

## The Role of Lay People in Church Governance

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The issue of governance in the Roman Catholic Church has been much to the fore recently. With the election of Pope Francis, many see this as an opportunity to make radical changes in the way that the Church operates. Indeed Francis himself has raised this hope when he was quoted as saying in an interview that the courtly atmosphere of the Vatican is the ‘leprosy of the papacy’, and that this ‘is the beginning of a Church with an organization that is not just top-down but also horizontal’.<sup>1</sup>

Taking up this theme, a woman theologian recently launched a petition in a Swiss newspaper<sup>2</sup>, addressed to Pope Francis, calling for women to be cardinals. Pointing out that half of the Church’s members are women, and that this majority is being treated as if it were a minority, the petition says that ‘women should become more involved in the life of the Roman-Catholic Church and participate more in its decision-making processes... [as]... they are not taken into account when important decisions are made, so that there exists much inequality and injustice in the Catholic Church’. They suggest that an appropriate number of women be invited to become cardinals, and that the pre-requisite of ordination as it exists in the current Code of Canon Law could be dispensed with by the Pope. They continue: ‘our goal is not a further clericalisation of the Church, but the active participation of women in all its central decision-making processes’.

However, before looking at the role of lay people in the governance of the Catholic Church, it is important to say something about the structures of governance as they exist at present. Then I would like to consider how lay people participate in governance at the moment, consider the issue of ‘priestless parishes’, and some of the problems that I envisage.

### Papacy and Curia

The Roman Pontiff, the Bishop of the Church of Rome, is seen as the successor of St Peter, and the head of the College of Bishops, the Vicar of Christ, and the Pastor of the universal church on earth (canons 330-331). By virtue of his office, he has supreme, full, immediate and universal ordinary power in the Church (canon 331). Always joined in communion with the other bishops he can, however, decide whether his office is to be exercised in a personal or in a collegial manner (canon 333). He is also assisted by the College of Cardinals, individually or collegially (canon 349).

The Pope conducts the business of the universal Church through the Roman Curia, which acts in his name and with his authority for the good of the Church (canon 360). The Curia

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<sup>1</sup> ‘Vatican Court is “Leprosy of the Papacy”, says Francis’, Madeleine Teahan, *The Catholic Herald*, October 4 2013, p. 1.

<sup>2</sup> [www.aufbruch.ch/3477](http://www.aufbruch.ch/3477)

comprises a number of offices covering a variety of functions. The Secretariat of State deals with relationships with other governments throughout the world and fosters relationships with diplomatic missions of the Holy See. The Church's judicial function is exercised through three tribunals, the Tribunal of the Roman Rota, the Apostolic Penitentiary, and the Supreme Tribunal of the Apostolic Signatura. There are also a collection of offices known as 'Congregations', perhaps the most well-known of these being the Congregation for the Doctrine of the Faith, which promotes and safeguards the doctrine of faith and morals in the whole Catholic Church. Other congregations are concerned with matters relating to matters mainly relating to internal governance, such as bishops, clergy, the interpretation of legislative texts, and divine worship. A number of offices, called 'Councils', deal with areas such as the promotion of Christian unity, justice and peace, the pastoral care of migrants, social communications, and inter-religious dialogue.

### **Diocese**

A diocese is described in the Code of Canon Law as a 'portion of the people of God' which is entrusted to a bishop to be 'nurtured' by him, with the cooperation of the presbyterate. The pope appoints bishops, after having sought the opinions of others through the papal legate. The legate hears the views of the cathedral chapter, the college of consultors and, if expedient, the opinions of other cleric and of lay people of 'outstanding wisdom' (c. 377).

### **Parish**

A parish is the primary community of faith in the Roman Catholic and Anglican traditions under the care of a pastor. In the Roman Catholic Church it is the role of the diocesan bishop to establish, suppress or alter parishes, but only after consulting his council of priests. As a general rule a parish is territorial though it may be non-territorial in that it is established for a community of people based on their ethnic background, language or affiliation. The Military and Anglican Ordinariates are two examples of such non-territorial communities. The parish is served by a pastor whose obligations to those in his care are clearly set out in the Code of Canon Law (canons 528-530), though provision is also made for other options where there is a shortage of priests, such as a pastor being responsible for several neighbouring parishes (canon 526 §1), or where a team of priests, a deacon, or a lay person can be entrusted with the pastoral care of a parish (canon 517). In the same way, the Church of England is made up of parishes, each one forming part of a diocese, under the authority of the bishop. The care of the parish is entrusted to a parish priest who is usually called a 'vicar' or 'rector'.

Since the parish is a primary community of faith, the parish priest has certain functions and obligations. Among these are counted the proclamation of the Word of God, the administration of the sacraments, education and catechesis, and ministry to the sick and dying. Depending on the composition and location of the diocese, whether it is urban or rural, in a wealthy area or in an economically deprived neighbourhood, the parish priest together with the members of the community may seek to respond to the social and economic issues confronting them. These can include work with particular groups such as young people, older people, people with disabilities, those without homes, substance abusers, and also fundraising for good causes, and Fair Trade initiative. The idea of a

parish encompasses many aspects, not simply the sacramental and ritual, but also the outreach activities that are inspired by a life of faith.

### **The Second Vatican Council and Lay People**

Some people may say that the rot set in at the Second Vatican Council. I am not one of them. The Council opened up many avenues for lay people, though it might be argued that we have not taken full advantage of these yet. When the Council opened in 1962, there was a realization that women were missing from the massed ranks. Twenty-three female auditors were then invited to attend the sessions of the Council. An observation by one commentator on the Council is worth noting, though no doubt it caused some to quake in fear. Adolph Schalk said:

The voices are getting louder, more numerous, and more. So we might as well start making adjustments now. For the women are rising as an army in battle array, determined to be put into their place even if nobody, themselves included, quite knows what that place should be.<sup>3</sup>

Although the Second Vatican Council did not develop a single ecclesiology of the laity, several fundamental themes emerged. Among these were that there exists a fundamental equality of all of Christ's faithful by reason of their baptism<sup>4</sup>, which was translated into the Code of Canon Law: 'By divine institution, among Christ's faithful there are in the Church sacred ministers, who in law are also called clerics; the others are called lay people'.<sup>5</sup> Again, the Council spoke of the charismatic dimension of the Church, in which the Holy Spirit gives to the faithful special gifts or charisms 'allotting to everyone according as he wills'. From this reception of gifts there arises for each believer 'the right and duty to use them in the Church and in the world for the upbuilding of the Church'.<sup>6</sup> The Council went on to speak of the responsibility of those in authority to discern and to encourage true gifts of the Spirit so that all may cooperate in the Church's mission according to each person's gifts.<sup>7</sup>

While the Council taught that it belonged to lay people to seek the kingdom of God by engaging in temporal affairs and directing them according to God's will<sup>8</sup>, it also noted that the temporal order was not the only place for their activity. In fact, the Council also taught that the entire apostolate is to be carried on in various ways through all Christ's members<sup>9</sup>, and that lay people share in the threefold mission of Christ, and in the entire teaching, sanctifying, and governing apostolate of the Church.<sup>10</sup> Therefore it could be the case that the hierarchy might entrust to the laity some functions proper to its own

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<sup>3</sup> Quoted in C. McEnroy, *Guests in their own House: The Women of Vatican II*, (Eugene OR, Wipf and Stock, 2011, p. 47.

<sup>4</sup> Dogmatic Constitution on the Church (*Lumen Gentium*) 32. Abbreviated to *LG*.

<sup>5</sup> Canon 207.

<sup>6</sup> Decree on the Apostolate of the Laity (*Apostolicam Actuositatem*) 3. Abbreviated to *AA*.

<sup>7</sup> *LG* 30.

<sup>8</sup> *LG* 31.

<sup>9</sup> *AA* 2.

<sup>10</sup> *AA* 2, 25.

apostolate.<sup>11</sup> It is in virtue of this form of cooperation in the apostolate of the hierarchy that lay people can be entrusted with pastoral responsibilities for the care of souls.

### Code of Canon Law 1983

The Code of Canon Law gives legal expression to the conciliar vision of lay participation in the life and mission of the Church. In fact, it is sometimes said that the Code is the final document of the Council'. Sharon Euart says: 'Despite some ambiguities and deficiencies in the revised law regarding the meaning of church service or ecclesial ministry, and inconsistent application of the law resulting in the exclusion of lay persons from some rightful roles in the ministry of the Church, *we can nonetheless conclude that the revised code has opened up opportunities for lay participation in the threefold mission entrusted to the Church*'.<sup>12</sup>

The Code gives a list of the duties and rights that belong to all the faithful, and then continues in separate sections to specify those that belong to clerics or to lay people. With respect to mission and ministry, the code affirms the following rights:

1. To equality in dignity and activity (c. 208)
2. To the apostolate (c. 225(1))
3. To ecclesiastical office and to assist pastors as experts (c.228)
4. Of association and assembly (c. 215)
5. To a theological education (c. 229)
6. To academic freedom in the sacred sciences (c. 218)
7. To a decent wage (c. 231(2))
8. To juridical protection of one's rights (c. 221)

Other canons provide explicitly for the participation of lay persons in various ministries. Under certain circumstances a lay person may preach in a church or oratory (c. 766); and may serve as a catechist (c. 767), be an extraordinary minister of baptism (c.861 §2), an official witness at weddings (c. 1112); and administrator of sacramentals (c. 1168). At the parish level, a lay person may be appointed a parish coordinator (c. 517 §2) – and that is a significant development - and also be a parish staff member (c. 519). Additional ecclesiastical offices that may be held by lay persons include chancellor (c. 483), financial manager (c. 494), tribunal judge (c. 1421§2), assessor (c. 1424), auditor (1428 §2), defender of the bond and promotor of justice (c. 1435), procurator and advocate (c. 1483).

Lay people may also serve on parish finance committees to help a priest administer the goods of the parish, and such committees are required under canon 537. While parish pastoral councils are not required, the bishop can mandate these after consultation with the council of priests (c.536). Other possibilities for participation include diocesan finance councils which are required under canon 492 §1, and diocesan pastoral councils, the establishment of which is encouraged under canon 511. There is also the diocesan synod (cc. 460-468) which is the preeminent consultative body in the particular (diocesan)

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<sup>11</sup> AA 24.

<sup>12</sup> S. A. Euart, 'Parishes Without a Resident Pastor', *The Jurist*, 54, 1994, 369-386, 372.

church, but these are convoked infrequently (if at all), so the possibility of lay participation is low.

Clearly, the law has broadened the opportunities for the participation of lay persons in a number of functions and ecclesiastical offices within the Church, many of which used to be reserved solely to the clergy. Moreover, it is women who are taking on many of these roles. So in theory at least, lay people can be active in the Church in many different ways.

### **What about the women?**

What can women do today? Though I am looking at lay people generally – and certainly I don't want to exclude men – it is worth perhaps considering the particular problems that women have. I recall a visit to Nigeria and noticed how involved the women were in the parish, and how they related to the parish priest. The response from one was: 'The parish priest works well with the women because he knows that, without their support, he would starve'. Perhaps that is not the best reason for collaboration, though it is certainly a very practical one. I suspect the involvement of women varies across regions and continents, but I can only speak from my own experience.

In the Church in England and Wales with which I am most familiar, women and men serve on parish councils and parish finance committees. In terms of education, they serve as catechists, head-teachers in primary and secondary schools, third-level college principals and university lecturers. At diocesan level, where the diocese is incorporated in civil law as a charity, women may serve as trustees, though it is noticeable that of the 22 diocesan charities, it is often the case that the clergy predominate on trustee bodies. For example, all the trustees of the archdiocese of Southwark, and the diocese of Salford are clerics (which is also the case in most, if not all, of the dioceses in Scotland).<sup>13</sup> The picture does vary across the country, though, examples of which are the archdiocese of Westminster, where 5 of the 10 trustees are lay people, including 2 women, and the dioceses of Lancaster and Wrexham trustee bodies include 1 woman.<sup>14</sup> Clearly, there are opportunities for further participation at this level.

At the same time, women are involved in many different activities at diocesan level, from adult faith formation, liturgy, financial administration, and in tribunals serving as judges or auditors. But this varies hugely between regions in the United Kingdom and Ireland as a whole. For example, the website for the archdiocese of Dublin tells us that the Vicar for Religious, the Director of Education, the Diocesan Financial Administrator, the Communications Director and the Archivist are all posts held by women. Increasingly, more lay people, including women, are being appointed to act as chancellors or vice-chancellors<sup>15</sup>, though this figure is nowhere near the estimated 25% of diocesan chancellors in the USA, not to mention those who are parish administrators.<sup>16</sup> A recent

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<sup>13</sup> The archdiocesan trustees of Edinburgh and Glasgow are all clerics, as are those of the dioceses of Paisley, Dunkeld, and Aberdeen.

<sup>14</sup> This information is taken from the latest accounts available on the Charity Commission's Register of Charities.

<sup>15</sup> The diocese of Motherwell in Scotland has a layman chancellor; in Tuam, Ireland, a religious sister has recently been appointed chancellor, while the archdiocese of Westminster has a female vice-chancellor.

<sup>16</sup> In accordance with canon 517 §2.

survey in the United States indicates that there are some 38,000 lay ecclesial ministers<sup>17</sup> (including vowed religious), 80% of whom are female, with an estimated addition to this figure annually of some 790.<sup>18</sup> A review of the archdioceses in Australia shows that sisters act as Vicars for Religious in Adelaide and Brisbane, and that there are three lay chancellors in Adelaide, two of whom are women. In New Zealand, lay men and women are prominent in diocesan administration, welfare organization, the education offices, and chaplaincy teams.<sup>19</sup> This is far from being a comprehensive overview of the involvement of women, but it shows how they can occupy these offices and fulfill such roles.

It is perhaps still difficult to imagine women in certain positions. One of our African sisters was telling me recently that the fact that we have a farm in Nigeria, and the sisters are involved in raising pigs and chickens and planting crops, is looked at questioningly by the villagers. 'Why are sisters involved in this work?', the men ask. Whether it is because they are women or religious sisters is not entirely clear. In many cultures, it is not so difficult to imagine women as heads of state, prime ministers, ambassadors, diplomats, or senior government members because this is what we have experienced and accepted. Yet, in other cultures, women in such important positions might not be at all acceptable. This idea was articulated in 2009 when John L. Allen interviewed Archbishop Charles Palmer-Buckle of Accra.<sup>20</sup> The archbishop noted that, while women constitute about 55-60% of African society and 70-75% of church attendance, they were in a negligible minority when it came to leadership. Using his own country, Ghana, as an example, he noted that the patriarchal attitude of African society was reflected in secular government, where fewer than ten out of 230 parliamentarians were women. In considering the Church, he knew of no female diocesan chancellors in Africa.

Though it is not always wise to make such generalizations, particularly on a continent which comprises over fifty countries, a review of the websites and dioceses of particular countries reveals that women are involved in a number of diocesan activities, though not at the most senior levels. From a review of the websites of the Church in Ghana, Nigeria, Uganda, Zimbabwe, it can be seen that women are involved (to different degrees) in the work of coordinating diocesan initiatives and work in health care, education, catechetics, justice and peace commissions, liturgy and youth work. They also work in administration

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<sup>17</sup> Defined as being in paid parish ministry for 20 hours per week or more.

<sup>18</sup> See M. M. Grey, M.L. Gautier, and M. A. Cidade, *The Changing Face of US Catholic Parishes* (Washington DC, National Association for Lay Ministry, 2011).

<sup>19</sup> The Board of Management of the diocese of Dunedin has 8 members, 3 clerics, 1 woman, and 4 lay men. In the diocese of Christchurch, the financial statements of 30 June 2011 show that the Management and Finance Board of 9 members consist of 1 cleric, 1 woman, and the remainder lay men. Women are more prominent on the Diocesan Welfare Council, being 40% of the membership. In the diocese of Hamilton, lay people are well represented in different functions in the diocesan office, and also in hospital chaplaincy teams. The same is true in the diocese of Palmerston-North.

<sup>20</sup> See 'Ghanaian Archbishop Says that Church Has Failed Africa', *National Catholic Reporter* online, <<http://ncronline.org/news/vatican/ghanaian-archbishop-says-church-has-failed-africa>>, 14 October 2009 (accessed 21 September 2012).

as secretaries and serve on finance committees. It is also notable that many of the women involved in this work are members of religious congregations, rather than laywomen.<sup>21</sup>

One of the most interesting discoveries I made in looking at the involvement of women in church structures was a document from the Catholic Bishops Conference of India.<sup>22</sup> The document considers the place of women in society and in the Church, and looks at how to empower them. While looking at areas of implementation such as family life, education, health, social involvement, economic independence, violence against women, and trafficking, it also considers how women's representation and participation in Church bodies can be improved. It states:

The integration of the voices of women is imperative to ensure the wholeness of the Church. Non-representation of women will result in the exclusion of the perspectives, experiences, strengths and needs of half the Church.<sup>23</sup>

But these are not simply words or empty sentiments, as some very specific strategies are listed to achieve this integration. A selection of these is as follows:

- Doors should be open to women in governance and administration wherever it is suitable according to the norms of the Church.
- In accordance with the special charisms of women, suitable openings and opportunities for ministry, governance and administration should be provided to them.
- Ensure adequate representation of women as office-bearers and members in Parish/Diocesan Councils and financial committees, marriage tribunals, the Church's Commissions at all levels, and the Diocesan Social Service Societies and Regional Forums.
- Create avenues for women to participate in the decision making processes of the Church at all levels
- Provide adequate training to women to enable them to assume leadership roles in the Church
- Foster positive attitudes among the clergy and the laity towards women's participation and leadership.<sup>24</sup>

This particular section of the document ends by stating that:

Women are able to make a decisive contribution to the mission of the Church in contemporary society. However, we are also aware that despite this progress, both in the Church and in society, much more needs to be done to foster mutual respect and

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<sup>21</sup> Reviews were made of websites for the Roman Catholic Church in Ghana, Nigeria (including the archdioceses of Abuja, Calabar, and Lagos), Uganda, Zimbabwe (including the dioceses of Bulawayo, Chinhoyi, Gokwe, Gweru, Harare, Hwange, and Mutare).

<sup>22</sup> This report, entitled *Gender Policy of the Catholic Church of India*, was published by the CBCI Centre, New Delhi, in 2010, and is available to read online ([www.cbci.org](http://www.cbci.org)). Future references are abbreviated to *Gender Policy*.

<sup>23</sup> *Gender Policy*, p. 33.

<sup>24</sup> *Gender Policy*, p. 34 ff

the equal dignity of woman and man so as to restore the likeness of God in whose image we are created.<sup>25</sup>

Perhaps this is a document that deserves wider dissemination in the universal Church as a way forward in thinking about this issue of the participation of women.

### **Governance in Rome**

And what of Rome? *Christus Dominus* (9) tells us that:

In exercising supreme, full, and immediate power in the universal Church, the Roman Pontiff makes use of the departments of the Roman Curia which, therefore, perform their duties in his name and with his authority for the good of the churches and in the service of the sacred pastors.

The Curia comprises a number of different aspects, among these being the Secretariat of State and three tribunals, the Apostolic Penitentiary, the Roman Rota, and the Apostolic Signatura. There are nine Congregations such as those for the Doctrine of the Faith, Divine Worship, Saints, Clergy and Education, which are headed by a Cardinal Prefect, with a secretary who is a bishop, and an undersecretary who is usually a senior priest. Then there are 12 Pontifical Councils which consider areas such as the family, lay people, the interpretation of legislative texts, and justice and peace issues. These are led by a Cardinal President, a secretary who is a bishop or senior priest, and sometimes an undersecretary also. It has to be said that lay people – men or women – have rarely figured in significant posts in these curial departments.

However, there are notable exceptions to this, such as in the Pontifical Council for the Laity, where Professor Rosemary Goldie served as under-secretary from 1967 to 1976, as did Professor Guzman Carriquiry Lecour from 1991 to 2011, and from 2011 Dr Flaminia Giovanelli. Giovanelli now has the distinction of being the highest-ranking laywoman in the Roman Curia. There is also the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life, where Sister Enrica Rosanna served as under-secretary from 2004, a role which is now filled by Sister Nicoletta Vittoria Spezzati from 2011. Significant though these may be, it might be argued that since women now comprise 15-20% of the registered office staff of the major departments of the Curia, we might expect to see more women in significant roles than at present. Even more, commentators suggest that perhaps we could see a higher percentage of women staffing various departments such as the tribunals, the Congregation for the Doctrine of the Faith, and that of Education, and the Pontifical Biblical Commission.<sup>26</sup> Given Cardinal Timothy Dolan's reported recent suggestion that women could be cardinals, might we not also consider whether women might also be papal legates and engaged in the work of diplomacy on behalf of the Holy See?<sup>27</sup>

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<sup>25</sup> *Gender Policy*, p. 39.

<sup>26</sup> R. Mickens, 'Revealed – the true role of women in the Vatican', *The Tablet*, 26 August 2006.

<sup>27</sup> Canon 362: 'The Roman Pontiff has an inherent and independent right to appoint Legates and to send them either to particular Churches in various countries or regions, or at the same time to States and to public authorities. He also has the right to transfer or recall them, in accordance with the norms of international law concerning the mission and recall of representative accredited to States'.

Yet, this lack of the influence of women in significant positions in the Curia is a cause for disillusionment, and was articulated recently by two of the Church's most generous philanthropists (Hubert and Aldegonde Brenninkmeijer-Werhan). In a letter to Pope Benedict dated 11 November 2011, they write:

Many lay people, members of orders, and even bishops discretely confide how discouraged they are and are losing faith in the authoritative congregations and pontifical councils of the Roman Curia [...]. Why are leading officials in the Vatican ruled by a paralyzing fear rather than a collaboration with well-educated, competent and open-minded Christians, of both sexes, in every department, in order to honestly address the truly urgent questions of today and try to resolve them?<sup>28</sup>

It is not clear whether they envisage women working within the dicasteries themselves or being used in an advisory capacity, but it shows the view that women can and would contribute much to the Church today.

So, we see that women can take on a number of significant roles within the Church. The question is why there is not a greater percentage of them, or even of lay men? Let me tentatively suggest a couple of reasons.

### Cost

Identified above are ways in which lay people can be engaged in different roles in the Church in a number of different ways. Is it possible to have more? One of the key issues in the UK arises in terms of the very practical issue of finance. Can the Church afford to employ lay people in diocesan and parish roles? While the financial affairs of the Archdiocese of Westminster are reasonably robust, this is not the case with other dioceses, as a review of their annual financial statements shows that several of them have incoming resources which are barely sufficient to cover their annual expenditure. Moreover, as there is a dependence on voluntary income and investment income, falling Mass attendance and the volatility of the financial markets introduce a concern as to the sustainability and reliability of these two income sources.

A number of people are employed throughout the dioceses in various roles such as administrators and support staff, and the wages bill for each diocese is a substantial part of its income. Moreover, there is a recognition that, as the number of priests in dioceses continues to diminish, it is likely that the salary burden of the dioceses will rise.<sup>29</sup>

At the same time, redundancies in Salford, Lancaster and Shrewsbury have been made because of 'financial difficulties'.<sup>30</sup> However, it is not only the Church in the United

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<sup>28</sup> Compilation of memos and letters to and from Pope Benedict XVI by Robert Mickens, 'Dear Holy Father... Yours devotedly', in *The Tablet*, 9 June 2012, 6-7, 6.

<sup>29</sup> See Birmingham Diocesan Trust, *Annual Report and Financial Statements for the years ended 31 December 2007*, <http://www.charity-commission.gov.uk>, (accessed 25 May 2010), p. 16.

<sup>30</sup> See 'Editorial', *The Tablet*, 30 May 2009, p. 1. Because of the nature of the redundancies, which involve a re-formation of adult formation provision, this has caused some disquiet, not least because of the emphasis that was placed on adult faith formation by the bishops of England and Wales in their document, *The Priority of Adult Formation* (1999), in which the bishops quote the Code of Canon Law on formation being both a right and duty of adults. The editorial continues: 'While it is understandable that any diocese

Kingdom that faces financial problems. The Church in the USA, in Ireland, and in Germany faces its own challenges in one way or another<sup>31</sup>, and there are no doubt other areas of the world where the Church is facing a financial squeeze.

### Attitudes

Some years ago, I gave a talk at a conference which was looking at the involvement (or rather lack of involvement) of women in their local parishes, and what kind of leadership might account for this. As I recall, there were also some bishops and priests present who appeared to agree with what I was saying. I asked all present to think about their parish priest and ask themselves – if he were a dog, what kind would he be? Would he be a guide dog, a rescue dog, a guard dog, a sleeping dog, or some other kind? I then asked them to imagine going into the dog's garden, and what kind of welcome they might receive. If that dog could talk, what might he say? I suggested some possibilities:

- 'Don't even think about coming in. This is my garden, and I'll bite you if you try' [exclusionary leadership]
- 'I might let you come in if you behave yourself and remember who's in charge' [authoritarian leadership]
- 'You can come in to cut the grass, because I can't do it myself, but I'll be keeping an eye on you in case you need help' [delegatory leadership]
- 'Come in and look after the garden. You're more competent than I am' [abdicator leadership].
- 'Come in and share the garden' [collaborative leadership]

We may well have experienced leadership in some of those aspects – those who exclude, are authoritarian and who look for a 'rubber stamping' of decisions, those who can delegate and supervise, those who in effect abdicate responsibility, and those who can work in cooperation and harmony.

At the grassroots level, some observers suggest that priests have too much power in their parishes.<sup>32</sup> Though canon law requires that there be a finance committee in every parish<sup>33</sup>, there is some evidence that a number of parishes do not have them or that they exist in

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would wish to put its books in order, the dismantling of adult formation teams has grave consequences for the future health of the Church. The laity, who see only too clearly the pressure on their parish priests, realise this. If the dioceses say they cannot afford to pay them, they should explain this clearly to parishioners. If the dioceses cannot pay, then the parishes and the parishioners will have to step in'. In Shrewsbury this year (2012), the coordinators for Justice and Peace, Youth Ministry, and Marriage and Family Life were made redundant, and the contract of the coordinator for Adult Formation was not renewed. See C. Lamb, 'Bishop sacks trustees who oppose redundancy plan', *The Tablet*, 19 May 2012, 29.

<sup>31</sup> See S. Dillon and L. Wayne, 'Scandals in the Church: The Money', *The New York Times*, 13 June 2002 [www.nytimes.com](http://www.nytimes.com); 'The Catholic Church in America: Earthly Concerns', *The Economist*, 18 August 2012, [www.economist.com/node/21560536](http://www.economist.com/node/21560536); 'Germany's Catholics told to pay church tax or no sacraments', *The Journal*, 26 September 2012.

<sup>32</sup> P. Donovan 'Redefining the role of the priest – the way forward', *The Universe*, 5 February 2012, 15.

<sup>33</sup> Canon 537.

name only.<sup>34</sup> There is no such obligation that there is a parish council, and though these are now more commonplace, they ‘can merely amount to rubber-stamping bodies’.<sup>35</sup> The problem identified by Paul Donovan is that is a need for a priest to be accountable, not just to the bishop, but also to the parish and the local community. However, this will require, in Donovan’s opinion ‘a better formation of priests and remoulding of the role to be that of the servant, rather than the master of the parish community’.<sup>36</sup>

Some of these ideas are echoed (in more academic prose) by writers such as John Beal, who identifies a number of arguments that have impeded participation, consultation, and collaboration. The first is the idea that as the Church is not a democracy, and the role of many councils is consultative rather than deliberative, this renders the character of such bodies as ‘merely consultative’. However, Beal notes that many giant corporations are organizationally hierarchic and undemocratic, but this does not prevent them ‘from using consultative processes effectively to foster meaningful participation in governance’. They have been able to do this because they recognize that decision-making is not just a one-off event but a process.<sup>37</sup> Beal also notes the dangers of top-down decision-making; in terms of the image above, command-and-control styles of leadership and a threat of sanctions will not lead to internal commitment to the life and mission of the Church.<sup>38</sup> At the same time, an earlier article by Robert Kennedy raises the issue in terms of ‘consultative’ versus ‘decision-making’ approaches to governance.<sup>39</sup> This prompts the question as to whether lay people might not just advise or be consulted, but actually *make* decisions, or whether the real issue is the *quality* of consultation.

### Interpretations

I think these different images show something of the different interpretations of a particular, and important, canon. Canon 129 reads:

§1: ‘Those who are in sacred orders are, in accordance with the provisions of law, capable of the power of governance, which in fact belongs to the Church by divine institution. This power is called the power of jurisdiction’.

§2: ‘Lay members of Christ’s faithful can cooperate in the exercise of this same power in accordance with the law’.

That is a big change from what was in the 1917 Code, and this particular canon is one that my students never tire of writing about – especially on what the idea of ‘cooperation’ means. Law requires interpretation, and *canon* law is no exception. And, of course, everyone has an opinion on what this particular word – ‘cooperation’- means, and what this means for the extent of lay participation in the jurisdiction of the Church.

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<sup>34</sup> P. T. Shea, ‘Parish Finance Councils’, *CLSA Proceedings*, 68, 2006, 169-188, 170. The same article also cites a parish survey of 2005 which indicated that, of 941 parishes surveyed, 90.8% *did* have finance councils.

<sup>35</sup> Donovan, 15.

<sup>36</sup> Donovan, 15.

<sup>37</sup> J. Beal, ‘Consultation in Church Governance: Taking Care of Business by Taking After Business’, *CLSA Proceedings*, 68, 2006, 25-54, 28.

<sup>38</sup> Beal, 33.

<sup>39</sup> R. T. Kennedy, ‘Shared Responsibility in Ecclesial Decision Making’, *Studia Canonica*, 14, 1980, 5-26, 9.

This difference of opinion is based on whether or not we believe that the power of jurisdiction is bound up in some way with the power of orders. Do I have to be a priest to exercise jurisdiction – making decisions about the really important issues such as the use of resources? A number of possibilities emerge:

1. One school of thought denies the exercise of jurisdiction to lay people, saying that all power resides in those who have been ordained. Lay people should not be admitted to certain roles. (So, stay out of the garden).
2. Others might speak about ‘collaboration’, but in a way where there is a grudging admission of lay people. (Come into the garden, but watch it).
3. Others would see that the power of orders and the power of jurisdiction are distinct; lay people can exercise the power of jurisdiction when canonically missioned to do so.
4. Others would go further; canonical mission simply appoints the person to a specific role and area of ministry, the qualification for which is not based on the distinction between lay and ordained, but rather on competency on a professional level.

### **Looking to the future**

If we are advocating increased levels of lay participation, I suggest that involvement should not happen just because someone is a lay person, but because that person is competent, informed, reflective, articulate and is rooted in the life and tradition of the Church.

Perhaps we need to revisit and reword this canon to reflect what is becoming our reality: ‘lay members of the Christian faithful are also qualified for the power of governance according to the norm of law’.<sup>40</sup>

Maybe we need to have a look again at our history. The letters to and from St Cyprian in the third century indicate the active participation of lay people in decision making. In the election of bishops, the appointment of clergy, conciliar decision making, and the reconciliation of the lapsed, lay people were clearly very much involved.<sup>41</sup>

What might we learn from other traditions?

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<sup>40</sup> James Coriden, ‘Lay Persons and the Power of Governance’, *The Jurist*, 59, 1999, 343-4.

<sup>41</sup> Francis A. Sullivan, ‘St Cyprian on the Role of the Laity in Decision Making in the Early Church’, in *Common Calling*, ed. S. J. Pope, (Washington, 2004), pp 39-49.