

APPENDIX I
DOCTRINAL RESPONSIBILITIES

PROCEDURES FOR PROMOTING COOPERATION
AND RESOLVING DISPUTES
BETWEEN BISHOPS AND THEOLOGIAN^{*}

*Joint Committee of the
Canon Law Society of America
and the
Catholic Theological Society of America*

PREFACE

In January 1980, the Catholic Theological Society of America established an "Ad Hoc Committee on Cooperation between Theologians and the Church's Teaching Authority" with Leo J. O'Donovan as the chair. The Committee reported to the Society in June 1980, and recommended that the Catholic Theological Society of America and the Canon Law Society of America jointly form a committee "to develop a proposed set of norms to guide the resolution of difficulties which may arise between theologians and the magisterium in North America."¹ The two Societies agreed and, in September 1980, they formally constituted "The Joint CLSA-CTSA Committee on Cooperation between Theologians and the Ecclesiastical Magisterium."

The Committee consisted of three members appointed by the CLSA, three members appointed by the CTSA, and a chair jointly appointed by the two Societies. The members were: John A. Alesandro (CLSA), John P. Boyle (CTSA), Robert J. Carlson (CLSA), Patrick Granfield (CTSA), Jon Nilson (CTSA), James H. Provost (CLSA), and Leo J. O'Donovan (CTSA) who chaired the Committee.

^{*}This document is also published in the *Canon Law Society of America Proceedings* 45 (1983) 261-84. The following abbreviations are used in this document:

- CD *Christus Dominus* (Vatican II);
- CLSA Canon Law Society of America;
- CTSA Catholic Theological Society of America;
- DH *Dignitatis humanae* (Vatican II);
- DV *Dei Verbum* (Vatican II);
- GS *Gaudium et spes* (Vatican II);
- LG *Lumen gentium* (Vatican II);
- NCCB National Conference of Catholic Bishops.

¹ *Catholic Theological Society of America Proceedings* 35 (1980) 331.

The Committee divided its task into two phases. In the first, the members prepared six background papers dealing with the rights and responsibilities of bishops, the rights and responsibilities of theologians, and an evaluation of current procedures. Each topic was examined from a theological and a canonical perspective. The Committee met three times to discuss these papers, and the detailed mutual criticism necessitated several redraftings. The meetings took place at Cathedral College, Douglaston, N.Y. (February 7-8, 1981), the Catholic University of America (May 15-16, 1981), and Georgetown University (September 4-5, 1981). The six background papers together with a consensus statement representing the position of the entire Committee were published in June 1982.²

In the second phase, our concern here, the Committee worked to develop procedures. In doing so it acknowledged the significance of earlier efforts by the National Conference of Catholic Bishops which adopted a model for due process in dioceses³ and issued procedures of its own for conciliation and arbitration.⁴ However, those procedures deal with administrative conflicts only. At present, there are no procedural norms in the United States that would forestall and, where necessary, resolve doctrinal disputes between bishops and theologians.

The Committee drafted its proposed norms at four meetings held at the Washington Retreat House (January 29-30, 1982), Cathedral College (May 14, 1982), Georgetown University (September 9-11, 1982), and Immaculate Conception Seminary, Huntington, N.Y. (December 3-5, 1982). Throughout this second phase, the proposed norms were circulated for reaction from representative bishops, canonists, and theologians. Three members of the National Conference of Catholic Bishops — Bishop James R. Hoffman (Toledo), Bishop John F. Kinney (Bismarck), and Archbishop Daniel E. Pilarczyk (Cincinnati) — responded to the invitation to join in the Committee meetings and to participate in the discussions. The Committee appreciated their presence and profited greatly from their suggestions.

The final report of this Joint CLSA/CTSA Committee has three parts.

Part One, "Introduction," presents a general description of the ecclesial framework, the operative principles, and the rights and responsibilities of bishops and theologians. This material presumes the

² Leo J. O'Donovan, S.J., ed., *Cooperation between Theologians and the Ecclesiastical Magisterium* (Washington, D.C.: CLSA, 1982).

³ *On Due Process*, rev. ed. (Washington, D.C.: NCCB, 1972). In November 1969, the NCCB accepted a report on due process from the Canon Law Society of America and recommended to its members experimentation, adaptation, and implementation of the procedures included therein. In 1977, after a few changes had been made, the Holy See gave the *nihil obstat* to the document.

⁴ *Committee On Conciliation and Arbitration* (Washington, D.C.: NCCB, 1979).

fuller discussion of these issues in the already published background papers. The summary here is intended to provide a context for the rest of the report.

Part Two, "Structuring Cooperation," recommends ways in which bishops and theologians can build a spirit of cooperation in their common service of the gospel, especially through personal contacts and informal dialogue. There are also actions by which bishops or theologians might screen complaints from third parties so that unnecessary disputes might be avoided.

Part Three, "Formal Doctrinal Dialogue," sets out a procedure designed specifically to deal with doctrinal disputes between bishops and theologians in dioceses. Since the circumstances in the nearly 200 dioceses of the United States vary widely, the procedures given here are intended to be flexible and adaptable to local needs.

The recommended structures for promoting cooperation and for resolving doctrinal disputes are not so detailed as, for example, *Roberts' Rules of Order*, but they are more than mere exhortation. They draw upon experience already acquired by the church in the United States in building a spirit of collaboration and in resolving conflicts, yet they are designed to address the special problems of a precisely doctrinal dispute.

Appended to the report are two brief statements on the *Ratio agendi* of the Congregation for the Doctrine of the Faith and on the possibility of a National Theological Commission.

The Committee is aware that the resolution of doctrinal disputes is difficult in this time of profound philosophical and theological pluralism. That pluralism makes the task of building cooperation between bishops and theologians more urgent than ever, with a view also towards avoiding intractable disputes. More often now than in the past, however, it may be necessary to acknowledge without rancor that on occasion agreement is not possible.

A common commitment of bishops and theologians to the integrity of the word of God and a common sensitivity to the pastoral implications of theological teaching within the church community can make the structures given here effective both in promoting cooperation and in resolving disputes.

I. INTRODUCTION

A. Context and Principles

The ecclesial context is critical for understanding the relationship between bishops and theologians, for encouraging cooperation, and for constructing adequate procedures to prevent or to address doctrinal disputes. In virtue of their faith, baptism, and communion with the church, bishops and theologians alike — however distinct their ministries and charisms — are dedicated to the active proclamation of the gospel and

committed to justice and peace. Both participate in the community's experience of faith and, through service to the word of God, they seek to promote its greater understanding. In their common effort, both recognize the importance of communicating the faith with sensitivity to the demands of today's pluralistic world. In their different ways bishops and theologians discharge the mission of the church "to show forth in the world the mystery of the Lord in a faithful though shadowed way, until at last it will be revealed in total splendor" (LG 8).

The ecclesiological principles of shared responsibility, legitimate diversity, and subsidiarity are most important. A reasonable, clear, and fair process must protect the fundamental human and sacramental rights and responsibilities of all parties concerned. The norms should encourage free and responsible theological inquiry in service to the gospel, faithful to Catholic tradition, respectful of the episcopal ministry, and responsive to the needs of the church and the world. The ultimate goal is to foster collaboration between bishops and theologians for the good of the entire church.

The recommendations given in Parts II and III deal with the diocese. It is advisable that attempts to resolve doctrinal disputes be made first at the local level before an appeal is made to Rome. Of course, any bishop or theologian can contact Rome directly; but in terms of subsidiarity, every effort should be made to initiate the process within the local church, before any involvement with the Holy See.¹

The terms "magisterium," "theologian," "rights and responsibilities," and "interests" are frequently used in this report. There are unresolved questions in the current understanding of these words, but for the sake of clarity, the following specific meanings are stipulated.

"Magisterium" will be used to refer to the ecclesiastical magisterium, i.e., to the teaching authority exercised in the church by the pope and other bishops and persons called to cooperate with them in their doctrinal functions. By their ordination and hierarchical communion, bishops are members of the college of bishops and leaders in their local churches. Aware of the needs of contemporary society, bishops have the pastoral duty of proclaiming the word of God with authority, of teaching the truth of the faith, and of maintaining the authenticity of the word of God as it has been formulated in the course of history.

Theologians have a different function within the church. Prepared by their training in the skills of scholarship, theologians systematically explore the nature and foundations of the church's faith in God's revelation, examine the interrelationships of Christian truths, and interpret the word of God to respond to the challenges of contemporary society.

¹ This point was also made by the Congregation for the Doctrine of the Faith in a private letter sent to the presidents of episcopal conferences on July 10, 1968. Also see Thesis 12 in the document of the International Theological Commission, *Theses on the Relationship between the Ecclesiastical Magisterium and Theology* (Washington, D.C.: USCC, 1977).

The authority of theologians arises from the scholarly competence they show in discerning and communicating the abiding truth of Christ. The term "theologian" in these pages is used to designate the believer who thus seeks to mediate between faith and culture through the discipline of scholarship.² Although this report is concerned with theologians who are members of the Catholic Church, the procedures could also be used by other theologians in Catholic institutions.

"Rights and responsibilities" and "interests" are used variously in law and ethics. We mean by "right" a moral or legal power to act or to be immune from injury. Rights, and the responsibilities which they imply, have their source in one's human dignity, in one's standing in the church, or from one's function within the Catholic community.³ Scholars distinguish the possession of a right from its exercise, because the exercise of a right may be circumscribed in order to protect the common good or the rights of others, even though the right itself remains intact.

We use the term "interests" to designate other and more elusive factors in a conflict situation. "Interests" relate to particular and concrete concerns involved in the exercise of personal or official discretion. Interests arise in the pursuit of one's rights or obligations, or more generally, from the freedom appropriate to all the people of God. Procedures designed to resolve conflicts must determine facts, the rights and responsibilities of the parties, and the interests of the parties which are at issue.

B. The Rights and Responsibilities of Bishops

The norms proposed in this report reflect a concern to recognize and foster the rights and responsibilities of both bishops and theologians. Because those rights and responsibilities are set out in detail in the published background papers and consensus statement, they are recalled here only schematically for the convenience of the reader.⁴

The rights and responsibilities of bishops flow from their pastoral office of teaching, sanctifying and ruling in the church. These tasks (*munera*) cannot be fully separated one from the other: they form a single pastoral office. Of the responsibilities and rights of bishops which arise from their pastoral task of authoritative teaching, we call attention to the following.

²For more on this matter see John P. Boyle, "The Rights and Responsibilities of Bishops: A Theological Perspective," in O'Donovan, pp. 11-12, and Jon Nilson, "The Rights and Responsibilities of Theologians: A Theological Perspective," *ibid.*, pp. 53-75.

³ See the fuller discussion in John A. Alesandro, "The Rights and Responsibilities of Theologians: A Canonical Perspective," in O'Donovan, pp. 82-4.

⁴ What follows summarizes material in Boyle's article (see note 2) and in Robert J. Carlson, "The Rights and Responsibilities of Bishops: A Canonical Perspective," in O'Donovan, pp. 31-52.

Preeminent among the responsibilities of bishops is preaching the word of God. In addition, bishops are called upon to preserve and protect the truth of faith, i.e., to transmit the authentic gospel of Christ. Moreover, in the particular church in which he presides, the bishop is to teach in the name of the church; he is to make the pastoral judgment as to how the faith of the community will be publicly expressed at a given time and place. For that reason, the bishop is called upon to judge whether some opinions endanger or are contrary to faith and the Christian life. But it is also the responsibility of bishops to discharge their office so as to respect the gifts imparted by the Holy Spirit to various members of the church. It follows that in the discharge of their pastoral role, bishops should encourage theologians, as well as others, to pursue a deeper understanding of the gospel and its meaning for contemporary life.

In addition to these responsibilities, certain rights of bishops are rooted in their task as teachers. Thus, the bishops of particular churches have the right to exercise their care for the truth of the gospel in the church over which they preside. The bishops teach in the name of the church by reason of their position in the particular church, in union with the head and other members of the episcopal college. What they teach should be received in a way proportionate to the authority with which it is presented. But bishops also have the right to draw upon the contributions and the gifts of all who share the church's saving mission, which includes the heralding of the faith. In their particular church communities bishops have the right to the cooperation and support of the priests who form one presbyterate with the bishop. Bishops also have a right to the collaboration of theologians: bishops draw on their scholarly competence and support; when fidelity to the word of God requires it, bishops expect that their formulation and practice of the faith will be respectfully corrected by theologians. Further, bishops have a right to require in the name of the church that theologians faithfully discharge their own responsibility for the integrity of the gospel. Bishops also have the right to teach without interference from civil authority or exaggerated criticism by theologians or others in the church. Finally, because their solicitude extends to the universal church, diocesan bishops have a right to the church's care for them expressed through existing or potential structures of the episcopal college.

C. The Rights and Responsibilities of Theologians

The rights and responsibilities of theologians may be grouped according to the ways in which theologians participate in the life of the church.⁵

As members of the community of faith, theologians have a fundamental concern for the unity of faith and its promotion of justice and peace throughout the church.

⁵ What follows summarizes materials from the articles by Nilson and Alesandro cited in notes 2 and 3.

Still, as scholars their first responsibility is a critical fidelity to apostolic faith exercised according to the scholarly principles of that branch of theology in which their work is done. As they discharge that responsibility, theological scholars must expect to give and to receive constructive criticism from other scholars, from bishops, from other Christians, and from other interested persons of good will.

As members of particular church communities, theologians should prudently seek more suitable ways of communicating doctrine to people today. They should adapt the presentation of their research findings to the audience of their lectures or publications and use discretion in dealing with the communications media to reduce any harm to the unsophisticated which might result from premature or inappropriate dissemination of their thought.

Finally, to the extent that theologians accept more specifically ecclesiastical activities such as seminary teaching, they must accept reasonable canonical ordering of their work.

Correlative to the responsibilities of theologians in the life of the church are certain rights. Paramount among them is freedom of inquiry and expression of scholarly opinion, even in matters of faith. As they discharge their responsibilities, theologians have the right to support from the community they serve, though they must also welcome objective criticism of their work.

Closely related to that right is another: the right of the theologian to a good reputation and, if needed, the defense of that right by appropriate judicial or administrative processes. In addition, as professional scholars, theologians have the right to employ the usual means of research and publication and to associate freely in private and professional groups.

As members of a particular church, theologians have the right to expect that the pastoral office with which they collaborate will be properly exercised. In cases of dispute, that implies access to due process to protect both substantive and procedural rights. It also implies the right to recognition of contractual and professional agreements into which theologians have entered in accordance with ecclesiastical and civil law.

II. STRUCTURING COOPERATION

A. The Purposes and Climate of Cooperation

Bishops and theologians may cooperate with one another in a variety of ways to enhance the quality of their service to the church. These cooperative efforts may not necessarily serve to resolve doctrinal disputes between bishops and theologians. They are primarily intended to realize the ideals of mutual encouragement, support, and assistance which are proposed by Vatican II, as well as to invigorate the unity without which the church's mission in the world becomes weak and diffuse (LG 4, 13; DV 8; GS 44).

Nonetheless, cooperation between theologians and bishops ought to play a significant, if not indispensable, role as context and prelude to the employment of Formal Doctrinal Dialogue for resolving doctrinal disputes. Bishops and theologians involved in ongoing collaboration are more likely to learn greater respect and trust for one another and thus to assist and support their respective service to the gospel. Appreciating each other as individuals struggling to be faithful to the demands of the gospel for their different functions in the church, their mutual respect and trust may serve to prevent theological disagreements and differences in viewpoint from degenerating to such an extent that Formal Doctrinal Dialogue must be used to resolve the conflict.

Even in cases where Formal Doctrinal Dialogue is employed, structured cooperation will already have established a climate in which all the parties are motivated to act prudently, patiently, and lovingly (DH 14). Regular and meaningful cooperation provides the opportunity for each party to discern and clarify the rights, responsibilities, and interests of the other. Thus, if and when Formal Doctrinal Dialogue is invoked, each party can be aware of the necessary distinctions and of the possibilities and limitations of formal procedures used to deal with them.

Cooperation is not emphasized here as an innovation. Long before Vatican II, there were well established ways for theologians to cooperate with bishops in their tasks of teaching, sanctifying, and governing in the church. In the 1917 Code of Canon Law, theologians (who were, in almost all cases, clerics) were envisaged as members of seminary faculties, as censors of books, as synodal examiners, and as conciliar and curial experts. In the revised Code of Canon Law, even more cooperative roles for theologians are envisaged, at least by implication.¹

Moreover, it is undeniable that bishops do rely upon theologians, explicitly or implicitly. Every bishop has been educated by theologians. So has every priest who cooperates with him in his ministry. Bishops have been encouraged, even charged, to study theology regularly to inform their preaching and to make their exercise of the pastoral office more effective.² So the appropriate questions are: on which theologians do bishops rely? When do they rely upon them? How is that reliance enacted?

A few bishops have appointed theologians as advisors and vicars for theological affairs, or have established boards of theological consultants.³ The NCCB regularly calls upon theologians to cooperate in its work.

¹ See Alesandro, p. 101.

² LG 25. See also Bishop John Cummins, "The Changing Relationship Between Bishops and Theologians," *Origins* 12 (June 17, 1982) 65-71, and Archbishop James Hickey, "The Bishop as Teacher," *Origins* 12 (July 29, 1982) 140-4.

³ "One method I find most helpful is to have the assistance of a personal theologian. ... We would not think of leading a diocese without someone trained in canon law. How much more then the presence of someone well trained in the authentic theology 'of the church?'" Hickey, pp. 141-2.

Collaborative efforts like these are surely encouraging.⁴ Yet instances of structured cooperation between bishops and theologians are still relatively rare. Opportunities for frequent, meaningful collaboration are going largely unrealized.

Theologians, too, could profit from reinvigorated cooperation. Their relationship to the church, which is an essential element in their identity and work as Roman Catholic theologians, may take a further vital form in the course of collaboration with bishops. Cooperation would thus enable theologians better to understand and to fulfill their specific responsibilities in the church.

While the focus of this section of the report is on structured cooperation between bishops and theologians, not all cooperation need or should take place in a formal mode. If bishops and theologians are convinced of the importance of the help they can render one another in carrying out the mission of the church, they will be determined and creative in seeking ways to work together informally. Without the pressure of a crisis, they may find their conversations deeply nourishing and empowering. Together they need to foster regular and personal ways of contact.

The emergence of an important national issue, the promulgation of a papal document, the weeks preceding or following a meeting of the NCCB can be occasions for the bishop and theologians of a diocese jointly to study materials, proposals, or concerns and to discern their local implications and applications. Catholic colleges, universities, and seminaries might make it a practice to invite the bishop to campus events of theological or pastoral significance, such as seminars, lectures, colloquia, and workshops. Catholic scholars at secular institutions could do the same. On such occasions, the bishop need not make any formal statement; he can simply be present as a participant and fellow learner. In some dioceses, it may be feasible for bishops and theologians to meet regularly for informal exploration of mutual concerns or simply for shared prayer.

B. Implementing Structured Cooperation

1. Suggested Areas of Implementation. Initiation and development of collaboration between bishops and theologians will not always require the establishment of new structures. Most dioceses already have offices, departments, and staffs which assist the bishop in meeting his varied and complex responsibilities. The issues and areas delegated to these offices often have important theological dimensions, e.g., health care, ecumenical relations, adult education, catechetics, liturgy, finances, and family life. It would be a relatively simple matter to invite competent theologians to serve as consultants to these offices or even as part-time staff members.

There are also other matters of concern and interest to both bishops

⁴ See Cummins, p. 69, for recent instances of cooperation between bishops and theologians; also, *Catholic Theological Society of America Proceedings* 35 (1980) 332-6.

and theologians in which a cooperative approach could yield very desirable results. The importance of these matters will motivate joint efforts to establish the appropriate collaborative structures to deal with them. Ways could be developed for theologians and bishops to bring their combined expertise and talent to bear on concerns such as:

- the means and efficacy of the local church's proclamation of the gospel;
- diocesan goals, mission statements, and priorities;
- religious education materials in use or proposed for use in the diocese;
- health care policies and procedures;
- goals and policies of Catholic educational institutions in the diocese;
- policies and guidelines for lectures, conferences, and workshops held in the diocese;
- priorities and policies for the church's charitable endeavors;
- continuing education for priests, religious, deacons, and catechists;
- the theological supports for diocesan statements, position papers, and testimony to be presented in various civic and legal fora;
- the theological background for pastoral letters;
- ecumenical relations;
- diocesan employment policies and procedures.

Sometimes a bishop's or a theologian's teaching becomes the target of complaints and charges which have no substance or merit. Although the accuser(s) might be well-intentioned, these situations are potentially volatile and enervating for everyone involved. In some dioceses, it may prove desirable to establish a procedure which prevents groundless delations from occupying more time and attention than they deserve.

An individual or a small committee recognized by the bishop and the theological community for theological expertise, tact, and pastoral sensitivity could be appointed to serve as "gatekeeper." This function is analogous to that of the contact person in Formal Doctrinal Dialogue (see below); all complaints about theological teaching in the diocese would be referred here first. The gatekeeper's task, while respecting and protecting the dignity of the complainant, is to keep a groundless complaint from becoming a dispute which needlessly distracts the bishop and/or the theologian from their more important services to the church.

In the revised Code of Canon Law, canon 812 concerns both bishops and theologians in that it requires theologians teaching in any institutes of higher learning to have (*habeant oportet*) a mandate granted by the competent ecclesiastical authority. Unless an indult or exception from this canon is granted to Catholic colleges and universities in the United States,

formal processes will be needed to implement it.⁵ The specific elements of these processes must be determined by bishops and theologians together. If they are established unilaterally, it will be extremely difficult, if not impossible, to maintain a climate of cooperation and mutual trust.

2. *Means of Implementation.* The first steps toward structured cooperation can be taken by the bishop or by theologians in his diocese. The bishop himself can request the theologians to provide him with the names and areas of expertise of theologians who are willing and competent to offer their services to the local church in a collaborative way. By agreeing to have one's name given to the bishop, a theologian would thereby tentatively agree to serve in this way, if invited by the bishop or by theological colleagues. Theologians themselves could also develop such information and offer it to the bishop. Either way, the local church would have more substantial theological expertise available to it.

With a view to appointing a theological advisor, the bishop could also consult widely with theologians inside and outside the diocese. In larger dioceses, this advisor could become a vicar for theological affairs and serve as the bishop's liaison to the theologians in the diocese. The vicar could facilitate contact between the bishop and the theologians. The vicar should not be the bishop's only spokesperson on theological issues. Nor can the vicar substitute for the personal contact of the bishop with theologians.

Some dioceses in large urban centers have so many theologians that the bishop might well consider establishing a board of theological advisors. Among other functions, the board could serve in cases of dispute as the mediating, screening, or fact-finding body, prior to the initiation of any formal procedures.

Most dioceses in the United States do not have enough theologians to implement structured cooperation very extensively on their own. While this factor presents particular difficulties, it also provides the bishops and theologians of a province or region an opportunity to realize the vision of mutual support and cooperation among dioceses set forth by Vatican II (LG 23; CD 6, 36, 37).

The theologians and bishops of a region could come together informally in the ways suggested above. They could also consider ways in which formal and regular cooperation could be established among them. Some dioceses in Canada have pooled regional resources to develop more effective tribunals. Discussions have been held in the United States with a view to pooling the canonical resources of a region. The document *On Due Process*⁶ proposed a regional pooling of resources for more effective resolution of doctrinal conflicts. Some state Catholic conferences have established medical moral commissions.

Granted that the geographical distances involved make such cooperation more difficult to develop and maintain, still the advantages

⁵ See Alesandro, pp. 112-4.

⁶ *On Due Process*, p. 10

to be gained far outweigh the difficulties involved. Perhaps a grant-funded project in a particular region could develop guidelines to facilitate regional structures for cooperation elsewhere.

Structured cooperation between bishops and theologians should and, to some extent already does, exist on the national level.⁷ Prospects for developing it further, however, deserve serious consideration; one such possibility is discussed in Appendix B of this document.

3. Principles Regarding Theological Consultants. Most theologians hold full-time positions in colleges, universities, or seminaries. As a result, in most instances of structured cooperation their role will be consultative. This means that they will serve in a part-time capacity as regular consultants or advisors to bishops or to departments and staffs which may assist the bishop in carrying out his service to the church.

If this form of structured collaboration is to function effectively and to realize the purposes for which it is established, certain principles should be followed.

First, theologians who serve in any consultative capacity, however they may be chosen, should be recognized by their theological peers as both competent and representative. They should be sensitive to the faith of the universal church and to the ways in which that faith is known and lived in the particular church which they serve as consultants. They should be selected from as many segments as possible on the spectrum of acceptable theological opinion, so that the church can reap the benefits of the fullest range of theological resources available on particular issues or problems.

Second, the names of the consultants and the selection process should normally be known publicly. An air of unnecessary secrecy too easily leads to suspicion and mistrust. An open and careful examination of issues is inhibited when there is evidence suggesting that the discussion process or conclusion is somehow predetermined.

Third, whenever possible there ought to be a staggered rotation among consultants. This will foster the benefits of both continuity and freshness of perspective on the issues. It will also realize the ideal of common effort which is at the heart of authentic unity in the church.

Fourth, everyone involved centrally or marginally in the process should remember that the theological consultant is not exclusively or primarily at the service of the bishop, but of the local church. Otherwise, the complementary but distinct and irreducible roles of the bishop and the theologian may be confused and the anticipated results of real cooperation may not be fully realized.⁸

⁷ *Ibid.*

⁸ See International Theological Commission, *Theses on the Relationship Between the Ecclesiastical Magisterium and Theology*, p. 17

C. Cooperation as Aiding Formal Doctrinal Dialogue

As their conversation and collaboration become more common, bishops and theologians are likely to gain a clearer sense of the distinct yet related services they perform in the one church through, for example, their catechesis, ethical reflection, authoritative teaching, theological education and research, and pastoral leadership.⁹ This alone should eliminate many misunderstandings between them.

Regular and active cooperation will also establish a mutual personal knowledge and trust between bishops and theologians which can lessen the occasions when Formal Doctrinal Dialogue is required to resolve a dispute. As bishops and theologians come to know each other not merely in official roles but as faithful persons, recourse to formal procedures to resolve conflicts between them should become less and less frequent.

If Formal Doctrinal Dialogue is necessary, however, the mutual knowledge and trust established by previous cooperation will help to insure that it works to the benefit of everyone involved. The dispute is also less likely to become an arena for an adversary relationship between the bishop and the theologian. Mutual knowledge and trust will help to maintain the unity of love throughout the course of the procedures, when tempers may be short, sensitivities acute, and feelings high. Each party will more likely be concerned to protect the other's good name and reputation and to employ the Formal Doctrinal Dialogue so as to preserve and enhance the service each offers to the church. Both bishops and theologians will be solicitous for the maintenance and exercise of the other's rights and responsibilities as well as for their own.

III. FORMAL DOCTRINAL DIALOGUE

A. Purposes of the Dialogue

Collaboration and structured cooperation help to clarify doctrinal positions. Throughout such contacts there is a presupposition of sound doctrine, a presumption which holds until proven otherwise. Nevertheless, there may be differences of opinion, disagreements, or questions concerning doctrinal matters. If these lead to conflict or dispute, Formal Doctrinal Dialogue may be used.

Such dialogue is not a judicial or administrative proceeding. It is a dialogue about doctrine. Such dialogue should take place before considering any exercise of administrative authority in regard to doctrinal matters.

The purpose of Formal Doctrinal Dialogue is to determine the nature and gravity of the issue at dispute as well as its pastoral significance, and

⁹ "The magisterium and theology have two different tasks to perform. That is why neither can be reduced to the other. Yet they serve the one whole. But precisely on account of this configuration they must remain in consultation with one another." John Paul II, *L'Osservatore Romano* [English], no. 50 (662), December 15, 1980, p. 17.

to achieve an agreement between the parties. The process will normally involve meetings, although much can be accomplished by written statements. Such dialogue should be entered in an atmosphere of prayer to emphasize the one faith shared by the parties.

B. Participants

For the purpose of these guidelines, the dispute in need of resolution is presumed to be between a theologian and a bishop, although others involved in theological controversies may find them useful. The theologian or bishop who initiates the use of this formal dialogue is termed the "initiating party." The other principal in the dialogue is termed the "second party." Several bishops or several theologians may be acting as initiating party or second party.

Other persons may assist the principals in the formal dialogue. These may be involved in regard to one or more of the following functions.

1. **Advice.** Advisors assist the initiating party or the second party by their advice and counsel. Advisors are selected freely by the party whom they will be serving as advisor.
2. **Expertise.** Experts are called upon to assist the parties in reaching mutual understanding about their respective positions, to offer an evaluation of the relationship of theological statements with Catholic tradition, and to give advice about the pastoral effect of such teaching. Experts, therefore, should be knowledgeable about the matter under discussion, should be representative of the variety of views within Catholic tradition, and should participate in the process in a manner acceptable to both parties. Normally such experts will themselves be professional theologians or persons versed in pastoral ministry.

While the opinion of experts is not binding, it should be given serious weight in proceeding with the dialogue. If the experts are unanimous in agreement, the parties should not reject their opinion without grave reason.

3. **Facilitation.** At the request of both parties, a facilitator assists at any of the various stages of formal dialogue. The facilitator helps the process to move forward by bringing the principals to a better understanding of what each means, by settling specific questions for them, and by providing at various stages in the dialogue a "state of the question" to clarify what points are truly at issue at that particular moment.
4. **Delegation.** Dialogue is carried out most effectively in a face-to-face exchange, through which each party comes to a more personal appreciation of the other's position. Although this is the preferred method, there may be occasions when either party considers it necessary to delegate another person to assist in the various tasks of Formal Doctrinal Dialogue. Even on these

occasions, however, the final statement of agreement for each task in the formal dialogue must be signed by the principal parties themselves.

C. Procedures for Formal Doctrinal Dialogue

1. Initiating the Process

Either the theologian or the bishop may be the initiating party. Formal dialogue may begin in one of two ways.

a. Direct contact between the two parties

The initiating party should first have approached the second party in an informal manner to determine whether the apparent dispute may be immediately resolved without formal dialogue.

If formal dialogue is needed, the initiating party shall make a written request to the second party to enter into Formal Doctrinal Dialogue. The written request is to outline the doctrinal points at issue, the manner in which the dispute has arisen, the attempts to resolve the issue which have already been made, the specific request to employ Formal Doctrinal Dialogue to settle the question, and initial suggestions concerning ways to resolve the doctrinal dispute. The written request is to include the initiating party's name, address, telephone number, the date of the request, and the initiating party's signature.

b. Indirectly, through a contact person

A contact person may be appointed within a diocese to process requests for the use of Formal Doctrinal Dialogue. The first function of the contact person is to determine whether the request for formal dialogue is legitimate. If the request is judged to be inappropriate, the contact person is so to inform the initiating party, indicating the reasons for rejecting the request. If the initiating party then resubmits the request, the contact person is to submit it to the second party for a response.

If the request at the outset is judged to be appropriate, it is to be sent to the second party for a response and the initiating party is to be informed immediately of the date of this action. Rejection of the request by the contact person or submission of the request to the second party for response must take place within one month of the receipt of the request by the contact person.

The contact person is appointed by the bishop. The person should be qualified to evaluate and process such requests, generally acceptable also to the theological community, and easily available for contact.

2. The Response

Acknowledgement of a request for formal dialogue must be given in writing within two weeks of the receipt of the request, and a

formal response within one month of the receipt of the request.

a. An affirmative response to the request is to include an explicit commitment to Formal Doctrinal Dialogue, a statement of the points about which both parties seem at the outset to be in agreement, the points which seem to be in dispute, and initial suggestions concerning ways to resolve the doctrinal dispute. The written response is to contain the second party's name, address, telephone number, signature, and the date of the response.

b. A negative response should explicitly refuse to make use of Formal Doctrinal Dialogue and state the reasons for refusal.

c. If, after six weeks from the date on which the formal request was sent to the second party, no response has been received by the initiating party, a second request should be sent to the second party. Failure to respond to this second request within two weeks shall be interpreted as refusal to make use of Formal Doctrinal Dialogue.

3. Agreement on Procedure

The written request for dialogue and the response may have already clarified the disagreement and the desired goal in dialogue. Nevertheless, the next step must be a preliminary agreement on the statement of the issues, on the procedures to be followed, and on the goal to be achieved by their formal dialogue.

In determining procedures, the preliminary agreement should address matters such as the following:

- a. level of confidentiality to be respected;
- b. participation by other persons and how they are to be selected (see above, B, 1-4);
- c. record keeping and, if appropriate, transcripts;
- d. time limits;
- e. responsibility for expenses.

This preliminary agreement, which is to be in writing and signed by both parties, can be modified at any time by their mutual consent.

4. The Dialogue

Disputes between theologians and members of the ecclesiastical magisterium are usually complex and may involve deep feelings. It is not easy to decide a priori on the best or simplest method to resolve the situation. At the beginning, it is essential that both parties be committed to the process. As the dialogue progresses, the parties may find it helpful to alter by mutual consent the process they had agreed upon.

Although disputes may be considerably different, Formal

Doctrinal Dialogue will invariably require the completion of four tasks:

- a. gathering data;
- b. clarifying meaning;
- c. determining the relationship of the points at issue to Catholic tradition;
- d. identifying implications in the life of the church.

One of the main instruments for achieving agreement is the formulation of written statements with regard to each of the tasks. These statements, signed by both parties, express points of agreement, clarify reasons for disagreement, and specify further questions to be addressed.

First Task: Gathering the Data

Since doctrinal disputes arise from public utterances or writings, the first task is to agree on what was actually said or written. There may be no disagreement on the facts at all, in which case a statement of agreement should immediately be drawn up and signed by both parties.

If the parties initially disagree about what was said or written, ways should be found to solve this difference of opinion. Examples include:

1. In written matters, copies of the actual materials should be made available to both parties.
2. In spoken matters, tape recordings, written reports and other trustworthy records, if they exist, should be made available to both parties.
3. If no record exists, to settle the question of what was actually said or written it may be necessary to call upon witnesses.

Full access to the record by both parties is essential to effective dialogue. In cases in which a dispute has arisen because of acceptance by one of the parties of complaints or accusations by other persons, the party accused or complained against has the right of access to the materials sent by the other persons. In such situations the burden of proof as to matters of fact rests on those bringing the complaint or accusation.

In determining what was said or written, it is very important to specify the pertinent context, such as:

1. the literary genre: newspaper article, theological study, popular religious work, etc.;
2. the context of spoken communications: lecture, classroom, seminar, radio or television, etc.;
3. the audience addressed;
4. the level and extent of publicity.

In especially complicated matters the accomplishment of the task of

gathering data may very well benefit from a facilitator who can settle factual questions to the satisfaction of both parties. The parties may also make use of advisors or, if necessary, delegates to expedite the process.

A written statement of agreement, signed by both parties, completes this task. It specifies the data gathered and the agreement of the parties on the essential points of what was said or written. In some cases agreement on accurate data may itself resolve the dispute and complete the dialogue.

Second Task: Clarifying the Meaning

While completion of the first task may determine clearly *what* was said or written, questions may still exist about the meaning of the data. Since words may admit of varying interpretations, the parties must seek a common understanding of the meaning of what was said or written. The result of this effort will be an agreement on the meaning or differing interpretations.

In reaching this clarification, consideration should be given to various factors, such as:

1. the significance of the words in text and context;
2. the broader corpus of the author's work, philosophical and theological perspective, and method;
3. the author's intention in presenting the material, whether the position was being advocated, defended, described, etc.;
4. the pertinent context of the work at issue as determined in the first task (see above);
5. the degree to which the statement is presented as a personal opinion or as a teaching of the church.

If agreement on meaning is not readily achieved, the parties may find it useful to rely on the advice of others or perhaps to submit the matter to a jointly acceptable facilitator.

This second task is completed with a written statement of agreement, signed by both parties, expressing as clearly as possible the mutually accepted meaning of what was said or written. The statement may also specify any differing interpretations which remain. In some cases, agreement on the meaning may itself resolve the dispute and complete the dialogue.

Third Task: Determining the Relationship with Catholic Tradition

Every doctrinal dispute will initially involve at least an apparent divergence of opinion about the consonance of a public utterance or writing with Catholic tradition. The completion of the first two tasks may result in the conclusion that the disagreement was unfounded. Nevertheless, the first two tasks may simply serve to clarify the point at

issue; that is, the relationship of what was said or written with Catholic tradition.

This is a very complex matter. It is not a task that can be isolated from the parties themselves. Their personal involvement is especially important at this stage. It is a learning process in which dialogue should assist both parties to grow in their understanding of the fullness of Catholic tradition. Thus, in approaching this task the parties should seek to discover points of agreement, particularly in regard to the questions which must be studied and the appropriate order for addressing those questions.

This stage of dialogue should begin with a written statement by the initiating party outlining the basis on which consonance with Catholic tradition is questioned. The second party should respond to this initial statement in writing. If no agreement is reached, these two documents form the basis for further dialogue.

The term "Catholic tradition" refers to the whole range of church teaching. That teaching is grounded in the word of God, especially in the Scriptures. The magisterium serves the word of God by proposing doctrine in solemn conciliar or papal pronouncements, in ordinary papal and episcopal teaching, and in other activities such as the approval of materials used in the instruction of the faithful and the worship of the church. Catholic tradition is also reflected in the works of approved authors, noted theologians, and in the mainstream of Catholic life and belief. Determining the consonance of a theological view with Catholic tradition will demand a careful consideration of the historical context and development of church teaching, an understanding of the hierarchy of truths, an evaluation of the various levels of teaching authority, appreciation of the distinction between the substance of the faith and its expression, and the degree to which the church has committed itself in this matter.

At this stage in the dialogue the parties may be assisted by a facilitator, by personal advisors, and especially by consultation with theological experts.

This task is completed with a written statement of agreement, signed by both parties. It specifies the steps taken to complete the task, the resulting points of agreement, and any remaining disagreement. Here, too, the written statement of agreement may suffice to resolve the dispute and complete the dialogue.

Fourth Task: Identifying the Implications for the Life of the Church

The previous tasks have resulted in agreements on the public utterances and writings in question, and possibly differing interpretations and disagreements about them. The fourth task is to determine the pastoral implications of these utterances and writings in the life of the church. While actual or apparent implications precipitate most doctrinal disputes, they are frequently the most difficult to sort out and agree upon. This

task requires not merely understanding, but prudence; not just learning, but wisdom. Concern for such implications is a responsibility of both bishops and theologians.

To begin this task, the initiating party should state in writing the nature and extent of the implications. The second party should respond to this statement in writing. If no agreement has been reached, these two documents form the basis for further dialogue on this matter.

A discussion about implications cannot be simply an exchange of personal impressions. It should clarify the criteria used by the parties to assess pastoral life. Conclusions should be based on adequate information required for prudential judgments. This may necessitate gathering additional evidence. The discussion might be assisted by the opinion of persons noted for prudence and experience in pastoral and theological matters. The parties may rely on advisors or may mutually agree on a facilitator to assist in this task.

This task is concluded with a written statement of agreement, signed by both parties, specifying the steps taken to determine the implications in the life of the church and their mutual and individual conclusions. It may include actions agreed upon for the future. This written statement may suffice to resolve the dispute and conclude the dialogue, or even provide for continued review of the issue.

D. Possible Results of Formal Doctrinal Dialogue

Formal Doctrinal Dialogue may conclude in a variety of ways. It is important to identify the conclusion of the dialogue process and the outcome of the dispute itself. The degree of publicity to be given to the results of the dialogue should be carefully adapted to the particular situation. In every case, even if complete agreement has not been reached, both parties should discuss these matters so that both are aware of proposed actions.

These are some possible results of the dialogue:

1. The theological and pastoral issues may be resolved to the satisfaction of both parties at any stage in the formal dialogue.
2. At the conclusion of the formal dialogue the theological issue may be unresolved, but both parties may agree that the issue may remain so without the need for further action. Agreement to disagree may be a recognition of legitimate pluralism or of a situation in which pastoral responsibility requires no further action.
3. There may be no agreement concerning the theological and pastoral issues nor acceptance of the disagreement as a form of legitimate pluralism. In light of pastoral considerations, various responses on the doctrinal level are then possible. Such responses vary in purpose, intensity, and publicity. They may be mutually agreed upon or may be taken unilaterally.

by one of the parties. Before any doctrinal response is made, it is desirable that it be discussed between the parties. The following are some examples.

- a. Call for continued critical theological study.
- b. Expand the context of the dialogue to a regional or national level.
- c. Restate in a positive fashion authoritative church teaching.
- d. Issue a doctrinal *monitum*, i.e., a clear statement of concern about what is being taught.
- e. Declare publicly the apparent error of a position.
- f. Classify certain positions as one of the following:
 - 1) a private position which may be presented by itself, provided it is not represented as official Catholic teaching;
 - 2) a private opinion which, when presented, must be accompanied by other more acceptable positions;
 - 3) unsuitable for teaching by a Catholic.
- g. Make an accurate presentation of views to the media.

E. Subsequent Administrative Action

The foregoing procedure has been a doctrinal dialogue. The best response to bad teaching is good teaching. A doctrinal response is, therefore, the most desirable response to a doctrinal dispute. Nonetheless, when doctrinal differences begin to affect the common good and doctrinal dialogue has failed to resolve them, administrative action on the part of bishops or recourse on the part of theologians may be appropriate or even necessary.

Administrative procedures do not resolve doctrinal issues; they address pastoral situations. The kind and degree of administrative action should be proportionate to the pastoral requirements of the common good, and should be no more severe than those requirements demand.

The degree of understanding reached in the doctrinal dialogue should help all parties to appreciate their mutual concern for the good of the church and will influence the decision about any subsequent action or recourse. In addition, the signed agreements of the Formal Doctrinal Dialogue will provide a valuable record for subsequent action on the part of bishops or recourse on the part of theologians. Differences of responsibility and authority, of course, can become especially apparent at this point. But this should not obscure the fact that doctrinal truth can not be decided or assured simply by juridical decisions. In all cases, bishops and theologians alike should recognize that administrative action is always in service to the truth of a gospel that is meant to set us free.

AFTERWORD

The church's witness and mission in the world are seriously conditioned by its own internal care for truth and justice. Disputes about doctrines and the manner of their resolution seldom remain purely internal affairs. On the contrary, our understanding and practice of faith today concern Christians and non-Christians alike. Publicity is an unavoidable part of modern life, encouraging broad examination of social questions, even though sometimes at the cost of civil courtesy. Our church can still learn much from our nation's civic values of freely expressed public opinion and constructive public debate. Thus, issues that arise in our community should be addressed with prudence and discretion, but also with realism about living in a pluralistic society and learning from it.

We also have much to contribute. We believe that, with the guidance of the Spirit, the many different parts of the body of Christ can be knit together in justice and love and thereby become more truly themselves before God. In seeking clear and equitable ways to resolve disagreements about our faith, we can recommit ourselves to being a church that is one and open, a genuine community of grace sharing the truth freely given to it. Thus we may choose again the life that has been offered to us, that there truly may be "one body and one Spirit, just as you were called to the one hope that belongs to your call, one Lord, one faith, one baptism, one God and Father of all, who is above all and through all and in all" (Eph 4:4-6).

APPENDIX A

**Observations on the *Ratio agendi* of
the Congregation for the Doctrine of the Faith**

The Congregation for the Doctrine of the Faith [CDF] published its procedures for doctrinal investigations (the "*Ratio agendi*") on January 15, 1971. The official Latin text is found in the *Acta apostolicae sedis* 63 (1971) 234-6 and an English translation in *Origins* 1 (1972) 648.

There are many positive aspects of the *Ratio agendi*. First, the very existence of a published procedure is a definite improvement over past practice of the CDF, which were totally secret. The present norms have been used several times, most notably with Hans Küng and Edward Schillebeeckx. Second, it provides for a thorough discussion of the issues before reaching a final decision. For example, in the initial investigatory phase, there is an elaborate process that involves lengthy deliberation between experts, a *relator pro auctore* (appointed by the Congregation to present the views of the theologian), the consultants, and the members of the CDF. The possibility of a hasty judgment is thus lessened. Third, it allows in its second phase for the theologian to reply in writing and to meet personally at a *colloquium* with representatives of the Congregation. Fourth, it attempts to preserve the principles of confidentiality. Fifth, the CDF itself has acknowledged the changeable

nature of the procedures, and recognized the need for greater safeguards to be given to the theologian. Thus, it was announced in December 1982 that the CDF had accepted the proposals made by the West German and Swiss bishops to allow the theologian under examination to be defended by counsel at the hearings held by the Congregation.

The *Ratio agendi*, however, can be improved in several ways. If the procedures proposed in this document are accepted, then the CDF, in accord with the principle of subsidiarity, should refer to the theologian's Ordinary any denunciation, delation, complaint, or question it receives concerning the orthodoxy of the theologian's publications or public utterances. A revised *Ratio agendi* should state that the CDF will ordinarily not enter a doctrinal dispute until it has been previously examined at the local level. Every attempt at resolution should be exhausted before the matter is finally brought to the CDF for judgment.

More specifically, any procedure that seeks to prevent or resolve a doctrinal conflict should manifest the principles of subsidiarity, shared responsibility, and legitimate diversity, and should guarantee the fundamental human and sacramental rights of the theologian. Serious consideration should therefore be given to the following recommendations, with a view to incorporating them in a revised version of the *Ratio agendi*.

1. The theologian should be informed of what the charges are and who made them.
2. The theologian should be involved earlier in the process. The present investigatory phase — basically designed to determine probable cause — is long and complicated and should be simplified. It takes place within the Congregation and the theologian is not consulted.
3. The norms should set definite time limits that would apply to both the Congregation and the theologian.
4. The theologian should be granted the right to suggest several names from among which the *relator pro auctore* is selected by the CDF.
5. The theologian should be granted access to all pertinent documentation.
6. The CDF should publish the procedures to be observed during the *colloquium*.
7. The theologian should have the right to know beforehand the names of the persons selected by the CDF to participate in the *colloquium* and to object to their presence for a sufficient reason.
8. The theologian should have the right to call witnesses at the *colloquium*.
9. The CDF should make its decision public, if the case has become public.

10. The CDF should clearly indicate appeal procedures. There are two possibilities:
 - a. appeal to the Apostolic Signatura, if the theologian feels the CDF has exceeded its competence or failed to observe its own regulations; or
 - b. appeal to the Pope, which would make sense only if prior papal approval of the CDF decisions (which is now mandated) were not required.

A *Ratio agendi* revised in these ways would better serve the church and would strengthen the bonds that already exist between bishops and theologians in their common quest for truth.

APPENDIX B

On the Possibility of a National Theological Commission

Cooperation between Theologians and the Ecclesiastical Magisterium, the Report of the Joint Committee of the Canon Law Society of America and the Catholic Theological Society of America, renewed a recommendation¹ that had previously been made in various quarters,² namely, that a National Theological Commission be established in the United States. This Appendix restricts itself to some basic comments on the purpose, constitution, and operation such a Commission might involve. A final paragraph concerns alternative possibilities.

1. *Purpose*: A National Theological Commission in the United States would be analogous in different respects to the International Theological Commission, to the doctrinal committees that have been established in some dioceses, and to work of theological consultants who have attended meetings of the Bishops' Committee on Doctrine in the United States and elsewhere. The Commission should serve primarily as a consultative and advisory group, promoting theological exchange between bishops and theologians and in the church at large. Since its members would be drawn from different areas of theological study, it could also serve to foster cooperation among the different professional societies. Finally, in cases of doctrinal dispute, the Commission could serve an investigative purpose as well; members of the Commission, or a committee recommended by it, could be asked to assist in resolving theological disagreement through Formal Doctrinal Dialogue.
2. *Constitution*: To serve its purpose, the Commission should genuinely represent the theological community and relate

¹ In Service to the Gospel. A Consensus Statement of the Joint Committee, no. 22, p. 185.

² A prominent example: *On Due Process*, p. 10

responsibly to the National Conference of Catholic Bishops. It should not be simply a committee of either group, but should serve as a channel between them. This might be accomplished by having members nominated by the boards of the principal theological societies and then appointed by the Bishops' Committee on Doctrine or by the General Secretary, through whom the Commission could be related to the Conference. The chair of the Commission should be elected for a specified term by the Commission itself. Competence and representation should be the primary criteria of membership. For greater accountability and effectiveness, members of the Commission should be appointed for a term of some years' length but with a system of rotation within the Commission as a whole.

3. *Operation:* In accord with its purpose, the meetings of the Commission should be regular but not unnecessarily multiplied. Sessions might be held in conjunction with board meetings or annual conventions of the various theological societies or with the meetings of the related Committees of the Conference. The Commission should not be expected to undertake specifically commissioned studies; such long-term work is better left to permanent theological institutions or to the research projects of professional societies and individual theologians. In cases of dispute, when a theological opinion is requested of the Commission or its members, it should seek to offer advice imbued with theological integrity and pastoral sensitivity.
4. *Alternatives:* The needs served by a National Theological Commission might be addressed by alternate means.
 - a. Consultors for the Committee on Doctrine. In recent years the Bishops' Committee on Doctrine has invited theological consultants to meet with it. This approach has the advantages of efficiency and confidentiality. A disadvantage lies in the fact that the choice of consultants has depended wholly on the Committee on Doctrine, which may weaken the representative quality of the consultation.
 - b. Advice, on request, from the professional theological societies. When special expertise is needed for the discharge of pastoral responsibility or when coordination of theological research is desired, the boards of the theological societies can be consulted. An advantage here is that committees are not multiplied; a disadvantage is that theologians are selected on an *ad hoc* basis.
 - c. Referral to the Joint Committee of Catholic Learned Societies and Scholars. The JCCLSS was established

precisely to foster communication between bishops and Catholic scholars. It has served this purpose chiefly through colloquia co-sponsored with the Bishops' Committee on Doctrine. Such a format, however, facilitates exchange and communication only on a limited basis.

- d. List of experts. At the very least, a brief listing of competent and representative experts in the various areas of theology should be available, whether for consultation by bishops or for cooperative work among theologians themselves. This would be advantageous for the purpose of consultation, cooperation, and Formal Doctrinal Dialogue (1, above).