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Bishops and the Pope

Richard McBrien | Jun. 6, 2011 Essays in Theology

The sacking of William Morris as bishop of the Australian diocese of Toowoomba raises more than a few theological questions about the relationship between bishops and the Bishop of Rome.

Many Catholics believe, and so apparently does Benedict XVI, that the Bishop of Rome is free, by the will of Christ, not only to appoint all bishops in the Roman Catholic church, but to dismiss them as well.

This is an incorrect assumption, and the firing of Bishop Morris provides us with a teachable moment in ecclesiology.

From the very beginning of church history, bishops were elected by the laity and clergy of the various local churches, or dioceses. And this included the Bishop of Rome, known more popularly as the pope.

One of the most important bishop-saints of the third century, Cyprian of Carthage in North Africa, offered explicit testimony about the election of bishops in the early church.

"It comes from divine authority," Cyprian wrote, "that a bishop be chosen in the presence of the people before the eyes of all and that he be approved worthy and fit by public judgment and testimony."

Indeed, when Cornelius was elected pope in 251, Cyprian described the process in a letter to a contemporary: "Cornelius was made bishop by the judgment of God and His Christ, by the testimony of almost all the clergy, by the vote of the people who were then present, by the assembly of venerable bishops and good men."

By the time of the first ecumenical council of Nicaea in 325, differences began to surface between the practices of the church in the West and in the East.

In the West, the will and voice of the clergy and laity remained normative, but there was greater input now from bishops of neighboring dioceses.

In the East, particularly after the Emperor moved the imperial headquarters from Rome to Constantinople, power gradually shifted away from the clergy and laity to the bishops of the province and to the metropolitan bishop.

We do know that the faith communities of these early centuries were relatively small by today's standards, so we can assume that those who had an evident charism for pastoral leadership were easily recognized, as in the famous case of St. Ambrose, who was proclaimed by the crowd bishop of Milan in 374.

It was Pope Leo the Great, Bishop of Rome in the middle of the fifth century, who gave us the classic principle: "He who is to preside over all must be elected by all."

For political reasons, however, the role of the local clergy and laity in the election of their bishops became practically non-existent by the end of the first Christian millennium.

One of the unintended consequences of the Gregorian Reform of the 11th century was the centralization of authority in the papacy. Despite efforts to restore the ancient practice where the clergy and laity as well as the neighboring bishops played a key part in the election of bishops, power passed to the pope and the king or local prince.

It was at the beginning of the 19th century, with the concordat between the French emperor Napoleon and Pope Pius VII, that the pope alone was vested with the power to appoint and remove bishops anywhere in the Roman Catholic church.

That system has remained in place ever since. It was given formal legal status in 1917 with the promulgation of the new Code of Canon Law (canon 329, n. 2).

With few exceptions, bishops are recommended by the bishops of a province. Three names are forwarded by the nuncio, who makes his own recommendation, to the Congregation for Bishops, which submits a final recommendation to the pope, who makes the final decision.

The present system of appointment and dismissal of bishops by the pope in the Roman Catholic church is simply taken for granted as the divinely-ordained method, something that the Lord himself mandated. But this is not the case.

What happened to Bishop Morris is the product, in large part, of the concordat of 1801 between Napoleon and Pope Pius VII. Jesus had nothing to do with it.

The late Cardinal Leo-Jozef Suenens of Belgium, a leading figure at Vatican II, once wrote: It is "reassuring to keep in mind that the Holy Spirit is indefectibly present in [the] Church through the weaknesses and gropings of men [and women], and that [the Spirit] animates it from within so that the Church might find that fresh renewing breeze of the Spirit, which is none other than the initial wind, that of Pentecost."

It is also Holy Cross Fr. Theodore Hesburgh's daily prayer: "Come, Holy Spirit."

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