

STUDIES

in the Spirituality of Jesuits



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Bishops as Teachers
and Jesuits as Listeners
by

Richard A. McCormick, S.J.

Published by the American Assistancy Seminar on Jesuit Spirituality,
especially for American Jesuits working out their aggiornamento
in the spirit of Vatican Council II

THE AMERICAN ASSISTANCY SEMINAR ON JESUIT SPIRITUALITY

A group of Jesuits appointed from their provinces in the United States

The Seminar studies topics pertaining to the spiritual doctrine and practice of Jesuits, especially American Jesuits, and communicates the results to the members of the provinces. This is done in the spirit of Vatican II's recommendation to religious institutes to recapture the original inspiration of their founders and to adapt it to the circumstances of modern times. The Seminar welcomes reactions or comments in regard to the material which it publishes.

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CONTENTS

Preface	
INTRODUCTION	1
I. TEACHING COMPETENCE OF EPISCOPAL CONFERENCES	2
II. DOCTRINAL STATUS OF MORAL STATEMENTS	4
III. THE ACKNOWLEDGMENT AND IMPORTANCE OF A VARIETY OF COMPETENCES	7
IV. DISTINCTION OF LEVELS OF AUTHORITY	10
V. THE PROPER RESPONSE TO EPISCOPAL TEACHING	11
VI. RULES FOR DEALING WITH BISHOPS	15
A FINAL NOTE	20
Endnotes	21
CHECKLISTS: Publications of the INSTITUTE OF JESUIT SOURCES and of the AMERICAN ASSISTANCY SEMINAR	

PREFACE

In June, 1985, the noted theologian Richard A. McCormick spoke to his fellow Jesuits of the Detroit Province on the topic "Bishops as Teachers and Jesuits as Listeners." The occasion was the annual celebration of Province Days, i.e., a weekend of prayer, fellowship, and theological and religious reflections, all climaxed in the liturgy of ordination to the priesthood. Father McCormick's presentation concluded a year-long province effort to understand and to integrate into our consciousness and into our ministries the U.S. bishops' letter "The Challenge of Peace" and the first draft of the pastoral letter on Catholic social teaching and the American economy.

Father McCormick's talk challenged all of us, touching as it did our concern about thinking with the Church today, especially with the local U.S. Church as it struggled to bring Gospel imperatives about peace and justice into contemporary political and economic decisions. Not surprisingly, many of the Jesuits at the Detroit Province gathering requested copies of Father McCormick's paper. It seemed to me that the evident interest of so many of the Jesuits at that gathering would probably be shared by other American Jesuits and other Christians who are involved in forming an alert Christian public conscience. Consequently, I suggested to both Fathers McCormick and George Ganss, then the chairman of the Assistancy Seminar, that this paper might be an apt contribution to Studies. I am happy that the members of the Assistancy Seminar shared this view and that with this present issue of Studies the McCormick reflections can reach a wider audience than that of the Detroit Province.

At first blush, it may seem that this topic does not fall within the specific scope of Studies, i.e., "the spiritual doctrine and practice of Jesuits." However, I believe that this careful, yet creative, effort to wrestle with how Jesuits can incorporate the reality of our local Church into their apostolic discernment is a profoundly spiritual and radically practical modern Jesuit enterprise. While many of us do not share Father McCormick's professional gifts, all of us Jesuits of the United States do share his concern for our Church. His work is not primarily a work of

instruction but rather one of invitation. Father McCormick invites us to think with clarity, concern and evolving commitment about finding God's leadership within present ecclesial realities. Such an invitation may not be exclusively an Ignatian charism; however, it is certainly an Ignatian emphasis. With the professional competence and Christian grace which have made him a leading contemporary theologian, Father McCormick invites the readers of this issue of Studies to think both about and with the concrete reality of our Church and thus bring a religiously informed mind and heart to even greater service of Christ's Kingdom.

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BISHOPS AS TEACHERS AND JESUITS AS LISTENERS

by

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INTRODUCTION

The rather obvious stimulus to the title of this study is the new method of episcopal teaching which we are seeing in the American Church. We have always had documents and pastoral letters, tons of them. By "new method" I refer to the open and revisionary process that has taken place in the pastorals on nuclear war and peace, and on the economy. I agree with Theodore Hesburgh, C.S.C., when he notes of "The Challenge of Peace" that "that process was almost as important, for bishops and laity, as the document produced."¹ Indeed, more important. The major problem now is how to keep these pastorals alive once they are born. Respirators can take them just so far. Whatever the case, the theological and pastoral implications of the letters are enormous and highly relevant to the notion of bishops as teachers and Jesuits as listeners.

But there is a second reason for approaching this subject in a systematic way. In a dialogue with the National Board of Jesuit Social Ministries, Archbishop Rembert Weakland, O.S.B., appealed to American Jesuits to aid in the implementation of the U.S. Bishops' Pastoral on the Economy (National Jesuit News, January, 1986). Archbishop Weakland specified three ways in which we might be of help: (1) sharing our acquaintance with people in power, especially our alumni; (2) sharing our acquaintance with the Third World and its liberation hopes; (3) providing an image of a simple lifestyle for contemporary Catholics.

I do not want to minimize in any way these "implementational" forms of support. They are utterly essential and are most certainly part of our way of being helpful listeners in the teaching function of

the Church. But there are other dimensions of support for episcopal teaching that should not be overlooked. They are symbolized by Archbishop Weakland's reference to the supportive work of two Jesuits in the construction of the pastoral letter on the economy. The two are John Donahue and David Hollenbach, both of the Maryland Province, the former now at Berkeley, the latter at Weston. By their background and expertise, these two fine scholars have been able to provide support for the bishop in more than implementational ways. This fact suggests that the very idea of episcopal teaching may be undergoing a development in our time. The "open and revisionary process" to which I referred reflects much more a concentric model of the Church than a pyramidal one. This shift, fully supported by Vatican II, is the context of contemporary episcopal teaching. Such a context will have a good deal to say about how we understand "bishops as teachers and Jesuits as listeners" in our times.

In what follows, I want to explore this context further. I will do so in several steps: (1) recent reflections on the teaching competence of episcopal conferences; (2) an important distinction touching the doctrinal status of moral statements (and therefore episcopal moral statements); (3) the contemporary acknowledgment of a variety of competences in the Church; (4) the need to distinguish various levels in moral teaching. The overall effect of these points will be, I believe, a more realistic understanding of episcopal teaching competence and therefore a slightly nuanced approach to the notion of "Jesuits as listeners." In the context formed by these four points, I will then consider the proper response to episcopal teaching, and some rules for dealing with bishops.

I. TEACHING COMPETENCE OF EPISCOPAL CONFERENCES

During the preparation of "The Challenge of Peace," there was a conference convened in Rome (January 18-19, 1983) on peace and disarmament. It was organized by the Vatican in conjunction with the American pastoral letter and presided over by Cardinal Casaroli. During the proceedings Joseph Cardinal Ratzinger stated that bishops' conferences do not have a mandatum docendi. That belongs only to the individual bishop.

in his diocese or to the college of bishops with the pope. One can surmise what Cardinal Ratzinger intended and intends with that statement. He appears to be trying to lay a theological foundation for certain centralizing efforts of the present pontiff. This has been brilliantly displayed and documented in a recent and somewhat frightening article by a respected Italian journalist, Giancarlo Zizola, entitled "The Counter Reformation of John Paul II."² The implication of denying a mandatum docendi (an official right to teach) to national conferences is that their doctrinal utterances are bereft of any genuine doctrinal significance.

But recent attempts to monarchize and pyramidize the teaching function in the Church will not withstand theological scrutiny. First, they run smack into canon 753 of the new code of canon law. Far be it from me to canonize canons. But in this case canon 753 has cornered a piece of reality. It reads: "Bishops who are in communion with the head and members of the college, either individually or gathered together, whether in episcopal conferences or particular councils, although they do not have infallibility in teaching, are authentic teachers and masters of the faith for the Christians committed to their care...."

Furthermore, as Avery Dulles has noted, Cardinal Ratzinger argued in 1965 in Concilium that national conferences are genuine, though partial, realizations of collegiality.³ In this capacity, they can exercise their teaching function. Pope John Paul II, in his address to the American bishops on October 5, 1979, congratulated the bishops on their exercise of the ministry of truth in their collective statements. Congratulations are hardly in order for those who have exceeded their mandate.

So Cardinal Ratzinger's denial to episcopal conferences of a mandatum docendi, besides appearing to be transparently political in purpose, has a quaintly juridical tinge to it. Collective statements are factually and practically the way bishops do much of their teaching in our time as witness Medellin (1968) and Puebla (1979) as well as "To Live in Christ Jesus" (1976) and many other documents. Some of these tensions between national episcopates and Roman centralizing tendencies surfaced at the Extraordinary Synod of 1985. But merely identifying and validating episcopal conferences as having authentic doctrinal or teaching prerogatives

does not tell us much about how bishops ought to teach or how Jesuits ought to listen. That brings me to my second point.

II. DOCTRINAL STATUS OF MORAL STATEMENTS

As background to this consideration let me cite the famous no. 25 of Lumen Gentium.

In matters of faith and morals, the bishops speak in the name of Christ and the faithful are to accept their teaching and adhere to it with a religious assent of soul.⁴

Although the individual bishops do not enjoy the prerogative of infallibility, they can nevertheless proclaim Christ's doctrine infallibly. This is so, even when they are dispersed around the world, provided that while maintaining the bond of unity among themselves and with Peter's successor, and while teaching authentically on a matter of faith and morals, they concur in a single viewpoint as the one which must be held conclusively.

Here we have the oft-cited phrase "in matters of faith and morals." This is a very tricky phrase. It was used at the Council of Trent but clearly did not mean there what it is taken to mean now. Recent studies of Leva and Riedl⁶ also show that the exact meaning of "in questions of morals" was never established in Vatican I. The same must be said of Vatican II.

The problem can be put as follows. On the one hand, the magisterium claims competence with regard to questions of the natural moral law. It is clear that this competence refers not only to revealed morality and very general principles, but to concrete moral questions. On the other hand, Vatican II states that the charism of infallibility is coextensive with the "treasure of divine revelation" (what Vatican I called the depositum fidei).⁷ This would exclude from infallibility those moral questions that are not revealed. "Competence," therefore, is a very analogous concept. One can be competent without being infallibly competent. As we shall see, that is the case in concrete moral questions. In what sense the bishops are competent will be profoundly important in specifying our response to their moral teaching.

There are those who try to avoid this problem by use of the phrase

"truths of salvation." Certain moral truths are said to be "truths of salvation." Thus the German theologian and apologist Gustave Ermecke regards the central thesis of Humanae Vitae as "a truth of salvation that obliges under sin."⁸ Similarly Marcelino Zalba, John Ford, Jan Visser and others argue that concrete moral norms can be taught infallibly because they belong to man's way to his supernatural end, to his sanctification. The argument here is: Whatever affects our salvation is an object of infallibility; for that is the very purpose of the charism.

Here a very important distinction must be made, the distinction between moral goodness and moral rightness. Moral goodness refers to the person as such, to the person's being open to and decided for the self-giving love of God. It is the vertical dimension of our being. It is salvation. Therefore what we can say about the moral goodness of the person is a "truth of salvation."

Another level is the horizontal. This refers to the proper disposition of the realities of this world, the realization in concrete behavior of what is promotive for human persons. We refer to this as the rightness (or wrongness) of human conduct. We sometimes call this activity which takes place in this world "moral" rightness or wrongness. But it is moral only in an analogous sense. That is, moral goodness contains an inclination, an intention, a goodwill, a readiness to do what is right. It is because of this relationship between personal moral goodness and material rightness that this rightness is called "moral." But this rightness is not directly and in itself concerned with personal moral goodness. Salvation (as in "truths of salvation"), therefore, does not have a direct relationship to right behavior, but to personal goodness. Concrete moral norms, therefore, are truths of salvation only in an analogous sense.⁹

It is the failure to distinguish the pairs "good-bad" and "right-wrong" that leads to an uncritical notion of the Church's competence in moral matters. The widespread notion that the Church is equally competent on all moral questions is one that does not make a great deal of sense in our time.

What is the right way of acting in different areas of human life is

determined by human experience, human evaluation, human judgment. St. Thomas, in Contra Gentiles says: "We do not offend God unless we harm our own good."¹⁰ What is harmful to us is a human determination. As Josef Fuchs words it: "The Catholic lay people as Catholics, the priest as priests, the bishops and the pope as such do not have a specific Christian or ecclesiastical competence in regard to these matters."¹¹

Earlier, Karl Rahner, approaching this matter from the point of view of infallible teaching, stated:

Apart from wholly universal moral norms of an abstract kind, and apart from a radical orientation of human life towards God as the outcome of a supernatural and grace-given self-commitment, there are hardly any particular or individual norms of Christian morality which could be proclaimed by the ordinary or extraordinary teaching authorities of the Church in such a way that they could be unequivocally and certainly declared to have the force of dogmas.¹²

What Rahner is saying is that "particular or individual norms" (about rightness or wrongness) are not "truths of salvation" as this phrase is understood by certain "infallibilists."

These statements of Rahner and Fuchs and others do not mean that the pastors of the Church should not offer guidance on right-wrong activity such as peace, economics, sexuality and abortion. It merely suggests appropriate caution and tentativeness; for horizontal activity in this world does not belong to the Church's competence in the same way as the depositum fidei. In this sense we may say that the Church enjoys the assistance of the Spirit in offering concrete moral guidance, "but this assistance does not necessarily mean the specific assistance that, according to Vatican I and Vatican II, is promised to her and guarantees infallibility under certain conditions."¹³

The point I am making leads to the conclusion that the term competence when applied to the teaching office of the Church is an analogous term--which means that it must be understood differently when applied to different realities, specifically the deposit of faith and the concrete applications of this. The Church has a definite mission to provide concrete moral guidance; for "faith throws a new light on everything, manifests God's design for man's total vocation, and thus directs the mind to

solutions which are fully human."¹⁴ But this mission with regard to concrete moral guidance (rightness-wrongness) is not precisely and directly concerned with "truths of salvation" and hence is not buttressed by the certainty and stability such truths can rightly claim. This is clear from the history of moral teaching in the Church. We cannot be accused of washing dirty albs in public when we candidly acknowledge that our tradition is not free of moral distortion and error.

It is also clear from the Pauline corpus where, in Galatians 1:11, Paul refers to the good news that he has directly from the Lord. It is not "human knowledge." There are other matters that are indeed human knowledge (e.g., in I Corinthians 7 whether to live in virginity or not). The moral rightness-wrongness of concrete actions is in this latter category. And so are matters like capital punishment, abortion, business ethics, social ethics, contraception and sexual ethics in general.

I mention this here because there is still a deep-seated hankering in the Church to "infallibilize" the ordinary activity of the magisterium, as Yves Congar has often noted. For instance, K. D. Whitehead, writing in the New Oxford Review, stated of past controversies: "What was better understood in the past, however, that is not so well understood today, is that where the teaching authority of the Church stepped into these controversies to decide some aspect of them, any further 'dissent' from the points decided meant that one was henceforth placing oneself in the ranks of the heretics."¹⁵ To this the proper response is: What is better understood today is that Whitehead has fallen into serious theological error by lumping any dissent from a decision of Church authority with heresy. Such expansiveness only heaps ridicule on the teaching office of the Church. What is also better understood today is that the solution to complex moral questions cannot simply be "decided" by Church authority--if "decided" means resolved independently of evidence about the personally promotive or destructive character of the actions in question.

III. THE ACKNOWLEDGMENT AND IMPORTANCE OF A VARIETY OF COMPETENCES

The modifications on episcopal competence recognized by recent

historical and theological studies can be seen from another point of view by flipping the coin to see the other side in order to examine the acknowledged competence of others than bishops. Vatican II noted this in several places. For instance in Gaudium et Spes:

Laymen should also know that it is generally the function of their well-formed Christian conscience to see that the divine law is inscribed in the life of the earthly city.... Let the layman not imagine that his pastors are always such experts, that to every problem which arises, however complicated, they can readily give him a concrete solution, or even that such is their mission. Rather, enlightened by Christian wisdom and giving close attention to the teaching authority of the Church, let the layman take on his own distinctive role.¹⁶

What was the council saying here? Two things, I think.

First, it was insisting that there are applications of the well-formed conscience that cannot be preprogrammed. They remain the individual's responsibility. This is so because of the very individual, complex and changing character of the choices which must be discerned by the well-formed conscience. Is anyone, for example, in prior possession of the truth, and very detailed moral truth, where the ethics of recombinant DNA research is involved? Hardly.

Second, and this is crucial here, the council was reminding laypersons that they have certain competences and therefore certain responsibilities. They are expected to make themselves knowledgeable about the Christian and moral dimensions of these competences--then bring this knowledge to the Church. Physicians, just by being M.D.'s, do not have thereby an insight into the Christian dimensions of the healing profession. The Church is urging them to develop this. The same could be said of lawyers, teachers, married persons, business persons. If they do not develop this understanding--an understanding flowing from faith, experience and reflection--the Church will be without it. The divine law will not "be inscribed in the life of the earthly city." Without that inscription the Church will not be able to speak persuasively or even accurately to the world.

Once again, listen to Gaudium et Spes:

In the face of these immense efforts which already preoccupy the whole human race, men raise numerous questions

among themselves. What is the meaning and value of this feverish activity? How should all these things be used? To the achievement of what goal are the strivings of individuals and societies heading?

The Church guards the heritage of God's Word and draws from it religious and moral principles, without always having at hand the solution to particular problems.¹⁷

These and similar quotes contain a staggering implication and admission: that the Church is a learning institution and that it cannot learn--and ergo teach--without the contributions of many competences. This is not a reactionary modesty in the face of a previous triumphalism. It is plain common sense.

Let me illustrate this from the world of business. In their interesting and best-selling book In Search of Excellence: Lessons from America's Best Run Companies (which I would urge all to read for its ecclesiological provocativeness) Thomas Peters and Robert Waterman cite Dana Corporation's René McPherson:

"Until we believe that the expert in any particular job is most often the person performing it, we shall forever limit the potential of that person, in terms of both his own contributions to the organization and his own personal development.... We had better start admitting that the most important people in an organization are those who actually provide a service or make and add value to products, not those who administer the activity.... That is, when I am in your 25 square feet of space, I'd better listen to you."¹⁸

When the Church says that it does not have the answers to all concrete problems and that laypersons have a distinctive role to play in discovering them, it is saying that when it is dealing with their 25 square feet of space (translate: concrete questions of moral right and wrong), it had better listen. A symbol of this sea-change of attitude is Patricia Crowley, a member of the papal birth-control commission in the mid-sixties. She said: "We hung back. We didn't know what the Church wanted. It wasn't until later that we realized 'the Church' didn't know any more than we did. We were the Church."¹⁹

Let me conclude this section with a quote from theologian Bernard Cooke: "What is needed--and has been needed for many years--is open and

careful discussion that includes all the responsible voices in the Church." Why? Because, although the bishops, together with the Bishop of Rome, possess and pass on the truth upon which Christianity is grounded (Jesus' death and resurrection), still "when we move beyond this core reality to which the papacy and episcopacy witness, when we move to questions about the meaning and applicability of Christ's death and resurrection, other kinds of knowledge and experience enter the picture."²⁰

IV. DISTINCTION OF LEVELS OF AUTHORITY

Cooke's phrase "meaning and applicability of Christ's death and resurrection" leads me to my fourth point, the different levels of authority in episcopal statements. In their pastoral "The Challenge of Peace," the American bishops distinguish three levels or types of episcopal statements: (1) universally binding moral principles; (2) statements of recent popes and of Vatican II; (3) application of moral principles to concrete cases. With regard to this last category (application) they explicitly note that "prudential judgments are involved based on specific circumstances which can change or which can be interpreted differently by people of good will." The bishops explicitly note that such applications call for "serious attention and consideration by Catholics" but do not oblige in conscience. I believe it is helpful to recall that some of the most hotly debated moral questions fall into this category, e.g., public policy on abortion. When officials in the Church use their office to impose positions at this level, they abuse authority and bring the teaching office into disrepute. In my opinion this happened in the case of Agnes Mary Mansour.

I want to refer here to an intriguing question open to discussion--the determination of what is actually a principle, and what pertains more to an application. I can illustrate my point by referring to Joseph Cardinal Bernardin's Gannon Lecture at Fordham (December 6, 1983) and his Wade Lecture at St. Louis University (March 11, 1984) on a consistent ethic of life. At one point Cardinal Bernardin refers to "The Challenge of Peace" and says there is found there "the traditional Catholic teaching

that there should always be a presumption against taking human life, but in a limited world marked by the effects of sin there are some narrowly defined exceptions where life can be taken." So far, so good. At another point Cardinal Bernardin refers to the principle "no direct taking of innocent human life" and says that it is "at the heart of Catholic teaching on abortion" and also "the most stringent, binding and radical conclusion of the pastoral letter ['The Challenge of Peace']: that directly intended attack on civilian centers is always wrong."²¹

Here we have two different statements referred to as "principles." Let me suggest that the presumption against taking human life is the principle (or substance) of Catholic teaching in this matter; the rule, on the other hand, ("no direct taking of innocent human life") is a kind of formulation-application of this principle. By that I mean that the rule has developed as a result of our wrestling with concrete cases of conflict where we attempt to provide for exceptions but at the same time to control them. Such concrete rules, being data-related, are somewhat more malleable than the substance and will not always share the same force or universality as the substance. Concretely, I believe the rule "no direct taking of innocent human life" may suffer rare exceptions. In this sense the rule, while not only an application, has some of the characteristics of an application.

So far we have seen: (1) that episcopal conferences can exercise a true teaching function; (2) that in understanding episcopal competence we must distinguish the morally good-bad from the morally right-wrong (only the former being strictly "truths of salvation"); (3) that other competences are utterly essential to determine the morally right-wrong in human action; (4) that there are several levels to be distinguished in discussing the morally right and wrong in human action. That brings me to a fifth point, our response to the contemporary teaching of the American bishops.

V. THE PROPER RESPONSE TO EPISCOPAL TEACHING

Clearly, if there are different levels of teaching on the morally

right-wrong, there are different levels of response. I will take this for granted--for instance, I will take for granted that we are free to disagree on applications of moral principle, e.g., no first use of nuclear weapons. I want to examine more generally or in globo the responses to the ordinary teaching of the magisterium on moral questions, for example, Humanae Vitae as the framework within which to elaborate our overall response to episcopal statements.

The standard locus is no. 25 of Lumen Gentium. There we encounter the famous obsequium religiosum, translated (even though it is untranslatable) as "religious submission of will and mind." The phrase is general enough to accommodate a range of interpretations, from the rigidity of Humani Generis of Pius XII to something incompatible with it. Let me make several points briefly here.

First, it must be recalled that three bishops introduced an emendation [modus] to no. 25 of Lumen Gentium. It concerned the case of an "an educational person [who], confronted with a teaching proposed noninfallibly, cannot, for solid reasons, give his internal assent."²² The theological commission rejected the suggested addition and states: "For this case approved theological explanations should be consulted." Traditional theological manuals had for years justified dissent.

Furthermore, the Decree on Religious Liberty states (no. 14): "In the formation of their consciences, the Christian faithful ought carefully to attend to the sacred and certain doctrine of the Church." An emendation was proposed for "ought carefully to attend to." It read: "ought to form their consciences according to." The theological commission rejected this. It stated: "The proposed formula seems excessively restrictive. The obligation binding on the faithful is sufficiently expressed in the text as it stands."²³

These two texts, if it is thought that we need texts to establish the point, show conclusively that obsequium religiosum cannot exclude dissent.

Secondly, let me refer to a fanciful but utterly serious little article Karl Rahner composed in 1980. Rahner dreamed futuristically that he was present at a meeting in 1985 (of all things!) where the pope is addressing leading representatives of the Christian churches from all over

the world. The pope is attempting to put papal teaching authority in a more understandable context to still non-Catholic fears and misgivings. Rahner's pope has several interesting observations. One is that since the pope is, in his ex-cathedra decisions, defining the faith of the Church, "the pope must necessarily have recourse to the sense of the faith of the whole Church." An explicit recourse to the episcopate is "absolutely morally necessary," and a "moral obligation." An analogous "moral obligation" would seem to be the case in the situation of practical moral matters where other competences are essential to discovering the truth.

But what is of more interest is the statement of Rahner's pope on non-infallible teaching. He states: "Even the second Vatican Council did not speak clearly enough about such authentic but reformable Roman doctrinal decisions." The pope then adds: "Roman procedures after the council left something to be desired by way of straightforward clarity and modesty."²⁴

It is a well-known fact that Rahner refused to believe that no. 25 of Lumen Gentium was the last word on authentic noninfallible papal pronouncements. The matter is mentioned here for the record, so to speak. There are still theologians whose theology has no room for dissent. This overlooks the fact observed by Rahner's pope: "The ordinary magisterium of the pope in authentic doctrinal decisions at least in the past and up to very recent times was often involved in error and, on the other hand, Rome was accustomed to put forward and insist on such decisions as if there could be no doubt about their ultimate correctness and as if any further discussion of them was unbecoming for a Catholic theologian."²⁵

Finally, and more positively, let me turn to some remarks of Bishop B. C. Butler. He notes that "magisterial authority is not confined in the Church to official magisterial authority." He adds: "Everyone in the Church who has reached maturity has, at some time or another, to play the role of teacher, the magister, the ecclesia docens."²⁶

Butler then turns to the response due to official Church authority in doctrinal matters. The claim of some teachings is, of course, identical with the claim of divine revelation itself. However, he continues, "to require the same adhesion for doctrines that are indeed taught by officials with authority but to which the Church has not irrevocably committed

herself is to abuse authority." What is the proper response? Butler refers to the "respect that is due to the considered actions and utterances of those in positions of legitimate and official authority." More specifically, "the mood of the devout believer will be...a welcoming gratitude that goes along with the keen alertness of a critical mind, and with a good will concerned to play its part both in the purification and the development of the Church's understanding of her inheritance...."²⁷

It will come as no shock to you to learn that I consider this essay superb. When Bishop Butler speaks of "respect" and "welcoming gratitude" combined with a "critical mind" and "good will concerned to play its part in the purification and development," he has put the matter as well as it can be put. Jesuits are in the service of the Church. They serve it well neither by uncritical obedience nor by disrespectful defiance, for neither of these contributes to the "purification and development of the Church's understanding of her inheritance." If Butler's "keen alertness of a critical mind" means anything, it implies the possibility of disagreement, and precisely as part of that "good will concerned to play its part both in the purification and development...." If such disagreement is experienced as a threat and treated as such, something is wrong.

In other words, the effort to articulate our faith and its behavioral implications in our time is a dialogical and processive one. The point was specifically highlighted by Bernard Häring recently. He noted: "There is no doubt that for her own growth, for her abiding in the truth, and for the fruitful exercise of her pastoral magisterium, the Church needs an atmosphere of freedom to examine the enduring validity of traditional norms, and the right of a sincere conscience humbly to doubt about norms which, in many or even most of the cases, are not accepted by sincere Christians. Here Häring and Bishop Butler are at one.

In summary, then, I want to suggest that our "listening" to episcopal moral teaching is an active listening, a personal reflection that must itself contribute to the formulation of the teaching. To say anything else would be to deny the responsibility implied in the gift of our experience and our expertise. The magisterium is not only our privilege; it is above all our responsibility as Jesuits. If we are to continue to enjoy

the privilege, we must incur the responsibility. We must have both the humility and the courage to be led. Courage? Yes, because in our time that means sharing the burdens of the leader. We can be hurt in the process.

VI. RULES FOR DEALING WITH BISHOPS

Because our experience, education and expertise means that our listening is active, contributory, I want to conclude with 'McCormick's Ten Rules for Dealing with Bishops.'

1. Be respectful. I mean, of course, primarily of the office. It remains necessary, even if at times strenuously difficult, to distinguish the office from the officeholder. For example, when a very prominent archbishop writes to me and says that Pius XII's ruling still holds (that once a pope has authoritatively intervened, the matter is no longer a matter for free theological discussion), the officeholder's datedness tempts me to demean the office. Briefly, no competent theologian holds that any more. When a prelate gives as an example of loyalty to the pope his willingness to jump off a major bridge, he tests my loyalty to the episcopal office. Our own "boobos" should chasten us into maintaining respect for this office even as we recognize the gaffes of some officeholders.

2. Be honest. There can be a heavy price for this. But in the long run it is the only form of service worthy of the name. Let me give a personal example. After a four-year study, the Sisters of Mercy of the Union concluded that not all sterilizations are immoral. They informed their hospitals of this conclusion. Somehow Rome received the documentation and appointed a committee of bishops to "dialogue" with the sisters; that is, to bring them around to acceptance. At the second meeting we decided that the third meeting should enter the substance of the discussion--whether direct sterilization is intrinsically evil. Each side would produce a one-page position paper. Three weeks before the meeting Rome intervened, called off the dialogue, and appointed a "committee of veri-

fication" to extract from the sisters a statement of agreement with official formulations. I wrote to Bishop James Malone, the chairman of the committee, to express my stunned scandal that at the very moment the issue was to be discussed, jurisdictional muscle replaced dialogue. I think we have to say and do these things.

Let me introduce another personal note here. Nearly two years ago, I wrote an article for America entitled "The Chill Factor: Recent Roman Interventions."²⁹ It was occasioned by the removal of the imprimatur from Anthony Wilhelm's Christ Among Us and from Philip Keane's Sexual Morality. I happen to know that many bishops were furious about this and similar activities of the Congregation for the Doctrine of the Faith. But they really could not say so, or at least they felt that they could not. In a sense, they needed a spokesperson. Several told me subsequently that they were grateful. That is a task we can continue to perform.

3. Be supportive. I mean that far too often good episcopal actions go unnoticed and unremarked. There are many letters of complaint, but few compliments. With our vow against ambitioning ecclesiastical office, we are especially free to call attention to the good things bishops do. A useful question we might put to ourselves: When did I last congratulate a bishop on the adoption of a useful and helpful policy, a well-formulated pastoral letter, a balanced press or television statement, an inspiring homily?

4. Be realistic. I have already touched on the point I want to make here. But I want to emphasize it again. Authority is not competence. Where competence is concerned, it is the same for bishops, moral theologians and others. For instance, anyone wishing to determine the rights and wrongs of genetic interventions must be competent in the field. Episcopal authority does not coincide with such competence. Respect for the episcopal office can easily trap us into an overexpansive notion of episcopal competence.

The distinction between competence and authority must be played out a bit more. John Cardinal O'Connor has stated on abortion that he is

merely reiterating "the formal, official teaching of the Catholic Church." He added: "So Geraldine Ferraro doesn't have a problem with me. If she has a problem, it's with the Pope."

In a remarkably fine article James Burtchaell has rejected this notion of "teaching."³⁰ For moral tutelage to be effective, the learner must look out over his own experience and have his eyes opened and see a truth he could not see before but which he now sees. Burtchaell gives the following example:

An alcoholic in the back row at the A.A. meeting does not go home to his wife and quote the speaker as an authority. Instead, he might say that, with the speaker's help, his eyes have finally been opened and now he can see a truth about himself that everyone else had long seen. This truth is something he can now vouch for himself. He is grateful to the man who pressed home the truth for him, but he would never think of his acceptance of that truth as an act of loyalty or allegiance or submission.

True teaching means opening people's eyes and minds. Simply to say "this is Catholic teaching" teaches no one. As Burtchaell summarizes:

If a bishop wishes to teach within this tradition, he must first enter it thoughtfully enough to learn from it. Then he can begin to vouch for it, and to speak with moral authority. It is not adequate for a bishop, or for any teacher, simply to state that a given action is right or wrong. If he lacks the true moral authority to enlighten people, and invokes his office instead, then he is authoritarian. He is obliged to portray the issue so that all might see it clearly enough to vouch for it themselves.

And finally:

If all he can do is invoke 'official doctrine,' then he has failed as a teacher. If he has to cite the Pope to make his point that abortion deals in death, then the Pope is ill-served, and so are we, and so is the issue itself.

True moral authority is not simply the authority that comes with office. If it is truly to teach, to persuade, it must be the authority of an eyewitness, of an eyeopener. That demands competence. Otherwise bishops will look like house whips, calling for a closing of ranks around a sectarian house rule. This is not authentically Catholic, especially because it involves the mutilation of moral discourse in our community.

5. Be competent. If bishops are not competent in concrete moral questions ex officio, they must rely on others. Bishops have told me repeatedly that their best support is the competence of their advisors. The matter is so obvious that it needs no elaboration. "The Challenge of Peace" would not exist without Bryan Hehir. Dignitatis Humanae of Vatican II would not exist without John Courtney Murray and Pietro Pavan. As Basil Cardinal Hume put it some years ago: "The Church is so riddled with tensions and problems at the moment that any man who says he can give final answers to these problems is deluding himself. I really hope to be able to call on the best minds to guide me in forming attitudes and statements that I should be expected to make. I don't see myself as a great person. I see myself far more as a member of a team."³¹

6. Be patient. Some bishops have rather outdated and unsophisticated theological backgrounds. They see their episcopal responsibilities through the prism of a seminary theology that is running on empty. In fact, some of us may have given them this theology. The feisty Karl Rahner adverted to this repeatedly. For instance, in 1980 in Stimmen der Zeit after criticizing the secrecy of the procedures of the Congregation for the Doctrine of the Faith, Rahner stated that the final procedure before ten cardinals is outmoded, or, as Rahner puts it, "salva omni reverentia...nichts von Theologie verstehen."³² Examples abound. While testifying before a congressional committee, the late Humberto Cardinal Medeiros asserted that the Catholic Church prohibits all abortions, all, absolutely, even to save the life of the mother. The impression was left that even so-called "indirect abortions" were forbidden. In an absolutely stunning remark Luigi Cardinal Ciappi asserted that the absolution of a priest who publicly disagrees with Humanae Vitae is invalid.³³ I could go on. The point is clear, Patience.

I want to raise another point here. During the deliberations on birth control in the mid-sixties, Leo Cardinal Suenens spoke in an attempt to help some members of the papal commission to understand how the Church could change. He stated:

We have heard arguments based on "what the bishops all taught

for decades." Well, the bishops did defend the classical position. But it was one imposed on them by authority. The bishops didn't study the pros and cons. They received directives, they bowed to them, and they tried to explain them to their congregations. ³⁴

I think we must say the same today, and even more so. Given the current atmosphere or ecclesiastical climate, the bishops are simply not free--at least with regard to certain moral questions. If they take a position different from the official one, they know what will happen. This is regrettable, not least of all because it means that apparent unanimity is doctrinally meaningless.

7. Be daring. I do not mean wild. I mean that we ought to dare to dream new and imaginative ideas. Episcopal teaching is no different than any other to the extent that it is going to be influential and persuasive. Some years ago, Avery Dulles suggested that it might not be a bad idea if bishops issued statements cosigned by theologians. ³⁵ That sounds like a daring idea. In terms of past practice, it is. But it makes a lot of sense. While the hierarchy does not learn the Christian message from theologians, still the appropriate restatement of this faith does depend on scholarly work. Why not make this explicit? Episcopal statements combine the scientific and the pastoral, the magisterium cathedrae pastoralis and the magisterium cathedrae magistralis, to use the language of St. Thomas Aquinas. Is there anything wrong with a bishop who offers a pastoral on business ethics cosigning it with business leaders in his area? I think not. I had a chance to see then Bishop Roger Mahony's pastoral on peace and war before publication. It contained many references which Bishop Mahony could not be expected to know thoroughly. I suggested that he add a final footnote listing his collaborators. He did. His statement lost nothing in credibility.

8. Be prudent. This caution may appear to be in the "motherhood" category. In some senses it is. But people with genuinely good causes and motives can get swamped by them to the point of a counterproductivity that weakens our overall ability to deal effectively with bishops. I think, for example, of the ordinands who some years ago refused to exchange the kiss of peace with Cardinal Cooke because he was the military

vicar.

9. Be prayerful. Dialogue within the Church must be the product of love. And genuine love--especially in delicate, controversial matters where we may have strong opinions--cannot survive without prayer.

10. Be docile. I do not refer here to docility toward bishops. That I take for granted. Rather, I refer to the need to allow our own moral and pastoral judgements to be shaped by open listening to the faithful. Otherwise our service to the episcopate risks being either heavily ideological or a sterile rationality.

Such docility is not easy, especially because the Catholic faithful--and others too--are unfamiliar with our language and conceptual tools. Nonetheless, if they have their own distinctive role, we must support them and encourage them in implementing it, and learn from their insights.

A FINAL NOTE

"Bishops as teachers and Jesuits as listeners"? It is not as simple as that. All of us must first be listeners. Then all of us, regardless of our office, can and should be teachers--if by that term we mean those who share in the ongoing process of moral discourse in the community. Only if that occurs can the Church fulfill its moral teaching task to the world--which is aptly described as "corrective vision."

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