

## **Tradition: A Catholic Understanding**

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### **Introduction**

The 1964 musical, *Fiddler on the Roof*, in the song entitled "Tradition," the main character, Tevye, perched on a rooftop, describes tradition as keeping his balance and, without falling off and breaking his neck, fiddling a "simple tune." Tradition is important because, he tells us, it guides everything: "how to eat, how to sleep, even, how to wear clothes." When he asks himself how these traditions started, he admits, "I don't know." But even without knowing the origin of these traditions, he knows that they are important, because by following them, "everyone knows who he is and what God expects him to do."

Why does he describe tradition as a balancing act? Between what and what? It is a balancing act between what to keep and what to change. Tradition, as David Bentley Hart writes in his chapter, is necessarily an "ambiguous" reality: on the one hand, it has to keep what is fundamental to a religious tradition, while on the other, be willing to make changes without changing what is fundamental. A balance between these two characteristics of tradition--fidelity to the core of the tradition while making necessary adjustments needed to live in changing times and cultures--characterize a living tradition. Tradition requires careful attention, because all its rich aspects are not known. Tevye doesn't know where his traditions come from, but he knows that are important. He lacks historical knowledge of the its origin, but knows its existential value. There is always more to a tradition, as we will see, than what can be known or articulated.

Some authors distinguish tradition and traditionalism: tradition is the living faith of the dead, while traditionalism is the dead faith of the living. Traditionalism refuses to change anything, but tradition requires some change so that the tradition may remain vibrant in new circumstances. Besides tradition and traditionalism, there is a third form that tradition can take, one that is contemptuous of any normative character: it claims to be tradition-less, creating an empty space or a blank page on which anything can be written, where everything is presumed to be, to use a colloquialism, "up for grabs." This type of "tradition," quite contemporary in the western world, undercuts all traditions. It takes nothing to be contemporary; all that is necessary is to inhale.

All the authors in this volume deal with that tension between what needs to be kept (the normative) and what can and should change (the adaptive). All the authors in this volume describe three ways to deal with changes: forbid them, embrace them all, or sort out what can be changed and what can't. Instead of being totally in the world, or totally apart from it, David Novak put it well when he writes that we need to be "a participant-in rather than a part-of or apart-from" the surrounding secular culture. What is needed, then, is a balance, or, as the title of a book of collected essays, *Creative Fidelity*, by the French philosopher Gabriel Marcel argues, tradition requires both fidelity to core of a tradition and change in non-essentials.<sup>1</sup> What it means to be both faithful and creative, however, is not always clear, and can remain unclear even for centuries.

My assignment in this chapter is to describe how tradition is understood in the Catholic Church. I will begin my reflections with a description of how the bishops at the Second Vatican Council (1962-1965) described tradition. This description is based mainly on the document, *Dei Verbum*, literally, on the *Word of God*, one of Vatican II's four dogmatic constitutions. In that document, the bishops spoke of revelation as a single source, thus affirming that the teachings of the Church must be consistent with Scripture, even if not explicit in it. Obviously, that formulation requires continuity (consistency) and openness to change (room for what is not yet explicit). Second, I want to describe who has a say in how tradition is understood and how it can and should change. In this section, the *sensus fidelium*, the sense of the faith of all the faithful, becomes foundational, while theologians and especially bishops bear responsibility for the official articulation of the faith. Third, while the faith of the laity, the work of theologians and their collaboration with the bishops is often a contentious process, the results of conversations among them are often fruitful, especially when the conversation is sustained, respectful, and at a time when change may be called for. Finally, recent developments with the Catholic Church suggest a positive way forward, one more open to a deeper understanding of the various roles that the laity, bishops and theologians play in the articulation of tradition, and therefore, more promising for finding common ground with other Christian traditions. I approach these issues as a historian and a Catholic theologian, someone professionally committed to ecumenism and interreligious dialogue.

### Vatican II on the Unity of Scripture and Tradition

In the Western Church, the trauma of the Protestant Reformation forced the Catholic Church to respond to Martin Luther's *Sola scriptura* challenge, namely, that Scripture was the only source of Christian truth. Luther himself was no literalist; nor did he believe that everything had to be explicit in Scripture to be normative. He did affirm, for example, the doctrine of the trinity (three persons in one divine nature) and the practice of infant baptism, neither of which is explicit in Scripture. However, he put such an emphasis on the centrality of Scripture that finding ways to legitimate normative traditions not explicit in Scripture had to be addressed.

In response to Luther, the bishops, gathered at the Council of Trent (1543-1565), devoted considerable energy to articulating their understanding of the foundation of faith, and how it was to be passed on. At one point in their discussions, they considered, but then rejected, the idea that revelation was to be found "partly in written books, partly in unwritten tradition." They chose instead to state that the Gospel constituted the source of truth and the authoritative guide to the moral life, and was handed down "in the written books and unwritten traditions." Given the conflict between the reformers and the bishops, it is not surprising that since then until the Second Vatican Council, the "written books and unwritten traditions" were often understood to be two separate and parallel sources, Scripture on one track and Tradition on the other. The real issue, however, is how they relate. The polemics of the Reformation also led the bishops to protect revelation primarily through precise conceptual formulation of doctrines, which as we shall see, overestimates their precision.

Beginning in the 20th century, more and more Catholic scholars began to study the Bible critically. After some stops and starts during the first half of the 20th century, Pope Pius XII published in 1944, *Divino afflante spiritu*, an encyclical which officially opened the way for

Catholic scholars to study the Bible critically. The pope explained that the biblical authors used different literary forms which scholars needed to take into consideration if the texts were to be properly understood and interpreted. Protestant scholars had already been studying the Bible critically, and Catholic scholars began, even before Vatican II, to join them in their research. The bishops at Vatican II clarified in *Dei verbum*, that Scripture and tradition form one sacred transmission of the word of God. They wanted oral and written traditions to be understood as mutually intertwined. They refused to adopt the phrase "two sources of revelation." Instead they spoke of a single source, which they called tradition. Rather than think of revelation primarily in terms of propositions, the bishops spoke of communicating the word of God in its entirety. The primary revelation, then, is the person of Jesus, and then secondarily, what we try to say, always inadequately, about that person in propositions. Finally, in the process of articulating the faith, the bishops were directed to draw upon the *Sensus fidelium*, that is of the faith of the entire people of God. Instead of thinking of themselves as teachers and the laity as learners, the bishops at Vatican II now emphasized that all the faithful were required to discern the faith, though the bishops bore a special responsibility to discern with theologians the faith of all believers before attempting to articulate it. If Karl Barth described the role of the theologian as one who thinks with the Bible in one hand and the newspaper in the other, theologians in the Catholic Church locate themselves between the laity and the bishops, facilitating among these groups in the light of Scripture a conversation in which all parties continue to learn.

Obviously, when the core of the Christian revelation is a person, Jesus, the ability to describe that encounter is limited. Understanding that the articulation truth and meaning of Jesus Christ is always limited, the door remains open to better articulation at another time and place. Sarah Hinlicky Wilson describes how cross cultural missionary activity, the passage of time, and need sometimes to repudiate false understanding of the tradition, all open the door to new articulations of the core of the tradition. Sometimes, important parts of a tradition are lost, as in the case of the active role of the laity participating in celebration of the mass, reinstated by Vatican II. Professor Moosa writes about "passion and politics" that make needed thoughtful reinterpretations difficult for Muslims.

These are not the only reasons why it is necessary at time to rethink the tradition. There is still another important reason, already alluded to, why changes in teachings might be necessary: the inescapable limitations of language, especially heightened in any effort to articulate things divine. An important and little known document published in 1973 by the office in the Vatican responsible for safeguarding orthodox teaching stated that the definition of doctrines, including dogmas, can be at one and the same time true and still in need of constant reformulation because of a fourfold historical conditioning due to (1) the limited state of human knowledge at the time of definition, (2) changeable conceptions and thought patterns that belong to a certain period of time, (3) the specific concerns that motivated the definition, and (4) the limited expressive power of the language used.<sup>2</sup> As Professor Hart states in his paper, dogmas are just a little less open to reformulation than is the entire tradition, and embody a hidden dimension even within its wording of the truth of revelation: "Coherent dogma does not reduce, but instead greatly enlarges, the area of mystery within a creedal tradition, and ultimately multiplies the questions that faith cannot yet answer."

It was the understanding of history, especially of the early period of the Church (the first six centuries, that brought John Henry Newman (1801-1890) to focus his attention on how

Christian doctrine necessarily develops. Ever since his 1845 *Essay on the Development of Doctrine*, Catholic bishops and theologians have tried to understand authentic doctrinal development. The bishops of Vatican II made significant changes in the church's official teaching--changes such as religious freedom, ecumenism and the continuing validity of the covenant that God made with the Jews-- changes that have been lauded by many but still contested by some ever since. As a consequence, how official teaching evolves came to the fore at the Council and since in a dramatic way.

Biblical literalists clearly limit development to what is explicit in Scripture. But for those who believe that there can be development in doctrine, it is necessary to prevent arbitrary changes. The bishops at Vatican II stated a limit when they declared that when interpreting scripture, they were not superior to it, but rather its servant (DV 10). They wrote that they are required to teach "only what has been handed on, listening to it devoutly, guarding it scrupulously, and explaining it faithfully by divine commission and with the help of the Holy Spirit; it draws from this one deposit of faith everything which it presents for belief as divinely revealed.". Whatever the bishops teach, then, must not violate the Word of God.

Moreover, Vatican II made it clearer that official church teaching must embody and express not just what bishops believe, but also the faith of the whole Church. At Vatican I (1869-1870), the bishops declared in their definition of papal infallibility that the infallibility of the pope is to be understood as that same "infallibility with which the divine Redeemer willed that his Church should be endowed for the defining of doctrine concerning faith and morals" (DS, 3074). That is to say, the infallibility promised to the pope "when he defines" is first and fundamentally that of the whole Church. Hence ecclesial infallibility is key to all other forms of infallibility. This means that the consensus of the Church, shaped by the Holy Spirit, is the rule of faith for the pope.

The bishops at Vatican I did not, of course, anticipate Vatican II's commitment to ecumenism. The great ecclesiologist, Yves Congar, quoted with approval the words of Luther in his reply to the papal apologist Prieras: "I don't know what you mean when you call the Roman Church the rule of faith. I have always thought that the faith was the rule of the Roman Church and of every Church, as the Apostles say: 'Peace and mercy to all who follow this rule' (Gal. 6:16).<sup>3</sup> In 1870, at the height of the defense of papal authority (ultramontanism), when most of the bishops were preoccupied with defending the authority of the pope. Those bishops could hardly have imagined what, in less than 100 years, the bishops at Vatican II would affirm about the importance of dialogue, the role of the laity, ecumenism and unity among all Christians. According to Vatican II, the Catholic Church recognizes that there are authentic forms of Christianity outside the Catholic Church. It is imperative, I believe, for Catholics to rethink what it means to speak about the faith of the entire Church.

### **Bishops and Theologians: A Short History**

Ever since the Council of Jerusalem (Acts 15), Church leaders have met to resolve doctrinal controversies. In the early Church, some bishops were also great theologians. One needs only to mention names such as John Chrysostom, Gregory of Nazianzen, Ambrose and Augustine to recall the theological creativity of the patristic period. From the sixth century on, the theological work of monks such as Anselm and Bernard retained their rich combination of

pastoral and doctrinal dimensions. Learned bishops and monks played the key roles in articulating the faith.

With the establishment of the universities in the twelfth and thirteenth centuries, however, academic theology began to marginalize the pastoral theology of the patristic period and monastic movement. In the universities, highly technical questions were debated and explored, such as the theological authority of the newly translated works of Aristotle. Some scholars even wondered whether those works should displace the authority of the Bible. Proponents of each approach often distrusted each other, exemplified by the classic controversy between theologian Peter Abelard and monastic leader Bernard of Clairvaux.

During the medieval period, few theologians were bishops. Given the increasing strength of universities, theologians there began to exercise increasing influence in determining what was to be accepted as orthodox teaching. They became a *magisterium*, a teaching authority themselves, like the bishops. During the Protestant Reformation, theologians continued to exercise considerable influence. At the Council of Trent, they examined and debated contentious issues in the presence of the bishops. Only after listening to these presentations and debates did the bishops formulate their own conclusions.<sup>4</sup> The Reformation, however, profoundly affected the tone of theological work; it became defensive, confessional, and adversarial.

Two centuries later, the French Revolution pushed the Catholic Church into an even more defensive posture. It had to combat not only Protestantism but also the Enlightenment, which as David Novak writes in his chapter, was for the Catholic Church even harder to accept than it was for the Jews. For the first time Jews could become full citizens of the state while Christians were stripped of the civil power they had exercised for centuries. Those Catholic theologians who attempted to address in a sympathetic way some of the issues raised by the Enlightenment (e.g., the recognition of the historical character of doctrine, religious freedom, the importance of experience and the role of the *sensus fidelium*) came under constant episcopal scrutiny. From the first half of the nineteenth century through the Second Vatican Council, popes and bishops were determined not just to monitor the work of theologians, but to control it. In 1863, for example, Pius IX published what was called the “Munich Brief,” in which he declared that bishops were not just to oversee the work of theologians, but also to direct it.<sup>5</sup> According to ecclesiologist Joseph Komonchak, “Under Gregory XVI and Pius IX, every significant attempt at an independent encounter between faith and reason, between religion and modern society came under suspicion if not outright condemnation....”<sup>6</sup> Monsignor George Talbot, who served as Papal Chamberlain to Pope Pius IX, described Blessed John Henry Newman as “the most dangerous man in England.”<sup>7</sup> The following year, Pius IX published the *Syllabus of Errors*, a sweeping condemnation of modernity.

One of the most significant ways that popes began to direct theological reflection in the Church was through the publication of encyclicals. For most of the history of the Church, popes mainly published only their decisions on various matters, not teaching documents or encyclicals. Beginning in the eighteenth century, this began to change. Benedict XIV (1740-58) and Pius VI (1775-99) published only one and two encyclicals respectively, Pius IX (1846-78) thirty-eight and Leo XIII (1878-1903) seventy-five, an average of three encyclicals a year. Unfortunately, as John O’Malley writes, “even before but especially after the definition of infallibility, what popes said in their encyclicals tended to assume an irreversible quality.”<sup>8</sup> This trend has continued to

the present day, and presents special difficulties when popes, through their encyclicals, become theologians for the whole Church.<sup>9</sup>

Before the nineteenth century, the word *magisterium* (from the Latin for “teacher”) applied, as mentioned before, in different ways to the work of both theologians and bishops. Especially after the 1870 definition of papal infallibility, the word applied only to those who taught with public authority—namely, bishops. Theologians taught only as private persons, without official authority. Today, the word, *magisterium* is used almost exclusively to describe the teaching authority of the hierarchy. These changes weakened the teaching authority of the theologians and practically ignored the role of the laity in the discernment of the faith.

During the late 19th and early 20th century, Catholics suffered through the Modernist crisis, which arose because of modern rationality, radical biblical criticism, science and democracy. Theologians were required by Pope Pius X (1903-14) to take an oath against it, described by the Pope as the heresy of heresies. Long lingering after effects of this crisis, extending even into the 1950s, inflicted suffering on prominent Catholic theologians such as Yves Congar, Henri de Lubac, and John Courtney Murray, all of whom were silenced and forbidden to publish. But in 1958 the cardinals elected a new pope, who took the name John and who, despite his advanced age, surprised the world when he called for an ecumenical council to renew the life of the Church. At that Council, bishops and theologians interacted more extensively and fruitfully than perhaps at any time in the history of the Church. Bishops invited theologians to the Council to serve as their theological advisors. Congar, de Lubac, and Murray participated in the discussions that formulated some of the key documents of Vatican II. Vatican II balanced Vatican I’s emphasis on papal primacy and infallibility with a strong affirmation of collegiality among the bishops, along with the important role of the *Sensus fidelium* of all the believers. And for their part, theologians began once again to pay closer attention to the experience of the faithful, as well as to the work of Protestant and Jewish scholars.

This close collaboration between theologians and bishops seemed to usher in a new age of learning from each other. In 1966, Pope Paul VI (1963-78) wrote:

Without the help of theology, the *magisterium* could indeed safeguard and teach the faith, but it would experience great difficulty in acquiring that profound and full measure of knowledge which it needs to perform its task thoroughly, for it considers itself to be endowed not with the charism of revelation or inspiration, but only with that of the assistance of the Holy Spirit...<sup>10</sup>

In the years since the Council, the dynamic and positive relationship between bishops and theologians has suffered new strains and difficulties, with the work of theologians once again coming under close Episcopal scrutiny, especially under the pontificates of John Paul II and Benedict XVI.

### **Healthy Interaction Among Laity, Theologians, and Bishops**

What sort of interactions among the laity, theologians and bishops will contribute to the development of a living tradition? How and to what extent should the experience of the laity be taken account of before any doctrinal decision is made? What happens when bishops overreach their authority, theologians misunderstand their role, and the laity are ignored in the discernment

of the faith? John Henry Newman played a key role in thinking about such questions. His thought on these matters remains instructive. As a Catholic convert, he labored under the hostile suspicions of bishops and the Vatican. In the opinion of his prominent biographer, Ian Ker, Newman nonetheless went on to make a "great contribution towards a theology of the Church"<sup>11</sup> in the third edition of his "Lectures on the Prophetic Office of the Church." There Newman wrote about three "indivisible though diverse" offices in the Church—teaching, rule and sacred ministry. The Church, he wrote, is at once

a philosophy, a political power and a religious rite: as a religion, it is Holy; as a philosophy, it is Apostolic; as a political power, it is imperial, that is, One and Catholic. As a religion, its special centre of action is pastor and flock; as a philosophy, the Schools; as a rule, the Papacy and its Curia.<sup>12</sup>

The laity along with their pastors is, according to Newman, where the faith is lived out. In his study of the patristic period, he highlighted, in his groundbreaking essay, "On Consulting the Faithful in Matters of Doctrine,"<sup>13</sup> the critically important contribution to orthodox teaching that the laity made during the Arian controversy. He grants to theology a "fundamental and regulating principle of the whole Church system," and adds that the Church is in its greatest danger when the schools of theology are weakened or no longer exist. On the other hand, theologians cannot always have their own way; they can be "too hard, too intellectual, too exact, to be always equitable, or to be always compassionate."<sup>14</sup> Ordinary Catholics, by themselves, lapse into superstition, just as the hierarchy, Newman continues, left to itself, inclines to power and coercive control. When both the theologians and the bishops are attentive to the thought and practice of the laity, to the *sensus fidelium*, all three will relate in a dynamic way, even though they may not often agree.

The capacity of the laity to help influence the formulation of correct teaching continues, of course, in our own day. At the 1980 Synod of Bishops on the family, for example, Cardinal Basil Hume of England, stressed the need to consult the laity especially on matters of family and sexuality. He explained that the prophetic mission of husbands and wives is based on their experience as married people "and on an understanding of the sacrament of marriage of which they can speak with their own authority."<sup>15</sup> Both their experience and their understanding constitute "an authentic *fons theologiae* from which we, the pastors, and indeed the whole Church can draw." It is, the Cardinal continued, because married couples are the ministers of the sacrament and "alone have experienced the effects of the sacrament" that they have special authority in matters related to marriage. Hume's recommendation anticipated the survey conducted by Pope Francis in preparation for the 2014 and 2015 meetings of the Synod on the Family.

The sense of the faithful, as Newman has shown, will not necessarily support every current teaching of the hierarchy, any more than the bishops gathered at Vatican II supported all of the official Church teachings in force up until then. Pope Francis recently remarked that a good Catholic must *sentire cum ecclesiae*; that is, a good Catholic must *think* with the Church, which does not mean, he added, thinking only with the bishops.

Newman's ecclesiology has continued to influence thinking about the Church.<sup>16</sup> In a 1981 essay in *Concilium*, then Fr. Avery Dulles stressed that all three offices in the Church—the laity, theologians and bishops—need to be open and receptive to each other. Reflecting

Newman's thought, Dulles explained that bishops, isolated from theologians and the laity, tend to "encourage passive conformity and blind conservatism." Then they are tempted to "suppress troublesome questions," and "avoid new and provocative issues such as, in our day, the changing patterns family life and sexual mores."<sup>17</sup> During the first thirty years of his life as a Catholic, Newman suffered from overbearing Episcopal authority. It became almost unbearable for Newman shortly after Vatican's definition of papal infallibility when some bishops, including Cardinal Henry Edward Manning, described papal authority as nearly unlimited. Newman wrote, "We have come to a climax of tyranny. It is not good for a Pope [referring to Pius IX] to live 20 years. It is an anomaly and bears no good fruit; he becomes a god, has no one to contradict him, does not know facts, and does cruel things without meaning it."<sup>18</sup> The pontificate of Pope Pius (1846-1878) was one of the longest pontificates in history.

Not only does the hierarchy need to be checked. Theologians also need to be checked because of "their love of speculation," and their inclination "to neglect the spontaneous piety of the people and the practical wisdom of the pastoral leaders." They become "infatuated with their own systems and neglectful of the beliefs and practices that do not fit harmoniously into their own mental categories." In the light of Vatican II, Dulles also notes that in distinct but not separate ways, bishops and theologians both have the responsibility constantly to do their best to discern the faith of the Church, including especially the laity who day in and live out the Catholic faith in "the trenches." None of these three groups in the Church, concluded Dulles, should take over the specialization of the others and reduce them to "innocuous servitude."<sup>19</sup>

In that same 1981 *Concilium* volume, Yves Congar contributed a summary essay, in which he returned to the dangers described by Dulles. According to Congar, both bishops and theologians are accountable to Scripture, tradition and the faith of the people. Everyone in the Church, including the bishops, are required to seek the truth. Congar argues that all theological research should focus not on infallibility, but on "'life in the truth of Christ' (1 Cor. 12:3)."<sup>20</sup> When interpreting documents issued by the bishops, Congar writes that theologians need to go "beyond a naïve reading" of them and offer instead a "maturely critical understanding and a re-rendering that meets the needs of the educated world today."<sup>21</sup> Concerning the faith of the whole Church, the *Sensus fidelium*, Congar gives great importance to Christian practice, especially in situations of oppression and injustice, and above all in the witness of martyrs: "The blood of witnesses guarantees the seriousness involved."<sup>22</sup>

Alisdair MacIntyre famously described tradition as a socially embodied and historically extended argument. It is not unusual, I think, that a philosopher would describe tradition as an argument carried on by scholars. However, the heart of the tradition is not found first in the intellectually precise formulations of doctrines wrought by scholars and bishops. In his study of the fourth century, Newman located the foundation of orthodoxy in the "faith of uneducated men." He quoted the Church fathers who said that "the ears of the common people are holier than are the hearts of the priests." As professor Moosa suggests, it is the ordinary Muslims living their faith day to day who often show the scholars and imams how to adapt the tradition to ensure that it continues to live. Jaroslav Pelikan explains that for Newman, tradition was "a profoundly democratic concept, which did not trickle down from theologians, popes, and councils to the people, but filtered up from the faithful (who are the church) to become the subject matter for the speculations, controversies, and systems of the dogmatic theologians."<sup>23</sup>



All believers, then, beginning with "uneducated men," need to listen carefully if they are to discern the truth of the Gospel. Hart emphasizes the importance of a "hermeneutical piety," an intellectual humility, a "tacit awareness" in the face of what is always beyond any neat conceptual formulation. Contrary to rationalistic ways of thinking, philosopher of science Michael Polanyi writes of the "tacit dimension," of how we can know more than we can tell, and how trust and openness are essential preconditions for insight into the possible meanings of scientific reality, or in our case, revelation.<sup>24</sup> Similarly, Christianity's tradition of the *via negativa*, the negative way of knowing, plays a similar role, emphasizing that what we don't understand about God is greater than what we do understand. In the words of the sixteenth century mystic and poet, John of the Cross, Christians need to "learn to understand more by not understanding than by understanding."<sup>25</sup>

All three "offices" in the Church--laity, theologians and bishops--are called to be obedient to the truth of the Gospel. It makes sense, then, for bishops to remind not just the laity and, especially, theologians--as is the custom in most episcopal documents--but also themselves, to discern carefully the faith of the whole Church which "filters up" to them, to be temperate and cautious in their pronouncements, to avoid scandal in their words and deeds, and, above all, to search for and be obedient to the Truth as it is lived out by the faithful.

Newman, Dulles and Congar stress the interaction and openness that should characterize the laity, theologians and the hierarchy. They recognize these distinctive roles without opposing them to each other. All three theologians personally experienced how these three dimensions of the Church could be in tension with each other. But they also stress that such tensions should nevertheless be expected, even welcomed.

### **Newman's Plea for Theological Elbow Room**

During some periods in the life of the Church, those tensions, especially the ones that arise between theologians and bishops, are not welcomed. This was especially true in the aftermath of the French Revolution. Theologians were kept on an especially short leash during the 19th and the first half of the 20th century. During that difficult time, arguably no religious thinker made more eloquent arguments for the necessary freedom of theologians than John Henry Newman. Newman never thought of himself as a theologian, but more as a religious thinker, even a religious controversialist. However, by entering many controversies, his books, articles and letters, taken together, have benefitted the work of theologians immensely, and described how tensions between theologians and bishops can be best handled, and how the faith of the entire Church ought to play a major role in the discernment of what should count as its normative tradition.

During the nineteenth century, bishops gave little support to theologians who tried to explore how the Church could best respond to the challenges of the Enlightenment. Aware of the length of time that Tridentine Catholicism held sway, historian John O'Malley described the period from the culmination of the French Revolution in 1789 to the death of Pope Pius XII in 1958 as the "long 19<sup>th</sup> century." Newman, who lived through most of that period, fought for greater freedom for theologians to do their work, and did not hesitate to describe the inevitable tensions between theologians and bishops in a somewhat apocalyptic way as an "awful, never-

dying duel.”<sup>26</sup> Except for the work of theologians like Newman and Adam Möhler, theological creativity then was the exception. In his private correspondence, Newman often complained about the overreach of the hierarchy. Explaining his reluctance to publish his own theological work, he wrote:

...as well might a bird fly without wings, as I write a book without the chance, the certainty of saying something or other (not, God forbid! against the Faith), but against the views of a particular school in the Church, which is dominant. I cannot accept as of faith, what is not of faith; who can? I cannot, as I said before, work without elbow room. I cannot fight under the lash, as the Persian slaves. To be the slave of Christ and of His Vicar, is perfect freedom; to be the slave of man is as bad in the mind as in the body. Never, as I know, was it so with the Church, as it is now, that the acting authorities as [at] Rome... have acted on the individual thinker without buffers. Mere error in theological opinion should be met with argument, not authority, at least by argument first.<sup>27</sup>

The buffers to which Newman refers protect the ordinary give and take between theologians, free to write what they think and to criticize one another without the fear of immediate hierarchical intervention. Newman explained that the great theological vigor of the medieval schools depended on theologians who were allowed “free and fair play,” and did not feel “the bit in their mouths at every word they spoke.” Instead, he believed that spirited debate displaced weak arguments with stronger ones. Only when such disputes became dangerous for the whole Church did Newman think that hierarchical intervention was appropriate, as it was in the seventeenth and eighteenth centuries, for instance, when the Jesuits and Dominicans were ordered to stop arguing about grace. Newman lamented that the great theological schools of Europe were destroyed by the French revolution. That theological vacuum, he complained, was filled by schools of one mindset in Rome.<sup>28</sup> There, the dominant school of theology, in its early formative stages, was manualist scholasticism. In Rome, many assumed it to be the only orthodox form of theology. Newman worked out of a different tradition—one grounded in the writings of the fathers of the Church, sensitive to historical development, and often inductive, aware of the psychological and pastoral dimensions of believing and living the faith. Representatives of manualism, a dry form of theological questions and answers, which became even more dominant during the next century, were the very theologians who silenced Congar, Murray and de Lubac in the 1950s.

In 1990, after over five years of consultation with bishops and the leaders of Catholic higher education throughout the world, the Vatican published an important document on Catholic higher education, *Ex corde ecclesiae*, literally, “from the heart of the Church,” referring to how universities grew out of the Church’s cathedral schools in the 12th and 13th centuries. That document spells out the role of bishops in their relationship to Catholic universities better than Newman’s Irish bishops did. *Ex corde* gives support to a real university, and does not conflate its role with that of a seminary. It does not claim for bishops any direct role in the running of Catholic colleges and universities, and grants to universities institutional autonomy and academic freedom, “properly” understood. Newman actually anticipated much of *Ex corde*. In some ways he went beyond it. As a Catholic, he criticized bishops who held theologians on a short leash. If theologians were to render a real service to their students and to the Church, Newman insisted they needed “elbow room.” Obviously, Newman remains especially relevant in our own day when there is so much potential for polarization. An essential part of that necessary

"elbow room" was the assurance of due process. When that is missing, bishops put theologians under strict supervision, and their creative theological work that helps to foster a living tradition within the Church suffers.

### **Sausage Making in Real Time**

The Church, an institution with a divine mission, is also a very human institution. Those who have written about the day to day problems of its governance, and the controversies that arise over efforts to articulate the faith in the midst of times of change, often suggest that the uninitiated might best stay out of the engine room of the barque of Peter, or be more edified by not knowing how the sausage of Church doctrine is made. Two most recent and enlightening descriptions of how the leaders of the Church at the Second Vatican Council went about making sausage are historian John O'Malley's book, *What Happened at Vatican II* (Harvard, 2008), and the late Yves Congar's *My Journal of the Council* (Liturgical Press, 2012). Their studies raise an important question: how might the inevitable disagreements between theologians and bishops be positive for the Church?

As already noted, the changes brought about by Vatican II were far-reaching. One might therefore assume that with such significant changes—its recognition of the central role of the laity, its support for dialogue with the Orthodox Churches, Protestants and members of other religions, its declaration of religious freedom and its recognition of the inescapable effects of history even on formulations of infallible teachings—that with all these changes, the dynamic balance the rooftop Fiddler achieved had arrived once again for the Church, one during which theologians and bishops would continue to enjoy a fruitful tension with each other, and together pay even more attention to the faith of the laity. But the messianic age of balance has not yet arrived. Newman observed that Church councils have “ever been times of great trial,”<sup>29</sup> and that understanding them and implementing their decisions can take time, even a century or two. We should not be surprised, then, that problems between theologians and bishops have continued to arise. According to some historians, Vatican marked the first shift away from forms of highly centralized authority that began with the Gregorian Reform in the 11th century, intensified at the time of the Reformation and French revolution, and took root politically and philosophically during the Enlightenment, when Christendom—a church with political power—ceased to exist.

We see a lack of balance and due process between theologians and bishops play out in the recent case of theologian Elizabeth Johnson and the US bishops. In Johnson's case, the bishops' doctrinal committee did not follow the due-process procedures outlined in the 1989 document "Doctrinal Responsibilities: Approaches to Promoting Cooperation and Resolving Misunderstandings between Bishops and Theologians"—written by theologians, canon lawyers and bishops and then approved by the National Conference of Catholic Bishops. Instead, the bishops' Committee on Doctrine decided to publish, without any prior conversation with her, severe criticisms of her 2007 book, *Quest for the Living God: Mapping Frontiers in the Theology of God*.<sup>30</sup>

The theological community strongly criticized the lack of any conversation with Johnson. In response, the bishops explained that the 1989 document was intended for the use of an individual bishop dealing with an individual theologian in his diocese. Johnson's case, they claimed, transcended any one diocese, so widely read was her book. The doctrinal committee

then issued a “pastoral resource” for bishops explaining their responsibilities as official teachers of the faith.<sup>31</sup> In it, bishops are encouraged to maintain a close relationship with the theologians in their diocese. Once again, however, the appropriate juridical protection for theologians was missing. Without that juridical protection, the rights of theologians are overlooked, rights that include--according to the 1989 agreement--“the right to a good reputation, and, if needed, the defense of that right by appropriate administrative or judicial processes within the Church,” and “in cases of dispute the right to expect access to a fair process.”<sup>32</sup>

A lack of due process on the part of bishops is not the only problem that increases tensions in our own day. Information technology and media outlets often misunderstand, promote and even distort controversies in the Church. Digital media not only democratizes the voices within the tradition, it also contributes to the centralization and reach of episcopal and papal authority. It is now very easy to form like-minded enclaves and special-agenda organizations not limited geographically. Instead of sustaining “the complex orthodoxy and orthopraxis of a tradition,” these groups gravitate around a single issue or a cluster of similar issues, creating a narrowly defined identity that empowers people in our diffuse society. There are very vocal groups of Catholics, for instance, focused on pro-life on the one hand, or social justice on the other.<sup>33</sup> These single issue-groups have little time or interest for careful analysis. Newman dealt only with newspapers and asked bishops for the time theologians needed to work out their difference before in Episcopal intervention. In our age, digital and electronic media makes immediate interventions on the local level more likely. Pope Francis has been criticized for exercising precisely that Episcopal restraint that Newman wanted.

### **Encouraging Signs**

Despite these challenges, there are some positive developments within the Catholic community. In 2012, the Vatican’s International Theological Commission (ITC) published a document entitled, “Theology Today: Perspectives, Principles and Criteria.” The ITC is comprised of an international group of theologians appointed by the Vatican to study issues and report their findings to the Congregation for the Doctrine of the Faith. Its latest study is good news for several reasons. It affirms that “[t]he years following the Second Vatican Council have been extremely productive for Catholic theology” (art. 1) and praises the development of multiple theologies, because revelation is “too great to be grasped by any one theology” (art. 5). It affirms the historicity of revelation (art. 22 and 29) and the use of both historical-critical and theological methods of interpretation (art. 22), argues that the Church’s living tradition should never “fossilize” (art 26) and that theologians are called to be “constructively critical” of movements in the Church (art. 35), and acknowledges the importance of distinguishing different levels of teaching authority (art. 37). It underscores the critical importance of the *sensus fidelium* (especially art. 33-36) and mentions spiritual experience as an important source for theology (art. 88 and ff., especially 94). It explains that

[b]ishops and theologians have distinct callings, and must respect one another’s particular competence, lest the *magisterium* reduces theology to a mere repetitive science or theologians presume to substitute the teaching office of the Church’s pastors. (art. 37)

This acknowledgement of the creative role of theology suggests that bishops should not automatically suspect theologians who go beyond simply repeating the formulations of the *Catechism of the Catholic Church*.<sup>34</sup> However, as positive as the ITC’s statement is, it rarely

cites the work of any major contemporary theologians (e.g., Rahner on the self-communicating mystery of God, von Balthasar on the beauty of revelation, or Lonergan on theology as a framework for creative collaboration), and makes no recommendations on how to protect the legitimate rights of theologians. Although the document states that all criticism is to be “constructive,” there will surely be differences of opinion as to what constitutes “constructive” criticism. And while the unity of theology is understood as not requiring uniformity, the degree of legitimate diversity will continue to be contested. One of the greatest assets of the Catholic Church for sustaining and clarifying what it understands as normative tradition is centralized authority. One of the greatest challenges the Catholic Church faces today is how to exercise that centralized authority in ways that welcome the creative work of theologians and listens carefully to the *Sensus fidelium*. While it remains to be seen how much influence this ITC study will have on how bishops exercise their authority and discern with them and the laity the tradition. That this document exists and is approved by the Vatican is a hopeful sign.<sup>35</sup>

Second, there are clear public recommendations by prominent and well-respected Catholic theologians as to how bishops might improve their relationship with theologians. Shortly before he died, Cardinal Dulles wrote that bishops should do more to moderate charges and counter charges between theologians of different schools, avoid issuing too many statements that appear to carry with them an obligation of assent, consult with a wider variety of theologians before issuing any binding statement, anticipate objections and seek to address them before issuing a statement, and, finally, be more sensitive to multiple cultures in the world.<sup>36</sup> Gerald O’Collins, a long-time professor at the Pontifical Gregorian University, called for similar reforms. He stressed the importance of respecting subsidiarity (i.e., allowing matters to first be addressed locally, and if unable to be resolved at that level, only then in Rome, which Pope Francis has said repeatedly). He recommended that a more diverse and internationally representative group of theologians advise the CDF. He emphasized especially that bishops should recognize “the right of the accused to be present from the outset, to meet their accusers, to be given the accusations in writing well beforehand, and to be represented by someone of their own choice,”<sup>37</sup> something that never happened in the Johnson case.

Third and finally, there is the emphasis that Pope Francis gives to the *Sensus fidelium*. He consults the laity. He wanted to know what the laity thought about the issues that would be addressed at the Synod on the Family. He sent out a survey to all the Catholics, asking their opinions on marriage and the family. He has done the same in preparation for the Synod on youth and vocation, and invited about 300 young people to meet with him in March of this year. While it is too soon to tell what difference this pope will make in how we understand the roles of the bishops and theologians and the importance of the faith of all the people of the Church, there can be little doubt, I think, that he has made a difference in the way the Church's central authority is exercised.<sup>38</sup>

## Conclusion

The relationship between bishops and theologians remain critically important for the Church. There are many reasons to keep that relationship dynamic and positive. Progress has been made on these issues at and since Vatican II, but there have also been setbacks, when the balance on the rooftop that Tevye sang about has been shaken. Especially at such moments, Christians should continue to exercise the virtue of hope, and remain in respectful conversation with each other. Theologian David Hart reminds us that tradition is a hermeneutical practice, that

requires docility to and wisdom in the ways of the Holy Spirit, a "devotion to the limitless fecundity of the tradition's initiating moment or original principle, a certain trusting surrender to a future that cannot alter what has been but that might nevertheless alter one's understanding of the past both radically and irrevocably." As the theologian Nicholas Lash wrote, "optimism and despair already know the outcome—they prematurely complete the story."<sup>39</sup> Optimism and pessimism are implicitly totalitarian, he explains, whereas hope is open and confident, if not presumptuous, about the future. The foundation for hope should be found in, after the guidance of the Holy Spirit, the practice and belief of all the faithful, and an understanding of the Catholic Church that is ready to embrace the witness experience of all Christians.

## End Notes

<sup>1</sup> Gabriel Marcel, *Creative Fidelity*, (Farrar, Straus and Company, Inc., 1964), originally published in French as *Du Refus à L'Invocation* (Editions Gallimard).

<sup>2</sup> AAS 65 (1973), pp. 402-404. See also James Heft, *John XXII (1316-1334) and Papal Teaching Authority*, (Edwin Mellen Press, 1986), p. 211.

<sup>3</sup> Yves Congar, "Magisterium, Theologians, the Faithful and the Faith," *Doctrine and Life* (1981), pp. 552-553.

<sup>4</sup> See John W. O'Malley, "A Lesson for Today? Bishops and Theologians at the Council of Trent," *America* 205 (Oct. 31, 2011). O'Malley explains: "The bishops at Trent were typical of the Catholic episcopacy at the time. They had little formal training in theology, even though they otherwise might be well educated according to the standards of the day. If they had university degrees, those decrees tended to be in canon law. The theologians at Trent, however, came exclusively from universities or comparable institutions, and some were men of great distinction. They were not hand-chosen to promote a particular perspective but represented a random sampling of theological 'schools.' The bishops did well to hear them out before proceeding to their own deliberations." See also his book, *Trent: What Happened at the Council* (Harvard, 2013), pp. 84-85, 92, 108, 131, 145, 154 and 189.

<sup>5</sup> Komonchak, loc. cit. See also Thomas Albert Howard, *The Pope and the Professor: Pius IX, Ignaz von Döllinger, and the Quandary of the Modern Age* (Oxford University Press, 2017).

<sup>6</sup> Joseph Komonchak, "Modernity and the Construction of Roman Catholicism," *Cristianismo nella Storia* 18 (1997), p. 374.

<sup>7</sup> Sheridan Gilley, *Newman and His Age* (Christian Classics, 1990), p. 348. Henry Edward Cardinal Manning, archbishop of Westminster and head of the English Roman Catholic Church from 1865 to 1892, also deeply distrusted Newman (Gilley, p. 341).

<sup>8</sup> John O'Malley, *What Happened at Vatican II* (Harvard, 2010), pp. 55-56.

<sup>9</sup> Shortly before being elected pope, Joseph Cardinal Ratzinger wrote: "The pope is not an absolute monarch, whose will is law, but completely the opposite: he must always seek to renounce his will and call the Church to obedience, but he himself must be the first to obey."

Quoted in Andres Torres Queiruga, “Magisterium and Theology: Principles and Facts,” *Concilium: Theology and Magisterium* (2012/2), ed. Felix Wilfred and Susan A. Ross, p. 55.

<sup>10</sup> Quoted in Avery Cardinal Dulles, “The Freedom of Theology,” *First Things* (May 2008), p. 21.

<sup>11</sup> Ian Ker, *John Henry Newman: A Biography* (Oxford, 1988), p. 701.

<sup>12</sup> Ker, p. 703. Newman continues: “Truth is the guiding principle of theology and theological inquiries; devotion and edification, of worship, our emotional nature; of rule, command and coercion. Further, in man as he is, reasoning tends to rationalism; devotion to superstition and enthusiasm; and power to ambition and tyranny.”

<sup>13</sup> It was originally published in 1859 as an article in *The Rambler*, and, with some additions, again in 1871 as an appendix to the third edition of *The Arians of the Fourth Century*. See Newman’s *On Consulting the Faithful in Matters of Doctrine*, ed. John Coulson (Sheed and Ward, 1961).

<sup>14</sup> Ker, p. 704. Friedrich von Hügel (1852-1925), writing in 1918 during the anti-Modernist period in the Church, described himself as seeking to do “all that I can to make the old Church as inhabitable intellectually as I can—not because the intellect is the most important thing in religion—it is not; but because the old Church already possesses in full the knowledge and the aids to spirituality, whilst, for various reasons which would fill a volume, it is much less strong as regards the needs, rights and duties of the mental life.”

<sup>15</sup> G. B. Hume, “Development of Marriage Teaching,” *Origins* 10 (Oct. 16, 1980), p. 276.

<sup>16</sup> Again, von Hügel, who acknowledged a great intellectual and spiritual indebtedness to Newman, distinguished three important, inter-acting dimensions in the life of the Church: the institutional, the intellectual and the mystical. See his *The Mystical Element of Religion as Studied in Saint Catherine of Genoa and Her Friends*, Volume First: Introduction and Biographies, 2nd ed. (James Clark and Co., 1961), pp. 50-82, especially at p. 61.

<sup>17</sup> Avery Dulles, “Successio apostolorum: Successio prophetarum--Successio doctorum,” in *Concilium: Who Has the Say in the Church?* (1981/8), ed. Hans Kung and Jürgen Moltmann, p. 64.

<sup>18</sup> Cited by Larry N. Lorenzoni in *America*, Oct. 4, 2010, p. 44.

<sup>19</sup> *Ibid.*

<sup>20</sup> Yves Congar, “Towards a Catholic Synthesis,” *Ibid.*, p. 69. “Infallibility—a terribly weighted term which we need to use very warily—is a function of truth. We must not make infallibility the foundation stone of our structures and make truth a function of it.”

<sup>21</sup> *Ibid.*, p. 75.

<sup>22</sup> See my “‘Sensus fidelium’ and the Marian Dogmas,” in *Mater Fidei et Fidelium: Collected Essays to Honor Theodore Koehler on His 80th Birthday* (University of Dayton, *Marian Library Studies*, Vol. 17-23 (1991), pp.767-86.

<sup>23</sup> Jaroslav Pelikan, *The Vindication of Tradition*, (Yale University Press, 1984), p. 80.

<sup>24</sup> Michael Polanyi, *The Tacit Dimension* (Doubleday and Company, 1966). See also his major work, *Personal Knowledge* (University of Chicago Press, 1958). Avery Dulles linked Polanyi's notion of "personal knowledge" with Newman's "illative sense."

<sup>25</sup> Cited by Ronald Rolheiser, *Wrestling with God* (Penguin Random House, 2018), p. 99. Also of interest is *Learned Ignorance: Intellectual Humility Among Jews, Christians and Muslims* (Oxford University Press, 2011). eds. Reuven Firestone, James Heft and Omid Safi. In that volume, I have contributed a chapter entitled, "Humble Infallibility."

<sup>26</sup> Newman, *Apologia pro Vita Sua*, ed. Martin J. Svaglic (Clarendon Press, 1967), p. 224. For an excellent study of another 19th century theologian, Ignaz Döllinger, see Thomas Albert Howard, *The Pope and the Professor: Pius IX, Ignaz von Döllinger, and the Quandary of the Modern Age* (Oxford University Press, 2017). Both Newman and Döllinger had immersed themselves in the study of the history, Newman drawing on his study of the Patristic period and the idea of development, and Döllinger on the history of the Church that led him to oppose the definition of papal infallibility, as well as commit himself to serious ecumenical efforts.

<sup>27</sup> *Letters and Diaries of John Henry Newman*, XXI (Nelson, 1970), pp. 48-49, cited in Komonchak, "The Catholic University in the Church," in *Catholic Universities in Church and Society: A Dialogue on Ex corde ecclesiae*, ed. John P. Langan, S.J., p. 46. Some authors have found fault with Newman for being hyper-sensitive, just as Erasmus, writing to his friend Thomas More, faulted theologians of his day as "a remarkably supercilious and touchy lot" (Nicholas Lash, *Seeing in the Dark: University Sermons* [Darton, Longman and Todd, 2005], p.19). Newman was indeed sensitive, but not supercilious. Now one step from canonization as a saint in the Catholic Church, Newman's forthrightness should be an encouragement for all theologians.

<sup>28</sup> Newman, *Letters and Diaries* XX, (Nelson, 1970), p. 447, cited in Komonchak, loc. cit.

<sup>29</sup> Quoted in Ker, "Wisdom of the Future," *The Tablet* (Sept. 18, 2010), p. 14.

<sup>30</sup> Elizabeth Johnson, *Quest for the Living God: Mapping Frontiers in the Theology of God* (Continuum, 2008). For the texts of Johnson's spirited and incisive response to the bishops, see Richard R. Gaillardetz, ed., *When the Magisterium Intervenes: The Magisterium and Theologians in Today's Church* (Liturgical Press, 2012), pp. 213-273. For a more general treatment of how authority should work in the Catholic Church, see also Gaillardetz, *By What Authority? Foundations for Understanding Authority in the Church* (Liturgical Press, 2018), a revised and expanded version of his 2003 study, *By What Authority: A Primer on Scripture, the Magisterium, and the Sense of the Faithful*, also published by Liturgical Press. Finally, another reliable authority on these issues is Francis Sullivan, S.J., *Magisterium: Teaching Authority in the Catholic Church* (Paulist Press, 1983).

<sup>31</sup> The text, as well as all the major statements regarding Johnson's book and her exchanges with the bishops' doctrinal committee can be found in *When the Magisterium Intervenes: The Magisterium and Theologians in Today's Church* ed. Richard R. Gaillardetz (Liturgical Press, 2012).



<sup>32</sup> NCCB, Doctrinal Responsibilities, paragraph 8.

<sup>33</sup> Terrence W. Tilley, “Culture Warriors,” *The Tablet* (Nov. 22, 2012), pp. 9 and 11, describes astutely how identity politics polarizes the Church in the U.S.

<sup>34</sup> In a recent article in *U.S. Catholic*, Heather Grennan Gary quotes from a letter by Cardinal Donald Wuerl, archbishop of Washington, D.C., to his seminarians, in which he warns them that “there are theological writers who present teachings contradictory to that of the church’s magisterium....” He tells them that if they have doubts about whether something a theologian writes contradicts the teaching of the Church they need only consult the *Catechism of the Catholic Church*. “What Women Theologians Have Done for the Church,” *U.S. Catholic* 78 (Jan. 2013), pp. 12-17. See [www.uscatholic.org/print/26587](http://www.uscatholic.org/print/26587).

<sup>35</sup> In an article suggesting ways to improve the processes used by the CDF, Gerald O’Collins notes that “[f]requently the texts coming from the ITC and, especially, the PBC [Pontifical Biblical Commission] have handled their sources more skillfully, argued their case more compellingly, and, in short, produced more convincing documents than those coming from the CDF itself. Would the CDF enhance its standing by authorizing and publishing as its own the texts of the PBC and the ITC?” See “Art of the Possible,” *The Tablet* (July 14, 2012), p. 7.

<sup>36</sup> Dulles, “The Freedom of Theology,” pp. 22-23.

<sup>37</sup> O’Collins, “Art of the Possible,” pp. 6-7.

<sup>38</sup> For an excellent recent study of the impact of Pope Francis on the shape of contemporary Catholicism, see Michele Dillon, *PostSecular Catholicism: Relevance and Renewal* (Oxford, 2018).

<sup>39</sup> Lash, *Seeing in the Dark*, p. 15.