

BENEDICT XVI'S 'MOTU PROPRIO' — WHAT IS ITS SCOPE?

One of Pope Benedict XVI's last canonical documents addressed to the entire church is his *motu proprio* (of his own accord) on the service of charity within the community. This document, dated Nov. 11, 2012, was issued on Dec. 1, 2012, and is now known by the Latin terms *Intima Ecclesiae Natura* (on the church's deepest nature). It wishes to establish a juridical framework suitably adapted to the need for coordinating, at least in general, the various ways in which the church's service of charity is imparted.



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There were two principal underlying motives for this document: to ensure that gifts given by the faithful for a specific purpose are indeed used for that purpose, and to clarify the role of the diocesan bishop in coordinating works of charity. In addition, other considerations were raised: to avoid financial scandals (if, for instance, excessive salaries were paid to executives, or money was not used for the purpose for which it was donated); to avoid doctrinal pitfalls which confuse the faithful (for instance, by supporting works that directly contravene church policy); and to set up an overriding agency to oversee these activities, thus avoiding a risk of abuse of power at the local and national levels.

Because the Pontifical Council *Cor Unum* now exercises this role of oversight, we can expect it to issue regulations to ensure the document is properly applied. On Jan. 19, 2013, Pope Benedict spoke to *Cor Unum* and mentioned: "With my recent *motu proprio Intima Ecclesiae Natura*, I wanted to reassert the ecclesial significance of your work. Your witness can open the door of faith to many persons who seek the love of Christ."

This is the context in which to receive the document: a means of opening the door of faith to those who seek the love of Christ.

There is no doubt that *Intima Ecclesiae Natura* is timely. For instance, some bishops had complained that money from the faithful was being used for purposes not in accord with church teaching; likewise, that some agencies were simply promoting social development projects and

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not making the funds available for purposes of evangelization. But the *motu proprio*, and ensuing commentary about it, make it very clear now that both dimensions are essential and must be respected. As Cardinal O. Rodriguez, the president of Caritas Internationalis, stated in December 2012, "Evangelization is incomplete without human promotion."

Bishops are therefore called upon to show a concrete and visible commitment to the service of charity in the church, promoting communion and dialogue among the various agencies and seeking to avoid an unnecessary proliferation of such activities.

There is also concern for the proper observance of applicable civil legislation.

Intima Ecclesiae Natura distinguishes clearly between initiatives of bishops and those of the faithful in general. Nevertheless, both are subject to the oversight of the diocesan bishop. But, in the perspective of private initiatives, the major question asked so far about this document is: to whom does it apply? The Pope, in Article 1.3, speaks of "the collective charitable initiatives to which this *Motu Proprio* refers." Thus, for instance, a number of private initiatives, such as those of the St. Vincent de Paul Society, or those of the Knights of Columbus, are not official Catholic Church works. In these cases, they would be guided by any governing documents that are in effect and not by the norms of the document.

Likewise, it is obvious, to me at least, that the document does not intend to address simply any type of activity that could be identified as “charitable.” Rather, its focus is on fundraising efforts to support the church’s works of charity. Thus, for instance, although offering health care is certainly a charitable activity, or offering bursaries for education is another form of charity, these activities do not now come under the scope of *Intima Ecclesiae Natura* and the immediate supervision of the diocesan bishop in relation to their finances.

Instead, it seems that the text refers to works such as those of Catholic Relief Services, Pontifical Mission Societies, Development and Peace, Catholic Charities, Caritas and the like in other countries.

In *Intima Ecclesiae Natura*, there are four points of particular interest that should be noted:

- Those who are entrusted with these works of charity carried out on behalf of the church are to see their work as part of a ministry, and not simply as a means of employment or just another form of organized social assistance.

- According to Article 7, those in charge are required to select their personnel from among persons who share, or at least respect, the Catholic identity of these works. Likewise, those who become responsible for works of this kind are to be given proper theological and pastoral formation, and they are to be fully informed of the distinctive approach and understanding of the human person that the church brings to such activity. This provision mirrors the current practice that we find for the preparation of new leadership in our Catholic health care systems, especially through the various collaborative formation programs. It is interesting to see how the church is now building on what was initially proposed for one specific apostolate.

- A third point, at first sight, appears to be more delicate. Article 10.3 states:

In particular, the diocesan Bishop is to ensure that charitable agencies dependent

upon him do not receive financial support from groups or institutions that pursue ends contrary to Church’s teaching. Similarly, lest scandal be given to the faithful, the diocesan Bishop is to ensure that these charitable agencies do not accept contributions for initiatives whose ends, or the means used to pursue them, are not in conformity with the Church’s teaching.

Some persons thought the paragraph meant that no Catholic charitable agency could accept any government funding for its activities, but Monsignor Giovanni Dal Toso, the secretary of *Cor Unum*, clarified this point shortly after the document was issued. The text refers instead to a specific program that goes against the church’s teaching. Funds cannot be accepted for such a program but may be received for other activities that are in conformity with church teaching.

- *Intima Ecclesiae Natura* refers to the diocesan bishop’s supervisory role. This, obviously, does not entail operations. The focus, rather, is on the Catholic identity of the activity. The document is quite clear on the fact that the internal autonomy of each of the various charitable works is to be respected.

If *Intima Ecclesiae Natura* is applied correctly and consistently, it will most certainly help clarify a number of points that have been raised in recent times as to the scope of a number of charitable activities. It will give even greater credibility to the call given for support of these various undertakings, and it will ensure that, as much as possible, the church’s mission of charity — an essential component of its being — will be furthered and fostered.

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