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The Johnson Case and the Practice of Theology: An Interim Report

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This past spring the U.S. Catholic church witnessed an instructive exhibition of the complex dynamics of teaching authority in the church. Its remote beginnings can be traced to the publication of Elizabeth Johnson’s book, *The Quest for the Living God*. More proximately, it began with the publication last spring of the USCCB Committee on Doctrine’s condemnation of Johnson’s book. The committee statement was initially followed by a short response by Prof. Johnson and a public statement by the executive board of the Catholic Theological Society of America expressing its concerns regarding the committee’s failure to follow the guidelines established in the 1989 *Doctrinal Responsibilities* document. The CTSA board statement, in turn, elicited a quick response from Cardinal Donald Wuerl, chair of the Committee on Doctrine. He made a public statement defending the committee’s action and he produced, on behalf of the committee, a document presented as a guide to the bishops regarding their proper exercise of teaching authority, *Bishops as Teachers*. Finally, Prof. Johnson, at the bishop’s invitation, wrote a much more lengthy response to the committee’s statement, responding to their criticisms and challenging the committee’s methodology and theological assumptions.
This exchange displayed the exercise of two necessary forms of authority in the church: the authority of the theologian and the authority of the magisterium. While asserting the legitimate authority of the latter is commonplace, asserting the proper authority of the former requires a brief excursus on the teaching office of the church.

Australian theologian, Ormond Rush, has placed in the foreground Vatican II’s employment of the threefold offices of Christ (priest, prophet and king) and the functions that correlate to them (sanctifying, teaching, governing) as a framework for reflecting on the life and mission of the church.1 Although the council was not entirely consistent, the clear logic of its overall use of the tria munera suggests that we can no longer assign these offices, as John Henry Newman once did,2 to certain subsets within the membership of the church. The entire baptized share, albeit in distinctive ways, in the exercise of these three offices. Consequently, we must resist reducing the exercise of the teaching office of the church to the magisterium alone. The council’s ecclesiological vision leads us in a different direction. There are distinctive participations in the church’s one teaching office, and each form of participation has its own proper “authority.” Rush identifies three fundamental “authorities”: the sensus fidelium, theology and the magisterium.3 Each authority draws from diverse sources. The sensus fidelium is grounded in baptism and the supernatural instinct for the faith (sensus fidei) offered to each believer by the Holy Spirit.4 The theologian’s authority presupposes the theologian’s own exercise of the sensus fidei but draws additionally on both academic expertise and a charism for theological reflection. The teaching authority of the bishop also appeals to his exercise of the sensus fidei but, additionally, it draws on the charism for pastoral leadership that presumably led to his episcopal ordination. That ordination, in turn, provides the special grace of the sacrament which can, in principle, assist the bishop in his distinctive responsibility to preserve the integrity of the apostolic faith. Each of these authorities has a role to play in the exercise of the church’s teaching office and no one authority can properly fulfill its responsibilities apart from the others.
Assessing the Theologian’s Exercise of the Church’s Teaching Office

With respect to the Johnson case, the documentation reflects two of the three authorities explicitly in play: the authority of theology (reflected initially in Johnson’s book and subsequently in her response to the committee) and the authority of the magisterium (the Committee on Doctrine). It is worth considering how Johnson and the Committee on Doctrine understood and exercised their distinctive participations in the church’s teaching office.

Johnson’s actions reflect, by and large, an authentic exercise of the church’s teaching office. First, as regards the book under investigation, it was clearly a work of theological reflection drawing on the great tradition, new theological currents and the insights of ordinary believers (sensus fidelium). That it was intended as a synthetic and more accessible work made it nonetheless theological. It was offered within the parameters of our doctrinal tradition but not as a normative expression of that tradition (the proper task of the magisterium). Second, Johnson exercised the vocation of the theologian with the humility demanded by the eschatological character of divine revelation. As Dei Verbum 8 taught, the church is always moving “toward the plenitude of divine truth.” Although she does not hesitate to offer her own judgments on the wisdom and helpfulness of various theological trajectories, she does not offer her reflections as the final word on the doctrine of God. She offers the reader a wide array of new theological trajectories with a tentativeness appropriate to such new developments.

Finally, recognizing that the three authorities work best when in dialogue with one another, she not only drew on insights from the sensus fidelium but, once challenged, responded to the critique of the Committee on Doctrine with an extensive, respectful response to their criticisms. Although it is evident that she strongly disagrees with both the process of the investigation pursued by the committee and the substance of its judgments, at no point does she reject the committee’s legitimate authority. Indeed, her patient and careful response exhibits her tacit acceptance of the bishops’ magisterial authority.
Assessing the Committee on Doctrine’s Exercise of the Church’s Teaching Office

If Johnson’s actions reflect a legitimate exercise of the proper teaching authority of the theologian, the actions and basic presuppositions of the Committee on Doctrine are more problematic. At issue is not the right and responsibility of the bishops to preserve through normative judgments the integrity of the apostolic faith. Johnson herself acknowledges this authority. The committee’s flawed exercise of its legitimate magisterial authority, in my view, lies in 1) a failure to acknowledge the proper scope of magisterial judgments; 2) a lack of eschatological humility and patience in the exercise of its teaching responsibilities, and 3) a refusal to attend properly to the reciprocal and dialogical relationship between the diverse authorities that share in the church’s teaching office.

First, one finds in the committee statement a disturbing tendency to conflate theology and doctrine. This happens at multiple levels. The committee consistently skewers Johnson’s book for its critique of “church teaching.” Yet it is apparent to any reader not consumed with a hermeneutic of denunciation that the object of Johnson’s theological critique was, more often than not, problematic theological formulations and imaginative construals of the church’s doctrinal tradition and not the doctrine itself. Frequently she is content to summarize a range of theological perspectives. Consider the issue of divine impassibility, where Johnson is accused of denying church doctrine. An honest reading of her text reveals that she was summarizing diverse theological perspectives on the topic (Moltmann and Sölle on one side and Metz on the other), each of which made valuable contributions, without committing herself decisively to one position or another. In her response to the committee, she admits to still struggling with the question herself (in the company, she adds, of such distinguished theologians as Cardinal Walter Kasper). This brings us to the heart of the issue. To read the committee statement is to feel as if one has been drawn into a dispute between diverse theological commitments, not a dispassionate assessment of the doctrinal integrity of a theological work. This feeling is strengthened
when one considers the profound resonance between the judgments of the committee and the theological corpus of one of the principal theological advisors to the committee and its executive director, the Capuchin theologian, Thomas Weinandy. An accomplished theologian in his own right, many would be in sympathy with the theological arguments he has advanced in his own work, some of which implicitly challenge Johnson’s own theological commitments. And therein lies the problem: to the extent that the Committee on Doctrine’s statement echoes his judgments (and in several instances key formulations found in the statement are clearly drawn from his own work), they ought more properly to have been advanced in theological journals and at academic conferences than in the court of doctrinal judgment.

The principal justification for the committee’s preemptive action was a familiar trope, the danger of confusing the faithful who were exposed to Johnson’s ideas because her book was being used widely in college classrooms and parish study groups. This kind of argument has appeared with alarming frequency in contemporary exercises of the magisterium at both the local and universal levels. This preoccupation with “not confusing the faithful” has led to a dramatic expansion of the exercise of magisterial authority in the last few decades. The result has been an ecclesiastical impatience with the work of theology and an unwillingness to allow new theological developments to be both subject to academic critique from peers and tested by the sensus fidelium. Even more troubling, it reflects a lack of eschatological humility in the face of divine revelation. Such humility forces upon our consciousness the reality that while we are drawn into the truth of God by the power of the Spirit this truth is not something we can possess and wield as a weapon. The pilgrim church is moving “toward the plenitude of divine truth,” and its formal doctrinal judgments, though occasionally necessary, ought to reflect the humility of a people always open to new insight.
As Newman once noted, truth “is the daughter of time.”⁸ The contemporary magisterial tendency to rush to doctrinal judgment with every new theological foray forgets Newman’s important insight: divine truth emerges only slowly, patiently and always with a certain tentativeness. The work of theology is akin to the patient ministrations of a midwife; it is the work of theology to assist patiently in the birthing of God’s Word in our time. By contrast, the rush to doctrinal judgment is not unlike the impatient father wishing to hasten the birthing process even if it places mother and child at risk.

One reason for this lack of humility before divine revelation may lie in the committee’s consistent reliance on a more propositional theology of revelation. This determination to reduce revelation to a set of propositional statements is more at home in the theological world of neo-scholasticism. The Trinitarian and personalist theology of revelation found in Dei Verbum had deep roots in an early Christian tradition that viewed revelation as a divine pedagogy aimed at the transformation of humankind. What we find in the committee statement is what Juan Luis Segundo has coined a “digital” presentation of church doctrine, one which purges doctrine of its imaginative and transformative character and renders it strictly informational and regulative.⁹

Finally, we must consider the extent to which the action of the Committee on Doctrine reflects the dialogical interdependence of the three authorities. The Wuerl document, Bishops as Teachers, rightly affirms that “the bishop and the theologian have a special relationship that can and should be reciprocally enriching.”¹⁰ Yet the failure of the committee to approach Johnson privately with an invitation to offer clarifications of her views seems to violate the demands of a genuinely reciprocal and dialogical relationship. This failure is all the more striking when one considers that procedures for mediating such disputes are already developed in the 1989 document, Doctrinal Responsibilities. Wuerl justified the committee’s decision to bypass these guidelines by noting that they were intended to mediate disputes between individual theologians and bishops. Yet that document is helpful, not simply
because of the specific procedures it offers for mediating disputes, but because it articulates ways in which a climate of mutual trust and respect can be cultivated.

One explanation for the committee’s non-dialogical approach to its exercise of authority may be found in Wuerl’s *Bishops as Teachers*. There we discover a disappointing account of the reciprocal relationship between bishops and theologians. The document envisions a healthy, reciprocal relationship between bishops and theologians as one in which theologians would submit “their personal theological ideas for the bishop’s evaluation.” The model for this “reciprocity” is the process of applying for an *imprimatur* for one’s work. Yet any author who has sought an *imprimatur* can confirm that there is very little in this process that is truly dialogical. The absence of genuine reciprocity is evident in a predictable asymmetry: theologians are encouraged to submit their work to a bishop for his *doctrinal* evaluation, yet nowhere do we find the suggestion that bishops should submit their work to theologians for *scholarly* evaluation (a legitimate expectation since the sacrament of orders does not confer scholarly expertise on the bishop).

In sum, it is difficult to avoid the conclusion that whereas Johnson appears to have properly exercised the authority appropriate to theological inquiry, the actions and basic presuppositions of the Committee on Doctrine were much less helpful. Perhaps a final bit of light can be shed on the matter by considering an analogy offered by Cardinal Wuerl to elucidate the bishop-theologian relationship, namely, the role of the referee/umpire in sports.

This analogy has much to commend it. First, it recognizes that the referee’s role is clearly circumscribed. He does not actually play the game but rather preserves the conditions (by enforcing the rules of the game) that allow for maximum creativity and healthy competition on the field of play. Indeed, some theologians (e.g., Lindbeck, Dulles, Tilley) have made varying use of a cultural-linguistic
understanding of doctrine as establishing the rules that govern theological discourse (e.g., one must not discuss the person of Jesus in such a way as to deny his divinity).

Second, a good referee or umpire must know well both the rules and dynamics of the game she is working but she does not have to be a great athlete herself. The skills required for referees/umpires are not the same as the skills required for athletes. Yet refereeing, in almost any sport, is a skill with clear standards of excellence that demand much more than simply knowing the rules of the game. A baseball umpire can grasp the rule that establishes the dimensions of the strike zone, but that does not mean that he can accurately judge whether a 98 mph fastball is, in fact, a strike. Following the analogy, the bishops must not only know church doctrine, they must also be well versed in the dynamics of advanced theological discourse without necessarily being scholars themselves. Third, referees/umpires are fallible. They occasionally make mistakes and the best among them recognize that when they admit their mistakes their reputation is enhanced rather than diminished. In striking contrast, bishops (including popes) seldom if ever admit their mistakes in acts of doctrinal or pastoral judgment and, predictably, their reputation and credibility is often diminished in consequence. Finally, in professional sports, there is usually an established system for evaluating referees/umpires. Only those who have passed rigorous evaluations are allowed to work at the highest levels of a sport. Following the analogy, we look in vain for any system of accountability that ensures that bishops have an adequate grasp of contemporary theological trajectories and are skilled in assessing the doctrinal integrity of a given theological project.

This exhibition of ecclesial authority has not come to its conclusion as yet. Although the Committee on Doctrine’s initial statement was a flawed exercise of teaching authority, the committee’s belated invitation to Johnson for a response and its promise to take her response under consideration suggest
that perhaps it is not too late to restore a genuine reciprocity between bishops and theologians. The health of our church depends on it.

Postscript: On October 28th, 2011 the Committee on Doctrine issued its final statement after consideration of Johnson’s extended response. The statement largely confirmed the committee’s judgment. They did not yield to Johnson on a single substantive point and avoided responding to the questions she put to the committee. Johnson issued a brief public statement which expressed her disappointment that the committee had chosen not to engage in any substantive theological dialogue. It is difficult not to see this entire affair as a disheartening step backward, a retreat from genuinely reciprocal cooperation between bishops and theologians in the US church.

3 Rush, 175.
4 See Lumen gentium 12.
5 In fact, there is some question regarding whether we should consider a statement of the conference committee on doctrine as properly a magisterial statement. Pope John Paul II’s apostolic letter Apostolos suos granted a doctrinal teaching authority to documents issued by an episcopal conference in either of two situations: 1) the document is approved unanimously by the entire conference or, 2) the document is approved by a 2/3 majority and receives a recognitio from the Holy See. This raises a real question of whether the statements of episcopal conference committees qualify as properly magisterial documents. The teaching of Apostolos suos suggests that the magisterial force of such statements is limited to the authority granted to the statement by individual bishops who would make its teaching their own.
6 It is important to note, of course, that one can recognize in her actions a legitimate exercise of the authority of theology without agreeing with the theological positions she set forth in her book and defended in her response to the committee.
7 A practice of interpretation that begins with a set of a priori convictions regarding the presumed deficiencies of a text and which is undertaken with a determination to build an argument in support of those prior convictions.
9 Juan Luis Segundo, the Liberation of Dogma: Faith, Revelation and Dogmatic Teaching Authority (Maryknoll: Orbis, 1992), 108.
Professional baseball fans will recall the poignant missed call by the first base umpire, Jim Joyce, which deprived then Detroit Tiger pitcher, Armando Galarraga, of one of the most statistically rare accomplishments in baseball, the perfect game in June of 2010. Joyce, soon after the game, admitted that he blew the call and Galarraga graciously accepted his apology. Many baseball players and coaches voiced their appreciation of Joyce’s admission of error and defended his sterling reputation as an umpire.