

THE CHURCH MUST NEVER BE REFORMED? THE POLICYMAKING ACTORS AND PROCEDURES OF THE CATHOLIC CHURCH

KELLER, STEFFEN

Politics and International Relations, College of Social Sciences

ABSTRACT

Demands for fundamental church reform within the Roman-Catholic Church were recently expanded by the academic and judicial processes involved in coming to terms with the global clergy sex abuse crisis. Within the Church, and across civil society, many believe that the Catholic Church ought to be governed differently. However, despite the progressive agenda of the ‘liberal’ Pope Francis, the Church has failed to change fundamentally. This raises the questions: what aspects of the Church’s governing processes inhibit progressive reforms and what actors within its government possess the power to implement fundamental change. This research seeks to answer these questions by tracing the policymaking process of the four most significant reform proposals made during Pope Francis’s papacy, namely: the admission of civilly remarried divorcees and Catholics’ Protestant spouses to Holy Communion; the permission for women to become members of the clergy; and the relaxation of laws that prohibit members of the clergy to marry. Comparing and contrasting the different policymaking actors and procedures that led some of these reforms to (partially) succeed, and others to be deferred indefinitely, enables an assessment of the ability and willingness of certain actors to implement fundamental change. It is found that, although any reform depends on papal approval, it is primarily bishops in their various decision-making roles who enable reforms by raising, formulating, and devising progressive policy proposals. In practice, this means that Catholic activist groups ought not to merely address their demands to the pope but generate support among bishops too.

INTRODUCTION

The Roman-Catholic Church wields significant political and social powers that impact not only its 1.31 billion members (Vatican Press Office, 2019), but also international relations, human development, and domestic politics, especially in the Americas, Europe, Central and East Africa, and the Philippines. Despite the Church’s extensive influence, general interest into its politics remained low until approximately twenty years ago, when the progressive exposure of systematic global clergy sex abuse, and its coverup, drastically increased societal and academic interest in the governance and politics of the Catholic Church. Analysing the Church as a political organisation is essential to understanding and addressing the structures that facilitate any kind of organisational abuse of power. Furthermore, understanding the Church’s power structures is an important prerequisite for reform-oriented lay activists, whose demands gained new momentum during the ongoing clergy sex abuse crisis. In 2013, the election of the comparably ‘liberal’ Pope Francis raised hopes for a fundamental change of Vatican politics. For thirty-five years, the previous popes, John Paul II and Benedict XVI, had been anxious to strictly oppose sexual liberation and novel theological movements. Francis, the down-to-earth bishop from Latin America, on the other hand, was expected to promote the Church’s laws and doctrines with compassion, not legalistic rigour. However, the lack of tangible results raises the question to what extent, if at all, the Catholic Church can be reformed like any other civil administration.

Stein (2013) and Breslauer (2017) seek to answer this question by elucidating the constitutional principles that shape church governance. As in this study, both scholars base their political science analysis on the assumption that, analogous to states, the Church is a “ruling organisation” whose government or

“administrative staff” exerts power over its members (Weber, 1978). Stein and Breslauer point to several constitutional principles that characterise the Church as a “ruling organisation” and shape its reformability. Most importantly, they emphasise the centrality of the principle of papal primacy. This principle affirms the pope as sovereign ruler of an absolute monarchy who can create exceptions to time-honoured rules and arbitrarily override the Church’s organisational structure (Murphy, 1987: 384-385; Reese, 1996: 14, 24-25). Additionally, the pope can curb the deliberations and decisions made by other decision-making bodies, such as national bishop conferences or international synods (Reese, 1996). Finally, the pope can make far-reaching decisions single-handedly and veto any decision made on other levels of the Church’s government. Hence, Stein and Breslauer conclude that church reform depends mainly on the pope, and his willingness to exercise his power to make fundamental changes. However, although any reform ultimately depends on papal approval, this constitutional approach overlooks the policymaking actors who devise, debate, and approve or decline reform proposals before the pope attends to the matter, such as the Roman Curia (the Church’s civil service) or bishops and their national and international decision-making bodies.

It is the purpose of this paper, therefore, to investigate how policymaking actors and procedures promote or impede reform-oriented policy proposals in the Catholic Church. To achieve this, public-facing policy documents of the Church are used to trace the policymaking process of four significant reform proposals. Comparing and contrasting the roles of different policymaking actors and procedures in each process reveals potential causal connections between these actors and procedures and the progressiveness or traditionality of policy outcomes. These potential causal connections are then matched

against theoretical knowledge of the Church's organisational functioning and counterfactuals. Counterfactuals are statements answering the question: "If 'x' had not been the case, would 'y' have happened?". Counterfactuals help to identify 'y' (e.g. a policy outcome) to be conditional on 'x' (e.g. a policymaking actor) which suggests that a policymaking actor probably is the cause of a policy outcome. This "process-tracing" analysis enables assertions to be made about how some actors promote progressive reform proposals, while others aim at policy outcomes consistent with the *status quo* (Collier, 2011; Mahoney, 2015). It is found that the pope is an important policymaking actor who pushes or thwarts progressive reforms according to his personal preferences, while the Curia, by virtue of its essentially administrative nature, generally allows its traditionalist members to protract reforms. However, the bishops and their national and international representative bodies are found to play a crucial role in raising, formulating, and devising progressive policy proposals. Thus, although any church reform requires papal approval, reform-minded lay organisations representing the ordinary faithful may consider redirecting resources aimed at gaining papal support to generate support among the bishops.

The second section of this paper outlines the practical implementation of the process-tracing methodology employed in this research. The third section presents a schematic representation of the empirical results and a summary of the analytical results. Considering one crucial limitation, the fourth section synthesises the research results into a theory of how policymaking actors shape the reformability of the Catholic Church.

METHODOLOGY

To understand how policymaking actors shape the reformability of the Church, it is necessary to establish causal connections between policymaking actors and procedures and the progressiveness or traditionality of policy outcomes. This research approach rests on the assumption that organisations' formal institutions, processes, and structures shape their policies (Finer, 1932; Eckstein, 1963), which has been supported by, for example, Persson's research into the causal connection between states' legislative processes and their economic policies (Persson, 2002, 2005; Persson and Tabellini, 2001, 2004). The method best suited to implement this approach is "process-tracing".

Practically, this method consists of two main steps: description and causal analysis. Firstly, guided by prior theoretical knowledge of the functioning of the Church's key policymaking actors, the policy processes of four recent significant reform proposals are described. *Table 1* presents a schematic representation of these descriptive findings. Subsequently, the causal analysis begins with comparing and contrasting the roles that different policymaking actors and procedures played in each process. This reveals whether a policymaking actor or procedure is a potential cause of the progressiveness or traditionality of a policy outcome, i.e. whether the policymaking actor and the policy outcome are causally connected. A theoretical and counterfactual analysis then seeks to verify these connections. This involves the researcher asking, "Is the linking mechanism present that prior researchers theorised to causally connect policymaking actors with policy outcomes?" (Collier, 2011: 824-825) and "Had this actor or procedure been absent, would the policy outcome still be the same?" (Mahoney, 2015: 213-217). If the answer to the former question is "Yes" and the answer to the latter question is "No", the researcher can assert a valid causal connection. For example, the first column of *Table 1* reveals that local bishops and bishop conferences contribute to progressive policy outcomes. The mechanism linking local bishops with

progressive policies consists of the first articulation of progressive reform proposals, which previous researchers found to be typical for local bishops (Reese, 1996: 259; Hebblethwaite, 1986: xvi-xviii). The negative answer to the question: "If local bishops had not articulated reform proposals, such as the admission of Catholics' protestant spouses to communion, would reforms have been initiated otherwise?" demonstrates that local bishops' first articulation of progressive reform proposals causally connects them with progressive policies.

Four cases of recent reform proposals are investigated: (1) admitting remarried divorcees to communion, (2) admitting Catholics' Protestant spouses to communion, (3) ordaining women, and (4) relaxing priestly celibacy law. These cases represent relevant examples of different policymaking processes that involve a variety of policymaking actors and procedures – each of these constitutes an individual 'independent variable' whose impact on each policy outcome was assessed (see *Table 1*). Within each case, the policy outcome constitutes the 'dependant variable' for analysis, with outcomes being designated as 'progressive' or 'traditional'. Thus, it could be assessed whether different policymaking processes resulted in 'progressive' or 'traditional' outcomes based on the presence or absence of different actors. Cases were selected for analysis that were extreme and diverse in their outcomes, with the resulting relevance and variety of identified causal connections more clearly elucidating how policymaking actors impact policy proposals. Cases are "extreme" in the sense that they include the most polarised Catholic reform proposals in terms of bishops' voting behaviour and media reception. Cases are "diverse" in the sense that they include both two different progressive and two different traditional policy outcomes (Gerring, 2008: 650-654). The progressive-traditional binary is an analytical tool that derives from the Church's consensual and incremental method of policy change; it distinguishes between *status quo* policies and any slight liberalisation. The data (see Appendix) forming the empirical basis of case descriptions consist of legislative texts and other policy documents, such as pastoral letters, synod documents, bishop conference documents, apostolic exhortations, and published curial letters (Rhodes, 2008: 92). The "exploration" of the sources is guided by journalistic records of each policymaking process paired with prior theoretical knowledge of the organisational structure and functioning of church institutions (Gibson and Brown, 2009: 68-69). The subsequent section presents the descriptive results, based on the empirical data, and the theoretical results, based on the causal analysis of the case descriptions.

RESULTS

The policy process-tracing of the four reform proposals enabled the identification of the following six relevant policymaking actors. These results are summarised on Table. 1 overleaf.

1. **The Synod of Bishops**, which is the permanent representation of all Catholic bishops, although it is in session only once in approximately four years. During its Ordinary, Extraordinary, and Special Assemblies, delegate bishops, Vatican officials, and other eminent church figures meet to discuss general, urgent, and regionally-focused church issues, respectively.
2. **Local Bishops**, who head the Church's basic administrative unit (the diocese) that consists of a multitude of parishes and their national assembly, the Bishops Conference.
3. **The Congregation for the Doctrine of the Faith (CDF)**, formerly known as 'the Inquisition', that is the Church's top theology watchdog.

Table 1: Policymaking processes

Table indicates the policymaking process and outcome of 1. Communion for remarried divorcees, 2. Communion for Protestant spouses, 3. Women ordination and 4. Priestly celibacy.

Case	Policymaking actors and procedures				Outcome
1. Communion for remarried divorcees	Local Bishops Pastoral letter signed and published by three bishops of a church province in a Western European country.	CDF Authoritative decision to maintain traditional practice.	Synod of Bishops General Secretariat directed by the pope includes the issue in novel questionnaire. Local bishop conferences raise the issue in their responses. Synod fails to make conclusive decision.	Apostolic Exhortation Pope makes authoritative decision.	Progressive Progressive policy outcome but practice remains largely traditional.
2. Communion for Protestant spouses	Local Bishop Conference Adoption of non-authoritative guidelines.	CDF Decision to not publish guidelines.	Papal Audience President of local bishop conference and papal confidant obtains permission to publish guidelines.	Curia Authoritative decision delegated to relevant dicasteries.	Traditional Traditional policy outcome but local toleration of progressive practice.
3. Women ordination	Local Bishops Occasional voicing of opinions on potential reform.	Papal Audience Female heads of religious orders raise issue with the pope.	Curia Pope sets up commission that disbands after failing to reach consensus.	Synod of Bishops Synod proposes revival of commission.	Traditional No foreseeable policy changes.
4. Priestly celibacy	Synod of Bishops Synod proposes reform.				Progressive If papally approved, local progressive policy outcome.

4. **Papal Audiences**, which are meetings in various settings between the pope and another person or group.
5. **The Curia**, which is the Church's civil service: like civil administrations, it is divided into ministries, called dicasteries, usually headed by a cardinal and populated with professional civil servants.

The different ways in which these six policymaking actors have shaped policy outcomes are presented in *Table 1*. Analysis of these descriptive findings enabled the formulation of the following six theoretical assertions.

1. The Synod of Bishops can contribute to the implementation of progressive policies by putting policy issues (back) on the agenda and by making policy recommendations independently.
2. Apostolic exhortations determine the progressiveness or traditionality of policy outcomes according to the pope's preferences.
3. Local bishops and bishop conferences can contribute to the implementation of progressive policies by first articulating reform proposals and pressuring the pope, or the Synod of Bishops, to engage with issues on the level of the universal Church through local deviation.
4. The Congregation for the Doctrine of the Faith can preliminarily halt progressive reforms but, in the long term, has no definite effect on the nature of policy outcomes.
5. Depending on the pope, papal audiences can contribute to the implementation of progressive or traditional reforms, as preferred by both the applicant party and the pope. However, these are affected by the pope's personality/relationships and do not, therefore, enable a robust theoretical assertion.
6. The Curia contributes to the implementation of traditional *status quo* policies by protracting progressive reforms indefinitely or diffusing reforms through lowest-common-denominator compromises.

The subsequent discussion synthesises these assertions into a theory of how policymaking actors shape the reformability of the Catholic Church and considers one crucial limitation.

DISCUSSION

The six theoretical assertions presented in the previous section can be synthesised into a three-part theory of how policymaking actors impact reform-oriented policy proposals in the Catholic Church. First, and unsurprisingly, if the pope is directly involved in the policymaking process, especially as the author of authoritative decisions, the progressiveness or traditionality of the policy outcome depends entirely on the personal preference of the pope. Second, if bishops are involved in the process, either as heads of their diocese, members of their bishop conference, or participants in synods, the policy outcome is more likely to be progressive. This is especially true if the pope is sympathetic to progressive reforms and encourages genuine debate and independent decision-making. Third, if the Curia is involved in the process, the policy outcome is more likely to be traditional and reflect the *status quo*. These findings are broadly in line with the theoretical assertions previous researchers deduced from the Church's key constitutional principles (Stein, 2013: 287-292; Reese, 1996: 279-281). The significant contribution of this research, however, consists of its methodological rigour, its sound empirical basis, and the shift of the analytical focus from constitutional principles onto specific policymaking processes. While previous research emphasised the significance of papal dominance, this research reveals that policy reform is not an exclusive function of papal primacy. Instead, local bishops, bishop conferences, and the synod of bishops play crucial roles

in raising policy issues and formulating progressive reform proposals. Therefore, although this research necessarily confirms that, in the last instance, all church reform depends on the pope, it also makes a novel contribution by demonstrating that progressive reforms are almost exclusively initiated, and primarily devised by, bishops in their respective decision-making roles, not by the pope and the Curia.

However, this theory suffers one crucial limitation: it is unclear to what extent the novel leadership style of the current pope, the 'liberal' Francis, affects how policy actors and procedures shape policy outcomes. Currently, the ability of local bishop conferences, the Synod of Bishops, and papal audiences to contribute to progressive reform outcomes appears strong because Pope Francis is largely sympathetic to progressive reforms, he empowers the bishops, and he is open to policy innovations (Breslauer, 2017: 192). However, looking at the two previous popes, it is apparent that these currently strong decision-making bodies can be reduced to mere advisory bodies or be disabled entirely. Problematically, the theoretical knowledge that contextualises the empirical data of this research was also developed in a different context: social science-based understanding of how institutions of the Catholic Church work is mainly based on analyses conducted during the papacy of John Paul II. Thus, it is difficult to put the findings of this research into perspective because the empirical data relates to a 'liberal' pope while the prior theoretical knowledge relates to a 'conservative' pope. Had the empirical data and the prior theoretical knowledge each been based on both 'liberal' and 'conservative' popes, it would have been possible to assess how the leadership style of different popes affects how the Church's policymaking process shapes its policy outcomes. Therefore, applying the methodology of this research to future papacies will help illuminate to what extent the effect of policymaking actors and procedures on policy outcomes is contingent on different papal leadership styles.

Nevertheless, the results of this research progress our understanding of church reformability. Seven years ago, reform-oriented Catholics enthusiastically welcomed Pope Francis, hoping he would end the period of stagnation embodied by John Paul II and Benedict XVI. Especially, Francis's exhortation '*Amoris Laetitia*', which opened the possibility of remarried divorcees being admitted to communion, encouraged lay organisations and progressive theologians to place their hope for progressive reforms in the pope (Sternberger, 2016). This popular focus on the pope as an agent of potential change mirrors the academic emphasis on the principle of papal primacy. Having observed the pope and the Curia as primary agents of stagnation for thirty-five years, both academics and Catholic laypeople had reason to view Pope Francis as the potential motor of progressive reform. However, this research suggests that reform advocates ought to pay at least equal attention to local bishops. The empirical findings of this research demonstrate that bishops play a decisive role in first devising progressive reform proposals and in putting them (back) onto the policy agenda. Even if the pope intervenes with local reform efforts, as in the case of communion for protestant spouses, local bishops supporting reforms can play consequential roles as rulers of their diocese, within their bishop conference, as synod participants, as papal advisors, and even as public figures making their case in the media. For protracted reforms, local bishops may defensively respond that their hands were tied because final decisions were made in Rome. While it is true that the pope is ultimately responsible for policy reform, all empirical cases analysed in this research confirm that, generally, progressive reform proposals are initiated, devised, and insisted on by bishops, not the pope and his Curia. Consequently, advocates of progressive reform ought not to neglect their local bishop or national bishop conference.

Although it is essential to gain the sympathies of the pope, it is equally important to build far- and deep-reaching support for progressive reforms among the bishops.

CONCLUSION

This paper sought to investigate how policymaking actors and procedures impact the reformability of the Catholic Church. Previous researchers attempted to answer this question by focusing on the constitutional principles that shape church governance. Problematically, this constitutional approach disregards the impact that policymaking actors and procedures have on church policy. Therefore, this paper attempts to construct a theory of how policymaking actors impact reform-oriented policy proposals in the Catholic Church. To this end, this research sought to assert causal connections between policymaking actors and procedures and the progressiveness or traditionality of policy outcomes. The process-tracing methodology used for this task utilised public-facing policy documents of the Church to produce a description of the policy processes that four significant reform proposals underwent. Analysing the roles that different policymaking actors and procedures played in each process revealed important causal connections between these actors and procedures and the progressiveness or traditionality of policy outcomes. Consequently, the theory is posited that, although all church reform ultimately depends on the pope, progressive reforms are almost exclusively initiated and primarily devised by bishops in

their respective decision-making roles, not by the pope and the Curia. Therefore, this paper suggests that reform-oriented Catholic activists ought to consider aiming their advocacy and lobbying efforts not only at the pope but also at gaining support for fundamental change among the bishops. Similarly, the pope and the Curia ought not to be expected to dictate a comprehensive response to the ongoing clergy sex abuse crisis from above. Hence, the 2019 Vatican sexual abuse summit ought not to be dismissed as a total failure. Instead, committed lay people around the world ought to hold their local bishop and their national bishop conference to account. Those bishop conferences, that have been successfully pressured to set up honest mechanisms to come to terms with and prevent clergy sex abuse, such as in the US and Germany, can then inform other bishop conferences and the pope in their attempt to implement effective local and global anti-abuse strategies.

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APPENDIX

Empirical Data Sources

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