
Power and Authority - Social and Church Aspects

Index

Nediljko A. Ančić – Nikola Bižaca, *Preface* 5-8

Zdravko Tomac, *Governance and authority in Croatian society* 9-36

Summary

The author starts from the fact that the debate about governance and authority, i.e. sovereignty of governance in 21st century is impossible without a precise definition of social changes and new historical situation we live in. The authority of governance has to be viewed considering to what extent the governance is contemporary. Having defined the starting point, the author analyzes the social, political, economic and cultural moment in Croatia. On the basis of his analyses and observations he concludes that nowadays the state authority in general, and also the state authority in Croatia, is not sovereign, although it is written so in its Constitution. There are more and more super national institutions and organizations which restrict it. The concept of the European Union, which Croatia wants to join, aims at creating a super national state in which the members lose a great part of their sovereignty in various areas. Therefore Tomac holds that it is necessary to think twice and to make competent arguments what Croatia gets and what it loses entering the Union, he lists some current ultimatums that the world persons in power set to Croatian people (disintegration of Croatian national identity, falsification of history, creation of soft Balkan union, etc), he describes how Croatian politics does not protect its national interests, sells off the banks, media and resources; it hurtles toward new integrations without learning from its own historical errors. A fateful question is put: are we going to survive as a nation and state in the age of globalism, which

as a new ideology wants to rule over people and nations by its totalitarianism and to disintegrate the traditional, national, cultural and spiritual values in all fields of life. Globalism is a new form of 21st century capitalism which takes over most of national states' authorities to build up a world super state, it wants a complete control over the person and his/her transformation into a weak and dependant being, without will or identity. In that way man becomes a victim of new slavery. The author points at that danger and wants to oppose it with all his might.

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Mirko Klarić, *Public administration as a reflection of political power – Croatian and comparative experience* 37-61

Summary

The subject of this work is the analysis of the role that public administration holds in the process of making and carrying out political decisions. In these terms the author analyses the present structure of public administration in the Republic of Croatia. He presents a comparative account of public administration structure of some big European countries, and analyses whether and in which way the structure of public administration in other countries influences the structure of public administration in the Republic of Croatia.

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Gerhard Larcher, *Kirchliche Zeugnis-Autorität im Kontext gesellschaftlichen Wandels heute* 63-74

Zusammenfassung

Der Vortrag behandelt das hochaktuelle Thema zum einen bezogen auf das grundsätzliche katholisch ekklesiologische Problem von Autorität *in* der Kirche (dogmatisch, pastoral-theologisch, kirchenrechtlich) und zum anderen bezogen auf die Frage der Autorität der Kirche insgesamt, d.h. der Stimme der Kirche als solcher in die heutige Welt beschleunigten gesellschaftlichen Wandels hinein. Beides – so muß man fundamentaltheologisch betonen - hängt eng zusammen und hat sich in einer besonderen Weise in der Figur des Zeugen/der Zeugin bzw. des Zeugnisses zu bewähren.

Perspektiven für eine künftige Zeugnisautorität des liebenden Dienstes und der Prophetie in der Kirche und durch sie für die Gesellschaft gehen vor allem vom Paradigmenwechsel des II.Vatikanums aus.

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Donath Hertsik, *Die Lehrautorität katholischer Bischofskonferenzen nach dem II. Vatikanischen Konzil* 75-97

Zusammenfassung

Das II. Vatikanische Konzil definiert die Bischofskonferenz als "einen Zusammenschluß (coetus), in dem die Bischöfe eines bestimmten Landes oder Gebietes ihren Hirtendienst (munus pastorale) gemeinsam ausüben, um das höhere Gut, das die Kirche den Menschen bietet, zu fördern, besonders durch Formen und Methoden des Apostolats, die auf die gegebenen Zeitumstände in geeigneter Weise abgestimmt sind" (CD 38 § 1). "Beschlüsse (decisiones) der Bischofskonferenz, sofern sie rechtmäßig und wenigstens mit zwei Dritteln der Stimmen jener Prälaten, die Mitglieder mit entscheidendem Stimmrecht

der Konferenz sind, gefaßt und vom Apostolischen Stuhl gutgeheißen (*recognitae*) wurden, besitzen verpflichtende Rechtskraft nur in den Fällen, in denen entweder das allgemeine Recht es vorschreibt oder eine besondere Anordnung, die der Apostolische Stuhl *motu proprio* oder auf Bitten der Konferenz erlassen hat, es bestimmt" (CD 38 § 4).

Das II. Vatikanische Konzil hat aber die Frage offen gelassen, ob die Bischofskonferenz als solche ein *mandatum docendi* hat. Theologen und Kanonisten, wie etwa J. Ratzinger, G. Ghirlanda und J. P. Green, beantworten die Frage mit "Nein". Andere, wie etwa F. J. Urrutia und J. Manzanares, beantworten sie mit "Ja". Bis heute kreist die Diskussion um zwei mehrdeutige Begriffe aus *Christus Dominus* (siehe oben), nämlich "*munus pastorale*" und "*decisiones*". Nachdem auch der neue Codex des kanonischen Rechts (CIC/1983) die genannte Frage nicht entschieden hat, hat sich durch die Promulgation des als *Motu proprio* veröffentlichten Apostolischen Schreibens "*Apostolos suos*" (1998) folgender *status quaestionis* ergeben: Lehraussagen der Bischofskonferenz (*doctrinales declarationes*), die verbindlich sein und von den Gläubigen mit religiösem Gehorsam (*religioso animi obsequio*) angenommen und befolgt werden sollen, müssen von den Bischöfen, die Mitglieder der Bischofskonferenz mit entscheidendem Stimmrecht sind, auf der Vollversammlung der Bischofskonferenz (1) entweder einstimmig beschlossen worden sein – dann bedürfen sie keiner Überprüfung durch den Apostolischen Stuhl – (2) oder aber wenigstens mit Zwei-Drittel-Mehrheit der Mitglieder – in diesem Fall bedürfen sie der Überprüfung (*recognitio*) durch den Apostolischen Stuhl (AS, Art. 1). Solche Lehraussagen können im Namen der Bischofskonferenz selbst veröffentlicht werden (AS 22, Art. 1).

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Božo Lujčić, *God's and human rule. New logics
and new concept of authority* 99-128

Summary

The starting point of this work is a generally accepted thesis that God is the origin of every authority. It is carried out on natural and historical level. In biblical texts God's authority is more demonstrated on historical level, while with the neighbouring nations it was more expressed in natural phenomena. Man is God's commissioner on the Earth and participates in that authority as much as God has made possible and provided. In biblical texts God has been shown metaforically as king and father. But very early the picture of God as king suffered a crisis, and the picture of God as father or mother was shyly making its way towards the New Testament.

Theological centre of Jesus' life and activity was the sermon about the new God's rule which brings qualitatively essential changes into human history and life of an individual. God's rule in Jesus creates fourfols new relations: new relation towards God, new relation towards man, new relation towards material reality and new relation towards authority. In this work we draw attention to the last relation: towards authority. Two places are specially pointed out and analyzed: Mt 22,17-21 and Mk 10,32-44.

The result that arises from this work may be summarized in this way: God's rule in Jesus is different from human. While God's authority consists of solidarity and devoting oneself to the other, human authority is based on subordination and superiority. While God's rule establishes openness towards the other, human rule legalizes repression and oppression. While the greatness of God's rule is in serving the other, human rule is characterized by blind obedience and exploitation. While God's rule builds up its authority from below, human rule realizes its authority from above. While God's rule reaches its peak in Jesus' giving his own life for the others, human authority takes the others' lives. While God's rule is the victory of love, human rule is the victory of interest.

Jesus does not abolish human rule, but points out the essential characteristics of God's rule, which he strives to incorporate into this world.

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Juraj Brkan, *Believers competent in Church authority governance* 129-161

Summary

*Iustitia est constans et perpetua voluntas
ius suum cuique tribuens*
(I, 1, 1)

The authority that Christ gave to Peter and apostles, and they to their successors, is passed on, according to the canon law, onto those who fill the posts of church service. It is carried out in two ways: through the holy order and through the canon entrusting (through the mission). Before the II Vatican Council theologians and canonists spoke about the two church authorities: the authority of order (*potestas ordinis*) and the authority of jurisdiction (*potestas iurisdictionis*). After the Council theologians speak about one church authority; the holy authority is one and it is manifested in three church services: consecration, teaching and governance (ruling, guiding). In the work it is emphasized that, in the church aspect, every believer or every church servant does not take part in the same extent or in the same way in church authority. Although the authority of governance, as a part of an integral church authority, is divided in legislative, judicial and executive, its performance is various, depending on legal regulations. The holders of church authority work in a community with special councils or individually. Therefore, as long as they work in the spirit of serving, they always need to have in mind who they represent in the Church and outside of it.

The author first explains, by theological-legal method, canons 129, § 1-2 according to which the legislator specifies

that clerics are capable in the governing authority (*habiles sunt*), according to the provision of legal regulations (*ad normam praescriptorum iuris*), and that believers and laymen can cooperate (*cooperari possunt*) in exercising power according to the legal regulation (*ad normam iuris*). It is especially emphasized that the church authority governance has to be performed in the spirit of serving and that the church servants and those who cooperate with the authority governance should be aware that they have been appointed, according to the legal regulations, in the name of the Church and that the power that they hold is of divine institution – *ex institutione divina*. The author stresses that we do not consider Christ's Church just as an undefined community of the christened (*societas*), but also as the Mysterious Body of Christ, a special communion. The Church is established hierarchically (we may say as a society of the unequal) and it is represented – as a visible structure – by three kinds of believers (laymen, clergy and members of the institutions of consecrated life), who are equal in dignity but different in services and functions that they carry out according to legal regulations.

Under the term authority governance the author primarily thinks of the way (form) in which God's people is governed by the Catholic Church, and he is trying, on the basis of canon law, to answer the question: Which believers are competent in authority governance, and which, in principle, can cooperate in that authority?

In the analysis the author calls attention to sacramental and non-sacramental theory on church authority governance; he points out the divine origin of church authority governance and its correlation to the Church Magisterium.

Instead of conclusion, the author stresses that it is necessary to theologically and legally deepen the church authority governing, particularly its origin, and its connection with the holy order and also who is competent in it and who can cooperate in it, according to legal regulations.

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Alojzije Čondić, *Governance and authority
in pastoral service* 163-190

Summary

Discussion on governance and authority in pastoral service is a complex issue, because the idea of these terms is ridden with social-political comprehension, which is connected with ruling and power. The author of this article first treats the sociological understanding of governance and authority, indicating their interrelation and the consequences of bad policy. Then he speaks about the origin of Christian interpretation of authority and governance, based on Jesus Christ, who gives meaning to them by serving. He considers filling a post in pastoral from theological-pastoral aspect, emphasising the nature of church authority and the role of the Shepherd's mission in a community. Referring to the social-cultural conditions, he describes the meaning of the service of ruling, pointing at the temptations of filling a post in pastoral, which diminish the meaning and reputation of Christian power.

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Ivan Kešina, *Church authority in the issues
of faith and morality* 191-217

Summary

The author of the article investigates in which way the Church authority is criterion and norm of Christian living and religious and moral activities. It is a matter of Church teaching authority to proclaim the message of faith and to explain its application to moral living in the light of the Holy Spirit.

The first chapter is about the Church authority in the issues of faith, which arises from the apostolic service, the foundation of which is the mission, as it is evident from the name itself. The authority of apostles is the authority of

messengers who pass on the message in the name of the One who has sent them.

The second chapter is about the Church authority in the issues of morality. Namely, the message of faith is essentially connected with moral living. The message that the Christian gets by faith, in order to be authentically witnessed, should be applied to moral living. It means that, apart from the contents of faith that the believer believes in, he/she should also know that the Church teaching about moral living belongs to the integrity of Christian living. In that respect the Church teaching has authority over the issues of faith and morality.

The spirit of the times, characterized by the dictatorship of relativism, situation ethics, dynamic morality and global ethics, i.e. "new paradigm", has negatively influenced on the development of Christian moral theology, which is a major reason of the popes greatest concern, especially of those in the period between the popes Paul VI and Benedict XVI. That concern is expressed in the best way by John Paul II in his encyclical *Veritatis Splendor*.

For the faithfulness to God's revelation and for the sake of the mankind and every single individual, the Church, which is not the originator of moral law, neither of natural nor of evangelical law, is not allowed to make arbitrary decisions on it. The Church is only its guard and interpreter and she will never be allowed to declare something to be permitted that is not permitted.

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