

Vatican II From Below: A Ten-Step Program to a Democratic Parish^{1/}

LEONARD SWIDLER^{2/}

In the wake of the clergy sex scandal and the hundreds of millions of dollars already paid out (and no end in sight!), and three dioceses in bankruptcy, many Catholics are asking themselves: Whatever happened to the Vatican II promise of a collegial Church (in plain English: democratic Church)? Many national Pastoral Councils of the 1970s (e.g., Germany, Austria, France, Netherlands....) moved in that direction—including our own astonishing American “Call To Action” in 1976, participated in by hundreds of thousands of American Catholics—only to be laid waste during the Romanizing pontificate of John Paul II. The response bubbling up is: Leadership from above cannot be looked for; Vatican II reform and renewal must come from below, from the laity, religious, and priests. Here is a Ten-Step Program from below.

Step 1. Prepare the Minds of the Laity To Take Responsibility

We must first recognize that this is a very uneven struggle against a structure that places almost all the power in one set of hands, the bishop's. Hence, to begin this democratic Church movement from below we need to have a pastor and some parish laity of a Vatican II mentality. Then “Father Goodpastor” and the lay leaders need to devise a program to raise the consciousness of the parish to realize that all the members must share the responsibility of making their parish a mature Catholic community. This might take anywhere from six days to six years, and could include many sermons, lecture series, gradual development of parish structures, and many other creative methods. The goal is to get, if not all, at least the great majority of the parish to follow the lead of the pope and all the bishops of the world in Vatican II (1962-65):

All [not just the bishops or priests, but “all,” that is, the laity] are led to... wherever necessary, undertake with vigor the task of renewal and reform.... Catholics'...primary duty [emphasis added] is to make a careful and honest appraisal of whatever needs to be renewed and done in the Catholic household itself.... Christ summons the Church, as it goes its pilgrim way, to that continual reformation of which it always has need. (Vatican II, Decree on Ecumenism)

Step 2. Discuss and Deliberate among All the Parish the Making of the Constitution

Although there obviously must be a smaller cadre of parishioners (meaning pastor and laity) who take the lead in organizing this movement, the whole of the parish must be seriously engaged in coming together to discuss, deliberate, and ultimately decide what exactly a parish Constitution is and what their own Constitution should contain. (Guidance on how to go about this task can be found at <http://www.arcccatholicrights.net/resources.htm>.) This must be the decision of fundamentally the whole parish community, for all will have to live by that decision. The effectiveness, and the length of time needed, clearly will be heavily influenced by the quality of Step 1.

Step 3. The Name “Constitution”

Some may shy away from the term “Constitution,” thinking perhaps that it is too “profane,” too “secular.” It need only be remembered that the highest authority in the structure of the Catholic Church—the Pope and all the bishops gathered together in an Ecumenical Council—has used precisely that term for its most important documents, e.g., Vatican Council II's “Constitution on the Sacred Liturgy,” “Dogmatic Constitution on the Church,” “Dogmatic Constitution on Divine Revelation,” “Pastoral Constitution on the Church in the Modern World,” and that Pope Paul VI called for and set up a Commission to develop a Constitution for the Church (*Lex Fundamental^{is} Ecclesiae*). Moreover, this Constitution is the document that will constitute, that is, will give form to, the parish community for as long as it exists. By-laws (or the like) is much too transitory a term to name this literally “fundamental” reality which will shape the parish's existence and actions.

Step 4. What Should and Should Not Be in a Constitution

It is important to bear in mind that a Constitution is to outline the vital, the formative, elements of the governance of a community, in this case, the Parish. It needs to avoid details beyond the essential, and concentrate on the critical structures of governance. Only a brief prologue should refer to the underlying spirit of the Constitution, being careful not to be too specific theologically, for every theology, no matter how brilliant, sensitive, and Gospel-centered, is only one way to articulate what it means to be a follower of Jesus, and therefore necessarily does not include other articulations. It must include a clear statement of the rights and responsibilities of all parties of the Parish, including such principles as transparency, accountability, representativeness, due process of law, decision-making procedures, terms of office, separation and balance of powers.

Above all, it is absolutely essential that the Constitution be written. There is nothing like having to choose the words to write down—especially words that you are going to have to live by—to help clarify thinking. Further, when future disagreements arise, as they inevitably will, it is vital to have written documents to refer to. This will especially be the case when a new pastor arrives. A written Constitution is absolutely vital! I cannot emphasize this enough. Many Catholics have had wonderful parishes in the past so long as “Father Goodpastor” was the pastor, only to see it dismantled when he was replaced by “Monsignor O’Hooligan.” A written Constitution may not be a sufficient cause of a continued Vatican II democratic parish, but it is a necessary cause of one (more about that below).

Step 5. Liturgical Installation

Once the long process of consciousness-shaping, dialogue, deliberation, and decision has been lived through and a Constitution is arrived at, a further step is very important. One of the strengths of Catholicism is the tradition of giving every thing important—and even things not so especially important—a liturgy. A Constitution that a parish is going to live by is in fact a very important sacred reality. It is a sacramental, and hence deserves a solemn liturgical ceremony.

The Constitution ought to be printed and framed in a fittingly solemn manner. A liturgy with an appropriate set of prayers, music, and gestures needs to be designed by the parish liturgy committee for the formal installation of the Constitution. It is important that the Pastor, the Parish Council, and other officers of the Parish, as well as as much of the entire Parish as possible be present at the Installation Liturgy. For the initial installation of the Constitution, it would be well to invite the bishop to be present as an observer (his presence will help to forestall his later sending an autocratic priest as Pastor). The Pastor, Parish Council, and other officers, as well as the rest of the Parish members present, ought to make a solemn public pledge to follow the Constitution.

An appropriate day should be chosen for the annual liturgical re-commitment of all to follow the Constitution—perhaps the feast day of the parish’s name. Such a solemn liturgical installation, and its annual re-confirmation, will keep it present in all the parishioners’ consciousness, and go a long way toward ensuring the Constitution’s continuing viability.

Step 6. Live by Constitution

It goes without saying that the Parish must then live by its Constitution. Much will be learned in the very living with the Constitution, including the possibility that appropriate amendments will be found to be important, perhaps even essential. The discipline of so living will also gradually re-shape and mature the thinking and action of all involved, clergy and laity, including the future generations. Regarding the future, if a parish has lived and grown with a Constitution for five or ten years or more, it will very difficult for a future “Monsignor O’Hooligan” to come in (or even to want to!) and dismantle it (again, more about that below).

Step 7. Set Up Non-Profit Ownership

The Spokane diocese bankruptcy decision has declared the parishes to be the property of the bishop, and therefore subject to the millions of dollars of claims levied against the bishop. The Tucson diocese bankruptcy decision has ruled that the parishes may be set up as separate corporations, and therefore not subject to the claims granted against the bishop, but the structure of the parish corporations has not yet been judicially ruled on. The Oregon diocese bankruptcy case has not yet been ruled on. It is certain that these cases will be the subject of further litigation for at least one of them already is in the process of

appeal. The ownership structure of the American Catholic Church may well be dramatically different in the future as a result of these judicial proceedings.

Without waiting, however, and regardless what the outcome of this litigation will be, it is vital that American Catholics learn both from our past history of parish ownership (the Trustee System; see Patrick Carey, *People, Priests, and Prelates. Ecclesiastical Democracy and the Tensions of Trusteeship*. Notre Dame, IN: University of Notre Dame Press, 1987) and from the world-wide explosion of non-governmental organizations (NGOs). Clearly, the ownership of the properties and other assets are the source of power. The adage “follow the money” applies to the Catholic Church as much as other institutions. The ideal parish ownership situation would be as it was at the beginning of this country’s history, ownership by the parish as a corporation (as advocated by the Vatican—see http://www.arcccatholicrights.net/1911_vatican_directive.htm—and allowed by the Tucson Federal Bankruptcy Court). That may at present be very difficult to bring about, but it would not be difficult for a parish to set up a Non-Profit Organization—a 501(c)(3)—especially for any new donations/expenditures. The Non-Profit Parish Organization could be set up to sponsor social-justice work, youth work, construct buildings, schools, buy a parish hall, send out relief workers, missionaries, students.... All the assets of whatever form purchased through this Non-Profit Organization would belong to the Parish and be disposed according to the founding document, based on the Parish Constitution. If parishioners have a secure say in the disposal of their goods, they, of course, will be much more inclined to donate to this 501(c)(3). More importantly, as the financial value of this Non-Profit Parish Organization grows, it will automatically support the responsible functioning of the Constitution.

Step 8. Constitutional Parish Networking

A Constitutional Parish will necessarily be a flourishing parish for it will automatically draw on all the talents of all members—just how flourishing will depend on a combination of the talents of the parishioners (including preeminently those of the pastor and lay leaders), the care with which the Constitution has been planned for and structured, and the wisdom with which the Parish has grown in living it. Consequently the Constitutional Parish will become a magnet for other parishes. (One must also, sadly, reckon with the possibility of a negative envy being generated in some clergy.) However, the Constitutional Parish must, for its own survival, also become an “evangelizing” Constitutional Parish in the literal sense, that is, it needs to spread the “good news” of creating and living by a Parish Constitution so that other parishes will go down the same path.

If there develop two, three, four, or more Constitutional Parishes in a diocese, it is critical that they learn from, and support, each other. They will need to form a network of Constitutional Parishes—including the “evangelizing” work of increasing their number. As their numbers grow, the likelihood of any of them receiving a “Monsignor O’Hooligan” as pastor will proportionately shrink. The Network should be prepared to go to the Bishop and the Diocesan Personnel Committee and lobby for a “Father Goodpastor” successor in their fellow Constitutional Parish.

Step 9. Negotiate with Bishop/Personnel Committee Ahead of Time

However, without waiting for a Network of Constitutional Parishes to develop, the Parish Council (which includes the pastor) should in good time arrange to meet with the Bishop and Diocesan Personnel Committee to negotiate with them ahead of time a serious role for themselves in the choice of the successor of their pastor. They must insist on the retention of their governing Constitution. Clearly they will want to do all this only after they have lived by their Constitution for some time and built a solid reputation in the diocese. The substantial character of the Non-Profit Parish Organization will obviously also have a significant influence here—money talks!

Step 10. Publicize

We know from civil society that freedom of the press is critical to make democracy work. We Catholics also learned that lesson at Vatican Council II when freedom of the press was one of the main engines pulling the Church out of its Medieval and Counter-Reformation mentality into Modernity. Without it, Vatican II would have been as much of a disaster as Lateran Council V (1512-1517), which issued in the Protestant Reformation. As I suggested above with the term “evangelizing”—spreading the good news of a Constitutional Parish—simply as an insurance policy, the Constitutional Parish needs to publicize itself as

broadly and creatively as possible (including on the website of the Association for the Rights of Catholics in the Church <http://arccsites.org>).

Conclusion

As in society in general, a governance structure will be what the governed allow. If most Catholics in an area believe that a shared responsibility governance structure, a democratic Church, is not possible, it will not happen, regardless of what Ecumenical Councils or Popes have said supporting such. The first, and perhaps most challenging, task is to convince large numbers of the Catholic community, in this case, the parish, that a democratic constitution for the parish (indeed, also for the diocese and universal Church) is in keeping with the Gospel and Catholic tradition (for help, see Leonard Swidler, *Toward a Catholic Constitution*. New York: Crossroad Books, 1996). Then the rest of the nine steps are obvious, though by no means easy.

The critical issue is whether or not a Constitutional Parish can survive beyond its “founding pastor.” As I noted at the beginning, canon law and the reality on the ground stack the chances against it. That is why Step 5 through Step 10 are vital. They are not individual guarantees against the eventual destruction of a Constitutional Parish, but as they are carried out, they will proportionately improve the chances of survival.

Beyond a Constitution for the parish, there is also the need for a Diocesan Constitution, and eventually a Universal Catholic Constitution, as Pope Paul VI called and worked for. This journey to a Diocesan, and especially a Universal, Constitution of the Catholic Church will doubtless be long, arduous, and probably also serpentine. But it is a journey that a growing number of Catholics increasingly feel must be undertaken. Those of us so convinced now have not only the privilege but also the responsibility to push on in the journey, even though we personally may not arrive at the final destination. What is obtainable in the near future, however, at least for some fortunate ones of us living in parishes with a “Father Goodpastor,” are first, a Parish Constitution and secondly, a 501(c)(3) Non-Profit Organization. Now that you know, you are obligated!

1/ Delivered at the Call to Action National Conference, Milwaukee, WI, November 5, 2005.

2/ Leonard Swidler has a PhD in history and philosophy from the University of Wisconsin (1961) and a Licentiate in Sacred Theology (STL) from the Pontifical Catholic Theology Faculty of the University of Tübingen, Germany (1959). Since 1964 he has been the editor of the *Journal of Ecumenical Studies*. He is the founder/Director of the Institute for Interreligious, Intercultural Dialogue, and co-founder and president of the Association for the Rights of Catholics in the Church (1980). He has been professor of Catholic Thought and Interreligious Dialogue at Temple University since 1966.