

"Infallibility in Question"
 Week of June 6, 2011
 ESSAYS IN THEOLOGY
 By Rev. Richard P. McBrien

One of the most perplexing aspects of the sacking of William Morris, bishop of the Australian diocese of Toowoomba, Queensland, is Pope Benedict XVI's claim that the Catholic Church's prohibition of the ordination of women to the priesthood is the product of an infallible teaching.

In 2006 Bishop Morris issued a pastoral letter before the beginning of Advent in which he called attention to the alarming decrease in the number of active priests who will continue to serve the needs of the diocese by Easter 2014.

He urged that alternative strategies be considered if the Eucharist is to remain available to the Catholics of the diocese. These alternative strategies include: ordaining married, single, or widowed men who are chosen and endorsed by the local parish community; welcoming former priests, married or single, back to active ministry; ordaining women, married or single; and recognizing Anglican, Lutheran, and Uniting Church Orders.

Bishop Morris did not advocate any of these alternatives, but argued only that the Church be "more open" to them.

At the same time, Bishop Morris emphasized that he remained "committed to actively promoting vocations to the current celibate male priesthood and open to inviting priests from overseas."

However, if it were not for the constant drumbeat of criticism on the part of ultraconservative Catholics, most or all of whom have had no formal education in theology, Scripture, liturgy, or canon law, and the appointment of another ultraconservative as Apostolic Visitor, Charles Chaput, Archbishop of Denver, Bishop Morris would not have been removed from his diocese.

The criticism from the far right and their connection with powerful individuals in the Vatican gave the "investigation" all the impetus that it needed, and the selection of Archbishop Chaput as Apostolic Visitor rendered the final result inevitable.

Bishop Morris revealed portions of the letter from Pope Benedict XVI informing him of his removal from office. In that letter, the pope insisted that his predecessor, John Paul II, had defined the teaching on the ordination of women as priests in his 1994 apostolic letter, *Ordinatio sacerdotalis*. In other words, the teaching was infallible and, as such, irrevocable.

It could not be considered, as Bishop Morris had suggested in his 2006 Advent pastoral letter, with a view to a possible change in practice. Such a change, Pope Benedict XVI pointed out, had been rendered impossible by John Paul II's infallible teaching on the subject.

This teaching had also been so described in a 1995 statement from the Congregation for the Doctrine of the Faith (CDF), which then-Cardinal Joseph Ratzinger headed. Cardinal Ratzinger, of course, is now Pope Benedict XVI.

Cardinal Ratzinger noted that the teaching on women's ordination "has been set forth infallibly by the ordinary and universal magisterium," as well as by the 1998 apostolic letter of Pope John Paul II, *Ad Tuendam Fidem* ("For the defense of the faith"), accompanied by a commentary written by Cardinal Ratzinger, who said essentially the same thing as he is now saying as pope.

But canon 749.3 stipulates that if there is any doubt about the infallible nature of a teaching, it is not infallible. The canon reads: "No doctrine is understood to be infallibly defined unless it is clearly established as such."

Therefore, even if then-Cardinal Ratzinger concluded that Pope John Paul II's teaching on women priests in *Ordinatio sacerdotalis* was infallible, it could not be considered infallible because it was not "clearly established as such."

And even if a pope, such as Benedict XVI, wished to argue that a specific teaching of one of his predecessors was infallible, canon 749.3 would also seem to preclude such an argument.

Moreover, individual Catholic theologians, major Catholic theological organizations in the United States, and the Canon Law Society of Great Britain and Ireland have expressed serious doubts about the claim that the Church's current prohibition of the ordination of women to the priesthood is grounded in an infallible teaching.

Therefore, if this was the decisive reason for the sacking of Bishop Morris, his removal seems to have been without sufficient warrant. As such it would constitute a grave injustice to him, to the diocese of Toowoomba, and to the Church in Australia.

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"Bishops as Umpires"
 Week of June 13, 2011
 ESSAYS IN THEOLOGY
 By Rev. Richard P. McBrien

A few weeks ago I devoted space to Cardinal Donald Wuerl's reference to bishops as umpires in matters of doctrinal disputes. I noted in that column that the problem with the analogy is that it doesn't take into account that bishops, like judges, can and do differ along ideological grounds. That is why there are so many 5-4 decisions even at the level of the U.S. Supreme Court.

The strike zone (that is, the leeway given to theologians like Sister Elizabeth Johnson of Fordham University) is interpreted more liberally by some bishops than others. Instant replays also show that umpires can be wrong, not only in calling balls and strikes but also in calling players out or safe on the bases.

One of my faithful readers, perplexed by the recent action of the Bishops' Committee on Doctrine against Elizabeth Johnson, pointed out that there is still another angle to be addressed, namely, whether bishops can legitimately fulfill their role as "umpires" if they lack the necessary competence in theology or Sacred Scripture to serve as umpires in theological or biblical disputes.

Before an umpire can work in the Major Leagues, for example, he has to go through rigorous training in umpire school; he has to gain experience in the minor leagues; and then, if he is considered to be good enough, he can be promoted to the big leagues.

But even then he is not deemed ready to work in the playoffs much less the World Series until he has proven himself day in and day out umpiring in Major League games---behind the plate, on the bases, or along the foul lines in the outfield.

Many Catholics today wonder if comparable periods of training and probation also apply to future bishops. My correspondent asks: "How can bishops whose theological preparation is woefully inadequate beyond, at most, the seminary level presume to be calling the plays in the theological academy?"

"Would we allow a movie star with an honorary doctorate in the arts determine the authenticity of a disputed Picasso?"

"It is beyond me," the correspondent continues, "how the bishops can claim, with a straight face, to be teachers sitting in judgment on teachers when they plainly cannot understand the arguments much less the conclusions."

According to the Code of Canon Law, revised in 1983, there *are* qualifications that have to be met before a priest can be promoted to the episcopate. Among these are "possession of a doctorate or at least a licentiate in sacred scripture, theology, or canon law from an institute of higher studies approved by the Apostolic See or at least [he must be] truly expert in these same disciplines" (can. 378, 5°).

I am not aware of any study of the many bishops appointed under Pope John Paul II (1978-2005) and now Pope Benedict XVI (2005-), but some critics have complained that the conditions have not been met in all cases.

Moreover, commentators could point out that the degrees that new bishops have acquired were earned some years earlier and often without any subsequent teaching experience.

Teaching requires keeping up in one's field, dealing with questions posed by students at the graduate level, publishing books and scholarly articles, and active participation in one's professional organizations.

It is a rare bishop nowadays who has come directly and recently from the scholarly world in theology, Sacred Scripture, or canon law. Having a non-episcopal executive director of the Committee on Doctrine who has such credentials matters only if he is regarded by his scholarly peers as a mainline theologian, biblical specialist, or canon lawyer.

If, on the other hand, he is considered to be ideologically inclined, in tune with the most conservative members of the Committee on Doctrine, his role as the principal author of the committee's report becomes of little or no positive consequence.

My correspondent ended her comments by insisting that the bishops owe Sister Elizabeth Johnson and the whole theological academy an apology.

In my response, I noted that Elizabeth Johnson would have to wait a long time, if not forever, for an apology. I reminded my correspondent that I went through the very same process with the same committee in the mid-1990s.

It found similar "problems" with the new edition of my *Catholicism* (see *Origins* 25/43, 4-18-96). I also pointed out at the time that the bishops had failed to follow their own procedures, which precipitated an exchange of correspondence with the committee (pp.744-48).

The Catholic Theological Society of America on June 7, 1996, agreed that the committee had failed to follow proper procedures.

No apology was forthcoming.

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