

# The Morality of Magisterium

by Gerard Mannion

Magisterium is a moral issue. To state such is not to re-emphasise that teaching authority can and should pertain to morality. Rather, that the relationship perceived from the other way around equally applies. An enormous amount of literature has already been written in relation to how magisterium relates to moral dilemmas as well as teachings and wider guidance for ethical discernment. But something which has been frequently overlooked in the history of the church and particularly so in recent times is that the way in which magisterium is understood and the manner in which it is exercised have moral implications themselves. Therefore, all due ethical consideration should be given to how magisterium is perceived and shaped long before it is exercised. One of the purposes of this paper is to try and remind ourselves of this and of the implications that follow from such a reminder. It also seeks to encourage moral theologians, ecclesiologists, canon lawyers and church leaders alike to keep this simple observation in mind.

## 1. *How and why magisterium is a moral issue*

Magisterium is a moral issue. To state such is not to re-emphasise that teaching authority can and should pertain to morality. Rather, that the relationship perceived from the other way around equally applies. An enormous amount of literature has been written in relation to how magisterium relates to moral dilemmas as well as teachings and wider guidance for ethical discernment. But something which has been frequently overlooked in the history of the church and particularly so in recent times is the fact that the way in which magisterium is understood and the manner in which it is exercised have moral implications themselves. Therefore all due ethical consideration should be given to how magisterium is perceived and shaped long before it is exercised. One of the purposes of this article is to try and remind ourselves of this and of the implications that follow from such a reminder. It also seeks to encourage moral theologians, ecclesiologists, canon lawyers and church leaders alike to keep this simple observation in mind.

Magisterium – i.e. teaching with authority<sup>1</sup> – is a moral issue in a number of different ways. Magisterium can and ought to be a force for

---

<sup>1</sup> Magisterium here refers to the function, the activity of teaching with authority and not to those who carry such a function or activity (i.e. the functionaries or actors). It is a common error that when people refer to magisterium, they actually are speaking about certain officeholders in the church whose role and duty it is to perform magisterium. Here, when referring to the latter's activity

moral good. It can be exercised to influence acts and events and prevailing cultures within and without the church alike. But the reverse can also be the case – magisterium can also be a force for ill and can inculcate, worsen, allow or simply ignore immoral acts, events and cultures to prevail within and without the church.<sup>2</sup> There is a need, then, to explore the moral implications of the understanding and exercise of magisterium historically and especially within recent decades.

The church's moral and social teaching cannot be separated from its governance, structures and processes of authority and canon law. The story and teachings of the church from the New Testament onward make it clear that the values, virtues and principles by which Christians strive to live and form communities must relate to every aspect of how they form and shape and facilitate those communities. The church's calling and mission to teach on both faith and morals is never an area that is neatly demarcated as if one somehow is unrelated to the other.<sup>3</sup> This is one of the reasons why many Catholic ethicists speak of moral theology rather than simply Christian ethics or just ethics. They engage in theologically-informed ethics.

Another and related instance of such binary oppositional ecclesial thinking is that many have argued that the church's social and moral teaching is mainly targeted towards the world 'beyond' the confines of the church. Explicitly so in relation to social teachings, and implicitly so for the latter in the sense that the moral teachings apply to individual Chris-

---

and exercise of magisterium then, we shall speak of the «official» magisterium to denote the exercise of teaching authority by bishops, curial officials, popes and other officeholders in the church who traditionally have been particularly charged with the need to teach with authority. But note that others throughout the whole church, including theologians and indeed the entire laity, the People of God, have very important roles to play in shaping, informing and exercising magisterium as well.

<sup>2</sup> In this paper we will be mostly concerned with such instances understood *ad intra* but examples of where magisterium has allowed immoral and evil situations to prevail in wider society would include where church teachings or the exercise of teaching authority have underpinned and lent support to unequal situations in society, have supported unjust regimes and conflicts, such as colonization, facilitated and justified evil conditions such as slavery and unjust economic policies such as the church's volte face on the immorality of usury. A further example is when bishops in a particular country might advise voters not to support one political candidate who disagrees with one important area of church moral teaching – even if that same candidate agrees with a much wider range of church teachings than his or her main opponent and such a candidate would demonstrably be more likely to bring about a social situation through their policies that was more in harmony with a wider range of church moral and social teachings than their opponent, including in relation to the reverence for life across all its various forms. The net moral result of such advice is a negative one. Here, of course, the case of John Kerry, the US presidential candidate in 2004 is a prime example. These few broad examples demonstrate the range of situations *ad extra* is very wide indeed. This paper seeks to illustrate how the range of instances and issues within the church is every bit as wide ranging.

<sup>3</sup> This is not to suggest that the form and type of teachings pertaining to the two should be confused as has often been the case in recent times. The nature of a magisterial teaching on faith – for example concerning a particular fundamental belief or dogma of the church will usually take on a different form and character to any teaching in the realms of morals, where provisionality and ongoing discernment with regard to how moral principles and virtues should be applied in a given context at a given time must always play a part. Although it should also be noted that even teachings on beliefs and specific dogmas are always contextually refracted and re-interpreted in differing times and with differing methods and under the influence of different schools of thought and ecclesial agendas.

tians and the communities in which they live. But for some reason moral teachings in the modern and contemporary period are seldom addressed towards practices within and on behalf of the church itself. However, aside from the fact that this overlooks the core of the doctrine of creation, the meaning of sacramentality and hence fundamental aspects of the Christian doctrine of God (i.e. the God who self-communicates the loving being of God's own very self), it also overlooks the fact that the New Testament texts clearly show that Christian approaches to moral and social dilemmas from the earliest times were aimed as much inwards as they were outwards – indeed more inwards than outwards in the earliest times by necessity. As the church grew and developed, and at differing stages of ecclesiastical history, the pendulum has admittedly swung back and forth with regard to where the emphasis in focus would be placed. Sometimes this was driven by demands of the social and contextual setting of where the church found itself, sometimes it was dictated by less than noble political considerations, for example in those periods where popes jostled for power with and influence over secular rulers. During the various periods of debate about reform in the church, we have also seen how the church's own tradition in moral and social thought and practice have been held up as the means by which to scrutinize failings *ad intra* during particular eras. Religious orders, such as the Franciscans, came into being because of a visionary mandate to do just this – to bring the church back into line with the core principles, virtues and values of the faith so that it might flourish and bear witness to the Gospel all the better. In the scholastic period, the method of disputation was to a large extent also utilised to do precisely this – bring the riches of the church's own traditions to bear upon debates pertinent to ecclesial life and practice in that particularly time and place.<sup>4</sup> At various church councils, in particular, including at Vatican II in a new and groundbreaking fashion, such an approach was refined and developed further still. Conciliar debates help illustrate one of the relatively few examples where the church's own moral and social traditions have been applied *ad intra* by default and with much success. One could suggest that part of the problem with the situation within the church in recent decades that this paper seeks to explore is a resistance to the methods of discernment and dialogue that prevailed at Vatican II.

Throughout history the church has obviously remained in the world and the world has remained in the church – with all the gifts and faults that this implies. The relationship has frequently been mutually enriching and ennobling while, at other times, the negative influences have flowed both ways as well. In an era where there is much talk about «public theology», we must not think that such entails only that the church might teach the world (although some proponents of public theology do appear to think this). The development of Catholic Social teaching in the modern

---

<sup>4</sup> Sometimes, with regard to the treatment of perceived heretics it was abused and misused.

and contemporary periods clearly demonstrates that the church learns very often from listening to and engaging in dialogue with others who do not identify themselves as Christians – whether they belong to other faith communities or are within that category labelled by the church to be people of «good will». The dividing lines between church and world are artificially created if sacramentality is taken fully seriously.

Despite all this, there is also no doubt that, when there have been attempts to apply the church's own moral and social teachings to aspects of the church's own inner life, particularly its governance, organization and administration in recent times, these attempts have not been welcomed by many occupying particular offices in the church and by others who seek to perceive the church and its various ministers and leaders to be on a pedestal and so interpret only a uni-directional understanding of the church-world relationship of influence and who also believe that the church's social and even, at times, wider moral teachings are for application only *ad extra*. It is perplexing why this might be the case and more puzzling still that expediency, a negative and often all too worldly pragmatism and, in more recent times, the culture of 'spin' have frequently been preferred as the default means of shaping and influencing much official magisterial understanding and practice throughout the church. But the case nonetheless remains that this has been the situation that has persisted across decades now. It is not that such was absent in the past. But the concentration of this unwelcome selective ignoring or even shunning of Christianity's own moral and social resources at a time and in the areas where they are especially needed means that the challenge the church faces today is particularly acute and pressing.

## 2. *Conflicting magisterial voices*

In the past there have been many exchanges, a number of them conflictual, between moral theologians and those within the church charged with exercising additional and particular forms of magisterium and broader forms of leadership. For the main part, these exchanges have focused upon church leaders informing moral theologians where they have been perceived to have made mistakes, including when moral theologians may have been perceived to be offering misguided or misinformed interpretations of church teaching and Christian traditions, or have been publicly expressing disagreement with or undermining particular pronouncements and documents on moral issues emanating from Rome or from different groups of bishops and individual bishops. And, obviously, the same treatment has been meted out to theologians working in other areas of the theological and pastoral sciences as well. In particular, for example, we have seen that a number of theologians working in Latin America and drawing upon the methods of Liberation Theology have been reprimanded

by church leaders and officers acting under the auspices of one form of magisterial authority or another. Indeed, in Liberation Theology more than many other areas of theological enquiry, we see that the borderlands between the sub-divisions of theology are necessarily less clearly observed and delineated. And this is because Liberation Theology addresses contexts where fundamental and systematic theology overlaps with moral, political and social theology, as well as ecclesiology. Where praxis meets belief, where doctrine meets community. Liberation theology, then, rightly pays scant attention to artificially constructed border fences within and across the continents of theology. Those other methods in theology that have grown out of and learned so much from liberation theology, have rightly followed suit.

Christianity bears witness to a God of love between whose act and being, essence and existence there is no distinction. The threefold community of persons that Christians call God as Trinity is one and the same whether understood from the perspective of God acting for us (the economic Trinity) or God as the blissful community of persons in and of Godself (the immanent Trinity). The two great Karls of twentieth century theology – Barth and Rahner, both sought to remind the church of this important truth.

Given all the foregoing, it therefore seems something of a great irony that so relatively little attention has been given to looking at the morality of how magisterium has been exercised in the church, and the moral implications of the attitudes and practices that surround the understanding and exercise of teaching authority. Much has been written about how moral theology has changed and developed in recent times but, again, relatively little on how magisterium has equally changed and developed in the same period.

There have been some contributions in those recent times that have touched upon the moral implications of magisterium, but by and large these have either done so implicitly, or through looking at specific issues and challenges and again coming around to the morality of magisterial practices and perspectives in relation to the same *via* an implicit route. A few contributions have sought to commend aspects of church moral (mostly social) teaching for application within the church itself, normally *via* reflections upon aspects of ecclesiology. Some studies have explored parallels between the church and political society or explored sociological, psychological and organizational perspectives. Again, magisterium or aspects thereof feature in a number of these studies but they are less focused on magisterium *per se*. Even the best specific studies of magisterium in the last thirty or so years have approached the questions concerning the failings of contemporary official magisterium from ecclesiological and canon law and wider doctrinal and organizational perspectives (all of which carry implicit moral connotations) rather than an explicit moral emphasis leading their arguments from the outset. Other studies, mostly more popular

ones have addressed the failings of official magisterium in recent times from a standpoint of moral outrage and indignation, for which there is a necessary place in these debates. But such have at times fallen into the trap of increasing the polarization they seek to overcome and also some such contributions addressed the many failings without perhaps probing the underlying causes and issues as deeply as they might have done.

But there are now so many areas of magisterium that demand moral attention that we can draw and build upon the fruits from all such tangential studies to try and fashion an ethics of magisterium that might help to inform future dialogue and practice.

### 3. *Groundwork for a moral theological analysis of magisterium*

So what are some of the different ways in which magisterium must be considered a moral issue in and of itself? First, there are aspects of the understanding and exercise of magisterium in recent decades which are clearly concerns for moral theology in relation to their impact upon the sub-discipline itself and upon Catholic discernment of contemporary ethical dilemmas. But they are also concerns for moral theology in a number of other important ways. Indeed, there are conceptions, ideas and practices of the perceived «official» understanding and exercise of magisterium that require close scrutiny from an ethical perspective in their own right.

In particular, one prominent area of concern relates to the very manner in which the so-called «official» magisterium has been exercised in relation to perceived dissenting voices and schools of thought who have disagreed with not only certain instances of teaching but aspects of the exercise of magisterium itself. Some of the issues here obviously relate to moral teaching but not exclusively so. So, too, how this official teaching authority has been exercised in relation to major moral dilemmas and challenges for both Christians and wider societies in these times. Furthermore, how magisterium has been exercised in relation to specific moral, organisational and governmental failings within the church itself, most notably in relation to the clerical abuse crisis. Finally, the moral implications of the prevailing organisational culture and understanding of the church itself, in other words, the ethics of contemporary ecclesiology. But there are further, less well documented moral questions that relate directly to magisterium.

Indeed among the most pressing areas in need of further moral investigation is that pertaining to ‘institutional’ morality *vis-à-vis* the structuring and organisation of the church, church-linked organisations and the impact of contemporary «official» magisterium upon each of these. Related to this area are those more well-known ethical areas of enquiry such as authority, governance and accountability. A further area which has received treatment at various points in the past and had, until recently, been returning to the fore once again in the light of the sexual abuse scandals and the

systemic failings of episcopal and ecclesial governmental oversight in relation to this crisis, concerns the prevalence (or otherwise) of honesty and «truthfulness» in the church.

Here I will focus upon a few select further general examples for discursive purposes, raising a sample of areas where closer moral study of the operative understanding and exercise of magisterium is particularly necessary.<sup>5</sup>

#### 4. *Ethical issues pertaining to the understanding and exercise of magisterium: some examples*

So a first set of questions for moral scrutiny concerns the morality of how magisterium is actually exercised in general. Moral questions here take in a range of important areas for consideration. How magisterium is even perceived and understood in the first place demands ethical analysis and calls for discernment. For example, whether this is through the mentality and moral character a particular understanding encourages and fosters in those in positions of authority or through guilt or the estrangement from the church of, for example, those who feel worthless or cut off from the church because they feel «sinful» at having used artificial contraception, undergone a process of sterilisation and so on, had no choice but to proceed with a divorce from a problematic marriage.

---

<sup>5</sup> Here the customary limits of space dictate that we cannot go into exhaustive detail – the key purpose of this paper being to identify and raise these issues and to encourage further dialogue and debate in relation to them. I go into more detail with regard to these issues in a forthcoming study, G. MANNION, *The Art of Magisterium: a Teaching Church that Learns*, Collegeville (MN) 2012, and in various additional essays that have appeared in recent years (and other forthcoming in the near future) e.g., *A Teaching Church that Learns? Discerning Authentic Teaching for Our Times*, in M.J. LACEY - F. OAKLEY (eds), *The Crisis of Authority in Catholic Modernity*, Oxford - New York 2011, pp. 161-191; *Defending the Faith: The Changing Landscape of Church Teaching Authority and Catholic Theology, 1978-2005*, in G. MANNION (ed.), *The Vision of John Paul II: Assessing His Thought and Influence*, Collegeville (MN) 2008, pp. 78-106; *Teaching and Authority: Dimensions of Magisterium*, in L. BOEVE - G. MANNION (eds), *The Ratzinger Reader*, chapter 6, London - New York 2010, pp. 179-224; *The Church in Dialogue: Natural Law and Ecclesial Public Engagement in the Twenty First Century*, in «Eastern Journal of Dialogue and Culture», 3 (2010), 1, pp. 29-50; *After the Council: Transformations in the Shape of Moral Theology and the Shape of the Church to Come*, in «New Blackfriars», 90 (2009), 1026, pp. 232-250; *Act and Being in the Church: Comparative Explorations in Ecclesiology and Ethics*, in P. COLLINS - G. MANNION - G. POWELL - K. WILSON (eds), *Christian Community Now: Ecclesiological Investigations*, London - New York 2008, pp. 109-34; *New Wine 'and' New Wineskins: Laity and a Liberative future for the Church*, in «International Journal for Practical Theology», 11 (2007), 2, pp. 193-211; *Charity Begins at Home: an Ecclesiological Assessment of Pope Benedict's First Encyclical*, in «New Blackfriars», 88 (2007), 1018, pp. 649-664; *Ecclesiology and Postmodernity – Questions for the Church in our Times*, Collegeville (MN) 2007; *A Haze of Fiction – Legitimation, Accountability and Truthfulness*, in F. OAKLEY - B. RUSSET (eds), *Governance, Accountability and the Future of the Catholic Church*, London - New York 2003, pp. 161-77; G. MANNION - R. GAILLARDEZ - J. KERKHOF - K. WILSON (eds), *Readings in Church Authority – Gifts and Challenges for Contemporary Catholicism*, Farnham 2003; *What Do We Mean by Authority?*, in B. HOOSE (ed.): *Authority and Roman Catholicism – Theory and Practice*, Farnham 2002, pp. 19-36.

The perception and understanding of any activity or function obviously have moral implications. For example, take the church's various teachings about warfare and its prosecution. A more pertinent example concerns church teaching on good civil governance and leadership – since the modern age the church has increasingly counselled just and democratic principles to be allowed to prevail.<sup>6</sup> Governance should serve the common good of all in a given community. Leaders should seek to adopt the virtues of service and encourage dialogue and participation in relation to the governance of that society. But if a dictatorial ruler and his or her government understand governance and leadership in a very different sense, for example that they hold office through some perceived hereditary «entitlement» or that some alternative *de jure* principle (whether they obtained their office through force, bribery, intensive Machiavellian practices and so on), and if they do not understand and believe that governance should be participatory and include as wide a range of people in the society as feasible, if they reject that leadership is about service, if they believe that might is right and that naked power, coercion and aggression are the most effective ways to govern, and so they resist all attempts at widening participation in their leadership and that they crush dissent and opposition wherever they find it, then this 'understanding' of governance will lead to an 'exercise' of governance that has serious moral deficiencies and will bring about immoral and evil situations.

How does this pertain to magisterium? Consider the moral implications if a bishop, curial official, parish priest, rigidly «staunch» Catholic lay person or indeed any vitriolic and acerbic blogger could perceive magisterium and its product in such rigid and unswerving terms as to understand it in terms of being something that demands unconditional loyalty. Magisterium for some is seen as being equivalent to the church itself in many ways or certainly as of equivalence to the office and authority of the papacy, sometimes even of the apostolic tradition itself.<sup>7</sup> In some cases, this confusion becomes so blurred that some individuals confuse obedience to «*the* magisterium» (by which they usually perceive a body of persons deemed to be the most important leaders and decision makers in the church at a given time) to be inseparable from belief in God and the practice of their Christian faith itself. The flip side of this sorry situation is that those who do not hold to the same opinions, attitudes and interpretations of the Christian tradition and its implications in contemporary contexts and situations to those of a reactionary, restorationist and/or nostalgic mind-set in the church today, can often fall into the same trap in allowing an analogous reverse understanding of magiste-

---

<sup>6</sup> That the church was once opposed to democracy and commended other forms of governance instead, including ones which would seem antithetical to aspects of church teaching today, further demonstrates how church teaching can and does radically change.

<sup>7</sup> E.g., the contemporary pronouncements of church leaders are thereby given an importance they simply do not warrant.

rium being equated with the church and faith themselves to indicate that if they are «out of step» with certain understandings that emanate from particular ecclesial officeholders at a given time, then they are out of step with the rich and vast range of Christian tradition, faith and practice themselves.

But magisterium cannot be equivalent to the faith itself, however bound up with the faith its *raison d'être* remains. The important thing to remember is that magisterium is an activity, a practice, even a service. Like any activity – any function – it is something which can be performed well with positive results or it can fall far short of adequately serving the purpose it is supposed to serve. Here we will not enter into the lengthy debates about infallibility but, suffice to say, magisterium in and of itself is not beyond error, failings and wayward interpretation and application. By definition, only when this activity is carried out to its maximum potential can it ever be seen to carry the guarantee of the promise that the Holy Spirit guides those throughout the whole church in literally keeping faithful to the gospel – and such has never been about propositions, rules and regulations but always a way, a path of life. Again, the New Testament witness itself suggests such an understanding.

A closely related area of equally great moral concern relates to how magisterium is «supported» – whether through official vigilance committees, secretive investigations or vitriol on the internet, and, indeed, how magisterium is policed. Even if and when interventions by officeholders in the church purporting to be exercising and/or defending magisterium might be sincere and justified in intention, interpretation and desired outcomes, and there are numerous examples throughout history down to the present day of where such conditions are sadly lacking in the exercise of magisterium, there are nonetheless ways and means and practices employed in pursuing such an agenda that fall woefully short of what Christian moral and social teaching demands of all in the church and in an exemplary fashion of shepherds, leaders and teachers, i.e., bishops.

Those who become cheer-leaders for such actions can descend into cruder and crueller practices still. For example, arguments *ad hominem* splurged out across cyberspace, and secretive denunciations and campaigns mounted that can have enormous impact on the lives of the individuals on the receiving end of such practices. One of the most obvious elements of the Catholic moral and social traditions ignored here is that all such practices and actions – whatever the intention and accuracy or sincerity or occasional justification behind their original motivation might be – violate the dignity of human persons concerned, a dignity that the church teaches should be inviolable for all human beings and therefore such actions violate the rights that all are entitled to as a consequence of that dignity bestowed upon them by no human authorities or institutions but simply by virtue of the fact that they exist and have been brought into being in the image and likeness of God.

Then there is the morality of additional particular actions carried out by those in positions of authority.<sup>8</sup> The most obvious example that occurs here relates to the clerical abuse crisis. The actions of numerous bishops, their aides and various diocesan and Vatican officials and spokespersons in relation to this crisis,<sup>9</sup> have equally been open to moral critique in relation to many issues. These include truthfulness, deception, egoism, evasion of responsibility, and shifting the responsibility onto others, such as the «negative subsidiarity» employed to transfer the blame and responsibility for the actions of Rome and various bishops down onto ever more localised forms of the church. Above all else, expediency to protect the image of an institution and of certain officeholders in that institution at the expense of the welfare and rights of the victims of horrendous crimes – many such victims being doubly so – the victims of abusers and the victims of immoral church leaders and officials who allowed abusers to continue unchecked in their crimes through their pursuit of immoral strategies when confronted with the reality and extent of instances of abuse.

There is a tragic irony here in that many official church documents in recent times and the personal theological writings and statements of Joseph Ratzinger, now Pope Benedict, in particular, denounce every form of the perceived evil of relativism, and especially moral relativism. And yet, the institutional church's own moral practice has often betrayed a much more negative strain of moral relativism, indeed even naked expediency. For example, it is such a pity that a more consistently morally virtuous approach was not taken by dioceses in dealing with priests and religious guilty of sexual abuse, instead of the striking pragmatic consistency applied across continents with regard to moving such offenders around and covering up their sinful activities.

And there are further «sins» that, as with the covering up of abuse and complicity in aiding abusers to escape justice and preventing victims from receiving justice, relate directly to the exercise of magisterium itself, such as the treatment of theologians deemed to be errant in any way (and here there are links to the debates about even discussing women's ordination issue) and the bullying, the refusal to brook any perceived «dissent», the intolerance of alternative perspectives and the harsh and punitive treatment model of ecclesial oversight, stewardship and authority that has been seen to prevail both in Rome and increasingly across the episco-

---

<sup>8</sup> Given the nature of episcopacy for example, and the nature of the fulfilment of the specific offices as well as the charisms demanded of those in such positions of pastoral oversight, one cannot try to neatly demarcate between actions of 'neutral' leadership and governance and actions of magisterium that carry significance in terms of their relation to church teaching. A bishop is called to embody the threefold office of Christ in a fully integrated manner and so through his actions on behalf of the church and at the official level a bishop can be said to be always 'teaching with authority', or at least called to do so.

<sup>9</sup> Whether official or those 'unofficial' high profile media figures who have taken to planting and spreading positive and 'good news' stories in an interesting take on 'apologetics' in recent times.

pate.<sup>10</sup> In relation to these areas of concern we see the church's own moral and social traditions were not simply ignored but have been wantonly treated with what could appear to be contempt through many such actions.

All too many actions by those in particular offices charged with exercising magisterium do not hold up well in the light of moral scrutiny in these areas. The issue of the treatment of theologians and others deemed «errant», «dissident» and guilty of «dissent» in various ways breaks down into a further series of moral issues. For this treatment has involved ethically-charged areas such as secretive trials, sins of omission in investigations, failure to take proper steps to ensure full justice in investigations, misrepresentations of theologians' viewpoints, sloppy theological work and reasoning by «investigating» parties (rhetoric over actual fact; condemning theologians not for what they have said but for what they have failed to say or «sufficiently emphasise»), and punitive and humiliating measures meted out to loyal servants of the church in their seventh, eighth and even ninth decades of life, a number of whom (as is common for persons at such stages of life) already suffering from health problems. Such have been treated with scant regard to their personal well-being, dignity and health, contrary to Catholic teaching in numerous other areas.<sup>11</sup> Were civil authorities to interrogate a person on a minor charge (or even on a serious charge) and bring about a significant deterioration in their health, if due processes of justice were not followed, if trumped up charges were levied against an individual and the charges made to fit the crime, so to speak, the church would rightfully protest in the strongest fashion about such treatment. And yet such treatment is meted out to loyal servants of the church by many of those charged with exercising magisterium.

Let us be clear here: such treatment would be morally wrong even were the opinions and works of such theologians to be unanimously found to be heretical for nowhere in church teaching does it state that moral and social rights and responsibilities can be respectively violated and ignored in such circumstances. The Christian tradition from New Testament times onwards suggests the opposite in terms of how anyone somehow «opposed» to those who call themselves Christian should be treated. But in the case of those not guilty of what they are purported to be guilty of, which means the vast majority of cases in recent decades if the judgment of most fair minded observers and experts in the requisite fields concerned be taken into consideration, the evil done is compounded further still.

Or, again, there is a need to consider the absence of due attention to principles of Catholic Social Teaching with regard to human dignity and

---

<sup>10</sup> Here, for example, cf. G. MANNION, *Defending the Faith*; B. HINZE, *A Decade of Disciplining Theologians: A Preliminary Report*, in «Horizons», 37 (2010), 1, pp. 92-126; C.E. CURRAN - R.A. MCCORMICK (edd), *Dissent in the Church* (Readings in Moral Theology, 6), New York 1988, *passim*.

<sup>11</sup> Not that such *actions* and their health impact would be morally acceptable in relation to a theologian of any age – but here we simply illustrate that the chances of these exercises of official magisterium having an acute impact upon the well being and health of the theologians in question are all the greater because of their age.

employment and other fundamental rights when theologians are either forced out of their teaching positions or prevented from obtaining them or required to face persecution from numerous quarters or else sign up to an effective restriction upon what they may say, teach and write. Freedom of conscience and freedom of speech are thus violated. The former brings up another obvious area, related to the plight of theologians, and highlights a fundamental shift in the understanding of conscience, as well as of the understanding of its primacy and how it has been subordinated to the «official» understanding and exercise of magisterium anew. Recall that *Donum veritatis*, the Vatican's 1990 *Instruction on the Ecclesial Vocation of the Theologian*, in particular, dismisses any claims that conscience can take precedence in discerning the truth of matters pertaining to the «communion of faith». <sup>12</sup> Nor, the document states, can any claim to the *sensus fidei* trump the authority of the official magisterium. Nor, even, can any claim to religious liberty, for «The freedom of the act of faith cannot justify a right to dissent». <sup>13</sup> And yet, where secular institutions force individuals to go against their conscience, once again, the church rightfully speaks out in the strongest terms. Today, we even have Rome exerting pressure on leading Catholic academic journals – directly interfering in editorial policy and seeking to control which theological perspectives and researches can and cannot be published.

Clearly, then, many people think it is because dissent from official teaching of any form is wrong that such actions might somehow be justified. And that is a judgement of moral relevance in and of itself. That many theologians and others in the church have suffered and been «punished» because they have offered alternative perspectives to the context and specific method-bound and inculturated perspectives that have emanated from Rome and been underpinned by other voices exercising magisterium in recent decades, illustrates this all the more.

As well as the right to work and the right to be free of coercion and from the fear of dismissal and from other bullying tactics exerted by employers also being violated in such cases, a further principle negated by such exercises of magisterium is that long-standing principle of social teaching that work is for the human person and not *vice-versa*. Furthermore, Pope John Paul II spoke at length about the need to counter worker alienation and for persons to reach fulfilment and enhance their relationships with others and with God through meaningful and fulfilling forms of work through which they can both express and fulfil themselves. But, in relation to the magisterial actions under consideration here, if a person's work be restricted so as to demean their existential and particularly intellectual fulfilment, expression and especially their conscience, multiple sins are visited upon such theologians.

---

<sup>12</sup> *Donum veritatis*, § 38, available at [http://www.vatican.va/roman\\_curia/congregations/cfaith/documents/rc\\_con\\_cfaith\\_doc\\_19900524\\_theologian-vocation\\_en.html](http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19900524_theologian-vocation_en.html) (accessed 29th August 2011).

<sup>13</sup> *Donum Veritatis*, § 36.

Then there are broader moral implications of ways of understanding and exercising magisterium. For example, and most obviously, an adult and wide-ranging discussion is necessary across the church as to whether the model of magisterium currently in vogue has in part contributed to an unquantifiable number of deaths and the further spread of disease through the blanket ban on the use of condoms to help prevent the spread of HIV/Aids (and this aside from the even greater evil of the spreading of counterfactual information about the effectiveness of condoms in preventing the disease). Here we see shifts in the perspectives coming out of Rome in recent times but that only reinforces the need for such a discussion. Or, again, and related, what of the moral implications of banning the pastoral ministry of those such as Jeannine Gramick and Robert Nugent to homosexual Catholics in 2000? Nowhere does church teaching state that what the church has taught at particular times in relation to sexual ethics can and should trump what the church has taught concerning social rights and social ethics in general. If anything, the reverse is the case. Trends in schools of moral theological method that have been in vogue and influential in Rome in recent decades have restricted the development of a mature official Catholic body of teaching and guidance on understanding and embracing and celebrating human sexuality. Absolutist tendencies have been to the fore here. But the fundamental aspects of church social teaching have stood the test of time, refracted through various ethical methodological modes of expression, throughout the history of the church. New Natural Law theory, which has fuelled many such controversies, will come to pass as a major influence in the church. The approach to morality that focuses upon virtue, so crucial to all that the church holds most dear, has endured from New Testament times onwards.

Or what of the wide-reaching campaign to diminish the influence of Latin American Liberation Theology and theologians, amongst the victims of which we can count not simply the obvious ones such as those theologians publicly condemned, but the many, many ordinary people who have therefore been denied the opportunity to be part of an existentially and spiritually empowering means of both conscientization and community organisation. Many such people voted on these acts of the magisterium with their feet and opted, instead, for the instant gratification offered by particular new churches preaching the gospel of prosperity.

A further question would ask what of the moral implications of the effects of making a papal allocution into an absolutist watermark for end of life medical treatment and health-care, by-passing so much of the church's own tradition on allowing decisions about matters such as artificial nutrition and hydration being given to those in a PVS state to be judged on a case by case basis (such a position being taken by many in the church on sound natural law principles). Further questions for moral discernment are raised with regard to the moral implications of the outcomes of particular interpretations of the tradition concerning natural law reasoning in relation

to abortion – whether this be in relation to situations such as the reported excommunications in Brasil, in 2009, that were deemed blind to compassion by even one curial official,<sup>14</sup> or the situation that arose in 2010 in Phoenix, Arizona, where principles of natural law reasoning in the history of the church (even if restricted to such teaching in the last one hundred years) concerning what actually counts as an abortion, appeared to be overlooked when a nurse was excommunicated for trying to save the life of a mother undergoing a traumatic and doomed delivery of her child.

Then there is a whole series of moral challenges in relation to the yet wider effect upon the church – local and universal – of the imposition of a renewed siege mentality, world renouncing and normative neo-exclusivistic ecclesiology<sup>15</sup> that has been witnessed in a programmatic fashion throughout our period in question. This has led to much polarization in the church, it has accentuated that sense of separation between the church and the wider ‘world’ and it has led to rigid absolutist thinking prevailing in still further areas of ecclesial life. It has also meant that countless numbers of Catholics have turned away from such a church, feeling alienated and excluded by such an ecclesial mentality and despairing that the church no longer addresses their lives and the world in which they live in a meaningful and transformative sense. Others simply feel the church no longer has anything to say to them that is worth hearing. Rather the nostalgic or restorationist mentality illustrates an ecclesial vision literally and (literally) hopelessly out of touch with the times, something quite contrary to much of the (often distinctively) Catholic way of engaging the world across time. Others remain attached but at various degrees of «belonging» and «believing».

If such developments hinder rather than help the mission of the church and the putting into practice of the Gospel, if they do not facilitate but rather put obstacles in the way of the church being the sign and instrument of the gracious self communication of the God of love, thereby countering the great vision of Vatican II, as epitomised, in particular, in *Gaudium et spes*, if countless numbers of people are driven from or put off the church and its genuine and enduring transformative and empowering teachings by actions in and pronouncement from Rome and other ecclesial ‘authorities’, then certain ways of understanding and exercising magisterium have far greater moral implications which cry out for ethical scrutiny still.

---

<sup>14</sup> In 2009 it was widely reported that local bishops had ‘excommunicated’ the mother of a child who had been raped, resulting in a pregnancy and who subsequently had an abortion. So, also, the reports stated, was the medical team ‘excommunicated’. The outcry at such actions was felt even within the Vatican itself, with one curial cardinal, Giovanni Battista Re denouncing the subsequent attacks on the Brazilian church authorities that followed, (which came even from the Brazilian president) and another official, Archbishop Rino Fisichella, no less than the head of the Pontifical Academy for Life denouncing the inhuman and uncompassionate ‘logic’ behind the excommunications. Following Fisichella’s more sober interventions, the Brazilian church later told the media that no excommunication had been issued, after all.

<sup>15</sup> Cf. G. MANNION, *Ecclesiology and Postmodernity*, chapters 1-4, especially chapter 3, pp. 43-74.

5. *The ethics of contemporary ecclesiology: facing error, guilt and change*

Related to the above issue and one of the key moral challenges in relation to the understanding and exercise of magisterium in recent times concerns the aggressive resistance to any opposition to the context-bound interpretation of the understanding of magisterium and the present-day agenda-related exercise of the same. Or, to put it more succinctly, the inability or refusal of church leaders in many positions to accept criticism. As noted there has been a hard-line stance taken with those who would challenge «official» magisterium, who offer differing perspectives – usually informed by church traditions themselves, who seek to argue that the character and manner of official magisterial statements and actions sits ill at ease with other church teachings understood both synchronically and diachronically. There is a distinct lack of humility, of pedagogical awareness and indeed, of knowledge of the church's own traditions in and of themselves that marks many magisterial statements and actions at the «official» level. Rhetoric prevails over reasoned and informed argumentation. Expediency over the wider traditions. Power and authoritarianism over genuine authority. Exclusion over participation.

No doubt a great deal of this is related to the fall-out from *Humanae vitae* but this only serves to illustrate the heart of the issue further still, for that encyclical in and of itself was an instance of when the understanding and exercise of magisterium can ignore the wider range of voices and perspectives within the church across time and space alike, ignoring the signs of the times and contextual necessities, resorting to the imposition of a minority position held among some officeholders in the church, the recourse to *dictat* rather than taking soundings from the *sensus fidelium*.

But it is beyond doubt that the church at so many official levels has become incapable of accepting criticism, of entering into dialogue and of seeking to learn in order that it might teach all the more authoritatively. Vatican II had established – not without conflict – many important procedures and ways and means for approaching the most pressing challenges faced by the church and world in a dialogical and positive sense. But the ecclesial mentality that has increasingly prevailed since the late 1960s – that brooks no dissent and accepts no criticism until absolutely forced to and only then begrudgingly (again, the abuse crisis illustrates this in an especially vivid fashion) – is one that appears to work contrary to Catholic moral and social principles and wider teachings.

When Pope John Paul II sought to issue an expression of guilt on the part of the church for its historical failings<sup>16</sup> (and he was not the first, for example Pope John XXIII and Paul VI in their own distinctive ways sought to make reparations for past wrongs of the church), there was

---

<sup>16</sup> Finally issued on the «Day of Pardon», held at St Peter's, Rome on the First Sunday of Lent - March 12<sup>th</sup>, 2000, see [http://www.vatican.va/news\\_services/liturgy/documents/ns\\_lit\\_doc\\_20000312\\_presentation-day-pardon\\_en.html](http://www.vatican.va/news_services/liturgy/documents/ns_lit_doc_20000312_presentation-day-pardon_en.html) (accessed 8th May 2011).

much discussion and debate because some in Rome did not wish this to happen and in the end the emphasis was to be placed on the wrongs of individuals who are part of the church rather than in having the church itself understood to be at fault. This in itself was a challenge to Vatican II ecclesiology which sees the church as the people of God and not as an institution first and foremost. In a sense John Paul was acknowledging that moral issues were at stake here: many of the wrongs he wished to issue the apology in relation to were failings in terms of the official magisterium.<sup>17</sup> Indeed John Paul II said he was sorry and expressed regret, guilt and contrition on behalf of the church on many, many occasions (at least one hundred times according to some estimates).

The problem with the arguments and disagreements over the wording and significance of the March 2000 expression of sorrow was that too many people within the church and especially its leadership simply refused to acknowledge that the system – the processes and structure of magisterium, as well as of wider ecclesial authority and governance – required change. Such change, if enthusiastically embraced could therefore lead to those charged with exercising magisterium at the official levels to understand their task in a different way in the future. John Paul's apology itself (and it is debated whether or not it should even be termed an apology) whatever limitations were placed upon its scope and language, nonetheless illustrated that the way in which magisterium is understood and exercised can have negative moral consequences in so many serious ways.

#### 6. *The crux of the problem: magisterium and structural social sin*

Because such developments have cumulatively influenced and shaped many aspects of Roman Catholic ecclesial life, teaching, formation and theological enquiry, numerous Catholics today appear to have assimilated such an understanding of magisterium and accept such an exercise of the same as something both normative and apparently «traditional», despite the existence of considerable evidence to the contrary across history and in studies in the last forty years or so. This apparent conception of magisterium one finds in a wide range of locations, from official pronouncements from Rome as well as from individual bishops and episcopal conferences, to discourse in theological journals and books, to discussions in the media and in the vitriol poured out against supposed «liberals» in the blogosphere: «The Magisterium» has become a concept that has generated as much controversy, division and fear as it has misunderstanding.

---

<sup>17</sup> The wrangling over the issues pertaining to such an apology and request for forgiveness are illustrated in the December 2009 document from the International Theological Commission entitled 'Memory and Forgiveness: the Church and the Faults of the Past' [http://www.vatican.va/roman\\_curia/congregations/cfaith/cti\\_documents/rc\\_con\\_cfaith\\_doc\\_20000307\\_memory-reconc-itc\\_en.html](http://www.vatican.va/roman_curia/congregations/cfaith/cti_documents/rc_con_cfaith_doc_20000307_memory-reconc-itc_en.html) (accessed 8th May 2011).

Vince Lombardi, the «legendary» American football coach, has had many sayings attributed to him. One of these is the line, «Just because you're doing something wrong – doing it more intensely isn't going to help». In an analogous sense we see that such advice is all too often ignored when it comes to the exercise of magisterium in recent decades. Indeed the entire clerical abuse crisis illustrates in intricate and appalling fashion how «business as usual» is a terrible *modus operandi* to adopt when faced with seriously challenging moral dilemmas.

But the normative understanding and exercise of magisterium prevalent in much of Rome and across much of the church in recent decades is one that polarises. It is, literally, one which deals in extremes. It forces people to align themselves at the respective opposite ends of the ecclesial spectrum on a whole range of issues. And yet the Catholic moral tradition tells us that most insightful, compassionate and gospel-oriented moral discernment takes place in relation to the grey areas in-between where context and circumstance must be taken into account.

Taken together, these moral failings inherent in the understanding and exercise of magisterium in recent times suggest that a most lamentable form of social sin has been allowed to develop and prevail in certain quarters of the church. The church needs to draw from its own well in order to counter this social sin as swiftly as possible. I wish to suggest that such a polarising understanding and exercise of magisterium constitutes a mistaken teleological suspension of ethics. By this, I mean that particular office holders in the church charged with exercising magisterium have felt that some perceived «higher» ends (such as «defending the faith», shoring up the church against the perceived evils of postmodernity, resisting relativism and pluralism in the church and so on) entitles them to «suspend», ignore and flout the church's own moral teachings, principles and traditions.

It is literally far removed from a virtuous understanding and exercise of magisterium for virtue, by definition, is a mean between two extremes. Today, in exploring an alternative and more ethically attentive understanding and exercise of magisterium we need greater recourse to the virtues. Indeed, we need to explore whether and how practices and modes of being in the church, however imperfectly and analogously, somehow point towards and can be sacramental of the modes of being and ways of being-in-relation of the Divine Trinity itself. Here one would struggle, perhaps in perpetuity, to find any way of drawing an analogy between the immanent blissful perichoresis of the community Christians call God and the means by which magisterium at official levels has frequently been understood and exercised in the church in recent decades. Even that most fundamental inclination of what God's own being is characterised by, compassion, is all too often marked by its absence from the understanding and exercise of magisterium in recent times.

The emphasis in 'official' magisterial activities during the period in question has been skewed by a mistaken focus upon power and erroneous

understandings of authority. This has greatly distracted church leaders and pastors from their real business, witness and ministry. The church needs to revisit its organizational and structural ways and means in order to refocus upon the service of the kingdom and its sacramental mission.

The late 1960s and early 1970s were, in themselves, a crucial turning point for the church. But, on many fronts, the church, did not advance beyond that turning point but has rather been driven backwards and remains, to this day, mired in the divisiveness concerning what has been called the «Battle for the Council».

The church has been in a state of limbo in recent decades, torn between looking back and looking forwards, looking inwards and looking outwards.<sup>18</sup> It needs to regain the courage to once again follow the path taken by Pope John XXIII and to open up the windows and let in fresh air. The question today, as then, is whether the church and in particular those in particular positions of leadership within it, are sincere and genuine about welcoming and facilitating the 'drastic change' that is required in the church.

### 7. *The discourse and morality of institutions*

It would be futile simply to throw stones at all church leaders or to deny that there are so many good and virtuous people among the leadership of the church at various levels. But sometimes good people become embroiled in an institutional culture that diminishes their own moral capital and eventually their own powers of moral discernment. They become swept up in the culture and before too long find themselves doing things and supporting policies and actions which they know to be morally wrong. Furthermore, they find themselves seeking to make justificatory arguments for these policies and actions via convoluted processes which compound the moral harm being done. Often such arguments will rely upon quasi-theological and quasi-doctrinal 'reasoning' which demeans both the noble science of theology and the hallowed doctrinal tradition alike. Expedient rhetoric for short term gain triumphs over both. A crude and blunt yet unswerving tendency towards neo-integralism prevails, oblivious to the lessons of history as well as to the processes of moral discernment that have guided Christians throughout the life of the church. Those in positions of church leadership and authority must realise the dangers of institutional morality taking on a direction of its own, and so individuals in positions of leadership and authority within institutions can often find that *whatever* their *own* views and assessments of the vision and direction of their organisation, the institution itself can work to a very different agenda. This is what has happened in the church and will continue to happen without

---

<sup>18</sup> Cf. G. MANNION, *Ecclesiology and Postmodernity*, chapters 1-2, pp. 3-24, 25-42.

proactive steps and regular reviews to make sure institutional malaise and apathy in the face of the effects of this age do not continue to be the norm in our churches. The abuse crisis, yet again, offers the most preeminent example of this but, as I have suggested elsewhere, that crisis itself was but a very acute symptom of a much wider ecclesial malaise.<sup>19</sup>

It is time for the defensive and expedient mindset in the church to be jettisoned once and for all. Within the church things can and must be different. At various points of church history the church has succumbed very much to the negative spirit of the age when it comes to which models of governance and authority to adopt and which methods to employ to shun all models of accountability, transparency and truthfulness.

Yves Congar recognised so much of this and realised the full ecclesiological and ethical implications of decisions and actions of church governance, authority and leadership and therefore identified a need for the church to change its *modus operandi* radically some time ago when he sought to remind those in key ecclesial positions that and how «Institutions also speak». We must, therefore, not forget Congar's words with regard to the «statements» which the «lives» of our institutions make, including, indeed, especially the church and any institution linked to it. It is illuminating to here quote Congar at length,

*«Institutions also speak.* Schools, hospitals, for example, or the property of the Church. The world sees all this and assesses the Church accordingly. The internal institutions and structures speak within the Church independently of what they may actually be saying, even as institutions or structures of a certain sort. Think of the episcopal function, of episcopal conferences, of synods. The bishop of Rome alone speaks more loudly than other bishops, and that by his mere existence and style independently of what he may say. He has a symbolic function, he personifies Catholic unity and identity. Disposed round him the curia, the secretariats, the central organisations also speak. Their style, their methods of work say something by themselves ... *Facts may even clash with words. They have their own eloquence.*»<sup>20</sup>

The morality of institutions and the culture they allow to prevail within them is an area I believe worthy of much greater exploration. For the moral character of an institution governs whether or not it can truly live up to its true *raison d'être* and fulfil its mission. It equally permeates the experience of all those who are associated with the institution in any way at all. If an institution can be institutionally racist, as the British Metropolitan Police were found to be following the horrific murder of Stephen Lawrence in 1993, then the wider ramifications of the morality or otherwise of institutions can be applied also to the church in its institutional context. There are both explicit and subtle messages to this effect in the

<sup>19</sup> *An Acute Symptom of a Much Deeper Malaise: the Abuse Crisis in its Wider Ecclesiological Context*, in P. Claffey - J. Egan - M. Keenan (eds), *Broken Faith: Re-visioning the Church in Ireland* (forthcoming, 2012).

<sup>20</sup> Y. CONGAR, *Towards a Catholic Synthesis*, in J. MOLTSMANN - H. KÜNG (eds), *Who has the Say in the Church*, in «Concilium», 148 (1981), 8, p. 72.

Gospels themselves. And if institutions can be morally corrupt, then the reverse can also be the case – they can also be morally virtuous.

In fact the whole bedrock of Catholic ecclesiology, the sacramental nature of the church as both a sign and instrument of the gracious and limitless love of God to all creation demands that the church and church linked institutions must strive to be morally virtuous institutions in a truly exemplary fashion.

The problem here is the very understanding and exercise of magisterium at the official level that has prevailed in recent decades. Serious and wide ranging changes are necessary.

Magisterial attitudes, perceptions and actions also speak. And the story of Catholic ecclesial life in our period has been one where the tone of voice has been harsh and ugly and the language coercive and offensive. When one reads so much of the Christian tradition, including many of the teachings shaped and handed on by the church, the language can often be so profound, beautiful and inspiring. Indeed not infrequently it is poetic. Simply consider the sayings attributed to Jesus in the gospels. There is a marked contrast here that perhaps was captured so vividly by Dostoyevsky in the nineteenth century in his Parable of the Grand Inquisitor.<sup>21</sup>

#### 8. *Constructive concluding remarks: «Authentic» teaching for our times*

This paper has been a plea, then, for ethicists from various disciplinary backgrounds in general and moral theologians in particular, to address, constructively and openly the many clear moral failings of ecclesial magisterium in our times. Starting from the premise that the church's own moral and social teaching must be applicable to the self-understanding of the church itself and of practices and organisational behaviour within it, these times call for magisterium to move in the direction of a virtuous as opposed to a vicious circle. Today's church requires proposals for a renewed and existentially, ecclesially and indeed ecumenically empowering ecclesiology and thus magisterium.

All the rich resources to hand from the social, moral and canonical realms of the Catholic tradition point towards an understanding and exercise of magisterium that brings authority and freedom into right relation.

Any understanding and exercise of magisterium that debilitates human flourishing both within the church and within the wider society and across the global communities that constitute the human family must therefore be deemed to be problematic at best and counter-evangelical (literally, working against the gospel) at worst. Such would be deprived of «authenticity» and thus authority in any genuine

---

<sup>21</sup> In the novel by F. DOSTOEVSKY, *The Brothers Karamazov*.

Truly authoritative teaching is that which is existentially liberating and empowering – it values and enhances human freedom and the wider participation of all in the church in the processes that constitute magisterium (for such correctly refers only to the function and not the functionaries of authoritative teaching). Thus such teachings respects, perhaps above all else, the principles of participation and subsidiarity as non-negotiable tenets of prime importance to the life and mission of the church itself. For both draw together the social, moral and canonical aspects of the faith and of course are in themselves a means by which authority and freedom are brought into proper relation. This, as opposed to any erroneous understanding of magisterium that might confuse raw power with true authority, and hence mistake authoritarianism with authority. Such erroneous understandings of magisterium rely upon increasing centralisation and attempt to short-circuit many of the traditional processes essential to the achievement of truly authoritative teaching. They can thus be debilitating and detrimental to the corporate life of the church and hence of all the faithful alike. They do not serve well that gospel mission of enhancing human flourishing.

In other words, erroneous understandings of magisterium do not facilitate the living out of «authentic» human existence-in-community. Thus, both in personal and social terms, these problematic understandings of magisterium are existentially «inauthentic», just as they are bereft of true and genuine authority, which is inseparably bound up with human freedom and flourishing, thus with «authentic» human existence.<sup>22</sup> Thus a word-play, of sorts, which I hope will prove constructively illuminating in helping to demonstrate that the church cries out for a more existential and virtuous as opposed to a primarily disciplinary understanding and exercise of magisterium for these times.

There has been so much discourse in «official» church pronouncements and the popular media and blogosphere in recent times speaking of theologians writing, speaking and teaching things contrary to the church's moral teaching, things not authentically Catholic, by which is presumably meant not in step with the broad tradition of the church. Yet the supreme irony here is that all too much of the understanding and exercise of the «official» magisterium since the late 1960s has actually been contrary to the moral and social heart of the gospel, contrary to the teachings of the church, itself, (contrary even to teachings issued in these areas by the church that is contemporaneous with the same understanding and exercise of the magisterium), and contrary to the wider riches of the Christian tradition itself and especially as articulated in so many of its distinctively Catholic forms. Can the conversations necessary across the church now be initiated and take place in a constructive, participatory and sanction-free environment that will help ensure the church's magisterium can prove

---

<sup>22</sup> Cf. G. MANNION, *Ecclesiology and Postmodernity*, pp. 105-123, especially pp. 122-123.

to be exemplary in its moral character rather than the exception to the moral norms which Christianity holds so dear? Can the change necessary be embraced throughout the church? History suggests that it can and, eventually, will.