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Baptism, not bishops or pope, unites the church

Jerry Filteau | Jun. 11, 2011 NCR Today

DETROIT -- "Baptism unites the church, not ordination," theologian and author Anthony T. Padovano told more than 1,800 reform-minded Catholics gathered June 10-12 at Detroit's Cobo Hall.

Addressing the inaugural national meeting of the American Catholic Council June 11, he said, "The pope does not unify or sanctify the church and make it catholic or apostolic. This is the work of the Spirit and the community. The pope is an institutional sign of a unity already achieved by the faithful. The pope does not create a community of believers or validate baptisms or make the Eucharist occur."

Padovano was first president of CORPUS, an organization originally formed to seek return of married priests to ministry but now advocating "inclusive ministry," meaning also the ordination of women.

Most of his talk focused on the fact of changes in the church's history, the need for such change, and how the *sensus fidelium*, the sense of the faithful as to the church's beliefs and practices, often preceded the recognition by church authorities that change was needed.

"This consensus of the faithful is never valid if it is forced," he said. "In a totalitarian system, force is a factor in creating compliance. In a believing community, agreement must be free."

"The church learns, early in its history, that the Spirit is best discerned in community, in councils, in synods. ? Thus the acceptance of the Gentiles was not credible to the church in the year 35 and yet became doctrine in the year 50 at the Jerusalem Council," he said.

"In our era," he added, "we have seen that women priests were not a credible option for the community a century ago and seem an imperative now; ecumenism was unthinkable for Catholics at large in 1865 and became conciliar teaching in 1965; a lay-led Communion service was prohibited in 1935 and promoted in 1995."

"What made the difference?" he asked. "The community and its experience with Gentiles or women or Protestants or enlightened laity. The Spirit led the community to accept what church administrators once denounced."

"There are three magisterial or teaching structures in the church: episcopal (papal), theological, communitarian,"

Padovano said.

"Teaching is formally expressed by the episcopal magisterium," he added, but "this teaching is not authentic and cannot be considered infallible unless a genuine dialogue among bishops and theologians and the community at large is a substantial part of it."

He quoted Blessed Cardinal John Henry Newman: "The body of the faithful ? and their consensus is the voice of the infallible church."

"Following Newman's lead, a doctrine not received is not infallible. Infallibility in teaching depends on infallibility in believing and receiving, not the other way around," he said.

Applying that to the reception of the teachings of the Second Vatican Council, he commented, "The community has affirmed the major themes of that council: collegiality, liturgical and biblical renewal, ecumenism, religious freedom and conscience. The turbulence of the last 50 years is not caused by resistance to the council, but by their desire to implement the council and to do this even while church administrators resist their efforts."

Again quoting Newman, that truth "is the daughter of time," Padovano said, "The sensus fidelium may receive a doctrine in one era and reject it in another, not because the faithful are frivolous but because they sense the emergence of new circumstances, often before church administrators do."

"Thus, mandatory celibacy may make sense in one century but not another," and changes in time, culture or circumstance may similarly change what the faithful believe about questions of women priests, birth control or church-state separation, he said.

If church authorities were more in tune with the sense of the faithful over the past 50 years, Padovano argued, church teaching would now be different on birth control, married priesthood, ordination of women, same-sex relationships, ecumenical unity, the clergy sexual abuse crisis, and "on fiscal accountability and on hierarchical mismanagement."

He also devoted part of his address to the difference between civil law and church law, "which is closer to theology than to jurisprudence," noting that the church "officially allows lawlessness."

Among examples, he cited the refusal of the Eastern Catholic churches to accept mandatory celibacy and the fact that "bishops, even the bishop of Rome, did not comply" after the 1917 Code of Canon Law ordered every diocese to hold a synod every 10 years.

When Pope John XXIII in 1962 ordered that all seminary courses be taught in Latin, virtually all seminaries ignored it because many of their professors couldn't speak it and many students couldn't understand it, and "Rome allowed the contrary custom to prevail" over the papal order, he said.

"Fasting for a time before receiving Communion is ignored. ? "When eating meat on Friday was prohibited, Catholic countries in Europe simply did not comply and the law was changed," he said.

The principle that "in the church, law is not valid unless it is accepted by the community" goes back 16 centuries to St. Augustine, he said.

He noted that the final canon in the Code of Canon Law, governing all the rest, says that "the salvation of souls ? is always the supreme law of the church." That canon shows that the fundamental intent of all church law "is spirituality rather than compliance," he said.

Calling for greater hierarchical recognition that the faith of the church "is not entrusted to a few but to all God's

people," Padovano said, "Once we lose sight of Luke's words that Pentecost was for 'all,' we create not a Pentecost church, but a church without Pentecost ? [that] has a place for the hierarchy but not for God's people."

"Why would we want such a church?" he asked. "Clearly Christ did not. Nor do we."

The American Catholic Council, formed three years ago to advance reform in the church, convened the gathering in Detroit in an effort to develop a reform agenda and reverse what its leaders ? and clearly virtually all its participants ? see as a sustained program, under Popes John Paul II and Benedict XVI and many of the U.S. bishops appointed by them, to reverse many of the reforms of Vatican II.

[Jerry Filteau, *NCR* Washington correspondent, is covering the Detroit meeting.]

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