From Communion Toward Synodality: The Ecclesial Vision of Pope Francis and Its Implications for Catholic Higher Education in the United States

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FROM COMMUNION TOWARD SYNODALITY: THE ECCLESIAL VISION OF POPE FRANCIS AND ITS IMPLICATIONS FOR CATHOLIC HIGHER EDUCATION IN THE UNITED STATES

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At the intersection of theology and education, this dissertation investigates the distinctive character of the participation of Catholic colleges and universities in the mission of the Catholic Church. In 1967, less than two years after the final session of the Second Vatican Council, Catholic educators assembled in Land O'Lakes, Wisconsin to discuss the nature and role of Catholic universities in the modern era. While representing a necessary and natural stage of development for Catholic higher education, the Land O'Lakes statement—and, particularly its assertion of "true autonomy"—lacked sufficient theological foundation.

In response to perceived abuses stemming from an undue emphasis on institutional autonomy, Pope John Paul II published the apostolic constitution on Catholic universities, *Ex corde Ecclesiae* (1990). This document proposed an ecclesiology of communion as a more adequate theological foundation. Although communion ecclesiology represented a real advance on several fronts, ultimately, the inability of this theological foundation to resolve challenging issues regarding the distinctive mission of Catholic institutions became evident. Consequently, a more adequate ecclesiological foundation is required.

This dissertation proposes that ecclesial synodality, as it has emerged in the papacy of Francis, provides a more constructive ecclesiological foundation for considering the relationship between Catholic higher education and the church. I propose that Catholic colleges and universities can serve as institutions to foster the practice of synodality in the church.

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ACKNOWLEDGMENTS

Upon completing this degree, I will have been a student at Catholic schools for twenty-five academic years. First and foremost, I am indebted to my parents for their early and constant support of my education. I am also grateful for my monastic brothers at Saint John's Abbey (Collegeville, Minnesota) who allowed me the time to pursue this degree. In my five years at Boston College, I have had the fortune to learn from many good teachers—none more so than the three who comprise my dissertation committee. Several good friends have made me feel at home while living away from the monastery. To all of them, my heartfelt thanks.

ABBREVIATIONS

ACCU	Association of Catholic Colleges and Universities
AG	*Ad Gentes*: On the Missionary Activity of the Church
CDF	Congregation for the Doctrine of the Faith
CTSA	Catholic Theological Society of America
DV	*Dei Verbum*: Dogmatic Constitution on Divine Revelation
EC	*Episcopalis Communio*: Apostolic Constitution on the Synod of Bishops
EcE	*Ex corde Ecclesiae*: Apostolic Constitution on Catholic Universities
EG	*Evangelii Gaudium*: Apostolic Exhortation on the Proclamation of the Gospel in Today's World
GS	*Gaudium et Spes*: Pastoral Constitution on the Church in the Modern World
IC	Implementation Committee for the Application of *Ex corde Ecclesiae* in the United States
IFCU	International Federation of Catholic Universities
ITC	International Theological Commission
LG	*Lumen Gentium*: Dogmatic Constitution on the Church
NCCB	National Conference of Catholic Bishops
NCEA	National Catholic Educational Association
UR	*Unitatis Redintegratio*: Decree on Ecumenism
VG	*Veritatis Gaudium*: Apostolic Constitution on Ecclesiastical Universities and Faculties

CHAPTER ONE

Vatican II as Source

> The holy People of God shares also in Christ's prophetic office: it spreads abroad a living witness to him, especially by a life of faith and love and by offering to God a sacrifice of praise, the fruit of lips praising his name. The whole body of the faithful who have an anointing that comes from the holy one cannot err in matters of belief. This characteristic is shown in the supernatural appreciation of the faith (*sensus fidei*) of the whole people, when, 'from the bishops to the last of the faithful' they manifest a universal consent in matters of faith and morals.[1]

1.1 Introduction

All Catholic institutions are in crisis. I write this dissertation in Boston, Massachusetts, the epicenter of the American sexual abuse crisis, which revealed decades of misconduct by priests and egregious negligence by bishops. Since 2002 when the crisis emerged publicly in Boston, the crisis has extended to dioceses, religious orders, and parishes throughout the United States. The moral, legal, and financial consequences of the crisis are well documented.[2] Despite years of public outrage, civil prosecution, and bankruptcy, the crisis has returned—or, more accurately, lingered—as recent revelations of abuse and episcopal failure in Pennsylvania, New York, and Chile further expose the

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[1] Second Vatican Council, *Lumen Gentium: Dogmatic Constitution on the Church*, 12. All quotations from *Lumen Gentium* are taken from Austin Flannery, O.P., ed., *Vatican Council II: The Conciliar and Post Conciliar Documents* (Collegeville: Liturgical Press, 1992). All references to *Lumen Gentium* will be made parenthetically in the body of this chapter and denoted as "*LG*" followed by the article number.

[2] Decades of abuse was first exposed by the now well-known Spotlight report by the *Boston Globe* (January 6, 2002), available online at: https://www.bostonglobe.com/news/special-reports/2002/01/06/church-allowed-abuse-priest-for-years/cSHfGkTIrAT25qKGvBuDNM/story.html. Since 2002, nineteen dioceses and religious orders have filed for bankruptcy, according to the *National Catholic Reporter*, available online at: https://www.ncronline.org/news/accountability/catholic-dioceses-and-orders-filed-bankruptcy-and-other-major-settlements.

systematic nature of the crisis.[3] But the crisis is not only about individual cases of abuse and negligence, however many cases exist. The crisis uncovers the more fundamental problem of how power and authority are exercised in the church. In other words, underlying the individual cases of abuse is an ecclesiological foundation that tolerates it. Indeed, until the underlying ecclesiological foundations of the crisis are examined and reformed, the crisis will persist.

No Catholic institution is immune from the ripple effect of this crisis. In the face of shocking institutional failure by the Catholic Church, every hospital, service organization, and school that claims a Catholic identity must ask the same question that individual Catholics are asking: why remain Catholic? To claim a Catholic identity today poses unique challenges in comparison to when many of these institutions were first founded. The focus of this dissertation is Catholic colleges and universities in the United States; and before its end, my intention is to provide a compelling argument for why these institutions should remain Catholic.

The question of identity is not new for Catholic colleges and universities. At least since the conclusion of the Second Vatican Council in 1965, the Catholic identity of these institutions has been a topic of considerable attention, albeit not always positively. For instance, Philip Gleason argues that Vatican II triggered an identity crisis for Catholic higher education. Gleason concludes his study ominously: "The crisis is not that Catholic educators do not want their institutions to remain Catholic, but that they are no longer

[3] The abuse crisis reemerged in the United States on June 20, 2018 when Cardinal Dolan, archbishop of New York, announced that Theodore McCarrick had been removed from public ministry as the result of a credible allegation of sexual abuse against a minor. Then, in July, the Pennsylvania Attorney General released the Grand Jury Report, which included reports of over 1,000 child victims from six dioceses, available online at: https://www.attorneygeneral.gov/report/. Earlier in the year, on May 17, after meeting with Pope Francis, every Chilean bishop submitted his resignation as a result of widespread sexual abuse of minors and episcopal cover-up.

sure what remaining Catholic means."[4] James Burtchaell's extensive account of the disaffiliation of colleges and universities from their religious foundation shares the same conclusion.[5] Indeed, the traditional narrative of Catholic higher education, following the approach of Gleason and Burtchaell, portrays the years following Vatican II as a time of diminishing Catholic identity. Catholic colleges and universities, the traditional narrative suggests, were either unwilling or unable to withstand the forces of secularization. In support, the traditional narrative cites the demand by Catholic higher education for academic freedom and institutional autonomy. At the same time, however, the traditional narrative tends to minimize, or overlook altogether, the genuine collaboration of academic officials and church officials in the decades following Vatican II to define the identity and mission of Catholic higher education. This dissertation tells that part of the story.

A second tendency of the traditional narrative is to presume that Catholic colleges and universities must increase their Catholic identity. The popular volume by Melanie Morey and John Piderit, *Catholic Higher Education: A Culture in Crisis*, is a good example.[6] It discusses a range of topics including academic course offerings, co-ed residence halls, Mass attendance, and faculty hiring—all toward proposing ways to increase the Catholic identity of these institutions. The onus of maintaining Catholic identity is placed entirely on the college or university. A significant limitation of this

[4] Philip Gleason, *Contending with Modernity: Catholic Higher Education in the Twentieth Century* (New York: Oxford University Press, 1995), 320.
[5] James Tunstead Burtchaell, *The Dying of the Light: The Disengagement of Colleges and Universities from their Christian Churches* (Grand Rapids, MI: William B. Eerdmans Publishing Company, 1998), especially 557-716.
[6] Melanie M. Morey and John J. Piderit, *Catholic Higher Education: A Culture in Crisis* (New York: Oxford University Press, 2006).

approach, however, is that it tends to cultivate an adversarial relationship between Catholic higher education and the church. If a school is judged to have lost their Catholic identity, it alone is at fault. This does not adequately attend to the responsibility of the church to provide the necessary framework for these institutions to remain Catholic. As important as the topics discussed by Morey and Piderit are for Catholic higher education, they fall short of addressing more fundamental questions of Catholic identity: What is required of the church to support Catholic higher education? What type of ecclesiological foundation is necessary to maintain a relationship with these institutions? What ecclesiological concepts are most constructive in defining the relationship between the church and Catholic colleges and universities? These questions go beneath the surface of the identity crisis. To answer them, this dissertation examines the principal ecclesiological models following Vatican II, making judgments about their ability to sustain the relationship between the church and Catholic higher education.

1.2 Changing Ecclesiological Frameworks

In his helpful book concerning Catholic identity, Gerald Arbuckle argues that the identity of Catholic institutions was generally "static and imposed" from the time of the Reformation until Vatican II.[7] Arbuckle explains how internal factors, particularly a church structure that was centralized and powerful, contributed to an "univocal and universal" impression of Catholic identity. Vatican II challenged this impression, and for the first time in 500 years, it became possible to ask: what does it mean to be Catholic?

[7] Gerald A. Arbuckle, *Catholic Identity or Identities? Refounding Ministries in Chaotic Times* (Collegeville: Liturgical Press, 2013), 31-32.

The very possibility of this question, which had previously seemed to be definitively settled, is one source of the identity crisis for the church and for every institution that claims a Catholic identity. Unlike most authors on the subject, however, Arbuckle views the identity crisis in positive terms as an opportunity for "refounding," that is, an opportunity for Catholic institutions to reclaim a more authentic understanding of their identity.[8]

I believe that Catholic colleges and universities in the United States, throughout the ongoing reception of Vatican II, have been engaged in the process of refounding. This process involves times of disruption, on the one hand, when former frameworks for understanding the church/university relationship are no longer adequate and, on the other hand, times of maturing as new frameworks are built. To support this argument, this dissertation recounts three of the most critical periods: first, the initial reception of Vatican II through the lens of the Land O'Lakes statement (1967) and subsequent documents by the International Federation of Catholic Universities; second, the reinterpretation of Vatican II following the 1985 Extraordinary Synod and the promulgation of *Ex corde Ecclesiae* (1990); and, third, the implementation of Vatican II during the papacy of Francis.

1.2.1 Pre-Vatican II Hierarchical Model

To fully appreciate the significance of the ecclesial reforms called for by the Second Vatican Council, it is helpful to briefly recall the main features of the model that preceded it. The hierarchical model was based on the concept of *societas perfecta* as

[8] Ibid., 86.

introduced by Robert Bellarmine (1542-1621). Bellarmine's concept did not assert the church's moral perfection, but instead that the church, as a perfect society, contained everything necessary within itself. Accordingly, prior to Vatican II, "the basic stance of Catholicism toward modernity, toward other Christians, non-Christian religions, and movements of theism was for the most part defensive, confrontational, exclusionary, and at times triumphalist."[9] Perceiving itself to require nothing from the external world, the church appeared static and isolated. Internally, the church was divided and unequal. Consider, for instance, the following description of the church by Pope Pius X:

> It follows that the Church is essentially an *unequal* society, that is, a society comprising two categories of persons, the Pastors and the flock, those who occupy a rank in the different degrees of the hierarchy and the multitude of the faithful. So distinct are these categories that with the pastoral body only rests the necessary right and authority for promoting the end of the society and directing all its members towards that end; the one duty of the multitude is to allow themselves to be led, and, like a docile flock, to follow the Pastors.[10]

We observe in this passage not only the distinction between the hierarchy and the faithful to the degree that members of the hierarchy are regarded as separate from the faithful, but also an entirely passive role for the faithful. In the above description, only members of the hierarchy possess the authority to teach, resulting in a rigid separation between the *ecclesia docens* and *ecclesia discens*. This top-down model, following the Council of Trent, preserved an exclusive teaching class within the church for nearly four hundred years. Nevertheless, at the beginning of the Second Vatican Council, the bishops realized, as Catherine Clifford points out, that "former models of ecclesial self-

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[9] Catherine E. Clifford, "A Dialogic Church," in *Go into the Streets! The Welcoming Church of Pope Francis*, edited by Thomas P. Rausch, S.J. and Richard R. Gaillardetz (New York: Paulist Press, 2016), 92.
[10] Pope Pius X, *Vehementer nos: Encyclical Letter on the French Law of Separation* (February 11, 1906), n. 8, available online at: http://w2.vatican.va/content/pius-x/en/encyclicals/documents/hf_p-x_enc_11021906_vehementer-nos.html. Emphasis in original.

understanding no longer held, and a new framework was required to express the identity of a rapidly evolving church."[11]

1.2.2 The Church as People of God

Given the extensive agenda for the Second Vatican Council, the preparatory commission distributed initial schemas of proposed documents. On the one hand, the preparatory schemas assisted the bishops to organize and expedite their deliberation. However, the schemas also made it possible for the preparatory commission, chaired by Cardinal Alfredo Ottaviani, to establish the tenor of the discussions. This was certainly the case for *De Ecclesia*, the schema on the church, which Cardinal Ottaviani introduced near the end of the first session in 1962—Ottaviani was also the secretary of the Holy Office (the precursor of the Congregation for the Doctrine of the Faith). Prepared before the start of the council, *De Ecclesia* reflects a curial perspective and its eleven chapters reinforce the pre-Vatican II hierarchical model of the church as an unequal society. Unexpectedly, in a decisive speech on the floor of Saint Peter's Basilica, Bishop Emile Joseph De Smedt criticized the preparatory schema for being overly triumphant, clerical, and juridical.[12] De Smedt's speech was ultimately convincing, and although a vote was not taken to formally reject *De Ecclesia*, it was clear that the bishops at Vatican II desired a new ecclesial vision.

A revised schema consisting of only four chapters awaited the bishops as they returned for the council's second session in 1963. In contrast to the exclusive emphasis

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[11] Clifford, *Decoding Vatican II: Interpretation and Ongoing Reception* (New York: Paulist Press, 2014), 53.
[12] John W. O'Malley, S.J., *What Happened at Vatican II* (Cambridge: Harvard University Press, 2008), 155.

on the role of the hierarchy in *De Ecclesiae*, the chapter titles of the revised schema reveal a far broader perspective: chapter one "the mystery of the church," chapter two "the hierarchical constitution of the church, and especially the bishops," chapter three "the people of God, and especially the laity," and chapter four "the call to holiness." Central to the revised schema is the addition of the concept "people of God" in reference to the church's self-understanding.[13] In fact, a second pivotal moment occurred when Cardinal Leo Joseph Suenens successfully proposed that the chapter order of the revised schema should be reversed to highlight this new concept, such that the chapter on the people of God would precede the chapter on the hierarchy.[14] Commenting on this change—indeed, one of the most significant throughout the council—John O'Malley writes, "The symbolism of the change was potent: the first reality of the church is horizontal and consists of all the baptized, without distinction of rank. Only then comes the vertical reality, hierarchy."[15] But the change is not merely symbolic. The priority given to the people of God at Vatican II has far-reaching implications for the church, even if, as Yves Congar—a chief architect of this ecclesiological development—suggests, these implications "will be discovered only with the passing of time."[16]

This brief textual history helps us to interpret *Lumen Gentium*, the council's dogmatic constitution on the church, and especially the prominence that it gives to the

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[13] For more on the concept of "people of God" including its biblical origins, liturgical use, pastoral significance, and theological development, see Yves Congar, O.P., "The Church: The People of God" in *Concilium*, vol. 1, edited by Edward Schillebeeckx, O.P. (Glen Rock, NJ: Paulist Press, 1965), 11-37.
[14] For a detailed history of this process including the contribution by Cardinal Suenens, see Jan Grootaers, "The Drama Continues Between the Acts: The 'Second Preparation' and Its Opponents," in *History of Vatican II*, vol. 2, edited by Giuseppe Alberigo and Joseph A. Komonchak (Maryknoll: Orbis, 1997), 391-412. Grootaers describes how the council gradually shifted away from the pre-Vatican II hierarchical model of the church.
[15] O'Malley, S.J., *What Happened at Vatican II*, 178.
[16] Yves Congar, O.P., *This Church That I Love* (Denville, NJ: Dimension Books, 1969), 11.

people of God.[17] Maintaining the revised order suggested by Cardinal Suenens, chapter two of *Lumen Gentium* reflects first on the people of God as a whole prior to treating the particular roles of bishops, the laity, and consecrated religious in its later chapters.[18] A popular interpretation of Vatican II, in general, and *Lumen Gentium*, in particular, is that the council intended to elevate the status of the laity. Certainly, recognizing the gifts of lay men and women, acknowledging their expertise and competence in many areas, and empowering them to appreciate their own Christian vocation are all genuine contributions of the council.[19] Nevertheless, if we view the council as only achieving a higher position for the laity, we perpetuate the understanding of the church as fundamentally "a society comprising two categories of persons," even if the council attempted to make the society somewhat less unequal. Instead, the far more critical achievement of the council is that "people of God" becomes the one foundational category for all the faithful. Reflecting on the significance of the priority given to the people of God by the council, Congar affirms that "the character of disciple, the dignity attached to Christian life as such or the reality of an ontology of grace, was placed as the first value, and in the second place, and inside this reality, a hierarchical structure socially organized."[20] Thus, when the council refers to "the people," this no longer means only the laity, but now includes every

[17] A separate dissertation could be written on the hermeneutics of Vatican II. Here I simply want to acknowledge that the textual history of the council's documents is a necessary consideration to adequately interpret the meaning of the final text. For more, see Ormond Rush, *Still Interpreting Vatican II: Some Hermeneutical Principles* (New York: Paulist Press, 2004).
[18] I am sympathetic to José Comblin's argument that nothing is said about the laity in chapter four that is not better said in chapter two of *Lumen Gentium*, in *People of God* (New York: Orbis Books, 2004), 14. However, I am not ready to say, as Comblin does, that chapter four "weakens" chapter two. He also argues that chapter three on the hierarchy is a step backward (182). Chapter two remains a remarkable ecclesiological advance even with the sometimes-uneasy juxtaposition of chapters three and four—the result of necessary compromise to win approval of *Lumen Gentium*.
[19] O'Malley, S.J., *What Happened at Vatican II*, 5.
[20] Congar, O.P., *This Church That I Love*, 11.

baptized disciple—including those members who exercise ordained ministry in the church. The council affirms in the clearest of language that God brings individuals together as "one people" (*LG* 9).

If we review chapter two of *Lumen Gentium*, even briefly, we quickly discover the contrast between the pre-Vatican II hierarchical model and the council's understanding of the church as people of God. The priority of baptism is most obvious. Incorporation into the people of God occurs through baptism and baptism is the basis for the equal dignity of the church's members (*LG* 11). Indeed, the first mention of priesthood in chapter two is the common priesthood of all the baptized (*LG* 10). When the ministerial priesthood is considered later, the council still insists that the common priesthood of all the baptized participates equally in the one priesthood of Christ (*LG* 10). By virtue of baptism, the whole people of God play an active role in the church. A related and equally apparent feature of chapter two is its pneumatological emphasis. The Holy Spirit endows the whole people of God with charisms in order to enliven their activity in the church (*LG* 12). The recovery of pneumatology throughout the chapter, as well as the Christocentric emphasis (*LG* 9), have the effect of decentering the church. In contrast to the ecclesiocentricism that results from the pre-Vatican II hierarchical model, Vatican II affirms that it is Christ alone who is the head of the church and the Holy Spirit sustains its life and activity.

Crucially important for our discussion is the renewed understanding of the church's teaching office in chapter two of *Lumen Gentium*. In stark contrast to the separation between the *ecclesia docens* and *ecclesia discens*, the council describes the church's teaching office in dynamic and participative terms. The council declares: "the

holy People of God shares also in Christ's prophetic office" (*LG* 12). To make its intention even more clear, the council continues:

> The whole body of the faithful who have an anointing that comes from the holy one cannot err in matters of belief. This characteristic is shown in the supernatural appreciation of the faith (*sensus fidei*) of the whole people, when, 'from the bishops to the last of the faithful' they manifest a universal consent in matters of faith and morals (*LG 12*).

The council's recognition that the whole people of God possess the *sensus fidei*, an instinctive sensitivity for the faith, by virtue of their baptism annuls the rigid separation between the *ecclesia docens* and *ecclesia discens*. Indeed, the ongoing understanding of divine revelation and articulation of doctrine depends on the active participation of the whole people of God who, as the council teaches, "unfailingly adheres to this faith, penetrates it more deeply with right judgment, and applies it more fully in daily life" (*LG* 12). Here and later in the constitution (*LG* 25) the council preserves a distinct role for the hierarchical magisterium. But, according to the council, magisterial teaching, however authoritative, in no way diminishes the fact that the whole people of God, assisted by the Holy Spirit, contribute to the understanding and appropriation of God's word.[21]

Chapter two of *Lumen Gentium* also recognizes the diversity that exists among the people of God. Indeed, rather than enforcing rigid uniformity, the council affirms the necessity to protect the legitimate differences that constitute the church (*LG* 13). But the council's focus in this section is not only internal. The people of God, according to the council, live amid the people of this world (*LG* 13). The missionary thrust of the council

[21] As Richard R. Gaillardetz argues, there is a way to understand magisterial teaching authority that does not erase the active role of the faithful. I also agree with his distinction that one can respect the authority of the magisterium and be critical of the excessive exercise of teaching authority, or what he calls "magisterial activism," in "Engaging Magisterial Activism Today," *Horizons* 39 (2012): 230.

will be more fully developed later in the council, particularly in the ecclesiologically-significant *Ad Gentes*, but here we already observe in *Lumen Gentium* the shift away from a static and isolated understanding of the church.

The ecclesiology of the people of God has waxed and waned in the years following Vatican II. In the subsequent chapters of this dissertation, we will see how this foundational conciliar theme inspired the drafters of the Land O'Lakes statement and subsequent documents on Catholic higher education, how its influence diminished in the years leading to the promulgation of *Ex corde Ecclesiae* as a result of the 1985 Extraordinary Synod, and how it is now being retrieved by Pope Francis.

1.3 Principles for Catholic Higher Education

The priority given to the people of God at Vatican II offers a potentially new way of understanding the relationship between the church and Catholic higher education. Whether it is described as a "paradigm shift"[22] or change in "ecclesial imaginary,"[23] Vatican II changed the ecclesial reality. It is reasonable to assume that an event of this magnitude[24] continues to shape every institution that claims a Catholic identity. The focus of this dissertation is the distinctive character of the participation of American Catholic higher education in the mission of the Catholic Church. I begin by asking: How

[22] David J. Stagaman, *Authority in the Church* (Collegeville, Liturgical Press, 1999), 3-4.
[23] Gerard Mannion, "Magisterium as a Social Imaginary: Exploring an Old Problem in a New Way," in *When The Magisterium Intervenes: The Magisterium and Theologians in Today's Church*, edited by Richard R. Gaillardetz (Collegeville: Liturgical Press, 2012), 120.
[24] Richard R. Gaillardetz and Catherine E. Clifford describe Vatican II as "the most important event in Roman Catholic history since the Protestant Reformation," in *Keys to the Council: Unlocking the Teaching of Vatican II* (Collegeville: Liturgical Press, 2012), xviii.

has the relationship between the church and Catholic higher education evolved and matured since Vatican II? But my interest is not only historical. I also propose how Vatican II *should* affect the participation of American Catholic higher education in the mission of the Catholic Church.

Several principles emerge from the council's teaching on the people of God. For the sake of clarity, I suggest five principles. These principles will serve as criteria to judge the adequacy of various ecclesiological models and their ability to sustain the relationship between the church and Catholic higher education.

1.3.1 Baptismal Equality

The foundation of the council's teaching on the people of God is the primacy of baptism in the life of the church. The council begins with what is shared among the people of God rather than their distinctions. In contrast to "a society comprising two categories of persons," Vatican II affirms that the community of believers is the primary category for every member in the church—regardless of their position or rank. In fact, baptismal equality challenges the understanding of ecclesial authority as power and status, for authority in the church must now be considered in terms of service to the people of God. Moreover, Stephen Bevans helpfully draws the connection between the recovery of baptismal consciousness and a church of dialogue.[25] If every member in the church by virtue of their baptism has a voice, it is necessary to foster participative and dialogical structures for these voices to be heard.

[25] Stephen B. Bevans, "The Apostolic Exhortation *Evangelii Gaudium* on the Proclamation of the Gospel in Today's World," *International Review of Mission* 103 (2014): 306-307.

1.3.2 Charismatic Structure

The recovery of pneumatology is one of the great contributions of Vatican II. Calling attention to the active role of the Holy Spirit has significant consequences for the life of the church, and it is difficult to imagine the council's teaching on the people of God without this pneumatological consciousness. The council affirms that the Holy Spirit distributes grace freely and abundantly to all the faithful. Those who serve in hierarchical office are responsible to call forth and organize the gifts that the faithful possess. Office and charism, rather than viewed in zero-sum competition, are described as equally necessary and mutually beneficial for the life of the church. The charismatic structure of the church, according to Bradford Hinze, emphasizes the necessary role of dialogue, listening, and cooperation in the church.[26] Indeed, if no one person possesses all the gifts of the Holy Spirit, then dialogue, listening, and cooperation are essential.

1.3.3. The *Sensus Fidelium*

The consequences of grounding teaching authority in the whole people of God are significant for the life of the church. The *sensus fidelium* (sense of the faithful) becomes the primary reality from which the church teaches and learns. Appropriation of the faith, therefore, is not the sole-responsibility of a separated teaching class, but rather depends upon the insights of all the faithful. Before a bishop is a bishop or a theologian is a theologian, they are members of the people of God—and they remain members of the people of God even as a bishop or theologian. As Ormond Rush explains, there exists only one teaching office (*munus docendi*) in the church with three authorities: the *sensus*

[26] Bradford E. Hinze, *Prophetic Obedience: Ecclesiology for a Dialogical Church* (Maryknoll, Orbis Books, 2016), 114.

fidelium, theological study, and the official magisterium.[27] Every member in the church is called to proclaim, witness, and guard the faith, albeit through different ways and with different levels of authority. For all three authorities to contribute to the church's understanding of the faith, as Hinze observes, it requires collective discernment, dialogical practices, participatory structures, and mutual accountability.[28]

1.3.4 Diversity

The council's teaching on the people of God recognizes the diversity that exists among the people of God. Affirming a diversity of peoples, charisms, and ministries, the council eschewed the pre-Vatican II hierarchical model's esteem for uniformity, and instead—in one of its most significant acts of *ressourcement*—the council reclaimed the church's earlier practice of catholicity. The council's respect for diversity requires a new model for understanding the unity of the church, one that can tolerate difference while sustaining unity in diversity. The diversity of the people of God calls for participatory and dialogical structures, for, as Francis Sullivan points out, only by way of mutual communication and ongoing reception can consensus be reached in the church.[29]

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[27] Ormond Rush, "The Prophetic Office in the Church: Pneumatological Perspectives on the *Sensus Fidelium*-Theology-Magisterium Relationship," in *When The Magisterium Intervenes: The Magisterium and Theologians in Today's Church*, edited by Richard R. Gaillardetz (Collegeville: Liturgical Press, 2012), 96.
[28] Hinze, *Prophetic Obedience*, 181.
[29] Francis A. Sullivan, *Creative Fidelity: Weighing and Interpreting Documents of the Magisterium* (New York: Paulist Press, 1996), 95.

1.3.5 Missionary Nature

The council describes the people of God in relationship with the people of this world. This fundamental insight is proclaimed most visibly in the title of the council's pastoral constitution *Gaudium et Spes* (The Church in the Modern World). Vatican II no longer understood the church as a self-sufficient society—ignorant or suspicious of the rest of the world—but instead as God's people living in solidarity with the people of this world. The council's renewed openness to the world reflects the church's gradual move from a defensive posture toward a missionary stance. Further developing the ecclesiology of *Lumen Gentium*, the council will unambiguously affirm in *Ad Gentes* that "the pilgrim church is missionary by her very nature" (*AG* 2). The missionary nature of the church acts as a counterbalance to an excessive preoccupation with the church's internal structure and organization. Indeed, the church's internal structure and organization is now judged by its ability to support the church's missionary activity.

These five principles, by way of summary, call attention to the need for more participatory and dialogical structures in the church. While the council explicitly acknowledged this necessity (*LG* 37), *Lumen Gentium* does not include concrete measures to facilitate the contribution of the whole people of God. This remains, in the words of Paul Lakeland, part of the "unfinished business" of *Lumen Gentium*.[30] Therefore, as we consider how Vatican II should affect the participation of American Catholic higher education in the mission of the Catholic Church, the need for more participatory and dialogical structures in the church remains a key focus.

[30] Paul Lakeland, *A Council that will Never End:* Lumen Gentium *and the Church Today* (Collegeville: Liturgical Press, 2013), xxi.

1.4 Post-Conciliar Ecclesiological Trajectories

Two ecclesiological concepts feature prominently in this dissertation: communion and synodality. Both concepts offer a potential ecclesiological foundation for defining the relationship between the church and Catholic higher education. As we consider the post-conciliar development and use of these two concepts in subsequent chapters, our concern is to what extent they achieve the council's vision.

1.4.1 Communion

Following Vatican II, the concept of communion proved to be a compelling starting point for many theologians. A significant reason for the popularity of communion ecclesiologies is the potential of *communio* to overcome overly institutional and juridical understandings of the church by instead emphasizing ecclesial relationships.[31] Vatican II, in fact, used the concept of communion to describe three spheres of ecclesial relationships: the relationship among bishops (*communio hierarchica*), the relationship between the universal church and local churches (*communio ecclesiarum*), and the relationship of all the faithful (*communio fidelium*). Twenty years after Vatican II, on January 25, 1985, Pope John Paul II announced his intention to call an Extraordinary Synod of Bishops to commemorate the anniversary. In its Final Report, the 1985 Synod declared communion ecclesiology as "the central and

[31] Ladislas Orsy, *Receiving the Council: Theological and Canonical Insights and Debates* (Collegeville: Liturgical Press, 2009), 6-15.

fundamental idea of the Council's documents."[32] Despite this clear endorsement, the conclusion of the 1985 Synod requires further investigation.

In the first place, it is necessary to distinguish between the concept of communion, the word "communion," and various communion ecclesiologies. The number of theologians using the concept in addition to its use in official church documents has resulted in various and sometimes competing versions of communion ecclesiologies. As Walter Kasper notes, although invoked by Vatican II, the council offered no fixed definition of communion.[33] A more fundamental concern is raised by Peter De May who questions the Synod's endorsement of communion ecclesiology, especially in light of the priority given to the people of God at Vatican II—a theme conspicuously absent from the Synod's Final Report.[34] As we consider the ability of communion to define the relationship between the church and Catholic higher education, we must ask: Was the 1985 Synod faithful to the council's vision? Or, did the Synod's endorsement of communion ecclesiology represent a reinterpretation of Vatican II?

1.4.2 Synodality

Following the election of Pope Francis, another ecclesiological concept has emerged. In commemoration of the fiftieth anniversary of the establishment of the Synod of Bishops, on October 17, 2015, Francis spoke of an "entirely synodal church" and

[32] Final Report, II.C.1. The text of the Synod's Final Report can be found in *Extraordinary Synod - 1985* (Boston: Daughters of St. Paul, 1985), 37-68.
[33] Walter Kasper, "The Church as Communion: Reflections on the Guiding Ecclesiological Idea of the Second Vatican Council," in *Theology and the Church* (London: SCM Press, 1989), 149-151.
[34] Peter De May, "Recent Views of *Lumen Gentium*, Fifty Years after Vatican II," *Horizons* 39 (2012): 255.

broadly about the "path of *synodality*."[35] The Synod of Bishops is but one instance of how Francis intends synodality to transform church structures and practices. Synodality, according to Francis's use of the concept, entails a comprehensive ecclesiological vision. Francis defines synodality as the whole people of God "journeying together."[36] This understanding of synodality, however, as Massimo Faggioli rightly observes, "is truly a post-Vatican II theological and magisterial development."[37] In fact, neither the word "synodality" nor the adjective "synodal" are found in the corpus of Vatican II. Consequently, we must ask: Is Francis's understanding of synodality a faithful development of the council's vision? Or, does Francis's call for synodality at all levels of the church represent a reinterpretation of the council? These questions are essential to proposing how Vatican II should affect the participation of American Catholic higher education in the mission of the Catholic Church.

1.5 Outline of the Dissertation

The dissertation will proceed as follows. Chapter two begins with the Land O'Lakes statement (1967) to illustrate the initial reception of the Second Vatican Council. Two years after the last session of Vatican II, American Catholic higher

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[35] Pope Francis, "Address of His Holiness Pope Francis: Ceremony Commemorating the 50th Anniversary of the Institution of the Synod of Bishops" (October 17, 2015), available online at: http://w2.vatican.va/content/francesco/en/speeches/2015/october/documents/papa-francesco_20151017_50-anniversario-sinodo.html

[36] Ibid.

[37] Massimo Faggioli, "From Collegiality to Synodality: Pope Francis's Post Vatican II Reform," *Commonweal* (November 23, 2018), available online at: https://www.commonwealmagazine.org/collegiality-synodality?utm_source=Main+Reader+List&utm_campaign=15fb71703a-EMAIL_CAMPAIGN_2017_03_16_COPY_01&utm_medium=email&utm_term=0_407bf353a2-15fb71703a-91256233.

education officials initiated a discussion on the nature and role of Catholic universities in the modern world that would continue for several more years under the auspices of the International Federation of Catholic Universities. Should the Land O'Lakes statement, as its detractors argue, be viewed as a "declaration of independence" that instigated the secularization of Catholic higher education in the United States? Or can the claim for autonomy in the Land O'Lakes statement—as well as the subsequent documents by the IFCU—instead be understood as a natural development of the conciliar vision of the church in the modern world?

Chapter three offers a more detailed explanation of the concept of communion. I follow the post-conciliar development of the official version of communion ecclesiology established by the 1985 Synod and subsequently institutionalized by the Congregation for the Doctrine of the Faith. Then, in chapter four, I demonstrate the consequences of this version of communion ecclesiology by revisiting *Ex corde Ecclesiae*, which remains the most authoritative church document on Catholic higher education more than twenty-five years after it was promulgated.

Chapter five outlines the most significant features of the ecclesial vision of Pope Francis, with particular attention given to the concept of synodality. This is a crucial chapter because I believe that ecclesial synodality, as it has emerged in the papacy of Francis, provides a more constructive ecclesiological foundation for considering the relationship between the church and Catholic higher education. In chapter six, I propose that Catholic colleges and universities can serve as institutions to foster the practice of synodality in the church.

CHAPTER TWO

Initial Reception of Vatican II: The Land O'Lakes Statement and the International Federation of Catholic Universities[1]

> The twenty-five years following Vatican II witnessed some rather fundamental changes in the self-understanding of the Roman Catholic church. It is not surprising, therefore, that the Catholic college and university experienced a similar identity crisis. Two questions surfaced repeatedly: What does it mean to be a university or college, and what does it mean for that institution to be Catholic?[2]

The fiftieth anniversary of the Land O'Lakes statement prompted renewed interest in the role of the contemporary Catholic university, the same focus of the twenty-six Catholic educators who met in Land O'Lakes, Wisconsin in 1967. Several of the Catholic universities that sent delegates to the meeting fifty years earlier, including the University of Notre Dame, Saint Louis University, and Boston College, marked the anniversary of Land O'Lakes by hosting conferences to explore this essential question anew.[3] Joseph M. McShane, S.J., president of Fordham University, remarked at one such conference that the Land O'Lakes statement is the "most cited, least read" text in Catholic higher education.[4] Indeed, during the fifty years after its adoption by the seminar participants in 1967, the Land O'Lakes statement took on a life of its own. The text of the statement is fewer than 1,500 words, and yet Philip Gleason refers to it as a

[1] The author gratefully acknowledges the Cushwa Center for the Study of American Catholicism for providing a generous research grant and access to the Archives of the University of Notre Dame.
[2] Alice Gallin, "Introduction," in *American Catholic Higher Education: Essential Documents, 1967-1990*, edited by Alice Gallin (Notre Dame: University of Notre Dame Press, 1992), 1.
[3] "Land O'Lakes and Its Legacy," University of Notre Dame (September 5, 2017); "A Distinctive Vision? Catholic Education 50 Years After Land O'Lakes," Saint Louis University (September 20-22, 2017); "Land O'Lakes at 50: The State of Catholic Higher Education," Boston College (October 11, 2017).
[4] A video transcript of "Land O'Lakes and Its Legacy," University of Notre Dame (September 5, 2017) is available online at: https://cushwa.nd.edu/news/land-olakes-and-its-legacy-a-lecture-and-panel-on-catholic-higher-education/

"symbolic manifesto" in his historical study of Catholic higher education in the United States.[5] In particular, Gleason cites the first section of the statement, which includes the demand for "true autonomy and academic freedom in the face of authority of whatever kind, lay or clerical, external to the university itself,"[6] in support of his judgement that Land O'Lakes represents "a declaration of independence from the hierarchy and a symbolic turning point."[7] Kenneth Garcia shares Gleason's position that Land O'Lakes represents a "declaration of independence." This "nearly revolutionary event," according to Garcia, has "sparked both praise and condemnation from different quarters and controversy in all."[8]

The fiftieth anniversary of the Land O'Lakes statement prompted one journalist to ask why a "balanced and sober text" continues to be a considerable source of controversy. The journalist observed, similar to McShane's remark above, that "many of the champions of the statement, and many of the detractors, seem not to feel constrained by either the text or by an awareness of the times from which it emerged."[9] In a subsequent article, the same journalist argued that the Land O'Lakes statement "receives an inordinate amount of blame for the secularization of Catholic colleges and universities when, in fact, causality over five decades is a difficult thing to prove."[10] An example of

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[5] Philip Gleason, *Contending with Modernity: Catholic Higher Education in the Twentieth Century* (New York: Oxford University Press, 1995), 317.
[6] "Land O'Lakes Statement: The Nature of the Contemporary Catholic University," in *American Catholic Higher Education*, 7.
[7] Gleason, *Contending with Modernity*, 317.
[8] Kenneth Garcia, *Academic Freedom and the Telos of the Catholic University* (New York: Palgrave Macmillan, 2012), 121.
[9] Michael Sean Winters, "For 50 Years, Catholic higher ed has followed Land O'Lakes roadmap," *National Catholic Reporter* (July 28, 2017), available online at: https://www.ncronline.org/blogs/distinctly-catholic/50-years-catholic-higher-ed-has-followed-land-olakes-roadmap
[10] Michael Sean Winters, "Keep Conversation going on Land O'Lakes, Catholic higher ed," *National Catholic Reporter* (August 2, 2017), available online at: https://www.ncronline.org/blogs/distinctly-catholic/keep-conversation-going-land-olakes-catholic-higher-ed

the blame that Land O'Lakes attracts is found in an essay by Patrick Reilly, the president and founder of The Cardinal Newman Society, an independent organization with a mission to "promote and defend faithful Catholic education."[11] The essay is titled "The Land O'Lakes Statement Has Caused Devastation for 49 Years," and while Reilly is ambivalent about whether the participants of the Land O'Lakes meeting were intentionally attempting to secularize their schools, he nevertheless declares, "in hindsight, what they did was appalling."[12] A similar judgement is seen in the remarks of Bishop James Conley who claims that the Land O'Lakes statement "declared that Catholic universities would become independent from the hierarchy of the Church, from any obligation to orthodoxy, and from the authentic spirituality of the Church."[13] Conley continues:

> It rejected the authority of the Church, and of her doctrinal teaching. It rejected the idea that faith and reason work best in communion with one another. It prioritized the standards and culture of secular universities over the authentic mission of Catholic education. It was a statement of self-importance and self-assertion.[14]

Causality may be a difficult thing to prove, but it certainly has not prevented the most ardent detractors of Land O'Lakes from blaming it for everything from the perceived secularization of Catholic higher education in the United States to the loss of authority in the church.

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[11] Mission statement available online at: https://cardinalnewmansociety.org/about/mission/
[12] Patrick Reilly, "The Land O'Lakes Statement has caused Devastation for 49 Years," *National Catholic Register* (July 20, 2016), available at: http://www.ncregister.com/blog/reilly/the-land-o-lakes-statement-has-caused-devastation-for-49-years
[13] Bishop James Conley, "A Faithful Renewal: Reflections on Land O'Lakes and Catholic Liberal Education," (July 5, 2017), available online at: https://cardinalnewmansociety.org/faithful-renewal-reflections-land-olakes-catholic-liberal-education/
[14] Ibid.

A considerably different evaluation of the Land O'Lakes statement is discovered in a study by P. H. Ratterman, S.J. published only one year after the statement itself. Ratterman contends:

> What is remarkable in 1967 is not so much that the statement was made by so many leading Catholic educators but that it caused so little comment in either the secular or religious press. It was not intended as an affront to the hierarchy or, evidently, considered by the bishops to constitute an unwarranted declaration of independence. Although the precise extent, or even intent, of 'institutional autonomy' is not clear, there appears a realization on all sides that this is the direction in which Catholic universities must tend if they are to function as true universities.[15]

Whether or not one accepts all Ratterman's conclusions, his early observation accurately identifies one reason for the subsequent controversy surrounding Land O'Lakes. Due to the brevity of the statement, the meaning of key terms such as "true autonomy" and "critical reflective intelligence" are not explained in the statement itself, which has allowed for various and conflicting interpretations. An adequate interpretation of the Land O'Lakes statement requires, therefore, not only a close reading of the statement itself, but equally the consideration of a series of documents published in subsequent years as well as their reception in the United States by the American bishops and Catholic higher education leaders.[16] This chapter will follow these developments, especially as they relate to the participation of Catholic colleges and universities in the mission of the Catholic Church.

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[15] P. H. Ratterman, S.J., *The Emerging Catholic University* (New York: Fordham University Press, 1968), 54.

[16] An adequate interpretation of the Land O'Lakes statement also requires considering the financial, legal, and cultural currents surrounding the 1967 meeting, which are beyond the scope of this chapter. For a helpful summary of the most important court cases involving public funding for Catholic colleges and universities, see Garcia, *Academic Freedom and the Telos of the Catholic University*, 108-119. For cultural context, see Gleason, *Contending with Modernity*, 305-317.

Throughout the documents that are the focus of this chapter, beginning with the Land O'Lakes statement, the influence of the Second Vatican Council is evident. Even when the documents do not cite Vatican II teaching explicitly, it is possible to identify the influence of the conciliar principles introduced in chapter one: baptismal equality, charismatic structure, the *sensus fidelium*, diversity, and missionary nature. The influence of Vatican II reveals a second and more complex reason for the controversy surrounding Land O'Lakes. As Gleason observes, there is a symbolic quality to Land O'Lakes. There is the statement itself, but analogous to Vatican II, there is also the "spirit" of Land O'Lakes, that is, what the statement represents for both its supporters and detractors. Massimo Faggioli concurs, explaining that Land O'Lakes "came to be seen in light of post-conciliar turmoil." The statement, according to Faggioli, is "firmly rooted in the conciliar theological vision of the role of the Church in the modern world."[17] Therefore, in addition to following the textual history, this chapter will evaluate how adequately the Land O'Lakes statement and the subsequent documents appropriated the principles of Vatican II. Namely, in light of Vatican II, what contributions did the documents treated in this chapter make toward understanding the distinctive character of the participation of Catholic colleges and universities in the mission of the Catholic Church? And what areas were left unaddressed or underdeveloped?

It is difficult to overstate the influence of Vatican II for the documents that are the focus of this chapter beginning with the Land O'Lakes statement. The seminar in Land O'Lakes met amid what historian Philip Gleason calls "a spiritual earthquake" for

[17] Massimo Faggioli, "Showing Its Age? The Land O'Lakes Statement Could Use an Update," *Commonweal* (October 31, 2017), available online at: https://www.commonwealmagazine.org/showing-its-age

American Catholics. If the 1960s were a time of social, political, and cultural change generally, Gleason argues that "for American Catholics the profound religious reorientation associated with the Second Vatican Council multiplied the disruptive effect of all the other forces of change."[18] Similarly, Alice Gallin argues that "when historians attempt to reconstruct the history of Catholic higher education in the United States, they will note that the years from 1965 to 1990 were times of startling changes, significant soul-searching, and extraordinary maturing."[19] An overarching premise of this dissertation is that, since Vatican II, various attempts have been made to find a more adequate ecclesiological foundation for considering the relationship between Catholic higher education and the church. To support this assertion, I examine in this chapter the significant post-conciliar documents on the topic of Catholic higher education beginning with the Land O'Lakes statement. From what follows, it will become clear that the "disruptive effect" of Vatican II, as Gleason describes it, contributed to what Gallin identifies as the "extraordinary maturing" of Catholic higher education following the council.

2.1 Catholic Higher Education on the Eve of the Council

Before turning to the Land O'Lakes statement, let us briefly consider the state of Catholic higher education in the United States prior to the Second Vatican Council. The

[18] Gleason, *Contending with Modernity*, 305. Regarding American Catholic higher education specifically, Gleason cites the unrest on campuses following the academic freedom case at St. John's University (NY) in 1965 when thirty-one professors were fired, the "first Curran affair" in 1967 at Catholic University of America, and the announcement by Saint Louis University and the University of Notre Dame that independent boards of trustees would be formed.
[19] Gallin, "Introduction," 1.

most comprehensive history is *Contending with Modernity: Catholic Higher Education in the Twentieth Century* by Philip Gleason. Although the first Catholic university in the United States was founded more than 100 years after Harvard University (Georgetown in 1789), Gleason depicts the rapid growth of Catholic higher education during the first half of the twentieth century.[20] Nearly all of the earliest and most prestigious universities in the country claimed some denominational affiliation,[21] but Catholicism eventually produced the largest number of schools.[22] While Catholic colleges and universities steadily adapted to the academic standards of American higher education system, these schools successfully maintained a distinct Catholic culture.[23] Pope Leo XIII's condemnation of Americanism in *Testem Benevolentiae* (1899) and Pope Pius X's condemnation of Modernism in *Pascendi Dominici Gregis* (1907), according to Gleason, "played a crucial role in establishing the ideological framework within which Catholic

[20] Gleason, *Contending with Modernity*, 167-168, 209.

[21] For a detailed historical account, see George Marsden, *The Soul of the American University: From Protestant Establishment to Established Nonbelief* (New York: Oxford University Press, 1994).

[22] Of the 900 religiously affiliated and accredited institutions of postsecondary education in the United States according to a 2005 report by Dr. Bob Andringa, president of the Council for Christian Colleges and Universities, with the help of the Executives in Church-Related Higher Education group chaired by Rev. Charles Currie of the Association of Jesuit Colleges, Catholicism remained the largest denominational sponsor with 220 schools.

[23] Insofar as Catholics were "outsiders" in the early history of the United States, Catholic schools, in addition to their educational objectives, served to preserve a distinct Catholic culture. As David O'Brien writes, "Catholic schools were deemed necessary to the degree that a) they enabled Catholic communities to meet their twin objectives of preserving traditional culture and improving their economic and social conditions, and b) they helped the bishops and clergy build an identifiably Catholic church and secure for it a respected place in larger society" in *From the Heart of the American Church* (New York: Maryknoll, 1994), 37. This was particularly the case for Catholic primary and secondary schools, but also true, at least during the first half of the twentieth century, for Catholic post-secondary schools also. As I note in chapter one, Gerald Arbuckle writes that Catholic identity was generally "static and imposed" from the time of the Reformation until Vatican II. This "univocal and universal" understanding of Catholic identity, Arbuckle argues, was a result of both external and internal factors (such as anti-Catholic discrimination and the centralized and powerful church hierarchy). See Gerald A. Arbuckle, *Catholic Identity or Identities? Refounding Ministries in Chaotic Times* (Collegeville: Liturgical Press, 2013), 34.

higher education developed in the twentieth century."[24] Indeed, much of Gleason's account shows the unifying effect of Neoscholasticism, which dominated Catholic intellectual life following Leo's earlier encyclical *Aeterni Patris* (1879).[25] All of this changed for Catholic higher education, according to Gleason, following World War II as Catholics were eager to accommodate to American culture in response to Protestant and secular claims that Catholicism was authoritarian and undemocratic and thereby un-American.[26]

The impression of powerful ecclesiastical control of Catholic colleges and universities prior to Vatican II, however, requires further consideration. Certainly, Vatican II initiated a "paradigm shift" for how church authority is understood, exercised, and received.[27] But to suggest that, prior to the council, Catholic bishops wielded powerful authority over schools overlooks a unique feature of American Catholic higher education: most Catholic colleges and universities in the United States were founded by religious orders. Episcopal control, therefore, was generally indirect and limited. As James Burtchaell's study concludes, "Catholic colleges and universities have always been more independent from church authorities in their governance, finance, and intellectual initiative than any of the other traditions we have studied, including even the

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[24] Gleason, *Contending with Modernity*, 283.

[25] Gleason, *Contending with Modernity*, 146-148, 321. The question of academic freedom in Catholic higher education between 1900-1960 is disputed. For a sympathetic evaluation, see Garcia, *Academic Freedom and the* Telos *of the Catholic University*. In chapter five, Garcia argues that Catholic schools were working successfully toward a synthesis between theology and other academic disciplines. For a more critical evaluation, see Charles E. Curran, *Catholic Higher Education, Theology, and Academic Freedom* (Notre Dame: University of Notre Dame Press, 1990). Curran links the mediocre quality of Catholic higher education with the refusal to conform to the accepted standards of academic freedom (35). He cites the title of Fr. Guthrie's 1950 commencement speech at Georgetown, "The Sacred Fetish of Academic Freedom," as illustrative of the ethos of Catholic higher education during this era (43).

[26] Gleason, *Contending with Modernity*, 215, 262.

[27] See David J. Stagaman, *Authority in the Church* (Collegeville: Liturgical Press, 1999), 2-5.

Congregationalists."[28] Nevertheless, the issue of ecclesial authority was not altogether absent; questions that had been percolating came to the fore following the council as we will see in the Land O'Lakes statement.

2.2 The International Federation of Catholic Universities

What has come to be known as the Land O'Lakes statement, which is actually titled "Statement on the Nature of the Contemporary Catholic University," was the position paper adopted by the North American region of the International Federation of Catholic Universities (IFCU) at a seminar of twenty-four Catholic educators in Land O'Lakes, Wisconsin. The statement was prepared and adopted during the second (July 20-23) of two meetings that occurred during the summer of 1967. Theodore Hesburgh, C.S.C., president of the University of Notre Dame (1952-1987), assembled the seminar of mostly other university presidents as well as scholars, religious superiors, and bishops.[29] The IFCU was recognized by Pope Pius XII in 1949 as an umbrella organization for Catholic institutions of higher education around the world and, in 1963, it was established

[28] James Tunstead Burtchaell, *The Dying of the Light: The Disengagement of Colleges and Universities from their Christian Churches* (Grand Rapids, MI: William B. Eerdmans Publishing Company, 1998), 562.

[29] The participants of the seminar included Rev. Michael P. Walsh, S.J., President and Rev. Charles F. Donovan, S.J., Academic Vice President (Boston College); Rev. Raymond Fowerbaugh, Assistant to the President (Catholic University of America); Rev. Leo McLaughlin, S.J., President and Rev. Timothy Healy, S.J., Executive Vice President (Fordham University); Rev. Gerard J. Campbell, S.J., President and Rev. Thomas Fitzgerald, S.J., Academic Vice President (Georgetown University); Right Rev. Msgr. Louis-A. Vachon, Rector and M. l'Abbe Lorenzo Roy, Vice Rector (Laval University); Rev. Theodore M. Hesburgh, C.S.C., President, Rev. John E. Walsh, C.S.C., Vice President for Academic Affairs, and Mr. Edmund A. Stephan, Chairman, Board of Trustees (University of Notre Dame); Rev. Paul C. Reinert, S.J., President, Rev. Robert J. Henle, S.J., Academic Vice President, and Mr. Daniel L. Schlafly, Chairman, Board of Trustees (St. Louis University); Theodore McCarrick, President (Catholic University of Puerto Rico); Rev. Andrew Greely, Most Reverend Paul J. Hallinan, Rev. Howard Kenna, C.S.C., Rev. Felipe E. Mac Gregor, S.J., Rev. Neil G. McCluskey, S.J. (Secretary), Very Rev. Vincent T. O'Keefe, S.J., Most Reverend James P. Shannon, Dr. George N. Shuster, and M. l'Abbe Lucien Vachon (At Large) in Hesburgh Files 97/28 [CPHS], Archives of the University of Notre Dame.

as an independent organization by Pope Paul VI with Hesburgh as the president (1963-1970).[30] Hesburgh described his perception of the organization's two-fold purpose: "to give the Church a strong, vital, and consistent presence in the international scene of the university world" and "to share the growing strength of Catholic higher learning by confederating the existing nation and regional groupings of Catholic universities."[31] The IFCU met in Tokyo in 1965 and decided that "The Nature and Purpose of the Catholic University" would be the theme for the next international congress of the IFCU to be held in Kinshasa in 1968. In preparation for the congress in Kinshasa, regional meetings would occur in Buga (Colombia), Manila, Paris, and Land O'Lakes, Wisconsin.

2.2.1 Land O'Lakes (1967)

The seminar in Land O'Lakes adopted a position paper consisting of ten brief sections. Section one explains how Catholic universities should be both similar to and different from the rest of American higher education. As Gallin perceptibly notes:

> The twenty-five years following Vatican II witnessed some rather fundamental changes in the self-understanding of the Roman Catholic church. It is not surprising, therefore, that the Catholic college and university experienced a similar identity crisis. Two questions surfaced repeatedly: What does it mean to be a university or college, and what does it mean for that institution to be Catholic?[32]

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[30] For a history of the founding of the International Federation of Catholic Universities, see James Jerome Conn, S.J., *Catholic Universities in the United States and Ecclesiastical Authority* (Roma: Editrice Pontificia Università Gregoriana, 1991), 52-58. For more on the election of Hesburgh and a history of his disputed 1963 election, see Conn, 104-108. Hesburgh also recounts the details of the 1963 election including his being called to Rome by the Congregation for Catholic Education and the intervention of Pope Paul VI that ultimately confirmed his election in Theodore Hesburgh, C.S.C., "Address to the 9th General Assembly of the International Federation of Catholic Universities, Boston College, August 26, 1970," Hesburgh Files 98/10 [CPHS], Archives of the University of Notre Dame.

[31] "Memorandum to Right Reverent Monsignor Paul C. Marcinkus, Secretariate of State, Vatican City, November 20, 1963," Hesburgh Files 96 [CPHS], Archives of the University of Notre Dame.

[32] Alice Gallin, "Introduction," 1.

Thus, the statement begins, "The Catholic University today must be a university in the full modern sense of the word, with a strong commitment to and concern for academic excellence."[33] The following paragraph reaffirms this point, "The Catholic university participates in the total university life of our time, has the same functions as all other true universities and, in general, offers the same services to society."[34] It is within this context, namely, the similarity between the Catholic university and all other universities, that the claim for institutional autonomy and academic freedom are found. The crucial passage reads:

> To perform its teaching and research functions effectively the Catholic university must have a true autonomy and academic freedom in the face of authority of whatever kind, lay or clerical, external to the academic community itself. To say this is simply to assert that institutional autonomy and academic freedom are essential conditions of the life and growth and indeed of survival for Catholic universities as for all universities.[35]

Precisely how Catholic universities can claim or achieve "true autonomy" and continue to participate in the mission of the church, of course, will become the focus of future considerations. Yet, at this point in this dissertation, it must suffice to recognize that the context for this claim is how Catholic universities are like all other universities.

Section one of the statement next addresses the distinctive character of Catholic universities. With equal force as above, the statement declares, "the Catholic university must be an institution, a community of learners or a community of scholars, in which Catholicism is perceptibly present and effectively operative."[36] As with the meaning of "true autonomy," the implications of Catholicism being "perceptibly present and

[33] "Land O'Lakes Statement," 7.
[34] Ibid.
[35] Ibid.
[36] Ibid.

effectively operative" are not explicitly defined, although the following sections provide some indication. Sections two through four emphasize the academic study of theology, section nine calls for the experience of a Christian ethos on campus (through liturgy, community, and service), and section ten affirms that the same Christian ethos should guide the structures, organization, and policies of the university.

Throughout the statement, the distinctive character of Catholic universities is balanced with the concern for academic excellence. Section two affirms that the same standard of academic excellence applies to the study of theology as it does for every other academic discipline. Section three specifically defines the theological task as fostering an intellectual understanding of Christian faith. Section four encourages interdisciplinary dialogue among theology and every other area of study.

Section five deserves particular attention. Here the Land O'Lakes statement claims that Catholic universities should serve as the "critical reflective intelligence" for the church. Identifying again how Catholic universities are both similar to and different from other universities, section five begins, "Every university, Catholic or not, serves as the critical reflective intelligence of its society. In keeping with this general function, the Catholic university has the added obligation of performing this same service for the Church."[37] The remainder of section five then describes what this service requires of Catholic universities and the benefit to the church:

[37] Ibid., 9. The origin of the phrase "critical reflective intelligence" is unknown. One year before the seminar in Land O'Lakes, Pedro Arrupe, S.J., then Superior General of the Society of Jesus, used similar language in a talk at Fordham University (April 5, 1966). Arrupe spoke of both the church's constant need of renewal and the critical function of Catholic universities, "For the Christian University's perennial task has been to insure the awareness, the talent, and the instruments whereby the body corporate of Christianity must do its thinking, bring its faith to self-reflective understanding, and devise appropriate lines of action in and upon both Church and world. The Catholic University represents, accordingly, a most appropriate organ for the Church's perennial function of self-study and reflection" in *The University in the American Experience* (New York: Fordham University, 1966), 26.

> the [Catholic] university should carry on a continual examination of all aspects and all activities of the Church and should objectively evaluate them. The Church would thus have the benefit of continual counsel from Catholic universities. Catholic universities in the recent past have hardly played this role at all. It may well be one of the most important functions of the Catholic university in the future.[38]

Of course, not everyone viewed this service as a legitimate function of Catholic universities or a benefit to the church. Along with the Land O'Lakes statement's claim for institutional autonomy, the claim that Catholic universities serve as the "critical reflective intelligence" for the church has been a source of sustained controversy.[39] Thus, as we follow the textual history following Land O'Lakes as well as the subsequent discussions between the Vatican, the American bishops, and Catholic higher education leaders, particular attention will be given to how these two claims develop and are received.

The Land O'Lakes statement concludes: "In fine, the Catholic university of the future will be a true modern university but specifically Catholic in profound and creative ways for the service of society and the people of God."[40] We see a final emphasis on the shared and distinct mission of Catholic universities. We also see an implicit but clear reference to the ecclesiology of Vatican II.

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[38] Ibid.

[39] For example, Bishop Conley writes, "Land O'Lakes proposed that Catholic universities ought to function as the Church's 'critical reflective intelligence,' claiming to 'objectively evaluate' the Church's life and ministry, apart from the lens of faith, in order to give the Church 'the benefit of continual counsel.' It seemed to bemoan the fact that Catholic universities were not asked more often how bishops should be undertaking their ministry" in "A Faithful Renewal."

[40] "Land O'Lakes Statement," 11.

2.2.2 Kinshasa (1968)

Recall that the seminar in Land O'Lakes as well as the regional meetings in Buga, Manila, and Paris were in preparation for the international congress of the IFCU in Kinshasa (Zaire/Democratic Republic of the Congo) to be held the following year (September 10-17, 1968). The congress in Kinshasa considered the four position papers of the regional meetings to formulate an international statement on the future of Catholic higher education. The participants in Kinshasa included representatives from Argentina, Brazil, Belgium, Colombia, Congo, Ecuador, Ethiopia, France, Holland, Lebanon, Nicaragua, Paraguay, Peru, the Philippines, Poland, Spain, Switzerland, the United States of America, and Venezuela. Cardinal Gabriel Marie Garrone, prefect of the Congregation for Catholic Education, also attended the congress in Kinshasa.[41]

The position paper adopted by the congress in Kinshasa, "The Catholic University in the Modern World," is even briefer than the Land O'Lakes statement. As with Land O'Lakes, the congress in Kinshasa was eager to explain how Catholic universities should be both similar to and different from other modern universities. Catholic universities share the same responsibilities as all other universities, according to the Kinshasa statement, yet Catholic universities are also informed by "Catholic ideals, attitudes, and principles."[42] Adopting the language of the Land O'Lakes statement nearly word for word, the congress in Kinshasa affirms, "Distinctively, then, the Catholic university must be an academic institution, a community of scholars, in which Catholicism is present and operative."[43] The Kinshasa statement, in comparison with the Land O'Lakes statement,

[41] For a list of the participants, see "Kinshasa Statement: The Catholic University in the Modern World," in *American Catholic Higher Education*, 15-16.
[42] "Kinshasa Statement," 13.
[43] Ibid.

provides a more concrete description of this ideal through a list of nine "activities proper to a Catholic university." The number of practices, moreover, implies more than one approach for fostering the distinctive character of Catholic universities. Indeed, a real contribution of the Kinshasa statement is the explicit endorsement of this diversity:

> Thus, the Catholic university both in theory and in fact presents a rich potential of forms, modes, and activities. The Catholic universities of the world judge, therefore, that they have a specific contribution to make to university activity in general, and that they should respond in rich and creative ways to the needs of contemporary society.[44]

The Kinshasa statement equally affirms the limits of this diversity. In language not found in the Land O'Lakes statement, the Kinshasa statement states, "To these special tasks, Catholic universities are dedicated by an institutional commitment which includes a respect for and voluntary acceptance of the Church's teaching authority."[45]

More significant than what the Kinshasa statement includes, however, is what is absent from the brief text. None of the most prominent features of the Land O'Lakes statement are present in the Kinshasa statement. Institutional autonomy and academic freedom are not mentioned. Nor is the function of Catholic universities serving as the "critical reflective intelligence" for the church. Because of these omissions, Charles Curran describes the Kinshasa statement as a "disappointment" to the American delegation.[46] Also missing from the Kinshasa statement is any explanation of how "the institutional commitment which includes a respect for and voluntary acceptance of the

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[44] Ibid., 14.
[45] Ibid.
[46] Curran, *Catholic Higher Education, Theology, and Academic Freedom*, 124. In addition, Conn also concludes that "a comparison of the Land O'Lakes statement and the Kinshasa document reveals the strong influence of the American group on the congress" and that "the Americans insisted, in a way that the international group at first did not, that an essential ingredient of any university was independence" in *Catholic Universities*, 212-213.

Church's teaching authority" should correspond with the academic mission of Catholic universities.

2.2.3 Rome (1969)

The next stage of deliberations occurred at the invitation of Cardinal Gabriel Marie Garrone, the prefect of the Congregation for Catholic Education. Having attended the IFCU congress in Kinshasa, Garrone convened the first international congress of Catholic universities to be held at the Vatican (April 25-May 1, 1969). After a contentious relationship between the IFCU and the Congregation for Catholic Education owing to the Congregation's attempt to reject the election of Hesburgh as president of the IFCU in 1963,[47] Garrone's invitation to continue the dialogue was described by Hesburgh as "cordial and fruitful."[48] In preparation for the congress at the Vatican, a questionnaire was sent to the presidents of Catholic universities concerning how their institutions had "updated" following Vatican II, since the focus of the congress would be "The Catholic University and the Aggiornamento." This would also be the official title of the position paper that the congress delegates would ultimately adopt.[49]

By far the longest and most substantial explanation of the role of the contemporary Catholic university thus far, the Rome statement considers a variety of topics including pastoral concerns, long-range planning, teacher-student relationships,

[47] See above note 30.
[48] Theodore Hesburgh, C.S.C., "Address to the 9th General Assembly of the International Federation of Catholic Universities, Boston College, August 26, 1970," Hesburgh Files 98/10 [CPHS], Archives of the University of Notre Dame.
[49] The participants included elected delegates, presidents of Catholic universities, representatives from the IFCU, official observers, and periti. Hesburgh was present but was not an elected delegate. For a list of the congress participants, see "Rome Statement: The Catholic University and the Aggiornamento," in *American Catholic Higher Education*, 34-35.

and governance. It affirms the distinctive witness, service, and community of Catholic universities. It defends the legitimate autonomy of Catholic universities in relation to civic and economic organizations. It encourages interdisciplinary study, especially between the sciences, philosophy, and theology, as well as cooperation between Catholic universities and other universities.

As with the Land O'Lakes and Kinshasa statements, the Rome statement begins with the distinctive character of Catholic universities. Section one identifies four essential characteristics of a Catholic university:

1. a Christian inspiration not only of individuals but of the community as well
2. a continuing reflection in the light of Christian faith upon the growing treasure of human knowledge
3. fidelity to the Christian message as it comes to us through the Church
4. an institutional commitment to the service of Christian thought and education.[50]

Yet, as with the Kinshasa statement, the Rome statement recognizes the diversity of contemporary Catholic higher education. Regarding the different kinds of Catholic universities, the Rome statement concedes that "it would be futile to attempt a univocal approach to the contemporary challenges and problems of our institutions of higher learning."[51] Moreover, in a particularly significant passage for Catholic higher education in the United States, the Rome statement affirms, "Since the meaning of the term 'Catholic university' has been historically determined and conditioned by each historical and national situation, different institutions will have different relations to ecclesiastical

[50] "Rome Statement," 17. As we will see in chapter four, these four "essential characteristics of a Catholic university" will be adopted by *Ex corde Ecclesiae* (1990) with only slight modification. See John Paul II, *Ex corde Ecclesiae*, n. 13, available online at: http://w2.vatican.va/content/john-paul-ii/en/apost_constitutions/documents/hf_jp-ii_apc_15081990_ex-corde-ecclesiae.html
[51] Ibid.

authority relative to the magisterium, pastoral concern, and governance."[52] The concern of the American delegation since Land O'Lakes had been how Catholic universities could survive in the particular context of higher education in the United States in the face of undue intervention of ecclesiastical authority. The Rome statement seemed to assuage this concern by acknowledging that local circumstances might necessitate unique norms.[53]

The Rome statement also includes the claim for institutional autonomy and academic freedom in words nearly identical to the Land O'Lakes statement. It reads:

> The Catholic university today must be a university in the full modern sense of the word, with a strong commitment to and concern for academic excellence. To perform its teaching and research functions effectively the Catholic university must have a true autonomy and academic freedom. Nor is this to imply that the university is beyond the law: the university has its own laws which flow from its proper nature and finality.[54]

Significant is the fact that the Rome statement omits the phrase "in the face of authority of whatever kind, lay or clerical, external to the academic community itself" found in the Land O'Lakes statement. Yet, rather than simply asserting institutional autonomy and

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[52] Ibid., 18. The only further explanation that this paragraph offers is: "Two basic categories can be immediately discerned: those institutions which have a juridical bond to Church authority in one form or another and those which do not." For more on the canonical status of various Catholic universities and the concerns of the American delegates, see Conn, *Catholic Universities*, 213-216.

[53] The plenary assembly of the Congregation for Catholic Education, however, expressed reservations about this formulation, specifically in regard to the idea "that a diverse relationship with the Magisterium can exist depending upon the various types of Catholic Universities" in "Results of the Plenary Session of the Sacred Congregation for Catholic Education, October 3-4, 1969 on the 'Aggiornamento' of Catholic Universities," Hesburgh Files 98/11 [CPHS], Archives of the University of Notre Dame. Francis Sullivan, S.J., responded to the results of the plenary assembly arguing that "<u>every</u> Catholic university will have a certain common and basic relationship to the Magisterium, intrinsic to its being Catholic," but that "it seems necessary to accept the fact that various forms of juridical relationship of Catholic Universities with the Hierarchy do exist, and that it would be destructive of a great many of these universities to attempt to impose upon them a different form of juridical relationship that that in which they now stand" in "Some Remarks," Hesburgh Files 98/11 [CPHS], Archives of the University of Notre Dame.

[54] "Rome Statement," 18.

academic freedom as did Land O'Lakes, the Rome statement includes an extended explanation of these concepts.

The Rome statement identifies six philosophical and theological principles underlying the claim for institutional autonomy and academic freedom. The explanation begins with what is common to all universities, Catholic or not. The first principle is the recognition that the university is never "completely autonomous," but is in relationship with "the community which created and sustains it," whether it is the state, church, or private group.[55] The next principle is that the nature and purpose of the university is the pursuit of truth. Thus, the university can truly serve the community only when it is free "without restrictions to follow the imperatives which flow from its very nature: pursuit of the truth without conditions."[56] The third principle is that the university itself is the best judge of what is necessary to pursue the truth and, therefore, "academic autonomy normally entails administrative autonomy in such things as the selection of faculty, the planning of academic programs, organization of teaching and research, the establishment of chairs, etc."[57] Fourth, the relationship between the "self-government of the university" and the "right of accountability which belongs to the society," which includes the state, church, or private group, is described as a "delicate balance."[58] The fifth and sixth principles specifically concern Catholic colleges and universities. While natural truth is open to human reason, "the authentic Christian message is not available to us except with a guarantee of doctrinal authority, which is the magisterium of the Church."[59] And, the

[55] Ibid., 19.
[56] Ibid.
[57] Ibid.
[58] Ibid.
[59] Ibid.

last principle then identifies the limits of ecclesial authority in regard to Catholic universities:

> It follows from this that the magisterium as such can intervene only in a situation where the truth of the revealed message is at stake. With these limitations, this means complete freedom of research and of teaching must be guaranteed. In every case the intervention of the competent ecclesiastical authority should respect the statutes of the institution as well as the academic procedures and customs of the particular country.[60]

This sixth principle is particularly significant, for it limits ecclesial intervention to only the most serious cases, and even then, ecclesial intervention is not unlimited.

Another contribution of the Rome statement is that the above principles are followed by a series of practical considerations concerning the relationship between the magisterium of the church and theology in Catholic universities. It begins with a robust defense of the teaching authority of the church: "The Church has the right and the responsibility to determine Catholic belief and to define Catholic moral principles. To this authority all Catholics are subject, whether lay or cleric, preacher or theological scholar."[61] Yet, with equal force, the Rome statement defends the role of theology in Catholic universities. A theologian "must be able to pursue his [sic] discipline in the same manner as other research scholars."[62] Particularly significant is the fact that the creative dimension of theological inquiry is acknowledged. The theologian:

> must be allowed to question, to develop new hypotheses, to work toward new understandings and formulations, to publish and defend his [sic] views, and to approach the theological sources, including pronouncements of the teaching Church, with the free and full play of modern scholarship. His work should normally be reviewed and evaluated by his scholarly peers as is the case in other disciplines.[63]

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[60] Ibid., 19-20.
[61] Ibid., 20.
[62] Ibid.
[63] Ibid.

In addition to the creative dimension of theological inquiry, its critical function is also recognized and even encouraged, for the goal of theology in the university is described as the "intelligent and critical understanding of the faith."[64] When theology is prevented from exercising its creative and critical functions, the whole church is diminished. As the Rome statement attests, "History teaches us how much the influence of the Church has been limited because of certain ecclesiastical or religious authorities who, overzealous to defend certain established positions, have precipitously and arbitrarily blocked the diffusion of scholarly research."[65] Accordingly, while the Rome statement upholds the teaching authority of the church, it also respects the purpose of universities, the nature of theology, the limits of ecclesial intervention, and due process when intervention is necessary.[66]

2.2.4 *The Catholic University in the Modern World* (1973)

The conversation in Rome concerning the participation of Catholic universities in the mission of the church continued.[67] After two years of deliberations of the Rome statement, Cardinal Garrone hosted a second international congress of Catholic universities at the Vatican (November 20-29, 1972). An interview with Garrone by Vatican Radio prior to the November congress was summarized by John Donohue,

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[64] Ibid.
[65] Ibid. Neil G. McCluskey, S.J., a participant at the Rome meeting, reveals that this wording was controversial. McCluskey writes that "a number of delegates who seemed unaware that the Church is a divine idea incarnated in time and space and, accordingly, subjected to the limitations of the human condition, wanted to delete it or to indicate that since Vatican II the bad old days are gone forever," but "knowing that such things still take place the Canadian and American delegates persuaded the group to adopt the phrasing as vital to prevent the harassment of future John Courtney Murrays and Henri de Lubacs" in "Rome Listens to the Universities," *America* (August 2, 1969), 60.
[66] "Rome Statement," 21.
[67] As Conn explains, a "preparatory session was held at Grottaferrata near Rome in February 1972, and produced yet another working paper known as the Grottaferrata document" in *Catholic Universities,* 216.

associate editor of *America*, who wrote, "One of the fundamental laws in the Church after Vatican II, [Garrone] said, 'is the law of cooperation, as frank and complete as possible between Rome and the different institutions in which the life of the Church is expressed.'"[68] In a similar way, when Pope Paul VI addressed the assembly, he said:

> Your Congress has set itself two main aims: to go thoroughly into the relationships which ought to exist, in a Catholic university, between the ecclesiastical Magisterium and university education, and to examine the various possibilities concerning scientific collaboration between universities. We do not wish to devote this talk to an examination of these two subjects. We leave it to you to give expression to whatever your experience and your feeling for the Church to lay down, in the firm hope that your work will help to clarify these problems and to give a new and fruitful impetus to your labours, in a climate of mutual confidence.[69]

And thus, the conversation between the Congregation for Catholic Education and representative of Catholic higher education commenced yet again.

The document adopted by the delegates of the second congress, *The Catholic University in the Modern World*,[70] is organized into four sections: 1) "The Nature of a Catholic University," 2) "The Government of a University," 3) "Activities of a Catholic University," and 4) "Relationships with Others." In length, tone, and content, *The Catholic University in the Modern World* bears similarity to the earlier Rome statement. Section one repeats the four essential characteristics of a Catholic university found in the

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[68] John W. Donohue, "Catholic Universities Define Themselves: A Progress Report," *America* (April 21, 1973), 354.

[69] "Address of His Holiness Paul VI to the Delegates of the Catholic Universities, Rome, 27 November 1972," Hesburgh Files 97/09 [CPHS], Archives of the University of Notre Dame. Paul VI's address provides an early but clear example of ecclesial subsidiarity in relationship to Catholic higher education.

[70] The official version, in French, "L'Université Catholique dans le monde modene," can be found in *Periodica* 62 (1973): 625-657. The delegates of the second congress included 39 men and 1 woman representing 21 countries; the largest delegation was the United States, which included Margaret Claydon, S.N.D., president of Trinity College; Joseph Divin, C.M., vice-president of St. John's University (NY); Robert Henle, S.J., president of Georgetown University; Theodore Hesburgh, C.S.C., president of the University of Notre Dame; Msgr Terrence Murphy, president of the College of St. Thomas (MN); John Padberg, S.J., executive vice-president of Saint Louis University; John Raynor, S.J., president of Marquette University; and Dr. Clarence Walton, president of The Catholic University of America in Donohue, "Catholic Universities Define Themselves," 355.

Rome statement. Section one also affirms the diversity of contemporary Catholic higher education, as did the Kinshasa and Rome statements, but adds: "each institution has to describe what it understands itself to be, how it perceives its objectives as a Catholic university, and how it tries to achieve them."[71] Section three reiterates the academic obligations of the university (research, teaching, continuing education, and community service); the responsibilities of administrators, professors, students, staff, and campus ministry in fostering the university community; and, the university's commitment to social development. For the purposes of this study, the developments in sections two and four are most germane.

The claim for institutional autonomy and academic freedom is found in section two of *The Catholic University in the Modern World*. It reads:

> A Catholic university today must be a university in the full sense of the word, with a strong commitment to and concern for academic excellence. To perform its teaching and research functions effectively a Catholic university must have true autonomy and academic freedom. When we affirm the autonomy of the university we do not mean that it stands outside the law: we are speaking rather of that internal autonomy and integrity which flow from its very nature and purpose.[72]

Apart from a few grammatical revisions, the second congress adopted essentially the same understanding of institutional autonomy and academic freedom as the first congress did three years earlier.[73] This includes the omission of the phrase "in the face of authority of whatever kind, lay or clerical, external to the academic community itself" found only in the Land O'Lakes statement. Several of the principles expressed in the

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[71] "The Catholic University in the Modern World," in *American Catholic Higher Education,* 41.
[72] Ibid., 43.
[73] Conn argues instead that the addition of "internal" is a significant revision and was a concern of Cardinal Garrone in *Catholic Universities*, 220. In my judgment, the final clause above is not substantially different from the Rome statement's final clause that "the university has its own laws which flow from its proper nature and finality."

Rome statement concerning the relationship between autonomy and the pursuit of truth are also reiterated in section two.[74] Four specific areas of autonomy are named: juridical (conferring degrees and degree requirements), academic (admission, hiring, and research), administrative, and financial.[75] Most significantly, however, is the explanation included in section two regarding the motivation of the congress delegates for claiming autonomy. To underscore that institutional autonomy is necessary due to the very nature of what it means to be a university and for no other reason, the delegates write:

> At the Fourth General Conference of the International Association of Universities, held in Tokyo in 1965, the delegates clearly expressed their desire for a greater degree of university autonomy. This was not done from an attitude of self-defense or quest for power, but with the conviction that through its autonomy a university is more capable of serving society as it should.[76]

Yet, after nearly seven years of deliberations following the Tokyo meeting, the critical issue remained the same, namely, how Catholic universities can be both autonomous and participate in the mission of the church.[77]

The relationship between the official magisterium of the church and Catholic universities is considered in section four. As in the Rome statement, the relationship is

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[74] As explained above, the Rome statement identified six philosophical and theological principles underlying the claim for institutional autonomy and academic freedom. The essence of the first four principles are found in section two. The essence of principles four and five, which concern doctrinal authority, is found in section four.

[75] "The Catholic University in the Modern World," 44.

[76] Ibid., 43.

[77] The American bishops were also considering this critical issue in 1973. They affirmed that Catholic colleges and universities will be "strongly committed to academic excellence and academic freedom" and recognized that "historically, Catholic colleges and universities have had varying degrees of relationship to ecclesiastical authority" in National Conference of Catholic Bishops, *To Teach as Jesus Did: A Pastoral Message on Catholic Education* (Washington, D.C.: United States Catholic Conference, 1973), 21. The American bishops characterized the present dialogue with Catholic higher education representatives as "cordial and fruitful" and called for continued exploration of the relationship between the church and Catholic higher education. Concerning this latter point, Conn explains that a committee comprised of American bishops and presidents of Catholic colleges and universities was formed in 1974 in response to a request by the Congregation for Catholic Education "that all episcopal conferences establish such a mechanism to deal with the possible tension between the rights of the ecclesiastical teaching authority and the rights founded in academic freedom" in *Catholic Universities*, 226.

described as a "delicate balance," which is maintained when the autonomy of Catholic universities and the responsibilities of the church's magisterium are respected.[78] Most significant is how often this section of *The Catholic University in the Modern World* uses the words "collaboration," "dialogue," and "respect," reflecting the spirit of *Gaudium et spes*, its principal inspiration.[79] Indeed, the interaction between bishops and Catholic higher education officials is described in mutual and collegial terms. Bishops are called to support Catholic universities in their region, thereby acknowledging the contribution and resource that Catholic universities are for the whole church. In turn, Catholic universities are expected "to promote a frank and confident collaboration with Church authorities, knowing that it is only in the context of the Church that they can accomplish their specifically Catholic mission."[80] This section gives attention to the dialogue between bishops and theologians. Emphasizing that bishops and theologians need each other to fulfil their respective roles, it affirms the creative and critical work of theologians in tandem with the authoritative judgement of bishops.[81] In view of the academic freedom of theologians, it also limits magisterial intervention to extreme cases, namely, when the truth of the Christian message is at stake.[82] Even then, it calls bishops to respect the autonomy of the university, for "the recognition of Church authority in doctrinal matters does not of itself imply the right of the Hierarchy to intervene in

[78] "The Catholic University in the Modern World," 53.
[79] The importance of the vocabulary of Vatican II has been persuasively argued by John O'Malley who interprets the council as a language-event. For more on the style of the Vatican II and interpreting the "spirit of the council," see John W. O'Malley, *What Happened at Vatican II* (Cambridge: Harvard University Press, 2008), 46-52.
[80] "The Catholic University in the Modern World," 53
[81] Ibid., 54-55. More recently, Massimo Faggiolli persuasively argues the same point in "A Wake-Up Call to Liberal Theologians: Academic Theology Needs the Church as Much as the Church Needs Theology," *Commonweal* (March 6, 2018), available online at: https://www.commonwealmagazine.org/wake-call-liberal-theologians
[82] Ibid., 55.

university government or academic administration."[83] Finally, this section concludes by encouraging "fruitful dialogue and collaboration between university personnel and the bishops."[84]

Reaction to *The Catholic University in the Modern World* in the United States was measured. One frequent commentator on educational matters observed: "when knowledgeable readers first encounter this text, they're likely to find much of it rather bland and hardly novel."[85] Indeed, *The Catholic University in the Modern World* is a moderate document that reflects the compromises required for its adoption by the congress delegates.[86] Its moderation, however, left the most vexing questions unresolved. By affirming institutional autonomy, academic freedom, and the doctrinal teaching authority of the magisterium, nearly every reader could find something in the text that they supported. It was exactly this sort of selective reading of *The Catholic University in the Modern World* that prompted a letter by Cardinal Garrone to the presidents of Catholic universities (April 25, 1973) that warned against "false and damaging interpretations to which the text may give rise."[87] A plenary assembly of the Congregation for Catholic Education met earlier that month (April 2-3, 1973) to study the document and declared that it must be read "as a whole" to avoid false interpretations, "especially regarding the treatment given to autonomy of teaching and research."[88] For

[83] Ibid.
[84] Ibid., 56.
[85] Donohue, "Catholic Universities Define Themselves," 356.
[86] "The congress concluded on a note of reasonable consensus. Its statement was approved by the 40 voting delegates without dissent, though there were several abstentions" in Donohue, "Catholic Universities Define Themselves," 355.
[87] "A Letter from Gabriel Marie Cardinal Garrone," in *American Catholic Higher Education*, 60.
[88] Ibid.

this reason, too, Garrone asks the presidents of Catholic universities to include a copy of his letter whenever the text of *The Catholic University in the Modern World* is presented.

Garrone's letter reports that the assembly of thirty-seven cardinals and bishops judged *The Catholic University in the Modern World* as "valid but needing improvement," even though they considered it "a considerable improvement" from the Rome statement.[89] The letter names two lacunae observed by the plenary assembly:

> a) on the necessity for each Catholic university to set out formally and without equivocation, either in its statues or in some other internal document, its character and commitment as 'Catholic';
> b) on the necessity for every Catholic university to create within itself appropriate and efficacious instruments so as to be able to put into effect proper self-regulation in the sectors of faith, morality, and discipline.[90]

The letter contains a further observation by the plenary committee, which foreshadowed deliberations to come, namely that:

> although the document envisages the existence of university institutions without statutory bonds linking them to ecclesiastical authority, it is to be noted that this in no way means that such institutions are removed from those relationships with the ecclesiastical hierarchy which must characterize all Catholic institutions.[91]

A major achievement of *The Catholic University in the Modern World* was recognizing the various ways that universities could be truly Catholic.[92] Being established by ecclesiastical authority (or having a statutory relationship with ecclesiastical authority) is the traditional way, but not the only way. The years following Garrone's letter would see attempts at defining new ways of understanding the nature of the relationship between the church and Catholic higher education as well as efforts to return to traditional models.

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[89] Ibid.
[90] Ibid.
[91] Ibid.
[92] "The Catholic University in the Modern World," 41-42. See also "Kinshasa Statement," 14; "Rome Statement," 17-18.

2.2.5 "Relations of American Catholic Colleges and Universities with the Church" (1976)

In the United States, Cardinal Garrone's letter did not cause concern, and the response to it among Catholic higher education officials was generally positive. Although the letter expressed that *The Catholic University in the Modern World* needed improvement, a judgement that several of the American delegates might share, the Congregation for Catholic Education with the approval of Pope Paul VI, declared it "valid." As Donohue observed in *America* at the time, "What counts, after all, is that the congregation did not reject [*The Catholic University in the Modern World*] but accepted it, and called not for changes but only for additions."[93] The long process, beginning at the Tokyo meeting in 1965, to produce a statement on the nature and purpose of Catholic higher education was accomplished.

But there was growing concern in the United States following a request from Rome for assistance in developing a new academic law of the church. By 1975, a first draft of the proposed academic law was complete.[94] This development concerned American Catholic higher education officials because, in the first place, they feared that juridical norms would impose a univocal approach that would threaten the autonomy of individual institutions. In response, the College and University Department of the National Catholic Educational Association (NCEA) composed "Relations of American Catholic Colleges and Universities with the Church" for the Congregation for Catholic Education in 1976 to describe the unique context of American Catholic higher

[93] John W. Donohue, "Green Light for Universities," *America* (July 21, 1973), 29.
[94] See *American Catholic Higher Education: Essential Documents, 1967-1990*, 65-69.

education.[95] As the NCEA position paper candidly observes, the 250 institutions of Catholic higher education in the United States "perceive and carry out their educational and religious mission in various ways and according to different models."[96] The position paper describes the complexity of the American higher education system including legal charters granted by states, standards of regional accreditation associations, expansion and competition of tax-supported institutions, and constitutional challenges concerning the separation of church and state affecting schools perceived as overtly sectarian. American Catholic higher education officials feared that juridical norms imposed by Rome would not adequately recognize the peculiarly American aspect of Catholic higher education in the United States.[97]

Yet, beyond this immediate fear, the underlying concern of American Catholic higher education officials was that juridical expression was not the most adequate way to define the nature of the relationship between the church and Catholic higher education. As the NCEA position paper explains:

> The language of 'juridical relationship' and 'canonical establishment' found in recent documents from the Congregation for Catholic Education does not seem to find focus in the vocabulary and the substance—and, indeed, the spirit—of Vatican Council documents and declarations. The former appears to conceive of the university as 'an arm of the Church,' rather than the locus for interplay between Church and world, a canonical and juridical concept rather than the dialogue approach of *Gaudium et Spes*.[98]

Instead, the NCEA position paper proposes:

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[95] The title "College and University Department" was replaced to "Association of Catholic Colleges and Universities" in 1978.
[96] "Relations of American Catholic Colleges and Universities," in *American Catholic Higher Education*, 73.
[97] Ibid., 82-83. The crucial line reads: "We do not think a juridical relationship between the Church and Catholic institutions in the exercise of their proper autonomy is desirable or even possible at this stage of American history, given the prominence of church-state issues."
[98] Ibid., 82.

> In the spirit of Vatican Council II and with the long history we have had in providing a genuine Catholic educational experience in an American framework, we believe the word 'cooperation' or the phrase 'mutual respect and support' best characterizes the kind of relationship that should exist between institution and Church.[99]

It is significant to observe how frequently "Relations of American Catholic Colleges and Universities with the Church" cites the documents of Vatican II in support of its position, especially regarding the relationship between bishops and Catholic higher education officials. Even though the legal, educational, and financial concerns affecting Catholic higher education are never far from the surface of the argument, the position paper attempts to make a theological and ecclesiological case for institutional autonomy and academic freedom. The primary support cited for these claims are principles of Vatican II including the full participation and collaboration of all the faithful, dialogical encounter with the world, the legitimate autonomy of the sciences, and authentic freedom. The case for institutional autonomy and academic freedom, the position paper maintains, is the result of "loyalty to the Church" and "dedication to its doctrine."[100] The NCEA concludes its position paper with a pledge to work with the American bishops to discover new ways of defining the nature of the relationship between the church and Catholic higher education.

2.3 Pope John Paul II

On October 16, 1978, Cardinal Karol Wojtyla, then Archbishop of Kraków, was elected Pope John Paul II. His papacy would have a significant effect on defining the

[99] Ibid., 81-82.
[100] Ibid., 84.

nature of the relationship between the church and Catholic higher education. Less than six months after his election, *Sapientia Christiana*, John Paul II's apostolic constitution on ecclesiastical universities and faculties, was promulgated on April 15, 1979. Although the new legislation on ecclesiastical studies did not directly affect most Catholic colleges and universities in the United States, it signaled the new pope's interest in Catholic higher education.

In his first pastoral visit to the United States, John Paul spoke at the Catholic University of America on October 7, 1979. Addressed to "all the Catholic universities, colleges, and academies of post-secondary learning in your land, those with formal and sometimes juridical links with the Holy See, as well as all those that are 'Catholic,'" John Paul's message was clearly intended for every Catholic higher education institution in the United States.[101] While the beginning of the speech repeated familiar themes about the mission, identity, and contribution of Catholic higher education, the end of the speech emphasized the role of the official magisterium. John Paul affirms, "If then your universities and colleges are institutionally committed to the Christian message, and if they are part of the Catholic community of evangelization, it follows that they have an essential relationship to the hierarchy of the Church."[102] In particular, the new pope focused on the relationship between the magisterium and theologians. After thanking theologians for their service to the church and pledging to listen to their scholarship, John Paul insists that "the theologian's contribution will be enriching for the Church only if it

[101] John Paul II, "Address to the Presidents of Catholic Colleges and Universities," (October 7, 1979), available online at: https://w2.vatican.va/content/john-paul-ii/en/speeches/1979/october/documents/hf_jp-ii_spe_19791007_usa_washington_univ-catt.html
[102] Ibid.

takes into account the proper function of the bishops and the rights of the faithful."[103] The pope reaffirms the role of bishops as authoritatively interpreting the word of God and safeguarding the deposit of faith. The faithful, according to the pope, are entitled to not "be troubled by theories and hypotheses that they are not expert in judging or that are easily simplified or manipulated by public opinion for ends that are alien to the truth."[104] With this, the pope concludes, "true academic freedom" for theologians means "the freedom that is openness to the truth and the light that comes from faith and from fidelity to the Church."[105]

John Paul II's most significant influence on Catholic higher education, however, would result from the revised Code of Canon Law, promulgated on January 25, 1983, and described by the pope as manifesting "the spirit" of Vatican II.[106] The revised code included a new chapter titled "Catholic Universities and Other Institutes of Higher Studies," which has no parallel in the 1917 Code of Canon Law. The new chapter includes eight new canons (807-814) dealing specifically with Catholic universities.[107] "In general," as James Conn, S.J. notes:

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[103] Ibid.
[104] Ibid.
[105] Ibid. In 1981, two years after the visit of Pope John Paul II, the American bishops issued "Catholic Higher Education and the Pastoral Mission of the Church." Interestingly, the pastoral letter reflects a very different tone. Seeking a "fruitful cooperation" with theologians, the American bishops acknowledge that the quality of theological education has improved since the council and encourage the serious academic study of theology. The American bishops write, "Many Catholic colleges and universities are making serious efforts to renew their Catholic identity and mission within the guidelines provided by the Second Vatican Council, and thus remain true to their heritage while they adapt to modern circumstances. Academic freedom and institutional independence in the pursuit of the mission of the institution are essential components of educational quality and integrity; commitment to the Gospel and the teachings and heritage of the Catholic Church provide the inspiration and enrichment that make a college fully Catholic" in *American Catholic Higher Education*, 138.
[106] John Paul II, "Sacrae Disciplinae Laeges," available online at: https://w2.vatican.va/content/john-paul-ii/en/apost_constitutions/documents/hf_jp-ii_apc_25011983_sacrae-disciplinae-leges.html. When Pope John XXIII announced the Second Vatican Council, he also called for a revision of the 1917 Code of Canon Law.
[107] For more on the development of Canons 807-814, see "Construction of the Code of Canon Law of 1983" in *American Catholic Higher Education*, 153-187.

> the chapter embraces the conciliar notion of the relationship between the Catholic university and contemporary culture, acknowledges a variety of ways in which a university can be Catholic, and guarantees the legitimate role of ecclesiastical authority to foster in Catholic universities the integrity of Catholic teaching.[108]

In regard to the legitimate role of ecclesiastical authority, however, the implications of canon 812 would cause significant alarm among Catholic higher education officials in the United States.[109] Found in Book III of the new Code, canon 812 reads: "Those who teach theological disciplines in any institutes of higher studies whatsoever must have a mandate from the competent ecclesiastical authority."[110] The requirement of a "mandate," according to one interpretation of this new canon, ensures that those teaching theology do so in communion with the church's magisterium.[111] The emphasis on hierarchical communion throughout the new canons concerning Catholic higher education foreshadowed the legislation in John Paul II's forthcoming apostolic constitution on Catholic universities.[112] Indeed, as we will see even more clearly in the next chapter, John Paul's papacy represents a substantive shift in perspective on Catholic higher education resulting from his tendency toward a juridical approach.

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[108] Conn, *Catholic Universities*, 311.
[109] For more on the implications of canon 812 and reaction among American Catholic higher education officials, see Conn, *Catholic Universities,* 266-288. For more on the historical development of Canon 812 specifically, see Sister Sharon Euart, R.S.M., "Theologians and the Mandate to Teach" in *Ex Corde Ecclesiae: Documents Concerning Reception and Implementation*, 141-155.
[110] Code of Canon Law, available online at: http://www.vatican.va/archive/ENG1104/__P2O.HTM
[111] Robert P. Deely, *The Mandate for Those who Teach Theology in Institutes of Higher Studies: An Interpretation of the Meaning of Canon 812 of the Code of Canon Law* (Roma: Tipografia Di Patrizio Graziani, 1986), 189.
[112] *Ex corde Ecclesiae*, John Paul II's apostolic constitution on Catholic universities (August 15, 1990), is considered in detail in chapter four of this dissertation.

2.4 The Idea is *Communio*

In defining the nature of the relationship between the church and Catholic higher education, John Paul II was not the only party who advocated communion. At the annual meeting of the NCEA in 1974, Ladislas Orsy, S.J. called for the "balanced interaction" between the church and Catholic higher education.[113] This "complex relationship of distance and proximity," according to Orsy, is best described by "an old Christian idea...the idea is *communio*."[114] The idea of *communio* "before modern jurisdictional structures arose," Orsy explains, expressed the relationship between local churches: "They were grounded in the same faith, they respected each other, they gave mutual help, yet with a restraint that protected the internal autonomy of each. It was a union, not imposed by anyone, wanted by everyone."[115] Analogously, Orsy suggests, *communio* best expresses the particular nature of the relationship between the church and Catholic universities. If it is difficult to imagine this possibility, Orsy notes:

> it happens because we remain captive of a mentality that knew only one form of being a Catholic university; it was the form of jurisdictional relationship to the hierarchy. It was an easily identifiable bond that left no doubt about the legal ties of an institution but unfortunately did not always reveal much of the spirit that vivified it.[116]

Indeed, communion will become the dominant idea in the next stage of searching for a more adequate ecclesiological foundation to define the relationship between Catholic higher education and the church. But communion is a multivalent idea. In addition to the

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[113] The full text of text can be found in Ladislas M. Orsy, S.J., "Interaction between University and Church," *Delta Epsilon Sigma Bulletin* XIX (1974): 40-61.
[114] Orsy, "Interaction between University and Church," 47-48. Quoting Orsy's address, the NCEA also called for the relationship between the church and Catholic higher education to be described as a "*communio*" in "Relations of American Catholic Colleges and Universities," 82.
[115] Ibid., 48.
[116] Ibid., 49.

type described by Orsy in his 1974 address, John Paul II's 1979 speech at the Catholic University of America and the 1983 Code of Canon Law refer not just to communion, but to "hierarchical communion." How then should communion be understood? And how is communion best expressed? These questions will be the focus of the next chapter.

2.5 Chapter Conclusions

The preceding survey of documents, beginning with the Land O'Lakes statement in 1967 until the publication of *The Catholic University in the Modern World* in 1973, as well as the ongoing deliberations in Rome and the United States reveal various attempts to define the relationship between Catholic higher education and the church. Much ink has been spilled during the past fifty years over the opening words of the Land O'Lakes statement, which call for "true autonomy and academic freedom." Yet, as this chapter demonstrated, the Land O'Lakes statement was but a first attempt to find a more adequate ecclesiological foundation for Catholic higher education following the Second Vatican Council. This process continued in Kinshasa and Rome, all under the auspices of the IFCU and in collaboration with the Congregation for Catholic Education. A first conclusion of this chapter, therefore, is the necessity to tell the story of Catholic higher education in the United States after Vatican II differently. Rather than the dominant narrative of secularization, which views Land O'Lakes as "a declaration of independence" and a rejection of church authority, a narrative of reception more accurately reflects the attempts of bishops and Catholic educators to receive and implement the conciliar reforms for Catholic colleges and universities.

A second and clearly related conclusion is that the debate over Land O'Lakes is fundamentally connected with the debate over the meaning of Vatican II. What critics charge Land O'Lakes of doing to Catholic higher education in the United States, they charge Vatican II of doing to the church. Indeed, the "disruption" of Vatican II forced the church to consider its own self-understanding and, accordingly, forced Catholic colleges and universities to consider their relationship with the church in new ways. A narrative of reception permits us to view this history as a process of "maturing" and, therefore, to identify the contributions of Land O'Lakes and the subsequent deliberations concerning Catholic higher education as well as to recognize areas that are neglected or underdeveloped. The call for shared leadership and true theological scholarship, for instance, positively reflects the conciliar principles of the full participation of all the faithful and the legitimate autonomy of the sciences. The recurring claim for institutional autonomy responded to the conciliar recognition that juridical expression is not the only way to define ecclesial relationships and contributed to new forms of collaboration and dialogue. Autonomy, however, does not provide a robust ecclesiological foundation for fostering continued collaboration and dialogue between Catholic higher education and the church. While representing a necessary and natural stage of development for Catholic higher education, the assertion of autonomy lacks theological foundation. In the words of Cardinal Garrone's letter, it is "valid but needing improvement."

This pattern of "disruption" and "maturing" will continue throughout the next stage of searching for a more adequate ecclesiological foundation to define the relationship between Catholic higher education and the church. The disruption of Vatican II, and the battle over its meaning, will continue to influence the direction of

Catholic higher education. But, as the next chapter will show, despite the reforms initiated by Vatican II, a hierarchical, clerical, and juridical ecclesial framework will also continue to exert influence.

CHAPTER THREE

Reinterpreting Vatican II: The CDF Version of Communion Ecclesiology

> The option for *communio* with the visible community of the Church means mutual respect and support. No one should be astounded that at present such respect and support are difficult to define and even more difficult to practice with all the wisdom that they require. After all, it is not long ago that we moved from a legally defined situation into an existentially demanding relationship. Both sides are learners, and knowledge will come through trials and errors.[1]

When Ladislas Orsy, S.J. advocated that *communio*[2] should characterize the relationship between the Catholic Church and Catholic universities at the annual meeting of the National Catholic Educational Association (NCEA) in 1974, he emphasized the distinct missions of church and university. Orsy explained that the mission of the church to communicate the word of God is much broader than the more specific mission of universities to reflect critically on beliefs. This difference, however, should remind both church and university of the need for the other. "Only when the two meet," Orsy said, "will there be an intelligent Church and a Catholic university."[3] Orsy told the meeting of educators at the NCEA meeting, "Never in its history could the Church function and fulfil its mission without the help of reflective and critical intelligence, nor will it be able to do so in the future."[4] Presumably, Orsy's audience heard echoes of the assertion in the Land O'Lakes statement that Catholic universities should serve as the "critical reflective intelligence" for the church.

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[1] Ladislas M. Orsy, S.J., "Interaction between University and Church," *Delta Epsilon Sigma Bulletin* XIX (1974): 50.
[2] The Latin "*communio*," Greek "*koinônia*," and English "communion" will be used interchangeably in this chapter depending on the use of the author cited.
[3] Orsy, S.J., 46.
[4] Ibid.

Indeed, while Orsy's balanced presentation considered the relationship from both the standpoint of the university as well as the standpoint of the church, he observed that "there is a great deal of literature about how a university can be Catholic, but very little on how the Church can be university-minded."[5] By "university-minded," Orsy meant the church's responsibility to "insert the Gospel into our cultural milieu and to use reflective, critical and scholarly intelligence to communicate rightly the content of our faith."[6] Catholic universities, Orsy argued, are an obvious resource to help the church fulfil this function. Yet, for this partnership to be realized, "the Church must create the practical forms of its cooperation with universities; an on-going, never-ending task that can vary from one age to another, from one country to another."[7] Orsy thus underscored the responsibility of the church toward Catholic universities.

Orsy proposed the concept of *communio* to express the fundamental ecclesial relationship between the church and Catholic universities, for *communio* emphasizes the necessary cooperation and closeness between the two partners. Yet, equally important, *communio* also respects their distinct missions and allows for a "healthy distance" between the church and university.[8] Orsy's speech to the NCEA in 1974, only one year after *The Catholic University in the Modern World* claimed institutional autonomy for Catholic universities, emphasized that "respect for the autonomy of the university is important for the Church: *communio* is the fruit of freedom. When *communio* is there, the Church should do everything to promote intelligent theological reflection within the

[5] Ibid., 52.
[6] Ibid.
[7] Ibid., 56.
[8] Ibid., 47.

life of the university."[9] Within the context of *communio*, Orsy concluded, "Each partner retains its autonomy, each must respect the other. They must be distant and close, they must give and receive. Generosity and humility play their part."[10]

As we consider the next phase in the search for a more adequate ecclesiological foundation to define the relationship between the church and Catholic higher education, Orsy's speech is significant. Noting the lack of literature about how the church can be "university-minded," Orsy helpfully expands the question of the mission and identity of Catholic higher education to include the responsibility of the church. Still today, questions of mission and identity continue to focus almost exclusively on the role of Catholic colleges and universities. Thus, in chapter six of this dissertation, what is required of the church for colleges and universities to participate in its mission will be considered in some detail. Additionally, Orsy's proposal of *communio* as a theological framework for considering the Catholic university-church relationship advances the search for a more adequate ecclesiological foundation. Autonomy in the context of *communio* is a genuine development, for the initial claim for autonomy as it appeared in the Land O'Lakes statement as well as the subsequent documents by the International Federation of Catholic Universities can be interpreted in extreme and isolating ways. Yet, as this chapter demonstrates, ecclesial communion can also be understood in several ways.

Finally, it is possible to detect in Orsy's speech an overly optimistic assessment of the possibilities that *communio* provides. Orsy offers an idealized account of the relationship between the church and Catholic universities. More recently, in fact, several

[9] Ibid., 55.
[10] Ibid., 56.

theologians have raised the precise concern that ecclesiologies based on the concept of communion tend to produce overly optimistic or idealized accounts.[11] The merits of this critique will be considered at the end of this chapter. But first, it is necessary to set the parameters of this chapter's consideration of communion ecclesiology in order to begin to distinguish its many forms and expressions.

3.1 Communion Ecclesiology

Communio, from the Greek word "*koinônia*," connotes the full participation and the sharing of responsibilities in community. Even when the word "*koinônia*" is not explicitly used, the concept is operative in the New Testament, patristic writings, and Vatican II documents.[12] Not surprisingly, several theologians have recognized the theological potential of an ecclesiology based on the concept of communion for defining ecclesial relationships. *Communio* is a compelling starting point for theologians who seek, for example, to affirm the equal dignity of all the faithful, recognize a wide-variety of charisms in the church, preserve unity in diversity, or develop collaborative structures for ecclesial organization and leadership. Johann Adam Möhler's *Unity in the Church Or*

[11] See José Comblin, *People of God* (Maryknoll, New York: Orbis Books, 2004), 52-62; Bradford E. Hinze, *Prophetic Obedience: Ecclesiology for a Dialogical Church* (Maryknoll, New York: Orbis Books, 2016), 48-51; Nicholas M. Healy, "Communion Ecclesiology: A Cautionary Note," *Pro Ecclesia* 4 (1995) and "Ecclesiology and Communion," *Perspectives in Religious Studies* 3 (2004); Neil Ormerod, "A (Non-*Communio*) Trinitarian Ecclesiology: Grounded in Grace, Lived in Faith, Hope, and Charity," *Theological Studies* 76 (2015). The concerns raised by Healy and Ormerod are considered at the end of this chapter.

[12] Christopher O'Donnell, O.Carm., "Communion- Koinônia" in *Ecclesia: A Theological Encyclopedia of the Church* (Collegeville: Liturgical Press, 1996), 94-95. For example, "*koinônia*" is used to describe life in the early Christian Community in Acts 2:42. But it is not used in 1 Corinthians 12:12-14 and Romans 12:4-8, the well-known texts describing the Christian community as one body with many members, even though these texts do express the ecclesial understanding of *communio*. For a brief and helpful New Testament understanding of communion, see John R. Quinn, *Ever Ancient, Ever New: Structures of Communion in the Church* (New York: Paulist Press, 2013), 1-7.

The Principle of Catholicism, originally written in 1825, is frequently cited as the first Roman Catholic version of communion ecclesiology. Communion is also the systematic principle of ecclesiology in John Zizloulas' *Being as Communion* and Jean-Marie Tillard's *Church of Churches*.

The number of theologians using the concept of communion as an ecclesiological foundation has resulted in various and sometimes competing versions of communion ecclesiologies. Dennis Doyle compares communion ecclesiology to a "playing field" where a range of diverse approaches exist. "All who play on this field," Doyle writes, "are called to strive for a multi-dimensional approach that includes the broad range of dimensions of the Church associated with the vision expressed in the documents of Vatican II."[13] Doyle helpfully identifies four essential elements of any ecclesiology grounded in the concept of communion: 1) the vision of the church is based on the scriptural account of the early church and ecclesial practices during the first millennium, 2) fellowship among human beings and their share in divine fellowship is privileged over institutional aspects of the church, 3) visible unity is expressed liturgically through the Eucharistic celebration, and 4) the relationship between the Church universal and local churches is dynamic.[14] Even though Doyle sees the four elements as essential, he admits that theologians have incorporated these elements in distinct ways. Doyle thus defines the broad approach of communion ecclesiology as:

> an attempt to move beyond the merely juridical and institutional understandings by emphasizing the mystical, sacramental, and historical dimensions of the Church. It focuses on relationships, whether among persons of the Trinity, among human beings and God, among the members of the Communion of Saints, among members of a parish, or among the bishops dispersed throughout the world. It

[13] Dennis M. Doyle, *Communion Ecclesiology: Vision and Versions* (Maryknoll, NY: Orbis Books, 2000), 172.
[14] Ibid., 13.

> emphasizes the dynamic interplay between the Church universal and the local churches. Communion ecclesiology stresses that the Church is not simply the receiver of revelation, but as the Mystical Body of Christ is bound up with revelation itself.[15]

Indeed, communion ecclesiology emphasizes that the church is primarily a network of relationships. Ormond Rush notes the three spheres of ecclesial relationships that Vatican II used "communion" to describe: *communio fidelium* (communion among all the faithful established by baptism), *communio ecclesiarum* (communion in a local church served by a bishop), and *communio hierarchica* (communion among the bishops throughout the world and the bishop of Rome).[16]

As Doyle observed, one reason for the popularity of communion ecclesiologies is their ability to overcome an overly institutional and juridical understanding of the church. Doyle names institutionalism and juridicism as two of the "reductive distortions" that communion ecclesiology seeks to address.[17] This is not to say that institutional structures and juridical mechanisms are unnecessary, but that they serve to protect and promote relationships in the church. If institutional structures and juridical mechanisms become primary instead of secondary, this distorts the sacramental nature of the church. "Understood as sacrament," Doyle explains, "the Church is a human and visible reality that makes present and effective the divine and the invisible."[18] *Lumen Gentium* emphasizes the sacramental nature of the church, affirming that in some sense the church itself is a sacrament insofar as it communicates God's grace to the world (*LG* 1).[19] *Lumen Gentium* also teaches how the sacraments, particularly baptism and Eucharist,

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[15] Ibid., 12.
[16] Ormond Rush, "Inverting the Pyramid: The *Sensus Fidelium* in a Synodal Church," *Theological Studies* 78:2 (2017): 313.
[17] Doyle, *Communion Ecclesiology*, 14.
[18] Ibid., 15.
[19] This assertion is repeated elsewhere in the council documents, for example in SC 5, LG 48, and AG 1, 5.

draw the faithful into greater communion with God and each other (*LG* 11). Vatican II's teaching on the church's sacramentality provides the necessary context to view the church's visible structure. Ecclesial structures serve to manifest God's grace in the world as well as to enable participation in the church's communion.

3.2 Extraordinary Synod of Bishops (1985)

In the two decades since the close of Vatican II, post-conciliar ecclesiology highlighted a wide range of ecclesial images and concepts employed by the council including the church as people of God and temple of the Holy Spirit.[20] On January 25, 1985, Pope John Paul II announced his intention to call the Synod to be held in Rome later that year (November 25-December 8) to commemorate the twentieth anniversary of Vatican II and to assess its reception and implementation. Preparation for the Synod began immediately and included consultation among bishops by way of a detailed questionnaire.[21] Yet, as one journalist present for the event in Rome reported, "speculation about the Synod's agenda was split." The journalist explains:

> One group felt it would enable the Pontiff to tighten control of Church teaching and discipline in keeping with the current rash of disciplinary warnings to theologians, church activists, priests and nuns who felt the Council enabled them to engage the world on its own terms. Others expected the Synod to give bishops the opportunity to inform the Pope and Curia of the actual problems confronting the Church in their respective lands.[22]

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[20] For example, in his classic work, Avery Dulles, S.J. uses several conciliar images and concepts in *Models of the Church* (Garden City, New York: Doubleday, 1974).
[21] Alberto Melloni, "After the Council and the Episcopal Conferences: The Responses" in *Synod 1985 - An Evaluation*, edited by Giuseppe Alberigo and James Provost (Edinburgh: T. & T. Clark LTD, 1986), 14.
[22] Xavier Rynne, *John Paul's Extraordinary Synod: A Collegial Achievement* (Washington, Delaware: Michael Glazier, 1986), 24. Two years after the 1985 Synod, Orsy acknowledged the conflict between the hierarchy and theologians "in our times" and expressed his hope for a return to the collaboration that

One reason for the uncertainty before the Synod was prompted by an interview with Joseph Cardinal Ratzinger by Vittorio Messori during the previous year (August 15, 1984). Ratzinger was Prefect of the Congregation for the Doctrine of the Faith, appointed to the post by John Paul in 1981, and would be an influential participant in the upcoming Synod. In the interview, Ratzinger critiques the post-Conciliar years:

> I am convinced that the damage that we have incurred in these twenty years is due, not to the 'true' Council, but to the unleashing *within* the Church of latent and polemical and centrifugal forces; and *outside* the Church it is due to the confrontation with a cultural revolution in the West.[23]

Ratzinger faults the so-called "spirit of the Council," which he refers to as a "pernicious anti-spirit," for obscuring the authentic teaching of Vatican II.[24] Indeed, the question facing the Synod was not "whether to affirm or reject Vatican II, but rather *how to interpret it*."[25]

Another indication of the Synod's eventual direction is found in the document "The One Church of Christ" released one year before the 1985 Synod by the International Theological Commission (ITC). In observance of the twentieth anniversary of the Second Vatican Council, the ITC document reviews the ecclesiological themes of *Lumen Gentium*. Not surprisingly, given the significance of chapter two of *Lumen Gentium*, the expression "people of God" is given considerable attention. The ITC document explains that "[people of God] requires reflection, deepening, and clarification if falsifying

existed during the Second Vatican Council in "Magisterium: Assent and Dissent," *Theological Studies* 48 (1987): 492.

[23] Joseph Cardinal Ratzinger with Vittorio Messori, *The Ratzinger Report: An Exclusive Interview on the State of the Church* (San Francisco: Ignatius Press, 1985), 30.

[24] Ibid., 34.

[25] Avery Dulles, "Catholic Ecclesiology Since Vatican II" in *Synod 1985 - An Evaluation*, 12. The hermeneutical principles for interpreting the teaching of Vatican II established by the Synod will be considered later in this chapter.

interpretations are to be avoided."[26] In particular, the ITC document seems concerned with a sociological interpretation of people of God. It clarifies, for instance, that "the 'people of God' derives 'from above,' from the divine plan, that is, from election, Covenant, and mission."[27] Furthermore, section VI of the ITC document defines the people of God as a "hierarchically ordered society," affirming that "the people of God, the Church, cannot be disassociated from the ministries that give her structure, and especially the episcopate."[28] The concept of "communion" is then introduced to describe the organization and structure of the people of God. Here we find the focus of the ITC's understanding of communion:

> The communion that gives definition to the new people of God is therefore a social communion of a hierarchically ordered sort. As the *nota praevia explicativa* of 16 November 1964 makes clear: 'Communion is a concept held in high honor in the ancient Church (as also today, notably in the East). By it is meant not some vague sentiment but an organic reality that calls for juridical expression and yet at the same time is ensouled by love.'[29]

Assessment of the ITC document by the Chilean theologian Ronaldo Muñoz, who claims that it returns to the ecclesiocentrism that Vatican II attempted to reform, provides further context to the ecclesial atmosphere surrounding the 1985 Synod.[30] Muñoz argues that the document advances "a markedly *clerical and hierarcho-centric ecclesiology*"[31] In response to sociological interpretations of ecclesiological expressions, Muñoz observes

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[26] International Theological Commission, "The One Church of Jesus Christ: Select Themes in Ecclesiology on the Occasion of the 20th Anniversary of the End of the Second Vatican Council," II.2, 1984, available online at:
http://www.vatican.va/roman_curia/congregations/cfaith/cti_documents/rc_cti_1984_ecclesiologia_en.html
[27] Ibid.
[28] Ibid., VI.1.
[29] Ibid.
[30] Ronaldo Muñoz, "The Ecclesiology of the International Theological Commission" in *Synod 1985 - An Evaluation*, 38.
[31] Ibid., 42.

that the document "speaks of 'people', 'community' and 'institution' at a symbolic level which appears sociologically neutral."[32] The problem is, as Muñoz concludes:

> these abstract concepts are taken over to serve as theological attributes of the existing ecclesiological institution. In this sense the text shows an inability to envisage real ecclesial communities and believing peoples which are *not mere projections of the hierarchico-sacramental institution*.[33]

The 1985 Synod will also express concern about sociological understandings of the church[34] and thus be subject to similar critiques.

On December 7, 1985, the Final Report of the 1985 Extraordinary Synod was submitted to Pope John Paul II. The first section concerns the reception of the Second Vatican Council in response to "deficiencies and difficulties in the acceptance of the Council."[35] It describes "shadows" in the reception of Vatican II "in part due to an incomplete understanding and application of the Council."[36] The Final Report cites a "partial and selective reading of the Council, as well as a superficial interpretation of its doctrine in one sense or another" as factors preventing the acceptance of Vatican II.[37] In response, the Synod establishes four hermeneutical principles: 1) interpretation of the council's sixteen documents should consider the sixteen documents in their entirety and in relationship to each other; 2) the four constitutions have privileged status as the "interpretive key" of the other documents; 3) the pastoral character and the doctrinal character of the documents should not be separated; and, similarly, 4) the spirit of the

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[32] Ibid., 39.
[33] Ibid., 40.
[34] Final Report, II.A.3. The text of the Synod's Final Report can be found in *Extraordinary Synod - 1985* (Boston: Daughters of St. Paul, 1985), 37-68. In the context of the mystery of the church, the Synod declares that "We cannot replace a false unilateral vision of the Church as purely hierarchical with a new sociological conception which is also unilateral."
[35] Ibid., I.3.
[36] Ibid.
[37] Ibid., I.4.

council should not be separated from the letter of the council.[38] These criteria are widely accepted, even by theologians who do not share the Synod's critical assessment of the post-conciliar years.[39]

The second section of the Final Report treats themes of the Synod including "the church as communion." Doyle argues that communion ecclesiology became the Synod's antidote to "overly selective readings [of the documents of Vatican II] of the right and the left."[40] After declaring communion ecclesiology as "the central and fundamental idea of the Council's documents," the Synod defines communion:

> Fundamentally it is a matter of communion with God through Jesus Christ, in the Holy Spirit. This communion is had in the Word of God and in the sacraments. Baptism is the door and foundation of communion in the Church. The Eucharist is the source and the culmination of the whole Christian life (cf. *Lumen gentium*, no 11). The communion of the Eucharistic Body of Christ signifies and produces, that is, build up, the intimate communion of all the faithful in the Body of Christ which is the Church (1 Cor. 10:16).[41]

Here we find a theologically rich understanding of communion that begins with Trinitarian communion into which, through sacramental participation, human beings are incorporated. By emphasizing the mystery of ecclesial communion,[42] however, the

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[38] Ibid., I.5.

[39] For a balanced perspective of the reforms of Vatican II as well as a helpful treatment of the hermeneutical principles established by the 1985 Synod, see Catherine E. Clifford, *Decoding Vatican II: Interpretation and Ongoing Reception* (New York: Paulist Press, 2014), 35-47.

[40] Doyle, *Communion Ecclesiology*, 2.

[41] Final Report, II.C.1.

[42] Joseph Komonchak argues that "mystery" is used by the Synod as "an antidote to the reductive anthropology it identifies with secularism and as a way of responding to the signs of a return to the sacred which it finds today," in "The Theological Debate" in *Synod 1985 - An Evaluation*, 55. Among the internal causes for the difficulties in accepting the council, the Synod identifies "the failure to correctly distinguish between a legitimate openness of the Council to the world and the acceptance of secularized world's mentality and order of values" (I.4). Indeed, the Final Report conveys a less optimistic assessment of interaction with the world twenty years after the council. Concern for secularization and accommodation is evident throughout the Final Report. For instance, the Synod cautions against "an easy accommodation that could lead to the secularization of the Church" (II.D.3) and emphasizes that "inculturation is different from a simple external adaptation" (II.D.4). While reaffirming Vatican II's acceptance of a legitimate autonomy of temporal realities (GS 36), the Final Report distinguishes between "correctly understood secularization" and a reductive understanding of secularization (II.A.1). Yet, as Hermann Pottmeyer perceptibly observes, "'secularism' is an inadequate term to describe how many people have become

Synod displays a hesitation, and even antipathy, toward the consideration of concrete questions concerning the structure of the church.[43] The Final Report includes this caution: "the ecclesiology of communion cannot be reduced to purely organizational questions or to problems which simply relate to powers."[44]

Notwithstanding this warning against sociological reduction, the Final Report accepts that communion ecclesiology is "the foundation for order in the church."[45] One consequence of communion ecclesiology cited in the Final Report is the understanding of unity and pluriformity in the church. The relationship between "the unique and universal Church" and the "particular churches" is provided as an instance of "the true theological principle of variety and pluriformity in unity."[46] But how this relationship is presented in the Final Report appears lopsided with the unique and universal Church receiving most of the focus. A second consequence of communion ecclesiology is the "collegial spirit," which the Final Report affirms is "broader than effective collegiality understood in an exclusively juridical way."[47] While acknowledging that "the collegial spirit is the soul of

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estranged from the Church….One of the reasons for the alienation of many people from the Church, and for many conflicts within the Church itself, is that we have not yet discovered an appropriate model for the relation between the Church and a society which is attempting to develop according to the ideal of responsible self-determination—or at least, such a model has as yet no clear outline and in any case has to take different forms in the particular Churches" in "The Church as Mysterium and as Institution" in *Synod 1985 - An Evaluation*, 106.

[43] The Synod cites "speaking too much of the renewal of the Church's external structures and too little of God and Christ" among the reasons why "especially the young critically consider the Church a pure institution" (I.4). Yet, as Pottmeyer pointedly asks, "is it not true that there *had* to be so much talk of structural renewal because it was (and is) a question of overcoming outmoded mentalities? And are these renewed structures, which are in fact the expression and instrument of a living co-responsibility on the part of the community and the laypeople in it, *really* the reason why young people take a dislike to the institutional church?" in "The Church as Mysterium and as Institution" in *Synod 1985 - An Evaluation*, 106-107.

[44] Final Report, II.C.1.

[45] Ibid.

[46] Ibid., II.C.2. The Final Report distinguishes between "pluriformity" and "pluralism." Yet, as Komonchak observes, "The reasons for this redefinition of the terms of the discussion are nowhere discussed; this semantic change, introduced in the Second Report, does not seem to have been requested by any speaker at the Synod" in "The Theological Debate," 58.

[47] Ibid., II.C.4.

collaboration between the Bishops on the regional, national and international levels," the Final Report does not address in any detail how collegiality might expand in the future, but instead reaffirms the primacy of the pope.[48] A final consequence of communion ecclesiology is clearly stated: "because the Church is communion, there must be participation and co-responsibility at all of her levels."[49] Indeed, the Final Report applies this general principle of church order to the whole church, emphasizing that "from Vatican II has positively come a new style of collaboration between the laity and clerics."[50]

The intended purpose of the 1985 Extraordinary Synod of Bishops was the "celebration, verification and promotion of Vatican Council II."[51] To what extent, however, was the Synod not only a commemoration of the twentieth anniversary of the council but a reinterpretation of Vatican II?[52] Moreover, to what extent did the Synod follow the hermeneutical principles that it established, especially concerning a partial or selective reading of the conciliar texts in its Final Report? Jean-Marie Tillard observes, "it is noteworthy that the final report of the 1985 Synod, two decades after the end of Vatican II, already indicates a *shift from, a re-reading of, some of its conspicuous points*."[53] As examples, Tillard cites the Synod's more pessimistic view of the world,[54]

[48] Ibid. Regarding this section's treatment of collegiality, Komonchak argues: "Here is the clearest indication that, in the Final Report, invocations of 'communion' and 'collegial spirit' have triumphed over *frank admission of serious problems of structure and relations in the Church today*" in "The Theological Debate," 59.
[49] Final Report, II.C.6.
[50] Ibid.
[51] Ibid., I.2.
[52] On this point, see Massimo Faggioli, *A Council for the Global Church: Receiving Vatican II in History* (Minneapolis: Fortress Press, 2015), 19-22.
[53] Jean-Marie Tillard, "Final Report of the Last Synod" in *Synod 1985 - An Evaluation*, 65.
[54] Ibid., 66.

the eclipsing of the ecclesiology of "people of God,"[55] and a return to ecclesiocentrism.[56] If the Synod, in fact, represents an attempt to rein in some of the more audacious conciliar reforms, while setting parameters for the future reception of Vatican II, then communion ecclesiology is the instrument it used. Noting the shift that had taken place since Vatican II, Hermann Pottmeyer writes, "whereas the Council's communio-ecclesiology yielded a synodal movement and structural creativity, the Synod's statements are guarded in this area."[57] Indeed, after studying the responses to the pre-Synodal questionnaire, the initial and second reports written by Godfried Cardinal Danneels, and the discussion by language groups at the Synod, Joseph Komonchak concludes, "by the Final Report, almost all of the serious questions raised about the concrete structural implications of ecclesial communion have either disappeared or been translated into questions of vague collegial 'spirit.'"[58] Komonchak argues that the horizontal dimension of communion, particularly consideration of the cultural and structural implications of communion, is neglected in the Final Report as a result of its nearly exclusive focus on the vertical dimension of communion.[59] Indeed, this particular form of communion ecclesiology, which begins to emerge during the Synod and will

[55] Ibid., 68. As Komonchak observes, the Final Report includes only one reference to "people of God," and it appears as one ecclesial concept among several others. Komonchak refers to the Synod having "entombed" the concept, writing "from the Final Report one could suspect that 'People of God' had been the title of a whole chapter of *Lumen Gentium*, that it had served as one of the architectonic themes of the Council's ecclesiology, and that it had been introduced precisely as an articulation of the very mystery of the Church in the time between Ascension and Parousia" in "The Theological Debate," 55.
[56] Ibid., 70. On this final point, Tillard writes, "Here too the emphasis is no longer that of Vatican II, disposed rather to take risks associated with 'dialogue,' cooperation, welcoming questions and 'sympathy' (in the etymological sense) with all men and women who try to release humankind from harsh suffering."
[57] Pottmeyer, "The Church as Mysterium and as Institution," 106.
[58] Komonchak, "The Theological Debate," 57-58.
[59] Ibid., 61.

continue to develop in the ensuing years of John Paul II's papacy, will significantly influence the next phase in the reception of Vatican II.

3.3 Institutionalization of Communion Ecclesiology

The popularity of communion ecclesiology grew only more pervasive in the years after the 1985 Extraordinary Synod of Bishops declared it to be the "the central and fundamental idea" of Vatican II's teaching. Additionally, communion became the "dominant image" for Pope John Paul II to "articulate his vision of the church."[60] Noting the many varieties of communion ecclesiology, James Voiss, S.J. explains, "When John Paul uses this language to express *his* integrated vision of the church, he emphasizes the theological basis of communion, the structures and dynamics of ecclesial life, and the church's mission."[61] The articulation and implementation of John Paul's understanding of communion, however, was largely performed by the Congregation for the Doctrine of the Faith (CDF). While the "influence, power, and central importance" of the CDF diminished in the immediate years following Vatican II, Gerard Mannion explains that "from early on during the papacy of John Paul II, the CDF would return center stage and eventually reassert itself as the most important curial department."[62] In the years

[60] James Voiss, S.J., "Understanding John Paul II's Vision of the Church," in *The Vision of John Paul II: Assessing His Thought and Influence*, edited by Gerard Mannion (Collegeville: Liturgical Press, 2008), 63.
[61] Ibid.
[62] Gerard Mannion, "'Defending the Faith': The Changing Landscape of Church Teaching Authority and Catholic Theology" in *The Vision of John Paul II*, 84-85. For example, consider the CDF's understanding of itself: "The Roman Pontiff fulfills his universal mission with the help of the various bodies of the Roman Curia and in particular with that of the Congregation for the Doctrine of the Faith in matters of doctrine and morals. Consequently, the documents issued by this Congregation expressly approved by the Pope participate in the ordinary magisterium of the successor of Peter" in "*Donum Veritatis*: Instruction on the Ecclesial Vocation of the Theologian," May 24, 1990, available online at:

surrounding the 1985 Synod and the promulgation of *Ex corde Ecclesiae* in 1990, the CDF issued several documents in which the concept of communion features prominently. Indeed, a "CDF version" is one of six contemporary Catholic versions of communion ecclesiology that Doyle identifies.[63] The following CDF documents reveal the distinctive characteristics of this form of communion ecclesiology.

3.3.1 "Instruction on Certain Aspects of the 'Theology of Liberation'" (1984)

Written in response to the concern that certain forms of liberation theology had uncritically adopted Marxist theory, the "Instruction on Certain Aspects of the 'Theology of Liberation'" warns that socioeconomic analysis should not assume a privileged place in theology. The instruction asserts that the core concepts of "freedom" and "liberation" must instead be primarily understood spiritually. Insisting that its critique of certain expressions of liberation theology should not suggest indifference to the suffering of the poor, the Instruction affirms that authentic action must proceed in "communion" with the church. In its call for service on behalf of the poor, the Instruction declares:

> All priests, religious, and lay people who hear this call for justice and who want to work for evangelization and the advancement of mankind [sic], will do so in communion with their bishop and with the Church, each in accord with his or her own specific ecclesial vocation.[64]

The responsibility of theologians to maintain communion with the church is emphasized. "Aware of the ecclesial character of their vocation," the Instruction states:

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http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19900524_theologian-vocation_en.html

[63] Doyle, *Communion Ecclesiology*, 19.

[64] Congregation for the Doctrine of the Faith, "Instruction on certain aspects of the 'Theology of Liberation,'" XI.3, August 6, 1984, available online at: http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19840806_theology-liberation_en.html

> theologians will collaborate loyally and with a spirit of dialogue with the Magisterium of the Church. They will be able to recognize in the Magisterium a gift of Christ to His Church and will welcome its word and its directives with filial respect.[65]

The Instruction does not include a corresponding section that identifies the responsibilities of the Magisterium toward theologians.

3.3.2 "Notification on the book 'Church: Charism and Power' by Father Leonardo Boff" (1985)

After the Commission for the Doctrine of the Faith in the Archdiocese of Rio de Janeiro raised concerns about Leonardo Boff's *Church: Charism and Power*, Boff sent a copy of the book to the CDF on February 12, 1982. The CDF expressed its reservations about the book in 1984, first, in a letter to Boff on May 15 and, once more, in a meeting between Cardinal Ratzinger and Boff on September 7. Given the influence of Boff's book, however, the CDF decided in 1985 to express its doctrinal concerns publicly in the "Notification on the book 'Church: Charism and Power' by Father Leonardo Boff." The concept of communion is first used by the Notification in relation to Boff's understanding of the church and exercise of sacred power. The Notification alleges that Boff's book, which examines concrete ecclesial practices in the context of Latin America, reduces "the communion of faith to a mere sociological phenomenon."[66] In response to Boff's inductive ecclesiological approach, the Notification maintains that:

> true theological reasoning ought never to be content only to interpret and animate the reality of a particular Church, but rather should try to penetrate the contents of

[65] Ibid., XI.4.
[66] Congregation for the Doctrine of the Faith, "Notification on the book 'Church: Charism and Power' by Father Leonardo Boff, O.F.M.," March 11, 1985, available online at: http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19850311_notif-boff_en.html

> the sacred deposit of God's word entrusted to the Church and authentically interpreted by the Magisterium.[67]

The Notification, in fact, begins by affirming the priority of the universal church over the particular churches. As Doyle explains, a distinctive characteristic of the CDF version of communion ecclesiology is "its emphasis on the priority of the Church universal."[68]

The concept of communion is also integral to the Notification's interpretation of the prophetic office in the church. The Notification claims that Boff's book "denounces the Church's hierarchy and institutions" by appealing to the charism of prophecy.[69] While the Notification accepts that the whole people of God participate in the church's prophetic office (making reference to *Lumen Gentium* 12 and 35), it insists that "prophetic denunciation in the church must always remain at the service of the Church itself."[70] Affirming that the hierarchy is responsible for judging the "genuineness" of prophecy in the church, the Notification states further: "Not only must it accept the hierarchy and the institutions, but it must also cooperate positively in the consolidation of the Church's internal communion."[71] The Notification does not clarify what constitutes "the consolidation of the Church's internal communion." Reviewing the interaction between the CDF and Boff, Doyle concludes:

> It is a sad irony that communion ecclesiology, which developed as a tool to overcome an overly juridical concept of the Church, can be put to the technical, juridical use of silencing one of the most inspiring theologians of the Catholic Church today.[72]

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[67] Ibid.
[68] Doyle, *Communion Ecclesiology*, 19.
[69] "Notification."
[70] Ibid.
[71] Ibid.
[72] Doyle, *Communion Ecclesiology*, 134.

Boff, however, is not the only theologian to experience the consequences of the CDF version of communion ecclesiology. Indeed, we will see that the focus of several subsequent CDF documents is the responsibility of theologians to maintain communion with the official magisterium of the church.

3.3.3 "Letter to Father Charles Curran" (1986)

Charles Curran, a priest of the Diocese of Rochester, New York, joined the theology faculty at The Catholic University of America in 1965. In response to his dissenting position about matters of Catholic sexual ethics, the CDF sent a letter to Curran in 1986 to inform him that "one who dissents from the Magisterium as you do is not suitable nor eligible to teach Catholic theology."[73] According to the letter from the CDF, Curran claimed that his positions "diverge only from the 'non-infallible' teaching of the church" and, therefore, "constitute 'responsible' dissent."[74] In response, the letter from the CDF insists that infallibility extends also to the exercise of the church's ordinary universal magisterium.[75] Only in this context, when the letter cites *Lumen Gentium* 25, does the word "communion" appear.[76] Nevertheless, the letter is still significant for our

[73] Congregation for the Doctrine of the Faith, "Letter to Father Charles Curran," July 25, 1986, available online at:
http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19860725_carlo-curran_en.html
[74] Ibid. For Curran's description of his interaction with the CDF, see Charles E. Curran, *Catholic Higher Education, Theology, and Academic Freedom* (Notre Dame: University of Notre Dame Press, 1990), 210-239.
[75] For a very helpful study of the levels of teaching authority, including the exercise of the ordinary universal magisterium, see Francis A. Sullivan, *Creative Fidelity: Weighing and Interpreting Documents of the Magisterium* (New York: Paulist Press, 1996). Sullivan explains that the "ordinary non-definitive magisterium" requires *obsequium*, or an attitude of willingness, which is different from mere assent. *Obsequium* does not exclude questions regarding the timeliness, form, or content of the teaching.
[76] The paragraph reads in full: "First of all, one must remember the teaching of the Second Vatican Council, which clearly does not confine the infallible Magisterium purely to matters of faith nor to solemn definitions. *Lumen Gentium*, No. 25 states: 'When, however, they (the bishops) even though spread throughout the world, but still maintaining the bond of communion between themselves and with the

understanding of the CDF version of communion ecclesiology, first, because it provides another instance of a theologian who was disciplined, ostensibly, for "breaking communion." Second, the letter refers to the church's ordinary universal magisterium, which will be appealed to more often during the papacy of John Paul II as an attempt to settle controversial theological questions.[77]

3.3.4 Profession of Faith and Oath of Fidelity (1989)

The CDF published a new Profession of Faith in 1989 to replace the 1967 formula.[78] According to canon 833 in the 1983 Code of Canon Law, certain members of the faithful, including teachers of theology and philosophy in seminaries as well as "teachers in any universities whatsoever who teach disciplines pertaining to faith or morals," are obliged to make a profession of faith before assuming their duties.[79] The Profession of Faith, which begins with the Nicene Creed, distinguishes among three categories of church teaching. Richard Gaillardetz helpfully terms the three categories: *dogmas*, *definitive doctrines*, and *authoritative doctrines*.[80] The first category, *dogmas*,

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successor of Peter, and authentically teaching on matters of faith or morals, are in agreement that a particular position ought to be held as definitive, then they are teaching the doctrine of Christ in an infallible manner.' Besides this, the church does not build its life upon its infallible Magisterium alone but on the teaching of its authentic, ordinary Magisterium as well."

[77] For more on John Paul II's appeal to the ordinary universal magisterium, see Richard R. Gaillardetz, "The Ordinary Universal Magisterium: Unresolved Questions," *Theological Studies* 63 (2002): 447-471.

[78] The 1967 formula of the Profession of Faith that replaced the Tridentine formula is available online at: http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19670717_formula-professio-fidei_en.html

[79] Code of Canon Law, c. 833, sec. 7.

[80] Richard R. Gaillardetz, *Teaching with Authority: A Theology of the Magisterium in the Church* (Collegeville: Liturgical Press, 1997), 101-128. See also Richard R. Gaillardetz, "*Ad tuendam fidem:* An Emerging Pattern in Current Papal Teaching," *New Theology Review* 12 (1999): 43-44. The norms proposed in the Profession of Faith, particularly the response to the ordinary, universal teaching authority of the church, were added to the Code of Canon Law by John Paul II in the apostolic letter *Ad Tuendam Fidem* issued *motu proprio* on May 18, 1998. *Ad Tuendam Fidem* is available online at: http://w2.vatican.va/content/john-paul-ii/en/motu_proprio/documents/hf_jp-ii_motu-proprio_30061998_ad-tuendam-fidem.html.

calls for "firm faith" and includes "everything contained in the word of God, whether written or handed down in Tradition, which the Church, either by a solemn judgment or by the ordinary and universal Magisterium, sets forth to be believed as divinely revealed."[81] The third category, *authoritative doctrines*, calls for "religious submission of will and intellect" and includes "the teachings which either the Roman Pontiff or the College of Bishops enunciate when they exercise their authentic Magisterium, even if they do not intend to proclaim these teaching by a definitive act."[82] It is the second category, *definitive doctrines*, calling the individual to "firmly accept and hold each and everything definitively proposed by the Church regarding teaching on faith and morals,"[83] which will become prevalent in "Pope John Paul II's concern for the preservation of the unity of the Catholic Christian faith."[84] At issue is which teachings are considered to be included in the category of definitive doctrine.[85] By expanding the scope of this category, it restricts what teachings are open for theological debate. Hereafter theologians who question teachings considered to be definitive doctrine will be subject to the charge of "breaking communion."

Indeed, the concern for communion is explicit in the accompanying Oath of Fidelity, which canon 833 also obliges seminary and university teachers to make. The Oath of Fidelity begins with the promise "that in my words and in my actions I shall

[81] Congregation for the Doctrine of the Faith, "Profession of Faith and Oath of Fidelity," July 1, 1988, available online at: http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19880701_professio-fidei_en.html
[82] Ibid.
[83] Ibid.
[84] Gaillardetz, "*Ad tuendam fidem*," 45.
[85] A doctrinal commentary by the CDF issued in 1998 names the illicitness of euthanasia and reserving priestly ordination only to men as examples of definitive doctrine.

always preserve communion with the Catholic Church."[86] The final promise then indicates that ecclesial communion is principally expressed through hierarchical communion:

> With Christian obedience I shall follow what the Bishops, as authentic doctors and teachers of the faith, declare, or what they, as those who govern the Church, establish. I shall also faithfully assist the diocesan Bishops, so that the apostolic activity, exercised in the name and by mandate of the Church, may be carried out in communion with the Church.[87]

The mandate to teach, a juridical bond between the local bishop and theologian, named in the Oath of Fidelity, will be developed in subsequent documents and become a characteristic feature of the CDF version of communion ecclesiology.

3.3.5 *Donum Veritatis* (1990)

On May 24, 1990, the CDF issued *Donum veritatis*, the "Instruction on the Ecclesial Vocation of the Theologian." Less than three months later, *Ex corde Ecclesiae*, John Paul II's apostolic constitution on Catholic universities, was promulgated on August 15, 1990. Perhaps more than any other CDF document, *Donum veritatis* sets the stage for *Ex corde Ecclesiae*. On the one hand, *Donum veritatis* affirms the harmony of faith and reason, collaboration between bishops and theologians, dialogue among academic disciplines, service to the people of God and freedom of research. All of these are positive features for the relationship between the church and Catholic universities. On the other hand, how the theologian's ecclesial commitment is defined in *Donum veritatis* raises significant questions about the relationship between the church and Catholic universities. The CDF version of communion ecclesiology appears prominently

[86] "Profession of Faith and Oath of Fidelity."
[87] Ibid.

throughout the text and informs the Instruction's definition of the theologian's ecclesial commitment.

Indeed, from the beginning of the Instruction, the concern for maintaining ecclesial communion is evident. The vocation of the theologian is "to pursue in a particular way an ever deeper understanding of the Word of God found in the inspired Scriptures and handed on by the living Tradition of the Church," which, according to the Instruction, is accomplished "in communion with the Magisterium which has been charged with the responsibility of preserving the deposit of faith."[88] After explaining the function of the church's official magisterium in section three, the Instruction next describes the desired collaboration between bishops and theologians in section four. Like Orsy's initial description of *communio*, *Donum veritatis* acknowledges the different gifts and functions of bishops and theologians, encourages a reciprocal relationship between them, and affirms their common service to the people of God. Following this general description, however, the Instruction states:

> Collaboration between the theologian and the Magisterium occurs in a special way when the theologian receives the canonical mission or the mandate to teach. In a certain sense, such collaboration becomes a participation in the work of the Magisterium, linked, as it then is, by a juridic bond. The theologian's code of conduct, which obviously has its origin in the service of the Word of God, is here reinforced by the commitment the theologian assumes in accepting his office, making the profession of faith, and taking the oath of fidelity. From this moment on, the theologian is officially charged with the task of presenting and illustrating the doctrine of the faith in its integrity and with full accuracy.[89]

As in previous CDF documents, here also we find that ecclesial communion is equated with hierarchical communion. Consequently, the "ecclesial vocation" of the theologian

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[88] Congregation for the Doctrine of the Faith, "*Donum Veritatis*: Instruction on the Ecclesial Vocation of the Theologian," II.6, May 24, 1990, available online at: http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19900524_theologian-vocation_en.html

[89] Ibid., IV.A.22.

in *Donum veritatis* is ultimately defined juridically and expressed through the mandate to teach.

The requirement of the canonical mission in *Donum veritatis*, which will be reiterated in *Ex corde Ecclesiae,* concerns the relationship between bishops and theologians. *Donum veritatis* explicitly acknowledges the distinct functions of the church's official magisterium and academic theology.[90] As a result, the Instruction admits that some tension between bishops and theologians is inevitable; and, it asserts further that the tension can be productive if the practice of dialogue continues.[91] A different tone is detected, however, when the Instruction turns to the "problem" of dissent. On the one hand, the Instruction is extremely concerned about the possibility of a "parallel magisterium" of theologians.[92] At the same time, the Instruction provides unlimited scope for the official magisterium to protect the integrity of the faith. This responsibility, according to *Donum veritatis*, might even necessitate the official magisterium

> to take serious measures as, for example, when it withdraws from a theologian, who departs from the doctrine of the faith, the canonical mission or the teaching

[90] For example, see IV.B.40.
[91] "*Donum Veritatis*," IV.A.25. Here also the Instruction recognizes the possibility of legitimate differences: "In the dialogue, a two-fold rule should prevail. When there is a question of the communion of faith, the principle of the "unity of truth" (*unitas veritatis*) applies. When it is a question of differences which do not jeopardize this communion, the "unity of charity" (*unitas caritatis*) should be safeguarded" (IV.A.26).
[92] Ibid., IV.B.34. For more on the "magisterium of theologians," see Avery Dulles, SJ, *Magisterium: Teacher and Guardian of the Faith* (Naples, FL: Sapientia Press, 2007), 38. The language of "a magisterium of theologians that is not parallel, opposing, or competing" is also found in the International Theological Commission's document "Theology Today: Perspectives, Principles, and Criteria" (2011), 2.IV.39, available online at: http://www.vatican.va/roman_curia/congregations/cfaith/cti_documents/rc_cti_doc_20111129_teologia-oggi_en.html. Many find the ITC document to offer a more balanced treatment of the magisterium-theologian relationship. For example, see Richard R. Gaillardetz, *By What Authority? A Primer on Scripture, the Magisterium, and the Sense of the Faithful* (Collegeville: Liturgical Press, 2003), 136-145.

> mandate it had given him [sic], or declares that some writings do not conform to this doctrine.[93]

Thus, even though the theologian's freedom of research is explicitly affirmed earlier in *Donum veritatis*,[94] the requirement of the canonical mission and the possibility that it might be revoked effectively limits the theologian's freedom. This is a point that *Donum veritatis* concedes while insisting that magisterial interventions "establish a deeper freedom which can only come from unity in truth."[95]

Immediate reaction claimed that *Donum veritatis* was an attempt to quell dissenting voices in the church.[96] As in previous CDF documents during this era, *Donum veritatis* is highly concerned with church unity, which it considers to be at risk by theological dissent, particularly by theologians in their teaching and scholarship. While a thorough consideration of theological dissent is beyond the scope of this section, the more limited focus is to propose that the prohibition of public theological dissent as well as the requirement of the canonical mission result from the CDF version of communion ecclesiology operative in *Donum veritatis*. In the section on dissent, *Donum veritatis* defines the church as a "mystery of communion" patterned on Trinitarian communion.[97] The Instruction describes further that the church, referencing *Lumen Gentium* 1, is a sacrament "of communion with God and of unity among all men [sic]."[98] Following this presentation of the church as communion, *Donum veritatis* warns against a reduced sociological understanding of the church. Finally, the "problem" of dissent, according to

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[93] Ibid., IV.B.37.
[94] Ibid., II.12.
[95] Ibid., IV.B.35.
[96] For examples, see "Vatican Limits Dissent," *The Christian Century* 21, (July 11, 1990), 665 and "Rome Document Outlaws Right to Dissent," *National Catholic Reporter* 34, (June 29, 1990), 1.
[97] "Donum veritatis," IV.B.39.
[98] Ibid., IV.B.40.

Donum veritatis, is that it reduces the church to a democracy and reduces church doctrine to public opinion.[99] Indeed, the Instruction's treatment of dissent reveals distinctive characteristics of the CDF version of communion ecclesiology, which include the prioritization of church unity, hierarchical organization, juridical expression, and concern for sociological reduction.

3.3.6 "Letter to the Bishops of the Catholic Church on Some Aspects of the Church Understood as Communion" (1992)

In 1992, the CDF sent a letter to bishops throughout the world to reaffirm the 1985 Synod's Final Report that the concept of communion is a "key for the renewal of Catholic ecclesiology."[100] The letter, however, responds to false interpretations of the concept of communion. In the judgment of the CDF, the intervening years following the 1985 Synod included interpretations of the concept of communion as it relates to the church that were inadequate or mistaken. The CDF letter begins:

> some approaches to ecclesiology suffer from a clearly inadequate awareness of the Church as a *mystery of communion*, especially insofar as they have not sufficiently integrated the concept of *communion* with the concepts of *People of God* and of the *Body of Christ*, and have not given due importance to the relationship between the Church as *communion* and the Church as *sacrament*.[101]

The CDF letter thus seeks to correct these misunderstandings and reiterate "fundamental elements that are to be considered already settled" about the church understood as communion.[102] Given the sacramental nature of the church, the letter affirms both the

[99] Ibid., IV.B.39.
[100] Congregation for the Doctrine of the Faith, "Letter to the Bishops of the Catholic Church on Some Aspects of the Church Understood as Communion," 1, May 28, 1992, available online at: http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_28051992_communionis-notio_en.html
[101] Ibid.
[102] Ibid., 2.

vertical (communion with God) and horizontal (communion among persons) dimensions of the church's communion as well as its visible and invisible aspects.[103] The fundamental element of communion that receives the most attention in the letter is the ontological and chronological priority of the universal church over local churches.[104] Accordingly, the letter strongly defends the Church of Rome as the head of all other churches and the Roman Pontiff as head of the college of bishops.[105] The relationship between the universal church and local churches is a mystery, the letter concludes, "and cannot be compared to that which exists between the whole and the parts in a purely human group or society."[106]

The CDF's 1992 "Letter to the Bishops of the Catholic Church on Some Aspects of the Church Understood as Communion" provides a helpful capstone to this survey of the institutionalization of communion ecclesiology. While the purported intention of the CDF letter was to restore balance to the various interpretations of communion ecclesiology, Doyle considers the letter to be instead an attempt "to highlight selectively elements that the CDF judged to be neglected or ignored in current theological discussion."[107] Moreover, although Doyle's reading of the CDF letter is generally positive, he notes: "If it was intended to achieve a long-range balance, it was not by being balanced itself but by loading up one side of the scales in a situation where the scales were perceived to be loaded in the opposite direction."[108] Recalling that the 1985 Synod

[103] Ibid., I.3-4.
[104] Ibid., especially II.7-III.14. For more on the relationship between the universal church and local churches, see Kilian McDonnell, O.S.B., "The Ratzinger/Kasper Debate: The Universal Church and Local Churches," *Theological Studies* 63 (2002): 227-250.
[105] Ibid., especially III.12.
[106] Ibid., especially II.9.
[107] Doyle, *Communion Ecclesiology*, 127.
[108] Ibid., 127-128.

prescribed communion ecclesiology as an antidote to selective readings of Vatican II, the wide-ranging ecclesiology of the council should not be forgotten. As Doyle concludes:

> A communion ecclesiology that at this point in history simply chooses one school of thought over all others would betray the Council's variegated portrayal of the Church as both Body of Christ and as People of God, as Pilgrim on a journey and as the heavenly Church, and as a lay-centered, hierarchically structured institution and as the Communion of Saints.[109]

For the purposes of this survey, however, the letter's emphasis of particular elements, uneven as it is, reveals which elements of communion are given priority by the CDF.

3.3.7 CDF Version of Communion Ecclesiology

In summary, the CDF version of communion ecclesiology that emerges from the preceding six CDF documents includes the following five characteristics. First, the church participates in divine communion as both sacrament and mystery; and, thus, ecclesial communion cannot be reduced to sociological understandings. Second, ecclesial communion is expressed visibly and structured hierarchically. Third, the authoritative teaching of bishops involves a juridical dimension for safeguarding ecclesial communion. Fourth, diversity in the church, whether it results from the diversity of particular churches or various charisms, is essentially oriented toward unity. And, fifth, the ontological and chronological priority of the universal church is emphasized.

[109] Ibid., 174.

3.4 Contemporary Critique of the CDF's Communion Ecclesiology

The concept of communion as we have observed in the various CDF documents above was indeed the "dominant image," as Voiss argues, for John Paul II to articulate his vision of the church. "Taken in the abstract," Voiss writes, "John Paul II's vision of the church as a communion of persons is quite beautiful—even compelling."[110] But when Voiss considers John Paul's practice of communion, he notes that "some have experienced John Paul's actual leadership as conflicting with his articulated ideals."[111] Voiss identifies three underlying tensions in John Paul's vision of the church: 1) centralization and subsidiarity, 2) unity and pluriformity, and 3) obedience and dialogue. John Paul may have advocated for subsidiarity, pluriformity, and dialogue in his public statements, but Voiss concludes that centralization, unity and obedience were privileged in practice.[112]

A similar evaluation of John Paul's papacy is provided by Mannion. While "most Catholics would agree that Pope John Paul II should not be criticized for his zeal to preserve and teach the deposit of faith," Mannion contends, "the aspects of the manner in which the official magisterium during his pontificate safeguarded, defended, and policed that faith can and should be open to criticism."[113] Indeed, the survey of CDF documents issued during John Paul's papacy suggest an exercise of church teaching authority that could be severe in practice—whether in prohibiting theological discussion of

[110] Voiss, S.J., "Understanding John Paul II's Vision of the Church," 69.
[111] Ibid.
[112] Ibid., 72. Interestingly, John Ford argues that all prominent images of the church including communion, Kingdom of God, Mystical Body of Christ, and People of God, have "in-built theological tensions" as well as a "life-expectancy" of two to three decades in ecclesiology in "*Koinonia* and Roman Catholic Ecclesiology," *Ecumenical Trends* 26 (1997): 10-11.
[113] Mannion, "Defending the Faith," 105.

controversial topics or disciplining theologians who challenged this restriction. But was it only John Paul's practice of communion that is problematic as Voiss and Mannion seem to suggest here? The survey of documents in this chapter reveals that the CDF version of communion ecclesiology privileges centralization, uniformity, and juridical authority, not only in practice, but in principle. It is not only John Paul's practice of communion, therefore, that is open to critique, but also some of his fundamental ecclesiological commitments as expressed by the CDF.

For a critique of not only the CDF version of communion ecclesiology, but with communion ecclesiology more broadly, we turn to the work of Nicholas Healy. Healy is critical of communion ecclesiologies for neglecting to consider the concrete experience of the church. For instance, noting that the celebration of Eucharist is the primary image of communion, Healy asks: "How visible an expression of 'communion' are our Sunday Eucharists when they are so visibly divided by race, class, gender, and political ideology?"[114] Moreover, noting the many versions and interpretations of communion ecclesiology, Healy argues further: "To say that 'communion' is a necessary model of the church is to say remarkably little, since the model can be used in conflicting ways and have conflicting ecclesiological meanings, depending on its context."[115] Precisely by overlooking the particular context and concrete experience of the church, however, communion ecclesiologies tend to produce an account of the church that is not sufficiently critical. Indeed, in a more recent article, Healy argues, "communion ecclesiologies, whether conservative, liberal, or liberationist, exhaustive or not, avoid any

[114] Nicholas M. Healy, "Communion Ecclesiology: A Cautionary Note," *Pro Ecclesia* 4 (1995): 447.
[115] Ibid., 450.

substantive consideration of the sinfulness of the church."[116] As a result, communion ecclesiologies, according to Healy, "result in a more or less idealized account of the church that is too readily open to ideological and theological distortion."[117] Communion ecclesiologies represent what Healy terms a "blueprint approach" to ecclesiology.[118]

Healy's broader concerns about communion ecclesiologies are relevant to the particular version of communion ecclesiology discussed in this chapter. For instance, recall that a fundamental characteristic of the CDF version of communion ecclesiology is the concern for sociological reduction. On the other hand, Healy helpfully calls attention to the parallel possibility of theological reduction. Communion ecclesiology runs the risk of uncritically applying the theological concept of communion to the actual life of the church. Accordingly, Healy proposes that the "empirical church" should receive greater focus in ecclesiology. Healy concludes, "by focusing on the day-to-day life of the church we will be better able to avoid the spiritualization and theological reductionism that can result from overly abstract and ideal descriptions of Christian identity."[119] In a similar vein, Neil Ormerod also expresses concern that communion ecclesiologies are susceptible to theological reduction. Particularly relevant for considering the magisterium-theologian relationship, Ormerod argues that communion ecclesiologies, as a result of over-emphasizing the ideal and neglecting the concrete reality of the church, "tend to paper over tensions and conflicts, and when they arise, those who 'cause' them can be accused

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[116] Healy, "Ecclesiology and Communion," *Perspectives in Religious Studies* 3 (2004): 274.
[117] Ibid.
[118] Ibid., 276. Here Healy defines "blueprint ecclesiologies" as "the product of taking a single image or concept, such as sacrament body of Christ, *koinonia* or communion, and people of God, and making this the systematic principle governing a normative and detailed description of what the church ought to be—or already is, albeit invisible or at its deepest depths—together with the actions it should perform and the visible form it should take."
[119] Healy, "Communion Ecclesiology: A Cautionary Note," 452.

of 'breaking *communio*' with the church at large."[120] Accounts of church life that affirm equality of membership, full participation, and shared responsibility without sufficient attention to specific church structures and practices where this vision is not realized, Ormerod argues, "can effectively mask the real power relations that exist within the church."[121] Ormerod concludes:

> Theologically, this idealized approach can lead to what we might call an 'over-realized' ecclesiology. When one stresses the church as ideal form, it is not difficult to elide the difference between the idealized construct and the reality it points to. The imperative to 'become what you are' is lost in a vague sense of already being there, of manifesting the ideal."[122]

3.5 Chapter Conclusions

Notwithstanding the contemporary critique of communion ecclesiology by theologians including Healy and Ormerod, communion remains a potentially valuable concept for ecclesiology. Many of the most positive aspects of communion ecclesiology are included in the Final Report of the 1985 Extraordinary Synod. After declaring communion ecclesiology as "the central and fundamental idea of the Council's documents," the Final Report identifies the origin of communion in the Trinity, the scriptural basis of communion, and the sacramental dimension of communion. Moreover, the Final Report recognizes the potential of communion ecclesiology to foster several conciliar principles such as unity and diversity in the church, collegiality beyond its "mere juridical aspect," and participation and co-responsibility throughout the church.

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[120] Neil Ormerod, "A (Non-*Communio*) Trinitarian Ecclesiology: Grounded in Grace, Lived in Faith, Hope, and Charity," *Theological Studies* 76 (2015): 455.
[121] Ibid., 455-456.
[122] Ibid., 457.

For good reason, the popularity of communion ecclesiology grew only more pervasive in the years after the Synod.

The widespread use of the concept of communion in ecclesiology, nevertheless, yielded several trajectories. As Doyle's study helpfully demonstrates, the concept of communion is used in various and, even, conflicting ways. This chapter described five characteristics of the CDF version of communion ecclesiology, which incorporates foundational elements common to all communion ecclesiologies but privileges certain aspects. For instance, while the CDF version affirms both the vertical and horizontal dimensions of communion, it privileges the vertical dimension in response to what it considers to be sociological reduction. Likewise, while the CDF version affirms both the visible and invisible dimensions of communion, it emphasizes the visible (hierarchical) structure of the church. This chapter's survey of CDF documents also reveals a high concern for church unity as well as the willingness to exercise juridical measures to protect it. The consequence of all the emphases in the CDF version of communion ecclesiology, despite statements in the CDF documents that attempt to aim for greater balance, is ultimately a hierarchical, juridical, and centralized understanding of ecclesial communion.

The concerns raised by Healy and Ormerod concerning communion ecclesiology are especially relevant regarding the CDF version, which is unquestionably an example of a "blueprint approach" to ecclesiology. The survey of CDF documents demonstrates how the concept of communion can be used to provide an idealized account of the church. On the one hand, the ideal of communion offers an aspiration for which the church should strive. Alternatively, the CDF documents can suggest that church unity is

already achieved and only needs to be maintained. The CDF documents do not consider the divisions, conflicts, tensions, or power-differences in the church nor how communion might respond to these realities. In fact, the CDF documents imply a binary understanding of communion such that communion and disagreement are mutually exclusive. In this understanding, theologians perceived to disagree with the teaching authority of the hierarchical magisterium are accused of "breaking communion."

The concerns raised by Healy and Ormerod concerning communion ecclesiology are also relevant regarding Orsy's proposal of *communio* to describe the relationship between the church and Catholic universities. Indeed, Orsy suggested *communio* as a "blueprint" for the future relationship between the church and Catholic universities. The concept of communion certainly has rich potential to express the collaboration between the church and Catholic universities, but Orsy's overly optimistic speech in 1974 did not fully consider the divisions, conflicts, tensions, or power-differences that existed then and remain today. Nevertheless, Orsy's proposal of *communio* foreshadowed the next phase in the search for a more adequate ecclesiological foundation to define the relationship between the church and Catholic higher education. Communion is the defining ecclesiological concept in *Ex corde Ecclesiae*, John Paul II's apostolic constitution on Catholic universities, promulgated on August 15, 1990. The next chapter will demonstrate the effects of the CDF version of communion ecclesiology for the relationship between the church and Catholic universities.

CHAPTER FOUR

Ex Corde Ecclesiae: Consequences of the CDF Version of Communion Ecclesiology for Catholic Higher Education

> It is the manner in which we understand *communio* that will guide or even determine the way in which we will approach the relationship between Catholic colleges and universities and the pastoral office of bishop, the 'personal and pastoral' relationship importantly described in Paragraph 28 of the *Ex corde* document.[1]

Twenty-five years after the 1965 meeting of the International Federation of Catholic Universities (IFCU) in Tokyo, Pope John Paul II issued *Ex corde Ecclesiae*. Preparing a document on Catholic higher education following the Second Vatican Council was the original intention of the IFCU, and John Paul II affirms that his apostolic constitution on Catholic universities is "based on the teaching of Vatican Council II."[2] Prior to the promulgation of *Ex corde Ecclesiae* in 1990, the 1973 IFCU document *The Catholic University in the Modern World* was the most comprehensive document on Catholic higher education following Vatican II.[3] Catholic higher education leaders in the United States would have been content to allow this moderate document to have the last word, yet Cardinal Garrone's letter, which was attached to it, indicated that Rome desired

[1] "Report by Bishop John Leibrecht and Comments by Bishop James Malone, Annual ACCU Meeting," in *Ex Corde Ecclesiae: Documents Concerning Reception and Implementation*, edited by Alice Gallin (Notre Dame: University of Notre Dame Press, 2006), 261-262.

[2] John Paul II, *Ex corde Ecclesiae*, 11 (August 15, 1990), available online at: http://w2.vatican.va/content/john-paul-ii/en/apost_constitutions/documents/hf_jp-ii_apc_15081990_ex-corde-ecclesiae.html. The official text of *Ex corde Ecclesiae* is the Latin version as promulgated in the *Acta Apostolicae Sedis.* In this chapter, however, I will use the English version of the text as found on the Vatican's website. It is likely that the preparatory drafts of *Ex corde Ecclesiae* were written in English including the final draft that was then translated into Latin; see James H. Provost, "A Canonical Commentary on *Ex corde Ecclesiae*," in *Catholic Universities in Church and Society: A Dialogue on* Ex corde Ecclesiae, edited by John P. Langan, S.J. (Washington, D.C.: Georgetown University Press, 1993), 106.

[3] While *The Catholic University in the Modern World* was prepared under the auspices of the Vatican Congregation for Catholic Education, it is not technically an official text of the magisterium.

further clarity. Philip Gleason argues that *The Catholic University in the Modern World* did not "satisfy Roman authorities on two points: the explicitness with which the Catholic identity of Catholic institutions was affirmed, and the adequacy of the provisions aimed at maintaining that identity."[4] Thus, the decades of dialogue between ecclesiastical authorities and academic representatives concerning the relationship between the church and Catholic colleges and universities continued.

Notwithstanding John Paul's claim that his apostolic constitution on Catholic universities is based on the teaching of Vatican II, I argue that the post-conciliar version of communion ecclesiology reviewed in chapter three of this dissertation is even more dominant in *Ex corde Ecclesiae*. While part one of the apostolic constitution cites various conciliar documents in support of its theological and pastoral teaching on the mission and identity of Catholic universities, part two of the apostolic constitution has the binding force of universal law. Indeed, the single most influential antecedent to *Ex corde Ecclesiae* was the revised Code of Canon Law promulgated in 1983, which included eight new canons (807-814) concerning Catholic higher education. I argue in this chapter that the theological and pastoral understanding of communion in part one of John Paul's apostolic constitution is overshadowed by the juridical understanding of communion in part two.

The juridical understanding of communion is evident in the text of *Ex corde Ecclesiae* itself as well as in the documentation associated with the implementation of the apostolic constitution in the United States during the decade (1990-2000) following its

[4] Philip Gleason, "The American Background of '*Ex corde Ecclesiae*,'" in *Contemporary Higher Education: International Issues for the Twenty-First Century*, edited by Joseph M. O'Keefe, S.J. (New York: Garland Publishing, Inc., 1997), 80.

promulgation. The most comprehensive collection of documents related to *Ex corde Ecclesiae* is found in *Ex Corde Ecclesiae: Documents Concerning Reception and Implementation*, edited by Alice Gallin, O.S.U. Gallin served as the executive director of the Association of Catholic Colleges and Universities (ACCU) from 1981-1993 and as a "resource person" to the implementation committee of the National Conference of Catholic Bishops (NCCB) throughout the process. She persuasively argues that the reception and implementation of *Ex corde Ecclesiae* is as significant for considering the relationship between the church and Catholic colleges and universities as the text of the apostolic constitution itself. Gallin's volume demonstrates two distinct phases of the reception and implementation process. The present study furthers Gallin's analysis by uncovering the underlying ecclesiologies that are operative in the apostolic constitution and the subsequent phases of implementation. Many of the most familiar features of *Ex corde Ecclesiae*, including the much-debated *mandatum*, are the consequence of the post-conciliar version of communion ecclesiology. Thus, debating the merits of the *mandatum*, for instance, rarely goes beyond the surface of the issue. Identifying the underlying ecclesiologies in *Ex corde Ecclesiae* is a necessary task toward revisioning the relationship between the church and Catholic colleges and universities.

4.1 *Ex corde Ecclesiae* (1990)

On September 12, 1987, Pope John Paul II spoke of the "intimate relationship between the Catholic university and the teaching office of the Church" in an address at Xavier University of Louisiana. The pope continued:

> the bishops of the Church, as *Doctores et Magistri Fidei*, should be seen not as external agents but as participants in the life of the Catholic university in its privileged role as protagonist in the encounter between faith and science and between revealed truth and culture.[5]

John Paul's address in Louisiana provided a telling preview of his forthcoming apostolic constitution on Catholic universities for the American Catholic higher education officials in attendance. The claim that bishops "should be seen not as external agents" of a Catholic university is explicitly reaffirmed in *Ex corde Ecclesiae*.[6] Yet, the long gestation period for *Ex corde Ecclesiae* extends beyond John Paul's address in 1987.[7] American Catholic higher education officials were also among those who were consulted during a week-long conference in Rome in April 1989; "eighteen of the delegates were from the United States, chosen by the Board of Directors of ACCU, and four bishops from the United States were designated by the NCCB."[8] Thus, when the apostolic constitution was promulgated on August 15, 1990, immediate reaction acknowledged the lingering challenge of implementing its general norms, but was nevertheless largely enthusiastic about the wide consultation that produced the document.[9]

As an "apostolic constitution," an ecclesial document that presents solemn teaching and promulgates laws, *Ex corde Ecclesiae* remains the most significant magisterial text on Catholic higher education. The first eleven paragraphs of *Ex corde*

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[5] John Paul II, "Address to Leaders of Catholic Higher Education," in *American Catholic Higher Education: Essential Documents, 1967-1990*, edited by Alice Gallin (Notre Dame: University of Notre Dame Press, 1992), 287.
[6] John Paul II, *Ex corde Ecclesiae*, 28.
[7] An unofficial draft of what would become *Ex corde Ecclesiae* was circulated in 1983, the same year that the revised Code of Canon Law was promulgated. For a complete review of the textual history from the first official schema in 1985 until the promulgation of *Ex corde Ecclesiae* on August 15, 1990, see *American Catholic Higher Education*, 191-437.
[8] Gallin, "Point and Counterpoint: *Ex Corde Ecclesiae* 1985-1990," in *American Catholic Higher Education*, 190.
[9] James W. Sauvé, S.J., "Pope John Paul II on Catholic Colleges and Universities," *America* (October 20, 1990), 260-262; 280-281.

Ecclesiae, which comprise the document's introduction, describe the essential unity of faith and various spheres of knowledge in the search for truth and meaning. The remainder of the apostolic constitution is divided into two parts: the identity and mission of a Catholic university (part one) and general norms (part two). Given the length of *Ex corde Ecclesiae*, only the most relevant points concerning the ecclesiological foundation of Catholic universities will be considered here.

4.1.1 Communion in Part One

From the beginning of part one in *Ex corde Ecclesiae*, John Paul recognizes Catholic colleges and universities[10] as academic institutions of higher learning. Consequently, the principles of institutional autonomy and academic freedom as well as the critical function of Catholic universities are affirmed.[11] Yet, Catholic colleges and universities, John Paul equally insists, are also Catholic institutions, and, thus, have four essential characteristics:

1. a Christian inspiration not only of individuals but of the university community as such;
2. a continuing reflection in the light of the Catholic faith upon the growing treasury of human knowledge, to which it seeks to contribute by its own research;
3. fidelity to the Christian message as it comes to us through the Church;
4. an institutional commitment to the service of the people of God and of the human family in their pilgrimage to the transcendent goal which gives meaning to life.[12]

[10] All institutions of Catholic higher education are referred to as "Catholic universities" in *Ex corde Ecclesiae*, but the term is to be understood more broadly. See John Paul II, *Ex corde Ecclesiae*, 8-10.
[11] John Paul II, *Ex corde Ecclesiae*, 12.
[12] Ibid., 13.

Recall from chapter two that these four characteristics are identified in the 1973 IFCU document *The Catholic University in the Modern World*. Michael Buckley views John Paul's adoption of the four characteristics from the IFCU document as unfortunate, claiming that "the list of four characteristics is neither clear nor is its adequacy self-evident."[13] My reading of this section of *Ex corde Ecclesiae*, in contrast, understands the four characteristics not as exhaustive but foundational: all Catholic universities must incorporate *at least* these four elements. In this way, the four characteristics are a helpful start toward defining the identity of a Catholic university. David O'Brien views the adoption of the four characteristics from the IFCU document as the clearest example of John Paul's listening to the position of academic leaders.[14] However, O'Brien also contends that the four characteristics function to limit the autonomy and freedom of Catholic universities.[15] It is possible to see how O'Brien arrives at this conclusion, for the third characteristic, in particular, preserves a distinct role for the church's magisterium. Yet, rather than limiting the autonomy and freedom of Catholic universities, I am more convinced that the four characteristics serve to place these principles in their proper context. The four characteristics reflect the general orientation of the teaching of Vatican II and advance the conciliar understanding of the church's magisterium within the context of revelation as in *Dei Verbum* and the people of God as in *Lumen Gentium*.

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[13] Michael J. Buckley, S.J., *The Catholic University as Promise and Project: Reflections in a Jesuit Idiom* (Washington, D.C.: Georgetown University Press, 1998), 23.
[14] David J. O'Brien, *From the Heart of the American Church: Catholic Higher Education and American Culture* (New York: Maryknoll, 1994), 64.
[15] Ibid., 65.

Next, affirming the two-fold identity of Catholic universities, John Paul II writes, "being both a University and Catholic, it must be both a community of scholars representing various branches of human knowledge, and an academic institution in which Catholicism is vitally present and operative."[16] The phrase "in which Catholicism is vitally present and operative" also appears in *The Catholic University in the Modern World* but originally comes from the Land O'Lakes statement.[17] Here I do agree with Buckley's judgment that distinguishing between "a community of scholars," on the one hand, and "an academic institution in which Catholicism is vitally present and operative," on the other, is unfortunate lest it give the false impression that the academic mission of a Catholic university can be neatly separated from its religious commitment.[18]

John Paul II returns to the two-fold identity of Catholic universities when considering their relationship with the church. He begins, "Every Catholic University, without ceasing to be a University, has a relationship to the Church that is essential to its institutional identity."[19] While *Ex corde Ecclesiae* states that every Catholic university has "a special bond with the Holy See," the apostolic constitution maintains that the primary ecclesial relationship for every Catholic university is with its local church.[20] John Paul continues, "One consequence of its essential relationship to the Church is that the *institutional* fidelity of the University to the Christian message includes a recognition of and adherence to the teaching authority of the Church in matters of faith and morals."[21] Here John Paul clarifies the meaning of the third of the four essential characteristics

[16] John Paul II, *Ex corde Ecclesiae*, 14.
[17] "Land O'Lakes Statement: The Nature of the Contemporary Catholic University," in *American Catholic Higher Education*, 7.
[18] Buckley, S.J., *The Catholic University as Promise and Project*, 23.
[19] John Paul II, *Ex corde Ecclesiae*, 27.
[20] Ibid.
[21] Ibid. (emphasis in original)

above, defining a clear role for the church's magisterium in the interpretation of the Christian message. In addition to the institutional fidelity of the university, John Paul calls for the "personal fidelity" of Catholic members as well as the "respect" of non-Catholic members in the Catholic university.[22]

Next John Paul considers the role of bishops "to promote Catholic Universities, and especially to promote and assist in the preservation and strengthening of their Catholic identity."[23] The role of bishops in Catholic universities, John Paul affirms, "will be achieved more effectively if close personal and pastoral relationships exist between University and Church authorities, characterized by mutual trust, close and consistent cooperation and continuing dialogue."[24] Though the word "communion" is not explicitly used here, a theological and pastoral understanding of communion captures the desired relationship between bishops and university leaders. In fact, paragraph 28 is the clearest instance of a theological and pastoral understanding of communion throughout *Ex corde Ecclesiae*, for the distinct roles of academic officials and bishops are respected and collaboration between them is encouraged. Continuing in this spirit, John Paul specifically addresses the relationship between bishops and theologians, affirming that "bishops should encourage the creative work of theologians."[25] This paragraph affirms the academic freedom of scholars, explicitly recognizing the right of theologians.[26] To respect the teaching authority of the church and to "assent to Catholic doctrine according to the degree of authority with which it is taught," does not diminish the critical function

[22] Ibid. Laudably, John Paul calls on the Catholic university to respect the religious liberty of its non-Catholic members.
[23] Ibid., 28.
[24] Ibid.
[25] Ibid., 29.
[26] Ibid.

of theology, which is consistently defended throughout this section.[27] Thus, the relationship between bishops and theologians, described as "interrelated roles" and sustained through dialogue, also reflects a theological and pastoral understanding of communion.[28]

4.1.2 Communion in Part Two

Part two of *Ex corde Ecclesiae* is based on the revised Code of Canon Law and is comprised of seven general norms and four transitional norms. The transitional norms concern the date when the apostolic constitution takes effect (first day of the 1991 academic year) and charges the Congregation for Catholic Education with the responsibility to oversee its application and any necessary revisions. The general norms contain several significant points that are relevant to the relationship between the church and Catholic colleges and universities. Notably, the concrete application of the apostolic constitution at the local and regional levels is assigned to episcopal conferences, which the canonist James H. Provost calls "a clear example of a healthy subsidiarity within the church."[29] Moreover, the promulgation of *Ex corde Ecclesiae*, according to Provost, is a seminal moment in bringing bishops and Catholic higher education officials toward mutual recognition. "The application of the constitution," Provost argues, "if carried out in the spirit of subsidiarity that characterizes its norms, provides an opportunity to

[27] Ibid.
[28] Ibid.
[29] Provost, "A Canonical Commentary on *Ex corde Ecclesiae*," 109. In fact, Provost argues in the conclusion of this work, "One of the major features of *Ex corde Ecclesiae* is its effort to utilize subsidiarity" (129).

continue this process."[30] Regrettably, the implementation of *Ex corde Ecclesiae* in the United States did not follow this course as we shall see later in this chapter.

As we consider the use of communion ecclesiology in *Ex corde Ecclesiae*, we turn to the one instance that the word "communion" appears in the apostolic constitution. Article 5, which concerns the institutional relationship between the church and Catholic colleges and universities, states that:

> Every Catholic University is to maintain communion with the universal Church and the Holy See; it is to be in close communion with the local Church and in particular with the diocesan Bishops of the region or nation in which it is located.[31]

This passage is significant because, while a theological and pastoral understanding of communion is implied in part one as argued above, the only explicit use of the word "communion" occurs in the juridical section of the apostolic constitution. That is, a juridical understanding of communion in *Ex corde Ecclesiae* is obvious, while a theological and pastoral understanding of communion requires a closer reading of the text. A second significant point in this passage is that the onus of maintaining communion falls to the Catholic university. This point is repeated throughout the general norms, for example, when they state that a university is Catholic because of its own "institutional commitment"[32] and "the responsibility for maintaining and strengthening the Catholic identity of the University rests primarily with the University itself."[33] Positively, this suggests that it is possible to conceive of communion in such a way that still allows for the institutional autonomy of Catholic universities. Indeed,

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[30] Ibid., 130.
[31] John Paul II, *Ex corde Ecclesiae*, Article 5, § 1.
[32] Ibid., Article 2, § 2.
[33] Ibid., Article 4, § 1.

notwithstanding the responsibility of the university to maintain communion, the apostolic constitution states clearly: "A Catholic university possesses the autonomy necessary to develop its distinctive identity and pursue its proper mission."[34] Yet, on the other hand, here we see the tension between autonomy and communion, which has been the crux of the challenge facing Catholic colleges and universities since the Land O'Lakes statement first articulated the problem. Moreover, recall Ladislas Orsy's astute observation quoted in the previous chapter that "there is a great deal of literature about how a university can be Catholic, but very little on how the Church can be university-minded."[35] There is, in fact, very little in *Ex corde Ecclesiae* to assist bishops who desire to be "university-minded."[36] Orsy's observation calls for bishops to acknowledge the assistance that Catholic higher education can provide in fulfilling the church's mission to communicate the faith in a manner that is intelligible for people today. For this type of cooperation to be achieved, however, requires concrete forms of partnership between the church and Catholic higher education, a project that *Ex corde Ecclesiae* unfortunately leaves unfinished.

In addition to the unresolved tension between autonomy and communion in *Ex corde Ecclesiae*, a similar tension is found in how the general norms treat theologians. The Catholic identity of a university, according to the norms, "is essentially linked to the quality of its teachers and to respect for Catholic doctrine."[37] Along with this principle,

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[34] Ibid., Article 2, § 5.
[35] Ladislas M. Orsy, S.J., "Interaction between University and Church," *Delta Epsilon Sigma Bulletin* XIX (1974): 52.
[36] Article 5, § 2 of *Ex corde Ecclesiae* recognizes the role of bishops to preserve the Catholic character of universities. Generally, the role of bishop is to support the mission of the Catholic university; only if the university fails its responsibility to maintain communion with the church should the role of the bishop become more directive.
[37] John Paul II, *Ex corde Ecclesiae*, Article 4, § 1.

the norms require that "all Catholic teachers are to be faithful to, and all other teachers are to respect, Catholic doctrine and morals in their research and teaching."[38] Yet, it is unclear how this required response aligns with academic freedom, which is yet again affirmed in an earlier norm.[39] This question is all the more perplexing for Catholic theologians who are obliged by the norms to "to be faithful to the Magisterium of the Church as the authentic interpreter of Sacred Scripture and Sacred Tradition."[40] It is not difficult to imagine a scenario where the academic freedom of a theologian is viewed to violate the fidelity to the magisterium required by *Ex corde Ecclesiae*. Unfortunately, the years following the promulgation of the apostolic constitution included the investigation and disciplining of several theologians as a result, at least in part, of this unresolved tension.[41] The same norm then cites canon 812, one of the new canons in the revised Code of Canon Law, which stipulates: "Those who teach theological disciplines in any institutes of higher studies whatsoever must have a mandate from the competent ecclesiastical authority."[42]

A very different understanding of communion, particularly in light of this last norm, emerges in part two of the apostolic constitution. Here we find the consequence of the post-conciliar version of communion ecclesiology identified in the previous chapter. Indeed, the text of *Ex corde Ecclesiae* contains two distinct understandings of

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[38] Ibid., Article 4, § 3.
[39] Ibid., Article 2, § 5.
[40] Ibid., Article 4, § 3. The English translation's use of "authentic" is unfortunate, for it might wrongly suggest that only the bishops are real teachers. As Francis Sullivan has clarified, the better translation is "authoritative." Sullivan argues that *Lumen Gentium* 25 did not intend to deny the real authority of theologians, but only to affirm that the bishops are pastors endowed with the mandate to teach the Gospel in the name of Christ in *Magisterium: Teaching Authority in the Catholic Church* (New York: Paulist Press, 1983), 27.
[41] See Bradford E. Hinze, "A Decade of Disciplining Theologians," *Horizons* 37 (2010): 92-126.
[42] Code of Canon Law, Book III, Chapter 2, Canon 812, available online at: http://www.vatican.va/archive/ENG1104/__P2O.HTM

communion, one theological and pastoral and another juridical. Recall that the relationship between bishops and university officials is characterized in part one of *Ex corde Ecclesiae* as one of "mutual trust, close and consistent cooperation and continuing dialogue." This is what I refer to as the theological and pastoral understanding of communion. In part two, however, we find no similarly relational language to describe the communion between the church and Catholic universities. Moreover, the communion of bishops and theologians is reduced to a juridical mandate. But this should come as no surprise after identifying the key features of the CDF version of communion ecclesiology in the previous chapter. We see these two diverging understandings of communion operating throughout the text in its various tensions such as autonomy and communion, authority and freedom, as well as ecclesial subsidiarity and centralization. The task of resolving these tensions and negotiating between the two understandings of communion would be assumed by those responsible for the implementation of *Ex Corde Ecclesiae*.

4.2 Implementation of *Ex corde Ecclesiae* in the United States

In December 1990, Archbishop Daniel Pilarczyk, then president of the NCCB, appointed Bishop John Leibrecht to chair the newly formed committee to implement *Ex corde Ecclesiae* in the United States. Members of the Implementation Committee (IC) included seven bishops, eight university presidents, and six resource persons, including Alice Gallin, O.S.U., to assist in the process.[43] The initial question for the IC to consider

[43] For a complete list of members, see "Letter to Presidents of Catholic Colleges and Universities from Archbishop Daniel E. Pilarczyk," in *Ex Corde Ecclesiae: Documents Concerning Reception and Implementation*, 64.

was the extent to which the unique context of American higher education should determine how *Ex corde Ecclesiae* is applied in the United States. The apostolic constitution itself suggests the necessity of local application,[44] but the Congregation for Catholic Education sent a list of directives in January 1991 to episcopal conferences indicating that the Roman Congregation would *review* the local applications and determine if they are in accord with *Ex corde Ecclesiae*.[45] General decrees of an episcopal conference can be inspected (*inspectio*), reviewed (*recognitio*), or approved (*approbatio*) by the Holy See. The three options each convey a different degree of commitment from the least (*inspectio*) to the most (*approbatio*). In the case of *Ex corde Ecclesiae*, Article 1, § 2 of the General Norms calls for *inspectio*. However, footnote 44 in this section of the general norms references canon 455, which concerns the process of *recognitio*. While the NCCB was clearly under the impression that the "Application to the United States" required *recognitio* from the Holy See, the text of *Ex corde Ecclesiae* itself is ambiguous and, as James Provost has convincingly argued:

> in the context of the exercise of subsidiarity so evident in this norm, and in light of the careful use of a term other than *recognitio* or *approbatio*, it appears the legislator is indicating in advance that the *ordinationes* will be examined (*inspectio*) but not changed (*recognitio*) by higher authority, further emphasizing the respect for different local conditions which underlies this norm.[46]

By ecclesial subsidiarity, Provost suggests the principle that matters should be resolved by the local church whenever possible and Rome should intervene only when this is not possible. The significant question here is to what extent the local church in the United States would be allowed to apply *Ex corde Ecclesiae* to the particular context of

[44] John Paul II, *Ex corde Ecclesiae*, Article 1, § 2.
[45] "Directives to Assist in the Formulation of the Ordinances for the Apostolic Constitution *Ex Corde Ecclesiae*," in *Ex Corde Ecclesiae: Documents Concerning Reception and Implementation*, 68.
[46] Provost, "A Canonical Commentary on *Ex corde Ecclesiae*," 110.

American higher education. Recall from chapter two of this dissertation that Catholic higher education officials expressed concern well before the promulgation of *Ex corde Ecclesiae* that juridical norms imposed by Rome would not adequately recognize the peculiarly American aspect of Catholic higher education in the United States. Yet, regrettably, rather than the practice of ecclesial subsidiarity, from the start of the implementation process, we find a tendency toward Roman intervention.

4.2.1 Canon 812: The Mandate

During the first meeting of the IC on February 19-20, 1991, attention quickly focused on the mandate as required in canon 812 and cited in the general norms of *Ex corde Ecclesiae*. As noted above, immediate reaction to *Ex corde Ecclesiae* revealed considerable consensus among bishops and academic officials concerning the principles in part one, but as Kenneth Garcia correctly observes, "The disagreements and controversies focus not on these key elements but primarily on the issue of institutional autonomy and the *mandatum* for theologians."[47] Indeed, several years before the promulgation of both the revised Code of Canon Law and *Ex corde Ecclesiae*, American higher education officials objected to the proposed canon.[48] Specifically, there was concern that the proposed canon could jeopardize the institutional autonomy, academic freedom, accreditation, and even government financial assistance for Catholic colleges and universities. On March 18, 1982, delegates of the ACCU met with Pope John Paul II

[47] Kenneth Garcia, *Academic Freedom and the Telos of the Catholic University* (New York: Palgrave Macmillan, 2012), 126.
[48] James A. Coriden, "Book III: The Teaching Office of the Church (cc. 747-833)," in *The Code of Canon Law: A Text and Commentary*, edited by James A. Coriden, et al (New York: Paulist Press, 1985), 575.

to express their concerns about the requirements of canon 812.[49] If the proposed canon was included in the revised code, there was already discussion about requesting an indult to exempt the United States and Canada. Referring to canon 812, the first major commentary on the 1983 Code of Canon Law in English states: "This terse, new canon caused more apprehension and provoked more opposition during the drafting stage of the revised Code than probably any other provision of the law."[50]

The requirement for Catholic theologians to receive a mandate has no precedent in the 1917 Code of Canon Law or the teaching of the Second Vatican Council. Canonist James Coriden explains that "it originated in Germany in 1848 when the hierarchy was struggling to retain some control over the teaching of religion in the newly secularized schools."[51] Since these academic institutions were no longer under ecclesial authority, the German bishops required that individual Catholics who taught religion must first receive a "canonical mission." An early version of canon 812 required Catholic theologians to receive a "canonical mission,"[52] the same requirement for ecclesiastical faculty in the Apostolic Constitution *Sapientia Christiana* (1979). In the final version of canon 812, "canonical mission" is replaced by "mandate," which Coriden explains:

> is simply a recognition that the person is properly engaged in teaching the theological discipline. It is not an empowerment, an appointment, or a formal commission. It is disciplinary, not doctrinal. It does not grant approval of what is taught nor is it a formal association with the Church's mission or ministry of teaching.[53]

[49] Ibid., 576.
[50] Ibid., 575.
[51] Ibid.
[52] Ibid., 576.
[53] Ibid.

Coriden's dispassionate commentary on canon 812 might make the mandate seem innocuous. Yet, fellow canonist James Provost rightly observes how the requirement of the mandate reduces the communion of bishops and theologians to merely "hierarchical communion."[54] Recall from the previous chapter that reducing communion to hierarchical communion is another characteristic of the CDF version of communion ecclesiology. To be clear, "hierarchical communion" has a place in the Catholic Church, but the canonical mandate is not the fullest expression of hierarchical communion nor is hierarchical communion the fullest expression of ecclesial communion. Moreover, the mandate causes the communion of bishops and theologians to be imbalanced, as theologian Joseph Komonchak rightly notes, such that the bishop's right to exercise oversight is secured, but the rights of the theologian are left unprotected.[55]

4.2.2 Phase One of Implementation (1990-1996)

Even after the initial meetings of the IC, the requirement of the mandate in *Ex corde Ecclesiae* continued to be problematic. Gallin recounts the situation: "When the committee met in 1992, its discussion was wide-ranging and respectful, but it was unable to find a way of presenting canon 812 that would not infringe on academic freedom and institutional autonomy."[56] Gallin also describes how differing perspectives on the requirement of the mandate began to emerge in the IC among the bishops and academic

[54] Provost, "A Canonical Commentary on *Ex corde Ecclesiae*," 123.
[55] Joseph A. Komonchak, "Some Theological Reflections on Canon 812," in *Ex Corde Ecclesiae: Documents Concerning Reception and Implementation*, 99.
[56] Gallin, "Introduction," in *Ex Corde Ecclesiae: Documents Concerning Reception and Implementation*, 9.

officials, yet "one bishop expressed his concern about rushing the process, to the detriment of extensive consultation."[57] And thus study and discussion continued.

The next significant stage in the process occurred on May 4, 1993 when Bishop Leibrecht sent a draft of proposed ordinances to the NCCB and the presidents of Catholic colleges and universities. Attached to the ordinances was a questionnaire inviting evaluation.[58] Additionally, Leibrecht's cover letter encouraged discussion about the proposed ordinances. In response, the ACCU sponsored five regional meetings to facilitate discussion among Catholic higher education representatives.[59] On November 10, 1993, Author Hughes, chair of the ACCU, relayed the concerns from the regional meetings about the proposed ordinances in a letter to Leibrecht. The general concern was that the proposed legal framework did not adequately account for the unique context of American higher education. Hughes concluded, "Catholic colleges and universities do wish to be authentically Catholic, to serve the church and its mission," but that "the issues will be resolved by dialogue and inspiration, not laws."[60] Indeed, the critique was not limited to the specific content of the proposed ordinances;[61] it extended to the idea that any set of juridical ordinances is capable of addressing the many complex issues of American Catholic higher education.

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[57] Ibid.
[58] See "Draft of Ordinances and Questionnaire from Bishop John Leibrecht," in *Ex Corde Ecclesiae: Documents Concerning Reception and Implementation*, 123-130.
[59] The meetings occurred during the fall semester of 1993 and were held at Fordham University, Neumann College, St. Louis University, University of San Francisco, and University of St. Thomas. Four bishops and 178 representatives from Catholic colleges and universities participated in these meetings.
[60] See "Letter to Bishop John Leibrecht from Author Hughes, Chair of ACCU, with the Synthesis of Five Regional Meetings Held by ACCU," in in *Ex Corde Ecclesiae: Documents Concerning Reception and Implementation*, 217.
[61] Provost, "Some Initial Reflections from a Canon Law Perspective on the Proposed Ordinances for Catholic Higher Education," in *Ex Corde Ecclesiae: Documents Concerning Reception and Implementation*, 140.

At the annual meeting of the ACCU in 1994, at which Leibrecht was present, the presidents repeated their concerns arguing that "the draft ordinances were unacceptable and dangerous to the status of American Catholic colleges and universities."[62] Leibrecht seemed intent to allay the alarm of academic officials. In his address, Leibrecht affirmed three points of concern: first, "the basic relationship of bishops to Catholic colleges and universities should remain informal and dialogic in nature;" second, "the relationship of the bishop to the Catholic college or university is one of communion and not control;" and, third, "the ordinances developed for the United States must respect an educational environment which values academic freedom and institutional autonomy."[63] Leibrecht's address reflected and advocated for the theological and pastoral understanding of communion. At the next meeting of the IC in March 1994, Gallin recounts that the presidents remained steadfast in their opposition to the proposed ordinances. However, the presidents clarified, as Gallin explains, that "opposition to the norms should not be construed as opposition to *Ex corde Ecclesiae*."[64]

4.2.3 *Communio*

After encouraging further dialogue in his address at the annual meeting of the ACCU earlier in the year, Bishop Leibrecht sent a letter in July 1994 to the NCCB and the presidents of Catholic colleges and universities with specific themes to consider. One theme was *communio*, which Leibrecht defined as:

> a rich and complex concept having many analogous forms of realization. In the early church, *communio* was seen as the bond that united bishops and faithful, the

[62] Gallin, "Introduction," 13.
[63] "Address of Bishop John Leibrecht, Annual ACCU Meeting," in *Ex Corde Ecclesiae: Documents Concerning Reception and Implementation*, 224.
[64] Gallin, "Introduction," 14.

> bishops among themselves, and the faithful among themselves. In particular, the notion of *communio* involves the development of trust between bishops and those who are responsible for administration and teaching in Catholic colleges and universities.[65]

Although the word "communion" is used only once in *Ex corde Ecclesiae* as noted above, Leibrecht proposed communion as a fecund concept to assist in the process of implementation. Specifically, Leibrecht asked the bishops and presidents to consider six questions including the following two regarding the concept of *communio* as it relates to *Ex corde Ecclesiae*:

> How is the concept *communio* between the local bishop and the Catholic college or university within the diocese expressed in the Apostolic Constitution *Ex corde Ecclesiae*?
>
> How is *communio* realized in the relationship between bishops and Catholic universities/colleges and between bishops and theologians?[66]

To be sure, these questions are worthy of consideration, for they strike at the heart of the relationship between the church and Catholic colleges and universities. Yet, as the study of the text of the apostolic constitution above demonstrates, divergent answers are possible depending on which section of *Ex corde Ecclesiae* is given priority. In response to the second question, for instance, it is possible to refer to the pastoral understanding of communion "characterized by mutual trust, close and consistent cooperation and continuing dialogue" in part one of *Ex corde Ecclesiae* or the juridical understanding of communion represented in part two's requirement of the mandate.

The concept of communion remained a considerable focus at the annual meeting of the ACCU in February 1995. First, as a concrete example of the trust, cooperation,

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[65] "Request for Dialogue and Questions for Reflection," in *Ex Corde Ecclesiae: Documents Concerning Reception and Implementation*, 246.
[66] Ibid., 246-247.

and dialogue demanded by *communio*, Bishop Leibrecht informed the presidents that the IC had listened to their concerns about the proposed ordinances and made the decision to revise them.[67] Next to address the assembly was Bishop James Malone of Youngstown, Ohio who spoke extensively on the value of the concept of communion as it relates to Catholic higher education. Malone acknowledged that the reports from the ACCU regional meetings provided him new insights about communion saying:

> it is the manner in which we understand *communio* that will guide or even determine the way in which we will approach the relationship between Catholic colleges and universities and the pastoral office of bishop, the 'personal and pastoral' relationship importantly described in Paragraph 28 of the *Ex corde* document.[68]

Malone then quoted from one significant response that "the real root of *communio* is not *unio* (union), but rather the root is *munus* (office, function or duty): *com-munus*" and emphasized that "the focus is on shared responsibility, shared duties, *com-munus*."[69]

As a newly ordained bishop, Malone attended all four sessions of Vatican II. His reflection on communion reflects the broad understanding of the church as the people of God described in chapter two of *Lumen gentium*. Referring to an "expansive understanding" of the concept of communion, Malone said:

> This newer notion moves us to say that the church does not belong to the bishops nor does the church belong to the colleges and universities. Similarly, colleges and universities are not an instrument of the hierarchy nor do these institutions themselves exist as independent, self-defining entities. This newer notion of *communio* is theology, speaking to us about a reciprocity rather than a notion of *communio* that is institutional or sociological…. Thus we do not think about *communio* in canonical or jurisdictional language, which reflects a narrower understanding of *communio*. On the other hand, this theological or religious

[67] "Report by Bishop John Leibrecht and Comments by Bishop James Malone, Annual ACCU Meeting," in *Ex Corde Ecclesiae: Documents Concerning Reception and Implementation*, 258.
[68] Ibid., 261-262.
[69] Ibid., 262.

> mindset of *communio* can envision a unity that allows for an appropriate plurality.[70]

Malone's "expansive understanding" of communion provided the academic officials with a compelling theological argument in support of shared responsibility in the church. The remaining problem, however, was that *Ex corde Ecclesiae* could be used in support of an "expansive understanding" of communion like Malone's or an excessively hierarchical and juridical interpretation depending on which part of the text is emphasized. Indeed, the concept of communion, as argued in the previous chapter, lends itself to divergent applications. But the most concerning problem is that the two versions of communion cannot coexist: the hierarchical and juridical understanding in part two of *Ex corde Ecclesiae* threatens the theological and pastoral understanding in part one. Alluding to these and other challenges, Malone concluded, "Perhaps the greatest obstacle we face is in deciding how we can move from the level of '*communio* theory' to that of '*communio* practice.'"[71] Encouraging the continuing process of implementation, Malone called for concrete solutions that respect, on the one hand, the legitimate autonomy of Catholic higher education and, on the other, the legitimate exercise of *episcopê* entrusted to the bishops.

4.2.4 The Non-Juridical Application of the *Mandatum*

As he promised at that year's meeting of the ACCU, Bishop Leibrecht sent a revised draft of the proposed ordinances to the NCCB and academic officials on August

[70] Ibid.
[71] Ibid., 263.

25, 1995.[72] In an accompanying letter, Leibrecht acknowledges that the IC listened to their concern that canon 812 is incompatible with the unique context of American higher education. On behalf of the IC, Leibrecht wrote:

> we are convinced that the values inherent in canon 812 are best realized through a non-juridical application of the *mandatum*, that is, through the institution of processes and procedures that can be viewed as fulfilling the purpose of canon 812, while respecting established standards of Catholic higher education.[73]

The "non-juridical" application of the *mandatum* is found in the first section of the revised draft under the heading "Mutual Trust between University and Church Authorities." Notably, the word "mandate" is never used throughout the revised ordinances. Instead, the first section affirms "the spirit of *communio*," which "is fostered by mutual listening, collaboration which respects differing responsibilities and gifts, and by a solidarity which mutually recognizes official and statutory limitations, as well as responsibilities."[74] Apart from these general principles, the proposed ordinances do not include specific details about the processes and procedures for implementing the non-juridical application of the *mandatum*.

While the revised ordinances resolved the concerns expressed by many academic officials, the non-juridical application garnered quick and severe criticism by others. For instance, Patrick J. Reilly, the Executive Director of the Cardinal Newman Society, accused Bishop Leibrecht and the IC of capitulating to the demands of Catholic higher education officials. In a letter on November 1, 1995, Reilly argued that "the proposed ordinances fail to adequately address existing pro-abortion and homosexual activism,

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[72] "Draft of '*Ex Corde Ecclesiae:* An Application to the United States' with Accompanying Documents (August 25, 1995)," in *Ex Corde Ecclesiae: Documents Concerning Reception and Implementation*, 266-276.
[73] Ibid., 276.
[74] Ibid., 269.

dissident theologians, administrators and faculty members who oppose Church teachings, and a general disregard for the teaching authority of the Magisterium at Catholic colleges and universities nationwide."[75] Yet, despite this type of early disapproval of the non-juridical application of the *mandatum*, the revised ordinances still needed to be considered by the NCCB.

Bishop Leibrecht updated the American bishops on the progress of the IC at their meeting in June 1996. Prior to the meeting, the bishops received another draft of the proposed ordinances, which reflected the recommendations that the IC received from the bishops since the draft of August 1995.[76] Leibrecht informed the NCCB that:

> The intention of our Committee is to give you a document that really is pastoral in its approach. I cannot emphasize that enough…. We think the quality of the pastoral approach is very important and hope that, whatever our final document may be, we keep that tone in mind.[77]

Specifically, Leibrecht encouraged the bishops to support the non-juridical application of the *mandatum*, expressing the need to implement canon 812 in such a way that respects both the institutional autonomy of Catholic colleges and universities as well as the academic freedom of theologians. Since the IC hoped that the NCCB would be able to approve the proposed ordinances at their next meeting, the IC quickly sent yet another revised draft to the bishops in August in response to their discussion at the June meeting.[78]

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[75] "Response from the Cardinal Newman Society for the Preservation of Catholic Higher Education," in *Ex Corde Ecclesiae: Documents Concerning Reception and Implementation*, 278.
[76] "Draft of '*Ex Corde Ecclesiae*: An Application to the United States' (February 23, 1996)," in *Ex Corde Ecclesiae: Documents Concerning Reception and Implementation*, 281-286.
[77] "Opening Comments by Bishop John Leibrecht, NCCB Meeting," in *Ex Corde Ecclesiae: Documents Concerning Reception and Implementation*, 287.
[78] "Draft of '*Ex Corde Ecclesiae*: An Application to the United States' (August 2, 1996)," in *Ex Corde Ecclesiae: Documents Concerning Reception and Implementation*, 291-296.

Prior to their upcoming meeting in November 1996, the bishops in the United States received a letter from Gerard V. Bradley, president of the Fellowship of Catholic Scholars. Bradley claimed that the approach of the non-juridical application "actually seems to move the Church away from the adoption of any higher education Ordinances, suggesting that the law of the universal Church pertaining to Catholic colleges and universities does not necessarily apply in the United States."[79] At the conclusion of his letter, Bradley included ordinances for the bishops to consider adopting. Several of Bradley's proposed ordinances were more restrictive than the general norms of *Ex code Ecclesiae*.[80] Despite this late attempt by the Fellowship of Catholic Scholars, it was clear by this time that the proposed ordinances would not please every segment of American Catholic higher education. Nevertheless, Gallin describes the crucial years between 1995-1996 on the IC as a time when

> all decisions regarding the process would be made by the chair only after consultation with both the bishop members and the invited presidents and resource persons. This created an environment of respect and mutual appreciation. Consultations were not window-dressing but rather a genuine effort to hear from all those who would be affected by the final outcome.[81]

The three drafts of the proposed ordinances between August 1995 and August 1996 in addition to the wide-ranging consultation beginning in 1993 attest to Gallin's account.

Finally, on November 13, 1996, after six years of preparation by the IC, the NCCB would vote to approve "*Ex corde Ecclesiae:* An Application to the United States"

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[79] "Response and Alternative Ordinances from the Fellowship of Catholic Scholars," in *Ex Corde Ecclesiae: Documents Concerning Reception and Implementation*, 297.
[80] One ordinance, for instance, reads: "Employment contracts must specify that public expression of dissent from or lack of respect for authentic Catholic teaching, may constitute grounds for contract termination" in "Response and Alternative Ordinances from the Fellowship of Catholic Scholars," 309.
[81] Gallin, "Introduction," 15.

with 224 of the American bishops in favor and only six opposed.[82] Following Bishop Leibrecht's encouragement in June, the approved draft retained a pastoral tone and the non-juridical application of the *mandatum*. The issue of canon 812 was resolved in a footnote, which reads, "The mandate of Canon 812 will be the subject of further study by the NCCB."[83] The approved Application was then sent to Rome for "review" as required by the general norms of *Ex corde Ecclesiae*.[84] While satisfying nearly all the American bishops, this "footnote solution" would be temporary.

4.2.5 Failed *Recognitio*

On April 23, 1997, Cardinal Pio Laghi, Prefect of the Congregation for Catholic Education, informed Bishop Anthony M. Pilla, president of the NCCB, that the *recognitio* for the U.S. Application was not granted. A *recognitio* is, in theory, limited to ascertaining that there is nothing in the particular law that is opposed to universal law. Rome's rejection of the *recognitio* seems to have gone beyond this and, therefore, violated authentic ecclesial subsidiarity. Cardinal Laghi requested that the NCCB prepare and submit a revised Application for Rome's review because the present document

> while having, in some places, a certain legal tone, lacks, in some other instances, the necessary juridical elements for an effective functioning institutionally of Catholic universities as Catholic in all aspects of their organization, life and activity and, therefore, it could happen that this document would not be helpful

[82] For the 1996 Draft, see "*Ex Corde Ecclesiae: An Application to the United States*," in *Ex Corde Ecclesiae: Documents Concerning Reception and Implementation*, 312-316.
[83] "*Ex Corde Ecclesiae: An Application to the United States*," in *Ex Corde Ecclesiae: Documents Concerning Reception and Implementation*, 316.
[84] See footnote 46 above for more on the process of review.

> for those possible cases where tensions, crises or problems require such a juridical instrument for their resolution.[85]

Cardinal Laghi specifically cites the "footnote solution" as inadequate, stating that the revised Application must contain an explicit expression of how canon 812 will be implemented in the United States.[86] After six years of preparation by the IC and less than six months following the NCCB's overwhelming approval of the proposed ordinances, Rome's rejection of the *recognitio* was clearly disappointing to the American Catholic higher education community. Even the most ardent supporters of *Ex corde Ecclesiae* did not fail to observe that "many in the Catholic academy have been profoundly alienated by what they perceive as an unwarranted centralization of power by Roman curial authorities and by those who represent that power in the United States."[87]

The clear supposition of Cardinal Laghi's letter is that tensions, crises, and problems between bishops and Catholic higher education officials can only be resolved through juridical means. Indeed, it suggests that the personal and pastoral relationship between bishops and Catholic higher education officials as described in *Ex corde Ecclesiae* is admirable but ultimately not effective. Rome's rejection of the *recognitio* represents an official shift toward prioritizing the juridical understanding of communion in part two of *Ex corde Ecclesiae* over and above the theological and pastoral understanding of communion in part one.

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[85] "Response of the Congregation for Catholic Education to '*Ex Corde Ecclesiae:* An Application to the United States," in *Ex Corde Ecclesiae: Documents Concerning Reception and Implementation*, 319.
[86] Ibid., 321.
[87] Buckley, S.J., *The Catholic University as Promise and Project*, 24.

4.2.6 Phase Two of Implementation (1997-2000)

Bishop Pilla instructed Bishop Leibrecht to reconvene the IC in May 1997 to prepare a revised Application. At the same time, Bishop Pilla also formed a new subcommittee to recommend the explicit juridical expression of how canon 812 would be implemented in the United States. Cardinal Anthony Bevilacqua was appointed the chair of the subcommittee, which was comprised entirely of other ordained canon lawyers.[88] Whereas the work of the bishops and academic officials on the IC during phase one largely illustrated the type of collaboration that *Ex corde Ecclesiae* describes, the formation of the subcommittee indicated a new direction. Gallin remembers:

> For the first time, a distinction had been made in the distribution of material between the bishops of the Implementation Committee (technically, the real, voting members) and the presidents and resource persons. This distinction in distribution had not existed previously in the internal processes of the committee…. Unfortunately, this seemed to suggest that there was now a lack of trust on the part of the subcommittee in the presidents and resource persons on the full committee, and this cast a shadow over the necessary collaboration.[89]

Gallin thoroughly demonstrates two distinct phases of the implementation process, but her volume does not consider the underlying ecclesiologies in *Ex corde Ecclesiae* or in its implementation.[90] To further Gallin's research, I suggest that the contrast that she observes between phase one and phase two of implementation results from two

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[88] The members of the subcommittee were Bishop Raymond Burke, Bishop Thomas Doran, Cardinal Adam Maida, and Rev Msgr. John Alesandro. See Gallin, "Introduction," 23.
[89] Gallin, "Introduction," 24.
[90] Gallin does however recognize that the heart of the problem, namely, defining how Catholic academic institutions are related to the church, is ecclesiology. See, for example, Gallin, "Introduction," 25. As the IC considered this question in the United States, the Vatican Congregation for Catholic Education and the Pontifical Councils for the Laity and for Culture categorized the Catholic university as "itself an institution of the Church." See "The Church's Presence in the University and in University Culture," II.2, (May 22, 1994), available online at: http://www.vatican.va/roman_curia/pontifical_councils/cultr/documents/rc_pc_cultr_doc_22051994_presence_en.html

competing ecclesiological foundations. Throughout phase two, we observe how the juridical understanding of communion in part two of *Ex corde Ecclesiae* becomes operative in the process of its implementation.

Following their initial meeting in July 1997, the subcommittee suggested that the revised document contain two parts. Part one would be a theological and pastoral introduction, largely consisting of a revised version of the already approved application, and part two would contain the new juridical elements. The subcommittee affirmed that "a key to the understanding and application of canon 812 can be found in the theological concept of *communio*."[91] On behalf of the IC, Bishop Leibrecht endorsed the two-fold approach, but expressed his intention that the "clearly pastoral tone" is retained throughout the entire document.[92] A significant challenge in identifying the underlying ecclesiologies throughout the process of implementation as well as in the various texts is that the concept of communion is used by all, although with vastly different meanings. Thus, part one of the 1998 draft of the new document reads:

> The richness of the communion illuminates the ecclesial relationships that unite the distinct, and yet complementary, teaching roles of bishops and Catholic universities. In the light of communion, the teaching responsibilities of the hierarchy and of the Catholic universities retain their distinctive autonomous nature and goal but are joined as activities contributing to the fulfillment of the Church's universal teaching mission.[93]

Part one also affirms that "the spirit of *communio*," which defines the relationship between the church and Catholic colleges and universities, "is fostered by mutual

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[91] "Preliminary Subcommittee Report on "*Ex Corde Ecclesiae*: An Application to the United States," in *Ex Corde Ecclesiae: Documents Concerning Reception and Implementation*, 328.
[92] "Response for the Implementation Committee to Cardinal Bevilacqua," in *Ex Corde Ecclesiae: Documents Concerning Reception and Implementation*, 333-334.
[93] "Draft of '*Ex Corde Ecclesiae*: An Application to the United States' (September 27, 1998) with Memos from Bishop John Leibrecht," in *Ex Corde Ecclesiae: Documents Concerning Reception and Implementation*, 338.

listening, by collaboration that respects differing responsibilities and gifts, and by solidarity that mutually recognizes respective statutory limitations and responsibilities."[94] Part one, it is necessary to underscore once again, includes an understanding of communion that has the potential to advance co-responsibility in the church through recognition of complementary roles and respect for differences. Yet, when we turn to part two, the concept of communion is limited to merely its juridical expression.[95] The specified procedures in part two for requesting, granting, and withdrawing the mandate disregard the mutual trust described in part one.[96] Moreover, the procedures guided by an overly juridical understanding of communion reestablish the legal imbalance, which Komonchak identified, where the bishop's right to exercise oversight is clearly established while the rights of the theologian remain ambiguous. For instance, there is no clear description in the juridical norms concerning the right to due process if a theologian is denied a mandate or if their mandate is withdrawn.[97]

The 1998 draft requires the mandate only for Catholics who teach theology in a Catholic university. The norm states that the mandate is "an acknowledgement by Church authorities that a Catholic professor of a theological discipline teaches within the full communion of the Catholic Church."[98] Yet, the ambiguity regarding what constitutes "full communion" is also problematic. The norm explains that the mandate recognizes that the professor "is a faithful Catholic, an active member of the Church's communion

[94] Ibid., 340.
[95] Ibid., 346.
[96] Ibid., 346-347.
[97] When stating that the mandate can be denied or removed, the draft does affirm that it should be done in writing "so that the person who deems his or her rights to have been injured may seek recourse," but it does not describe this process in any detail. See "Draft of '*Ex Corde Ecclesiae*: An Application to the United States' (September 27, 1998) with Memos from Bishop John Leibrecht," 347.
[98] "Draft of '*Ex Corde Ecclesiae*: An Application to the United States' (September 27, 1998) with Memos from Bishop John Leibrecht," 346.

who teaches a theological discipline as a special ministry within the Church community,"[99] yet this does not fully resolve the problem. The 1983 Code of Canon Law specifies a three-fold commitment regarding all the Christian faithful: "Those baptized are fully in the communion of the Catholic Church on this earth who are joined with Christ in its visible structure by the bonds of the profession of faith, the sacraments, and ecclesiastical governance."[100] With specific regard for Catholic theologians, James Conn argues:

> In the strict sense of *Lumen gentium*, no. 25, communion requires fidelity to the Church's teaching as it is preached by the authentic teachers who are endowed with the authority of Christ. This obligation binds all Catholics, and because of their special role and relationship with the hierarchy, it binds in a unique way theologians in Catholic universities.[101]

My intention here is not to resolve the ambiguity in expressions such as "full communion" and "faithful Catholic" as they pertain to Catholic theologians because I believe, except for patently obvious cases, these labels are inherently ambiguous. Who is to judge when communion is "full" or whether a theologian is a faithful Catholic?[102] The real concern is not the ambiguity of these expressions, but that the 1998 draft (and ultimately the final text) by abandoning the non-juridical application of the *mandatum*, attempts to juridicize a reality that is essentially relational. For this reason, I ultimately agree with the conclusion of Richard Gaillardetz that:

> for many Catholic theologians, the preeminent expression of their *communio* in the Church does not lie in the taking of some oath or the granting of a *mandatum*

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[99] Ibid., 347.
[100] Code of Canon Law, Book II, Part 1, Canon 205.
[101] James Jerome Conn, S.J., *Catholic Universities in the United States and Ecclesiastical Authority* (Roma: Editrice Pontificia Università Gregoriana, 1991), 318. See footnote 40 above concerning the unfortunate English translation's use of "authentic."
[102] For example, see "Theologians, Catholic Higher Education, and the *Mandatum*," in *Ex Corde Ecclesiae: Documents Concerning Reception and Implementation*, 430.

> but in the act of participation in the Sunday Eucharist, a liturgical act that always includes the profession of the Creed.[103]

This relational understanding of *communio* additionally suggests that Catholic theologians are not deputized agents of the hierarchy whom they must serve in order to receive a *mandatum*, but rather are servants, even as they are also members, of the people of God.

The concerned response by Catholic higher education officials to the proposed draft was immediate. The presidents of several academic societies wrote to Bishop Leibrecht, recalling that "a significant level of trust, cooperation and mutual respect has been established between the bishops and the academic community in developing the 1996 document" and expressing the fear that "the approach of the 1998 subcommittee draft, currently under consideration by your committee, would militate against that level of trust and respect."[104] Similarly, the ACCU, recognizing the need for concrete structures and policies, submitted to the IC a list of sixteen alternative proposals, which respected the complimentary yet distinct roles of bishops and academic theologians.[105] Even some of the American bishops, when this draft of the new Application was presented at the NCCB meeting in November 1998, did not fail to observe the tension between the spirit of *communio* and the added juridical elements.[106]

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[103] Richard R. Gaillardetz, "Reflections on Key Ecclesiological Issues Raised in the Elizabeth Johnson Case," in *When the Magisterium Intervenes: The Magisterium and Theologians in Today's Church*, edited by Richard R. Gaillardetz (Collegeville: The Liturgical Press, 2012), 279.
[104] "Response from the Catholic Biblical Association, the Catholic Theological Society of America, and the College Theology Society," in *Ex Corde Ecclesiae: Documents Concerning Reception and Implementation*, 382.
[105] "ACCU Alternative Proposals," in *Ex Corde Ecclesiae: Documents Concerning Reception and Implementation*, 376-380.
[106] Gallin, "Introduction," 26.

4.2.7 Triumph of the Juridical Application

Discussion among the American bishops and Catholic higher education officials continued. Throughout the next year, several alternatives to the new text were proposed including returning to the 1996 application, pausing the process to allow further consultation, and asking Rome for an exemption. In the end, following another lengthy debate during the November 1999 meeting of the NCCB, Gallin describes that "it was clear that the majority of the bishops thought that continued discussion was by now pointless."[107] Indeed, while some of the bishops remained intent on finding a solution that was also acceptable to Catholic higher education officials, Gallin maintains that:

> the majority of bishops seemed intent on bringing an end to the long debate on implementing *Ex Corde Ecclesiae*, at the cost of submitting to Rome's demands for juridical elements in the document and giving up the struggle for the modifications relevant to the American context that had been repeatedly sought by the Implementation Committee.[108]

Thus, on November 17, 1999, NCCB approved "*Ex corde Ecclesiae:* An Application to the United States" with 223 of the American bishops in favor and 31 opposed.[109] And *recognitio* by the Congregation for Bishops with the support of the Congregation for Catholic Education quickly followed on May 3, 2000.[110] Gallin's final assessment of the second phase of the implementation process is significant:

> The way the Bevilacqua subcommittee functioned between 1997 and 1999 stood in complete contrast to the functioning of the full committee. This approach was reminiscent of a top-down mode of decision making, including behind-the-scenes discussions not shared with the full Implementation Committee. It encouraged the widespread suspicion that many of the bishops acted out of fear that they

[107] Ibid., 28.
[108] Ibid., 28-29.
[109] For the final text, see "*Ex Corde Ecclesiae: An Application to the United States* (November 17, 1999)," in *Ex Corde Ecclesiae: Documents Concerning Reception and Implementation*, 388-406.
[110] See "*Recognitio*, May 3, 2000," in *Ex Corde Ecclesiae: Documents Concerning Reception and Implementation*, 407-408. As a final condition before granting the *recognitio*, the Congregation for Catholic Education insisted that the NCCB reverse their earlier decision that the *mandatum* is portable, meaning that one bishop can now reject the mandate that a theologian has received from another bishop.

> would be criticized by Rome as giving in to the higher education community if they allowed extra time for consultation. To the consultants on the committee, in particular, it seemed that the former open collaboration and shared responsibility engendered by the work of the committee from 1990 to 1996 had been jettisoned for fear of offending Rome.[111]

Gallin's assessment clearly reflects the hierarchical, juridical, and centralized understanding of ecclesial communion as described in the previous chapter. Indeed, throughout the ten-year process of the implementation of *Ex corde Ecclesiae*, we see the consequences of this ecclesiological foundation.[112]

4.3 A Theological Response to the *Mandatum*

Following the approval and *recognitio* of the U.S. Application of *Ex corde Ecclesiae*, the Catholic Theological Society of America (CTSA) issued a report on September 11, 2000 titled "Theologians, Catholic Higher Education, and the *Mandatum*." Not surprisingly, the CTSA report claims that "the *mandatum* presses forward a juridical relationship between bishops and theologians and subverts a more beneficial relation of communion."[113] Moving to the heart of the issue, the report continues:

> The *mandatum* appears aimed at developing the type of hierarchical control over theologians that a bishop has over members of the clergy in his diocese. Lay theologians come to be treated as quasi-clerics, accountable to the bishop in the performance of their academic duties. The relationship is vertical and unilateral, with bishops acting as judges and theologians being evaluated.[114]

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[111] Gallin, "Introduction," 30.
[112] Additionally, Melanie M. Morey and John J. Piderit argue that clear consequence of the implementation process was the increased polarization of American Catholic higher education in *Catholic Higher Education: A Culture in Crisis* (New York: Oxford University Press, 2006), 10-11.
[113] "Theologians, Catholic Higher Education, and the *Mandatum*," 430. Members of the drafting committee included: John P. Boyle (University of Iowa), Lisa Sowle Cahill (Boston College), James A. Coriden (Washington Theological Union), Daniel Rush Finn, Chair (Saint John's University), Robert A. Krieg (University of Notre Dame), M. Theresa Moser, R.S.C.J. (University of San Francisco), and James H. Provost (Catholic University of America).
[114] Ibid.

Even though the Application speaks of the communion between bishops and theologians, the CTSA report responds that "the actual relation implicit in the *mandatum* lacks the reciprocity that real communion always entails."[115] The CTSA report thus accurately observes the divergent uses of the concept of communion in the Application. The report contrasts the juridical understanding of communion with a dialogical understanding of communion, the latter being more fitting for the context of higher education. Ultimately, the CTSA report concludes that the imposition of the *mandatum* in the U.S. Application reinforces the concern of many American Catholic theologians about "a troubling overcentralization of ecclesiastical decision-making in Rome and the attempt by some forces within the church to impede, if not block, the vision of the Second Vatican Council."[116] The report's charge reveals the stakes surrounding the relationship between the church and Catholic colleges and universities. Indeed, this relationship not only affects Catholic higher education in the United States, but as this dissertation has argued, it provides a lens to view the reception of Vatican II. The CTSA report rightly identifies the post-conciliar version of communion ecclesiology as the real issue behind the issue of the *mandatum*.

In fact, this important observation about the competing versions of communion was made by Lisa Cahill in 1992 during the first phase of the implementation process. Bishop Leibrecht and the IC consulted several theologians including Cahill regarding the issue of the *mandatum*. In her remarks to the IC, Cahill notes that "there are two different interpretations of the bishop-theologian relationship appearing in papal

[115] Ibid.
[116] Ibid., 432.

statements and official documents such as 'Ex Corde Ecclesiae.'"[117] She describes one interpretation as community-centered and fostered by reciprocal and cooperative relationships and the other as hierarchical and legal. Only the first interpretation is referred to as *communio* by Cahill; yet, as we have seen, a hierarchical and legal interpretation of the relationship between bishops and theologians, as well as between the church and Catholic colleges and universities, can also be described as communion, albeit a very different version. Identifying the ecclesiology under the issue of the *mandatum*, Cahill argues, "The very notion of requiring of theologians a mandate from ecclesiastical authorities is part and parcel of an institutionally oriented, strongly structured, 'top-down' ecclesiology."[118] Cahill acknowledges the proper and legitimate role for "church structure," but insists that "a one-sided emphasis on structure and authority will result in a dead church, unless enlivened by the spirit of love and community."[119] Cahill persuasively argues that a community of trust is actually a prerequisite for the exercise of genuine Christian authority.

4.4 Reevaluating Communion Ecclesiology

A recent document issued more than twenty years after *Ex corde Ecclesiae* by the International Theological Commission (ITC) reaffirms the value of "communion" as an ecclesiological concept to define the relationship between the church and Catholic colleges and universities. The ITC document states: "An understanding of the Church as

[117] Lisa Sowle Cahill, "'Mandate' in the Context of *Ex Corde Ecclesiae*: A Theologian's Reflections," in *Ex Corde Ecclesiae: Documents Concerning Reception and Implementation*, 69.
[118] Ibid., 79.
[119] Ibid.

communion is a good framework within which to consider how the relationship between theologians and bishops, between theology and the magisterium, can be one of fruitful collaboration."[120] However, given both the divergent interpretations of communion seen in the previous chapter as well as the competing expressions of communion seen in this chapter, is the concept of communion still a good ecclesiological framework to consider the relationship between the church and Catholic colleges and universities? Avery Dulles, S.J., another one of the theologians who was consulted by Bishop Leibrecht and the IC in 1992, raised a similar point about the concept of communion. Dulles observes, "While the concept of teaching in communion with the bishops is surely helpful, it has not as yet been clarified to the point where one can speak of a common interpretation."[121] And he also bluntly notes, "It has become almost trite to say that the relations between theology and the hierarchical magisterium are reciprocal."[122] But the most significant point that Dulles raises is precisely the ambiguity of the concept of communion itself. Dulles rightly suggests that as "difficult as it is to spell out the precise meaning of communion in the case of the individual theologian, it is still more difficult to apply the concept to colleges, universities, and other institutions of higher learning."[123] Nevertheless, the concept of communion, especially because of its theological and pastoral richness, remains an attractive alternative to a sterile juridical definition of the

[120] International Theological Commission, "Theology Today: Perspectives, Principles, and Criteria (2011)," 3, available online at: http://www.vatican.va/roman_curia/congregations/cfaith/cti_documents/rc_cti_doc_20111129_teologia-oggi_en.html.
[121] Avery Dulles, S.J., "The Mandate to Teach," in *Ex Corde Ecclesiae: Documents Concerning Reception and Implementation*, 113.
[122] Ibid., 107.
[123] Ibid., 114.

relationship between the church and Catholic colleges and universities. As Dulles remarks about the use of communion in *Ex corde Ecclesiae*:

> The great value of this apostolic constitution, in the eyes of many, is to have gotten beyond a merely canonical approach to the idea of communion between Catholic universities and the Church. It emphasized the service that universities can render through reflection on the faith, dispassionate inquiry into truth, and skillful analysis of the problems of society and culture in the light of the gospel. These functions can best be carried out in lively relations between university and community of faith, involving the bishops in their role as pastors. For the most part, these relations are not reducible to juridical factors. Unless cooperation is pursued in a broader context, the juridical problems will possibly defy solution.[124]

However, rather than communion serving as an alternative to a juridical definition of the relationship, what we have instead found throughout the process of implementation is the juridicalization of communion itself. As someone who has previously advocated for the appropriation of communion ecclesiology to helpfully advance the relationship between the church and Catholic higher education,[125] I realize now that I was not sufficiently critical about how easily the concept of communion can be commandeered by a clerical, hierarchical, and juridical interpretation as we have seen throughout this chapter.

4.5 Chapter Conclusions

This chapter demonstrated how the juridical understanding of communion in part two of *Ex corde Ecclesiae* overshadowed the theological and pastoral understanding of communion in part one. Further, this chapter presented the consequences of the juridical understanding of communion throughout the ten-year process of implementing *Ex corde*

[124] Ibid., 116.
[125] See Michael Hahn, O.S.B., "The Twenty-Fifth Anniversary of *Ex corde Ecclesiae:* Toward a *Communio* between the Magisterium and Theology," *Journal of Catholic Higher Education* 35 (2016): 175-192.

Ecclesiae in the United States. Indeed, despite the genuine efforts of the American bishops and Catholic higher education officials toward collaboration during phase one of the implementation process, phase two revealed the triumph of a clerical, hierarchical, and juridical understanding of communion.

Although this version of communion ecclesiology successfully replaced the theological and pastoral understanding, it has since failed to serve as an adequate ecclesiological foundation to support the relationship between the church and Catholic higher education. More than twenty-five years after the promulgation of *Ex corde Ecclesiae*, the juridical norms of the apostolic constitution are now largely overlooked, even though they remain in effect. Indeed, academic freedom and institutional autonomy as claimed in the Land O'Lakes statement (more than fifty years ago) hold more currency today than the norms expressed in *Ex corde Ecclesiae*. Although debate concerning the apostolic constitution was quite vigorous at the beginning of the twenty-first century, as was general discussion about the explicitly Catholic character of American Catholic colleges and universities, this is no longer the case.[126] Even the most ardent supporters of *Ex corde Ecclesiae* admit the long-term ineffectiveness of the apostolic constitution.[127] Both Catholic higher education officials as well as American bishops (with some notable exceptions) are largely indifferent to the juridical norms of *Ex corde Ecclesiae*.[128] And,

[126] One contributing factor leading to the abrupt end of debate was reports of clerical sexual misconduct that began to surface in 2002. Episcopal attention turned, understandably, to addressing this crisis within the church.
[127] Peter F. Ryan, S.J., "The Catholic University and the Idea of Academic Freedom," in *Fidelity and Freedom:* Ex Corde Ecclesiae *at Twenty-Five* (Steubenville: Franciscan University Press, 2018), 66.
[128] James J. Conn, S.J., "Canonical Issues and US Catholic Universities: Twenty-Five Years since *Ex corde Ecclesiae*," in *Fidelity and Freedom*, 181.

even the most controversial issue of the *mandatum* has subsided because enforcement, if it exists at all, varies widely from diocese to diocese.[129]

While *Ex corde Ecclesiae* no longer carries the same relevance as it once did, the juridical understanding of communion underlying the apostolic constitution remains a pressing issue. Moreover, the lingering battle for accountability by some bishops and institutional autonomy by Catholic higher education officials, which has dominated the conversation for more than a quarter-century, has distracted both the church and the Catholic academy from other significant questions. As David O'Brien rightly notes:

> Few forums are created for dealing with pluralism and polarization within the church, few programs are developed for carrying on the much heralded dialogue between religion and culture, and few resources are expended on research and development aimed at significant reform of undergraduate and graduate curriculum to incorporate theological reflection and ethical concern as called for in *Ex corde* and many other texts.[130]

Yet to achieve the worthy aims that O'Brien identifies, a renewed understanding of the relationship between the church and Catholic higher education is needed. A merely revised and updated version of *Ex corde Ecclesiae* is not adequate. Indeed, without confronting its underlying ecclesial commitments, the most vexing issues pertaining to the relationship between the church and Catholic higher education will remain unresolved. Thus, in search of a more adequate ecclesiological foundation, the following chapter will evaluate the emerging ecclesiology of Pope Francis.

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[129] John C. Haughey, S.J., *Where is Knowing Going? The Horizons of the Knowing Subject* (Washington, D.C., Georgetown University Press, 2009), 140.
[130] O'Brien, *From the Heart of the American* Church, 68.

CHAPTER FIVE

Implementing Vatican II: The Ecclesial Vision of Pope Francis

> What perhaps has yet to be accepted and appreciated is that Vatican II represents a break with this Tridentine drive toward uniformity and standardization in at least some respects. The Council's openness to cultures and dialogue as a *sine qua non* for the Church in pursuit of its contemporary mission requires another mentality. The role of uniformity so prized in the defensive, post-Tridentine period of Church history gives way with Vatican II to respect for diversity, which, interestingly, is not a new emphasis, but rather one that picks up again and reinforces the Church's ancient catholicity, the pursuit of communion in difference rather than communion in sameness.[1]

On March 13, 2013, Jorge Mario Bergoglio, then Archbishop of Buenos Aires, was elected pope, referring to himself as the Bishop of Rome and taking the name Francis. As he appeared on the central loggia of Saint Peter's Basilica and asked the crowd in the square below for their blessing, Catholics and non-Catholics alike were immediately charmed by the first Latin American pope. News that Francis eschewed the trappings of his office, preferring more modest living arrangements and liturgical attire than his predecessors, garnered further approval from many. The appeal of Francis did not quickly fade. Who can forget the image of the "hug felt around the world" when Francis embraced a severely disfigured man in Saint Peter's Square?[2] And, when Francis decided to celebrate his first Holy Thursday as pope at a youth prison in Rome rather than the Basilica of Saint John Lateran, washing the feet of prisoners rather than the feet of

[1] Allan Figueroa Deck, S.J., *Francis, Bishop of Rome: The Gospel for the Third Millennium* (New York: Paulist Press, 2016), 70.

[2] The embrace occurred at the conclusion of a General Audience in November 2013. For an example of media coverage of the event, see "Pope Francis' embrace of a severely disfigured man touches world," accessed at: http://www.cnn.com/2013/11/07/world/europe/pope-francis-embrace/

twelve priests, the world noticed. Francis's personal charisma is undeniable, but to what extent does it also suggest a new era for the Catholic Church?

Beyond his humble and approachable style, I argue in this chapter that the papacy of Francis is introducing a substantial ecclesiological shift. I agree with those who judge the papacy of Francis as a new moment in the reception of Vatican II. Each pope since Vatican II has contributed to the reception of the council, yet, in a novel way, Francis is implementing the council. Rafael Luciani, for example, writes, "What is new about Francis is that he has been putting into practice the spirit of Vatican II."[3] This chapter begins, therefore, by examining how Vatican II, and particularly the council's reception in Latin America, informs Francis's ecclesial commitments and practices. Next, I offer *Evangelii Gaudium*, the first major document by Francis, as the primary example of Francis's appropriation of Vatican II. *Evangelii Gaudium*, the document referred to as the "roadmap" of his pontificate,[4] further suggests that Francis intends a project of ecclesial reform and renewal that goes beyond his own personal style. The church's first Latin American pope refers to this project as "synodality," which Ormond Rush explains is Francis's "catch-all phrase for how he believes the Second Vatican Council is envisioning the church *ad intra*—in its inner workings—without wanting to separate the church's inner life with the effectiveness of its outward (*ad extra*) mission in the world."[5] This chapter, in addition to providing a thorough explanation of synodality, names accompanying ecclesial practices demanded by synodality. Finally, I demonstrate how

[3] Rafael Luciani, *Pope Francis and the Theology of the People* (Maryknoll, New York: Orbis Books, 2017), 130.
[4] Juan Carlos Scannone, S.J., "Pope Francis and the Theology of the People," *Theological Studies* 77 (2016): 126.
[5] Ormond Rush, "Inverting the Pyramid: The *Sensus Fidelium* in a Synodal Church," *Theological Studies* 78 (2017): 303.

Francis's understanding of synodality provides a more robust understanding of ecclesial communion.

Recall that chapter three of this dissertation evaluated the CDF version of communion ecclesiology as it developed during the papacy of John Paul II. Then, in chapter four, I demonstrated the limitations of this particular ecclesiological trajectory for Catholic higher education as it appeared in *Ex corde Ecclesiae*. In parallel fashion, this chapter describes the key components of Francis's ecclesial vision as it has developed thus far in order to evaluate, in the final chapter, the value of synodality as a potential ecclesiological foundation to consider anew the relationship between the church and Catholic higher education.

5.1 Vatican II and the Ecclesial Vision of Francis

Jorge Mario Bergoglio was ordained a priest on December 13, 1969. Unlike John Paul II and Benedict XVI who participated at Vatican II as a bishop and *peritus* respectively, Francis is the first pope who did not attend the council. This biographical difference betrays a more significant difference between Francis and his predecessors concerning the council. Whereas John Paul and Benedict tried to clarify the meaning of Vatican II (the 1985 Extraordinary Synod is but one example), Francis is trying to implement Vatican II. As Massimo Faggioli argues, the papacy of Francis "represents an opportunity for a resumption of dialogue not *on* Vatican II, but *from* Vatican II in the life of the Church."[6] Because he was not personally involved in the debate at the council,

[6] Massimo Faggioli, *Pope Francis: Tradition in Transition* (New York: Paulist Press, 2013), 40.

perhaps Francis is freer than his predecessors to move beyond the ongoing battle over the meaning of Vatican II toward implementing its teaching. Supporting this position, Faggioli writes, "The Argentine Jesuit Bergoglio perceives Vatican II as a matter not to be reinterpreted or restricted, but implemented."[7] For this reason, I have titled this chapter "Implementing Vatican II." I argued in chapter two that the Land O'Lakes statement represents a significant moment in the initial reception of Vatican II. The drafters attempted to appropriate several key conciliar principles for Catholic higher education, even though the final text left many tensions unresolved. I argued in chapter three that the 1985 Extraordinary Synod represents a reinterpretation of Vatican II. The participants of the Synod deemphasized the ecclesiology of the people of God and instead endorsed a particular brand of communion ecclesiology. In this chapter, however, I propose that the ecclesial vision of Francis is something beyond merely another moment in the reception of Vatican II or yet another attempt to reinterpret the council's teaching. I agree with Richard Gaillardetz who suggests that the papacy of Francis is "taking us down the proverbial 'road not taken' in the post-conciliar church."[8] One significant indication of this shift is Francis's rehabilitation of Vatican II's understanding of the church as people of God.[9]

Thus, while not attending the council, Vatican II was nonetheless a life-changing event for the young Bergoglio. Biographer Austen Ivereigh describes his initial

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[7] Ibid., 34.
[8] Richard R. Gaillardetz, "Pope Francis and the Rise of a Pastoral Magisterium," *Offerings: Journal of Oblate School of Theology* 10 (2017): 59.
[9] Gerard Mannion, "Re-Engaging the People of God," in *Go into the Streets! The Welcoming Church of Pope Francis*, edited by Thomas P. Rausch, S.J. and Richard R. Gaillardetz (New York: Paulist Press, 2016), 66. On the rehabilitation of Vatican II's understanding of the church as people of God, see also Gerard Mannion, "Francis's Ecclesiological Revolution: A New Way of Being Church, a New Way of Being Pope," in *Pope Francis and the Future of Catholicism:* Evangelii Gaudium *and the Papal Agenda*, edited by Gerard Mannion (New York: Cambridge University Press, 2017), 107.

formation in the Society of Jesus, contending that "the Council would be Bergoglio's greatest teacher, and the single greatest source, later, of his pontificate."[10] Indeed, Faggioli maintains that the characteristic elements of Francis's ecclesial vision "are simply unthinkable without Vatican II."[11] Yet, rather than frequently citing or explicitly referencing the teaching of Vatican II, the council functions in a far subtler, but no less influential, way for Francis. According to Gaillardetz, Francis possesses "the council's deeper reformist impulse."[12] In other words, Francis has internalized the spirit of Vatican II. Similarly, Faggioli declares that with Francis "'Vatican II nominalism' is over."[13] By this, Faggioli means that Francis does not only cite Vatican II, but, more importantly, puts the council's teaching into practice. Faggioli explains:

> Ecumenism, interreligious dialogue, an ecclesiology of the Church 'that goes forth,' a Church of mercy and for the poor—all this is unquestionably the theology of Vatican II in act. Vatican II was an act, and the reception of Vatican II is an act.[14]

In addition, Faggioli also includes the retrieval of the ecclesiology of *Gaudium et Spes*, the reception of the collegial and synodal dimension of the church, a renewed vision of Catholic social teaching, and the recognition of the pastoral nature of doctrine as key components of the implementation of Vatican II under Francis.[15] What is new with Francis is not the specific conciliar teachings that he prioritizes, but that he prioritizes the concrete practice of these teachings. He does not, for instance, merely emphasize the

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[10] Austen Ivereigh, *The Great Reformer: Francis and the Making of a Radical Pope* (New York: Henry Holt and Company, 2014), 57.
[11] Massimo Faggioli, *A Council for the Global Church: Receiving Vatican II in History* (Minneapolis: Fortress Press, 2015), 2.
[12] Richard R. Gaillardetz, *An Unfinished Council: Vatican II, Pope Francis, and the Renewal of Catholicism* (Collegeville: Liturgical Press, 2015), 135.
[13] Faggioli, *A Council for the Global Church*, 333.
[14] Ibid., 334.
[15] Faggioli, *Pope Francis: Tradition in Transition*, 72-73.

synodal dimension of the church. But, as we will see later in this chapter, he urges the practice of synodality and practices it himself.

5.2 Reception of Vatican II in Latin America

Perhaps an even more significant biographical difference from his immediate predecessors is the fact that Francis is the first pope from Latin America. This difference provides further explanation for his unique approach to implementing Vatican II, since "for a Latin American bishop like Bergoglio, Vatican II is an essential and obvious part of the experience of the church."[16] In comparison to his European predecessors, Francis is deeply indebted to his experience of the reception of Vatican II in Latin America generally and, in particular, the reception of the council in Argentina.[17] The most formative theological influence for Francis is Latin American theology of the people, a branch of liberation theology that developed in Argentina.[18] Lucio Gera, Rafael Tello, and Juan Carlos Scannone are the figures who were responsible for articulating the distinctive features of the theology of the people following Vatican II. Gera was a *peritus* at the council. Both Gera and Tello were members of the Episcopal Commission for Pastoral Practice (COEPAL), which the bishops of Argentina formed in 1966 after returning from the council. Scannone has recently shown the influence of the theology of the people in *Evangelii Gaudium*.[19]

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[16] Ibid., 11.
[17] Elisabetta Piqué, *Pope Francis: Life and Revolution* (Chicago: Loyola Press, 2013), 225-226.
[18] Massimo Borghesi explains that "The theology of the people was not a 'conservative' alternative to liberation theology, but a liberation theology without Marxism," in *The Mind of Pope Francis: Jorge Mario Bergoglio's Intellectual Journey* (Collegeville: Liturgical Press, 2017), 48.
[19] Scannone, "Pope Francis and the Theology of the People," 126.

Rafael Luciani emphasizes that Latin American theology of the people requires the reform of the ecclesial mindset. The ecclesial mindset, according to Luciani, includes, but is not limited to, the structures and practices of the church. Yet, Luciani observes:

> It is an open question whether the ecclesiastical institution, in its present hierarchical and organizational arrangement, is open to taking on the consequences of the Second Vatican Council's spirit, or whether it is still engaged—as it appears to be—in resisting, opposing, or simply being indifferent to the signs of the times that Francis has identified.[20]

If the church is open to reforming its ecclesial mindset, Luciani argues that the theology of the people provides an agenda to enact the reforms intended by Vatican II. In contrast to the reigning ecclesial mindset, the theology of the people begins with the ecclesiology of the people of God (*LG* 9) and employs the method of scrutinizing the signs of the times (*GS* 4) in order to propose a more participatory and dialogical understanding of the church.

The departure point of the theology of the people is listening to people who are poor. This emphasis is heard clearly in an early address of Francis when he said, "How I would like a Church which is poor and for the poor!"[21] But what is a church that is poor and for the poor? Luciani explains that a reformed ecclesial mindset recognizes that "the most appropriate place of ecclesial presence—both pastoral and academic—is that of being in the midst of the *poor peoples*, serving them and taking a stand with them in their struggles and hopes (*GS* 1)."[22] At a first level, this requires academic and pastoral

[20] Luciani, *Pope Francis and the Theology of the People*, xviii.
[21] Pope Francis, "Audience to Representatives of the Communications Media," (March 16, 2013), available online at: http://w2.vatican.va/content/francesco/en/speeches/2013/march/documents/papa-francesco_20130316_rappresentanti-media.html
[22] Luciani, *Pope Francis and the Theology of the People*, 24.

theologians to listen to and learn from the poor, which is a relevant and significant challenge for Catholic higher education in the United States today. Beyond the ethical dimension, openness to the situation of the poor expands the focus of both the academy and the church. Luciani explains:

> The challenge today lies in taking on the secular world as world and living—following the spirit of Vatican II—as people of God in the midst of the peoples of this world, an outgoing Church learning to respond to the new signs of the times and not to its own needs or bureaucratic interests.[23]

Listening to the poor is the primary step toward reforming the contemporary ecclesial mindset because it reorients the church outward. It advances a missionary church going out toward the periphery or what Gaillardetz calls a "centrifugal church."[24] As Gaillardetz writes, a church that is poor and for the poor is a radical departure from a church "being in itself and for itself—what Francis criticizes as a self-referential and self-centered church."[25] Indeed, Luciani concludes that "only a *church going out* is able to overcome the centuries-long temptation to make itself the center and to base its life on simply occupying spaces and positions."[26] Both Luciani and Gaillardetz help us see that a church that is poor and for the poor, in contrast, is decentered and reoriented toward the periphery.

This shift has significant implications for the church. Giving priority to the periphery, rather than to the center, yields a polycentric image of the church. As we will see below in *Evangelii Gaudium*, Francis illustrates this shift with the image of the polyhedron, which Luciani calls the "Bergoglian image of the 'polyhedron' as creative

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[23] Ibid., 60.
[24] Gaillardetz, *An Unfinished Council*, 118-119.
[25] Luciani, *Pope Francis and the Theology of the People*, 134.
[26] Ibid., 112.

unity within diversity"[27] In the first place, this polycentric image of the church calls for the reform of ecclesial structures and practices *ad intra* by giving renewed attention to charisms and ministries rather than status and positions. This shift confronts an ecclesial mindset that privileges the disciplinary, juridical, and institutional aspects of the church, which represent "a deformed pathology of power that has contributed to and sustained among Christians the loss of their status as subjects and as free, co-responsible believers."[28] At the same time, this polycentric image of the church emphasizes the council's recognition of grace and truth existing outside the church. As Luciani argues:

> To take on secular history with all its depth and truth means believing that the Spirit is present in it, in all these movements, forces, and processes in history, beyond the institutional Church, and that they bear in themselves a saving operation greater than that which is immediate and palpable.[29]

In its reception of Vatican II, the theology of the people calls for a complete reform of the ecclesial mindset, one that transforms both the church's inner life as well as its engagement with the world.

5.3 *Evangelii Gaudium* as the Roadmap

The apostolic exhortation *Evangelii Gaudium* is the first major document by Francis.[30] It emerged from the Synod of Bishops (October 7-28, 2012) on the theme of

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[27] Ibid., 110. Ivereigh notes the influence of Yves Congar in Bergoglio's understanding of periphery in *The Great Reformer*, 93-94. For Congar's writing on the relationship between the center and the periphery, see *True and False Reform in the Church* (Collegeville: Liturgical Press, 2011), 237-242.
[28] Ibid., 143.
[29] Ibid., 62.
[30] Pope Francis, *Evangelii Gaudium: Apostolic Exhortation on the Proclamation of the Gospel in Today's World* (November 24, 2013), available online at: http://w2.vatican.va/content/francesco/en/apost_exhortations/documents/papa-francesco_esortazione-ap_20131124_evangelii-gaudium.html. All references to *Evangelii Gaudium* will be made parenthetically in the body of this chapter and denoted as "*EG*" followed by the article number.

"The New Evangelization for the Transmission of the Christian Faith," which was convened by Pope Benedict XVI. After Benedict's surprising resignation in February 2013, writing the post-synodal document was left to Francis. While ostensibly focused on the "new evangelization," a theme of primary concern for both Pope Benedict and Pope John Paul II, the final text of *Evangelii Gaudium* reflects Francis's unique contribution. As the "roadmap" of his pontificate, I have selected *Evangelii Gaudium* as the primary text to consider Francis's ecclesial vision. Francis himself emphasizes the "programmatic significance and important consequences" of the document (*EG* 25). Francis has since issued many other important texts including the encyclical letter *Laudato si*[31] and the apostolic exhortation *Amoris Laetitia*,[32] which also garnered significant attention when they were promulgated, but these additional texts reflect the foundational ecclesial commitments that Francis first introduces in *Evangelii Gaudium*.

The most obvious feature of *Evangelii Gaudium* is Francis's repeated reference to the whole people of God. Francis emphasizes that "the Church, as the agent of evangelization, is more than an organic and hierarchical institution; she is first and foremost a people advancing on its pilgrim way toward God" (*EG* 111). One can see here the influence of *Lumen Gentium* in the prominence given to the people of God and the pilgrim nature of the church. Francis's definition of the church offers a balanced perspective, neglecting neither the church's vertical nor horizontal dimension. For instance, calling attention to its divine communion, Francis insists, "being church means

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[31] Pope Francis, *Laudato si: Encyclical Letter on Care for our Common Home* (May 24, 2015), available online at: http://w2.vatican.va/content/francesco/en/encyclicals/documents/papa-francesco_20150524_enciclica-laudato-si.html

[32] Pope Francis, *Amoris Laetitia: Apostolic Exhortation on Love in the Family* (March 19, 2016), available online at: http://w2.vatican.va/content/dam/francesco/pdf/apost_exhortations/documents/papa-francesco_esortazione-ap_20160319_amoris-laetitia_en.pdf

being God's people" (*EG* 114). Yet, this fundamental alignment in no way diminishes the church's responsibility to be in communion with the world. Francis affirms, "The People of God is incarnate in the people of the earth, each of which has its own culture. The concept of culture is valuable for grasping the various expressions of the Christian life present in God's people" (*EG* 115). Here we see the influence of the theology of the people, which is also known as the theology of culture, given its attention to the sociocultural location of people.[33]

At the heart of *Evangelii Gaudium* is the affirmation that the whole people of God participate in proclaiming the Gospel. Francis supports this claim through his reading of *Lumen Gentium* 12. He writes:

> In all the baptized, from first to last, the sanctifying power of the Spirit is at work, impelling us to evangelization. The people of God is holy thanks to this anointing, which makes it infallible *in credendo*. This means that it does not err in faith, even though it may not find words to explain that faith. The Spirit guides it in truth and leads it to salvation. As part of his mysterious love for humanity, God furnishes the totality of the faithful with an *instinct of faith—sensus fidei—* which helps them to discern what is truly of God (*EG* 119).[34]

This significant passage reflects Francis's "mature pneumatology," which appears throughout *Evangelii Gaudium*, and has been named by Gaillardetz as "one of the more unappreciated features of his theological vision."[35] Francis explicitly affirms elsewhere that every member of the church is endowed by the Holy Spirit with different charisms (*EG* 130). The connection between the people's infallibility *in credendo* and the

[33] Luciani, *Pope Francis and the Theology of the People*, xiii.
[34] Walter Kasper argues that Francis recovers the *sensus fidei*, which was neglected after the council, and this significant teaching requires a magisterium that can listen in *Pope Francis' Revolution of Tenderness and Love: Theological and Pastoral Perspectives* (New York: Paulist Press, 2015), 41.
[35] Gaillardetz, *An Unfinished Council*, 122.

charismatic structure of the church is also clear in the above passage. As Faggioli explains:

> Charisms are not extraordinary and exceptional in the Church, but they are common, diverse, universal, and not limited to a group of people. The church is all-charismatic, and the value of every charism must be measured against the good of the people of God.[36]

This includes, according to Faggioli, calibrating the infallibility of the magisterium in relationship to the good of the whole people of God. A further consequence is that participatory and dialogical structures are necessary in the church because all the faithful, and not only the official magisterium, are endowed with charisms.

The responsibility given to the whole people of God in *Evangelii Gaudium* flows from recovering the priority of baptism. As with the pneumatological emphasis in *Evangelii Gaudium*, Francis affirms the priority of baptism throughout the apostolic exhortation. In one particularly consequential passage, Francis writes, "In virtue of their baptism, all members of the People of God have become missionary disciples" (*EG* 120). Here we discover the connection between the recovery of baptismal significance and the missionary nature of the church. As Gaillardetz explains, "Francis uses the term [missionary discipleship] to stress the fundamentally centrifugal thrust of the church's activity and the need for Christians to enter into a deeper and more profound solidarity with the world."[37] In other words, baptism calls the people of God to go forth "in order to reach all the 'peripheries' in need of the light of the Gospel" (*EG* 20). In contrast to a self-referential and self-centered church, Francis writes, "I prefer a Church which is

[36] Faggioli, "*Evangelii Gaudium* as an Act of Reception of Vatican II," in *Pope Francis and the Future of Catholicism:* Evangelii Gaudium *and the Papal Agenda*, edited by Gerard Mannion (New York: Cambridge University Press, 2017), 46.
[37] Gaillardetz, *An Unfinished Council*, 116.

bruised, hurting and dirty because it has been out on the streets, rather than a Church which is unhealthy from being confined and from clinging to its own security" (*EG* 49). Here we clearly observe the influence of the theology of the people in Francis's depiction of a missionary church going forth toward the periphery.

Missionary outreach is not one activity alongside many in the church, as Francis makes clear, but is rather "*paradigmatic for all the Church's activity*" (*EG* 15). For this reason, Faggioli appropriately labels the ecclesiology in *Evangelii Gaudium* as "a missionary ecclesiology faithful to the message of Vatican II."[38] Drawing attention to the connection between the missionary nature of the church and ecclesial reform, Faggioli specifically notes that "'renewal/renewed' is used twenty-nine times against the five times of 'reform/reformation.'"[39] When Francis speaks of ecclesial reform, he intends not only individual renewal but the renewal of the entire church (*EG* 26).[40] Indeed, Francis contends that the "missionary option" has the potential to transform all of the church's structures and practices (*EG* 27). *Evangelii Gaudium* does not provide an exhaustive blueprint for ecclesial reform, but one concrete example suggests that Francis intends a far-reaching and ongoing reform. "Excessive centralization," Francis insists, "rather than proving helpful, complicates the Church's life and her missionary outreach" (*EG* 32). This explains Francis's resistance to the belief

> that the papal magisterium should be expected to offer a definitive or complete word on every question which affects the Church and the world. It is not advisable for the Pope to take the place of local Bishops in the discernment of

[38] Faggioli, "*Evangelii Gaudium* as an Act of Reception of Vatican II," 42.
[39] Ibid. Gaillardetz also explores the connection between the missionary nature of the church and ecclesial reform in *An Unfinished Council*, 121-122.
[40] Francis cites Pope Paul VI's programmatic document *Ecclesiam suam* (August 6, 1964). Walter Kasper argues that the "dialogical style" of Francis is putting into practice the reforms that Paul VI called for in *Ecclesiam suam* in *Pope Francis' Revolution of Tenderness and Love*, 19. Clemens Sedmak also draws a connection between *Evangelii Guadium* and *Ecclesiam suam* in *A Church of the Poor: Pope Francis and the Transformation of Orthodoxy* (Maryknoll, New York: Orbis Books, 2016), 8-9.

> every issue which arises in their territory. In this sense, I am conscious of the need to promote a sound 'decentralization' (*EG* 16).[41]

In unprecedented fashion, but consistent with his own teaching, Francis cites documents by national and regional episcopal conferences including Brazil, the Congo, France, India, the Philippines, and the United States as well as Africa, Asia, Latin America, and Oceania.

The objective of the ecclesial reform that Francis initiates in *Evangelii Gaudium* is a more participatory and dialogical church. Throughout the apostolic exhortation, Francis affirms the value of listening, so much so that Gaillardetz names "a listening church" a primary feature of Francis's "emerging ecclesiological vision."[42] Indeed, when Francis calls for the doors of the church to be open to the world, the primary mission he names is listening (*EG* 46). The church listens to those whom it wishes to serve, especially in the context of personal accompaniment, bearing in mind that listening is more than simply hearing (*EG* 171). The church listens to the signs of the times (*EG* 51). Most importantly, the church listens to the revealed word of God. In this case, not only does the church listen, but Francis, significantly, suggests that church learns also: "The Church is herself a missionary disciple; she needs to grow in her interpretation of the revealed word and in her understanding of truth" (*EG* 40). Francis draws from the dynamic understanding of revelation in *Dei Verbum* to depict how the church's understanding matures:

> Within the Church countless issues are being studied and reflected upon with great freedom. Differing currents of thought in philosophy, theology and pastoral

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[41] Gaillardetz regards ecclesial decentralization to be a "theologically less helpful formulation" than ecclesial subsidiarity. When Francis uses ecclesial decentralization, Gaillardetz admits, that it effectively implies the same principle as ecclesial subsidiarity. For more, see *An Unfinished Council*, 126-129; here, 127.

[42] Gaillardetz, *An Unfinished Council*, 122-126; here, 122.

> practice, if open to being reconciled by the Spirit in respect and love, can enable the Church to grow, since all of them help to express more clearly the immense riches of God's word. For those who long for a monolithic body of doctrine guarded by all and leaving no room for nuance, this might appear as undesirable and leading to confusion. But in fact such variety serves to bring out and develop different facets of the inexhaustible riches of the Gospel (*EG* 40).

This is a key passage because it insists that no one individual or group of people in the church have all the answers. To grow in knowledge of the truth requires the participation of all the faithful. As anticipated in this passage, this participatory and dialogical approach has since been accused of "leading to confusion." The promulgation of *Amoris Laetitia*, for instance, unleashed a wave of criticism of Francis by scholars and bishops alike.[43]

The capacity to tolerate disagreement should come as no surprise, however, to those who read *Evangelii Gaudium*. Every bishop, for instance, is instructed to consult widely rather than listening only to individuals who will agree with him (*EG* 31). Later in the apostolic exhortation, Francis writes:

> Even people who can be considered dubious on account of their errors have something to offer which must not be overlooked. It is the convergence of peoples who, within the universal order, maintain their own individuality; it is the sum total of persons within a society which pursues the common good, which truly has a place for everyone (*EG* 236).

Francis readily acknowledges that a participatory and dialogical approach in society and in the church will necessarily include diversity, conflict, and disagreement. Francis uses an organic metaphor to illustrate the various authentic expressions of faith, affirming that "countless peoples have received the grace of faith, brought it to flower in their daily

[43] See for example: "Sixty-two Scholars and Priests Issue 'Correction' of Pope Francis," *Catholic Herald* (September 24, 2017), available online at: http://catholicherald.co.uk/news/2017/09/24/sixty-scholars-and-priests-issue-correction-of-pope-francis/ and "Four Cardinals Openly Challenge Francis over *Amoris Laetitia*," *National Catholic Reporter* (November 14, 2016), available online at: https://www.ncronline.org/blogs/four-cardinals-openly-challenge-francis-over-amoris-laetitia

lives and handed it on in the language of their own culture" (*EG* 116). A variety of gifts exist in the church and "when properly understood, cultural diversity is not a threat to Church unity" (*EG* 117). One observes here yet another instance of Francis's mature pneumatology. The church must learn to trust, Francis insists, because the Holy Spirit

> alone can raise up diversity, plurality and multiplicity while at the same time bringing about unity. When we, for our part, aspire to diversity, we become self-enclosed, exclusive and divisive; similarly, whenever we attempt to create unity on the basis of human calculations, we end up imposing a monolithic uniformity. This is not helpful for the Church's mission (*EG* 131).

A missionary church goes forth into the world unafraid of diversity and conflict because, if accompanied by the Holy Spirit, unity in diversity—what Francis calls "reconciled diversity"—is possible (*EG* 230).

Evangelii Gaudium, by way of summary, reveals the foundational elements of Francis's ecclesial vision. The mature pneumatology in the apostolic exhortation helps us to see the charismatic structure of the church as well as the diversity of charisms entrusted to the people of God. The recovery of baptismal significance allows us to more deeply understand the missionary nature of the church. And the church's missionary outreach calls the church itself to reform and renewal, especially toward advancing more participatory and dialogical structures and practices. Francis explains four principles in *Evangelii Gaudium* that can harmonize differences (*EG* 222-237), one of which is "the whole is greater than the part." Francis illustrates this principle with the image of the polyhedron, which "reflects the convergence of all its parts, each of which preserves its distinctiveness" (*EG* 236). In contrast with the sphere, "which is no greater than its parts, where every part is equidistant from the center, and there are no differences between them," a polyhedron does not need to enforce rigid uniformity in order to achieve unity

(*EG* 236). One can observe here, as Gerard Mannion does, the influence of Latin American theology of the people in "Francis's embracing of a polycentric understanding of the church and his affirmation of an ecclesiology from below."[44]

5.4 Commemoration of the 50th Anniversary of the Synod of Bishops

Also necessary to understand Francis's ecclesial vision, following upon the foundational influence of *Evangelii Gaudium*, is his understanding of synodality. On October, 17, 2015, Francis marked the fiftieth anniversary of Pope Paul VI's establishment of the Synod of Bishops.[45] In his address on the occasion, which has been called "one of the most important speeches of his pontificate,"[46] Francis refers to the Synod of Bishops as "one of the most precious legacies of the Second Vatican Council."[47] Indeed, the Synod of Bishops has visibly functioned more in the style of Vatican II under Francis than his immediate predecessors, most notably through the return of consultation and open debate in its proceedings. Yet, what Francis says about the Synod of Bishops itself is not what makes this brief address so ecclesiologically significant. Francis speaks rather of an "entirely synodal church" and broadly about the "path of *synodality*."[48] Here Francis is not referring to the Synod of Bishops nor even the

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[44] Gerard Mannion, "Francis's Ecclesiological Revolution: A New Way of Being Church, a New Way of Being Pope," in *Pope Francis and the Future of Catholicism*, 109.
[45] For more on the establishment of the Synod of Bishops in 1965, see Massimo Faggioli, *A Council for the Global Church*, 232-238.
[46] Gaillardetz, "Pope Francis and the Rise of a Pastoral Magisterium," 66.
[47] Pope Francis, "Address of His Holiness Pope Francis: Ceremony Commemorating the 50th Anniversary of the Institution of the Synod of Bishops" (October 17, 2015), available online at: http://w2.vatican.va/content/francesco/en/speeches/2015/october/documents/papa-francesco_20151017_50-anniversario-sinodo.html
[48] Ibid.

ancient synodal structures of the church.[49] For Francis, synodality is an all-encompassing proposal that involves the whole people of God. The distinctive features of Francis's ecclesial vision are encapsulated in synodality. As Ormond Rush explains, "synodality" is a "catch-all phrase" for Francis's understanding of the reform initiated by Vatican II.[50]

Francis defines synodality as the whole people of God "journeying together," which he forthrightly admits is "an easy concept to put into words, but not so easy to put into practice."[51] "Journeying together" is an ideal that requires a reform of ecclesial mindset. In order to journey together, the church must first learn a new culture of reaching consensus—a goal that cannot be imposed from the top but is achieved by listening and collaboration. Indeed, Francis draws on the prioritization of the people of God in *Lumen Gentium*, especially the *sensus fidei* of the whole people of God, as the ecclesiological foundation for his vision of synodality. As Rush writes, "The *sensus fidelium*, and listening to the *sensus fidelium*, lie at the heart of Francis's dynamic notion of a synodal church."[52] The *sensus fidei*, Francis insists, "prevents a rigid separation between an *Ecclesia docens* and an *Ecclesia discens*, since the flock likewise has an instinctive ability to discern the new ways that the Lord is revealing to the Church."[53] In other words, the entire people of God actively participate in the ongoing understanding of

[49] For more on the synodal structure of the early church, see John R. Quinn, *Ever Ancient, Ever New: Structures of Communion in the Church* (New York: Paulist Press, 2013), 8-12. It is widely known that Bergoglio praised Quinn's earlier book *The Reform of the Papacy: The Costly Call to Christian Unity* (New York: Crossroad Publishing, 1999).
[50] Ormond Rush, "Inverting the Pyramid," 303.
[51] Pope Francis, "Address." The origin of "synod" is the Greek word *synodos*, which connotes "walking together."
[52] Rush, "Inverting the Pyramid," 312.
[53] Pope Francis, "Address." The same conclusion is affirmed by Richard R. Gaillardetz who writes similarly, "A synodal church must be, whole and entire, a listening church governed by the practice of mutual listening" in "Pope Francis and the Rise of a Pastoral Magisterium," 67.

divine revelation and articulation of doctrine. But for this ecclesial vision to be implemented, it requires a participatory and dialogical approach. As Francis acknowledges with reference to the 2015 Synod, "how could we speak about the family without engaging families themselves, listening to their joy and their hopes, their sorrows and their anguish?"[54] Indeed, the practice of ecclesial listening features prominently in Francis's understanding of synodality. In the address, Francis states:

> A synodal Church is a Church which listens, which realizes that listening 'is more than simply hearing.' It is a mutual listening in which everyone has something to learn. The faithful people, the college of bishops, the Bishop of Rome: all listening to each other, and all listening to the Holy Spirit.[55]

The Synod of Bishops, therefore, is "the point of convergence" of a much more extensive listening process "at every level of the Church's life."[56] Francis reaffirms that this process begins by listening to the people of God. This, of course, includes listening to the bishops—including the bishop of Rome—who are part of the people of God. However, the crucial shift, which Francis's address clarifies, is that listening to the hierarchical magisterium takes place in the broader context of listening to the entire people of God.

This significant address by Francis illustrates how synodality transforms the church's hierarchical ministry. Francis uses the image of an inverted pyramid to describe a synodal church, further emphasizing the primacy of the entire people of God.[57] In a synodal church, Francis explains that authority is not directed downward to dominate but is directed upward in service of the people of God who form the top of the inverted

[54] Ibid.
[55] Ibid.
[56] Ibid.
[57] Ibid.

pyramid. We see here again the focus shifting from status and positions toward charisms and ministries. Moreover, as in *Evangelii Gaudium*, Francis speaks again of a "sound decentralization," by which he intends the practice of ecclesial subsidiarity at every level of the church's life.[58] "In a synodal Church," Francis clarifies, "the Synod of Bishops is only the most evident manifestation of a dynamism of communion which inspires all ecclesial decisions."[59] In this ecclesiological framework, ecclesial communion is not imposed from the top-down but arises from the practice of synodality at the local, national/regional, and universal levels of the church—including, as Francis states, the exercise of the Petrine ministry. Building a synodal church, Francis predictably concludes, is the mission of the entire people of God.

5.5 Rehabilitation of People of God Ecclesiology

As we have already seen, the ecclesiology of the people of God features prominently in both *Evangelii Gaudium* and Francis's understanding of synodality. Here I argue explicitly that *Evangelii Gaudium* initiates the rehabilitation of the ecclesiology of the people of God, which had steadily been eclipsed in the years following Vatican II.

Recall from chapter three of this dissertation the 1985 Synod in commemoration of the twentieth anniversary of Vatican II. Called by Pope John Paul II, the intention of the Synod was to evaluate the reception of the council. Yet, as we observed in chapter three, the Synod advanced a particular version of communion ecclesiology, overshadowing the ecclesiology of the people of God, due to concern for what it

[58] See footnote 41 above for the relationship between decentralization and subsidiarity.
[59] Pope Francis, "Address."

considered to be an unduly sociological understanding of the church. The Synod's version of communion ecclesiology was formalized by the Congregation for the Doctrine of the Faith (CDF) led by then Cardinal Ratzinger. Referring to the 1992 CDF letter "On Some Aspects of the Church Understood as Communion," Dennis Doyle observes, "It put forth a rather centralized picture of the church as a communion in order to defend against 'bottom-up' approaches that begin with local congregations or base communities."[60] In contrast, rightly viewing *Evangelii Gaudium* as an "about-face in ecclesiology emphasis," Doyle writes:

> Francis's synthesis stresses the Church of the poor, the Church in the streets, the Pilgrim People that listens and dialogues, the People of God who struggle to remove barriers than unnecessarily exclude others. He stresses the Church as a sacrament, the Church in mission, the local churches, the movements, the Church as a Leaven in the world, the Church that basks in the glorious diversity of various cultures.[61]

The people of God, referenced twenty-five times in the apostolic exhortation according to Doyle, serves as the ecclesiological foundation for all the above points of emphasis.

The renewed emphasis that Francis gives to the ecclesiology of the people of God is central to his implementation of Vatican II. In his biography of Francis, Ivereigh argues that "people" as used in *Lumen Gentium* became the young Bergoglio's interpretive key.[62] In Francis's attention to *el pueblo fiel de Dios*, we observe again the influence of the reception of Vatican II in Latin America.[63] Particularly formative for

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[60] Dennis M. Doyle, "Pope Francis's New Vision for the Church as Expressed in *Evangelii Gaudium*," in *Pope Francis and the Future of Catholicism:* Evangelii Gaudium *and the Papal Agenda*, 27.
[61] Ibid., 28.
[62] For more on Francis's use of the category "people," see Austen Ivereigh, *The Great Reformer: Francis and the Making of a Radical Pope*, 111-113 and Diego Fares, S.J., *The Heart of Pope Francis: How a New Culture of Encounter Is Changing the Church and the World* (New York: The Crossroad Publishing Company, 2015), 27-29.
[63] For more on the post-conciliar reception of the ecclesiology of the people of God in Latin America, see José Comblin, *People of God* (New York: Orbis Books, 2004), 38-51.

Francis were Lucio Gera and Rafael Tello, Argentine theologians whose work was shaped by the priority of the people of God in *Lumen Gentium*.[64] What is most important is that Francis's understanding is neither superficial nor merely personal. Responding to Francis's understanding of the church as "more than an organic and hierarchical institution" (*EG* 111), Walter Kasper points out that the church, "is above all the people of God on their way to God, a pilgrim and evangelizing people that transcends every—even if necessary—institutional expression."[65] Kasper suggests that Francis's ecclesial vision proceeding from the ecclesiology of the people of God "should lead to a new style of ecclesial life."[66]

Indeed, Francis's renewed emphasis on the ecclesiology of the people of God has wide-ranging consequences for ecclesial life. Importantly, Gerard Mannion emphasizes "the *application* of the sense of people of God" in *Evangelii Gaudium* and how this affects the church. Consider the list of consequences that Mannion gives:

> from the underpinning of a more pluralistic understanding of the church to the transformation of church structures and the unshackling of collegiality; from the widening of the participatory nature of church offices and roles to a renewed affirmation of Christian ecumenism and interfaith dialogue, and from a renewed commitment to dialogue with and service of the wider world in general to a groundbreaking renewed commitment of the church to a preferential option for the poor.[67]

Mannion provides a broad overview that suggests several areas of ecclesial reform. As we specifically consider the consequences for Catholic higher education in the next chapter, one significant question is the role of the official magisterium. José Comblin

[64] Deck, *Francis, Bishop of Rome*, 41.
[65] Kasper, *Pope Francis' Revolution of Tenderness and Love*, 38.
[66] Ibid., 37.
[67] Mannion, "Re-Engaging the People of God," 68.

shows how the ecclesiology of the people of God reorients the magisterium's relationship to revelation. Referring to *Lumen Gentium* 12, Comblin writes:

> Revelation does not come from the hierarchy. The people—including the hierarchy—receive God's revelation from their parents and from the educators or witnesses they encounter in the course of their life. The people transmit the faith; the hierarchy steps in only in specific cases.[68]

This reorientation of the relationship preserves a distinct role for the official magisterium to protect the integrity of the faith. At the same time, however, it reclaims the participation of the entire people of God in receiving God's word and formulating doctrine, a dynamic and participatory process that requires time, consultation, dialogue, and listening.[69] This reorientation begins with what is shared among the people of God, as in *Lumen Gentium*, before considering the distinct roles of individuals in the church. As Comblin concludes, "The point is not to pit the people against the hierarchy, but to situate the hierarchy where it belongs, within the people. They live together, and influence one another, albeit to a different extent in different times."[70]

5.5.1 People of God in *Veritatis Gaudium*

I have argued that Francis initiated the retrieval of the ecclesiology of the people of God in *Evangelii Gaudium*. At this point, I provide the example of two recent documents to demonstrate the lasting effect of the renewed emphasis that Francis gives to the people of God. We see evidence of the ongoing rehabilitation of the ecclesiology of people of God, first, in *Veritatis Gaudium*, the apostolic constitution on ecclesiastical

[68] Comblin, *People of God*, 191.
[69] Ibid., 192-194.
[70] Ibid., 194.

universities and faculties, issued by Francis on December 8, 2017.[71] Francis explains that *Veritatis Gaudium* is intended to update *Sapientia Christiana* (April 15, 1979), an apostolic constitution on the same topic issued nearly forty years earlier by John Paul II. A significant difference between the two documents is the active role that *Veritatis Gaudium* attributes to the entire people of God.[72] Ecclesiastical studies are placed in the context, as Francis explains, of "encountering Jesus and proclaiming his Gospel, that I set before the whole People of God as a programme in *Evangelii Gaudium*" (*VG* 1). In this way, Francis applies the ordering of *Lumen Gentium* by beginning with what is shared among the people of God before defining distinct roles in the church. Francis describes ecclesiastical studies as

> a sort of providential cultural laboratory in which the Church carries out the performative interpretation of the reality brought about by the Christ event and nourished by the gifts of wisdom and knowledge by which the Holy Spirit enriches the People of God in manifold ways—from the *sensus fidei fidelium* to the magisterium of the bishops, and from the charism of the prophets to that of the doctors and theologians (*VG* 3).

Significantly, Francis defines the particular role of bishops and theologians in relationship to the charisms given by the Holy Spirit to the entire people of God. Moreover, Francis reaffirms the three-fold exchange among the *sensus fidei fidelium*, the official magisterium, and theologians in the ongoing understanding of revelation as in *Dei Verbum* 8. The distinct role of ecclesiastical studies never replaces the active role of the people of God, for as Francis insists, "the primary need today is for the whole People

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[71] Pope Francis, *Veritatis Gaudium: Apostolic Constitution on Ecclesiastical Universities and Faculties* (December 8, 2017), available online at: http://w2.vatican.va/content/francesco/en/apost_constitutions/documents/papa-francesco_costituzione-ap_20171208_veritatis-gaudium.html. All references to *Veritatis Gaudium* will be made parenthetically in the body of this chapter and denoted as "*VG*" followed by the article number.

[72] "People of God" is referenced six times in *Sapientia Christiana* in comparison to the thirteen references in *Veritatis Gaudium*. More importantly, however, is that when John Paul refers to the people of God in *Sapientia Christiana*, he refers to their being led, guided, and taught (3-4).

of God to be ready to embark upon a new stage of 'Spirit-filled' evangelization" (*VG* 3). Proceeding from a renewed emphasis on the people of God, many of the distinctive characteristics of Francis's ecclesial vision are apparent in *Veritatis Gaudium* including his mature pneumatology and the charismatic structure of the church as well as his emphasis on the church's missionary outreach and openness to dialogue.

5.5.2 People of God in *Episcopalis Communio*

Additional evidence for the rehabilitation of the ecclesiology of the people of God is seen in *Episcopalis Communio*, the apostolic constitution on the Synod of Bishops, issued by Francis on September 15, 2018.[73] Francis recognizes the synod of bishops as a clear sign of episcopal communion (*communio hierarchica*). Yet, without delay, Francis clarifies that the most significant membership for every bishop remains their membership among the people of God (*EC* 5). Francis emphasizes that bishops are called from the people of God and appointed to serve the people of God. "Although structurally it is essentially configured as an episcopal body," Francis insists, "this does not mean that the Synod exists separately from the rest of the faithful" (*EC* 6). Later in the document, Francis affirms that the synod express "profound communion" among the faithful—bishops, including the Bishop of Rome, are here simply considered part of the faithful (*EC* 10).

[73] Pope Francis, *Episcopalis Communio: Apostolic Constitution on the Synod of Bishops* (September 15, 2018), available online at: http://w2.vatican.va/content/francesco/en/apost_constitutions/documents/papa-francesco_costituzione-ap_20180915_episcopalis-communio.html. All references to *Episcopalis Communio* will be made parenthetically in the body of this chapter and denoted as "*EC*" followed by the article number.

By beginning with what is shared among the people of God before considering their distinct roles in the church, Francis once again applies the ordering of *Lumen Gentium*. Moreover, even though bishops exercise a distinct teaching role in the church, the necessity for their continued learning does not cease. Francis writes:

> [A bishop] is a teacher when, endowed with the special assistance of the Holy Spirit, he proclaims to the faithful the word of truth in the name of Christ, head and shepherd. But he is a disciple when, knowing that the Spirit has been bestowed upon every baptized person, he listens to the voice of Christ speaking through the entire People of God, making it 'infallible *in credendo*' (*EC* 5).

It is remarkable how many times in this rather brief document Francis urges the practice of consultation and listening. Indeed, Francis expresses his desire that the Synod of Bishops becomes "a privileged instrument for *listening* to the People of God" (*EC* 6).

5.6 Ecclesial Principle of Synodality

It is my contention that Francis's renewed emphasis on the ecclesiology of the people of God has wide-ranging consequences for ecclesial life. I use "synodality," as Ormond Rush suggests, as a "catch-all phrase" for Francis's understanding of the reform initiated by the Second Vatican Council. One difficulty, however, is that the word "synodality" never appears in the documents of Vatican II. What Francis intends by synodality, namely, "a fundamental dimension of the church involving the whole people of God and at all levels (universal, continental, national, diocesan, parochial)," Faggioli rightly observes, "is truly a post-Vatican II theological and magisterial development."[74]

[74] Massimo Faggioli, "From Collegiality to Synodality: Pope Francis's Post Vatican II Reform," *Commonweal* (November 23, 2018), available online at: https://www.commonwealmagazine.org/collegiality-synodality?utm_source=Main+Reader+List&utm_campaign=15fb71703a-

Moreover, not only is synodality absent from the corpus of Vatican II teaching, Faggioli argues that "moments of true 'synodality' (involving bishops, clergy, and laity) were practically absent at Vatican II."[75] To be fair, however, the council first needed to resolve the relationship between papal primacy and episcopal collegiality, which was itself a significant challenge apart from the "promotion of an 'upward' direction in the teaching, sanctifying and governing aspects of the Catholic Church."[76] Indeed, the council's teaching on episcopal collegiality should be viewed as a necessary, albeit incomplete, step toward attaining shared governance throughout the church. For this reason, I agree with Rush that Francis's understanding of "synodality" is consistent with the ecclesiology of Vatican II, even though: "For Pope Francis, 'synodality' is something much richer, more encompassing, and more radical. It is more than just an element of primacy and collegiality exercised more collaboratively; he speaks of 'episcopal collegiality within an entirely synodal church.'"[77]

Francis's proposal of a synodal church as depicted by an inverted pyramid is truly a post-conciliar development, but it is still possible to support this vision on the basis of Vatican II. As noted previously, the prioritization of the people of God in *Lumen Gentium*, especially the *sensus fidei* of the whole people of God, is a foundational element for Francis's understanding of synodality. Without every using the term itself,

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EMAIL_CAMPAIGN_2017_03_16_COPY_01&utm_medium=email&utm_term=0_407bf353a2-15fb71703a-91256233. It is important to emphasize the reception of Vatican II in Latin American and its influence in the development of the post-conciliar understanding of synodality. For more on the relationship between the Latin America Conference of Bishops (CELAM) and synodality, see Deck, *Francis, Bishop of Rome*, 33-34.

[75] Faggioli, *A Council for the Global Church*, 83.

[76] Rush, "Inverting the Pyramid," 303. For more on the contested nature of the council's teaching on collegiality, see Thomas G. Guarino, *The Disputed Teachings of Vatican II: Continuity and Reversal in Catholic Doctrine* (Grand Rapids: William B. Eerdmans Publishing Company, 2018), 150-157.

[77] Ibid., 303-304.

Vatican II encouraged "synodality" by recognizing the priority of baptism (*LG* 10), the participation of all the faithful in the development of doctrine (*DV* 8), and the charismatic structure of the church (*LG* 4). Moreover, it would be difficult to conceive Francis's understanding of synodality without the council's teaching on the missionary nature of the church (*AG* 2) as well as its recognition of the necessity for church reform (*UR* 6). As Faggioli writes, "Francis is appealing to the council in order to open the way for a synodal Church that was not quite born at Vatican II, but was theologically conceived there."[78] Francis's proposal of a synodal church "bridges the gap between his Vatican II theological culture and the new horizon of post-conciliar global Catholicism"—a bridge, which Faggioli emphasizes, Francis "cannot cross alone."[79]

5.6.1 Synodality and the Practice of Ecclesial Listening

The principle of synodality depends on the practice of synodality. In particular, the practice of ecclesial listening is a central feature of Francis's vision of synodality. It is remarkable how often Francis encourages the practice of listening regardless of his audience. To newly ordained bishops, Francis instructs them to "cultivate an attitude of listening."[80] Likewise, with theologians, Francis focuses on the importance of listening.[81] Taking his own counsel, Francis listens to the research of scientists and the

[78] Faggioli, "From Collegiality to Synodality."
[79] Ibid.
[80] For example, see "Pope Francis Tells New Australian Bishops to Listen," *The Catholic Leader* (September 21, 2017), available online at: http://catholicleader.com.au/news/pope-francis-tells-new-australian-bishops-to-listen
[81] Pope Francis, "Address to Members of the International Theological Commission" (December 5, 2014), available online at: http://w2.vatican.va/content/francesco/en/speeches/2014/december/documents/papa-francesco_20141205_commissione-teologica-internazionale.html

experience of families as demonstrated in *Laudato sí* and *Amoris Laetitia*.[82] To be clear, because Francis insists the church must listen should not imply that he neglects the church's responsibility to teach. But Francis, heeding the opening words of *Dei Verbum*, is reminding the church that before it can teach authoritatively, it must first listen. As Walter Kasper rightly observes about Francis's approach, "a magisterium that listens remains a magisterium that is competent to make decisions."[83]

We often understand the practice of ecclesial listening exclusively in a pastoral key. Clemens Sedmak, on the other hand, reads Francis's programmatic document *Evangelii Gaudium* as proposing ecclesial listening as a new epistemic practice. When Francis describes his preference for "a Church which is bruised, hurting and dirty because it has been out on the streets" (*EG* 49), Sedmak explores its epistemological consequences, for he believes a "church of the poor" has the potential to change the way we learn, think, and know. Sedmak asks: "If we think of the image of a church that is stripped of its power, would that also imply 'epistemic power,' 'power of judgment'? What does it mean for the church's capacity to judge the world?"[84] Sedmak's provocative questions, in the first place, challenge us to view a "church of the poor" as not only an ethical challenge but also as an invitation for greater ecclesial humility. Sedmak's questions, moreover, urge us to view the listening required by synodality as not only a pastoral practice, but also as an epistemic practice for discovering knowledge.

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[82] See, for example, *Laudato sí* 15, 48, 132, 135, and 140. Chapter 2 of *Amoris Laetitia* is entirely devoted to the experience of families. Deck draws a connection between Francis's inductive methodology and the Argentine reception of Vatican II in *Francis, Bishop of Rome*, 34-35.
[83] Kasper, *Pope Francis' Revolution of Tenderness and Love*, 51-52.
[84] Sedmak, *A Church of the Poor*, xvi.

By "epistemic poverty," Sedmak emphasizes that he does "not mean lack of coherence or lack of quality of argument, but a conscious restraint in the strength of knowledge claims; this restraint can serve as invitation to open dialogue."[85] Recall from above, however, that both scholars and bishops critiqued Francis's approach following the promulgation of *Amoris Laetitia* for what they considered to be a lack of clarity.[86] Sedmak cites Mark Cherry's now well-known term "weak theology" to describe Francis's invitational approach. Even though Sedmak uses the term neutrally, it is clear that Cherry uses this term disapprovingly, arguing that Francis's approach reflects post-modern relativism.[87] While Francis's approach will remain vulnerable to this type of critique—particularly as Sedmak also refers to it as a "theology of fallibility"[88] and "bruised orthodoxy"[89]—I am nevertheless convinced that Francis is implementing the type of ecclesial humility envisioned by Vatican II. Gaillardetz identifies numerous passages in the council's documents that acknowledge the church's call to practice humility, and how this transforms its identity, relationship to the truth, and exercise of power.[90] Francis's approach, in my view, clearly echoes the council's recognition that the church does not possess the truth but rather seeks it (*DV* 8). As Francis writes in *Evangelii Gaudium*, this requires "the humility of heart which recognizes that the word is always beyond us, that 'we are neither its masters or owners, but its guardians, heralds

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[85] Ibid., 6.
[86] See footnote 43 above.
[87] Mark J. Cherry, "Pope Francis, Weak Theology, and the Subtle Transition of Roman Catholic Bioethics," *Christian Bioethics* 21 (2015): 85-86. For Sedmak's reference to Cherry, see *A Church of the Poor*, 6.
[88] Sedmak, *A Church of the Poor*, 20.
[89] Ibid., 30.
[90] Gaillardetz, *An Unfinished Council*, 76-89. Sedmak likewise argues that a "church of the poor" calls for a reflection on power, particularly epistemic power in *A Church of the Poor*, 132. Both Gaillardetz and Sedmak point to institutional humility and not merely the humility of individual members. For Sedmak's description of ecclesial humility, see *A Church of the Poor*, 157.

and servants'" (*EG* 146).[91] By calling for ecclesial humility, the council decentered the church—and Francis's invitation to open dialogue responds to this new reality. Indeed, "for Pope Francis, just as for the bishops of Vatican II, doctrine plays a necessary role in the life of the church," but as Gaillardetz argues, "church teaching should not be used as an excuse for suppressing disagreement and doubt."[92] Thus, by "epistemic poverty," Sedmak rightly cautions against an arrogant teaching approach that thwarts open dialogue and ongoing reflection. As Gaillardetz argues further, "Magisterial teaching should *conclude* our tradition's lively engagement with a particular question, not preempt its consideration."[93] And, even then, I would hasten to add that the practice of ecclesial listening is still necessary lest we ever equate doctrinal formulations with the truth itself.

5.6.2 Synodality and Opposing Voices

Clearly, the practice of ecclesial listening required by synodality is a dynamic process. Magisterial teaching is not the end of ecclesial listening; the cycle of listening and teaching continues as the church moves ever closer toward the truth. Recall that *Evangelii Gaudium* recovers the priority that Vatican II gave to baptism. Stephen Bevans helpfully draws the connection between the recovery of baptismal consciousness and a church of dialogue.[94] If the entire people of God are endowed with the *sensus fidei* by virtue of their baptism, then the church's pastors must listen as well as teach. But the

[91] Francis cites Pope Paul VI's Apostolic Exhortation *Evangelii Nuntiandi* (December 8, 1975), 78, available online at: http://w2.vatican.va/content/paul-vi/en/apost_exhortations/documents/hf_p-vi_exh_19751208_evangelii-nuntiandi.html
[92] Gaillardetz, "Pope Francis and the Rise of a Pastoral Magisterium," 69.
[93] Ibid., 76.
[94] Stephen B. Bevans, "The Apostolic Exhortation *Evangelii Gaudium* on the Proclamation of the Gospel in Today's World," *International Review of Mission* 103 (2014): 306-307.

practice of ecclesial listening required by synodality involves broad listening including listening to diverse, neglected, and opposing voices. As Gaillardetz acknowledges:

> I suspect that most bishops and pastors—for that matter, most provincials, theology department chairs, deans and university presidents—think that they are consultative just because they seek out the opinions of others. [Francis] rightly insists that authentic ecclesial consultation within a synodal church, a consultation that aspires to be more than a pragmatic public relations maneuver, a consultation that wishes to be a genuine listening to the Spirit, must attend to a wide range of voices, including those in ecclesial exile.[95]

Of course, if more people in the church are given space to have their voices heard, this will include, at least initially, some opposing voices. Interestingly, Gaillardetz observes that Francis is not quick to judge disagreement in the church as "heresy" or "dissent," but rather views disagreement as a natural feature in a church of dialogue.[96] In an interview shortly after his election, Francis proposed that "thinking with the church" is not limited to thinking with the hierarchy—or theologians—but involves open dialogue among the entire people of God.[97]

Francis's relative comfort with disagreement and conflict in the church is helpfully explained in a recent volume by Massimo Borghesi that traces Francis's intellectual influences. In short, Borghesi argues, "The whole system of Bergoglio's thought is dominated by the overarching idea of the polarity of life. This is its conceptual core, the hermeneutical key that fuels a 'catholic' system of thought."[98] Francis is comfortable with the tension caused by disagreement and conflict in the church because,

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[95] Gaillardetz, "Pope Francis and the Rise of a Pastoral Magisterium," 67.
[96] Ibid., 74.
[97] Antonio Spadaro, S.J., "A Big Heart Open to God: An Interview with Pope Francis," *America* (September 30, 2013), available online at: https://www.americamagazine.org/faith/2013/09/30/big-heart-open-god-interview-pope-francis
[98] Massimo Borghesi, *The Mind of Pope Francis: Jorge Mario Bergoglio's Intellectual Journey* (Collegeville: Liturgical Press, 2017), 141.

simply put, "Christian life is *tension*, a drama."[99] As Borghesi explains further, "From here comes the idea of a *tensioned* thought, as Bergoglio would say, not ideological, not crystallized in abstract formulas, but tense, always, to grasp the 'magis' of God, the opening of God within the immanence of the world."[100] We can observe Francis's "tensioned thought" in the four principles in *Evangelii Gaudium*. Francis addresses the tension between fullness and limitation (*EG* 222-223), unity and conflict (*EG* 228), ideas and realities (*EG* 231), and globalization and localization (*EG* 234). In describing this final principle, Francis illustrates the tension with the image of the polyhedron, which "reflects the convergence of all its parts, each of which preserves its distinctiveness" (*EG* 236). The polyhedron is an apt image because it points toward, as Scannone explains, "a higher synthesis that does not erase tensions, but understands them, makes them fruitful, and opens them up to the future."[101] Indeed, as Archbishop of Buenos Aires, Bergoglio affirmed in 2011:

> The polyhedral differentiation represents well the idea of *unity in difference*, the single reality with many faces: 'The 'whole' of the polyhedron, not the spherical 'whole.' This (the spherical) is not superior to its part; it cancels them.' Only the polyhedron maintains the supremacy of the whole without eliminating the polarity with the parts that make it up.[102]

In other words, the unity of a sphere depends on uniform parts (each part is equal distance from the center). But the unity of a polyhedron, in contrast, depends on diverse parts. What makes the polyhedron such a provocative image to describe the church is that the polyhedron does not merely tolerate difference but actually requires difference for its structural unity.

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[99] Ibid., 19.
[100] Ibid.
[101] Scannone, "Pope Francis and the Theology of the People," 130.
[102] Borghesi, *The Mind of Pope Francis*, 118-119.

In particular, Borghesi points to the influence of Romano Guardini for understanding Francis's "tensioned thought." Guardini's description of two opposites that are neither annulled nor in contradiction, according to Borghesi, was profoundly formative for the young Bergoglio. As Borghesi explains in detail:

> The distinction between opposition (*Gegensatz*) and contradiction (*Widerspruch*) is crucial, because it allows us to think of the Catholic *communio* not as flat, uniform unity, but as a dynamic, polyform reality, which for that reason does not fear to lose its identity. Ecclesial unity isn't to be understood as a monolithic block in which unity comes down from on high, in a fixed and direct manner. It is not afraid of accommodating different poles and reconciling them in the Spirit who unites everything, as in a musical symphony. This *communio* is realized in a *dialogical* form, in the patient development of interconnections that does not pretend to negate the accents, the variety of approaches that remain.[103]

In Borghesi's description of opposition, we discover a robust understanding of *communio*, an understanding of *communio* that preserves its identity while avoiding uniformity. Moreover, this understanding of *communio*, Borghesi explains, advances toward unity in such a way that "aims not to eliminate contrasts but rather refuses to absolutize them."[104] Indeed, it is precisely this understanding of communion we find in *Evangelii Gaudium*. When conflict is not ignored, Francis writes that it actually strengthens communion (*EG* 226-228). As with the polyhedron, Francis suggests that opposing views should not merely be tolerated but are essential for the church's unity. Francis's characteristic approach of negotiating differences toward achieving unity is through "encounter," which Víctor Fernández explains

> does not mean losing my identity, because my identity is also part of the polyhedron; it is my contribution, my gift to others. If there are no clear identities, there is no conflict, but neither is there a real encounter; it is all an empty shell. For this reason, Francis insists that it is not healthy to flee from conflicts or to ignore them. We must accept them and suffer them through to the

[103] Ibid., 106.

[104] Ibid., 58.

> end, not hide them. But we must always do this with the ideal of resolving them, of harmonizing the differences.[105]

What is significant, however, is that the unity achieved through encounter is not rigid uniformity, but unity achieved through difference. This explains why Francis prefers to illustrate unity with the polyhedron rather than the sphere. Indeed, Francis is pointing the church toward "the pursuit of communion in difference rather than communion in sameness."[106] But how should we understand the pursuit of communion in difference?

5.7 Synodality and a Renewed Understanding of Communion

In this final section, I argue that synodality provides a more mature understanding of ecclesial communion. The relationship that I describe between synodality and communion is not one of competing ecclesiological frameworks such that we must choose either synodality or communion. I argue instead that synodality also aims for communion, but synodality realizes that the way that ecclesial communion is achieved is more complex than the CDF version of communion permits. I agree with Rush who contends that *communio* ecclesiology at Vatican II, from which the CDF version emerged, is "inchoate" and requiring synthesis—a synthesis that I believe Francis's understanding of synodality can provide.[107] As a more mature ecclesiological mode, synodality pursues communion in difference rather than communion in sameness.

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[105] Víctor Manuel Fernández, "Encounter," in *A Pope Francis Lexicon*, edited by Joshua J. McElwee and Cindy Wooden (Collegeville: Liturgical Press, 2018), 61.
[106] Deck, S.J., *Francis, Bishop of Rome*, 70.
[107] Rush, "Inverting the Pyramid," 312.

To illustrate this point, let us recall from chapter three that the CDF version of communion ecclesiology includes the following five characteristics: 1) concern for sociological reduction, 2) hierarchical expression of communion, 3) juridical understanding of teaching authority, 4) diversity oriented toward unity and 5) ontological and chronological priority of the universal church. Below I will suggest briefly how these five characteristics appear differently in a synodal church. In doing so, it will quickly become evident how the CDF version of communion pursues communion in sameness in comparison to how synodality pursues communion in difference.

5.7.1 Concern for Sociological Reduction → Ecclesiological Realism

The first shift in a synodal church is from a concern for sociological reduction to ecclesiological realism. By not adequately attending to the sociological reality of the church, the CDF version of communion tends to result in an idealized account of the church. While the concern for sociological reduction is valid, the limitation of the CDF version of communion ecclesiology is that it ignores the parallel concern of theological reduction. In contrast, Francis famously prefers "a Church which is bruised, hurting and dirty because it has been out on the streets, rather than a Church which is unhealthy from being confined and from clinging to its own security" (*EG* 49). Rather than following a "blueprint approach" to ecclesiology that uncritically applies the theological concept of communion to the church, the synodal approach begins from below with the actual day-to-day experience of the church. "By embracing ecclesiological realism," Mannion argues convincingly:

> Francis does not hold an idealist vision of a pure church free of blemishes. Far from it. He is astonishingly refreshing in acknowledging just how much of a

> mess the church is in—including, especially, its central offices and leadership. There is no pretense that somehow the church and the messy fallible humans who constitute its people can somehow be separated.[108]

Ecclesiological realism allows for an honest examination of areas of difference and sinfulness in the church in order to achieve genuine unity. Ecclesiological realism is especially necessary when considering institutional relationships because questions of power, including power inequalities and abuses of power, are not overlooked.

5.7.2 Hierarchical Expression of Communion → Inverted Pyramid

The second shift in a synodal church overturns the hierarchical expression of communion. Whereas the CDF version of communion ecclesiology is susceptible to the ecclesiocentrism that Vatican II attempted to reform, Francis does not equate the much broader understanding of ecclesial communion with hierarchical communion. Francis accepts the necessity of institutional organization, but he insists that the church is more than a "hierarchical institution" (*EG* 111). Indeed, as Faggioli argues, "Pope Francis seems visibly less afraid than his predecessor was of the postconciliar memory and less influenced by the idea that collegiality in the church is equivalent to disorder, bureaucratization, and a weakening of the countercultural character of Catholicism."[109] By recovering the priority in *Lumen Gentium* of the whole people of God prior to the church's hierarchical structure, the traditional pyramid is inverted. Authority in a synodal church is no longer directed downward but upward in service of the people of God who form the top of the inverted pyramid. Charisms and ministries receive renewed attention rather than status and positions. This ecclesiological reordering is significant, for as

[108] Mannion, "Francis's Ecclesiological Revolution," 117.
[109] Faggioli, *Pope Francis: Tradition in Transition*, 37.

Sandra Mazolini writes, "renewal is not simply reorganization or a more efficient organization of the ecclesial structures because it concerns the nature of the Church and its mystery."[110] To be sure, hierarchical communion remains a valid and necessary expression of ecclesial communion. But Francis's understanding of synodality views hierarchical communion as one expression among several—and in service of the ecclesial communion of the whole people of God.

5.7.3 Juridical Understanding of Teaching Authority → A Listening Church

A third shift in a synodal church is from a juridical understanding of teaching authority to an understanding of teaching authority that is participatory and dialogical. By emphasizing the role of the hierarchical magisterium, the CDF version of communion ecclesiology reinforces the separation between an *Ecclesia docens* and an *Ecclesia discens*. Francis's vision of synodality, on the other hand, challenges this separation by reaffirming the *sensus fidei* of the whole people of God. As Rush persuasively argues:

> The church needs to be synodal so that it can listen to God communicating at this time in history, in Christ through the Spirit. The Spirit is the conduit; and the Spirit's instrument of communication is the *sensus fidei* in each believer, and in the church as a whole.[111]

A synodal church is a church that listens—bishops, theologians, and people. Indeed, "orthodoxy is in its communal aspect primarily a spiritual task of listening," but as Sedmak rightly insists, listening not only by "the faithful as the flock" but also the "shepherds leading."[112] In addition to listening, Sedmak names patience, vulnerability,

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[110] Sandra Mazolini, "'An ecclesial renewal which cannot be deferred' (*EG* 27-33): Ecclesial Renewal and the Renewal of Ecclesial Structures," in *Pope Francis and the Future of Catholicism*, 77.
[111] Rush, "Inverting the Pyramid," 321.
[112] Sedmak, *A Church of the Poor*, 158.

humility, and courage as necessary practices to safeguard orthodoxy within a community.[113] This stands in marked contrast to a top-down, juridically-enforced understanding of orthodoxy that results from the CDF version of communion ecclesiology. Nevertheless, as Francis admits, it is one thing to understand the concept of synodality and it is quite another to put it into practice. On a practical level, the practice of synodality requires "effective institutional structures for listening to and determining the *sensus fidelium*."[114] In addition to institutional structures, however, the practice of synodality also requires a deeper reform of ecclesial culture. Synodality challenges the ecclesial mindset that one group in the church has the exclusive responsibility to teach or the sole privilege of determining the truth.

5.7.4 Diversity Oriented toward Unity → Polycentric Unity

The fourth shift particularly concerns the contrast between the pursuit of communion in difference rather than communion in sameness. The CDF version of communion ecclesiology tends to produce an understanding of communion that appears fragile. Diversity in the church, whether it results from the diversity of particular churches or various charisms, is seen as a potential threat to church unity. Whereas the CDF version of communion ecclesiology accepts diversity so long as it does not threaten unity, synodality views diversity as essential, for polycentric unity is sustained by difference. The ecclesial listening required by synodality involves listening to diverse, neglected, and opposing voices—those who disagree are not immediately accused of "breaking communion." Francis's image of the polyhedron illustrates "the importance of

[113] Ibid., 160.
[114] Rush, "Inverting the Pyramid," 322.

listening to *everyone* in the church (all of the facets constitute the polyhedron); and the importance of *diversity* for the health of the church (all sides are distinct, yet are part of the whole).[115] Francis's appreciation for diversity as a result of his mature pneumatology is likewise demonstrated in one of his early homilies:

> It is true that the Holy Spirit brings forth *different charisms* in the Church, which at first glance, may seem to create disorder. Under his guidance, however, they constitute an immense richness, because the Holy Spirit is the Spirit of unity, which is not the same thing as uniformity. Only the Holy Spirit is able to kindle *diversity*, multiplicity and, at the same time, bring about *unity*. When we try to create diversity, but are closed within our own particular and exclusive ways of seeing things, we create division. When we try to create unity through our own human designs, we end up with uniformity and homogenization. If we let ourselves be led by the Spirit, however, richness, variety and diversity will never create conflict, because the Spirit spurs us to experience variety in the communion of the Church.[116]

Here we clearly see the contrast between "the pursuit of communion in difference rather than communion in sameness." Moreover, the pursuit of communion in difference extends beyond the church's internal communion and, as Faggioli argues, "demands a deeper understanding of the relationship between faith and culture, one that grasps the *dynamic* character of this relationship and the inescapable need for ongoing dialogue between the Gospel proclamation and cultures including the culture of secular modernity."[117]

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[115] Ibid., 324.
[116] Pope Francis, "Homily at the Catholic Cathedral of the Holy Spirit in Istanbul," (November 29, 2014), available online at: http://w2.vatican.va/content/francesco/en/homilies/2014/documents/papa-francesco_20141129_omelia-turchia.html
[117] Deck, *Francis, Bishop of Rome*, 71.

5.7.5 Ontological and Chronological Priority of the Universal Church → A Church of the Poor

The insistence on the ontological and chronological priority of the universal church, a final feature of the CDF version of communion ecclesiology, is a natural consequence of its ecclesiocentric vision. Francis's proposal of synodality certainly gives more attention to the local church, but it is not merely an argument instead for the priority of the local church. "The synodal process," as Kasper explains, "gives expression to the idea that the church is a unity in the multiplicity of local churches, of communities in the church, and of charism."[118] Here we see that listening to the local church is not the only consequence of an entirely synodal church. Recognizing individual communities and charisms is also required and, even more radically, every periphery inside and beyond the church. "Through the process of honest and transparent dialogue," Catherine Clifford accurately observers that:

> bishops come to understand more deeply that the pastoral challenges of Christians in one cultural context differ greatly from those experienced by the people of God in another. They come to appreciate the need, in the diversity of today's church, for a differentiated pastoral response and to see the inadequacy of uniform solutions. The exchange of dialogue is essential to fostering the bonds of communion within the diversity of the global Catholic Church.[119]

A synodal church, we see once again, calls not only for a renewal of church structure but also for a more inductive approach, an "ecclesiology from below," for understanding the church in the first place. It is possible to understand a "church of the poor" only through an ethical lens, but this overlooks the significant ecclesiological implications of Francis's proposal. Indeed, a "church of the poor" calls for the whole church to practice ecclesial

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[118] Kasper, *Pope Francis' Revolution of Tenderness and* Love, 52.
[119] Catherine E. Clifford, "A Dialogic Church," in in *Go into the Streets! The Welcoming Church of Pope Francis*, 97.

humility, for it proposes a church that is decentered and fundamentally reoriented toward the periphery. Critical to this consideration is Sedmak's notion of "epistemic poverty," the realization that truth-seeking requires patience, humility, and dialogue.

5.8 Chapter Conclusions

This chapter provides the fundamental features of Francis's ecclesial vision including its roots in Latin American theology of the people, its rehabilitation of the ecclesiology of the people of God from the Second Vatican Council, and its proposal of an entirely synodal church. The contrast between the distinctive characteristics of the CDF version of communion ecclesiology and Francis's understanding of synodality supports my argument that Francis's ecclesial vision represents a substantial ecclesiological shift from the previous reception of Vatican II. The Land O'Lakes statement is an example of an early attempt by Catholic educators to appropriate conciliar principles, even though the final text left many tensions unresolved. The 1985 Synod is an instance of the hierarchical magisterium trying to restrict competing interpretations of the council by endorsing a particular version of communion ecclesiology. Francis's vision of synodality is not merely another moment in the ongoing reception of Vatican II, but rather the beginning of implementing the council's reforms. One of the most significant teachings of Vatican II is that the whole people of God is endowed with the *sensus fidei*—and this chapter shows how Francis has attempted to put this teaching into practice.

The ecclesial program of reform that Francis outlines in *Evangelii Gaudium* is begun but certainly not finished. *Evangelii Gaudium* calls attention to the priority of baptism, the missionary nature of the church, and how the whole people of God are endowed by the Holy Spirit with charisms. The capacity of synodality to renew our understanding of ecclesial communion as seen in this chapter suggests that Francis's ecclesial commitments have the potential to initiate a wide-ranging reform of the church. Additionally, through his writing as well as his style of leadership, Francis demonstrates the need for the ecclesial practices of listening, collaboration, and humility. Indeed, some success has been achieved in fostering more participatory and dialogical structures in the church, even though the bulk of reform still remains ahead.

Does synodality provide a more constructive ecclesiological foundation for considering the relationship between the church and Catholic higher education? Francis emphasizes the importance of Catholic universities (*EG* 134), but has not articulated their specific role, neither in *Evangelii Gaudium* nor any other document to date. To answer that question more completely, I now proceed to explore the distinctive character of the participation of Catholic colleges and universities in the mission of the Catholic Church. A consistent argument of this dissertation has been that ecclesiological foundations have consequences. The consequences of the CDF version of communion ecclesiology for American Catholic higher education was the focus of the previous chapter. Now that this chapter has outlined the fundamental features of Francis's ecclesial vision, the following chapter will identify the consequences of synodality for American Catholic higher education. As Rush has argued, the practice of synodality in the church today requires

"effective institutional structures for listening to and determining the *sensus fidelium*."[120] Moreover, Gaillardetz points to the necessity of an "ecclesial atmosphere in the church in which controverted questions can be boldly debated, new insights can emerge and the Spirit can work through the shared discernment of the whole people of God."[121] To what extent can Catholic universities serve as effective institutional structures and foster this ecclesial atmosphere?

[120] Rush, "Inverting the Pyramid," 322.
[121] Gaillardetz, "Pope Francis and the Rise of a Pastoral Magisterium," 77.

CHAPTER SIX

Conclusion

> The subordination of *education* to *governance* is at the very heart of the crisis of contemporary Catholicism…. 'Authority,' especially in a Christian context, is a far wider term than 'governance.' And, yet, to an alarming extent, it is in terms of governance that authority in the Catholic Church is understood and exercised—even, perhaps especially, what we call 'teaching authority' or magisterium.[1]

We started this dissertation with a series of questions: What is required of the church to support Catholic higher education? What type of ecclesiological foundation is necessary to maintain a relationship with these institutions? What ecclesiological concepts are most constructive in defining the relationship between the church and Catholic colleges and universities?

To answer these questions, we first examined the initial reception of Vatican II through the lens of the Land O'Lakes statement and subsequent documents by the International Federation of Catholic Universities (IFCU). The well-known demand of the Land O'Lakes statement for "true autonomy and academic freedom, in the face of authority of whatever kind, lay or clerical, external to the university itself" has been endlessly invoked by its critics for more than fifty years. Many have argued, as we reviewed in chapter two, that the Land O'Lakes statement represents Catholic higher education's "declaration of independence" from the church. But this argument too quickly dismisses the statement's explicit intention to preserve the Catholic identity of these schools as well as the ensuing collaboration between academic and church officials

[1] Nicholas Lash, "Authors, Authority and Authorization," in *Authority in the Roman Catholic Church: Theory and Practice*, edited by Bernard Hoose (Burlington, VT: Ashgate, 2002), 59 and 68.

to define the nature and mission of Catholic universities in the modern world. Is it possible to recognize the contributions of this period toward understanding the distinctive character of the participation of Catholic colleges and universities in the mission of the church while acknowledging areas left unaddressed or underdeveloped?

A fair reading of the Land O'Lakes statement recalls, on the one hand, Philip Gleason's description of the "disruptive effect" of Vatican II and, on the other, Alice Gallin's identification of the "extraordinary maturing" of Catholic higher education following the council. Both the church and Catholic higher education were emerging from the lingering effects of the pre-Vatican II hierarchical model and forging new frameworks. If the initial demand for institutional autonomy and academic freedom was made too forcefully, the fear—real or perceived—of academic officials that these principles were threatened explains why. By the time academic officials reaffirmed institutional autonomy and academic freedom in *The Catholic University in the Modern World* (1973), the problematic phrase "in the face of authority of whatever kind, lay or clerical, external to the university itself" had been omitted, a mature recognition by academic officials that Catholic colleges and universities are never completely autonomous. Ultimately, no substantial difference exists between the description of institutional autonomy and academic freedom in *The Catholic University in the Modern World* and John Paul II's endorsement of these principles in *Ex corde Ecclesiae*. In fact, John Paul adopts much of the same language (*EcE* 12)!

Nevertheless, although institutional autonomy and academic freedom are essential for the functioning of Catholic colleges and universities, these principles alone do not

explain the distinctive character of the participation of Catholic colleges and universities in the mission of the church.

Our search for a more adequate ecclesiological foundation then considered the potential of communion ecclesiology to define the relationship between the church and Catholic higher education. The great merit of communion ecclesiologies, according to Dennis Doyle, is their ability to move beyond a juridical and institutional understanding of the church. For this reason, Ladislas Orsy, in his address at the annual meeting of the National Catholic Education Association (NCEA) in 1974, proposed that the concept of *communio* should characterize the relationship between the church and Catholic higher education, calling attention to the potential of *communio* to foster cooperation. Just one year earlier, Cardinal Garrone, prefect of the Congregation for Catholic Education, expressed a similar view, identifying cooperation as one of the fundamental laws in the church following Vatican II. It seemed—from the perspectives of both church and academic officials—that communion offered a constructive way forward to understand how Catholic colleges and universities participate in the mission of the church. However, rather than communion fostering cooperation between the church and Catholic higher education as an alternative to a juridical approach, our study of this period revealed the juridicalization of communion itself.

As I argued in chapter three, the 1985 Extraordinary Synod represents an official attempt to reinterpret the teaching of Vatican II. To the extent that the council's *communio* ecclesiology yielded, in the words of Hermann Pottmeyer, "synodal movement and structural creativity," the Synod attempted to curtail this ecclesial renewal. Recall that Cardinal Ratzinger, in advance of the Synod, had publicly faulted the so-called

"spirit of the Council" for obscuring the authentic teaching of Vatican II. Around the same time, the International Theological Commission (ITC) issued a document, which put forth a particular version of communion. In a surprising reversal, instead of the people of God providing the foundational context for understanding hierarchical communion as in *Lumen Gentium*, the ITC suggested that hierarchical communion provides required organization and structure to the people of God. Indeed, when the Synod famously declared communion ecclesiology as the "central and fundamental idea" of the council's teaching, a surprising assertion given the prominence of "people of God" at Vatican II, the limits for ecclesial renewal were established. Consequently, even though the Final Report of the Synod admirably called for participation and co-responsibility at all levels of the church, the juridical understanding of communion introduced by the Synod—and, as we observed, solidified in subsequent documents by the Congregation for the Doctrine of the Faith (CDF)—would ultimately hinder the attainment of this vision.

There is no need to recount the difficulties that the juridical understanding of communion presented for American Catholic higher education. The argument has been made in chapter four, and at some length, that the juridical understanding of communion in part two of *Ex corde Ecclesiae*, including the much-debated *mandatum*, reversed the pastoral/theological understanding of communion in part one of the apostolic constitution. Here it is necessary to clarify that I do not deny that communion might entail a juridical dimension. My concern throughout this dissertation has been the one-sided emphasis on the juridical dimension, which results in a reductive distortion of communion. The one-sided emphasis on the juridical dimension lacks the reciprocity and

relationality that genuine communion must always entail. Indeed, the life of the church witnesses to the fact that genuine communion can never be merely imposed or enforced: unless a broader context of collaboration exists, no juridical mechanism can sustain ecclesial communion. In particular, in the case of Catholic higher education, the consequence of the one-sided emphasis on the juridical dimension is that Catholic colleges and universities are viewed as merely an arm of the church rather than as institutions capable of fostering the interchange between the church and the world.

Thus, the critical point is the future use of the concept of communion in defining the church-university relationship. Must we jettison the concept entirely given the disruption that the CDF version of communion caused in the past? Or, is a sufficiently mature understanding of communion, one that contributes to the definition of the church-university relationship, now possible?

To answer these questions, it is necessary to carefully distinguish between the concept of communion and the particular appropriation of this concept in the CDF version. I contend that it is the juridicalization of communion as evinced in the CDF version, rather than the concept of communion itself, that must be avoided in the future. It is important to recall that the CDF version of communion ecclesiology, while including foundational elements common to all communion ecclesiologies, privileges certain aspects over others. The CDF version of communion, by way of summary, includes the following characteristics:

1) concern for sociological reduction
2) hierarchical expression of communion
3) juridical understanding of teaching authority
4) diversity oriented toward unity
5) ontological and chronological priority of the universal church

At several points in this dissertation, the limitations of the CDF version of communion, a reductive distortion of communion as a result of the one-sided emphasis on the juridical dimension, have been clearly demonstrated. Taken as a whole, the fundamental weakness of the CDF version of communion is that it proceeds as if ecclesial communion is already achieved. Ecclesial communion, according to the CDF version, is the status quo rather than an ecclesial reality that is always in progress. What results is a fragile understanding of communion that cannot adequately respond to difference, disagreements, opposing views, further questions, and new insights—all of these are viewed as potential threats to ecclesial communion. Here we find the root of pursuing communion in sameness rather than communion in difference.

Because Catholic colleges and universities are places of difference, disagreements, opposing views, further questions, and new insights because of their nature as institutions of higher education, the CDF version of communion—the version that is operative in *Ex corde Ecclesiae*—is an ecclesiological foundation that is not capable of sustaining the relationship between the church and Catholic higher education. Moreover, for the church to be a place that is capable of receiving difference, disagreements, opposing views, further questions, and new insights—not as threats to communion but as occasions to grow in its understanding of faith—a renewed ecclesiological foundation is necessary.

The concept of communion, as I argued in chapter five, appears differently in a synodal church. Communion and synodality are not competing ecclesiological frameworks such that we must choose either synodality or communion. Synodality also aims for communion, but synodality realizes that the way that ecclesial communion is

achieved is more complex than the CDF version of communion permits. Synodality, which Francis describes as the whole people of God "journeying together," provides a more mature understanding of ecclesial communion. Recall how the five characteristics of the CDF version of communion are changed in a synodal church:

1) Concern for Sociological Reduction → Ecclesiological Realism
2) Hierarchical Expression of Communion → Inverted Pyramid
3) Juridical Understanding of Teaching Authority → A Listening Church
4) Diversity Oriented toward Unity → Polycentric Unity
5) Ontological and Chronological Priority of the Universal Church → A Church of the Poor

The ecclesiological shift toward synodality renews the way that communion is practiced and achieved. An honest examination of areas of difference and sinfulness in the church is not a threat to the church's communion but a necessary step in achieving genuine unity. Reclaiming the priority of the whole people of God does not eliminate the need for the hierarchical magisterium but provides it with its proper context. Listening and responding to the *sensus fidelium* does not weaken the teaching authority of bishops but increases its credibility. Diversity in the church is no longer viewed as a danger to communion but a natural consequence of the outpouring of the Holy Spirit. Communion is not the result of a centralized church that never moves or changes but rather the uniting of peripheries, geographic as well as epistemic. Taken as a whole, the ecclesiological shift toward synodality recognizes that ecclesial communion can never be simply presumed.

This synodal understanding of communion allows the possibility of viewing difference, disagreements, opposing views, further questions, and new insights not as threats to communion but rather as essential points toward its attainment. Ecclesial communion remains the goal but the full attainment of it always remains beyond us. For

some members of the church, this is exactly the risk of the synodal way of proceeding: they fear that everything remains in question, nothing is settled—resulting in chaos and confusion. But to what extent is this fear the result of the juridical understanding of communion remaining the dominant ecclesial framework? Indeed, the synodal way of proceeding requires a conversion of the ecclesial mindset. Without this, we will continue to either gloss over disagreements and conflicts in the church or the individuals responsible for causing them will be accused of "breaking communion." The fundamental question is not whether difference, disagreements, opposing views, further questions, and new insights exist in the church; the question is how the church will respond to them. Synodality, if we undertake a reform of the ecclesial mindset, offers a renewed understanding of communion—an understanding that has rich potential to express the collaboration between the church and American Catholic higher education.

Reforming the ecclesial mindset is not an entirely new challenge. In chapter one, we began with the change of ecclesiological frameworks, highlighting the contrast between the pre-Vatican II hierarchical model and Vatican II's understanding of the church as the people of God. Unmistakably, the CDF version of communion reflects the pre-Vatican II hierarchical model, which explains, at least in part, why it is incompatible with the ecclesial reforms called for by Vatican II. To repeat what I have argued at several points in this dissertation, the 1985 Synod, which introduced this particular version of communion ecclesiology, represents an official attempt to reinterpret the teaching of Vatican II—indeed, in the words of Jean-Marie Tillard, a *shift from* the council's teaching. However, from the beginning of this dissertation, our focus has been how Vatican II should affect the participation of American Catholic higher education in

the mission of the church. At this point, therefore, it is essential that we carefully consider the synodal understanding of communion in light of the council's teaching.

In chapter one, we outlined five principle that emerge from Vatican II's teaching on the people of God. These principles allow us to observe the remarkable consistency between the synodal understanding of communion as it has emerged through *Evangelii Gaudium*, the "roadmap" of Francis's ecclesial vision, and the council's teaching.

1) Baptismal Equality

The foundation of the council's teaching on the people of God is the primacy of baptism in the life of the church. The primacy of baptism, including its consequences for the life of the church, is affirmed throughout *Evangelii Gaudium*. In one particularly consequential passage, Francis writes, "In virtue of their baptism, all members of the People of God have become missionary disciples" (*EG* 120).

2) Charismatic Structure

The recovery of pneumatology is one of the great contributions of Vatican II. Calling attention to the outpouring of the Holy Spirit has significant consequences for the life of the church, and Francis explicitly affirms in *Evangelii Gaudium* that every member of the church is endowed by the Holy Spirit with different charisms (*EG* 130).

3) The *Sensus Fidelium*

The single most important consequence of the priority given to the people of God at Vatican II is the council's recovery of the *sensus fidelium*. Since the *sensus fidelium* is also key to Francis's ecclesial vision, I will cite this section of *Evangelii Gaudium* at length:

> In all the baptized, from first to last, the sanctifying power of the Spirit is at work, impelling us to evangelization. The people of God is holy thanks to this

> anointing, which makes it infallible *in credendo*. This means that it does not err in faith, even though it may not find words to explain that faith. The Spirit guides it in truth and leads it to salvation. As part of his mysterious love for humanity, God furnishes the totality of the faithful with an *instinct of faith—sensus fidei*—which helps them to discern what is truly of God (*EG* 119).

Here we also observe how the first two conciliar principles, baptismal equality and charismatic structure, contribute to understanding the *sensus fidelium*.

4) Diversity

The council's teaching on the people of God affirms a diversity of peoples, charisms, and ministries in the church. *Evangelii Gaudium* reveals a mature development of this conciliar affirmation. Francis acknowledges that a variety of gifts exist in the church and "when properly understood, cultural diversity is not a threat to Church unity" (*EG* 117). Moreover, Francis cautions against human attempts to impose unity that result in "monolithic uniformity" (*EG* 131). Instead, Francis encourages the church to be unafraid of diversity and conflict because, if accompanied by the Holy Spirit, unity in diversity—what Francis calls "reconciled diversity"—is possible (*EG* 230).

5) Missionary Nature

The council describes the people of God in relationship with the people of this world. As the council progressed, the missionary nature of the church was affirmed further, and the council's missionary ecclesiology only became clearer. *Evangelii Gaudium* continues this conciliar development. Missionary outreach is not one activity alongside many in the church, as Francis makes clear, but is rather "*paradigmatic for all the Church's activity*" (*EG* 15).

Clearly, even though Vatican II never used the word "synodality," we see the consistency between the council's teaching on the people of God and Francis's ecclesial

vision of synodality. For this reason, I have argued in this dissertation that the ecclesial vision of Francis represents the implementation of Vatican II and not merely another moment in the reception of the council. But it is also important to acknowledge that Francis's ecclesial vision of synodality expands our understanding of the church beyond the council's teaching. Indeed, a synodal way of proceeding at every level in the life of the church, while consistent with Vatican II, unquestionably calls the church forward to adopt new ecclesial structures and practices. This new era in the post-conciliar church, to invoke the image of Paul Lakeland, is returning to the "unfinished business" of *Lumen Gentium*. The council's teaching on the people of God, as we see above, constitutes a significant theological advance in how we understand the primacy of baptism, variety of charisms, the *sensus fidelium*, ecclesial diversity, and the missionary nature of the church. Yet, common to all five of these conciliar principles is the need for greater participatory and dialogical structures in the church, and this remains the case more than fifty years following the conclusion of the council. Applying these conciliar principles to the life of the church involves identifying structures and adopting new ecclesial practices to foster participation and dialogue throughout the church.

As we consider the participation of American Catholic higher education in the mission of the church, ecclesial synodality, which offers a more constructive ecclesiological foundation for understanding this relationship, allows us to see how Catholic colleges and universities can serve as institutions to foster participation and dialogue in the church. Catholic higher education alone cannot fully satisfy this need in the church, but I do believe that Catholic colleges and universities, given their nature as institutions of higher education, are uniquely suited to contribute to this task. At the

intersection of theology and education, it is necessary to consider this proposal from both the perspective of the church as well as the perspective of Catholic higher education.

When Orsy used the phrase a "university-minded" church, he was indicating the responsibility of the church to exercise its critical reflective intelligence in order to fulfill its mission. The primary responsibility of the church in every age, of course, is to proclaim the truth of the Gospel. But for the Gospel message to be intelligible in different times and places, the church must continue to learn, receive new insight, and grow in its understanding of revelation. This dissertation reveals that synodality allows the church to expand the exercise of its critical reflective intelligence. The practice of ecclesial listening demanded by synodality welcomes contributions by the entire people of God. "Thinking with the church" is not limited to thinking with the hierarchical magisterium but includes a more comprehensive understanding of the church's teaching authority that includes the magisterium, the *sensus fidelium*, and theologians. Synodality offers a more robust ecclesiological foundation that is able to tolerate disagreement and conflict—even as it attempts to move toward "reconciled diversity." Indeed, in a synodal church, magisterial teaching is not the end of ecclesial listening; the cycle of listening and teaching continues as the church moves ever closer toward the truth.

From the perspective of the church, how might a bishop respond to a Catholic professor of theology who, in the bishop's view, is teaching in contradiction to the church's teaching? Under the current juridical framework, the bishop could revoke or deny the theologian's *mandatum*. But does this juridical response, which will surely exacerbate the already tense relationship between the bishop and theologian and prompt further questions, truly fulfill the bishop's responsibility as authoritative teacher? Seen

through the lens of the synodal understanding of communion, both the bishop and the Catholic theologian are responsible for working toward consensus. This requires the ongoing exchange between the magisterium, the *sensus fidelium*, and theologians. In this case, the bishop might begin by asking the theologian for clarification, consult with other theologians, seek the counsel of other bishops, and discern to what extent the theologian's contribution corresponds to the *sensus fidelium*. After all of this, the bishop might still judge that the theologian's contribution—as it currently appears—falls outside the boundaries of church teaching, but this is not the end of the process. Even mistaken theological positions can serve as an opportunity for the bishop to provide more compelling answers. Reaching consensus in the church involves listening to opposing views and enduring periods of disagreement, for it is through this exchange that the church moves to a deeper understanding of the faith.

Refounding, according to Gerald Arbuckle, occurs when institutions reclaim a more authentic understanding of their identity. In the history of Catholic higher education, the two-fold identity of these institutions has been understood in zero-sum terms, such that a greater appreciation of either the religious or academic identity of the institution necessarily means a decline in the other. However, ecclesial synodality, as it has emerged in the papacy of Francis, allows Catholic colleges and universities to reclaim a more authentic understanding of their identity—allowing for a greater appreciation of both the religious and academic identities of the school. By their very nature as academic institutions, Catholic colleges and universities are places of study, dialogue, listening, cooperation, and creativity—all necessary resources for a synodal church. For too long, the full value of these resources was not realized by the church because former

ecclesiological models could not sustain a free exchange between Catholic higher education and the church. Synodality provides a path to avoid viewing Catholic colleges and universities, on the one hand, as completely autonomous and, on the other, as completely dependent upon the hierarchical magisterium. Offering a more complex understanding of the institutional relationship, synodality recognizes that juridical expression is not the only nor the primary way for Catholic colleges and universities to express their fidelity to the church. Indeed, the most significant way that Catholic colleges and universities participate in the mission of the church is by fostering ecclesial listening as an epistemic practice through the three-fold exchange between the magisterium, *sensus fidelium*, and theologians.

From the perspective of Catholic higher education, how might a Catholic university president respond to a bishop who eschews a synodal way of proceeding? This might manifest itself when a bishop single-handedly attempts to reject a commencement speaker, dictate changes to the curriculum, or restrict discussions on campus of controversial issues. One option is for the president to respond likewise, asserting the institutional autonomy and academic freedom of the school to preclude further discussion. But this response seems to conflict, not only with the synodal way of proceeding, but also with the school's commitment to free inquiry. If a church official attempt to limit the free exchange of ideas on the campus of a Catholic college or university, it is incumbent upon Catholic higher education officials to demonstrate the value that the free exchange of ideas has for both the church and the world. Seen through the lens of the synodal understanding of communion, the university president is also responsible for working toward consensus. The synodal way of proceeding is not only a

challenge for the church but also for Catholic higher education, for no institution is immune from authoritative styles of governance. This requires that the president listen to the concerns of the bishop and to consider them in relationship with the concerns of the faculty, students, and alumni of the school. Indeed, one of the most important contributions that Catholic higher education can offer to the church is to institutionalize the practice of listening as an epistemic practice. An authentic understanding of the identity of Catholic higher education includes that these institutions serve as sanctuaries of sustained conversation.

Just as with the concept of communion, reductive distortions of synodality are also possible. In order to journey together, both the church and Catholic colleges and universities must learn a new culture of reaching consensus. What makes this so challenging is the fact that consensus cannot be imposed from either the top-down or bottom up. One the one hand, consensus demands more than mere consultation by those in charge and, on the other, consensus cannot be reduced to grassroots democracy. Sustained listening as a synodal practice requires listening to opposing voices until consensus can be reached.

I readily acknowledge that some readers of this dissertation will judge the proposal of ecclesial synodality to sustain the relationship between the church and Catholic higher education to be either naïve or ineffective. But the historical account of the ongoing collaboration between church officials and academic officials since Vatican II suggests that listening and cooperation, if sustained over time, can yield consensus. Consider the remarkable development that occurred between the claim for institutional autonomy and academic freedom in the Land O'Lakes statement and the formal adoption

of these principles by John Paul II in *Ex corde Ecclesiae*. This development is the result of years of sustained listening and cooperation amid opposing views—in other words, the practice of synodality, even though no one called it by name at the time. Indeed, although I propose synodality as a new ecclesiological foundation for understanding the church-university relationship, the seeds of synodality, as witnessed throughout this dissertation, already exist in this history.

Many commentators have wondered whether the ecclesial vision of Francis will endure after his papacy. The survival of this ecclesial vision depends upon whether the ecclesial commitments and practice of Francis, chief among them being the synodal way of proceeding, are adopted throughout the church. In addition, it requires that this ecclesial vision be applied to particular institutions in the life of the church. I have attempted to show in this dissertation the value of this ecclesial vision for Catholic higher education in the United States and its relationship with the church. Beyond the value of the synodal way of proceeding for Catholic higher education, I believe that it can be applied to other institutions in relationship with the church. The conversion of the ecclesial mindset that this proposal requires is demanding throughout the church, but perhaps even more so in the context of the United States where the synodal way of proceeding is still unfamiliar.

We started this dissertation with the claim that all Catholic institutions are in crisis. Of course, there are many reasons for this crisis, but Nicholas Lash argues convincingly that "the subordination of *education* to *governance* is at the very heart of the crisis of contemporary Catholicism."[2] Distinguishing teaching from command, Lash

[2] Ibid., 59.

calls us to remember that teaching authority in the church requires more than governance. This dissertation has certainly identified times when the subordination of education to governance has defined the relationship between the church and Catholic higher education. But I also hope that it has revealed the potential of synodality to offer a more comprehensive understanding of teaching authority in the church—and, in so doing, provided a compelling argument for why Catholic colleges and universities should remain Catholic.

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