

Sensus Fidelium and the Old Testament: Learning from the Faith of Israel

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Abstract

Recent scholarship has reflected upon the relationship between *sensus fidelium* and scripture, but the Old Testament appears marginalized in this undertaking. This essay argues that the church can learn from Israel's faith for the concept of *sensus fidelium*. It presents the 'canonical approach' as an exegetical tool to bring the church as a reading community into conversation with many generations of believers in Israel and its own tradition. Furthermore, it provides one example of how a contemporary interpretation of an Old Testament text might deepen the understanding of the infallibility of the whole church in relation to its failures and sins.

Keywords

Sensus fidelium, Old Testament, Baruch, canonical criticism, forgiveness

1. Introduction

The entire body of the faithful, anointed as they are by the Holy One, cannot err in matters of belief. They manifest this special property by means of the whole peoples' supernatural discernment in matters of faith when "from the Bishops down to the last of the lay faithful" they show universal agreement in matters of faith and morals. That discernment in matters of faith is aroused and sustained by the Spirit of truth. (*Lumen Gentium* 12)

Sacred theology rests on the written word of God, together with sacred tradition, as its primary and perpetual foundation . . . For the Sacred Scriptures contain the word of God and since they are inspired, really are the word of God; and the study of the sacred page is, as it were, the soul of sacred theology. (*Dei Verbum* 24)

These quotations represent two of the central contributions of the Second Vatican Council to the life of the Roman Catholic Church

in the twentieth-century. The Council confirms the development of a more active laity in the church (Rush 2003: 145) and in this way it largely overcomes the strict separation between the teaching church (*Ecclesia docens*) and the taught church (*Ecclesia docta*) that has been criticised by Newman (1986: 76) and others. Giving greater theological attention to the previously widely neglected *sensus fidelium* (Ekpo 2015: 330), the Council acknowledges that all the faithful, not only the magisterium, have an intuition for the truth of Christian faith, including doctrine and practice (International Theological Commission 2014: 2). *Lumen Gentium* emphasises that this property, a gift of the Spirit, is exercised by the whole church, lay faithful as well as hierarchy (Ekpo 2015: 339), and includes not only the *sensus fidei* of the individual believer, but also the *sensus fidelium* of the church as a community assembled around the Holy One (Rush 2001: 232).

However, the Council underlines the role of scripture for the church and “urges the Christian faithful . . . to . . . frequent reading of the divine Scriptures” (DV 25). It confirms the concerns of the Biblical Movement since the nineteenth-century, an enterprise originally initiated by the laity despite condemnation by the magisterium, but increasingly supported by Leo XIII and his successors (Lesch 2005: 217–19). *Dei Verbum* (25) reinforces that the Bible should not only be studied by the clergy to explain it to the faithful, but all should “gladly put themselves in touch with the sacred text itself”. Thus, these two elements, scripture and *sensus fidelium*, are both valued together and seem to coincide naturally.

1.1 Christian *Sensus Fidelium* and the “Jewish Scriptures”?

The relationship between scripture and *sensus fidelium* has, indeed, been developed in theological concepts. In 2014 for example, the International Theological Commission (2014: 5) tried to clarify the biblical sources of *sensus fidelium*, and Ormond Rush (2009: 7) developed a “theology of a ‘sense of faith’” which relates the question of *sensus fidelium* to revelation and scripture. However, in both cases, the main focus rests on the New Testament. The International Theological Commission only mentions the Old Testament in reflecting on the meaning of faith in general (2014: 8, 12) and, remarkably, speaks about the faith of “the ‘holy remnant’ of believers” (2014: 118), who witnessed to it even against powerful majorities. Thus, the reference to the Old Testament remains superficial.

Rush argues that the “Jewish Scriptures . . . constitute the interpretative matrix” (2009: 103) for the first disciples, which allowed them already to interpret Jesus “analogously” (2009: 93) with a sense of faith. Although he emphasises that, for the church, the “Jewish

Scriptures” remain important, the name “Jewish Scriptures” for the Old Testament already displays that, for Rush, it is difficult to see continuity between the faith of Israel and the church. For him, real *sensus fidelium* originates in the encounter with Jesus and is a “reception of the Christ event” (Rush 2009: 158). Surely, it is important to emphasize that the Old Testament or Tanakh is the scriptures of Judaism and that “the covenant of God with Israel has never been revoked” (Commission for Religious Relations with the Jews 2015). However, the term “Jewish Scriptures” for the Old Testament appears inadequate, because it creates the impression of it not as sacred for Christians as the New Testament (Reid 2016: xxxi). Furthermore, Rush (2009: 130) depicts the whole formation process of the New Testament and only the inclusion of the Old Testament into the canon as an expression of *sensus fidelium*. The origins and development of the Old Testament in Israel seem to be cut off from such an intuition of faith. Thus, the Old Testament appears to have a subordinate role in the on-going process of *sensus fidelium* in the church.

1.2 Learning from Israel’s Faith

As the church believes that the Old Testament is equally the “written word of God” (DV 24), it can be doubted whether a largely exclusive focus on the New Testament for questions of *sensus fidelium* is adequate. In turn, it can be asked what the church might learn from the Old Testament and Israel’s faith for the notion of *sensus fidelium*. This question presupposes that the Old Testament is not just seen as “Jewish Scriptures”, which are included in the Christian faith as a relatively foreign element. This contrasting position builds upon results from historical research that contemporary Judaism and Christianity both have their roots in Second Temple Judaism and the Old Testament. According to Levenson (2007: 3), these can be seen as a “common parent” to both religions. As Judaism sees its foundation in the Tanakh, but is also heavily reliant on the Mishna and subsequent Rabbinic teaching (Levenson 2004: 12), so the church with its New Testament and later traditions has to remain aware of its connectedness to Israel and to those Gentiles who came to believe in the God of Israel.

This essay argues that the church can indeed learn from Israel and its faith for a deeper understanding of the notion of *sensus fidelium* in the church. It will show that such learning from Israel’s faith also means learning from the experiences of communal sin, repentance and God’s forgiveness. These realities are difficult to include in a concept of *sensus fidelium* that emphasises the infallibility of the “entire body of the faithful” (LG 12). Nevertheless, this exercise appears to be extremely important.

To develop this further, this essay will rely on insights from the so-called ‘canonical approach’ in exegesis. It will propose the latter as one possible methodology for the way the church can learn from Israel by bringing the expressions of faith in both communities into relation with each other. In the third part, it will present and discuss an exemplary interpretation of the “penitential prayer” of Baruch 1:15–3:8, for Roman Catholics a part of the Old Testament, for Jews an apocryphal writing from Second Temple Judaism (Wacker 2016: xxxv). The interpretation by Marie-Theres Wacker (2016: 4) understands Baruch as a “guide to ‘mend’ or to ‘heal’ a distorted community”. Thus, it appears especially useful to reflect upon the notion of *sensus fidelium* and sin in the church in relation to an Old Testament text and its model of communal sin, repentance and reconciliation.

2. The ‘Canonical Approach’ and the Church as a Reading Community

Dei Verbum (24) determines a clear role for scripture as the church’s foundation. However, while permitting historical criticism (DV 12), it does not dictate a specific methodology (DV 23). In the increasingly diverse exegetical field, in which several approaches complement classical historical criticism (Schneiders 2006: 99), the so-called ‘canonical approach’ appears to be especially useful for bringing Israel into conversation with the contemporary church and its traditions.

2.1 A Focus on Many Generations of Faith

The ‘canonical approach’ originated in the second half of the twentieth century as part of a broader development in Biblical Studies that questioned the hegemony of historical criticism and its paradigm to “interpret the Scripture like any other book” (Jowett 1862: 327). Insights from secular literary scholarship were introduced into the exegetical debate and suggested that historical criticism had neglected important hermeneutical questions (Schneiders 2006: 98). Moreover, several exegetes criticised historical criticism for systematically excluding questions of faith. They demanded the removal of the “iron curtain” (Childs 1992: xvi) between the historical and philological exegesis of a text and its theological interpretation. They aimed at including “questions of identity, allegiance, life-practices, or trust” (Moberly 2013: 109) and at putting more focus on the preparation of ministers to preach to their religious communities (Moberly 2010: 97). It is not possible here to present the debates about different exegetical approaches and their respective suitability

for putting questions to the texts. However, it can be seen that the ‘canonical approach’ has the intention of opening Biblical Studies to the specific questions of church communities with their traditions and encouraging the interplay between the Bible as a foundation of faith and the faithful with their *sensus fidelium*.

Moreover, the ‘canonical approach’ establishes the term ‘canon’ as a central hermeneutical category (Steins 1999: 10) for a new vision of the text: ‘canon’ implies several diachronic and synchronic communities that develop, hand down and read the texts. The response of contemporary readers as well as the on-going process of interpretation in the traditions of faith-communities, explicitly included in the interpretation of a text, represent an outer-layer (Childs 1992: 70–71). According to Rush (2009: 109), the interplay between author, text and contemporary readers, i.e. the interpretation as “productive imagination of the receiver”, can be judged as part of the *sensus fidelium*. This combination of both concepts shows how the ‘canonical approach’ and the notion of *sensus fidelium* can enrich each other: The former offers an exegetical concept to focus on the reading community with its *sensus fidelium*. The latter, in turn, demands that the voices of all members of the church are heard in the process of interpretation (LG 12). ‘Canon’ must not become the justification of an “authoritative interpretation” (Moberly 2013: 121) that prioritises the strong voices of tradition, but it needs to overcome Eurocentrism and gender bias for a fuller representation of the *sensus fidelium*.

Furthermore, the textual canon as such, the different biblical books, narrative cycles and their order have been developed in a long canonisation process over many generations (Seitz 2005: 101). This can be seen as a second layer of the term ‘canon’ that focuses on the innumerable generations who have adapted the testimonies of their parents in faith. For Rush (2009: 129), the “whole canonization process of the bipartite Christian Bible can be modelled as an operation of the individual and communal organon of *sensus fidei*”. In Judaism, Franz Rosenzweig emphasized the value of those who developed the original texts further into the final form of the Pentateuch. Accepting the insights of historical criticism that the Pentateuch was not written by Moses as one inspired author, he argued that one could also understand the “R”, used by historical criticism to refer to the presumed final redactor, as an abbreviation for “rabbenu” (Rosenzweig 1994: 23). Thus, even though the redactors are unknown, their faith and activity in the canonical process make them teachers for contemporary readers.

Finally, the term ‘canon’ implies valuing the final form of each text (Seitz 2005: 101). Instead of reconstructing an original version and judging later textual developments to be a corruption of the text, exegetes can value the final form after its long formation

process. Birch (1980: 123) even proposes to not only reflect upon the meaning of the final form but also to include possible meanings from older layers into the analysis of the text. In this way, the long process can be appreciated in which textual meanings were developed by believers in the God of Israel. Unfortunately, Rush's understanding of *sensus fidelium* in the canonisation process does not include these elements because of his strict separation between the *sensus fidelium* in Christianity and the "Jewish Scriptures" that I have already criticised above. He only mentions the act of including the "Jewish Scriptures" into the Christian canon as an act of *sensus fidelium* (Rush 2009: 129–30). Thus, he falls short of emphasizing the continuities between the faith of Israel and the church alongside the new belief in Christ. By contrast, the 'canonical approach' values all these different layers as witnesses of faith to the One handed down from many generations in Israel to contemporary Judaism and Christianity.

2.2 A Focus on Dispositions for *Sensus Fidelium*

The 'canonical approach' not only appears to be useful because of its focus on the reading community that engage in the *sensus fidelium*, but also because of its intention to ensure certain criteria in the difficult process of interpretation. In its report of 2014, the International Theological Commission names six main "dispositions needed for authentic participation in the *sensus fidei*" (88-105), which are to be understood as heuristic devices for making decisions in matters of faith: "Listening to the word of God" (92-94), "participation in the life of the Church" (89-91), "seeking the edification of the Church" (104-05), "adherence to the magisterium" (97-98), "openness to reason" (95-96) and "holiness – humility, freedom and joy" (99-103). With the help of methodological considerations, the 'canonical approach' tries to propose an exegesis that takes these demands seriously:

As "listening to the word of God" (92-94) is the main task of biblical interpretation, it is ensured by the 'canonical approach'. The latter might even move beyond the requirement formulated by the commission that the laity should listen to the scriptures in the liturgy (93). Valuing the church as a reading community might support not just the clergy and experts, but also the laity in actually reading the Bible for themselves and studying it together, which is also a request of the Second Vatican Council (DV 25).

The idea of participation in the life of the church with its impetus to work on its edification and to be loyal to the magisterium is one of the key intentions of the 'canonical approach'. The use of the ancient notion of a rule of faith has been proposed (Cosgrove

2004) to provide an overarching sense of the content of scripture and Christian faith into which the different texts and their meanings can be inserted like “pieces of a mosaic” (Young 2002: 47). This would facilitate a reading of the biblical texts in conversation with the faith community’s traditions, convictions and customs (Moberly 2013: 119). However, it has been said that such an approach is too authoritative, in the sense that it belittles the spirit of criticism in historical-critical exegesis, which asks, according to Barton (1993: 10), “What does the text say? – rather than, What have we always been told that the text says?” Thus, it is important to not understand loyalty to the magisterium and engagement in the church as a rejection of criticism. By contrast, Newman (1986: 56) includes in the notion of *sensus fidelium* the idea that lay people and theologians should be “enthusiastic” about the church and its teachings. The magisterium, in turn, should be interested in the perspective of the faithful in matters of faith and morals (Newman 1986: 56). As an example, he describes the Arian controversy as an instance in which the laity’s faithfulness to and insistence on the true faith against most of the clergy supported the edification of the church (Newman 1986: 86–101).

Critical loyalty is also encouraged by the demand to be open to reason and to strive for holiness, expressed in “humility, freedom and joy” (International Theological Commission 2014: 99). Applied to the ‘canonical approach’ this means that we take seriously the insights of historical criticism and be as objective as possible in the acceptance of conflicting results (Cosgrove 2004: 41–43). The notion of “holiness” requires that we observe ethical considerations in biblical interpretation (Cosgrove 2004: 43). Humility, one of the central elements that the Commission (2014: 103) mentions as signs of holiness, is achieved by “‘regarding others as better than yourselves’ (Phil 2:2-3)”. Applied to exegesis, this means being attentive to other perspectives, especially to those of marginalized voices inside the church, e.g. contributions from feminist exegesis or post-colonial criticism, as well as from outside, especially the Jewish tradition (Reid 2016: xv). In contrast to a triumphalist Christian reading of the Old Testament, humility means openness to finding true and valuable interpretations in the tradition of our Jewish brothers and sisters as well. The other central terms, joy and freedom, can enable marginalized groups to share their insights and hopes within their *sensus fidelium*. In attempting to follow these dispositions in biblical interpretation, the ‘canonical approach’ can become one possible tool to enhance the dialogue between the faith of the original authors of the Old Testament texts and their communities in Israel, the faith of the following generations who held them dear, and the faith of contemporary readers in their reading communities in synagogue and church.

3. *Sensus Fidelium*, the Old Testament and Communal Repentance

Having reflected upon one possible approach that relates the interpretation of the Old Testament to the *sensus fidelium* of the church, I now suggest one practical example of what the church might learn from Israel for the notion of *sensus fidelium*. I will argue that Israel can become a role model for the church in speaking about its own reality of communal sin, repentance and hope for God's forgiveness. To do so I will first introduce the question of how to mediate between the infallibility of the *sensus fidelium* and the reality of communal sin and repentance in the church. Second, I will ask how the book of Baruch reacts to the communal sin of the people of Israel and how a contemporary interpretation of the text might help to bring Israel and the *sensus fidelium* of the church into conversation.

3.1 *Sensus Fidelium*, Infallibility and Sin

Reacting to the Vatican's Secretary of State, who had called Ireland's vote to approve same-sex marriage a "defeat for humanity" (Kirchgaessner 2015), the comedian John Oliver (2015) answered: "Remember, you are an organisation, whose 'victories for humanity' include the crusades, forced adoptions and running a widely successful, international paedophile-exchange-program." Such a voice from the public sphere appears to capture a widespread perception of Christianity, the Roman Catholic Church in particular. Acknowledging the reality of sin in the Church, officials have started to admit mistakes and John Paul II (2000) has even apologised in the name of the Church. One especially important example is the apology regarding Judaism:

Let us pray that, in recalling the sufferings endured by the people of Israel throughout history, Christians will acknowledge the sins committed by not a few of their number against the people of the Covenant and the blessings, and in this way will purify their hearts.

How is it possible to keep both elements in tension: the confession of unspeakable horrors done in the name of Christianity and the belief that the Church as a whole cannot err "in matters of faith and morals" (LG 12)?

Three answers from the literature on *sensus fidelium* suggest themselves that may be related to Baruch: first, Löhrer (1965: 545), the first to discuss the concept of *sensus fidelium* after the Second Vatican Council (Burkhard 1993: 41), describes the tension between the indefectibility of the church as a whole and the failing of its members as the foundational tension of church history. However, he remarks that

the church as such cannot “herausfallen” (Löhrer 1965: 545) or ‘fall away’ from Christ’s truth, because otherwise it would not be Christ’s church anymore. This verb is remarkable as it puts the church into a passive role. It does not actively decide to leave Christ’s truth or even go astray accidentally, but is held in the truth by someone else, Christ.

Second, Wagner (1979) makes this notion explicit by arguing for a Christological understanding of the infallibility of the church. The magisterium as well as the faithful do not bring forth the truth themselves, but give witness to Christ and, in that way, experience Christ as the principle of identity and truth in the church (Burkhard 1993: 55).

The focus on Christ does not seem to support a connection between *sensus fidelium* and the Old Testament. However, the third example by the International Theological Commission (2014: 118) creates a link between the two: it reminds readers that in Israel as well as the church, it was often only a “holy remnant” that remained faithful in conflict with authorities and, thus, ensured that the community did not fully lose God’s way. These “holy remnants” (cf. Isa 10:21; 1 Kgs 19:18) often appear to be placed in the context of prophecy and hope for a better future. Their faithfulness could provoke repentance and show that, even though a majority of the community was not faithful, the general identity of the community belonged to God who could restore it in truth and love.

3.2 Baruch and the “Guilt of Fathers and Rulers”

3.2.1 The Interpretation – The interpretation of the book of Baruch by Wacker can be read as opening up the text for a discussion about *sensus fidelium* and communal sin in the church. The interpretation is not an application of the ‘canonical approach’, as Wacker (2016: xliv) mostly uses “literary methods of analysis . . . and tries to combine feminist and gender-sensitive perspectives with attentiveness to ‘the colonial’”. Thus, her work provides a focus on the marginalized voices that must not be neglected in a ‘canonical approach’. Moreover, the interpretation follows some of the intentions of the ‘canonical approach’, for example when Wacker (2016: xxxix) emphasizes that she neither wants to reconstruct a *Vorlage* of the given text nor to ignore the hypotheses about more original versions, but instead discusses the differences between the versions. In this way, she values all contributions within the text, older layers as well as later changes.

Nevertheless, for the question about how to relate Baruch to the church and its *sensus fidelium*, the most remarkable element of her interpretation is the use of “voices”. As a volume of *The Wisdom Bible Commentary*, this interpretation follows its custom of including

“voices” from other scholars to provide “non-authoritative, pluralistic viewpoints” (Brenner-Idan 2016: xii). However, Wacker’s (2016: xlv) “voice” for the penitential prayer in Baruch, more precisely for the term “guilt of fathers and rulers”, is not another exegete but the Jesuit, Klaus Mertes, a spokesperson for the investigation of sexual violence against children by catholic priests. This choice follows an intention in the ‘canonical approach’ by confronting the contemporary context of the church with the biblical text. Moreover, as it attempts to support the “edification of the Church” (International Theological commission 2014: 104–05) as a more honest community, it also engages in the development of *sensus fidelium* concerning the question of structural sin in the church. Mertes’ (2016: 20–21, 29, 35–36) brief comments focus on the consequences of sexual violence in the church and point out the necessity of admitting the guilt of church authorities and dealing with structural problems. He argues that the latter seems to be difficult for the church as there is a tendency to protect the reputation of the institution. Wacker includes this comment without further explanation. However, joining this text with Baruch as “a guide to ‘heal’ a distorted community” (Wacker 2016: 4) initiates a conversation between the two in readers’ minds. Thus, the question should be asked explicitly: How can the penitential prayer in Baruch help the church to admit to its own weaknesses without rejecting the notion of the infallibility of the church as a whole (LG 12)?

3.2.2 *The Text* – Interestingly, the community in the book of Baruch – Israelites in the Babylonian Exile – is able to formulate an unsparring confession of failure and sin. The experience of siege, the destruction of Jerusalem and its temple, and the deportation are understood as God’s punishment (Bar 2:1), thus, the community holds a “mourning liturgy” (Bar 1:4-5; Wacker 2016: xxxvii) and writes to Jerusalem (Bar 1:1) to make confession. The extent of their sin and their self-accusation is not relativized in any way: It includes all members of the community, although it has a focus on the authorities with their special responsibility (Bar 1:3-4; Wacker 2016: 10–11). It begins with the time of the Exodus (Bar 1:19) and contains a confession of idolatry and evil-doing (Bar 1:22). This observation leads to the question of how this community can do what appears to be so difficult for the church: to admit to such failures and still understand itself as God’s chosen people.

Interestingly, the strategies for dealing with the tension between *sensus fidelium* and communal sin, sketched in part 3.1, can, analogously, also be discovered in the penitential prayer (Bar 1:15-3:8). Their special relationship to God, although disturbed, is not questioned. This can be observed when God is asked to forgive and to end the community’s suffering for his “own sake” (Bar 2:14). The

connection between God and Israel stays in place: whether they suffer or prosper, it will be seen as a sign of God's divine power (Wacker 2016: 24). This is comparable to the proposals by Löhner (1965) and Wagner (1979) who acknowledge that the members of the church can be sinful, but, finally, it is the divine initiative to hold the church in truth, and this initiative endures. In Baruch, the community also continues to have access to divine Wisdom (Bar 3:9-29); it can follow God's commandments in the Torah. Furthermore, it is not the whole community that goes astray for there are still the prophets, in this case Jeremiah and Baruch, his scribe, whose words "are credible and convey a message of hope" (Wacker 2016: xxxvi) for a new orientation of the community. This appears to be equivalent to the argument of the International Theological Commission (2014: 118) that sometimes it can be a 'holy remnant' which stays faithful to the true faith. Thus, it can be seen that the book of Baruch gives answers to the sins of Israel that are to some extent comparable to those given by contemporary theologians concerning *sensus fidelium* and infallibility. However, by putting them into a context of a mourning liturgy and an unsparing confession, the community can be absolutely honest about its failures and rethink its behaviour from the beginning. Its acknowledgment of its own failures is possible, because, finally, the community knows that the special role of Israel as God's chosen people is not first and foremost human achievement, but to respond to God's initiative. This belief in God's initiative to sustain truth and righteousness even in the face of the community's personal sins and their structural failures is also an awareness that the church needs to foster.

4. Conclusion

I have argued that the Old Testament can be a helpful resource for a deeper understanding of the notion of *sensus fidelium* in the church. First, I have proposed the 'canonical approach' as one possible exegetical tool to bring the communities of different generations into conversation with each other. The 'canonical approach' not only focuses on faith-communities with their traditions, but also tries to follow attitudes which are comparable to the "dispositions... for authentic participation in the *sensus fidei*", named by the International Theological Commission (2014: 88–105). Therefore, it appears most suitable for this task, especially if the notion of *sensus fidelium* with its emphasis on the participation of all believers, strong as well as marginalized voices, is taken seriously. In this way, the *sensus fidelium* shared by all the faithful, clergy as well as laity, can be understood more deeply in relation to scripture as its foundation and to innumerable ancestors in faith who have shared in the intuition

of the truth of faith in the process of producing, applying and handing down the sacred texts in a synchronic and diachronic reading-community.

Second, the example of a contemporary interpretation of the book of Baruch has sketched one way in which the church can learn from the faith of Israel for its understanding of *sensus fidelium*. In her interpretation, Marie-Theres Wacker (2016) has confronted the penitential prayer in the book of Baruch with a comment on sexual violence against children in the church. In this way, the question could be asked what the church can learn from Israel to bring the reality of sin and failure into the understanding of the church as a whole with its notion of *sensus fidelium* as infallible (LG 12). The community depicted in the book of Baruch teaches the church that the confession of sins can be radical and include every member, but that the community can still remain in a special relationship with God, who finally holds it in his truth and leads it on the right way.

This sketched example could be broadened and complemented with reflections on many other Old Testament texts, a task that I cannot undertake here. In general, this essay has tried to overcome the idea that thinking about the notion of *sensus fidelium* only begins with the church. By bringing *sensus fidelium* and Israel into conversation, it aims at following Paul's words: "Remember that it is not you that support the root, but the root that supports you" (Rom 11:18).

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