

DIOCESAN BISHOP'S INTERVENTION TOWARDS PRIESTS BEING INVOLVED IN PARTISAN POLITICS: AN INDONESIAN CONTEXT

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“In the event of scandalous conduct, the Bishop should intervene with charity, yet firmly and decisively: whether through admonition or correction, or by taking steps towards [...]. If these measures are unsuccessful or insufficient, in view of the gravity of the misconduct or the obstinacy of the cleric, the Bishop should impose the penalty of suspension according to the law...”¹

Abstract:

This article aims to analyze critically the intervention of a diocesan Bishop towards priests being involved in partisan politics in the light of can. 287 § 2 Code of Canon Law and various affirmations of the Church's Magisterium, which remain relevant and actual today, with particular reference to the Indonesian context, taking into account the case of a Catholic priest who ran for office and the involvement of several priests of a certain diocese in partisan politics. The author argues that as the leader of the particular church, the diocesan bishop must protect the unity of the whole Church and as consequently, he is obliged to insist on the implementation of all ecclesiastical laws, including in connection with the prohibition on priests not to engage in partisan politics (can. 287, §2). If an individual or group of priests is found to have violated this provision, the Diocesan Bishop must intervene quickly, precisely and decisively in due time. Such an intervention can be seen as an

¹ Congregation for Bishops, *Directory for the Pastoral Ministry of Bishops: Apostolorum Successores*, n. 81e (Città del Vaticano: Libreria Editrice Vaticana, 2004), 92.

imperative sine qua non in order to protect the identity of the priest and his mission in the world and respect the political role of the laity. The form of intervention can be a verbal warning, written warning, and some canonical sanctions. It should be noted that within the Indonesian context, the intervention like this must be taken because there can be no justification for the direct involvement of the priest in partisan politics, at least at the moment, and also its destructive effects: create tension and division among the faithful and could deteriorate the credibility of priests and Church's institution.

Keywords:

diocesan Bishop, intervention, priest, partisan politics

INTRODUCTION

In 2016 a Catholic priest from Diocese of Sibolga in North Sumatra Province of Indonesia ran for public office despite stern and repeated warnings from his bishop not to do so. He argued that many people wanted him to run for office in order to restore integrity among the political leadership in that region and he considered himself to have the necessary qualities to bring change to society.² It goes without saying that it caused quite a furor in ecclesiastical circles and it also provoked heated discussion and reactions among the Christian faithful, not only in that region but also in other regions in Indonesia, which are varied. For some, such action is viewed positively because it is for the good of many people and in consonance with the commitment of priests to preach the Gospel. For the majority of the Christian community, on the contrary, it cannot be accepted since it is incompatible with the identity and vocation of a priest in the world and it created tension, division and horizontal conflict among the faithful who have a different political views.

This case is long gone and the scandal seems to be waning but it remains an interesting topic to reflect upon since in other places in Indonesia, the involvement of priests in partisan politics, either directly or indirectly, has become a matter of great concern among the Christian community.³ The intent of this article is modest. It merely wants to

² Cf. the case of Fr. Rontinus Manalu of Sibolga Diocese who ran for public office as an independent candidate, though in the end he was not elected, <https://www.ucanews.com/news/indonesian-priest-urged-to-run-for-political-office/75800#>. Accessed on October 19, 2020.

³ At the 3rd Synod of Diocese of Ruteng (2013-2015), the majority of the faithful raised issue

carefully analyze the case from the canonical point of view taking into consideration the Indonesian context as a whole, since up to now there has been very little written on this subject in the Indonesian language. The specific juridical questions with which this article is concerned are: What is the relationship between the priest and politics? Do they have a right to be involved in politics? Which norms of law should be carefully observed in this regard? How does the diocesan Bishop intervene if priests get involved in partisan politics? What is the legal basis for such intervention? What kind of interventions should be taken?

PRIESTS AND POLITICAL INVOLVEMENT

The question that is often asked is, can priest be involved in politics? The answer to this question really depends on the understanding of the nature of politics itself. Politics, as defined by Aristotle, is actually an art to seek and combine various possibilities to direct society towards the achievement of common good.⁴

In the light of such understanding, politics is inherent in human beings as a natural right and therefore a fundamental human right. This right is not granted by the authorities so that it cannot be ignored by anyone. At the legal level, political rights are natural law. Natural law belongs to the highest level of law which cannot be cancelled by positive law (*ius positivum*) made by human beings. Positive law makes natural law clearer, fairer and truer than positive law. Therefore, a priest as a human being also has the same political rights in the life of the society. As citizens they have the same civil liberties as other citizens of the state to exercise their political rights. In fact, they have a right to be involved publicly in political life by playing a critical role in socio-political realities.⁵

regarding the involvement of priests in partisan politics. This problem is deemed necessary for the diocesan Bishop to resolve. As a follow-up, one of the final recommendations of the Synod was to prohibit priests from engaging in partisan politics and to take firm action against those who violated it. Cf. Panitia Sinode III Keuskupan Ruteng, *Dokumen Sinode III 2013-2015 Keuskupan Ruteng Pastoral Kontekstual Integral* (Yogyakarta: asdaMEDIA, 2017), hlm. 181. So far, this recommendation has not been fully implemented because there are still some priests who are openly or secretly involved in partisan politics by supporting certain candidates in regional election or just really cannot help themselves, wanting to play politician.

⁴ Cf. Aristotele, *Politica*, I, 1252 b 15-30.

⁵ Cf. Synod of Bishop, *The Ministerial Priesthood Ultimus temporibus* n. 7, in *Vatican Council II. More Postconciliar Documents Vol 2*, edited by Austin Flannery (New York: Costello Publishing Company,

The involvement of a priest in politics is also grounded theologically. This involvement is born from the core of the Christian proclamation itself, namely the liberation which Jesus Christ has accomplished and will find its fullness in His return. At the heart of this liberation is the restoration of the dignity of the human person and of all humans as beings called into communion with God and with each other.⁶ And this happens in the battlefield of history. A priest is called to live this liberation in the world by involving himself in political life, remembering that political life determines respect for human dignity as a person of the human family.

The involvement of the priest in politics is also a sign of taking part in the solidarity of God himself in Jesus Christ. Christian faith teaches that Christ is evidence of God's solidarity through His care for the oppressed and marginalized. Even though Jesus Christ was not the founder of a political party, His teaching and solidarity clearly encouraged people to always try to find a form of exercising power in accordance with human dignity. As a follower of Christ, a priest must be solidier. And Christian solidarity has a political dimension.⁷ It is at this point that the involvement of the priest in political life gets its legitimacy.

Such involvement can take form through public statements against injustice and corruption, or opposing practices that marginalize the majority of citizens from the decision-making process. Here the priest must speak out boldly and courageously, at the risk of being rejected and not understood. It is in this sense that his involvement is prophetic. It can also be done through political education for all God's people by teaching basic moral principles about politics which can help them shape their consciences correctly. Other ways of being involved in practical activities are through dialogue, rallies, non-violent demonstrations against injustice and fighting for justice, stopping the rape of nature and so on.

CANONICAL PROHIBITION AND IT'S FOUNDATION

In the Catholic Church, the political rights and involvement of priests in politics are clearly regulated in the Code of Canon Law. Canon 287, §2 provides a legal principle that priests "are not to play an active role in

1988), 681. Hereafter cited as *Ultimus temporibus*

⁶ Cf. Adriano Caprioli, *Chiesa Etica e Politica* (Regio Emilia: Edizione San Lorenzo, 2007), 25-26. Cf. also Bruno Maggioni, *Vangelo, Chiesa e Politica* (Milano: Ancora Editrice, 2008), 100-101.

⁷ Cf. Bartolomeo Sorge, "La Chiesa, I sacerdoti e la politica", *Aggiornamento Sociali* (maggio 2008), 330.

political parties unless, in the judgment of the competent ecclesiastical authority, this is required for the defence of the rights of the Church or to promote the common good". The norms states clearly that as a general rule it is forbidden for priests to take an active part in political parties. There is a deliberate prohibition for priests to be an active members, because 'active participation' includes both the management as well as interventions that effect the life of the political party. This prohibition refers to the statement of the 1971 Synod of Bishops which explicitly emphasized that priests, as pastors and witnesses to the truth, must free themselves from being directly involved in the political sphere.⁸

This prohibition could be waived in exceptional cases, that is, when the freedom and the rights of the Church, together with the promotion of the common good, are at stake⁹. But the canon obviates any danger of laxity in the interpretation of this exception by precisely stipulating that such an exception must be according to the judgment of the ecclesiastical authority. As a logical consequence, no individual priest may determine by himself the existence of sufficient reason to make an exception to the general prohibition.

The Code does not mention explicitly the reasons behind such prohibition. But it can be said that the interpretation of this norm is to be done by identifying the *ratio legis*, namely the awareness that this canon is part of the juridical status of the priest and that such status has its reason for existing in the identity and the mission of the priest in the world.¹⁰ In fact, the norm that outlines that status is rooted in great measure in the effects of the sacrament of Holy Orders on the person who receives it and in the juridical effects deriving from it.¹¹ According to the constant doctrine of the Church which is confirmed by magisterial documents, the sacrament of Holy Orders produces a special

⁸ Cf. *Ultimus temporibus*, n. 2b.

⁹ Cf. Thomas Rincon, "Sacred Ministers or Cleric" (c. 287), in *Code Of Canon Law Annotated*, edited by Ernest Caparros – Michel Theriault- Jean Thorn (Montreal: Wilson & Lafleur Limitee, 2004), 236.

¹⁰ Cf. Luis Navarro, "Il divieto di partecipazione attiva nei partiti politici e di assunzione di uffici pubblici", *Folia Canonica* 10 (2007), 229. Cf. also Jaime B. Achacoso, "The Ban on Priest from Public Office", *Philippine Canonical Forum* 11 (2009), 256-257.

¹¹ Cf. John Lynch, "Commentary on can. 287", in *New commentary on the Code of Canon Law*, edited by John Beal – John Coriden (New York: Paulist, 2002), 380. See also Javier Ottaduy, "Comment on can. 287", in *Exegetical Commentary on the Code of Canon Law* edited by Angel Marzoa, Jorge Miras, Rafael Rodrigues- Ocaña (Montreal: Wilson & Lafleur, 2004), 387-388.

configuration with Christ, which renders the ordained a participant in the consecration of Christ and His mission.¹² The proper mission entrusted by Christ to priests is not of the political, economic or social order, but of the religious order.¹³

Having said that, it is clear that such a norm principally seeks to reflect and canonically safeguard the priestly identity, namely a man configured with Christ, and consecrated to God. At the same time, the purpose of this norm is to help priests to more adequately exercise their ministry and accomplish the mission they have received from God in the framework of the communion that is proper to the Church.¹⁴ It can be also said that the active involvement in politics is incompatible with the priestly ministry and can cause division among the Christian faithful. Priests should be a symbol of unity within the ecclesial community.¹⁵ The external manifestation of priests' political rights and preference may be reasonable restricted by the demands of their ministry, which seeks to embrace everyone, to fully proclaim the Gospel and to be a valid sign of unity among all people.¹⁶ Besides, it is the role of lay faithful to intervene directly in the political structuring and organization of social life.¹⁷ In

¹² Cf. Congregation for the Clergy, *Directory for the Ministry and Life of Priests*, n. 2 (Città del Vaticano: Libreria Editrice Vaticana, 1994), 7-8.

¹³ Cf. *Ultimus temporibus*, n. 7, 681.

¹⁴ In fact, the canonical norms regarding the juridical condition of priests includes some dispositions intended to render the priests more fully available, open, and prepared to fulfill his ministerial service. Cf. can. 274, 283, 279.

¹⁵ Cf. Benedict XVI, "Lasciate trasparire Christo nella vostra vita", *L'Osservatore Romano* 17 (novembre 2011): 10.

¹⁶ In one of his first speeches as Roman Pontiff in 1979, Pope John Paul II gave some strong words to priests: "You are spiritual leaders who must concern yourselves with leading the hearts of the faithful; convert and live the love of God and for your neighbor and work for the promotion for the dignity of man. You are priests; you are not social or political leaders or officials of temporal power. For this reason I repeat to you: "Let us not be under the illusion that we are serving the Gospel if we 'dilute' our charism through an exaggerated interest in the wide field of temporal problems. Do not forget that temporal power can easily be a source of division, while the priest must be a sign and agent of unity and brotherhood". John Paul II, *Discourse to diocesan and religious priests*, Mexico, 27 January 1979. Original text in Spanish, at www.vatican.va/holy_father/john-paul_ii/speeches/1979/january/documents.

¹⁷ This distinction of roles is clear in the words of the Catechism of the Catholic Church: "It is not the role of the Pastors of the Church to intervene directly in the political structuring and organization of social life. This task is part of the vocation of the *lay faithful*, acting on their own initiative with their fellow citizens". Cf. *The Catechism of the Catholic Church*, n. 2442. See also Congregazione per la Dottrina della Fede, *Nota dottrinale circa alcune questioni riguardanti l'impegno e il comportamento dei cattolici nella vita politica*, n. 1 (Milano: Paoline Editoriale, 2003),

this regard, it is important to recall the words of Pope Benedict XVI when he makes a sharp distinction between priest and laity in his encyclical *Deus caritas est*: “The direct duty to work for a just ordering of human society pertains to the lay faithful”.¹⁸

After an overview of the canonical prohibition of priest's involvement in partisan politics and its foundation, we are in position to proceed to the important part of our study, namely the intervention of the diocesan Bishop in this regard.

DIOCESAN BISHOP'S INTERVENTION: WHY AND WHEN?

Within the local church, the diocesan Bishop guides the people of God entrusted to him as a representative and messenger of Christ, with instructions, advice, examples of life and also with authority.¹⁹ By divine institution, he is a substitute for the apostle by means of the Holy Spirit conferred on him, and appointed as pastor in the Church.²⁰ As a pastor, he has all the ordinary, proper, and immediate power required for his office to carry out his pastoral duties in the diocese entrusted to him.²¹ In carrying out his duties as pastor, a diocesan Bishop is obliged to pay attention to all believers entrusted to his care.²² He must protect the unity of the whole Church and for this he is obliged to insist on the

16-17.

¹⁸ Benedict XVI, Encyclical Letter *Deus Caritas Est* on Christian Love, n. 29, trans. By Australian Catholic Bishop Conference (New South Wales: St Pauls Publications, 2006), 47. Here the Pope picks up on a distinction he had previously made as Cardinal Prefect of the Congregation for the Doctrine of the Faith. In the second Instruction on Liberation Theology he explicitly wrote: “It is not for the pastors of the Church to intervene directly in the political construction and organization of social life. This task forms part of the vocation of the laity acting on their own initiative with their fellow-citizens”. Congregation for the Doctrine of the Faith, *Instruction on Christian Freedom and Liberation, Libertatis Conscientia*, n. 80 (Città del Vaticano: Vatican Polyglot Press, 1986), 120.

¹⁹ Cf. Second Vatican Council, Dogmatic Constitution on the Church, *Lumen Gentium*, n. 27, 21 November 1964, in *Acta Apostolica Sedis* 57 (1964), 5-71; here at p. 34; English translation in Austin Flannery (ed.), *Vatican Council II: Constitutions, Decrees, Declarations* (Northport, NY: Costello Publishing Company, 1996), 1-95, here at p. 40. Cf. also Mariam Vijlens, “Bishop and their Relationship to a Local Church: a canonical perspective”, *The Jurist* 66 (2006) 226-227.

²⁰ Cf. can. 375 §1.

²¹ Cf. can. 381 §1.

²² Cf. can. 383, §1.

implementation of all ecclesiastical laws.²³ Apart from this, he is obliged to listen to the voice of the people since they have the right to convey to him their needs as well as their hopes.²⁴

In relation to priests, the diocesan Bishop is obliged to pay special attention to protect their rights and to see that they properly fulfill the obligations characteristic of their status.²⁵ In other words, he must always be attentive that the priests are faithful in carrying out their proper ministerial duties. Among the distinctive duties which priests must carry out in relation to the social and political life of society, are to foster peace and harmony as strong as possible on the basis of justice which must be maintained among human beings, and not to take part actively in political parties unless in the judgment of the competent ecclesiastical authority it is necessary to protect the rights of the Church or promote the common good.²⁶

On the one hand, the diocesan Bishop must protect and respect the political rights of priests as legal citizens. On the other hand, in realizing these political rights, he has to make sure that priests pay attention to the provisions and guidelines outlined by the authority of the Church which are not intended to stem the political freedom of priests but to direct it in accordance with their identity as priest.

When a priest gets involved directly in partisan politics by running himself for office, like the case of a priest from one diocese in Indonesia mentioned above, or, out of personal agenda or certain economic motivation, or friendship or other motivations, when a priest publicly endorses a candidate for public office, openly campaigning for a certain candidate like the case of priests from diocese of Ruteng, whether they realized it or not, they was carrying out dangerous political acrobatics, not only for themselves but also for their fellow priests, Church institutions and the faithful. For the priest himself, such action can obscure his own

²³ Cf. can. 392, §1.

²⁴ Cf. can. 212, §2. Cf. also. Velasio de Paolis, "Il Vescovo e il servizio dell'autorità", *Periodica* 91 (2002), 623-635; Giafranco Ghirlanda, "Linee di governo della diocese da parte del vescovo", *Periodica* 93 (2004), 545.

²⁵ Cf. can. 384.

²⁶ Cf. can. 287, §§ 1-2.

identity as a priest. For Church institutions, it can injure the credibility of Church institutions as gatekeepers of political morals. For fellow priests, this action can have a psychological affect amidst the blasphemy and cynical, thought understandable comments of the faithful. For the faithful, a priest's involvement, besides bringing about a certain confusion, can and has become a source of tension and division among the faithful, and can also violate the right to freedom of the faithful in secular affairs²⁷ and distort the correct understanding of the distinctive and complementary role of clergy and the role of the laity.²⁸ Precisely at this point the intervention of a diocesan Bishop is needed.

POSSIBLE FORMS OF INTERVENTION

The question is: what kind of intervention should be made? Obviously it is not just a cry for concern or making an invitation to repent, even though this is certainly valid and beneficial. But it should be more than that, meaning it must be stated concretely by referring to the prevailing normative provisions. There are several forms of intervention which can be carried out gradually, namely:

First, a verbal warning. Having obtained preliminary evidence of the involvement of the priest concerned, either from the depositions of witnesses or from well-founded public knowledge or other indications, the diocesan Bishop, either by himself or through a delegate²⁹, should without delay summon him personally, present the accusations and evidence, give him the opportunity to defend himself, and give a verbal warning and remind him not to do that again.³⁰ The entire process has to be well documented since it can be used at any time if needed.

Second, a written warning. If the priest concerned does not heed the verbal warning and repeats the same action, then the diocesan Bishop needs to give him a written warning in front of two witnesses, referring

²⁷ Cf. can. 227.

²⁸ Cf. Pontifical Council for the Laity, *Doctrinal note on some questions regarding the participation of Catholics in Political Life: A Publication of the Congregation for the Doctrine of the Faith* Vatican City (Rome: Vatican Press, 2002), 1.

²⁹ Cf. can. 1717.

³⁰ Cf. can. 1339-1340; 1720. Cf. also Charles Sciclune, "Il Vescovo ed i sacerdoti con problemi", in *Congregazione per i Vescovi, Duc in altum: pellegrinaggio alla tomba di san Pietro incontro di riflessione Roma, 15-23 settembre 2008* (Città del Vaticano: Libreria Editrice Vaticana, 2008), 107.

to the previously verbal warning, with the threat that strict sanctions will be imposed if he does not improve himself. If this first written warning is in vain, it should be repeated.

Third, canonical sanctions. If every pastoral means has not been sufficient to the repentance of the priest offender and the removal and reparation of the scandal or in other words, if the diocesan Bishop considers that neither the fraternal warning nor the first and second admonitions are no longer sufficient to correct the priest, then, after careful verification of the facts and having consulted the college of consultors, he must take a further action. In this case, diocesan Bishop can exercise his *ius poenandi* (right to inflict penal sanction) by inflicting a penalty of suspension for a specified period³¹ or punish the erring priest by a singular precept prohibiting or ordering the priest concerned to live in a certain place or area, and to revoke certain positions and duties³². In addition, the diocesan Bishop may also impose other just penalties, if the seriousness of the offense demands punishment, and is really necessary to prevent or correct the offense.³³ It should be noted that the decree of suspension or precept must contain the reasons motivating it, and have expounded therein, even if only in summary fashion, the reasons in law and in fact pertaining to the particular situation.³⁴

CONCLUSION

The diocesan Bishop's juridical-pastoral intervention is actually part of his responsibilities towards the life of the priests and to the faithful who are entrusted to his pastoral care. On that basis, such interventions should not be seen as a repressive action that seeks to deprive the political rights of priests, but on the contrary, have to be seen as an effort to safeguard the identity of the priest and the credibility of the Church's institution, and to maintain harmony and peace among the faithful. Through interventions like this, priests are made aware that they are not politicians because they are not trained to do so and there are no reasonable situations, at least *pro tempore*, that make it necessary for them to intervene actively in partisan politics. In relation to socio-

³¹ Cf. can. 1333, §1; 1342. Cf. Gianni Trevisan, "Il ruolo dell'ordinario in ambito penale", *Quaderni di Diritto Ecclesiale* 12 (2000), 162-163.

³² Cf. can. 1336, §1, 1°, 2°.

³³ Cf. Damian Astigueta, "Medicinalità della pena canonica" *Periodica* 99 (2010), 291.

³⁴ Cf. can. 35-38.

political life, their task, among other things, is to encourage the laity to be involved in political life, to fight for ethical moral values, as well as to awaken the faithful to make choices freely according to their.

On the practical level, the intervention of the diocesan Bishop is often not easy to do due to various factors, both internal and external. But as a basic principle, it is somehow a *sine qua non* imperative which overcomes human sentimental feelings. In the lamentable cases, as mentioned above, he is required to act promptly, in a truly paternal fashion and in a spirit of pastoral charity according to the established norms. Perhaps as an anticipatory step, it is necessary to establish regulations regarding the involvement of priests in political life, and improve the control mechanisms over priests and the application of strict sanctions against those priests who have 'crossed the line' by taking active part in partisan politics.

It takes courage. And it must be proven. Prayer alone is not enough. The proper and decisive intervention of a diocesan Bishop along with some concrete actions are needed, especially in cases where the priest's involvement in partisan politics has caused grave scandal to the faithful and damaging the common good of the Church and her spiritual mission. We think to be a bishop today, and especially within the Indonesian context, it is essential that the bishop be a man of prayer, of goodness, of humility but at the same time he must be a courageous leader who is not afraid to make hard and difficult decisions when they are needed for the good of the Church. Obviously, this poses a big challenge for him and puts on his shoulders a big task. A good thing is that he does not have to do everything himself since canon law provides some consultative organs (e.g. the presbyteral or pastoral councils) that can be of help for him in dealing with the case with greater efficacy. He is morally obliged to listen attentively to them and discuss and resolve pastoral issues with them.

The present study does not pretend to be comprehensive in its approach. Admittedly, the subject matter is complex and deserves ongoing, in-depth study. If through this study, we can have an influence, small as it may be, to stimulate further canonical study regarding this topic, we feel we have accomplished a great deal.

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