

# Law and Spirit

## On the Twentieth Anniversary of the Establishment of Opus Dei as a Personal Prelature

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### 1. *Opus Dei in the Church*

On November 28, 1982, Pope John Paul II erected Opus Dei as a personal prelature by the Apostolic constitution *Ut Sit*. To be more precise in terms of canon law, we can say that the celebration of the twentieth anniversary of this pontifical act embraces two other important dates: March 19, 1983, when the papal document was orally promulgated by Archbishop Romolo Carboni, then Apostolic Nuncio to Italy, given this charge by the Roman Pontiff, and May 2 of the same year when the texts were published in the official Bulletin of the Holy See, after the canons of the Code of Canon law were promulgated on January 25, 1983.<sup>1</sup>

Thus Opus Dei's long juridical path came to an end, when what St. Josemaría Escrivá called his "special intention" was finally fulfilled—an intention for which he had prayed earnestly and asked others to pray for throughout much of his life. St. Josemaría had sought the status of personal prelature ever since the Second Vatican Council foresaw this figure in its decree *Presbyterorum Ordinis* (no. 10), in 1965, and a year later Pope Paul VI sketched out the conciliar provision in legislative detail in his motu proprio *Ecclesiae Sanctae*. For many years he had been praying that ecclesiastical authorities would confirm the unity of vocation of the members of Opus Dei and guarantee their condition as lay faithful or secular priests in the Church. He sought a status that would permit the stable dedication of priests (their incardination, in

1. Cf. Amadeo De Fuenmayor, Valentin Gomez-Iglesias, and Jose Luis Illanes, *The Canonical Path of Opus Dei: The History and Defense of a Charism*, Princeton 1994, pp. 419-426.

canon law terminology) to the formation of the members and their participation in the apostolic tasks of the Work. A status was required that would provide the future Prelate with the canonical instruments needed for the Work's ordinary governance and for overseeing its apostolic work, and that would be adapted to the international nature of Opus Dei, not limited to a specific territory. All of this would have to fall within the common law of the Church, and not be a matter of privilege or exception, so that the faithful of Opus Dei would not cease to be members of the diocese in which they lived and to depend on their local bishop, like the other faithful of the diocese.<sup>2</sup>

Putting his faith more in the power of prayer than in the study of canonical concepts, what he sought was a solution to the institutional problem of Opus Dei that would respond to all the demands just mentioned: the unity of vocation, without classes of members or degrees of incorporation; the full secularity of the faithful of Opus Dei, without assimilation to the religious or what today is called the consecrated life; the formation and incardination of a clergy of its own; the authority of the prelate; an interdiocesan configuration, without an exemption from the power of the diocesan bishops. These requirements were and are indispensable to the effective realization of the message that St. Josemaría was striving to transmit since 1928 "by divine inspiration," to use the words of John Paul II at the beginning of the decree *Ut Sit*.<sup>3</sup> One can thus understand the importance of the pontifical acts of 1982-1983 and also the profound joy and thanksgiving to God with which the fulfillment of St. Josemaría "special intention" was received. As his successor Bishop Alvaro del Portillo said, those were days "of great rejoicing." And he added immediately that they marked "the beginning of a new stage in the path of loyalty and faithfulness to the Church that began on October 2, 1928."<sup>4</sup>

Now twenty years have gone by since the beginning of this new stage. During these years the apostolic work of Opus Dei has been consolidated

2. In addition to other data collected in the *Canonical Path* about the history of Opus Dei before 1982, there is, on page 317, note 106, a revealing anecdote. Pedro Casciaro, one of the first members of Opus Dei, tells how in 1936 he accompanied St. Josemaría to the church of Saint Elizabeth in Madrid, where St. Josemaría was at that time rector. Seeing that Pedro was looking at some ornamental details in the church, he pointed to two funeral slabs on the ground at the foot of the sanctuary, and said: "There is the future canonical solution of the Work." He did not add any explanation. The two stone slabs were for two Spanish prelates, one from the second half of the 18th century and the other from the middle of the 19th and beginning of the 20th century. Both were major chaplains of the king and military vicars general, who, as such, held a non-territorial quasi-episcopal jurisdiction over the members of the royal household and the Spanish armed forces. As is explained in the note just cited, "Casciaro's testimony is significant, because it shows that in the mind of the founder there was always present in one form or another the idea of a jurisdictional structure of a secular and personal character."

3. "With very great hope, the Church directs its attention and maternal care to Opus Dei, which—by divine inspiration—the Servant of God Josemaría Escrivá de Balaguer founded in Madrid on October 2, 1928, so that it may always be an apt and effective instrument of the salvific mission which the Church carries out for the life of the world." John Paul II, Apostolic Const. *Ut Sit*, November 28, 1982, in AAS, 75 (1983), pp. 423-425.

4. Alvaro del Portillo, homily at the Eucharistic celebration on the occasion of the official inauguration of the Prelature of Opus Dei, Rome, March 19, 1983, in *El Opus Dei, Prelatura personal*, Folletos Mundo Cristiano, nos. 364-365, Madrid 1983, 8th printing, p. 14.

throughout the world and begun in new countries. At the same time, its apostolic growth has been accompanied by a clear perception of its orientation towards the service of the universal Church and the particular Churches.

These years have witnessed a progressive doctrinal clarification of Opus Dei's insertion in the ecclesiastical communion. Not that this was unclear before, but the congruity between the reality of the Work and canonical legislation has made possible a deep and fruitful theological and canonical reflection on Opus Dei in the Church. As St. Josemaría foresaw, first comes life, then the norms that regulate and channel it, and finally theological reflection.

This process of theological deepening has included some important related events. We could recall here the ordination as bishops of the first two Prelates, Bishop Alvaro del Portillo in 1991 and Bishop Javier Echevarría in 1994.<sup>5</sup> These ordinations did not in themselves involve any enhancement of Opus Dei's canonical status, which had already been consolidated by the pontifical acts of 1982 and 1983. They were, nevertheless, very appropriate for the Work's internal structure, based on the distinction and organic cooperation between laity and priests. In addition, they facilitate the service Opus Dei renders to the dioceses. By his consecration as a bishop, the Prelate becomes part of the college of bishops and establishes with them the corresponding bonds of communion, representing the Prelature. Thereby the Prelate exercises an episcopal function, by which he is the head of the presbyterate of the Prelature (formed by the calling to holy orders and incardination into the Prelature of some of the laymen of Opus Dei). And he is the Ordinary of the Prelature in communion with the Roman Pontiff and the other bishops as members of the episcopal college.

These bonds between the Prelate and the Roman Pontiff, the bishops, the priests and the faithful of the Prelature, are a manifestation of what a document of the Congregation for the Doctrine of the Faith in 1992 referred to as "unity and diversity in ecclesial communion," evoking at the same time the necessary harmony and coordination between Opus Dei and the local Churches. As this document states, "for a more complete vision of this aspect of ecclesial communion—unity in diversity—it is necessary to consider that there are institutions and communities established by the Apostolic authority for special pastoral tasks. These, as such, belong to the universal Church, although their members are also members of the particular Churches where they live and work. This fact of belonging to the particular Churches, with the flexibility that is proper to it, has diverse juridical expressions. It not only does not injure the unity of the particular Church, which is based on the bishop, but it contributes to giving this unity the interior diversification proper to communion."<sup>6</sup>

5. See in this connection, the two commentaries of Valentin Gomez-Iglesias, "L'ordinazione episcopale del Prelato dell'Opus Dei," in *Romana* 12 (1991), 183-192 and "Circa l'elevazione all'Episcopato del secondo Prelato dell'Opus Dei," in *Ius Ecclesiae* 8 (1995), pp. 800-810. Also, F. Ocariz, "Unità e diversità nella Comunione ecclesiale" in *Romana* 14 (1992) 173-175; Velasio de Paolis, "Nota sul titolo di consacrazione episcopale" in *Ius Ecclesiae* 14 (2002), 59-79.

6. Congregation for the Doctrine of the Faith. Letter *Communio in Notio*, May 28, 1992, in *AAS*, 85 (1993), pp. 838-850, no. 16.

We cannot go into here the specific canonical questions involved in the relationship between the Prelature of Opus Dei and the local Churches.<sup>7</sup> But as we have just recalled with words from the 1992 document, this relationship is based on the principle of the dual and inseparable membership of the faithful of Opus Dei in both the prelate and the diocese in which they live.

Regarding the position of the lay faithful of Opus Dei in the various dioceses, we recall that the power of the Prelate over them extends to all that refers “to the fulfillment of the specific obligations undertaken through the juridical bond, by means of a contract with the Prelature.”<sup>8</sup> These obligations involve ascetical, apostolic and formative elements that do not fall under the power of the diocesan bishop, since they are specifications and developments of the freedom enjoyed by all the faithful in the Church. Thus it is perfectly possible for these lay persons to continue depending in everything else on the diocesan bishop, and for this dependence be the same as that of the other faithful in the diocese, neither more nor less.<sup>9</sup> It is important to keep these points in mind when considering the relationship of Opus Dei to the dioceses, because they exclude any possible attempt at exemption or separation of jurisdictions.

## 2. Pontifical addresses in the years 2001 and 2002

In addition to the ordination of the first two Prelates as bishops, another noteworthy event in these twenty years of Opus Dei's existence as a personal prelate was the audience granted by Pope John Paul II, on March 17, 2001, to those taking part in a study conference on the Papal letter *Novo Millennio Ineunte*. The conference took place in Rome under the encouragement of Bishop Javier Echevarría, the present Prelate of Opus Dei. The papal address at that audience was an especially important step in the above mentioned process of theological and canonical “deepening,” because it focussed specifically on the

7. I refer here to my study “Contenidos del Derecho Particular del Opus Dei,” in *Ius Canonicum* 39 (1999), especially pp. 115-122; see also Pedro Rodríguez, *Iglesias particulares y prelaturas personales*, Pamplona 1986 (2nd edition).

8. Apostolic Const. *Ut sit*, no. 3.

9. This principle of equality is sanctioned by the Statutes of Opus Dei, when in no. 172, 2 they say that the lay faithful of the Prelature depend on the local ordinaries according to the universal law “in the same way as other Catholics in their own dioceses.” And the Declaration of the Congregation of Bishops, on August 23, 1982 (AAS, 75, 1983, pp. 464-468) explains that “the laity incorporated in the Prelature of Opus Dei continue to be faithful of the diocese in which they have their domicile or quasi-domicile, and therefore remain under the jurisdiction of the diocesan bishop in all that the law determines in respect to the ordinary faithful in general” *Declaratio*, no. IV, c. The *Declaratio's* no. IV, a explains that “In accord with what is established in I, a, the members of the Prelature should observe the territorial norms regarding general prescriptions of a doctrinal, liturgical and pastoral character, as well as the laws related to public order and, in the case of priests, to the general discipline of the clergy.” The Statutes (*Codex Iuris Particularis Operis Dei*), are published as an appendix in *The Canonical Path of Opus Dei*, cited in note 1, pp. 610-645; and also in Pedro Rodríguez, Fernando Ocariz, and Jose Luis Illanes, *Opus Dei in the Church: An ecclesiological study of the life and apostolate of Opus Dei*, Princeton 1994, pp. 197-238, and in Valentin Gomez-Iglesias, A. Viana and J. Miras, *El Opus Dei, Prelatura Personal. La Constitución Apostólica “Ut Sit,”* Pamplona 2000, pp. 131-165.

nature, internal structure and apostolic ends of Opus Dei as a personal prelatore.<sup>10</sup>

The Pope began by highlighting the interconnection of pastor, priesthood and lay faithful proper to Opus Dei as a personal prelatore, formed on the basis of the distinction and mutual relationship between the common priesthood of the faithful and the ministerial priesthood of those in holy orders. The Pope described this composition as an “organic union of priests and laity,” which confers on Opus Dei an “hierarchical nature . . . established by the Apostolic Constitution which had erected the Prelature.”<sup>11</sup> Pope John Paul II, upon recalling his own intention when erecting Opus Dei twenty years earlier as a personal prelatore, also emphasized its continuity with the foresight of the Second Vatican Council in regard to personal prelatures.<sup>12</sup> The Pope made clear that Opus Dei is not structured as a lay movement to which priests are joined as chaplains, nor as a clerical body with which lay faithful collaborate externally. On the contrary, the Prelature of Opus Dei is, as the apostolic constitution *Ut Sit* establishes, and as its statutes emphasize, an “apostolic organism” of incardinated priests and incorporated lay people, which is organic and indivisible—“organically structured,” as the Pope expressed it.<sup>13</sup>

After describing the structure of Opus Dei, Pope John Paul paused to consider the vocation and mission of the faithful of the Prelature in the context of a “spirituality of communion.”

The laity, “as Catholics,” are called to carry out a broad apostolate in their ordinary tasks. “Their specific capacities in their various human activities are, in the first place, an instrument entrusted to them by God, which will enable ‘the

10. This pontifical address can be found in *L’Osservatore Romano* March 18, 2001, p. 6 (reprinted in *Romana* 32 [2001] pp. 39-41). A detailed commentary on the address can be found in the article by J. Miras, “Notas sobre la naturaleza de las prelaturas personales: A propósito de un discurso de Juan Pablo II,” in the publication *Ius Canonicum*, 42 (2002), pp. 363-388.

11. “You are here representing the components by which the Prelature is organically structured, that is, priests and lay faithful, men and women, with its own Prelate as head. This hierarchical nature of Opus Dei, established in the Apostolic Constitution with which I erected the Prelature (cf. Apostolic Const. *Ut Sit* Nov. 28, 1982), offers a starting point for pastoral considerations that are rich in practical applications. In the first place, I wish to emphasize that the membership of the lay faithful in their own particular Church, and in the Prelature through their incorporation in it, means that the specific mission of the Prelature converges with the evangelizing efforts of each particular Church, just as the Second Vatican Council foresaw when it first envisaged personal prelatures.

“The way in which priests and lay people work together provides fertile ground that will enable pastoral activity to spring up and develop, taking as its inspiration the ‘new energy’ (cf. the Pope’s Apostolic Letter *Novo Millennio Ineunte*, 15) unleashed by the Great Jubilee. In this context, we should bear in mind the importance of that ‘spirituality of communion’ emphasized by the Apostolic Letter (cf. *ibid.*, 42-43).”

12. See previous note: “... just as the Second Vatican Council foresaw when it first envisaged personal prelatures.”

13. “Since Opus Dei has grown, with the help of divine grace, to the extent that it has spread and works in a large number of dioceses throughout the world, as an apostolic organism made up of priests and laity, both men and women, which is at the same time organic and undivided—that is to say, as an institution endowed with a unity of spirit, of aims, of government and of formation—it has become necessary to give it a . . . configuration which is suited to its specific characteristics” Apostolic Constitution, *Ut Sit*, Introduction. As we have seen in the text cited above, note 11, the Papal address speaks explicitly of lay people incorporated in the Prelature.

proclamation of Christ to reach people, mould communities, and have a deep and incisive influence in bringing Gospel values to bear in society and culture' (Apostolic Letter *Novo Millennio Ineunte*, 29)... Their apostolic zeal, fraternal friendship, and charity and solidarity, will enable them to turn ordinary social relationships into opportunities to awaken among the people around them the thirst for truth that is the first condition for a salvific encounter with Christ."

For their part, the priests "perform an irreplaceable primary function: that of helping souls, one by one, by means of the sacraments, preaching and spiritual guidance, to open themselves to the gift of grace."

From the Pope's description of the missions proper to the laity and priests, one can see in *Opus Dei* a reflection of the bonds of communion and the priestly structure of the Church. The lay faithful incorporated in the Prelature are called to live, in accord with the spirit of the Work, their Christian vocation to sanctify earthly realities. The priests through their ministry serve all the faithful, especially the members of *Opus Dei*, and cooperate organically with them in the service of their apostolic mission. Both priests and laity work in communion with the Roman Pontiff and the bishops, through their union with their father and Prelate. As Prof. Hervada says, "the relation between priest and faithful in *Opus Dei* is a ministerial one, the same ordinary relationship that exists between priests and the lay faithful. The priests are ordained for the ministerial service of the laity belonging to *Opus Dei*, and at the same time the priests and laity carry out jointly their apostolic mission. The relation between priests and laity in *Opus Dei* is the fundamental cleric-lay relationship."<sup>14</sup>

One can thus better understand why the internal structure of *Opus Dei* has a hierarchical nature, insofar as it reflects the bonds of ecclesial communion, the communion of the faithful and the hierarchical communion present in every ecclesiastical circumscription. This represents a true communion that should be nourished spiritually and apostolically. Pope John Paul II, in *Novo Millennio Ineunte*, emphasized the importance of communion as a spiritual attitude. His March 17, 2001 address, which we have been recalling, is an invitation to "bear in mind the importance of the 'spirituality of communion' emphasized in my Apostolic Letter."<sup>15</sup> Seeking the face of Christ was the constant concern of St. Josemaría, "a man who thirsted for God and was consequently a great apostle. He wrote: 'In intentions, may Jesus be our aim; in affections, our Love; in conversation, our theme; in actions, our model.'"<sup>16</sup>

14. J. Hervada, "Aspectos de la estructura jurídica del *Opus Dei*," in Hervada, *Vetera et Nova: Cuestiones de Derecho Canónico y Afines (1958-1991)* vol. II, Pamplona 1991, p. 1058 (also published in an Italian version in *Il Diritto Ecclesiastico*, July - December 1986, pp. 410-430). This idea is expressed literally in the Statutes of *Opus Dei*: "The ministerial priesthood of the clergy and the common priesthood of the laity are intimately interwoven and mutually complement one another, so as to carry out, in a unity of vocation and government, the aims of the Prelature" (the translation is ours, see Statutes, no. 4).

15. See no. 1 of his address, which cites nos. 42 and 43 of *Novo Millennio Ineunte*.

16. These words of St. Josemaría, found in no. 271 of *The Way*, are cited in no. 3 of John Paul II's address.

The twentieth anniversary of the establishment of Opus Dei as a personal prelature coincides with two other major celebrations of the year 2002. This year was also the centennial of the birth of Josemaría Escrivá, on January 9, as well as the year of his canonization, on October 6, an event of great theological, spiritual and apostolic meaning for the whole Church.

Both celebrations were the occasion for new addresses by Pope John Paul II, in which he referred to the teachings that our Lord wanted to recall and transmit through St. Josemaría and the Work he founded. Unlike the address of March 17, 2001, the Pope's words on these two occasions hardly touch upon the Prelature as an institution. Rather they focus on the message that, by God's will, Opus Dei is called to transmit and to teach people to practice.

On the occasion of the centennial of the birth of St. Josemaría, an international congress was held in Rome, from January 8 to 12, 2002, under the title of "The Greatness of Ordinary Life: the Vocation and Mission of the Christian in the Midst of the World." On the last day of the congress, the participants were received by Pope John Paul II in the Pope Paul VI auditorium. On that occasion the Pope read an address centered on the value of daily life as a path to sanctity.<sup>17</sup> The Holy Father emphasized the importance of "unity of life," an expression so often used by St. Josemaría and underlined recently by the pontifical magisterium, to express the necessary correspondence between a Christian's faith and works. These two aspects—sanctity in ordinary things and unity of life—are related, because "the Lord wants to enter into a loving communion with each one of his children, right in the heart of daily occupations, in the context of everyday life."<sup>18</sup> The Pope encouraged his audience to show others every day that "the love of Christ can indeed inform the whole gamut of human existence. In this way you will attain the ideal of the unity of life which I insisted on in the Post-Synodal Apostolic Exhortation *Christifideles Laici*, as fundamental to the evangelization of contemporary society (cf. no. 17)."<sup>19</sup>

Pope John Paul returned to this idea in his homily on October 6 at the canonization Mass of Josemaría Escrivá. On that solemn occasion he spoke of the need to "elevate the world to God and transform it from within." And he encouraged his listeners "not to let yourselves be frightened by a materialistic culture that threatens to dissolve the genuine identity of Christ's disciples."<sup>20</sup> The Holy Father said that "Josemaría Escrivá understood clearly that the mission of the baptized consists in raising the Cross of Christ above all human reality and he felt burning within him the impassioned vocation to evangelize

17. See Pontifical University of the Holy Cross, *The Greatness of Daily Life: Vocation and Mission of the Christian in the Midst of the World*, Rome 2002. This volume contains part of the sessions of the Congress and also includes the Italian, English and Spanish translations of John Paul II's address on January 12, 2002. This address was published in *Romana* 34 (2002), pp. 14-15.

18. John Paul II, address, January 12, 2002, no. 2.

19. *Ibid.*, no. 4.

20. John Paul II, homily of October 6, 2002, no.3. The text of this homily is published in *Romana* 35 (2002). In his address on October 7, 2002 to those attending the canonization of Josemaría Escrivá, Pope

every human setting. Then, without hesitation, he accepted Jesus' invitation to the Apostle Peter, which we just heard in this square: *Duc in altum!* (Put out into the deep). He transmitted it to his entire spiritual family so that they might offer the Church a valid contribution of communion and apostolic service."<sup>21</sup>

Therefore Opus Dei is a "spiritual family" called to offer to the Church the goods of unity and apostolic service. But this contribution is not principally a corporate activity; rather it is carried out above all through the personal work of its faithful in their varied settings. This is the Prelature's principal contribution as an institution. Indeed in Opus Dei's Particular Code of Law (its Statutes), there is not a single section referring to the activity of the Prelature as such. This is not so much because such activity does not exist, but because it is found above all in the formation and spiritual assistance of its faithful, so that they are in a position to act individually or in association with others as leaven in the mass of society.<sup>22</sup> Opus Dei's principal aim is not to carry out institutional activities of the Prelature, but rather to help every Christian to sanctify earthly realities, "raising the Cross of Christ above every human reality," as the Pope recalled in the words cited above. And this is made a reality through the personal commitment to strive for unity of life by its members and others who participate in the apostolates of the Prelature.

John Paul II said: "St. Josemaría was profoundly convinced that the Christian life entails a mission and an apostolate: we are in the world to save it with Christ. He loved the world passionately, with a 'redemptive love' (cf. *Catechism of the Catholic Church*, no. 604). Precisely for this reason his teachings have helped so many ordinary members of the faithful to discover the redemptive power of faith, its capacity to transform the earth. This is a message that has abundant and fruitful implications for the evangelizing mission of the Church. It fosters the Christianization of the world 'from within,' showing there can be no conflict between divine law and the demands of genuine human progress. This saintly priest taught that Christ must be the apex of all human activity (cf. *Jn* 12:32). His message impels the Christian to act in places where the future of society is being shaped. From the laity's active presence in all of the professions and in the most advanced frontiers of development there can only come a positive contribution to the strengthening of the harmony between faith and culture, which is one of the greatest needs of our time." See text of this address in *Romana* 35 (2002).

21. *Ibid.*, no.4.

22. In Bishop del Portillo's letter to the members of Opus Dei on December 8, 1981 (a letter which he did not send to the faithful until after the announcement of the establishment of the Prelature), there were some references to this question in the context of criticisms certain persons were raising against Opus Dei: "They have accused us (I tell you this because it is public knowledge and because we have forgiven them from the very start) of wanting to be independent of the bishops, or seeking to be outside the hierarchy, or not being inserted in the local churches. Perhaps they did not understand that we were only interested in being recognized for what we are: fully secular priests and ordinary faithful, who certainly constitute on an international level a jurisdictional unity of spirit, of specific formation and of government, but who, just like the other faithful, cheerfully continue to depend on the bishops in everything related to their 'ordinary pastoral care,' the one that each bishop exercises over all the other lay people of his diocese. . . . Because they did not know sufficiently well the real nature of the Work, some mistakenly wanted to treat us like religious or as members of ecclesial associations or movements that always act as a group, whether in ecclesiastical structures or in civil life . . . . They did not understand that, despite the solidity of our formation and government, our role ordinarily is not to work like just one more group among others, but to fan out, with each person trying to be leaven or salt wherever he carries out his professional work, in his family and among his friends. . . . On not seeing us act like one more group among those working in the diocese, without realizing that we wanted to be (I repeat) the leaven or salt that disappears in the dough, they thought we did not want to collaborate and that we kept our distance from diocesan pastoral initiatives. They did not grasp that through the ordinary channels where secular, professional and family life takes place, you are present, my children, everywhere: in the academic world and in the world of work; in parishes, in diocesan associations; in civil, educational and charitable initiatives; and so forth. Where citizens and Christian



### 3. *Law and spirituality*

Thus we can understand why the canonical form of a personal prelature regulated by canons 294-297 of the Code of Canon Law has an instrumental character, like any other corporate structure in the Church and in civil society. It is at the service of the supernatural vocation of the person, of the spiritual growth of the children of God. Nor is it accidental that the Statutes of Opus Dei reveal a close connection between the written law and spirituality.

Indeed, the Statutes contain many references not only to its organizational structure, but also to its spiritual reality. We find in the Statutes abundant references to the purpose of Opus Dei, specified as the sanctification of individuals through the exercise of the Christian virtues in their particular state, profession and circumstances in accord with a secular spirituality (no. 2 § 1). This is made possible by a contemplative life, a life of prayer and sacrifice, the sense of divine filiation, ascetical and doctrinal-religious formation, personal apostolate "*tamquam fermentum in massa humanae societates*" (no. 3 §3), a unity of purpose and organization, "of vocation and spirit" (no. 4 §3), etc.

In particular, all of title 3 in the Statutes is dedicated to the life, formation and apostolate of the faithful of the Prelature. It is divided into three chapters: spiritual life, doctrinal-religious formation, and apostolate. As Jose Luis Illanes explains, spiritual life in Opus Dei is "part of a whole, which has two structural axes: the sense of divine filiation, which is the basis of an attitude of soul that leads one to refer all of reality to a God whom one recognizes as Father; and work, that is to say the totality of lay tasks and activities, as a reality in which this consciousness of the nearness of God can take on body and historical richness."<sup>23</sup>

In this regard, it is worthwhile recalling no.79 §1 of the Statutes, which emphasizes the harmony between faith and works: "The spirit of Opus Dei has a two-fold aspect, ascetical and apostolic, which complement one another fully, and which are intrinsically and harmoniously united and intertwined with the secular character of Opus Dei. Thus it always fosters a solid and simple unity of ascetical, apostolic, social and professional life."<sup>24</sup>

The strong spiritual content of these and other texts confirms the instrumental meaning of the norms that govern Opus Dei. Indeed, Opus Dei's particular law serves as "the expression of the charism, or more exactly, the specification of what that charism requires,"<sup>25</sup> and, therefore, of the place of Opus Dei in the Church. This instrumental role recognizes the limitations of

faithful live their ordinary lives is where the members of Opus Dei are present: ordinarily each one personally (not as a group), enlivening all those areas with apostolic zeal in the service of the universal Church and of the local church." See *The Canonical Path of Opus Dei*, pp. 596-597, for original Spanish text.

23. Jose Luis Illanes, "The Church in the World: the secularity of members of Opus Dei" in *Opus Dei in the Church*, op. cit. (note 9), p. 267.

24. Cf. Statutes, no. 79 (The translation is our own.)

25. *The Canonical Path*, p. 87.

written law, because the expressions of a charism transcend any normative text, insofar as it is called to become visible above all in the life and heart of the faithful. But at the same time it is a necessary instrument, since the law here is not only a guarantee of institutional unity through the observance of what the written norm disposes, but also recognition and encouragement of a spirit that is to be lived out in human history.

In addition, these frequent references in the Statutes to meta-legal realities (spirituality, ascetical means, one's Christian vocation in the midst of the world) can be explained by St. Josemaría's desire to make evident in these norms the spirit of Opus Dei.<sup>26</sup> Thus one would be able to correctly understand the rest of the statutory dispositions, especially during those years when Opus Dei existed in the Church with a juridical format that was less than adequate, since it was more suited to the law for religious, or what today we would call the "consecrated life."<sup>27</sup>

These important realities are what in the end give meaning to all the Prelature's activities: fostering the spiritual life of its faithful in light of the vocation to holiness and its practical consequences; providing a doctrinal formation which makes it possible that "in all social environments there be people who are intellectually prepared so that, with naturalness, in the ordinary circumstances of their daily life and work, they can carry out, through their example and word, an effective apostolate of evangelization and catechesis;"<sup>28</sup> finally, providing members with the apostolic formation and pastoral assistance needed to carry out this apostolic work.

#### *4. Apostolic spontaneity in a hierarchical institution*

The history of the Church gives us numerous examples of tensions between law and gospel, statutes and life, charism and institution. On the one hand, we find situations where Catholic orthodoxy has clearly been lost. For example, attempts have been made to establish a division between the Church of charity and the Church of law, as if these were separate and incompatible dimensions, with juridical forms suffocating the spontaneous and personal expression of Christian charity. Another example is Lutheranism, which was an open challenge to the rights of the Pope in the name of individual freedom. In its more radical formulations, some Lutherans even affirmed the incompatibility of law with the reality of the Church.<sup>29</sup> The most they would reluctantly accept

26. He wrote in 1961: "With God's grace I elaborated, little by little, the norms of our particular law, measuring the Work as it grew" (*The Canonical Path*, p. 87). The founder's main concern was, as he also wrote in 1961, "the grave responsibility of making sure that this new phenomenon was set forth in the norms of our particular law, according to what God wanted" (*The Canonical Path*, p. 89, note 30).

27. Cf. *The Canonical Path*, p. 223.

28. Cf. Statutes, no. 96 (the translation is our own).

29. This is the thesis of Rudolf Sohm a German Lutheran jurist at the beginning of the twentieth century. Sohm recognized that Catholicism upheld the legal order as something necessary for the Church. Cf. among many others, J. Otaduy, "La ley y el Espíritu: Lo invisible de una Iglesia visible," in *Imágenes de la Fe*, 212 (1987), pp. 14, 9-15.

was a limited discipline or organization, but only as an indispensable human instrument, not as a means of salvation or a channel of divine action.

On the other hand, we find positions that, without being heterodox, reveal a clear lack of trust in the role of law in the service of justice and freedom. These attitudes and sentiments are found not only in the life of the Church but also in civil society. Recent decades have witnessed an increasingly negative vision of law, understood as a norm limiting freedom, or even as the result of compromises and a pragmatic balancing between political organizations, without any special concern for the dignity of persons and things. In contrast, the Christian vision of law sees it as a service to the realization of justice, the welfare of the person and the common good. In the Church, law fulfills an indispensable function, insofar as it is an instrument of unity and continuity of the message transmitted throughout history, above and beyond the persons who at any particular moment hold positions in the Church. When our Lord instituted the Church, he also determined its fundamental organization by his choice of twelve apostles, and the call of Peter as head of the apostolic college.<sup>30</sup> And the divine institution of the sacraments established, along with the specification of authority, the other basic pillar on which divine positive law rests, inasmuch as the sacraments are goods given by our Lord to the Church, which distributes them through its ministers, so that there is an obligation to provide them and a right to receive them.<sup>31</sup>

The Church necessarily includes a legal dimension. The Holy Spirit nourishes the life of the Church, which exists as "one complex reality which comes together from a human and a divine element. . . . As the assumed nature, inseparably united to him, serves the divine Word as a living organ of salvation, so, in a somewhat similar way, does the social structure of the Church serve the Spirit of Christ who vivifies it, in the building up of the body."<sup>32</sup> The Spirit gives rise to and fosters the different charisms, at the same time as he brings about in the Church the harmonious blending of divine law and human law throughout the various stages of history. It is true that at times the vivifying presence of the Spirit might be obscured because of the hypertrophy of structures or an excessive confidence in the action of men. But the power of God is always able to bring forth new charisms, to revive those that are old, and to give impetus to aspirations towards holiness not only in the personal and associative life of the faithful, but also within the hierarchical structures of the Church, such as the dioceses and prelatures. Therefore the juridical figure of the personal prelate can be seen as an instrument to further and consolidate realities of holiness and apostolate, an instrument of human law for the action of the Holy Spirit.

30. Cf. Second Vatican Council, Constitution. *Lumen Gentium*, nos. 8, 18ff.

31. Central to this question is the study by J. Hervada, "Las raíces sacramentales del derecho canónico," in P. Rodríguez *et al.*, (eds.), *Sacramentalidad de la Iglesia y Sacramentos*, IV Simposio Internacional de Teología, Pamplona 1983, pp. 359-385.

32. Second Vatican Council, constitution *Lumen Gentium*, no. 8.

It is important to clarify that charisms, special vocations, spirituality, and apostolic life are not restricted to associations or institutes of consecrated life. The ecclesiastical circumscriptions, and among them the personal prelatures, are called to be communities where Christian life becomes precisely that: life in Christ and dedication to others, settings of flourishing spiritual life, of Christian holiness and, as a necessary consequence, apostolate. Apostolate is the goal of the Church and of every Christian community,<sup>33</sup> regardless of whether they possess a hierarchical or associative institutional structure.<sup>34</sup>

Considered in the light of pastoral and apostolic action, the spirit of Opus Dei is transmitted in two ways. On one hand, the Prelate and his presbyterate carry out a special pastoral work at the service of the laity of the Prelature, as an expression of the service rendered by the priestly ministry to the common priesthood. On the other hand, the whole of the Prelature, priests and laity together, in organic cooperation carry out an apostolate of service to the local Churches.<sup>35</sup>

The Prelature of Opus Dei is seen therefore:

—as a community of faithful formally organized by the supreme authority of the Church to spread among people of all walks of life the call to holiness in one's daily occupations.

—as composed of priests and laity, reciprocally related in accord with the distinction and cooperation between the common priesthood and the ministerial priesthood.

—as served and governed by a Prelate as its own ordinary, with the cooperation of a presbyterate

These essential aspects express a shared responsibility, a call to be Opus Dei and to do Opus Dei, as St. Josemaría liked to put it. That is, to struggle

33. Cf. Second Vatican Council, decree *Apostolicam Actuositatem*, no. 2.

34. This aspect has been highlighted by J. Hervada, "Aspectos de la estructura jurídica del Opus Dei," *op. cit.*, p. 1059: "It might appear that ecclesiastical circumscriptions (dioceses, prelatures, etc.) are not apostolic entities, that only entities of an associative nature are apostolic environments where one lives the apostolic dimension of the Christian mission. But this view is no longer sustainable since the last Ecumenical council... The ecclesiastical circumscriptions are apostolic entities with a two-fold dimension: *ad intra* by the pastoral action of the bishop, prelate, etc., on the clergy and faithful, of the priests on the faithful, and of the faithful among themselves and, insofar as possible (for example, via fraternal correction), of the faithful with respect to priests and the person in charge. And *ad extra*, the action of all in respect to non-believers or those distanced from the faith. This apostolic structure may indeed be little noticed, or completely unnoticed, in many ecclesiastical circumscriptions, but this is, in every case, a deplorable *de facto* situation."

35. Cf. J. Miras, "Notas sobre la naturaleza de las prelaturas personales," *op. cit.*, p. 373, which mentions an informative note that the Congregation for the Bishops sent in November 1981 to the bishops of the dioceses in which centers of Opus Dei had been established.

personally to correspond to the grace of baptism, to seek Christian sanctity and to serve one's neighbor in one's ordinary activities.<sup>36</sup>

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In summary, the twenty years that have gone by since the establishment of Opus Dei as a personal prelature are an occasion for gratitude to God for all the gifts granted during these years: for the service rendered to the Church that this juridical instrument has facilitated; for the extension of the apostolic work of the faithful of the Prelature; for the theological deepening that has taken place in the message that God wanted to remind the Church of; for the canonization of the founder of Opus Dei, and the reception of his message in the local Churches.

These are realities that move us to contemplate the future with optimism and a desire to be faithful. The future is a call to harmonize spontaneity, the spiritual and apostolic strength arising from a supernatural vocation, with the direction and government of the apostolic work and life of Opus Dei. Spirit and law, charism and hierarchical institution, are not only compatible; they are inseparable dimensions of this complex and familiar reality that is the Church.

36. "Each of us, by means of his or her self-giving in the service of the Church, must be Opus Dei—that is, *operatio Dei*—a work of God, in order to do Opus Dei on earth," Josemaría Escrivá, Letter of February 14, 1950, cited by Fernando Ocariz, "Vocation to Opus Dei as a Vocation in the Church," op. cit., p. 97. "A member of Opus Dei, a lay person in the Prelature of Opus Dei, is simply a lay person, an ordinary Christian who, taking to heart the implications of baptism, commits himself or herself to spread that ideal by striving to make it a reality in one's daily life. In Monsignor Escrivá's own words, it means 'doing Opus Dei by being Opus Dei oneself.' Obviously, all this involves the contribution of the priestly ministry, without which there is no Christian life." Jose Luis Illanes, "The Church in the World," op. cit., p. 124.