

ARTICLES

Dissent in the Church Today: Concern or Rebellion?

Introduction

We have to face a disturbing fact: there is an undeniable swirl of confusions, misunderstandings and denials in the Church today. With some ancient questions resurrected, perennial doctrines summoned to stand trial, new problems, questions and methodologies emerging and new ways of thinking and acting within the theological ranks, there is an uneasy stirring of the status quo. All these seem to have taken shape in a span of approximately four decades, forty years when radical changes occurred in the Church rapidly and intensely. One thing seems certain: these changes and new-found awareness with their tails of confusions and problems have tremendous repercussions on the relationship between theology and the magisterium, between the hierarchy and the theologians.

Conflicts between the two supposedly harmonious complementary charisms of the magisterium and theology, and the frictions among the theologians themselves and among the bishops themselves, have placed a great divide in the Church. Differences run the whole gamut of Church teachings, from the dogmatic question of Jesus' virgin birth to the moral problem of contraception. There are issues which strike the very bedrock of Church's teachings. Some are tangential. Still others are simply nonissues, dirty name-tagging, for instance. Angry theologians call the Congregation

for the Doctrine of the Faith as the contemporary version of the excessive heresy-hunting medieval Inquisition, or simply a slightly refurbished version of the old bad Holy Office. Opponents denounce Ratzinger as a narrow-minded heir to Dostoyevsky's Grand Inquisitor. Theologians throw labels at one another: papists, conservatives and Tridentine on the one hand, progressives, modernists or simply theological "yuppies" with a rebellious teen-age mentality on the other hand. And there is an interesting and growing specie: the "dissenters".

With Pius XII's staunch position against an "infatuation" for philosophical relativism and theological pluralism still fresh, John XXIII opened the door toward the legitimacy of divergent opinions and the liberty of theological discussions while still preserving the communion of faith.¹ The peak of this Johannine mentality was his overwhelmingly successful brainchild: the Second Vatican Council. There is no arguing to the fact that a new spirit, a new freedom of thinking, discussing and acting have become realities. It moved the Church away from its too authoritative approach to things and substituted it with an exciting conciliar language: exploration, discovery, dialogue, collaboration, even revolution.

Indeed, it was a harbinger. But it was not long that the renewal ushered in by the Council experienced unseasonable weather. People expected a day of sunshine for the history of the Church. But there came a day of clouds and uncertainties. The so-called "progressives" have come to consider the Council so soon as completely surpassed, consequently, irrelevant. The so-called "conservatives" have come to consider it as an apostasy from the Council of Trent and the First Vatican Council, consequently, a retraction is demanded.

Shall we hold the Council responsible for all this chaos? Ratzinger believes that it is not the Council that is problematic, but rather the manifold interpretations of the conciliar documents which result from the unleashing within the Church of latent polemical and centrifugal forces.² These willful misinterpretations

¹ Acta Ioannis PP. XXIII, Litterae Encyclicae "Ad Petri Cathedram," (June 24, 1959), *Acta Apostolicae Sedis*, Vol. 51 (1959), pp. 497-531.

² A Ratzinger Manuscript "Thesen zum Thema Jhn Jahre Vaticanum II," as quoted in Vittorio Messori, *The Ratzinger Report* (San Francisco: Ignatius Press, 1985), p. 30.

by textual manipulations in pursuit of a personal belief are almost always preceded or followed by the phrase "in the spirit of Vatican II". We have read and heard people say "in the spirit of Vatican II". Indeed, this becomingly hackneyed expression has come to mean anything and everything except Vatican II. A nun wears mini-skirt and make-up "in the spirit of Vatican II". A priest teaches what is opposite to a magisterial teaching as an expression of freedom which is "in the spirit of Vatican II". A faithful no longer goes to confession "in the spirit of Vatican II". You name it. There are so many things going on under the cover of "the spirit of Vatican II".

There is no doubt that the critical spirit of the age has contaminated theological approaches and methodologies. The underlying dislike for authority has conspired with it to place the magisterial authority in the difficult end. The new emphases, new presentations and modifications introduced by the Council were interpreted by many theologians as a welcome sign to propose an evolution of the notion of the magisterium as well. Broad-based collegiality and extensive consultations with the faithful, an ecclesial democratization, a double magisterium and the too easily invoked right and duty to dissent are basic elements in most of these theological proposals for a new understanding of the magisterium.

One can easily detect that what compounds the trouble is the fact that the most serious problems facing the Church today are not the ones it encounters from without, but the ones it confronts from within. Factors have conspired to generate frictions between the magisterium and the theologians. Thus, in spite of the much talked-about collaboration between them and the luminous essays shedding light on their respective spheres of competence, "the mutual relationship between theology and the hierarchical magisterium is still fraught with misunderstandings, tensions, distrust and occasional bitterness".³ Some theologians allege that some bishops often have the impression that "theologians cannot be counted on to adhere to the truth of revelation and to be loyally devoted to the building of the Body of Christ".⁴

³ Avery Dulles, "The Theologian and the Magisterium," *Catholic Mind*, 75 (1977), p. 8.

⁴ *Ibid.*

As a response, many theologians have sown dissensions in their own ranks and spread them to the faithful, attacking almost everything that the magisterium teaches. In a scathing comment, Davis says that in the Church, "truth is used, not respected or sought... truth is subordinated to authority, not authority out at the service of truth".⁵ The Church has, in fact, "become a zone of untruth".⁶

Perhaps the most spectacular display of dissension in the Church centered around the encyclical *Humanae Vitae*. The wintry reception accorded to it by so many theologians and faithful brought to the surface a relatively new phenomenon in the Catholic Church. The active resistance against it demonstrated that there are elements in the Church which are capable of publicly criticizing and rejecting the pronouncements of the highest ecclesiastical authorities. What further brought to focus this phenomenon was that the center of dissent was not so much the content of the encyclical, but the authority and competence of the magisterium. Hence, what came out was ultimately a question of authority.

I. A SITUATIONER

1. *The Status of Contemporary Theology*

Time was when the Catholic teachings were the output of a monolithic theological system under the patronage of the Church authorities. Time was when the teaching of these doctrines enjoyed all the security of a well-trying system. Time was when the Church magisterium said "this is it", and the rest of the Catholic world said "Amen".

When one looks at and reflects on the present state of theology, one could say "this is not what it used to be", or "this is not what my professors taught me in school". Today, pluralism and dissent, variegated stands and confusions could well describe the prevailing state of theology. The Copernican revolution in theo-

⁵ Charles David, *A Question of Conscience* (New York: Harper and Row, 1967), p. 77..

⁶ Dulles, *op. cit.*, p. 9.

logy in the past few years, characterized by various questioning theological probes and a conglomeration of theological options and alternatives, has really challenged the official stands of the Church. With this, King comments that theology is no longer "fides quaerens intellectum" but it has become "fides quaerens confusionem".⁷ And with the new found freedom, the theologians have turned the Church into an "immense, huge free-for-all debating society".⁸

More or less two decades before the Second Vatican Council, a "new theology" crept into the serene theological scene and the comfortable state of the magisterium, questioning the traditional manuals and their contents, and even contesting the authority of Saint Thomas Aquinas. Certain positions and formulations which were generally considered settled and almost canonized were resurrected to stand trial in the face of a new awakening brand of theology. This time was the Pontificate of Pius XII. The Pope foresaw the dangers of these theological novelties. Curran contends that Pius XII's encyclical *Humani Generis* in 1950 was an attempt to quell the "new theology" and to reassert the papal teaching authority as a means of controlling theological speculations.¹⁰ In this encyclical, the Pope warned against the infatuation for ancient status of questions and formulae; against excessive concession to historical and philosophical relativism, dialectical materialism and existentialism; and against a misguided irenicism. The Pope believed that these novelties foster a distrust of reason in apologetics and theology, a neglect of the ordinary magisterium and a failure to return to the Scriptural and patristic sources. Instead, the Pope taught that to rejuvenate the sacred sciences, there is only a need to go back to the richness of the deposit of faith; whereas speculations which neglect to delve again and again into the deposit of faith prove sterile.¹¹

⁷ Francis King, "Avery Dulles on Magisterium," *Homiletic and Pastoral Review*, 78 (1977), p. 10.

⁸ Archbishop Dwyer, commenting on the new ecclesiology of Avery Dulles, in *National Catholic Reporter* (January 5, 1975), p. 4.

⁹ The term "new theology" was used first by Pius XII in his discourse of September 1946 to the General Congregation of the Society of Jesus. Cf. AAS, 38 (1946), pp. 384-86. The tenor of the discourse was repeated to the General Chapter of the Dominican Fathers, though the expression "new theology" was not repeated. Cf. *Ibid.*

¹⁰ Charles Curran, "Moral Theology: The Present State of the Discipline," *Theological Studies*, 34 (1973), p. 458.

¹¹ Dz. 3875-99; Neuner-Roos, 74a-74g.

When Angelo Giuseppe Roncali, who took the papal name John XXIII, was elected in 1958 to succeed Pius XII, no one really knew what his coming was to mean to the Catholic Church and to the world in general. But with John XXIII's warm personality and unconventional style, it soon became evident that there was a new atmosphere in the Vatican and fresh air had been pumped into the corridors of power. During his reign, the idea of renewal and reform had taken hold, and the expressions frequently heard and most typical of His Pontificate were precisely those which under Pius XII were most strongly disapproved: opening, theological freedom, dialogue, *aggiornamento*.¹²

Indeed, the theologians who were under censure during the reign of Pius XII found support in the new Pope. The chief point of his reform was precisely tailor-made for theologians who were seeking new ways of doing theology. This was in the area of liberty: liberty to study, liberty to discuss, liberty to differ, liberty to converse with all other men and beliefs. The wave of enthusiasm and relief that swept the Church and the world was because of this new found liberty, and at the same time the return of Catholics into the midst of the human race out of their defensive isolation.¹³

John XXIII's first encyclical, *Ad Petri Cathedram*, enunciated well his mentality. In it he spelled out the legitimacy of diverging opinions and the liberty of discussion while still preserving the communion of faith. His announcement in 1959 of an Ecumenical Council and a consequent revision of the Code of Canon Law has been described as a coup d'état.¹⁴ Although he did not live long to see the end of the Council, much less its effects, avant-garde theologians have come to believe that the Pope outlined the future theological movement: a swift movement forward to a doctrinal penetration and a formation of conscience which corresponds more precisely and more faithfully to the authentic doctrine studied and set forth in accordance with the methods of inquiry and presentation used by modern thought. Thus, his bold initiative was epoch-

¹² Carlo Falconi, *Pope John XXIII and the Ecumenical Council* (Cleveland: The World Publishing, 1964), p. 25.

¹³ Michael Novak, *The Open Church* (London: Darton, Longman & Todd, 1964), p. 3.

¹⁴ Falconi, *op. cit.*, p. 329.

making, closing a "phase in the Church's history of the last centuries, the phase of 'flight from the world'".¹⁵ Josef Cardinal Suenens himself, a prominent Council Father, exclaimed that history will surely judge John XXIII to have opened a new era for the Church by laying down the foundations for the transition from the twentieth to the twenty-first century.¹⁶

Pope Paul VI carried on the torch of his predecessor. Continuing John XXIII's idea of the separability of the substance of the deposit of faith from its encasement in contingent formulations, he declared that bishops and priests cannot worthily carry out their mission if they cannot present the truths of divine faith with the ideas and words that are more attuned to the present-day mental framework.¹⁷

A new era of Roman Catholicism has come, the era they call "the era of critical Catholicism".¹⁸ What are the manifestations and implications of this period? Schillebeeckx points out that the Second Vatican Council broke the Church's self-enclosure, transforming it from a Church of monologue to a Church of dialogue and laying the "teaching Church-learning Church" to rest. Toward this end, the Church has to turn away from the view of itself as a triumphant Church to an understanding of itself as a servant Church able to confess that she is often searching.¹⁹

Without overlooking the fact that the Council was the watershed of all the changes, Congar points out three principal elements which brought about the theological renewal. First, there is a renewal and continuous enrichment of sources which nourish theological thought. Second, there is a greater awareness of the theologians of their duty to propose the faith successfully to the men of this day and age. Third, the most active currents of theological thought at present are those allied to phenomenological method and

¹⁵ *Ibid.*, p. 25.

¹⁶ The Speech of Cardinal Josef Suenens in the presence of Paul VI when he was called to invoke the memory of John XXIII at the Opening of the Second Session of Vatican II, cf. Novak, *op. cit.*, p. 18.

¹⁷ Paul VI, Opening Speech at the Second Session of the Second Vatican Council, September 29, 1963.

¹⁸ Alec Vidler, *The Church in an Age of Revolution* (London: Pelican, 1962), p. 272.

¹⁹ Edward Schillebeeckx, *God the Future of Man* (London: Sheed and Ward, 1969), p. 124.

to existentialism. All these elements introduce new values for theological reflections which call into question the monopoly of Scholasticism.²⁰

All the documents of the Council reflect the three principal forces at work in changing the face of theology.²¹ First, there is a dialogue between the Church and the world. The world is now seen more clearly to offer positive contributions for the good of man: its intellectual climate, its multifarious forms of culture, its advances in the sciences. In its intellectual climate, the Church now recognizes that contemporary philosophies do offer in some measure a conceptual framework that has its employment for communicating the message of salvation to the people of our times. In the appreciation of various cultures, present missiology makes it clear that effective evangelization means the fruitful encounter between the message of Christ with each specific culture of the people to whom the message is preached. In the field of sciences, advances in psychology, for instance, enable us to investigate the complex layers of personality which bear pertinence to moral behavioral patterns, to faith and witness.

Second, there has been a continuing dialogue between the Catholic Church and other Christian bodies. Ecumenism has become a postconciliar catchword. *Unitatis Redintegratio*, for instance, laid emphasis on the notion of a pilgrim Church moving amid difficulties toward Christ, rather than a movement of the return of Christian bodies to the Roman Catholic Church. There is an admission of mutual sinfulness (# 1 & 2), a plea for common repentance and mutual forgiveness (# 7), and a commendation for cooperation among Christian without falling into false conciliatory approaches in matters of doctrine (# 11 & 21). Moreover, Protestant theology have broken new grounds in Catholic theology as a result of this ecumenical spirit. Rahner says that the contribution of non-Catholic scholars to present Catholic theology

²⁰ Yves Congar, *A History of Theology* (New York: Doubleday Co & Inc., 1968), pp. 12-16.

²¹ Patrick Fannon, *The Changing Face of Theology* (Milwaukee: The Bruce Publishing, 1968). According to his classification, the specific conciliar documents which deal on the Church's confrontation with the world are *Gaudium et Spes*, *Inter Mirifica*, *Nostra Aetate*, *Ad Gentes Divinitus* and *Dignitatis Humanae*. The documents which pertain to other ecclesial communities and Churches are *Dignitatis Humanae*, *Nostra Aetate* and mainly *Unitatis Redintegratio*. It must be noted that the first two docu-

may be described as "a call to a greater appreciation of how the Word of God in the Scriptures with its dynamism and might acts in the history of salvation".²²

The third factor that has contributed to the changing face of theology is that there has been an unprecedented effervescence and fermentation of intra-Church dialogue. Catholic theological pacesetters have become household names: Hans Kung, Karl Rahner, Edward Schillebeeckx, Yves Congar. Added to them is a galaxy of a new breed of theologians who are increasingly becoming more influential and controversial: Charles Curran, Avery Dulles, Richard McCormick and colleagues. Even lay theologians are making their marks in this predominantly clerical endeavor: Michael Novak, James Callahan, Germain Grisez.

Thus, while extra-ecclesial factors have influenced theological orientations, the theologians themselves "stir the status quo of catholic theology and prevent our philosophy and theology from remaining like a sediment on the bed of a canal rarely sufficiently disturbed to mix with the flowing waters of mental experience and reaction".²³ As one could expect, this new atmosphere has created a wave of "theologies". We are a witness to this phenomenon. The theologians, armed to the teeth with novel approaches and a tremendous amount of knowledge they have derived from their contacts in the free arena of new philosophies and secular sciences, have not been satisfied anymore with repeating old theological formulae. They are calling for a rethinking and representing the doctrines of the Catholic faith as necessitated by the demands of our present dispensation. They are busy retelling old truths for new hearers in an unimaginable variety of ways which unfortunately not all of them are in consonance with the magisterial teachings.

Thus, the contemporary Christian community is characterized by an ever-growing awareness that although its faith may be one,

ments under this classification were originally chapters Four and Five respectively of the latter. The conciliar documents which deal mainly with dialogue within the Church are *Lumen Gentium*, *Dei Verbum*, *Sacrosanctum Concilium*, *Orientalium Ecclesiarum*, *Christus Dominus*, *Optatam Totius*, *Perfectae Caritatis*, *Apostolicam Actuositatem*, and *Gravissimum Educationis*.

²² Karl Rahner, *Concern of the Church* (New York: Crossroad, 1981), p. 94.

²³ Archbishop Hurley of Durban, as quoted by Fannon, "The Changing Face of Theology," *The Clergy Review*, 52 (1967), p. 89.

its theological expressions are many and varied. Lonergan speaks of this as "a pluralism in the expression of the same fundamental stance and, once theology develops, so a multiplicity of theologies that express the same faith".²⁴

As a result, contemporary Catholic theology diverges in a very noticeable way from its centuries-old tendency to work from a single philosophical framework which was Scholasticism. Lonergan states: "the era dominated by Scholasticism has ended. Catholic theology is being reconstructed."²⁵ In this connection, Schoff remarks that the most obvious result of the Council for Catholic theology is the fact that the approaches other than the neo-scholastic or Roman one have been recognized as legitimate.²⁶ This new openness with regard to theological methods makes it possible for theologies and ways of insight other than the Roman one effectively present at the heart of the Church. For Novak, this is the primary achievement of the Council.²⁷

The inevitable result: theological pluralism, a reality so closely linked to dissent. This is the era of pluralism. So, modern theologians are in a consensus that the Church has to accept pluralism. Congar goes even deeper than historical necessity. He justifies theological pluralism from the nature of theology as a human elaboration. However, he hastens to add that theological pluralism does not mean theological relativism.²⁸

²⁴ Bernard Lonergan, *Method in Theology* (New York: Doubleday Co. & Inc., Seabury Press, 1974), p. 53.

²⁵ *Ibid.*, p. 281..

²⁶ Mark Schoff, "Masters in Israel: The Later Theology of Edward Schillebeeckx," *The Clergy Review*, 55 (1970), p. 944.

²⁷ Novak, *op. cit.*, p. 348.

²⁸ Congar, *A History of Theology*, pp. 155-60.. He enumerates three principal sources of theological pluralism. First, theology has for its rule a datum proposed by the magisterium. Although the first step of the theologian is an act of submission to this datum, the datum is so rich that it can authorize different manners of approach and, according to the intellectual orientation of each one, different manners of posing problems themselves, different constructions not only of the responses but also of the problems themselves. These constructions depend on a certain angle of vision, which itself is commanded by an initial orientation whose reason is to be sought in a certain intimate experience, a tradition, a personal comprehension of the very first datum.

Second, if theology is the elaboration of faith by a human reason using its own resources, it is clear that the content and inspiration of the milieu, the content and inspiration of a tradition or religious life and philosophical thought will determine in large measure the theological work and rational construction of faith.

Third, the diversities of theologies can be borne of a deliberate choice of conceptual instruments and diverse philosophies.

The question of pluralism is an ambiguous one because it can be understood in many ways and accepted in various degrees. There is a true and a false pluralism. There is a pluralism of mere formulations and there is a pluralism of substance. There is a complementary pluralism and there is a contradictory one.

Now, where does the present theological pluralism stand? The current theological pluralism runs much deeper than the differences of well-known theological schools in the past. Whereas the various theological "schools" in the past were different usually due to separate geographical and intellectual environment, or in the same milieu, but with the same ultimate presuppositions so that the possibility of subsequent unity was real, or so contradicted each other that rationality demanded a choice of one over the other, and thus, plurality was not a viable option; the contemporary "irreversible plurality" of theologies are intertwined over the same geographical and intellectual landscape, differ in their fundamental philosophical assumptions, and offer truly alternative frames of reference.²⁹

However, not all theologians take pluralism unequivocally. There are generally two types of theological pluralism among them, namely, complementary theological pluralism and contradictory theological pluralism. Hence, the status of the question is not to have or not to have theological pluralism, but how far can the Church tolerate or accept theological pluralism.

Dulles and Curran seem to be the leading proponents of the contradictory theological pluralism. The former sponsors a theological pluralism in all fields, from moral to dogmatic teachings. He finds no reason why two logically irreconcilable dogmas cannot be admitted within one and the same Church at the same time when one and the same faith has been differently formulated for different historical periods.³⁰ He believes that contradictory forms

²⁹ Raymond Devettere, "Progress and Pluralism in Theology," *Theological Studies*, 35 (1974), pp. 441-42.

³⁰ Avery Dulles, *The Survival of Dogma* (New York: Doubleday Co. & Inc., 1971), pp. 173ff. As an example, he cites the well-known difference between the Thomistic and the Lutheran theologies of justification. The Thomistic theory states that justification obliterates sinfulness completely by inner renewal. Sin and grace are logical contradictions. A man is either justified or a sinner. The justified man is no longer sinful no

of theologies need each other as a "critical assurance against falling into mistaken forms", and the Church of all times needs both "in order to preserve the full tension of Christian reality."³¹

Curran's basis of admitting contradictory forms of pluralism is an epistemological one. He says that on specific questions, it is impossible to have the type of certainty that excludes all the possibilities of error and differences in perspectives. Unity can only be present at the level of greater generality. But as one descends to the particulars, the possibility of pluralism arises because in the midst of such complexities, one cannot exclude the possibility of error.³² Defending his public dissent from *Humanae Vitae*, he advocates that even when the magisterium has already decided in an authentic, noninfallible manner on a particular issue, there can still be pluralism on this issue so that the hierarchical magisterial teaching is just one of the plurality of options that a Catholic may follow. Again, the basic reason for such pluralism is the complexity of moral issues and the need for relational, empirical considerations which may involve many aspects and afford the possibility of arriving at different judgments.³³

matter how unworthy he may feel. Luther, on the other hand, insisted that the justified man remains a sinner. No matter how full of grace he may be, he must still recognize his unworthiness.

Dulles points out that these two logically irreconcilable positions could lead to contradictory doctrinal formulations. On the other hand, the situation changes if it is realized that different theological contexts are involved. The Thomistic theory, approaching the problem from the medieval point of view, is rational and abstract. It stresses more what happen objectively, that is, whether the person is saved or condemned.

The Lutheran theory, approaching the problem from a more existential point of view that tends to be more concrete and dialectical, is more personal and existential, stressing what happens subjectively, that is, what the person experiences as a living human being undergoing conversion to sanctification. Dulles says that once this plurality is recognized, there is no contradiction at all. The contradiction only arises when only one framework is used. Therefore, applying a complementary pluralism to this problem will not work. An acceptance of the identifiability of these two postures postulates an acceptance of contradictory forms of theology.

³¹ *Ibid.*, p. 173.

³² Charles Curran, *Ongoing Revisions in Moral Theology* (Notre Dame: Fides/Claretian, 1975), pp. 48-49.

³³ Curran, "Moral Theology: The Present State of the Discipline," pp. 460-62. To back up this theory, Curran even cites the authority of Saint Thomas Aquinas. He says that, in treating natural law (I-II, q. 94, a. 1-4), Aquinas admitted that although the first principles are always the same, the proper conclusions of these principles can admit of exceptions because of the complexity of the situation and the diverse elements entering into the final decision.

On the opposite side of the pluralism debate are those who only admit complementary pluralism. Reacting to Curran's position, Dubay considers contradictory theological pluralism as destructive and complementary theological pluralism as enriching. The first suggests a detachment from reality, for one affirms and denies one thing at the same time. Hence, he considers it a logical impossibility. In brief, Dubay contends that a theological contradictory pluralism is a weakness when limited, a disaster when widespread.³⁴ Two other theologians, Burt and de Certeau, are even harder on theological pluralism of whatever form. Burt decries the fact that some theologians have increasingly considered theological pluralism as a desideratum, making it the guiding principle in the development of theology and a basic assumption which has led to theological conclusions that are opposed to the dogmatic declarations of the Church. Such an admission of theological pluralism has even undermined the magisterium and the resulting crisis has affected the lives and thinking of Catholics.³⁵

Both do admit that the Church professes diversity and the magisterial authority admits it in principle. However, de Certeau contends that this postconciliar pluralism has undergone developments beyond the limits allowable by the Church. It is assuming the appearance of an insuperable division. The effective decomposition caused by myriad and even contradictory positions are far more advanced than the magisterium can admit, or they are simply unacceptable.³⁶

Rahner had long foreseen pluralism creeping into the theological field and consequently admonished the Church that it would bring a mixture of constructive and destructive results. When his foresight proved him correct, he further saw an even more dangerous form of diversity: theological polarization.³⁷ Polarization, unlike pluralism, does not only occur because there are differences of opinions and stands, but because those who hold such opinions

³⁴ Thomas Dubay, "Current Theology: A Critical Appraisal of the State of Moral Theology," *Theological Studies*, 35 (1974), p. 492.

³⁵ Julian Burt, "Contemporary Theological Pluralism," *Homiletic and Pastoral Review*, 80 (1980), p. 17.

³⁶ Michel de Certeau, "Is there a Language of Unity," *Concilium*, 51 (1974), pp. 79-80.

³⁷ Karl Rahner, *The Shape of the Church to Come* (New York: Seabury Press, 1974), pp. 38-39.

forms themselves into groups in such a way that they no longer live together, pray together and work together. The intellectual differences boil down to personal dislikes. The individual theologian is faced with the dilemma of either aligning himself to a particular group or be regarded as its enemy. In street parlance, "gangs" rise out of theological pluralism. Theologians become thoughtless and suspicious about one another. They attack each other not always with principles, but passions creep into theological debates. The gap between and among groups is yawning, as what is new is always accepted by some as the last word of wisdom and rejected by others as the greatest apostasy to Christianity.

Worse still, there is a boiling polarization between the magisterium and some theologians. Theological pluralism and intra-theological polarization are only portents of a much more dangerous and pressing problem in the Church today: dissent.

2. *A Postconciliar Theology of Dissent*

The theological euphoria over the new mentality and spirit brought about by the Council has become the clue for contemporary theologians to make novelties in doing theology, and to propose a new understanding of the teaching authority in the Church. The pluralism brought about by this new freedom in theological investigations has enabled a group of theologians to consider the teaching of the authentic noninfallible magisterium as just one of the options or alternatives for a Catholic, so that when there are conflicts between the authentic noninfallible magisterial teaching and the opinions of some theologians, he is free to choose the teaching which suits better his understanding of the faith. Now, it is a common teaching among these theologians that, when the magisterial teaching is other than infallible, it is open to public debates and rejection. This is the problem of dissent.

Dissent, however, is not an invention of these postconciliar theologians. There has always been some disagreements between the magisterium and theology. But its development and systematization as an explosive theological theme is a postconciliar event. Specifically, dissent was catapulted into the theological front

on the day the highly volatile encyclical, *Humanae Vitae*, was released in 1968. Perhaps, the most shocking of all the wintry discontents and angry oppositions was the joint statement of some eighty-seven (87) theologians, spearheaded by the subject professors of the pontifical Catholic University of America in Washington, D. C. Their so-called *Washington Statement* publicly expressed their dissent from the magisterium. It went further to teach the faithful the right and duty to dissent from the reformable teachings of the noninfallible magisterium. In other words, it taught the faithful to reject *Humanae Vitae*.

Thus started the postconciliar eruption of theological questions and denials of some magisterial teachings, and the concomitant magisterial crisis in authority. It came out that *Humanae Vitae* affair was merely a symbol symptomatic of what is brewing in the theological arena in relation to the magisterial authority. Numerous magisterial teachings are placed inside theological crucibles, from original sin, transubstantiation and the virginal conception of Jesus³⁸ to abortion, contraception and homosexuality.³⁹ There is no question, then, that dissent from the noninfallible magisterium has become a leading phenomenon in the postconciliar time, an issue "that has become acute with the predominantly negative reactions to *Humanae Vitae* of 1968."⁴⁰

Dissent is defined in the traditional manuals as "a legitimate interpretative possibility for the competent Roman Catholic, for sufficient reasons, in response to an authoritative, noninfallible teaching of the magisterium".⁴¹ Because the noninfallible magisterium, and consequently, its teachings, is not declared absolutely free from error, the response to it, which is religious assent, is not also absolutely demanded. When there is a possibility of error, there is also a possibility of dissent. Thus, it seems to be the major opinion of the manualists that dissent is possible when the magisterial decree should appear to someone as certainly false or when it can be opposed by a solid reason that the force of such cannot be shattered

³⁸ Dulles, *The Survival of Dogma*, p. 166.

³⁹ Curran's positions about these moral matters are paradigmatic of what others are also questioning.

⁴⁰ Avery Dulles, "The Extraordinary Synod: IV," *America*, 122 (September 1985), p. 157.

⁴¹ Cf. Curran and Hune, *Dissent IN and FOR the Church* (Notre Dame: University of Indiana Press, 1969), p. 47.

by the weight of the sacred authority. However, the manualists thought it extremely unlikely that error would be committed or ever be taught officially by the noninfallible magisterium.

But the contemporary development of a theology of dissent has taken the opposite direction. Curran, Hunt and their colleagues define dissent not merely as a right in such extreme cases of doubt, but also as a duty on the part of any competent Catholic to reject or oppose a noninfallible teaching when one cannot find sufficient reasons that could merit one's obedience.⁴² Dulles even welcomes the possibility of dissent from the infallible magisterium as long as the faithful has sufficient reasons to do so, for instance, if he does not understand the teaching.⁴³ Indeed, Curran, by enumerating a series of allegedly altered and abandoned erroneous magisterial teachings, claims that dissent is an accepted fact in the Church.⁴⁴ Why not if, as Williams asserts, the early prophets, John the Baptist, Jesus Christ Himself and the saints of all degrees were dissenters?⁴⁵

What is more interesting is that the theologians of dissent prove the legitimacy of dissent in the magisterium's own turf. They use *Lumen Gentium* paragraph 25 to support dissent from the noninfallible magisterium, especially the magisterium of the pope. The response due to the noninfallible magisterium is a religious assent. The response to the infallible magisterium is an assent of divine and catholic faith. These two responses differ in three respects, namely, as to principle, as to object and as to motive of such a response.

Ibid.

⁴³ Dulles, *The Survival of Dogma*, p. 157.

⁴⁴ Curran and Hunt, *Dissent IN and FOR the Church*, pp. 73-82. They mention, among others, the teaching of Gregory the Great on sexual ethics; of Urban II on the relationship between Christianity and Violence; of Boniface VIII on the power of the papacy; of a series of popes on the freedom of conscience and religious liberty; of Innocent III on the treatment of the Jews; and of Innocent IV on the use of torture. They contend that these positions were seriously taught as the official teachings of the Church. But they had been long abandoned and contradicted. Despite the different problems that existed during those times and the different contexts they were discussed, it is still impossible for us to show that those teachings were correct "in their time". They were *errors*, pure and simple. Emphasis mine.

⁴⁵ George Williams, "Loyalty and Dissent: Perspectives from History," *America*, 122 (1970), p. 669.

As to principle, the assent of divine and catholic faith has the virtue of faith while the religious assent has the virtue of religion. As to object, the former has the Word of God explicitly revealed or proposed to be so by the infallible magisterium, while the latter has as its direct object the words of the magisterium which, in the final analysis, is also reductive to faith. As to the motive of assent, the former has the unfailing authority of God Who can neither deceive or be deceived, while the latter has the authority of the magisterium without committing its infallible charism.⁴⁶

From these distinctions, the noninfallible magisterium is not absolute, and consequently, the response to it. There lies the possibility of error. When there is a possibility of error, there is a possibility of dissent. Curran believes that the conciliar use of these distinctions is a proof that the magisterium in our time does welcome dissent from the noninfallible exercise of its authority.

From *Lumen Gentium* paragraph 25, Curran concludes that in cases that an educated person who, for solid reasons, cannot give his internal assent to a noninfallible teaching, theological explanations other than the magisterial teaching should be consulted.⁴⁷ To solidify his conclusion, he further supports it with the American bishops' pastoral letter, *Human Life in Our Day*, wherein the bishops acknowledge that assent to a noninfallible teaching is required but not definitely.⁴⁸ He likewise quotes the German bishops as acknowledging that noninfallible pronouncements are binding to a limited degree, provisional and entail the possibility of error.⁴⁹

But McCormick and Dulles still consider, despite a leeway for a possibility of dissent, the conciliar statement as juridical. McCormick senses still the old paternalistic attitude toward teaching where the teaching possesses the truth and the taught are dispensed from personal reflection and assimilation, and are simply asked to accept.⁵⁰ He sees dissent as a way for the faithful to contribute something to the overall learning process of the Church.

⁴⁶ Leonardo Legaspi, *The Church We Love* (Manila: UST Press, 1982), pp. 243-44.

⁴⁷ Curran, "Moral Theology: The Present State of the Discipline," p. 459.

⁴⁸ NCCB of the United States of America, *Pastoral Human Life in our Day* (Washington, 1968), p. 71.

⁴⁹ *N. C. News Service*, September 11, 1968.

⁵⁰ McCormick, "Notes on Moral Theology," *Theological Studies*, 29 (1968), p. 715.

Dulles is even more harsh in his observations. For him, far from challenging "the deceptiveness of the neo-scholastic theory" which says "the truth of revelation is transmitted through the bishops as successors of the apostles"⁵¹ *Lumen Gentium* paragraph 25 may even be interpreted as supporting that erroneous theory. He only finds consolation in the fact that by its actual practice of revisionism, the Council implicitly taught that dissent could be valuable.

The question, however, of the possibility and tenability of dissent is public dissent. If dissent is possible and within the pale of responsible Catholic theology, could we say the same of public dissent?

While dissent itself is not a postconciliar invention, the public and organized way of exercising it seems to be very postconciliar. For one, although the manualists recognized the possibility of dissent, they were very negative as regard public dissent. In our time, although practically all the theologians admit the possibility of dissent from the noninfallible magisterium, not all of them believe it is useful and healthy. And among those who believe in its usefulness, there are still who do not accept public dissent as healthy. They believe that a dissenter should

⁵¹ Dulles, "The Theologian and the Magisterium," pp. 9-12. Dulles decries the deceptiveness of this theory, as he sees it. The pope and the bishops have the so-called "charism of truth", while the theologians have only a subordinate and instrumentale role. Their chief function is to set forth and defend the teaching of the papal and episcopal magisterium. But theologians are not considered authentic teachers in the Church. They are not members of the magisterium. The true teachers, namely, the pope and the bishops, receive their competence not by learning but by being incorporated into the episcopal order. For Dulles, this theory places too awesome a doctrinal responsibility upon the pope and the bishops. As he sees it, the teaching in the Church is heavily juridicized with this neo-scholastic theory as the supporting framework. It is held to be authentic if and only if it emanates from persons holding jurisdiction. As a result, he says that instead of enlightening the mind, as teaching is ordinarily supposed to do, the action of the magisterium is held to impose an obligation on the will. The response is not understanding but obedience. Finally, it should be noted that Dulles is one of the more enthusiastic theologians of the "double magisterium" theory which, in essence, holds that the theologians hold the "doctrinal magisterium" and the pope and bishops should be limited to the "pastoral magisterium". Cf. Dulles, *The Resilient Church* (Second Impression, London: Redwood Burn Ltd., 1978), pp. 113-132; and more specifically, Dulles, *A Church to Believe In* (New York: Crossroad, 1982), pp. 118-32, which section is entitled "Two Magisteria: An Interim Reflection".

not discuss his objections in public, but should present them privately to the magisterium.

Such view is myopic for the advocates of public dissent. Curran and the rest of the eighty-seven (87) theologians who signed the *Washington Statement* declared that "it is within the pale of responsible Roman Catholic theological activity that Roman Catholic theologians may dissent *publicly* from the authoritative noninfallible teaching of the hierarchical magisterium".⁵²

With the faithful's right to information and the Church's encouragement to use the media of mass communications, they are asking why cannot the theologians use the means of communications to disseminate their dissenting opinions? Why cannot they do it when the use of mass media is a blatantly acceptable academic procedure? They even consider public dissemination of their opinions a responsibility. Failure to do so is an omission of duty.⁵³ As Komonchak says, "the possibility of public dissent can well be ascribed as the right, or indeed, the obligation to dissent publicly".⁵⁴ Such an obligation is especially pressing in moral matters where a mistake of the magisterium can "cause untold anxiety and suffering for millions of believers".⁵⁴ Further, he explicitly holds that public dissent, or any dissent for that matter, is not an exclusive theologians' affair. It is the duty of every Catholic faithful to stage public dissent against any error made by the noninfallible magisterium.

Schuller brings out another angle on why any faithful can dissent publicly: education. He believes that its exercise will make the faithful aware of the proper structure of the magisterial authority and be educated as to the significance of the distinction between the infallible and the noninfallible magisterium. It is in this way that they can gain credibility and the confidence of the faithful.⁵⁵ Maguire, another vocal advocate of public dis-

⁵² Curran & Hunt, *op. cit.*, p. 206. Emphasis in the original text.

⁵³ *Ibid.*, p. 208.

⁵⁴ Joseph Komonchak, "Ordinary Papal Magisterium and Religious Assent," in *Contraception: Authority and Dissent*, ed. Charles Curran (New York: Herder & Herder, 1969), p. 125.

⁵⁵ Bruno Schuller, "Bemerkungen zur authentischen Verkündigung des kirchlichen Lehramts," *Theologie und Philosophie*, 4 (1967), pp. 534-51, translated "Remarks on the Authentic Pronouncements of the Magisterium," *Theology Digest*, 16 (1969), pp. 328-29. The translation is abridged.

sent, sees the importance of public dissent in the aspect of the necessity of dialogue between theology and the magisterium, which dialogue cannot anymore be hidden from public eyes. Dismissing Ciappi's position of private dissent as a thing of history, he says that we must face the reality that even the most vital and delicate theological questions can no longer be kept under fraps.⁵⁶ And why should we keep debates and theological rejections of the noninfallible magisterial teaching secret if it is a way of "stimulating the magisterial potential of the whole Church?"⁵⁷

McCormick is a hesitant advocate of public dissent because of the many risks attendant to it: it is an apparent attack on authority; there is with it the tendency to polarize the various charisms in the Church; the tendency to undermine the confidence of the faithful in the charism of the magisterium; the tendency to anticipate and prevent a truly personal reflection; the tendency to associate theology with popular media rather than with serious, scientific scholarly reflection.⁵⁸ In spite of these risks, he still believes that there are instances when public dissent is needed. He specifically cites two instances in which such dissent seems to receive warrant. First, it may receive warrant when other forms of dissent are ineffective to correct an error. Second, it may be allowed in circumstances where an unopposed error would cause great harm.⁵⁹

On the opposite theological camp are theologians who admit dissent in a limited degree. Gutwenger exemplifies this camp. He opines that, although dissent may be made known to others, the dissenter should first try to confine it in specialized journals and discuss it only with the magisterium and his colleagues. He assures his critics that his posture does not mean the loss of theological freedom, for such would be tantamount to prohibiting the theologians to function. Because it is the theologian's duty to critically examine and make judgments about the arguments in support of

⁵⁶ Daniel Maguire, "Morality and the Magisterium," *Cross Currents*, 18 (1960), p. 56.

⁵⁷ Daniel Maguire, "Moral Inquiry and Religious Assent," in *Contraception: Authority and Dissent*, p. 148.

⁵⁸ McCormick, "Notes on Moral Theology," *Theological Studies*, 30 (1969), p. 652.

⁵⁹ *Ibid.*, pp. 654-55.

the magisterial statements, it is his right to pose questions. If questions, controversies or problems arise from the performance of his task, it must be brought out first and be solved with the magisterium and within the circle of scholars and not with the public forum.⁶⁰

But why do many contemporary theologians insist on dissent? Are they so wary that the magisterium has gone down the drain, or those running it are not intelligent enough? Some think so. Dulles, for instance, says that one of the primary causes of the present magisterial crisis is the widening gap between authority and professionalism or knowledge in those who hold the magisterial rein. However, such line of reasoning would get the dissenters nowhere. The pervading justification of these theologians why they uphold dissent is that they are convinced that dissent is well within the ambit of a responsible and loyal catholic theology. Consequently, it is healthy and always good for the Church.

Forwarded by these theologians are at least four (4) perspectives in which dissent contributes something to the Church. First, it is viewed to have an indispensable role in the interpretative theological task in our contemporary time. Second, it is seen as an aspect of the total learning process of the Church. Third, it is considered as essential to theological freedom in research. Fourth it is seen as a healthy sign of a loyalty that is alive, concerned, honest and responsible.

First, the theologian, as an academician, is committed to interpret and re-interpret the tradition of the Church by using the best scientific methods of his day. It is in this way that he becomes relevant because he can interpret the tradition for the contemporary believer and express this interpretation in a language which the faithful of today can understand. Now, dissent arises when the theologian and the magisterium stops to think and act on the same level, for instance, when the theological interpretation move so fast and the magisterium controls the pace. In such a case, although the Church professes diversity and the magisterium

⁶⁰ Engelbert Gutwenger, "The Rome of the Magisterium," *Concilium*, 1 (1970), p. 651.

admits it in principle, the theological results might be too vague or too complex or too advanced than the magisterium is inclined to admit.

Now, the theologian is convinced that his right to dissent is part of his interpretative function which he considers as necessary in the developmental context of a genuine Catholic theology.⁶¹

He believes he has found and expressed the truth and has responsibility to it. Hence, he now considers his dissent as a serious duty which no theologian should shrink away from, "for Christian tradition assigns (to him) the special responsibility of evaluating and interpreting pronouncements of the magisterium in the light of the total theological data operative in each question or statements".⁶²

Second, dissent is said to be an aspect of the total learning process of the Church. McCormick, who has by far the best systematized theory on this aspect, contends that "dissent from authoritative noninfallible magisterium is but a single aspect of the learning process of the Church".⁶³ However, for it to be such, dissent must be the terminus of a sincere and honest attempt to assimilate an authentic teaching which can only be had after a serious and reflective study of the teaching concerned.

For it to be called an aspect of the Church's learning process, such dissent must be determined by positioning it within the framework of the learning process. As part of this learning process, it must reflect it and contribute to it. It reflects this learning pro-

⁶¹ Edward Schillebeeckx, *God the Future of Man*, discussing this theme under the title "Toward a Catholic Use of Hermeneutics," pp. 1-49.

⁶² *Washington Statement* of the eighty-seven (87) American theologians issued immediately after the publication of the encyclical *Humanae Vitae* (July 29, 1968). For the full text of this statement, cf. "Documentation," *Herder Correspondence*, 5, 10 (October 1968), pp. 310-11. In this connection, the article by James Hitchcock, "The American Press and Birth Control: Preparing the Ground for Dissent," *Homiletic and Pastoral Review*, '80, 10 (July 1980), pp. 10-26, is most interesting. It tells of the manipulation of the minds of the faithful into dissenting against the magisterium whenever it will retain the old and traditional teaching on contraception, which it did in *Humanae Vitae*. In particular, it quotes lengthily Curran's personal confession of how he and his colleagues tried to prevent the publication of the encyclical by raising enough publicity and thereby arousing opposition from the press and people. Fortunately, they failed. Cf. pp. 24-25.

⁶³ McCormick, "Notes on Moral Theology," *Theological Studies*, 30 (1969), p. 651.

cess when it has the qualities of a truly Catholic response to authentic teaching: respect for the person and charism of the teacher, proportionate docility, honesty combined with awareness of one's limitations. Such dissent must always be respectful and be opened to correction and persuasion.

It contributes to this learning process when it is supportive to the values which must exist in the Church: respect for the authority of the teacher, a passionate devotion to truth and its sources, the freedom of scholarly research and publication, the existence of broad consultative procedures as the basis for the exercise of authoritative teaching, good relations between the persons exercising the various functions within the teaching process.

For Dulles, the teaching-learning Church model is a denial that the Holy Spirit is diffused to all the faithful and its suppresses the charisms among the people. The "People of God" is a dynamic communion of all in the life of grace,⁶⁴ wherein the Holy Spirit inspires and directs it, making public opinion truly theological source. This understanding should open up a relationship in which both the "People of God" and the magisterium are learners and teachers at the same time. After all, the "teaching Church" and the "learning Church" are not two separate parts. This new teaching-learning process inspires and elicits the insights of all competencies, encourages communication and dialogue among Christians and supports individual charisms. It will bring together the wisdom, reflections and experiences of the entire Church which could be elevated to authoritative expressions if the hierarchical magisterium is willing to learn from the faithful. In this respect, McCormick asks that one may wonder to what extent the magisterium may still claim the assistance of the Holy Spirit if it fails to understand that the charism of its office does not exclude the process of learning.⁶⁵

Finally, Rahner fears that it may no longer be possible that the magisterium is morally justified if it simply follows the traditional appeal to authority. Such would not be efficacious in the

⁶⁴ Dulles, *Survival of Dogma*, p. 115.

⁶⁵ McCormick, "Notes on Moral Theology," *Theological Studies*, 30 (1969), p. 666..

face of the "ecclesia docens"⁶⁶ Thus, he suggests that everytime the magisterium issues a pronouncement, it must see to it that such a time be also an opportunity for the faithful to learn not only the content of the pronouncement but also the process through which and the reason why this particular decision has been reached. In such a manner, the whole Church participates to an extent in the decision. The magisterium is seen as a living organ of the Church with which they could identify themselves. Thus, if the magisterium adopts this non-juridical and not rigidly formalistic way of issuing its pronouncements, the faithful would lovingly obey its teaching because they have participated in the process of decision-making. This is what Rahner terms as "democracy in the Church".⁶⁷

Third, dissent is seen as a necessary aspect of theological freedom. There is no doubt that the Church draws great profit from the works of its theologians. It is practically necessary that developed state of intelligibility of faith be in the Church in order that the message of Christ can be communicated to minds which pose various questions in keeping with the current states of ideas and culture. It is, therefore, the function of the theologians to sustain the life of thought in the Church for it to be truly an educative center for the faithful and truly nourishes the faith.

The charism of the theologian is that of an explorer. He translates into action the desire of the Church to penetrate deeper into the richness of God's revelation. He searches deep into tradition and interprets the faith of the community of believers. In the performance of this function, the theologian should enjoy a certain degree of freedom. What notion and degree of academic freedom be allowed in theology is a question that the magisterium and some theologians could not agree upon. A number of theologians, as Curran and McCormick, advocate a secular notion of academic freedom, a freedom enjoyed by all the other sciences. Commenting to John Paul II's *Sapientia Christiana* of April 15, 1979, McCormick agrees with Curran⁶⁸ that certain understandings of "canonical missio" and the requirement of a "nihil obstat"

⁶⁶ Karl Rahner, "Magisterium," in *Sacramentum Mundi* (New York: Herder & Herder, 1969), p. 357.

⁶⁷ *Ibid.*, p. 358.

⁶⁸ McCormick, "Notes on Moral Theology," *Theological Studies*, 41 (1980), p. 122.

from the Holy See for tenure on pontifical faculties "are incompatible with academic freedom as this is commonly understood in university circles in the United States".⁶⁹

It is this notion of academic freedom which provides the reason for a theologian to dissent. He believes that whatever he discovers and believes to be the truth irrespective of what the magisterium teaches on the matter, he has the right to disseminate and teach it. Dulles contends that without theological freedom, as it is understood by Curran and McCormick, the intricacies of theology cannot emerge. Technical theology requires academic freedom. The flourishing of wisdom in the Church requires an atmosphere more open to results of critical scrutiny, constructive criticism and public dissent. There is, therefore, in academic freedom a room for dissent. However, Jonsen thinks that there is such a thing as dissent if we consider academic freedom and fidelity to the faith as incompatible. Freedom is not oppose to fidelity, and it is part of the theological task so that he could arrive at well-defined conclusions.⁷⁰

For Rahner, there is no question that the theologian should enjoy some degree of freedom. He sees the problem of dissent to lie in finding a working synthesis between tradition and pluralism of theology the Church has entered into. The pluralism in theology has enabled the theologian to pose new questions to the magisterium with a demand to reconsider many of its teachings.⁷¹ To diminish the threat of disharmony between theology and the magisterium, he suggests that the magisterium should welcome theological discussions yet be prepared to say no to those which are destructive of the fundamental teachings of the Church. In short, academic freedom must be within the limits of orthodoxy.

Even traditional theologians acknowledge theological freedom. Del Rio says that there should be freedom in theological inquiry as long as it develops within the faith and is loyal to its basic

⁶⁹ Charles Curran, "Academic Freedom: The Catholic University and Catholic Theology," *Catholic Mind*, 78 (1980), pp. 11-26.

⁷⁰ Albert Jonsen, "Loyalty and Dissent: Theology and University," *America*, 122 (1970), pp. 676-78. Also cf. Ladislav Orsy, "Academic Freedom and the Teaching Church," *Thought*, 43 (1968), pp. 490ff.

⁷¹ Karl Rahner, in Peter Mann, "Masters in Israel: The Later Theology of Karl Rahner," *The Clergy Review*, 54 (1969), pp. 936-37.

norms. Dissent should not be considered as its expression because the magisterium has the power to control this freedom to preserve the faith on which theology depends.⁷² Constanzo deplores the fact that some theologians ask the same kind and degree of freedom granted in other disciplines, such as the secular sciences. He insists that the teaching of orthodoxy is a unique consideration and deserves a different approach and a different standard of freedom.⁷³

Fourth, dissent is seen as an expression of loyalty. Advocates of dissent claim that, in the Church, dissent should not be considered apart from the question of loyalty. Dissent is only positive, constructive and functional when it emerges as the cutting edge of loyalty. Kelly and Campion consider loyalty as a feeling or desire to protect and foster an organization both because of its importance to one's own identity and as a means to ensure its ability to nurture others in the same fashion one has been nurtured by it.⁷⁴

When one dissents from the magisterium, therefore, it should be seen as an expression of loyal and responsible concern to protect the Church from error and foster truth in the Church. Kung says it is a "sound off" or a warning for the Church to reconsider its teachings. He says that dissent is better than a silent turning away from the Church, which could further erode the Church into the level of subculture.⁷⁵ From this perspective, he sees dissent as a way of protecting the Church from graver denial and abandonment.

The Jesuit psychiatrist Meisnner sees dissent as a form of genuine loyalty. It is a gross misconception to regard dissent and loyalty as opposite. Their co-existence in the Church is not only possible; it is necessary. As a matter of fact, dissent and loyalty are identical in terms of inner psychological realities. There cannot be one without the other. Loyalty is a condition for real dis-

⁷² Francisco del Rio, "Theologico-Pastoral Reflexions," *Philippiniana Sacra*, 9 (1974), p.

⁷³ Joseph Constanzo, "Academic Dissent: An Original Ecclesiology," *The Thomist*, 34 (1970), p. 652.

⁷⁴ James Kelly and Donald Campion, "Loyalty and Dissent: A Report from Two Sociologists," *America*, 122 (1970), p. 680.

⁷⁵ Hans Kung, *Infallible? An Inquiry* (New York: Doubleday Co. & Inc., 1971), p. 15.

sent, and dissent is a condition for real loyalty. He further connects the dialectic of loyalty and dissent to faith. The vitality, openness and psychological reality of faith is intimately and intricately intertwined with the dynamics of loyalty and dissent. The very notion of faith as a "leap into the dark" carries with it the paradox of "loyalty-in-dissent" and "dissent-in-loyalty". The whole dialectic of faith, loyalty and dissent is essential, therefore, to the vitality of faith and the growth of the Church. To suppress dissent is to suppress loyalty and vice-versa. To suppress both is to suppress the growth and vitality of the faith and the Church.⁷⁶

In more direct terms, the loyalty-dissent dialectic finally rests with McCormick, Curran and company. For McCormick, to consider dissent as a disloyalty is a manifestation of a superior-subject juridical understanding of the magisterium. Dissent has no value apart from loyalty and vice-versa. So, he concludes "our very loyalty demands that we dissent".⁷⁷ Curran and company, maintaining throughout that dissent is not a disloyalty, come to the conclusion that dissent in its own way "is an intrinsic element in the total magisterial function of the Church".⁷⁸ Because it is an intrinsic element, it is always healthy for the magisterium. Therefore, it is not only incompatible with loyalty. It is its co-element in the magisterial function of the Church.

II. A RESPONSE

Going through and analyzing the various theological postures on pluralism and dissent has been an engrossing task and an enriching experience. It has also been disturbing. In fact, it has elicited in me a reaction. For, although I could never presume to match wits with these veritable giants in the theological arena, I could not snap at everything they say. I guess silence may not be the best and most prudent response. As the dissenters would have it, silence is not a responsible expression of one's loyalty to the Church. It is dissent! Surprised?

⁷⁶ William Meisner, "Loyalty and Dissent: A Psychiatrist's Report," *America*, 122 (1970), pp. 681-82.

⁷⁷ McCormick, "Notes on Moral Theology," *Theological Studies*, 39 (1978), p. 138.

⁷⁸ Curran & Hunt, *op. cit.*, pp. 86ff.

At the outset, it might as well be noted that one's assessment of the current theological and magisterial scenario is dependent not only in the competence and honesty of the evaluator, but also in his position in the theological spectrum. Those on the left tend to see many contemporary developments like pluralism and dissent as healthy, creative, dynamic, liberating and relevant. Those on the right tend to view these same developments as destructive, fragmenting, disruptive, unfaithful (if not heretical and schismatic), theologically erroneous and pastorally disastrous. Whenever my response falls in the spectrum, I do it as an expression of where I stand.

1. *The Magisterium and Theology: Unity and Pluralism in the Church*

The magisterium has always been the source of unity in doctrine and practice. Ecclesiastical history attests that "Roma locuta, causa finita". The approach to unity was through uniformity. But this status quo has been stirred up and the placidly secure unity-in-uniformity built around a monolithic magisterial authority has been disturbed sufficiently to mix with the flowing waters of mental experience and reaction in our contemporary awareness and context. It has been accepted that a demand for a magisterium that must change face as it faces the various phases of history and culture is valid and commendable. Although history tells us that the magisterium had been able to respond to numerous crises that beset the Church, it also tells us that in some instances it fell into disrepute because it failed to adjust itself to new discoveries and successive knowledge explosions. It might not have been mistaken, but it failed to keep itself abreast with the changing times and situations.

The conciliar ecclesiology made a dramatic proclamation of a new self-understanding. With the realization that a purely authoritarian and highly centralized hierarchy can no longer fulfill its mission properly in this time of pluridimensionalities, this renewed understanding offers new possibilities and new avenues of communication by being dialogical and open, pluridimensional and pluralistic. Observable phenomena which speak of an age of pluralism abound. No one is anymore justified to reject a unity-in-

diversity by desperately clinging to a perception of a magisterium which was only proper to the past.

In the contemporary theological scenario, the demand for a magisterium that is always relevant to every context it finds itself in and always responsive to the pastoral needs of the Church for whom it is appointed to serve is the battlecry of so many theologians. The present theological soundings go as far as comparing the magisterium to the foolish servant in the Gospel. They allege that the contemporary magisterium is more reminiscent of the foolish servant in the Gospel who buried his single treasure in the ground for fear of loss, and not with the servant who invested his five talents and in the process made another five to the delight of his master.

I acknowledge the demand as valid, but I consider the many accusations against the magisterium not as expressions of loyalty (which the dissenters claim) but as attempts to turn around the magisterium the way these dissenters want it to be. I certainly agree that pluralism is the order of the day. The Church must consider it a part of the ever-changing world it is called to minister. But prior to any discussion on pluralism, one thing has to be set out: an acceptance of pluralism in the Church should not be taken to mean that everybody can say his say and that, under the veil of pluralism, a faithful can have personal choices whom and what to believe.

So that all the pluralistic tendencies and thoughts be directed for the well-being of the Church, there must be a center around which all the complex pluralities find their unity. For our specific purpose, authority is considered as a unitive force. Since society is a unity of order, the primary function of authority is to coordinate the activities of the members for the sake of the common good. Without authority, it is impossible for the many to be one in mind and heart. In a community, authority is necessary as the center where all the ideas and aspirations of the community converge, are interwoven and returned to the community in the name of the whole community and for the benefit of the whole community.

Contrary to some false beliefs, whose threads seem to run through all positions advocating dissent, authority does not oppose

freedom. It complements it. The principle of authority and the need for a juridical order to govern relationships detract nothing from the value of freedom or from the esteem in which it ought to be held. In fact, authority stresses the need to effectively safeguard the public good, including the very exercise of freedom itself, which only a well-ordered society can adequately guarantee. Without authority, it would be a scenario of the strong over the weak, a survival of the fittest.

Now, Jesus Christ established the Church as a society. As a society, it needs a visible authority as its center of unity. As the Second Vatican Council says, Christ established the Church as "a sign and instrument of the unity willed by God for all mankind" (LG # 1). The Council made it very clear that Jesus Christ set up the Church and entrusted it to the care of His Apostles and willed that their successors, namely, the bishops with the pope as their head, should be its shepherds until the end of time. In order that the episcopate might not be divided, He placed Peter at the head and in him set up a lasting and visible source and foundations of unity of faith and communion (LG # 18).

From this, it follows that in whatever point in history, the Church has always been committed by Christ primarily to the successors of the Apostles, namely, the bishops and the pope. It is through them that Christ continues to teach in the Church. Christ is still the Teacher of the Christian community, and His Spirit is always at work in the hearts of men. But it is through the ecclesiastical magisterium that Christ continues to fulfill His own Magisterium.

It is necessary to settle first the question of the magisterium as the unitive authority in the Church because what seems to be the overall thrust of so many theologians today is that the teaching of the noninfallible magisterium should be in accordance with what the majority of the faithful accepts or else it can safely be bypassed and be substituted with theological opinions acceptable to the majority. Consider the postures of Curran, Dulles and McCormick. Dulles claims that, because of its fear of the theologians and their emerging influence, authority has been made a refuge to hide magisterial incompetence. McCormick interprets this fear as a clear sign of a separation between leadership and

authority in those who hold the magisterial power. There is authority in the negative sense, but there is no leadership.

Consequently, they claim, the magisterium is more concerned about their position rather than liberating the faithful into the fulness of their potentials in Christ. To accomplish this alleged sinister game plan, the faithful are made to believe that the magisterial teachings are the only reliable guides and the magisterium the sole authority in the Church. Result: the faithful are not given the occasion to liberate themselves to the fulness of their potentials in Christ and they are not given the options what teachings are to be believed in.

To bring down this alleged unpopular magisterial despotism, they propose two things. First, so that the faithful would not be crushed under the weight of a single monolithic authority which is the magisterium, they propose a parallel magisterium of the theologians to act as the magisterium of doctrine. Further, the magisterium of all the faithful must also be strongly recognized. Second, the faithful must be taught that the word of God is best heard when they maintain a certain critical distance from any given expression of faith, be it from the theologians or from the magisterium. They claim it is only in the way that the faithful can have a personal choice which of the irreducibly distinct or dogmatically contradictory expressions of faith suits their personal understanding of the faith.

Curran personally confesses that he always puts the qualifier "hierarchical" to magisterium because he advocates a twofold magisterium, namely, the "hierarchical" magisterium as the magisterium of authority and the "theological" magisterium as the magisterium of doctrine. The rationale behind this sinister idea is not difficult to see. Obviously, these theologians think that there is a gulf between intellectual or professional competence and authority in those who hold the magisterial power. Why should the Church be committed publicly in the hands of officers who lack the requisite skill? They would not mind to surrender their professional competence if the pope or the bishop is a theologian himself. But if the latter is not a theologian, the theologian's submission to the bishop or the pope's authority is fraught with dangerous consequences.

Hence, Dulles says that the central issue is whether or not such a submission is morally responsible in our contemporary context, and whether or not the alleged charism of the episcopal or papal office to which the appeal is made can in fact compensate for the apparent lack of professional competence.

Dulles' answers to these questions is a hesitant negative achieved subtly by questioning the issue to death. He says that the passionate plea for a religious submission of mind and will oftentimes fails to answer this problem, for it overlooks the fact that assent to a teaching cannot normally be a matter of sheer voluntary obedience.⁷⁹ Authority does not bind the "allegiance of the mind and the will" that *Lumen Gentium* paragraph 25 is talking about. It is scholarship. Now, if the hierarchical magisterium fails to bind the obedience of the faithful, Curran says that the magisterium of the theologians is the "court of appeals" for the dissenting faithful. The hierarchical magisterium is not the only way through which the Church teaches and learns. The faithful should test the magisterium and its teachings in the light of other authorities and broader perspectives as dissent and a parallel magisterium of the theologians.

Here we can see that these theologians are trying to establish an intellectual counter-magisterium because people in power do not have brains. I am afraid this is malicious, to say the least. I guess we only have to be reminded of one thing lest we are caught under the spell of this brainchild of dissenting brains. Jesus chose to continue His magisterium through the visible magisterium of the pope and the episcopate. That we have already seen. The fact is, in matters of faith and morals, intelligence is not the master nor authority be counted too little. When it comes to revelation and dogmatic truths, we enter the realm of non-reason because it is beyond reason, not unreasonable. If reason pleas for understanding, it must still be "fides quaerens intellectum" and not "intellectus quaerens fidem" which seems to be an emerging trend. In this realm of the ineffable, a divinely decreed authority has the final say, because reason itself cannot fathom the reason why.

⁷⁹ Dulles, *Survival of Dogma*, pp. 96-97.

Here, humble obedience is the virtue of necessity. Knowledge only supplements it the best it can. If we make "*intellectus quaerens fidem*" the criterion which teachings of the Church are acceptable or not, the danger is clear: we will drop all the teachings of Jesus and of the Church if reason cannot explain them. Is not that a desupernaturalization of the Church in exchange for secular respectability?

Why do these theologians suffer about the apparent lack of professionalism in those who hold the magisterial authority? In the first place, is it true or not? True or not, how about this? It will forever remain a scandal (and a mystery) that Christ entrusted the office of validating doctrines to men chosen according to no recognizable pattern of intellectual brilliance or immense learning or even high sanctity. The only criterion was "I chose you..." (Jn 15:16).

I honestly sympathize with Dulles and his brilliant colleagues who, in spite of their brilliance and immense learning, are not made bishops. But if we look at it as founded on the fact that the ultimate capacity for judging Christian truth is found not too much in human brilliance but in the luminiscence of a man's faith, then the need of faith-submission of even the most brilliant mind to the less brilliant authority would not appear irrational and, as Dulles hints, morally unjustifiable. I believe the most rational way of explaining it is to see it as nonrational because it simply escapes the air-tight logic of even the most brilliant man.

This is the difficult fact. The ultimate arbiter of truths concerning faith and morals appeals to an authority divinely willed, and consequently, an authority which no one ought to question, abrogate or relinquish. To whom this authority is concretely given or bestowed is another knot. Could we say it is given to the person who has the brightest luminiscence of faith? But whoever has seen and measured faith? It is, as Kierkegaard says, "a leap in the dark", with our utmost confidence that God is there to catch us from falling. Only God sees it and only God can measure it. Hence, with faith we can say that whoever has it in greatest abundance, God sends the teaching Spirit, thereby granting that person the power and the authority to teach the

faith. He who has the teaching Spirit has the teaching role. Undisputedly, to the Apostles the teaching Spirit was promised to teach us all.

Further, there is a claimed historical basis for a proposal to have a "dual magisterium". This concept is mainly elaborated by Dulles and envisaged as already present in the Middle Ages in the distinction made by St. Thomas Aquinas himself, between the "magisterium of the pastoral chair" and the "magisterium of the doctrinal chair". This concept conveys that the pastoral magisterium of the bishops and the doctrinal magisterium of the theologians should be viewed as complementary rather than in subordination, dialogic rather than hierocratic.⁸⁰

To cut the argument short, Dulles misinterprets St. Thomas' treatise. St. Thomas considered both the bishops and the theologians under the aspect of teaching, where the former teach "ex officio" and the latter by license from the former. St. Thomas did not consider the two as separate magisteria independent from each other. The distinction between the two is not based on knowledge (for it is assumed that both possess knowledge) but on the pre-eminence of the authority of one over the other. Contrary to the interpretation that St. Thomas advocated a "dual magisterium" which constitute two distinct groups, St. Thomas made it clear that the "magisterium (to mean the office to teach) of the theologians" is dependent totally upon that of the pope and the bishops of which it is a delegated extension. If a theologian is not granted this license to teach, we cannot speak of a "magisterium of the theologian". The authority of the theologian depends upon the conformity of his teaching with the rule of faith as contained in the clear passages of Scriptures and the Church authority. Erudition and scholarly competence are not substitutes for this conformity.

The second proposal made by some theologians to break the back of an alleged heavily juridical and heavy-handed magisterium

⁸⁰ For a fuller understanding of this concept, please confer, among others, the works of Avery Dulles, specifically *The Survival of Dogma*, *The Resilient Church* and *A Church to Believe In* (cf. note no. 51 above); and his article "Doctrinal Authority in a Pilgrim Church" in *Readings in Moral Theology*, vol. 3, eds. Richard McCormick and Charles Curran (New York: 1982), pp. 247-70. Nevertheless, this article is just lifted from *The Resilient Church*.

is to give the faithful the right to choose which doctrines and faith expressions are best suited to their personal understanding of the faith. This is the recognition of the magisterium of every faithful. Let they themselves discern the Word of God. After all, the Holy Spirit is so diffused in all believers.

Its apparent logic is, indeed, spellbinding. But a personal choice on what things to be accepted as truth or not? And to keep a critical distance from any teaching of the Word of God, including that of the magisterium? Now, that sounds disturbing.

It is to be conceded that the Holy Spirit guides the whole Church and not just those in the hierarchy. Whoever claims a monopoly of the Holy Spirit? The Second Vatican Council acknowledges that the holy people of God shares also in Christ's prophetic function. Because they "have an anointing that comes from the Holy One" (I Jn. & 27), they "cannot err in matters of belief". It further says "this characteristic is shown in the supernatural appreciation of the faith (*sensus fidei*) of the whole people, when from the bishops to the last of the faithful, they manifest a universal consent in matters of faith and morals" (LG # 12).

This is a strong positive point among theologians of dissent. This implies that, indeed, the prophetic charism is so diffused among all the members of the Church. However, they stop there when the same Council continues, that "by this appreciation of faith, aroused and sustained by the Spirit of truth, the People of God, *guided* by sacred teaching authority (magisterium), and *obeying* it, receives not the mere word of men, but truly the word of God" (*Ibid.*, Emphases added).

Hence, these theologians must also concede to the fact that Christ entrusted the guardianship of the Church to the Apostles and promised them "I am with you always; yes, to the end of time" (Mt. 28:20). Jesus told Peter: "I have prayed for you, Simon, that your faith may not fail, and once you have recovered, you in turn must strengthen your brothers" (Lk. 22:31). Who can shake the solidity belonging to Peter and his successors when it is founded on the very prayer of Jesus Himself?

If the faithful keep a critical distance from any teaching of the magisterium, to whom shall they go for guidance? By the promise of Christ to the Apostles, specifically Peter, the magisterial teaching is the most certain way to follow the Will of Christ, unless it is otherwise demonstrated that the magisterium in fact errs. While it is true, as these theologians claim, that Jesus showed the preeminent liberty of the Spirit as shown in the Gospels, it is of pivotal importance to know that the teaching of the Gospel does not end there. The same God Jesus Christ Who preached love and proclaimed the interior life of freedom in the Spirit laid down practical and moral regulations binding His disciples to faithful observance, and He willed an authority provided with fixed powers in the service of the varied charisms of the members of His Body, the Church.

The dissenters' proposal for the faithful to keep a critical distance from any teaching on the word of God is a characteristic double-talk. If keeping a critical distance simply means open-mindedness to dialogue with the different sources of teachings and charisms in the Church, it is just another way of expressing the Council's call for collaboration or openness to dialogue.

Unfortunately, this accommodating interpretation is hardly warranted by their ideas. The intention goes beyond dialogue. An obvious follow-up to this idea is the consideration of the magisterium as just one among various teachers in the Church and its teaching as just one of the many opinions from which a Catholic may choose from. This reading is what Cardinal Heenan holds when he observes that our contemporary theologians teach that an encyclical is just as authoritative and weighty as an article in the *Concilium*, the international periodical around which the so-called progressive wing of theology gathers.⁸¹

The Spirit enlightens the whole People of God. But the Spirit never teaches us without also teaching us that we must submit to whom the teaching Spirit is given. It is definitely true that the Spirit is so diffused among all members of the Church, thereby granting various charisms to the different members. Each of us does have the transcendent Authority of the Spirit in us, but

⁸¹ John Cardinal Heenan, "The Authority of the Church," *The Tablet*, 222 (1968), p. 488.

He is the very one Who instructs us to learn from Peter and the Apostles, from John Paul II and his brothers in the episcopate.

What I just belabored to explain is that, when we speak of pluralism in the Church, an authority which is so essential for such pluralism to be healthy must be accepted. From my foregoing position, the concept of pluralism is in no way rejected. Because the magisterium acknowledges that pluralism is the order of the day, it has taken great strides to align itself with the Church's contemporary life and needs. It accepts pluralism as an element of the current ecclesiological pluridimensionalities. In the first place, theological pluralism is justifiable. In the second place, it has become necessary for the present age characterized by a pluralism in all fields. From my point of assessment, Congar summarizes the reasons that justify theological pluralism. First, revealed datum which theology investigates is ineffable that it invites a plurality of approaches which could conspire to explain it better. Second, from the viewpoint of knowledge, theology is merely a human elaboration of a divine datum so much so that there is absolutely no commensuration between the datum and the human elaborations of the same. Third, each theologian is influenced by his peculiar theological, philosophical and the totality of his intellectual background, thereby each one having a varied approach to a datum, giving rise to the various theological interpretations of one and the same divine truth.

It should be noted that theological pluralism is not a post-conciliar discovery. The various streams of theological thought and theological schools were forms of pluralism. Each of these schools represented one approach to the mystery, one effort to interpret the revealed truths. No school was identical with another, though all were one when it came to the revealed truths they were trying to explain, and to the Church which acknowledged them.

But the contemporary theological pluralism differs from the pluralism known in the past by a range and depth which, at times, means radical divergence resulting from an acceptance of different fundamental theological and philosophical assumptions and frameworks of reference which, in turn, result to an acceptance of contradictory pluralism. The enormous quantity of materials used

and the wide diversity of methods employed have called for some serious rethinking and reformulations of faith expressions and doctrines. To whatever degree or manner contemporary theologians diversify in their theologies, the obvious result is a growing awareness that one and the same faith every Catholic faithful holds could be understood and taught in varied theological methods and formulations.

But should all forms of pluralism be tolerated and welcome in the Church? As it has been analyzed, the theological field is mainly cut into two factions, namely, those who advocate complementary pluralism only and those who advocate both complementary and contradictory pluralisms.

I believe that not all forms of pluralism are healthy to the Church. The Church has always recognized pluralism which could provide better explanations of certain theological themes and problems. Now more than ever, it encourages pluralism in all levels and fields provided it would bring further enrichment to the teachings of the Church and is constantly referred to them. It must contribute to a greater appreciation of faith by complementing, not contradicting, one another. Therefore, forms of pluralism which contradict one another as regard the truths of faith and morals have no place in the Church.

Now, the core of contradictory pluralism is the acceptance of contradicting assumptions and interpretations about a single truth. It is a pluralism that runs deep into the substance of the faith. It goes beyond pluralism in formulations. The differences are embedded deep in their fundamental philosophical and theological assumptions and offers really alternative frames of reference. It offers and admits truly different options and recognizes an acceptance of contradictory and logically irreducible dogmas simultaneously.

This form of pluralism is explicit in Dulles and Devettere, Curran and other hardline dissenters. Dulles opines that the existence of contradictory forms of pluralism is a critical assurance against "falling into mistaken forms" and it is necessary for the preservation of the full tension of the Church.

What are those "mistaken forms" we are not told. I certainly agree that there is and there will always be tension in the Church no matter how harmoniously the various charisms in the Church orchestrate themselves. The tension lies not in us but in the very nature of the Church itself. The present Church is always in tension between the "already" and the "not yet", between the past and the future, for the Church is the Pilgrim People of God moving toward the eschaton.

This is the tension that we believe always exists in the Church. This is the tension that does not need any cause at all, for it is an essential property of the Church itself. This is the tension that makes the charisms in the Church in constant fermentation. This is the tension that necessitates a constant renewal and a continuous evolution of the Church's understanding of itself. This is the tension that demands pluralism. However, this is not the tension that Dulles is referring to.

Dulles seems to localize the tension in the presence of a disharmony between and among the charisms in the Church, in the presence of contradictory forms of theology which could generate such tension. To preserve these contradictory forms, it is indispensable that dissent must be admitted in the Church, for how could the magisterium accept a statement contradictory to its own teaching if it does not accept and tolerate dissent? So, if you are after legitimizing dissent in a very strong manner, advocate contradictory pluralism.

This tension which arises out of some disharmony or conflict is in no way necessary for the life of the Church. It only breeds polarization, a state in which charisms in the Church and even people possessing the same charism could no longer see each other eye to eye. The tension that Dulles is referring to is created and highly punctuated by all the frictions generated in this scenario of disharmony.

We have to admit that their existence is unpleasant, not to say destructive, and offers an unwelcome resistance to the magisterium. Nevertheless, the pressures they create could be positively viewed as constant reminders and stimula for the Church to continually profess its fidelity to the faith by expressing such

faithfulness in accordance with the demands of the life of the Church in every day and age. These pressures are needed for those men in both theology and the magisterium whose misplaced zeal is put in canonizing formulations and interpretations of faith which are, after all, reformable and commendably subject to renewal. There is certainly no intrinsic value in formulations. Perhaps to jolt these ultra-conservative minds that contradictory forms of theological pluralism find their justification for being?

The Church in no way accepts a pluralism which is arbitrary and chaotic. Any form of pluralism which uses philosophical systems and concepts far removed from faith, and terminologies and methodologies alien to it, must be rejected. The Church rejects pluralism when it centrifugally moves from the magisterium as the final reference and as the center of unity in the Church. It rejects a pluralism which is a form of abandonment to individual interpretations and a pluralism of "private judgment" which can pulverize the unity of faith into innumerable multiciplities of personal revelations and opinions unrestrained by a regulating authority. It rejects a pluralism under the cover of a direct and subjective inspiration of the Holy Spirit.

In no way can pluralism be healthy and at the service of a unity-in-diversity in the Church if, in the first place, it breaks the unity of faith which is the most essential unity to be preserved. There can be no legitimate and efficacious pluralism if it is not orthodox, that is, if it is not derived from an authentic and univocal relationship with God. Our thirst for a dynamic ecclesial life and our search for relevant truths should not be quenched and satisfied with vague and false forms of pluralism.

Where would the Church end up when, under the spacious but inadmissible pluralism, the doctrinal disintegration it can bring with it were accepted as legitimate, and hence, ecclesial and normative for the life of the Church? Let the advocates of contradictory forms of pluralism and those who claim to have a direct and subjective inspiration of the Holy Spirit answer this question.

Pluralism is obvious in the area of formulating and expressing the articles of faith and moral precepts. Because any teach-

ing, even revealed data, is enshrined in something limited, contingent and historical, it can and must be interrogated age by age and be confronted with the mental horizons and advances of the age. The attitude of the Church is that the directives and norms of the daily ecclesial life as well as the truths of faith should be studied, explained and illustrated according to the successive needs of the Church, but always in keeping with the substance of such norms and truths. It is in this way that the Church's teachings are made intelligible and readily relevant to each and every people and culture in every age.

Of particular interest is the case of a dogmatic definition. While a dogmatic definition is irreformable "*per se*", it is also subject to the created dimensions of human statements, the historicity and the limitations of the human knowledge of truth into which the Word of God becomes incarnate without ceasing to be the Word of God. Although the truth is fixed and irreformable, and consequently, fidelity to it is absolutely required to remain in the faith, it is not dissipated when various formulations and new insights are given to make it more understandable and relevant. Of course, such new insights should not contradict the former interpretations. A dogma is reformable "*per accidens*", therefore, because of the limitations of the human mind to delve exhaustively into an ineffable truth.

Therefore, reformulations of dogmatic truths are not denials of revelation. To deny the process of re-expressing dogmatic truths in the name of orthodoxy is baloney. It is integrism under the guise of orthodoxy. Orthodoxy is that quality of Catholic faith that has an instinct for doctrinal integrity, a sensitivity and concern to believe and articulate such a belief in ways that are in continuity and conformity with the apostolic heritage as witnessed by the living magisterium of the Church. Integrism, camouflaging as a defender of orthodoxy, is a belief that faith, the Church and the teachings coming from the past must remain unaffected by the present or the future and must admit of no diversity of expressions. It is a form of petrifying changelessness that can kill faith itself.

Neither is it contrary to the magisterial gift of infallibility. Infallibility does not mean clinging steadfastly to how truths were

said in the past. The gift of infallibility, as Gregory Baum says, "means that the Church is able to remain faithful to the past and yet free to reformulate the Christian teaching as Good News for the contemporary world."⁸² In the same vein, John XXIII said during the Opening of the Second Vatican Council: "Our duty is not only to guard this precious treasure, as if we were concerned only with antiquity, but to dedicate ourselves with an earnest will and without fear to the work that our era demands of us . . . The substance of the ancient doctrine of the deposit of faith is one thing, and the way in which it is presented is another . . ."⁸³ "For" as Paul VI said, "we are fully convinced that bishops and priests cannot worthily carry out their mission of enlightening and saving the modern world if they are not in a position to present, defend and illustrate the truths of divine faith with ideas and words that are more understandable to minds trained in present-day philosophical and scientific learning."⁸⁴

It is in this manner that the magisterium becomes essentially and primarily pastoral. It is certainly useful to remind ourselves once again that the revelation of God, which is Immutable and Eternal, is poured into mere contingent human expressions and is proclaimed by mere vessels of clay that we are. As *Gaudium et Spes* says " . . . for God, revealing Himself to His people to the extent of a full manifestation of Himself in the Incarnate Son, has spoken according to the culture proper to different ages" (# 58). In this respect, a pluralism of forms or ways of formulating the faith is healthy to the Church. This is the pluralism that is positive and contributes to the building up of the Body of Christ. Seen from this perspective, pluralism is never a divisive factor.

However, the greater problem as regard pluralism is in the area of substance of revelation and the magisterial teachings. Theologians, nevertheless, who are still towing the line of orthodoxy, do not question or deny revealed data and the dogmatic de-

⁸² Gregory Baum, "The Magisterium in a Changing World," *Concilium*, 1 (1967), pp. 34ff.

⁸³ Acta Ioannis PP. XXIII, "Concilium Oecumenicum Vaticanum II Sollemniter Inchoatur," *Acta Apostolicae Sedis*, Vol. 54 (1962), p. 792.

⁸⁴ Paul VI, "Original Sin and Modern Science," Address to the Participants in the Symposium on Original Sin, in *The Pope Speaks*, 11 (1966), p. 201.

initions of the Church. These things belong to the essence of faith. In no way can pluralism be admitted without endangering faith itself. Hence, the focus of the problem lies on the non-infallible teachings of the magisterium. Can it admit pluralism in content? Can a faithful be allowed to hold a belief contrary or contradictory to what the magisterium teaches noninfallibly? Can a theologian be tolerated to teach that which is contrary or contradictory to a magisterial noninfallible teaching? Does he have the right to question it? Here lies the problem of dissent.

2. *The Magisterium and the Theologian: Authority and Dissent in the Church*

As we have seen, the postconciliar magisterium has been confronted with a rapid emergence and systematization of a theology of dissent, as well as the actual exercise of it. Even threateningly, there is a growing resistance against its infallible charism. What is, however, more disheartening to note is that this development results in a confusion about and even a decline of the magisterial authority. With the eruption of dissent after the publication of the encyclical *Humanae Vitae*, I certainly agree with Springer when he says that what has become chiefly at stake is not the issue of contraception but the authority of the Church.⁸⁵ Dulles also acknowledges the development of a theology of dissent as one of the most significant postconciliar phenomena.⁸⁶

These comments imply that theological dissent has been in no way limited to one issue, contraception, for instance. The case of the *Humanae Vitae* was only symptomatic, the proverbial "tip of the iceberg". It was merely an opening salvo of a magisterium-theologians conflict that run the whole gamut of Catholic doctrines. Moreover, McCormick claims to have asked his colleagues in theology about what is the main problem in the Church today. According to him, the answer was unanimous: the crisis of authority and leadership in the Church.⁸⁷ But Ratzinger certainly

⁸⁵ Robert Springer, "Notes on Moral Theology," *Theological Studies*, 30 (1966), p. 277.

⁸⁶ Avery Dulles, "The Extraordinary Synod," *America*, 153 (1985), p. 157.

⁸⁷ Richard McCormick, "Authority and Leadership in the Church," *Catholic Mind*, 69 (1971), p. 8.

does not agree with this. He considers the root of the problem to lie in the crisis of understanding the real nature of the Church.⁸⁸ The theologians see a crisis in the magisterial authority and vice-versa because they do not anymore share the same ecclesiology.

Ratzinger's impression is that the authentically Catholic meaning of the reality "Church" is tacitly disappearing without being expressly rejected. Even some theologians no longer believe that the Church is willed by the Lord Himself. The Church simply appears to them as a human construction, an instrument created by us and one which we ourselves can freely rearrange according to the requirements of the moment. There is no question that the Church is composed of men who organize its external vantage. But behind this "human structure" stands the mystery of a "more than human" reality in which ecclesiologists, sociologists, dissenters or even the pope, have no authority whatsoever.

One of the fundamental structures of the Church willed by the Lord Himself is the authority invested upon the magisterium. This authority is a divine gift. It comes from above and not from below. It comes from Christ and not from the faithful nor is it created out of a historical necessity. Consequently, because such authority is directly willed by the Lord, no faithful can abrogate or reject it and no person in the magisterium can relinquish or delegate it.

Now, if some theologians do not understand the magisterial authority this way, they would certainly say there is a crisis in authority because it is not functioning the way they want it to function. This perceived crisis is the cause of dissension and decline of the authentic concept of obedience to the Church's authority. Obedience is no longer seen as a virtue but as a heritage of an authoritarian, dogmatic past; hence, it must be overcome. To overcome it, dissenting theologians suggest either a disbandment or a sharing of such a power. This is a rejection of an authority willed by God and a proposal for an authority of consensus by the majority. It tries to turn the Church into a political party, an association or a club.

⁸⁸ Ratzinger and Messori, *The Ratzinger Report*, p. 45.

Inherent in the fact that authority is a unitive force is its right to speak for, to and decide for the community it is called to serve. It is the right to command and to order. Though authority is more identified with an office or function, it should not be understood negatively. It should be understood as one entitled to respect and as looked up for guidance and direction. This is the fundamental conception of authority we find in the Scriptures, as when "Jesus spoke with authority"; and as we can discern from the Tradition of the Church, as when we say that Christianity is fundamentally "a religion of authority".

Jesus Christ is the Supreme Authority Who gave His Apostles authority to proclaim the Gospel to all nations. Jesus' divine commission of the Apostles is destined to last until the end of the world (Mt. 28:20). For this reason, it is inconceivable that such a commission could have been only given to the Apostles inasmuch as they would have to die, in fact, they did die. Implicit, therefore, in the words of Jesus is His will that the power and authority He gave to the Apostles is to continue in their successors. For this very reason, the Apostles were careful to appoint and ordain their successors in this hierarchically constituted society. Thus, there has been an uninterrupted succession and a continuous preservation and manifestation of the Apostolic tradition through those who were made bishops by the Apostles and their successors down to our time.

Therefore, far from abolishing authority, Jesus Christ instituted and established it in a permanent manner. Authority is placed at the service of others not because insofar as it takes its origin from the community as its servant, but rather because it has come from on high for the purpose of governing, judging and teaching. It originates from a positive divine intervention.

Jesus Christ's appointment and commissioning of the Apostles is a clear indication that He did and does not want His teachings to be subjected to free interpretations of every individual. It is very clear that He entrusted them to a qualified power (Mt. 28:16-20; Mk. 16:15; Lk. 24:45-48; Jn. 20:21-23). From this, He wanted His community to be structured and joined together in unity of being hierarchically structured. Since His community

is a single complex reality inseparably composed of divine and human elements, it is both a spiritual and a social organism at the same time. And since it was made social, the Church requires and postulates external structures and norms proper to every society. "Ubi societas, ibi jus."

Thus, the Council reminds us of the indispensability of submitting to the authority which is willed by the Founder Himself. This Church, constituted and organized as a society in the present world, subsists in the Catholic Church, which is governed by the successor of Peter and by the other bishops in communion with him (LG # 8). Because this authority is a direct positive intervention of the Founder, it is not a "scientific" nor a "democratic" authority. Because it is not "scientific", it is not demonstrable through material proofs and does not need to be subjected to; because it is not "democratic", it is not subject to the will of the believers but to the Will of Him Who established it.

Rather, authority in the Church is "sacramental" and "hierarchical". It is "sacramental" because it expresses externally the very Authority of Christ over His Church. It is "hierarchical" as it comes from the Head and not from the members. Christ constituted the pope and the bishops united with the former as teachers of faith, its guardians and its interpreters. To this hierarchy He promised the special assistance of the Holy Spirit so they would not fall into error when they propose for belief truths contained in revelation.

Hence, the veracity and certainty of the magisterium is not guaranteed so much by human intelligence but by the promise of Christ of the special assistance of the Holy Spirit for those He willed to teach the rest of the flock. The various charisms in the Church as well as the various competencies which are also manifestations of the workings of the Holy Spirit in the entire Church, has to revere the magisterium as the primary witness to divine and catholic faith. It must be adhered to with "a ready and respectful allegiance of the mind" (LG # 25). Whoever rejects this magisterium assails the one true Church, weakens its apostolic force, works against the unification of all Christians in truth and charity, and fosters aspersion. Such a person does

grave wrong to the souls that seek or have faith, and he will have to make an accounting before God.

However, lest these things be overemphasized, it must be noted that the magisterial authority is exercised in a twofold manner, namely, infallibly and noninfallibly. It is a dogmatic definition that the Pope, when speaking "*ex cathedra*" (Dz. 3073-74), and when the bishops ever though dispersed throughout the world but preserving among themselves their unity and communion with the pope, in their authoritative teaching concerning faith and morals, are in agreement that a particular teaching is to be held definitively and absolutely (LG # 25), are possessed of that infallibility with which the Lord willed that His Church should be endowed for defining doctrines regarding faith and morals. This manner of exercise of the magisterium obliges in the faithful an absolute and irreformable assent of faith, because the truth infallibly defined is irreformable and absolutely free from error.

The magisterium exercises its authority noninfallibly when the object of its pronouncement is not directly the Word of God but the word of the magisterium itself, and the magisterium does not commit its charism of infallibility. Now, since the object involved here is a noninfallible pronouncement and the subject is the noninfallible magisterium, an inaccuracy or even an error is not absolutely ruled out. Consequently, the religious assent which it demands from the faithful is not absolute and irreformable and a noninfallible teaching does not totally preclude alternative proposals or better and more exhaustive interpretations of the same issue.

It is in the nature of this magisterial exercise that dissent finds its possibility and tenability. The theologians of dissent are right when they say that dissent ultimately rests on the absence of absolute certitude of the noninfallible magisterium and of the object of its declaration. It is precisely this possibility of error that forms the fundamental epistemological reason for a theology of dissent. But this is not a postconciliar discovery. Although the manualists could hardly find reasons for dissent, they nevertheless, recognized it.

The magisterium, too, clearly sees its own limitations, which recognition is hardly seen by the theologians. If it does not see its limitations and entrusts everything to the assistance of the Holy Spirit without careful investigation, it could have declared all teachings as infallible, hence, to be believed with absolutely certainty. Yet, this is not the case. By the fact that *Lumen Gentium* distinguishes religious assent from the assent of divine and catholic faith means it likewise distinguishes their varying binding forces. Curran rightly observes that when the magisterium is not absolutely certain of its declaration, the teaching is not closed to debates. The various charisms and competencies in the Church must be welcome to contribute their own insights into the particular matter.

Even bishops from all over the world have been urging the magisterium not to be intimidated by the presence of the possibility of error.⁸⁹ Such pronouncements doubtlessly demand an obedience of the intellect and the will, but the magisterium should not consider such assent to be absolute. Hence, when a theologian dissents from it, it should cause no great alarm on the part of the magisterium. In the exercise of its noninfallible magisterium in our time, it has to expect reactions, alternative opinions, proposals or questions from the scholars and from the laity.

The reactions must also be seen against the backdrop of the strict magisterial censorship prior to the Pontificate of John XXIII and the Second Vatican Council. Many of these reactions against the noninfallible magisterium are well-meaning. Unfortunately, though well-intentioned from the point of view of the dissenters, many are imprudent and apparently attack the authority itself rather than offering a more viable and more complete understanding of the doctrine issued by the magisterium. Nevertheless, all these reactions do not necessarily imply that the noninfallible ma-

⁸⁹ Various Episcopal Conferences throughout the Catholic world were "forced" to Address the question of dissent when the encyclical *Humanae Vitae* was accorded a wintry reception by some and an outright rejection by others. For the complete texts of all the Episcopal Statements relating to the problems of dissent and assent, as occasioned by the encyclical *Humanae Vitae* Cf. John Horgan (ed.), *Humanae Vitae and the Bishops* (Shannon: Irish University Press, 1972); or that of William Shannon, *The Live-ly Debate: The Response to Humanae Vitae*; or that of Curran and Hunt, *op. cit.*, pp. 214ff.

gisterium is really in error or is inaccurate. Their positive value lies in the fact that these reactions, though may be unpleasant, can contribute to a more acceptable formulation or to an exhaustive study of the doctrine, thereby leading it to a possible infallible declaration by the infallible magisterium.

Curran deserves credit when he suggests that the magisterium should not be inhibited to exercise this very vital prophetic function just because there is a possibility of committing error. The dissenters suspect that the alleged lack of prophetic and magisterial voice is due to this fear of committing an error. Because the magisterium could not risk being wrong, it may either not pass or wait too long before it passes its stand on certain urgent critical issues. This must not be the case because the need of norms and directives that could guide and form the conscience of the faithful is urgently demanded.

Dissenters call this magisterial fear as a clear indication of a juridical conception of the magisterium. It is too confined within the duty of the guardianship of the deposit of faith. It forgets to be pastoral because it fails to be responsive to the needs and challenges of the present Church. Without ruling out the assistance of the Holy Spirit, the best that the magisterium could do is to exercise its prophetic function at every circumstance that calls for it in spite of the absence of an absolute certainty. It is its primary duty to respond to the needs and questions that arise in the Church. It does not in any way protect the substance of the faith nor promotes it by being silent or by simply preying on erroneous responses from other ecclesial competences.

When the magisterium teaches noninfallibly, it likewise stimulates, encourages and invites the other charisms in the Church to participate in the process. In this manner, because it expects the possibility of negative reactions, it does not lose composure at the face of dissenting voices. It welcomes them as long as they are honest, sincere, loyal and respectful to the authority and open to further scrutiny. In this way, the primary teacher in the visible Church of Christ also listens to the promptings of the Holy Spirit diffused among all its members without relinquishing itself as the primary witness of faith.

I do appreciate this posture which many dissenters also advocate. Viewing this posture within the overall framework of the present situation, the recognition of the possibility of error, and consequently, the consideration of alternative opinions other than its own teaching must be considered an essential new element of the magisterium's renewed self-understanding. Because this possibility of error or inaccuracy is absolutely tenable, the magisterium has to legitimize this possibility, that is, the magisterium should not outrightly condemn other positions other than its own as challenges to its teaching power. Whether the magisterium finds it pleasant or not, it will always be faced with such possibility because it will never find absolute certainty in all things, even those which pertain to faith and morals. So, let us hear it from Schuller once more: Jesus Christ never promised the Church infallibility in all it says.⁹⁰ The magisterium has to live it... without fear.

But upholding the possibility of dissent, I believe, should not always translate itself to any form of an actual exercise of it. If there is a controversial issue and the magisterium has not yet taken a stand, there can be no point of dissent. In such a case, the theologians can propose and publish their conclusions and positions about the matter. But when the magisterium issues a stand, and the theologians still hold to positions contrary or contradictory to it, their act becomes an act of dissent.

Such an actual exercise of dissent has to be conceded, though not just in any manner. As long as a teaching is noninfallible, it should be left open for further theological reconsiderations, disputations and "purgations" within the confines of the theologians and the magisterium as well as the experts on the empirical aspect of the matter under dispute. This stand rejects the extremes which, on the one end, hold that a noninfallible teaching is beyond error or if there is a possibility, it is primarily the work of the Holy Spirit to correct such an error; and on the other hand, hold that the magisterial noninfallible teaching should be treated as just one of the options that a Catholic may choose from.

⁹⁰ Schuller, *op. cit.*, p. 328.

But how should a dissenter exercise his dissent without being corrosive to the magisterial authority? Can a dissenter be allowed to submit his dissent and his alternative teaching to the public forum as widely as possible and let it be the judge? Should the magisterium strictly require its theologians and scholars to keep their dissent among themselves? Does the dissenter have the duty to inform the general public about his act of dissenting? Do the faithful have the right to demand for such informations?

Theologians are divided. Curran and his companion theologians, Schuller and Maguire, Dulles and Komonchak, bring public dissent to its most vocal form through the wide use of the media of communications to bring their dissent to the widest audience as possible. Costanzo and Gutwenger, Ciappi and the episcopal statements released at the wake of *Humanae Vitae*, think that dissenting opinions must be kept when possible within the circle of the experts or be disseminated only through scholarly publications so that they may not cause harm on indiscriminating faithful.

I believe that there is a viable way between private internal dissent and public organized dissent. This way encourages dissenters to bring their dissent to the attestation of the magisterium and the experts so that their dissenting opinions could be taken into serious consideration. If dissent were to be just internal who will ever know or who will ever bring a possible mistake or inaccuracy to the attention of the authority? If it were made as public as possible, it will cause harm to the faith and to the magisterium.

I certainly agree with Curran, Maguire and the rest of the vocal advocates of public dissent that the use of mass media is acceptable academic procedure. The Church, through the Second Vatican Council, has greatly encouraged the use of mass media of communications in the preaching of the Good News. It continually encourages the widest use of the mass media of communications: the press, cinema, radio, televisions and others the nature of which can influence not merely single individual but the very masses and even the whole of the human society (*Inter Miri-*

fica, # 1). The document further says that the *pastors of souls should be particularly zealous in this field* (i. e., the use of the means of social communications), *since it is closely linked with their task of preaching the Gospel* (# 13). Needless to say, the means of social communications are now essential to the preaching of the Gospel considering the influences of these means on the lives of people.

Because their use do not only influence single individuals but masses of people and even the whole of society, the message sent forth through these means must be the official teaching of the Church which is the surest guide for Christian life. What happens with the dissenters is that they preach their own ideas and not that of the Church. One very effective means of communicating with the faithful is the use of the pulpit. One only has to scan the pages and articles of various theological journals to see how the dissenters use the pulpit in preaching their own opinions and in criticizing the magisterial teaching.

I believe that theological disputations against a noninfallible teaching have a better place among the experts, namely, the scholars and the authorities in the magisterium. If they are to be printed, they have a better venue in scholarly theological journals. When the experts, under the guidance of the Holy Spirit, arrive at a solution and find the message of truth, then is the time to teach all men about the truth they have to believe; then is the time to use all the means of social communications.

However, the dissenters' reason why there should be a wide use of the mass media of communications is to disseminate their ideas because the faithful have the right to be informed about the truths of their faith and to be given various options. Therefore, theologians of dissent believe that to prevent the dissemination of their theological alternatives to a noninfallible teaching is a violation of the faithful's right to be informed.

Do the faithful have the right to be informed as regard this particular problem? Who takes responsibility when errors are

made, which are most liable to happen when dissenting and personal voices of the various theologians are peddled like wares in the streets and markets? They claim further that feeding the faithful about the magisterium-theology disputations about a certain teaching is educative. Well and good. But is it justifiable to sacrifice certainty (at least a moral certainty) and clarity of important teachings in matters of faith and morals in the name of education? Is doing so the only way to educate the faithful? Cannot the certain teachings of the magisterium educate them?

I believe that the dissenters' rationale of educating the faithful by giving them choices and options about their faith and morals does not suffice to offset the necessity of assuring the continuity of the safest way of teaching the faithful the doctrines of their faith.

At this juncture, it is important to underscore the frequently used terms, namely, *truths* and *options*. I believe that when something is disputed and debated upon, there is yet no unanimous consensus of what really is the truth. The very nature of debate and even dialogue implies that the truth is not yet confirmed. The process of disputation is essentially a search for the truth, or a process of sifting *the* truth among the *truths* proposed. By the fact that a noninfallible teaching is disputed upon by the theologians and the magisterium, and among the theologians themselves, means that they have not yet agreed as to what really is the true teaching to be proposed for belief. Therefore, where is now the truth claimed by the dissenters?

Hence, I reject this rationale of public dissent. What is the basis of the dissenters' claim that they have found the truth? What is their basis to claim that the alternatives they offer to the faithful is the truth to be believed in lieu of the magisterial teaching? Such is arrogance, pure and simple. What would be the effect upon the faithful when various theological alternatives, which are contrary and even contradictory to each other while dealing on a singular point of faith or morals, are offered to them as the *truths* from which they can pick from as they please?

Consider a treasure box of necklaces among which there is only one real diamond necklace. Give the box to the woman in the street. Do you think she can distinguish the real from the fake diamond necklaces? She may even take all the necklaces as real diamonds. If ever she will come up with the real diamond necklace, she will fumble and commit wrong choices in the process. First, give the box to the expert jeweler. Because she possesses an expertise in the art of jewelry, she can easily determine and distinguish the real from the fake diamond necklaces. Do not give the box to the woman in the street; she might throw the real diamond to the pigs. The parallelism is certainly rough, but it is not totally off-tangent. I believe it nails down my stand.

The dissenters believe that another reason for disseminating theological alternative proposals to the noninfallible teaching is to give the faithful *options* which truth is to be believed. In this particular case, the faithful has the right to choose from among the *truths* presented by the theologians. I believe this is untenable. How could the ordinary faithful choose that which is the real truth? What is or are their criterion or criteria for the choice of one truth over the other or others? Is it each one's personal feeling of affinity to a certain option? Is it the utility of an option in relation to the needs and problems of the one choosing it? Or is it simply a matter of personal preference and *good taste*?

Suppose we present the teaching on contraception in a form of multiple choices: contraception is (a) intrinsically immoral; (b) extrinsically immoral, hence, sometimes moral and sometimes immoral; (b.1) moral when (b.1.1) the couple only wants two children and they have two already; (b.1.2) when the lovers have not yet decided to get married and it is better to first experiment; (b.1.3) when the couple does not want a child yet; (b.1.4) when the resulting child will be an economic burden; (b.1.5) when pregnancy is unhealthy to the woman; (b.2) immoral when (b.2.1) the couple simply want to derive sexual pleasure; (b.2.2) the couple simply experiments with contraception; (b.2.3) the partners want to simply rebel from the norms of contraception. The relativism is endless. Such a crazy scheme is applicable and has been applied to any moral case. How could the ordinary faithful get out right from such a labyrinth of conjunctions and an

intricate lattice of possibilities? The illustration may be outrageous, but my point is that offering various alternatives as options to choose from is irresponsible, not to say disastrous.

Suppose, as Komonchak and Schuller strongly contend in favor of public dissent as a public duty, a noninfallible teaching *causes untold anxiety and suffering for millions of believers* or it *causes widespread and agonizing conflict of conscience, and puts on many burdens beyond the strength of the faithful*, is public dissent not a serious duty of those who can help alleviate this suffering of the millions or this agonizing conflict of conscience? The theologians of dissent strongly answer this question in the positive, having in mind what happened after the publication of the encyclical *Humanae Vitae*.

On the one hand, it becomes a public duty when it is obviously and demonstrably clear that the magisterium has really committed an error. Let us take again the case of *Humanae Vitae*. The dissenters claim that the encyclical teaching on contraception has *caused untold anxiety and suffering and widespread and agonizing conflict of conscience*. Therefore, they have the public duty to free the faithful from this erroneous teaching by teaching alternatives which are opposite the papal intervention. They contend that if their dissenting ideas be confined first within the circle of experts, it will take a very long time to come to an agreeable stand. This is irresponsible and unfair since the faithful are continually under tremendous and unnecessary burdens and sufferings. Hence, they have to disseminate their dissenting stands through the use of the mass media of communications. In such a way, they have abrogated the erroneous teaching as fast as possible and set the faithful free from the burdens of the teaching.

But it is certainly vital to ask: has the magisterium been really mistaken in its teaching on contraception as the dissenters have claimed? Have the theologians passed an evidence or evidences which can really shatter the magisterial noninfallible teaching? *Is the untold anxiety and suffering and the widespread and agonizing conflict of conscience* caused by a magisterial error? Is this condition of the faithful a measure to declare that the ma-

gisterium has in fact erred? Is public opinion the litmus test whether a noninfallible teaching is erroneous or not?

To these questions, Komonchak says *yes*; Schuller says *yes*; Maguire says *yes*; Dulles says *yes and why not*; and many others answer in the positive. I say *no*, precisely because the veracity and the acceptability of the magisterial teaching is not determined by the number of those faithful who are willing or not willing to obey and practice it. The test of a Church's teaching is not the number of votes it can garner. It must be noted that the Church is not democratic in this sense.

In the case of *Humanae Vitae*, can we say with conviction that the faithful are suffering because of an error on the part of the magisterium, or can we say with conviction that they are suffering because the teaching is hard and they can no longer use contraceptives? Can the theologians derogate from the traditional teaching just because it is an ancient teaching, or because of the contemporary emphasis on personalism in marital relationships over the emphasis on the natural function of sexuality which is the begetting of children?

To abrogate a teaching because it is traditional is senseless. Does truth lies in modernity? It does not, though it necessarily changes perspectives in changing contexts. To justify contraception in view of a personalistic perspective of marriage is obviously a failure to integrate such a welcome perspective with the past emphasis on the procreation of children. We have no right to debunk the function of nature. There is no doubt that the Church's theology of marriage has been influenced by the strong current of a personalist philosophy. In an effort to balance and harmonize the biological and the personalist theology of marriage, the fecundity of marriage is not denied but has been assigned a new place in the complex of values of human sexuality. This approach does not anymore categorize the ends of marriage into primary and secondary.

But a new line of development began to materialize. Whereas the more developed conciliar and postconciliar theology of marriage was founded in the unity of person and nature in man, per-

sonalism began to be understood in opposition to *naturalism* as if the human person and its needs could enter into conflict with nature. Thus, an exaggerated personalism has led some theologians to reject the internal order, the language of nature, leaving sexuality — conjugal included — the sole point of reference in the will of the person. This is indeed, one of the reason the *Humanae Vitae* was rejected and that it is impossible for many theologies to reject contraception.

Another delicate problem we have to face is the issue of theological freedom. Theologians of public dissent allege that this is a debilitating restriction of that freedom necessary in theological research. But is it really a loss of theological freedom or simply placing the theologians in their proper role?

I believe that my position does not entail a loss of freedom because the theologians or the scholars can still go on with their research and inquiries as much as they want. The point that I question is the manner of dissemination. The dissemination of their new, untested and raw alternatives has still to be limited among the experts to undergo the necessary *test of fire* for purification could not be entrusted to the *ordinary* (as opposed the theologians and scholars) faithful because they do not possess the necessary *fire* or expertise to do such a task.

If my position entails a loss of freedom on the part of the theologians, that would mean prohibiting them to function. Yet, that is not the consequence. They are not deprived of their inalienable right to pose questions about the doctrine in question. If the theologians advance their argumentations and disputations about the matter in question, the first and best thing for them to do is to dialogue with the magisterium and the rest of the experts, and not to seek refuge in public opinions and computer analysis.

This should be the case because it is with the magisterium and the experts that the problem and questions which arise in the process of performing their interpretative task must be brought out, debated, consulted and solved and not with the general faithful who simply do not have the necessary knowledge and tools

to help them in their search for truth. The public forum should not be the venue for such because the truth is derived not out of who gets the wider acceptance.

This is the point of the vocal theologians of dissent. If the magisterial teaching fails to gain acceptance in public, it is necessary that the magisterium and the scholars have to seriously restudy the teaching to find the possible reasons for such non-acceptance. But the theologians of dissent say that their alternative teachings must be submitted to the public form. Then, the faithful must be left to disagree or disobey the magisterial teaching in favor of any of the theological alternative teachings. In other words, if the theological alternative gain greater acceptance in public, the magisterial teaching can safely be bypassed. In the last analysis, dissent is everybody's privilege in a wide variety of doctrines.

Moreover, the faithful are given a lot of room for the exercise of dissent. Specifically, Dulles says that when the faithful *suspects* that something might be wrong with the teaching; when they do not understand what they are being asked; when the teaching is apparently absurd and incredible; or when they are not sure whether or not an infallible teaching is really infallible, the faithful may dissent from it. I find these grounds too much outrageous and a very casual understanding and treatment of the magisterial authority. All this leaves the faithful absolute freedom to assent or dissent, to doubt or to believe.

However, I find the dissenters' stand of a public dissent a brilliant proposal. But one cardinal condition must be fulfilled first: if the faithful possess theological and philosophical backgrounds which will equip them to be discriminate and critical to assess and evaluate the correctness or the accuracy of any theological alternative. It is perfectly assumed that the theologians and experts have this necessary condition. Consequently, they can proceed to dispute and debate any question that may arise from the magisterial teaching.

Now, it must be conceded that normally the faithful do not have the necessary backgrounds we require to make public dissent admissible and prudent. If there are local Churches where

majority of the faithful are veritably *theologians*, that is, they honestly possess sufficient knowledge to sift the wheat from the darnet, to segregate the sheep from the goats, and to distinguish the true and the humble from the false and the arrogant, the theologians may publicize their dissenting opinions. I bet such is very rare, if there is any.

Further it must be noted that this accommodation is fraught with dangers that go with any act of public dissent. As Mc-Cormick rightly observes, dissent has become synonymous with an attack against and a disrespect from authority, with a failure to show obedience and docility, humility and serious reflection prior to a publicity and a failure to look up to with confidence to the charism of the teacher. A public dissenter is like a student who tries all means to put down his teacher in front of the class.

Once and for all, I hereby state my case: the first duty of the theologians is to investigate the reasons behind the magisterial noninfallible teaching in order to make it clearer to the faithful and to support it. Their first duty, therefore, is not to find fault with the magisterium and set the Church into a free-wheeling-debating society.

If, in the performance of this interpretative function, they find sufficient grounds to doubt the veracity or the accuracy of the teaching, and consequently dissent from it, they can do so without becoming disloyal and unfaithful to the magisterium. In this eventuality, they must bring the matter first to the attention of the magisterium and their colleagues in the theological scholarship. The magisterium, for its part, should not suppress this act. It has to welcome it because the debates and the disputations that may eventually follow could help in clarifying the teaching or rectifying it in case of any error or inaccuracy and incompleteness.

What should result is a brainstorming among the best ecclesiastical minds within their own perimeters. This does not violate the magisterial prerogative nor corrode the respect due to the magisterial authority. After all, the teaching is not absolute and the questions are the products of serious studies and honest investigations by the learned men of the Church. When the

Church uses both its teaching authority and its best theological resources, public outbursts and dissent could hardly be imagined.

Not only are debates and disputations admissible and welcome in the circle of experts. The fruits of these efforts, even the different theological alternatives, may be printed in theological or scholarly journals in such a way that the dissemination is discreet, discriminate and prudent.

From all the foregoing, public dissent is admissible and welcome in a limited sense, that is, within the realm of the experts: the magisterium, the theologians or the ecclesiastical scholars as well as the laity who possess the necessary philosophical and theological acumen and the experts in the particular matter under dispute.

To flaunt dissent publicly, such as calling for press conferences, giving lectures to an indiscriminate public audience, preaching it in the pulpit, plugging it over the radio or on the television, and so on, is irresponsible and corrosive of the magisterial authority. Such acts of public dissent imply that the magisterial teaching can easily be bypassed and the magisterial authority can easily be shot down from its singular place of teaching primacy in the Church.

These acts inversely affect the magisterial credibility in the minds of the faithful. Once the Church's credibility is eroded, this living source and center of unity is thrown into shambles and the faithful are in disarray with their individual preferences and their *personally preferred theologians*.

Theologians of dissent and the actual dissenters are convinced that dissent is well within the ambit of responsible Catholic theology. They identify different roles that dissent can significantly play in the development of doctrine in the Church.

First, it is seen as a part of the theological interpretative task in the contemporary awareness and context. There is no question that the theologians sustain the intellectual life of the Church by their continuous re-examination and periodic interrogation of the deposit of faith so that it will always be relevant.

Further, there is no question that theologians dissent in one time or another in the process of performing their interpretative task. Hence, I certainly agree that dissent can be viewed from the wider and deeper question of the theologians interpretative task.

Viewed from our contemporary ecclesiological context, voiced dissent by the theologians to the magisterium is not a violation of the magisterial prerogative, although the theologians have to realize that the magisterium has the right to reject a theological proposal which it judges to be erroneous. It is the final authority in matters of faith and morals and it is its concern to guard the deposit of faith. Moreover, when the theologians voice out their opposition, they should realize that the magisterium enjoys a strong presumption of truth, and that it has the right to claim from the dissenters patience, loyalty, sincerity, sobriety and circumspection in expounding their ideas.

It is clear that it is an essential element of the theologian's interpretative task to express the Word of God through formulations according to contemporary awareness so that the faithful can translate it to life. But since theology serves as a "bridge" between the deposit of faith and the magisterium, the theologians have to submit first to the magisterium the fruits of their studies. The magisterium, being the final authority, proposes for universal belief a theological conclusion. Now, the theologians are called to support and clarify the magisterial teaching to the people.

If a theologian cannot accept it for sufficient grounds, he can do so. His interpretative task allows him to dissent from dispute and debate a magisterial noninfallible teaching. But such task does not allow or does not give him the right to present the teaching as though it were a dogmatic definition (which is a sin of an excessive and obsessive preoccupation with protecting the magisterium from any semblance of error, inaccuracy or doubt) nor as merely an opinion which can easily be bypassed (which is the orientation of contemporary dissent). It is the theologian's duty to present the teaching according to the intention of the magisterium, and not according to his own.

A theologian whose conviction locks him in an opposition to a doctrine or set of doctrines of the Church as proclaimed by the

magisterium must not reinterpret it publicly according to his own conviction. Let him do it with his colleagues. The pulpit and the classroom are public fora where the theologian does not have any right to attack the magisterial teachings. Yet, this seems to be happening in many places. If a theologian cannot keep himself away from doing so, in fairness to the Church, he must have the intellectual honesty and courage to surrender his task of interpreting the deposit of faith and of confirming, clarifying and supporting the magisterium teachings. Otherwise, he must have the courage to accept in humility if some disciplinary actions are given him by the magisterium. If the "magisterium of the theologians" (to mean an office to teach) is dependent upon and licensed by the magisterium, there is no reason why such license cannot be removed from him if he does not use it in accordance to its purpose. To give him freedom to teach whatever he wills will only create doctrinal confusions in the Church.

Second, dissent is seen as an aspect of the total learning process of the Church. The early McCormick's perspective of dissent is admirable: that dissent is only honest and sincere if it is the terminus of a sincere reflection on the teaching concerned. But when the later McCormick says that our loyalty to the Church demands that we dissent, he is no different from the rest of the vocal theologians of public organized dissent. All the measures he proposed previously to make dissent a learning experience fly at the face of this later daring statement, for it already postulates a right of every loyal (supposedly) faithful to dissent from the magisterium.

Of course, I do not rule out the possibility that public dissent may, in fact, educate some faithful. But the numerous risks and dangers attendant to it clearly offsets whatever educative value it has. Let us face the fact. Without being pessimistic and without underestimating the general faithful, they normally do not have the necessary backgrounds to weigh arguments.

Besides, I doubt if they have the time or the interest to learn the intricacies of theological processes and their hair-splitting philosophical and theological distinctions. They certainly entrust this task to the ecclesiastics. I, for my part, entrust the search for

the cure of AIDS to the scientists or physicians and I have nothing to do scientifically with the creation of a nuclear shield. I bet President Ronald Reagan, the consummate patron of this gargantuan and ambitious project, does not even contribute scientifically to the making of the SDI! Those matters are better left to the scientists. Now, should we let some nuclear experts decide on what to believe?

Third, it is seen as a necessary aspect of theological freedom. At the outset, it must be conceded that the very nature of theological task necessitates some degree of freedom. Freedom is clearly vital in the search for truth. Hence, there is no question that the magisterium should grant a certain degree of freedom to the theologians for them to be able to proceed with their probings and come out with well-defined and well-founded conclusions.

Freedom in research and discussion among doctrinal experts cannot be ruled out in the area of the noninfallibles because of the presence of the possibility of error or inaccuracy or incompleteness. The strength of a noninfallible teaching hinges not completely (I believe, not even primarily?) on the authority of the magisterium but on the arguments it puts forward in support of its conclusions. But, usually, the best arguments there are are incorporated in the magisterial teaching.

As McCormick seems to suggest, the noninfallible magisterium, by virtue of its authority, cannot immediately attract and demand assent for the simple reason that it operates noninfallibly. A mere appeal to authority, therefore, does not make a noninfallible teaching convincing and true.

For all practical purposes, we can say that a noninfallible magisterial teaching can be seen as an invitation by the magisterium both to a religious assent and to dialogue more intensely with the theologians to make the teaching more current, more exhaustive and clearer, thereby achieving a higher degree of certainty and credibility. In this respect, freedom on the part of the theologians to dialogue with the magisterium has to be tolerated. Of course, the magisterium does not prescind itself from

theological research. Theological research and reflection are also intrinsic magisterial functions.

When controversies arise, there should be dialogue. The purpose of such a dialogue is not to stifle dissent but to ventilate it in a free discussion. Ultimately, it serves to dispel this very dissent. This, I believe, is necessary because an appeal to authority in the realm of the noninfallibles cannot necessarily solicit submission and obedience. A coercive solicitation of obedience from people who have reasonable doubts to dissent may only effect greater disharmony and ultimately, defections.

But I hasten to add that this theological freedom is in no way absolute and in no way be exercised like the brand of freedom required and exercised in the secular sciences. An obvious limit to theological freedom is orthodoxy or fidelity to the deposit of faith and to the dogmatic definitions of the infallible magisterium. In these areas of truths, certainty is absolute, and consequently, the assent demanded is absolute. Here, there is absolutely no freedom or right to dissent.

Fourth, dissent is considered as a co-element of loyalty. Theologians of dissent and actual dissenters contend that dissent should not be considered as an act of rebellion or as an attack against the magisterial authority. It should rather be considered as act of loyalty, a loyalty which should not be equated with servile obedience. I agree that when dissent emerges out of a sincere and conscientious effort to accept the doctrine in question but cannot be so, or when it is exercised in such a manner that it does not corrode the magisterial prerogative, it can really be considered as an expression of loyalty. Such would really foster concern for the Church. I believe that their co-existence is possible in the Church.

When the magisterium is so hardpressed to accept dissent, there is a grave danger that loyalty may be obtained through pressures. It must be said that any coercive technique to obtain loyalty of a dissenter either results in a painful defection or in an external conformity which is hypocritical and always destructive of sincerity. In either case, the magisterium could be the loser for such sort of

"magisterial harassment" cannot endear, cannot change the inner conviction of the dissenter and cannot prevent him from publicly preaching his dissenting posture.

In this crisis situation, the only viable way to sustain or obtain the dissenter's loyalty is to sit down and dialogue to ventilate differences. The magisterium may feel uneasy and may find such a dialogue risky. But in crisis situations, the exercise of authority, or even of freedom, must be recognized as an occasion of risk. Critical situations (as theology-magisterium conflicts) simply do not afford straight-jacket solutions and apodictic judgments and positions. Hence, the necessity of corresponsibility, consultation and dialogue in such matters are in order. Such concern of a dissenter to clarify a magisterial teaching is actually loyalty in motion, that is, if all the conditions for a sincere, responsible and loyal dissent are fulfilled.

However, it must be added that dissent does not always express loyalty. As a matter of fact, it could express disloyalty and rebellion very vividly and disastrously. Dissent can be dysfunctional, counterproductive and unhealthy for the Church. It would not be far from the truth, or it may, in fact, be a truism to say that many contemporary instances of dissent are attacks against and acts of defiance of authority, and the theological alternatives presented in lieu of the magisterial teaching are rashly done and are frequently formulated without proper discernment. There are a lot of dissenting acts in which one can hardly find sincerity and humility. We need not say more about the widely known and publicly sensationalized *Washington Statement* signed by some eighty-seven famous American theologians.

SUMMARY AND CONCLUSIONS

1. The status of contemporary theology is one of pluralism. The Church welcomes pluralism as it is the expression of the age. For the bishops and the theologians to be effective in their ministry, they have to present the Good News of Christ according to the ideas and words that are more understandable to minds trained

in present-day philosophical and scientific learning. But the Church does not tolerate just any form of pluralism. It accepts complementary forms of pluralism. It rejects contradictory forms of pluralism because those forms accepts pluralities in the substance of faith.

2. The contemporary theological pluralism, which results from the meeting of theology with the various contemporary philosophies and secular sciences in the free arena of knowledge, has given rise to various problems and challenges that confront and even question the postconciliar magisterium authority. Dissent has become a theological passion. Moreover, it has become the fad of those Catholics who prefer to be labeled as the "sophisticated Catholics of the nuclear age". In brief, dissent is a theological theme which cries for careful scrutiny.

3. The development and systematization of a theology of dissent from the noninfallible magisterium has become a leading phenomenon in the postconciliar Church. Such dissent, long recognized as possible, is theologically tenable, and thus, has to be recognized and legitimized by the magisterium. When exercised properly, responsibly and loyally, it plays positive roles in the totality of the magisterial function. Its actual exercise must be confined within the circle of those who possess the requisite backgrounds and skill to deal with the intricacies of theological and philosophical processes. Although it is agreed that, at this time, it is difficult to keep things under wraps, there is still a difference between flaunting one's dissent in public and being discrete about it. Whatever form it may take in the future, the possibility of dissent will remain and the magisterium has to learn to live with it... without fear.

4. As the exposition-analysis part has shown regarding the contemporary phenomenon of dissent, it seems that, in spite of the brilliant points the theologians of dissent and actual dissenters make, the overall thrust is that the noninfallible magisterium must be in conformity with the latest theological technical research and its teachings better be in line with what the majority of the faithful accept or else it may safely be bypassed and be substituted with theological opinions acceptable to them. But, as I have belabored to demonstrate, there are perennially va-

lid and essential elements in the Church which must remain changeless if we still have unity in the faith. That Christ appointed the magisterium as the continuation in space and time of His own Magisterium is one of these fundamental structures.

5. In the magisterium-theology relations, possibilities of abuses of freedom and authority, which concretize in freedom-mistakes and authority-mistakes, are fecund when both charisms are confronted with new realities, problems and challenges. While theological freedom is necessarily guaranteed, it must also be considered that the magisterium is always the final reference in matters of faith and morals. Although the magisterium is always the final reference in matters of faith and morals, it must not decide by mere authority, for it does not have a charism that operates magically or automatically. In order to make best its doctrinal decisions, it has to exhaust the best and most creative available talents to bear upon the problems to be solved. However, this should not give the slightest impression that we in our times do not need anymore a supreme authority. It is needed even more than ever as the Church lives its catholicity in the dimension of continents and in an age where there is anarchy in the realm of knowledge.

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