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SECOND VATICAN COUNCIL

THE PASTORAL OFFICE OF BISHOPS

J. P., I

DECREE ON THE PASTORAL OFFICE OF BISHOPS IN THE CHURCH

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The Pastoral Office of Bishops

TODAY most people think of bishops as administrators rather than as fathers and teachers. The Second Vatican Council meant to restore the true image of the bishop, as is suggested by the very title of its important decree on the episcopal office: "*On the Pastoral Office of Bishops in the Church*".

Originally the document was called "*On Bishops and the Government of Dioceses*". It was drafted by the preconciliar preparatory commission and supplemented by another schema called "*De cura animarum*" (cf. *CLERGY MONTHLY* 1962, 166f, 256). Both schemas were redrafted between the first and second session of the Council (cf. *CLERGY MONTHLY* 1963, 308-10). The schema on Bishops and the Government of Dioceses came up for debate in the second session (1963), where a number of points gave rise to lively discussions, v.g. the relations of bishops to the Roman curia, the 'episcopal senate', episcopal conferences, the office of coadjutor and auxiliary bishops, the compulsory retirement of bishops at the age of 75 (cf. *CLERGY MONTHLY* 1964, 88f, 90).

Between the second and third sessions the schema was considerably revised in the light of the observations made by the Council Fathers and also of the Constitution on the Church which had just been promulgated with its teaching on collegiality. Questions of a purely juridical nature were omitted, since they will be better handled by the commission for the reform of the code of canon law; but the text was made to include some elements of the schema "*On the Care of Souls*" (which never came up for discussion in the Council), and consequently the schema was given its new and definitive title, "*On the Pastoral Office of Bishops in the Church*".

In the third session, after a new debate (which concerned only the new parts that had been added), the text was submitted to the vote of the Fathers. Chapters one and two failed to obtain the required two-thirds of positive votes, the qualified votes ("*placet iuxta modum*") being 852 and 889 respectively (cf. *CLERGY MONTHLY* 1965, 47). The competent commission once more set to work for a last revision of the text, but the revised schema could not be voted upon until the fourth session. The entire schema was approved on October 6 by 2167 'placet' against 14 'non placet', and in the final voting before its promulgation, in the public session of October 28, by 2319 'placet' with only 2 negative votes.

The importance of the Decree is obvious. In the dogmatic constitution *De Ecclesia* the Council has given a clear doctrine on the episcopate and the episcopal college. The present decree is concerned with the practical aspects of the episcopal office, some of which directly depend on the doctrine of collegiality. This is particularly true of the first chapter which treats of the relationship of bishops to the universal Church. No. 5, which at first expressed the wish that the Pope might establish an episcopal senate to assist him in the administration of the Church, was changed before the voting, in accordance with the *Motu proprio Apostolicae sollicitudo* of September 15, 1965, by which Paul VI actually erected a central "Synod of Bishops".

No. 8 defines the ordinary powers of a bishop in new terms: by virtue of his office he has all the powers needed for the exercise of his pastoral task, though the Holy See may reserve some cases to itself. This is a reversal of the former practice, in answer to a demand repeatedly made during the debate on this schema. Instead of a list of *faculties granted* by the Holy See bishops will be given a list of *cases reserved* to the Holy See. This is, no doubt, more in keeping with the nature of the episcopal office.

The tone throughout the Decree is pastoral, and the good of souls is taken as the supreme law. No. 27 recommends the establishment of a "Pastoral Council" in each diocese, which will comprise priests, religious and lay people. Some of the questions so hotly discussed in the second session have been solved by a compromise; thus the question of compulsory retirement at 75 (n. 21). The delicate question of the bishop's authority over the schools of religious, whether exempt or non-exempt, is solved by the distinction between "*generalis ordinatio et vigilantia*" and "*moderamen*" (n. 35, 4) — a distinction which might well be further clarified by the commission for the reform of the code of canon law. The episcopal conferences are to draw up each its own statutes, to be approved by the Holy See; their decisions will have juridical binding force only in strictly determined cases (n. 38). The last paragraph directs that special pastoral directories be prepared for bishops and for parish priests.



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