

Reading, Exegesis, Interpretation and Application of Magisterial Documents

Prepared by James T. Bretzke, S.J., S.T.D.

University of San Francisco

1. Five Common Misconceptions Regarding Church Texts
 - a. No text is self-evident, nor self-interpreting, nor self-applying (all texts need to be first translated, read, understood, interpreted and only then applied)
 - b. All texts are *not* created equal (just as the Church is hierarchical, so some texts are more authoritative than others depending on the character of the content, the manner in which the text is presented and under whose authority the text is given)
 - c. The “latest” text is *not* necessarily the most authoritative (one needs to look carefully at the manner and level of authority of the text)
 - d. There is no “The Vatican” which exists as a monolithic entity (one needs to look carefully at who authors the text and at the type of authority the text itself carries)
 - e. The language used in the text does *not* necessarily mean the same as in general idiomatic usage (one needs to be clear on technical meanings of certain words, concepts, formulae, and so on)
2. Begin with Translation
 - a. What is the language of the official text? (*Editio typica*)
 - b. What do all the words mean in *that* language? Do they mean exactly the same in *this* language? Where might be some changes in nuance, loss and/or confusion of meanings?
 - c. Are there differing possible translations? (E.g., for *obsequium religiosum* [*Lumen gentium* #25] or *intrinsece inhonestum* [*Humanae vitae* #14])
 - d. Are there technical meanings which might be different from the usual vernacular usage? E.g., “human act” (*actus humanus*) or “intrinsically disordered” or *sub secreto*.
3. After Translation Move to Exegesis, Using the Basic Tools of Exegesis
 - a. Pay attention to the form(s), context, and intended audience
 - b. Source criticism (especially look at drafts, revisions, language)
4. Guidelines for Interpreting Magisterial Teaching Given in Vatican II (*Lumen gentium* #25)
 - a. The **character** of the teaching

- i. Not all truths are of the same importance, and thus the Church explicitly states there is a hierarchy of truths necessary for salvation.
 - ii. The character of the teaching and the manner of teaching may be on different levels (e.g., we can have a “lower” doctrine on the hierarchy of truths, yet have it proclaimed at the highest level of authority, such as the Marian doctrine of the Assumption).
 - b. **Frequency** of repetition
 - i. Errors are “corrected” and/or teaching is “changed” *not* by saying “we were wrong” but by ceasing to repeat a certain position, e.g., the teaching that interest-taking was intrinsically evil.
 - ii. Even some teachings that have been “frequently repeated” over a long period of time still can be changed (e.g., the teaching on freedom of religion, which was explicitly condemned by Gregory XVI and Pius IX, but which was affirmed by Vatican II in *Dignitatis humanae*).
 - c. **Manner** of the teaching
 - i. How (in what form) is the text itself delivered?
 - ii. To whom is it explicitly addressed?
 - iii. Under whose authority is *this* text issued, *even* if it is meant to explain something else? (E.g., the CDF *Responsum* to the putative infallibility of John Paul II’s *Ordinatio Sacerdotalis*)
- 5. Additional Interpretive and Application Guidelines
 - a. Distinction (where applicable) between “ideal” and “fulfillment” commands and legislation
 - b. Distinction between theory in the abstract and application in the concrete
 - c. Legal world-view of Roman (Italian) law; minimalism is not necessarily a vice nor the same as laxism according to this legal culture.
- 6. Levels of authority of Magisterial teaching based on the manner in which it is proposed:
 - a. Teaching solemnly proposed *de fide definita* in *ex cathedra* form
 - b. Conciliar teachings, which themselves have differing levels of authority (e.g., Constitution, Decree, Declaration)

- c. Papal Encyclicals (addressed to all people? to the whole Church? to a particular area or group?)
 - d. Papal Apostolic Exhortations (especially following the tri-ennial Synod of Bishops)
 - e. Apostolic Constitutions (e.g. establishment of a particular celebration, such as the Holy Year, or which address various matters, such as penitential practices, the reform of the curia, etc.)
 - f. Apostolic Letters given "motu proprio" (e.g., a personal letter written by a pope either to the whole church, a local church, or some particular group or body; or used to issue norms, establish a new institute, restructure various situations, etc.)
 - g. Occasional papal allocutions (e.g. from a congress, etc.; Wednesday audience)
7. Documents of Roman Dicasteries (Offices of the Vatican)
- a. Congregation, Council, Commission, Office (levels of bureaucratic importance)
 - b. Declaration, Instruction, Letter, Notification, *Responsum*, etc. (levels of content importance)
8. Mode of dicasterial promulgation, e.g. issued *In forma communi* or *In forma specifica*
- a. *In forma communi*: without specific papal approbation, through with his approval. The vast majority of Vatican documents issued by the various congregations and dicasteries are in this mode. *Dominus Iesus* is an example.
 - b. *In forma specifica*: with papal approbation in which the pope *explicitly* takes over and makes his own (i.e., as if issued in his name) a document promulgated by a Vatican office. This is rare, and the most recent example is the 1997 Vatican "Instruction on Some Questions Regarding Collaboration of Nonordained Faithful in Priests' Sacred Ministry"
9. Magisterial teachings of individual bishops and Bishops' Conferences likewise must be looked at in terms of the above considerations of exegesis and manner of teaching, etc.
10. Some canonical principles for interpretation and application
- a. *Nisi* clauses (the exception *is* the rule!) The law often states an ideal, and the application is found through the stated exceptions and modifications.
 - b. *Odia restringi et favores convenit ampliari* (This principle of canon law interpretation holds that burdens or strictures are to be interpreted in a narrow sense of application, while on the other hand favors are to be widely applied. [cf. Canon 18])

- c. Automatic and imposed penalties and extenuating circumstances (i.e., *latae* and *ferendae sententiae*). One size does *not* fit all! and the focus is on the pastoral care of the individual involved rather than the punishment of the crime.
- d. *Vacatio legis* (delay between promulgation and implementation; this is done so that proper refinements, exceptions, dispensations might be obtained before the law goes into effect)
- e. Custom has the force of law: *Consuetudo optima legum interpres*. People(s) and their lived history are what counts.
- f. Desuetude (a law which falls into disuse ceases to bind)
- g. Non-reception (in which a law, though validly promulgated by a legitimate authority, is never “received” and put into practice by those for whom it is intended, and thus does *not* have the force of law).

11. A Note on the *Catechism of the Catholic Church*

- a. This document is largely a summary compendium of Church teaching, done by a committee over several years, and published by Pope John Paul II. It is *not* explicitly a papal document, nor is it a collegial document of all the bishops of the Church in the sense of a conciliar document.
- b. The *stated* primary purpose of the *Catechism* is to provide an aid for bishops and bishops’ conferences (the designated primary audience) in the preparation of catechetical materials better adapted to the needs of their individual dioceses. The *Catechism* is *not* meant to be the universal, exhaustive, and ultimate highest authority of Church teaching for each and every person(s), place or situation.
- c. The *Catechism* often uses brief excerpts from other Church documents to make its points, and therefore, it is crucial to pay attention to the footnotes given in the *Catechism* as these will give the fuller text that the passage in the *Catechism* is treating. These individual texts in turn would enjoy their own “authority” based on the principles outlined above. Thus, other things being equal a quotation from Matthew’s Gospel in reference to a certain point would have greater weight than the CDF’s *Persona humana*.
- d. The *Catechism* generally speaking does *not* claim to be “new” Church teaching, and it would be misleading to suggest that the sum of the many different parts which make up the *Catechism* would somehow be greater than the individual texts themselves or that the *Catechism* supercedes any major Magisterial document outlined above.

12. Summary Points:

- a. All of the above considerations are part of the Tradition of the Church in the official exercise of the Magisterium and thus are explicitly recognized and accepted by the Magisterium itself.
- b. Reading, understanding, interpreting and applying Church texts is related to human individuals and human communities. Therefore, differing situations and contexts must be taken into account. It is not like loading a new piece of software on a computer.
- c. Technical skill is certainly necessary to do the above, but a more apt metaphor would be an artistic performance rather than a mechanical operation. Seen in this metaphor a given magisterial text might function a bit like a musical score: the notes, time value, key, etc., are all given, but the level of “perfection” in the execution of the score depends much on the virtuosity of the performer. A computer, Jim Bretzke, and Glen Gould might all “perform” a Bach variation, with reasonable “accuracy” in terms of sticking to the musical score. However, there is little doubt that most if not all listeners could easily discern whose performance was whose, and probably there would be widespread, if not unanimous, agreement about which performance is “best” (Jim Bretzke’s grandmother being long dead!).
- d. Remember the ultimate *norma normans non normata*: It is God’s definitive revelation of God’s self in Jesus Christ, and Jesus’ own ministry and Gospel message which stand above the whole Church, including all of its members, regardless of their rank and office.

13. Suggestions For Reference and/or Further Reading

Bretzke, James T., S.J. *Consecrated Phrases: A Latin Dictionary of Theological Terms*.
 Collegeville: Liturgical Press: 1998.

This book-length dictionary compiles, translates, and explains the meaning of a large number of Latin terms employed in the various branches of theology: moral, biblical, canon law, systematic, liturgical, and historical). Going beyond a simple dictionary, this work indicates the meaning, context, and tradition for these phrases, and serves also as a concise theological encyclopedia, though limited in scope to Latin terms.

Sullivan, Francis A., S.J. *Creative Fidelity: Weighing and Interpreting Documents of the Magisterium*. New York: Paulist Press, 1996.

Very good for developing an understanding of how to exegete and interpret the various levels of teaching contained in Vatican documents. Helpful in dogmatic theology as well. Good historical examples are used to illustrate the various points.