



Forum I:
Power and separation of powers in the Church — Common participation and sharing in the mission

Fundamental Text

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Introduction

The Catholic Church is in a deep crisis. She can fulfill her mission only if she recognizes the character, causes and dimensions of this crisis, faces up to it and seriously works on solutions. The crisis of the Church must be described in a larger context of social and cultural processes of change, but it cannot be limited to such general factors. On the one hand, there are internal tensions between the Church's doctrine and her practice. On the other hand, there is a gap between how power is actually conceived and exercised in the Church on the one hand, and the demands of the Gospel and the standards of a pluralistic, open society in a democratic constitutional state on the other.

It is about the conversion and renewal of the Church with regard to her order of power. For, according to *Lumen Gentium* 8, the church is not only a spiritual entity. She is also a society constituted in and for this world. A look at history shows that at different times and depending on the socio-cultural environment and current challenges, there were many ways of shaping these structures of the Catholic Church that can be evaluated differently from today's perspective. In the light of Holy Scripture and the Second Vatican Council, they can and should be put to the test anew. The sense of faith of the People of God calls for more shared responsibility, cooperative action, and enforceable rights of participation.

In the abuse scandal, the crisis is coming to a head. The MHG study has shown impressively and in disturbing variety that sexualized violence by clerics against children and adolescents, the cover-up of acts, and the protection of perpetrators, have not only individual psychological causes, but also systemic ones. What comes into view above all is the prevailing internal power structure of the Church, which has favored certain criminal and transgressive acts and made it more difficult to combat them internally and to cooperate with the state authorities. It is therefore all the more important that those responsible in the Church undertake a critical self-examination of these structural and conceptual factors that enable or promote the abuse of power. The task is to develop standards and criteria for concretizations that serve a valid and sustainable spiritual and structural renewal.

As the synodal assembly of the Catholic Church in Germany, we therefore recognize a central challenge in conscientious and self-critical reflection, as well as in an effective reform of internal power structures within the Church, in order to realize the mission of the Church in the world of today. If the Church wants to be able to assert spiritual and moral authority both internally and externally, her understanding and use of power must be critically examined and, if necessary, reorganized: Does this power of the Church really serve the proclamation of the Gospel and the people? Where does it become independent? Where does it promote and where does it hinder experiences of the unlimited creative life power of God?

An examination of the order of power in the Church would be necessary in any case for reasons of successful inculturation into a democratic society based on the rule of law. This is not about an uncritical adoption of social practice. Inculturation is not a one-way street. The Church always has a prophetic-critical mission toward its social partners.¹ And of course it cannot be overlooked that democracy as a political system and as a way of life is also subject to manifold dangers. Nevertheless, since Pius XII, popes have repeatedly given democracy a preferential position as a form of government.² The Se-

cond Vatican Council, recognizing the development of modern democratic states, advocated the idea of a fundamental separation and constructive cooperation between the Church and the political community (*Gaudium et Spes* 76). In this respect, in order to be able to be a source of motivation and resonance for a democratic culture, especially in the pre-political sphere, the Church must also answer to democratic achievements. Her system of law and power must be recognizable as an expression of and resource for those strong positive values that form the ethos of free, democratic ways of life.

Here it becomes apparent: In many places, the surrounding society can no longer understand and comprehend the Church's order of power. Yes: The Church is publicly suspected of using its own legal order to discriminate against certain segments of the population, to undermine democratic standards of process, and to immunize herself against critical inquiries about her teachings and organizational structures. The Synodal Path relies on theologically grounded reforms and concretely modeled changes to address legitimate accusations, rebuild trust in the Church, and make room for belief in the God of life.

At the heart of the problem is the very way in which power — power to act, power to interpret, power to judge — is understood, justified, conferred and exercised in the Church. A theology of the Church, a spirituality of obedience, and a practice of ministry have developed that one-sidedly bind this power to ordination and declare it sacrosanct. Thus, it is shielded from criticism, disconnected from scrutiny, and detached from division. Conversely, the vocation and charisms, dignity and rights, competences and responsibilities of the faithful in the Catholic Church are not taken into account according to their importance in the People of God. Their access to ministries and offices in the Church is regulated restrictively, without the task of evangelization being sufficiently emphasized as a decisive criterion. Nor are the respective ministries, offices, roles and responsibilities sufficiently linked to charisms, competencies and qualifications. Not only the access to power, but also the selection and accompaniment of those entrusted with it, need honest evaluation and reform. Church-related exercise of power also requires a resolved personality and spiritual maturity. Again, this is not always in view when ministries are conferred.

These factors justify, cause and promote the abuse of power that obscures the mission of the Church. Precisely because this obscuring reaches into the institutional core of the Church, it also affects the image of God proclaimed and lived, and thus the innermost point of every evangelization. The aspiration and reality of the church must once again correspond more strongly.

Since the problem of power concerns concrete structural issues of separation of powers, control of power and participation, these issues are particularly in focus here. Questions of gender justice and the question of the mission and shape of the ordained ministry are, however, closely related. In the question of options for successful life in a partnership, in addition to questions of content, it is also up for debate according to which criteria and on the basis of which competencies which authorities of the Church can be assigned sovereignty of interpretation and judgment.

The program in brief overview

In order to be able to speak about power and the separation of powers in a clear, understandable, and actionable way, a theological justification is needed. It is provided in this fundamental text under two aspects. In the first part the theory is provided, in the second part the practice is reflected.

- The first part clarifies in what way and for what reasons the Church is spoken of in such a way that both the current crisis can be analyzed and the basis for sustainable changes in her order of power can become clear. Here, “hermeneutics” is crucial: the way of making statements about the Church that are well-founded.
- The second part structures which steps lead to the necessary changes, in which directions they lead, and how they are interrelated. Here, “pragmatics” is crucial: the transparent logic of effectively achieving goals.

Both parts are about renewing the order of power and especially the leadership structure in the Catholic Church through more participation of all faithful in such a way that the proclamation of the Gospel is better served in word and deed.

On this basis, there will be a series of submissions from Forum I on individual resolutions, in which it will be specified at key points what the necessary changes look like and how they can be implemented in a manner that can be audited.

Through this organization of the work in Forum I, it becomes clear that the requests for individual resolutions are neither arbitrary nor actionistic, but are justified and ordered by sound theology and a transparent framework. Likewise, it becomes clear that the theological clarifications do not remain non-binding, but rather converge on comprehensible options for action and justify precise changes.

The structure of the text shows nine sections. All begin with ‘We’ as the subject. This ‘We’ is the synodal assembly. If the synodal assembly adopts this text, it will declare nine times its intention to go forward on the path of conversion and renewal of the Church.

Part I begins with section 1, a diagnosis of the crisis: “Where are we — and what lies ahead?” The dramatic processes of change in the Church are placed in the context of general societal transformation processes. Institutions and organizations as a whole have lost trust. In relation to the churches, however, this loss of trust is fundamentally linked to the perceived abuse of religious power.

After this contextualization, the text takes its basic communicative stance with section 2. As the synodal assembly, we say back into the social space: we want to regain the trust that has been lost and will take the necessary steps to do so: “We have understood!”

Section 3 reformulates this basic communicative concern of the text with the theology of revelation of the Second Vatican Council. As the Church of this council, we know that we can only begin to learn our missionary mandate by seeking out and interrogating the whole diverse network of places where God's revelation is received. The Second Vatican Council placed particular emphasis on two places of knowledge of faith: the ‘signs of the times’ and the ‘sense of faith of the People of God.’ Insights that can be gained in these two places seem to us to be extremely informative for the issue of a reformed order of power of the Church: “We are on a path of learning.”

Today, the Catholic Church can take this path of learning only under the conditions of legitimate plurality. One can adopt different theological positions on the upcoming decisions within the Synodal Path in a well-founded way. Section 4 therefore formulates as

an attitude: “We want to learn to live theological diversity in ecclesial unity.” The willingness to learn as a Church in the interplay of deepening and renewal is based on the conviction that we can arrive at a new form of conflict of culture in the Church.

However, plurality is not arbitrary and not an end in itself. There are theological constants. Section 5 therefore embeds the text in the ecclesiology of the Second Vatican Council. Church is defined here as sacrament: as sign and instrument. The concept of sacrament comes into focus when reflecting on the proper use of power by the church, drawing on both the sources of tradition and the experiences and insights of the present, namely those of a democratically shaped society. The text presents a dynamic interpretation of the programmatic description of the church by opening up the characteristics of the ‘sign’ and the ‘tool.’ Thus, the determination of power in the Church can be described both spiritually and structurally: “We follow the ambition to be a sign and instrument of unity and salvation.”

Part I has thus developed a hermeneutics in which it becomes clear: Tradition and reform are two sides of a single coin. Tradition (*traditio*) is a living historical process of the common appropriation of the apostolic faith. This is how it is attested in Sacred Scripture; and this is how, in the course of history, the Church has always found and determined herself anew in the many traditions, in “doctrine, life and worship” (*Dei Verbum* 8). In short, tradition and reform open up and challenge each other. If the effort for reform as creativity of doctrine and canon law gives up its reference to tradition, it becomes homeless and lacks a binding force. And if ecclesiastical tradition is not shaped in a way that is learning and oriented to the present, it freezes and has only museal value.

It would now be inadmissible, however, to jump directly from this general foundation of sections 1 to 5 into concrete recommendations for change. This is because precise terms, standards, criteria, access requirements and systems for classification are needed.

This is done in Part II of the text. It is based on the clarifications in Part I and shows in which way and at which points consequences must be drawn. In order to create the necessary clarity to allow an open debate and purposeful decision-making of the synodal assembly in a spiritual atmosphere, four sections are marked here, which first develop the legal framework and the goal-oriented standards and criteria, before characterizing the access requirements on the one hand and the fields of action and decision-making procedures on the other.

Section 6 is entitled: “We need clear terms and precise distinctions.” Here it becomes clear in what sense the Forum speaks of “power” and “separation of powers.” In each case, there is an understanding that is widespread in everyday language and that is primarily related to the political sphere. But there is also a specific understanding of canon law which must be kept closely in view if proposals for reform are to be well-founded and purposeful. At the center is the task of defining the relationship between the power of ordination on the one hand, and the power of leadership or jurisdiction on the other, in a more differentiated way than is currently the practice in Germany. Much can be done with the help of current canon law. However, more far-reaching questions arise which are clearly named and must be answered if legislative, executive and judicial powers are to be distinguished more precisely, so that mutual control, limitation and mediation become possible.

Section 7 indicates, “We define standards and criteria together.” These standards and criteria follow from the renewed image of the Catholic Church. They aim to promote participation, prevent abuse, strengthen transparency and control, introduce accountability,

and strengthen synodality. The standards and criteria arise from the need and opportunities for inculturation into the democratic culture of life, in which ecclesial leitmotifs from Scripture and Tradition are rediscovered.

Section 8 states, “We address access requirements and promote competencies.” The issue of access to ministries and offices in the Church is sometimes highly contentious. Close coordination is needed, especially with the Forum working on the future role and lifestyle of priests and the Forum working on women’s access to ministries and offices in the Church. With regard to administrative tasks, there are already good initiatives to promote equal rights for women. Celibacy for priests also needs to be on the agenda. Last but not least, clarifications are needed to open access for women to the ordained ministry in the Church.

In Section 9, the task is: “We describe fields of action and decision-making procedures.” The section develops a framework for clarifying where change is possible and necessary by asking three questions. (1) In the spirit of the community of faith, how can liturgy, witness of the faith, and diakonia be strengthened? (2) Where are reforms necessary and possible at the parish, diocesan, episcopal conference and universal Church levels that serve evangelization? (3) In which dimensions of Church governance does more transparency and control, more participation and subsidiarity, more effectiveness and diversity need to be ensured?

The nine sections of this text thus provide a matrix of clear reasoning, terms and references. Through this matrix, the concrete proposals for change brought separately to the synodal assembly can be sorted and recognized in terms of their contribution to the fulfillment of the great task of reforming the system of power in the Church, especially the power of governance.

Part I: Reforming the own power structures as a basic process of a Church on the way

1. Where do we stand — and what lies ahead?

Dimensions and challenges of the crisis

A sustainable spiritual and institutional conversion needs an honest and differentiated assessment of the crisis and (cf. sections 3-5) a reassurance about the Church’s ambition and mission. The current crisis of the Catholic Church affects various levels and has manifold causes. In the context of sexualized and spiritual abuse of subjects by clergy, a crisis of plausibility of the Christian faith, a crisis of trust in Church officials, and a systemic crisis in the context of ecclesiastical use and abuse of power intertwine and reinforce each other in their causes and their consequences.

- The crisis of plausibility of the faith is a phenomenon of comprehensive changes in the culture of religion, which are particularly evident in open societies shaped by the West, in which the differentiation of religious and secular spheres is a matter of course. Processes of secularization are neither comprehensive nor linear. Spiritual and religious needs continue to claim space, but church ties are becoming fluid. On the occasion of family or bio-

graphical events, there is still a demand for the rites of the Church, but increasingly people are also taking advantage of offers from independent providers of rituals. Fundamental Christian beliefs, namely the belief in a personal God who acts in history for the salvation of the world, are also evaporating. In short, the cultural (self-)understanding and intellectual assent to the Church's creedal, symbolic and social form of the Christian faith are dissolving. This has not only been the case since the abuse scandal, but it is becoming dramatically worse as a result.

- The credibility crisis of the Church first affects the institution and the social space of the Church. But it also reaches the faith. Some who cancel their membership in the Church retain their faith, but for others the credibility crisis of the Church has cost them their faith because trust in God always lives from personal experience and from contact with credible witnesses of this faith. Faith lives from shared traditions of expressing and celebrating it. Where the social context of faith breaks down, personal faith loses an important basis. Alienation from congregations and Church institutions as well as from Church rituals and proposal for meaning is, as studies show, an important factor motivating people to leave the Church. Explicitly mentioned are (power) structures in the Church which are perceived as regressive or not up to date, as well as positions of the Church on (fundamental) legal and (relational and sexual) ethical issues, especially in the field of gender justice, in the evaluation of queer sexual orientations and in dealing with failure and new beginnings (e.g. marriage after divorce). Due to experiences of discrimination and exclusion in the Church, the credibility of this Church, whose mission it is to enable trust in God and community, is sustainably called into doubt — even among highly motivated members of the Church. The experience and the mere knowledge of clerical superiority over their subjects, be it on a physical, psychological or spiritual level, destroys trust. Because of this, the Church in its practice can betray that which she is from Christ; against her ambition to be a sign and instrument of salvation, she can become a sign and instrument of disaster for people. In the context of the abuse scandal, she represents an obstacle to faith for many people. For children and young people, women and men who volunteer in full-time or part-time service to the Church, for priests and lay people who are committed to the Church and who stand up for this Church in family and profession, parish and community, in schools and universities, this situation becomes an acid test.
- The institutional crisis of the Church is not only based on individual misconduct that became possible under the protection of the institution, but also on a culture of exaltation of the spiritual office and on structures and attitudes secured by canon law that "protect" the minister from critical questioning as well as from sustained control, limitation and opposing power. In the sexual and spiritual abuse that occurs in a religious institution and in the context of sacralized power, the acting person fails and, at the same time, the institution that makes this action possible and, for the supposed protection of the alleged sanctity of the system, repeatedly also covers it up. Where institutional protection is placed above the protection and defense of the victims of this institution, the ambition of the Church is thwarted. The sign of

salvation then becomes a space of disaster. Faith in the Gospel, on the other hand, offers people perspectives for action and orientation towards meaning. This faith could and should release creative forces, it represents a power of life. This power of faith should be generously communicated — i.e. shared and experienced — in the Church. In sacramental signs people are to come into contact with the creative power of life of God. The Church has the authority to establish these signs. The power of God is comprehensive. It goes to the whole, that is, it includes the realities of life of people beyond borders and hierarchies, such as those established by origin, social or religious status and gender (cf. Gal 3:28) because it aims at the salvation of people.

We want to understand and exercise power and responsibility in the Church in such a way that we can rediscover and bring to bear the creative and liberating power of God. The proclamation of the Gospel of God's kingship and the celebration of faith will only be credible and have a missionary effect if internal relationships within the Church — interpersonal as well as organizational — recognizably correspond to the Gospel of Jesus Christ and if, where this is not the case, credible corrections are made.

2. We have understood!

The mission of the Church as a debt of contribution to culture and society

In 2019 alone, more than half a million people ended their membership in one of the two major Christian churches. 272,771 people left the Catholic Church. Since 1990, the number of people leaving has doubled. Significantly higher figures (increases of more than 50,000 in each case, compared with previous years) were recorded in the years following the revelations of sexual violence by clergy (2010 and 2018) and the financial scandal in the Limburg diocese (2013). Many members of the Church are considering leaving, and more and more older people are also declaring their decision to leave. Not only in Germany, but worldwide, ever new reports around the abuse of power in sexual, spiritual and financial terms on the part of those in positions of responsibility are disturbing. While the analysis and correction of factors that enable or do not effectively prevent violence against minors is gradually gaining (legal) contours and has triggered intensive theological reflections, other problems such as spiritual abuse or violence against (religious) women and adult subjects (e.g. in religious congregations, spiritual communities, or seminaries), have so far hardly been surveyed and dealt with. Nationally and internationally, abysses of ecclesiastical action have become apparent that no one would have thought possible. Abuse of power blatantly contradicts the self-understanding of the church. The credibility of Church leaders has been severely damaged. The strength and willingness of many, especially many women, to continue to be involved in the Church, to shape the Church locally and to stand up for this Church, are exhausted.

We have understood

- that an enlightened and pluralistic society cannot and will not accept such phenomena of structurally rooted abuse of power. It must expose them, denounce them, punish them and do everything in its power to prevent their continuation. To this end, active transparent cooperation between Church and state authorities is indispensable. The Church can only be grateful for this critical publicity;

- that the abuse of power must not be legitimized and veiled, neither in terms of canon law, nor theologically, nor spiritually. It distorts the idea of spiritual authority and counteracts the theology of the office, which does not empower to arbitrariness, but orders to service. It simply represents a disregard, at times even a criminal disregard, of both civic-liberal and Christian values and standards of law and justice;
- that power, even in a religious context and even when it is conferred as a ministry and requires spiritual depth, can achieve beneficial effects only if it is shared, limited, and controlled, and if it is conferred and, if necessary, withdrawn within the framework of comprehensible quality standards. Where there is a lack of instruments for controlling power, the power to shape and interpret things turns into arbitrariness — also and especially in the Church;
- that the Church in a liberal-democratic society cannot claim privileges and special rights that remove it from the normal control of a democratically ordered public. Nor can moral and spiritual authority simply be asserted or demanded. Rather, like all other institutions, the Church must and will earn society's attention and esteem, each time anew;
- that even spiritually based governance must be effectively bound by law and legal protection;
- that governance must always be co-determined by those who are governed, so that an important proposal is that ecclesiastical decision-makers should also be elected and regularly face elections in which the powers granted to them can be confirmed or delegated to others;
- that a great many people have correspondingly opted out, which has not been possible in the Church so far, indirectly by leaving the Church — increasingly also people with formerly close ties to the Church, people who have done volunteer work in the liturgy, charitable and pastoral work, or who have been employed by the Church. Many have been so repelled by a Church that abuses its power that this has eclipsed other experiences of the Church;
- that their leaving the Church by no means always means that they also turn away from God. On the contrary: For many of them, the Church has stood in the way of their relationship with God in such a way that they had to free themselves from it;
- that the energy for employment and volunteer work in the Church is extinguished if committed people do not also have the right of participation in decision-making. Participation in decision-making processes and in the concrete shaping of the Church is not a polite gesture, but a right and the condition for the possibility of self-determined assumption of responsibility. It is also theologically required: The right and duty to actively participate in all Church activities are based on baptism and confirmation;
- that the sharing and control of power does not mean an attack on the authority of ministries. Rather, the attribution of authority increases when it is committed to clear standards of quality established by others;
- that power is ascribed to a person not to assert it, but to use it to create. Intelligent and transparent use of power is not only just, but also effective.

Perhaps most importantly:

We have understood that in large parts of society, a Church that is primarily concerned with itself is perceived as unattractive and useless. Issues of structure and legitimacy are undoubtedly challenges that we must face. But it is not already the fulfillment of the task set, but only its prerequisite. People are equally interested in whether the Church provides them with a space for experiencing and encountering God and whether it fulfills a critical prophetic mission vis-à-vis society. The Church should be close and concrete and orienting. This is the task of all faithful.

We have understood that we are measured by how we fulfill this duty.

3. We are on a path of learning

The breakthrough of the Second Vatican Council regarding the theology of revelation and its ecclesiological concretization

The Second Vatican Council initiated a self-critical examination of the traditional self-understanding of the Church and opened up paths of renewal. Two poles are now guiding: on the one hand, the reassurance in the sources (the “resources”) of the apostolic faith as expressed in Scripture and Tradition, and on the other hand, the dialog with the scientific knowledge and cultural developments of the present, which in their own way offer a key to understanding the will of God. Neither the biblical and ecclesiastical tradition nor the “signs of the times”, however, give clear directives for the subsequent *aggiornamento* of the Church. And neither of the two points of reference can simply be adapted uncritically. The recourse to Holy Scripture needs a valid biblical hermeneutics at the height of the exegetical state of the art. The reassurance in the Tradition of the Church also needs a valid historical hermeneutics, which also perceives the detours and deviations of the history of the Church and dogma, remembers forgotten things and knows about the respective temporality of theological concepts and ecclesiastical structures. And the openness for an inculturation of the Church in societies of the present needs of course an awareness of possible dangers of a time and its current social order. A discernment of spirits is needed. The signs of the times are to be interpreted in the light of the Gospel (*Gaudium et Spes* 4). An uncritical acceptance of contemporary standards would be just as one-sided as their blanket rejection on the grounds that, as a religious institution, it can learn nothing from secular factors. This interweaving of resourcing in Scripture and Tradition, and *aggiornamento* in learning contact with the present, has been substantiated theologically by revelation and concretized ecclesologically in the Council.

3.1 God’s revelation in the tradition of the Church

For the Second Vatican Council, it was theologically crucial to describe revelation and faith dialogically as the Word of God and human response. “It is God, in his goodness and wisdom, who has chosen to reveal himself and to make known the sacred mystery of his will, through which men have access to the Father in the Holy Spirit through Christ, the Word made flesh. ... Through this revelation, then, the invisible God, out of the superabundance of his love, addresses men as friends” (*Dei Verbum* 2). Revelation, understood in a personal, historical and dialogical way, creates a historical-personal space of communication in which God’s living Word — Jesus Christ — is heard and appropriated, interpreted and transmitted. Accordingly, at the beginning of all tradition there is no text and no doctrine, but a living encounter that is transmitted through communication.

Ecclesiologicaly, this calls for a network of witnessing instances of faith (*loci theologici*), in which interpretation, appropriation and transmission of the event of Christ take place and to which ecclesiastical weight (authority) is assigned.

The first and most important of these authorities is Sacred Scripture; it is *norma normans non normata*, canonical testimony of the apostolic faith, material and criteriological foundation of the Church's faith. As God's word, "spoken according to the manner of man" (*Dei Verbum* 12), it is to be interpreted and received according to all the rules of art and science. In the *traditio apostolica*, the oral tradition, the Church continues in manifold ways, "in doctrine, life and worship," through history "what she herself is, all that she believes" (*Dei Verbum* 8).

In addition to and after Scripture and Tradition (the *loci theologici primi*), other so-called *loci theologici secundi* have been identified in the course of the history of theology. Tradition is thus recognized as a multi-perspectival historical process. Different ecclesiastical instances contribute to the assurance of a contemporary form of what is Catholic. Tradition takes place in dialog: through the whole Church — today one would say: by virtue of the (con-)sensus *fidei fidelium* —, through the institutions of the ecclesiastical magisterium, which have been set up differently in the course of history, through outstanding holy persons, through theology. In addition to these ecclesiastical authorities, already in the 16th century "other" external authorities (*loci alieni*) were named, as we would say today, independent of revelation, which contribute to the understanding of revelation: human reason, philosophy and history; today supplemented by human conscience, the cosmos of science, social and cultural developments, insights of ecumenical dialog and other cultures and religions.

In the Second Vatican Council, through the ecclesial appreciation of the faithful and their "intuition" (cf. *Lumen Gentium* 12) and the reception of the "signs of the times" in its theology of revelation (*Gaudium et Spes* 4), two elements of this powerful concept of theological topics were specifically emphasized: the importance of externally gained knowledge for a deeper understanding of the Gospel as well as a contemporary design of ecclesial structures (cf. *Gaudium et Spes* 44), and, synchronically as well as diachronically, the dialogical interpretation of the Word of God by various experts: lay faithful, theological experts, and representatives or institutions of the Church's magisterium. The latter is also integrated into the network of the *loci theologici secundi*. Neither can unanimity among the people of God (the *consensus fidelium*) be played off against the decisions of the episcopal or papal magisterium, nor are the various instances of the ecclesiastical magisterium outside the complex communication structure of the whole Church. Because it is not located above the Word of God, but within the structure of its interpretative entities, it needs dialog with the other "hearers of the Word." Because it is meant to serve unity in faith, it needs the ability to moderate and integrate in order to give weight to the various places of discovery and witness of faith. This applies to the universal Church as well as to the various levels of the local Church: As servants and guarantors of unity, the pope and the bishops, each in his own area of responsibility, are responsible for ensuring that the various voices and entities of the Church are heard and listen to one another, that they contribute their respective competence and assume responsibility, and that upcoming processes of consultation and decision-making are structured in a synodal manner and realize in the spirit of synodality.

The renewal of the Council in its theology of revelation and ecclesiology thus intertwine. This is not a mere pragmatic reform of structures, but a fascinating and demanding synodal renewal of the Church's self-understanding. Thus, important impulses are also

given for today's processes of conversion in the Church, and the theological and communicative level is marked, which such a renewal should maintain:

- God's revelation has been given once and for all — but its reception and interpretation take place in a human way, i.e. within the framework of historically and culturally determined processes of understanding — already in the Bible. Not least for this reason, a biblical-hermeneutical verification of all approaches to reform is necessary.
- These processes of understanding do not take place monologically or directly through a single locus theologicus, but synodally: in a network of different entities (*loci theologici primi et secundi*), which differ in their ecclesial role, responsibility and expertise, but not in their source (revelation), their object (faith and ethos), and their capacity for truth (knowledge of faith). None can be replaced or supplanted by another. Each entity has weight; all are historical, i.e., as dynamic as they are temporal. Their synodal interaction is to be depicted structurally.
- The “outside” of faith, i.e., insights, experiences and developments of time, is not only the context and addressee of the Church's proclamation. It is itself the resonant space of the Gospel and therefore its own irreplaceable and indispensable complex of theologically relevant loci by means of which the Church explores the Gospel: “Let me study you, your thinking and speaking, your questioning and being, so that by it, I may learn anew the message I have to deliver to you” (Bishop Klaus Hemmerle).

3.2 The Church on the way through time

The breakthrough in the theology of revelation corresponds to a corrected self-understanding of the Church. The static, self-contained and self-sufficient image of the *societas perfecta* is just as incompatible with the recognition that the Church is a learning Church as the *ecclesia militans*, the Church in conflict and seeking to delimit itself. In the fundamental part of the Constitution on the Church (cf. *Lumen Gentium* 9-17), the Council gave an alternative to these images of the Church with the historical, dynamic image of the *ecclesia peregrinans*, the people of God on the way. It portrays a pilgrim Church that has not yet reached its destination, does not form a sacred enclave beyond the course of the world, and needs “the others” to be faithful to its mission. God is generous, says *Ad Gentes* 11, distributing his riches among many peoples and times. The Church is on the way to seek and find God and his traces even in “strange,” unexpected places (cf. *Gaudium et Spes* 4, 11, 44); she is on the way with all people of good will on the path of common search for and discovery of truth (cf. *Dignitatis Humanae* 3), in solidarity with their joys and needs, their thoughts and decisions (cf. *Gaudium et Spes* 1; *Ad Gentes* 22); in respect for their dignity and conscience (cf. *Gaudium et Spes* 16).

Corresponding to this self-understanding is the readiness, as Church, to want to learn from the surrounding culture and society: from its language and experiences, its perceptions and forms of thought, its social processes and organizational structures. “It is ... the task of the whole people of God, especially also of pastors and theologians, under the assistance of the Holy Spirit, to listen to the various languages of our time, to distinguish them, to interpret them, and to judge them in the light of God's word, so that revealed truth may be ever more deeply grasped, better understood, and more appropriately proclaimed.” At the same time, for the Church “there is also the possibility and the

fact of enrichment by the development of social life, not as if there were something lacking in its constitution given by Christ, but because it can thus be more deeply discerned, better made manifest, and more in keeping with the times" (Gaudium et Spes 44).

We see ourselves as a learning Church. To this end, we want to make use of the entire network of topics and entities in which God can be revealed. We want to learn anew our common ecclesial mission — also and especially from those with whom and for whom we are on the way as a Church.

4. We want to learn to live theological diversity in ecclesial unity **Plurality as a legitimate variety of different core convictions — even within the Church**

While the aforementioned paradigm shift in the theology of revelation, together with its radical ecclesiological reorientation, is largely undisputed for theological reception, the consequences to be derived are not at all. It cannot be overlooked and is also clearly stated by the secular side: The overall theological and ecclesiastical situation shows itself to be discordant and polarized.

It is important to recognize that this is neither a weakness of the Church nor a moral or leadership failure of those responsible. Rather, a plurality of ways of thinking and living, and a cultural multilingualism, in the house of the Church is legitimate and even required. Diversity is not un-Catholic, let alone heterodox. Cultivating diversity without breaking apart as a community can, as history shows and as is increasingly urgent in view of the global character of the Church, be understood as the very hallmark of the Catholic. Multiperspectivity even into questions of truth is an imposition, but also a 'sign of the times' It challenges us to learn. Since, as seen in section 3, the Church can no longer specify its mission independently of the forms of thought of its time and culture and its secular responsibility, it must also constitutively take part in its own foundations in the given challenges and pressures of the spiritual time.

A handling of complexity that is attentive and sensitive to ambiguity can be regarded as a basic signature of intellectual contemporaneity — and also encompasses today's theology. For theology, too, there is no one central perspective, no one truth of the religious, moral and political world, and no one form of thought that can lay claim to ultimate authority. In the Church, too, legitimate views and ways of life can compete with each other even in core convictions. Yes, they can even at the same time make the theologically justified claim to truth, correctness, comprehensibility and honesty, and nevertheless be contradictory to each other in their statements or in their language.

To consider such ambiguity to be legitimate also in the interpretation of doctrinal statements and to accept it in this plurality can be evaluated very differently. Some will positively recognize in it that will of God for freedom which shapes his creation; others will be concerned about whether such ambiguity in answers to ultimate questions serves man. It is undisputed that for the Church the reference to the Gospel is constitutive. In this one will agree, even if it can be disputed which action and which decision corresponds more to this point of reference.

The fact that plurality in questions of truth and doctrine is legitimate and an opportunity also concerns the debates of the Synodal Path. It must be soberly stated and accepted:

In the German church, too, very different forms of theological thinking and ecclesial cultures meet. They each have their own theological right; they do not need to be resolved into a harmonizing third party or pressed into homogenizing formats. The task is to develop an ecclesial culture of debate and learning from one another in the face of a legitimate diversity of interpretations of how and for what the Church should be good. This also applies to coordination in the various contexts of the universal Church and at the various levels of the universal Church.

An ecclesial culture of conflict worthy of its name is characterized above all by the fact that the protagonists do not allow themselves to be led into two traps:

- They will first of all refuse — and will consciously avoid — denying each other Catholicity and Catholic legitimacy. Rather, they will cultivate a willingness to learn from other positions, to listen to each other and to the work of the Spirit in this dialog. At the same time, they will challenge each other to justify their own positions plausibly and transparently as a legitimate interpretation of the Gospel, and to clarify it argumentatively. Positivist argumentations cannot meet this demand, be they legal positivist, naturalist, secularist, or otherwise.
- Secondly, they will resist and avoid conducting this debate at the expense of concrete decisions and reforms. The ability to act must not be put at risk by blocking discourse. The debate must be constructive and solution-oriented. Needs for correction and reform must be answered even if a final synthesis has not yet been reached.

Conflicts must be perceived, interpreted and addressed in processes of spiritual discernment in community, in which believers with different positions listen to each other and to the work of the Holy Spirit. In such common learning processes, which serve the unity and strength of faith of the Church, fundamental inquiries can also be made, which aim at a further development of doctrine and, following it, of the Church's legal order.

As a synodal assembly, we know that our debating and decision-making can only ever be a fragment of what needs to be expressed. But this insight must not prevent us from acting responsibly. It is a matter of fundamental decisions shaping the Church that require courage and trust in God. Catholicity means to us: We know about our fundamental common origin and about our different interpretations; we struggle with each other for the best possible solution; we respect our differences, also in our access to core convictions; we strive to perceive the legitimate concern in other positions. Conscious of our responsibility as representatives of the Catholic Church in Germany for the Synodal Path, in the course of serious synodal deliberations and in respect for the standards of a democratic society, we expect that recommendations and decisions adopted by a majority will also be supported by those who themselves have voted differently. We expect that the implementation of decisions will be thoroughly and transparently examined by all. We expect everyone to help promote the ability of the synodal assembly to act.

5. We follow the ambition to be a sign and instrument of unity and salvation

5.1 Sacramentality of the Church ...

We are convinced that a sustainable spiritual and institutional conversion also includes a reassurance about the meaning of the central formula of identity of the Second Vatican Council. The Council had programmatically declared: “Christ is the light of the nations” — and from this developed the essence of the Church: “The Church is indeed in Christ, as it were, the sacrament, that is, the sign and instrument of the most intimate union with God as well as of the unity of all humanity” (Lumen Gentium 1).

What follows from this description of the Church for a reformulation of its structures and operations, namely for a renewed understanding and organization of ecclesial ministry? Here, too, different interpretations meet, which justify different consequences:

Some derive from the “fundamental sacramentality” of the Church, guaranteed by Christ, the “primordial sacrament,” that a democratization of its power structures is not permissible. They emphasize that the ecclesiastical office of ordination has to secure the unavailability of God, to relate Christ and the Church to each other and to distinguish them from each other. This touches on questions that must be withdrawn from changing majorities and from human disposal altogether.

Others are driven by the same concern to protect the unavailability of God and to relate Christ and the Church to each other and to distinguish them from each other. But they draw different consequences as to how this should be done. Precisely because of the sacramental description of the Church, they see as legitimate the theological and socio-ethical demand to fortify its structures by taking up and appropriating standards analogous to democracy and the rule of law. They recognize in this the possibility of a reciprocal translation and critique of secular and religious institutions.

These theological differences reach deeply into the basic hermeneutical questions of the Church's self-understanding, the Church's authorities, especially the Church's teaching office, its bearers and its canonical concretion. One will have to struggle here for a possible connection of the concerns and for the greatest possible consensus.

This paper follows a clearly contoured, theologically based heuristic on the sacramentality of the Church. The following reflections on sacramentality have convinced us. Above all, we see in them an appropriate response to the need for reform of the ecclesiastical order of power, which has become frighteningly clear as a result of abuses of power in the Church, and which will be further fleshed out in sections 6-9.

As a synodal assembly, we accept the sacramentality of the Church as a challenge: We want this Church to become credible again as a place where people find a personal relationship with Jesus Christ and experience God's healing power in the sacraments, in proclamation, and in community. In order to be authentically and effectively encountered as a “sign and instrument” of this connectedness with God and with one another, we are working to reform the Church's power structure.

Crucial for the understanding of the sacramentality of the Church developed here is its unfolding as a dynamic and an ambition. In a figurative approach, sacramentality can be explained as follows: A sign (*signum*) must be understood and must speak the language of its recipients. If it is not understood, it is not a meaningful sign, but only a dead letter. It must signal something, i.e. be audible — not merely loud, but bearing a message, it must catch the ear and resound in the heart. If it triggers neither resonance nor echo

despite a fundamentally existing readiness for reception, a sign not only refers to nothing, but even deceives. And what is to be useful as a tool (*instrumentum*) must be easy to grasp and efficient, designed for its effectiveness and safe to use. In short: A sacrament must have a signal effect. It must have a convincing effect. Applied to the complex reality of the Church, whose institutional structure is to serve “the Spirit of Christ, who animates it, for the growth of his body” (*Lumen Gentium* 8), this means: Both poles of an understanding of the Church analogous to a sacrament — credibility / significance (*signum*) and effectiveness / functionality (*instrumentum*) — must be conceptually combined and proven in attitude and structures. A renewed ecclesiastical system and exercise of power must prove itself worthy of the trust that the faithful are to place in it. The Church misses itself and its purpose if it obscures the signal effect of its mission through a misguided internal order of power. But this is precisely what has come to light in recent years: Under a misconceived reference to sacralized power, the Church gambled away not only the bond with countless members who had left, its credibility and societal capability for alliance, but also, at least in the eyes of many concerned, the justification of its talk of the sacred and of salvation. Because it hermetically shielded the talk of the sacred from the achievements of liberal standards such as transparency, participation and control — of contemporary proven plausibility and effectiveness —, and because it counteracted them in its practice to a staggering degree, this talk is today socially discredited. On the institutional level in particular, therefore, it must be measured by whether it actually points beyond itself like a sacrament and actually establishes communion with God and with one another.

The reform of power structures in the Church is therefore not a maneuver of contemporary adaptation or cultural refinement. It is required for the sake of the sacramentality of the Church. Time, writes Pope Francis (cf. *Evangelii Gaudium* 222-225), is more important than space, and reality prevails over idea (cf. *Evangelii Gaudium* 233). In this sense, it is necessary to set processes in motion and to open up areas of probation in Church structures and attitudes that make the idea and essence of the Church — to be a sign and instrument of unity with God and with one another — credible and tangible. For the Church is not an end in itself, but a means for Christ, the light of the nations, to shine into all the world (cf. *Lumen Gentium* 1). For this reason alone, system preservation must never take precedence over everything else. The Church must never succumb to the temptation to revolve around itself.

As little as the Church, understood in the sacramental sense, is an end in itself, so is the sacramental ministry. It stands for the salvific efficacy not of human rule but of God's life-giving power. It is a sacramental sign that points to Christ and receives its authority from him. This does not release the minister from control and criticism — on the contrary: The sacramental office does not establish privileges, but calls to service. Precisely because it does not merely organize a function, but goes back to an authorization and allows Christ, the head of the Church, to be represented, the sacrament of ordination always calls to mind the difference between Christ and the minister. It does not sacralize the ordained, but empowers him to “act in the person of Christ the Head” (*Presbyterorum Ordinis* 2): to “care for the faithful and ... form a true Christian community” (*Presbyterorum Ordinis* 6) which, imbued with the Spirit of Jesus Christ, lives according to his word and proclaims his death and resurrection in the Eucharist. It is at the service of the vitality of the Church, so that she may profess and live what she is called to do. For her purpose lies in her exterior: in the good of the world and in the unity of mankind as the passion of the one, holy God who is to be honored.

We want to contribute to the Church's opening up as a living space in which communion with God and with one another can be experienced. In view of the distortion of the Church's mission through ecclesiastical abuse of power and the associated distortion of this ambition, it is necessary to examine how the theology and organization of ecclesiastical structures and ministries can be further developed in such a way that they are also convincing in the current context of understanding of a liberal legal order and serve the nature and mission of the Church.

5.2 ... as inspiration and task

The Second Vatican Council related the sacramentality of the Church not only to its institutional side, but also to the community of the faithful. Just as the Church is under the ambition to be “sign (signum) and instrument (instrumentum)” (Lumen Gentium 1) of unity, so the faithful are promised to be “witness (testis) and living instrument (vivum instrumentum) of this mission of the Church” (Lumen Gentium 33, cf. Apostolicam Actuositatem 2). The heuristics developed above on the sacramentality of the Church can therefore be made fruitful by analogy also for the witness of the faithful. The hoped-for signal effect of their faith is based on the fact that they, in baptism and confirmation, were “ordained to a holy priesthood” (Lumen Gentium 10) and sent out to build up and shape the Church and the world in the spirit of the Gospel. To this end, all the faithful, lay and clergy, participate, without prejudice to further differentiation in the manner of their participation, in all the essential activities of the Church: proclamation, pastoral ministry, and liturgy (cf. Sacrosanctum Concilium 14 etc., Lumen Gentium 10; 30-38).

Here, the Second Vatican Council takes up fundamental biblical insights. Baptism establishes participation in the body of Christ (1 Cor 12:13) and calls to active participation in the life of the Church (1 Cor 12:12-27). Baptism establishes full filiation to God with all the rights that grow from it (Gal 3:26-4:7). The prayer to the “Abba” that the Holy Spirit evokes in the hearts of the faithful (Gal 4:6; cf. Rom 8:15) expresses the maturity rooted in the freedom of faith (Gal 5:1). Baptism is one — for all who believe in Jesus Christ (cf. Eph 4:4-6). Baptism, in the power of the Spirit, overcomes the discriminatory differences that exist in “the world” between Jews and Greeks, slaves and free, women and men (cf. Gal 3:28). It must also have its anti-discriminatory effect today for relations within the Church. According to Paul, the unity of the body of Christ goes hand in hand with the diversity of the members that make up this body and are indispensable in their respective particularity (1 Cor 12:14-27; cf. Rom 12:6-8 and Col 1:18; Eph 1:22; 4:15). Paul refers these members to the charisms given to all believers (1 Cor 12:1-11, 28-31; Rom 12:3-5). What is meant are not spontaneous inspirations, but inspired competencies that contribute to the internal and external growth of the Church (cf. 1 Cor 14). The apostolate is also a charism in this understanding, as are prophecy, teaching, helping and guiding: Everything that unites the faithful to God and thereby to one another and to people (cf. Lumen Gentium 1; 31) is due to God's grace, which is to be accepted and shaped. All these gifts establish responsibility; they demand recognition and make cooperation possible.

The office of governance in the Church is developed in the New Testament in such a way that, on the foundation of the apostles and prophets (Eph 2:20-21), “evangelists,” “shepherds,” and “teachers” (Eph 4:11) serve the growth of the body of Christ. In the pastoral epistles, the office of “bishop” (episkopos) crystallizes (1 Tim 3:1-7), working with deacons (1 Tim 3:8-13) and associated with presbyters (Tit 1:5-9), but in the wake

of a strong pushback against women. From these beginnings has developed the concept, tangible in Ignatius of Antioch, of a bishop presiding over a local church, although for a long time other forms of governance, e.g., a presbyteral order, helped shape the formative beginnings of the Church. In these processes of institutionalization, what remains formative is the approach described by Paul that it is the one Spirit of God who bestows the many gifts, some of which become permanent offices of governance, without being distinguishable by any more or less grace. This approach of theology of charisma, which is essentially pneumatological, must be recalled for the critique and further development of Church structures.

The ecclesiological task to be accomplished today is to define — both in the understanding of sacramental ministry and in the understanding as well as in the practice of governance — the interrelation of the common priesthood of all and the particular priesthood of ministry in such a way that the *communio*-structure of the church is clearly expressed and finds a social and juridical shape, sustained by the action of the Spirit, which makes unilateral relationships of domination impossible and opportunities for participation obligatory for all. We take up this approach during the Synodal Path in the theology of baptism and in the gifts of the Spirit, which make the faithful living witnesses of the common ecclesial mission, and in whose service the sacramental ministry stands, and concretize it for the legitimization of tasks, responsibilities and competencies in a variety of ecclesial ministries.

Part II: Necessary steps on the way to reform the Church's power structures

The reflections on the network of witnessing entities of revelation in Part I have identified the “places” where those reform impulses arise that help to discern more precisely and fulfill better the mission of the Church in our time. These places are Sacred Scripture, which bears fundamental witness to God's Word, and Tradition, which develops dynamically, the signs of the times and the sense of faith of the people of God, the magisterium, and theology. Between these places there are close, reciprocal relationships. When they are shaped in the spirit of the Gospel, a close network is formed in which faith and action, prayer and service, missionary witness and the living unity of the Church develop.

In the process of renewal, theologically and spiritually shaped in this way, the Catholic Church does not refer only to itself. She gains clarity of judgment in the necessary discernment of spirits and strength in the journey of following Christ through ecumenical dialog she conducts with her sisters and brothers in faith (*Unitatis Redintegratio* 1). Of crucial importance is to hear the voice of the poor, the marginalized, and the persecuted. For “to proclaim the Gospel to the poor” is what Jesus was sent to do (Lk 4:18; Is 61:1) — and in his mission, so is the Church.

To better carry out this ministry in today's world, the Catholic Church has the opportunity, but also the task, of developing the structures in which it organizes power in order to ensure the governance of the Church. The goal is to guarantee the shared responsibility and participation of all the faithful in both deliberative and decision-making processes,

and to communicate them anew with the special ministry of bishops and priests. In this way, the freedom of faith — without which the Church would not exist — becomes the decisive principle of ecclesial communion.

To achieve this goal, concrete changes are needed, to be decided on by the Synodal Path, so that they can be verifiably implemented in the dioceses. If the practice of the Church prevents good structures of shared power and shared responsibility, this practice must be changed; if it supports both, this good practice must be safeguarded and further developed.

The changes strengthen the unity and diversity of the Catholic Church, which is sent to proclaim the Gospel. They intensify the togetherness between all members of the Church who have different ministries and tasks. The specific ministry carried out by bishops, priests and deacons is renewed spiritually and structurally. The relationship between the sacramental structure and the organized action of the Church is deepened because the richness of vocations and talents is better captured. The tasks of pastoral governance gain in importance as they take on new forms.

The goal could not be achieved if it were not possible to win over and qualify people who, out of their faith, become involved in the Church and take on ministries there, including leadership tasks. Not infrequently, however, there is a lack of suitable applicants. Not all consecrated persons are also suitable to take on tasks of pastoral governance. Quite a few of the faithful are deterred by the prevailing structures from becoming interested in Church ministry. In order to draw new strength for evangelization, a further development of the ecclesiastical power structure is needed. Restrictions on access to the Church's ministries must be dismantled; pastoral care for vocations needs a new orientation that combines insights from personnel development with spiritual formation.

The concrete measures of reform touch on canon law in many places, whether at the diocesan level or that of the universal Church. Canon law provides a framework to serve the mission of the Church. It is to be applied and developed on the basis of Sacred Scripture and in the dynamics of the Church's vital Tradition in such a way as to strengthen the mission of the Church and the community of the faithful. In the case of concrete reform projects, it must be precisely stated which are already possible and necessary on the basis of the existing law. It must be equally clearly stated at which points more far-reaching reforms and fundamental changes in the constitution of the Church, i.e. in the rights of the faithful and in the structure of the Church, belong on the agenda. This includes a separation of powers appropriate to the Church, in which executive, legislative and judicial powers are precisely distinguished so that power is controlled and limited.

The necessary changes affect all the basic functions of the Church (liturgy, witness, diakonia), in which the community of the Church (communio) is expressed, at all levels of action (local, regional, national, universal), not least in Church legislation, administration and jurisdiction. It is essential that the mandate of Jesus Christ to every individual baptized person and the related responsibility of all believers for the proclamation of the Gospel be expressed in legal terms through structures of common deliberation and decision-making in the Church, so that those who are involved in the Church know exactly what their rights and duties are.

The conversion and renewal of the Church include concrete structural changes that guarantee more control of power on the basis of a visible separation of powers, pave the way for new access to Church ministries and offices, and strengthen the common responsibility of all believers for the mission of the Church.

6. We need clear terms and precise distinctions

In common parlance, the term “power” refers primarily to opportunities to influence human interactions and shape their structures. Those who have power have opportunities to realize their convictions and to enforce their will even in the face of opposition. The synodal Forum “Power and separation of powers” is about the power associated with leadership roles in the Church.

Canon law knows clear terms for various tasks and ministries to be assumed in the Church. It establishes precise distinctions that clarify various responsibilities and rights. This is where the reflections and initiatives of the Synodal Path come into play. However, canon law needs further development inspired by the biblical witness and by the reconciliation of the living Tradition of the Church with the principles of democratic societies. In this process, insights from different “places” in the network of theological knowledge are related to each other in such a way that a path emerges along which the Church can develop in this time. Democratic principles include separation of powers in the sense of “checks and balances,” i.e., independent courts, accountability and effective checks on those who make decisions, as well as extensive opportunities for participation in political processes of opinion-forming and decision-making, and the guarantee of fundamental rights that are withdrawn from majority decisions. If these principles can be implemented in a manner appropriate to the Church’s mission, not only will the roles of bishops and pastors become clearer, but the participatory rights of all the faithful will be strengthened. Participation is the active sharing of all Christians in communion with Jesus Christ in the fellowship of the Church, grounded in baptism (1 Cor. 12:13), celebrated in the Eucharist (1 Cor. 10:16-17), and lived out in liturgy, witness, and diakonia of the Church according to the various gifts of the Spirit (1 Cor. 12:4-11.28-31; 14:1-19.26-31).

The power that is legitimately exercised in the Church derives from the authority (*potestas*) with which Jesus Christ endowed the Church to carry out the ministry of proclaiming the Gospel in word and deed. Because the place of the Church is the world, the power to shape it — as power to act, power to interpret, and power to judge — must also be organized in it, not least in the leadership of the Church. The Synodal Path relies on a precise differentiation between the christologically founded power of authority and the organizationally necessary forms of exercising power. This differentiation does not imply opposition, but allows for clarifying competencies, sharpening profiles, and creating new connections among the members of the people of God.

6.1 Clear terms of canon law

Like dogmatic theology, canon law speaks of three offices or tasks (*munera*) of the Church: governing, teaching, and sanctifying. The dogmatic constitution *Lumen Gentium* relates them back to the three offices of Jesus Christ, of shepherd, prophet and priest (*Lumen Gentium* 10): All the faithful share in all three offices, in different ways. Canon law establishes this principle (can. 204 § 1 CIC) and in this way emphasizes the active participation of all the baptized in the mission of the Church. The special priesthood of ministry (*ordo*) is necessary for the sake of the common priesthood of all because it expresses the fact that the Church cannot proclaim the Word of God and celebrate the sacraments on her own, but that Jesus Christ, in the power of the Holy Spirit, makes the Church the means of God’s universal saving will.

According to the Church's theory of power, which the Codex Iuris Canonici of 1983 takes up, the one ecclesiastical power is concretized in two differentiated powers, the "power of ordination" and the "power of governance" or "power of jurisdiction," the further concretizations of which take place in canon law.

- The "power of ordination" (*potestas ordinis*) is conferred with the ordination of priests and bishops. It is based on divine right. The power of ordination empowers to perform acts reserved to consecrated persons, especially in the liturgy and in the celebration of the sacraments. Thus, above all, the ability to preside at the Eucharist and the power of absolution (*potestas absolvendi*), which is central to the sacrament of confession, are based on the priestly power of ordination.
- The power of governance (*potestas regiminis*), seen together with the power of jurisdiction (*potestas iurisdictionis*), is based on divine right and combines with ecclesiastical offices of divine or ecclesiastical right to empower the incumbents to govern the Church and thus promote the Church's life of faith. Governing power includes legislative (*potestas legislativa*), judicial (*potestas iudicativa*), and executive power (*potestas executiva vel administrativa*).

The ministry which the bishops and, as their collaborators, the parish priests render in the Church is characterized by the connection between the power of ordination and the power of governance (can. 129 CIC). However, it does not exclude a separation of powers appropriate to the Church, in which executive, legislative and judicial powers are precisely distinguished. It is true that an opposition of power of ordination and power of governance or jurisdiction would run counter to Catholic ecclesiology. But a stronger differentiation, which guarantees more transparency and control as well as more participation and cooperation, is possible and necessary. The goal is better participation and involvement of all the baptized and confirmed in the life and mission of the Church. This insight takes up important impulses from Scripture and Tradition; it corresponds to the signs of the times and allows the sense of faith of the people of God to take effect anew.

6.2 Precise distinctions

The ecclesiastical legal order is open to structural reform, but it must also be open to structural debate. One key is to strengthen spiritual direction while ensuring the responsible participation of all believers. Spiritual direction is a way of leading that gives space to the Spirit of God by tying the exercise of power back to the common witness of faith rooted in listening to God's Word. Responsible sharing is a consequence of the sense of faith alive in the baptized.

Differentiations in canon law

Canon law knows essential differentiations which show that the assumption of important tasks in worship (liturgy), in proclamation (witness) and in charity (*diakonia*) must not be understood as a privilege of ordained ministers of the Church. Rather, all the faithful are called by their baptism and encouraged by their confirmation to assume their share in the fulfillment of all three tasks (*tria munera*). This is shown by many examples from practice and law:

- Charity, which is one of the fundamental functions of the Church, is not bound to the service of priests and deacons, but is a task of all the baptized and confirmed.

- Teachers of religion participate in the official proclamation ministry of the Church, on the basis of their own mandate (*missio canonica*), which confers responsibilities and confers rights. The same is true of professors of theology who teach by episcopal mandate (*mandatum*) or episcopal permission (*nihil obstat*).
- Many liturgies can be led not only by clerics, but by all baptized and confirmed persons who are qualified and, if necessary, commissioned to do so, e.g. the liturgy of the hours, devotions, celebrations of the Word of God.
- The conferring of baptism is not bound to an ordained ministry or to membership in the Church, even though it should normally be administered by ordained ministers (can. 861 CIC).
- According to the tradition of the Church in the West, the sacrament of marriage is administered by the spouses to each other. A priest or deacon assists in this action.
- The office of the judge may be entrusted to faithful qualified for this service, without presupposing ordination; they act collegially with a priest or deacon.
- By no means all priests have authority of governance and jurisdiction in the Church. Among bishops, too, a distinction is made between diocesan bishops, auxiliary bishops and bishops at the curia.
- In religious orders, it is common practice for superiors to have jurisdictional power, but not the power of ordination. Jurisdictional power is conferred on them by right after an election, often only for a limited period of time.
- With ecclesiastical commissioning, baptized and confirmed persons who have received theological training participate actively and responsibly in pastoral ministry, including in a leadership capacity.
- Administrative tasks are taken over to a large extent by non-ordained persons. The fact that not only auxiliary services are performed, but also leadership tasks are taken on, is proven practice in many places and corresponds to the necessity of professional administrative activity.
- According to current law, the diocesan asset management is carried out by a diocesan economist (can. 494 CIC), and a diocesan asset management council exercises supervision (can. 492-493 CIC). In Germany, a collegial body for asset management (usually called *Kirchenvorstand*) has been established in parishes for well over 100 years.

The differentiations that canon law recognizes must be taken up and strengthened. One approach is the more open way of speaking of “ministries” (*ministeria*), which determine the official actions of the church. At the parish and diocesan levels, canon law primarily regulates the competencies of the respective superior, so that all the other faithful appear primarily as recipients of the priestly or episcopal pastoral care. What is needed, however, is to strengthen, also through particular law, the rights of all the faithful not only to experience good pastoral care, but also to be active in it in order to contribute to the building up and mission of the Church.

To a certain extent, this participation can be secured through diocesan law; because of this, in many dioceses, ways to structures of shared responsibility and co-decision-making by faithful and priests in parishes and at the diocesan level have already emerged and proven themselves. They need to be identified, coordinated and strengthened during the Synodal Path. However, it is also necessary to readjust the constitutional structure of the Church in order to strengthen the rights of the faithful in the governance of the

Church. In this context, experience shows that to the extent that elected members of Church bodies experience that they can participate in decision-making and structuring, that their view of problems and opportunities has become relevant for the direction of future practice, participation in Church bodies also becomes more attractive again.

Continuing a living Tradition

The scandal of sexualized violence perpetrated by clergy and the blatant mistakes made by those responsible for dealing with these crimes have further exacerbated a deep crisis in the Church, which also affects its institutional form. Its deficits can be traced back above all to ecclesiastical developments from the 19th century to the Second Vatican Council. The result of this long journey was a constitution of the Church that concentrated all diocesan competencies in the office of the bishop and all parochial competencies in the office of the parish priest, but did not provide for effective control mechanisms by the faithful. At the same time, the ecclesiastical ministry was sacralized in such a way that its bearers were able to immunize themselves against substantial criticism of their conduct. The faithful often accepted them as authorities whose assessments and decisions could not be questioned, as “shepherds” by virtue of divine legitimacy whom they had to obey like “sheep.” Time has passed over these models: rightly so because they were not well-founded theologically. For the holiness of the Church lies in her vocation to be “sign and instrument” of God’s universal saving will through the proclamation of the Gospel in word and deed (Lumen Gentium 1). The ministry of ordination is at the service of the vocation of all the faithful. This service is obscured when the aura of holiness is transferred to all sorts of acts of leadership, administration, and law, or to the person of the minister himself.

In the present crisis, it is evident that the strong development of the order of power of the Church, which can be observed throughout the history of the Church, must be continued today in order to overcome the aforementioned narrowness and to regain the genuine breadth of the ecclesiastical ministry. With regard to the constitution of the Church, a living Tradition is also needed in the present. The Church must not give the impression that absolute monarchy, which like democracy had developed in the political sphere, is the model for power structures in the Catholic Church. The Church is not committed to a particular form of government. It has always practiced, preserved and reinforced elements of democratic decision-making, from the election of pope, abbot, abbess, and superior to council decisions and synods in which, as in the Würzburg Synod of 1971-1975, clergy and laity participated with seats and votes.

The task of our time is to develop structures for the exercise of power in the Church that prevent sexual and spiritual abuse as well as wrong decisions by overburdened ministers, allow transparent decisions in the shared responsibility of the faithful, and in all promote the service of the Gospel. This model of Church governance is based on the proclamation of Jesus, who urges disciples not to exercise power as rulers do who oppress their peoples, but to show greatness precisely in serving — as the Son of Man himself did (Mk 10:41-45; Mt 20:24-28; Lk 22:24-27).

6.3 Conclusions

We are committed to using current canon law to resolve blockages that impede or prevent participatory structures of pastoral action in the Church through precise clarifications and distinctions of terms.

We are committed to applying current canon law in such a way that power is bindingly delegated to the baptized and confirmed in the dioceses, and that effective control procedures are established.

We are also committed to amending current canon law in such a way as to establish a system of separation of powers, participation in decision-making, and independent control of power that is appropriate to the Church and grounded in the independent dignity of each baptized person.

We are convinced that, for the sake of the vocation of the entire people of God, the monistic structure of powers must be overcome, according to which the legislative, executive and judicial powers are concentrated exclusively in the office of the bishop and, at the parish level, all leadership authority lies with the pastor, who can delegate it partially to others, but can also withdraw it from him at any time in the event of conflict.

7. We define standards and criteria together

Standards and criteria for organizing creative power in the sense of strengthening the rights of all believers follow from the theological principles of Catholic ecclesiology. They require spiritual penetration in their development and application so that they can better correspond to the mission of the Church. The pastoral leadership task, undertaken in a specific way by bishops and pastors, serves not least to ensure these standards and criteria.

It is a finding of social psychology that uncontrolled and non-transparent exercise of power triggers fear, and a finding of political science that exercise of power without control and transparency tempts to abuse of power. This is also the case in the Catholic Church. But it must be a welcoming Church because it proclaims a Good News. It is charged and given to communicate closeness, trust, encounter, and attention, without becoming encroaching or indiscreet. This conviction and attitude, which characterize the sacramental and spiritual as well as the diaconal and catechetical action of the Church, go far beyond gaining moral credibility. They need structures, standards, and criteria of open communication of the Gospel “in the power of the Holy Spirit” (Rom 15:13).

7.1 Common standards

A look at the New Testament reveals an abundance of situations, challenges and decisions made by virtue of the Holy Spirit on the basis of broad participation of the congregations, with a special responsibility of the apostles. The history of the Church reveals numerous constellations in which, in matters of faith, morals, and discipline, not only bishops but also religious and qualified lay people have been responsibly involved, up to and including decisions of councils. Beginning with the constitution on the liturgy, the Second Vatican Council, in a clear correction of the previous opposition of active ministers and passive laity, pursued the goal of enabling and promoting in the Church the active and conscious participation also of the faithful without ordination in liturgy, proclamation, and pastoral leadership. Ultimately, it was and is about the common responsibility of all the baptized and confirmed for the mission of the Church. With regard to the leadership structures of the Church, it is necessary to formulate rights of participation that make this shared responsibility possible, promote it, and guarantee it even in cases of conflict.

Creating freedom, securing participation rights, and preventing abuse

The Church must create freedom for the faithful so that they can develop their personal gifts for evangelization. Therefore, the asymmetrical power imbalance that exists in the Church must be made transparent and reduced by building structures of communicative reciprocity. One effective means is framework regulations and other binding rules that establish procedures and control processes so that — especially in conflicts — uncontrolled and unjustified recourse to power is prevented. Individuals must be strengthened, their growth in faith, hope, and love accompanied, and their ability to reflect on the Church fostered, so that the Church as a whole is better able to serve the Gospel. Spiritual growth and accompaniment must be secured in the freedom of faith. This requires framing that protects against abuse, standards that are upheld, and processes that are ingrained. For a long time, the discussion focused on sexualized violence perpetrated by ministers and the cover-up of their acts; in the meantime, it has become clearer what abysses also open up in spiritual abuse, the coming to terms with which has only slowly begun.

In order to safeguard the participation rights of the faithful and to prevent the abuse of the powers of ordination and governance, standards arising from the mission of the Church in the world are to be observed.

- The personal vocation of the faithful is to be discovered and fostered in the Church. Therefore, spiritual accompaniment is needed. It offers a great opportunity to develop the Church's mission in the spirit of faith. Excessive expectations, however, can cause great harm. Urging people to make certain life decisions that alone would supposedly correspond to their personal vocation, or to make extreme sacrifices that are supposedly necessary for the sake of faith, is an abuse of power, whether by superiors or by spiritual directors. Personal relationships must be characterized by faith in God's kindness to man; they must serve the free development and unfolding of the personality. Spiritual accompaniment must follow this goal just as Church leadership does in other ways.
- The conversations and encounters, the deliberations and decisions in the church should be suitable to correspond to and serve the sincerity of faith. The separation between forum internum and forum externum is important. Confidentiality must not be abused. The conversation designed to relieve the burden must not be used for later manipulation. Building a culture of conversation, filled with the Holy Spirit in conversation and prayer, in fraternal correction (*correctio fraterna*) and spiritual encouragement, is one of the opportunities and therefore also one of the tasks of the Church.
- The Church, called to be a sign and instrument of salvation in the world and for the world, must work not to become an outwardly closed system and to form an authoritarian internal structure. It corresponds to the basic orientation of the Second Vatican Council, which is rooted in the Bible, that the faithful actively participate in social life, maintain intensive contacts also outside Church contexts, and seek opportunities for cooperation there with a view to improving social conditions. In this way, the Church remains open to outsiders; it unfolds its missionary and diaconal power, but also respects people's decision to stay away from the Church or to leave it.
- The fact that people in the Church are afraid of punishment for behavior that does not "conform to the system" contradicts the Gospel. Denunciation is an

evil that must be resolutely fought. The communication of believers both inside and outside the Church must not be monitored or disparaged by Church officials.

- A plurality of lifestyles, traditions of piety, and theological positions within the Church is not a threat but an asset that deepens the living unity of the Church. “Judge not, lest you be judged” (Mt 7:1). The critical reflective capacity of the faithful is to be encouraged, internal censorship is to be avoided. No one has the competence to decide single-handedly on the content of faith and principles of morality; no one has the right to interpret the teachings of faith and morals with the intention of urging others to actions that serve only his interest or correspond to his ideas, but not the convictions of others.

In order for these standards to be upheld, there needs to be both an appropriate formation of one’s own conscience and attitude, fostered by theological training and spiritual accompaniment, and structural control of the use of power.

Inculturation into democracy

A look at the democratic societies of the present day in politics, in economy and administration, in education, as well as in associations and societies, reveals vested rights and organized processes of participation, characterized by elections and separation of powers, by accountability, control, and limitation of terms of office, by participation and transparency. If the Catholic Church wants to remain faithful to her mission, inculturation into societies characterized by democratic processes is necessary.

Democratic society is founded on the idea of freedom and the equal dignity of all people: Decisions that affect everyone are made collectively. In the biblical narratives that present man as the image of God (Gen 1:26-28), called to responsible freedom, this image of man finds a foundation. This image of man is reflected in the obligation of public institutions to guarantee or realize human rights and to enable the members of society to jointly create the rules and conditions of their coexistence themselves. This is the idea of liberal democracy.

Democracy does not become obsolete because institutions and their practice show deficiencies, e.g. because strong interest groups take hold of politics and direct it in a way that destroys the natural environment and damages social cohesion. It is precisely at the moment of endangerment that the high value of democracy becomes clear. When in the present populist movements negate pluralism, act as spokesmen for a ‘true people’ against ‘the elites’ and “classify all persons, groups, societies, and governments on the basis of a black-and-white division,” it is a matter of defending democracy and its institutions, but not of relativizing the guiding principle of democracy.

Distinction between state and Church

The Church recognizes democracy and human rights as a form of living together that corresponds to freedom and the equal dignity of human beings. Taking up the Second Vatican Council (Lumen Gentium 32), canon law speaks of the true equality of believers on the basis of baptism (can. 208 CIC). With all the necessary distinctions between Church and state, it is important to recognize this normative foundation also in the order of power of the Church and to make it effective: in the form of equal participation and common responsibility for its mission. The goal of a separation of powers that is appropriate for the Church is first and foremost about effectively binding the actions of office holders to a law given to them and having this legal constraint reviewed by courts that

are independent of any interference. In addition, the demand for checks on power aims to ensure that those who are affected by the actions of office holders are adequately involved in all important decisions and that they are given effective instruments of control. In these processes, it is mostly elected representatives of those affected who are supposed to participate in the decisions and effectively control power.

For democratic societies, the distinction between the state and religious communities is fundamental. The Church also emphasizes this distinction, but it does not mean that an opposition between Church and democracy may be established (*Gaudium et Spes* 76). On the contrary, it is important to overcome the pointed opposition between Church and democracy and to create forms of common deliberation and decision-making in the Church that are appropriate to the fulfillment of its mission.

Democracy is not only a form of state governance, but also a way of life: people come together as free and equal, learn from each other, listen to each other's experiences and arguments, and struggle together to find good solutions. Such learning processes are possible when interactions are characterized by a willingness to engage in dialog, respect for one another and openness to new, different arguments. People who meet as equals in this way and live in a vital state democracy expect the same in their Church. Church regulations must not undercut general social standards and criteria; related to the mission of the Church, they take on characteristic forms. What is called hierarchy in the Church — the representation and safeguarding of the lordship of Jesus Christ — needs in this light a renewal in understanding as well as in organization.

Synodality as a principle of the Church

With synods, the Church has a long tradition of joint consultation and decision-making structures. This synodal dimension must be strengthened in view of the vocation and rights of all the faithful. At present, canon law provides that only bishops have decision-making rights in synods. This restriction must be overcome without denying the pastoral leadership of the bishops. The synodality of the Church is more than the collegiality of bishops. The synodal dimension of the Church involves a new way of being with all the baptized and confirmed, in which the differences between the various vocations, including those between ministries and offices, are not leveled out, but attention is paid to ensuring that all concerned are heard and that, in particular, the voice of the poor, the weak and the marginalized is heard. Synods that meet in the spirit of Jesus Christ can not only deliberate, but will also decide. The synodal dimension belongs as much at the parish level as at levels of the diocese and episcopal conference, all the way to the level of the universal Church.

7.2 Common criteria

The criteria that follow presuppose the current law of the Church, which emphasizes pastoral leadership by bishops and pastors. They indicate the means by which the participation of all the faithful in deliberative and decision-making processes in the Catholic Church can be sustained. They focus on the commitment to the sense of faith of the people of God and on the commitment to an ecclesiastical legal order that is developed in such a way that generally accepted legal principles are fully guaranteed. They clarify how factual appropriateness becomes the criterion for action by the Church.

Being bound to the sense of faith of the people of God

For the Catholic Church, it is important that decision-making processes are tied back to the interests and ideas of the faithful, which are rooted in their sense of faith.

This reconnection requires qualified participation in all deliberative and decision-making processes of the Church.

- An essential form is synodal deliberation and co-decision. It must not be limited to ultimately non-binding hearings or deliberations, but must include guaranteed rights that ensure participation also in decision-making processes.
- The status of the already existing bodies must be strengthened so that they can not only advise but also decide, both at the parish and diocesan levels. The committees must be democratically legitimized. They also have legislative tasks, which the bishop ensures together with them. They must control the executive. If it is foreseen that the bishop or the pastor can veto a decision, a qualified majority must be established by which it can be overruled, if necessary.
- An essential form of participation is the right to vote. Whoever is entrusted with a leadership office in the Catholic Church must be elected for this purpose by the people of the Church, if necessary through elected representative bodies. As long as universal Church law does not provide for elections, suitable forms must be found under diocesan law for the people of God to participate effectively in the selection of persons to assume a leadership office in the Church.

What is needed is the establishment and safeguarding of effective control.

- Transparency is necessary: public insight into who makes decisions, according to what principles, in what procedures and with what goals, what effects decisions have, how these effects are reviewed, and how the reviews are evaluated.
- Believers must have access to offices for complaints and arbitration, as well as to ombudsman offices and to Church administrative courts that are independent of any interference, in order to solve problems in transparent procedures and to find effective legal protection against decisions made by Church bodies.
- Transparency in administrative or judicial proceedings also includes the right of those affected to have access to files.

Temporary responsibility is an important instrument.

- Whoever holds an office has to answer for his conduct of office before the faithful.
- Those who take office are appointed for a fixed term and must relinquish the office or stand for election again at the end of their term.

Both lead to a strong change in the understanding and responsibility of the office: to protect against an exaggeration of the office and to embed those who exercise the office more deeply in the communio of the faithful. This strengthening of the ecclesial communion is the goal. It corresponds to good Catholic practice, which is to be further developed. In many orders, election for a fixed term is common. Term limits are now the rule for pastors. In the case of bishops, the age limit already applies: they remain bishops after retirement, but no longer have the authority to govern. An analogous procedure must be followed if the age limit is drawn differently than at present or if, for example, a

bishop is not re-elected. Depending on the concordat in force, the pope in Germany either confirms those legally elected or appoints them after consultation in the local church. Bishops can ask the pope for dismissal — even if they realize that they are not (any longer) supported by the faithful they are supposed to lead.

Being bound to the law

For the Catholic Church, it is important that decisions be bound to law in such a way that general rules of fairness, transparency, and control, recognized as legitimate, are comprehensively safeguarded so that arbitrariness is effectively excluded. The participation of the faithful must not depend on the benevolence of the respective bishop.

- The existing possibility for the faithful to claim a violation of their rights before the Apostolic See is to be improved in such a way that hurdles are removed and procedures for being heard are improved.
- The Apostolic See is requested to respect the formative rights of diocesan bishops that serve to organize local pastoral ministry and promote evangelization. Examples include the preaching of qualified faithful, commissioned for this ministry, in the celebration of the Eucharist and the organization of parish and community leadership.
- Within dioceses, it is important to strengthen the rights of parishes and communities vis-à-vis those of diocesan decision-making and administrative powers, not least in financial matters.

Diocesan legislation must be bound to higher-level local church regulations, which provide framework regulations for the area of the German Bishops' Conference. The fundamental rights of the faithful must be fully respected and protected. Legal security and legal protection for all members of the Church must be guaranteed. The goal is to bundle these fundamental procedures and rights in a uniform document. To this end, the discussion on a *Lex Ecclesiae Fundamental*is and its norms, which are fundamental for the entire ecclesiastical legal order, must be conducted anew and brought to a positive conclusion.

Material appropriateness

Decisions in the Catholic Church must be materially appropriate. This requires consideration of the following principles:

- *Professionalism*: Qualifications are a prerequisite for assuming responsibility and decision-making powers.
- *Diversity*: Committees are to be as representative as possible, including gender-representative and diverse, because of the equal dignity of all the baptized (can. 208 CIC).
- *Effectiveness*: Tasks are to be distributed and procedures are to be structured in such a way that the necessary resources are available for the effective exercise of power.
- *Solidarity*: Decisions must strengthen the *communio* of the Church and especially help the weaker to their rights.
- *Subsidiarity*: Decisions are made by the lowest unit that is able to do so in terms of personnel, institutions, and expertise.
- *Sustainability*: Decisions are also made in the interest of future generations.
- *Transparency*: The subjects of planning procedures and decision-making processes are to be disclosed to those affected by them in such a way that

they can voice their concerns in good time. The decisions and the reasons that led to them must be explained to them promptly and in full.

7.3 Conclusions

We are committed to making better use of the opportunities provided by canon law so that all the baptized and confirmed can actively participate in the proclamation of the Gospel, in pastoral work in the parishes and — through elected representatives — in all important decisions in the Church.

We are committed to the sustainable development of the synodality of the Church, so that deliberation and decision-making rights of the entire people of God are guaranteed.

We are committed to ensuring that decisions in the Church are tied back to the sense of faith of the people of God — in innovative procedures that promote dialog between those who exercise leadership functions and the other members of the Church.

We are also committed to reforming canon law so that the generally applicable principles of fairness, transparency, and control are realized on the basis of an ecclesiastical charter of fundamental rights.

We are convinced: The structural changes in the order of power of the Catholic Church promote the freedom of faith in the community of the Church and, at the same time, allow the ministry performed by bishops and priests to become clearer and more attractive because, on the one hand, it is relieved of overload and excessive demands and, on the other hand, it is embedded more deeply in the community life of the Church by strengthening synods, committees, and elections.

8. We address access requirements and promote competencies

Reforms are not just about managing deficiencies and seeking emergency solutions. Rather, our common goal is to promote evangelization, strengthen the unity of the Church, and make better use of the competencies of the faithful.

8.1 Leadership tasks

Under the present conditions of current canon law, it is unquestionably possible and necessary for believers who are qualified and called to assume leadership tasks in the Church, which are usually, but by no means necessarily, assumed by clergy. This concerns the entire field of ecclesiastical administrative action and ecclesiastical jurisdiction. But it also concerns the management of parishes and communities, or participation in them, without prejudice to the overall responsibility of the bishop.

Of particular importance in this context is the establishment of full equality and participation of women. The spectrum ranges from leadership roles in vicariates general and parishes to filling top offices in Church organizations as well as in dicasteries and nunciatures. In many dioceses, there are already approaches to the management of ecclesiastical administrative agencies, schools, and charitable institutions that need to be expanded.

8.2 Celibacy

In access to the priesthood, celibacy is at issue, which has long been part of the discipline of the Latin Church, but is not obligatory in churches united with the Apostolic See, nor

does it exclude married Protestant pastors from the priesthood in the case of conversions. At the Amazon Synod, the question of celibacy for secular priests has been openly discussed. The focus is, on the one hand, on solving pastoral problems, which are aggravated in Germany by a dramatic decline in the number of active priests, especially also of ordinations, and, on the other hand, on the question of whether there is not a great benefit to be drawn from the way of life of married people for the exercise of priestly ministry, as is the case in Orthodoxy.

Celibacy has deeply shaped the spirituality of the priesthood in the Roman Catholic Church; it is a treasure that the faithful do not want to do without.

However, the idea that those who have proven themselves in faith and life (usually referred to as *virī probati*) can also be ordained priests must be reconsidered in view of the pastoral challenges, the charisms given, and the positive experiences with ordained deacons. As before, an open discussion is needed on this. This should lead to a vote in Germany, addressed to the Apostolic See, and gathering experiences of the universal Church, so that different pastoral situations can be responded to in different ways locally.

8.3 Access of women to ordination

The question of the admission of women to ordained ministry, which will also be discussed in the Synodal Path's Forum 3, is also a question of power and separation of powers because of the exclusivity of access. It is necessary to strengthen the living unity of the Church and at the same time to allow regional differences to apply.

Whether women can be ordained to the diaconate is currently being discussed anew by the Apostolic See. Forum 1 pleads for a reasoned vote during the Synodal Path, which is being prepared together with Forum 3 and aims at admitting women to the diaconate. Pope John Paul II, in his Apostolic Letter *Ordinatio Sacerdotalis*, stated that the Church has no right to ordain women to the priesthood. However, due to new insights into the witness of the Bible, into the developments of Tradition, and into the anthropology of gender, the coherence of his argumentation and the validity of his statement are often questioned. It is necessary to reconnect again the witness of Scripture and Tradition with the signs of the times and the sense of faith of the people of God. Forum 1 proposes that the church in Germany, during the Synodal Path, should also give a reasoned vote on the question of the admission of women to ordination, which includes an invitation to the universal Church and the Apostolic See to study anew the questions raised, and to find solutions.

8.4 Conclusions

We are committed to ensuring that the opportunities already offered by canon law are consistently used to promote equality.

We are also committed to ensuring that ministries and offices in the Church are made accessible to all who have been baptized and confirmed, and that they are filled according to their charisms and vocations, their aptitude, ability, and performance.

We are therefore also committed to casting qualified votes so that access to all Church ministries and offices — including all ordained ministry — is opened to those believers who are called and able, regardless of gender or station in life.

We are convinced that the new clarification of access requirements will create a basis for the gifts of the Spirit given to the Church to be more effective and for the witness of the Gospel to gain in strength.

9. We describe fields of action and decision-making procedures

The reform impulses that the Synodal Path triggers through its resolutions relate to various fields, levels and decisions of ecclesiastical action.

9.1 The basic ecclesial functions: liturgy, witness, and diakonia

Leiturgia (worship), martyria (witness) and diakonia (charity) are often mentioned as the basic functions of the Church. They all presuppose and shape the communion (communio) of the Church. The more intense the communion, the more credible the celebration, the clearer the witness, and the more convincing the service to and with the poor. In view of liturgy, witness, and diakonia, it becomes clear that the communion of the Church is not an end in itself, but that it unites the faithful with Jesus Christ and with one another, that it performs its service to the Gospel in the midst of the world.

Liturgy

The liturgy requires an appreciation of the community that celebrates it. In many forms, it is still focused on clergy today. The spirit of the liturgy is strengthened when the participation of the entire community gathered for worship is intensified. The liturgy becomes all the more alive when it is celebrated in a variety of ways, not only in the Eucharist, but also in forms that are not bound to the presiding of a priest or deacon, but can also be led by faithful who are not ordained. In the celebration of the Eucharist it is necessary, on the one hand, to emphasize the importance of the testimonies of faith that the faithful give with their experiences of life and faith, and on the other hand, to emphasize the homily, the interpretation of the Gospel, not only as an essential task of ordained deacons and priests, but also as the ministry of all those who are commissioned by the bishop to do so because they have the necessary theological qualifications, even if they are not ordained.

Witness

Witness requires competent mediation between the testimonies of faith from Scripture and Tradition, on the one hand, and the signs of the times and the sense of faith of the People of God, on the other. Only a Church that is directed to proclaiming to people the Good News of God's unconditional care in word and deed fulfills its mission, which corresponds to its mandate to be a sign of salvation for the world. The teaching office of the bishops, which serves the unity, truth, and freedom, of the faith, needs in the structure of the witnessing instances the open, critical and constructive dialog both with the faithful, from whose rich life experiences and own sense of faith they can particularly profit, and with theology, whose task it is not least to explore new possibilities of faith reflection and of being the Church. The legal quality and practice of *missio canonica* and *nihil obstat* procedures must be improved in the long term, especially through greater transparency, by strengthening the rights of those affected, and through the possibility of appeal to a higher authority that will form its own impartial judgment. The Catholic Church needs a broad-based qualification offensive in order to express the witness to God given in the midst of life in the voices of as many faithful people as possible.

Diakonia

Diakonia is a basic activity of the Church that is highly regarded in society, but is often underestimated within the Church. On the one hand, it is important to appreciate the

voluntary work done by individuals in their families, in congregations, clubs, and associations, and in independent projects. On the other hand, there is a need for institutionalized charity, which with professionalism makes an indispensable contribution within the framework of the Church's mission to serve others. The building of the profile of charitable institutions in a Christian way takes place through advocacy, through supporting those who are otherwise forgotten, through creating solidarity, and through a human relationship between the management and the employees. The duties of loyalty of employees need a thorough overhaul so that their relationship decisions are no longer subject to sanctions. The goal remains to ensure that employees' personal values and the institutions' mission statements correspond to each other.

9.2 The organizational levels of the Church: local, regional, national, universal

The Roman Catholic Church is in vibrant ecumenical relations with numerous other churches and ecclesial communities. For the future we hope for an even closer connection also on the organizational level, but in the following we limit ourselves to Roman Catholic organizational structures.

The following structuring does not capture the entire range of organization of Church life. It focuses only on parishes, on dioceses and the bishops' conferences, and on the universal Church. The goal is to precisely address fundamental decisions and individual decisions. Religious congregations, like associations and federations, are structured differently; they have developed — ecclesiastically recognized — forms of organization from which the whole Church can learn a great deal.

The decisions of the Synodal Path aim at developing procedures at all levels that strengthen synodality, collegiality and subsidiarity, participation and cooperation. This also includes the levels of pastoral spaces, deaneries, and regions, which are not specifically reflected here.

The parish level

In the parishes there is a great deal of commitment not only from priests and deacons, but also from full-time, part-time, and volunteer workers. But it has drastic consequences for Church life that the number of priests is declining; it cannot be overlooked that in many places it is also difficult to find new blood for pastoral ministry, and that voluntary commitment declines as soon as long-term commitments are involved. Dealing with the structural issues does not, of course, by itself solve these problems; but without structural changes, which have been initiated in many dioceses — albeit in different ways — there will be no good future.

- Dioceses have different models of how parishes are formed, structured, and governed. The differences are explained by differences in historical traditions and pastoral situations. Two things need to be ensured and further developed: on the one hand, mutual information and evaluation that allows for orientation based on best practices, and on the other hand, active participation of those concerned in the structural decisions that are made.
- In keeping with the principle of subsidiarity, the possibilities for action at the grassroots level of the Church must be strengthened in the long term. This includes parishes, local communities, but also the various institutions of categorical pastoral care. However, new forms of faith life in the Church and new solutions for specific challenges can only be developed locally if there

is a reliable financial basis. The election of pastors appointed by the bishop increases the credibility of their ministry.

With regard to the associations and societies, their autonomy of statute must be safeguarded, and with regard to the orders and communities, their rightful authority according to their spiritual founder's will (*patrimonium spirituale*, according to can. 578 CIC).

The diocesan level

Dioceses play a key role, both legally and financially, as well as organizationally.

- The bishop has the right and the duty, as "shepherd," to improve the conditions for a life of faith characterized by participation and sharing, by protecting rights and promoting competencies. In the interest of the unity of the Church and legal certainty for all the faithful, bishops are required to bind themselves by framework regulations. They respect the independence of ecclesiastical courts. Their task is to guarantee transparency and organize control. In this way, their pastoral ministry is strengthened; it gains legitimacy and spiritual substance.
- The bishop serves the unity of the Church and therefore has the task of bringing the experiences and needs that arise locally into the *communio* of the whole Church and, in the one Church that is made up in and of particular churches, of balancing the relationship between unity and diversity in such a way that the Church as a whole is strengthened. The active participation of the people of God in the appointment of bishops strengthens their ministry.
- At the diocesan level, there is a need for synodal structures that organize a counterpart to the bishop and a coexistence with him. These structures will be networked with existing bodies and councils, so that transparency and control, deliberation and co-decision are guaranteed. At the same time, initiatives will be taken to sustainably increase voter participation in committee elections.

By strengthening both the episcopal and the synodal dimension, the local churches will become more visible, attractive, and creative, as networks of faith.

Bishops' conference

An important level of organization in the Church is that of the bishops' conferences.

- Due to the strengthening of the diocesan level by the Second Vatican Council, the level of the bishops' conference has remained weak in recent decades. In Germany, it is financially dependent on the church tax revenues of the dioceses since they are endowed with these funds. This complicates the financing and thus the work of those institutions that have taken on tasks at this level that cannot be well fulfilled at the diocesan level. In keeping with the principle of subsidiarity, there is a need today to strengthen organizations and institutions at the inter-diocesan level, whose financing must be secured in a binding manner by all dioceses in accordance with their financial strength. Interdiocesan financial equalization should also be further developed.
- The cooperation begun by the Synodal Path must be strengthened and made permanent. Binding decisions affecting all Catholic dioceses in Germany should be discussed and decided in cooperation between the bishops'

conference and other consecrated and non-consecrated faithful. In this context, it is particularly appropriate to further distinguish the institution of the synodal assembly as a place of joint reflection, representation and leadership.

- With the Central Committee of Catholics, Germany has a democratically legitimized organization of the “laity” that reflects Catholic life in diocesan councils, associations, and societies. In the course of a reform of the power structures in the Catholic Church, the Central Committee of Catholics must also undergo a democratic renewal.
- The councils of priests need — like the conferences of religious orders — a stronger common representation in Germany.
- The already existing joint institutions of the German Bishops’ Conference and the Central Committee of Catholics must be reviewed and further developed in light of the synodal principle.

Universal Church

The Catholic Church is a universal Church. Unity with the pope, who carries out the Petrine ministry together with the bishops, is fundamental. It is strengthened by the Synodal Path. An open dialog also with the Apostolic See is needed regarding reforms that do not take the same shape at every time and in every place, but reflect in their dynamism the richness of the gifts and tasks that the Holy Spirit gives to the Church. In other places in the world, too, there are discussions about necessary reforms in our Church. Therefore, there is a need for a synodal forum also in the universal Church, an assembly of the universal Church, a new council, in which believers within and outside of ordained ministry deliberate and decide together on questions of theology and pastoral care as well as on the constitution and structure of the Church.

9.3 Finances, personnel development, and planning: the matters of Church management

Finances

In financial matters, canon law provides for participatory structures that require elaboration: in the sense of extending the control powers of independent bodies whose members are elected (directly or indirectly) by the faithful, and in the sense of systematically incorporating criteria of ethical and sustainable asset management.

Personnel development

Special attention is needed in the selection, formation, and accompaniment of personnel in the Church’s ministry. The Catholic Church must carefully select, prepare, and accompany the persons who, in its mission, proclaim the Word of God, make God’s love tangible and celebrate hope.

Especially in the ecclesial context, the expectations placed on the persons in charge are high, since they stand for the message of faith, hope, and love, with their actions, their speech, and their attitude. In contrast to this is the experience that superiors do not live up to their leadership responsibility or even deliberately abuse their power. People lose their language, are deeply wounded in their dignity, and see themselves destroyed in their innermost being when they are confronted with abuse. Effective prevention, effective victim protection, and effective reparation are needed.

People fall silent when they are passed over for important decisions. Some may protest, but others simply walk away. The creeping exodus is a major problem that can only be solved through a ruthless analysis of the problem and well-thought-out countermeasures.

The focus is not only on individuals and their concerns. The entire complex of personnel selection and management, training and continuing education, and support in the often difficult tasks and paths must be taken into account. Who is qualified, and who can be qualified to take on such an important task? And who is called?

In the case of pastoral staff and religious education teachers, the study of theology provides the necessary knowledge to deal with the content of the faith and its proclamation. Spiritual guidance enables spiritual depth, a personal path in faith, and a solid foundation for a lived relationship with God, without which service in the Church and openness to people and their vibrant diversity are inconceivable. So far, little attention has been paid to dealing with power and responsibility, for which good preparation is needed.

When dealing with questions of leadership responsibility and power, it is important to distinguish between different forms of power: On the one hand, there is formal authority based on ordination or jurisdiction. On the other hand, there is natural authority, which is not tied to structures or positions, but rather to individual personality. Ideally, both come together on top of each other.

Finally, in dealing with those who have power within the Church, it is also a matter of examining which offices of leadership in the Church are inevitably part of the priestly ministry and which are not. Access to all leadership offices that are not inevitably linked to the priestly ministry should be opened on a mandatory basis to all the baptized and confirmed.

In matters of personnel,

- on the one hand, the task presents itself of organizing the cooperation of bishops, priests, deacons, full-time, part-time, and volunteer pastoral workers in a transparent, reliable, and crisis-proof manner by means of framework regulations,
- and, on the other hand, the task of determining more precisely how elections can increase the legitimacy and quality of leadership personnel, while respecting the applicable conditions of canon law and state-church law, both for bishops and parish priests, and for all other leadership functions. Associations and federations are familiar with elections to fill temporary leadership positions, as are religious congregations. Why it should be different in communities, parishes, and dioceses is not obvious; that it is different obscures the credibility and radiance of the Church in the present day.

In connection with this, the entire process, from applying for pastoral ministries to accompanying those who work, to retirement and the cutting of retirement benefits, needs to be evaluated and, if necessary, reformatted.

Planning: decision-making processes

In matters of planning, there is a need not only for clarification of the undisputed leadership responsibility of bishops and parish priests, but also for organized, legally clarified participation of those affected.

- An important area of planning is the formation of organizational structures. These relate both to episcopal administrations (ordinariates or vicariates general) and to parishes, congregations, and communities (in the great diversity of the newly introduced nomenclatures).
- Another key planning area is the development of pastoral initiatives to strengthen evangelization. Tasks range from designing the order of worship (times, places, forms) to developing digital communication strategies, from qualifying catechesis to optimizing charity, and from cultivating community life to organizing public relations.

The planning activities include consultations and decisions, evaluations and controls. They refer to all fields of pastoral work; on the diocesan level as well as on that of parishes and communities.

9.4 Conclusions

We advocate that through organizational and structural changes based on current canon law, the opportunities for participation and the rights of all the baptized and confirmed in the liturgy, in the proclamation of the faith, and in the diakonia be strengthened.

We advocate that the principles of solidarity and subsidiarity be binding standards of action at all levels of Church activity.

We are committed to ensuring that the criteria of participation and legal formality, transparency and control, professionalism and protection of trust apply in all areas of Church activity, from financial regulations to personnel development and planning processes.

We are also committed to the profound changes in the power structure of the Catholic Church that are necessary for the sake of evangelization, and agree on ways to initiate these changes also with a view to changes in canon law.

We are convinced: The person is the starting and finishing point of all decisions. He or she assumes responsibility to the extent that he or she is involved in decisions. For this reason, ecclesiastical decision-making structures must also be designed with participation in mind. For we are “called to freedom” (Gal 5:13).