

PETER AND PAUL SEMINAR

- Topic: Theology and Canon Law in Dialogue:
The Local Church and Its Bishop
- Convener: James A. Coriden, Washington Theological Union
- Moderator: Margaret O'Gara, University of St. Michael's College
- Panelists: Myriam Wijlens, University of Erfurt, Germany
Eugene Duffy, Western Theological Institute, Galway, Ireland
Catherine Clifford, Saint Paul University, Ottawa, Canada

Myriam Wijlens explored the dialogue between theology and canon law. After Vatican II, legislation had to be issued to assist the church in the implementation of the conciliar ideas. Drafters, interpreters, and those who apply the law must attend to the relationship between Council and Code. The drafters of the law were confronted with the task of determining the doctrine that would serve as the foundation for the law. In the matter of the diocesan bishop, they were confronted with the discrepancy between *Lumen gentium* and *Christus Dominus*. How could they deal with this discrepancy in what was considered to be *the* conciliar doctrine when it was expressed in canonical norms? Methodologically it would be incorrect to determine theological issues on the basis of the law: the council remains point of reference for the legislation. Interpreters of the law are also confronted with this discrepancy in the council and thus must develop criteria for determining the doctrine of Vatican II.

Eugene Duffy spoke of presbyterial collegiality, its precedents and prospects. The child sexual abuse crisis has drawn renewed attention to the presbyter-bishop relationship. The New Testament, the writings of the Apostolic Fathers, early ordination rites and other liturgical sources, the synodal activity and several legislative texts of the first millennium, the institution of diocesan chapters and diocesan consultors, all point to long history of collegial approaches to diocesan governance. Vatican II attempted to revitalise this collegial reality. It was given further concrete formulation in the 1983 Code. The new legal structures, however, do not do full justice to this rich theological tradition and therefore stand in need of further refinement. Presbyteral Councils and the Colleges of Consultors need to be given more deliberative power in the governance of a diocese; the size of dioceses and the ratio of presbyters to bishop in a diocese need to be reexamined.

Catherine Clifford explored the understanding of the local church and its bishop/overseer in ecumenical dialogue. She noted reservations relating to the gap between lived experience and the Ignatian model of local church (community gathered around its bishop at eucharist) in Orthodox-Catholic and Lutheran-Catholic dialogue, and to the adequacy of Catholic structures of synodality in Anglican-Catholic dialogue. In light of these concerns, she suggested the need for more theological reflection on the parish and its presbyter/pastor, and for improved structures to express the personal, collegial, and communal aspects of diocesan life.

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