Comment: *Protecting the Faith*

The Pope's letter *Ad Tuendam Fidem* , dated 28 May 1998—'to protect the faith of the Catholic Church against errors arising from certain members of the Christian faithful, especially from among those dedicated to the various disciplines of sacred theology'—tidies up Canon Law. A theologian who denies a divinely revealed truth 'is to be punished as a heretic or an apostate with a major excommunication'. One who denies what is to be held as definitively proposed by the Church, however, it is now made clear, is not to be regarded as a heretic (the gap in the law); he (or she) is subject only to 'an appropriate penalty', as in the case of refusing religious submission to non-definitive teachings.

When Catholics 'receive an office that is directly or indirectly related to deeper investigation into the truths of faith and morals, or is united to a particular power in the governance of the Church', they are required to profess their faith in the Creed, extending it, however, to include, firstly, 'firm faith' in whatever the Church 'either by a solemn judgment or by the ordinary and universal magisterium sets forth to be believed as divinely revealed'; secondly, they must 'firmly accept and hold each and every thing definitively proposed by the Church regarding teaching on faith and morals'; and thirdly, they must 'adhere with religious submission of will and intellect to the teachings which either the Roman pontiff or the College of Bishops enunciate when they exercise their authentic magisterium, even if they do not intend to proclaim these teachings by a definitive act'.

The commentary, dated 29 June 1998, by the Congregation for the Doctrine of the Faith, says that this third category of authentic but non-definitively proclaimed teachings includes 'all those teachings—on faith and morals—presented as true or at least as sure, even if they have not been defined with a solemn judgment or proposed as definitive by the ordinary and universal magisterium'. ('True or at least sure': discuss.) Looking for specifics, we read only that 'one can point in general to teachings set forth by the authentic ordinary magisterium in a non-definitive way, which require degrees of adherence differentiated according to the mind and the will manifested; this is shown especially by the nature of the documents, by the frequent repetition of the same doctrine, or by the tenor of the verbal expression'—*and that is all.*

The examples offered in the first category are quite specific: the Creed, the Christological and Marian dogmas, Dominical institution of the sacraments, etc.—though one might wonder why 'the grave immorality of direct and voluntary killing of an innocent human being' is listed. People have never needed revelation to see that killing the innocent is wrong—

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unless it is being conceded, specifically about abortion, that rational argument is useless? The second category, truths to be firmly held as definitively proposed by the Church, is equally specific: the infallibility and primacy of jurisdiction of the Roman pontiff, the reservation of priestly ordination only to men, the illicitness of euthanasia, prostitution and fornication, and other truths 'connected to revelation by historical necessity and which are held definitively, but are not able to be declared as divinely revealed', such as the list of true popes, the number of ecumenical councils, the canonisation of saints, Pope Leo XIII's letter *Apostolicae Curae* (1896) on the invalidity of Anglican ordinations... where the examples break off in a stutter of dots.

Thus, according to the CDF commentary, the upshot of the Pope's letter is that one may deny such truths without being excommunicated, though at the risk of being redeployed.

That the illicitness of prostitution could not be declared as divinely revealed seems clear; but is it a truth to which believers are required to give firm and definitive assent, 'based on faith in the Holy Spirit's assistance to the Church's magisterium, and on the Catholic doctrine of the infallibility of the magisterium in these matters'? Surely, again, people can see the evil of prostitution without believing in the infallibility of the magisterium in this or any other matter? On the other hand, counting *Apostolicae Curae* among truths, not divinely revealed but definitively declared, need not mean, after a century of developments within the Anglican Communion and in Catholic sacramental theology, that Anglican ordinations *now* are 'absolutely null and utterly void'. During his visit to the Lambeth Conference in July, Cardinal Edward Cassidy, President of the Pontifical Council for Promoting Christian Unity, said that *Apostolicae Curae* was listed, in the CDF's commentary, 'without any idea' that it would undermine ecumenical relations: 'That was not the intention', he is quoted as saying: 'Perhaps, on reflection, one might not have chosen it. It was not meant in any way as a negative comment on our dialogue'.

Back in May, the bishop of Ekaterinburg (where the Tsar and his family perished in 1918) ordered the works of three of the most respected Orthodox theologians of our time, Alexander Schmemann, Jean Meyendorff and Alexander Men, to be burnt. In accordance with the instructions of the bishop of St Cloud, Minnesota, the Benedictine publishers in the United States of Sr Lavinia Byrne's book *Women at the Altar* have burnt their 1300 copies—'the one way to ensure that we sell lots of copies', her non-Catholic publisher in London commented. An 'appropriate penalty', then, for discussing women's ordination? And discussing the possibility is not in itself heretical?

F.K.

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