

## "The Removal of Bishop Morris"

Week of May 23, 2011

ESSAYS IN THEOLOGY

By Rev. Richard P. McBrien

The removal of Bishop William Morris from the pastoral care of the Australian diocese of Toowoomba, Queensland, where he has been bishop since 1993, is reminiscent of two other cases: that of Bishop Jacques Gaillot of the diocese of Evreux, Normandy, France, in 1995, where he had been bishop for 12 years, and the effective removal of Archbishop Raymond Hunthausen from the archdiocese of Seattle in 1986, where he had been archbishop since 1975.

I say "effective removal" because, although Archbishop Hunthausen was not removed as such, a younger bishop was installed over him, with authority that no longer belonged to the archbishop.

That younger bishop is now an archbishop himself and a cardinal as well: Donald Wuerl, who also heads the U.S. Bishops' Committee on Doctrine, which just issued a condemnation of Sister Elizabeth Johnson's 2007 book, *Quest for the Living God*. Johnson is a Sister of St. Joseph and is a Distinguished Professor of Theology at Fordham University in New York.

Bishop Gaillot had been removed from his diocese for allegedly having failed to exercise "the ministry of unity."

Like Archbishop Hunthausen Bishop Gaillot had been a strong proponent of peace initiatives during the Cold War, and opposed the Persian Gulf war of 1991.

He was also an outspoken advocate of the homeless and gave interviews to gay magazines. He advocated an effective ministry to those with AIDS.

He was accused of marrying a gay couple. In actuality, he only met with the couple and prayed with them and for them. One of them was dying of AIDS. He also told a gay publication that there is a moral obligation to advise people at risk of contracting AIDS to protect themselves with condoms.

Like Bishop Morris, he supported the ordination of married men as priests and the return of married priests to the active ministry.

He criticized the French Government for passing tougher immigration laws, so much so that the Interior Minister is said to have complained personally to the Vatican.

Although none of these items yields a single compelling reason why Bishop Gaillot was removed from office, he had developed a public profile which was a source of profound irritation for conservatives within the French Government, like the Interior Minister, and the Catholic Church, like Cardinal Jean-Marie Lustiger, archbishop of Paris.

As in the cases of Archbishop Hunthausen and now Bishop Morris, Bishop Gaillot was removed without any canonical process nor a formal review of his case by the national episcopal conference in France.

The Canon Law Society of America, meeting in Denver in October 1986, passed a resolution 173-53 that found the action against Archbishop Hunthausen, known as "Dutch" to his friends and episcopal colleagues, "questionable from a canonical perspective."

But the bishops completely ignored the resolution of the canonists, even though the bishops themselves had sent these priests away to obtain canonical degrees and then appointed them to their chanceries, tribunals, and seminary faculties.

It is significant, however, that the bishops deleted from their original draft a description of the Vatican procedures in the Hunthausen case as "just and reasonable." Moreover, after claiming that their episcopal conference had no legitimate role to play in the dispute, the final draft included a sentence in which the bishops offered "any assistance judged helpful and appropriate by the parties involved."

Some of the bishops were appalled that the Vatican had placed so much credence in the complaints of extremists. And this is what binds the cases of Bishop Morris, Bishop Gaillot, and Archbishop Hunthausen.

A tiny group of ultra-conservative Catholics, with no formal training in theology, Scripture, liturgy, or canon law, can have an influence far greater than their numbers because they have friends in the Vatican.

Under Pope John Paul II and now Pope Benedict XVI, they find sympathetic ears in the papacy itself.

And here is where the cases of Archbishop Hunthausen and Bishop Morris diverge. When the Vatican came eventually to realize in the Hunthausen case that it had blown up in their faces, they agreed to send Cardinal Joseph Bernardin, Cardinal John O'Connor, and Archbishop John Quinn as mediators in the crisis.

And so it was resolved. Bishop Wuerl returned to his own diocese of Pittsburgh in 1988 as its new bishop, and Archbishop Hunthausen was allowed to retire with dignity in 1991.

Unfortunately, the Vatican sent the ultra-conservative Charles Chaput, archbishop of Denver, as its apostolic visitor to examine the charges against Bishop Morris.

Chaput could not have rendered an ideologically-free judgment. Bishop Morris never even saw a copy of Chaput's report.

Everything about this case speaks poorly of the leadership of the Church.

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"Bishops and the Pope"  
 Week of May 30, 2011  
 ESSAYS IN THEOLOGY  
 By Rev. Richard P. McBrien

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

It is also Holy Cross Father Theodore Hesburgh’s daily prayer: “Come, Holy Spirit.”

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