

A Perspective: Organizational and Procedural Norms and the Authority of the Magisterium in the Catholic Church

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Abstract

The Roman Catholic Church governance structures are frequently not understood, misunderstood, or perceived to be mysterious in nature. There are specific Post Conciliar documents, resulting from the work of the Vatican II Council (1962-1965) which point to a way of governing which is aligned with the teaching magisterium of the Catholic Church. Sources in canon law, as well as references within the Catechism of the Catholic Church, further offer guidelines for the development of collaborative and consensus building practices. The guidelines establish protocols and processes which frame thinking while supporting effective methods of design and implementation within diocesan boards, councils, parishes and schools.

The purpose of this study is to 1) educate board members in the documents of Vatican II that relate to the role of the laity; 2) build a common language within the spirit of the development of procedural norms; 3) move from the theoretical to the practical in the development of organization and procedural norms; 4) to aid other Boards in writing a document based on procedural norms in contrast to the format of a constitution and by-laws.

Preface

An Historical Journey Toward Understanding the Role of the Magisterium

One must not assume that there exists a general understanding of the meaning and role of the magisterium in the Catholic Church. The magisterium forms the rich historical and traditional development of governance in the Catholic Church since the time of the original twelve apostles, called by Jesus Christ.

The following councils and documents give an overview of the events leading to the formation of governance structures of the Catholic Church throughout history.

The Magisterium of the Catholic Church: New Testament Historical Perspective

- *Council of Jerusalem* (Acts 15: 1-12)
- *Letter of Paul: Intervention in Corinth*
(1Corinthians 1: 10-17)
- *Patristic Period: (mid 3rd century) Pastoral Letters*

- Attached importance to continuity of the apostolic office.

Historical

- Early *Alexandrian Church*: relied on oral history and what had been handed down; little or no importance to the role of bishops or presbyters.

“ . . . As the teaching of the Church, transmitted in orderly succession from the apostles, and remaining in the churches to the present day, is still preserved, that alone is to be accepted as truth which differs in no respect from ecclesiastical and apostolic tradition.” Origen (Dulles, Avery SJ, p.106)¹

Patristic Model:

“The patristic model of representation and consensus was founded not simply on the fact that all the churches drew their faith from the apostles but also on the conviction, which grows more explicit as we move toward the fifth century, that the Holy Spirit is present in the universal Church and is specially active in conciliar deliberations.” (Dulles, p. 107)²

Thomistic Theology of Magisterium: (Middle Ages)

- Two doctrinal functions
 - *Praelation*, attributed to the bishops
 - Magisterium, attributed to theologians
- Two kinds of teaching
 - *Doctrina praedicationis*, which is the proper function of bishops
 - *Doctrina scholastica*, which is normally the task of theologians

¹ Dulles, Avery S.J. A Church to Believe In, Discipleship and the Dynamics of Freedom, (New York, NY: The Crossroad Publishing Company, 1982) p. 106.

² Ibid, p. 107

Church Councils

- *Council of Vienne* (1312) invoked the opinions of bishops and theologians
- *Council of Florence* (1439-45) indicated a growth toward emphasis on hierarchical authority and the papacy as the supreme hierarchical authority.
- *Council of Trent* (1570) the pope presided through his legates. “Trent was from the beginning a ‘bishops’ council’, but it represents a high point of successful collaboration between bishops and theologians.” (Dulles, p. 11)³

- *Post Tridentine* era (1598):
 - “...the pro-papal teaching office (magisterium) makes no mention of a hierarchical or papal teaching office. Even infallible teaching is viewed as a command, an act of jurisdiction, to which a guarantee of truth is attached, thanks to the providential assistance which has been promised. Michael Place (Dulles, p. 112)⁴
 - “The post-Tridentine period represents the triumph of juridicism. The many instances of teaching authority recognized in the New Testament and in earlier church history are in effect reduced to one – the hierarchical, which is itself progressively reduced to the single voice of the papacy. The teaching activity of the papacy is reduced to its juridical headship. This simplification, while it may have helped the Church respond to the needs of the times, overlooks the necessary complexity of the believer's quest for truth. Insufficient attention was part to the biblical,

³ I bid, p. 11

⁴ Ibid, p. 113

sacramental, charismatic, and eschatological dimensions of the Church and of Christian doctrine.” (Dulles, p. 113)

- *Traditionalist Model:* we cannot construct nor interpret the Church as we see it today:
 - “While we are justifiably concerned with translating the Christian message into terms that are intelligible and relevant to the modern world, we would have no heritage to modernize unless we acquired it through the tradition. Without vital participation in the community of faith, we would be incapable of discerning its contemporary meaning. The preservation of the doctrinal heritage, while not the sole concern of the hierarchical leadership, is their first and foremost task.” (Dulles, p. 106).⁵

Hierarchical Magisterium

- “The life-context in which the hierarchical magisterium operates is *communal*; it is vitally connected with the bishop’s role in the proclamation of the word, in the conduct of sacramental worship, and in the pastoral government of the people of God. Because of its relationship to the Church as a gathering of all who share the same Christian faith, the hierarchical magisterium takes pains not to commit itself to the principles of a particular school or system, which could scarcely be made mandatory for the community as such.” (Dulles, p. 124)⁶
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⁵ Ibid, p. 106

⁶ Ibid, p. 124

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Cornerstone

- Theological, scriptural, and catechetical concepts provide the foundation for this project. They are manifested in the documents of Vatican II (1963-1965), in the forming of Catholic identity as a model for building a vibrant faith *communio*, and are articulated in a spirit of collaboration and consensus building.

Vatican II Conciliar Documents

Lumen Gentium, 21 November, 1964 - The Dogmatic Constitution on the Church

“This is the sole church of Christ which in the Creed we profess to be one, holy, catholic and apostolic, which our Savior, after his resurrection, entrusted to Peter’s pastoral care (Jn. 21:17), commissioning him and the other apostles to extend and rule it (cf. Mt. 28:18, etc.), , and which he raised up for all ages as the ‘pillar and mainstay of the truth’ (1 Tim. 3:15). This Church, constituted and organized as a society in the present world, subsists in the Catholic Church, which is governed by the successor of Peter and by the bishops in communion with him. Nevertheless, many elements of sanctification and of truth are found outside its visible confines. Since these are gifts belonging to the Church of Christ, they are forces impelling towards Catholic unity.”

(Flannery, A. p. 357)⁷

Gravissimum Educationis, 28 October, 1965 – Declaration on Christian Education
[12 principles]

“The task of imparting education belongs primarily to the family, but it requires the help of society as a whole ... “ (Flannery, A. p. 729)

Apostolicam Actuositatem, 18 November, 1965 – Decree on the Apostolate of Lay People

“In its desire to intensify the apostolic activity of the People of God the Council now earnestly turns its thoughts to the Christian laity ... present circumstances, in fact, demand from them an apostolate infinitely broader and more intense. For the constant increase in population, the progress in science and technology, the shrinking of the gaps that have kept men apart, have immensely enlarged the field of the lay apostolate, a field that is in great part open to the laity alone ...” (Flannery, A. p. 766)⁸

Gaudium et Spes, 7 December, 1965 – Pastoral Constitution on the Church in the Modern World

“In wonder at their own discoveries and their own might men are today troubled and perplexed by questions about current trends in the world, about their place and their role in the universe, about the meaning of individual and collective endeavor, and finally about the destiny of nature and of men. And so the Council, as witness and guide to the faith of the whole people of God, gathered together by Christ, can find no more eloquent

⁷ Flannery, Austin, O.P. *The Vatican Collection, Vatican Council II*. (1998). Vol. 1 The Conciliar and Post Conciliar Documents. (Costello Publishing Co. Northport, NY) p. 357

⁸ Ibid, p. 766

expression of its solidarity and respectful affection for the whole human family, to which it belongs, than to enter into dialogue with it about all these different problems.”

(Flannery, A. p. 904) ⁹

“Traditional institutions, laws and modes of thought and emotion do not always appear to be in harmony with today’s world. This has given rise to a serious disruption of patterns and even norms of behavior.” (Flannery, A. p. 908) ¹⁰

It is in the work of Avery Cardinal Dulles, S. J. in *Models of the Church* (2002) and Volumes 1 and 2 of the Austin Flannery, O.P., Vatican Collection, *The Conciliar and Post Conciliar Documents* where truth is central in articulating the intent of the Vatican II Council collaborations. The translations are in keeping with the teachings of the magisterium of the Catholic Church. We are grateful for their scholarly contributions toward establishing a clearer understanding of the role of the Catholic Church and its members of the clergy, the religious, and the laity, in the modern world.

Introduction

The genesis of this study began with the question, why do individuals either embrace an opportunity to participate in board or committee work or decline the opportunity to have a voice in a process leading toward improved conditions, practices, dialogue and accountability? Have you ever left a meeting feeling frustrated, having little or no opportunity to state a well-researched case or option? Did the membership lobby on behalf of an adversarial coalition? Sound familiar?

The purpose of this study is to 1) educate board members in the documents of Vatican II that relate to the role of the laity; 2) build a common language within the spirit

⁹ Ibid, p. 904

¹⁰ Ibid, p. 908

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of the development of procedural norms; 3) move from the theoretical to the practical in the development of organization and procedural norms; 4) to aid other Boards in writing a document based on procedural norms in contrast to the format of a constitution and by-laws.

Catholic governance structures are frequently not understood, misunderstood, or applied mysteriously. Catholic identity provides a foundation, frames thinking, leads to more effective methods of design and implementation within diocesan boards, councils, parishes, and schools.

It is common to find our Boards practicing within the framework of the public schools model of secular governance: i.e. dictating from the top down. A model of governance framed in the spirit of Vatican II encourages participation of the laity, recognizes collaboration as a strategy for problem-solving and clearly articulates the processes and procedures of the model grounded in Catholic identity and canon law. Respect for and recognition of the authority of the Church's Magisterium is always employed. Experientially, the dye has been cast with the work of the Diocesan Board of Faith Formation and Education, Diocese of Marquette. The board has developed a set of guides which direct its work through applied principles of collaboration and consensus building. The document reflecting this approach to governance is referred to as the *Organizational and Procedural Norms of the Diocesan Board of Faith Formation and Education*. The development of the norms evolved over a year of study and dialogue, ultimately meeting the standards of expectation of the current Bishop Emeritus James H. Garland with his consent for approval and subsequent adoption in August 2004.

Assumptions

Theological, scriptural, and catechetical concepts provide the foundation for this project. They are manifested in the documents of Vatican II, in the forming of Catholic identity as a model for building a vibrant faith *communio*, and are articulated in a spirit of collaboration and consensus building. Attend to the following assumptions:

- 1) Catholic Board members bring prior knowledge of how to function in their role.
- 2) Catholic Board members bring knowledge and experience in the history of how Catholic Boards function.
- 3) Catholic Board members understand their role in relationship to the Archbishop or Bishop of a diocese.
- 4) Catholic Board members have a clear understanding of their role as an advisory and consultative governing body.
- 5) Catholic Board members understand the difference between the governance structures of a Catholic School Board and a Public School Board of Education.
- 6) Catholic board members understand the guiding principles of Catholic governance in light of Post Conciliar documents of Vatican II in reference to the role of the laity.
- 7) Catholic Board members understand that canon law plays a role in the formation of theoretical, theological and practical guiding principles.

Post Conciliar Documents of Vatican II

Who needs to understand and apply the guiding principles and competencies for collaboration and consensus building? All members of the Catholic community who are

currently involved, or aspire to become involved, in the faith formation and implementation of Church practices of governance within a parish community or diocese.

#55 Declaration on Christian Education

Vatican II, *Gravissimum Educationis*, 28 October 1965

“For her part Holy mother Church, in order to fulfill the mandate she received from her divine founder to announce the mystery of salvation to all men and to renew all things in Christ, is under an obligation to promote the welfare of the whole life of man, including his life in this world insofar as it is related to his heavenly vocation; she has therefore a part to play in the development and extension of education. Accordingly the sacred Synod hereby promulgates some fundamental principles concerning Christian education, especially in regard to schools. These principles should be more fully developed by a special post conciliar commission and should be adapted to the different local circumstances by Episcopal conferences.”¹¹

Principle #1

“All men of whatever race, condition or age, in virtue of their dignity as human persons, have an inalienable right to education. This education should be suitable to the particular destiny of the individuals, adapted to their ability, sex and national cultural traditions, and should be conducive to fraternal relations with other nations in order to promote true unity and peace in the world. True education is directed towards the formation of the human person in view of his final end and the good of the society to which he belongs and in the duties of

¹¹ Flannery, Austin, O.P., *The Vatican Council II, Volume I, The Conciliar and Post Conciliar Documents*, (Northport, New York: Costello Publishing Company 1998), p. 726-27.

which he will, as an adult, have a share.

Principle #8

“Teachers must remember that it depends chiefly on them whether the Catholic school achieves its purpose. They should therefore be prepared for their work with special care, having the appropriate qualifications and adequate learning both religious and secular. They should also be skilled in the art of education in accordance with the discoveries of modern times.”¹²

Principle #8

“It is, however, the special function of the Catholic School to develop in the school community an atmosphere animated by the spirit of liberty and charity based on the Gospel. It enables young people, while developing their own personality, to grow at the same time in that new life which has been given them in baptism. Finally it so orients the whole of human culture to the message of salvation that the knowledge which the pupils acquire of the world, of life and of men is illumined by faith. Thus the Catholic school, taking into consideration as it should the conditions of an age of progress, prepares its pupils to contribute effectively to the welfare of the world of men and to work for the extension of the kingdom of God, so that by living an exemplary and apostolic life they may be, as it were, a saving leaven in the community.”¹³

The Most Reverend Alexander K. Sample regards the education of the ecclesiology of the Church as priority knowledge for diocesan and parish pastoral

¹² Ibid, p. 733

¹³ Ibid, p. 732

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councils, finance committee members, and Catholic school boards. Bishop Sample notes, “Many Board and Committee governance practices resemble a secular model of practice. Currently, some Boards retain executive, legislative, and juridical authority, usurping the role of the pastor.” He goes on to explain the application of the governance structures and the role of the Board in relationship to the Bishop.

Executive = can be delegated to (Executive Director)

Juridical = can be delegated (Tribunal)

Legislative = not to be delegated; authority is exclusively advisory and consultative

The Church as Sacrament

Avery Cardinal Dulles, S.J. distinguishes between the outer and inner aspect of the Church as sacrament. The Cardinal insightfully clarifies the outer and inner aspects:

“The institutional or structural aspect of the Church—its external reality—is essential, since without it the Church would not be visible. Visible unity among all Christians is demanded, for without this the sign of communion that the Church is would be fragmented into a multitude of disconnected signs... The offices and rituals of the Church must palpably appear as the actual expressions of faith, hope, and love of living men. Otherwise, it would be a dead body rather than a living Christian community... The Church becomes an actual event of grace when it appears most concretely as a sacrament—that is, in the actions of the Church...whereby men are bound together in by a visible expression. The more widely and intensely the faithful participate in this corporate action of the Church, the more the Church achieves itself.”¹⁴

¹⁴ Dulles, Cardinal Avery, S.J., *Models of the Church*, 2002, (New York: Image Books/Doubleday, Random House, Inc. 2002), pp. 61-62.

Language of Board Governance Structures

Constitutional terms

Organization & Procedural Norms terms

| | |
|--|---|
| Assist the Bishop | Serve and assist the Bishop |
| Establish priorities | Advisory and consultative capacity |
| Jurisdiction over all | Bishop retains rights inherent to his office |
| Thirteen voting members | Seven voting members |
| Recruit and appoint new members | Recommend new membership to the Bishop |
| Recruit and appoint advisory members | Board consultation and recommendation |
| Meet three times annually | Meet six times annually |
| Quorum: Majority of seated voting members is necessary or Robert’s Rules or the Board may set its own rules. | Procedure: The board provides advice and consultation through a collaborative and consensus building process. |
| Other Committees: resolution or as needed. | Ad Hoc Committees: Board determines as its pleasure, discontinued. |

Document Writing Framework

How to approach the revision process as a Board?

Members of the Board, in collaboration with the Bishop:

1. Review the language of the previous Constitution.
2. Determine the intent of the language.
3. Review the diocesan mission statement.
4. Review document Articles I through XI and completely redefined the content to align with the integrity of the organizational procedural norms.
5. Rename the document from a Constitution to *Organizational and Procedural Norms of the Diocesan Board of Faith Formation and Education*.
6. Define the role of the Bishop in Board governance.
7. State the purpose and functions of a diocesan board.

8. Define the relationship of the Board to the Bishop.
9. Approval and Adoption by the Bishop.

Primer of Organizational and Procedural Norms

In the month of October, 2004, a copy of the new *Organizational and Procedural Norms of the Diocesan Board of Faith Formation and Education* was mailed to diocesan pastors, the Board members, school administrators, parish faith formation coordinators, Department Directors, and the diocesan attorney. The letter reads as follows:

“Enclosed you will find a copy of the newly Approved and Adopted *Organizational and Procedural Norms*, the governing document of the (name of diocese/arch) Diocesan Board of Faith Formation and Education, Policy 9100 CS/FF.

This document has been developed by the members of the Diocesan Board of Faith Formation and Education with the purpose of reflecting more consensus building and collaborative governance practices. It replaces the section in both the Faith Formation and Catholic Schools’ policy manual entitled Bylaws of the Board, Constitution of the (name of diocese/arch) Diocesan Board of Faith Formation and Education Policy 9100 CS/FF.

You are encouraged to read this new document and reflect on the current language and practices presently stated in your local Parish Council or Catholic School Board Constitution. It is suggested that the *Organizational and Procedural Norms* be referred to as the model for implementation as you review and revise your own constitution or bylaws.”

A Practical Example: Search for New Members

Following the announcement of the new procedural norms, a letter was sent to pastors with the following request:

“The Diocesan Board of Faith Formation and Education has recently designed a document for board governance, *Organizational and Procedural Norms*. This document has been approved and adopted for implementation and practice in the Diocese of Marquette. It is designed with the purpose of reflecting more consensus building and collaborative governance practices. The members of the Diocesan Board of Faith Formation and Education are requesting your input regarding possible members to be considered for board membership

Criteria

- 1) Registered adult parishioner who would bring knowledge and experience to the work of the Board.
- 2) Demonstrated ability to be a team player who understands and practices a collaborative and consensus building approach to problem solving.
- 3) Proven ability and with the time to actively participate in the committee work of the Board.

Conclusion

The world has been the frame of reference in the development of procedural norms. Growing up in a small Midwestern town, we lived in *communio* with nature, with

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our family, friends and neighbors. The Church was the overarching social and spiritual influence in how we interacted with community. Much of this has changed over time and our point of view has changed as well. Pope John Paul II has stressed *communio* as our primary source of consensus building. Where we began, we now conclude.

Honor the past, respect the present, and forge passionately into the future with the power of the Holy Spirit infused in your soul!

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Flannery, Austin, O.P. The Vatican Collection, Vatican Council II. (1998). Vol. 2 More Post Conciliar Documents. Costello Publishing Co. Northport, NY.

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