

day he showed us, with great devotion, a relic of the Holy Cross, and he spoke movingly of our Lord's passion and death. He told us: "We love the Cross; we should love it sincerely, because where the Cross is Christ is present, with his Love, with his presence that embraces all realities."

In the prologue to his book on the Holy Rosary he wrote: "The beginning of the way, at the end of which you will find yourself completely carried away with love for Jesus, is a trusting love for Mary." In the middle of the Way of the Cross, tradition has always found the presence of Mary; and at its end, beneath the Cross, *stabat Mater*, there stood the Mother of Jesus, the new Eve, with a strength as great as her sorrow, to engender us in the faith and the Christian life. At the start, along the way and at the end of our life, Mary never abandons us. Therefore I am especially happy that this Way of the Cross leads to the shrine of the Holy House.

It makes me happy to think that, in the joy of heaven, today's event will also make St. Josemaría happy, on seeing that his devotion to the Cross, his love for Mary Most Holy, and his words filled with faith in Christ who suffered for our salvation, will help many pilgrims to rise up towards the altar of God: the God who, in the Holy Mass, fills with joy the perennial youth of the Christian soul. This is the petition and the prayer that, united to St. Josemaría, we direct today to the Mother of God, praying in a special way for all of the people of Loreto.

## Rome March 10, 2008

*"The canonical configuration of Opus Dei as foreseen by Saint Josemaría," on the occasion of the 25th anniversary of the establishment of the Opus Dei Prelature*

To describe the juridical structure foreseen by Saint Josemaría for Opus Dei, I must first set out the defining characteristics of what he saw (this is the verb he normally used when referring to it)<sup>1</sup> on October 2, 1928, the date on which the panorama of the Work the Lord wanted of him opened up before his eyes. With this clearly in mind I will follow two threads which we find constantly intertwined throughout the years leading up to the holy death of the Founder. On the one hand, there are the different organizational forms which, without betraying the substance of Opus Dei, and though only of a provisional nature, Saint Josemaría had to accept in order to allow the Work to receive public recognition in the Church, within the limits of the possibilities offered by the law then in force, and to enable him to tackle the organizational needs arising out of the interdiocesan, and later international, scope of the Work; while on the other hand—this is the "intertwining" I was talking about—I will go on to mention the numerous specific points which Saint Josemaría was careful to clarify in relation to the configurations he was forced to accept out of necessity, but always in anticipation of a definitive juridical

1. Sometimes there appear expressions such as receiving a light or illumination, etc.

garment to be established by the Church's general law—a garment that would suit the entire pastoral phenomenon of Opus Dei naturally and without any awkwardness.<sup>2</sup>

### 1. The defining characteristics of Opus Dei

After years of prayer, as he waited to discover what he already sensed was God's will for him, Saint Josemaría, on October 2, 1928, in the course of some days spent on spiritual retreat, received an "illumination regarding the whole Work."<sup>3</sup>

What does "illumination regarding the whole Work" mean? It certainly does not mean that when Opus Dei appeared before the Founder's eyes, every detail was clear as to how it should operate and how it should be organized and governed, or that it came with a set of legal norms ready for use. In this regard Saint Josemaría wrote, years later, in a lengthy document, "The reality of God's will was very clear. It was necessary, therefore, to do what the Lord enjoined. Afterwards would come the theory and the laws, born of lived experience."<sup>4</sup>

There are, therefore, two aspects that I would like to dwell on: in the first place, the defining characteristics of the panorama which Saint Josemaría saw on that foundational date of Opus Dei; and afterwards the other features which, by contrast, needed to be shaped with time, through the Founder's reflection and

meditation, while he maintained his constant attitude of docility to God's inspirations and action in his soul.

### *Defining characteristics*

Saint Josemaría did not draw up a list—at least it has not reached us—of the characteristics defining the fundamental nucleus of Opus Dei such as it was presented to him on October 2, 1928. Therefore we need to trace out those essential aspects and characteristics on the basis of the Founder's writings in the years immediately following that date.

In the first place, what he discovered was an apostolic panorama. In the lives of many Christians all over the world there was a division between their faith and their everyday life of work and earthly occupations. In the face of this, he felt called to promote an institution whose aim would be to provide those who live in the world with a deep awareness of the universal call to holiness that God addressed to them in baptism: an institution, therefore, made up of ordinary Christians who, conscious of the demands involved in their Christian vocation, would strive to put those demands into practice in a full and radical way, while seeking to transmit this discovery of theirs to others. In this way they would spread far and wide the message that the faith can and should permeate the whole of human life and everything life consists of, especially the demands of

2. For a more extensive exposition cf. A. De Fuenmayor, V. Gomez-Iglesias and J. L. Illanes, *The Canonical Path of Opus Dei. The History and Defense of a Charism* (Princeton/Chicago, 1994).

3. On October 2, 1931, for example, he wrote, "Today, three years ago, I received that illumination regarding the whole Work" (Personal Notes, 306).

4. Letter, December 29, 1947/February 14, 1966, no. 23.

professional work, and family and social life in general.

What it involved, therefore, was not some limited and restricted apostolic activity corresponding to the circumstances of the time, but a venture with unlimited horizons: the sanctification of the world and the imbuing of earthly occupations and affairs with the spirit of the Gospel. This panorama embraced everything that was to be found in the ordinary life of any man or woman, with primary importance being given to professional work—of whatever kind it happened to be (before God there are no prestigious or humble tasks)<sup>5</sup>—since work constitutes an essential element of the human person's relationship with the world.

The Work seen by Saint Josemaría involves a response to a calling, on the part of those who are to carry it out. It is not a limited and restricted apostolic project that people can join simply by devoting part of their life to it. It is a task involving the whole person. This vocation is an invitation to seek sanctity in the world and in one's own personal circumstances. As the Founder wrote in February 1931, "In the world, in ordinary work, in the duties proper to one's state, and there and through all of this, saints!"<sup>6</sup> At the same time it is a call to apostolate, not only by example, but also by word, especially through that sort of personal apostolate on a one-to-one basis which the Founder called "apostolate of friendship and confidence". This is an

apostolate that knows no bounds because, to quote Saint Josemaría once more, this time from 1932, "We are interested in all souls. . . . For this we must desire to serve everyone out of love for God . . . to bring all to holiness: *estote perfecti!* (all), to fill the world with peace and joy."<sup>7</sup>

Passing on, then, to the organizational and institutional aspects, we can highlight the fact that this apostolic project included men and women. In 1928, the Founder thought that he should deal only with men, but less than a year and a half later, on February 14, 1930, the Lord showed him that the light he had received was also to be transmitted to women. Thus the apostolate with men and the apostolate with women were each to proceed in a fully autonomous way, but at the same time in unity both of spirit and, later, of institutional structure. These men and women, celibate or married, would share a single, unique vocation, the same for all: a calling to sanctification of professional work and apostolate in the circumstances of each one's ordinary life.

Another fundamental characteristic is that the fulfillment of Opus Dei's task requires the participation of priests and laity in close mutual cooperation: priests who perform the tasks proper to their pastoral ministry and help others in matters of interior life and apostolate, renouncing any desire to stand out, and without ever interfering in the free choices that lay people make in temporal matters.

5. Saint Josemaría considered the work of a woman who dedicates all her activity to the care of the family and home to be professional work of great social importance.

6. Personal Notes, n. 154.

7. Personal Notes, n. 158.

The importance of formation in all its aspects—spiritual, doctrinal, apostolic, human, and professional—should also be stressed. From this point of view, formation appears as the task that sums up the whole of Opus Dei's work. As the Founder would often say, Opus Dei's proper activity is the formation of its members and of those who come to its apostolate, to enable them—since they are citizens like anyone else, with the same rights and duties—to act with Christian outlook in their professional, family and social activities, and to be in a position, with their well-formed conscience, to take their own free decisions in professional, social and political matters, or in more general terms, in all that God has left to the free and responsible choice of men and women. From the very first years of the foundation, Saint Josemaría always insisted on the need for a “common denominator”—the Church's teaching, the spirit of the Work and the apostolic commitment—with an extremely varied numerator which, as far as freedom in temporal matters is concerned, is not only legitimate but also obvious and desirable, since it is the fruit and consequence of the fact of being the same as other citizens.

Lastly, Opus Dei was born with the characteristics of universality and internationality. On this aspect the Founder wrote in 1934, “Our organization is not for a particular set of circumstances . . . nor is it meant to be the answer to the needs of a particular country or historical moment,

because right from the start Jesus wanted his Work to be Catholic and universal.”<sup>8</sup> Consequently Opus Dei must have a unitary, interdiocesan organization. Already in 1931 he had written that whoever was in charge would need to have a certain number of people either with him or spread across the world to help him govern Opus Dei, and that the headquarters of the organization would be established in Rome, the center of the Catholic world.<sup>9</sup>

#### *Aspects still to be determined*

Up to now I have been sketching out the basic characteristics of Opus Dei as they appear in Saint Josemaría's writings in the early 1930s: an institution with an apostolic panorama of personal sanctification and the spreading of the universal call to holiness in the world and in the different circumstances of ordinary life, made up of men and women of all social classes, celibate and married, and priests, in unity of vocation and mutual and necessary collaboration in their apostolic endeavor, with an international character, and therefore in need of an organizational and governmental structure corresponding to this requirement of universality.

However, in those first years of its existence the Work was still in what the Founder called its “gestation period,” and there were obviously aspects that little by little needed to be made specific, in response to situations as they arose. To

8. Instruction, March 19, 1934, nn. 14-15.

9. Cf. Personal Notes, n. 153 (February 2, 1931), n. 220 (August 10, 1931) and n. 422 (November 29, 1931).

what extent was the configuration of the Work “undetermined”? Saint Josemaría meditated at length on what God was asking, conscious that many of his reflections on the organizational aspects were only approximate. This is evident from his books of Personal Notes, where we frequently find phrases such as: “life itself, in time, will show us the way”; “the Lord will inspire the solution when he chooses”; or, in a general reference in March 1930: “All the notes on these scraps of paper are but the seed. They bear as much resemblance to the completed being, perhaps, as an egg does to the strutting chicken that has hatched from its shell.”<sup>10</sup>

Among the aspects to be defined with time, there was obviously that of a juridical organizational structure capable of embracing Opus Dei with all the defining characteristics set out above. For many years, the existing law of the Church did not offer any satisfactory possibilities. Nevertheless, life flowed on like an ever-swelling river, which needed to be channeled in the most suitable way possible—or rather, in the words of Saint Josemaría, in the least un-

suitable way, while the definitive solution was still awaited. For this reason he was obliged to have recourse to different solutions that would suffice to resolve the needs of a particular moment; but at the same time he felt the weight and responsibility of needing to leave everything arranged in such a way that Opus Dei could eventually obtain the juridical configuration that best suited its nature.

I will now go on to talk about the three juridical configurations which Opus Dei adopted while the Founder was alive.

## 2. Juridical configurations during the life of the Founder

### *Pious union (1941)*

Until the forced parenthesis of the religious persecution, which reached its peak during the Spanish Civil War (1936–1939), it had been sufficient for Opus Dei to have the approval and blessing of the diocesan Bishop, Leopoldo Eijo y Garay, without any written document.<sup>11</sup> When the conflict ended, Saint Josemaría’s desire to extend the Work to different cities in Spain,

10. Personal Notes, n. 14.

11. Saint Josemaría acted from the very first moment in close union with the diocesan Bishop Eijo y Garay, who confirms this in a letter he wrote on May 24, 1941 to Dom Aurelio María Escarré, Coadjutor Abbot of Montserrat, in which he states that Opus Dei, “from the time it was founded in 1928, is so much in the hands of the Church that the diocesan Ordinary, that is to say either the Vicar General or myself, knows and, when necessary, directs all of its steps; both its cries as a newborn creature and its current groans resound in our ears and... in our hearts. Because, believe me, Most Reverend Father, the Opus is truly Dei, from its first idea and in all of its steps and works” (the letter forms part of the close correspondence between the Bishop of Madrid and the Abbot of Montserrat; the original is kept in the abbey archive). “Its current groans”: with these words Bishop Eijo y Garay is referring to the serious attacks then being aimed at Saint Josemaría. In a letter of June 21, 1941 to Abbot Aurelio Escarré, Bishop Eijo y Garay wrote: “It is one of the greatest calumnies against Opus Dei; and I can guarantee you, Most Reverend Father, that it is pure calumny. How could they love the holy Church without loving also the religious state? ... They love it, they venerate and proclaim it a means of salvation for those called by God to it; but they do not feel called to this vocation, but rather to that of sanctifying themselves in the middle of the world and exercising in the world their apostolate.”

and afterwards to other nations, could start to become a reality; but to enable this to happen, it was necessary to have an official recognition of Opus Dei—some formal document that would allow it to present itself as a body recognized by the ecclesiastical authorities.

There were also certain events that made it even more necessary to obtain such recognition. The pastoral novelty of Opus Dei had given rise to hostility and misunderstandings, which developed into a true campaign of calumnies against the Founder and the Work in general. These are sorrowful events, although Saint Josemaría heroically regarded them as an instrument of purification allowed by God so that charity, combined with an understanding for everyone, might take root even more deeply in his own soul and the souls of those who followed him. Needing, therefore, to seek a juridical structure for Opus Dei within the 1917 Code of Canon Law then in force, all that the Founder was able to find were lay associations. Among these there was the pious union, which the law, using a very broad formula, allowed to be established in order to “carry out any work of piety or charity,”<sup>12</sup> which did not in any way undermine the secular character of the members of the Work, who continued to be ordinary Christians. Pious unions could be erected or simply approved by the competent authority.<sup>13</sup> In a conversation with the Bishop of Madrid, Saint Josemaría opted for simple approval, by

which he could achieve his objective of obtaining the diocesan Bishop’s official recognition of the existence of Opus Dei, while at the same time making clear the provisional nature of this solution.

Aware of his duty to clarify the essential characteristics of the Work, including its juridical aspects, the Founder did not limit himself to presenting a request for approval alone, but attached to it a set of Regulations and other short documents containing an outline of what would later be the Statutes of Opus Dei, at that time consisting of fewer than fifty people. In those documents he sketched out a broad general vision of the Work, its aims, its members, and its system of governance, which he already foresaw as operating at universal and national levels.

#### *The 1943 diocesan erection*

In 1943 the number of members of Opus Dei had risen to over one hundred. To carry out the Work it was essential that there should be mutual cooperation between laity and priests. In the early years Saint Josemaría made use of the help of a number of priests, but he very soon realized that the priests had to come from the ranks of the laity of the Work. The existence of such priests was already foreseen in the documents attached to the 1941 request for approval of Opus Dei as a pious union; nor was this a purely hypothetical matter, since some members were already carrying out ecclesiasti-

12. CIC 1917, can. 707 § 1.

13. Cf. CIC 1917, can. 708.

cal studies with a view to the priesthood. However, there was still the problem of incardination and the title of ordination. The 1917 Code of Canon Law then in force allowed only two possibilities: every priest had to be attached either to a diocese or to a religious institute, and so-called vagrant clerics were prohibited in the most absolute terms.<sup>14</sup>

Canon law also required a title of ordination, to guarantee the decent maintenance of the cleric for the whole of his life.<sup>15</sup> For secular clerics one possibility was the title arising from the establishment of a patrimony or perpetual subsidy (*pensio*),<sup>16</sup> which would allow a priest to be incardinated in a diocese while remaining free to devote himself to tasks different from the service of that diocese.<sup>17</sup> The Bishop of Madrid offered Saint Josemaría the possibility of making use of this title, but it would have entailed insurmountable difficulties as it offered no guarantee of stability for an institution born with a vocation to universality; furthermore the costs would have been prohibitive.

It was in this situation of uncertainty that, on February 14, 1943, the panorama contemplated by the Founder on October 2, 1928—the vision of Opus Dei as an apostolic initiative requiring mutual and full cooperation between laity and priests—again came into sharper focus. Saint Josemaría now under-

stood that the solution was for priests to form, as an integral part of the Work, a priestly nucleus making present the action of Christ, the Head, throughout the whole organism of the institution.

However, it was not easy to translate the light he had received into juridical terms. What was needed was that, within the pastoral phenomenon of the Work, there should be a body of priests who would remain incardinated in it without altering their secular condition, in order to provide pastoral care to the lay members and cooperate with them in the apostolic activities.

I have already mentioned that the 1917 Code of Canon Law only allowed the possibility of a cleric being attached to a diocese or religious institute. There were however certain cases where the Law itself treated certain institutions as being equivalent *in iure* to a diocese or religious institute. This equivalence applied to what were then called societies of common life without vows—nowadays societies of apostolic life—which were not religious, but were able to have priests attached to them, precisely because their juridical governance was treated as being partly equivalent to that of the religious.<sup>18</sup>

With the agreement of the Bishop of Madrid, Saint Josemaría asked for and obtained permission

14. Cf. CIC 1917, can. 111.

15. Cf. CIC 1917, can. 974 § 1, n. 7.

16. Cf. CIC 1917, can. 979 §§ 1-2.

17. Cf. CIC 1917, can. 128.

18. Cf. CIC 1917, cann. 673-681.

“to transform a small nucleus of our Work, made up of priests and some laymen approaching ordination, into a Society of common life without vows, the Priestly Society of the Holy Cross.”<sup>19</sup> The erection of this small part of the Work as a society of diocesan right took place on December 8, 1943; and inseparably united to it, with the name of Opus Dei, was the association of faithful approved under that same name in 1941, to which the members of the Priestly Society of the Holy Cross continued to belong.

Admittedly this solution did not reflect the exact reality of the pastoral phenomenon, and was of necessity provisional: in the words of the Founder, “Opus Dei appeared as something secondary: as an association proper to and inseparable from the Priestly Society of the Holy Cross, when the fact of the matter is that none of these two parts of our Work is secondary. Both of them are principal.”<sup>20</sup> However, it did allow the ordination of the first three priests belonging to the society, including my beloved predecessor Bishop Ilvaro del Portillo, on June 25, 1944, and others in 1946.

### *Secular Institute*

The end of the Second World War (1945) made it possible for Opus Dei to start extending to other nations. What became very clear at this point was that the Work needed to be recognized by the Holy See in order to guarantee its universal

structure and allow it an interdiocesan and unitary system of governance. In February 1946 the Founder sent Don Ilvaro del Portillo, his closest collaborator, to Rome in order to conduct negotiations with the relevant authorities in the Roman Curia. Once it became clear that, under the legislation then in force, it would not be possible to obtain a suitable juridical configuration within the sphere of competence of the Sacred Congregation of the Council—today the Congregation for Clergy—the Founder decided to turn to the Sacred Congregation for Religious, the only Roman Dicastery in a position to grant the desired system of governance. The solution envisaged was that of requesting pontifical recognition—the so-called *decretum laudis*—for the society of diocesan right erected in 1943. However, Saint Josemaría could not claim to be satisfied with this juridical configuration, and he obtained agreement that the problem posed by Opus Dei should be studied in the context of what were called by the generic name of “new forms of Christian life,” which led to the Apostolic Constitution *Provida Mater Ecclesia* of February 2, 1947 by which the figure of the secular Institutes was created. Within this context, on February 24 of the same year, Opus Dei, together with the Priestly Society of the Holy Cross, received the *decretum laudis* as a secular institute of pontifical right; and later, on June 16, 1950 it was given definitive approval by the Holy See. This represented a significant step

19. St. Josemaría, Letter, February 14, 1944, n. 12.

20. St. Josemaría, Letter, December 29, 1947/February 14, 1966, n. 160.



forward, since the organization established was the whole of Opus Dei, and not, as previously, the Priestly Society of the Holy Cross with an association (Opus Dei) inseparably united to it. In addition, recognition was given to the full secularity of the members and their condition as ordinary Christians—although some restrictions and difficulties remained.

One of these difficulties stemmed from the fact that, as a secular Institute, Opus Dei was dependent on the Sacred Congregation for Religious, which understood secularity in a very broad sense and included among the secular Institutes a large number of institutions that in reality bore the hallmarks of a religious congregation.<sup>21</sup> This proved to be a source of confusion, and was the reason why, for example, the members of the Work found it difficult in practice to exercise freedom of choice in professional and social matters, because there was the suspicion looming over them that they were acting under the guidance of the leaders of Opus Dei.

The approval of Opus Dei as a secular Institute also involved a series of exceptions to the Church's general law that could well be described as privileges: above all the presence of men and women in the same institution in unity of governance and spirit, and celibate and married people.

It should also be added that, from the juridical perspective, Opus Dei was placed in the context of states of perfection: these were alien to its spiritual substance, which is centered on each one's seeking holiness and carrying out apostolate in his or her own state and condition.

For all these reasons, on October 2, 1958 Saint Josemaría wrote a letter to the members of Opus Dei in which, after recalling the essential characteristics of the Work, he said, "In fact we are not a Secular Institute, nor in the future should this name be applied to us."<sup>22</sup> He went on to say, "I will inform the Holy See, at the proper time, of this situation, of this concern of mine. Then I shall indicate that we ardently desire that steps be taken to reach a proper solution, which will not constitute for us a privilege—something repugnant to our spirit and outlook. Nor will it modify our current relations with local Ordinaries."<sup>23</sup>

### 3. Towards a definitive juridical configuration

#### *In the 1960s*

In 1960, on the eve of the Second Vatican Council, Saint Josemaría felt that the time had come to make another attempt to obtain a juridical configuration capable of embracing Opus Dei as its nature required, outside the ambit of institutes of perfection, without privi-

21. This same affirmation can be found in the works of A. Oberti, J. Beyer, and many others who studied the evolution of secular Institutes from the beginning.

22. Letter, October 2, 1958, n. 9 (italics in original).

23. Letter, October 2, 1958, n. 11 (italics in original).

leges or exceptions to the Church's general law. He therefore sent an informal consultation to the Secretary of State, Cardinal Domenico Tardini, asking him to consider the possibility of proposing that Pope John XXIII revise the juridical status of Opus Dei. The proposed solution can be summed up as follows:

a) In the first place, Opus Dei would henceforward depend on the Sacred Consistorial Congregation (today the Congregation for Bishops) through the creation of a prelature nullius, whose headquarters could consist of a single parish.<sup>24</sup>

b) It was also envisaged that the particular law of Opus Dei, which already enjoyed pontifical approval, would be confirmed, and that the election of the President General of the Work would require the confirmation of the Holy See, which would in turn appoint him Prelate of that small territory.

The Secretary of State notified Saint Josemaría that he did not consider it opportune to submit a formal request at that moment. "We are still a long way off," he added. Saint Josemaría's comment was that "The seed has been sown that will not fail to bear fruit."

Less than two years later, in January 1962, the Founder presented the Holy Father John XIII with a formal request for revision of the ju-

ridical status of the Work. There were two suggested solutions:

a) To set up Opus Dei as a prelature nullius, providing it with a territory (albeit purely symbolic) in which priests would be incardinated; the particular law of that prelature would, in accordance with the law then in force,<sup>25</sup> be the one already approved for Opus Dei.

b) To entrust the President pro tempore of the Work with an existing or newly-created prelature nullius, with the faculty of incardinating priests of Opus Dei in it.

While the second of these suggested possibilities is the same as the one presented in 1960, the first goes further in that it foresees Opus Dei, as such, being established as a prelature.

In an accompanying note the Founder stated that the juridical system he had had in mind from 1928 was something similar to that of the military ordinariates, made up of secular priests and laity, who because of their particular circumstances needed suitable ecclesiastical juridical provision and spiritual assistance. In our case, he added, the particular features derive from the demands of carrying out secular apostolate at all levels of society with a specific spiritual and intellectual formation.<sup>26</sup>

Once again the reply in this case was negative. Somewhat dis-

24. Regarding this possibility, a glimmer of hope had been given by the establishment of the *Mission de France* as a prelature nullius on August 15, 1954: AAS 46 [1954], pp. 567-574.

25. Cf. CIC 1917, can. 319 § 2.

26. In a testimony written after the death of the Founder, Pedro Casciaro recalls that in 1936, Saint Josemaría pointed out to him two tombstones in a church in Madrid, and said, "There you have the future juridical solution of the Work." The tombstones belonged to two military vicars general.

tressed, Saint Josemaría, in two letters in 1961 and 1962, insisted after mature reflection on the responsibility incumbent upon him to be faithful to the charism received: "Before God our Lord," he wrote, "I have the obligation of using all upright supernatural and human means to fulfill the holy will of God, in what concerns the foundation of his Work just as He has made me understand it. . . . I'm not a young man who writes to you lightly: I have my years and *Dominus prope est* (*Phil* 4:5): for me the judgment of the Lord is near."<sup>27</sup> On February 14, 1964, Saint Josemaría arranged for a statement of conscience to be delivered to the Holy Father, Paul VI, in which, among other topics, he included some references to the juridical structure of Opus Dei. A few months later he was granted an audience by the Pope; they discussed the institutional problem and concluded that it would be best to await the end of the Second Vatican Council.

*The Special General Congress (1969-1970) and Opus Dei's new Code of particular law*

In the light of the new possibilities opened up by the recently-ended Council,<sup>28</sup> Saint Josemaría convoked a special General Congress for Opus Dei, which took place in two parts, in 1969 and 1970. He saw this Congress not as an assembly of technical experts to

work out the juridical solution, but as a profound reflection by the whole of Opus Dei, in union with the Founder, on its proper nature and characteristics. However, accepting a proposal made at the start of the second part in 1970, Saint Josemaría informed the Congress that he had set up a technical commission of specialists, presided over by Don Ivario del Portillo and consisting of two subcommittees: one juridical-canonical, the other theological. Once the sessions of the Congress were over, this technical commission continued working, so that on June 25, 1973 Saint Josemaría, in an audience granted by Paul VI, was able to inform the Pope of the progress of the work and was encouraged by the Roman Pontiff to see it through to completion. Finally on October 1, 1974 the Founder approved the project for the new Code of particular law for Opus Dei, in which the terms and provisions that were required by the juridical structure then in force, but were to be eliminated once the desired legal configuration had come into operation, were included in parentheses.

Saint Josemaría died a holy death on June 26, 1975, and did not live to see that desire fulfilled which for so many years had been the object of his concern, prayer and action. I leave it to Cardinal Julián Herranz, who will give the next paper, to describe the subsequent history.

27. Letter, May 25, 1962, nn. 26 and 34 (italics in original).

28. The closure of the Second Vatican Council took place on December 8, 1965. On August 6, 1966 the *Motu proprio*, *Ecclesiae Sanctae* was promulgated. Part I of this document contained the executive dispositions on the conciliar decrees *Christus Dominus* and *Presbyterorum Ordinis*; while n. 4 outlined the norms on personal prelatures (AAS 58 [1966], pp. 760-761).

### Summary

In the course of my exposition I have attempted to summarize the defining characteristics of Opus Dei and the juridical steps taken by the Founder to obtain a legal configuration which, without ever giving way on those essential points, would allow the Work to carry out its mission in the different phases of its development, within the limited possibilities offered by the law then in force.

In summary I would say that the structure foreseen by Saint Josemaría from the outset, and to which he applied all his energies, needed to correspond—without recourse to privileges or exceptions—to the essential characteristics of Opus Dei, which are the following:

—It is an organic and indivisible unity, made up of men and women, celibate and married, ordinary faithful and ordinary citizens, belonging to Opus Dei in the same degree, without any distinction.

—In the Work, the distinction and relationship between priests and laity is the same as that which applies to the structure of the Church. The words of the Dogmatic Constitution *Lumen Gentium*, no. 10, are eminently applicable: “Though they differ from one another in essence and not only in degree, the common priesthood of the faithful and the ministerial or hierarchical priesthood are nonetheless

interrelated.” And in no. 30 of the same Dogmatic Constitution we read: “[The sacred Pastors] know that they were not ordained by Christ to take upon themselves alone the entire salvific mission of the Church toward the world. On the contrary they understand that it is their noble duty to shepherd the faithful and to recognize their ministries and charisms, so that all according to their proper roles may cooperate in this common undertaking with one mind.”<sup>29</sup>

—Opus Dei needs a universal system of governance; and with the future structure in mind Saint Josemaría foresaw that the relationship with the territorial ecclesiastical hierarchy would continue to be the same as previously, without claiming any greater autonomy, as this would be contrary to the will of God as seen by the Founder.

All of this came to fulfillment with the establishment of the personal prelature. On this day of commemoration and gratitude to the Lord, it only remains for me to express thanks, on behalf of myself and the whole of Opus Dei, to the Servant of God John Paul II, who finally established the Prelature; to Bishop Álvaro del Portillo, Saint Josemaría’s most faithful successor, who guided the Work and labored unstintingly to ensure that the desire of the Founder might be fulfilled; and to all who have contributed over the course of many years with their help, sacrifice and work.

29. This concept was to be described in the CIC 1983, can. 296, as “organic cooperation”.