

THE ALTERNATIVE

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Dear Reader,

The theme of this issue of the Newsletter is found in the title of a book by historian John Noonan: *A Church that Can and Cannot Change*. Noonan never resolves the contradiction in his title. What seems obvious for anyone familiar with Catholic Church history is that there has to be some distinction made between what can credibly be claimed as unchangeable through the centuries and the changes that have been made to meet the needs of the times. This question has been at the center of the Synod discussions and in Pope Francis tossing out radical suggestions while at the same time saying that he is not proposing any changes of doctrine.

One defense of unchangeableness is to distinguish between change and development. Of course, “develop” is a kind of change but the way the distinction is being applied is that doctrines themselves do not change but only our understanding of them does. That is, the development that occurs is entirely on the subjective side; the objective reality has remained the same. Thus, these advocates of unchangeableness do not accept “the development of doctrine.” They are claiming that we just haven’t looked deeply enough; the truth was always in these doctrines.

The essays that follow struggle to find a way to engage this question. The essays by Gabriel Moran, Thomas Reese, and Nicholas Clifford begin from the premise that change occurs all the time in the Catholic Church; the question is what kind of distinctions are helpful in understanding this process. In contrast, the essay by *New York Times* columnist Ross Douthat claims that there is a “plot to change Catholicism.” His essay in the *Times* was denounced by a long list of Catholic theologians. The theologians’ reaction seemed somewhat over the top. Douthat is surely articulating the feeling of millions of Catholics and many if not most bishops. Dismissing Douthat because he does not have a degree in theology is not doing a theologian’s job of explaining better what is going on in church discussions.

Douthat’s story of a plot is highly dependent on the book he refers to by Edward Pentin, *The Rigging of a Papal Synod*. It seems mainly based on testimony from Raymond Burke and George Bell, two cardinals who have openly attacked Francis’s views. Although the sources are suspect, the story line is plausible. The first meeting of the synod in 2014 was initially controlled by a small group of bishops who managed to get an extraordinary document published after the first week. That the document said what it did about homosexuality was amazing but that it brought up the topic at all was the most amazing part. The final document in 2014 and the document from 2015 backed away from the tone and content of the initial document suggesting that the small group who were behind the “plot” had lost out.

HOW THE CATHOLIC CHURCH CHANGES ITS DOCTRINES

By Gabriel Moran

One problem that makes discussion of change in the church almost impossible is the connotations of “doctrine.” The word is simply a synonym for teachings. Discussion of change would be clearer if the church talked about teachings rather than doctrines. There is often an assumption when doctrines of the Catholic Church are referred to that “doctrine” is exemplified by the articles of the Creed: Beliefs about God, Christ, Holy Spirit, redemption, communion of saints and the rest. There is also a much larger collection of “defined doctrines” that have come from ecumenical councils and papal pronouncements. There are about twenty-two hundred such defined doctrines or dogmas in the Catholic Church.

“Teachings,” however, obviously cover other matters than these defined doctrines which, whatever their origin, are untouchable now. There will be no fourth person added to God, no inclusion of a new book in the New Testament, no redemption without the cross and resurrection, no replacement for the mother of God. Most Catholics do not trouble themselves much with these doctrines; they simply accept the Apostles Creed. A Catholic might find the doctrine of an eternal hell for one stumble to be outrageous and immoral, but there is no requirement to believe that anyone is actually in hell.

The teachings that do affect all Catholics who take their religion seriously pertain to practices and application of principles. The official church teaching on matters of economic, political, artistic policies requires a knowledge of the constantly changing world in which the church exists. The two main documents of Pope Francis on economics and the environment draw from principles of peace, justice, and personal responsibility. The teachings themselves, however, are in many places controversial. As the situation changes, some change in the teaching will undoubtedly be necessary.

On sexual matters the church’s teaching throughout the centuries has been hampered by the human race’s ignorance of basic facts. Church officials might wish to claim that the Catholic Church has been consistent in upholding certain principles of a sexual life but it would be ridiculous to claim that its teaching on homosexuality, masturbation, control of birth, or abortion has been unchanging.

On homosexuality, for example, the Catholic Church only began to develop a language to address the question in 1975. That is not surprising; most of the world was doing something similar. But today Catholic Church officials still do not have an adequate language about homosexuality. They should at least stop talking about “the homosexuals,” as if that were an alien species. The use of “homosexual tendency” or “homosexual tendencies” (they cannot decide which it is) means that official teaching is not even engaging the question. They reject the idea of “orientation” and substitute (sinful) “tendencies.” The world has undeniably changed whether one thinks it is mainly for good or ill. The Catholic Church can and should change its teachings on sexual matters in order for those teachings to be intelligible.

A distinction that is relevant to how doctrine changes is to distinguish between doctrine and “pastoral practice.” This distinction seems to be a favorite of Pope Francis. A change of practice is proposed in the name of mercy and compassion, together with an insistence that no doctrine is being changed. The fiction can be maintained for years or decades but eventually something has to give. Either homosexual behavior is a grave sin or homosexual people should be treated with pastoral care, respect, and understanding. The Catholic Church has been saying these two incompatible things for several decades now. Most likely, the practice will eventually bring about a change in the theory which is embodied in doctrine.

On the control of birth, the Catholic Church has unnecessarily painted itself into a corner during the last eight decades. It has appropriately tried to preserve the connection between sexual practice, loving partners, and the birth of children. When it became obvious early in the twentieth century that the human race had to exercise more control over population growth, better methods were needed for couples to limit the number of children. In the 1930s the church endorsed a method of birth control based on knowledge of the menstrual cycle. That one form of birth control that the church calls natural family planning is not a solution for most people. The idea of “responsible parenting” requires a response to the contemporary situation.

By 1960 the church was reaching a crisis point when a solution arrived in the form of a pill. All that Catholic Church leaders had to do was pronounce that the pill fit within the guidelines of natural family planning and responsible parenthood. The Catholic Church could have joined in the call for a better pill, one safer for women. Instead, there was total condemnation. That reaction only allowed the problem to get worse until 1968 when leading figures in the church recognized that a disaster was brewing unless the pope made a move. Pope Paul VI could have resolved the problem – not without strong opposition it is true – by simply saying that the key principle that concerns Catholic teaching is that violence to the body is to be avoided and non-violent forms of birth control are not only allowed but encouraged as natural family planning. That is also the most effective way to reduce abortions. Instead, the pope’s encyclical *Humanae Vitae* split the church in two, a split from which it has not recovered. The synod could not admit this most obvious problem that the Catholic Church has so that the pronouncements of a synod or pope on family life are not likely to go far.

Central to the Synod discussions was whether divorced and remarried Roman Catholics are still members of the church (the surface issue was the reception of Holy Communion). The question that the officials of the church have to face is how to allow divorce when it sometimes makes perfectly good sense. Their solution, unacknowledged on both sides, is to make “annulment” much easier. That process was introduced years ago to deal with a few exceptions when it was declared that there was never a marriage. The application slowly spread to cases where the judgment was pretty obviously a fiction to cover the need for divorce. But the obtaining of an annulment was restricted to people who had the money and the patience to get through the Vatican bureaucracy.

The Synod and Pope Francis have now endorsed a process of local (cheaper and faster) annulments. For decades to come there will remain a supposed difference between divorce and annulment but it will be irrelevant for most people. The Catholic Church will have accepted what it has long resisted, namely, that some marriages are a bad fit, other marriages die. If Catholic Church officials were imaginative, the acceptance of divorce could be put forward as a positive step in recognizing that the permanence of the marriage bond is not something that happens with a verbal promise in one's twenties but something that people grow into. The Catholic Church could continue to defend the permanence of marriage while accepting the fact that not all people reach that state quickly or in their first try.

The religious orders almost had it right in having their members take a series of temporary vows before "being professed in" perpetual vows. The drawback is that permanence was supposedly possible at age 25. Whether that was ever true in the past, it is clearly not the case now. In the taking of a marriage vow, annual vows might be followed by vows of three years, five years, and ten years. Perhaps when most people reach age 50 they are ready to realistically promise permanence. Some people might need more time. Some couples might decide on their fiftieth wedding anniversary that their marriage is now finished or their marriage is now indissoluble.

At the Synod meeting in 2015, the German language group said things quite close to this view of marriage. Their position did not make the cut for the final report of the Synod but their document is now available for the Pope. The position they state is, "Just as the historical development of the Church's teaching on marriage took time, so must the Church's pastoral development towards sacramental marriage today allow people time to mature along the path towards sacramental marriage and must not act on the principle of 'all or nothing'." Pastoral practice is what is talked about but there is an underlying admission that the church's teaching on marriage has changed throughout the centuries and that the Catholic Church's practice might help people to gradually move toward the ideal of a permanent relation.

Ultimately, the Catholic Church will have to examine its assumptions about the terms revelation and faith. Bishops have not been challenged by theologians on the assumption that their job is to "transmit" truths that have been "divinely revealed." The examination of the ideas of faith and revelation can only be done by stepping outside the boundaries of the Catholic Church to converse with other religious leaders and with philosophers who are not closed to the possibilities of religion's value. Asking people to believe in revealed truths shuts down the exploration of how the divine is revealed in all creation. That exploration sounds good to many people. However, what has to be admitted – and this also goes for Protestants, Jews and Muslims – is that it is frightening to let go of a collection of truths that are the absolutely certain basis of one's life. It is not just Catholic bishops who rely on propositions that are the basis of one's life. But the change from a set of truths that are certain to finding certainty in the encounter of one's body with the environment and dialogue with other people, helped by the richness of a religious tradition, is a journey that increasingly is a challenge for every person.

THE PLOT TO CHANGE CATHOLICISM

By Ross Douthat

The Vatican always seems to have the secrets and intrigues of a Renaissance court – which in a way is what it still remains. The ostentatious humility of Pope Francis, his scoldings of high-ranking prelates, have changed this not at all; if anything, the pontiff's ambitions have encouraged plotters and counter plotters to work with greater vigor. And right now the chief plotter is the pope himself.

Francis' purpose is simple. He favors the proposal, put forward by the church's liberal cardinals that would allow divorced and remarried Catholics to receive communion without having their first marriage declared null. Thanks to the pope's tacit support, this proposal became a central controversy in the synod. But if his purpose is clear, its path is decidedly murky. Procedurally, the pope's powers are near-absolute: if Francis decided tomorrow to endorse communion for the remarried, there is no Catholic Supreme Court that could strike his ruling down.

At the same time, though, the pope is supposed to have no power to change Catholic doctrine. This rule has no official endorsement mechanism (the Holy Spirit is supposed to be the crucial check and balance), but custom, modesty, fear of God and fear of schism all restrain popes who might find a doctrinal rewrite tempting. And a change of doctrine is what conservative Catholics, quite reasonably, believe that the communion proposal favored by Francis essentially implies.

There's probably a fascinating secular political science tome to be written on how the combination of absolute and absolutely-limited power shapes the papal office. In such a book, Francis's recent maneuvers would deserve a chapter, because he is clearly looking for a mechanism that would let him exercise his powers without undercutting his authority. The key to this search has been the synods, which have no official doctrinal role but which can project an image of ecclesiastical consensus. So a strong synodal statement endorsing communion for the remarried as a merely "pastoral" change, not doctrinal alteration, makes Francis's task easier.

Unfortunately such a statement has proven difficult to extract – because the ranks of Catholic bishops include so many Benedict XVI and John Paul II-appointed conservatives and also because the "pastoral" argument is basically just rubbish. The church's teaching that marriage is indissoluble has already been pushed close to the breaking point by this pope's new expedited annulment process; going all the way to communion *without* annulment would just break it. So to overcome resistance from bishops who grasp the obvious point, the synod has been, to borrow from the Vatican journalist Edward Pentin's recent investigative book, "rigged" by the papal-appointed organizers in favor of the pope's preferred outcome.

And yet his plan is not necessarily succeeding. There was not anything like a majority for the proposal within the synod, which is probably why the organizers hedged their bets for a while whether there would even be a final document. And the conservatives – African, Polish, American, Australian – have been less surprised than in 2014, and quicker to draw public lines and try to box the pontiff in with private appeals.

The entire situation abounds with ironies. Aging progressives are seizing a moment they thought had slipped away, trying to outmaneuver young conservatives who recently thought they owned the Catholic future. The African bishops are defending the faith of the European past against Germans and Italians weary of their own patrimony. A Jesuit pope is effectively at war with his own Congregation for the Doctrine of the Faith, the erstwhile Inquisition – a situation that would make 16th century heads spin.

For a Catholic journalist, for any journalist, it's a fascinating story, and speaking strictly as a journalist, I have no idea how it will end. Speaking as a Catholic, I expect the plot to ultimately fail; where the pope and the historic faith seem to be in tension, my bet is on the faith. But for an institution that measures its life span in millennia, "ultimately," can take a long time to arrive.

WHY SYNODS FAIL

By Thomas Reese

Synods are paper factories. They produce lots of speeches, recommendations and sometimes even a final document, but do they make a difference? In 1980, I covered an earlier synod on the family that faced almost every issue that this synod faces. Did it make any difference? If it did, I don't see it. The 1980 synod made many of the same recommendations that this synod made: better marriage preparation, better formation of clergy so they can help family, better education programs, greater support from governments for families, less violence, more love.

New programs and ideas are not generated at synods. Bishops can only share what they bring. New programs are created by entrepreneurs who have an idea, experiment with it, and improve it through trial and error. The synod was seriously divided on the question of what can and cannot change. This clash is most obvious over the question of readmitting divorced and remarried Catholics to Communion. One side sees only the law - the marriage contract is permanent and can be terminated only by death. The other side sees millions of people suffering from broken marriages that cannot be put back together.

One solution to this crisis is the annulment process, whereby the church declares that, even though there is a signed contract, the contract is not valid because of some failure at the time the wedding took place. There was much support at the 2014 synod for making the annulment process easier and faster, and Francis acted on this between synods. The attitude of the bishops toward annulments is the greatest change since the 1980 synod on the family when the American bishops were fiercely attacked by curial cardinals for making annulments too easy. Francis has gone way beyond the American procedure by allowing bishops to declare a marriage annulled through an administrative process rather than a judicial process. Even canon lawyers are scratching their heads wondering how this will work.

But the fundamental problem faced by the synod is the same one faced by the Second Vatican Council: What can and cannot change in the church? The pope and the synod are constantly saying that the synod will not change church doctrine but only pastoral practice. Bishops appear

to be afraid to even talk about the development of doctrine, lest they be seen as wishy-washy on doctrine. The conservatives see the readmission of divorced and remarried Catholics to Communion as violating a doctrine of the church – the indissolubility of marriage. To them, it would be an admission that the church was somehow wrong in its teachings in the past. Any student of the Second Vatican Council recognizes that this was the same complaint of Cardinal Alfredo Ottaviani who fought changes in church teaching on ecumenism, religious liberty and other matters.

So for the bishops to allow divorced and remarried Catholics – who don't have an annulment but are civilly married – to receive Communion they must somehow explain it as only a change in pastoral practice and not a change in doctrine.

The reason that Vatican II was successful was because an alliance was forged between the theological experts and the council fathers that was capable of defeating the Roman Curia's intransigence. Tragically, this alliance was broken after *Humanae Vitae*, when theologians were cast into outer darkness as dissidents whom the bishops were to avoid at all costs. The result has been disastrous for the church. It is as if the management of a major corporation is not on speaking terms with its research and development division. Would you invest in such a company?

Is there hope for the synod? Yes, Francis has begun a process; he has opened the windows that were closed after Vatican II. It will take more than three weeks to move the church forward, but he is moving it in the right direction.

HISTORICAL AMNESIA

By Nicholas Clifford

Archbishop William Lori, as chair of the U.S. Catholic Bishops Ad Hoc Committee for Religious Liberty, has praised the bishops for “planting the seeds of a move for religious freedom” which will eventually “bear fruit among the laity.” Yet surely that sounds a bit odd, at least if we are talking about the American laity. However we may argue over the First Amendment, most of us know that religious freedom has been enshrined in the Constitution for over two centuries. Could it be that rather than the bishops’ “planting the seed” of religious liberty, so that it would bear fruit among the laity, it might actually be the laity (Catholic and otherwise) who did the planting, so that one day it would bear fruit among the bishops, as it finally did when Vatican II issued *Dignitas Humanae* in 1965? Comforting though it might seem to posit episcopal leadership in such matters, the American laity did not wait until the twenty-first century for the bishops to plant such a seed. In fact they have been out in front, while the bishops over the centuries, whatever their private beliefs, were held in check by Rome.

The question raised here has to do with the Catholic Church's recent conversion to a view of religious freedom as a “fundamental right.” When and why did it happen? Lori is perfectly accurate when he says that “successive popes have reaffirmed the church's commitment to this principle,” and though he rather surprisingly ignores John XXIII's role in planting seeds, he cites

John Paul II and Benedict XVI, and now Francis in support of religious freedom. Yet isn't this a bit like saying that ever since its Voting Rights Act – also of 1965 – successive U.S. presidents have upheld the ideal of racial equality? Case closed, and there's no need to delve into America's murky past from 1789 to 1964, and to have to explain the difficult contradictions.

If since 1965, “successive” popes have upheld religious freedom, what can we say of “predecessive” popes, those who earlier presided over the governance of the church and its teaching for almost two millennia? Should we simply ignore them? There's no need to return to the problems and corruptions of the medieval and renaissance papacies, or Nicholas V's authorization of slavery in *Romanus pontifex* (1455) which sits awkwardly with John Paul II's condemnation of it in *Veritas splendor* (1993). All you have to do is look at some of the leaders of the nineteenth and twentieth centuries. Read, say, Gregory XVI's *Mirari vos* (1832) or Pius IX's *Quanta cura* and its annexed Syllabus of Errors (1864), whose teachings were later reaffirmed by Leo XIII, Pius X, and Pius XI. Are those pontiffs spinning in their graves today as they see their ideas overridden by later generations? Or are they (as we may prefer to believe) laughing in heaven, joyful that the truth has at last been understood?

This “cherished freedom,” of course, was never particularly high on the agenda of any of the world's great religions before modern times (in Japan, for instance, even Buddhists fought one another). Still, the fact remains that the historical teachings of these earlier popes would seem to contradict *Dignitas humanae*. What to do?

There are three possible answers to this conundrum. First, we can simply elbow Clio and her complications aside, and ignore the question. That is the way church leaders often seem to behave, and it is the way that the European Union behaves over the question of the continent's Christian heritage. A second answer is to say that the teachings of Gregory XVI or Pius IX, authoritative as they may sound, are not in fact part of the church's magisterium. This might seem a difficult argument to make, but one should never underestimate the power of spiritual lawyers, both civil and canon, to talk themselves out of a tight spot.

The third answer, and the one that most historians would favor, is simply that times change and teachings change, so that (in the words of *Lumen fidei* in 2013) “everything in the patrimony of faith comes to be more deeply understood,” or, as we might say, historicized. This is the argument of John Noonan's book. It is also the argument of Patrick O'Neil, one of Noonan's critics, faced with the problem of explaining how mere religious tolerance, once grudgingly permitted at particular times in particular places for prudential reasons, became metamorphosed into an obligatory universal religious freedom. But does this mean that our predecessors were in fact unwitting heretics? Or that those who favored religious liberty were heretics until the church announced its own conversion?

Like it or not, we are creatures of history, and must face up to the difficulties of our heritage – at least if we expect our pronouncements to be taken seriously.