



## Consulting the Laity on Candidates for the Episcopacy

Prepared for Voice of the Faithful by

***The Voices in Action Universal Church Reform Team***

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# Consulting the Laity on Candidates for the Episcopacy

Voice of the Faithful, an association of highly committed Catholic men and women, seeks to promote participation of the laity in the recommendation processes for candidates to the Episcopacy at diocesan and archdiocesan levels, preliminary to the appointment of new bishops by the Pope.

The analysis offered here reviews the history of choosing bishops in the Roman Catholic Church over the centuries and the current practice generally followed in the choice of new bishops. We then examine the timeliness and benefits of expanding the role of the laity in the local recommendation processes consistent with Church history and tradition; and finally offer a model for implementing increased lay participation.

This analysis is proffered to the Holy See by the Voice of the Faithful, whose members are among the most committed Catholics and most active members of their parishes, as documented by a survey study conducted by reputable sociologists at the Catholic University of America.<sup>1</sup> We prayerfully present this analysis to the Holy See in the fervent hope that, God helping, it may contribute to the good of the Church. May it be received as an expression of our commitment to the call of the Holy Father that we be “co-responsible for the being and action of the Church, promoting a mature and dedicated laity.”<sup>2</sup>

## ***History***

Throughout the first millennium, members of the whole Church, laity as well as clergy, participated in the selection of their new bishops as a *sine qua non*. Indeed, beginning with the selection of Matthias to replace Judas<sup>3</sup> and the creation of the Diaconate,<sup>4</sup> the selection of candidates for leadership roles in the Church was a sacred obligation incumbent on all members of the Church community. As early as 96 A.D., the *Letter of the Romans to the Corinthians*, known also as *IClement*, states that the bishops are appointed “with the consent of the whole Church.”<sup>5</sup> And the ancient *Didache*, also dated late first century, exhorts: “You must, then, elect for yourselves bishops and deacons who are a credit to the Lord, men who are gentle, generous, faithful and well tried.”<sup>6</sup>

By the early third century, Hippolytus of Rome testifies to this practice in the Church. In his *Apostolic Tradition*, wherein he sets down the old Roman tradition, he writes: “Let the bishop be ordained being in all things without fault chosen by all the people. And when he has been proposed and found acceptable to all, the people shall assemble on the Lord’s Day together with the presbytery and such bishops as may attend. With the agreement of all let the bishops lay hands on him...”<sup>7</sup>

In the mid-third century, St. Cyprian, Bishop of Carthage, states that this is “a practice which is based on divine teaching and apostolic observance, a practice which is indeed faithfully followed among us and in practically every province. And it is this:

“When an episcopal appointment is to be duly solemnized, all the neighboring bishops in the same province convene for the purpose along with people for whom the leader is to be appointed; the bishop is then selected in the presence of those people, for they are the ones who are acquainted most intimately with the way each man has lived his life and they have had the opportunity thoroughly to observe his conduct and behavior.”<sup>8</sup>

In Letter 55, Cyprian affirms this about Cornelius, Bishop of Rome: “Cornelius was made bishop by the judgment of God and his Christ, by the testimony of almost all the clergy, by the vote of the people who were present, and by the assembly of the bishops...”<sup>9</sup>

Sometimes the election of a bishop was by spontaneous acclamation of the people, most notably in the election of St. Ambrose to be Bishop of Milan in the late fourth century.

In the fifth century, Popes Celestine I and Leo I insisted on the right of the faithful to elect their bishop and condemned any attempt to impose a bishop without their consent. “The one who is to be head over all,” said Pope Celestine, “should be elected by all. No one should be made a bishop over the unwilling...”<sup>10</sup>

In the later sixth and early seventh century, Pope Gregory the Great upheld the role of the laity and clergy in the election of their bishops, but was concerned about royal interference in the election process.<sup>11</sup>

Also during the first millennium, numerous provincial councils reiterated the principle that the bishop should be chosen by clergy and people assembled in a synod together with the archbishop and other bishops of the province.<sup>12</sup>

Thus, carried out in various circumstances and in a variety of ways, history attests to the benefits this practice generally provided to the local churches in securing good bishops, well esteemed by their clergy and people.

But sadly, major abuses did creep into the practice, most notably as a result of emperors, kings and other nobles in Christendom usurping the right to appoint bishops, often to the detriment of the local churches. The Church strongly resisted these abuses over the second millennium, and Church authorities ultimately prevailed in the long struggle, reining in here and there the authority to appoint bishops until finally reserving that right solely to the Pope in the *Code of Canon Law*. It is now the Pope’s authority to appoint bishops: either by direct appointment (most



instances) or by way of necessary confirmation of Episcopal candidates; namely, those elected by a few Cathedral Chapters which still retain the right to elect their bishops and those elected by synods in the Eastern Catholic Churches. Moreover, the Second Vatican Council affirmed this authority of the Pope.<sup>13</sup>

## **Current Practice**

In the twentieth century and continuing into the present, the Popes, aided by the Congregation for Bishops, have prescribed processes that are generally to be followed when selecting candidates preliminary to the Pope's appointment of a bishop to a diocese or an archdiocese. These processes do provide, in part, for consultation with members of the laity, both men and women. But commendable as it may be, currently this lay consultation is merely encouraged, not required, and must be limited to individual and confidential input.

This restriction deprives the selection processes of broader and more beneficial consultations with groups of committed Catholic men and women. Such open consultations would ensure that the recommendation of candidates routinely forwarded to the Congregation for Bishops would enjoy a breadth and depth of background information that could only more wisely inform the deliberations of the Congregation in preparing its recommendations for the Pope.

## **Timeliness**

Moreover, this is an especially opportune time for the Holy See to publish new procedures that require broader consultation of the laity in the local Episcopal recommendation processes leading to the appointment of diocesan and archdiocesan bishops. Precisely because the appointment of bishops is now clearly reserved to the Pope, there is no danger that the restoration of a formal role for the laity in the recommendation processes would lead to abuses in the appointment of bishops. On the contrary, reinstating a formal role for the laity in the recommendation processes would significantly enhance the process and lead to greater esteem for its results both within and outside the Roman Catholic Church, thereby contributing to the good of the Church.

This is no small consideration. The Church today enjoys a laity—both men and women—who are broadly well-educated, articulate, committed to their Catholic Christian faith, and aware that they have rights and duties which are theirs as members of the Church. Indeed, lay men and women know this means that they have proper roles to exercise *within* the Church, of which they are members. They take to heart the teaching of *Lumen Gentium* that the laity:



“should disclose their needs and desires to the pastors with that liberty and confidence which befits children of God and brothers in Christ. To the extent of their knowledge, competence or authority, the laity are entitled, and indeed sometimes duty-bound, to express their opinions on matters which concern the good of the Church.”<sup>14</sup>

The appointment of a new bishop for their diocese or archdiocese surely ranks high among those “matters which concern the good of the Church” upon which more and more lay men and women feel not only “entitled” but “duty-bound to express their opinions.”

To the extent, therefore, that the procedures for recommending candidates for the Episcopacy require diocesan and archdiocesan authorities to broadly consult with the laity in arriving at those recommendations, they will eminently serve the good of the Church. This good will be achieved first in the higher quality of the recommendations forwarded to the Congregation for Bishops; and, secondly, among the laity in the realization of their role in a matter that may so vitally affect their spiritual welfare. Beyond this, new esteem would be engendered for the Church among non-Catholics, who largely take for granted their own consultative, if not deliberative, roles in the selection of their religious leaders.

### ***Esteem for Episcopal Leadership***

In recent years, lay esteem for their bishops has been severely eroded by events which have greatly scandalized the faithful. Widespread sexual abuse of children and minors by clergy in several nations, including Australia, Austria, Germany, Ireland, The Netherlands, Poland, Switzerland, and the United States of America among others has been uncovered. The scandal has been compounded by knowledge that diocesan bishops were found to have abetted their predatory priests by simply transferring them from one parish to another where their crimes continued. How, the laity (and good priests) wondered, could the bishops respond in this way when Jesus Himself warned that for anyone who leads children astray, “it would be better for you if a great millstone were fastened around your neck and you were drowned in the depth of the sea.”<sup>15</sup>

In this context, Cardinal Sean Brady, Archbishop of Armagh, in his eulogy at the Requiem Mass for Cardinal Cahal Daly in January 2010, did not hesitate to charge:

“The abuse of children and its shameful mismanagement by those charged by God to protect his ‘little ones,’ have wrought such damage upon those who were abused. It has caused such justified anger and outrage on the part of the faithful and damaged trust so profoundly in the *integrity of the leaders of the Church.*”<sup>16</sup> [Emphasis added]



What Cardinal Brady went on to say about the Church in Ireland today may well apply to the universal Church, and certainly to the Church in the United States: “No one can doubt the Catholic Church ... is now at a defining moment in its history.”<sup>17</sup>

To their credit both Pope John Paul II and Pope Benedict XVI strongly condemned the sexual abuse of children by priests and religious. However, the laity (and many clergy) believe the condemnation by these Popes has not been followed up with strong Vatican action, particularly regarding “the shameful mismanagement by those charged by God to protect his little ones ...”

Cardinal Brady was, of course, referring to the bishops. Their management of predatory priests largely amounted to criminal-abetting conduct which “damaged trust so profoundly in the integrity of the leaders of the Church.” Thus, the Church now finds itself, says the Cardinal, “at a defining moment in its history.”

How will Church leaders rise to the challenges and opportunities of this “defining moment?” All who love the Church—lay men and women together with their good priests—pray fervently that our Episcopal leadership in the Holy See and in the local churches proves equal to their charge in this hour of crisis. Its solutions lie in evangelical contrition and in the apostolic resolve, courage and wisdom to be open to the guidance of the Holy Spirit. For Christ promised, “He will declare to you the things that are to come.”<sup>18</sup>

Prayerfully then, what is to come for the Church? What solutions will emerge out of all the scandal, pain and anguish that have erupted volcano-like in our Church during the first decade of the new millennium? Time will tell, but surely the outline of solutions must be already inchoate in the minds of the Church’s leaders as they search their way through this “defining moment.” For the crux of the issue is to restore *trust in their integrity*.

The dictionary defines integrity as honesty, sincerity, and uprightness. These are the hallmarks of men and women of integrity. Integrity is a basic quality people look for and expect in their leaders, whether civil or religious. But a perceived lack of integrity in religious leaders so vitiates trust in them and so impairs their message that many people simply lose faith and drift away from the Church; while those who stay in the Church increasingly tune out its leadership as irrelevant to them. The task for the leadership of the Church, therefore, is to begin to take steps which would work over time to restore *trust in their integrity* among the laity and many priests.



One step in this direction would be to restore a role for the laity in the selection of their bishops by expanding the recommendation processes at diocesan and archdiocesan levels to require formal consultation with groups of committed Catholic men and women. By this action, Church authorities would achieve two results, both of which would work to restore trust in their integrity.

First, the Church's leadership would dramatically signal to lay people its commitment to *Lumen Gentium* because that dogmatic constitution of Vatican II speaks of the indispensable and responsible role of the laity *within* the Church. Of that epic Council Pope John Paul II declared, "... I feel more than ever in duty bound to point to the Council as *the great grace bestowed on the Church in the twentieth century*: there we find a sure compass by which to take our bearings in the century now beginning."<sup>19</sup>

Surely Pope Benedict XVI was referring to its seminal teaching on the laity, among other areas, when he said of the Second Vatican Council: "The doctrinal and pastoral abundance which it contains and—above all, its basic inspiration—have yet to be assimilated by the Christian community forty years after its ending."<sup>20</sup>

This is certainly true with regard to the role of the laity *within* the Church.

To read the Council documents on this point is to realize that, more than forty years later, its seminal vision of the laity—"its basic inspiration"—has scarcely been implemented. Indeed, many Church leaders have resisted and thwarted the Council's bold vision of the laity rather than looking to it as a "sure compass by which to take our bearings" in this new millennium. Does not damaged trust in the integrity of Church leadership in this sad period of scandal in the Church cry out to be redeemed? If leadership took practical steps to actualize the implications of *Lumen Gentium* in reference to the role of the laity *within* the Church, these steps would demonstrate their integrity.

And would not promulgating a formal role for the laity in the selection of their bishops be one such practical step? This action would signal to lay men and women that the Church's leadership is indeed committed to and pursuing the Council's "basic inspiration" and determined to find their way in this century with the Second Vatican Council as a "sure compass."

Second, giving lay men and women a formal role in the Episcopal recommendation processes at their diocesan and archdiocesan levels should begin to restore the laity's trust in their own bishop. Having a voice in the recommendation of candidates forwarded to the Holy See could



give the laity a stronger ecclesial bond to their new bishop and to the Holy See. As their brothers and sisters in the Faith during the first millennium vocally affirmed their chosen candidates for bishop, so now the laity of the third millennium would have a voice by which they too could affirm “he is worthy.” And their bond to their bishop would be all the stronger for it.

This is not to say that the laity would expect the Pope in every instance to appoint as their bishop one of the three candidates recommended by the local church. Extenuating circumstances or other considerations could lead the Holy Father, in his considered judgment, to appoint someone else as their bishop. But these instances would be infrequent exceptions since the Pope routinely acts on the advice of the Congregation for Bishops, whose recommendations to him are culled from a report by the Apostolic Nuncio, which he prepares on the basis of the local recommendations sent to him. The Nuncio attaches to his report all the documents, i.e., the local recommendations which he has received, and forwards them with his report to the Congregation.

But what the laity would rightly expect is that the Holy See would always give serious and thorough consideration to the information forwarded to the Congregation for Bishops about the particular needs and opportunities of the diocese and the qualities looked for in a new bishop to meet those needs and opportunities. Insights gathered in the local recommendation processes would be an invaluable service offered by the laity to the Congregation and the Pope in the appointment of new bishops.

The appointment of a new Archbishop of Warsaw, Poland in 2007<sup>21</sup> and a new auxiliary bishop of Linz, Austria in 2009<sup>22</sup> are instances in which bishops were appointed in spite of grave public information then in the Congregation’s possession, which indicated that the candidates were not worthy and they could be an embarrassment to the Holy See. In both instances, public furor over the appointments was such that the appointees had to offer their resignations to the Holy Father, which he accepted. Had Vatican authorities chosen not to disregard the testimonies they had in hand at the time of the appointments, the Holy See would have been spared these embarrassments. The dictum of Pope Celestine I commands attention, “No one should be made bishop over the unwilling.”<sup>23</sup>

Perhaps, then, in instances wherein the Holy See is of a mind to disregard the recommendations of a local church in appointing a bishop for an (arch)diocese, the Congregation for Bishops would well serve the Pope by making a preliminary announcement of the possible appointment, providing the name of the potential appointee and inviting comments, if any, to be submitted to the Congregation over a brief period, say four or six weeks. Then, if there were grave reasons militating against an appointment, they would surface through such a preliminary process, sparing the Holy See of possible embarrassment in the appointment.





Would formal group consultations of the laity as part of the Episcopal recommendation processes be divisive and lead to unhealthy pressures in the local church? Some Church authorities fear this could be the outcome, but such consultations—well prepared for and conducted—would have just the opposite result and would be for lay men and women a new experience of their ecclesial bonds with one another and with their clergy. This boon would be the outcome of lay consultation sessions wholeheartedly espoused by the local clergy, soundly prepared for and astutely conducted, and this is the process proposed here.

Analogous to conclaves to elect a new Pope, these local lay consultation sessions would be steeped in prayer to the Holy Spirit for guidance. They would include reflections on the office of bishop and on the serious task of participating in the Episcopal recommendation process. Current needs and opportunities in the local church which a new bishop would be called upon to address would be reviewed. Discussion of qualities lay people would appreciate in a new bishop would follow. Finally, there would be a frank discussion of local clergy who might merit consideration as a candidate for bishop, and a list of three who would make excellent candidates drawn up. The meeting would close with a prayer that the Lord would guide the Holy Father in his appointment of their new bishop.

## ***Model***

Bishops today must submit their resignation to the Pope upon reaching seventy-five years of age. This canonical requirement lends itself to the establishment of a clear and detailed process for soliciting the considered recommendations of committed Catholic lay men and women on apt candidates to succeed the retiring bishop when the Holy Father accepts his resignation. One feasible approach Church authorities could take to provide for formal consultations with the laity at diocesan and archdiocesan levels would include the following elements.

1. **Pastoral Letter:** One year prior to his seventy-fifth birthday, the bishop would issue a pastoral letter announcing his anticipated retirement and the need to recommend suitable candidates to succeed him. He would remind the laity that they will be invited to play a significant role in the recommendation process to be held in the months ahead. This pastoral letter would be read at all Sunday Masses in every parish of the diocese or archdiocese and posted in all relevant (arch)diocesan communications.
2. **Committee:** A committee would be established to plan and manage the recommendation process throughout the (arch)diocese. The committee would consist of clerical and lay persons selected by (arch)diocesan officials, ideally drawn from existing representative bodies at the (arch)diocesan or parish levels, if existing. The committee would select its chairperson and a secretary.



3. **Comment Period:** Throughout the diocese or archdiocese, a formal period of comment, established by the committee, would be held to solicit the voiced thoughts of Catholic lay men and women on the most important needs and opportunities facing the diocese, the desirable qualifications of the next bishop, and the names of priests who, in their prayerful and considered judgment, would make excellent candidates to succeed the retiring bishop.
4. **Process:** The committee would create a process by which the laity would voice their input during the comment period. This process would include a series of Deanery-level meetings throughout the (arch)diocese in locations and at times that would facilitate the participation of all members of the (arch)diocese who desire to participate in them.
5. **Discussion Guide:** A guide would be developed for use in conducting the Deanery meetings. This guide would focus on the following questions:
  - a) In your opinion, what are the most important needs and opportunities facing the (arch)diocese today?
  - b) In light of the needs and opportunities listed, what do you feel are the desirable qualifications of the next bishop of this (arch)diocese?
  - c) Who do you think would be good choices for the next bishop and explain why.
6. **Minutes:** Upon completion of each Deanery-level meeting, the committee secretary would prepare precise written minutes of the meeting, which would include the observations and recommendations. All members of the committee would review the Minutes together and then sign and transmit it to the (arch)bishop or his designate.
7. **(Arch)diocesan Report:** The written Minutes of observations and recommendations from all the Deanery meetings, as well as other input received by the committee, would be compiled into a comprehensive report by the secretary. All members of the committee would review the report together and then sign and transmit it to the (arch)bishop or his designate together with the Minutes of all meetings and any other input received.
8. **Transmittal to Apostolic Nuncio:** The comprehensive (arch)diocesan report would be transmitted by registered mail to the Apostolic Nuncio at his residence in Washington, D.C., under a cover letter signed by the chairperson of the (arch)diocesan pastoral council, who would also forward a copy to the Ordinary. Attached to the comprehensive report would be copies of all the Deanery-level minutes. The cover letter to the Nuncio would commend the report for his review and consultation in preparing his report to the



Congregation for Bishops, and ask him to transmit these documents to the Congregation along with his own report.

9. **Vatican Review:** The Undersecretary of the Congregation for Bishops would direct a Cardinal *ponente* to closely review the (arch)diocesan comprehensive report of the observations and recommendations of the laity, and include a précis highlighting its key findings in his summary of the full dossier for other members of the Congregation to consider when making their recommendations to the Holy Father.

## **Conclusion**

The Roman Catholic Church stands now, as Cardinal Brady so precisely put it, “at a defining moment in its history.” As such, it is a moment of crisis, indeed a morally grave crisis, which summons the leadership of the Church to find, God helping, the wisdom and courage to face and resolve the complex issues making this period a “defining moment” for the Church.

In this moment, it would eminently serve the good of the Church for the Holy See to restore to the laity an active role, within their (arch)diocese, in the recommendation processes for candidates to the Episcopacy preliminary to the appointment of their new (arch)bishop by the Pope. As discussed here, that role was held to be a *sine qua non* by the Fathers of the Church from earliest days. St. Cyprian testified that a new bishop was selected in the presence of the people of the diocese, “for they are the ones who are acquainted most intimately with the way each man has lived his life and they have had the opportunity thoroughly to observe his conduct.”<sup>24</sup> Indeed, Pope Celestine I counseled, “The one who is to be head over all should be elected by all. No one should be made bishop over the unwilling...”<sup>25</sup>

Yet this major lay role in the selection of bishops was gradually abrogated by Church authorities, largely in response to the abuses of the nobility in usurping the right to appoint bishops. Those abuses of emperors, kings and other nobles may well have justified eclipsing the rights of the laity in the selection of their bishops during that period of history, but that period of history is behind us. Thus, the Church now can move forward by restoring to the laity an active role in the selection of their bishops, which the Fathers of the Church maintained was so essential to the healthy life of the Church community. And it would be to the long-lasting honor of Pope Benedict XVI to restore to the laity a significant role in the recommendation processes at the archdiocesan and diocesan levels. This would be a striking illustration of *ressourcement* in the Church.



For this reason, Voice of the Faithful now respectfully requests the Holy Father to promulgate procedures which would require the formal and open participation of the laity in the Episcopal recommendation processes, at archdiocesan and diocesan levels, leading to the appointment of their new bishops by the Pope.

We stand ready to assist the Congregation for Bishops in drafting appropriate procedures for this purpose. Initially, if desired, these procedures could be implemented on a trial basis in selected dioceses for a certain period of time, after which a refined process, based on local experience, could be promulgated for the good of the whole Church.



## References

<sup>1</sup> William D'Antonio and Anthony Pogorelc, *Voices of the Faithful: Loyal Catholics Striving for Change*, Herder & Herder Book, The Crossroads Publishing Company, New York, 2007

<sup>2</sup> Address of Pope Benedict XVI at the Opening of the Pastoral Conference of the Diocese of Rome, May 26, 2009

<sup>3</sup> Acts 1:15-26 [All biblical citations are from the Revised Standard Version, Catholic Edition.]

<sup>4</sup> Acts 6:1-6

<sup>5</sup> "The First Epistle of Clement to the Corinthians," ANF 1:16-17; Cyril C. Richardson, *Early Christian Fathers*, Macmillan, New York, 1970, 43-70

<sup>6</sup> "The Teaching of the Twelve Apostles, Commonly Called the Didache," in Richardson, *Fathers*, 178

<sup>7</sup> Hippolytus, *On the Apostolic Tradition*, Trans. Alistair Stewart-Sykes, St. Vladimir's Seminary Press, Crestwood, NY, 2001, 56-64

<sup>8</sup> Francis A. Sullivan, S.J., *From Apostles to Bishops, The Development of the Episcopacy in the Early Church*, The Newman Press, New York, Mahwah, NJ, 2001, 202

<sup>9</sup> *Letters of St. Cyprian of Carthage*, trans. G.W. Clarke, Newman Press, New York, 1984, Letter 55

<sup>10</sup> Celestine I, *Epistolae*, 4.5, PL 50:434-35

<sup>11</sup> John Eidenschink, *The Election of Bishops in the Letters of Gregory the Great*, Catholic University America Press, Washington, DC, 1945, 47-53,

<sup>12</sup> *Statuta Antiqua Ecclesiae*, (compiled circa 475); the Second Council of Arles (453-473); the Council of Clermont (535); the Second Third and Fifth Council of Orleans (533, 538, 549); the Third, Fourth and Fifth Councils of Paris (556, 561-562, 614); the Council of Chalons-sur-Saone (647-653)

<sup>13</sup> Walter M. Abbott, S.J., General Editor, *The Documents of Vatican II*, Guild Press, New York, 1966, Decree on the Bishops' Pastoral Office in the Church, 389-433

<sup>14</sup> See Abbott, *Dogmatic Constitution on the Church*, no.37

<sup>15</sup> Matt. 18:6

<sup>16</sup> *The Irish Times*, January 6, 2010

<sup>17</sup> *The Irish Times*, January 6, 2010

<sup>18</sup> John 16:13; see also (Cardinal) Yves Congar, *I Believe in the Holy Spirit*, Crossroad Herder, New York, 2000 printing, 58: " 'The things that are to come' means that the calling to mind of what Jesus said is accompanied by an unfolding of new responses in what is new in history. The Spirit takes the realization of the Christian mystery forward in the history of mankind. This is in accordance with the nature of the testimony as contained in Scripture – as R Astings has shown, it is 'directed forward', *vorwärtsgerichtet*."

<sup>19</sup> Pope John Paul II, *Apostolic Letter on the New Millennium Now Beginning*, January 6, 2001

<sup>20</sup> Pope Benedict XVI, *Discourse to the Staff of La Civiltà Cattolica*, February 17, 2006

<sup>21</sup> BBC News, January 7, 2010

<sup>22</sup> BBC News, February 16, 2009

<sup>23</sup> Celestine I, *Epistolae*, 4.5, P.L. 50: 434-35

<sup>24</sup> See no. 9 above

<sup>25</sup> See no. 10 above



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