

Magisterium & Moral Teaching

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Historical Developments & Tensions

- Twin *Magisteria*
 - Teaching authority (vested primarily in the theology faculties)
 - Governing authority (vested in the Pope and bishops)
- Primacy of Pope over other Patriarchs
- Centralization of governing power in Rome
- Development of Vatican Dicasteries
- Development of regional bishops' conferences

But Who Is Peter, Then & Now ?

- Chosen by Jesus
- Mission to “Feed the Sheep” and Support the Community
- *Not necessarily* the “Brightest” (cf. Mark 8)
- *Not* without sin and failure
- But in the last analysis faithful to Jesus and chosen by Jesus

Charism of Authority

- Notion of a “Charism”
- Notion of “Office”
- Three “*Munera*” of the Magisterium
 - Teach, Govern, Sanctify
- “Special Assistance of the Holy Spirit”
- Given in a “human” way
- Should be both *applied* and *evaluated* in a human way (e.g., it would be “inhuman” to expect absolute “perfection” of any human person or institution, even if gifted by the Spirit)

Roles of the Magisterium

- Guidance of the Holy Spirit in “Authentic” Natural Law Interpretation
- Distinction between Principles & Their Concrete Applications
- Principle of Subsidiarity
- Role of Experience(s)
- Processes of Consultation
- Attitudes toward the Laity and Others

Some Key Vocabulary & Concepts

- Extraordinary Magisterium
 - *De fide definita*
 - *Ex cathedra*
- Ordinary Magisterium
- *Obsequium Religiosum* {*Religious Respect*}
- “Dissent” and “Disagreement”
- Prudential Judgments & Practical Reason

Common Misperceptions

- No text is self-interpreting or self-applying
- All texts are **not** created equal
- The “latest” text is **not** necessarily the most authoritative
- There is **no** “The Vatican” which exists as a monolithic entity (which office issued it?)
- The language used does *not* necessarily mean the same as in general idiomatic usage (e.g. “intrinsically disordered”)

Infallibility & Fallibility

- Any statement which is not infallible may be fallible.
- Fallible does not mean “false,” but it does mean that the statement or formulation may be partial, incomplete,
- *And* open to revision, and even rejection later on
- As has happened with several Church teachings over the centuries, such as the teachings on slavery, interest taking, religious freedom, capital punishment, and so on.

Definition of Papal Infallibility

"It is a divinely revealed dogma that the Roman Pontiff, when he speaks *ex cathedra*, that is, when, acting in the office of shepherd and teacher of all Christians, he defines, by virtue of his supreme apostolic authority, a doctrine concerning faith or morals to be held by the universal Church, possesses through the divine assistance promised to him in the person of Blessed Peter, the infallibility with which the divine Redeemer willed His Church to be endowed in defining the doctrine concerning faith or morals; and that such definitions of the Roman Pontiff are therefore irreformable of themselves, not because of the consent of the Church." *Pastor Aeternus (On the Church of Christ)* Vatican I, 1870

“Faith & Morals” Term

- “*De fide vel moribus*”
- *Notion of Deposit of Faith*
- *Notion of “Mores” (In Latin)*
 - Mores in English
 - Morals in English
 - Distinction and Ambiguity between the two terms

Credenda & Tenenda Distinction

- *Credenda*: articles of faith, to be believed (often found in the Creed, e.g., the Resurrection, dual nature of Jesus Christ)
- *Tenenda*: Church practices which are to be “held”, e.g., that only a validly ordained priest or bishop is the proper administrator of the Sacrament of the Sick
- Difference in the type of assent given and the meaning for communion in the Church

NOTE of the Congregation for the Doctrine of the Faith on the Minister of the Sacrament of the Anointing of the Sick

The Code of Canon Law in canon 1003 § 1 ... that only priests (Bishops and presbyters) are ministers of the Sacrament of the Anointing of the Sick.

This doctrine is *definitive tenenda*. Thus, neither deacons nor laypeople can exercise this ministry, and any such action would constitute simulation of the sacrament.

Rome, from the Offices of the Congregation for the Doctrine of the Faith, February 11, 2005, Memorial of the Blessed Virgin Mary of Lourdes.

JOSEPH CARD. RATZINGER

Prefect

ANGELO AMATO, S.D.B.

Titular Archbishop of Sila *Secretary*

Canon Law & Papal Infallibility

- Can. 749 §1. *By virtue of his office, the Supreme Pontiff possesses infallibility in teaching when as the supreme pastor and teacher of all the Christian faithful, who strengthens his brothers and sisters in the faith, he proclaims by definitive act that a doctrine of faith or morals is to be held.*

Bishops & Infallible Teaching

- Can. 749 §2. *The college of bishops also possesses infallibility in teaching when the bishops gathered together in an ecumenical council exercise the magisterium as teachers and judges of faith and morals who declare for the universal Church that a doctrine of faith or morals is to be held definitively; or when dispersed throughout the world but preserving the bond of communion among themselves and with the successor of Peter and teaching authentically together with the Roman Pontiff matters of faith or morals, they agree that a particular proposition is to be held definitively.*

Necessary Promulgation of Infallible Doctrines to be held or believed

- Can. 749 §3. *No doctrine is understood as defined infallibly unless this is manifestly evident.*
- Keep in mind here the general canonical principle, enunciated in Canon 18, of *odia restringi*, namely “burdens” are to be interpreted strictly and narrowly, and “favors” are to be interpreted broadly and liberally.
- Cf. Bretzke’s *Consecrated Phrases* for further discussion of these Latin terms.

Principles for Interpretation of Church Magisterial Teaching

- **Character** of the Teaching (I.e., what is the teaching about? E.g, Resurrection, Contraception, Inclusive Language)
- **Manner** of the Teaching (I.e. the genre used and manner of promulgation, e.g., Ex cathedra, encyclical, conciliar decree, homily, etc.)
- **Frequency** of the Teaching (I.e., how often is it repeated, how is it repeated, how long has it been since last repeated)
- These criteria are *explicitly stated* in *Lumen gentium*, Vatican II's Dogmatic Constitution on the Church, #25.

Examples of Papal Ordinary Magisterium

- Encyclicals
- Apostolic Exhortations
- Apostolic Letters
- Audiences and Homilies
- Occasional Allocutions (i.e., speeches given to a specific group on a specific occasion)

Examples of Dicasterial Documents

- “Rank” of the Issuing Office: Congregation, Council, Commission, Office
- “Rank” of the Document itself: Declaration, Instruction, Letter, Notification, *Responsum*
- *In forma communi*
- *In forma specifica*

Form of Promulgation Approbation

- *In Forma Communi*
- without specific papal approbation, through with his approval.
- The vast majority of Vatican documents issued by the various dicasteries
- *Dominus Iesus* is an example.
- Are **not** papal documents
- *In Forma Specifica*
- with papal approbation in which the pope *explicitly* takes it over & makes his own (i.e., as if issued in his name)
- Rare, e.g., the 1997 Vatican "Instruction on Some Questions Regarding Collaboration of Nonordained Faithful in Priests' Sacred Ministry"
- **Has** weight of a papal document

Donum Vitae's Authority: *In Forma Communi* OR *In Forma Specifica*?

- *During an audience granted to the undersigned Prefect after the plenary session of the Congregation for the Doctrine of the Faith, the Supreme Pontiff, John Paul II, approved this Instruction and ordered it to be published.*
- Given at Rome, from the Congregation for the Doctrine of the Faith, February 22, 1987, the Feast of the Chair of St. Peter, the Apostle.
 - **JOSEPH Card. RATZINGER**
Prefect
 - **ALBERTO BOVONE**
Titular Archbishop of Caesarea in Numidia Secretary

Instruction On Certain Questions Regarding The Collaboration Of The Non-ordained Faithful In The Sacred Ministry Of Priest

- All particular laws, customs and faculties conceded by the Holy See *ad experimentum* or other ecclesiastical authorities which are contrary to the foregoing norms are hereby revoked.
- The Supreme Pontiff, in Audience of the 13th of August 1997 approved *in forma specifica* this present Instruction and ordered its promulgation.
- Vatican City 15 August 1997, the Solemnity of the Assumption of the Blessed Virgin Mary.

Infallibility & Moral Development

- Without error, **absolutely?**
- Unchangeable, **completely?**
- Constancy of tradition, **invariably?**
- Does moral doctrine **develop?**
- "We declare, say, define, and pronounce that it is **absolutely necessary for the salvation of every human creature to be subject to the Roman Pontiff**"



◆ (Pope Boniface VIII, 's Bull *Unam Sanctam*, 1302.)

Who Would Say a Thing Like That?

Saying #1: The pope isn't an oracle and 'is infallible only in rare situations.'

Or Like This? [Saying #2]

"In the process of assimilating what is really rational and rejecting what only seems to be rational, the whole Church has to play a part. This process cannot be carried out in every detail by an isolated Magisterium, with oracular infallibility. The life and suffering of Christians who profess their faith in the midst of their times has just as important a part to play as the thinking and questioning of the learned, which would have a very hollow ring without the backing of Christian existence, which learns to discern spirits in the travail of everyday life."

Or Even Like This? [Saying #3]

“Over the pope as the expression of the binding claim of ecclesiastical authority, there still stands one’s own conscience, which must be obeyed before all else, necessary even against the requirements of ecclesiastical authority. This emphasis on the individual, whose conscience confronts him with a supreme and ultimate tribunal, and one which in the last resort is beyond the claim of external social groups, even of the official Church, also establishes a principle in opposition to increasing totalitarianism.”

And The Envelope Please...

- Saying # 1 (Pope isn’t an “oracle” & is “infallible” *only* in rare situations)
- Saying # 2 (Whole Church has a role to play)
- Saying # 3 (Over the pope is one’s own conscience)
- Pope Benedict XVI (27 July 2005)
- Cardinal Joseph Ratzinger
- Fr. Joseph Ratzinger

Religious Freedom

- **Condemned is the view that** “liberty of conscience and worship is each man’s personal right, which ought to be legally proclaimed and asserted in every rightly constituted society”
- Gregory XVI (*Mirari Vos*, 1832); Pius IX, (*Quanta Cura*, 1864)
- **Affirmed:** “The human person has a right to religious freedom. The ... right to religious freedom is based on the very dignity of the human person as known through the revealed word of God and by reason itself.”
- ***Dignitatis Humanae*, Vatican II, 1965**

Other Examples of Change...

- *Permitted* to Forbidden: e.g. Slavery
- Forbidden to *Permitted*: e.g. Interest-taking
- *Prescribed* to Proscribed: e.g. Burning heretics (Death Penalty)
- Proscribed to *Prescribed*: e.g. Freedom of conscience, organ donations
- What might change next?....

Conscience and Church Authority

- Sanctity of Conscience
 - Following one's conscience
 - But also *forming/informing* one's conscience
- Power to "bind" consciences
- *Obsequium Religiosum (Religious assent)*
- Conflict of Duties
- Notions of Authority

Teaching on Probabilism

- Position of St. Alphonsus Liguori
- In case of practical doubt
- When credible, prudent arguments exist
- And/or trusted authorities hold a position
- One may in good conscience choose the option which has greater "freedom"
- Even if "safer" counter-arguments and/or authorities hold the opposite, and it is more probable (I.e. probabiliorism)

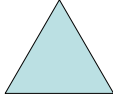
Three Legs of Moral Discernment



Openness to God's Spirit



Individual Effort



Community Discussion

How To Resolve the Debates?

- Magisterial Positivism or Magisterial Cynicism?
- Voluntarism or Reason?
- Tutorism or Probabilism?
- Heteronomy or Autonomy?
- Authority or Subsidiarity?
- Law or Creative Fidelity?
- ***There are no simple answers!!***

Neither the Answers Nor the Processes Are Simple....

- Need for genuine search for the truth
- Need for openness to the Spirit *wherever* it moves
- Need for respect
- Need for prayer
- Need for dialogue



A Final Word...

- *In fide, unitas; in dubiis, libertas; in omnibus, caritas*
 - "In faith, unity; in doubt, liberty; in all things, charity."
 - Attributed to St. Augustine, this is an important principle of Christian discernment: unity in faith is important, but in cases of doubt a plurality of opinions and practices should be allowed, and the over-riding principle must always be charity towards each other.

Suggestions For Further Reading

- Bretzke, James T., S.J. *Consecrated Phrases: A Latin Dictionary of Theological Terms*. Collegeville: Liturgical Press: 1998, 2003.
 - 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).
- 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.

Guidelines for Interpretation of Documents of Church Teaching

- <http://www.usfca.edu/fac-staff/bretzkesj/MagisterialExegesis.pdf> [PDF Version on USF Site]
- <http://www.usfca.edu/fac-staff/bretzkesj/MagisterialExegesis.htm> [HTML Version on USF Site]
- <http://www.lst.edu/prof/bretzke/MagisterialExegesis.PDF> [PDF Version on LST Site]
- <http://www.lst.edu/prof/bretzke/MagisterialExegesis.htm> [HTML Version on LST Site]
