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## Episcopal Collegiality at the Vatican Council II. The Beginning of a Long Way of Renewing the Hierarchy in the Church<sup>2</sup>

We most often associate the authority structure of the Church with the Pope exclusively as a visible Head of the Church. Indeed, as the last two General Councils, Vatican Council I and Vatican Council II, put it, the Bishop of Rome has full (*plenam*), supreme (*supremam*) and universal (*uniuersalem potestatem*) authority over the Church. But the great discovery of the Fathers of Vatican II was to remind the Church's most ancient tradition that alongside the supreme authority of the Pope, there also exists in the Church the essential and irreplaceable role of all the Bishops. For each of them, in communion with the Pope, exercises three-fold pastoral authority (teaching, sanctifying and governing, see *Lumen Gentium* [later on: LG] nos. 25–27). The jurisdiction of bishops is exercised both at the level of the particular Church (dioceses) and at the level of the universal Church as a whole (at universal councils, Roman synods, etc.). Episcopal collegiality implies the fact, to use here the thoughts of the famous French theologian and Dominican, Yves Congar, “that the bishop does not have authority only in his local Church, the particular Church, but also has certain authority towards the universal Church. This is authority that is realized to the highest degree at the Council.”<sup>3</sup>

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<sup>2</sup> The shortened version of this article is translated into Polish and published in “Homo Dei”, cf. A.A. Kasprzak, *Kolegialność episkopalna na Soborze Watykańskim II. Początek długiej drogi odnowy hierarchii w Kościele*, “Homo Dei” 343 (2022) n° 2, pp. 22–35.

<sup>3</sup> J. Puyo, *Jean Puyo interroge le Père Congar. « Une vie pour la vérité »*, Paris 1975, p. 209. (This and the following translations of this research were done by the author of this study).

The Dogmatic Constitution on the Church justifies this special appreciation of the authority of bishops by showing, first of all, that it comes from the will of Christ Himself. For, just as He delegated the keys of His authority to St Peter, He did likewise with regard to the other Apostles. Just as St Peter receives the keys to “bind and loose” (Matt. 16:19), so too the mandate of authority is given to the other members of the Twelve, “I tell you solemnly, whatever you bind on earth shall be considered bound in heaven; whatever you loose on earth shall be considered loosed in heaven” (Matt. 18:18).<sup>4</sup> As a biblical argument, the Constitution *Lumen Gentium* also gives a passage describing the moment of the sending out of the Apostles,

Jesus came up and spoke to them. He said, ‘All authority in heaven and on earth has been given to me. Go, therefore, make disciples of all the nations; baptise them in the name of the Father and of the Son and of the Holy Spirit and teach them to observe all the commands I gave you. And know that I am with you always; yes, to the end of time.’ (Matt. 28:18–20).

The supreme authority of bishops results from the principle of apostolic succession. The Pope, as successor to St Peter, receives the authority delegated to him, while the Bishops, as successors to the Apostles, receive the authority which was entrusted to the Apostles. Since Christ established the College of the Twelve, the principle of apostolic succession also justifies the existence of the so-called “College of Bishops”. As a key passage in the Dogmatic Constitution on the Church of the last Council explains, at 22 b:

The order of bishops, which succeeds to the college of apostles and gives this apostolic body continued existence, is also the subject of supreme and full power over the universal Church, provided we understand this body together with its head, the Roman Pontiff, and never without this head. This power can be exercised only with the consent of the Roman Pontiff. For our Lord placed Simon alone as the rock and the bearer of the keys of the Church (cf. Matt. 16:18–19s.), and made him shepherd of the whole flock (cf. Jhn. 21:15s.); it is evident, however, that the power of binding and loosing, which was given to Peter (cf. Matt. 16:19), was granted also to the college of apostles, joined with their head (Matt. 18:18; 28:16–20).<sup>5</sup>

Episcopal collegiality is today an official doctrine of the Church and belongs to the dogmatic basis of Church doctrine, just as the dogma of primacy or papal infallibility. The formulation of episcopal collegiality at the Second

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<sup>4</sup> For biblical quotes the original 1966 *Jerusalem Bible* was used.

<sup>5</sup> <https://bit.ly/3oRdmAU> [accessed: 15.1.2022].

Vatican Council, however, proved to be a complex undertaking. The debate at the Council on this matter testifies to many differences in the theological opinion. The tension in the discussion generally ran along a dividing line between two opposing camps, which Council historians describe as “minority” and “majority”. The negative attitude towards episcopal collegiality applied to the minority of bishops. The critical attitude towards episcopal collegiality, or an approach with great reserve towards it, stemmed above all from the concern on the part of some bishops that a renewed understanding of the role of bishops in the Church was neither in harmony with the Church’s doctrine of its hierarchy nor with the Church’s early Tradition, and that it could diminish the prerogatives of the supreme authority of the Pope, lead the Church anew into the meanders of Gallicanism, etc.<sup>6</sup>

Added to this was the lack of experience of collegial governance of the Church by bishops. Practically, all except a few archbishops or cardinals had not had the opportunity to work together, form joint colleges, or make joint decisions until the Council began. At the beginning of the event, which was the gathering of the Council, many of them saw for the first time their fellow bishops from other dioceses of their own country. At that time, only some countries had episcopal conferences and these only involved archbishops and rare meetings held with the knowledge of the Pope and in the presence of a nuncio. It certainly came as a complete surprise to the bishops to be able to meet the Council Fathers from all over the world, whose numbers ranged from 2400 to 2600, many of whom belonged to 18 different Eastern Catholic rites.<sup>7</sup>

The main purpose of this study is to present the problem of episcopal collegiality at the Second Vatican Council, explaining the complicated history of the meanders in the development of the conciliar debate on this matter. Its outcome, which is Chapter III of the Dogmatic Constitution on the Church, is de facto the result of much toil in the disputes of theologians, but above all it is the result of the dialogue of the highest Church shepherds, including two holy popes, John XXIII and Paul VI, who discerned and voted according to their consciences. Ultimately, the Constitution set out a renewed understanding of the role of the hierarchy in the Church. The great consensus on the episcopate was to understand it as a sacrament.

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<sup>6</sup> Cf. V: *Objections à la doctrine de la collégialité et réfutation de ces objections*, in: *Primauté et collégialité. Le dossier de Gérard Philips sur la Nota Explicativa Praevia (Lumen gentium, Chap. III)*, présenté par J. Grootaers et G. Thils, Leuven 1986, p. 153.

<sup>7</sup> Cf. *Atlas historyczny Soboru Watykańskiego II*, red. A. Melloni, tłum. P. Borkowski, Warszawa 2015, pp. 82, 187.

## A difficult question, but the one that needs to be analysed

Episcopal collegiality, an expression and the central object of our attention as a theological reflection originally appears in the Western tradition of canon law at the turn of the 12th and 13th centuries. The first terminology speaking of the authority of bishops was included in the Decree of Gracian (*Decretum Gratiani*). The nature of the authority of ordination, resulting from the episcopal consecration of a bishop, as explained, includes the juridical authority. This one is granted to the bishop concerned at the time of his ordination by the Bishop of Rome. Not only a distinction, but a clear separation of the said nature of authority as their two independent sources, appears in the so-called Decretalists, namely the first commentators on the Decree of Gracian.<sup>8</sup>

From the very beginning of the Second Vatican Council, its main objective was to complete the theological teaching on the role of bishops. One of the aims was to overcome the above-mentioned artificial separation of powers between the *potestas ordinis* and the *potestas iurisdictionis*. For many centuries, the question of reflecting on the nature of episcopacy was approached only from a legal and purely juridical perspective. In this way, the importance of episcopal consecration, i.e. the power of ordination, was diminished. Interestingly, this issue was to be analysed and articulated anew in a conciliar analysis for the first time at Vatican Council I, already in the 19th century. However, the conciliar discussions on this question were interrupted in 1869 due to the outbreak of the Prussian-French War. The Council of that time only defined the understanding of the supreme authority of the Pope in the Church, the primacy of the Pope, and his infallibility under certain conditions. The definition, and even the use of the term episcopal collegiality, was therefore still awaiting an in-depth study of the Church.<sup>9</sup> The subject had a long time to mature. It turned out, however, that the Second Vatican Council, which took place almost a century later, did not yet have an obvious opinion and an easy task on this issue, either. Let us explain some of the reasons for this.

From the very beginning, the debate at the Second Vatican Council on episcopal collegiality testifies to quite significant differences of opinion among the bishops. These were already outlined at the beginning of the discussion on this issue. A minority of bishops, accustomed to the vision of a Church centralized around the pope, did not wish for any reform on the question of supreme authority

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<sup>8</sup> See the excellent doctoral thesis on the analysis of the historical development of reflection on ordained and juridical authority: L. Villemin, *Pouvoir d'ordre et pouvoir de juridiction. Histoire théologique de leur distinction*, Paris 2003, pp. 505.

<sup>9</sup> At the First Vatican Council, some Council Fathers were still of the opinion that bishops were ambassadors of the Holy See. Cf. H.J. Pottmeyer, *Le rôle de la papauté au troisième millénaire. Une relecture de Vatican I et de Vatican II*, Paris 2001, p. 25.

in the Church, believing that the authority of bishops is not *cum Petro* but always *sub Petro*.<sup>10</sup>

Some bishops, and even Pope Paul VI himself,<sup>11</sup> believed in the early stages of the discussion that the authority of bishops always derived from the authority of the Pope. The third chapter of the Dogmatic Constitution on the Church, the essential text defining and clarifying the renewed understanding of the meaning and role of bishops in the Church, continued to cause division and tension. Even if the majority of bishops wanted, following Pope John XXIII, to “reconsider the place and function of the episcopate in the Church”,<sup>12</sup> i.e. a thorough consideration of collegiality, the road to achieving this intention was very tortuous until the final days of the debate preceding the final vote. A minority accused this theory of being an attempt to incarnate a new and uncertain doctrine in the Church. Some even saw episcopal collegiality as a threat to the primacy of the Pope.<sup>13</sup> In his post-conciliar reflection, Yves Congar confirmed this concern; indeed, some opponents of collegiality even used his words to argue against this theory, believing that it could not be promulgated by the Council.<sup>14</sup> Congar was aware

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<sup>10</sup> The Doctrinal Commission finally established that the supreme collegial authority of the College of Bishops is always “sub et cum Petro”. Cf. EAM Kardinal-Döpfner-Archiv, Konzilsakten n° 3527. (On the document a handwritten note by Cardinal Suenens: *Texte définitif de la Commission*).

<sup>11</sup> The Belgian Bishop of Namur, A.-M. Charue is supposed to have said that Cardinal Suenens in a conversation with Pope Paul VI heard from him that in his opinion we should say, “cum, sub et per Petrum”. See: *Carnets conciliaires de l'évêque de Namur A.-M. Charue*, éd. L. Declercq, C. Soetens, Louvain-la-Neuve 2000, p. 177.

I undertake a detailed analysis of the subject of episcopal collegiality in my doctoral thesis. See: A.A. Kasprzak, *La collégialité épiscopale interprétée comme coresponsabilité dans la pensée et l'action du cardinal Léon-Joseph Suenens. Une figure de pasteur dans la crise qui suit le Concile Vatican II*, Lille 2009, 426 pp. + 134 pp. (For the question of Pope Paul VI's opinion on *cum* or *sub Petro*, see p. 171).

<sup>12</sup> P. Eyt, *La collégialité*, in: *Le deuxième Concile du Vatican (1959–1965)*, coll. EFR, n° 113, Rome 1989, p. 539.

<sup>13</sup> All the arguments of the minority of the Council against the collegiality of bishops can be found in the famous request of Bishop M.R. Gagnebet (Doc XI, belatedly submitted on 10.11.1964 to Bishop Philips). M.R. Gagnebet, *DOC. XI. Requête de F.M.R. Gagnebet*, chap. III: *le Dossier de G. Philips. Annexes faisant suite aux „Notes pour servir”*, in: *Primauté...*, pp. 119–124. Cf. FConc. Philips n° 1908, 1893 (comment on Gagnebet's request, p. 23).

<sup>14</sup> In the introduction to his book *La collégialité épiscopale. Histoire et théologie*, Y. Congar mentions, “We have written many times, before and during the Council, that there is a lack of studies on episcopal collegiality done from a threefold historical, theological and canonical point of view. Some opponents of collegiality (a largely misunderstood collegiality) used our words and even circulated a photocopy of a private letter to say, ‘The theory of collegiality is new’. ‘It is not mature’; ‘Fr Congar himself says so. It cannot, therefore, be promulgated by the Council. Chapter III of the Constitution *De Ecclesia* must be withdrawn’. Such and similar statements were made twen-

that a theologically argued theory of collegiality was necessary to advance the cause of ecumenism, but it was still new and hence it was clear that all that further research on it would be needed in the future. Indeed, this lack of sufficient publications and, above all, the lack of general awareness of what episcopal collegiality could be in the practice of the Church, was de facto the main reason for the difficulty of introducing the doctrine of episcopal collegiality into the Council's documentation.

### Editorial treatment by Mgr Gérard Philips

The first and simplest solution to reach a consensus between the different theological positions, which was indeed a real difficulty in the conciliar debate, was the idea to speak of collegiality, but using classical terminology. This simple yet brilliant idea was appealed to by Monsignor Gérard Philips (1899–1972), the main editor of the text of the Dogmatic Constitution on the Church and a trusted theologian of Cardinal Léon-Joseph Suenens. Called *homo conciliaris* at the Council, Philips was widely known for his “gift of reconciling sometimes opposing tendencies: «conservative and progressive».”<sup>15</sup> In editing the text of the Constitutions he consciously avoided introducing new terminology, which included such words as “collegiality” or “episcopal collegiality”. His conscious action is confirmed by the original texts on which he worked during the Council, which today can be found in the archives of the Library of the Faculty of Theology in Louvain, Belgium.<sup>16</sup> Gérard Philips deliberately deleted the notion of episcopal collegiality, inserting instead phrases known in the Tradition of the Church, such as *collegio episcoporum* (episcopal college), *corpus sacratum* (sacred body), or *corpus episcoporum* (episcopal body).

Even during the Council, the term collegiality still seemed an abstract and unfamiliar term.<sup>17</sup> Thus the terms *collegialitas episcoporum* or *collegialitas episcopalis* do not appear anywhere in the dogmatic texts of the Council. The Council introduced these expressions only in its discussions and secondary documents (schemas, circulars, articles), and avoided writing them in the final versions of the constitutions or other decrees. This fact, however, does not negate

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ty times during the third session of the Council”. *La collégialité épiscopale. Histoire et théologie*, éd. Y. Congar, Paris 1965, p. 7.

<sup>15</sup> C. Gérard, *Le Saint-Esprit et ses œuvres dans la pensée de Monseigneur Gérard Philips*, Rome 1995, p. 20.

<sup>16</sup> This refers especially to the first version of *Lumen Gentium*. See: FConc Philips, n° 421–425.

<sup>17</sup> Some of the expressions are suggestions of those who have been asked to correct them. Note that this is the first, as yet unofficial, version of the *De Ecclesia* Constitution edited by Gérard Philips. FConc. Philips, n° 425 (see points 2 and 4).

the theological significance of episcopal collegiality at the Council. It simply points to the context in which the historical difficulty we mentioned earlier arises. Unfortunately, this difficulty was only one of the first to be faced by the protagonists of episcopal collegiality, that is, the majority of the bishops gathered at the Council.

### Debate *in aula* – II and III session

The first discussion *in aula* on the concept of collegiality began on October 4, 1963, and centred around the new draft of the dogmatic constitution *De Ecclesia*, edited by Mgr Gérard Philips. The debate on the new draft schema, named after its principal author the Philips schema, showed for the first time at the Council that on several important elements concerning episcopal theology and collegiality the majority of bishops thought in unanimity. Nevertheless, the schema of the future constitution still had many limitations to the details proposed and expected by the speakers and many other bishops. As Prof. Alberto Melloni explains in his research on the text of *De Constitutione Hierarchica Ecclesiae et in specie de Episcopatu*, “The Fathers discussed in nine General Assemblies, listening in full to one hundred and nineteen speeches and reading another fifty-six.”<sup>18</sup>

From the beginning of the debate on the collegiality of bishops, some of the Council Fathers feared the juridical consequences of the new theory, which they believed could threaten papal primacy. Indeed, from the very first Council statements around the chapter on hierarchy in *Lumen Gentium*, a polemic arose around various uncertainties and divided the bishops into two groups. To describe them, historians of the Council use the terminology of the so-called “majority” and “minority”. “Majority” refers to the protagonists of collegiality, “convinced that the episcopal sacrament confers ontologically and sacramentally the fullness of the pastoral office,”<sup>19</sup> while the “minority” opponents of collegiality, for whom “collegiality concealed within itself a serious threat to the primacy of the Pope.”<sup>20</sup>

The first important moment of the Council’s debate, which unequivocally confirmed the predominant importance of the Council’s majority opinion for the final favourable acceptance of the doctrine of episcopal collegiality, was the so-

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<sup>18</sup> A. Melloni, *Le début de la deuxième session. Le grand débat ecclésiologique*, in: *Histoire du Concile Vatican II. 1959–1965. Le Concile adulte. La deuxième session et la deuxième intersession (septembre 1963–septembre 1964)*, Paris–Louvain 2000, p. 76. Cf. *Acta Synodalia (later on AS) II/II*, t. 1, pp. 82–124, 222–914.

<sup>19</sup> G. Philips, *L’Église et son mystère au deuxième concile du Vatican: Histoire, texte et commentaire de la Constitution Lumen Gentium*, Paris 1967, t. I, pp. 278–279.

<sup>20</sup> *Ibidem*, p. 277.

-called orientation vote of the five questions.<sup>21</sup> Initiated by the moderators of the Council on October 15,<sup>22</sup> and held in *aula* on October 30, 1963, the vote oriented the perspective of further discussion on the theological details of collegiality in a fundamental way from then on. The vote made it possible to close the still reigning *dubium* as to whether the episcopate has a sacramental nature or whether it is merely a title to the greater dignity of exercising its function as shepherd. Here are four of the five orientation questions that clarified the fundamental foundations of a renewed vision for understanding episcopal collegiality:

1. Episcopal consecration is the highest degree of the sacrament of ordination;
2. Every bishop rightly ordained, in communion with the other bishops and the pope, who is the head and principle of their unity, is a member of the body of bishops;
3. The body or college of bishops receives the succession of the apostolic college in their task of evangelization<sup>[23]</sup>, sanctification, and government, and this body, in communion with its chief, the bishop of Rome, and never without that chief (whose right of primacy is left intact and complete over all pastors and the faithful), has full and supreme authority in the universal Church;
4. This authority flows from divine law and refers to the college of bishops itself united to its chief.<sup>24</sup>

On the first question, the bishops cast 2123 *placet* votes, 34 *non placet*. On the second question, 2049 *placet*, 104 *non placet* (1 void vote). On Question 3: 1808 *placet*, 336 *non placet* (4 void votes). To the fourth question: 1717 *placet*, 408 *non placet* (13 invalid votes). The number of positive votes showed that the ballot

<sup>21</sup> Wishing to give a direction to a theological direction expected by the majority of the bishops, Cardinal Suenens, the moderator of the Council, proposed to the Co-ordinating Commission that the doctrine of episcopal collegiality could be confirmed by the whole episcopate at the Ecumenical Council. The idea was presented as early as January 1963, and was accompanied by the new draft of *De Ecclesia* by Mgr G. Philips.

Cf. “2. In lucem ponere debet sensum *collegialitatis episcopalis*, cujus momentum affirmatur per ipsam coadunationem episcoporum in Concilio oecumenico. Quae doctrina de corpore episcoporum sub et cum Petro summi momenti est relate ad ea omnia quae ulterius a Concilio circa conferentias episcopales stabilientur”. EAM Kardinal-Döpfner-archiv. Konzilsakten, n° 3528 (=3527). Cf. FConc. Suenens n° 821. Only the second version of this document (FConc. Suenens n° 821) appears in the documentation of the Acta Synodalia, cf. AS V/I, p. 90n.

<sup>22</sup> During the 48th General Congregation of the Council. See. AS II/II, t. 2, pp. 595–597.

<sup>23</sup> The final text of the Constitution *Lumen Gentium* mentions the *tria munera Christi* as *munere sanctificandi, docendi et regendi*. (See LG n° 21). In the same document, as well in the proposition of the five orientation questions (see the quote above), the office of teaching (*munera docendi*) is defined also as the office of evangelisation – *munera evangelisandi*. (See LG n° 25). The both terms are used in the text of the dogmatic constitution of the Church.

<sup>24</sup> AS II/III, t. 2, pp. 573–575. Cf. G. Philips, *L'Église...*, p. 30. L.-J. Suenens, *Souvenirs et Espérances*, Paris 1991, p. 117 ; L. Villemin, *Pouvoir...*, p. 401.



was an absolute success for the Council majority. This event testified unequivocally for the first time – and in the presence of all the Council Fathers, that is, also those who were still opposed to the doctrine of episcopal collegiality – that the definition of a renewed vision of the Church’s hierarchy was a necessary and entirely realisable task. The result of the vote was also a signal to Pope Paul VI himself as he could see for himself by following all the intricacies of the vote<sup>25</sup> that its opponents were ultimately only a small group of bishops, and that their understanding of authority in the Church was in fact marginal.

However, the third session of the Council, which was decisive for the formulation of the doctrine of collegiality, testified to the still open discussion and ultimately uncertain outcome of the Council’s official reflection. For it appeared that the minority of the Council was not letting up. At the beginning of this session, in September 1964, the minority represented 15% of the assembly of the Council Fathers.<sup>26</sup> Two months later, at the end of the session, individual bishops of the minority, increasingly determined, in addition to invading Pope Paul VI with demands that he express his opposition, even threatening that by signing the arrangements for episcopal collegiality he would automatically lose his papal office, did not hesitate to go as far as deliberately sabotaging the adopted text. Their aim was the strategy adopted so that the Council’s commission for the amendment of *De Ecclesia* would not manage to come up in time for the final general vote on Chapter III of the Constitution.

The culmination of the tension caused by the minority around the doctrine of episcopal collegiality occurred between 9 and 16 November 1964, and went down in history as the so-called *settimana nera*, or “black week”. It refers to the final phase of the elaboration of the conciliar interpretation of episcopal collegiality. The Council minority wanted to block the vote on the whole of Chapter III of *Lumen Gentium*, and the way to do this was to deliberately create an excessive number of amendments (*modi*).

The procedure for improving the text by tabling amendments was the usual way of creating consensus on the subject the Council was discussing. Let us explain briefly here that after the first reading of a draft document, each bishop could vote *placet* or *non placet*. According to the rules of the Council, the purpose was to verify whether the Fathers wished to accept or reject the schema (in practice, the schemas were divided into many parts). With regard to Chapter III of *Lumen Gentium*, such a voting procedure took place from 21 to 29 September 1964. After the first votes on many parts of the text, the schema was accepted by a two-thirds majority. However, the procedure after the second reading of the

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<sup>25</sup> Doc. IX, *Rapport de G. Philips concernant les observations transmises à la Commission doctrinale par le Saint-Père*, 12.11.1964, in: *Primauté...*, pp. 114–115 [cf. p. 72].

<sup>26</sup> *Atlas...*, p. 216.

schema was more demanding. According to it, even if the text was sanctioned, each bishop could vote *placet*, *non placet*, or still *placet iuxta modum* (yes, but with amendments). If a conciliar document did not receive two-thirds of the votes of approval, even if the vote *placet iuxta modum* was counted among them, it would not yet receive definitive status. It was necessary for such a text to first pass through the Sub-Commission for Amendments, as this was obliged to place *modi* in the given scheme or to reject it. So that the Council Fathers could be informed of all the changes to the schema, the same committee also had to explain their opinions to them and prepare a document explaining the final motivations, elaborating them in the document *Relatio de modis expendendis*. Finally, it was up to the Fathers of the Council *in aula*, after all these activities, to vote on the approval of the Commission's work (by a simple majority of sufficient votes). Only after this second approval could a second (or subsequent) reading of the revised text take place.

The procedure for the second vote, i.e. the one on the whole of Chapter III of *Lumen Gentium*, still made it possible to block the adoption of a text already approved. This is what the minority, still opposed to the doctrine of episcopal collegiality, wanted. All that was needed was to prepare a sufficient number of *placet iuxta modum* votes, which, added to the *non placet* votes, would exceed one third of the votes. In such a situation, the number of amendments could, through the complicated procedure explained above, have postponed the final vote on the schema, and could even have affected the reopening of the debate *in aula*. It was in this configuration of procedure that Chapter III of *Lumen Gentium* found itself. Although the first votes had reached two-thirds of the positive votes needed, the question of how to proceed with the adoption of the constitution was still uncertain. The problem of the amendments worried the Council majority, all the more so as the *modi* circulated "in the number of hundreds of [duplicated] copies," and some of them were signed by many bishops. It was against this background that a vote on the entire text was announced for September 30 on September 24. Before the vote, a possible *modi* had to be prepared. Two days before the vote, it was explained that "it would be against the rules of the Council to put many names on one *modus*."<sup>27</sup>

September 30, 1964, during the 91st General Assembly, was certainly a historic day for the Second Vatican Council. The voting on the text of Chapter III of *Lumen Gentium* proceeded in two stages, the first voting on the first part of Chapter III (numbers 8–23), the second voting on the second part of the text of the same chapter (numbers 24–29). For these two votes, the majority of the Fathers voted

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<sup>27</sup> J. Komonchak, *Vers une ecclésiologie de communion*, chap. IV, in: *Histoire du Concile Vatican II. 1959–1965. Troisième période et Intersession (septembre 1964–septembre 1965)*, Paris–Louvain 2003, t. 4, p. 109.

*placet*. In the first vote the bishops cast the following votes: 1624 *placet*, 42 *non placet*, 572 *placet iuxta modum* (and 4 null votes). In the second ballot, the vote was as follows: 1704 *placet*, 53 *non placet*, 481 *placet iuxta modum* (and 2 invalid votes). The entire text of Chapter III was thus provisionally approved. From now on, work on the text was entrusted to the Subcommittee for Amendments. Will this Subcommittee be able to overcome the challenge of the strategy of the minority of the Council in order to complete their work in time for the final vote on November 21?

The amendments subcommittee had done a gigantic amount of work. A total of 5,600 amendments to the chapter on the hierarchy in the Church, which included the doctrine of collegiality, were examined and introduced into the text. After the vote of 30 September 1964, 1,053 *modi* were presented to the commission for consideration, almost a fifth of the total of the previous amendments. If the crisis of amendments during the third session could have been averted, it was only thanks to the determination of the Subcommittees of Amendments and the circumstance that their members were sympathetic to the desire of the majority of the bishops, who, moreover, at the beginning of the Council had influenced the election of new members to all the conciliar commissions. Success must also be attributed to Mgr Gérard Philips, who entrusted himself to this task to the limit of his physical abilities.<sup>28</sup> A huge contribution was also made by Bishop Jean-Marie Heuschen, Bishop of Liège and member of the Council's Doctrinal Commission. The Committee on Amendments was able to take up all the proposed *modi* and amend the text before the end of the third session. A detailed analysis of the 1053 amendments showed that they related to only 242 separate *modi*. After the third reading of the text, the Council was able to proceed to the solemn vote and to the proclamation of the new Dogmatic Constitution on the Church. This took place at the end of the third session, on November 21, 1964. On this closing day of the third session the Fathers voted the entire Constitution with 2151 *placet* votes against only 5 *non placet* votes.<sup>29</sup>

### **The ambivalent “Preliminary Note of Explanation” statute**

Even before the final adoption of the doctrine of episcopal collegiality by the Council, it became clear that the victory of the Council majority had to be redeemed by a certain unexpected decision of Pope Paul VI himself. On November 16, *in aula*, that is, a few days before the official and final vote on the text of the

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<sup>28</sup> During the Fourth Session of the Council, in October 1965, Mgr Gérard Philips survived his first heart attack. Unfortunately, after a second heart attack in May 1972, he died in July of the same year.

<sup>29</sup> AS III/VIII, t. 2, p. 909.

Dogmatic Constitution on the Church, Cardinal Pericle Felici, Secretary of the Council, announced that “by the authority of the supreme authority”, that is, the Pope, a “Preliminary Note of Explanation”, interchangeably called in Latin *Nota Explicativa Praevia*, would be read *in aula*. The origin of this document was known to the bishops. It was a working document of the Doctrinal Commission, entitled *Addenda*, which was in fact a commentary on *Expensio modorum*, that is, on the document which explained to the bishops what the Doctrinal Commission had rejected or accepted. The editor of this document was G. Philips. However, the document was published and announced as being “a prejudicial and restrictive interpretation of the text on collegiality (and in this capacity it was included in some editions of the conciliar documents).”<sup>30</sup> The addition of the Note to Chapter III of *Lumen Gentium* was first proposed to the Pope by Carlo Colombo, his personal theologian.<sup>31</sup> This document, which has the character of a commentary, was announced *in aula* without prior announcement and, moreover, as a normative aid to the interpretation of episcopal collegiality. On the one hand, this step by the Pope reassured the minority of bishops still opposed to episcopal collegiality: in the final vote on the Constitution on November 21, it was approved with 2151 votes in favour and only 5 against. On the other hand, however, the attached document above all caused great concern among the majority of bishops. At first they thought that they had been deceived and even wanted the entire Constitution on the Church to be rejected in this situation. The explanation of the neutral meaning of the Note for the Constitution itself – incidentally by G. Philips and the closest collaborators of the Belgian College – calmed the atmosphere. *Nota Praevia*, however, caused years of confusion in the sphere of interpretation of episcopal collegiality. Until the Extraordinary Synod of October 1969, many bishops considered the significance of the added commentary of *Nota Praevia* to be more important in this matter than the Dogmatic Constitution on the Church itself, a clear misunderstanding.

A remark of a theological nature should be made here, albeit briefly. The publication of the commentary *Nota Explicativa Praevia* together with the Dogmatic Constitution on the Church did not solve the real problem of differences of theological opinion among bishops. While ensuring that the Constitution retains all the guarantees of papal primacy and in no way violates the previous interpretation of the understanding of hierarchy in the Church, it did not emphasise the importance of communion between bishops as a real, ontological factor with juridical significance as well. Even if the theological significance of the text of the *Nota Praevia* and the third chapter of *Lumen Gentium* did not differ,<sup>32</sup> in

<sup>30</sup> *Atlas...*, p. 218.

<sup>31</sup> Cf. *Ibidem*.

<sup>32</sup> Mgr Gérard Philips, in concluding the history of the elaboration of the *Nota Explicativa Praevia*, points out that, in the end, a comparison of this document with the third chapter of *Lumen*

the first document the Church was still overshadowed by the presentation of the vision of hierarchy in the Church in the perspective of the dichotomy between the authority of ordination and the authority of jurisdiction. Meanwhile, in fact, all these details about collegiality were precisely to overcome the division. Instead of a synthesis, *Nota Explicativa Praevia* provided, paradoxically, the opportunity for a still different interpretation. Indeed – as evidenced by the enormous post-conciliar debate and literature on the subject – the document provoked discord, dividing theologians and pastors in the Church for many years after the Council.

## Conclusions

The Second Vatican Council's interpretation of episcopal collegiality presents and clarifies its fundamental theological elements, while affirming solemnly that it is henceforth a dogmatic doctrine of the Church, albeit not infallible or irrevocable (cf. Decision of the Doctrinal Commission of 6 March 1964). These include the findings, first emphasized by the general vote of October 30, 1963, deciding that:

1. Episcopal consecration constitutes the highest degree of the sacrament of ordination;
2. Every bishop rightly ordained, in communion with the other bishops and the pope, who is the head and principle of their unity, is a member of the body of bishops;
3. The body or college of bishops receives the succession of the apostolic college in their task of evangelization [= office of teaching], sanctification, and governance, and this body, in communion with its chief, the bishop of Rome, and never without that chief (whose right of primacy is left intact and complete over all pastors and the faithful) has full and supreme authority in the universal Church;
4. This authority flows from divine law and applies to the college of bishops itself united to its chief.

The Council justified biblically, while respecting ecumenical dialogue, the doctrine concerning all bishops. In Chapter III, the Constitution defines the institution of the Twelve, emphasizing that the establishment of the College of Apostles, of which St. Peter is the first, is a decision of Christ Himself (LG 19). The Council states that bishops are the successors of the Apostles by

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*Gentium* does not reveal any theological difference, "We do not believe that we are exaggerating in maintaining the thesis that the *Nota Praevia*, impressive as it is, does not bring any new element to the text voted by the council, but allows the researcher to find his way more easily in the jumble of the 242 *modi*, some of which are highly composite and raise complicated problems." G. Philips, *La « Nota Praevia » sur la collégialité de la Constitution conciliaire « Lumen Gentium »*, in: *Primauté...*, p. 213.

virtue of apostolic succession (LG 20). What seems most important, *Vaticanum Secundum* recognizes that ordination to the episcopal degree is a sacrament (LG 21). The Council, incidentally, closes a centuries-long debate and dubia on this issue, including the notion that a bishop would be merely an honorific title, liturgically conferred, and that episcopacy would ontologically add nothing to presbyteral ordination (cf. the view shared by St. Thomas Aquinas and earlier by Peter Lombard). The Council also defined the understanding of the college of bishops and its head, who is always the Bishop of Rome (LG 22). It clarified the relationship that must exist between bishops and their particular churches, as well as their relationship with the universal Church (LG 23). The Second Vatican Council also outlined the conditions for the episcopal ministry. These include canonical mission and apostolic communion granted by the pope himself (LG 24). The Constitution explains that the authority of bishops refers to the function of teaching, which includes the privilege of infallibility for the entire college of bishops (LG 25), the function of sanctifying (LG 26), and the function of governance in the Church (LG 27).

Episcopal collegiality in the analysis of the debate of Vatican II requires the marking of a further paradox. It seems rather surprising today that the expressions “collegiality” or “episcopal collegiality” vel “collegiality of Bishops” do not appear even once in the sixteen documents of the Second Vatican Council, despite the fact that the term was repeatedly used in discussions or working texts devoted to the issue. The reason for the absence of the term in the texts of the official documents was the deliberate non-use of it by the main editor of the Constitution *Lumen Gentium*, Mgr Gérard Philips. This was a deliberate effort to simplify an already difficult discussion and the successive stages of creating a synthetic teaching on the role of bishops in the Church. At that time, the expression ‘episcopal collegiality’ seemed to be still a new, abstract and little known concept. Philips, in order to express the same sense, used concrete terms, known and not contested by anyone, such as *collegio episcoporum* (episcopal college), *corpus sacratum* (sacred body), or *corpus episcoporum* (episcopal body).

From the perspective of the analysis of the debate on episcopal collegiality that took place during the second and third sessions of the Council, it is important to note that it was not so much the expression itself, but above all the content of the doctrine of episcopal collegiality that caused divisions among the bishops. During the last Council two groups of opinions emerged very quickly. On the one hand, there was a minority of bishops who accepted at first categorically, and later with great reserve, the theology that spoke of the special role of bishops and the consequent participation in the supreme authority of the college of bishops in the Church. On the other hand, a positive opinion was formed by the majority of the bishops. The latter group sought a solid interpretation of the Church by the Council, presenting a renewed vision of the episcopate. The majority of bishops

wanted a recognition of the role of the hierarchy in the Church not so much from a juridical aspect, which involved a constant concern for the enlargement and inviolability of the prerogatives of the Pope in his function for the Church throughout the world, but from the perspective of the theology of communion. The latter approach involved a return to what had been from the very beginning of the Church, when Christ established the College of the Twelve Apostles, but which had been obliterated over the centuries. By the will of the founder of the Church, the keys to authority in the Church were given to Peter, but also to the other Apostles. Although the privilege of primacy invariably belonged to Peter, the accomplishment of the mission still depended on the principle of granting the highest authority also to the other Apostles. It was a matter of emphasising the biblical principle that Peter always belonged to the College of the Twelve and that in none of his actions was he outside it. His authority, even if exercised individually, should testify to the preservation of communion with the other Apostles. In the same way, by virtue of apostolic succession, authority in the Church must be exercised by the Pope and the rest of the College of Bishops.

Episcopal collegiality is among the crucial and the most difficult issues that the Second Vatican Council undertook to work out. If the constitution *Lumen Gentium* was solemnly adopted by the Church, it is all the more necessary to highlight here other difficulties that influenced the formulation and then the interpretation of the doctrine of episcopal collegiality.

The main difficulty that was on the horizon of the whole Second Vatican Council was rather the powerful kind of dialectic that existed between the two tendencies that accompanied the reflection on episcopal collegiality. This is how G. Philips described it in his article “Two tendencies in modern theology” published at the Council (“Deux tendances dans la théologie contemporaine”). The reasons for the tensions and bipolarity at the Council stemmed from the clash between one group of bishops, concerned with fidelity to traditional statements, and another group, more concerned with getting the message across to modern man. Although these “two strands of theology should not, as Fr Gérard Philips stressed, fight each other, but should come together, purifying themselves of their own shortcomings and broadening their horizons.”<sup>33</sup> During the Council, and also after the Council, this was not achieved. This is one of the main reasons why Pope Paul VI decided to publish the so-called Preliminary Note of Explanation a few days before the final vote in favour of Chapter III of the Constitution *Lumen Gentium*. The first purpose of this step was to ensure a correct interpretation of collegiality, that is, to ensure that this doctrine did not in any way diminish the prerogatives of the Pope and his primacy in the Church. But the second purpose, and certainly the most important, was to appease the disgruntled minority bishops

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<sup>33</sup> G. Philips, *Deux tendances dans la théologie contemporaine*, “NRT” 3 (1963), n° 3, p. 238.

present at the Council. The *Nota Explicativa Praevia* did indeed soften the attitude of minority opposition to episcopal collegiality. It turned out, however, that the consensus between the two visions of the exercise of authority in the Church was temporary. For many years even after the Council, different interpretations of episcopal collegiality circulated among bishops and theologians. The initial explanatory note, which was intended, *nomen omen*, to clarify, itself became the cause of a confusing definition of collegiality. A sharp dispute on this issue arose with the publication in July 1968 of the encyclical *Humanae Vitae*, ruling on the fertility of married Catholics that the use of contraception was a grave sin (cf. no. 14. of the encyclical). In the context of a very poor reception of this decision of the Pope by the faithful all over the world, many bishops felt that this decision was uncollegial and that in the future, the discernment of the Church on important issues should be made in synods. This issue was the main reason, but also the main agenda of the first extraordinary synod, convened in Rome in October 1969.

Undoubtedly, the definition of episcopal collegiality cannot be reduced to a matter of intellectual “understanding” of it, and especially to a mere debate over its interpretation in terms of mere authority in the Church, which, according to some, would testify to a model of some form of democracy in the Church. As Cardinal Suenens wrote to his dioceses in his pastoral letter for Pentecost in 1969, “The Church is not a democracy, just as it has never been a monarchy or an oligarchy.”<sup>34</sup> But certainly episcopal collegiality is related to the “life of the Church”, and more precisely to the question of its skillful implementation as a certain properly applied form of aid to the discernment of bishops for the exercise of the functions of teaching, sanctifying and governing the Church. The scope of the theological concept contained in the expression ‘episcopal collegiality’ always requires some effort of interpretation. Collegiality is linked to the context of the Church’s history, to the challenges of its actuality, and to the very idea that its formulation must respond to the needs of the future. In short, the implementation of collegiality must respond to a changing world, and therefore, to a contemporary man, because his life is still dynamic – *vita est in motu*. And indeed, the concept of collegiality of bishops allows this as it touches the very mystery of the Church. The essence of collegiality is contained in the paradox of the sacramental principle: on the one hand, it has as its basis the spiritual reality of the Church (the Church as a community of love, the mystery of God’s presence through the grace of His Spirit, which gives the life of Jesus Christ to its mem-

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<sup>34</sup> L.-J. Suenens, *L’Église, communion de vie et de mission*, “Pastoralia”, Supplément, [s.n.] (1969), pp. [2–3]. Cf. L.-J. Suenens, *L’unité de l’Église dans la logique de Vatican II* [Interview by José de Broucker], “ICI”, n° 336 (15.5.1969), pp. III–IV.



bers), while on the other hand, it concerns the question of human organisation in the Church (the canonical definition of the exercise of authority in the Church, the forms of which change in time).

In conclusion, the Second Vatican Council only began a journey of reflection on a renewed understanding of episcopal ministry in the Church. It is a long and growing journey. For the keys of Christ are still in the hands of the whole college of the Apostles and in the hands of their successors: the Bishop of Rome and the other bishops. All, as shepherds, are co-responsible for the whole Church: the Pope and the College of Bishops. The role of the head of the college still remains the same: the Pope is the first among the bishops. But the role of the latter must not be diminished in any way either, not even by the Pope.

## **Kolegialność episkopalna na II Soborze Watykańskim. Początek długiej drogi odnowy hierarchii w Kościele**

### **Streszczenie**

Drugi Sobór Watykański w programie tzw. *aggiornamento*, czyli w ważnych kwestiach dotyczących odnowy duszpasterskiej Kościoła, zaproponował odnowione zrozumienie wymiaru hierarchicznego w Kościele. Tak jak to przedstawia Rozdział III Konstytucji dogmatycznej o Kościele, zwany również *Lumen gentium*, właściwa wizja dotycząca pasterzy Kościoła nie odnosi się tylko do centralnej roli papieża w Kościele. Sobór przypomniał, że – tak jak to funkcjonowało zwłaszcza w pierwszym tysiącleciu chrześcijaństwa – niezastąpioną i fundamentalną dla Kościoła funkcję pełnią również wszyscy biskupi. Jako pasterz każdy z nich jest głową Kościoła partykularnego (diecezji). Konsekracja biskupów jest najwyższym stopniem sakramentu święceń i włącza ich do grona sukcesorów Kolegium apostołskiego (KK 20 i 21). Biskupi w kolegium tym, jak wyjaśnia dalej Sobór, „stanowią również razem ze swoją głową, Biskupem Rzymu, a nigdy bez niego, podmiot najwyższej i pełnej władzy nad całym Kościołem” (KK 22b).

Niniejsze studium przedstawia skomplikowaną historię dyskusji i redakcji tekstu nauczania ostatniego Soboru w tej kwestii. Temat, który przeszedł do historii pod hasłem kolegialności episkopalnej, był podejmowany podczas II i III sesji Soboru. W tym czasie dyskusja podzieliła ojców Soboru na dwa obozy, na tzw. mniejszość i większość. „Większość” była za przyjęciem przez Sobór doktryny o kolegialności episkopalnej, natomiast „mniejszość” za jej ograniczeniem czy wręcz odrzuceniem. W czasie wielu sporów do dyskusji włączał się również papież Paweł VI. To z jego inicjatywy, tuż przed ostatecznym głosowaniem nad Konstytucją *Lumen gentium* i jej promulgacją, w celu wypracowania pełnego konsensusu wokół kolegialności episkopalnej dodano wiążący komentarz zwany Wstępną Notą Wyjaśniającą – *Nota Explicativa Praevia*. Komentarz ten nie rozwiązał jednak antagonizmów interpretacji wokół kolegialności episkopalnej jeszcze przez długie lata po Soborze.

### **Słowa kluczowe**

kolegialność, II Sobór Watykański, *Lumen gentium*, *Nota Explicativa Praevia*, Kolegium Biskupów, *Settimana nera*, hierarchia, władza w Kościele

**Keywords**

collegiality, Vatican Council II, *Lumen Gentium*, *Nota Explicativa Praevia*, College of Bishops, *Settimana nera*, hierarchy, authority within the Church

**Archives abbreviations**

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- EAM Kardinal-Döpfner-Archiv, Konzilsakten G. Treffler, P. Pfister, *Erzbischöfliches Archiv München. Julius Kardinal Döpfner. Archivinventar der Dokumente zum Zweiten Vatikanischen Konzil*, (Schriften des Archivs des Erzbistums München und Freising, n° 6), Verlag Schnell und Steinet GmbH, Regensburg 2004.
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