Chapter Five

Five Types of Consultation

On September 6, 1986, Oakland's diocesan pastoral council gathered for its eleventh meeting. John S. Cummins, the Bishop of Oakland, was present for it as usual. It was a gathering of some significance, for the twenty-month-old DPC was scheduled to receive a proposal from its social justice committee. The committee was one of five established in 1985 to study the goals of the diocese, and the first to complete a draft report. The draft had been in the hands of the nineteen DPC members for over a week. In order to understand its significance, a word about the DPC is necessary.

When we say that pastoral councils have a consultative vote only, we may think that consultation is a simple matter: pastors consult; Councillors recommend. But the reality is far more complex. Oakland's DPC illustrates five distinct meanings or "types" of consultation. This chapter's examination of the five types will show that ecclesial consultation is anything but simplistic.

Oakland's DPC was chosen by and from 350 delegates at a diocesan-wide convention that was held over two weekends in late 1984 and early 1985. The convention defined "goals" for the diocese, goals that were statements of need and concern. The job of the DPC was to study these

goal statements and recommend how to implement them. The social justice committee—the first to complete its report—had a proposal for strengthening the diocese's awareness of and commitment to social justice. The committee wanted to persuade the DPC, and ultimately the bishop, to accept its proposal. The September 6 meeting was a test of the process of consultation on which the diocese had embarked.

It also exemplifies consultation in the church today. The social justice committee had taken twelve meetings to develop its draft report. The starting point was the language of the 1984-85 Oakland diocesan convention:

> The diocese shall establish mechanisms (e.g., social justice committees) on both parish and diocesan levels to prophetically challenge the personal and structural injustices which dehumanize us.

The committee then wrestled with the meaning of the words "injustice" and "challenge," and of parish and diocesan "mechanisms." After a year of work, it had developed some basic convictions. Injustice is not merely the breaking of laws, said the committee, but any violation of people's dignity and community. Christians should challenge injustice by comparing the signs of the times—the just or unjust ways in which people live today—with the vision implicit in the gospels. The committee proposed that the diocese hire people to promote this kind of reflection at the parish level by helping people to compare the signs of the times with the gospel. The committee's idea was a deceptively simple one. It took the form of a mere four-page draft report, but it had not come quickly or easily.

After the ten members of the social justice committee had made their oral presentation to the diocesan pastoral council, the councillors began to discuss it. The DPC was friendly, but had a number of questions. One member said the "prophetic" dimension was missing. He wanted to see the diocesan church take a stand against various social ills. Another said the proposal was too vague. How would gathering people to discuss social justice promote greater fidelity to the gospel? A third wanted to know more about the implementation of the proposal. Who would continue discussions in the parish about social justice after the initial visit of a diocesan official? In general, the DPC members liked the proposal, but had more questions than the social justice committee was prepared to answer at that time.

The Bishop Speaks

Then it was Bishop Cummins's turn to speak. All the council members were deeply interested in what he had to say. The bishop had set the consultative machinery in operation by holding the diocesan convention, by establishing the DPC, and by presiding over the council's creation of a social justice committee. All wanted to know how he would respond to this, the "first fruits" of the consultation. Would he accept it enthusiastically, even uncritically? Or would he dismiss it out of hand, sending the committee back to the drawing board?

As it turned out, the bishop took a middle road. He began with effusive praise for the work of the committee. He was grateful for the generosity of the members, he said, who had given many hours to develop the proposal. And he appreciated their skill in navigating the Scylla of activism and the Charybdis of individualism. The committee might have recommended that the bishop become an activist for various causes, using the authority of his office to promote them throughout the diocese. The committee rightly rejected this approach, said the bishop, because it showed scant regard for the delicacy of his role in character formation and moral development. The bishop wanted to work with his people, he said, not dictate to them. At the same time, the committee avoided the kind of individualism that would have reduced social justice to a merely personal initiative. Justice is not solely a matter of private conscience, the committee said, but a communal discernment. Cummins saw the committee's intention, and approved of it.

He was not, however, without criticism. The bishop reechoed the earlier comment that the report was vague. He wanted some concrete examples of social justice. Indeed, he was not shy about asking the committee to illustrate the meaning of justice with examples taken from the current efforts of the diocesan staff. In addition, he wanted to know what the duties of a new diocesan social justice officer might be. Further, he cautioned against a certain preachiness in the report's tone. "There is no all-knowing 'we,'" he said, "who can educate an ignorant 'they.'" And finally, the bishop cocked a critical eye at the notion of prophetism. The prophetic denunciation of injustice is important, he insisted, but no more than maintaining the communion of Christians, however imperfect that communion may be. In short, Cummins wanted the social justice committee to keep working. He requested a second draft more concrete, less condescending, and more sensitive to pastoral realities.

The bishop's response to the committee illustrates the meaning of con-

sultation. Consultation means more than soliciting the opinions of others. In addition, it implies a dialogue. The committee expressed its opinion, yes, but the bishop also prodded the committee to reconsider what it might have overlooked or taken for granted. He not only wanted to receive the committee's opinions, he wanted to shape them. Moreover, the bishop's response showed how pastors can negotiate, in actual practice, the twists and turns of consultation theory. Various theories about consultation compete today for the attention of council members and pastors. They may even appear mutually incompatible. Good pastoral practice, however, dissolves the apparent contradictions.

The Forms of Consultation

When we compare the way Bishop Cummins consulted his DPC with theoretical models of consultation, two things become apparent. First, his repertoire of consultative styles was large. He "consulted" by spending time with the council, by reflecting aloud and by listening, by asking for further information, by praising and criticizing. And second, his actual practices illuminate theories that otherwise may seem abstract or inadequate. It is one thing to generalize about how consultation ought to happen. It is quite another to illustrate a theory from experience. In the guidelines for pastoral councils published by dioceses throughout the United States, there are five general "models" of consultation, but many of them are vague, inexplicit, or overly general. Let us review them in light of Oakland's DPC.

1. The Legal Approach

Some pastoral council guidelines start with an analysis of canon law and emphasize that councils are only consultative. This truly describes councils, but it says what they are *not* rather than what they *are*. The guidelines published by Sacramento and Denver exemplify this legal approach. They state that the council "advises" the pastor, and they add—in identical language—that the council "is not a policy-making, decree-issuing, statute-formulating body."[1] The pastor consults his council, but is not bound by its recommendations. Unlike deliberative bodies, which can legislate or whose consent is required by an executive, pastoral councils have no ruling power.[2]

The language of Sacramento and Denver is taken from a pastoral letter written by the late Bishop John Keating of Arlington, Virginia. He stated that "the single greatest weakness" of some councils was their conviction that

they needed "real power" to dictate parish policy and programs. This statement suggests a context for Bishop Keating's legal approach. Overweening parish councils worried him. When parish councils are power hungry, beleaguered pastors need a defensive weapon. Canon law provides one: the "consultative only" clause. The fact that the Sacramento and Denver guidelines emphasize the limits of council power suggests that this approach is occasionally necessary and may well be used in numerous councils.

But pastors under fire are not the norm. A siege mentality is not the most appropriate for understanding consultation. Guidelines emphasizing that councils "have only a consultative vote" are correct but not always illuminating. They minimize the richness of consultation by focusing on what it is not.

2. The Authoritative Council

Many guidelines soften the consultative-only clause by emphasizing the "authority" or "leadership" of the council. They imply that being *truly* consultative differs from being *merely* consultative. The guidelines for the Hartford archdiocese take this tack. They state that councils "give direction" to parishes. The Bismarck guidelines are similar. Bismarck councils, the guidelines say, have "consultative authority." Fort Worth councils, to give a third example, are said to have a "leadership role."[3] These guidelines do not explain how the council becomes authoritative. But they get at a basic truth: councils may not have the final say, but in many parishes throughout the U.S. they exercise power and influence.[4]

The concept of power sheds light on the meaning of consultation. Whenever parish councils effectively do what canon law says they should do—namely, investigate pastoral matters, give them due consideration, and make solid recommendations—they wield power. But power is linked in the popular imagination with being power hungry. Council guidelines usually do not discuss power, probably for fear of misleading readers. The Hartford, Bismarck, and Fort Worth guidelines do not explain how councils give direction, exercise authority, or provide leadership. But we can assume many councils throughout the U.S. exercise power in those ways.

3. The Consensus Approach

In the 1980s many councils began to emphasize the development of consensus as the goal of consultation. If pastor and council members could reach one mind about an issue, many believed, then the tension would dissolve between the consultor and those consulted. A pastor who seeks consensus

would never merely consult his council only to turn and make a decision on his own. To the contrary, he would studiously avoid making decisions until he and the council had reached accord.

In order to promote the search for consensus, many diocesan guidelines recommend deliberate group processes. These are specific techniques and procedures designed to ensure amicable discussions. The guidelines published by the Diocese of Ogdensburg are a good example. They call for prayer as an explicit part of making every council decision. For Ogdensburg councils, making a decision is subordinate to praying, that is, to maintaining the communion that exists among members. Other guidelines endorse specific techniques for reaching group consensus. The Baltimore and Seattle guidelines, for example, reject the parliamentary process of *Robert's Rules of Order*. Instead, they affirm a model of spiritual discernment.[5] In these consensus-seeking councils, consultation does not mean that pastors consult and councillors are consulted. It means that all are engaged in a search for a decision that will express and confirm their unity.

Not everyone, however, rejects *Robert's Rules of Order*. Many follow parliamentary procedure as a tried-and-true method for reaching decisions.[6] But the search for consensus has grown in recent years as an effort to strengthen council unity. However slow, inefficient, or even at times inappropriate, consensus maintains the Christian communion of members. That is what many diocesan guidelines imply. Many councils throughout the U.S. (no one can say how many) seek consensus to ensure that all members will support a decision. Consensus prevents councils from putting task before relationship or from allowing the majority faction to ride roughshod over the minority. It ensures that communion is not subordinated to mission.

4. The Pastor as Ratifier

In order to cement the relation between pastor and council members, some dioceses describe the pastor as a ratifier. They mean that he does more than consult. In addition, he promotes consensus and ratifies the achievement of it. Unlike those versions of consultation that emphasize that the pastor is independent of and unbound by those whom he consults (the legal approach), this version sees the pastor as deeply committed to the council's deliberations. And unlike those versions of consultation that regard the pastor as one member of the group, linked to them in a common search for the truth of a pastoral matter (the consensus

approach), this version sees the pastor as an authoritative presider. His job is to detect the arrival of consensus. When he senses its approach, he ratifies it as the official policy of the parish.

The ratification approach gives pastors a preeminently pastoral role. They are the ones to detect consensus or the lack of it. If a council remains divided, and if consensus is not possible, the pastor must acknowledge that he cannot accept the majority's recommendations. The Detroit guidelines, for example, speak of the pastor in these terms. He is the one who, for the sake of consensus, grants or withholds ratification. The Salina guidelines also link ratification and consensus.[7] Without consensus, they imply, no ratification is possible. When these guidelines describe the pastor as a ratifier, they mean that he ought to accept the council's good advice as his own work and that of the local church. It is fair to assume that many pastors see themselves precisely that way in relation to their councils.

Ratification combines the best insights of canon law and consensus. The pastor remains the one to whom the parish is entrusted, just as canon law says, and he has the final say. But his authoritative word is uttered when the council members have reached agreement. They submit their search for agreement to him. He ratifies what the council has unanimously recommended.

5. Consultation as Policy-Making

Where consensus exists, the council and the pastor can be extraordinarily fruitful. They work so well together that we can say that they jointly make parish policy. That is why some council guidelines make consensus a goal and speak as if all councils share that goal. For example, the Green Bay and Nashville guidelines presume that there is a consensus among council members and the pastor. Indeed, both guidelines treat the subject of consensus at some length. Nashville defines it as "intellectual agreement." Green Bay defines it as "group acceptance based on at least general agreement." When such consensus exists, when pastor and councillors take the same view of a matter, one can well say that the council makes policy and plays an executive role.[8]

The guidelines of Nashville and Green Bay, for example, explicitly state that the pastoral council "makes" policy. They assume that, among pastors and council members, a consensus exists. A council can be said to "make policy" when it is of one mind with the pastor. The Nashville guidelines

emphasize the unity of pastor and council to such a degree that they speak of pastors "delegating authority" to councillors "with the same trust that the bishop shows" to the pastors.[9] This is an authority that undoubtedly belongs to a number of councils in the U.S. It is the authority that stems from the trust of the pastor who habitually consults.

To be sure, perfect consensus does not always exist. And when consensus falls apart, especially when the pastor does not share in the consensus of the council members, then problems arise. Guidelines that speak of consensus treat it as something that must be constantly tested. Even a consensus that falls apart can be rebuilt. When trust exists, when pastors and council members agree, the council becomes a policy maker, pastor and council acting as one.

The Oakland Example

Consultation can take many forms, as our survey of pastoral council guidelines suggests. At one extreme is the legal approach, which insists that consultation is not the same as deliberation. At the other extreme, consultation means that a council, in union with the pastor, actually makes policy. In the middle are three forms: consultation as leadership by the council being consulted, consultation as the search for consensus, and consultation as the ratification by pastors of the consensus they have recognized. Although a survey of guidelines cannot tell us which forms of consultation are more or less popular, we can assume that each form has its adherents and practitioners in U.S. councils. Taken together, the guidelines suggest the many forms of consultation.

Bishop Cummins consulted Oakland's pastoral council in each of the five ways sketched above. His council eventually accepted a much-revised version of the social justice committee's proposal for a "social justice resource center" in 1987, and recommended it to him. In 1989, the bishop established the center under the aegis of Catholic Charities and hired a director. By asking the director to promote the council's vision of social justice education, the bishop showed his commitment to the DPC recommendations.

Bishop Cummins' repertoire of consultative practices was large, and he tactfully used each in the necessary measure. The one he emphasized least, however, was the legal aspect of consultation. From the start of Oakland's 1984-85 diocesan convention, every participant knew that it was consultative, not deliberative. The same was true for the pastoral council. So at no point did the bishop himself have to say, "Your vote is consultative only—

I am not bound by your advice." He recognized that such a statement, however true, was unnecessary. It would have been a breach of tact.

Those who served on the council readily acknowledged that their service gave them a certain power. Although the bishop was the final decision maker, council members shaped his decisions. They created ideas, collected data, planned the implementation of projects, and evaluated them. By cultivating the council, Bishop Cummins made it an "authority" and a "leader." Many guidelines do not adequately explain how this happens, and guideline descriptions can seem like wishful thinking. The Oakland experience showed that they are not.

At every step in the three-year tenure of the DPC, the bishop sought consensus. He did not always use a specific consensus-building technique, but he made it abundantly clear that council recommendations would not persuade him unless he was confident of the council's unanimity. Consensus was the means by which he tested the soundness of the council's thinking. If any members had serious reservations, so did the bishop. If there was general agreement, the bishop accepted the DPC's recommendations, ratifying them in a formal way.

How can a pastoral council be a decision maker when it possesses only a consultative vote? And how can a pastor "share" responsibility for parish decisions if the council cannot actually "assume" responsibility for those decisions? The apparent contradiction between the "consultative only" council and the "shared decision-making" council is hard to unravel.

In the actual practice of Bishop Cummins, however, the apparent contradiction resolved itself. Without a doubt, he was explicitly "consulting" the council. He fully recognized that he was not bound by the DPC's recommendations. But the bishop had initiated the consultation. He had invested his time and diocesan resources to make it work. He had formed the council so that it could advise him soundly, and had labored to build the members' trust in him. He himself dissolved the apparent contradiction between an unbinding consultation and a genuine sharing of responsibility—a contradiction that we begin to see is no contradiction at all.

have some responsibility for evangelization, and may perhaps be classified as "evangelization" committees, which are commonly recommended in the thirteen guidelines. But none of the thirteen guidelines recommend a standing committee on "community."

8. Green Bay, "Commentary and Resources," p. 23. The clearly "executive" function (italics in the original) given to the council, however, is contradicted in the first section of the Green Bay guidelines. There one reads that it is the pastor who is "in charge of implementation" ("Norms," p. 5). The same ambiguity can be seen in the Detroit guidelines. First one reads that the council sets goals and the commissions set objectives, implementing them with the help of the parish staff ("Guidelines," pp. 11, 14, 19-21; "Handbook," p. 40). But then one reads that commissions implement objectives under the "oversight" of the pastor ("Handbook," p. 13).

9. Salina, p. 9; Nashville, p. 10; Detroit, "Guidelines," p. 19.

10. Four guidelines describe the committee role as "planning," "planning and implementing," or "recommending."

11. This is envisioned in the Baltimore guidelines, which state that "the parish council recommends these goals to the pastor, who assigns them to staff and/or committees" for implementation (p. 19).

12. The guidelines of Baltimore (p. 21), Green Bay ("Norms," p. 6), and Seattle (p. 33) state that the committees are "accountable" to the council.

13. Hartford, p. 4; Nashville, p. 32; Detroit, "Guidelines," p. 12.

14. Ogdensburg, p. 11; Salina, p. 10; Fort Worth, "Practical Suggestions," p. 3.

15. The Denver guidelines state that committees implement policy, but they implement "parish" policies, i.e., recommendations of the council that have been accepted by the pastor.

Chapter Five: Five Types of Consultation

1. Sacramento guidelines, p. 3. Denver guidelines, p. 4. The language is taken from John Keating, "Consultation in the Parish," *Origins* 14:17 (October 11, 1984), p. 264.

2. James H. Provost, "The Working Together of Consultative Bodies—Great Expectations?" *The Jurist* 40 (1980): 257-281; at p. 261.

3. Thus Hartford councils both "advise" pastors and "give direction" to the parish (p. 4). Bismarck councils have "consultative authority" (p. 37) subject to the pastor's "veto" (p. 40). Fort Worth Councils have both a "consultative" and a "leadership" role ("Guidelines," pp. 2, 5). Management texts refer to this kind of authority as "centrality," the power that comes from being central to important decisions. See David A. Whetten and Kim S. Cameron, *Developing Management Skills* (Glenview, Illinois: Scott, Foresman and Company, 1984), p. 250 ff.

4. Robert T. Kennedy, "Shared Responsibility in Ecclesial Decision-Making," *Studia Canonica* 14:1 (1980): 5-23.

5. See the Ogdensburg guidelines on prayer (p. 5), the Baltimore guidelines on shared wisdom rather than Robert's Rules (p. 23), and the Seattle guidelines on discernment (pp. 33-35). The Nashville guidelines include ten pages of council liturgies, the Bismarck guidelines include twelve pages.

6. Robert G. Howes, *Creating an Effective Parish Pastoral Council*, p. 50. See Henry M. Robert, *Robert's Rules of Order Revised, Seventy-fifth Anniversary Edition* (Chicago: Scott, Foresman and Company, 1951). Participative decision making (such as a search for consensus) is not desirable unless the problem is a general one and all need to accept the decision to make it effective. See Victor H. Vroom and Phillip W. Yetten, *Leadership and Decisionmaking* (Pittsburgh: University of Pittsburgh Press, 1973).

7. The Detroit guidelines speak of the pastor as one who, for the sake of consensus, grants or withholds ratification ("Guidelines," pp. 13-14); the Salina guidelines also link ratification and consensus (pp. 8-9). The guidelines of Nashville (p. 7) and of Bismarck (p. 40) also give pastors the task of ratification and the right to veto, but this legal approach is seen by them as an exception. On the pastor as ratifier of council decisions, see Rademacher with Rogers, *The New Practical Guide*, pp. 75 ff.

8. Nashville guidelines, p. 32; Green Bay guidelines, "Commentary and Resources," p. 23. The Green Bay guidelines, however, are not univocal about the council "making" policy. They elsewhere state that the council offers "recommendations," and "assists in setting policies" rather than making them directly ("Norms," p. 5). At another point, the Green Bay guidelines note that the pastor is the real decision maker ("Commentary and Resources," p. 29).

9. Nashville guidelines, p. 4. The Green Bay guidelines, however, are not so sanguine. "Norm VI" states that the pastor will ordinarily affirm a council's recommendations "if he is one with the people and active in the deliberative process" ("Norms," p. 4). Needless to say, this condition of unity is not always met.

Chapter Six: Leadership in the Council

1. The principle that only a pastor can convoke the pastoral council is articulated in canon 514 of the Code of Canon Law, referring to diocesan councils. See Pope John Paul II, *Code of Canon Law,* Latin-English Edition. The source for the canon is the apostolic letter of Pope Paul VI, "Ecclesiae Sanctae I" (August 6, 1966), written *motu proprio*, on the implementation of the Vatican II Decree on Bishops, translated by Austin P. Flannery, in *The Documents of Vatican II*, edited by Flannery (New York: Pillar Books, 1975), no. 16, p. 601.

2. The exceptions are the Archdiocese of Hartford, whose guidelines describe the pastor as "leader" and "supervisor" (p. 5) and which speak of the lay "President/Chairperson" (p. 8); and the Diocese of Nashville, whose guidelines describe the pastor as one who delegates authority to the council (p. 4) and ratifies its decisions (p. 7).

3. The Bismarck guidelines connect the pastor's role in the council to the pastor's "presiding" over the Eucharistic assembly (p. 40). My earlier study of council guidelines found that the guidelines of Louisville and of Cleveland make the same connection. See Fischer, "Parish Pastoral Councils" (1990), p. 9.

4. On setting the agenda, see the guidelines of Philadelphia (p. 4) and Sacramento (p. 5). On consulting, see Hartford (p. 5) and Denver (p. 5). On receiving proposals, see Philadelphia (p. 4) and Baltimore (p. 19). On deciding, see Detroit ("Guidelines," p. 13) and Green Bay ("Commentary and Resources," p. 29).

5. These guidelines are also an anomaly in that they allow the lay vice chairperson to "preside" in the pastor's absence (Ogdensburg, p. 10; Philadelphia, p. 7). Presiding (as distinct from chairing) is a pastor's role, and these guidelines envision a council that may meet in the pastor's absence.

6. On ratifying, see Nashville (p. 7), Detroit ("Guidelines," p. 14), Bismarck (p. 40), and Salina (p. 15). On participating, see Detroit ("Guidelines," p. 13), Green Bay ("Norms," p. 9), and Bismarck (p. 40). On listening, see Bismarck (p. 40), Sacramento (p. 5), and Seattle (p. 42). Pastors may chair councils in Green Bay ("Commentary and Resources," p. 10), Bismarck (p. 40), Fort Worth ("Guidelines," p. 2), and Seattle (p. 19). On helping the executive committee prepare the agenda, see Baltimore (p. 22), Detroit ("Guidelines," p. 17), Green Bay ("Norms," p. 6), Salina (p. 6), Fort Worth ("Guidelines," p. 3), and Seattle (p. 42).

7. For a description of how the good leader in general (and not just the priest-leader) helps his followers achieve their goals, see Robert K. Greenleaf, *Servant Leadership: A Journey into the Nature of Legitimate Power and Greatness* (New York, Ramsey, and Toronto: Paulist Press, 1977).

8. The distinction between task and relationship behavior in leaders is a commonplace in the managerial literature. See Robert R. Blake and Jane S. Mouton, *The Managerial Grid* (Houston: Gulf Publishing, 1964).

9. On consensus-building, see Ogdensburg (p. 4), Philadelphia (p. 5), Nashville (p. 7), Seattle (pp. 13-14), and Denver (p. 9). On spiritual leadership, see Hartford (p. 5), Baltimore (p. 29), and Salina (p. 2). On creating trust, see Philadelphia (p. 5), Salina (p. 8), and Fort Worth ("Guidelines," p. 3). On building community, see Bismarck (p. 40) and Fort Worth ("Guidelines," p. 3). On serving, see Detroit ("Guidelines," p. 13) and Seattle (pp. 13-14). Most pastors meet their councils on a monthly basis. Eight out of thirteen guidelines recommend monthly meetings (Philadelphia, Baltimore, Detroit, Green Bay, Bismarck, Salina, Fort