

PRESIDENTIAL ADDRESS

THE THEOLOGIAN AND THE MAGISTERIUM

As I open these remarks, I should like to take the occasion to thank you for having given me the opportunity to serve this year as your president. It has been a gratifying experience for me to be so closely in touch with Catholic theologians all over this country and in Canada, and to receive the splendid cooperation that the members and committees of this Society have so unfailingly given.

Looking back over my life this far, I am struck by the importance that theology has always had for me. I am not one of those who became a theologian because he was first a priest; for me it has been the other way around. It is because of my consuming interest in theology that I was attracted first to the Christian faith, then to the Catholic Church, next to the religious life, and finally to priestly ministry. Already as an undergraduate in college, before I became a Catholic or even a believing Christian, I was drawn to the wisdom of the faith as I found it in the writings of John and Paul, Augustine and Anselm, Aquinas and Dante, Pascal and Newman, Gilson and Maritain. For me faith has always been first of all a wisdom—an all-encompassing view of reality as perceived through a total personal response. Faith, I have found, penetrates to the mysterious depth where sin and forgiveness, love and sacrifice, fidelity, suffering and death take on meaning and value, where the darkness of every fleeting moment is filled with an eternal significance. The wisdom of Christian theology, as I initially found it in authors of the Catholic tradition, has continued to guide my days, and it is from this perspective that I have found my association with the Catholic Theological Society so gratifying.

The work of this Society represents, in my mind, something very close to the heart of the Church's mission. The Church is called to be, and in some measure is, what Charles Davis has described as a "zone of truth."¹ This label, as Davis recognizes, could be attached to a university or scholarly association, but in a special way it applies, and must apply, to the Church, for the Church stands for ultimate truth. It represents him who alone could say of himself, "I am the Truth."

¹C. Davis, *A Question of Conscience* (New York: Harper & Row, 1967), pp. 64-77.

Whether any other wisdom than that of faith lies within our human grasp, it is not now necessary to decide. Agnostics might plausibly argue that ultimate truth, which is the proper domain of wisdom, lies beyond the reach of our finite minds. However that may be, it remains that, according to Christian faith, ultimate truth has taken the initiative and has come to us. In Christ, therefore, we can be truly wise. As Paul tells us, "God has made him our wisdom" (1 Cor 1:29). "In him," we read in Col 2:3, "are hidden all the treasures of wisdom and knowledge." And, as Eph 1:9 has it, God "has made known to us in all wisdom and insight the mystery of his will, according to his purpose which he set forth in Christ."

The Church, then, represents this divinely given wisdom—not the wisdom of "philosophy and empty deceit" denounced in Col 2:8, not the wisdom of this world, which is foolishness in the sight of God (1 Cor 1:20), but the wisdom of God that is foolishness to the Greeks, the wisdom of the Cross.

In the ponderings of many saints and doctors, the Church has cultivated this higher wisdom. It shines forth in the pages of the great theological luminaries from Justin and Irenaeus to Rahner and Lonergan. If this tradition of wisdom were to die out, the Church would have a mutilated existence: it would no longer appear in the world as the sacramental presence of him who is the Truth.

This wisdom, which we attempt to foster in our Society, still flourishes. As witnessed by this convention, American Catholicism has many fine minds and learned scholars, capable of addressing real and important questions in a serious and open way. Although we surely have no cause for complacent self-congratulation, a meeting such as we have just had should not be taken too much for granted. It would not have been possible except for the very considerable investment that the Church has seen fit to make in the life of the mind.

Complain as we may about the anti-intellectualism of our times, our country, and our Church, we cannot honestly deny that the Church in its official activity pays tribute to the mind. It venerates the writings of the Fathers and medieval doctors; it sponsors numerous universities, institutes, and faculties of philosophy and theology. At high moments, such as Vatican II, theologians and bishops have fruitfully conjoined their efforts. The documents of the Council, envied, I suspect, by some Christians in

other traditions, vividly demonstrate that the Church continues to esteem learning and intelligence.

In our own country, it should be added, the bishops show an increasing disposition to work cordially with Catholic scholars. In recent years they have given generously to assist in the research projects of our Theological Society.

All this is true, but I would not be candid if I did not share with you a certain malaise. In spite of the growing collaboration between some theologians and some bishops, and the luminous essays that have helped to clarify their respective spheres of competence, the mutual relationship between theology and the hierarchical magisterium is still fraught with misunderstanding, tension, distrust, and occasional bitterness. The recriminations come from both sides. Bishops often have the impression that theologians cannot be counted on to adhere to the truth of revelation and to be loyally devoted to the building up of the body of Christ. Some theologians, in their judgment, sow dissension in the ranks and seek to attract notice by attacking nearly everything that Catholics are supposed to believe.

Conversely, theologians have their grievances against the Roman Congregations, the pope, and the bishops. No one has formulated the case more cogently than Charles Davis. In a chapter on "The Church and Truth" he protests that "the Pope is enmeshed in an antiquated court system, where truth is handled politically, free discussion always suspect and doctrinal declarations won by manoeuvring."² A little later in the same chapter he remarks that in the Catholic Church today "truth is used, not respected or sought . . . ; words and arguments are not handled to discover and communicate truth but manipulated as a means of power to support an authoritative system: in brief, that truth is subordinated to authority, not authority put at the service of truth."³ Davis therefore concludes that, although "Christian faith is the liberation of man for truth," the Church has become, in fact, a zone of untruth.⁴

It would be foreign to my present purpose either to accept or to reject these charges. It may be sufficient for the moment to note that certain official statements seem to evade in a calculated way the findings of modern scholarship. They are drawn up without

²*Ibid.*, p. 69.

³*Ibid.*, p. 76.

⁴*Ibid.*, p. 77.

broad consultation with the theological community. Instead, a few carefully selected theologians are asked to defend a pre-established position, making use of whatever support they can glean from the scholarly publications. I do not say that this is always the case, but that there are instances I cannot deny.

It seems to me, moreover, that this situation is closely connected with the collapse of credibility in the official teaching of the Church. According to recent reports, many Catholics have lost all interest in official ecclesiastical statements, and do not expect the magisterium to give light and guidance concerning any real problems.⁵ This, I submit, is a very alarming situation in a body that considers itself to be the earthly representative of incarnate Truth. While the causes of this phenomenon are doubtless exceedingly complex, and partly beyond the Church's control, the Byzantine processes by which doctrine is formulated have unquestionably contributed to the present atmosphere of apathy and suspicion.

When I talk with bishops and others in authority, I am generally impressed by their humility and good will. They are sincerely interested in the truth, and have no conscious intent to manipulate the evidence. Far from being power-hungry, most of them are reluctant to use the power they do have. They condemn nothing except what they honestly judge to be false and dangerous. Their criteria of truth, however, often differ from those of many of the more productive scholars.

Since criteria of truth are at stake, theology must assume some responsibility for clearing up the disagreement. The pope and bishops are for the most part following a theory of tradition that was devised by the theologians of the Roman School in the second half of the nineteenth century, and taught in most seminaries in the first half of the twentieth.⁶ According to this theory, the truth of revelation is transmitted through the bishops as successors of the apostles. The pope and bishops have the so-called "charism of truth" (a phrase taken from St. Irenaeus without close adherence to the original meaning).⁷

⁵See Andrew Greeley, *The Communal Catholic* (New York: Seabury, 1976), chap. 12, pp. 180-98; also Peter Hebblethwaite, *The Runaway Church* (New York: Seabury, 1975), pp. 227-41.

⁶See T. Howland Sanks, *Authority in the Church: A Study in Changing Paradigms* AAR Dissertation Series No. 2 (Missoula, Mont.: Scholars' Press, 1974).

⁷Irenaeus, *Adversus haereses* 4.26.2. In this text Irenaeus does not distinguish between the authority of presbyters and bishops. Furthermore, as Y. Congar points out, the term "*charisma veritatis*" here signifies not a subjective grace for

According to this theory, theologians have only a subordinate and instrumental role. Their chief function is to set forth and defend the teaching of the papal and episcopal magisterium. When called upon, they may advise the magisterium regarding the state of scholarship on a given question. But theologians, according to this theory, are not teachers in the Church. They are not members of the magisterium. The true teachers, the bishops, receive their competence not by learning but by being incorporated into the episcopal order.

This theory places on the shoulders of the bishop a most awesome doctrinal responsibility. As an example, let me quote from the Ethical and Religious Directives for Catholic Health Facilities issued by the United States bishops in 1971: "The moral evaluation of new scientific developments and legitimately debated questions must be finally submitted to the teaching authority of the Church in the person of the local Bishop, who has the ultimate responsibility for teaching Catholic doctrine."⁸ When one tries to imagine how the local bishop is to settle the questions debated among experts with regard to the moral implications of new scientific developments, the deceptiveness of this theory becomes apparent. The bishop, in practice, will not rely upon his own personal access to divine truth, but will follow the views of his former professors or of those theologians who happen to command his respect. He does not so much teach as decide whose teachings may be safely followed. The authority of the approved school of theologians is reinforced by the myth that the bishop is himself the organ of truth.

In the neo-Scholastic theory I have been describing, teaching in the Church is heavily juridicized. It is held to be authentic if and only if it emanates from persons holding jurisdiction. According to many textbooks of this vintage, magisterial teaching is itself an act of jurisdiction. Instead of enlightening the mind, as teaching is ordinarily supposed to do, the action of the magisterium is held to impose an obligation on the will. The response is not understanding but rather obedience.⁹

discerning the truth but the objective deposit of faith, "the precious and spiritual gift entrusted to the Church," *Tradition and Traditions* (New York: Macmillan, 1967), p. 177.

⁸Text in John Dedek, *Contemporary Medical Ethics* (New York: Sheed and Ward, 1975), p. 208.

⁹For an incisive critique of this theory see R. A. McCormick, "Notes on Moral Theology," *Theological Studies* 29 (1968), 714-18.

This theory of magisterium, although never formally adopted by the bishops or the Holy See, apparently underlies many of the official documents issued between the two Vatican Councils. As Richard McCormick has observed, theologians in the decades following the definition of papal infallibility were "a bit overawed by the documents of the ordinary non-infallible magisterium."¹⁰

Vatican II did not directly challenge the reigning theology of the day. Indeed, article 25 of *Lumen gentium*, which deals with the teaching authority of popes and bishops, may be interpreted as supporting the theory. It affirms the obligation to assent to the ordinary, non-infallible magisterium of the Roman pontiff without any explicit mention of the right to dissent.

Indirectly, however, the Council worked powerfully to undermine the authoritarian theory and to legitimate dissent in the Church. This it did in part by insisting on the necessary freedom of the act of faith and by attributing a primary role to personal conscience in the moral life.¹¹ By contrast, the neo-Scholastic doctrine of the magisterium, with its heavy accentuation of intellectual obedience, minimizes the value of understanding and maturity in the life of faith.

Most importantly for our purposes, Vatican II quietly reversed earlier positions of the Roman magisterium on a number of important issues. The obvious examples are well known. In biblical studies, for instance, the Constitution on Divine Revelation accepted a critical approach to the New Testament, thus supporting the previous initiatives of Pius XII and delivering the Church, once and for all, from the incubus of the earlier decrees of the Biblical Commission. In the Decree on Ecumenism, the Council cordially greeted the ecumenical movement and involved the Catholic Church in the larger quest for Christian unity, thus putting an end to the hostility enshrined in Pius XI's *Mortalium animos*. In Church-State relations, the Declaration on Religious Freedom accepted the religiously neutral State, thus reversing the previously approved view that the State should formally profess the truth of Catholicism. In the theology of secular realities, the Pastoral Constitution on the Church in the Modern World adopted an evolutionary view of history and a modified optimism regarding

¹⁰R. A. McCormick, "The Magisterium and Theologians," *CTSA Proceedings* 24 (1969), 241.

¹¹See, for instance, *Dignitatis humanae*, art. 3; W. M. Abbott, ed., *The Documents of Vatican II* (New York: America Press, 1966), p. 681.

secular systems of thought, thus terminating more than a century of vehement denunciations of modern civilization.¹²

As a result of these and other revisions of previously official positions, the Council rehabilitated many theologians who had suffered under severe restrictions with regard to their ability to teach and published. The names of John Courtney Murray, Teilhard de Chardin, Henri de Lubac, and Yves Congar, all under a cloud of suspicion in the 1950's, suddenly became surrounded with a bright halo of enthusiasm.

By its actual practice of revisionism, the Council implicitly taught the legitimacy and even the value of dissent. In effect the Council said that the ordinary magisterium of the Roman pontiff had fallen into error and had unjustly harmed the careers of loyal and able theologians. Thinkers who had resisted official teaching in the preconciliar period were the principal precursors of Vatican II.

Further developments of theology in the postconciliar period have reinforced the lessons of Vatican II. Assisted by the critical sociology of the Frankfurt school, theologians have learned something about the workings of ideology in the religious establishment.¹³ It has become evident that those in positions of ecclesiastical power are naturally predisposed to accept ideas favorable to their own class interests. Popes and bishops, therefore, are inclined to speak in a way that enhances the authority of their office. The alert reader will take this into account when he interprets and evaluates official documents.

As a result of the experience of the Council and the growth of critical theology, the neo-Scholastic theory of the magisterium is perceived as making insufficient allowance for distortion and possible error in the ordinary teaching of popes and bishops. Sophisticated Catholics of the 1970's are generally convinced that dissent and loyal opposition can play a positive role in the Church as well as in secular society. Any attempt by the hierarchy to settle disputed questions by unilateral decrees will inevitably be met by

¹²For a nuancing of this general statement consult L. J. O'Donovan, "Was Vatican II Evolutionary?" *Theological Studies* 36 (1975), 493-502.

¹³The application of critical sociology to the papal-episcopal magisterium is only lightly touched on by Catholic theologians; e.g., in my book, *The Survival of Dogma* (Garden City: Doubleday Image Books ed., 1973), pp. 186-8; E. Schillebeeckx, *The Understanding of Faith* (New York: Seabury, 1974), pp. 72-7. See also Charles Davis, "Theology and Praxis," *Cross Currents* 23 (1973), 154-68; also his "Toward a Critical Theology," *American Academy of Religion Annual Report* (Missoula: University of Montana, 1975), pp. 213-29.

dissent or even by protest on the part of some. Even if one deplors this fact, as some do, we have no choice but to live with it.

From my own point of view, I confess that I see positive advantages as well as difficulties in this new situation. I am concerned, as previously indicated, to restore intelligence and wisdom to their due place in the life of the Church. The juridicizing of the teaching office unduly debased theology and had an alienating effect upon the Catholic intelligentsia. The collapse of neo-Scholastic authoritarianism offers new hope that scholarship and reflection will feed more vigorously into official Church teaching, thus revitalizing the magisterium.

In the framework of this address I can give only a hasty sketch of the possibilities of the magisterium for the post-juridical age in which we live. The term "magisterium" may itself seem inappropriate, since it appears to suggest a teaching function bound up with the authority of office. But if we look into the history of the term before the nineteenth century, "magisterium" may still be salvageable. Thomas Aquinas, for instance, used the term primarily for those who have the license to teach theology in the schools. He makes a sharp distinction between the *officium praelationis*, possessed by the bishop, and the *officium magisterii*, which belongs to the professional theologian.¹⁴ In one text he does speak of a magisterium of bishops, but only in a qualified sense.¹⁵ He distinguishes between the *magisterium cathedrae pastoralis*, which belongs to the bishop, and the *magisterium cathedrae magistralis*, which belongs to the theologian. The former, he holds, has juridical authority behind it, but it is concerned with preaching and public order in the Church rather than with the intricacies of theory.¹⁶ The *magistri*, who are concerned with academic questions, teach by knowledge and argument rather than by appeal to their official status. Their conclusions are no more valid than the evidence they are able to adduce. In this sense, therefore, the magisterium of the theologians is unauthoritative.¹⁷

St. Thomas would hardly say that the prelates, and they alone, possess the charism of truth. He would presumably recognize different charisms of truth, and would not see the theologian

¹⁴In 4 *Sent.*, D. 19, q. 2, a. 2, qua. 2, ad 4 (Parma ed., vol. 7, p. 852).

¹⁵*Quodlibet* 3, qu. 4, art. 1 (Parma ed., vol. 9, p. 490).

¹⁶See also Thomas Aquinas, *Contra impugnantes Dei cultum et relig.*, chap. 2 (Parma ed., vol. 15, p. 7).

¹⁷M.-D. Chenu, "'Authentica' et 'magistralia.' Deux lieux théologiques aux XII-XIII siècles," *Divus Thomas* (Piacenza) 28 (1925), 257-85. Cf. Chenu, *La théologie au douzième siècle* (2d ed., Paris: Vrin, 1966), pp. 351-65.

as a mere instrument of the bishop. The theological community, he would say, has its own sphere of competence. Within this sphere the theologian is a genuine teacher, not a mouthpiece or apologist for higher officers.

This Thomistic view, I submit, is more representative of the great Catholic tradition than the recent neo-Scholastic theory. It is also, I believe, more biblical. In the New Testament I find no grounds for the neo-Scholastic thesis that bishops, and they alone, are authentic teachers.¹⁸ Teaching, according to Paul, is preeminently the task of *didascaloi*. Although some *didascaloi* may be pastors (*poimenes, episcopoi, presbyteroi*), the charisms are distinct. Not every individual having the one charism is necessarily endowed to the same extent with the other.

If we admit such a variety of charisms, our theory of magisterium will be very different from the rigidly hierarchical neo-Scholastic theory. The bishops, as supreme pastors, have a legitimate doctrinal concern, but they are not the dominant voices on all doctrinal questions. The *magistri*, teachers by training and by profession, have a scientific magisterium, but they are subject to the pastors in what pertains to the good order of the Church as a community of faith and witness. In a certain sense, then, we may speak of two magisteria—that of the pastors and that of the theologians.

Neither of these two magisteria, however, is self-sufficient. Rather, they are complementary and mutually corrective. Were it not for the theologians, bishops might settle issues by the sole criterion of administrative convenience, without regard to scholarship and theory. In their zeal for uniformity, they might attempt to impose assent by sheer decree, overlooking the values of Christian freedom and maturity. The theologians, on the other hand, would suffer the opposite temptation. They would want unlimited freedom for discussion without regard to the demands of fidelity to Christian revelation. For the unity of the Church as a community of faith and witness, and for its perseverance in its assigned task, the pastoral magisterium is indispensable.

Many doctrinal questions, it would seem, are of a mixed nature. They touch on the basic preaching of the faith, but they

¹⁸This question is briefly treated in John L. McKenzie, *Authority in the Church* (New York: Sheed and Ward, 1966), chaps. 5 and 6. J. A. Fitzmyer has composed for the American Lutheran-Roman Catholic Dialogue an unpublished paper, "The Office of Teaching in the Christian Church According to the New Testament."

also involve technical theology. On matters such as these, the theological considerations should not be unilaterally subordinated to the pastoral. If it is thought desirable to have a definite magisterial pronouncement, this could most suitably be drawn up by cooperation between representatives of the pastoral and of the theological magisterium. In practice such a joint magisterium has often functioned. At some medieval councils the theologians participated not simply as *periti*, but with a deliberative vote on doctrinal matters.¹⁹ Even in our own day, theologians are regularly involved in drawing up papal encyclicals and in the writing of conciliar documents. Too often, however, the theological community has been represented only by a few coopted individuals, whose thinking is already closely aligned with that of the bishops. According to the proposal I am making, the theological community should have a greater voice in determining who is to represent it. The theological representatives, moreover, would be co-authors rather than mere advisors.

Magisterial statements, I believe, should ordinarily express what is already widely accepted in the Church, at least by those who have studied the matter in question. As may be seen from papal encyclicals and from the documents of Vatican II, it is often very useful to have official statements of what many well-informed Catholics presently believe, even though not as a matter of faith. In the absence of any compelling reasons, it is better not to impose ecclesiastical penalties on those who disagree. The principle enunciated in the Declaration on Religious Freedom, that freedom is to be respected insofar as possible and curtailed only insofar as necessary,²⁰ would appear to be applicable to the Church as well as to civil society. If the official doctrine fails to achieve acceptance in the general body of the faithful, it may be crucially important to have thinkers devising alternate positions. An opinion that is today recessive may, as we have seen, become dominant tomorrow.

I do not deny that there are some necessary doctrines—doctrines that cannot be denied without detriment to the faith. But the imputation of heresy, I would insist, should not be lightly made. It should be reserved, in my opinion, to doctrinal deviations so grave that they severely impair one's saving relationship to God in Christ. When there is question of heresy, appropriate canonical measures can be taken. In an obvious case, any prelate will be able

¹⁹For some examples, see my *The Survival of Dogma*, chap. 6.

²⁰*Dignitatis humanae*, art. 7; Abbott, *Documents of Vatican II*, p. 687.

to act. In some more doubtful cases it may be necessary to conduct a judicial investigation. The judges in such a case might well be bishops, but I see no reason, on principle, why qualified theologians, even from among the laity, might not also be appointed as judges.

In presenting these thoughts on the relationship between theology and the magisterium I have suggested many things that will have to be argued in detail on other occasions, and perhaps by others than myself. My aim is not to give a finished theory, but only to project a kind of image of how the Catholic magisterium might continue to function—and even function more successfully than in the recent past—in our post-authoritarian age. I am convinced that we cannot responsibly perpetuate the juridicism of nineteenth century Scholasticism, which impaired the proper relationship between official teaching and scholarly integrity. The flourishing of wisdom in the Church requires an atmosphere more open to the results of critical scrutiny and constructive speculation.

The widespread rejection of the nineteenth century theory of magisterium creates a crisis for theology and for the Church. It is imperative that sophisticated Catholics be made aware that there are other models of magisterium to be found in the tradition. For this reason I have sought to set forth, however sketchily, an alternative model.

So far as the future work of the Catholic Theological Society is concerned, I see no need of a radical change of direction. For some years now we have been trying to serve the Church by keeping current doctrine under review and, where it seems advisable, by proposing alternate theories. We have sought to be cooperative and to avoid unnecessary confrontation with the hierarchy—a measure that could only exacerbate the present polarization and paralysis. On the other hand, we have not refrained from frankly speaking out where we have felt the need for a change in doctrine or policy.

Generally speaking, we have refrained from taking corporate positions as a Society, for in so doing we would inevitably embarrass those of our members who did not concur with the majority. Our policy is to allow our members and committees to speak freely for themselves, whether in agreement or disagreement with the presently official doctrine of the Church, provided that the positions are advanced in a theologically responsible way. In prizing this theological freedom, we stand in the tradition of those who

helped to pave the way for Vatican II, among whom we reckon some of our own members, such as John Courtney Murray. Just as he did not fear to depart from official and dominant views where he judged these to be obsolete, so we shall insist on the right, where we think it important for the good of the Church, to urge positions at variance with those that are presently official. In the majority of cases, I would assume, there will be no occasion for dissent.

In an age when almost everything is in danger of being politicized, it is important for us to retain our identity as a society primarily devoted to study and research. We should attempt to promote what I have called the pursuit of wisdom; to foster a deep living insight into the realities of faith. Recognizing the temptation of popes and bishops to enhance the authority of their own office, theologians must be on guard against making themselves a rival caste. Theologians should not become a party in the Church; they should avoid anything like party loyalty and party discipline. Recognizing the stern demands of intellectual integrity, theology must pursue truth for its own sake no matter who may be inconvenienced by the discovery. Unless we are true to this vocation, we shall not help the Church to live up to its calling to become, more than ever before, a zone of truth.

As I close I am conscious of a possible objection. It might be alleged that in my emphasis on truth and wisdom I am in fact urging the interest of a particular class—the satisfied leisure class of intellectuals. Many today repeat Marxist slogans to the effect that knowledge must be subordinated to action, interpretation to transformation, orthodoxy to orthopraxy. I cannot deal adequately with this objection in a few sentences, and so I must let it stand as a challenge to be faced. Let me say only that it is extremely dangerous, in my judgment, to separate the moral passion to change society from the disinterested pursuit of truth. Although it may be true that some have used the desire for contemplation as an excuse for avoiding commitment to action, truth and justice are natural allies. Truth, as an absolute value, should never be played off against other absolutes such as justice, freedom, and love. As the great theologians have never ceased to remind us, love is the shortest route to wisdom and wisdom is the guide and companion of love.

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