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Die Synodalität in Leben und Sendung der Kirche: Eine kritische Erkundung

Marriage, Families & Spirituality 29/2 (2022), 163-197

English translation:

Synodality in the Life and Mission of the Church A Critical Investigation

The first part of the title of this “critical investigation” is the heading of a document drawn up by the International Theological Commission, which began its work under Cardinal Müller in 2014. Shortly after the beginning of the new pontificate, in March 2013, Pope Francis had the possibility of making new appointments to the International Theological Commission.¹ In the same period, Pope Francis had published the programmatic text of his pontificate, *Evangelii gaudium* (24 November 2013). Cardinal Müller proposed a choice from five topics, which came partly from the pope and partly from himself. These included “the synodality of the church”, and this was chosen, together with two other topics that were discussed.² The draft text was adopted in December 2017 and published under Cardinal Luis Ladaria Ferrer, SJ, on 2 March 2018, with the explicit approval of the pope.³

This voluminous text is nothing less than a treatise, which forms the theological foundation of the Apostolic Constitution *Episcopalis communio*, the new organization that Pope Francis gave to the work of the Synod of Bishops on 15 September 2018. This text of the International Theological Commission also forms the theological foundation of the Preparatory Document with which Pope Francis convoked the sixteenth Ordinary Assembly of the Synod of Bishops: “For a Synodal Church: Communion, Participation, and Mission.”⁴

In the Preparatory Document for the sixteenth assembly of the Synod of Bishops, the document of the International Theological Commission is not only quoted; rather, it can clearly be seen how the way in which synodality is understood there theologically with regard to the people of God and to the authority of the bishops and of the pope is presupposed and adopted. Nr. 3 of the Preparatory Document states:

¹ He raised the number of members to thirty, reducing the number of Europeans to fourteen and increasing the number of women theologians from two to five. The number of Asians remained constant at four; the number of Africans was raised from two to three; North America was reduced to one member, and a member from Australia was a new appointment.

² These are the documents *Religious Freedom for the Good of All* (2019) and *The Reciprocity between Faith and Sacraments in the Sacramental Economy* (2020). See www.vatican.va/roman_curia/congregations/cfaith/cti_documents/rc_cti_index-documentazione_en.html.

³ INTERNATIONAL THEOLOGICAL COMMISSION: *Synodality in the Life and Mission of the Church*, available at www.vatican.va/roman_curia/congregations/cfaith/cti_documents/rc_cti_20180302_sinodalita_en.html. The original Spanish text was used in writing the present article.

⁴ The convocation took place on 7 September 2021. The synod was opened on 9-10 October 2021 in Rome, and then on 17 October 2021 in the local churches. This document is cited below as “Preparatory Document.”

The site [i.e., homepage] offers some resources for deepening the theme of synodality, as a support to this Preparatory Document; among these, we would like to highlight two that are mentioned several times below: the *Address at the Ceremony Commemorating the 5th Anniversary of the Institution of the Synod of Bishops*, given by Pope Francis on 17 October 2015, and the document *Synodality in the Life and Mission of the Church*, prepared by the International Theological Commission and published in 2018.

There are no formal quotations in the Apostolic Constitution *Episcopalis communio*, but the choice of words, especially the way in which the various phases, actions, and procedural regulations are mentioned, is completely in accord with the document of the International Theological Commission.

Accordingly, if one wishes to study the program of the Roman Synod of Bishops theologically and take a position on this, one must not overlook the connection between the three documents. The new regulations for the curia, *Praedicate evangelium*, follow the line taken in these three texts.

What are the methodological consequences for the critical reflections I shall examine here? My starting point is the Apostolic Constitution *Episcopalis communio*, which establishes the formal framework for all the deliberations and decisions that may be involved before and during the sixteenth General Assembly of the Synod of Bishops. This document lays down the legal and organizational framework, and I shall begin by looking at it critically. I shall then look at the “Preparatory Document” of the synod. In this context, I shall also refer to *Praedicate evangelium*. Thirdly, I shall analyze the document of the International Theological Commission. I conclude by looking at the overall project of the pope. The path thus leads from the outside back into the inside, to the theological basis of the whole undertaking. In all three parts, I begin by presenting the content of the text; this is followed by the critical reflection.

1. The Apostolic Constitution Episcopalis communio on the Synod of Bishops

The Apostolic Constitution *Episcopalis communio*⁵ regulates the organization of the Synod of Bishops anew and overrides the previously promulgated regulations for the Synod of Bishops, which was laid down by Paul VI *ad experimentum* and given a revised structure by Benedict XVI.

Episcopalis communio has an introductory section with ten points and a second part that contains the groups of individual regulations. In its first five points, the introductory section sketches the development of the Synod of Bishops from Paul VI to Pope Francis’s address on the occasion of its fiftieth anniversary. Pope Francis calls the synod itself one of the most important legacies of the Second Vatican Council, “a privileged locus of interpretation and reception” of the council and a locus of inspiration for the papal magisterium today. The pope calls the present day “a point in history when the Church is embarking upon a ‘new chapter of

⁵ FRANCIS: *Episcopalis communio*, 15 September 2018, available at www.vatican.va/content/francesco/apost_constitutions. On the definition of a “constitutio apostolica”, see L. WÄCHTER: “Constitutio Apostolica”, in: A. FREIHERR VON CAMPENHAUSEN et al. (eds.): *Lexikon für Kirchen- und Staatsrecht*, vol. 1, Paderborn-Munich-Vienna-Zurich: Brill-Schöningh, 2000, 364f.

evangelization' requiring her to be 'throughout the world permanently in a state of mission...The Synod needs, in the words of the Council, 'to give special consideration to missionary activity, which is the greatest and holiest task of the Church' because this task "falls primarily on the body of Bishops" as a fellowship and under the leadership of the pope. Francis mentions the establishing of the General Secretariat of the Synod of Bishops and a special Council of Bishops by Benedict XVI. He summarizes his own concerns as follows: according to the Second Vatican Council, the bishops who teach in fellowship with the Roman bishop are "the witnesses of divine and catholic truth...But it is also true that 'for every Bishop the life of the Church and in the Church is the condition for exercising his mission to teach'" (5). His conclusion is that the bishop "is both teacher and disciple".

He then elaborates, in 6-10, the idea that "the Synod of Bishops must increasingly become a privileged instrument for *listening* to the People of God", since the Spirit is bestowed on every baptized person, and the people of God as a whole is infallible *in credendo*. Number 7 speaks of the process of consulting the faithful. The bishops, "following the indications of the General Secretariat of the Synod", are to consult priests, deacons, and laypersons, as well as consecrated women and men religious.

However, it is the bishops who have the authority to make decisions, under the leadership of the pope. The decisive passage in number 7 reads:

"The fact that the Synod ordinarily has only a consultative role does not diminish its importance. In the Church the purpose of any collegial body, whether consultative or deliberative, is always the search for truth or the good of the Church. When it is therefore a question involving the faith itself, the *consensus ecclesiae* is not determined by the tallying of votes, but is the outcome of the working of the Spirit, the soul of the one Church of Christ." Therefore, the vote of the Synod Fathers, "if morally unanimous, has a qualitative ecclesial weight which surpasses the merely formal aspect of the consultative vote".

This passage then speaks explicitly of the various cultures in the different local churches, and of the general overview of the situation of the church as a whole, which the bishops who take part in the Synod of Bishops receive. This general overview makes it possible for them to make decisions for the entire church together with the pope.

The introduction concludes in n. 9 with regulations concerning the General Secretariat, which consists of the General Secretary, the Undersecretary, and the Ordinary Council, composed largely of those diocesan bishops who were elected by the bishops present at the preceding General Assembly. Number 10 speaks of the fellowship of pastors and faithful, and of bishops and the pope, "who possesses 'full, supreme, universal power over the Church, and...is always able to exercise it without impediment...always joined in full communion with the other Bishops, and indeed with the whole Church'." Pope Francis expresses his hope here that, by means of the Synod of Bishops, it may be possible to find a way of exercising the primacy that promotes ecumenism, as John Paul II had wished.

This introductory part is followed by the individual regulations in five sections, divided into articles and paragraphs. The five chapters are: I. "Synod Assemblies"; II. "Preparatory Phase of the Synod Assembly"; III. "Discussion Phase of the Synod Assembly"; IV. "Implementation Phase of the Synod Assembly"; V. "General Secretariat of the Synod of Bishops"; and "Final Provisions."

Section I: “Synod Assemblies.” §1 in the first chapter and in the first article states: “The Synod of Bishops is directly subject to the Roman Pontiff, who is its President.” There follows a list of the members and the other participants of the synod assemblies: those envisaged by canon 346 CIC and others whose task is determined each specific time by the pope. The next articles specify the periods of the synodal assembly and the individual phases.

Section II: “Preparatory Phase of the Synod Assembly.” §1 here states: “The preparatory phase begins when the Roman Pontiff officially opens the Synod Assembly, assigning one or more themes to it.” §2 states that the purpose of this preparatory phase is to consult the people of God. It is coordinated by the General Secretariat of the Synod.

The text specifies in detail who is to be consulted by the bishops: the bodies envisaged by canon law, such as the priests’ council, the pastoral council, and conferences of the institutes of consecrated life; the major superiors and their councils are consulted, as are associations of the faithful that are recognized by the Holy See and their members, dicasteries of the curia, and the General Secretary of the Synod.

The episcopal conferences, or the synods of the patriarchal churches and the major archbishoprics, send the results of the consultations to the General Secretariat. The right of the faithful to send their contributions, individually or in common, directly to the General Secretariat of the Synod remains intact.

The work in this preparatory phase also includes the possibility of convoking a presynodal assembly by the General Secretariat, which can invite appropriate members of the faithful to attend. The text mentions institutes of higher education, “especially those that possess special competence with regard to the theme of the Synod Assembly”. They can contribute studies. The General Secretariat can also set up a preparatory commission of experts to prepare the work as a whole.

Section III: “Discussion Phase of the Synod Assembly.” Prior to the synod, the pope nominates one or more delegated presidents, who lead the assembly in his name and his authority; a “Relator General, who coordinates the discussion on the theme of the Synod Assembly and the elaboration of any documents to be submitted to the Assembly”; and special secretaries “who assist the Relator General in all his activities”.

This is followed by the lengthy list of those who may be invited “without voting rights”. Regulations are issued for the general congregations and the meetings of the small groups, the discussions of the theme, the establishing of one or more study commissions, and finally the elaboration and approbation of the final document by the General Secretary of the Synod. This final document, which is presented to the members for their approval, is handed over to the pope, who decides about its publication. When the final document is explicitly approved by the pope, it belongs to the ordinary magisterium of the successor of Peter. The concluding §2 stipulates: “If the Roman Pontiff has granted deliberative power to the Synod Assembly, according to the norm of canon 343 of the Code of Canon Law, the Final Document participates in the ordinary Magisterium of the Successor of Peter once it has been ratified and promulgated by him.”

Section IV: “Implementation Phase of the Synod Assembly.” This implementation is primarily the task of the diocesan and eparchial bishops, with the aid of the participatory bodies envisaged by canon law. The synods of the bishops of the patriarchates and major archbishoprics, the councils of hierarchs or the assemblies of hierarchs of the Churches *sui iuris*,

and the episcopal conferences “coordinate the implementation of the aforementioned conclusions in their territory, and to this end they may set up common initiatives”.

Together with the dicasteries of the curia that are involved, the General Secretariat of the Synod “promotes the implementation of the synodal recommendations approved by the Roman Pontiff”. The General Secretariat can prepare studies and appropriate initiatives and in particular circumstances, “by mandate of the Roman Pontiff, issue documents regarding implementation”. It can also set up a commission for implementation, consisting of experts. Its members are appointed by the General Secretary of the Synod, “having heard the Head of the competent dicastery of the Roman Curia, and he chairs it”.

Section V: “General Secretariat of the Synod of Bishops.” This is “a permanent institution at the service of the Synod of Bishops, directly subject to the Roman Pontiff”. §2 explains its structure: it consists of the General Secretary, the Undersecretary “who assists the General Secretary in all his activities”, and the Ordinary Council.

Both the General Secretary and the Undersecretary are appointed by the pope and are themselves members of the synodal assembly. The tasks of the General Secretariat are the preparation and implementation of the synod assembly, as well as “other questions that the Roman Pontiff may wish to put before it for the good of the universal Church”. The text adds that the General Secretariat collaborates with the synods of the bishops in the patriarchal churches and the major archbishoprics or the churches *sui iuris*, as well as with the episcopal conferences and the dicasteries of the Roman curia. To the General Secretariat belong its Ordinary Council, a majority of whose members are diocesan bishops “elected by the Ordinary General Assembly to represent the different geographical areas”, the leader of the dicastery that is responsible for the theme that the pope has assigned to the synod, and some bishops appointed by the pope. These members of the Ordinary Council are subsequently members of the Ordinary General Assembly that follows; their mandate expires when this General Assembly closes.

In the case of an Extraordinary General Assembly or a Special Assembly, the members of the Council of the General Secretariat are appointed by the pope. The same applies to the other councils of the General Secretariat in Extraordinary General Assemblies or Special Assemblies. After the close of the Synodal Assembly, they remain in office for five years, unless the pope decides differently.

The “Final Provisions” envisage that the General Secretariat of the Synod of Bishops publish an instruction about the conduct of the Synod Assembly and the activities of the General Secretariat as well as regulations for each Synod Assembly. The text then specifies which canons of the CIC/1983 and the Code of Canons of the Eastern Churches are abrogated. It states that the instruction comes into force from the date of its publication in the *Osservatore Romano* and in the official gazette *Acta Apostolicae Sedis*.

The following evaluation follows the five sections of individual regulations. I begin with some critical observations with regard to general and formal aspects of the apostolic constitution.

1.1. Critical observations on general and formal aspects of the Apostolic Constitution Episcopalis communio

A survey of the document as a whole shows clearly that the pope aims at a total reform of ecclesiastical governance, and that he wishes to make the Roman Synod of Bishops a key instrument of the central church government. This regulation, which replaces the post-Tridentine organization and its continuation in the modern period, and is at the same time intended to open the door in the ecumenical realm to possible church unions, has a fundamental importance. This is in accordance with the establishing of the new dicastery for the Evangelization of the Peoples and for the reform of the curia in *Praedicate evangelium*.⁶

The document *Episcopalis communio* was published in the *Osservatore Romano* and came into force on 15 September 2018, less than a month before the convocation of the synod. The publication of such an important legislative text – the draft of which had not been previously discussed in public – in a newspaper is more than remarkable. It is shocking.

The bodies about which it speaks, such as the episcopal conferences and the synods of the patriarchal churches, meet only at lengthy intervals. No government in a state under the rule of law can permit itself such haste in an important legislative matter. Such a style in the public dealings between the pope and the bishops, the pope and the episcopal conferences, massively discredits the Roman Catholic Church in public opinion.

1.2. Critical reflections on the “Synodal Assemblies”

This style appears to be continued in §1 of the first article, which declares: “The Synod of Bishops is directly subject [Italian: *sottoposto*] to the Roman Pontiff.”⁷

Otherwise, the regulations concerning the members and the other participants of the synodal assemblies, the regulations about the periods of the synodal assemblies, the activity of the General Secretariat in the intervening periods, and the end of the membership diverge only slightly from the previously valid regulations of the CIC.

1.3. On the “Preparatory Phase of the Synodal Assembly”

I begin with a general observation. The public debate today about digital communication with the refined methods of influencing people, precisely through surveys, the complexity of

⁶ See *Praedicate evangelium*, 2: “The Church’s ‘missionary conversion’ aims to renew her as a mirror of Christ’s own love.” See nr. 3: “The reform of the Roman Curia is to be viewed in the context of the Church’s missionary nature.”

⁷ The first sentence on the Synod of Bishops in can. 342 CIC runs as follows: “The synod of bishops is a group of bishops who have been chosen from different regions of the world and meet together at fixed times to foster closer unity between the Roman Pontiff and the bishops, to assist the Roman Pontiff with their counsel in the preservation and growth of faith and morals and in the observance and strengthening of ecclesiastical discipline, and to consider questions pertaining to the activity of the Church in the world.” Can. 344 then states: “The synod of bishops is directly subject to the authority of the Roman Pontiff who (1) convokes a synod as often as it seems opportune to him and designates the place where its sessions are to be held; (2) approves the election of members who must be elected according to the norm of special law and designates and appoints other members.” Its authority thus appears as a limited authority, and a mere “*sottoposto*, subject to” is mere words that obscure the limitation. This is a question of style.

interpretations, the dangers of fake news and cyber criminality, demonstrate how complicated survey techniques are, and what they presuppose if they are to arrive at somewhat reliable statements. If it is the bishops who are responsible for the consultation of the people of God in their churches, this presupposes a lengthy process of education of the episcopate, including the aid of appropriate experts. There is, likewise, a very high degree of risk thanks to self-delusions on the part of responsible persons who have no realistic access to reality and insist on their own judgement. Up to the present day, nothing has been heard about any critical analysis of the consultations that preceded the synods on matters of marriage and family, or the synod on young people.

Since the preparation and the conduct of the preparatory phase lie entirely in the hands of the General Secretariat, the General Relator of the Synodal Assembly is completely dependent on a close collaboration with the General Secretary in order to be able to include the results of the preparatory phase in an appropriate manner in the “documents to be submitted to the Assembly”. And since the implementation of the synodal decisions after the close of the synod is essentially subordinate to the supervision of the General Secretary and to the measures he takes, he has an uncommonly strong position with regard to the orientation of the universal church and of its governance.

A realistic consultation of the people of God through these measures is far from certain, as we see from the fact that no attention whatever was paid in this draft, prior to the sixteenth General Assembly of the Synod of Bishops, to the contemporary crisis of sexual abuse in the church. And every institution has a thousand possibilities of shrugging off any critical self-reflection, as we see from the silence of this document about the general problems of how to tackle questions about the ordination of women, the self-referentiality of the church, and clericalism.

The details in this section about the sending of the results of the consultations by the individual dioceses via the episcopal conferences to the General Secretary could be skipped over here, were it not for the grave involvements of bishops and priests in some dioceses or countries in infringements of human rights (such as torture leading to death) in the recent history of the church. Even after the end of the military rule, these men were allowed to continue in ecclesiastical office, because the episcopal conference in question pleaded for an unconditional reconciliation with the military junta or with the guilty generals.⁸ Here, we encounter the limitations of this statute, which takes no account of the negative experiences of recent decades and the injustice that has taken place in and through the church.

There are many paths that can be taken to eliminate this fundamental deficiency in the present system of canon law. One is suggested by article 9 in this section about the preparatory phase, which speaks of the participation of theological faculties and theologians, who can present studies either on their own initiative or at the request of the Synod of Bishops. Here would be the opportunity to mention theology’s specific task of uncovering systemically anchored acts of injustice in the Church.

⁸ Cardinal Estanislao E. Karlic, at that time still an archbishop in Argentina, stayed with me in Münster in Westphalia before the transition from the military regime to democracy, in order to prepare the joint Pastoral Letter of the Argentinian episcopal conference. I attempted without success at that time to dissuade him from such unconditional positions about reconciliation.

1.4. Chapter III: “Discussion Phase of the Synodal Assembly” and Chapter IV: “Implementation Phase of the Synodal Assembly”

When one reads the regulations in the two sections about the conduct of the synod and its implementation, one cannot avoid asking what the vision of Pope Francis is, and how he understands synodality.

The Pope – with his winning smile, his tangible orientation to the poor and the disadvantaged, to those who are marginal and excluded, with his concern for immigrants and for children, with his personal piety and modesty – cannot have taken decisions of such importance out of a striving for power or a craving for recognition. He must have taken them because he is following an insight that he can confirm with the spirituality that he lives.

I believe that Pope Francis has in mind the new orientation, indeed the “new foundation” of the Society of Jesus that was brought about by Pedro Arrupe, who became General of the Jesuits in 1965, and that led under his successor, General Sosa, to the “four apostolic preferences” that form a basic framework for the Society of Jesus as a whole and for each individual Jesuit. The first apostolic preference: helping human beings to find God through discernment and spiritual exercises. The second preference: on the side of the disadvantaged. The third preference: with young people. And the fourth preference: for the created world.

These four apostolic preferences provide the framework of orientation in the decade from 2019 to 2029 for all the decisions that the individual Jesuits with their own specific gifts, as well as for the common projects and the orientation in the Society of Jesus. Nr. 7 in the introduction to *Episcopalis communio* makes it clear that this vision is a guiding orientation for the Synod of Bishops in the eyes of the pope:

consultation of the faithful must be followed by discernment on the part of the bishops chosen for the task, united in the search for a consensus that springs not from worldly logic, but from common obedience to the Spirit of Christ. Attentive to the *sensus fidei* of the People of God – “which they need to distinguish carefully from the changing currents of public opinion” – the members of the Assembly offer their opinion to the Roman Pontiff so that it can help him in his ministry as universal Pastor of the Church.

But is the church, which consists of many local churches, regional churches, the eastern patriarchal churches, the churches *sui iuris*, etc., the same thing as the religious order founded by Ignatius? Are bishops the same as provincial or other religious superiors? Did not Jesuits draw a distinction between popular missions and the spiritual exercises – theologically, sociologically, historically, and culturally? The exercises were not meant for everyone.

There must be more to a synod than merely giving advice to the pope so that he knows what guidelines and laws he should issue. Is this not today also essentially a question of the form of the exercise of the primacy of jurisdiction? Is it not essentially a matter of learning from one another, of theological clarification, of the freedom of the Spirit in the acknowledgment of the others, of supporting them and deepening their faith? We must look more closely at this question in the “preparatory document” for the synod: “For a Synodal Church: Communion, Participation, and Mission.”

1.5. Brief concluding observations on section V of *Episcopalis communio*, the statements about the General Secretariat of the Synod of Bishops

The church bureaucrats who head the General Secretariat, and the bishops and representatives of the local churches who collaborate in its councils, are partly elected by the members of the preceding General Assemblies of the Synod of Bishops, and partly appointed by the pope. When one considers how the work is carried out – as we read in even more vivid detail in the following preparatory document – we are surely justified in assuming that the Synod of Bishops establishes the papal governing power on an even broader foundation.

2. “For a Synodal Church: Communion, Participation, Mission”: The Preparatory Document for the Sixteenth General Assembly of the Synod of Bishops⁹

2.1. The formal character of the document

The attentive reader will note several puzzling features in the preparatory document. It is not signed by anyone, and it is dated 7 September 2021. The title page calls it “The Preparatory Document”. It refers to the Synod of Bishops convoked for 2023.

The title is followed by the abbreviations and a list of contents in four sections: I. “The Call to Journey Together”; II. “A Constitutively Synodal Church”; III. “Listening to the Scriptures – Jesus, the Crowd, the Apostles – A Double Dynamic of Conversion: Peter and Cornelius (Acts 10)”; IV. “Synodality in Action: Pathways for Consulting the People of God – The Fundamental Question – Different Articulations of Synodality – Ten Thematic Nuclei to be Explored – To Contribute to the Consultation.”

The text itself begins with nr. 1 of the first chapter:

The Church of God is convoked in Synod. The path entitled “For a Synodal Church: Communion, Participation, and Mission” will solemnly open on the 9-10 October 2021 in Rome and on the following 17 October in each particular Church. One fundamental stage will be the celebration of the XVI Ordinary General Assembly of the Synod of Bishops, in October 2023, which will be followed by the implementation phase that will again involve the particular churches (see EC 19-21).

This is followed by a graph that presents the stages of the synodal path. The text then states: “With this convocation, Pope Francis invites the entire Church to reflect on a theme that is decisive for its life and mission: ‘It is precisely this path of synodality which God expects of the Church of the third millennium.’” Who wrote the text, the pope himself or his secretariat?

This preparatory document thus functions to convoke the Synod of Bishops and to specify its theme, but the reader does not know who is speaking here: is it the General Secretary, or the General Secretariat with the General Secretary, the Undersecretary, the Council of the Synod of Bishops? We likewise hear nothing about whether the General Relator was involved,

⁹ See www.synod.va/en/news/the-preparatory-document.html.

nor about when the persons who were to be nominated before the convocation of the synod were appointed. No one mentions the representatives of the pope at the synodal assemblies, who were to be appointed to preside when he was not present. Is it possible that no one has a precise recollection of *Episcopalis communio*?

The sequence of the synodal phases depicted in the graph is extraordinarily compact: preparatory document and handbook, 7 September 2021;¹⁰ opening in Rome, 9/10 October 2021; synthesis of the consultations, April 2022; *Instrumentum laboris*, September 2022; presynodal meeting, before March 2023; final document, March 2023; *Instrumentum laboris*, 2 June 2023; Synodal Assembly and concluding document, October 2023.

The syntheses of the episcopal conferences and the other bodies entitled to submit contributions were sent only in August 2022. We wait to see when the first *Instrumentum laboris* will appear, and how long we must then wait for the second *Instrumentum laboris*.

2.2. On the text of the preparatory document

The introduction to the “preparatory document” has no title. The first point mentions the title of the synod and the dates of its opening, and the second point describes the fundamental question as follows: “How does this ‘journeying together’, which takes place today on different levels (from the local level to the universal one), allow the Church to proclaim the Gospel in accordance with the mission entrusted to Her; and what steps does the Spirit invite us to take in order to grow as a synodal Church?” This question demands an attitude of listening to the Holy Spirit, for then a dynamic ensues: “fruits of a synodal conversion” begin to mature. The text then lists “the main objectives, which manifest synodality as the form, the style, and the structure of the Church”. What steps does the Holy Spirit invite us to take, in order that the synodal church may grow? The text speaks of eight principal goals that must be achieved, with this question as the starting point: (1) “recalling how the Spirit has guided the Church’s journey through history and, today, calls us to be, together, witnesses of God’s love”; (2) living an ecclesial process from which no one is excluded, in order to contribute to building up the people of God; (3) recognizing and appreciating the richness and the variety of charisms that the Spirit with complete freedom distributes for the good of the community and of the entire human family; (4) reflecting on, and realizing, the participatory way of taking responsibility for the proclamation of the gospel and for the construction of a habitable world; (5) examining how responsibility and power are lived in the church, and the structures by which they are managed; (6) recognizing the Christian community as “a credible subject and reliable partner”; (7) deepening relationships between the believers, as members of differing Christian communities; (8) appreciating and appropriating the synodal experiences and putting them into practice.

The Spanish text lists only six main goals: (1) recognizing and pondering the richness and the variety of the gifts and charisms that the Spirit freely distributes for the good of the community and for the benefit of the entire human family; (2) trying out participatory ways (*participados modos*) of bearing responsibility in the proclamation of the gospel and in the

¹⁰ A handbook is appended to the preparatory document, with the title “Vademecum for the Synod on Synodality: Official Handbook for Listening and Discernment in Local Churches: First Phase [October 2021-April 2022] in Dioceses and Bishops’ Conferences Leading up to the Assembly of Bishops in Synod in October 2023”: www.synod.va/en/documents/vademecum.html.

commitment to a more beautiful and habitable world; (3) examining how, in the church, responsibility and power, as well as the structures with which these are exercised, are absorbed into prejudices and distorted practices that are not rooted in the gospel and are transformed into action; (4) supporting the Christian community as a credible subject and a reliable partner on the paths of social dialogue, healing and reconciliation, inclusion and participation, the reconstruction of democracy, the promotion of fraternity and of societal friendship; (5) revitalizing the relationships between the members of the Christian communities, and with the communities and other societal groups, for example, the believers of other confessions and religions, the organization of civil society, and popular movements; (6) the appreciation and appropriation of the fruits of recent synodal experiences on the universal, regional, and national and local levels.¹¹

The first four goals – we follow the official English text here – concern the positive attitude in the consciousness of the entire church, which is to remember that it is led by the Spirit, to live this shared ecclesial process, and to make it possible for everyone to live it, to include everyone, recognizing the richness in the plurality of gifts, and trying out participatory ways of proclaiming the gospel and building up a more habitable world.

It is clear that the next goal is formulated in a way that makes no sense. We read: “accrediting the Christian community as a credible subject and reliable partner in path of social dialogue, healing, reconciliation, inclusion and participation, the reconstruction of democracy...” But it is only by others that the Christian community (which assuredly means the church) can be recognized “as a credible subject and reliable partner”. What is gained if the church recognizes *itself* as a credible subject (see point 4 of the Spanish text)? We then read that the goal is to regenerate the relationships among the members of the Christian community, as well as the fellowship between the communities and other societal groups, the other confessions, the other religions, and the organizations of civil society. Finally, the text mentions the appreciation and appropriation of the synodal experiences on the universal, regional, national, and local levels, so that people may make these fruits their own.

These goals sketch the broadest imaginable horizon of reflection on the formation of consciousness and on praxis. This contrasts with what nr. 3 of the introductory section explicitly states: “This Preparatory Document is at the service of the synodal journey, especially as a tool to facilitate the first phase of listening to and consulting the People of God in the particular Churches (October 2021-April 2022).” And when we then read in nr. 32, the last article of the document, about how the end of this process is envisaged, we find a remarkable coherence. Every local church is to summarize, in no more than ten pages, the results of this work of listening and discernment; additional texts can be added to explain or support this synthesis. We then read:

We recall that the purpose of the Synod, and therefore of this consultation, is not to produce documents, but “to plant dreams, draw forth prophecies and visions, allow hope to flourish, inspire trust, bind up wounds, weave together relationships, awaken a dawn of hope, learn from one another and create a bright resourcefulness that will enlighten minds, warm hearts, give strength to our hands”.

¹¹ The text provided for the translation into English (and German) was obviously not the final Spanish text, since the translators assuredly did not invent two extra points. This confirms what I have written about the haste with which the text was drawn up.

When we bear in mind what the handbook requires – how much effort must be put into consultation in an extremely short space of time – we see that the beginning and the end of this document form a circle, but not in the sense of a new start and of solid first steps that establish a realistic hope.

2.2.1. On section I: “The Call to Journey Together”

This section consists of an overview of the epochal changes in society that cannot be ignored in the reflection on the synodal path. The text mentions the tragedy of the COVID-19 pandemic, which has led to an explosion in societal inequalities, the conditions under which migrants live, etc. It refers in this context to the encyclicals *Laudato si’* and *Fratelli tutti*.

Nr. 6 speaks of the situation of the church itself, with the lack of faith and the corruption in the church, “the suffering experienced by minors and vulnerable people ‘due to sexual abuse, the abuse of power and the abuse of conscience by a significant number of clerics and consecrated persons.’ ... The whole Church is called to deal with the weight of a culture imbued with clericalism that she inherits from her history.” Nr. 7 affirms that despite our infidelity, the Spirit continues to work in history. “Structured meetings and processes with the People of God” are already one sign of this. “Where they have been marked by a synodal style, the sense of Church has flourished and the participation of all has given new impetus to ecclesial life.” The text also interprets “the desire of young people to be protagonists within the Church and the request for a greater appreciation of women and spaces for participation in the mission of the Church” as encouraging signs. “The recent institution of the lay ministry of Catechist and the opening of access to those of Lector and Acolyte to women also move in this direction.”

Other circumstances and conditions that should be taken into account (nr. 8) are the differing situations of the church, where Catholics are a minority, where they experience pressure and persecution, where a dominant secularized mentality tends to expel religion from the public space”, as well as where “religious fundamentalism, without respect for the liberties of others, feeds forms of intolerance and violence”.

“Within this context”, nr. 9 states, “synodality represents the main road for the Church, called to renew herself under the action of the Spirit and by listening to the Word”.

It must be acknowledged that this text, unlike *Episcopalis communio*, gives extensive attention to the concrete circumstances.

2.2.2. On the section “A Constitutively Synodal Church”

At the beginning of this section, the preparatory document recalls that Jesus calls himself “the way, the truth, and the life” (Jn 14,6). It is significant that the Christians who follow him are called “the adherents of the way of Jesus” (Acts 9,2ff.). Accordingly, synodality means not only the celebration of ecclesial meetings of bishops. Rather, it is “the specific *modus vivendi et operandi* of the Church, the People of God, which reveals and gives substance to her being as communion when all her members journey together, gather in assembly and take an active part in her evangelizing mission”. This section intends to “briefly illustrate some fundamental theological references on which this perspective is based”.

Nr. 11 speaks of the first millennium: from the earliest times, there has existed a local, provincial, and finally universal synodal praxis on every level of the church. In the second millennium, “the Church emphasized more strongly the hierarchical function”, but both in the Middle Ages and in the modern period, the praxis of regular diocesan and provincial synods and ecumenical councils existed. “When it came to defining dogmatic truths, the Popes wished to consult the Bishops in order to know the faith of the entire Church.”¹² They appealed here “to the authority of the *sensus fidei* of the entire People of God, which is ‘infallible *in credendo*’ (EG, nr. 119)”. This was taught explicitly in DV 10.

The following numbers all follow the same pattern, pointing out the rich *de facto* synodal tradition of the church. They fail to note the fact that there were numerous synods that were not accepted, but instead rejected.

The text refers to the great appreciation of tradition and its essential importance for the transmission of the gospel. It fails to mention the fact that the tradition of the church is in fact marked by numerous contaminations and that its *de facto* history is marked by the failure to clear up scandals.

And finally, when we read that synodality belongs constitutively to the church, one must not forget that the form and style of the synods held in the course of history present numerous analogies to public and changing judicial and administrative assemblies.¹³ In the situation of a modern state under the rule of law, the separation and powers and other measures have greatly helped to curb the abuse of power. The endeavor to promote the synodality of the church in today’s circumstances must necessarily include appropriate institutional regulations.

2.2.3. On section III: “Listening to the Scriptures”

The first number briefly explains the intention of this section:

The Spirit of God, who illuminates and vivifies this “journeying together” of the Churches, is the same Spirit who works in the mission of Jesus, promised to the Apostles and to the generations of disciples who hear God’s Word and put it into practice. The Spirit, according to the Lord’s promise, does not limit himself to confirming the continuity of the Gospel of Jesus, but will illuminate the ever-new depths of his Revelation and inspire the decisions necessary to sustain the Church’s journey.

The text refers to the statements about the Spirit in the Johannine farewell discourses. Two “images” are selected. The author calls the first image the “‘community scene’ that constantly accompanies the journey of evangelization”. He gives it the title “Jesus, the Crowd, the Apostles”. Jesus, who constantly takes the path of evangelization, “offers liberation from evil

¹² This obviously refers to the definition of the Immaculate Conception of Mary by Pius IX on 8 December 1854. He had consulted the Catholic episcopate in 1849 in order to discern their opinion about the possibility of defining this dogma. Pius XII acted in the same way with regard to the definition in 1950 of the bodily assumption of Mary into heaven.

¹³ In his four-volume *Konziliengeschichte*, Hermann Josef Sieben has amply demonstrated these analogies. The challenge, precisely in view of the main goals listed above – such as the investigation of the reasons that favor the accumulation and the abuse of power in the ecclesiastical sphere – is to employ modern modalities to curb such abuses.

and conversion to hope, in the name of God the Father and in the power of the Holy Spirit”. This appeal is always linked to esteem for the person or persons to whom the invitation is addressed. Jesus each time addresses the crowd, but he also addresses individuals. Some individuals follow Jesus in a more explicit manner, and “among those who follow Jesus, the figure of the *apostles*, whom he himself calls from the beginning..., clearly becomes prominent”. This short meditation closes in nr. 20 with these words: “Jesus, the crowd in its diversity, the apostles: this is the imagery and the mystery that must be constantly contemplated and explored in depth, so that the Church may increasingly become what she is.”

The second image (nr. 22) is the story of the conversion of Cornelius, the information brought to Peter, who is in Jaffa, and the subsequent accusation in Jerusalem: “You entered the house of uncircumcised men and ate with them!” (Acts 11:3) Peter relates what had happened to him. “Precisely this will help his interlocutors, initially aggressive and refractory, to listen and accept what has happened.” This is a process of discernment that consists in listening together to the Spirit, just as later at the “Council of Jerusalem”.

These are two briefly sketched New Testament meditations, such as one finds frequently in texts by Pope Francis.

2.2.4. On section IV: “Synodality in Action: Pathways for Consulting the People of God”

This section is somewhat longer than the preceding two sections. It begins with a reference back to nr. 1 in the introduction, and the basic question involved in the consultation of the people of God is formulated anew:

A synodal Church, in announcing the Gospel, “journeys together”: How is this “journeying together” happening today in your particular Church? What steps does the Spirit invite us to take in order to grow in our “journeying together?” In order to answer this basic question, the author has recourse to the “election” in the *Exercises* of Saint Ignatius. He thus continues: “In order to respond, you are invited to: (a) ask yourselves what experiences in your particular Church the fundamental question calls to mind; (b) reread these experiences in greater depth: What joys did they provoke? What difficulties and obstacles have they encountered? What wounds have they brought to light? What insights have they elicited? (c) gather the fruits to share: Where, in these experiences, does the voice of the Spirit resound? What is he asking of us? What are the points to be confirmed, the prospects for change, the steps to be taken? Where do we register a consensus? What paths are opening up for our particular Church?”¹⁴

The points for reflection presuppose the affirmation about the constitutive character of synodality: the believing Christian is always *a priori* involved in a synodal process, and this means that one can and should have recourse to one’s own experiences. The decisive features of the movements of the Spirit are presupposed, on the basis of the second, third, and fourth weeks (joy, difficulties, considerations). Finally, the personal outcome, which is meant to be shared, is put together.¹⁵

¹⁴ Under point (a), the Spanish text differs slightly: “ask yourselves about the experiences in one’s own particular Church that refer to the fundamental question”.

¹⁵ The text is marked, down to its choice of vocabulary, by Ignatius’s *Spiritual Exercises*.

If we take as the basic schema the *contemplatio de amore* in the fourth week, with which the *Exercises* close, we see that the preparatory document for the synod corresponds exactly to this structure: (1) The reflection of the fourth week begins with a fundamental explanation of what love is – to this, there corresponds here what the first chapter says about the constitutive significance of synodality. (2) This is followed in the fourth week by a preliminary biblical exercise – to this, there corresponds here the chapter about listening to scripture and the two images from the Bible. (3) In point 1 of the *contemplatio*, there follows: “I call to mind the benefits received” – here, we reflect on the experiences in the particular church that the basic question calls to my mind. (4) This is followed in both instances by reflection on this state of affairs, in reference to God’s working, and by the resolutions – here, the voice of the Spirit, his inspirations, and the resolutions.

The following subsection in the preparatory document, with the subtitle “Different Articulations of Synodality”, is assimilated completely to this Ignatian form. Nr. 27 begins: “In the prayer, reflection and sharing prompted by the fundamental question, it is opportune to keep in mind three levels on which synodality is articulated as a ‘constitutive dimension of the Church’.” These are:

(1) the level of the style with which the Church ordinarily lives and works, which expresses its nature as the People of God. The text sketches the praxis of the community, which listens together to the Word and celebrates the eucharist. The community lives as brothers and sisters and share in responsibility. The same praxis should be found in the deaneries and dioceses, “on all levels and distinguishing between various ministries and roles”.

(2) the level of ecclesial structures and processes, determined also from the theological and canonical point of view, in which the synodal nature of the Church is expressed in an institutional way at the local, regional, and universal levels.

(3) the level of synodal processes and events in which the Church is convoked by the competent authority, according to specific procedures determined by the ecclesiastical discipline.

Although distinct from a logical point of view, these three levels refer one to the other and must be held together in a coherent way, otherwise a counter-testimony is transmitted, and the Church’s credibility is undermined.¹⁶

The points for meditation are then further differentiated:

28. Furthermore, in re-reading experiences, it is necessary to keep in mind that “journeying together” can be understood from two different perspectives, which are strongly interconnected. The first perspective looks at the internal life of the particular Churches, at the relationships between their constituent parts (first and foremost between the faithful and their Pastors, also through the participatory bodies envisaged by the canonical discipline, including the diocesan synod) and the communities into which they are divided (especially parishes). It then considers the relationships between the Bishops and with the Bishop of Rome, also through the intermediate bodies of synodality (Synods of Bishops of the Patriarchal and Major Archdiocesan

¹⁶ From the Spanish.

Churches)...It then extends to the ways in which each particular Church integrates within itself the contribution of the various forms of monastic, religious, and consecrated life, of lay associations and movements, of ecclesial and ecclesiastical institutions...Finally, this perspective also embraces relationships and common initiatives with the brothers and sisters of other Christian denominations, with whom we share the gift of the same Baptism.”

29. The second perspective considers how the People of God journeys together with the entire human family. Thus, our gaze will focus on the state of relations, dialogue, and possible common initiatives with believers of other religions, with people who are distant from the faith, as well as with specific social environments and groups, with their institutions (the world of politics, culture...).

The far-reaching spiritual considerations in this synodal invitation document are followed by meditative themes that take the reflection deeper: “In order to help highlight the experiences and contribute in a richer way to the consultation, we indicate below ten thematic nuclei that articulate different facets of ‘lived synodality’.” *First*, under the heading “The Companions on the Journey”, the text asks whom we are accompanying, side by side, in church and in society. Who are these persons? *Second*, under the heading “Listening”, the text asks: “To whom does our particular Church ‘need to listen’? How are the Laity, especially young people and women, listened to?...What space is there for the voice of minorities?” *Third*, under the heading “Speaking out”, the text asks whether people in society can speak freely “without duplicity and opportunism”? How does “the relationship with the media system” work? *Fourth*, under the heading “Celebrating”, we read: “*Journeying together*’ is only possible if it is based on communal listening to the Word and the celebration of the Eucharist.” How far does liturgy inspire the “journeying together”? *Fifth*, under “Co-Responsible in the Mission”, the text affirms that “we are all missionary disciples”. In what way do we become protagonists of this mission? *Sixth*, “Dialogue in Church and society”: What are the places and modalities of dialogue in our local Church? How is the collaboration with neighboring dioceses, or among religious communities? *Seventh*, “With the other Christian denominations”: which areas are included in this “journeying together”, and what fruits have matured? What difficulties have arisen? *Eighth*, “Authority and participation”: the synodal Church is a Church of participation and shared responsibility. How is the praxis of collaboration and shared responsibility? *Ninth*, “Discerning and deciding”: “By what procedures and methods do we discern together and make decisions?...How do we promote participation in decision-making within hierarchically structured communities?...How and with what tools do we promote transparency and accountability?” *Tenth*, “Forming ourselves in synodality”: “*The spirituality of ‘journeying together’ is called to become an educational principle for the formation of the human person and of the Christian, of the families, and of the communities.*” What training is offered – what instruments, what “dynamics of the culture in which we are immersed”?

This lengthy list is followed by nr. 32, which stipulates that “the fruits of prayer and reflection” are to be summarized in no more than ten pages.

2.3. An evaluation of the preparatory document for the synod

2.3.1. General, procedural, and critical observations

The church is afflicted by a tremendous crisis of confidence that is the result of the cases of abuse and of the associated question of clericalism, accompanied by the acute shortage of priests and a great decline in vocations to the consecrated life, while parish communities are shrinking – a process that has been immensely accelerated by the coronavirus epidemic. And it is precisely in the midst of this crisis that Pope Francis demands that the Roman Catholic Church hold a Synod of Bishops that is defined in a very fundamental manner by a public, spiritual process of consultation and an extremely briefly synodal discussion that is limited to the month of October. This consultation process is intended to lead everywhere in the church to the formation of missionary disciples through a spiritual process of listening to the Spirit.

This consultation process has no specific reference to individual abuses or problems. On the contrary, it is meant to include everyone, and its perspectives are utterly wide-open and universal. This consultation is thus fundamentally different from the greatly appreciated thematic investigations such as we find in studies of young people or in the various surveys of priests after the Second Vatican Council. The description of the consultation process raises questions and problems that call for careful studies – for example, when the text asks about the “journeying together” and the culture and economy of a country. The questions about systemic connections, or about the reasons for the abuse of power by ecclesiastical authorities, would need to be elaborated with the aid of information from various specialists. In the presentation of the contents above, I have already pointed to the counterproductive statement at the very close of the preparatory document, where a nebulous rhetoric affirms that “the purpose of the Synod, and therefore of this consultation, is not to produce documents, but ‘to plant dreams’”. Besides this, it is clear that only a short space of time was available for drawing up this document, which was published a mere four weeks before the beginning of the synod. This certainly seems to indicate that the document itself was produced at high speed, since, otherwise, it would surely have been published earlier, to make possible the more thorough preparation that a consultation process of this kind demands of the individual dioceses. The variations in the official translations attest to this haste.

Like Pope Francis, John XXIII did not prescribe any particular theme for the Second Vatican Council, but spoke of a “pastoral council”, an “aggiornamento”, and a “new Pentecost”. The radical criticism of the documents of the *praeparatoria* by the conciliar fathers won them the space in which they could develop their innovative initiatives, supported by the Spirit, in four conciliar periods. In the present case, however, the discussions are to be crushed into the space of one month. After the consultations, most of the time will be devoted to the various “syntheses” on the different levels; as a rule, such syntheses are the work of top ecclesiastical officials. This means that success depends very largely on the processes that finally lead to the second *Instrumentum laboris*.

One may surely assume that the General Secretariat, the Council of Bishops, and experts will undertake the evaluation of the outcomes of the consultation process in keeping with the attitude found in the principles and general norms of *Praedicate evangelium*, the Apostolic Constitution on the Roman Curia and its service in the world, which came into force at Pentecost

2022. Pope Francis has discussed it recently in the consistory of the cardinals, and it has clearly met with wide acceptance. This constitution envisages that, in principle, women too can head dicasteries of the church, and that laymen can do the same. One can sense boundaries in this regard, and one may wonder whether there will be a willingness to cross them. Will local churches or episcopal conferences find a sympathetic ear in October 2023 for arguments that deviate from a “boiled-down” version of the results of the consultation? We are entitled to have serious doubts about this.

2.3.2. Theological-spiritual misgivings

Theological-spiritual misgivings are much weightier. Through *Episcopalis communio* and the “Preparatory Document”, Pope Francis has prescribed the *Exercises* of Saint Ignatius for the Roman Catholic Church in order to transform it into a community of “missionary disciples”. In this transposition of the *Exercises* from the individual into the community sphere, he has doubtless found orientation in the “Universal Apostolic Preferences” (UAP) that General Sosa SJ introduced for the Society of Jesus for a period of ten years.

This is an audacious idea. Why should it not succeed? Are not the preparation and the implementation of a Roman Synod of Bishops spiritual processes? Is not the intention of the synod for the introduction of synodality an apostolic intention that should establish for the next ten years solid criteria that are pleasing to God? Must not the Synodal Assembly, its leaders and members, this body that represents the Roman Catholic Church, mature through prayer and through a spiritual consideration of the problems; and must not the synod participants discuss and make decisions by means of the discernment of spirits? All this is doubtless true!

But can there be Ignatian *Exercises* that do not begin with the first week? That is impossible! The first week includes the *principium et fundamentum*, the examination of conscience, confession, and holy communion, as well as the consideration on the threefold sin, one’s own sin, and the consideration on hell. This must be translated for the body that represents the Roman Catholic Church, and for the representatives of the episcopal conferences, who can speak institutionally for the church and are gathered together in the Synod of Bishops. And is this not a question – in large part – of gravely sinful modes of behavior that are systemically generated?

The agenda of the synod does not envisage such a fundamental act of penance that would last for several days – and that would be somewhat analogous to the Truth Commissions that publicly admit to serious violations of human rights by organs of the state – but it ought to have opened the Synodal Assembly. Does not its absence make the synod from the outset a “cover-up”? The participants engage in their discussions as if abuse behavior had not prevailed in the episcopate and in the people of God on all the continents, behavior that was regarded as normal in Australia, in North or South America, in Europe or in Asia, behavior that has inflicted grievous suffering on children, young persons, and women. This is a structural sin that has not been confessed publicly as such before God and the people of God. Until now, neither God nor human beings have been asked publicly for forgiveness. The pope cannot do this all on his own, as he did in Canada. The episcopate, whose representatives are invited to the Synod of Bishops, must also take part.

Is public and institutional repentance possible? As far as I can see, there would be one last possibility towards the close of this year, when the consultation reports are finished and can be studied. They too speak of “systemic abuses” and bear witness to the dramatic situation of the loss of trust that the episcopate and the church have suffered.

3. The document Synodality in the Life and Mission of the Church of the International Theological Commission

As noted above,¹⁷ the work on this document of the International Theological Commission began early in 2014 under the direction of Cardinal Müller. It was approved *in forma specifica* at the plenary meeting in 2017 and was published by Cardinal Ladaria Ferrer on 2 March 2018 after its approval by Pope Francis.¹⁸ This treatise, running to 100 pages, has the following structure. Introduction: “The kairós of synodality”; I. “Synodality in scripture, in tradition, and in history”; II. “Towards a theology of synodality”; III. “Implementing synodality: Synodal subjects, structures, processes, and events”; IV. “Conversion to renewed synodality”; Conclusion: “Journeying together in the *parrhesia* of the Spirit.”

In what follows, I summarize these sections by means of key words and then offer a critical evaluation.

On the “Introduction.” “It is precisely this path of synodality which God expects of the Church in the third millennium.”¹⁹ Beginning from these words, the terms “synod”, “council”, and “synodality” are explained on the basis of the church’s tradition.

“Synod, Council, Synodality”: “Synod refers to the path that the people of God takes together, as followers of Jesus (Jn 14,6). In some cases, *ekklêsia*, the assembly of those called, is used instead of *synodos* (John Chrysostom). The later usage in the church down to the 1983 CIC: “synodal/synodality” has its origin in the theological and canon-law literature of recent decades: “people speak of synodality as a ‘constitutive dimension’ of the Church...from the Magisterium of Vatican II, and from the lived experience of local Churches and the universal Church.”

“Communion, synodality, collegiality”: “The concept of communion expresses the profound substance of the mystery and mission of the Church, whose source and summit is the Eucharistic synaxis.” “Synodality is the specific *modus vivendi et operandi* of the Church, the People of God.” Collegiality “defines the theological significance and the form of (a) the exercise of the ministry of Bishops in the service of the local Church..., and (b) of the communion between local Churches at the heart of the one universal Church of Christ, brought about by means of the hierarchical communion of the College of Bishops with the Bishop of Rome. The *sensus fidei* of the people of God is a component of this *communio*; it is the understanding of the faith

¹⁷ See n. 3.

¹⁸ There are occasional differences in the translations. I quote here from the official English-language version.

¹⁹ FRANCIS: “Address at the Ceremony Commemorating the 50th Anniversary of the Institution of the Synod of Bishops”, 17 October 2015, available at https://www.vatican.va/content/francesco/en/speeches/2015/october/documents/papa-francesco_20151017_50-anniversario-sinodo.html.

through which they receive “no longer the word of human beings, but truly the Word of God”.²⁰ Through synodality, the interrelatedness of the people of God and the bishops, and of the bishops and the pope, create missionary disciples. “Consequently, making a synodal Church a reality is an indispensable precondition for a new missionary energy that will involve the entire People of God.” At the same time, synodality is an ecumenical invitation to all Christians to walk together on the path to full fellowship.

This introduction, with its explanations, forms the argumentative structure of the entire document.

On Section I: “Synodality in scripture, in tradition, and in history.” Both scripture and tradition attest that “at the heart of God’s plan of salvation the whole human race’s call to union with God and unity in him is fulfilled in Jesus Christ and brought about through the ministry of the Church”. Scripture offers the fundamental theological principles, while tradition deals with the forms of synodality in the first and the second millennia, “keeping in mind some aspects of the synodal practice of other Churches and Ecclesial Communities”.

The teaching of scripture begins with the creation narrative. Seven-league boots leap across four pages from Abraham, Num 1 and 2, and Judges, to the prophets who exhort the people to be faithful to the covenant, and then to the renewal of the covenant in Jesus of Nazareth, the Messiah and Lord, “whose *kerygma*, life and person reveal that God is a communion of love”. “The Father’s plan is fulfilled eschatologically in the Paschal Mystery, when Jesus gives His life to take it up again in the resurrection.” The apostles, whom Jesus sends out, receive the *exousia* of the risen Lord. “By virtue of baptism, every member of the People of God is given a share in this authority, having received the ‘anointing of the Holy Spirit’ (see 1 John 20,27), “always in terms of mutual submission and service.” The Acts of the Apostles is drawn on to illustrate this path: the choice of Stephen and the apostolic council. The “specific ministries and charisms” are to work together, “inasmuch as every one of them finds his or her energy in the Lord (see 1 Cor 15,45)”. The goal of the path is “the new Jerusalem, enveloped by the radiant splendor of God’s glory, where the heavenly liturgy is celebrated... ‘Here God lives among human beings. He will make His home among them; they will be His people, and He will be their God, ‘God-with-them.’”

A first theological observation. The entire text strongly emphasizes pneumatology. Ministries and charisms are repeatedly described as gifts of the Holy Spirit. In contrast to the christological monism that predominates in the Western tradition, which derived its Christology basically from Nicaea and Chalcedon – and thus from the idea of incarnation – and that was dominant in the pre-conciliar neo-scholasticism, the *exousia* of the Son is characterized primarily by the outpouring of the Spirit, in the Pentecostal event that is the completion of the paschal Christology. This is certainly in continuity with the Second Vatican Council. However, the text abstracts completely from the specific historical contexts of the Old and New Testament passages that it cites.

On the testimonies of the tradition from the first and second millennia. The next two points, “The witness of the Fathers and Tradition in the First Millennium” and “The

²⁰ The document refers here to the 2014 Declaration of the International Theological Commission *Sensus Fidei in the Life of the Church*, which was drawn up in parallel to the declaration on synodality.

development of synodal procedure in the Second Millennium”, are even briefer than the statements about scripture. “Synodality appears from the start as the guarantee and incarnation of the Church’s fidelity to her apostolic origins and her Catholic calling. It presents itself in a form that is substantially a single entity, but one which gradually unfolds – in the light of what Scripture indicates – in the living development of tradition.” The text touches on the letters of Ignatius of Antioch, Cyprian of Carthage, and the councils from Nicaea to Chalcedon; the roles of the emperors and the Roman pope are mentioned. The keywords for the second millennium are the breach of the *communio* between the Church of Constantinople and the Church of Rome; the Gregorian reform; the synodal praxis in the Carolingian West; Constance and Trent. Synodal elements of the Protestant and Anglican traditions are given a mention. We read about Vatican I:

Vatican Council I (1869-1870) endorsed the doctrine of the primacy and infallibility of the Pope. The primacy of the Bishop of Rome, for whom “in blessed Peter is established the principle and the perpetual and visible foundation of the unity of faith and communion”, is presented by the Council as the ministry set to guarantee the unity and indivisibility of the episcopate at the service of the faith of the People of God. The formula according to which *ex cathedra* definitions of the Pope are irrefutable “in themselves and not in virtue of the consensus of the Church” “does not make the *consensus Ecclesiae* superfluous” but affirms the exercise of authority which belongs to the Pope by virtue of his specific ministry.

A footnote observes: “What it excludes is the theory that such a definition requires this consent, antecedent or consequent, as a condition for its authoritative status.”²¹ After a brief reference to Möhler, Rosmini, and Newman, the text speaks of the episcopal conferences and the establishing of the Roman Synod of Bishops during the Second Vatican Council, and the further development of this institution.

A critical observation. The lack of historical contextualization of the documents mentioned in this text is particularly striking with regard to the tradition. We can illustrate this with the example of the First Vatican Council and the anti-modernist decree. After the departure of the Old Catholics, the unquestioned acceptance of Vatican I led to problems and distortions of the faith, as one can easily read in Mathias Josef Scheeben’s *Handbuch der katholischen Dogmatik*.²² He presents a precise list of everything that is defined as infallible and that must now be believed in the literal sense for all time to come. In this lengthy list, the critical intention of the authors is completely uninteresting for Scheeben, as is the condemnation as heretics of theologians who were disciplined and lost their livelihoods.

On section II: “Towards a theology of synodality.” The points treated in this section are (1) “the theological²³ basis of synodality”; (2) “the synodal path of the pilgrim and missionary

²¹ The 2014 document quoted here not only mentions the well-known remarks of Bishop Gasser of Brixen, the spokesman of the redaction commission at Vatican I, but also defends the decree *Lamentabili* as a response to modernism.

²² M.J. SCHEEBEN: *Handbuch der katholischen Dogmatik*, vol. 1: *Theologische Erkenntnislehre*, ed. with an introduction by M. Grabmann, 3rd ed., Freiburg: Herder, 1959. See §32: “The judgments of the pope or the Apostolic See, and their infallibility.”

²³ This term is used in the Spanish and the English texts in order to underline the constitutive significance of synodality for ecclesiology.

People of God”; (3) “Synodality as an expression of the ecclesiology of communion”; (4) “Synodality in the dynamic of Catholic communion”; (5) “Synodality in the *traditio* of apostolic communion”; and (6) “Participation and authority in the synodal life of the Church.”

Points 1 and 2 basically repeat the definitions or explanations of the introductory section, filling them out in a general manner with statements from scripture and tradition. Points 3, 4, and 5 are based on the adjectives of the church: unity and holiness under the keyword “communion” in nr. 3, catholicity in nr. 4, and apostolicity in nr. 5.

On point 3: “*Lumen gentium* offers the essential principles for a correct understanding of synodality in the perspective of the ecclesiology of communion” in the sequence of its chapters: “The Mystery of the Church – the People of God – the Hierarchical Constitution of the Church.” “Synodal life reveals a Church consisting of free and different subjects, united in communion.” “By virtue of their baptism...they are members of the prophetic, priestly, and royal People of God.” “The People of God is holy thanks to this anointing, which makes it infallible *in credendo*.” Pope and bishops are *ministers* of the people of God: an inverted pyramid.

On point 4: “Synodality is a living expression of the Catholicity of the Church as communion”, because, as the body of Christ, it contains the fullness of all the means of salvation and is sent to all human beings in order to gather them together in Christ, in the richness of their cultures. “The Church, insofar as she is Catholic, makes the universal local and the local universal” on the analogy of the *perichoresis* in the Trinity. “The ministry of Peter, the *centrum unitatis*, ‘protects legitimate differences, while at the same time assuring that such differences do not hinder unity but rather contribute towards it’.”

On point 5:

The Church is apostolic in three senses: inasmuch as she has been and continues to be built on the foundations of the Apostles (see Ephesians 2,20); inasmuch as, with the assistance of the Holy Spirit, she preserves and hands on their teachings (see Acts 2,42; 1 Timothy 1,13-14); inasmuch as she continues to be led by the Apostles through the College of Bishops, their successors and Pastors in the Church (Acts 20,28)...On different levels and in different forms, as local Churches, regional groupings of local Churches and the universal Church, synodality involves the exercise of the *sensus fidei* of the *universitas fidelium* (all), the ministry of leadership of the college of Bishops, each one with his presbyterium (some), and the ministry of unity of the Bishop of Rome (one)...

The renewal of the Church’s synodal life demands that we initiate processes for consulting the entire People of God...In the medieval Church, a principle of Roman law was used: “*Quod omnes tangit, ab omnibus tractari et approbari debet* (what affects everyone should be discussed and approved by all).” In the three domains of the life of the Church (faith, sacraments, governance), “tradition combined a hierarchical structure with a concrete regime of association and agreement,” and it was considered to be an apostolic procedure or tradition.

On point 6: “Participation and authority in the synodal life of the Church.” This point summarizes the preceding points:

synodality denotes the particular *style* that qualifies the life and mission of the Church... This *modus vivendi et operandi* works through the community listening to the Word and celebrating the Eucharist, the brotherhood of communion and the co-responsibility and participation of the whole People of God in its life and mission, on all levels and distinguishing between various ministries and roles.

The text once again points explicitly to the difference between the deliberative and the consultative voice.

Finally, synodality designates the program of those *synodal events* in which the Church is called together by the competent authority in accordance with the specific procedures laid down by ecclesiastical discipline, involving the whole People of God in its various ways on local, regional and universal levels, presided over by the Bishops in collegial communion with the Bishop of Rome, to discern the way forward and other particular questions, and to take particular decisions and directions with the aim of fulfilling its evangelizing mission.

A critical observation. The first critical observation has already been made in my description of this section: the individual points fill out the explanations of concepts by means of quotations from section I, “Synodality in scripture, in tradition and in history.” The philosophical distinction between “all, some, and one” is introduced; the Roman adage *quod omnes tangit* is adopted, and some steps of development in history are characterized, without any further specific theological justification, as the “apostolic tradition”. A systematically critical and historical contextualization does not take place.

On section III: “Implementing synodality: Synodal subjects, structures, processes and events.” On the basis of the 1983 CIC and the present-day Eastern canon law, this section describes “what is currently stipulated canonically to bring out its meaning and possibilities, and to give it new energy, at the same time discerning the theological outlook for developing it correctly”.

The summarizing introduction on “The synodal calling of the People of God” (III.1) is followed by III.2, “Synodality in the local Church”, with the following points: (1) “Diocesan Synods and Eparchial Assemblies”; (2) “Other structures serving synodal life in the local Church” (diocesan curia, college of consultors, cathedral chapter, financial council, council of priests, pastoral council); (3) “Synodality in the life of the parish” (pastoral council, financial council); III.3 “Synodality in local Churches on a regional level”: patriarchs, metropolitans, and (1) particular Councils, (2) episcopal conferences, assemblies on various levels, (3) the patriarchates in the Eastern Catholic Churches, (4) regional councils of the episcopal conferences and of the patriarchs of the Eastern Catholic Churches. III.4 speaks of “Synodality in the universal Church”: (1) Ecumenical Councils, (2) the Synod of Bishops, (3) Structures at the service of the synodal exercise of primacy.

Since this list of the possibilities envisaged in contemporary canon law contains only completely general references to the possibilities of intensifying the synodal character, we shall limit our reflections here to section III.4, which begins as follows:

An Ecumenical Council is the fullest and most solemn event giving expression to episcopal collegiality and ecclesial synodality on the level of the universal Church...It gives expression to the exercise of the authority of the college of Bishops united to its Head, the Bishop of Rome, in the service of the whole Church. The formula “*una cum patribus*”, used by Blessed Paul VI in promulgating the documents of Vatican II, is a clear sign of the intimate communion of the College with the Pope who presides over it as subject of pastoral ministry to the entire Church....This means that an Ecumenical Council is the supreme instance of ecclesial synodality in the communion of the Bishops with the Pope, which represents communion among local Churches through their Pastors, gathered *in unum* to discern the way the universal Church must go.

There is no reference anywhere in the section on the ecumenical council to the people of God who listen to the Spirit, nor is theology ever mentioned.

The councils of the first millennium, and of the second millennium down to an including Trent, did not take place without representatives of the public Christian sphere. Is this now devoid of significance? Ought not these traditions to be integrated into the epochal transformation today? Here too, it is worth looking at Vatican II, where the universal obligation to maintain silence was broken down step by step. The ecclesial and the societal public sphere wanted information and demanded that their voices be heard. Ought not these and similar questions to be taken into consideration in today’s global information society?

A third strong protest against the reduced view of the ecumenical council as “the fullest and most solemn” form of “synodality” is based on what is said about the Roman Synod of Bishops. If a consultation of all the Catholic faithful can and should be carried out for the Synod of Bishops, since this is an event that is essentially constitutive of the church, this must surely be possible – and hence obligatory – for an ecumenical council too.

No ecumenical council ever functioned without theologians: on this point, the text falls far behind the Second Vatican Council. We may recall the invitation by John XXIII to all the theological faculties, ecclesiastical universities, etc., and bishops themselves chose theologians to accompany them. They were admitted to the aula, elaborated texts for the bishops or groups of bishops, and shared in the work of redaction committees. Nor were these only “Roman theologians” who had previously collaborated with the Roman curia. If we want to see what would have become of the Second Vatican Council with “Roman theologians”, we need do no more than read the more than seventy drafts of texts from the preparatory period: it would have become a council of narrow-minded restoration.

When the International Theological Commission describes future councils and envisages the role of theology as one of keeping silent, it utters a spectacular verdict on its own activity.

However, the concluding remarks on the Synod of Bishops speak a different language:

Through the process of consulting the People of God, the ecclesial representation of the Bishops and the presidency of the Bishop of Rome, the Synod of Bishops is a privileged structure for implementing and promoting synodality at every level of the Church. Through consultation the synodal process has its point of departure in the People of God and, through the phase of inculturated implementation, it has its point of arrival there, too.

Under the heading “Structures at the service of the synodal exercise of primacy”, the college of cardinals is mentioned in three very brief sentences. Originally the synodal council of the Bishop of Rome, the cardinals, “the face of the universal Church”, are called together in a consistory to advise the pope, and they elect the Bishop of Rome in the conclave. The text does not speak of a reform of the college of cardinals, and nothing is said about how to deal in future with cardinals who are involved in grave public scandals or who have committed serious violations of human rights.

One final section speaks of the Roman curia:

In asking for its reform in the light of the ecclesiology of communion, Vatican II emphasized some elements that could promote an increase of synodality, such as: including diocesan Bishops to “report more fully to the Supreme Pontiff the thinking, the desires and the needs of all the Churches” and consulting the laity “so that they will have an appropriate role in the life of the Church”.

On section IV: “Conversion to renewed solidarity”. The concluding section contains a detailed paraenesis in five points: (1) “For a synodal renewal of the life and mission of the Church”; (2) “The spirituality of communion and formation for synodal life”; (3) “Listening and dialogue for communal discernment”; (4) “Synodality and the ecumenical journey”; (5) “Synodality and social diakonia”; Conclusion: “Journeying together in the *parrhesia* of the Spirit.”

This section begins by clearly describing its paraenetic character:

Synodality is established to energize the life and evangelizing mission of the Church...The synodal renewal of the Church happens through the revitalization of synodal structures, of course, but expresses itself first and foremost in response to God’s gracious call to live as His People, who journey through history towards the fulfillment of the Kingdom. This chapter points out some specific elements of this response: formation for the spirituality of communion and the practices of listening, dialogue, and communal discernment; its relevance for the ecumenical journey and for prophetic *diakonia* in building a social ethos based on fraternity, solidarity, and inclusion.

Point 1: Pastoral conversion today means “the mutual collaboration of all in evangelizing witness...without clericalizing lay people and without turning the clergy into lay people”.

Point 2: The ethos of the people of God is nourished by the spirituality of *communio*, “the paschal transition from ‘I’ understood in a self-centered way to the ecclesial ‘we’”. “The Eucharistic synaxis is the source and paradigm of the spirituality of communion.”

Point 3: “Listening and dialogue for communal discernment.” “The criterion according to which ‘unity prevails over conflict’ is of particular value in conducting a dialogue...learning ‘a style of constructing history, a vital field where conflicts, tensions and opposites can reach a pluriform unity which generates new life’.”

Point 4: “Synodality and the ecumenical journey.”

Ecumenical commitment marks out a journey involving the whole People of God and demands conversion of heart and openness to each other in order to demolish the walls of diffidence which have separated Christians from each other for centuries...In our time, ecumenical dialogue has come to recognize synodality as something that reveals the nature of the Church, something essential to its unity in the variety of its manifestations.

Some issues remain unsolved:

In the first place, there is the question concerning the relationship between participation in synodal life by all the baptized...and the authority proper to the Pastors, which derives from a specific charism that is conferred sacramentally; in the second place, there is the interpretation of communion between the local Churches and the universal Church expressed through communion between their Pastors and the Bishop of Rome, with the determination of how much pertains to the legitimate plurality of forms expressing faith in various cultures and what belongs to its perennial identity and its Catholic unity.

Point 5: “Synodality and social diakonia.” The People of God journeys through history in order to share with all the “leaven, the salt, the light of the Gospel”. This involves dialogue “with our brothers and sisters of the various religions, worldviews and cultures”. The “synodal journey of the People of God shows itself to be a school of life where we acquire the *ethos* needed to practice dialogue with all – without irenicism or compromise”.

Conclusion: “Journeying together in the *parrhesia* of the Spirit.”

The breath and pace of the Synod show what we are, and the dynamism of communion that animates our decisions; only in this way can we truly renew our pastoral ministry and adapt it to the mission of the Church in today’s world...thankful for the journey accomplished thus far, and determined to continue it with *parrhesia*.

4. On the Critical Evaluation of the Overall Project of Pope Francis

The analysis of the papal documents presented here, with the critical observations, demand a critical evaluation of the overall project of Pope Francis. He sees the sixteenth Ordinary General Assembly of the Synod of Bishops as the core of a new overall orientation of the Roman Catholic Church, sixty years after the Second Vatican Council. This can be seen, *first*, in a radical involvement of the entire people of God in the Church’s proclamation, in the acts of *diakonia*, and in participation or shared responsibility in the functions of ecclesiastical governance; *secondly*, in the transformation of the Roman Synod of Bishops into the permanent organ of the church’s governance by the pope and the college of bishops; and *thirdly*, through the reorganization of the Roman curia.

4.1. On the renewal of Christology

The Christology of Vatican II differs – even in external terms – from the pre-conciliar manuals of Christology because everything in the neo-scholastic manuals was intended as an explanation

of Chalcedon.²⁴ Of course, the decisive change in the conciliar Christology was inspired and prepared throughout Europe by Romano Guardini's book *Der Herr* (1938), which was translated into many languages. The dogmatic theologian Michael Schmaus accepted these suggestions as early as 1941²⁵ and developed them on the basis of critical studies of the history of dogma. Like the Second Vatican Council, Schmaus takes his starting point explicitly in God's universal salvific will for all human beings,²⁶ and he describes Jesus of Nazareth as the Son of God and Son of Man who is made perfect through his *communio* with the Father.²⁷ There were similar approaches in French-speaking and in Belgian-Dutch theology.

In the documents of the overall project quoted above, the accent lies wholly on the conduct of life and on action out of faith, the *modus vivendi et operandi*, and they refer continually to the Spirit of God. This pneumatic Christology thus moves in the framework of the potentialities opened up by the council and is close to the kind of "orthopraxy" that is proposed (in another framework) by Edward Schillebeeckx and representatives of liberation theology.

The jubilee of the Council of Chalcedon in 1951, the research by Alois Grillmeier, and the groundbreaking lecture by Bernhard Welte gave a tremendous impetus to the overcoming of the christomonism that had prevailed hitherto.²⁸

When one reads the letters that Pope Francis wrote to the bishops of Chile,²⁹ such

²⁴ A classic example is J. POHLE: *Lehrbuch der Dogmatik in sieben Büchern*, 4th ed., Paderborn: Schöningh, 1909, in: vol. 4, *Christologie*, 2-327. He offers an excellent overview of the preceding Christologies, especially in the period from the nineteenth century onwards. He discusses the duality in the unity, or the constitutive elements of Christ (the true divinity of Jesus Christ, the true humanity of Christ). Soteriology forms a special section: the mediatorship of Christ as the presupposition of the redemption and the fact of redemption through the vicarious satisfaction on the cross, as well as the three offices of the Redeemer, especially the high priesthood of Christ, his prophetic function, and the kingship of Christ. The following judgements show how exclusively the Chalcedonian question dominates everything: 207: the resurrection of Christ is "not the cause or joint cause of our redemption, but it is the complement and the victorious completion of the work of redemption" (the exclusive cause is what happened on the cross). 219: "The consecration or anointing of Christ as high priest took place in the incarnation." 227: "If one wishes to give a theological account of the unique greatness and perfection of the prophetic teaching office of Christ, one must have recourse with Suarez (*De myst. Vitae Christi* disp. 30 sect 1) to the hypostatic union as the principle and source." 229: The kingship of Christ. "Three functions belong to the essence of the kingly power: the highest right of the legislative (*potestas legifera*); the highest judicial power (*potestas iudiciaria*); and finally, the highest right of the executive (*potestas coactiva*)." Christ exercises this power by "sitting at the right hand of God." 235: "Since the kingdom of the Redeemer laid no claims to earthly dominion, the Church which he founded can *a fortiori* only embody a spiritual kingdom that wishes to rule over souls, and that must do so."

²⁵ See M. SCHMAUS: *Katholische Dogmatik*, vol. 2: *Schöpfung und Erlösung*, 2nd ed., Munich: Max Hueber, 1941, 286.

²⁶ Karl Rahner takes a very similar line in his first lectures on the treatise of grace, dissociating himself from Augustine.

²⁷ Schmaus follows Duns Scotus here. See M. SCHMAUS: *Katholische Dogmatik*, 277.

²⁸ See B. WELTE: "Homoousios hemin: Gedanken zum Verständnis und zur theologischen Problematik der Kategorien von Chalkedon", in: A. GRILLMEIER/H. BACHT (eds.): *Das Konzil von Chalkedon, Geschichte und Gegenwart*, vol. 3: *Chalkedon heute: Im Auftrag der Theologischen Fakultät St. Georgen, Frankfurt am Main*, Würzburg: Echter, 1954, 51-80; reprinted in B. WELTE: *Gesammelte Schriften*, vol. 4/2: *Wege in die Geschichte des Glaubens*, Freiburg: Herder, 2007, 131-162. On the interpretation, see M. WELTE: *Die christologische Hermeneutik Bernhard Weltes: Christusverkündigung im Horizont des neuzeitlichen Seinsverständnisses*, Regensburg: F. Pustet, 2019 (ratio fidei-Beiträge zur philosophischen Rechenschaft der Theologie; 69).

²⁹ See JORGE MARIO BERGOGLIO/Franziskus: *Briefe in Bedrängnis: Trost in Zeiten der Not (Lettere della tribolazione)*, ed. A. Spadaro and D. Fares, German version by A. Falkner, Würzburg: Echter, 2020, 141-181.

theologically abstract observations appear merely external, because when the pope wrestles with the Chilean bishops, the significance of Jesus Christ in the church, for the bishops, and for people in Chile becomes clear, and indeed overwhelming. One gets a sense of what John XXIII envisaged when he invited the bishops to a “pastoral” council.

4.2. On the renewal and deepening of ecclesiology

In my remarks about *Episcopalis communio*, the “Preparatory Document”, and the text of the International Theological Commission, I have pointed out how “generously” the statements of the tradition or of the magisterium are treated. This is particularly clear in examples taken from recent church history, such as Vatican I. The new elaboration of ecclesiology at Vatican II was initiated by the rejection of the draft put forward by Cardinal Ottaviani and by Gérard Philips’s proposal to begin the document with the chapter on the “mystery of the Church”. This meant the rejection of the neo-scholastic concept of the church as a *societas perfecta supernaturalis*, which was still being taught, and of the sacralization of the functions of institutional ministry and governance. Nevertheless, the resistance among the council fathers was not slight, and it has left traces on *Lumen gentium*. Pope Francis, on the other hand, has affirmed as strongly as possible the dignity of the people of God and their responsibility for the mission of the church. He has emphasized both the ministries in the church and the charisms and has underlined the inseparable cooperation of the various roles and tasks in the church. He has also linked the special task of the pope and the collegial responsibility of the episcopate. If one reads the brief mention of Vatican I in this context, one realizes that it can be read only as showing the real significance to which that text has shrunk today.

4.3. A note on the philosophy implied in the theological approach of Pope Francis’s overall project

The philosophical implications of Vatican II, that is to say, the *ratio fidei*, are clearly marked by a transcendental intellectual approach; this can be seen in the reflections of theologians such as Karl Rahner, Edward Schillebeeckx, Yves Congar, or Marie-Dominique Chenu, and others.³⁰ This intellectual approach is clearly reflected in the transformed areas of modern language philosophy and the philosophy of history, and it is obvious that the theological thinking, the *ratio fidei*, of Pope Francis moves in these forms of thought.

What are the hindrances, the *ob-stacula*, in this concept? The problem is the inability to get beyond the traditional neoscholastic formula that the pope possesses the *potestas iudiciaria*, *legislativa*, and *executiva*, while the bishop has the same monarchical role with regard to the local church. The clergy and the people of God can only advise the bishop; the college of bishops and the people of the universal church can only advise the pope. The power to make decisions lies exclusively with the sacramentally ordained bishop or pope.

The three *potestates* must be differentiated and realized in a free reciprocal independence, except in extreme situations in which the rules must be defined anew by the

³⁰ In the German-language sphere, German Idealism and its continuation via Heidegger’s approach play a decisive role; in France, this role is played by Maurice Blondel and the philosophers and theologians influenced by him.

highest authority. This applies to the *potestas iudiciaria*, *legislativa*, and *executiva*. In concrete terms, this means it is not the pope in person who decides about the suspension of a bishop or a cardinal because the man has committed grave abuses. Rather, it is the dicastery to which the legal ordering in the church assigns responsibility for such cases, in accordance with universally valid principles of law and procedure.

For the *potestas legislativa*, this means in concrete terms that the regulations of canon law must be decided not only in draft form, but also in their final version, in agreement with the college of bishops. Different forms of ascertaining this agreement, depending on the individual case and its importance, can be envisaged. This final step is lacking in the 1983 CIC. We must never again see the situation where a high church official in the Vatican is accused on the basis of what he has done over a long period in his office, and the pope is then accused of having promulgated laws shortly before the trial begins – laws that would perhaps then be used against the accused man.

For the *potestas executiva*, this means in concrete terms that the Roman Synod of Bishops must discuss fundamental orientations of church politics with and under the pope, and that they must give these orientations their consensual backing.

SUMMARY

Synodality in the Life and Mission of the Church: A Critical Investigation

The article undertakes a critical exploration of the method and theology of synodality, which Pope Francis has made one of the key themes of his pontificate. It examines three central documents that set forth the principles of this approach. First, it looks at the apostolic constitution *Episcopalis communio*, which provides the legal and administrative framework for all deliberations and decisions leading to the Sixteenth General Assembly of the Synod of Bishops in October 2023. Next, the synod's preparatory document is assessed, which builds on *Praedicate evangelium*, the 2022 constitution which reorganized the Roman Curia. Finally, it turns to the International Theological Commission's 2018 document *Synodality in the Life and Mission of the Church*, which sets out the theological basis for the other documents examined. The author concludes that Pope Francis's overall project certainly reveals new potentialities in the documents of Vatican II, especially in Christology and ecclesiology. In regard to canon law and policy, however, he finds there is still a fixation on traditional neo-scholastic thinking, according to which decision-making power lies exclusively in the sacramentally ordained bishop or pope. The papal power of governance has been given a broader foundation by the synod of bishops, but the aims and guiding principles of synodality have not yet been fully implemented.

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