

Synodal Forum

“Power and Separation of Powers in the Church”

(Foundational text of the 2nd Reading at the
3rd Synodal Assembly February 3rd-5th, 2022)

The constant problem of the foundational text is that the **“spiritual power” of Scripture is exchanged for the concept of worldly power, which is widely discussed in contemporary society.** The discourse on power is then opened with the abuse of power – fixated exclusively on the Catholic Church. **“Systemic causes” are projected solely onto clerical structures,** with each hierarchical structure being suspected of abuse of power. Further reversals follow from this one **failed hermeneutic approach.**

In the text, the complex unity (cf. Lumen Gentium No. 8 “one complex reality”) of the spiritual reality of the Church and the social fabric falls apart. The two aspects are only juxtaposed additively. **This misses the sacramentality of the Church, which is fundamental for the Council and in which this unity occurs.** But with it also the basic structure of the ecclesiology taught bindingly by the Council. This fundamental, missed course determines the text as a whole.

Correspondingly, the complex dialectic of spiritual authority and humble service in the sacramental ministry of the Church, which is based on the mission, **is understood exclusively in terms of its possibility of abuse.** Indeed, anthropologically and sociologically, it is reduced to the concept of the order of power and thus misses its true theological essence. Ultimately, the text fundamentally identifies the spiritual authority of the magisterium in the Church, as it has been understood canonically and dogmatically, with a systemic cause of abuse. **In this way, the theological foundations, as developed by LG, are withdrawn from the episcopate.**

The practical consequence is **the attempt to solve the problem of abuse of power in the Church by “neutralizing” the episcopal authority in long-term (pseudo-)synodal committees.** Walter Cardinal Kasper pointed out that such permanent synodal committees have no place in the theological constitution of the Church. They are also ultimately based on models of secular political concepts (parliament, separation of powers, “checks and balances”, etc.). The complexity of the relationships between the political order and the sacramental order of the communion of the Church is only insufficiently perceived. Just as little is the relationship between pastoral responsibility and participation recognized. The “power problem” that can only be solved spiritually is ultimately only postponed to committees. **Through the intended neutralization of episcopal responsibility, the substance of the episcopate is damaged.**

In Forum 1, the course setting of the orientation text also has an effect. The text expressly claims the possibility of a “plurality” of the teaching of the Church, which extends to direct contradiction in essential questions.

With the detachment of the social structure from the spiritual nature of the Church and the claim of the possibility of a contradictory form of teaching, the pragmatics of the text becomes clear. **As in the orientation text, it is about the preparation of the revision of hitherto binding teaching up to the point of negation.**

Original quotes from the text:

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(8-12): “The Catholic Church is in a deep crisis. However, she can only fulfill her mission if she recognizes the character, causes, and dimensions of this crisis, faces the crisis, and makes a serious effort to find solutions. This applies above all to the **systemic causes** of the abuse of power and sexualized and spiritual violence.”

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(22-26): “**The conversion and the renewal of the Church especially concern her order of power.** Because according to Lumen Gentium 8, the Church is a spiritual entity, but it is also a society constituted in this world, because only in this way can she serve it.”

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(31-42): “The abuse scandal confronts the Catholic Church with the question of which spirit she is guided by. Only the entire people of God can answer this question. The sense of faith of all the baptized, therefore, calls for greater shared responsibility, cooperative action, and enforceable participation rights. Finally, shared responsibility creates transparency in using Church power. **The MHG study has shown convincingly and in disturbing variety that sexualized violence committed by clergy against children and young people, the covering-up of offenses, and the protection of offenders are caused not only by individual psychological factors but also systemic ones.**”

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(61-73): “A change in the Church’s power structure is necessary for the interest of successful inculturation into a free, democratically shaped society based on the rule of law. It is not about uncritically adopting social practices, for the Church also always has a **prophetic-critical mission** toward her social partners. But in many instances, the democratic society can no longer understand and comprehend the Church’s order of power. Yes: The Church is publicly suspected of using her own legal system to discriminate against people, undermine democratic standards, and immunize herself against critical questions about her teachings and organizational structures.”

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(272-281): “The Second Vatican Council emphasized the faithful and their **discernment in matters of faith** (cf. **Lumen Gentium 12**) and the **‘signs of the times’** (**Gaudium et Spes 4**) as **‘places of theology’**: This includes the significance of externally-gained knowledge for a deeper understanding of the Gospel as well as a contemporary shaping of the Church’s structures (cf. **Gaudium et Spes 44**). This also includes the **dialogical interpretation of the Word of God by ‘lay’ believers, scientific theology, and the Church’s magisterium**. Determining this structure in a differentiated manner **has consequences for understanding power and the separation of powers in the mission of the Church, which will be explained in the following.**”

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(287-290): “God’s revelation has been handed down once and for all - but its reception and interpretation **humanly take place, i.e., within the framework of historically and culturally determined processes of understanding**. This was already the case in the Bible.”

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(329-333): “We want to learn to live theological diversity in unity of the Church. **Plurality as a legitimate variety of different core beliefs** - also within the Church. Church and theology were and are plural, which is neither weakness of the Church nor a failure of leadership on the part of those responsible.”

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(343-359): “That does not release us from constantly searching for this truth of salvation history in the diversity of times, cultural forms, and concrete social challenges. **We can honestly speak of the one truth entrusted to us only if we are aware of the complexity of such approaches and open up the discursive space for this without restrictions**. Such ambiguity-sensitive handling of complexity is due to the historical character of the truth of salvation. At the same time, it is the essential signature of contemporary intellectual society, especially today. It is, therefore, a requirement of today’s theology. **For them, there is not one central perspective, not one truth of religious, moral, and political worldview**, and not one way of thinking that can lay claim to ultimate authority. **In the Church, too, legitimate views and ways of life can compete with one another, even in terms of core beliefs**. They can simultaneously raise the theologically justified claim to truth, accuracy, comprehensibility, and honesty and **still contradict each other in the statement or the language.**”

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(199-200): “A sacrament must have a signal effect! Concerning the Church, this means: Significance and credibility must be expressed in the structure (Lumen Gentium 8). **The Church’s order and exercise of power must prove worthy of the trust of the faithful.** ... the legal culture of the Church [must] be aligned with fundamental and human rights [...].”

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(490-496): “The ecclesiological task that must be performed today is to redefine the relationship between the common priesthood of all and the ministerial priesthood, both in the understanding of sacramental ministry and in the understanding and practice of leadership functions. The communion structure of the Church must find a **social and legal form that makes one-sided power relations impossible and makes the opportunity for all to participate binding.**”

Link to text:

https://www.synodalerweg.de/fileadmin/Synodalerweg/dokumente_Rednen_Beitraege/SV-III_1.2NEU_Synodalforum-I_Grundtext-Beschluss.pdf

Forum I

Implementation text

“Joint consultation and decision-making”

(Text for the 2nd Reading submitted, not yet voted on)

The self-commitment of the bishop and parish priest to two-thirds decisions is the **introduction of parliamentary practices** into the communion structure of the Church. **Members dominate the “head”; the communion becomes a consilium** (parliament).

Structurally, this self-commitment is reinforced by a bishop who resists must submit to a second vote.

If he still resists, the arbitration will be convened, the composition of which he probably does not influence on.

Original quote from the text:

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“If no legally effective decision comes about **because the bishop disagrees, a new consultation takes place**. If no agreement is reached here, **the council can contradict the bishop’s vote with a two-thirds majority**. Suppose no agreement can be reached because the bishop also objects to this decision. In that case, **an arbitration proceeding is opened**, the conditions of which have been set in advance and to which all parties involved undertake to adhere. **Bishops and synods from other dioceses can be involved in this proceeding.**”

Link to the text:

https://www.synodalerweg.de/fileadmin/Synodalerweg/dokumente_Re-den_Beitraege/SV-IV/SV-IV_Synodalforum-I-Handlungstext.GemeinsamBeratenUndEnthrend-Lesung2.pdf

Forum I

Implementation text

Sustainable strengthening of Synodality:

A Synodal Council for the Catholic Church in Germany"

(Text for the 2nd Reading at the 4th Synodal Assembly September 8th-10th, 2022.

Vote: 170 yes, 4 no, 15 abstentions / 59 bishops present and eligible to vote: 43 yes, 6 no, 10 abstentions)

Here the Central Committee of German Catholics (ZDK) is placed on the same level as bishops. However, it was initially founded as a lay representation to defend Church interests against state assaults. **Now one gets the impression that it is intended to defend "national Church concerns" against Roman and universal Church assaults.**

Through the **parliamentary structures** already adopted in the implementation text **"Joint consultation and decision-making"**, **bishops who are already oriented towards the local Church, Roman or universal Church are disciplined.**

Original quote from the text:

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(23-36): "The Synodal Assembly resolves to set up a Synodal Council. It shall be established based on the can. 127 and can. 129 CIC. The Synodal Assembly appoints a Synodal Committee to prepare the Synodal Council. The Synodal Committee **consists of 27 diocesan bishops, 27 members elected by the Central Committee of German Catholics, and 10 jointly selected by them.** This committee is supported jointly by the German Bishops' Conference (DBK) and the Central Committee of German Catholics (ZDK). It is headed by the president of the DBK and the president of the Central Committee of German Catholics."

Link to the text:

https://www.synodalerweg.de/fileadmin/Synodalerweg/dokumente_Reden_Beitraege/SV-IV/T1NEU3_SV-IV_1_Synodalforum_I-HandlungstextSynodali-taetNachhaltigStaerken_Synodaler_Rat.pdf