It also prescribed that the “diocesan councils may properly and validly express their consent to an act of the Bishop only in those cases in which the law expressly requires such consent” (§4).

⁴⁸John Paul II, Post-Synodal Ap. Exh., *Christifideles Laici*, 30 December 1988, http://www.vatican.va/content/john-paulii/en/apost_exhortations/documents/hf_jp-ii_exh_30121988_christifideles-laici.html (accessed 23.02.20).

⁴⁹Congregation for the Clergy and other Seven Dicasteries, Instruction on Certain Questions Regarding the Collaboration of the Non-Ordained Faithful in the Sacred Ministry of Priests, *Ecclesiae de mysterio*, 15 August 1997, http://www.vatican.va/content/john-paul-ii/en/apost_exhortations/documents/hf_jp-ii_exh_301 (accessed 23.02.20).

The interdicasterial Instruction on Diocesan Synods (1997-Instr.)⁵⁰ described the synod as an action of episcopal governance and an event of communion (1997-Instr. I, 1). Those who participate in the synod assist the bishop by formulating their *opinion* or "*votum*" with regard to the questions proposed by him.

This 'votum' is defined as *consultative* [cf. CIC 466], so as to indicate that the Bishop remains free to accept or not the recommendations made to him by the members of the Synod. However, this does not imply that such a 'votum' is of little importance or merely an 'external' consultation involving someone with no responsibility for the final outcome of the Synod. In virtue of their experience and their counsel, those who participate in the Synod also collaborate actively in drawing up those declarations and decrees, which are properly called "synodal" [cf. CIC 466, 467], and by which the episcopal government of the diocese is inspired for the future (1997-Instr. I, 2).

Regarding the canonical bodies, the apostolic letter, *Novo Millennio Ineunte* (NMI)⁵¹ says,

There, relations between Bishops, priests and deacons, between Pastors and the entire People of God, between clergy and Religious, between associations and ecclesial movements must all be clearly characterized by communion. To this end, the structures of participation envisaged by Canon Law, such as the Council of Priests and the Pastoral Council, must be ever more highly valued... The theology and spirituality of communion encourage a fruitful dialogue between Pastors and faithful... (NMI 45).

The apostolic exhortation *Pastores Gregis* (PG)⁵² stated that bishop's frequent meetings with his priests, deacons, consecrated persons and the laity are of great importance for an effective ministry (PG 28). Bishops have a personal responsibility in the organic structure of ecclesial communion. But, they are not supposed to fulfil their ministry in an individual manner, but with the participation of the faithful. So the bishops would "make every effort to develop, within his particular Church, structures of communion and participation which make it possible to listen to the Spirit who lives and speaks in the faithful" (PG 44).

⁵⁰Congregation for Bishops and Congregation for the Evangelization of People, Instruction on Diocesan Synods, 23 October 1997, http://www.vatican.va/roman_curia/congregations/cbishops/documents/rc_con_cbishops_doc_20041118_diocesan-synods-1997_en.html. (accessed 25.02.20).

⁵¹ John Paul II, ap. letter, *Novo Millennio Ineunte*, 6 January 2001, http://www.vatican.va/content/john-paul-ii/en/apost_letters/2001/documents/hf_jp-ii_apl_20010106_novo-millennio-ineunte.html. (accessed 25.02.20)

⁵² John Paul II, Post-Synodal Ap. Exh., *Pastores Gregis*, 16 October 2003, http://www.vatican.va/content/john-paul-ii/en/apost_exhortations/documents/hf_jp-ii_exh_20031016_pastores-gregis.html (accessed 25.02.20).

The new Directory for the Pastoral Ministry of Bishops, *Apostolorum Successores* (AS),⁵³ delineates seven fundamental principles for the pastoral governance of the bishop, which include the principle of communion, the principle of cooperation and the principle of respecting the competence of others (AS 58-60). Bishops should “avoid authoritarianism” and “be ready to listen to the faithful and seek their cooperation and their counsel, through the channels and structures established by canonical discipline” (AS 66). They should ensure that the consultative structures in the diocese adequately reflect the presence of consecrated life (AS 99), and give due consideration to the opinion of the lay faithful (AS 108). The Directory states that the structures of participation guarantee a dimension of communion in the pastoral governance. However, it should be kept clearly in mind “that these structures of participation... are consultative rather than deliberative” (AS 165).

Regarding the diocesan synod, the Directory states that the bishop shall “not dissociate himself from opinions and votes expressed by a large majority except for grave doctrinal, disciplinary or liturgical reasons” (AS 171). It instructs the bishop to invite the faithful freely to formulate their suggestions for the synod, and to inform the entire diocese about the synod from the beginning of its preparatory work (AS 173). In the presbyteral council, the bishop should be ever “disposed to serene dialogue and attentive listening to what the members of the council have to say,” and should “encourage the priests to adopt constructive, responsible and farsighted positions, having at heart only the good of the diocese.” He is to “promote within the council a climate of communion, attentiveness and a common search for the best solutions” and should “chair the meetings in such a way that all its members can freely express their opinions” (AS 182). In the administration of ecclesiastical goods, the bishop “should involve the diocesan clergy, through the presbyteral council, in the important financial decisions that he wishes to make, and he should seek their opinion in such matters” (AS 189). In the pastoral council, the bishops are asked to “give due consideration to the opinions of the members of the council insofar as it is an expression of the

⁵³Congregation for the Bishops, Directory for the Pastoral Ministry of Bishops, *Apostolorum Successores*, 22 February 2004, http://www.vatican.va/roman_curia/congregations/cbishops/documents/rc_con_cbishops_doc_20040222_apostolorum-successores_en.html. (accessed 25.02.20).

responsible collaboration of the ecclesial community with his apostolic office” (AS 184). In the administration of ecclesiastical goods, “in certain cases, it may also be helpful to consult” also the pastoral council (AS 189). The establishment of parish pastoral council is said to be “desirable” (AS 210). However the Directory instructs that “the pastor should never fail to seek the opinion of his collaborators regarding the varied questions arising in parish life, particularly through the parish pastoral council (where it exists) or through other forms of participation in parish life” (AS 211).

According to the Directory, one of the principal criteria that should govern the administration of ecclesiastical goods in the Church is “the criterion of participation.” Therefore, “the diocesan community be kept informed concerning the financial situation of the diocese.” The bishop may take steps to publish the financial reports at the end of every year and at the conclusion of diocesan projects, unless in a special case prudence suggests otherwise. Parishes and other institutions could do the same (AS 189).

Thus the ecclesiological thinking of Vatican II was being continued by the post-conciliar documents, the revised canonical texts, and the later documents. However, all these documents and canonical discipline were also attentive to limit the deliberative processes and the collective power of the participative bodies “in the interests of protecting and bolstering papal, episcopal and clerical power and primacy at the various levels of the church.”⁵⁴ On one side they give evidence to the “papal, curial, and juridical tendencies to affirm structures of synodality in principle,” and on the other side, “relentlessly placing restrictions on these communal procedures and the extent of their missionary mandate.”⁵⁵ Therefore, according to B. E. Hinze,

The realization of fuller synodality has been hampered by a relentless opposition in the Code of Canon Law and in papal statements and documents from curial offices which have sought to drive a wedge between consultation and any manner of collective discernment that incorporates collective decision-making [which itself is reduced to mean nothing more than a political form of majority-rule democracy]. This opposition and exclusion has been defended by invoking the sacramental and hierarchical character of the church in the interest of promoting ecclesial communion and evangelization.⁵⁶

⁵⁴Hinze, “Synodality in the Catholic Church,” 123.

⁵⁵Hinze, “Synodality in the Catholic Church,” 121.

⁵⁶Hinze, “Synodality in the Catholic Church,” 130-131.

A Fresh Reception of the Vatican II through the Principle of Synodality

In 2014, just after one year of the pontificate of Pope Francis, Gaillardetz said,

Unlike Pope Francis, his four most recent predecessors were all participants at the Second Vatican Council. Of the four, Popes Paul VI, John Paul II and Benedict XVI each carried forward distinct elements of conciliar teaching. At the same time, significant conciliar themes were either neglected entirely or given only a cursory nod. Whatever else may be said about Pope Francis, his pontificate reflects a fresh reception of the council.⁵⁷

Now, in 2020, one can clearly say that, with Pope Francis, the Church is receiving afresh the Council entering into the dynamics of the Council, and making efforts for a conversion to a new vision and new practices.⁵⁸

His first major document, *Evangelii Gaudium* (EG),⁵⁹ speaks about the Church's missionary transformation (EG 19-49), the renewal of the Church which cannot be deferred (EG 27-33). In his address at the 50th anniversary of the institution of the Synod of Bishops,⁶⁰ he made it clear: "It is precisely this path of synodality which God expects of the Church of the third millennium. What the Lord is asking of us is already in some sense present in the very word 'synod'."⁶¹

In his address to the clergy, consecrated people, and members of diocesan pastoral councils at Assisi, the Pope taught that "listening," "walking together," and "proclaiming the Gospel" are the most important things which mark the journey of the Christian community in a diocese. "Walking," the Pope said, "is one of my favorite words

⁵⁷ Richard R. Gaillardetz, "The 'Francis Moment': A New Kairos for Catholic Ecclesiology," *CTSA Proceedings* 69 (2014) 63; https://www.academia.edu/11181655/_The_Francis_Moment_A_New_Kairos_for_Catholic_Ecclesiology_ (accessed 27.02.20).

⁵⁸ Ladislav Orsy, *Receiving the Council*, xi.

⁵⁹ Francis, Ap. Exh., *Evangelii Gaudium*, 24 November 2013, http://www.vatican.va/content/francesco/en/apost_exhortations/documents/papa-francesco_esortazione-ap_20131124_evangelii-gaudium.html (accessed 10.02.2020).

⁶⁰ Francis, Address in Ceremony Commemorating the 50th Anniversary of the Institution of the Synod of Bishops, 17 October 2015, http://www.vatican.va/content/francesco/en/speeches/2015/october/documents/papa-francesco_20151017_50-anniversario-sinodo.html (accessed 27.02.2020).

⁶¹ Francis, Address at the Jubilee of the Synod of Bishops, 17 October 2015. The word "synod" etymologically means "on the way together," or "walking together." This Greek word is a composition of the preposition *syn* (*σύν*, meaning 'with,' 'together') and the noun *odós* (*ὁδός* meaning 'path,' 'road,' 'way'). G.W.H. Lampe, *A Patristic Greek Lexicon*, Oxford: Clarendon Press, 1968, 1334-1335.

when I think about a Christian and about the Church.”⁶² In the context of the diocesan synod of Assisi,⁶³ he stated, “To hold a ‘synod’ means to walk together. I think this is truly the most wonderful experience we can have: to belong to a people walking, journeying through history together with the Lord who walks among us! We are not alone, we do not walk alone. We are part of the one flock of Christ that walks together.”⁶⁴ To the priests, he told, “What could be more beautiful for us than walking with our people? It is beautiful!” In *Evangelii Gaudium*, he reiterates his vision of the Church. As members of the one pilgrim people of God, the “important thing is to not walk alone, but to rely on each other as brothers and sisters...” (EG 33). The Pope also invites Catholics to learn from the Orthodox about their experience of synodality (EG 246).

The characteristics of a synodal Church, exposed by the Pope in his address at the 50th anniversary of the Synod of Bishops, can be summarized as follows:⁶⁵ synodal Church is a Church which listens; in synodal Church each person lowers himself or herself to serve his or her brothers and sisters; therefore, the ecclesiastical hierarchy is at the service of the People of God; synodal Church has the image of an inverted pyramid since authority is service to the people of God; the service of the one who presides is not a limitation of freedom, but a guarantee of unity; synodality is manifestation of a dynamism of communion; synodality provides subsidiarity and decentralization; the commitment to build a synodal Church belongs to all members of the people of God; and lastly, synodal Church is a model or standard for humanity as a whole. Three aspects which revive synodality are: listening, co-responsibility, and the involvement of the laity.⁶⁶

⁶²Francis, Address to the Clergy, Consecrated People, and Members of Diocesan Pastoral Councils, Assisi, 4 October 2013, http://www.vatican.va/content/francesco/en/speeches/2013/october/documents/papa-francesco_20131004_clero-assisi.html (accessed 12.11.2020).

⁶³The diocesan synod of the Diocese of Assisi - Nocera Umbra - Gualdo Tadino was officially announced on 12 August 2012 and was held in 2014-2015.

⁶⁴Francis, Address to the Clergy, Consecrated People, and Members of Pastoral Councils, Assisi, 4 October 2013.

⁶⁵John A. Renken identifies ten aspects of synodality which Pope Francis has presented in this jubilee address. John A. Renken, “Synodality: A Constitutive Element of the Church—Reflections on Pope Francis and Synodality,” *Studia Canonica* 52 (2018) 10-24.

⁶⁶Francis, Address to the Members of the Permanent Synod of the Greek-Catholic Church of Ukraine, 5 July 2019, http://www.vatican.va/content/francesco/en/speeches/2019/july/documents/papa-francesco_20190705_sinodo_chiesaucraina.html

Synodality is “a constitutive element of the Church.”⁶⁷ As such, it is a way of ecclesial living and functioning that is to be applied and followed not only in the traditional institution of synod, but in all structures, communities, and in all levels of the Church and by every faithful. “Synodality means not some of the bishops some of the time but all of the Church all of the time.”⁶⁸ It “is not simply a working procedure, but the particular form in which the Church lives and operates.”⁶⁹ In other words, with Pope Francis, “the synodality of the Church obtained a new meaning because it includes the involvement of all baptized.”⁷⁰ It “expresses the specific *modus vivendi et operandi* of the People of God in the responsible and ordered participation of all its members in discerning and putting into practice ways of fulfilling its mission.”⁷¹ It “is the way that the Church lives and acts as the Church.”⁷² In short, it is not simply having the synods in the Church, but, it is becoming the entire Church a synod.

Being Church is being a community that walks together. It is not enough to have a synod, you must be a synod. The Church needs intense internal sharing: a living dialogue between the Pastors and between the Pastors and the faithful. As an Eastern Catholic Church, you already have a marked synodal expression in your canonical order, which calls for frequent and regular recourse to the assemblies of the Synod of Bishops. But every day we must be a synod, striving to walk together, not only with those who think in the same way – this would be easy – but with all believers in Jesus.⁷³

Role of the Participative Bodies to Be a Synodal Church

As a “constitutive element” of the Church, synodality needs to be the style of ecclesial living and functioning. Its properties, such as

⁶⁷ Francis, Address at the Jubilee of the Synod of Bishops, 17 October 2015.

⁶⁸ Mark Coleridge, “From Wandering to Journeying: Thoughts on a Synodal Church,” The Cardinal Knox Lecture, Catholic Leadership Centre, Melbourne, 16 May 2016. <https://gippslandordinariate.files.wordpress.com/2016/05/the-knox-lecture21.pdf> (accessed 06.03.2020).

⁶⁹ International Theological Commission, “Synodality in the Life and Mission of the Church,” n. 42.

⁷⁰ Wijlens, “Primacy-Collegiality-Synodality,” 256. M. Wijlens says that the Pope’s emphasis on the common synodality of all the faithful reflects a “new configuration,” rooted in the doctrines of Vatican Council. According to her, in the principle of synodality “the reception of Vatican II entered into a new phase because the juxtapositions that were existing between chapter two and three of LG, where the different doctrines stood side by side, were brought into a new synthesis both on the level of theology and on the level of action.” Wijlens, “Primacy-Collegiality-Synodality,” 256.

⁷¹ International Theological Commission, “Synodality in the Life and Mission of the Church,” n. 43.

⁷² Renken, “Synodality: A Constitutive Element of the Church,” 32.

⁷³ Francis, Address to the Permanent Synod of the Church of Ukraine, 5 July 2019.

mutual listening, sincere dialogue, prayerful discernment, collective decision-making, and involvement of all the members of the people of God, etc. are to be practiced in every sphere of ecclesial life. Here, the canonical bodies have an important role to play as effective means to implement and practice the principle of synodality in the Church.

Pope Francis himself points out the necessary and important role of the participative bodies in becoming a synodal Church. In his address to the clergy and others at Assisi, the Pope said: "How needed pastoral councils are! A bishop cannot guide a diocese without pastoral councils. A parish priest cannot guide the parish without the parish council. This is fundamental!"⁷⁴ EG calls the canonical bodies in a particular church as "means of participation" and refers to the canons of the CIC which speaks on them.⁷⁵

In his address at the jubilee of the institution of the Synod, the Pope repeated that synodality must be exercised in the "organs of communion" at the different levels of the Church. "The first level of the exercise of synodality is had in the particular churches," where there are "the noble institution of the diocesan synod," and the other "organs of communion," namely, "the presbyteral council, the college of consultors, chapters of canons and the pastoral council." According to the Pope, "Only to the extent that these organizations keep connected to the 'base' and start from people and their daily problems, can a synodal Church begin to take shape: these means, even when they prove wearisome, must be valued as an opportunity for listening and sharing."⁷⁶ The second level to implement the principle of synodality "is that of Ecclesiastical Provinces and Ecclesiastical Regions, Particular Councils and, in a special way, Conferences of Bishops," where it is needed "to reflect on how better to bring about, through these bodies, intermediary instances of collegiality, perhaps by integrating and updating certain aspects of the ancient ecclesiastical organization."⁷⁷ "The last level is that of the universal Church," said the Pope. Here, the Synod of Bishops

⁷⁴Francis, Address to the Clergy, Consecrated People, and Members of Pastoral Councils, Assisi, 4 October 2013.

⁷⁵Note 34: Cf. Canons 460-468; 492-502; 511-514; 536-537. Canons 460-468 on diocesan synod; canons 492-494 on diocesan finance committee and the finance administrator; canons 495-502 on the presbyteral council and the college of consultors; canons 511-514 on the diocesan pastoral council and canons 536-537 on parish pastoral council and finance council; Cfr EG 31.

⁷⁶Francis, Address at the Jubilee of the Synod of Bishops, 17 October 2015.

⁷⁷Francis, Address at the Jubilee of the Synod of Bishops, 17 October 2015.

“becomes an expression of episcopal collegiality within an entirely synodal Church.”⁷⁸

Encouraging and Developing the Participative Bodies in the Spirit of Synodality

Therefore, the process of becoming a synodal Church should begin with the existing organs of participation at the different levels of the Church.⁷⁹ Some orientations in encouraging and developing the canonical bodies in the particular church in this process are proposed here.

In order to bring any renewal in the structure and functioning of these participative bodies, first there needs to be a conversion of minds and hearts of the persons involved: bishops, priests, consecrated persons, and laypersons. In *Evangelii Gaudium*, the Pope has already indicated the dangers in changing structures without generating new convictions and attitudes (EG 189). Therefore, firstly, there should take place an attitudinal-change and awareness-development among all the members of the people of God. It would happen only by possessing an accurate understanding of the teachings of Vatican II and of the notion of synodality as proposed by Pope Francis. It should start from the bishops and presbyters, those who play the leadership role among the people of God. Bishops and presbyters should be given proper formation, as part of the ongoing formation as well as the seminary formation, to make them equipped with the style of synodality.

The principle of synodality “offers us the most appropriate interpretive framework for understanding the hierarchical ministry itself.”⁸⁰ Hierarchical ministry is for the Church and not vice versa. It is for serving and guiding the people of God in their journeying together towards the eternal Kingdom. Synodality does not take away the leadership role of the sacred ministers. Instead, as indicated by Pope Francis, it is a journey *sub* and *cum Petro*.⁸¹ While the universal Church journeys *cum* and *sub* the Roman Pontiff, the particular churches journey *cum* and *sub* each diocesan/eparchial bishop, assisted by the priests. Sometimes they have to go before their people, pointing the way and keeping their hope vibrant; at

⁷⁸Francis, Address at the Jubilee of the Synod of Bishops, 17 October 2015.

⁷⁹Renken proposes ten recommendations in response to the papal invitation to rethinking ecclesial structures John A. Renken, “Pope Francis and Participative Bodies in the Church: Canonical Reflections,” *Studia Canonica* 48 (2014) 208.

⁸⁰Francis, Address at the Jubilee of the Synod of Bishops, 17 October 2015.

⁸¹Francis, Address at the Jubilee of the Synod of Bishops, 17 October 2015.

other times, they will simply be in the midst of the people with their unassuming and merciful presence; at yet other times, they will have to walk after the people, helping those who lag behind (EG 31). Thus, in a synodal Church the necessary and appropriate exercise of hierarchical ministry would be the ministry of accompaniment. In synodality there is the ministry of governance, there are leaders who must lead the Church, but their ministry is not to be “authoritarian,” or “a limitation of freedom” of others, but to be the “guarantee of unity,”⁸² and “safeguard of faith.”⁸³ Moreover, in synodality, the leadership-roles will be truly strengthened by endorsing the assistance and involvement of other ministries and gifts of the Spirit in other members of the Church. In such a collective process, the hierarchical ministry has the responsibility, under the guidance of the Holy Spirit, to discern the true path of the Gospel and to strengthen others. Therefore, the role and authority of the pastors in a synodal Church are that of accompaniment and prayerful discernment. They can properly fulfil this ministry only by walking with the people of God and listening sincerely to them. For that, the participative bodies should become the instruments. Pastors are not to use them as effective means to implement their plans and projects but to listen to the faithful and to discern the path of the Gospel for them.

Regarding the laypersons, after Vatican II, there has been a growing awareness of their identity and mission in the Church, “but still not nearly enough” (EG 102). Since the involvement of the laity is an essential aspect of synodality, Clerics should take the initiative to enhance the lay faithful to grow in the awareness of their identity and mission in the Church, and from their part, the lay faithful should build up sincere interest and commitment for growing in this awareness. The consciousness of the equal dignity of the members of the people of God and of each one’s proper role in the mission of the Church is necessary for practicing the principle of synodality. As the pastors accompany them, the faithful should accompany each other in the synodal Church. All are in the “process of journeying together” or the “process of walking the same path with others,” which ensures that no one is excluded and no one is left behind.⁸⁴

⁸²Francis, Address at the Jubilee of the Synod of Bishops, 17 October 2015.

⁸³Francis, Opening Address to the Third Extraordinary General Assembly of Synod of Bishops, 6 October 2014, http://www.vatican.va/content/francesco/en/speeches/2014/october/documents/papa-francesco_20141006_padri-sinodali.html (accessed 27.02.2020).

⁸⁴Renken, “Synodality: A Constitutive Element of the Church,” 41.

In the same way, more participation of the female section should be promoted in the Church. Acknowledging the indispensable contribution of women to the society through their sensitivity, intuition and other distinctive skill sets, Pope Francis exhorts the entire Church “to create still broader opportunities for a more incisive female presence in the Church” (EG 103). He demands the presence of women “in the various other settings where important decisions are made, both in the Church and in social structures” (EG 103).⁸⁵ Therefore, in the statutes of the participative bodies, except the presbyteral council and college of consultors, provisions should be made to ensure an adequate and appropriate presence of women in them.

Listening to others is the important aspect of synodality. A culture of honest speaking⁸⁶ and mutual listening should be promoted in all the participative bodies. The pastors should take the initiative for developing such a culture. “Honest speaking and mutual listening are essential in effective dialogue, which involves the *trust* that the speaker is truthfully speaking and *trust* that the listener is openly listening.”⁸⁷ The participative bodies should not become simple formal meetings to obtain the required consent or consultation. Rather, with their representational character, they should be utilized as structures for dialogue and participation for all the baptised to make their needs known, share their gifts and put them at the service of the Church. Therefore, the arrangement of the meetings should be organized in such a manner that all the members can engage and contribute with honest speaking and mutual listening. For that, the pastors should take interest to follow the practices, such as: enough time should be made available for the meetings instead of hurry-burry gatherings, agenda should be prepared in advance within the available time; the matters of the agenda should be prior informed to the members; the members should be provided with the necessary information (CIC 1292 §4; CCEO 934 §3); the free expression of opinions should be ensured; transparency should be given priority over secrecy as far as possible; etc.

⁸⁵Here Pope Francis points to the challenging questions posed before the Church by the demand to respect the legitimate rights of women, based on the firm conviction that men and women are equal in dignity, especially in the context of the doctrine of “the reservation of the priesthood to males, as a sign of Christ the Spouse who gives himself in the Eucharist” (EG 104).

⁸⁶Francis, Opening Address to the Third Extraordinary General Assembly of Synod of Bishops, 6 October 2014.

⁸⁷Renken, “Synodality: A Constitutive Element of the Church,” 38.

“The spirit and practice of synodality does not mean that synodal structures must always function with a deliberative vote or a consensual vote.”⁸⁸ However, wherever it is possible, a greater use of the deliberative vote in participative structures shall be granted in order to develop and encourage these participative structures. Even if the participative body enjoys only consultative vote, the pastors should be radically receptive to its opinion, because “the consultative vote is not intended to be a mere formality to be tolerated so that, once the vote is given, the superior can do whatever has already been decided—no matter what the consultative vote is.”⁸⁹ Instead, a “consultative vote is an important involvement of the participative body for the common good of the particular Church.” Therefore, it “needs to be respected and esteemed, and the superior should not have determined a course of action in advance of receiving it.”⁹⁰ In case the pastors do not accept the recommendation, they should explain transparently the rationale for the non-acceptance.⁹¹

Even in cases, for which the pastors are competent to take individually the decision, they should seek the collective effort to reach the decision. “Careful and mutual listening must be the habitual attitude whereby disciples spontaneously interact.”⁹² Especially in today’s context, when communications and data collections are made easy, these means can be made use of in the process of decision-making and also for collecting public opinions about ecclesial matters.

Pastoral councils should be established in every diocese/eparchy. The meetings of the presbyteral, pastoral and finance councils should be regularly conducted and their reports should be published in the official bulletin of the diocese/eparchy. A network of communication should be established among the participative bodies from the bottom level of parish to the upper level of diocese/eparchy and vice versa. Before and after the meetings of the presbyteral and pastoral councils, there should have some preparatory and follow-up discussions at the levels of foranes and parishes. Diocesan synod or eparchial assembly should be convoked at least in every five years.

⁸⁸Renken, “Synodality: A Constitutive Element of the Church,” 30.

⁸⁹Renken, “Pope Francis and Participative Bodies in the Church,” 226.

⁹⁰Renken, “Pope Francis and Participative Bodies in the Church,” 226.

⁹¹Renken, “Synodality: A Constitutive Element of the Church,” 31.

⁹²Renken, “Synodality: A Constitutive Element of the Church,” 35-36.

“The work of the Curia must be synodal,” said Pope Francis in his address to the Roman Curia.⁹³ Pope asked the curia personal to make the curia synodal with frequent and systematic meetings, especially by convening the frequent Ordinary sessions. He instructed them that “synodality must also be evident in the work of each dicastery.” In the same way, each diocesan/eparchial bishop should strive to make his curia really synodal and instruct the curia members to make synodality evident in the work of each section of the curia. Regular curia meetings, involving all the office-holders in the curia and presided by the diocesan/eparchial bishop, should be conducted to discuss and to reach decisions in a collective manner.

Evangelii Gaudium explains that the common purpose of every participative body is “pastoral dialogue” whose aim is “the missionary aspiration of reaching everyone” (EG 31). It also demands their renewal into synodality to become true instruments of evangelization. Therefore, evangelization, the prime mission of the Church, should also become the prime mission of all the participative bodies. Presently, most of the participative bodies are engaged with the temporal affairs, institutional developments, social or political concerns, etc. Instead, they should start a new journey on the path of evangelization. The deliberations, discussions, decisions, and suggestions of the participative bodies should, first of all, have the focus on the mission of the transmission of faith, that is, the new evangelization which is to be carried out in three principal settings: 1) the area of ordinary pastoral ministry, 2) the maternal concern of the Church for those who lack a meaningful relationship to the Church and no longer experience the consolation born of faith, 3) preaching the Gospel to those who do not know Jesus Christ or who have always rejected him (EG 14).

Conclusion

In his Christmas Speech to the Roman Curia, Pope Francis said that “reform is first and foremost a sign of life, of a Church that advances on her pilgrim way, of a Church that is living and for this reason *semper reformanda*, in need of reform because she is alive.”⁹⁴ Since it is guided by the Holy Spirit, the Church always finds new ways in its journey towards its Lord, thus it is always being reformed

⁹³Francis, Address to the Roman Curia during the Presentation of the Christmas Greetings, 22 December 2016, http://w2.vatican.va/content/francesco/en/speeches/2016/december/documents/papa-francesco_20161222_curia-romana.html, (accessed 20.02.2020).

⁹⁴Francis, Address to the Roman Curia during the Presentation of the Christmas Greetings, 22 December 2016.

or renewed. Along with the Pope, the bishops, and the priests as their principal collaborators should take the initiative to bring the portion of the people of God, entrusted to their pastoral care to this way of synodality. One of the important steps in this regard is to develop and encourage the existing canonical bodies in the spirit of synodality as really participative structures. It does not mean a “democratization” of the Church. The spirit and practice of synodality are something beyond the concept of democracy. Synodality is not a political and sociological concept. It is an ecclesial concept having both divine and human elements. Synodality is the “journeying together” of the people of God under the guidance of the Holy Spirit for discerning what the Gospel is requiring of the Church in each context and each new time. On the other hand, as Pope Francis said, the synodal process can offer a model to the modern world, which also aspires to establish a structure of more participative and all-inclusive style of decision-making. Moreover, synodality as a way of living and functioning is to be applied not only to the canonical bodies in the Church but also to every structure and every community. The spirit of synodality should become the way of life of every Christian.