O
n May 21, 1998, Pope John Paul II approved the apostolic letter *Apostolos Suos*, issued *motu proprio* (on his own initiative).\(^1\) Its stated purpose was “to set out the basic theological and juridical principles regarding episcopal conferences, and to offer the juridical synthesis indispensable for helping to establish a theologically well-grounded and juridically sound praxis for the conferences” (n. 7). The frequent use of “juridical/juridically” in this sentence, the four norms stated in canonical form at the end of the document, and the presence of Archbishop Julián Herranz, president of the Pontifical Council for the Interpretation of Legislative Texts, at the July 23 press conference, make the letter’s principal concern abundantly clear: to ascertain the *legal status* and clarify the *legislative authority* of episcopal conferences.\(^2\)


Many theological conferences and books have dealt with the question of the theological and juridical status of episcopal conferences. A number of prominent theologians have also expressed their views in various books, articles and interviews. (Some of their views will be presented below.) But *Apostolos Suos* is thus far the most authoritative magisterial document to deal with this issue.

This present paper will first introduce the subject of episcopal conferences, quickly tracing their development in the conciliar and post-conciliar period. Second, it will present the over-all teaching of *Apostolos Suos*. Third, it will evaluate the letter’s key assertions, indicating their positive and negative (or problematic) features: Has the document made substantial clarifications and advances in theological thinking, or has it “missed the mark” through ambiguous terminology and a poor choice of theological options? Finally, the paper will offer some thoughts as to the future of the issues the apostolic letter is seeking to clarify. The question will be posed: Has the debate indeed been closed?

I. Brief Survey of the Development of Episcopal Conferences

A. The Second Vatican Council on Episcopal Conferences

Space will not permit a fuller account of the historical development of episcopal conferences. Suffice it to say that, by the time Vatican II was convened, episcopal conferences were an established fact—

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3 In early January 1988, an “International Colloquium on the Nature of Episcopal Conferences” was held at the University of Salamanca. For the conference papers, see Hervé Legrand, Julio Manzanares, and Antonio García y García, eds., *The Nature and Future of Episcopal Conferences* (Washington, DC: Catholic University of America Press, 1988). In October of the same year, the episcopal conference of India organized a theological consultation in Madras to discuss this same issue. The papers were subsequently published in the booklet *Episcopal Conferences and Collegiality*, ed. Peter Fernando (Madras, India: CBCI Commission for Clergy and Religious, 1989). As a theological resource for the debate, the Woodstock Theological Center published a collection of articles written by outstanding eclesiologists and canonists, *Episcopal Conferences: Historical, Canonical, and Theological Studies*, ed. Thomas J. Reese (Washington DC: Georgetown University Press, 1989).

4 The Catholic Bishops’ Conference of the Philippines (CBCP) traces its origins to 1945. Its historical development, stemming as it did from post-World War II reconstruction and
indeed, a fact of some considerable importance: On the first working day, just when the bishops were supposed to vote for members to the conciliar committees, Cardinals Achille Liénart and Josef Frings proposed that the election be postponed until the various bishops’ conferences could meet and draw up lists of candidates. The suggestion was overwhelmingly accepted, and thus ended the first working day! Komonchak sums it up: “From that point on, the conferences became an important instrument for the exchange of information and for the construction of opinion among the bishops of particular nations or regions.”

Although earlier conciliar documents had accorded a certain prestige and delegated a few functions to episcopal conferences (cf. Sacrosanctum Concilium 22 and Lumen Gentium 23), Vatican II did not define such groupings of bishops until Christus Dominus: “An episcopal conference is a form of assembly in which the bishops of a certain country or region exercise their pastoral office jointly in order to enhance the Church’s beneficial influence on all men, especially by devising forms of the apostolate and apostolic methods suitably adapted to the circumstances of the times.” (n. 38.1)

B. After the Council

Because of Vatican II’s endorsement of episcopal conferences, and because of Pope Paul VI’s 1966 motu proprio Ecclesia Sanctae which decreed that “bishops of countries or territories which have not yet established an episcopal conference ... should take steps as quickly as possible to do so,” the post-conciliar period saw an even greater prominence and influence of bishops’ conferences.  


6 Ibid., 5.
In 1968, Pope Paul VI’s *Humanae Vitae* occasioned mixed responses from various episcopal conferences. For some this confirmed one of the concerns raised at Vatican II — that these intermediate groupings of bishops would challenge papal authority. This lent a special urgency to the 1969 synod in which the nature of episcopal conferences, left undetermined by the Council, was again questioned:

The debates at this synod, just as those at Vatican II, concentrated on the nature of collegiality and the relevance of the principle of subsidiarity, and questioned the doctrinal authority of the conferences. [However, the synod] did not resolve the theological questions, [and] the recommendations endorsed by the synod reaffirmed [the conferences’] practical importance.  

Unresolved theological questions, coupled with concern over the juridical power of episcopal conferences, also shaped the 1983 Code of Canon Law (CIC). Provost notes that

In response to comments from bishops in various countries, the number of items to be committed to conferences of bishops by law was reduced in the drafting of the revised Code from around one hundred twenty-eight in the pre-1980 schemata to around seventy-six in the 1980 schemata. There are approximately eighty-two instances in the final text where the competence of conferences of bishops is mentioned.  

Canon 447 gives what *Apostolors Suos* 14 calls “a precise definition”: “The conference of bishops, a permanent institution, is a grouping of bishops of a given country or territory whereby, according to the norm

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7 Ibid.

of law, they jointly exercise certain pastoral functions on behalf of the Christian faithful of their territory in view of promoting that greater good which the church offers humankind, especially through forms and programs of the apostolate which are fittingly adapted to the circumstances of the time and place."

Twenty years after the close of Vatican II, John Paul II called for an Extraordinary Assembly of the Synod of Bishops to assess the fruits of that council. Once again, the question of the theological and juridical status of episcopal conferences was raised. If the 1969 synod was affected by the mixed reactions to *Humanae Vitae*, this 1985 synod came on the heels of varying statements of the U.S. and some European episcopal conferences on the question of peace and the use of nuclear arms. The synodal delegates “called for a fuller and more profound study of the theological and consequently the juridical status of episcopal conferences, and above all of the issue of their doctrinal authority” (*AS* 7). The result, three years later, was a working document (*instrumentum laboris*) sent to episcopal conferences worldwide for comment, corrections and amendments. That document was generally rejected. The present *motu proprio* *Apostolos Suos* is apparently a second revision of the 1988 working document (the first revision was never made public) and is the latest effort by the magisterium to synthesize the debate about episcopal conferences.

II. Summary of *Apostolos Suos*

The apostolic letter has four main sections: an “Introduction,”

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9 Provost notes the following “substantive changes” between the *CIC* and *CD* definitions: “Characterizing the conference as a ‘permanent institution’ was added by the *censis* [drafting committee] to provide judicial clarity; ‘exercise certain pastoral functions’ changes the conciliar text’s ‘exercise their pastoral functions’; ‘on behalf of the Christian faithful of their territory’ is an addition of the *censis*.” Cf. Ibid., 364-65.

10 Komonchak, despite his severe criticism of this working document, points out that “In sending out this version for comment, improvement and correction, the Vatican is engaging in an exercise in collegiality, which not so long ago would have been unlikely.” Cf. “Bishops, Conferences and Collegiality,” *America* (March 19, 1988): 302-04, in 304.

followed by a discussion of "Collegial Union Among Bishops," which is then specifically applied to "Episcopal Conferences." The document concludes with "Complementary Norms Regarding the Conferences of Bishops."

The Introduction (nn. 1-7) restates *Lumen Gentium*’s teaching on episcopal collegiality and Petrine primacy. In the brief historical sketch of structures and ways of communicating which express the bishops’ "communion and solicitude for all the churches," particular councils and episcopal conferences are mentioned. The section ends with a reference to the 1985 Synod’s request for a fuller study of the theological and juridical status of bishops’ conferences, and concludes, "The present document also is a fruit of that study." Thus *Apostolorum Suos* is the pope’s contribution to the debate which he offers *motu proprio* (on his own initiative).

The second section (nn. 8-13) gives the chief reflections on the theological status of bishops’ conferences. It begins by stressing the importance of the unity of the episcopacy. Again, conciliar teaching on the subject(s) of supreme and full power over the universal church is repeated. The document continues: "Equivalent collegial actions cannot be carried out at the level of individual particular churches or of gatherings of such churches called together by their respective bishops," (n. 10) and offers, as "a correct framework for better understanding how collegial union is manifested in the joint pastoral action of the bishops of a geographic area," the relationship between the individual bishop to the universal church.

The heart of the document’s theological synthesis seems to be found in n. 12. The article affirms that bishops’ conferences are "a concrete application of collegial spirit (affectus collegialis),” echoing *LG* 23. But there are important qualifiers: "Nonetheless, this territorially based exercise of the episcopal ministry never takes on the collegial nature proper to the actions of the order of bishops as such, which alone holds the supreme power over the whole church." And also, "episcopal collegiality in the strict and proper sense belongs only to
the entire college of bishops, which as a theological subject is indivisible.” Two important — and much disputed — theological assertions are made: (1) That the universal church, in its essential mystery, is a reality ontologically and temporally prior to every individual particular church, and (2) that the entire college of bishops is a reality which precedes the office of being the head of a particular church.

These two assertions lay the groundwork for substantially minimizing the theological importance of bishops’ conferences: Their relationship to each particular church in their territory is “very different from the relationship of mutual interiority of the universal church with respect to the particular churches” (n. 13). Likewise, the conference’s relationship with each individual bishop in the territory “is really quite different from that which exists between the college of bishops and the individual bishops.”

Thus, the two major fears and concerns often raised against bishops’ conferences are here indirectly expressed: that these groupings might constitute (as it were) another subject of supreme and full authority over the universal church, and might compromise or threaten the autonomy and authority of the individual bishop.

The third section, simply entitled “Episcopal Conferences” (nn. 14-24), summarizes many of the canons regarding these structures. An important affirmation is made in nn. 21-22: Bishops in episcopal conferences are authoritative teachers of the faith. They may also teach about “new questions” and “new problems arising from changes in society.” Then are presented what may perhaps be the letter’s most novel and important stipulations: (1) Doctrinal declarations of episcopal conferences need to be unanimously approved before they may be issued in the name of the conferences; if unanimity is lacking but with at least two-thirds vote, the recognitio of the Apostolic See is needed. (2) Only plenary assemblies of bishops have such authority to make binding doctrinal statements.

The apostolic letter concludes with four “complementary norms,”
mainly a restatement of nn. 22-23 but written in canonical fashion.

III. Assessment of the Document’s Key Assertions

What are the apostolic letter’s key assertions with regard to episcopal conferences? On the positive side, it affirms that:

1. Episcopal conferences are stable and permanent structures with undoubted usefulness and importance. “In recent years they have become a concrete, living and efficient reality throughout the world. Their importance is seen in the fact that they contribute effectively to unity between the bishops and thus to the unity of the church, since they are a most helpful means of strengthening ecclesial communion” (n. 6). The letter validates this positive assessment by quoting Vatican II’s Christus Dominus, Paul VI’s Ecclesia Sanctae, the 1973 Pastoral Directory for Bishops, and the 1983 Code of Canon Law.

2. Episcopal conferences are “a concrete application of collegial spirit (affectus collegialis), which ‘is the soul of the collaboration between the bishops...’” (nn. 12, 14) Thus the letter avoids the labored and unhelpful distinction between “effective” and “affective” collegiality found in the 1988 draft document.12 While maintaining that “this territorially based exercise of the episcopal ministry never takes on the collegial nature proper to the actions of the order of bishops as such,” it avoids such potentially polemical statements as “If words such as ‘college,’ ‘collegiality,’ and ‘collegial’ are applied to [episcopal conferences], they are being used in an analogous and theologically improper sense.”13

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3. The authority and field of action of episcopal conferences are in strict relation to the authority and action of the individual bishop (n. 19). Thus, analogous to the bishop's power, competence and limits of authority, so also does the episcopal conference have certain powers, competencies and limits of authority.

The letter quotes CIC canon 753: "Although they do not enjoy infallible teaching authority, the bishops in communion with the head and members of the college, whether as individuals or gathered in conferences of bishops or in particular councils, are authentic [authoritative] teachers and instructors of the faith for the faithful entrusted to their care; the faithful must adhere to the authentic [authoritative] teaching of their own bishops with a sense of religious respect (religioso animi obsequio)" (emphasis added). Thus the letter endorses the "doctrinal competence" of episcopal conferences, especially in proclaiming the "catholic truth in matters of faith and morals" (n. 21) but even with regards to "new questions and...new problems arising from changes in society" (n. 22).

4. More specifically, the letter allows for doctrinal declarations to be published in the name of the episcopal conference, and to have a binding effect on both the bishops in the conference and the faithful in the territory, provided these are "unanimously approved by the bishops who are members or receive the recognitio of the Apostolic See if approved in plenary assembly by at least two-thirds of the bishops belonging to the conference and having a deliberative vote" (Article 1).

Komonchak criticizes this "stringent" criterion which "is greater than any required in any other instance of ecclesiastical governance or teaching on either the local or the universal level.... None of the documents of the Second Vatican Council would have met this standard."14 While indeed this criterion might be unnecessarily draconian, the present author believes the apostolic letter nevertheless accords far greater teaching competence and binding authority on the part of episcopal con-

ferences than the opinions of some theologians, some of them very prominent and influential.15

Overall, *Apostolos Suos* speaks approvingly of episcopal conferences, lauding their importance and contributions to the life of the church. It is a remarkable improvement compared to the 1988 *instrumentum laboris* or draft document, with none of the latter’s over-critical tone.16 That earlier document had two main assertions: (1) That episcopal conferences are not, in the true and proper sense collegial; (2) as such, they have no mandate to teach. Dulles says that these two, collegiality and teaching authority, are intertwined — to deny the first is to call into question the second.17 As we have seen, the 1998 apostolic letter soft-

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15 In 1983, Cardinal Ratzinger was reported to have said, “A bishops’ conference as such does not have a *mandatum docendi*. This belongs only to the individual bishop or to the college of bishops with the pope.” Cf. Jan Schotte, “A Vatican Synthesis,” *Origins* 12 (April 7, 1983) 692. Two years later, in his famous interview with an Italian journalist, Cardinal Ratzinger said, “No episcopal conference, as such, has a teaching mission; its documents have no weight of their own save that of the consent given to them by the individual bishops.” Cardinal Joseph Ratzinger with Vittorio Messori, *The Ratzinger Report*, trans. Salvator Attanasio and Graham Harrison (San Francisco: Ignatius, 1985) 60. Three years later, he would write: “On matters of faith and morals no-one can be bound by majority decisions. This is also the reason why bishops’ conferences do not have any teaching authority and cannot as conferences make teaching binding.” Cardinal Joseph Ratzinger, *Church, Ecumenism and Politics: New Essays in Ecclesiology* (New York: Crossroad, 1988) 58. In 1985, Cardinal Ratzinger (as prefect of the CDF which oversees the work of the International Theological Commission) apparently was also responsible for inserting a paragraph on episcopal conferences in a booklet that was then being prepared by the ITC. The pertinent sentences state: “On the other hand, institutions such as episcopal conferences (and their Continental groups) belong to the organization and to the concrete or historical form of the church (*fides ecclesiae*). If words such as ‘college,’ ‘collegiality,’ and ‘collegial’ are applied to them, they are being used in an analogous and theologically improper sense.” Cf. Komonchak, “Introduction,” 17.

16 Komonchak summarizes the 1988 Roman working paper’s main flaws: “References to historical experience, ancient or modern, are few and uncritical. There is little evidence of a serious effort to identify the issues in the conciliar and post-conciliar debates on conferences. The texts of Vatican II that are pertinent to the study are cited selectively, and no effort is made to place them in the context of the conciliar discussion. A position is certainly stated, but its foundations are poorly laid, no possible objections or alternatives are even acknowledged, much less addressed, and there is very little serious argument except in the form of alleged ‘deductions’ from the chosen starting point. As a theological study, therefore, this document leaves much to be desired.” Cf. “Bishops, Conferences and Collegiality,” 302.

ens the language of its predecessor by ascribing some collegial sense to these intermediate groupings of bishops, and by acknowledging that, under some conditions, they comprise an authoritative magisterium even on doctrinal matters. Thus, it accords them a positive juridical status as magisterial bodies, albeit of limited authority and under certain conditions.¹⁸

On the other hand, one notes some negative or problematic features of the letter:

1. **It is replete with cautionary points and qualifications.** The text is amply sprinkled with clauses beginning with “but,” “however,” “nonetheless,” and “even so.” In a number of places (e.g., nn. 6, 10, 12, 18, 20, 22, 24) the positive tone with which a section or paragraph begins is significantly altered by a goodly number of subsequent qualifiers, rebuttals, nuances and concerns. This leaves the reader in no doubt as to what is being emphasized: the conferences’ relative importance compared to the whole episcopal college and even to the individual bishop, and their relative competence and authority in issuing doctrinal declarations.

2. **It adopts a theological position that is disputed by some prominent scholars.** A controverted theological option adopted by the letter is the position of the Congregation for the Doctrine of the Faith which, in its 1992 “Letter on Some Aspects of the Church Understood as Communion,” asserted the priority of the universal church over particular churches, and the precedence of the episcopal college over the office of being the head of a particular church. Perhaps it is this which provides the chief theological novelty of Apostolos Suos. The letter exposes one of the great deficiencies of Vatican II, that is, its treatment of collegiality. The council “concentrated more on the episcopal college’s authority over the whole church than on the relationship between episcopal ordination and the particular church....more

¹⁸The 1988 colloquium in Salamanca had essentially come to the same conclusion. The participants agreed “that the conferences as such — and not simply the individual bishops who are present at the [episcopal] conference meeting — do have true teaching authority, although this authority is subject to many limitations.” Ibid., 294.
on the bishops' role in the universal church than on intermediate forms, whether of the communion of churches or of episcopal collaborations.”

By officially teaching what had heretofore been merely one theological opinion against other contrary opinions, the letter appears to close the debate. Now both the particular church and the bishop in his diocese are understood to be of secondary importance. Both become "second moments" in the origin and life of the church. Some of the questions that were asked but left undetermined by the Second Vatican Council now appear to be answered. As to the question of how to reconcile the twin affirmations of LG 23 (that particular churches “are constituted after the model of the universal Church,” and that “it is in these [particular churches] and out of them that the one and unique Catholic Church exists”) in a bold stroke, the apostolic letter assigns the priority to the universal Church (n. 12). And as to the question of whether ordination first relates a bishop to his particular church or to the whole college of bishops, the same article in the letter also gives precedence to the whole episcopal college, which is a “pre-existing reality in which individual bishops participate.”

This view was severely criticized by Komonchak:

The idea of the ontological priority of the universal church threatens to turn the universal church into an abstraction somehow existing apart from the particular churches. Likewise, the 'modern' view of the college of bishops as a supreme governing board of the church...threatens to prevail over the patristic notion that takes as its starting point the role of the bishop in his local church.

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22 Ibid.
Similarly, de Lubac’s comment is pertinent: “An anterior universal Church, or one alleged to be existing on her own, apart from all others, is only a creation of the mind.”

3. It conceives teaching authority in exclusively juridical terms. Komonchak perceptively notes that the apostolic letter tends to reduce teaching authority to mere juridical force, “that is, in terms of its binding force and the obligation of the faithful to give it, depending on its level, the assent of faith or religious assent.” This conceptual framework has its place,

... but the prior need in the church today is the restoration of what Cardinal John Henry Newman called the “admiration, trust, and love” for Christ and his church that are the precondition of effective authority; their presence makes appeal to merely formal authority superfluous, while their absence renders it ineffective.

Gaillardetz concurs, pointing out that, despite the breakthroughs inaugurated by Vatican II, there is still much ecclesiastical emphasis on “formal,” that is, juridical, authority. He argues that the leaders of the church must realize that this “sustained and exclusive reliance on formal authority at the expense of reasoned argumentation and debate” will ultimately lead to the diminution of the Church’s teaching authority.

IV. Some Unresolved Questions

While the apostolic letter shows a great deal of balance and theological nuance, it has hardly answered all the questions nor faced all the

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25 Ibid.

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issues related to episcopal conferences. As we have seen, its ecclesiology is still rather universalist — it asserts the priority of the universal church over the particular churches. Its treatment of collegiality is still one-sided — it teaches the precedence of the entire episcopate over the individual bishop's presidency over his own diocese. And its understanding of teaching authority is overwhelmingly juridical — it is concerned with requisite "numbers" that would make certain statements "binding" on the faithful, rather than appealing to their reception and to the teachers' credibility and persuasiveness.

Some other questions seem to remain unresolved or unanswered by the document:

Are bishops' conferences by divine right or by positive ecclesiastical law? The Indian theologian Felix Wilfred asks whether or not episcopal conferences are a divine institution. The answer, he says, cannot be a simple yes or no. Without doubt the episcopal college and the individual bishop "belong to the constitutive structure of the Church, and are de jure divino." Compared to that,

... episcopal conferences are of ecclesiastical law. But to the extent that bishops' conferences as intermediary groups are related both to the college of bishops with its head and to the individual bishops, they certainly have a foundation in divine law.... The fact that the episcopal conference is a contingent and historically conditioned form of experiencing communion need not be seen as a factor detracting its foundation in divine law, for even those structures and institutions which are recognized as of divine right, such as the episcopate and the primacy, have acquired their contemporary forms through many historical and other very contingent factors.27

Wilfred points out that Lumen Gentium 23 describes as "by divine providence (divina providentia)" the emergence of metropolitan and pa-

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triaxial grouping in the past, and "in a like fashion (simili ratione) the episcopal conferences at the present time are in a position to contribute in many and fruitful ways to the concrete realization of the collegiate spirit." This is not cited in Apostolos Suos. Instead, the letter reasserts the divine origins of the episcopacy and papacy (nn. 1-2) and the "power which each bishop enjoys by divine institution in his own particular church" (n. 3). In contrast, episcopal conferences have arisen because of "historical, cultural and sociological reasons" (n. 4). By what looks like a deliberate effort to differentiate bishops' conferences from other forms of episcopal collaboration, the letter gives the impression that bishops' conferences "enjoy less theological weight than what many consider their parallels in ancient councils or contemporary synods."

How collegial are bishops' conferences? Another unresolved issue revolves around the distinction between "collegial acts" and "collegial spirit." Some theologians would like to infer a caesura between Lumen Gentium 22 and 23, with "effective collegiality" being described in no. 22 and "affective collegiality (collegialis affectus)" being spoken of in no. 23. However, Wilfred says that "to maintain such a distinction is to attribute to the conciliar texts an intent they do not have.... There is no reason to assume that the Fathers of the Council were thinking of collegiality in a proper sense of effective collegiality in no. 22 and of collegiality in [an] improper sense and of only collegial affection in no. 23."  

Apostolos Suos does not specifically use the terminology of "effective collegiality" versus "affective collegiality." But by insisting that episcopal conferences, though concrete applications of the collegial spirit, never take on the collegial nature proper to the acts of the entire episcopacy, it maintains a distinction that some theologians feel should be abandoned.

29 Wilfred, "Episcopal Conferences," 11-12.
In its breadth and richness of vision, Vatican II inaugurated what amounted to “Copernican revolutions” in the church’s self-understanding. Ecclesial realities such as “communion” and “priesthood” are seen as having different levels of realization. Collegiality, too, perhaps needs to be understood and appreciated in this light. Because of the persisting ambiguity of terms, and the need to synthesize what appears to be a richer understanding by Vatican II, this author believes that the question of collegiality is still largely an open one. More specifically, the relationship between “effective” and “affective” collegiality needs to be more precisely articulated.

Can there be other bases for ascribing a proper theological status to episcopal conferences? Wilfred offers as another strong theological foundation for these intermediate episcopal groupings the mission of the church.\(^{31}\) The church’s self-understanding of its inner workings cannot be separated from its mission to the world. However, some missiological issues such as those related to socio-political questions, inculturation and dialogue, defy universal solutions which are universally applicable. This is precisely where the episcopal conferences can offer effective and meaningful responses. To the extent that they collectively exercise their mission in response to the challenges of their region or territory, they participate in the mission of the universal body of bishops. Thus do they concretely promote “that greater good which the church offers humankind, especially through forms and programs of the apostolate which are fittingly adapted to the circumstances of the time and place” (CIC can. 447).

Is numerical unanimity the answer? The apostolic letter stipulates that doctrinal declarations may only be published in the name of the conference if all the bishops with a deliberative vote agree to them in a plenary assembly. Does it therefore close the debate on the teaching authority of episcopal conferences by simply reducing it to a mere issue of quantity? While quantitative unanimity might solve some problems (for example, the problem of individual bishops abdicating their

\(^{31}\) Wilfred, “Episcopal Conferences,” 16-17.
personal authority, or being coerced to follow the majority position) the criterion raises other problems, e.g., the procedural question of how church documents in general may be ratified and passed."32

Thomas Reese shrewdly notes that there might be a way to go around the unanimity rule or the requirement for *recognitio*, that is, by saying that the documents issued by episcopal conferences are not "doctrinal" but perhaps "pastoral exhortations."33 In point of fact, such is the usual content of many conferences' official statements, as for example the Catholic Bishops' Conference of the Philippines' pastoral exhortations on politics (1997), on the economy (1998), and on culture and faith (1999).

Finally, do we really need at this time to develop a full expression of the theological nature of bishops' conferences? This is the question posed by the canonist James Provost:

Vatican II left a number of issues open in this area, recognizing that more lived experience guided by the Spirit was needed. Has there yet been sufficient experience with conferences for the formulation of worthwhile answers? Conferences were designed to facilitate the mission of the church. Premature attempts at theoretical classification could sidetrack their primary purpose and might indeed have deleterious effects on the achievement of that mission. Might not the existing provisions of Vatican II and of the church's law [the CIC] be sufficient for the time being?34

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32 As already noted (see footnote 14), Komonchak points out that the criterion "is greater than any required in any other instance of ecclesiastical governance or teaching on either the local or the universal level.... None of the documents of the Second Vatican Council would have met this standard."


Attractive as Provost's last question/suggestion might sound, it seems much too evasive an action. In the final analysis, the bold stand taken by *Apostolor Suos* may be more beneficial to the church's evolving self-understanding. In promulgating this apostolic letter *motu proprio*, Pope John Paul II has added his personal voice to the debate. It is a voice that switches the scholarly conversation to a higher gear; an authoritative voice to be sure, but without necessarily having to drown out the other voices.

At the July 23, 1998 press conference, Cardinal Ratzinger was reported to have said that Pope John Paul II had not intended to enunciate the entire ecclesiology underlying the status of episcopal conferences, nor did he intend to respond to all the theological problems or to exclude further clarifications.\(^{35}\) One expects that the future will present greater theological development, understanding, and appreciation of this rich and vital ecclesial reality.

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\(^{35}\) Cited by Komonchak, "On the Authority of Bishops' Conferences," 8.