

A RESPONSE TO FRANCIS SULLIVAN

It is difficult to formulate a critical response to Francis Sullivan's paper. To be sure, I owe him the respect of a former student at the Pontifical Gregorian University at the time of the Second Vatican Council. And that respect I freely and gladly offer him. But the deeper root of the difficulty is that I can find little of substance in his paper with which to take issue. On the contrary, it is at once clear, coherent, balanced, and generally forthright—by which I mean that it makes some effort to apply principles to practice, with examples.

Of course, I could share with you an outline of the paper I might have delivered here today, but that would be yielding to the perennial temptation of respondents and reviewers; namely, to transform one's role from interpreter to competitor. I shall not do that.

What I shall do instead is simply italicize points and arguments that I find particularly pertinent to, and illuminating of, the ongoing discussion concerning the relationship between the hierarchical magisterium and theology. (I use the adjective "hierarchical" deliberately here, because it is clear that Father Sullivan's paper intends to restrict the discussion to that level and form of magisterium). Before doing so, however, I should mention just three items that the paper might also have addressed explicitly; namely, the meaning and import of ordinary universal magisterium (how it is determined and how the authority of its formulations differs from that of definitive, or dogmatic, pronouncements); secondly, some indication of the pertinence of the current debate over national episcopal conferences and their teaching authority, or *mandatum docendi*; and, thirdly, the role of reception in the magisterial process. Sullivan does make some mention of reception in his brief discussion of J. Robert Dionne's *The Papacy and the Church*. Moreover, he treats universal ordinary magisterium and reception in his *Magisterium: Teaching Authority in the Catholic Church* (New York: Paulist Press, 1983).

The threefold division of authoritative documents in Denzinger's *Enchiridion Symbolorum, Definitionum Declarationum* provides the structure for this paper: first, baptismal creeds; secondly, solemn definitions; and, thirdly, a variety of nondefinitive statements, or declarations, of the hierarchical magisterium.

Sullivan insists that the baptismal creeds "constitute a primary *locus* for theology" because they "witness to the way the apostolic faith was handed on from generation to generation in the churches." In a sense, he suggests, "the major purpose of all subsequent interventions of the magisterium has been to explicitate, clarify and defend the true sense in which various articles of the baptismal creed are to be understood."

Indeed, the hierarchical magisterium first got involved in the business of formulating doctrines, not for reasons of control but for reasons of sacramental ini-

tiation and of worship. The earliest professions of faith were used in the baptismal and then the eucharistic liturgies, not in loyalty oaths and heresy trials. Had the hierarchical magisterium remained faithful to its original liturgical partner and not set it aside for a new canonical partner, the history of the relationship between the hierarchical magisterium and theology might have been different.

Sullivan reminds us that there was no single creed agreed upon by all and employed by all. Put a late 20th-century traditional Catholic in a time machine and send her or him back into the second or third centuries with the assignment of retrieving a copy of "the Creed," and such a Catholic would return perplexed and empty-handed. Important, if not novel, points.

I do raise one parenthetical question here about Father Sullivan's apparent interpretation of the *credo ecclesiam* of the baptismal profession. He seems to place on equal footing, as the object of Christian faith, the *ecclesiam* which is "the fruit of Christ's definitive victory over the powers of evil . . . [with] the abiding presence of the Holy Spirit" and, on the other hand, "the episcopal and papal structure of the Catholic Church [corresponding] to God's design for his church." The latter may be *implied* in the former, but there is no ecclesiological parity between the two, as the text of the paper might otherwise suggest. The papal-episcopal structure of the church is, at most, an inference of faith, not its object.

One begins to feel the real force of Sullivan's paper as the presentation moves from baptismal creeds to definitions and declarations. How does one distinguish between the two? What is the difference between definitive, or infallible, teachings, and non-definitive, or non-infallible, teachings? To pose the question is already to concede the distinction. Francis Sullivan accepts the distinction as a matter of course, in concert with most other Catholic theologians. The challenge is to discern the line that separates definitions from declarations. Indeed, Sullivan argues that this challenge is a "primary task of theology;" namely, "to establish the criteria by which defined dogmas can be distinguished from all other statements of doctrine." Although Sullivan does not say it, that is precisely the point at issue in Charles Curran's recent disagreement with Cardinal Ratzinger and other ecclesiastical officials. Curran, like Sullivan, insists on the distinction. The latter tend to collapse it, or to expand the territory occupied by definitive statements through a liberal appeal to ordinary universal magisterium, thereby creating a 1980's version of "creeping infallibilism." (Indeed, it is at this point in the paper that the neglect of the question of ordinary universal magisterium is most keenly felt.)

With a supporting citation from the same Joseph Ratzinger, Father Sullivan identifies the central flaw in the papal-curial understanding of theology during the pre-Vatican II period, and particularly during the pontificate of Pius XII; namely, its assumption that theology exists to clarify what is in the sources of revelation by flooding them with the light of dogma. In other words, the task of theology is reduced to "proving that what has been taught by the magisterium is found in the sources." Sullivan does not say so, but this view of theology perdures not only at the hierarchical level, but also among many whose theological credentials are either self-conferred or bestowed by the media. Many of these theologians without portfolio populate departments of philosophy in various Catholic colleges and universities.

On the contrary, Sullivan argues, the theologian's task is to examine dogmas in the light of the sources, not the sources in the light of dogmas. One reason among several why the theologian returns to the sources is to "identify the aspects of revealed truth left unspoken in the dogma" and then to integrate those aspects into the whole of revelation.

Following not only Karl Rahner and Bernard Lonergan but also the Vatican declaration *Mysterium Ecclesiae*, Sullivan insists on the historically conditioned character of all dogmatic formulations, citing unfortunate instances of non-historical, classicist thinking in recent magisterial pronouncements, including Pope Paul VI's encyclical on the Eucharist, *Mysterium fidei*.

Francis Sullivan's paper moves, in a third and final section, to a discussion of non-definitive declarations of the hierarchical magisterium, particularly those contained in papal encyclicals and the pronouncements of the Congregation for the Doctrine of the Faith.

Within such documents, he insists, the theologian must distinguish "between what already belongs to Catholic doctrine, possibly even to dogma, from what does not." For Sullivan, it is "altogether appropriate for a Catholic theologian to express his critique of the theological component" of a non-definitive teaching, and "to propose what he thinks would be a more satisfactory way of presenting this doctrine."

It is almost inevitable, he implies, that such documents will have a theological component because of the role that theologians normally play as consultants in the production of these documents.

"The natural resistance of the Roman magisterium to the correction of theological options taken in previous papal teaching," he writes, "can result in the practice of choosing consultants for future statements . . . only from those who are known to stand firm with the previous teaching." He cites the preparation of the Vatican II schema on the church by way of example. When the rest of the bishops and *their* theological advisers arrived for the council, however, the schema was rejected and a new one was hammered out over the next two years.

Francis Sullivan concludes with the hope that "in the preparation of important doctrinal statements, the Holy See would not repeat the mistake made by the preparatory commission, but rather follow the example of the council, where all the bishops listened to all shades of theological opinion before coming to their judgment." Given the consistent practice of the present papal administration, however, he probably hopes in vain. One can cite the total exclusion of such theologians as Richard McCormick from the process of drafting the recent Vatican statement on reproductive technology as only the most recent case in point.

As long as this situation perdures, theologians must continue to fulfill their proper critical function by pointing out what they see as the limitations and even errors of the theology that underlies some of the positions taken by the hierarchical magisterium.

Sullivan cites article 62 of *Gaudium et spes* in support of his modest hope; namely, that "all the faithful, clerical and lay, possess a lawful freedom of inquiry

and of thought, and the freedom to express their minds humbly and courageously about those matters in which they enjoy competence."

But *Gaudium et spes* is out of favor these days with many who have responsibility for shaping the very policy Sullivan implicitly criticizes. Therefore, Father Sullivan might have been better advised to appeal to what some would regard as a "higher" authority than the council; namely, canons 212 and 218 of the new Code of Canon Law.

RICHARD P. MCBRIEN
University of Notre Dame