

Definitive Approval of the Statutes of the Neocatechumenal Way

Canonical Notations of Mons. Juan Ignacio Arrieta, Secretary of the Pontifical Council for Legislative Texts, already Principal of the Institute of Canon Law Saint Pius X of Venice

The Holy See has approved in a definitive manner the juridical Statutes of the Neocatechumenal Way. With the formal consignment of the decree of Approval on behalf of the President of the Pontifical Council for the Laity to the initiators of the Neocatechumenal Way, Kiko Argüello, Carmen Hernández, and Father Mario Pezzi, was concluded on the morning of the 13th of June, 2008, the juridical "iter" that began six years ago when the ad experimentum Statutes were approved. A few months before, the Council for the Laity had been appointed by the Servant of God John Paul II as the dicastery that had to assume in the name of the Holy See the work of approving these statutes, even though it had nothing to do with an association of faithful. With the present act the Pontifical Council has fulfilled the task assigned by the Pope.

The new Statutes substantially follow the wording of those approved six years prior. Thirty five articles and a transitory disposition contained the provisional text of 2002, and the same articles now contain the definitive norm. Other than the new articles I will make no further mention in the following since no fundamental change has been made in this new passing of the Statutes, and almost all of the articles are reproduced identically from the old ones.

These six years have served, still, to improve even more on the clarity of the original wording of the texts and to improve the norm from both technical and structural points of view.

The Neocatechumenal Way is confirmed in the new Statutes as a model of post baptismal catechumenate to impart, under the direction of the diocesan Bishop or, as John Paul II defined it in the words transcribed in Art. 1 of the statute, "as an itinerary of Catholic formation": a program of formation to the Christian life of a person, based on catechetical and liturgical instruction, imparted in a community and conducted according to the specific forms and methods. What is within the Statutes of the Way, and what the Holy See is approving is not an association of people, nor is it an "Ecclesiastic Movement" of faithful. The Church has given its approval not to what could be denominated as a "gathering of people," but rather to a "method of catholic formation," although the approval gives part of the ecclesiastical authority to the method and the contained duties, it is reflected, in a way, on those that present or receive these methods so as to respect the relative rules, without creating within themselves any associative ties, as normally happens between classmates or colleagues in the university. Only in this sense can the term "Neocatecumenals" be used in reference to the people that "propose" the Way or that "do" the Way.

To tell the truth, even though it is not an institution categorized as such in canonical order, and to be established requires the use of analogies in respect to other canonical norms- on juridical person, the associations, foundations, etc. - goes to say that this designation, received six years ago as a novelty, has served to better understand other realities that are difficult to recognize in conventional associative systems.

A difference in the text from 2002, the now approved Statutes affirm the Public Juridical Personality of the Neocatechumenal Way (art 1 § 3), a formation which came to be by the initiative of the Pontifical Council for the Laity, with the Decree on the 28th October 2004. The point is of a particular relevance because it brings us to the true innovation that, here and there, emerges from the new statutes.

One could ask: what is the essence of the public juridical personality of the Way or, in other terms, to what is given public juridical personality in the church. However it is equally important to ask what the consequences such a formality can have for the people of various titles implicated in the activity of the Neocatechumenal Way. In this moment, naturally, I will limit myself to some essential elements.

The first question is quite clear from what has been said until now. That what, in this case, receives public juridical personality in the church is truly an itinerary of catholic formation, that is, the method of post baptismal catechumenate that the Statutes describe. The aforementioned method represents, in fact, together with the goods - in this case spiritual goods - that according to can. 114 § 3 CIC (cf. Also 115 § 3) is able to receive in Canon Law public juridical personality, according to determined conditions. It is possible to define the Way as a foundation of spiritual goods.

However the other question is equally as relevant. What practical relevance can the erection of public juridical personality have?

First of all it goes to say that the primary consequence - or one of the primary ones- is not found in the financial field, as it usually happens with public juridical personalities of public nature in the Church. The subjects with public juridical personality, rather than the private ones, have a peculiarity in that their goods are technically "ecclesiastical goods" (can. 1257 § 1 CIC), and so submitted to juridical controls established by right. In the present case the problem does not arise, because art. 4 § 5 of the Statutes - the same as the ones of 2002, where the public personality was not affirmed - clearly declares "The Neocatechumenal Way, being an itinerary of Catholic formation that is implemented in the dioceses through services freely given, has no material goods of its own." The significance of the public juridical personality is found elsewhere.

In my opinion, the greatest consequence of this public personality, applied to the itinerary of neocatechumenal formation, regards the particular ecclesial authority, with which, under the direction of diocesan bishops, the Way is imparted, and in the particular commitment that, consequently, is assumed so that it be proposed - as resulted before, but now with renewed juridical commitment - by means of people particularly selected and especially formed.

In fact in articles 1 § 2 of the Statutes, it is affirmed that now the "Neocatechumenal Way is at the service of the bishop as one of the forms of diocesan implementation of Christian initiation and of ongoing education in faith;" in art. 2 it is said that it is under the jurisdiction of the diocesan Bishop, although, it is obvious, also with the guidance of the International Responsible team of the Way, that have, so to speak, the "technical knowledge" of how the

Way is to be proposed; art. 6 § 2 establishes that the relationship of the Way must be coordinated with the proper function of the pastor in each parish; to then conclude with a categorical affirmation that sums up the previous premise: the Eucharistic celebrations of the neocatechumenal communities on Saturday "are part of the Sunday liturgical pastoral work of the parish and are open also to other faithful" (art. 13 § 2).

The result is quite coherent. Being characterized by public juridical personality erected by the hierarchy of the Church, the fact that it acts in the name of the Church (cf., as analogy, CAN. 313 CIC), seems quite consistent with the catechetical method configured now with juridical person is part of the organic pastoral of the Church, fully integrated in the structure, and under the trust of the diocesan pastor, in addition to the Responsibles that know its identity.

On the other hand, there is consequently a duty because the catechetical itinerary must be proposed by people always more qualified, and so the Statutes make note of this in various places. Article 17 § 1, I recall an experience always followed in the Way, indicated explicitly now that the catechists of each community "are chosen from among those who give guarantees of a life of faith and of moral life, who participate in the Way and in the life of the Church and are able to bear witness, grateful for the goods received through the Neocatechumenal Way." And further ahead the same precept establishes again that "The catechists are formed in a suitable way" as is foreseen from the beginning of art. 29, which is identical to the one preceding it. With regard to, finally, the liturgical celebrations, and concretely the Eucharistic celebration, the text of the definitive Statutes has certainly benefited from the progress and modification in these years. Even here we have arrived to a clear text that is articulated in four principles sanctioned by art. 13 of the Statutes. First, that the Neocatechumenals celebrate the Eucharist in small communities, after the first vespers of Sunday. Second that this celebration takes place according to the dispositions of the diocesan bishops. Thirdly, that these celebrations - as I have already said - are part of the pastoral work of the parish and consequently are open to all the faithful. Fourth, that in these celebrations the approved liturgical books of the roman rite are used "with the exception of the explicit concessions from the Holy See" (always with unleavened bread, and transferring "the Rite of Peace, communion under both species, brief admonitions and echoes)." With regards, finally, to Communion, the mentioned art. 13 § 3 results in a particular neatness: "Regarding the distribution of Holy Communion under the two species, the neocatechumens receive it standing, remaining at their place."

Those that take the commitment to control the variations between the provisional text of the 2002 Statutes and the definitive one now published, can ascertain, and that apart of those mentioned in these few pages, there are no relevant variations in the body of the document. The changes, as I said at the beginning, have been few, although significant as we have pointed out.

It is certainly a good for the Church that the Neocatechumenal Way had now arrived at the definitive approval of its proper Statutes. It is our task, with the help of the Lord and of the Madonna, to ensure that these norms be applied in a correct way in concrete cases in the Church.