



Saint Josemaria Escriva

Founder of Opus Dei

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The canonical solution of Opus Dei

Pilar Urbano

By the Apostolic Constitution *Ut Sit*, dated 28 November 1982, Pope John Paul II set up Opus Dei as a personal prelate. This meant that, in accordance with its foundational charisma, the Work was recognized by the Church's Canon Law as a secular structure: personal, i.e. not defined by geography, and made up of a Prelate, priests incardinated into Opus Dei, and lay-people. In this extract of the book *El Hombre de Villa Tevere* ("The Man from Villa Tevere"), Pilar Urbano, a journalist, describes the path traced by Opus Dei.

The establishment of this prelate closed a long juridical journey, which had passed through several stages. In 1941 Opus Dei had been approved as a "Pious Union" by the Bishop of Madrid; in 1943, the Priestly Society of the Holy Cross had been set up, enabling priests to be ordained and incardinated from among the lay faithful of the Work; and the papal approvals, in 1947 and 1950, of the Work as a Secular Institute, insured it the international character which was indispensable for the spread of Opus Dei's apostolate.

It was a question of opening up a new way, an appropriate canonical path through the general law of the Church, so that the Work could exist, work and spread out in accordance with its secular nature. They had not come "a century too soon", as a high-ranking prelate had said; but with the short steps forward and the long halts, the circuitous routes and complicated paths that led where the Work did not want to go, more than half a century elapsed, from 1928 until 1982, before Opus Dei obtained a suitable canonical formulation, as a personal Prelature of universal scope.

"They fit in too!"

On 13th January 1948 Father Escriva and Don Alvaro were traveling by road from Rome to Milan. It was a cold, dark day with a dense fog. Less than a year earlier, in February 1947, Pius XII had conferred the *Decretum Laudis*, a preliminary approval, on the Work, and they were now waiting for the definitive approval to be granted. The car was going slowly with its headlamps on. They had got as far as

Pavia when Father Escriva, who had been quiet and absorbed in his thoughts suddenly exclaimed, "They fit in too!" He had just discovered the canonical solution whereby married people could also join Opus Dei. There were quite a few people ready to join, trying to be saints in their married lives, in their daily work and their social environment. They were already fulfilling the norms and customs of Opus Dei. They only needed to find a canonical way to join the Work.

Father Escriva presented his petition to the Holy See on 2nd February 1948. The doors were opened to married people without delay. Victor Garcia, Tomas Alvira and Mariano Navarro were the first three to join the Work, and several more followed a few months later.

Father Escriva within an ace of stepping down

From that moment, Father Escriva started to feel a growing urgency in his desire to help diocesan priests. His conscience was stirred by the absence of spiritual attention or cultural enrichment, and also the loneliness on the human plane, of so very many priests out there, who seemed to be left to get on with things as best they could.

To take proper care of them, the solution would be for those who had a vocation to join Opus Dei. However, the question remained of how they could combine belonging to the Work with their dependence on their own bishops. Father Escriva pondered the possible problem of a "double obedience". He reached the point where he honestly thought that God was asking of him the enormous sacrifice of leaving the Work to start a foundation dedicated to diocesan priests.

God's methods were to take a different direction, not needing to accept the momentous sacrifice that Father Escriva was prepared to offer. The gesture he was offering was not just generous but heroic: he was prepared to detach himself from a Work that had come to life in his hands, and for whose sake he had sacrificed his very self, and his own good name. It was another proof that Father Escriva did not consider himself to be either the founder-proprietor of Opus Dei, or the source of its life, or a necessary factor for the Work of God to continue its progress. His determination was such that a year later he still thought the same way.

But God is the Lord of time. This time, so as to do things "more and better", God did not do them "sooner", but later. Against all odds and in spite of everyone's wishes, the definitive approval which Pope Pius XII was to sanction was delayed. Finally, when all the favorable opinions had been presented to the Curia, on 1st April 1950 an unexpected postponement arose, which, despite all the heartache it caused, would prove to be providential in the end. It was during that interval, in that spring of enforced waiting, that Father Escriva understood clearly that there was a place in the Work for diocesan priests too. It might be truer to say that what Father Escriva understood was how to make the Holy See understand what he

himself had understood on 2nd October 1928, when he saw the Work, made up of priests and laity.

For married people, the hinge on which their holiness turned was their vocation to marriage, the duties of their state in life, and their work. Exactly the same was true of the clergy: the basis for their link with the Work was the fact that they could sanctify themselves by living their vocation to the priesthood to the full, and by carrying out the work involved in the ministry itself. There was nothing to invent, nothing to be improved in the Work as it had come from the mind of God.

As for the apparent problem of “double obedience”, it also melted away like a lump of sugar. The diocesan priests would have only one superior, their Bishop. Their dependence on Opus Dei would be in regard to their spiritual director, who clearly had no governing function: to help them to be saints he could advise, but never give orders.

A breathless Te Deum

The pontifical approval of Opus Dei was published on 16 June 1950, in the decree called *Primum Inter*. From Father Escriva’s arrival in Rome up to the time of this definitive approval, he had had to cope with the economic difficulties of procuring Villa Tevere and starting up the building alterations there, and at the same time endure fiercely hostile criticism. This originated in Spain itself and always came from “good people who spoke ill”; they set themselves up in Rome, Milan and another Italian city, even achieving easy access to the Curia. Their efforts, however, were ineffectual: Opus Dei had grown and spread. In 1946 there were 268 people in the Work (239 men and 29 women). By the early months of 1950 this figure had increased more than tenfold to 2,954 (2,404 men and 550 women). At the beginning of 1946 there had been only three priests besides Father Escriva; in 1950 there were already twenty-three, and another forty-six laymen were preparing for ordination. The priests in the Work were not yet diocesan priests from seminaries; they were people who had joined the Work as laymen, had been practising their professions, and had freely accepted Father Escriva’s invitation to be ordained to the priesthood after obtaining at least a doctorate in an ecclesiastical subject. Many of them already had a doctorate in a civil subject as well.

When the Work received the pontifical seal of approval, it had already spread to Spain, Portugal, Great Britain, Ireland, France, Mexico, the USA, Chile and the Argentine. People of the Work had suitcases packed and ready, so to speak, to go to Colombia, Peru, Guatemala, Ecuador, Germany, Switzerland and Austria. Just eight years later came the big leap to Asia, Africa and Australia. As often happens, life was moving faster than legal processes.

In the summer of that same year, 1950, the Holy See informed Father Escriva that he could publicize the definitive approval it had granted to the Work. Father

Escriva instructed all the Centres of Opus Dei, of which there were about a hundred by then, to celebrate it with solemn Benediction and to sing or recite the *Te Deum* in thanksgiving.

What was now about to start, or rather to intensify, was the struggle to prevent a man-made law from stifling a spirituality inspired by God. Either this spirituality was totally secular, or it would be of no use to God or man.

It soon became clear that the canonical framework of a Secular Institute was not just insufficient or inappropriate for Opus Dei. It was not merely a badly-fitting suit, but was more like an actual disguise, because it affected its very nature. Opus Dei was not in reality the way it was described in canon law.

Pius XII had drawn up the papal document called *Provida Mater Ecclesia* ("Provident Mother Church"). This was his best shot; no further juridical-pastoral innovation could be hoped for in his pontificate. John XXIII had a huge task in hand: the summoning and setting up of the Second Vatican Council. Besides, plans were being made to update the Code of Canon Law. All that could be done was settle down for a long wait. It would prove to be very long indeed.

Nevertheless, mistakes were being made repeatedly, in which people of Opus Dei were persistently compared to members of religious orders. This forced Monsignor Escriva to attempt to have the canonical status of the Work revised. Between March and June 1960 there were several conversations and unofficial notes exchanged between Don Alvaro del Portillo and Monsignor Scapinelli, and between Monsignor Escriva and the Secretary of State, Cardinal Tardini. On 27th June that year, at the end of an audience, Cardinal Tardini made a wide gesture with his arms, expressing pessimism, and said to Monsignor Escriva, "*Siamo ancora molto lontani...! We still have a long way to go!*" To which Monsignor Escriva replied, "Well, that's true. But the seed has been sown, and it will not fail to bear fruit."¹

Opus Dei was not asking for a new state in life to be created for it, but for a canonical framework which fitted what people in the Work actually were and how they lived. They were not interested in a "state of perfection"; what they wanted was the freedom to seek perfection within their own state in life – their civil status and the practice of their profession or job. However, their application for a revision of the Work's canonical status, which was made on the basis of a suggestion from a high-standing figure in the Roman Curia, was destined to gather dust. Cardinal Tardini told Don Alvaro quite openly, "I won't even look at it. It would be a waste of time".

They tried again in 1962, because Cardinal Ciriaci advised them to. This time the application went officially to Pope John XXIII. The reply was, "The obstacles are virtually insurmountable."

Like his predecessor, Pope John XXIII also gave audiences to Monsignor Escriva. On one occasion he said to his secretary, Monsignor Loris Capovilla, who was

later to become the Bishop of Loreto: "*L'Opus Dei è destinato ad operare nella Chiesa su inattesi orizzonti di universale apostolato.*" (Opus Dei is destined to open up new horizons of universal apostolate in the Church.)

In June 1963 Pope John XXIII died. The conclave elected Giovanni Battista Montini as Pope Paul VI, and Monsignor Escriva reopened the negotiations.

A note for the Pope's own eyes from Monsignor Escriva

Don Alvaro had meetings with several Vatican authorities, informing them that the institutional question of Opus Dei was not yet settled. One of them was Cardinal Confalonieri who, holding the papers in his hand, said in bureaucratic Church Latin: "*Reponatur in archivio* – to be filed." The application for a new status, one which would set down on paper what Opus Dei really was, seemed to have been consigned to oblivion.

Pope Paul VI himself gave Monsignor Escriva two very cordial private audiences. At the end of the first one, Don Alvaro came in to greet the Pope for a moment. Paul VI received him with a smile, and held out both hands to him, delighted to see him again. "Don Alvaro, Don Alvaro! We have known each other for such a long time."

"Twenty years, Holy Father."

"I've become old since then."

"Not so, your Holiness: you have become Peter!"

Because he had known Opus Dei for twenty years, Paul VI understood that what Monsignor Escriva was fighting for was his people's secularity and freedom. They were "ordinary faithful and ordinary citizens", as he said, and needed to function autonomously in all the honest activities of civil society. They needed to be able to work as teachers in schools or universities which were not run by the Church; to engage in commerce, banking, wine-making or any other legitimate, honest business; to practise medicine, or work in show-business or journalism, including in non-Catholic media; to join unions, form associations, make a living in politics, the army or professional sports. "I want my children to have the same freedom as other Catholics in social, political and economic affairs: neither more nor less," Monsignor Escriva would say, precisely because all these civic activities and others too would be obstructed by their having to carry the Secular Institute banner.

On 14th February 1964 Monsignor Escriva wrote an *Appunto riservato all'Augusta Persona del Santo Padre*, a "conscience note" to the Pope. Among other things he proposed some modifications to the text of the constitutions which had governed the Work since 1950.

On the basis of the faculty granted him by the Holy See some time before, of being able to introduce changes in the constitution, Monsignor Escriva had already proposed some modifications to Pius XII. There had been thirteen

altogether, all concerning the women in the Work and aiming to strengthen their self-government at the same time as strengthening the unity of the Work. The Holy See had given its assent immediately. The proposal was made on 16th July 1953 and the go-ahead from the Pope took less than a month, arriving on 12th August. This point is worth making, as it refutes some misinformation published recently, according to which in 1953 Monsignor Escriva and Don Alvaro had used the small printing press in Villa Tevere “to alter the texts of the Constitution without the Pope’s knowledge.” This was not the case. Even though he could have used his privilege as founder, Monsignor Escriva never made any changes to the statutes without the Pope’s prior knowledge. As can be seen above, in 1953 he asked Pius XII for his permission, and in 1963 he asked Paul VI.²

The first official reply to the “reserved note” Monsignor Escriva had sent to the Pope was “*dilata*” (delayed). In Vatican diplomacy, this brief, delightfully vague word did not mean a shutting of doors but that the possibility of approval existed for later on. It did not mean “No”, but “Not yet”. All the same, Paul VI pointed out to Monsignor Escriva that the developments of Vatican II might open up new routes which could enable the longed-for solution for the canonical situation of Opus Dei to be found.

This was in fact what happened. The Conciliar document *Presbyterorum Ordinis* (1965), and the texts which explained its resolutions, *Ecclesiae Sanctae* (1966) and *Regimini Ecclesiae Universae* (1967), contained the loom, so to speak, on which the material for Opus Dei’s “new suit” could at last be woven. This was the canonical institution of personal prelatures. Prelatures, in the plural, because it was not something created exclusively for Opus Dei on its own.

When Paul VI’s *Motu proprio*, entitled *Ecclesiae Sanctae*, was published, Monsignor Escriva was delighted, and told his sons in the Work, “No sooner had the document come out, than the Secretary of the Council sent it to Don Alvaro with his congratulations. Anyone with eyes in his head can see that it is a suit made to measure for Opus Dei.”

Father Arrupe’s visits

On 12th September 1965, Monsignor Escriva received a visit in Villa Tevere which he had hoped for and looked forward to. It was from Father Arrupe, General of the Society of Jesus. Monsignor Escriva returned the visit on 10th October of the same year, having lunch at the Jesuits’ mother house in Borgo Santo Spirito. On that occasion Father Arrupe asked for some photographs to be taken of both of them together on the flat roof with a panoramic view over Rome.

There had been numerous incidents of subterfuge, hostile attitudes, contemptuous comments, and malicious gossip on the part of some Jesuits

against Opus Dei. They were always people acting in isolation, representing nobody but themselves. Monsignor Escriva wished to clear things up from the very start. It was absurd that the increase of vocations to the Work should provoke jealousy among certain religious orders. The Work can never invade the terrain of any religious institution, because the call to Opus Dei can only arise among those who do not feel and have never felt the slightest inclination towards the religious state. There was no room for rivalry. On many occasions it was Monsignor Escriva himself who directed boys and girls who had approached the Work, towards their true vocation in a novitiate or in a monastery; one diametrically opposed to the calling to Opus Dei. When he did so, he did not consider that he was losing a “candidate” himself. It was simply that for that boy or that girl, Opus Dei was not the right place. Someone who was out of place could be neither effective, fruitful, faithful nor happy. “Everyone in their own place, and God everywhere”, was his view.

Later Father Arrupe came to Villa Tevere again, accompanied by Father Iparraguirre, another Jesuit. Monsignor Escriva told Father Arrupe, “Some years ago, some representatives from B.A.C., the Catholic publishers in Spain, came to see me. They told me they had published the constitution of the Society of Jesus, and wanted my consent to publish the *ius peculiare*, the particular law, of the Work. I replied that I could understand them publishing your constitution because it had been written four hundred years ago, and so it was something settled and firmly established. But on the other hand, our particular law is still very recent. I assured them that, in time, it would also be published. And I added, ‘I can safely say that we won’t make you wait as long as the Jesuits did!’ ”

Father Iparraguirre confirmed what Monsignor Escriva had said. “Exactly. We had the first edition of our constitution published a hundred years ago. In other words, it took us three centuries to show it to the world!”

The solution – on an epitaph

Both in conversations with a few people and in large gatherings, he explained that the “motorway” was ready, but that it was up to him to “decide when it should be opened to traffic.” “We are waiting for the time to be right,” he said. “We want to live Christian lives and commit ourselves with a commitment of love, based on our honour. This is how we have already lived for many years.” On another occasion, reaffirming the same idea which he had always seen clearly in his mind’s eye, he said, “I am longing to be able to come full circle! We will get back to being what we were at the beginning. No vows at all. We will make a contract, which is what I always wanted.”

He had not invented anything different from “what it had been like at the beginning.” In the nineteen-thirties, while he was still living in Madrid, Father Escriva had noted some tombstones on the floor of the Church of St Elizabeth’s

Foundation, where he was rector. One day in 1936, before the outbreak of the Spanish Civil War, he pointed them out to his spiritual son Pedro Casciaro, and said, "There, that is the future canonical solution for the Work." Casciaro did not understand anything of all this. He did not know what the epitaphs of the two tombstones meant; he had not realized that the Work needed a "solution", nor did he understand why it had to be "canonical".³The tombs proclaimed that they belonged to two Spanish prelates who had both been chaplains to the king and vicar-generals of the army. By virtue of their army posts, they had possessed a special personal jurisdiction, wide in scope and not based on territory. So that those epitaphs contained, in outline, the configuration which Father Escriva saw clearly for Opus Dei: prelati in character and universal in scope. The interesting point is the fact that back in the nineteen-thirties — in fact, ever since 1928 — Father Escriva, a man with the trained mind of a lawyer, had already known instinctively that the right formula for the Work would be found by looking for something similar to the bishops or vicars-general of the army.

It was undoubtedly true that there had been an abundant harvest of vocations on every continent. At that point, in 1967, Monsignor Escriva knew that to speak about Opus Dei was to speak of tens of thousands of people working in about seventy countries. The Work was a field rich with crops. David's prediction in Psalm 2 had again been fulfilled: "Ask of me, and I will give thee the nations for thy inheritance, and the utmost parts of the earth for thy possession."

On one of those delightful Roman evenings, at sunset, when the slanting sunlight was striking on the ochre and reddish stucco walls of Villa Tevere, Monsignor Escriva was looking out of a window towards the "river terrace". It was there that his sons in Opus Dei had placed the statue of the noble senator, which was mutilated, headless and armless. The stony folds of the tunic, falling smoothly and harmoniously, gave the figure an air of elegant serenity. Monsignor Escriva read the Latin words engraved on the marble pedestal: "*Non est vir fortis pro Deo laborans, cui non crescit animus...*" He translated rapidly: "There is no strong man working for God, whose spirit is not lifted, whose courage is not fortified, even in the midst of difficulties, even though now and again his body is torn apart."

It was as if he were recounting to himself the story of his own life. It had been a vigorous, courageous journey, requiring the "aggressive" kind of fortitude that is needed to do battle. It had also been a fight without weapons, in which he had put up with difficulties in the patient kind of fortitude that is needed to endure them. That had been his life: *pax in bello*, peace in war.

1 *The Canonical Path of Opus Dei: the history and defense of a charism*, A. de Fuenmayor, V. Gomez-Iglesias and J. L. Illanes, Princeton, N.J. : Chicago : Scepter Publishers ; Midwest Theological Forum, 1994, p. 309

2 *The Canonical Path of Opus Dei*, p. 330, footnote 148
3 *The Canonical Path of Opus Dei*, p. 317, footnote 106