

ECCLESIOLOGY

Topic: Protecting the Faith: *Ad Tuendam Fidem*
Convener: Susan K. Wood, Saint John's University, Collegeville, Minnesota
Presenters: Michael A. Fahey, Marquette University
Ladislas M. Örsy, Georgetown University

Michael Fahey's presentation, "The Context of John Paul II's *Motu Proprio: Ad Tuendam Fidem* (For the Defense of the Faith)," surveyed theological responses to *Ad Tuendam Fidem*. He finds that John Paul II's *motu proprio* lies in the tradition of the modern papacy which was increasingly involved with doctrinal issues within a use of authority described as "bureaucratic, rigorously centralized, characterized by a mechanical search for error, without imposing self-governing controls" (Michael Fahey referring to Giuseppe Albergio, "The Authority of the Church in the Documents of Vatican I and Vatican II," in *Authority in the Church*, ed. Piet Fransen, *Annua nuntia Lovaniensia* no. 26. [Leuven: Peeters University Press, 1983]).

Ad Tuendam Fidem amends Canons 750 and 1371 in the Code of Canon Law for the Latin Church to include theological dissent from "definitive" but noninfallible teachings as subject to "appropriate penalty." Essentially this means that all teachers of the faith are required to accept doctrines which are not defined truths of the faith without further discussion. According to Cardinal Ratzinger's commentary, those persons who fail to give firm and definitive assent to this kind of teaching will "no longer be in full communion with the Catholic Church."

Michael Fahey concluded his survey of responses to these documents with these points:

- (1) Publishing directives about terminology and distinctions that are relatively new categories have led to some confusion and discouragement.
- (2) Numerous terms frequently issued by the Pontiff and by the Vatican dicasteries in recent times have not been sufficiently clarified. Among these are: *obsequium religiosum, definitive, proponitur, credenda/tenenda, irrefractorialitas, magisterium ordinarium et universale, dissensus, magisterium authenticum*. Agreement should be reached as soon as possible on the specific meaning of these terms.
- (3) The *motu proprio*, as indeed several other recent Vatican documents, reflects a tone that suggests mistrust and suspicion of Catholic theologians.
- (4) The papal adjustments to the 1983 and 1990 codes have taken place in a way that suggests lack of sufficient consultation that would normally be expected for a collegial action.
- (5) Unilateral adjustments to the Code of Canons of the Eastern Church have ruffled the sensitivities of the Eastern Catholic patriarchs and hierarchs. The simultaneous personal commentary of Cardinal Ratzinger, especially with its

reference to the rejection of Anglican Orders, *Apostolicae curae*, is ecumenically insensitive toward the Anglican Communion, and indeed to the Anglican and Catholic members of ARCIC I and II.

- (6) A certain lack of consultation between the various Vatican offices seems verifiable and regrettable.

Ladislas Örsy placed his presentation, "Ad Tuendam Fidem: A Canonical Interpretation," in the context of the exchange of articles between himself and Cardinal Ratzinger in *Stimmen der Zeit*. Örsy addressed the issues of the insertion of new canons into the Code of Canon Law, the authority of the *Commentary*, the meaning of "definitive teaching," and the issue of the expanded Profession of Faith.

In his initial article, November 1998, Örsy summarized the significance of the two documents thus:

- (1) The apostolic letter does not introduce major changes in our legal system; the *Commentary* is neither official magisterium nor does it contribute to the development of theology.
- (2) Both documents stress the existence of "definitive teaching" in a new sense; neither of them gives an explanation of the nature of such teaching.
- (3) Both documents support the new conception of a "Profession of Faith"; such a conception is undoubtedly against a decree of the Council of Chalcedon and is likely to be an obstacle to ecumenical progress.
- (4) The apostolic letter in its introduction reveals a distrust in theologians: "To protect the Catholic faith against errors arising on the part of some of the Christian faithful, in particular among those who studiously dedicate themselves to the discipline of sacred theology. . . ." Such a distrust (whatever its causes may be) is a wound within the body of the church; we all have a duty to work for the healing of it.

In his reply to Cardinal Ratzinger, Örsy further developed these points, arguing that "definitive teaching" is equivalent to an infallible *ex cathedra* definition since both are irrefutable because of the assistance of the Holy Spirit, and both demand assent to keep communion intact. Their difference lies in the modality in which they occur. His criticism of the Profession of Faith is that by including both articles of faith and matters which are not of faith, it does not have an organically unified content.

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