

ARCIC 240

COMMENTS ON THE LIVERPOOL DRAFTS

March 9, 1981

The Rev. Christopher J. Hill  
Counselors on Foreign Relations  
Palace Court, 222 Lambeth Road  
London, SE1 7LB  
England

Dear Christopher:

Your mailing of the material from Liverpool, dated February 10, has arrived, and I thank you for it. I have now begun to read through the material bit by bit, and, because waiting to respond until I have been able to read it all may require a letter too long to write, I will try to respond bit by bit also. I hope such piecemeal response will not do injustice to the material.

I have now read #'s 235, 236, 237: the text reads well, and I believe much of it is excellent. The criticisms of the Venice Statement are especially well put: they are simply stated and the difficulties are honestly expressed.

Paragraph 7 of #235 is my greatest source of difficulty. The problem has been with us before and has to do with how a General Council is related to the Church--and how "the Church" is defined--in its teaching office.

Paragraph 7 says that "the Church can make a decisive judgment in matters of faith"; it is then said that that "judgment is normally given through synodical decision," but that the primate outside of a synod, but acting in communion with his fellow bishops, "may articulate the decision" (italics mine.) The difficulty comes in the next sentence. Reception by the people is said not to confer authority, but the assent of the faithful is said to be the final sign that the Church has spoken authoritatively. That sentence is fraught with ambiguity.

Granting the unique presence and action of the Holy Spirit throughout the whole process, it could be said that the reason the reception by, or assent of, the faithful does not confer authority is because

the authority comes from the faithful insofar as the statement accurately expresses the sensus fidelium. If that is true, we ought clearly to say so. If it is not true, we ought clearly to state why not.

To call the assent of the faithful a "final sign" is also ambiguous. What does "final sign" mean? If the assent is not a cause, is it an effect? What kind of sign are we walking about, essential, accidental, formal, material?

Paragraph 7 of #237 is a help, but the penultimate paragraph on p.8 contains much the same problem. Is the "final sign" itself a "necessary condition," or does it only point beyond itself to something different from it which is necessary? If the latter, does it necessarily point to the necessary or not? If it necessarily does so, is it not necessary?

"Reception" is a term usually reserved for the role of the faithful in the process we are concerned with, but since the faithful are the Church perhaps we should specifically point out that there is also a sense in which reception is proper for the primate. Insofar as he must be in communion with his fellow bishops and insofar as he must be a member of the church and his office is used to speak for the church, he must somehow receive the decision of the church before he is able to enunciate it.

Finally, the third line of the last paragraph in Paragraph 5, p.5, of #237/Authority Elucidation/3, also presents a difficulty. The criticism referred to questions whether the jurisdiction of different levels of episcope "is always to be exercised in a similar way." The intention, I believe, is to ask whether it is always exercised in an identical way. The jurisdiction in question is, in fact, always exercised in a similar, i.e., analogous, way, but it is not exercised in an identical way. The elaboration made in the last four lines of p.5 agrees with the wording

3.

I am suggesting but contradicts the text as it presently stands in the beginning of the paragraph.

The same problem is found in ARCIC 230/Jurisdiction/3, Paragraph 2, line 5. A similar correction was made by the Commission in that line in Venice just before Herb and I left for Rome. The final text from Venice did not, however, contain the change. The point I believe we must make is that in the exercise of episcopate at its different levels we are dealing with something which is analogous but not identical. Analogy is a certain type of similarity and, as such, is distinguished from identity.

All best wishes.

In his service,

A handwritten signature in cursive script, appearing to read 'A. Vogel', with a small cross or asterisk above the first letter.

Arthur A. Vogel

AAV/f