Statements/Documents of the Magisterium

Documents from the Holy See

Episcopal Documents

Articles on the Magisterium and/or Dissent

Books on the Magisterium and/or Dissent

Sensus Fidelium and the Magisterium

Magisterium-Related Documents

Secondary Literature on Sensus Fidelium
Statements/Documents of the Magisterium

Documents from the Holy See

Congregation for the Doctrine of the Faith [CDF]. "Donum veritatis. Instruction on the Ecclesial Vocation of the Theologian." Vatican City: Libreria Editrice Vaticana, 1990. Internet version found September 21, 2010 at the following URL:  

Gives directives to theologians on how to be loyal and defend the Magisterium. In the rare case in which a theologian might have genuine doubts about the truth or aptness of a magisterial document the theologian is instructed to take the matter to prayer, and if still necessary after that to report his/her concerns privately to the proper magisterial office, but under no circumstances to make these concerns public.


Issued on the Feast of St. John the Baptist by the Congregation for the Doctrine of the Faith this Declaration defends the ministerial priesthood and the infallibility of the Universal Church and the Magisterium.

Available on the Vatican web-site at  
John Paul II. "Ad tuendam fidel. Apostolic Letter Motu Proprio by which certain norms are inserted into the Code of Canon Law and into the Code of Canons of the Eastern Churches. 18 May 1998. Internet version found September 21, 2010 at the following URL:


In this discourse the Pope repeated the affirmation of immutable concrete moral norms, and gave as two examples the prohibition against contraception and direct killing of the innocent. The tone of the Pope's discourse is clearly that of the Caffarra-Grisez-Finnis line, and contains many thinly veiled negative references to the Proportionalist school.

The Congress was sponsored jointly the John Paul II Pontifical Institute for the Study of Matrimony and the Family of the Lateran University (Msgr., now Cardinal, Carlo Caffarra), and the Holy Cross (Santa Croce) Center in Rome of the University of Navarra (Opus Dei).


Contains much material relating the role of the Magisterium in moral teaching and conscience formation.

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Episcopal Documents


Speech given at the USC Seminar on Dissent (Curran also present), 16 October 1986: "Even theologians in university situations are likely to be overinfluenced by the reigning ethos of academic freedom. It therefore becomes more necessary than ever for the Church to have firm authority structures so as to preserve its rich and ancient heritage and to address new problems in the light of Christ."
At this time Mahoney was archbishop (later cardinal and now retired) of Los Angeles.


Also found in Curran and McCormick, Readings in Moral Theology, No. 6, pp. 152-163.

The specific role of the theologians calls them to explore the implications of Church teachings, to investigate it, to refine it, to probe it, to push back its horizons. If not all Church teaching is guaranteed to be infallible, then some of it could be fallible, reformable, conceivably even incorrect. It is part of the theologian's responsibility to speak to Church teaching which he or she conscientiously believes to be inexact or erroneous.


Address on the role and some problems associated with the Roman Curia given by Quinn, the former Archbishop of San Francisco, at Oxford.


Sklba has a degree in Scripture from the Biblicum in Rome, and was auxiliary bishop in the Archdiocese of Milwaukee until his retirement.


Critiques the polarizing effect of Humanae vitae, noting that "In the eyes of many people, the teaching Church has committed a teacher's cardinal sin: it has become more concerned about itself than about the truth." (p. 12)

Untener was Bishop of Saginaw, Michigan until his death from cancer.


The Cardinal Archbishop of Washington, D.C. begins by lamenting that so “many have fallen away from the practice of the faith and lack a foundation in the essentials of the faith” (p. 11). Hope though is still to be found in the Gospel as expressed “in the teaching office of the church...preserving its integrity and its validity only through the church that he [Jesus] himself founded, beginning with the apostles and carried on in each by their successors, the bishops. It is through the teaching office of the church that we can be sure of the authenticity of the message that we proclaim” (p. 12). Since so many University students today are so deficient in their faith formation it is important to recognize that they come “in need of evangelization and faith formation more than theological speculation” (p. 13). Theologians do have a role to play and “enjoy a legitimate autonomy, but it is an autonomy defined by the standards of their discipline and the boundaries of what is known with certainty. In the case of theology, it is precisely the truths of the faith, taught by the magisterium, that constitute the subject matter of their work. It is an academic freedom, like any freedom, that is ordered to the truth and to human flourishing” (p. 13). Quoting Pope Benedict XVI’s 2008 at The Catholic
University on no account can appeals be made “to the principle of academic freedom in order to justify positions that contradict the faith and the teaching of the church” (p. 13).

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Articles on the Magisterium and/or Dissent


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Makes extensive use of Bart Kiely's writings and argues for a positive understanding of the Magisterium's imposition of the Oath of Fidelity on theologians.


Originally appeared in Christianity and Crisis in 1986.


"The decisive factor in the New Testament understanding of the concepts of `power, sovereignty', etc., is that all exercise of power in Christ's Church is understood
fundamentally as *diakonia* and not as *arché.*" p. 8.


Referencing Robert Schreiter's notion of philosophical and theological "intercultural" communication, this paper engages the Catholic moral tradition's conception of *intrinsece malum in se* and proposes a taxonomy of views taken both from this tradition and how the term has been referenced by the Magisterium in documents such as *Veritatis splendor* and episcopal pronouncements connected with some hot button moral issues. At times the expression "intrinsically evil" functions as a shibboleth that only partially succeeds in demonstrating Schreiter's "competence criteria of effectiveness and appropriateness," and at other times the term functions more as a gauntlet thrown down to sharpen sides in political policy debates. Hopefully the notion of the taxonomy of conceptions and uses of "intrinsic evil" may aid in more dispassionate ethical analysis and overcoming some of the divisions that either the shibboleth or gauntlet usages effect.


*Author provided Abstract:* The Catholic Church claims that its ethical teaching, especially on sex, is based upon natural law. I first show that natural law theories prior to the Middle Ages provide no authority for the Church’s teaching on sex. I then examine Aquinas’s teaching on natural functions and natural law in the two *Summae*. I suggest that he partly anticipates Enlightenment thinking about law and morals. I compare his theory of natural law with that of Germain Grisez and John Finnis. Finally, I examine the notion of a principle of practical reasoning and indicate how such principles could be formulated to correspond to elements in human nature.


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Canonist who argues that under certain conditions a divorced and remarried Catholic who does not have an annulment can still in good conscience opt to return to the sacraments.


Studies the historical background of Vatican I's doctrine of papal infallibility, especially in reference to positions of both Gallicanists papalists.


Essay written for the Canon Law Society of America's seminar on The Role of Law in the Church.


Much of this chapter deals with the arguments and claims revolving around papal Catholic Social Teaching from Leo XIII onwards, and special focus on Paul VI’s 1968 *Humanae vitae* and John Paul II’s 1993 *Veritatis Splendor*.


Curran's own apologia for continuing to resist the stripping of his teaching post at CU, after the CDF declaration, on the grounds that this very process can be seen as a "teaching moment" for the Church. He is the teacher.


DeCosse analyzes and critiques the current stance espoused by various U.S. Bishops in their treatment of conscience and Magisterial teaching on concrete matters of the moral law which have political ramifications, especially in the areas of sexual ethics.

DeCosse has his doctorate in theological ethics from Boston College and currently is director of campus ethics programs at Santa Clara University in California.


Demmer, Klaus, M.S.C. "La competenza normativa del magistero ecclesiastico in morale." In *Fede cristiana e agire morale*, 144-170. A cura di Klaus Demmer, M.S.C. e Bruno


 Slightly fuller version of the “Authority and Conscience” article which is found in Readings in Moral Theology, No. 6: Dissent in the Church, 97-111. Edited by Charles E. Curran and Richard A. McCormick, S.J. New York: Paulist Press, 1988.


 Dulles gives an overview of the basic reasons for and against the Roman Catholic Church's refusal to ordain women, and concludes that this teaching requires "firm assent," and that the teaching has been proposed as virtually de fide, though technically one cannot be condemned a heretic who does not hold the teaching.
Presents six principles for the exegesis and interpretation of magisterial teachings, as well as some historical, theological and psychological reflections on problematic uses of authority in the crafting and defense of certain doctrinal formulations.

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Address given in a workshop on medical and moral issues sponsored by the Pope John XXIII Medical-Moral Research and Education Center, and held in Dallas from 1-5 February 1993.

Concluding essay in this book.

Outlines the relation of theologians and theological method to the Magisterium from the 19th scholastic manuals, through the papacy of Pius XII (and Humani Generis), through Vatican II and post-conciliar developments up to the present.

Dulles proposes five ground rules that the Magisterium itself might observe in its practical exercise of the teaching office.

Borrowing the term from George Lindbeck’s work Cardinal Dulles outlines a middle ground of “moderate infallibilism” that is located between “absolutistic infallibilism” and “fallibilism” and which holds the greatest promise for satisfying the traditional Roman
Catholic understandings of this role of the Magisterium and the Petrine office, while still not becoming an insurmountable stumbling block to dialogue with other Christian traditions.


Fitch refuses to allow for the possibility of legitimate public dissent on the grounds that it causes scandal. Careful exposition of pre-Vatican II understanding of theological speculation and dissent.


The authors argue that the teaching on contraception fulfills the requirements to be considered infallible, and therefore binding and irreformable.


Articulates a potential abuse of authority in these words: “There is a flawed circular argument behind much of the Vatican’s efforts to police theological discussion in the Catholic Church at present. Disciple is used to produce a spurious sense of consensus. Then the existence of the consensus is cited as evidence of the settled position of the Church. And thus those who speak against that settled position are accused of disagreeing with a teaching that has the Church’s authority behind it. But this is just an exercise in tautology. It convinces nobody. The only consensus that matters is one that emerges after free and exhaustive debate, without any attempt to silence those holding different opinions. Only thus can the Holy Spirit be seen to have the time and space in
which to work.”


Briefly highlights instances where both individual bishops and different bishops' conferences have issued position statements on a particular issue, such as PVS, which are
not in agreement with one another. Fuchs notes the difference between enunciation of principles (about which there is usually greater agreement) and application of these principles to concrete ethical issues (and concerning which there will necessarily be less agreement. Moreover, Fuchs stresses that while respect for such episcopal teaching is a value, it is not an absolute value, and the absolute value would be only to the moral truth (and the common search for that truth).


Gaillardetz begins by observing that since Vatican II in papal magisterium, which “once limited to relatively rare and pointed statements on doctrinal issues, has expanded significantly and in multiple directions.” He outlines these developments in this article and concludes by looking at Pope Francis’ expanded use of the papal interview as a genuine instance of the ordinary papal magisterium. “In the synodal, listening church of Pope Francis, we are witnessing the gradual emergence of a new exercise of papal teaching, one that is more patient, persuasive and dialogical. It is an exercise of papal teaching particularly attentive to the complexities and challenges of living the Gospel within the concrete conditions of daily life. It is teaching put directly to the service of discipleship.”

At this writing Gaillardetz is Joseph Professor of Systematic Theology at Boston College


Summarizes and discusses the themes of the theology of papal primacy developed by Charles Journet (1891-1975) and notes some recent ecumenical proposals.


Historical account of the resistance to the transfer of ecclesiastical teaching authority "from those who had acquired knowledge to those who received power."

Gres-Gayer is associate professor of church history at The Catholic University of America.
Grisez, Germain. "How to Deal with Theological Dissent," Homiletic and Pastoral Review. 87 (November 1986).

Theological dissent is like a cancer growing in the Church's organs and interfering with her vital functions.


Originally appeared in The Thomist.


Gula taught moral theology for many years at St. Patrick's Seminary in Menlo Park, California, and then at the Franciscan School of Theology in Berkeley until his retirement in 2011.

Originally presented on West German radio in September 1986.


The article examines in some detail the processes used in the Congregation for the Doctrine of the Faith in its investigation of what might be suspect writings and/or theologians. Several concrete cases which occurred in the last decade are also used to illustrate this process. While the author is clearly not in favor of the Vatican’s office or approach, and while he does not seem to acknowledge the possibility of actual problematic theological writings his overall treatment is very helpful in outlining the actual, lengthy process used before any theologian would actually be disciplined.

Hinze taught systematic theology for many years at Marquette University and is now on the theology faculty at Fordham.


One of a series of articles on various aspects of this issue.


Hoose taught on the faculty of Heythrop College in London.


Discusses the theories of Germain Grisez in terms of the human good, and his extreme reluctance to accept even the hypothetical possibility of disagreeing with the Magisterium. Hoose goes on to clarify part of the problematic of the incommensurability of goods associated with the proportionalist school.


"Responding to Official Church Teaching." *Priests & People* 8 (October 1994): 382-86.

Hütter, Reinhard. "Ecclesial Ethics, the Church's Vocation and Paraclesis." *Pro Ecclesia* 2


Centers on the new oath of fidelity while giving an overview of some of the issues involved on magisterial competence, authority, and cooperation between theologians and Magisterium.


Kelly suggests that inasmuch as the Church is made up of sinners the Church itself (e.g., the Magisterium) will also reflect sin and sinfulness. A viable Christian spirituality needs to take account of this fact.

Kelly is a priest of the Liverpool Archdiocese and former lecturer in Christian ethics at Heythrop College.


Author is a historian. States that theological questions should not be solved by administrative fiat, lest these institutions regress into "theological stodginess" of previous eras. Reference to the Curran case at CU.


Series of articles on various aspects of this issue.

Brings into dialogue the critical theory of Habermas with the ecclesiology of the Post-Vatican II Church. Lakeland's thesis is that the Church's failure to enact the Conciliar vision is due to a lack of a critical theory of church and society which could have provided an intellectual context in which social teachings and praxis could give a consistent direction which in turn would welcome a reflexive critique of the internal dynamics of church life.

Lakeland is the Aloysius P. Kelley, S.J. Professor of Catholic Studies at Fairfield University.

______, “The U.S. Church, the Secular World and the Temptation to ‘Integrism’.” Horizons 38/1 (Spring 2011): 7-35.

(From the author’s own abstract): “Recent activity among the American Catholic bishops in the social and political arena shows in some cases at least a tendency towards the ‘heresy’ of integrism as defined by Karl Rahner, namely, the inclination to see the ethical teaching of the Church as a blueprint or template for secular society. This article surveys some examples of this tendency. It argues for a vision of the secular world as independent and grace-filled. The constructive proposal towards which this article moves, which is an effort to place the Church’s ethical outlook on the secular world in the space between integrism and esotericism, is worked out in dialogue with Rahner, Archbishop Charles Chaput, Archbishop Rowan Williams and Professor James Davison Hunter.


Adapted from his 2009 Boston College Lecture Lash outlines some of the difficulties involved in understanding magisterial instruction when presented as a command to be obeyed rather than as teaching whose force is found in presenting convincing arguments.


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Argues that in today’s pluralistic context the understanding and exercise of the office of magisterium in both Protestant and Roman Catholic churches out to be more broadly based and ecumenical in nature. Three theologians are then discussed to outline possible ways of understanding magisterium in this new way: Protestants Richard Robert Osmer, Willem Visser ‘t Hooft and Catholic layman Richard Gaillardetz.

Mannion is the Joseph and Winifred Amaturo Professor in Catholic Studies and Senior Research Fellow of the Berkley Center for Religion, Peace and World Affairs at Georgetown University.


Reviews the aftermath of the Curran affair in the light of the subject's difficulty in obtaining a position in a Catholic university. Some additional material discussed, such as the recent CDF document on the Role of the Theologian.

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Basically a response to the 1990 CDF document on the "Vocation of the Theologian." Excellent statement of the concerns of the middle-to-left sector of the Church in reference to the current policies of the Vatican in regards to dissent.


Written before Curran's definitive condemnation by the CDF. Delineation of the issues and the "non-issues" of the case. Gives references to Curran's points of dissent, and discusses the necessity of theological dissent in the Church.


Critiques the statement issued on 12 December 1991 of the Pennsylvania bishops entitled "Nutrition and Hydration: Moral Considerations" (*Origins* 30 January 1992). McCormick argues that the bishops' statement disagrees with other episcopal statements and is an overly specific application of general moral principles of a controverted case, and therefore cannot enjoy the same magisterial authority as a more general statement.


Originally appeared in *America* in 1986.


Interesting for delineating various views on the magisterium, authority, nature of legitimate dissent, and the role of *sensus fidelium*.

Melina is professor of moral theology at the John Paul II Institute for Studies of Marriage and the Family in Rome.

Melina holds that Christian conscience is a call to assume an internal, ecclesial form in conformity with a Marian disponability to the Spirit. This article does not discuss Veritatis Splendor.

According to Melina, moral theology needs a re-dimensioning which would reestablish the bonds between moral theology and other key branches of theology, specifically Christology, theological anthropology, and ecclesiology. Melina argues that the Eucharist is the locus par excellence of the moral life, and that a strong trust in, and reliance on the Magisterium is the only sure guarantee of following the promptings of the Holy Spirit in the moral life. In terms of the specificity of Christian ethics Melina seems to recast the issue. No longer does the discussion revolve around the question "Is there a specific Christian ethics?" but implicitly, following Melina's view, one is led to the conclusion that there is no authentic morality which is not rooted in the Catholic Church, and especially in the Eucharist.


One of a series of articles on various aspects of this issue.


Looks at changes and development in magisterial teaching in five areas: adultery, death penalty, religious liberty, slavery, and usury.


Reflection on both human religious claims to infallibility from this well-known American literary figure who has one foot in the Protestant tradition and one foot in Catholicism.


Essay written for the Canon Law Society of America's seminar on The Role of Law in the Church.


Canonical analysis of the CDF's "Response" declaring John Paul II's Ordinatio
Sacerdotalis to be infallible. See also the article by Francis A. Sullivan, S.J., "Guideposts from Catholic Tradition" in the same issue.


Originally appeared in America in 1986.


References the controversial decision in 2009-10 of Bishop Thomas Olmsted regarding the revoking the Catholic status in Phoenix of the hospital and declaration of excommunication for one of administrator that allowed the termination of a life-threatening pregnancy to save the life of the mother. O’Rourke distinguishes this as a prudential judgment and thus the response called for by the Catholic faithful differs from that which would be accorded to either an infallible doctrine or even a non-infallible statement of moral doctrine.


Contiene ampie bibliografie.


Series of articles devoted to various factors involved in ecclesial authority and power.

Critique of some aspects of the new Code of Canon Law and current procedural practices in the Roman Curia in respect to treatment of the "rights" of individuals, especially theologians.


____. "Zur Situation der Jesuitenorden nach den Schwierigkeiten mit dem Vatikan," Schriften XV.

A talk to German Jesuits (14 April 1982) concerning Dezza's instruction of 25 March 1982 which stated that all Jesuit theology be aligned strictly with the Pope's teaching: R. stated, "Jesuit theology would lose its credibility to the outside world, if it were to be judged as a simple megaphone [blosses Sprachrohr] of authoritarian teaching power." p.362


Good balanced article, which maintains the principle of the authoritative teaching office of the bishops while stressing that other voices must also be heard. Article points out that the touted "self-policing" among theologians does not always work in highly charged issues, such as women and gay rights, which instead become "advocacy" theology.


Reimer-Barry uses her fieldwork on Catholic women suffering from HIV/AIDS in Chicago and Kenya to outline a call for “empathetic listening” that seeks first to discover what is genuinely going on in people’s lives–before moving to a judgment of what the proper ethical position might be. In this regard she is particularly critical of Pope Benedict XVI’s 2009 negative comments about condom use in Africa which he delivered in an airborne news conference on the way to Africa. Far more effective would have been to land in Africa, talk with a variety of people there who knew the situation first-hand, and then–and only then–presume to take a position on a practical issue like the advisability of condom usage in a situation common in sub-Saharan Africa.

At this writing Reimer-Barry was Assistant Professor of theological ethics at the University of San Francisco.

Rigali teaches moral theology at the University of San Diego.


Strong critique that the Congregation for the Doctrine of the Faith required the editors of Theological Studies to publish of the Kenneth Himes and James Coriden “The Indissolubility of Marriage: Reasons to Reconsider,” Theological Studies 65 (September 2004): 453-499. 2004 article. Himes & Coriden argued that the present teaching of the Catholic Church on indissolubility has had a complex history and propose that the teaching may be open to revision, and furthermore, that current arguments against the revision of the teaching are insufficient. The end of the article argues that this position meets all of the requirements for an infallible teaching of the Church in the ordinary Magisterium.

Ryan is professor of moral theology and Grisez emeritus professor at Mount Saint Mary’s in Emmitsburg MD.


Criticizes the lack of prominence given to the role of the Church in moral theology by a number of contemporary moralists. As negative examples Schlögel cites Böckle and Demmer, and as a positive example uses Livio Melina.

Selling taught moral theology on the Faculty of Theology at the Catholic University of Louvain until his retirement in 2011.


Very negative review of Frank Mobbs’ Beyond Its Authority: The Magisterium and Matters of Natural Law (Sydney: E.J. Dwyer, 1997), and concludes with a thoughtful exposition of Selling’s own positions in this area. Mobb’s basic thesis is that inasmuch as the natural law is not part of revelation the authority of the Magisterium does not extend to authoritative pronouncements on the natural law. Selling’s views are much more nuanced.


By analyzing the teachings of Popes Leo XIII to Paul VI Humane Vitae's claim of the existence of a clearly definable body of teaching with respect to marriage which has been "constantly" taught by the Magisterium is evaluated. Selling concludes that a new norm, "openness to procreation" emerged which went "considerably beyond what Pius XII had explicitly taught." Humanae vitae itself "can be better characterized either as a radical development in the line of teaching of Leo XIII, Pius XI and Pius XII, or a departure from the developing teaching of [these same popes] and the Second Vatican Council."


A very conservative treatment of the legitimate (im)possibility of theological dissent. Smith concludes that "The only way for genuine dissent in theory and practice to be legitimate is to accept and adopt an illegitimate ecclesiology which not only changes but also contradicts the teachings of Vatican II about the nature of sacred and certain Catholic teaching and the very nature of the Church (LG 25; DV 7-10)." p. 253.

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Matrimony and the Family of the Lateran University (Msgr. Carlo Caffarra), and the Holy Cross (Santa Croce) Center in Rome of the University of Navarra (Opus Dei).

Smith is Professor of Moral Theology at St. John's Seminary (Dunwoodie) in New York, and moral columnist for *Homiletic and Pastoral Review*.


Discusses primarily some of the issues and ramifications of the CDF document on "The Ecclesial Vocation of the Theologian," the required Profession of Faith for theology professors, and the Catechism of the Church concerning the extension of the assent and limitation of dissent, from teachings of the ordinary, non-infallible magisterium, as well as the inherent competence and limitations of the magisterium to teach infallibly and/or "authoritatively" in moral matters.

Spohn was Professor of Theology at the University of Santa Clara until his death in 2005.


Originally appeared in *The Jurist*.


Sullivan was Dean of the Faculty of the Theology at the Pontifical Gregorian University and professor of ecclesiology from the 1950s to 1992 when he became theologian in residence at Boston College.


Considers the teaching authority of the Magisterium and the obligation of the faithful to give their assent, and then moves to a discussion of the replies given by Cardinal
Ratzinger as Prefect of the CDF to the question of the definitive character of Pope John Paul II’s teaching in *Ordinatio sacerdotalis* that the priesthood is reserved to males only. Sulivan concludes with a position on this abstract question of assent to papal teaching outlined by the then Father Joseph Ratzinger in a 1969 essay (which was never retracted by Ratzinger).


Part of a series of articles on the 50th Anniversary of Vatican II. Discusses episcopal conferences and the Congregation for the Doctrine of the Faith, definitive teaching of objects not revealed, and papal declarations of doctrines taught infallibly by the ordinary universal magisterium.


Theological analysis of the CDF's "Response" declaring John Paul II's *Ordinatio Sacerdotalis* to be infallible and belonging to the deposit of faith. See also the canonical analysis by Ladislas Orsy, S.J., "The Congregation's 'Response': Its Authority and Meaning," in the same issue.


Critiques an article of Archbishop Taricsio Bertone, Secretary of the CDF, published in *L’Osservatore Romano* on December 20, 1996 in which Bertone argues for papal infallibility for various positions taught in the ordinary magisterium, but which lack the usual traditional criteria for establishing the objective fact of their being so taught.


A careful "exegesis" and interpretation of the Congregation for the Doctrine of the Faith's 1990 "Instruction on the Ecclesial Vocation of the Theologian."

Taylor, Charles. “Magisterial Authority.” Chapter 9 in *The Crisis of Authority in Catholic

Thiel is professor of theology at Fairfield University.


Historical background for the understanding of dissent. Suggests a paradigm, derived from Romanticism, for the assumption that the theologian possesses individual creativity and therefore accountable to the ecclesial community at large. This paradigm has received qualified acceptance from the official magisterium, though this acceptance has not been constant.


Uses insights from nonfoundational epistemology to discuss some of the problematic relations between argument and authority in magisterial teaching. Teachings contained in *Humanae vitae* and *Inter Insigniores* are used to illustrate the issue.


One of several articles in this issue devoted to an analysis of *Veritatis Splendor*.


Concerns the problem of authority in general in moral theology.


One of a series of articles on various aspects of this issue.


Wilson, George B., S.J. “‘Dissent’ or Conversation Among Adults?” *America* 180 (13 March 1999): 8-10; 12.
Wilson suggests that “dissent” is really the wrong concept to use in referring to contemporary, well-educated, adult Catholics in their attempts to dialogue and agree and/or disagree with magisterial teaching: “Adults don’t ‘dissent’; they discuss and deliberate and converse and dialogue.” (P. 9).


Outlines the Vatican I teaching on papal infallibility, underscoring its relation to the whole Church and not as a sort of superhuman personal prerogative of the pontiff.


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*Books on the Magisterium and/or Dissent*


Contributions include from essays on teaching the Catechism (Mary Jo Iozzio), the Catechism and conscience (Michael Allsopp), the moral act and its moral evaluation in the Catechism (Todd Salzman), homosexuality and the Catechism (Robert Nugent), and a comparison of Catechisms in the Americas (Edward Sunshine). Others consider the political culture of the Catechism (Edward van Merrienboer) and the treatment of marriage (Ann Swaner), Catholic Social Teaching (John Pawlikowski), assisted suicide (Andrew Lustig), and Catholic health care (Gerard Magill) in the Catechism.


Confronting the controversial issue of women's ordination, this book provides a theological exploration of the definitive 1994 Vatican declaration, *Ordinatio Sacerdotalis*, which opposed the ordination of women. Ashley discusses the arguments of those in favor of changing the Church's practice of ordaining priests, and explains and defends the Church's reasoning for strictly denying women's participation in the priesthood.

Essays written for the Canon Law Society of America's seminar on The Role of Law in the Church.


Directed by Klaus Demmer, M.S.C.


Articles deal mostly with condemnation of theological dissent and upholding absolute fidelity to the magisterium.


Articles, representative of both ends of the theological spectrum, are grouped into five sections: 1) Theological Dissent in General; 2) Canonical Aspects; 3) Academic Aspects; 4) Moral Theology in Particular; 5) The Curran Case and its Aftermath.

Details Curran's encounter with the CDF.


Includes 9 Appendices of contemporary relevant Magisterial documents from Vatican I, II, Pius XII, and the CDF.


Discusses fidelity to the Church, and what might be termed proper attitudes of discernment and religious submission of the will in the context of Jesuit spirituality, and in particular Ignatius’ Rules for Thinking with the Church.


Individual chapters dealing with a range of theological and moral topics, from infallibility, biblical interpretation, ecumenism, religious freedom, usury, sexual ethics, and so on. The format of each chapter provides a historical sampling of various magisterial statements (papal, conciliar, and from various dicasteries of the Holy See) on the topic at hand, and concludes with a short essay on the Church’s teaching in this area by a specialist in the field.


[From the publisher’s advertisement:] Catholicism has always recognized the need for a normative doctrinal teaching authority. Yet the character, scope, and exercise of that authority, what has come to be called the magisterium, has changed significantly over two millennia. This book gathers contributions from leading Catholic scholars in considering new factors that must be taken into account as we consider the church's official teaching authority in today’s postmodern context. Noted experts in their fields cover many intriguing topics here, including the investigation of theologians that has
occurred in recent years, canonical perspectives on such investigations, the role that
women religious have played in these issues, the place of the media when problems arise,
and possible future ways forward. The book concludes with “The Elizabeth Johnson
Dossier,” a selection of documents essential to understanding the case of Elizabeth
Johnson, CSJ, whose work was recently the subject of severe criticism by the United
States Conference of Catholic Bishops.

Gaillardetz, Richard B.  *By What Authority? A Primer on Scripture, the Magisterium, and the

Gaillardetz now is the Joseph Professor of Catholic Systematic Theology at Boston
College.

_____.  *Witness to the Faith: Community, Infallibility and the Ordinary Magisterium of Bishops*.

An historical and systematic examination of the ordinary teaching authority of the
bishops, emphasizing Vatican II's retrieval of the ecclesiology of communion.


Gallagher divides his work into four sections: 1) The Criteria for Moral Judgment:
Human Reason and Experience; 2) The Criteria for Moral Judgment: Sacred Scripture; 3)
Practical Moral Judgment; and 4) Individual Conscience and the Church. In this last
section Gallagher's final chapter (20) treats the question of the Magisterium and dissent
on moral issues.

González Faus, José Ignacio, S.J.  *Libertad de palabra en la Iglesia y en la teologia: Antologia

*In English*:  *Where the Spirit Breathes: Prophetic Dissent in the Church*. Translated by

Collection of various quotable quotes supporting "prophetic dissent" from throughout the
history of the Church, commented upon by this Spanish theologian.

Greenleaf, Robert K.  *Servant Leadership: A Journey into the Nature of Legitimate Power and


Aimed at a popular audience, Kaufman discusses probabilism, infallibility, divorce and remarriage, and many of the issues connected with the proclamation of the birth control teaching of the Church.


Dissertation done under Francis Sullivan, S.J. Levada writes that the "...traditional doctrine of infallibility as defined in Vatican I and explained in ecclesiology: infallibility (considered from the aspect of its object) refers in general to those statements which are taught as definitive and to be held by all the faithful in the Church; such definitions are irrefromable in the sense that they do not admit of subsequent contradictory teaching or practice; such definitions are true in the sense that they correspond to objective Church tradition, and do not merely represent temporary symbols of faith." [Levada, *Infallible Church Magisterium and the Natural Law*, p. 75.]

"Thus we had to come ultimately to a consideration of the peculiar characteristics of the natural law norms which in our dissertation would be the object of the Church's infallible defining power. We found that the human process of formulating moral norms is marked by an essential dependence upon the data of human experience, and this dependence has, in greater or lesser degree, always been recognized in traditional moral theology. This recognition thus must serve to correct the model sometimes used in moral theology, in which man's knowledge of moral norms was simply a 'given' or was 'deduced' from nature, in which the variable factors of the moral judgment were recognized only in the conscience-decision of the unique situation. Such an understanding did not sufficiently appreciate the fact that the formulation of the moral norms is essentially marked by the 'relativity' which is inherent in the human estimation of moral values. This consideration of the natural law in its aspect of material norm led us to conclude that the variabilities which marked the human process of its discovery and formulation made such particular applications inherently unsuited to be considered for infallible definition. It is in the particular characteristics of this process which is man's [sic] discovery and application of the natural moral law in his life, and in the dependence of his reflective scientific moral knowledge upon these characteristics (which ties his moral knowledge to the perception..."
of values seen in relation to his human nature fully considered in its historical context),
that we find the ultimate reason for the unsuitability of natural law formulations for
infallible definition. For such formulations must remain essentially open to modification
and reformulation based upon moral values as they are perceived in relation to the data
and the experience which mark man's understanding of himself." [Levada, p. 77].

"When one examines the traditional theological teaching about the secondary object, one
remarks that natural law is not traditionally included within this category. Even though
there is nothing to prevent a council or a pope from extending this secondary object to
questions of the natural moral law from the point of view of their authority to do so,
nevertheless the 'prudential' certitude which characterizes the non-scriptural norms of the
natural law argues against such an extension of this secondary object to include an
infallible definition of this sort." [Levada, p. 78].

Levada concludes by accepting the competence of the infallible Magisterium, in the
restricted sense "on the level of transcendental values; when we turn to the level of
categorical norms, on the other hand, we cannot ignore the essential autonomy of the
rational process of human discovery of the natural moral law. And the nature of this
moral autonomy, considered in all its aspects, gives us the ultimate reason why we should
not understand it to fall within the traditional categories of primary or secondary object of
infallibility." [Levada, p. 79].

Levada went on to become installed, on 22 September 1986, as archbishop of Portland,
OR, and in 1996 as archbishop of San Francisco, CA. He was then named Prefect of the
Congregation for the Doctrine of the Faith in 2005 and raised to the rank of Cardinal by
Pope Benedict XVI.


Maguire, Daniel C. Moral Absolutes and the Magisterium. Washington, D.C.: Corpus Papers,
1970.

Originally part of Absolutes in Moral Theology? Edited by Charles E. Curran.

En español: "Absolutos morales y el magistero." En Principios Absolutos en Teología
Moral?, 57-106. Dirigido por Charles E. Curran. Traducción de José María Ruiz, S.J.


Miller, Monica Migliorino. Sexuality and Authority in the Catholic Church. Scranton:
University of Scranton Press, 1995.
A rather neo-conservative anti-feminist treatment.


Mobb’s basic thesis is that inasmuch as the natural law is not part of revelation the authority of the Magisterium does not extend to authoritative pronouncements on the natural law.


*From the publisher’s blurb:* “Using concrete examples, John T. Noonan, Jr., demonstrates that the moral teaching of the Catholic Church has changed and continues to change without abandoning its foundational commitment to the Gospel of Jesus Christ. Specifically, Noonan looks at the profound changes that have occurred over the centuries in Catholic moral teaching on freedom of conscience, lending for a profit, and slavery. He also offers a close examination of the change now in progress concerning divorce. In these changes, Noonan perceives the Catholic Church to be a vigorous, living organism, answering new questions with new answers, and enlarging the capacity of believers to learn through experience and empathy what love demands. He contends that the impetus to change comes from a variety of sources, including prayer, meditation on Scripture, new theological insights and analyses, the evolution of human institutions, and the examples and instruction given by persons of good will. Noonan also states that the Church cannot change its commitment to preaching the Gospel of Jesus Christ. Given this absolute, how can the moral teaching of the Church change? Noonan finds this question unanswerable when asked in the abstract. But in the context of the specific facts and events he discusses in this book, an answer becomes clear. As our capacity to grasp the Gospel grows, so too, our understanding and compassion, which give life to the Gospel commandments of love, grow.”


Excellent collection of essays that consider a wide range of important ecclesiological topics such as the nature and role of the laity in the Church, development of law and doctrine, episcopal conferences, ecumenism, and the exercise of the charism of magisterial office.
Orsy (b 1921) is a Hungarian Jesuit who has taught in Rome and the United States and is one of the most respected canon lawyers of the last half-century or more.


Contents of 1984 workshop for North and Central American bishops, addressed by Joseph Cardinal Ratzinger and various other theologians.


Part of a symposium on *Veritatis Splendor* held at the Pontifical Gregorian University.


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, and good historical examples are used to illustrate the various points.


An excellent overview of the theology of the Magisterium and related questions. Includes chapters on the biblical and historical bases for episcopal Magisterium, infallibility, and a concluding chapter on the Magisterium and role of theologians in the Church. The last half of Chapter 6, "The Infallibility of the Universal Magisterium and the Limits of the Object of Infallibility," (pp. 132-152) is also found in Curran and McCormick, *Readings in Moral Theology*, No. 6, pp. 42-57.


Witham, a reporter for *The Washington Times*, covers the "Curran Affair" from 1986 to the 1989 court decision in favor of Catholic University. Background discussion of the ecclesial, moral and theological issues is also included.

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*Sensus Fidelium* and the Magisterium

*Magisterium-Related Documents*


*Secondary Literature on Sensus Fidelium*


Burkhard is at the Washington Theological Union.


Examines the writings of various theologians writing on this theme in the years 1965-1989. This article is part one.


Studies the historical background of Vatican I's doctrine of papal infallibility, especially in reference to positions of both Gallicanists papalists.
15 essays divided into two major sections: Part One: Historical and Theological Understandings of Sensus Fidelium (including the International Theological Commission document “Sensus Fidei in the Life of the Church: Scripture and Tradition) and Part Two: Moral and Practical Issues in Light of the Sensus Fideiulm.


Fr Ekpo is a priest from the Umuahia diocese in Nigeria who currently is Archbishop Mark Coleridge’s pastoral assistant in the Brisbane Archdiocese.


, . “From Sensus Fidei to Sensus Legis: Reconciling Faith and Law in the Church.”


Argues for an expansion of Lumen gentium’s understanding of sensus fidelium to include the entire triplex munera of priest, prophet, and king in which all the baptized participate.


Author supplied abstract: In 1962 Pope John XXIII convoked the Second Vatican Council to which about 2,500 bishops were invited from all over the world. It was at this council, and in its reception over the years, that the sensus fidelium was re-discovered as an ecclesial reality and a theological insight that has characterized the Church since its inception. The central question of this article is how the sensus fidelium is expressed and received in the Church through the canonical norms and structures of the 1983 Code of
Canon Law. In other words, the article investigates the *sensus fidelium*, highlighting particularly, how the canonical norms and structures of the 1983 Code aid its expression and reception in the Church. The article identifies canonical structures such as the parish pastoral council, finance council, presbyteral council and college of consultors, diocesan curia, diocesan synod, Synod of Bishops, Roman Curia and ecumenical dialogue, as structures of the *sensus fidelium*. It argues that, when these canonical structures are used to their fullest potential, they can be useful instruments for the expression and reception of the *sensus fidelium* in the Church.


*Author supplied abstract:* Abstract: More than fifty years ago Pope John XXIII convoked the Second Vatican Council to which about 2,500 bishops were invited from all over the world. It was at this council, and in its reception over the years, that the *sensus fidelium* was re-discovered as an ecclesial reality and a theological insight that has characterized the Church since its inception. The central question of this study is how the *sensus fidelium* is expressed and received in the Church through the post-conciliar canonical norms and structures, since the post-conciliar legislation is believed to be the canonical reception of the ecclesial and theological insights rediscovered at Vatican II. In other words, the study investigates the *sensus fidelium*, highlighting particularly, how the post-conciliar canonical norms and structures aid its expression and reception in the Church. The study identifies canonical structures such as the parish pastoral council, finance council, presbyteral council and college of consultors, diocesan curia, diocesan synod, Synod of Bishops, Roman Curia and ecumenical dialogue, as structures of the *sensus fidelium*. It argues that, when these canonical structures are used to their fullest potential, they can be useful instruments for the expression and reception of the *sensus fidelium* in the Church.


Contains an extensive review of the literature in the field.


Articulates a potential abuse of authority in these words: “There is a flawed circular argument behind much of the Vatican’s efforts to police theological discussion in the Catholic Church at present. Disciple is used to produce a spurious sense of consensus. Then the existence of the consensus is cited as evidence of the settled position of the Church. And thus those who speak against that settled position are accused of
disagreeing with a teaching that has the Church’s authority behind it. But this is just an exercise in tautology. It convinces nobody. The only consensus that matters is one that emerges after free and exhaustive debate, without any attempt to silence those holding different opinions. Only thus can the Holy Spirit be seen to have the time and space in which to work.”


Interesting for delineating various views on the magisterium, authority, nature of legitimate dissent, and the role of sensus fidelium.

Metz, Johann Baptist, and Schillebeeckx, Edward, eds. "The Teaching Authority of Believers." 
Concilium 180 (1985).

Series of articles on Sensus fidelium and the role of the people in relation to the Magisterium.


Locus classicus for Newman’s oft-quoted treatise on the role of the laity and a proper understanding of the sensus fidelium.


*From the publisher:* Both the faithful and bishops are called to learn and to teach. Empowered by the Holy Spirit, the faithful of the local church witness to the apostolic tradition with their lives, and so are teachers. Learning to receive and respond to the sense of the faithful is an essential way the bishop grows in his personal ability to teach the church's faith in authentic and meaningful ways. How is the bishop's ministry of discernment formed by spirituality, and what structures strengthen it? Ignatian spirituality and the structures of discernment in the Society of Jesus model ways for bishops to cultivate discernment as a spiritual habit and provide insight for renovating diocesan structures to incorporate discerning dialogue with the faithful. Amanda Osheim moves from ecclesiological theory to imagining spiritual practices and church structures in the hope of contributing not only to the academic conversation about the sensus fidelium but also to the ways the church practically lives out our response to the Holy Spirit.

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