

philippine studies

Ateneo de Manila University • Loyola Heights, Quezon City • 1108 Philippines

On Church Authority

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Philippine Studies vol. 12, no. 3 (1964): 530–533

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Fri June 30 13:30:20 2008

The "self-concept" continually makes its appearances in these papers, the theory being that the adolescent will act according as he perceives himself, his ideals, his own body. There is little talk here of formal conceptualized instruction. Much more emphasis is placed on experimental knowledge, the hard core of self-identity as formed by life experiences.

An outstanding paper is one by James Cribbin on "The Problem of Vocational Choice." Dr. Cribbin sees the choice of a career as a process, starting off with fantasy. A realistic but tentative choice is made at adolescence, which is then tested out against reality until a final commitment is made. The choice involves much more than the evaluation of abilities and interests but includes the testing out of one's values, one's self-concept against life realities. It is in this reality testing process that the guidance counselor helps the adolescent. Vocational guidance becomes a process of clarification of the adolescent's own experience. This view on guidance is in contrast with the method employed by those counselors who on the basis of test results alone tell the adolescent, at one sitting, how he is to run the rest of his natural life.

Another excellent paper, though unfortunately too brief, is one on the Pastoral Counselor, by George Hagmaier, C.S.P. He advocates in the priest-counselor a certain amount of "permissiveness," suggesting that he should not value 'sharp, absolute and legalistic compliance to a moral code above the slow, stumbling, yet certain emergence of attitudes towards morality which will, later on, make it possible for the mature adolescent to bring a meaningful and joyous obedience to God's laws." Furthermore he suggests that a large amount of counseling with teenagers can be done through a judicious use of group contact, rather than through large numbers of individual interview.

The first three parts of the book, general perspectives, sexual adjustment, and juvenile delinquency, are rather uneven in their treatment of the adolescent's problems. The best parts of the book are the last two, which deal with the emotional adjustment and with the vocational choice of the adolescent. The book is a good stimulant for discussion when high school and college counselors get together.

JAIME C. BULATAO

ON CHURCH AUTHORITY *

LA POTESTAD DE LA IGLESIA: ANALISIS DE SU ASPECTO JURIDICO. Obra en colaboración de varios especialistas. Juan

* Translated from the Spanish by M. A. Bernad, S.J.

Flors, Editor. Barcelona: Consejo Superior de investigaciones científicas, 1960. xvi, 526 pp.

The main concern of the papers contained in the present volume is—as the subtitle indicates—the juridical aspect of Church authority. These papers were written for the “Seventh Week on Canon Law” (VII Semana de Derecho Canónico) held at Granada, Spain, 15-22 September 1958, under the auspices of the Instituto de San Raimundo de Peñafort.

The first forty-nine pages are devoted to an examination of the polarity between what is called “the Church of Charity” and “the Church of Law,” a subject rather theological than juridical. The remainder of the volume explores the juridical projection of the Church’s power. Some of the subjects treated are topical in the intellectual climate to be created by the Vatican Council. For instance: the canonical mission and the apostolate of the laity (pp. 460-526); the parochial power (99-147). Other subjects are less new, or are more controversial.

Being the work of many hands, the volume has on the one hand the advantage of variety and on the other the disadvantages inherent in such works, like overlapping and repetition (e.g. the content, subdivisions and evolution of the concept of “jurisdiction”) or the lack of unity between opposite views (e.g. pp. 74 and 113; 256 and 368).

Despite certain sympathy for the *apertura*, these papers would perhaps have been less conservative if they had been composed after the opening of the Second Vatican Council. Some expressions are used and some positions taken which do not entirely conform to the new climate of ecumenism or to the ecclesiological ideas that have been discussed in the Council. (See e.g. pp. 12, 13, 44, 47.) There is also a certain reserve towards ideas which today are no longer considered “advanced” or “dangerous”. (See pp. 14, 15, 312, 330.) The papers contained in the volume are:

1. “La Iglesia de la caridad y la Iglesia del derecho” (A. de la Huerga, O. P.) rejects the supposed antinomy between the Church-of-Truth and of theology on the one hand, and the Church-extrinsic on the other, which subjugates the laws of the spirit. Insisting on the Church as the mystery of Christian life, the article describes the institutional Church as a form of existence and instrument of the Mystical Body. The Church-of-Law (if the term is accepted) is ordained towards the Church-of-Charity.

2. “La potestad dominativa y su ejercicio” (M. Cabreros de Anta, C. M. F.) presents the distinction (with some applications) between the power of jurisdiction and the power of domination.

3. “Potestad parroquial” (L. Barcia Martín) considers the problem whether parochial authority may be classified as jurisdiction in

foro externo. The problem is solved by pointing out that in Canon Law there exists a power of jurisdiction distinct from the legislative, judicial and executive, since these are separable.

4. "La jurisdicción social y el fuero interno" (J. Salazar Abrisqueta) asserts that the norms which are involved to regulate internal acts are not (except in limited cases) juridical. Considered absolutely, the object of ecclesiastical authority, or of the *moral* power of the Church, are human acts in so far as they bear a relation to God; while the object of the *juridical* power, or social jurisdiction, of the church are human acts in so far as they bear a relationship to men. Such actions are public (in foro externo) or occult (in foro interno).

5. "La delegación de la potestad eclesiástica" denies the existence of a delegation "a iure" in the present law. The author endeavours to build up a theory of the act of delegating, focusing it on the dynamism of its appearance.

6 and 7. "La potestad eclesiastica en el tiempo" (J. Giménez y Martínez de Carvajal), and "La potestad legislativa eclesiástica en el espacio" (L. del Amo Pachon), examine two complementary aspects. Per se, knowledge or acceptance of delegation "ab homine" is not required for the validity of such delegation. Canonical law, per se, is not territorial, but there are factors that could make it so. Unless the contrary is evident, ecclesiastical laws are territorial.

8. "Organos jurisdiccionales del poder eclesiástico" (M. González Ruiz) clarifies terms which are often misunderstood. The juridical organ, understood as an institution and not as a physical person, is an integral part of the social structure of the Church; it is not a juridical person, not even in its internal relationships with other institutions. The author views such organs as instrumental causes, but notes that the bishops are not instruments of the Pope but of the Church.

9. "Títulos legales para el ejercicio jurisdiccional" (P. García Barriuso, O. F. M.) gives the conditions which ought to be fulfilled for the effective exercise of ecclesiastical jurisdiction.

10. "Problemas que plantea el canon 209" (S. Alonso Morán, O. P.) extends that canon to all authority, and not merely to jurisdictional authority. Thus canon 209 is invoked for supplying a defect in law which the author prefers to call "virtual", applying the "positive and probable doubt" to solve the case of "common error" itself. The author upholds the validity of a doubtful or even non-existent delegation to assist at one marriage, which he calls "delegatio a iure." (See p. 426, but the contrary position on p. 244.)

11. "La potestad de magisterio" (L. Pérez Mier), although somewhat marginal to the general theme and tone of this volume, has a greater theological topicality. The assertion that the purpose and

object of the power of the Church to teach and sanctify enjoy priority over the object of the power to govern, is a distinct note sounded in the context of these papers which are largely juridical in preoccupation. The author affirms that the power to teach does not formally involve jurisdiction; but the authentic magisterium is a juridical power, although not a social power to rule. The power of jurisdiction comprises the acts proper both to the power of teaching and to the power of sanctifying.

12. "La misión canónica y el apostolado de los seglares" (Mons. N. Jubany Arnau) is probably the most contemporary in its subject-matter. The essay follows Congar on various points, and affirms with Pius XII that the laity should be aware not only of belonging to the Church but of being the Church. The concept of "mission" is developed in its juridical sense. The essay explores the limits of lay participation in the *potestas dominativa publica* of the Church.

While the essays in this book are mostly concerned with questions that are merely marginal to theological ecclesiology, they are nevertheless a noteworthy contribution towards clarifying the juridical dimensions of Church authority.

PEDRO S. DE ACHÚTEGUI

TOWARDS UNDERSTANDING THE MORO

MOSQUE AND MORO. A Study of the Muslims in the Philippines.

By Peter G. Gowing. Manila: Philippine Federation of Christian Churches, 1964. ix, 120 pp.

Muslim Filipinos have always loomed as an important and problematical segment of the peoples of the Philippine Archipelago. The geographical position and the historical experience of the Muslims are largely responsible for this distinction. But strangely enough, despite the urgency and uniqueness of the "Moro Problem", no major, sustained study on them productive of understanding has ever been done. Misunderstanding is still the characteristic atmosphere between Muslim and non-Muslim Filipinos. Peter Gowing's *Mosque and Moro* is an attempt to remove or at least lessen the cloud of misunderstanding. This it does by trying to create a more accurate image of the Muslim Filipino.

The author, Rev. Peter G. Gowing, a Doctor in Theology, is an Associate Professor of Church History and Christian Doctrine, College of Theology, Silliman University; he is also a Missionary of the United Church Board for World Ministries. His doctrinal and missionary interest in the Muslim Filipinos is consequently understandable. Disclaiming being an authority on Filipino Muslims, he