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THE FUTURE OF PARISHES AND THE PRESENT CANONICAL LEGISLATION

ROCH PAGÉ*

Foreword

It is obviously a great honor for me to have been invited to be a presenter at this year's Provost Memorial Lecture Series.¹ I am most appreciative of the fact that the authorities of the School of Canon Law asked me to return here to The Catholic University, and, even more so, in this particular context.

In addition to my personal friendship with Jim through the years, I also, like so many of us who knew him, feel very close to his canonical spirit and marvel at the enthusiasm he was able to show for canonical considerations, even in almost impossible situations. Would that we could all share the same positive and optimistic outlook that he set out for us, not only in his writings and lectures, but also in his open attitude to persons, especially those who were experiencing some kind of difficulty at a given moment.

As you know, many of his writings were focussed on the particular church and its components. It is for this reason that I thought it would be fitting in this lecture to consider a topic that was dear to his heart—the situation of parishes within the diocesan community.

Introduction

After approximately fourteen centuries of existence, the parish has probably never been studied and talked as much about as it is today, whether by sociologists, ecclesiologists, liturgists, historians, theorists, and pastoral planners, not to mention the work of numerous research committees, whether at the diocesan level or with the episcopal conference. This can be understood given that the parish, as the basic institution of ecclesial organisation, is a privileged witness to the vitality of particular churches and of the universal Church.

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¹ This article is the second lecture in the James H. Provost Memorial Lecture Series. It was given at Catholic University in Washington on March 10, 2005.

Other than general commentaries on parish law or on some of its particular aspects, it is quite surprising to learn that there have been very few specific canonical studies on the parish's present problems and on the solutions brought to bear in most of the dioceses affected by these problems. While other studies on the theme obviously exist, canonical writings as such have been rather limited in number.

I do not intend, in this presentation, to research or propose solutions, original or otherwise, to the difficulties experienced in parishes, whether because of a general lessening in religious practice, or of the decreasing number of priests. Rather, I plan to consider as a canonist some of the solutions proposed to these problems in different parts of North America and in Europe.

First, we shall review the facts that the majority of dioceses have recognized when they began to examine the traditional organization of their parishes. Then, having briefly shown the array of possible solutions which have in fact been applied in various ways according to circumstances of places and persons, we will then evaluate these solutions in light of the Code of Canon Law and related documents. Finally, we shall attempt to predict the next steps in parish reorganization, whose history is so closely linked theologically and juridically to the history of the diocese.

I. Observations

Whether it be in the United States, in Canada or in European countries, certain common facts have been observed: religious practice is relentlessly declining, recruitment of priests is decreasing in a similar proportion, the average age of priests therefore is constantly climbing, and, in some milieus, people are still hoping for or dreaming of a return to the situation we enjoyed in a not-so-distant past.

1. Religious Practice

When we speak of "religious practice," we usually mean Sunday practice. But there is also what we could call general "sacramental practice." And it does not seem to be in better health than is religious practice: "According to a national study conducted in the late 1990's, participation in the sacramental life in the United States declined somewhat in a number of ways compared to rates in mid century."²

² Archdiocese of Philadelphia, Office of Research and Planning, *Philadelphia Catholic Parishes in 2000: Beacons of Hope Entering the 21st Century*, 20.

I cannot speak for the United States. But since the solutions envisaged here are similar to those used in Canada, we may surmise that they apply to problems shared in common.

The vast majority of Quebecers still call themselves Catholics. Depending on the region, the proportion can be as high as 95%. Yet, "since the 1960s, regular Sunday practice has not stopped decreasing, dropping to an average today [in 2002] of 6 to 10%, and in certain places to 3 to 5%. Sunday practice is plummeting."³ On the other hand, a quick glance around the congregation during Sunday celebrations enables us to observe that the average age of the faithful in attendance is on the rise.

As for other forms of sacramental practice, they too are also decreasing. For instance, several parents delay their child's baptism to allow it a free choice when he or she has reached an age to decide personally. And new parents who bring their child for baptism quite frequently have either rather new Christian roots or want only to impart to their child the heritage they received from their own parents, without, however, assuming the commitment of regular worship that they themselves have practically abandoned.

A practicing friend of mine asked me one day to baptize his grandson. When I met with my friend's son, I quickly noticed that he had no knowledge of where his parish church was, and even less who his pastor was. And he did not exactly appreciate my insistence that he take part in the baptism preparation program offered in his parish.

It is the same situation with confirmation, which, at least in Quebec, has suffered the repercussions of educational and catechetical reforms, as well as the effects of a greater mobility of families. One would suppose that, once they have reached the age for conferral of confirmation, young people do not practice their religion any more than their parents for whom their child's confirmation is not their first or greatest concern.

And what about the sacrament of penance, especially in its individual form? Even the faithful who have known religious practice in its golden age do not seem to be suffering from the absence of priests in the confessional. As for general absolution, following repeated warnings from the Holy See and the revisions made to the conditions for its celebration,⁴ it

³ Normand Provencher, *Trop tard? L'avenir de l'Église d'ici* (Ottawa: Novalis, 2002) 30, (*Trop tard?*).

⁴ John Paul II, *motu proprio Misericordia Dei*, April 7, 2002: AAS 94 (2002) 452-459.

is offered less and less frequently to the faithful. There also is the factor of the crumbling of the sense of sin, but this is another story, although tied to the ever greater distance taken by the faithful from worship in the church.

The sacramental celebration of marriage follows the same downward curve. With the legalization recognizing *de facto* unions in Canada, people are showing less interest even in civil marriages. And it is not the revision of the traditional definition of marriage to allow same-sex marriages that will revive the fervor in heterosexuals for religious or civil marriages.

Finally, even funerals are being celebrated less frequently in churches. Most funeral homes now have a chapel for the last farewell, as some of them now also offer reception halls. A sort of one-stop, do-it-all center. There is no need anymore to go from place to place for each step of the bereavement process. We are distancing ourselves from the parish even in death.

2. Shortage of Priests

Of all the sacraments, it is perhaps the sacrament of orders that has shown the sharpest decrease in the last decades in North America and in Europe. And certainly with respect to its effects on the community.

We must not forget the massive numbers of priestly departures in the years following the Second Vatican Council, a phenomenon which occurred throughout much of the Church.

In a conference he gave to priests in Los Angeles in October 1997, Father Thomas Rausch, S.J., drew the attention of the participants to the evidence of signs predicting a marked decrease in the number of priests in the near future: "In the United States, which enjoys a higher ratio of priests to people than most parts of the world, the number of priestless parishes has tripled since 1982 and continues to increase. In 1966 the number of active diocesan priests stood at 30,000, but will fall to about 21,000 by the year 2005."⁵ He did not foresee the events of these recent years (clergy sexual abuse of minors crisis) which also led to the unexpected retirement from ministry of a few hundred priests. After having given a few predictions for certain American dioceses, Father Rausch added: "And it is estimated that by early in the next century, there will be

⁵ Thomas Rausch, "Priesthood in the Church of Tomorrow," *Origins* 27 (1997-1998) 369.

about 1,000 priestless parishes out of the 2,703 in England and Wales. That is more than one third."⁶

In Canada, the number of priests being recruited since the 1970s has never succeeded in filling the vacancies caused by departures during these same years and since then. This does not bode well for the future. Of the eight seminaries functioning in the Province of Quebec at the beginning of the 1970s, only three are now left, two of which accept a few seminarians from other dioceses. The seminaries of Montreal and Quebec alone accommodated more than 500 seminarians at the beginning of the 1960s. Forty years later, there are more bishops in Canada than seminarians. To which Provencher responds in a tone that shows more disillusion than cynicism: "Must we then expect a shortage of bishops in the near future?"⁷

We are not the only ones in the West to notice a lessening in religious practice at the same time as the decrease in priestly vocations. The Holy See has also taken note of the situation. Except that over there, some persons still hope for the restoration of the flourishing situation enjoyed in a still recent past. One sees this approach in fact in the *Instruction on Some Questions Regarding Collaboration of Nonordained Faithful in Priests' Sacred Ministry* signed by the heads of eight dicasteries and approved *in forma specifica* by the pope on August 13, 1997 (hereafter called the multi-dicasterial *Instruction*).⁸ The document states that "while on the one hand the numerical shortage of priests may be particularly felt in certain areas, on the other it must be remembered that in other areas there is currently a flowering of vocations which augurs well for the future."⁹

II *Applied Solutions*

Without going so far as to say that one is the cause of the other, which is no doubt possible, these two facts are certainly closely linked. Indeed, on the one hand, we may ask ourselves how the absence of faith education and sacramental practice can incite young people to devote them-

⁶ *Ibid.*

⁷ *Trop tard*, ? 33.

⁸ *Origins* 27 (1997-1998) 397-409. We will frequently mention the *Instruction* since its having been approved *in forma specifica* by the pope confers on it his own authority. Hence it can be said that it represents an authentic interpretation of the canons to which it refers.

⁹ *Ibid.*, 407.

selves to priestly ministry? On the other hand, the decrease in priestly recruitment and, therefore, in the number of priests leads to extra work for an aging clergy, who must often devote most of their time to sacramental ministry.

Be that as it may, the majority of studies looking into the actual state of the Church do not deal with the decrease in religious practice without at the same time mentioning the shortage of priests. As does the multicasterial *Instruction*.

As for the 1983 Code of Canon Law, it refers two times to the faithful having given up religious practice, that is when dealing with the apostolic spirit of the diocesan bishop that is to be extended "to those who no longer practice their religion" (c. 383, §1) and with the ministry of the pastor who is to "make every effort, even with the collaboration of the Christian faithful, so that the message of the gospel comes also to those who have ceased the practice of their religion" (c. 528, §1). No other means is proposed to the pastor than to turn "even" to "the collaboration of the Christian faithful." There is no need to add that this would have to be done in accordance with the law.

However, the code deals more precisely with the shortage of priests, the magnitude of which could not have been predicted in 1983. Yet, even if it had been foreseeable at the time, it is not certain that the law would have gone any further than it did, given its very object which cannot deal with projections or probabilities.

The expression *sacerdotum penuria*, "lack" or "shortage of priests" is found three times in the code, each time to introduce an exception to a principle or a general rule:

i) canon 517, §2 allows a bishop who cannot confer the office of pastor on a priest as proper pastor, to entrust some share in the exercise of the pastoral care of a parish to a deacon or a non ordained member of the faithful, on condition that he also appoint a priest provided with the powers and faculties of a pastor;

ii) canon 526, §1 first recalls the principle of "one parish-one pastor" and then makes an exception by permitting that the pastoral care of several neighboring parishes can be entrusted to the same pastor "because of a lack of priests or other circumstances." It can be understood that these "other circumstances" could include the decrease in religious practice in a neighbouring parish or simply an important reduction in the number of parishioners;

iii) the other mention of a "shortage of priests" introduces the permission that may be granted by a local ordinary to a priest to celebrate Mass more than once a day.¹⁰

Other norms simply foresee that in the absence of a priest or a deacon, for certain acts, mostly in the celebration of sacraments and the liturgy, the lay faithful can supply or be exceptionally designated, where the pastoral needs require it.¹¹ This must not be confused with a shortage of priests.¹²

1. Lay Involvement

Since the Second Vatican Council, and even before that, following the good years of Catholic Action, lay people have gone from an apostolate in the world to pastoral activity in the Church. And, owing to the decrease in the number of priestly vocations and an aging clergy, turning to lay people to work either full-time¹³ or on a voluntary basis in parish pastoral work has become more and more widespread.

Most of the time, they are members of mixed teams inspired by canon 517, §2, and then they collaborate with a priest who moderates their pastoral activities. Since the priest cannot always be present in the parish, a lay member of the team could be responsible for the daily activities in the parish.

2. Permanent Deacons

The multi-dicasterial *Instruction* refers to canon 517, §2 by insisting on the exceptional character of resorting to lay people in the event of a shortage of priests. For this reason, continues the *Instruction*, "before employing them, other possibilities should be availed of, such as using services of retired priests still capable of such service [. . .]. In any event, the preference which this canon gives to deacons cannot be overlooked."¹⁴

¹⁰ See c. 905, §2.

¹¹ See, for examples, cc. 230, §3, 861, §2, 1112, §1, 1421, §2, etc.

¹² This is what can be surmised from the many warnings in the multi-dicasterial *Instruction* concerning, for example, lay people as extraordinary ministers of communion (art. 8, 405–406) and of baptism (art. 11, 406–407).

¹³ See Roch Pagé, "Full-Time Pastoral Ministers and Diocesan Governance," *Louvain Studies* 26 (2001) 166–179; also Anne Asselin, *L'articulation des ministères ordonnés et des ministères non ordonnés dans le gouvernement du diocèse* (Ottawa, Université Saint-Paul, 2003).

¹⁴ Article 4 in *Origins* 27 (1997–1998) 404.

In fact, where the permanent diaconate has been restored, deacons are assigned to teams participating in the exercise of the pastoral care of one or more parishes. "However, under the pressure of the shortage of priests, in more and more places deacons are being burdened with the actual leadership of the parish—after all, they are ordained."¹⁵

In certain teams constituted according to the norms of canon. 517, §2, the priest moderates the participation in the exercise of the pastoral care; but a permanent deacon carries out the coordination of the administrative aspects of pastoral care, such as personnel, finances, temporal goods, etc.¹⁶

3. Imported Priests

Certain European and North American dioceses have freely accepted priests who come from countries that are well supplied, like Poland¹⁷ and certain African countries.¹⁸ They are temporarily filling some of the gaps.

4. Remodeling of Parishes

The presence of laity and permanent deacons on parish pastoral teams in the absence of a resident priest or a proper pastor constitutes a radical change in the traditional leadership of the parish, but without changing the structure itself. In very numerous dioceses of the United States,¹⁹

¹⁵ Jan Kerkhofs and Paul Michael Zulehner, "Where Now?—Possible Scenarios," ("Where Now?"), in Jan Kerkhofs, *"Europe Without Priests?"* (London, SCM Press, 1995) 169.

¹⁶ "This person, sometimes called pastoral or parish coordinator, parochial minister, pastoral administrator, pastoral leader, parish director, resident pastoral minister, etc., is appointed by the diocesan bishop." (Sharon Euart, "Parishes Without a Resident Pastor: Reflections on the Provisions and Conditions of Canon 517, §2 and its Implications," *The Jurist* 54 (1994) 379). In their research on the applications of can. 517, §2, Barbara Cusack and Therese Sullivan point out that "the law does not provide a well defined plan for applying and implementing this canon. This is well and good!" (*Pastoral Care in Parishes Without a Pastor—Applications of Canon 517, §2* [Washington: CLSA, 1995] X). Further on (XI), the authors make another observation: "The personnel involved in this new model have no consistent name or title."

¹⁷ "Some Western European bishops, for example, draw on Polish priests, as does Cardinal A. Simonis (of Utrecht) in the Netherlands." (Kerkhofs, "Where Now,?" 164).

¹⁸ "In Wallon-Brabant (Belgium), recourse is had to African priests studying at the Catholic University of Louvain (ibid). It is the same case for certain African priests who reside in parishes during the time of their studies at Saint Paul University (Ottawa), and who remain in the country once their studies have been completed. They are named chaplains in institutions or pastors of a parish."

¹⁹ See *The CARA Report* vol.9/4 Spring 2004 (Washington, D.C.: Georgetown University, 2004) 1–11.

Canada,²⁰ and Europe,²¹ the population decrease in certain parishes, together with a diminution of religious practice and a lack of priests, has led to more and more radical solutions, no longer concerning only the parish personnel but the traditional structure of the parish itself.

Canon 517, §1 has already introduced a certain exception to the principle, "one parish-one pastor." It permits one or several parishes to be entrusted to several priests who fulfil the pastoral office of the pastor *in solidum*. Since this solution, however, presumes the presence of several available priests, it does not seem to have found many takers. In any case it had arrived too late even in 1983 at the time of the promulgation of the code.

Before setting forth solutions affecting the very structure of the parish, it should be noted that not everything has been said on the subject of canon 517, §2, already presented as an exception to the usual provisions on parish pastoral leadership. Two things must be added:

- (i) contrary to §1 of the same canon that applies to the pastoral care of one or more parishes, §2 speaks only of one parish;
- (ii) even if the bishop has to appoint a priest "provided with the powers and faculties of a pastor," that does not make him the proper shepherd of that parish, namely, a pastor. One must therefore conclude that this parish is vacant; and this accentuates its exceptional and temporary character.²²

Other solutions are the clustering of neighboring parishes in accord with canon 526, §1, the union of one or more parishes to another one, and the merger of two or more parishes to create an entirely new one.²³

²⁰ See Gilles Routhier, "Nouvelles paroisses—Chances ou impasses pour l'évangélisation,?" ("Nouvelles paroisses") *Lumen Vitæ* 59 (2004) 95–108.

²¹ See Kerkhofs, "Where Now,?" 171 et Alphonse Borras, *Les communautés paroissiales*. (Paris: Cerf, 1996) 270–275.

²² See John Renken, "Parishes and Pastors," in *New Commentary on the Code of Canon Law*, ed. John Beal et. al. (New York: Paulist Press, 2000) 688; also James Provost, "Priest as Moderator of Parish," ("Priest as Moderator"), in *CLSA Advisory Opinions 1994–2000*, ed. Arthur Espelage (Washington, Canon Law Society of America, 2002) 133–135.

²³ It should be noted that the terminology used in the code, by commentators, and even in the practice of the Roman Curia is not univocal regarding the various ways of joining juridic persons. Robert Kennedy, in *New American Commentary*, 168, speaks of a "merger" when a juridic person is absorbed by another, which we will call "union" (*unio* in c. 582) and of "consolidation" when the juridic persons are joined in such a way as to form a new juridic person, which we will call "merger," (*fusio* in c. 582) while James

(a) One Pastor-Several Parishes (clustering)

Canon 460, §1 of the 1917 code was reluctant to confide more than one parish to the same pastor. It was primarily a question of incompatibility due to the impossibility of the same person's fulfilling two offices at the same time (CIC/17, c. 156). Moreover, by putting as a condition that the parishes entrusted to one and the same pastor should be united in such a manner that they were on the same juridical footing (*aeque principaliter*), the legislator desired to avoid the situation in which a less important parish was eventually suppressed.²⁴ Our present canon 526, §1 does not speak of such a union, nor does it place any condition regarding the equality of parishes in which the pastoral care may be entrusted to a single pastor.²⁵ It speaks of the lack of priests, which nobody was talking about in 1917 at the time of the promulgation of the first code.

The multi-dicasterial *Instruction* clearly prefers this solution rather than that of canon 517, §2.²⁶ The reason for the preference is easy to presume: in the case of canon 517, §2, the parish is vacant (without any pastor), while in the case of canon 526, §1 there is a pastor in each of the clustered parishes which retain their juridic personality and their proper identity. Up to a certain point, such a clustering of parishes can be taken as analogous to the federation of institutes of consecrated life spoken about in canon 582. It can happen, however, that the same priest who is pastor of the clustered parishes might also at the same time be the priest

Provost, "Some Canonical Considerations on Closing Parishes," ("Some Canonical Considerations") *The Jurist* 53 (1993) 363 speaks of "amalgamation" in such a case. On the other hand, Sharon Holland, in *The Code of Canon Law—A Text and a Commentary*, 458, mentions that "the practice of the Sacred Congregation for Religious and Secular Institutes illustrates at least two types of mergers—the term "union" being used interchangeably." But Rose McDermott, in *The New American Commentary*, 750, says that the term "merger" (fusion) is most often used to describe the extension of one institute through union with another."

²⁴ See Ferdinand Claeys-Bouÿaert, "Des clercs (cc. 108–486)," in Raoul Naz, ed. *Traité de droit canonique* 2nd ed. (Paris: Letouzey et Ané, 1954) I: 529.

²⁵ The question of whether, according to this canon, the priest is named pastor of each of the neighboring parishes or the pastor of one of them and only in charge of the pastoral care of the faithful in the other parishes, as administrator, for example, was discussed twice by James Provost. Each time, he expresses his preference for the second option, while leaving the door open to the first. See idem, "Priests Serving as Pastors in More than One Parish," in *CLSA Advisory Opinions 1984–1993*, ed. Patrick Cogan (Washington: Canon Law Society of America, 1995) 124–126, and "Pastor of More than One Parish," in *CLSA Advisory Opinions 1994–2000*, ed. Arthur Espelage (Washington, Canon Law Society of America, 2002) 142–144.

²⁶ For a commentary on this point, see Renken, in *New American Commentary*, 697.

who supervises the laity who participate in the pastoral care of a vacant parish in accord with canon 517, §2.

This is not the place to speak about coordinating the division of pastoral services in the case of a clustering of parishes. In any case, this solution is viable only on the condition that a team is in place, as envisioned by can. 517, §2, to respond adequately to the needs of the faithful.

(b) The Joining of One or More Parishes to Another (union)

Differing from the preceding case, the union of one or more parishes to another parish presupposes the suppression of those that are joined to the parish that remains.²⁷ It should be noted that the chapter of the code on juridic persons (cc. 113–123) does not treat of this type of union. Therefore, canons 120 and 121 can and should be taken into account *servatis servandis*, as well as canon 582 on the union of institutes of consecrated life.

(c) The Joining of Two or More Parishes into One (merger)

A merger, which is also called “consolidation” or “amalgamation,” consists in the suppression of two or more parishes to create a new one. This is the case foreseen in canon 121. Aside from the strictly juridic difference between union and merger, the choice between the two solutions is often guided by human considerations, that is, taking account of the legitimate feelings of the people or of the history of each parish. It will not always be easy to get the faithful to accept that, henceforth, their parish is no longer the one where they were baptized and married, the parish their parents helped build by their contributions.

In private correspondence, the person responsible for the restructuring of the parishes for the Diocese of Pittsburgh mentioned to me recently that, following the considerable restructuring of the parishes in his diocese, “there were sixteen recourses to Rome involving sixteen parishes. Nine went to the Supreme Tribunal, the remaining only to the Congregation for the Clergy. All were dismissed.” The Archdiocese of Chicago has been involved in remodeling parishes for more than twenty years. There were also cases of recourse to the Apostolic See. In some of them, the

²⁷ It is remarkable that in my own home diocese of Chicoutimi in the Province of Québec, for example, parishes that have since been suppressed, were erected, for the most part, during the 1950s and the years of the Second Vatican Council, a good time for the Church in more than one way. And it is usually the mother-parish (or grandmother) that remains.

archdiocese was required to restore the parish church to the *status quo* enjoyed before the suppression of the parish.²⁸

III. A Critical Look at the Solutions

There is no doubt that the solutions given up to now are proposed for the better pastoral care of the faithful entrusted to the pastor under the authority of the diocesan bishop. The application of certain solutions may vary from one diocese to another and even from one parish to another in the same diocese. Much depends on the circumstances of places and of persons.

Thus, in reviewing each solution with a critical eye, it is not a question of passing judgment on their value. Rather, in light of the evolution of parish law, we wish to examine the significance of these solutions for the future of the institution of the parish itself. This will not prevent us from raising some questions and even some doubts on occasion.

1. Pastoral Personnel

As is known, under the 1917 code the parish was considered a territorial circumscription (see c. 216, §1) of another territory, the diocese (see c. 215, §1). It is now defined as a certain community of the Christian faithful within a portion of the people of God (see c. 515, §1), in which the pastor is and must be a priest (see c. 521, §1).

What transpired between 1917 and 1983? To be sure, there was the Second Vatican Council. But before that were the theologians who made the council what it was. Among others was Karl Rahner, who was asked in the mid-1950s to give a presentation to the seminarians of the Theological College of Innsbruck, Austria on the theology of the parish. He began by asking whether it is possible to propose such a theology, and he added: "There is today a certain predilection for finding theological foundations for all kinds of things—a theology of play and sport, a theology of dress and a thousand other things."²⁹

²⁸ See Thomas Paprocki, "Parish Closing and Administrative Recourse to the Apostolic See: Recent Experiences of the Archdiocese of Chicago," *The Jurist* 55 (1995) 875–896. Before presenting the history of some of those recourses, Bishop Paprocki gives some interesting data concerning the number of parishes involved in the restructuring that began in the 1980s. For an example of a decree of the Apostolic Signatura in response to a recourse against the decision of a diocesan bishop to demolish the church belonging to a suppressed parish, see *Communicationes* 20 (1988) 88–94.

²⁹ Karl Rahner, "Theology of the Parish," in *The Parish—from Theology to Practice*, (Westminster, Maryland: Newman, 1958) 24.

Taking the territoriality of the parish as his point of departure, Rahner essentially demonstrated that the Church as event is necessarily a territorial community that is actualized in the eucharistic celebration. He stated: "We can say, therefore, that the parish is the primary realization of the Church as event, because the parochial Eucharistic celebration is the most original and natural in regard to the placeness [sic] of the Eucharist."³⁰ Previously, he affirmed that the "theological relation between the Church and the parish consists in this: that the parish is, in a very definite sense, the representative actuality of the Church; the Church appears and manifests itself in the central event of the life of the parish."³¹

The close bond established by Rahner among the parish as localized community, the universal Church, and the Eucharist, gave rise at the threshold of the council to a remarkable publication entitled *The Parish, Eucharistic Community*.³² These elements would be recovered here and there: in the new approach to the parish at the council,³³ in the 1983 Code of Canon Law, for which the 1977 preparatory schema on the people of God itself said that the parish is a "portion of the people of God,"³⁴ and in the subsequent writings of John Paul II.

Two of these documents of the pope deserve particular mention here:

(i) five years after the promulgation of the code, in his apostolic exhortation *Christifideles laici*, the pope recalls that "the parish is not principally a structure, a territory or a building but rather 'the family of God' [. . .]. Plainly and simply, the parish is founded on a theological reality, because it is a eucharistic community;"³⁵

(ii) ten years later, in another apostolic exhortation, *Ecclesia in America*, following the extraordinary synod of the Americas, John Paul II returns to the challenge: "Today in America as elsewhere in the world the parish is facing certain difficulties in fulfilling its mission. The parish needs to be constantly renewed on the basis of the principle that 'the parish must continue to be above all a eucharistic community.'"³⁶

³⁰ Ibid., 32.

³¹ Ibid., 25.

³² Casiano Floristan, *The Parish as Eucharistic Community* (London: Sheed and Ward, 1965) translation of *La Parroquia, Comunidad Eucarística* (Madrid, 1961).

³³ See *Sacrosanctum Concilium* 42, *Apostolicam actuositatem*, 30, *Christus Dominus*, 30.

³⁴ See *Communicationes* 13 (1981) 147.

³⁵ *Origins* 18 (1988-1989) 573 n. 26.

³⁶ *Origins* 28 (1998-1999) 578 n. 41.

Pursuant to these words of the pope and in the light of the theology of the parish which is their foundation, we can say that the "parish-eucharistic community" is a key for reading and interpreting the norms of the code on the parish. It is also a key to reading and interpreting the multi-dicasterial *Instruction* that recalls these norms and the solutions brought to bear at the level of personnel and parish structure regarding the lack of priests in parishes.

Thus it is that we must understand the application of canon 517, §2 as being a case so exceptional that the multi-dicasterial *Instruction* prefers instead that we should make use of the services of retired priests still capable of serving, or even entrust several parishes to a single pastor.³⁷ Since the ministry of the laity in the parish is referred to as a "participation in the exercise of the pastoral care" of a eucharistic community, it is understandable why this is often considered a matter of the laity supplying for the absent priest. Moreover, when the ministry of the laity comes out of the rectory or the sacristy, it perpetuates a clerical model of ministry. And despite all the learned discourses that could be given to establish the theological foundations for their pastoral action, it would still bear the mark of its concrete origins, namely, the lack of priests. Now we see lay ministers supplying for the priest in some areas due to his sacramental ministry being overextended, but perhaps one day it will come to the point where the pastor will instead be seen as doing what the laity cannot do.

Much the same is happening with permanent deacons who more and more are involved on pastoral teams in parishes. After the Second World War, the German bishops had envisioned a permanent diaconate to be of assistance due to the death or exile of numerous priests,³⁸ but this was not the stated reason for the restoration of the permanent diaconate by Vatican II. Kerkhofs, cited above, notes that the number of deacons increases much less rapidly than the number of laity with pastoral formation; and he adds that the deacon "can do little more than a lay person can, for example read the gospel and preach at the eucharist—thus if there is already a priest."³⁹ All the same, we have to add that the deacon acts less by supply for the priest than does the lay minister. But every consideration on this subject and on that of the lay pastoral worker leads inexorably to the same

³⁷ See *Origins* 27 (1997–1998) 404.

³⁸ See Commission théologique internationale, *Le diaconat—évolution et perspectives* (Paris: Cerf, 2003) 77–78.

³⁹ "Where Now?," 170.

conclusion: only a priest can replace a priest.⁴⁰ Thus, the conclusion of the multi-dicasterial *Instruction* is completely logical: "Solutions addressing the shortage of ordained ministers cannot be other than transitory."⁴¹

The importation of priests from Africa or from countries well supplied with vocations is presently among those transitory solutions to the extent that these priests serve to maintain a cultic ministry. Kerkhofs states: "Moreover these priests who have been provisionally imported are not prepared to devote themselves to a completely different cultural milieu, in contrast to members of the great missionary institutions in the past."⁴² And it would not be too mean-spirited to add: especially if they remain in the country after having tasted its way of life and are no longer very interested in returning home.

2. "New" Parishes

Whatever the option taken—clustering, union, or merger—the goal is always to safeguard the character of the parish as a eucharistic community. That may sometimes be to the detriment of its character as "a certain community of the Christian faithful."

In an address to the National Conference for Pastoral Planning and Council Development in Seattle, Washington in 1996, Bishop Howard Hubbard of Albany, NY said that two trends need to be balanced in parish life today: "the trend toward more intimate, small-based faith communities within larger parish entities, and the need for the clustering of parishes in a given geographic area."⁴³ Here we see the dilemma in which a number of dioceses currently find themselves.

We need to mention that the three options do not have the same weight. Contrary to the union and merger of parishes, which have a rather irreversible character since they imply the suppression of the united or merged parishes and sometimes of the churches, the clustering of parishes in accord with canon 526, §1 leaves intact the juridic existence and the autonomy of each parish in expectation of the eventual

⁴⁰ "Pastoral presiding, which encompasses sacramental presiding, notably the Eucharist, defines episcopal and presbyteral ministry; and hence, it cannot be shared. In what properly constitutes it, presbyteral ministry cannot be "supplied;" and this is why the lack of priests can only be remedied by the ordination of priests" (Provencher, *Trop tard*, 152; author's translation).

⁴¹ See conclusion, in *Origins* 27 (1997–1998) 407.

⁴² Kerkhofs, "Where Now,?" 164.

⁴³ Howard Hubbard, "A Vision for Parish Planning and Restructuring," *Origins* 25 (1995–1996) 729–730.

availability of a priest to be their own pastor. This could be the first step toward the other options. Besides, it is the sole option found in the chapter of the code on parish law, which is content to mention elsewhere that a parish may be suppressed or altered notably (see c. 515, §2), but without giving any indication on the procedure to follow, other than consultation of the presbyteral council.⁴⁴

What in fact happens when one proceeds to the union of one parish to another or the merger of several parishes? First, the parish is a certain community of the Christian faithful. But it is also true that it remains territorial in principle (c. 518) and that it receives juridic personality when it is canonically erected (c. 515, §3). This was not formally the case under the previous code, due no doubt to the system of benefices which themselves had juridic personality by law.

In reality, the union or merger of parishes is a two-fold operation. The first concerns the juridic personality of the affected parishes and the second pertains to the community of the faithful. Because the first one has been resolved does not mean that the second will follow effectively and harmoniously. In the cases of either a union or a merger, the suppression of a community of the faithful is not going to happen by itself. The juridic act is not sufficient. The identity of the faithful in relation to a community is built up only over the course of some years and as a result of the various events of its life, both Christian and social. We cannot simply decree that the people are going to identify themselves with this new community, which is not the one they have known, or with this place of worship, which is different from the one they are used to attending.

In fact, the union or merger of parishes does not always signal in reality the suppression of the communities themselves. Everything depends on the reason or reasons for the decision. If the community is so reduced in number, or those still practicing have become so few that the place of worship can no longer be decently maintained, the diocese should proceed to its closing.⁴⁵ But if the principal motive for the decision is the impossibility of providing each affected community with its own pastor due to the lack of priests or due to the burden of the separate administration of each parish clustered in accord with canon 526, §1, this does not mean that the preexisting communities and their places of worship will be suppressed in a union or merger. In such a case it would, in fact, be a matter of a centralization of administrative and pastoral services, thus avoiding

⁴⁴ See Provost, "Some Canonical Considerations," 362-370.

⁴⁵ *Ibid.*, 366-369.

wide disparities for the pastor and duplication of pastoral services. However, essential sacramental services could continue to be offered in the former parish churches.⁴⁶

In practice, these "new" parishes, as certain authors call them,⁴⁷ are new only in that they are "communities of communities." Canonically, they are no longer parochial communities. In principle, a "new" community is perpetual due to its juridic personality, as its component parts were previously. It remains for the pastor to visualize how he can be the proper pastor of a community which is not only enlarged but also divided.

Conclusion

In considering the present situation of the parish, might it not be helpful to think of its etymological meaning? The term *paroecia* or *parochia* in effect comes from the Greek *paroikia*, which means "stranger." The verb *paroikein* in the Septuagint means "to live as a stranger;" and a *paroikos* is the stranger who journeys in the midst of a community where he enjoys certain privileges but without the full rights of citizenship. Thus it is that Abraham was a "stranger" or a "parishioner" in Egypt, where the sons of Jacob were in fact forming a *paroikia*, a parish.⁴⁸

The signatories of the multi-dicasterial *Instruction* are perhaps more correct than they thought in 1997 when they anticipated that the solutions now brought to bear to remedy the lack of priests could only be transitory. In effect, if the number of priests continues to diminish, it may well be necessary to proceed to new unions and new mergers of parishes,

⁴⁶ Sunday Mass sometimes continues to be offered there, and marriages, baptisms, and funerals continue to be celebrated there. The old parish sometimes retains its registers and a baptism could be inscribed in these terms: "We have baptized N., child of N. and N., of Sacred Heart Parish, St. Anthony Community."

⁴⁷ See Gilles Routhier, "Nouvelles paroisses," *Lumen Vitæ*, 59 (2004) 95–108; Paul Mercator, *La fin des paroisses? Recomposition des communautés, aménagement des espaces*, (Paris, Desclée de Brouwer, 1997); Gaëtan Baillargeon, "La vie liturgique de la paroisse remodelée," in *Paroisses et ministère*, ed. Gilles Routhier et Alphonse Borrás (Montréal: Mediapaul, 2001) 253–293.

⁴⁸ See Floristan, 17–18; also James Coriden, *The Parish in Catholic Tradition—History, Theology and Canon Law* (New York/Mahwah, N.J.: Paulist, 1997) 19–20; Pierre de Labriolle, "Parœcia," *Recherches de science religieuse* 18 (1928) 60–72. For this last author, Christianity "was to give [to the biblical sense of the expression] new vitality and scope, incorporating into it a mystical meaning, that is, the certainty that the Christian is, on earth, only in a momentary dwelling; that his true homeland is not the one where he was born; that he is journeying in this world as in a place of trials in which he is but passing through." (62, author's translation).

always enlarging more and more the "communities of communities." Up to what point are we going to apply any solutions, other than those that are purely structural or cosmetic, in the hope of a restoration, now improbable, of the Church of the past? This is said with the knowledge that the Church has been well acquainted with other solutions in the course of its history.

I don't want to sound like an alarmist, but can we imagine that one day the enlarging of parishes, after reaching the size of entire cities, will encompass the diocese itself? And then, the present model of parochial unions and mergers should perhaps be applied to dioceses.

We have to believe, certainly, that the Church will not die. But the particular churches can die. Let us think of the golden age of the Church sojourning in North Africa which, at the time of Saint Augustine, counted hundreds of dioceses. Even if in the fourth century the distinction between diocese and parish was not yet defined, it nevertheless remains true that the Church and the particular churches were flourishing there.

Recently, three Canadian dioceses experienced transformations, some of them radical. The Diocese of Gravelbourg in Saskatchewan was suppressed and united with the Archdiocese of Regina; the Diocese of Yarmouth in Nova Scotia became an apostolic administration placed in the care of the Archbishop of Halifax, to which it might some day be united and thus suppressed; and the Diocese of Labrador-Schefferville in Québec-Newfoundland has just been united *in persona episcopi* to the Diocese of St. George's in Newfoundland, while some parts of its territory will most likely soon be united to two dioceses in Quebec.

An African missionary speaks of the "terminal stage" and of "aggressive treatment"⁴⁹ on the subject of the present situation of the Church and the solutions that are brought to its institutions. Without going that far, we still must ask together with him whether one form of the Church is, in fact, in the process of dying. "Unless the grain of wheat falls to the earth and dies, it remains just a grain of wheat. But if it dies, it produces much fruit." (John, 12, 24). Who can foretell the contours of the Church that will be reborn?

⁴⁹ Eugène Lapointe, "Acharnement thérapeutique ou mission?—Une parabole pour aujourd'hui," *Communauté chrétienne* (June 1990) 16–18.