

## REQUIREMENTS CONCERNING THE QUALITIES OF A CANDIDATE FOR THE EPISCOPACY IN MEDIEVAL AND CONTEMPORARY ECCLESIASTICAL NORMATIVE ACTS

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**Abstract.** The author deals with the qualities that a candidate for the episcopacy was expected to have in the Middle Ages and should have today. Such requirements are found in medieval, modern, and contemporary normative ecclesiastical acts. The current basic requirement is found in *Boni Pastoris Imago*. The other requirements are divided into eight categories: canonical, non-canonical, human, spiritual, intellectual, pastoral, *sentire cum Ecclesia*, and social requirements.

**Keywords:** bishop; diocese; candidate for bishop; qualities; episcopal office.

### INTRODUCTION

In my previous paper I discussed the qualities expected of a candidate for bishop in the early Church [Brinda 2024, 347-64]. These qualities follow from the Bible and the experience of prominent spiritual leaders of the early Christian communities. Those attributes were later adopted in conciliar and synodal resolutions of the time. I divided them according to their origin into *ius divinum*, *ius positivum*, and *ius non scriptum*. Then, I subdivided them into human, spiritual, intellectual, *sentire cum Ecclesia* and pastoral qualities. In the early Church, when a bishop was appointed, the emphasis was laid, first and foremost, on his impeccable morality, not his education.

As religious orders developed their schools and when other educational institutions, especially universities, were established in the Middle Ages [Woods 2008, 42-56; Wolter 1973a, 120-23; Idem 1973b, 318-21], it became important for episcopal candidates to receive consistent higher education. However, the first unified catalogue of qualities expected of such a candidate is found only in the 1917 Code of Canon Law. Successive uniform catalogues of qualities appeared after the Second Vatican Council (1962-1965).

Essential attributes are the enduring qualities that the candidate lives out and which set him apart [Black 1993, 1155-156; Smékal 2009, 62].

## 1. CANDIDATE'S QUALITIES FOUND IN MEDIEVAL NORMATIVE ACTS

Whenever a candidate for bishop was considered in the Middle Ages, frequent references were made to the qualities mentioned in the Bible,<sup>1</sup> the writings of the Church Fathers and the resolutions of earlier councils and synods [Brinda 2024, 357-62]. However, these characteristics were not unified in normative acts. They are defined positively and negatively. Clergy from poorer social strata could not become bishops because studying, accommodation and other costs of living at universities or other educational institutions did not come cheap. Members of the clergy from wealthy backgrounds were predestined for the episcopacy [Wolter 1973b, 321-22]. Since the Middle Ages, when mandatory celibacy for the clergy became common practice [Denzler 2000, 19-47; Stickler 2008, 11-30],<sup>2</sup> candidates for bishops whose lives embodied the ideal of the Good Shepherd of Jesus Christ known from the Bible have been much in demand.<sup>3</sup>

### 1.1. Candidate's qualities in *Decretum Gratiani*

Gratian's *Decretum*<sup>4</sup> (1139-1159?), in distinction 23 can. 2, stipulates the qualities that were to be examined sufficiently before episcopal consecration could be conferred, namely whether the candidate for the episcopacy:

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<sup>1</sup> 1 Timothy 3:1-7, New King James Version (NKJV): "This is a faithful saying: If a man desires the position of a bishop [literally 'overseer'], he desires a good work. A bishop then must be blameless, the husband of one wife, temperate, sober-minded, of good behaviour, hospitable, able to teach; not given to wine, not violent, not greedy for money, but gentle, not quarrelsome, not covetous; one who rules his own house well, having his children in submission with all reverence (for if a man does not know how to rule his own house, how will he take care of the church of God?); not a novice, lest being puffed up with pride he fall into the same condemnation as the devil. Moreover he must have a good testimony among those who are outside, lest he fall into reproach and the snare of the devil." 1:5-9, NKJV: "For this reason I left you in Crete, that you should set in order the things that are lacking, and appoint elders in every city as I commanded you – if a man is blameless, the husband of one wife, having faithful children not accused of [b]dissipation or insubordination. For a bishop must be blameless, as a steward of God, not self-willed, not quick-tempered, not given to wine, not violent, not greedy for money, but hospitable, a lover of what is good, sober-minded, just, holy, self-controlled, holding fast the faithful word as he has been taught, that he may be able, by sound doctrine, both to exhort and convict those who contradict."

<sup>2</sup> *Enchiridion symbolorum definitionum et declarartionum, de rebus fidei et morum, Kompendium der Glaubensbekenntnisse und kirchlichen Lehrentscheidungen*, Verlag Herder GmbH, Freiburg im Breisgau 2009, nos. 118, 119, 185, 1809.

<sup>3</sup> John 10:1-18.

<sup>4</sup> *Decretum Magistri Gratiani*, in: *Corpus Iuris Canonici, pars prior*, ed. A. Friedberg, Ex officina Bernhardi Tauchnitz, Lipsiae 1879.

is sufficiently wise and understanding; shows restraint in his observance of morals; practices sexual abstinence; uses alcohol in moderation; faithfully performs the duties entrusted to him; is humble, trustworthy and charitable; is literate and versed in God's law; shows a sound understanding of Scripture; has an expert knowledge of in the dogmatic doctrine of the Church, and can defend the truths of the faith in simple words.<sup>5</sup>

In distinctions 25 and 26, Gratian interprets the qualities of the candidate as prescribed by the pastoral epistles of Saint Paul to Timothy and Titus [Trevisan 1999, 58-59].<sup>6</sup>

Distinctions 35-49 contain qualities defined negatively – ones that prevent episcopal consecration. No man can become a bishop if he: is crippled or tends to inflict self-mutilation; has little understanding of ecclesiastical matters and God's duties; is uneducated;<sup>7</sup> reads pagan literature;<sup>8</sup> does not lead a virtuous life; is not hospitable;<sup>9</sup> shows no restraint;<sup>10</sup> frequents an inn and overeats;<sup>11</sup> is a quarrelsome or envious person; is a sycophant, jester, scandalmonger, usurer, or has been removed from his office before.<sup>12</sup>

Under specified conditions, a soldier, a servant, a subject, an ill person, a priest's son, an illegitimate descendant, or even a person not versed in ecclesiastical matters could become a bishop [Weiler 2003, 59-65; Erdö 1996, 105-27].<sup>13</sup>

## 1.2. Candidate's qualities mentioned in Pope Gregory IX's Decretals

Pope Gregory IX included in his Decretals<sup>14</sup> (1234) the decisions of the Third Lateran Council (1179), where the Conciliar Fathers decided that a candidate for bishop must be at least thirty years old, of good nature, sufficiently educated, born of a legitimate marriage, unmarried, not liable to any ecclesiastical penalty, must lead an exemplary life to be a role model for others.<sup>15</sup> A man who failed to model his life upon the image of the Good

<sup>5</sup> D.XXIII, c. 2.

<sup>6</sup> Tit 1:5-9; 1 Tim 3:1-13; 2 Tim 3:1-5; D.XXV, 3.3; D.XXVI, 1.

<sup>7</sup> D.XXXVI, c. 1-2.

<sup>8</sup> D.XXXVII.

<sup>9</sup> D.XL.-XLII.

<sup>10</sup> D.XLIII.

<sup>11</sup> D.XLIV.

<sup>12</sup> D.XLV.-XLVI.

<sup>13</sup> D.LI.-LIX.

<sup>14</sup> Gregory IX, *Decretales*, in: *Corpus Iuris Canonici, pars secunda*, ed. Aemilius Friberg, Ex officina Bernhardi Tauchnitz, Lipsiae 1881, p. 1-928.

<sup>15</sup> X.I.6 c. 7; see Sobór Laterański III, *Canones*, in: *Dokumenty Soborów Powszechnych. Tekst grecki, łaciński polski*, vol. II (869-1312), ed. A. Baron, H. Pietras, Wydawnictwo WAM, Księża Jezuici, Kraków 2003, p. 168-207, can. 3.

Shepherd could not be ordained bishop.<sup>16</sup> The document also included the decision made by Pope Innocent III that a subdeacon could be appointed bishop [Trevisan 1999, 59-60; Weiler 2003, 65-68].<sup>17</sup>

### 1.3. Candidate's qualities in the documents of the Council of Trent

The Council of Trent (1545-1563) was convened in response to the burgeoning Reformation. The decrees issued by the Council concerned the Church's doctrine, bishops, presbyters and lay people at large, as well as a liturgical reform emphasising the real presence of Jesus Christ in the Eucharist. Even in the conciliar documents the requirements as to the candidate's qualities are not systematised. The Conciliar Fathers would approve what had already been written down, even if irregularly, in previous collections of laws.

They concluded that the candidate for the episcopacy must have the qualities stipulated by the Third Lateran Council (1179).<sup>18</sup> Moreover, a bishop should be able to mend the ways of those who have erred through human weakness, and therefore should – while always being mindful of his role as the shepherd of those who have gone astray – love people as his own sons and brothers, be able to admonish and encourage, be kind and patient, ready to punish firmly but not too harshly, be just yet merciful, severe yet kind. He must not be a murderer (*percussor*).<sup>19</sup> The Fathers also pointed out that all clerical persons should always bear in mind that they were called to a life as willed by God – therefore, their dress, gestures, manner of walking, speech and all other kinds of behaviour should be filled with dignity, temperance, piety – all to command respect. A man like this was to live honestly, carrying out his duties in God's service, and undergo education. Clergy were to shun debauchery, drunkenness, dances, gambling, crime and lay occupations.

The Council Fathers further mandated that men eligible for cathedral churches be born of a legal marriage, of the required age, and of good moral standing, at least six months from their last ordination, distinguished by their education; they also were to hold a master's degree, doctorate or licentiate in sacred theology<sup>20</sup> or canon law, or hold a certificate proving their

<sup>16</sup> Luke 15:1-10; John 10:1-18; X.I.22; II.29.; III.2.-4; IV.6.; V.14.; V.24-29.

<sup>17</sup> X.I.14. c. 9.

<sup>18</sup> Lateran Council III, *Canones*, in: *Dokumenty Soborów Powszechnych. Tekst grecki, łaciński polski*, vol. 2, p. 168-207, can. 3. *Decretum de Reformatione*, Sessio VII (3.03.1547), in: Concilium Tridentinum, *Canones et decreta sacrosancti oecumenici Concilii Tridentini sub Paulo III. Iulio III. et PIO IV. Pontificibus Maximis*, Ex Officina Bernhardi Tauchnitz, Lipsiae 1887, p. 46-50, C. I.

<sup>19</sup> *Decretum de Reformatione*, Sessio XIII (11.10.1551), in: Concilium Tridentinum, *Canones et decreta sacrosancti oecumenici...*, p. 65-68, C. I.

<sup>20</sup> *Universita*, in: *Ottův slovní naučný*, vol. 26, 188-96, Vydavatel a nakladatel J. Otto v Praze, Praha 1907, p. 189. A student who has passed a university master exam. The holder of a *licentia*, known as *Licentiatius docendi*, was qualified to be an independent university teacher.

ability to teach others issued by another academy; they had to be capable of discharging their future obligations. In addition, members of religious orders needed a certificate from their superior.<sup>21</sup>

The Conciliar Fathers also resolved that qualities of a candidate for the episcopacy had to be specified by provincial synods convened by the metropolitan bishop. Conclusions formulated during a candidate examination were to be submitted to the pope, so that he could finally decide who would be a bishop.<sup>22</sup> This is a novelty regarding the candidate's requisite qualities.

## 2. CANDIDATE'S QUALITIES MENTIONED IN THE 1917 CODE OF CANON LAW

Until 1917, canon law was laid down in numerous collections of legal regulations. The 1917 Code of Canon Law<sup>23</sup> was first to stipulate the qualities of a candidate for the episcopacy so that they would make up a coherent body of norms. The qualities were codified by the ecclesiastical legislator in Book II, Canon 331 § 1.<sup>24</sup> The candidate's suitability was to be ultimately judged by the Apostolic See, and the Roman Pontiff was free to appoint him as bishop (Canons 329 § 2 and 331 § 3 CIC/17).

The following qualities and qualifications are assessed objectively: being born of a legitimate marriage, being at least 30 years of age and five years within his priestly ordination, having a doctorate or at least licentiate in sacred theology or canon law from a university or an academic institute approved by the Holy See, or being at least truly proficient in these fields. If the candidate was a member of a religious order, he was obliged to submit

<sup>21</sup> *Decretum de Reformatione*, Sessio XXII (17.9.1562), in: Concilium Tridentinum, *Canones et decreta sacrosancti oecumenici...*, p. 123-29, C. I-II; Gregorius XIV, *Const. Onus apostolicae* (15.05.1591), in: *Codicis Iuris Canonici Fontes*, vol. I, ed. P. Gasparri, Typis Polyglottis Vaticanis, Romae 1947, p. 321-27, § 1, 7-9.

<sup>22</sup> *Decretum de Reformatione*, Sessio XXIV (11.11.1563), in: Concilium Tridentinum, *Canones et decreta sacrosancti oecumenici...*, p. 123-28, C. I; *Decretum de Reformatione*, Sessio XIII (11.10.1551), in: Concilium Tridentinum, *Canones et decreta sacrosancti oecumenici...*, p. 65-68, C. I.

<sup>23</sup> *Codex Iuris Canonici Pii X Pontificis Maximi iussu di gestus Benedicti Papae XV auctoritate promulgatus* (27.05.1917), AAS 9 (1917), pars II, p. 1-593 [hereinafter: CIC/17].

<sup>24</sup> "Ut quis idoneus habeatur, debet esse: 1. Natus ex legitimo matrimonio, non autem legitimatus etiam per subsequens matrimonium; 2. Annos natus saltem triginta; 3. A quinquennio saltem in sacro presbyteratus ordine constitutus; 4. Bonis moribus, pietate, animarum zelo, prudentia, ceterisque dotibus, praeditus, quae ipsum aptum efficiant ad gubernandam dioecesim de qua agitur; 5. Laurea doctoris vel saltem licentia in sacra theologia aut iure canonico potitus in athenaeo aliquo vel in Instituto studiorum a Sancta Sede probatis, vel saltem earundem disciplinarum vere peritus; quod si ad religionem aliquam pertineat, a suis Superioribus maioribus vel similem titulum vel saltem verae peritiae testimonium habeat."

a certificate from his superiors confirming his scholarly degree or genuine proficiency in the required disciplines.

The following qualities were assessed subjectively: good morals, piety, true concern for the souls, foresight. In addition, the candidate also had to meet other qualifications necessary to lead the designated diocese [Bączkowicz, Baron, and Stawinoga 1957, 507].

During the preparatory work on a codification for the Eastern Churches, Pope Pius XII issued an apostolic letter *motu proprio Cleri Sanctitati* (1957), where the wording of Canon 331 § 1 CIC/17 was determined, with a proviso that the candidate must not be married.<sup>25</sup>

### 3. PRINCIPLES UNDERLYING THE POSTCONCILIAR NORMATIVE ACTS

Pope John XXIII convened the Second Vatican Council (1962-1965) so that the Church could formulate an adequate response to the signs of the times. Although the Conciliar Fathers did not adopt a new ecclesiastical doctrine, the conclusions arrived at during the Council have deeply transformed the understanding of liturgy and the mission of the Church, clergy and the lay faithful. The preliminary requirements for candidates for diocesan bishops were not addressed by the Council until later.

#### 3.1. Qualities mentioned in *Normae de promovendis ad Episcopale ministerium in Ecclesia latina*

In 1972, the Council for the Public Affairs of the Church issued *Normae de promovendis ad Episcopale ministerium in Ecclesia Latina* concerning the appointment of presbyters for the exercise of episcopal tasks. It was recalled that a candidate for bishop should be properly evaluated for qualities that should necessarily characterise a good pastor of souls. They can be divided into five categories:

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<sup>25</sup> Pius PP. XII, Litterae apostolicae *motu proprio* date *Cleri Sanctitati* (02.06.1957), AAS 49 (1957), p. 433-603, Canon 394 § 1: "Ut quis idoneus habeatur, debet esse: 1° Legitimis natalibus praeditus, non autem legitimatus etiam per subsequens matrimonium; 2° Vinculo matrimoniali non ligatus; 3° Annos natus saltem triginta; 4° A quinquennio saltem in presbyteratus ordine constitutus; 5° Bonis moribus, pietate, animarum zelo, prudentia, ceterisque dotibus praeditus, quae ipsum aptum efficiant ad gubernandam eparchiam de qua agitur; 6° Doctor vel saltem prolyta in sacra theologia aut iure canonico renuntiatus ab Athenaeo aliquo vel Instituto studiorum a Sede Apostolica probatis, vel saltem earundem disciplinarum vere peritus; quod si ad Religionem aliquam pertineat, a suis Superioribus maioribus vel similem titulum vel saltem verae peritiae testimonium habeat. § 2. Etiam electus vel quoquo modo ab illis designatus, qui privilegio a Sede Apostolica concessio vel agnito eligendi aut designandi gaudent, debet memoratis qualitatibus pollere. § 3. Iudicare definitive num quis idoneus sit, ad Apostolicam Sedem unice pertinet."

- 1) personal qualities: being a good pastor of souls and teacher, of good reputation, rectitude and constancy, of a good nature, with a proper family background, of adequate health, proper age and stable family situation;
- 2) intellectual qualities: having a profound knowledge of dogmatic theology, moral theology and canon law; having masterful discernment, sharp intellect, and a sound knowledge of life;
- 3) *sentire cum Ecclesia* qualities: devout faith, respect for the Apostolic See, fidelity to ecclesiastical doctrine;
- 4) spiritual qualities: exemplary devotion and dedication;
- 5) pastoral qualities: pastoral zeal, leadership skills, social sensitivity, capacity for dialogue and cooperation, discernment of the signs of the times, ability to see view different matters from various angles [Barberena 1972, 657-82].<sup>26</sup>

The Norms represent the first collection of essential qualities of the candidate for the episcopacy issued by the Holy See after the Second Vatican Council, since the 1917 Code was promulgated.

### 3.2. Qualities mentioned in *Ecclesiae Imago*

In 1973, the Congregation for Bishops issued the Directory on the Pastoral Ministry of Bishops *Ecclesiae Imago*,<sup>27</sup> informed by the need to revisit the ideal kind of a bishop who would be best suited for the changing times. In those circumstances, a more detailed handbook was drafted on the Council's teaching (*ratio*) contained in the Decree on the Pastoral Office of Bishops in the Church *Christus Dominus*.<sup>28</sup> The theological framework for episcopal ministry was drawn basically on the Dogmatic Constitution on the Church *Lumen Gentium*. The document was legally grounded in the 1917 Code. The Congregation presented the ideal bishop as a person fully moral, ascetic and mystical in his ministry [Uggé 2010, 388-89].

The attributes mentioned in the Directory centre on the bishop's spiritual profile, who must: be a man of the Church who knows how to be a shepherd, a father and a brother; be a disciple of Christ, an authentic teacher and model of Christian faith and virtue; mystically betrothed to the Church; be authentic and aware that he participates in the common priesthood of all people of God and in complete priestly ministry and the hierarchical system of the Church; be able to teach the Word of God with authority, standing

<sup>26</sup> Council for the Public Affairs of the Church, *Normae de promovendis ad Episcopatum in Ecclesia latina* (25.03.1972), AAS 64 (1972), p. 386-391, Article VI, 2.

<sup>27</sup> Congregation for Bishops, *Directorium de pastorali ministerio Episcoporum Ecclesiae imago* (22.02.1973), *Typis Polyglottis Vaticanis* 1973 [hereinafter: EI].

<sup>28</sup> Vatican Council II, *Decretum de pastorali Episcoporum munere in Ecclesia Christus Dominus* (28.10.1965), AAS 58 (1966), p. 673-96 [hereinafter: CD], no. 44.



guard to it and interpreting it authentically; be able to admonish the faithful; officiate the liturgy and administer the sacraments in an exemplary manner; be able to discern charisms under the guidance of the Holy Spirit; steadfastly pray for pastoral grace; be able to seek out collaborators to effectively direct the particular Church; make supplications to God for self-improvement in theological and moral virtues; have a mature and true faith; live a life of hope, obedience, perfect chastity, poverty, pastoral prudence, and practical wisdom; be able to spiritually guide and make decisions; show mercy as a leader, honest conduct in a community, and constant and wise concern for the clergy entrusted to him and the entire people of God (EI 14-31).<sup>29</sup>

### 3.3. Qualities (virtues) mentioned in *Apostolorum successores*

In 2004, the Congregation for Bishops issued a new Directory on the Pastoral Ministry of Bishops *Apostolorum successores*. With this Directory, the Congregation actualises and reiterates the image of the ideal bishop we know from *Ecclesiae Imago*, as well as reflecting the conclusions of the Tenth Ordinary General Assembly of the Synod of Bishops in Rome in 2001, during which the participants discussed the theme “The Bishop: Servant of the Gospel of Jesus Christ for the Hope of the World” [Uggé 2010, 391-92]. The Directory is based on the teaching of Vaticanum II, the 1983 Code of Canon Law, and Pope John Paul II’s postsynodal exhortation *Pastores gregis*.<sup>30</sup>

In chapters 3 and 5, the Directory presents the qualities a bishop should possess. The large part of them also concern candidates for the episcopacy. The qualities fall into three categories, with the spiritual attributes given the greatest prominence.

- 1) Spiritual qualities. The bishop should emulate the saints, be in love with Christ, act as a moral authority and be authentic, promote and exemplify Christian perfection, have the mentality of Christ and a humble Marian spirituality, be a man of prayer, adoration, the Word of God and *lectio divina*, lead an exemplary sacramental life, be a man of theological virtues of faith, hope and charity, be a man of pastoral and brotherly love in the spirit of collegiality, be open to acceptance, counsel, encouragement and consolation, be able to discern and interpret the signs of the times and the inspiration of the Holy Spirit, constantly

<sup>29</sup> Vatican Council II, *Constitutio dogmatica de Ecclesia Lumen gentium* (21.11.1964), AAS 57 (1965), p. 5-75 [hereinafter: LG], nos. 12, 18-21, 24-29; Idem, *Decretum de presbyterorum ministerio et vita Presbyterorum ordinis* (07.12.1965), AAS 58 (1966), p. 991-1024; nos. 3, 14; CD 2, 12-21, 28; Idem, *Decretum de apostolatu laicorum Apostolicam actuositatem* (18.11.1965), AAS 58 (1966), p. 837-64; EI 14-31.

<sup>30</sup> John Paul II, *Adhortatio apostolica post-synodalis de Episcopo ministro evangelii Iesu Christi pro mundi spe Pastores gregis* (16.10.2003), AAS 96 (2004), p. 825-924.



and diligently cultivate his theological knowledge, faith and morality, be moved by a missionary spirit, be prudent, polite, kind, friendly, level-headed, fatherly and brotherly, follow good customs, be strong, humble, polite, patient, courageous and firm in his decisions based on equitable norms, show fortitude and oppose all abuses of power and arbitrary decisions, be obedient to the Will of God and the authority of the Church, discharge his duties untiringly, practice ascetic discipline and live in chastity, be truly and visibly poor, give alms generously.

- 2) Human qualities. The bishop should exercise self-control, be gentle, patient and restrained; should not build walls around himself but, on the contrary, show a lot of humanity and a great, good and loyal spirit; have a strong and cordial character; be open-minded and insightful, sensitive to the joys and sufferings of brothers and sisters.
- 3) Pastoral qualities. The bishop should be creative, able to direct wisely and act prudently; be able to accept responsibility, facilitate dialogue, listening, and to exercise his authority; be ready to serve; be charitable, respect the rights of others; humbly seek new initiatives.<sup>31</sup>

#### 4. CANDIDATE'S QUALITIES REQUIRED BY THE 1983 CODE OF CANON LAW

When a candidate for an ecclesiastical office is considered, his qualities are evaluated as stipulated by the ecclesiastical legislator in the 1983 Code of Canon Law.<sup>32</sup> This is a canonical assessment [Trevisan 1999, 61]. If the candidate does not meet any of the requirements, the Holy See may dispense him from it.

The first and most important requirement is the full communion with the Catholic Church. The other qualities are: being capable of holding public ecclesiastical offices (Canon 96, 149, 205 CIC/83) [Tkhorovskyy 2004, 192-95] and meeting the conditions for the validity and liceity that are requisite for the diaconate and presbyterate.

##### 4.1. Qualities set forth by Canon 378 § 1

The canon concerning the requisite qualities is the fourth in order and is found in Book II: The People of God, Part II: The Hierarchical

<sup>31</sup> LG 24-27, CD 13, 16, 28; Congregation for Bishops, *Direttorio Apostolorum successores per il ministero pastorale dei vescovi* (22.02.2004), Libreria Editrice Vaticana, Città del Vaticano 2004 [hereinafter: AS], 33-69.

<sup>32</sup> *Codex Iuris Canonici auctoritate Ioannis Pauli PP. II promulgatus* (25.01.1983), AAS 75 (1983), pars II, p. 1-317 [hereinafter: CIC/83].

Constitution of the Church, Section II: Particular Churches and Their Groupings, Title I: Particular Churches and the Authority Established in Them, Chapter II: Bishops, Art. 1: Bishops in General (Canon 375-380 CIC/83). The catalogue of qualities is retained from the previous codification of CIC/17, Canon 331 § 1. The only requirement removed by the legislator was that the candidate be born of a legal marriage.

The qualities necessary for episcopal consecration are exhaustively laid down in Canon 378 § 1: “In regard to the suitability of a candidate for the episcopacy, it is required that he is: 1° outstanding in solid faith, good morals, piety, zeal for souls, wisdom, prudence, and human virtues, and endowed with other qualities which make him suitable to fulfil the office in question; 2° of good reputation.”

The legislator lays emphasis chiefly on moral qualities. The first points of the canon in question characterise the candidate as a person, Christian and priest, so they can be assessed subjectively.

In points 3-5, the canon stipulates the qualities that can be assessed objectively and are unambiguously verifiable. A person to be consecrated as a bishop is required to be at least thirty-five years old (3°), be a presbyter for at least five years (4°), hold a doctorate or at least a licentiate in biblical science, theology or canon law, or be a graduate of an institute of higher studies recognized by the Apostolic See, or “at least expert in the same disciplines” (5°).

In Canon 378 § 1, the ecclesiastical legislator does not require the candidate to be experienced in pastoral care, because it concerns only qualities necessary for a rightful and canonical evaluation of the candidate. A more detailed appraisal (abilities and pastoral experience) is to be carried out in a secret manner by the nuncio or suitable Roman dicasteries. The final decision belongs solely to the pope (Canon 377 § 3 and 378 § 2 CIC/83).

In the Code of Canons of the Eastern Churches,<sup>33</sup> Canon 180,<sup>34</sup> the requirements imposed by the church legislator on a candidate for the episcopacy are the same as those stipulated by CIC/83. The only difference is that the candidate for the episcopacy must be not be bound by a matrimonial bond (§ 3), that is, must live in celibacy, widowed or a priest whose marriage was declared canonically invalid by a competent ecclesiastical tribunal [Motiuk 2019, 430].

<sup>33</sup> *Codex Canonum Ecclesiarum Orientalium auctoritate Ioannis Pauli PP. II promulgatus* (18.10.1990), AAS 82 (1990), p. 1033-364 [hereinafter: CCEO].

<sup>34</sup> “Ut quis idoneus ad episcopatum habeatur, requiritur, ut sit: 1° firma fide, bonis moribus, pietate, animarum zelo et prudentia praestans; 2° bona existimatione gaudens; 3° vinculo matrimonii non ligatus; 4° annos natus saltem triginta quinque; 5° a quinquennio saltem in ordine presbyteratus constitutus; 6° in aliqua scientia sacra doctor vel licentiatum vel saltem peritus”.

## 4.2. Qualities resulting from the law

The episcopal candidate must himself judge whether he possesses qualities other than those specified by the legislator in the Code or other documents of the Magisterium.

The candidate should also be aware of the fact that as a bishop – in comparison with the range of functions that a parish priest is expected to fulfil (Canon 528-530 CIC/83) – he will be much more conspicuous in the community of the faithful, preaching the Word of God in public, officiating liturgy in an exemplary manner, administering sacraments and governing the whole diocese. He should also remember that by preaching he will form the laity and clergy. He should be able to proclaim the pure and unadulterated faith in conformity with the proper doctrine of the Magisterium. For that reason, he should reflect on what and how he proclaims and teaches to the lay faithful of all ages and intellectual abilities, and whether he is easily understood, knowledgeable, consistent and authentic.

In matters of liturgy, the candidate should also realise that Our Lord Jesus Christ, the Supreme High Priest, will be truly present with his mediation (LG 21). What is more, he should be fully aware that in his governance of a diocese he will have to make decisions that should be dignified and worthy of a successor of the Apostles (Canon 375 CIC/83). He will need to consider how to apply civil law and canon law, enforce them, and possibly demand canonical respect and obedience, which are due to him (Canon 212, 273 CIC/83).

The candidate should also realise that the People of God will regard him as a highly respected person, who will or will not meet their expectations – who was chosen by God himself, because he is a man of God with a strong personal spirituality, charisma and authority, and for these reasons he should be respectable and credible. The People of God and other clergy will be more interested in his human and Christian attributes than his scholarly degrees from pontifical universities.

A bishop cannot direct a diocese single-handedly, so the candidate should contemplate how and with whom, if need be, he will establish a group of collaborators to make the governance of the diocese as effective as possible (Canon 369 CIC/83). He should make choices such that properly qualified people fill appropriate managerial positions (AS 61).

The candidate for bishop is to remember that, as a bishop, he will be the first to proclaim the Gospel, both with his words and his life – he will be a missionary in his own diocese. For these reasons, he should consider to what extent he is capable of listening to the faithful, non-believers and people of different faiths. He should welcome believers and non-believers, being sensitive to the needs of his diocese, the world and the entire Church [Trevisan 1999, 66-68].

## 5. CONCLUSION: THE QUALITIES OF A CANDIDATE FOR THE EPISCOPACY

Just like in the past, the choice of a new bishop attracts a great deal of public interest, and of the mass media recently. Since the Middle Ages, choosing a candidate has been less and less based on qualities mentioned in the Bible and in the Epistles of Saint Paul (*ius divinum*).<sup>35</sup> Of course, emphasis on the moral profile and education of the candidate has been retained. Since the Council of Trent, the local and current differences in the customary law (*ius non scriptum*) have become blurred. The Conciliar Fathers prescribed that when a suitable candidate for the episcopacy is being chosen, his higher education is of relevance. It was also decided that the final choice is solely the pope's. The qualities of a candidate for bishop were harmonised in compliance with proposals submitted by councils (*ius positivum*).

In the medieval period, a new quality emerged expected of an episcopal candidate: his resemblance to the image of the Good Shepherd (*Boni Pastoris Imago*) – his resemblance to Jesus Christ the Good Shepherd, the one we know from the Gospel.

The qualities I have addressed here follow from a reflection and examination of sources of canon law and literature. They can be encapsulated in nine categories. Some are considered positive and can be assessed objectively and subjectively – ones that can be easily verified by everybody and ones that can be assessed subjectively (on a case-by-case basis).

### 5.1. *Boni Pastoris Imago*

The life of the candidate for the episcopacy should testify to his adherence to the image of the Good Shepherd,<sup>36</sup> which is to say that he should know his flock, and the sheep should know him; he should take care of them on equal terms, even those other than his own; he should be willing to make sacrifices for the sake of the sheep in his care, he should be a shepherd “with the smell of the sheep” and at the same time spread the scent of God.<sup>37</sup>

### 5.2. Canonical qualities

Canonical requirements concerning a candidate for the episcopacy are precisely laid down by the ecclesiastical legislator in CIC/83, in Canon 378

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<sup>35</sup> Titus 1:5-9; 1 Timothy 3:1-13; 2 Timothy 3:1-5.

<sup>36</sup> Luke 15:1-10; John 10:1-18.

<sup>37</sup> Francesco, *Incontro con i Vescovi del Myanmar* (29.11.2017), [https://www.vatican.va/content/francesco/it/speeches/2017/november/documents/papa-francesco\\_20171129\\_viaggioapostolico-myanmar-vescovi.html](https://www.vatican.va/content/francesco/it/speeches/2017/november/documents/papa-francesco_20171129_viaggioapostolico-myanmar-vescovi.html) [accessed: 09.04.2024].

and other normative acts of the Church. These attributes relate only to requirements essential for a legitimate and canonical appraisal of an episcopal candidate. If the candidate does not meet any of the canonical requirements, the pope grant him a dispensation.

### **5.3. Non-canonical qualities**

The non-canonical qualities of a candidate for bishop are not precisely defined by the ecclesiastical legislator. They are assessed in the secret examination conducted by the pontifical legate. He should consult some of the members of the college of consultors and the cathedral chapter, hear the opinions of other members of the diocesan and religious clergy, as well “laity outstanding in wisdom” (Canon 377 § 3). The legate’s examination can involve the assessment of not only the pastoral activity of the candidate, but also his moral profile, academic career, social sensitivity, and many other aspects of his private life.

### **5.4. Qualities of the person**

A candidate for bishop should be kind and polite, regard all people with equal attention, be a good listener, mentally balanced, emotionally mature, adequately educated, life-wise and sincere. He should be guided by his own opinion, able to express in clear language, be brave, courageous, unwavering, just and gentle; he should have the ability to maintain close relationships with people; his family and property affairs should be well-ordered, he should be able to manage the Church’s property; he should also enjoy healthy respect among the clergy, religious and laity.

### **5.5. The *sentire cum Ecclesia* qualities**

These are as follows: spreading the authentic teaching of the Church that is free from dogmatic errors, applying the Magisterium and availing oneself of the rich tradition of the Church, showing obedience to the pope and the Holy See, having a knowledge of the documents of the Roman Curia, being ecumenical and missionary.

### **5.6. Intellectual qualities**

Irrespective of his education, the candidate should have practical judgement and perspicaciousness resulting from life wisdom, ability to contemplate things at depth, be sensible, have an adequate knowledge of culture, society, politics and history, have suitable academic training, be able to teach, have the desire for continuing education in matters other than ecclesiastical,

be able to hear the opinions of experts in various fields, be able to express himself coherently, and have consistent views.

### **5.7. Spiritual qualities**

As regards the spiritual side, the candidate for bishop should be a priest following the example of the Good Shepherd and the saints, he should be genuinely a man of God and of theological virtues, an expert in Holy Scripture, a man of profound and intense prayer, sacraments, Eucharist, liturgy. He should worship Mother of God, he should be humble and modest, live in celibacy, and be willing to undergo continuing formation.

### **5.8. Pastoral qualities**

The following are considered pastoral qualities: learning from the past and being forward-looking, co-creating and participating in pastoral initiatives, being eager and committed, able to recruit collaborators, build, manage and assume responsibility for the team, motivating and rousing people to common action; having the ability to present projects, activities and initiatives, having authority and commanding respect as a father; being discerning, inspired by the Holy Spirit, able to discern the charisms of both communities and individuals, as well as living for the people of God entrusted to him.

### **5.9. Social qualities**

Finally, there is one non-canonical quality that is essential for the image of the Good Shepherd in the Church. Nowadays, the candidate for the episcopacy cannot escape the attention of the mass media, which can trace not only people's names but also qualities that should characterise the alleged candidate for bishop. He must accept that as a diocesan bishop he will have to give interviews and statements on various media platforms. As a representative of the diocese and the Church, he will have to comment on and judge, either positively or negatively, various social, historical, political, cultural and religious issues. For that reason, the candidate should take time to reflect whether he can bear the pressure of the media and their attention.

He is evaluated, first and foremost, as a person, Christian, and a priest. Each of these qualities can be further deliberated, elaborated on, and defined, whether positively or negatively. The final canonical decision on the suitability of a candidate for the episcopacy rests with the pope.

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