Dramatic Developments and Epistemological Crises

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John Thiel's development of the category of "dramatic development" in his stimulating and influential Senses of Tradition *offers a valuable entry point into the current discussion of the continuity or discontinuity between Vatican II and traditional Roman Catholic thought. This article extends and modifies Thiel's arguments in light of criticisms by Kathryn Tanner and Alasdair MacIntyre's description of the different ways in which traditions make or fail to make progress. It tests this revised theory against an application to* Dignitatis Humanae *and its contested relation to traditional Roman Catholic thought.*

Keywords: dramatic development, epistemology, *Dignitatis Humanae*, tradition

I N his 2005 Christmas address to the Roman Curia, Pope Benedict XVI described two different hermeneutical approaches to the meaning and significance of the Second Vatican Council, which he labeled, respectively, a "hermeneutics of discontinuity and rupture" and a "hermeneutics of reform."[1] From one perspective, Vatican II represents a dramatic break with styles and traditions that had characterized Roman Catholicism for centuries, if not millennia. The other, more "official," perspective is that the final documents of Vatican II reflect a deep continuity with the ancient and recent traditions of Roman Catholicism. Rather than a break with those traditions, they are reforming developments of them.[2]

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[1] "Address of His Holiness Pope Benedict XVI to the Roman Curia Offering Them His Christmas Greetings," December 22, 2005, http://www.vatican.va/holy_father/benedict_xvi/speeches/2005/december/documents/hf_ben_xvi_spe_20051222_roman-curia_en.html.

[2] For discussions of this debate, see John W. O'Malley et al., in *Vatican II: Did Anything Happen?* ed. David G. Schultenover (New York: Continuum, 2007); Matthew L. Lamb

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   This debate reflects divisions that were present at the council (and before) and continue to affect theological and disciplinary debates within Roman Catholicism. At the root of these debates are deep attitudes toward tradition—its authority, internal conflicts, stability, and capacity to change. As is well known, Roman Catholicism, particularly in its post-Reformation iterations, has favored authority and stability over internal conflict and innovation.[3] When the growth of critical historical awareness made it impossible to deny the role that change and internal conflict had played in the creation and transmission of the Roman Catholic tradition, Roman Catholic philosophers and theologians proposed various theories of development as ways of acknowledging and yet domesticating the realities of historical change.[4] Once viewed with suspicion at best and hostility at worst,[5] by the time of

   and Matthew Levering, eds., *Vatican II: Renewal within Tradition* (New York: Oxford, 2008); and Massimo Faggioli, *Vatican II: The Battle for Meaning* (New York: Paulist Press, 2012).

[3] Owen Chadwick situates this in the context of Roman Catholic–Protestant polemics, arguing that both sides equated novelty with heterodoxy. Chadwick, *From Bossuet to Newman: The Idea of Doctrinal Development* (New York: Cambridge University Press, 1957), 1–20. For some examples of Roman Catholic attitudes toward novelty, see Pope Gregory XVI, Encyclical, *Mirari Vos*, August 15, 1832, §§5, 7, 14, 21, http://www.papalencyclicals.net/Greg16/g16mirar.htm; Pope Pius XII, Encyclical, *Humani Generis*, August 12, 1950, §13, http://www.vatican.va/holy_father/pius_xii/encyclicals/documents/hf_p-xii_enc_12081950_humani-generis_en.html; and Pope Pius X, *Lamentabili Sane Exitu,* July 3, 1907, http://www.papalencyclicals.net/Pius10/p10lamen.htm. Interestingly, the recent (2011) report of the International Theological Commission, *Theology Today: Perspectives, Principles and Criteria,* §55, http://www.vatican.va/roman_curia/congregations/cfaith/cti_documents/rc_cti_doc_20111129_teologia-oggi_en.html, takes a more nuanced attitude toward the theological challenges posed by modernity and gently chides the Roman Catholic Church for "over-caution."

[4] This material is surveyed in many places. See, for example, Mark Schoof, *A Survey of Catholic Theology, 1800–1970*, trans. N. D. Smith (Glen Rock, NJ: Paulist Newman, 1970); and Jan Hendrik Walgrave, *Unfolding Revelation: The Nature of Doctrinal Development* (Philadelphia: Westminster, 1972), 278ff.

[5] See, for example, Pope Pius X, *The Oath against Modernism*, September 1, 1910, http://www.papalencyclicals.net/Pius10/p10moath.htm; the propositions condemned in *Lamentibili Sane Exitu,* §§54, 58, 59, 62–64; and Pope Pius X, Encyclical, *Pascendi Dominici Gregis*, September 8, 1907, §§13, 26–28, http://www.vatican.va/holy_father/pius_x/encyclicals/documents/hf_p-x_enc_19070908_pascendi-dominici-gregis_en.html. This is illustrated by the disapproving reception given to Newman's thought on the development of doctrine by the leading Roman theologian, Carlo Passaglia. Ian Ker, *John Henry Newman: A Biography* (Oxford: Oxford University Press, 1988), 329–30. Newman attempted, with at best only limited success, to convince Giovanni Perrone, another influential Roman theologian, of the similarity of their views. T. Lynch has edited this material and Perrone's comments in "The Newman-Perrone Paper on Development," *Gregorianium* 16 (1935): 402–47. Allen Brent argues that ultimately their views were

Vatican II, such theories had achieved official respectability and shaped the tone and content of several of its important documents, particularly the fundamental *Dei Verbum* and the controversial *Dignitatis Humanae*.[6]

Over time, increased sensitivities to historical discontinuities and conflicts threatened this marriage of historical consciousness and theological stability.[7] In recent years, John Thiel and Kathryn Tanner have addressed questions of stability and change within the Christian tradition. Their agreements and disagreements will shed some light on the controversy concerning the interpretation of Vatican II; an extension of their arguments, in light of the theories of Alasdair MacIntyre, provides a way forward for the debate and heuristic clues for resolving some of the issues of continuity and discontinuity that arose at Vatican II and afterward. The controversy surrounding *Dignitatis Humanae* supplies a good test case for assessing the value of MacIntyre's insights and will conclude this article.

John Thiel's exploration in *Senses of Tradition* critiques theories of traditional development that attempt to preserve its continuity "prospectively," that is, by characterizing change as a progressive unfolding of potentialities latent in it from its beginnings.[8] Such theories have replaced typically ahistorical neo-Scholastic interpretations of traditional continuity and have played a prominent, if contested, role in Roman Catholic thought since the nineteenth century.[9] According to Thiel, these descriptions may be true of a tradition as seen from God's timeless perspective. However, they risk overlooking the experiences, points of view, and limitations of actual human participants in traditions who are inevitably situated in their own particular finite historical locations.[10] They also fail to do justice to the real historical course of a tradition, its complex interactions with its social and intellectual environments,

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incompatible. Brent, "Newman and Perrone: Unreconciliable Theses on Development," *Downside Review* 102, no. 349 (October 1984): 276–89.

[6] Pope Paul VI, *Dogmatic Constitution on Divine Revelation* (*Dei Verbum*), November 18, 1965, §8, http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_const_19651118_dei-verbum_en.html (hereafter, DV), broadens the concept of tradition beyond the life of doctrine and includes in its description the idea of tradition's dynamic development, displaying the influence of Newman and other nineteenth-century theologians.

[7] Bradford Hinze explores some of the theological and cultural origins of these sensitivities. His citations are particularly helpful in tracing them out. Hinze, "Narrative Contexts, Doctrinal Reforms," *Theological Studies* 51 (1990): 417–33.

[8] John E. Thiel, *Senses of Tradition: Continuity and Development in Catholic Faith* (New York: Oxford University Press, 2000), 79–82.

[9] Ibid., 25–26, 57–76. See also John E. Thiel, "The Analogy of Tradition: Method and Theological Judgment," *Theological Studies* 66 (2005): 369–70.

[10] Thiel, *Senses*, 82–83.

surprising novelties, historical discontinuities, and seemingly abrupt changes of direction.[11] According to Thiel, an adequate Roman Catholic theological account of tradition must not only be faithful to that tradition's classical beliefs regarding its authority, stability, and normative character, but also must acknowledge innovation and discontinuities in the history of doctrine and practice that critical history reveals.[12] A "retrospective" account will examine the tradition's twists and turns from the point of view of the present locations of its members, and discern in the points of continuity between present and past the mysterious ways in which the Holy Spirit has shaped and is shaping the tradition's paths.[13]

Drawing on and developing the classical ideas of the *Sensus Fidei* and the plurality of inspired meanings in Scripture (literal, allegorical, tropological, and anagogical), Thiel proposes four ways in which this sense activates itself and shapes tradition: the literal sense, the sense of continuity in development, the sense of dramatic development, and the sense of incipient development.[14] The first two are characterized by their commitment to tradition's stability and normative character. The literal sense—the authoritative beliefs, evaluations, and practices whose meaning and truth are largely taken for granted as they are transmitted across generations—is resistant to change and, as the heart of a tradition, provides the "gravitational field" of stability for the other senses.[15] Although inherently stable and containing elements that are permanent achievements, the literal sense is not infallible as such; it contains elements that are revisable and even reversible or replaceable.[16] The occasions when some elements are revised or reversed are the work of the sense of dramatic development.[17] As evidence of the working of this sense, Thiel cites John Noonan's description of the Roman Catholic Church's retraction of its approval of slavery and its affirmation of religious liberty.[18] The sense of incipient development recommends beliefs and practices that have not played an important role in the tradition's past and are

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[11] Ibid., 26, 81–82, 94, 102–5, 157–58.

[12] Ibid., 77.

[13] Ibid., 84–88.

[14] Ibid., 10, 26.

[15] Ibid., 31–33, 38–39.

[16] Ibid., 46–51, 102–6.

[17] Ibid., 101.

[18] Ibid., 102–4. See John T. Noonan Jr., "Development in Moral Doctrine," *Theological Studies* 54 (1993): 662–77; and Noonan, *A Church That Can and Cannot Change: The Development of Catholic Moral Teaching* (Notre Dame, IN: University of Notre Dame Press, 2005).

relatively new among small numbers of the faithful.[19] Any number of internal or external factors can stimulate the novel recommendations of these senses. Shifts in sociocultural assumptions may challenge expressions of the literal sense; as, for example, modern feminist criticism has challenged the exclusive use of patriarchal metaphors in liturgical language and theological discourse about God.[20]

The literal sense retains its dominant role in the dynamic relationship between stability and change. Some elements of the literal sense are beyond the reach of these other senses. Although not as numerous or readily identifiable as many people think, some beliefs, whether defined as infallible or not,[21] are so basic to the tradition that they cannot be reversed or abandoned without creating a new tradition.[22] Moreover, proposals of the dramatic and incipient senses will not automatically be counted as genuine exercises of the *Sensus Fidei*.[23] They will only be accredited as authoritative elements of the tradition when, as a result of their "enacted faithfulness,"[24] they are recognized as "veridically compelling" by the *Sensus Fidei* of the whole church and incorporated into the tradition's literal sense.[25] This normally occurs when they are validated as genuine expressions of the second sense, as developments that are continuous or congruous with the received literal sense.[26] Thus, though not immutable, the literal sense remains the anchor that restrains the boat. This sort of assessment is at the basis of Benedict's argument that the alleged discontinuities of Vatican II are, in fact, continuous with the Roman Catholic Church's traditional teaching.

The discernments of the dramatic and incipient senses, even though coherent with the received literal sense, are genuine novelties, not the unfolding of latent potentialities such as prospective views of development theorized. Rather, theologians, the magisterium, and other architects of the tradition (including at times the ordinary faithful) will retrospectively seek to display the continuity of the genuinely new with the old by reconfiguring the tradition's literal sense, searching for, identifying, and creating revised patterns of older beliefs and practices that exhibit this new continuity, rendering the tradition "more coherent, more truthful, and more universal."[27]

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[19] Thiel, *Senses*, 129–30.
[20] Ibid., 140–42.
[21] Ibid., 46–51, 183.
[22] Ibid., 106.
[23] Ibid., 127, 171.
[24] Ibid., 181.
[25] Ibid., 132.
[26] Ibid., 130–32, 170–71, 181; Thiel, "Analogy," 359–62.
[27] Thiel, *Senses*, 127.

Thiel insists that these continuities, which in a later article he analyzes as analogies, are available to the eyes of faith in ways that they are not available to the eyes of a secular and merely chronological history that generally sees only gaps between the new and the old in tradition's historical record.[28] His favored example is the dogma of the immaculate conception. Careful historical research shows that this dogma was not held continuously throughout the Roman Catholic tradition's history. Nevertheless, "to the degree that a retrospective approach regards the apostolic tradition in faith and from the present moment, it can see and affirm continuity across the apparent brokenness of history" by finding "relational continuities" to past beliefs that "need not be troubled by chronological gaps." These "relational continuities" are "affirmations of the sinlessness of the Savior, the dignity of Mary as the mother of God, and Augustine's intensification of Paul's strong doctrine of human fallenness."[29]

In an article devoted to an analysis of the role of analogical thinking in tradition, Thiel concedes that, measured by the standards of chronological history, claims for traditional continuity "evaporate like morning dew in the sun."[30] However, the standards, not the claims, are incorrect. "Faith claims for traditional continuity...can be no more measured by chronological history than the truth of the gospels can be measured theologically by the Jesus of history or the resurrection of Jesus can be measured theologically by the laws of physics."[31] Rather, the "eyes of faith," surveying the "chaos" of the chronological record, perceive "meaningful patterns of unity," meaningful analogies or similarities, among traditional items past and present. These structural similarities, or homologies, rather than chronological contiguity, provide the bases for claims of traditional continuity, bridging what would appear to be unbridgeable historical gaps. These analogies draw the novelties of the dramatic and incipient senses into the gravitational field of the literal sense, highlighting a continuity that stretches from the present to the apostolic age. Such analogies are not "capricious"[32] or "casual resemblances";[33] they are a proper subject of argument[34] and need to be confirmed by the judgment of the church.[35] They form the basis of a retrospective reconfiguring of the tradition that discerns wider continuities and more coherent

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[28] Ibid., 93–94; Thiel, "Analogy," 372–74.

[29] Thiel, *Senses*, 93–94.

[30] Thiel, "Analogy," 372.

[31] Ibid.

[32] Thiel, *Senses*, 87.

[33] Thiel, "Analogy," 374.

[34] Ibid., 378; Thiel, *Senses*, 127.

[35] Thiel, *Senses*, 87.

trajectories than previously seen, resulting in a narrative of the tradition that is "more coherent, more truthful, and more universal."[36] For example, although the ante-Nicene theological tradition had been largely subordinationist, its theological reconfiguration after the Council of Nicaea discerned a pattern of continuity and coherence not previously seen and yet was absorbed into the normative literal sense of the tradition.[37]

Where Thiel sees continuity Kathryn Tanner sees discontinuity. She agrees with him that a genuine understanding of tradition needs to proceed retrospectively in order to reflect accurately the facts of history, but faults his theory for failing to meet its own critical standards.[38] In her view, Thiel overestimates the pull of the gravitational field exercised by the literal sense on the other senses of tradition because he overlooks the fact that it lacks the mass and stability required to play the role that he assigns to it. It lacks the required mass because there is less historical consensus to the *Sensus Fidei* than he believes. A diachronic view reveals very little agreement among Christians even concerning the most basic of topics— the identity of Jesus Christ, the proper interpretation of the Bible, the practice of baptism, and so on.[39] Perhaps more importantly, a synchronic view reveals the same measure of diversity and disagreement. What little agreement exists is so "semantically thin," that is, so abstract and open to conflicting interpretations, that it cannot serve as a norm to measure the proposals of the other senses of development.[40] In other contexts she argues that tradition (comparable in meaning to Thiel's "literal sense") lacks this stability because the Christian materials (e.g., the Bible and the creeds) are themselves diverse and ambiguous, the result of ongoing theological and political conflicts and pressures.[41]

Thiel replies that Tanner's mistaken points of departure force her to underestimate the power of the literal sense. He argues that her examples of synchronic conflict miss the mark because he is confining his observations to empirical traditions, in this case to the Roman Catholic tradition, not to some abstract "Christian" tradition. Therefore, there is less synchronic

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[36] Ibid., 127.

[37] Ibid., 135–39.

[38] Roger Haight, SJ, Kathryn Tanner, Orlando Espin, John E. Thiel, and Terrence Tilley, "Editorial Symposium: Roman Catholic Theology of Tradition," *Horizons* 29, no. 2 (Fall 2002): 303–4. For a fuller treatment of her historical-critical analysis of theories of tradition, see Kathryn Tanner, *Theories of Culture: A New Agenda for Theology* (Minneapolis: Augsburg Fortress, 1997), 128–38.

[39] Haight et al., "Editorial Symposium," 307.

[40] Ibid., 308–10. For an elaboration of this point, see Tanner, *Culture*, 124–28.

[41] Tanner, *Culture*, 87, 90–92, 140, 158–59, 163–64.

disagreement than she thinks.[42] Furthermore, her approach is skewed as well because she measures the past solely through the eyes of chronological time and overlooks the continuities discerned by the "eyes of faith," the congruence between past and present expressions of the faith that he argues form the basis of the tradition's continuity.[43]

Significant hermeneutical and theological differences exist at the heart of these differing interpretations and assessments. Tanner approaches both the "Christian materials" and the history of their interpretation from a postmodern and historical-critical point of view that emphasizes their internal variety, ambiguities, and points of conflict, all of which stimulate the diachronic and synchronic disagreements that in her view undermine the alleged gravitational pull of the literal sense. Although he also assumes and appeals to the methods and results of historical-critical research in his critique of "prospective" views of tradition, Thiel emphasizes the theological coherence of the canonical Scriptures and the tradition that is built on them.[44]

These hermeneutical differences are related to different theological points of view. Tanner, reflecting traditional Protestant concerns, stresses the inadequacy and fallibility of all human words as they struggle to approximate and express the Divine Word.[45] The unavoidable partiality and imperfection of all such human attempts are at the root of the inevitable instability of the "Christian materials" and the history of their very fallible traditional interpretations. On the other hand, Thiel's Roman Catholic sensibilities emphasize the pneumatological and incarnational dimensions of Scripture and tradition. Their coherence results from their unity as "expressions of the same divine voice," which the faithful, illumined by the assistance of the same Holy Spirit who has shaped and is shaping the tradition's path, are able to discern.[46]

Although these differences are deep, there are also important similarities. First, Tanner and Thiel agree that an adequate theory of tradition must respect the varied facts of a tradition's history, rejecting a prospective view in favor of a retrospective one that emphasizes the creative role that novel interpretations play in configuring and reconfiguring the historical data in light of current circumstances.[47] Second, both agree that prior interpretations

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[42] Haight et al., "Editorial Symposium," 318–19; Thiel, "Analogy," 371–72.

[43] Thiel, "Analogy," 371–72.

[44] Thiel, *Senses*, 42.

[45] Haight et al., "Editorial Symposium," 311; Tanner, *Culture*, 125–27.

[46] Thiel, *Senses*, 42–43. This is not to say that Thiel is insensitive to the ambiguities of revelation and tradition, which are rooted in the mystery of the revealer (*Senses,* 5, 176–78, 185). He, however, interprets them analogically whereas Tanner does so dialectically.

[47] Tanner, *Culture*, 162–63.

(including points of consensus or the literal sense) are changeable, though perhaps not in toto. As mentioned before, in Thiel's view, some elements are contained within the literal sense that are unerring and so basic to the tradition that they may not be abandoned or replaced without transforming the tradition into another one. Smaller in number and less readily distinguishable than many people think, they constitute only a part of the literal sense, the remainder of which, though it is resistant to change, can and may well change under pressure from the other two senses.[48] Furthermore, the literal sense itself may be smaller and its stability more precarious than first appears.[49] In his reply to Tanner's critique, Thiel concedes that the literal sense "slides in meaning" because it is always being "negotiated in meaning" against the other senses of tradition, which slide in meaning even more.[50] If the literal sense is restricted to what believers agree about at a given time and "believers argue about almost everything," then its range may be small indeed, even given the restriction of his analysis to the Roman Catholic tradition.[51]

Tanner, in spite of her emphasis on tradition's fragility, also seems to require that traditions have some stable points of consensus. Every tradition must "restrict the reign of diversity"; otherwise it will be a "completely amor-

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[48] Thiel, *Senses*, 48–51, 106–7.

[49] Ibid., 53–55.

[50] Haight et al., "Editorial Symposium," 319.

[51] Ibid. This issue surfaces in Thiel's discussion of "universal consent." On the one hand, citing *Lumen Gentium,* §12, he argues that the consent of the universal church is both necessary and sufficient for the establishment of the literal sense. If it is lacking, the literal sense is simply not there, although theological truth can be present in the other senses (*Senses,* 53–54). On the other hand, developing criteria for establishing the universality of an act of consent appears to be very difficult, if not impossible. Should the *fidelium* whose *sensus* is to be normative include only committed Roman Catholics, or should it include dissenters as well? Lapsed Roman Catholics? Non-Roman Catholic Christians? See Thiel's important argument in *Senses,* 107, 184. The significance of this issue is underscored by the fact that it surfaces repeatedly in John Burkhard's three surveys of articles discussing the *Sensus Fidei.* See John J. Burkhard, "*Sensus Fidei*: Theological Reflection since Vatican II (1965–1989)," *Heythrop Journal* 34 (1993): 41–59 and 123–36; Burkhard, "*Sensus Fidei:* Recent Theological Reflection (1990–2001) I," *Heythrop Journal* 46 (2005): 450–75; and Burkhard, "*Sensus Fidei:* Recent Theological Reflection (1990–2001) II," *Heythrop Journal* 47 (2006): 38–54. Burkhard concludes his 2005 article with the observation that Vatican II and the postconciliar discussions exhibited a certain naïveté concerning the *Sensus Fidei,* noting that a *consensus fidelium* has yet to be achieved, an observation that would surely be congenial to Tanner. It stands to reason that the wider the membership in the *fidelium,* the smaller the area of consensus will be and the more difficult to achieve.

phous mush."[52] These restraining parameters include appeals to certain Christian materials (e.g., the Bible, the creeds, certain formulas, and rituals such as the Eucharist and baptism) and affirmations and key values (e.g., the overriding significance of the life of Jesus for Christian discipleship) as reference points for tradition's ongoing investigation and argument.[53] Because the positive interpretation of each of these elements is so contested, Tanner sees them as insufficient to serve Thiel's purposes.[54]

Thiel agrees with Tanner about the relative semantic thinness of the literal sense but disagrees that "thinness amounts to little that is meaningful or authoritative."[55] Thiel may be right, although he does not push the point very hard. Perhaps the stable points that Tanner allows have more substance than she admits. At the minimum, she agrees that they have enough content to play the negative role of excluding certain points of view as incompatible with the frame of the ongoing argument that is tradition's life.[56] Thus, Nicaea would exclude subordinationism but would have, as post-Nicene debates clearly show, little if any agreed-upon positive content. This may or not be true for the history of a particular doctrine. It does not seem to me, however, to be adequate for an analysis of the "fit" that she insists on among different doctrines or beliefs. For example, if belief A (e.g., the acceptability of slaveholding) is to be rejected on the grounds of its lack of fit with belief B (e.g., the common Fatherhood of God), the latter belief must have enough positive meaning to warrant the rejection of the former. Furthermore, she recognizes that some judgments of exclusion have "passed the test of time without great controversy" and thus bear a very strong prima-facie presumption in their favor.[57] The beliefs on the basis of which these exclusions are made may be close to (if not identical with) the basic beliefs that Thiel sees as essential to a tradition's identity.[58]

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[52] Tanner, *Culture*, 174.

[53] Ibid., 124–25, 153–54, 162–63.

[54] Haight et al., "Editorial Symposium," 308–9. See also Tanner, *Culture*, 173–74.

[55] Haight et al., "Editorial Symposium," 320.

[56] Tanner, *Culture*, 154, 173.

[57] Ibid., 174.

[58] Thiel, *Senses,* 106; Thiel, "Analogy," 370. Thiel's analysis of the argumentative logical appeal of Leo's *Tome* to more basic beliefs to warrant his interpretation of the person of Christ as a sign that development is taking place is instructive in this context (*Senses*, 107–8). A distinction between more and less basic beliefs need not commit Thiel to the foundationalism that he is concerned to avoid (*Senses*, 220 n. 30). For a discussion of the ecumenical significance of the distinction between more and less basic beliefs, see William Henn, OFMCap, "The Hierarchy of Truths Twenty Years Later," *Theological Studies* 48 (1987): 439–71.

Finally, both agree that the configurations and reconfigurations of a tradition are contestable and that not every proposed configuration or reconfiguration will be equally acceptable. Contestants need to appeal to arguments and standards of argument to back up their interpretations. Though his use of perceptual metaphors such as *Sensus Fidei* and "the eyes of faith" might obscure this point,[59] Thiel's nonfoundationalism precludes appeals to self-certifying experiences or foundational beliefs to warrant theological judgments.[60] He acknowledges that "a purported and well-intentioned

[59] Thiel, *Senses*, 47, 185–86; Thiel, "Analogy," 374.

[60] Thiel, *Senses*, 116–25. He notes with appreciation Walgrave's distinction between logical and theological theories of development but argues that it should not be drawn too sharply, since reason and argument have important roles to play in an adequate theological theory (*Senses*, 233 n. 73). Thiel is wise here. Ever since Roman Catholic theology abandoned neo-Scholastic patterns of logical inference as its preferred model for doctrinal development, it has, particularly under Newman's influence, relied on perceptual analogies and nonlinear patterns of thought to describe the process and evaluate its results. As it did for Newman, this has increased the importance of distinguishing between legitimate and illegitimate developments and assessing the adequacy of different configurations of the tradition. At times it appeals to an analogy with instinctive or intuitive reactions (the *Sensus Fidei*) and at other times to a relatively unanalyzed concept of coherence to illustrate these patterns. Given the plurality of interpretations that both Thiel and Tanner acknowledge, appeals to such unspecified criteria make the resulting assessments seem arbitrary or circular. As discussed in note 133 below, Vatican II did not address the issue of criteriology, except perhaps with its reference to "universal agreement" as a mark of "unerring belief" resulting from a "supernatural sense of the faith" (*Lumen Gentium,* §12). As pointed out above (note 51), this criterion has proven very difficult to apply. Additionally, it is hard to see how, by itself, it could be of use to Thiel in his argument with Tanner, since she denies that such "universal agreement" exists. The criteriological problem remains, and the viability of Thiel's appeal to the literal sense as the norm against which proposed developments are to be measured requires its being successfully addressed. In terms similar to MacIntyre's analysis of the dialectical aspects of a tradition's life, Zoltan Alszeghy, SJ, makes a similar point, arguing that consent by itself is not a sufficient criterion of truth. There are diachronic and critical criteria as well. "Consent becomes a sure criterion of truth when the community of believers perseveres in its spontaneous inclination towards a doctrine, becomes aware of all its aspects, considers all the objections raised against it, and examines all its consequences." Zoltan Alszeghy, SJ, "*Sensus Fidei* and Development of Dogma," in *Vatican II: Assessment and Perspectives; Twenty-Five Years After (1962–1987),* ed. Rene Latourelle (New York: Paulist Press, 1988), 2:151. Two classic discussions of the complex interactions between logical and theological factors in assessing continuity and development are Karl Rahner, SJ, "Considerations on the Development of Dogma," in *Theological Investigations*, trans. Kevin Smyth (Baltimore: Helicon, 1966), 4:3–35; and E. Schillebeeckx, OP, "The Development of the Apostolic Faith into the Dogma of the Church," in *Revelation and Theology*, trans. N. D. Smith (New York: Sheed and Ward, 1967), 1:57–83. Ormond Rush, *The Eyes of Faith: The Sense of the*

discernment of the Spirit may yet be false,"[61] and that the exercise of one of the senses of tradition "by no means guarantees the truthfulness of its judgments."[62] Furthermore, although unmentioned, his appeal to historical analogies as warrants for a particular configuration of a tradition requires an appeal to argument as well. There are after all weak and strong analogies, and claims for the latter, which are required to warrant an assertion of continuity, need to be substantiated by argument.[63] Similarly, Tanner's view of tradition as an "argument" about the meaning and relevance of certain materials for a life of discipleship clearly requires that the contestants appeal to some common standards and warrants.[64] An argument is, after all, not a shouting match; she notes that appeals to certain normative materials must at least be "plausible"; that is, they must meet standards of coherence or fit with other Christian beliefs and practices.[65]

This discussion raises several issues that are relevant to the debate about the proper interpretation of Vatican II that Benedict XVI noted in his remarks. Are some of its teachings (e.g., concerning religious liberty or the soteriological value of non-Catholic and non-Christian religions) in fact discontinuous with traditional teachings, or are they examples of development, assimilable to the tradition's literal sense? Do these alleged ruptures support Tanner's arguments concerning the radical ambiguity and instability of traditions, or do they, as Thiel contends, display a deeper continuity?

We must consider the relationship between the senses of dramatic development and incipient development and their relationship to the other two senses more closely. Although often found together, they are distinguishable.[66] Unlike the sense of incipient development, the sense of dramatic

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Faithful and the Church's Reception of Revelation (Washington, DC: The Catholic University of America Press, 2009), pursues the discussion in light of contemporary hermeneutical theory and biblical scholarship. Although, as the title of his book indicates, he emphasizes intuitive and instinctive dimensions of the various *sensus*, his discussion makes room for the application of "prudential" criteria in the evaluation of various *sensus fidei* and *sensus fidelium* in trying to achieve a *consensus fidelium* (148–51).

[61] Thiel, *Senses,* 167.

[62] Ibid., 127.

[63] Jaroslav Pelikan astutely raises the question of the methodological limits that ought to be observed in finding "hints and traces" of later doctrines in early documents. Jaroslav Pelikan, *Development of Christian Doctrine: Some Historical Prolegomena* (New Haven, CT: Yale University Press, 1969), 53. This question is pertinent to Thiel's reliance on the analogy of faith to warrant his assertions and Tanner's critique of the literal sense as too porous to serve Thiel's purposes.

[64] Tanner, *Culture*, 122–25, 174.

[65] Ibid., 154, 162–63; Haight et al., "Editorial Symposium," 310–11.

[66] Thiel, "Analogy," 376.

development is an "extraordinary judgment in a time of crisis."[67] It appears far less frequently in the life of the tradition, fits less easily into the sense of continuity in development, and is more disturbing to the literal sense than the latter.[68] To see why, assume for the moment that Thiel is correct that the perception of relevant analogies by the "eyes of faith" fills in the gaps left by a simple chronological account of a tradition's past and that non-question-begging criteria for distinguishing strong from weak analogies to justify those claims have been developed. Although this may support a proposal by the incipient sense of a novel addition such as the dogma of the immaculate conception will it support a proposal of the sense of dramatic development? This reconfiguring of the tradition does not fill in the gaps as much as warrant the abandonment or replacement of a traditional belief or practice, previously perceived as a coherent element of the tradition's literal sense but perhaps[69] now perceived as an inadequacy or a misstep in the tradition's past.[70] Such a step is more threatening to the stability and authority of a tradition's literal sense than the addition of a novelty because it is less easy to domesticate. Frequent acceptance of such proposals might well, after all, undermine a tradition's credibility and authority.[71] Unless Thiel can show how

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[67] Thiel, *Senses*, 132.

[68] Ibid., 101–2, 132, 170–71.

[69] I say "perhaps" because it might be the case that a given practice or doctrine was adequate at a specific time but inadequate subsequently in different circumstances. Thus it might be abandoned or replaced without its necessarily having been inadequate in different circumstances in the past. This might apply to the prohibition against usury, for example, or, as some have argued, to the magisterial rejection of religious liberty in the nineteenth century.

[70] In "Analogy," 374, Thiel briefly notes the possibility that, under pressure from the sense of incipient development, a traditionally held belief might be judged as "disanalogous with a re-configured analogical continuity that binds the tradition into a whole." He only mentions this and does not take into account the fact that an argument for correcting or replacing a disanalogy might require different kinds of warrants and bear a heavier burden than an argument for an analogy.

[71] Hans Küng's *Infallible: An Inquiry* (New York: Doubleday, 1972), 43–57, sympathetically examines conservative concerns about changing the Roman Catholic Church's prohibition against the use of what it calls artificial means of contraception on the grounds that such a change would in fact admit previous error in teaching. He argues that, given Roman Catholic assumptions about the infallibility of the ordinary magisterium, these concerns are warranted. The conclusion that he draws in his book's larger argument, however, is that those assumptions are mistaken, not that the traditional prohibition is correct. Regardless of challenges to Küng's view about the infallibility of the ordinary magisterium, I think his larger point has merit. Over time, the Roman Catholic tradition developed an intricate scheme of the levels of doctrinal authority of various infallible and noninfallible teachings and corresponding levels of required assent. Older versions of this scheme are more fine-grained than contemporary ones. For an example of an

such dramatic developments are legitimately assimilable to the literal sense as developments in continuity, they strengthen Tanner's argument that the literal sense lacks the stability and mass to serve the purposes that he has assigned to it.

older version, see Ludwig Ott, *Fundamentals of Catholic Dogma*, ed. James Canon Bastible, trans. Patrick Lynch, 4th ed. (St. Louis: B. Herder, 1960), 4–10; and Harold E. Ernst, "The Theological Notes and the Interpretation of Doctrine," *Theological Studies* 63 (2002): 813–25. Current streamlined versions are presented in Pope John Paul II, Apostolic Letter *Motu Proprio* (*Ad Tuendam Fidem*), June 30, 1998, http://www.vatican.va/holy_father/john_paul_ii/motu_proprio/documents/hf_jp-ii_motu-proprio_30061998_ad-tuendam-fidem_en.html; Congregation for the Doctrine of the Faith, *Instruction on the Ecclesial Vocation of the Theologian* (*Donum Veritatis*), May 24, 1990, http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19900524_theologian-vocation_en.html; and Congregation for the Doctrine of the Faith, *Doctrinal Commentary on the Concluding Formula of the "Professio Fidei,"* June 29, 1998, http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_1998_professio-fidei_en.html. Theological analyses, with reference to contemporary controversies, are offered by Francis Sullivan, *Creative Fidelity: Weighing and Interpreting Documents of the Magisterium* (New York: Paulist Press, 1996), 12–27; and Richard Gaillardetz, *Teaching with Authority: A Theology of the Magisterium in the Church* (Collegeville, MN: Liturgical Press, 1997), 101–28. Suffice it to say here that the Roman Catholic tradition has historically demanded a very high level of assent even to noninfallible teachings on the lower end of the scale, since their credibility is rooted in the promised assistance of the Holy Spirit. Such demands, made routinely, make dramatic developments, even in the case of noninfallible teachings, risky to the tradition's credibility. This is one of the large issues that has stimulated Thiel's project. These perceived risks are displayed in the heated controversy over the permissibility of dissent from authoritative, noninfallible teachings stimulated and intensified by the publication of *Humanae Vitae* and continuing to the present day, generating conflict between traditional magisterial authorities and a number of dissenting theologians and laypeople. The literature on this topic is vast, proportionate to the controversy. Some contemporary discussions can be found in Charles Curran and Richard McCormick, SJ, eds., *Dissent in the Church* (New York: Paulist Press, 1988); William May, ed., *Vatican Authority and American Catholic Dissent* (New York: Crossroad, 1987); and Richard Gaillardetz, ed., *When the Magisterium Intervenes: The Magisterium and Theologians in Today's Church* (Collegeville, MN: Michael Glazier, 2012). Anthony Godzieba laments the loss of the traditional gradations of "theological certainty" in the current ecclesiastical climate (Godzieba, "*Quaestio Disputata*: The Magisterium in an Age of Digital Reproduction," in Gaillardetz, *When the Magisterium Intervenes*, 148). I am not certain that the current position of magisterial authority, as articulated in the documents cited above, would permit a lowering of the degree of demanded assent far enough down the traditional scale sufficient to lessen the risks presented by dramatic reversals. If anything, it seems inclined to raise it, thus expanding and intensifying future debates concerning areas of potential dramatic development. For examples of the intensification of magisterial authority, see the history of recent magisterial disciplinary interventions discussed by Bradford Hinze, "A Decade of Disciplining Theologians," in Gaillardetz, *When the Magisterium Intervenes*, 3–39.

Perhaps the key difference is that in Tanner's view a tradition's life is a blend of coherent and incoherent, continuous and discontinuous, elements that exhibit the all-too-human fragility of the conclusions of its ongoing argument and the "thinness" of its agreements. This "thinness" permits multiple interpretations and multiple configurations of the current and past materials of the tradition to support those interpretations. The continuity of a tradition consists in the commitment of its participants to an ongoing argument about the most adequate or plausible interpretation of those materials.[72] Although he admits the apparent discontinuities that historical-critical research displays, Thiel sees underlying some of them a deeper coherence that is the result of and reveals the Holy Spirit's guidance of the tradition's life as a vehicle of God's revelation. Thiel's believer appears to *discern* a pattern of coherence in the tradition, Tanner's to *create* it.[73] Nevertheless, both insist, to varying degrees (Tanner much less so), on a tradition's integrity and make general appeals to coherence as a standard to preserve it. Both draw on examples of literary interpretation as models: Thiel to the narrative coherence underlying the twists and turns of a novel's plot,[74] Tanner to the skill and tact involved in the interpretation of a poem.[75] Elsewhere, Tanner proposes examples of considerations for measuring the adequacy of an interpretative proposal: Does it "make better sense" of various accounts of Jesus' ministry? Does it "hold together" the elements of the tradition better? Is it more consistent with treasured Christian beliefs and practices and other important (e.g., scientific) beliefs that members of the community hold?[76] As she acknowledges, these are "messy" arguments.[77] Left unanalyzed, coherence is an amorphous criterion that is difficult to apply, particularly to developments that reject as well as affirm traditional claims, and to a narrative as ambiguous and mysterious as this tradition's life is claimed to embody. Such a narrative may well yield a plurality of alternative readings, each with its own coherence and degree of tolerance for different dramatic developments.[78] Some means to measure narrative coherence would be very helpful here.

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[72] Haight et al., "Editorial Symposium," 309–10; Tanner, *Culture*, 162–63.

[73] Thiel, *Senses*, 181–86; Tanner, *Culture*, 93, 132–33.

[74] Thiel, *Senses,* 157–60.

[75] Tanner, *Culture*, 90–92.

[76] Ibid., 162–63.

[77] Haight et al., "Editorial Symposium," 310. Tanner, *Culture*, 77, puts this point in the broader context of her general theory.

[78] Acknowledgement of pluralism of interpretations is a central premise in both Thiel's and Tanner's works. See, for example, Thiel, *Senses*, 4–5; and Tanner, *Culture*, 122–24, 133, 158.

Tradition's continuities and discontinuities play a central role in Alasdair MacIntyre's critical and constructive project, and are key elements in his critique of Enlightenment liberalism and the development of his own moral philosophy and epistemology.[79] Several of his proposals will prove useful in extending Thiel's and Tanner's arguments, refining the description of the relationship between dramatic development and narrative coherence, and suggesting a way forward in the debate about Vatican II.

MacIntyre's concept of tradition covers a wide range of items, including traditions attached to particular practices such as medicine and agriculture,[80] traditions of intellectual inquiry such as the Aristotelian or Augustinian,[81] and broad cultural traditions such as those of the Scottish Enlightenment[82] or liberal modernity,[83] in which traditions of various practices or inquiries are embedded. Though not discussed at length, it appears that the relationships among various traditions and sorts of traditions are likewise varied. Rival traditions may be embedded in one larger cultural tradition, as were the Socratic/Platonic and Sophist traditions in post-Homeric Athens;[84] separate traditions may have different degrees of overlap;[85] individual traditions may split into rival traditions; and rival traditions may discover sufficient agreement to merge into one tradition.[86] MacIntyre is particularly interested in traditions that are allegedly incommensurable, that is, that appeal to different core concepts and basic standards of assessment with the result that rational adjudication of disputes between them seems impossible.[87] In his later work, he argues for the possibility of rational engagement between (or among) incommensurable traditions, which engagement reveals the inadequacy of both relativism and perspectivism.[88]

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[79] Alasdair MacIntyre, *Whose Justice? Which Rationality?* (Notre Dame, IN: University of Notre Dame Press, 1988), 6–7, 326–48; MacIntyre, *Three Rival Versions of Moral Inquiry: Encyclopedia, Genealogy, and Tradition; Being the Gifford Lectures Delivered in the University of Edinburgh in 1988* (Notre Dame, IN: University of Notre Dame Press, 1988), 170–95 and MacIntyre, *After Virtue*, 2nd ed. (Notre Dame, IN: University of Notre Dame Press, 1984), 220–23.

[80] MacIntyre, *Virtue*, 221–22. MacIntyre, *Whose Justice?* 30, lists several other examples drawn from the post-Homeric world.

[81] MacIntyre, *Whose Justice?* 88–145; MacIntyre, *Rival Versions*, 82–126.

[82] MacIntyre, *Whose Justice?* 241–59.

[83] MacIntyre, *Virtue*, 23–35; MacIntyre, *Rival Versions*, 3–4, 170–95.

[84] MacIntyre, *Whose Justice?* 13, 100.

[85] Ibid., 351–52.

[86] Ibid., 12–13.

[87] Ibid., 166, 328–29, 352–53; MacIntyre, *Rival Versions*, 4–5, 9–14, 109–13.

[88] MacIntyre, *Whose Justice?* 352–55; MacIntyre, *Rival Versions*, 172–73.

MacIntyre believes that, despite this variety, the dynamic lives of traditions share common characteristics and are best understood in a narrative fashion, in other words, retrospectively and teleologically. A tradition's story will be understood only when its current circumstances are understood against the story of its past successes and failures, its past is configured and reconfigured in the light of its current problems and achievements, and its goal or goals, and the conditions for meeting them, are more adequately clarified as it moves toward achieving them.[89] Thus, he emphatically rejects claims that traditions are essentially conservative, concerned primarily with preserving past stability.[90] An ongoing tradition is better characterized in dialectical terms as "an argument extended through time in which certain fundamental agreements are defined and redefined in terms of two kinds of conflict: those with critics and enemies external to the tradition who reject all or at least key parts of those fundamental agreements, and those internal, interpretative debates through which the meaning and rationale of the fundamental agreements come to be expressed and by whose progress a tradition is constituted."[91] It is this narrative continuity, rather than identity of preserved content, that is the basis of tradition's stability.

Taken alone, this characterization, highlighting tradition's dialectical features, is somewhat misleading, since it omits a particularly salient feature that he acknowledges elsewhere; that is, it does not fully acknowledge the stability of a tradition's ordinary life. In fact, elsewhere, in a manner akin to Thiel's

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89 The importance of narrative is a constant thread throughout MacIntyre's work. See Alasdair MacIntyre, *A Short History of Ethics: A History of Moral Philosophy from the Homeric Age to the Twentieth Century* (New York: Macmillan, 1966), 9; MacIntyre, *Virtue*, 143–45, 204–25; MacIntyre, "Epistemological Crises, Dramatic Narrative, and the Philosophy of Science," in *The Tasks of Philosophy: Selected Essays* (Cambridge: Cambridge University Press), 1:4–8, 11, 15; MacIntyre, *Rival Versions,* 79–82, 116–20; MacIntyre, *First Principles, Final Ends, and Contemporary Philosophical Issues* (Milwaukee: Marquette University Press, 1990), 52–68; and MacIntyre, *Whose Justice?* 363.

90 MacIntyre, *Virtue*, 221–22; MacIntyre, "Epistemological Crises," 11.

91 MacIntyre, *Whose Justice?* 12; MacIntyre, "Epistemological Crises," 11–12. MacIntyre, *Virtue*, 222, offers an earlier, similar version of this characterization and notes, almost parenthetically, that this is a partial, but central, characterization. See also MacIntyre, *First Principles,* 39, on the often "tortuous, uneven" progress in the course of a tradition. Jean Porter captures this aptly: "Thus, a tradition is characterized by the sorts of questions it generates, the issues that are of recurring concern within it, and the forms of institutional life that embody it, as much, or even more, than by the substantive convictions that its inhabitants share." Porter, "Openness and Constraint: Moral Reflection as Tradition-Guided Inquiry in Alasdair MacIntyre's Recent Works," *Journal of Religion* 73 (1993): 518. This compares nicely with Tanner's description of a tradition's life.

description of a tradition's literal sense, MacIntyre emphasizes that traditions' ordinary lives originate and often proceed calmly enough for long periods of time, relying on commonly accepted texts and persons taken as authoritative givens[92] and encountering no major difficulties.[93]

Despite these concerns, MacIntyre's characterization is apt, since, as he sees it, such periods of calm are routinely disturbed. Interpretative difficulties and disagreements give rise to unanswered questions and perceived inadequacies[94] and prompt traditions to reflect upon themselves and their activities.[95] Whether occasioned by internal factors (e.g., ambiguities or inconsistencies in key texts) or external factors (e.g., encounters with a rival tradition or novel problematic situations), a tradition's success or failure will be measured (at least partially) by its ability to progressively address these difficulties by adding to, emending, reformulating, or abandoning some traditional beliefs and interpretations of texts, developing new forms of authority, and so on.[96] A tradition that fails to meet these challenges can be said to fall into a "crisis," that is, to be marked by increasing incoherence and resourcelessness in the face of its problems. Such a tradition is at risk of being "defeated" if it cannot overcome its crisis whether or not a more coherent and resourceful rival emerges that can successfully address its problems.[97]

Alternatively, a tradition may make progress confronting its challenges if it develops conceptual resources that at later stages enable it to meet several requirements; such progress will be assessed retrospectively and prospectively. *Retrospectively*, these conceptual innovations must begin at least to furnish a coherent solution to a previously intractable problem or problems and do so in several ways that preserve continuity with the shared beliefs in terms of which the tradition had been defined up to that point.[98] First, they preserve whatever was valid from the previous stages of the tradition, as Aquinas did, for example, by preserving what was valid in the Aristotelian and Augustinian traditions even while transcending their limitations.[99] Second, they appeal to the same standards of assessment (texts, practices, forms of experience, etc.) that have characterized the tradition up to the present. Appeal to other standards would mark a shift to a rival tradition.[100] Finally, they

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[92] MacIntyre, *Whose Justice?* 354–55.

[93] Ibid., 366.

[94] Ibid., 354–55; MacIntyre, *Rival Versions*, 116.

[95] MacIntyre, *Whose Justice?* 7–8.

[96] Ibid., 354–55; MacIntyre, *Rival Versions*, 116.

[97] MacIntyre, *Whose Justice?* 359–65.

[98] Ibid., 361–62.

[99] Ibid., 172; MacIntyre, *Rival Versions* 81, 120.

[100] MacIntyre, *Whose Justice?* 365.

preserve narrative continuity by retelling the story of the tradition's past in a way not possible previously. Placing Aristotle's claim that correcting an error involves explaining it into his own narrative context,[101] MacIntyre argues that a mark of progress is that the new stage of the tradition makes the difficulties and problems of the previous stages intelligible in a way not previously possible. This constitutes a redescription of the nature of the problems and controversies, an account of the factors, past and present, which featured in their origin and persistence, and an analysis of why the earlier stage's conceptual resources were unable to resolve them and why the new resources can.[102] *Prospectively*, the new resources preserve continuity by providing a more adequate conception of the goal(s) of the tradition's practices and inquiries and the direction in which the tradition should proceed to achieve that goal or goals.[103] This is not to say that these new resources will necessarily achieve a fully adequate conception of the tradition's goal, only that it will be more adequate than what has preceded it. A fully adequate conception that provides a single unified explanation of the tradition's subject matter may be currently unachievable.[104]

MacIntyre cites Plato's confrontation with his rival Sophist tradition in the *Republic* to illustrate a tradition making progress. Its dramatic narrative points the way to a solution of the epistemological crisis indicated by the apparently insoluble controversy between Socrates and the Sophists concerning the nature of justice described in its opening books. The allegory of the cave and the modification and extension of Socrates' dialectical strategy in the central books redescribe the impasse of the opening books, the origins of that impasse, and the reasons why the impasse was not resolved. They also suggest a resolution by refining Socrates' dialectical strategy in light of the metaphysical theory of Forms, a strategy that, preserving Socratic insights,

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[101] Ibid., 118.

[102] MacIntyre, *Whose Justice?* 79–80, 328, 363; MacIntyre, *Rival Versions*, 119. A comparable point is made in MacIntyre, "Epistemological Crises," 5, 10–12. This is similar to MacIntyre's borrowing from Nietzsche's genealogical strategies in his criticisms of modern moral philosophy (MacIntyre, *Virtue*, 36–61; MacIntyre, *Rival Versions*, 146, 170–95) and epistemology (MacIntyre, *First Principles*, 52–68). A strength of genealogical critique is that it can diagnose systemic errors in a tradition that lead its adherents unawares into predictable intellectual quandaries. Though this sort of critique is typically employed in intertraditional rivalries, I don't see why, suitably modified, it is not applicable in an intratraditional process as well. Such a critique of a tradition's past may assist in understanding not only how problems or controversies arose and why they proved intractable but also how they might have been predictable and are related to other problems and controversies, perhaps ones looming on the horizon.

[103] MacIntyre, *Whose Justice?* 80.

[104] Ibid., 81.

indicates more adequately the goal of the tradition's inquiry: a fully adequate definition of the Form of justice in light of its relationship to the Form of the good and the educational and methodological requirements for achieving this goal. Once this redefinition is achieved, and it is clear that Plato did not think he had achieved it, the tradition's inquiry will be complete.[105] The *Republic*'s narrative continuity is consistent with considerable conceptual change.

A consideration of the Second Vatican Council's alleged dramatic development of the Roman Catholic tradition's teaching on religious liberty, one of the most sharply contested issues at the council, establishes the value of MacIntyre's analysis. The questions then (and now) concern whether it was a betrayal of that church's historical tradition or a reforming development of it. The heated debates and political maneuverings before and during the council sessions reflected the intensity with which partisans of opposing views approached the topic, and the depth of their disagreements,[106] which are highlighted by the two very different initial draft proposals prepared for

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[105] Ibid., 80–83.

[106] These different positions are summarized in John Courtney Murray, SJ, *The Problem of Religious Freedom* (New York: Macmillan, 1965), 7–45. The preconciliar emergence of the progressive opinion among Catholics is surveyed by A. F. Carrillo de Albornoz, *Roman Catholicism and Religious Liberty* (Geneva: World Council of Churches, 1959). For some representative statements of traditional preconciliar thought, see George W. Shea, "Catholic Doctrine and the 'Religion of the State,'" *American Ecclesiastical Review* 123 (1950): 161–74; Alfredo Cardinal Ottaviani, "The Church and the State: Some Present Problems in Light of the Teaching of Pope Pius XII," *American Ecclesiastical Review* 128 (1953): 321–34; and Central Pontifical Commission Preparatory to the Second Vatican Council, "'Constitution on the Church': A Schema Proposed by the Theological Commission; Second Part, Chapter IX: On the Relations between the Church and the State and On Religious Tolerance," in Michael Davies, *The Second Vatican Council and Religious Liberty* (Long Prairie, MN: Neumann, 1992), 295–302 (cited hereafter as "Preparatory Schema"). Shea references the manual tradition extensively, and Davies cites from magisterial documents and conservative theologians in *The Second Vatican Council and Religious Liberty*, 43–55 and 216–31. Statements of the preconciliar progressive tradition can be found among other places in the writings of Murray. For a sampling, see the essays collected in John Courtney Murray, SJ, *Religious Liberty: Catholic Struggles with Pluralism*, ed. J. Leon Hooper, SJ (Louisville, KY: Westminster/John Knox, 1993). For an analysis of the development of Murray's views and his shifting relationship with church authorities, see Donald E. Pelotte, SSS, *John Courtney Murray: Theologian in Conflict* (New York: Paulist Press, 1975). In the background are the historical studies of Roger Aubert; see Aubert, "Liberalism and the Church in the Nineteenth Century," in *Tolerance and the Catholic: A Symposium*, trans. George Lamb (New York: Sheed and Ward, 1955), 47–76; and Aubert, "La liberté religieuse du Syllabus de 1864 à nos jours," in Roger Aubert et al., *Essais sur la liberté religieuse* (Paris: A. Fayard, 1965), 13–25.

presentation to the council.[107] The so-called traditionalist draft, prepared under the supervision of Cardinal Alfredo Ottaviani, essentially reiterates what it perceives to be classical Roman Catholic doctrine, particularly as it had been articulated by the popes of the nineteenth and twentieth centuries. In this view, the civil authority (or the state) is obliged to honor and serve God in the only way acceptable to God, namely, in the Roman Catholic Church.[108] Thus, in a predominately Roman Catholic society that church's worship should be publicly acknowledged and its moral teachings embodied in civil law.[109] Furthermore, the civil authority should exclude from public activity anything that would impede the Roman Catholic Church from achieving its eternal end.[110] Although no one should be coerced into accepting the Roman Catholic faith, the civil authority has the duty to bring about the conditions that will enable the faithful, particularly those who are less educated, to persevere in their faith. Thus it has the right, and perhaps the duty, to regulate the public worship of other religions and the public expression of their views.[111] In certain circumstances, for example, to secure a greater good or prevent greater evils, the civil authority may have the right, even the duty, to exercise a prudent toleration toward other religions, thus imitating "the example of divine Providence which permits evils from which it draws greater goods."[112] In the less-than-ideal circumstances of a non-Roman

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[107] Richard J. Regan, SJ, *Conflict and Consensus: Religious Freedom and the Second Vatican Council* (New York: Macmillan, 1967), 24. The different texts are analyzed in detail in J. Robert Dionne, *The Papacy and the Church: A Study of Praxis and Reception in Ecumenical Perspective* (New York: Philosophical Library, 1987), 135–38; and Jerome Hamer, OP, "Histoire du text de la Déclaration," in *La liberté religieuse: Déclaration "Dignitatis humanae personae,"* ed. J. Hamer and Y. Congar (Paris: Éditions du Cerf, 1967), 52–105.

[108] "Preparatory Schema," 298. A presupposition of this view, unexpressed in this draft, is that, since "only truth has an objective right to exist," only Roman Catholicism has a right to public existence. For discussion of this principle, see Murray, *The Problem of Religious Freedom*, 10; Giovanni Miccoli, "Two Sensitive Issues: Religious Freedom and the Jews," in *History of Vatican II: Church as Communion; Third Period and Intersession, September 1964–September 1965,* ed. Giuseppe Alberigo and Joseph A. Komonchak, trans. Matthew J. O'Connell (Maryknoll, NY: Orbis Books, 2002), 96–97; and Davies, *The Second Vatican Council and Religious Liberty*, 49–55. Its insistence on the objectivity of truth and its morally compelling character forms the philosophical basis for the Roman Catholic tradition's categorical rejection of relativism, subjectivism, indifferentism, and laicism, which positions it saw as underlying post-Enlightenment calls for freedom of conscience and religion.

[109] "Preparatory Schema," 298.

[110] Ibid., 299.

[111] Ibid., 300.

[112] Ibid., 301.

Catholic society, the "civil Authority should concede civil liberties to all the forms of worship that are not opposed to natural religion."[113]

On the other hand, so-called progressives, led by, among others, Bishop Emile De Smedt and John Courtney Murray, SJ, situated their approach to the issue in what they perceived to be a course of doctrinal development that began with the encyclicals of Pope Leo XIII and culminated with Pope John XXIII's *Pacem in Terris*.[114] In fact, Murray believed that the question of the development of doctrine was at the heart of the disagreement between the two parties.[115] This progressive understanding was that the experience of twentieth-century totalitarianism and the growth of political awareness had prodded the human community and the church into a greater awareness of the dignity of human life, the rights and freedoms associated with that dignity, the rights and responsibilities of conscience, the necessary limitations of the role of the state, and its duty to protect those rights and freedoms.[116] Furthermore, the exigencies of modern pluralism and the need for peaceful coexistence as well as sensitivities altered by the ecumenical movement had stimulated the church's reflection on this topic.[117] In light of these circumstances it became increasingly clear that the human freedom to profess and practice religious beliefs without outside interference, governmental or otherwise, was not a matter of toleration grounded in pragmatic considerations but one of human dignity and the human relationship with God and God's truth. These insights and demands led to a rereading and reinterpretation of traditional, and especially papal, thought following what De Smedt called the "Law of Continuity" and the "Law of Progress."[118] To its

[113] Ibid.

[114] See, for example, Bishop Emile De Smedt's initial *Relatio* to the chapter on religious liberty in *De Oecumenismo*, reprinted as "Religious Liberty," in *Council Speeches of Vatican II*, ed. Hans Küng, Yves Congar, OP, and Daniel O'Hanlon, SJ (Glen Rock, NJ: Paulist Press, 1964), 237–53; Murray, *The Problem of Religious Freedom*, 52–84; and Murray, "Vers une intelligence du développement de la doctrine de l'Église sur la liberté religieuse," in Hamer and Congar, *La liberté religieuse,* 118–47.

[115] Murray, *The Problem of Religious Freedom*, 88–89, 104–5; Murray, "Vers une intelligence," 147. See also "Religious Freedom," Murray's commentary on *The Declaration on Religious Freedom*, in *The Documents of Vatican II*, ed. Walter M. Abbott, SJ (New York: The America Press, 1966), 673, 677–78 n. 4, on the significance of the idea of doctrinal development in this context.

[116] Murray, *The Problem of Religious Freedom*, 64–69.

[117] De Smedt, "Religious Liberty," 237–38. Miccoli, "Two Sensitive Issues," 125–27, outlines some of these practical arguments.

[118] De Smedt, "Religious Liberty," 245. In *The Problem of Religious Freedom*, 58–59, Murray notes in a manner anticipating Thiel that all development is accompanied by a *ressourcement*, a new review of the past stimulated by a new historical perspective.

critics De Smedt's "Law of Continuity" was a chimera and his "Law of Progress" a simple abandonment of the traditional teachings emphasized by the nineteenth- and twentieth-century popes.[119] As is well known, the DeSmedt-Murray view came to dominate and found expression, with some significant revisions, in the council's *Declaration on Religious Freedom* (*Dignitatis Humanae*).

This debate closely resembles the epistemological crises that MacIntyre claims may periodically disturb a tradition and, if left unresolved, can lead to its "defeat." For example, Murray's description of the two views on the topic notes their diametrical opposition and the consequent fruitlessness of dialogue between them.[120] Other commentators describe the debate in similar terms as being between "seemingly insoluble oppositions,"[121] or "diametrically opposed conceptions,"[122] and as reflecting "different philosophical a prioris."[123] The fact that an ad hoc commission appointed to reconcile the two draft proposals was unable to produce an internally consistent acceptable document highlights the systemic and fundamental nature of the disagreement between them.[124] Although both sides appealed to the same tradition and traditional authorities, each read them so differently that it seemed impossible to bridge the hermeneutical gap between them.

Dignitatis Humanae attempted to resolve this disturbing conflict of opinions by endorsing, with qualifications designed to mitigate the concerns of the conservative minority, the progressive position, which Thiel identifies as a clear instance of dramatic development.[125] John Noonan offers the most sweeping judgment in this regard. After a survey of theological and magisterial teaching authorizing the use of force to compel theological assent by heretics, he concludes that *Dignitatis Humanae*'s rejection of such teaching "showed that development could mean a flat rejection of propositions once taught by the ordinary magisterium. Ottaviani, Ruffini, and Lefebvre did not

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[119] These criticisms (skepticism, false irenicism, liberalism, modernism, etc.) are summarized in Miccoli, "Two Sensitive Issues," 108–17; Regan, *Conflict and Consensus*, 133–43; Hamer, "Histoire du texte," 77–78; and Murray, *The Problem of Religious Freedom*, 89.

[120] Murray, *The Problem of Religious Freedom*, 85–89.

[121] Peter Hünermann, "The Final Weeks of the Council," in *History of Vatican II: The Council and the Transition; The Fourth Period and the End of the Council, September 1965–December 1965*, ed. Giuseppe Alberigo and Joseph A. Komonchak, trans. Matthew J. O'Connell (Maryknoll, NY: Orbis Books, 2006), 451.

[122] Miccoli, "Two Sensitive Issues," 96.

[123] Gilles Routhier, "Finishing the Work Begun: The Trying Experience of the Fourth Period," in Alberigo and Komonchak, *History of Vatican II: The Council and the Transition,* 67.

[124] Regan, *Conflict and Consensus*, 27–31.

[125] Thiel, *Senses*, 103–5.

make up the doctrines for which they fought. Not just the teaching of three nineteenth-century popes was rejected. The repudiated doctrine was the teaching of theologians, bishops, and popes going back to St. Augustine in the fourth century."[126]

Although more than a few commentators support Noonan's interpretation,[127] it appears to exemplify the "hermeneutics of discontinuity and rupture" criticized by Pope Benedict and to be at odds with the interpretation of the declaration by its drafters and the Council Fathers, who, in increasing measure through successive versions, emphasized the continuity of *Dignitatis Humanae* with traditional teaching. For example, given the history of religious persecutions and wars, its brief and somewhat bland concession that "in the life of the People of God, as it has made its pilgrim way through the vicissitudes of human history, there have at times appeared ways of

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[126] Noonan, *A Church That Can and Cannot Change*, 157.

[127] Davies cites a number of both progressives and traditionalists who argue that *Dignitatis Humanae* represents a dramatic departure from traditional teaching. Davies, *The Second Vatican Council and Religious Liberty,* 198–209. See also Brian Harrison, *Religious Liberty and Contraception* (Melbourne, Australia: John XXIII Fellowship Co-op, 1988), 7–8. Richard Regan argues that there are probably genuine contradictions between *Dignitatis Humanae* and previous magisterial teachings but that the Council Fathers, anxious to meet the concerns of conservative Fathers, downplayed them in favor of an emphasis on continuity (see *Conflict and Consensus,* 46 and 177). For a similar argument, see Dionne, *The Papacy and the Church*, 176–80. Considerations of space prevent me from considering the alternative position of conservative supporters of *Dignitatis Humanae* such as Avery Dulles, SJ, and Brian Harrison, who argue that it is a consistent development, conformable to Newman's norms, of traditional teaching. See Avery Cardinal Dulles, SJ, "*Dignitatis Humanae* and the Development of Catholic Doctrine," in *Catholicism and Religious Freedom*, ed. Kenneth L. Grasso and Robert P. Hunt (Lanham, MD: Rowman and Littlefield, 2006), 43–67; and Harrison, *Religious Liberty and Contraception*. Essentially their argument is that a careful exegesis of both traditional magisterial documents and *Dignitatis Humanae* reveals no contradiction. Because *Dignitatis Humanae* admits that there are circumstances in which religious liberty may be legitimately restricted, and the traditional magisterium admits circumstances in which it ought to be tolerated, the two positions are consistent, and there is development, not reversal. Such arguments overlook the sea change between the two positions. According to the traditional magisterium the default position was that the public exercise of non-Catholic religions ought to be prohibited, though in some circumstances considerations of prudence might require that it be tolerated. According to *Dignitatis Humanae* the default position was quite different. It was that the rights of public expression of all religions ought to be respected, though in some circumstances considerations of prudence might require that those rights be restricted. It is worthy of note that, by implication, these considerations of prudence might impose similar restrictions on the Roman Catholic religion as well.

acting which were less in accord with the spirit of the gospel and even opposed to it"[128] is couched between assertions of traditional continuity such as the following: "Throughout the ages, the Church has kept safe and handed on the doctrine received from the Master and from the apostles"; "the doctrine of the Church that no one is to be coerced into faith has always stood firm" (DH §12). The acknowledgment of novelty in its teaching ("in taking up this matter of religious freedom this sacred Synod intends to develop the doctrine of recent popes") is carefully preceded and balanced by the assertion that "it leaves untouched traditional Catholic doctrine on the moral duty of men and societies toward the one true religion and the one Church of Christ" (DH §1). The resulting picture of the church searching "into the sacred tradition and doctrine of the Church—the treasury out of which the Church continually brings forth new things that are in harmony with the things that are old" (DH §1) conforms to the idealized picture of tradition found in *Dei Verbum* ("Now that which was handed on by the apostles includes everything which contributes to the holiness of life, and the increase in faith of the People of God; and so the Church, in her teaching, life, and worship perpetuates and hands on to all generations all that she herself is, all that she believes" [DV §8]). It is unclear whether this prospective view of tradition, described and criticized by Thiel, is adequate to the historical facts either in general or in this particular case.[129]

What is clear is that although the document's supporters were anxious to assert its continuity with the tradition's past, they were not satisfied with their attempts to establish it. Although the historical argument intended to establish continuity had been one-half of the original draft prepared under De Smedt's

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[128] Pope Paul VI, *Declaration on Religious Freedom* (*Dignitatis Humanae*), December 7, 1965, §12, http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_decl_19651207_dignitatis-humanae_en.html; hereafter, DH.

[129] Cardinal Meyer in a council speech objected to this formulation as overlooking the fact that tradition can, and does, fall short by distorting what it hands on, and that it therefore needs to be appraised critically. All tradition is not progress. This objection is cited in Joseph Ratzinger, Alois Grillmeier, and Beda Rigaux, "Dogmatic Constitution on Divine Revelation," in *Commentary on the Documents of Vatican II*, ed. Herbert Vorgrimler (New York: Sheed and Ward, 1969), 2:185–86. Ratzinger supports Meyer's position and notes that it was regrettable that the council did not take up his ideas. He later characterizes it as an "unfortunate omission" (2:192–93). It is interesting to note how close these positions are to the criteriological question raised by the Montreal World Faith and Order Conference's 1963 statement, "Scripture, Tradition, and Traditions," §§48–49, http://www.andrews.edu/~fortind/Scripture-Tradition-traditions.htm. These comments reflect a critique of an alleged idealization of tradition in Roman Catholic theology proposed by both Protestants and some Roman Catholic theologians. For some representative discussions, see Gaillardetz, *Teaching with Authority*, 131–58; and André Naud, *Le magistère incertain* (Montreal: Fides, 1987), 22–74.

supervision,[130] it was subsequently omitted after the third draft, perhaps because it was unable to meet criticism from all quarters and found to be insufficiently persuasive.[131] As a result "the difficult and complex question of the historical evolution of the Church's teaching on religious freedom … was left to theologians."[132]

Both Thiel and Noonan judge this example of a dramatic development proposed to resolve an epistemological crisis a success. To Noonan it represents "a *deeper* course of development reversing an earlier course of development,"[133] and it follows from Thiel's argument and assessment that its rereading of the tradition yields a narrative continuity that is "more coherent, more truthful, and more universal."[134] Yet both must reply to the objection that the change is so dramatic and its connection to the tradition's past literal sense so tenuous that it cannot be coherently assimilated to the literal sense as a "development," and to Tanner's argument that attempts to do so only reveal how porous and fragile the literal sense actually is.

While Thiel's proposed theory of dramatic development is designed to meet this theological challenge, it requires extension and development to meet Tanner's arguments and objections adequately. MacIntyre's theory of epistemological crises and their resolution may well provide help to do this.

Recall that, in Thiel's view, a proposed dramatic development is successful to the degree that it exhibits continuity *via* analogical coherence with the

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[130] Regan, *Conflict and Consensus*, 40, 121.

[131] Miccoli, "Two Sensitive Issues," 99–102; Regan, *Conflict and Consensus*, 119–20. Miccoli cites Congar's reservations about the historical analysis. Miccoli, "Two Sensitive Issues," 127. Although he values the contribution of the historical analyses indicating continuities with previous papal teaching as a corrective to an oversimplified conservative reading, Regan admits that they were "*ex parte* readings of history" that did not admit that there were also very probably inconsistencies between it and previous papal teaching. Regan, *Conflict and Consensus*, 45–46. Routhier points out that supporters of the document were dissatisfied with the ability of their arguments to meet conservative objections. Routhier, "Finishing the Work Begun," 79–81. Claude Soetens cites a report that the body of the Council Fathers did not accept De Smedt's historical analysis. Soetens, "The Ecumenical Commitment of the Catholic Church," in *History of Vatican II: The Mature Council; The Second Period and Intersession, September 1963– 1964,* ed. Giuseppe Alberigo and Joseph A. Komonchak (Maryknoll, NY: Orbis Books, 2000), 285 n. 111. Jerome Hamer, OP, makes the same point and points out that the historical analysis "disappeared" from the fourth redaction of the document. Hamer, "Histoire du texte," 86–87, 91.

[132] Regan, *Conflict and Consensus*, 121. The same point is made often. See, for example, Murray, "Religious Freedom," in Abbott, *The Documents of Vatican II*, 673; De Smedt's *Relatio* to the final draft of the Declaration, cited in Harrison, *Religious Liberty*, 75; and Noonan, *A Church That Can and Cannot Change,* 158.

[133] Noonan, *A Church That Can and Cannot Change*, 158 (my emphasis).

[134] Thiel, *Senses*, 127.

tradition's literal sense. MacIntyre's theory offers a set of interlocking heuristic clues for describing and establishing this coherence. We have seen that a successful resolution of an epistemological crisis will (1) propose a conceptual innovation or innovations that provide a coherent solution to the problem(s) that have proven to be intractable, and do so in a way that maintains continuity with the tradition's past by (2) appeal to the same standards of assessment and criteria of truth to which the tradition had previously appealed; (3) preserve prior valid core elements of the tradition; and (4) retell the story of the tradition's past in such a way that the steps (or missteps) that led to its current impasse become intelligible. Finally, (5) it will further the tradition's progress by formulating a more adequate conception of the goal of the inquiry and the steps needed to reach it.

The magisterium of the Roman Catholic Church had traditionally taught that the right or even perhaps the duty of a predominately Roman Catholic state to repress the public exercise of non-Catholic religions was founded on certain central theological truths: the objectivity of moral and religious truth, the duty of human beings and states to acknowledge and obey that truth, the consequent evil of moral and religious error, the role of the Roman Catholic Church as the authoritative guardian and interpreter of that truth, the importance of moral and religious truth to the common good, and the obligation of states to promote the common good and restrict evil. Such was the coherence of this view that any change in the traditional position was seen to threaten one or more of the central truths upon which it was founded. On the other hand, such a doctrine had placed the Roman Catholic Church at odds with a moral consensus about the inviolability of certain human rights that had emerged as a reaction to the totalitarian repression of religion and other areas of human life in the twentieth century. The awkward fact was that the Roman Catholic Church shared this moral consensus, harshly criticizing totalitarian repression and advocating human rights, especially insisting on the right to religious freedom. Although it is arguable that they were referring to their church's freedom in making their case, various popes, in addition to appealing to theological considerations, had appealed to general philosophical considerations—traditions of natural law—that might be applicable to the rights of other religious traditions as well.[135]

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[135]   Given the concordats in force between the Vatican and some Catholic countries and the fact that the traditional teaching concerning the duties of the confessional state remained in force in the Roman schools of theology, it seems to me that "*Der gläubige Mensch,*" whose religious liberties are guaranteed by natural law according to *Mit Brennender Sorge,* §36, is, *pace* Murray's and De Smedt's interpretation, best understood as referring to Roman Catholics. However, they are correct in seeing its argument as open to extension, even if that were to go beyond Pius XI's explicit intentions. For

The Roman Catholic Church found itself in the position of arguing for a right for itself, and perhaps implicitly for others, that it traditionally wanted to deny those same others explicitly, seeming not only inconsistent but hypocritical. A solution to this doctrinal crisis, if possible, would involve finding a way to forgo the right of repression without abandoning all or at least some of the traditional beliefs upon which it had rested.

Preconciliar discussions, as well as conciliar debates, drew a number of innovative conceptual distinctions designed to break the impasse. For example, Bishop De Smedt's initial *Relatio* to the declaration, pursuing the thought of John XXIII, argued that drawing a distinction between teachings and institutions and between errors and persons erring provided a hermeneutical key for re-reading the traditional documents that had condemned religious liberty. According to De Smedt, the traditional condemnation was based on its rejection of erroneous teachings (secularism, relativism, laicism, indifferentism) from which the right to religious freedom was allegedly derived. Now, however, authentic bases for religious freedom had been proposed; in fact, steps toward establishing those bases can be discerned in the writings of Popes Leo XIII, Pius XI, Pius XII, and John XXIII. Consequently, the erroneous teachings remain condemned, but the modern freedoms and the institutions derived from them can enjoy the approval of the church.[136] Murray also proposed conceptual innovations designed to meet the same need, distinguishing between society and the state, moral and civil liberty, and the common good and public order.[137] Society, the ensemble of social institutions and relationships, has a much broader reach than the state, which has a specific and limited social role designed to guarantee human rights and to ensure the order required for society to function. The state's concern is the public order, not the broader common good. Civil liberty, which is simply freedom from coercion by the state either to perform or to refrain from certain actions, does not eliminate moral and religious obligations to the truth. Murray insisted, with the tradition, that no one has a moral right to perform an action that is objectively evil.[138]

On the basis of these distinctions, *Dignitatis Humanae* proposes its solution to the crisis. The apparent reversal of a traditional belief can be coherent with previous tradition; the affirmation of religious freedom need not imply the affirmation of secularism, indifferentism, and so on. "Religious

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further arguments and analyses of other papal statements, see Dionne, *The Papacy and the Church*, 159–66.

[136] De Smedt, "Religious Liberty," 244–53.

[137] Murray, *The Problem of Religious Freedom*, 28–30; Murray, "Religious Freedom," 678–79 n. 5.

[138] Murray, "Religious Freedom," 676–77 n. 3 and 678–79 n. 5.

freedom...has to do with immunity from *coercion in civil society*. Therefore, it leaves untouched traditional Catholic doctrine concerning the *moral duties* of men and *societies* toward the true religion and toward the one Church of Christ" (DH §1, my emphasis).[139] In light of this immunity, the state may only legitimately employ its coercive powers in the restraint of religious practices in order to preserve public order (described as public peace, respect for the rights of all, and the preservation of public morality), which is a basic part of, but not the whole of, the common good (§§4, 7).[140] Beyond that, "for the rest, the usages of society are to be the usages of freedom in their full range. These require that the freedom of man be respected as far as possible, and curtailed only when and in so far as necessary" (§7). The Roman Catholic Church has always claimed, and continues to claim, this liberty for itself (§13). Now, in a departure from previous teaching, it claims it for other religious bodies as well (§4).[141]

Dignitatis Humanae argues that its claims are thoroughly traditional, in effect that they meet criteria two through four of the five criteria listed above for the successful resolution of an epistemological crisis. *Dignitatis Humanae* appeals to the same norms—reason (DH §§2, 3); revelation, that is, scriptural testimony to the witness of Jesus and the Apostles (§§9–11); and the time-honored teachings of the church—which have governed the tradition from its inception (§9, esp. n. 27). They also embody teachings and values that have been central to the tradition throughout the ages, particularly those regarding human dignity, the necessary freedom from coercion of the act of faith that such dignity and the nature of faith itself demand (§§3, 9), and the freedom of the church to fulfill its spiritual mission (§13). The Council Fathers concede that the church has not always lived up to these

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[139] The complex history of the drafting of this sentence illustrates how contentious and careful the debate on this topic was. For a discussion of this history, see Harrison, *Religious Liberty and Contraception*, 64–77; Harrison emphasizes what he thinks is the significance of the addition of the words "and societies." Hamer, "Histoire du texte," 99, mentions the verbal change but does not assign any particular polemical significance to it.

[140] The traditionalist minority wished to emphasize the common good in this context, effectively giving the state more latitude to restrain religious behavior, but its view was not accepted. For a discussion of the significance of this issue, see Davies, *The Second Vatican Council and Religious Liberty*, 186–87 and 191–96. Harrison claims that in the long run *Dignitatis Humanae* did not draw an important distinction between the public order and the common good. Harrison, *Religious Liberty and Contraception*, 91–93. Murray of course disagrees.

[141] With reference to its own tradition, its claim to freedom is based on inner-theological as well as philosophical grounds. Its traditional view is that non-Catholic religions cannot make the same inner-theological claim of a divine founding and mandate.

core teachings and values, but insist that these are deviations from the norm, not the norm (§12). They do not address the arguments of Noonan and others about the degree to which the repression of heresy, sometimes violent, was theologically justified and embedded in the magisterial teaching and practice of the church and how the teachings of the eighteenth- and nineteenth-century popes were not simply a reaction to the intellectual and political currents of those centuries. As Tanner and Thiel would be quick to point out, the historical record of the Roman Catholic tradition is more complex and ambiguous than *Dignitatis Humanae* and its supporters allow, and its place in that tradition is more complex and ambiguous than they claim. That is why it was, and is, so controversial.

This leads us to perhaps the most distinctive of MacIntyre's criteria for a successful resolution of an epistemological crisis, the one most likely to supplement Thiel's proposal of a retrospective narrative reconfiguration of the tradition's literal sense exhibiting its coherence with the proposed dramatic development. As we have seen, *Dignitatis Humanae* asserted continuity but declined to construct the historical narrative to support it. The question is, can the suggested conceptual innovations provide a hermeneutical key to construct a narrative that explains why the crisis arose and how elements in the traditional narrative, perhaps overlooked or undervalued, can be seen in a new light and connected differently, indicating how the proposed dramatic development fits with a reconfigured literal sense?

De Smedt, Murray, and other supporters of *Dignitatis Humanae* attempted to provide a counternarrative of magisterial teaching on this subject. Roughly sketched, this counternarrative appeals to (1) certain proposals of Leo XIII that retrieved earlier traditional insights concerning a proper separation of church and state guaranteeing the appropriate autonomy for each and insisting on the dignity and integrity proper to each human being, (2) remarks of Pius XI on freedom of conscience and religion, and (3) the more systematic reflections of Pius XII on human dignity and rights, freedom of religion, and the limited role of the state. The most thorough statement of these reflections can be found in John XXIII's *Pacem in Terris*. In their view, this line of development culminates in *Dignitatis Humanae*.

As both hostile and friendly critics pointed out, however, even if this counternarrative contains elements of truth, it is not the narrative that the nineteenth- and twentieth-century magisterium would have written.[142] Murray

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[142] Shea cites a wide range of standard theological manuals that represent in his view a common core of Catholic doctrine. Shea, "Catholic Doctrine," 165. Dionne similarly notes that the traditional doctrine continued to be taught in the Roman schools right up until the council. Dionne, *The Papacy and the Church*, 162–66. Murray concedes

concedes this when he describes the logic and circumstances behind Leo XIII's ongoing commitment to the confessional state, a commitment in tension with his other insights,[143] and Pius XII's failure to draw the counternarrative's conclusions explicitly from his own premises.[144] To put it in Thiel's terms, the proposed counternarrative did not reflect the tradition's literal sense; it is a dramatic development, a category, contributed by Thiel, which Murray, De Smedt, and *Dignitatis Humanae* lack.

Suppose for the moment, though, that Murray and his colleagues have successfully constructed a plausible and coherent counternarrative to the tradition's literal sense and that the literal sense's traditional narrative retains something of its coherence and plausibility, even if troubled by the appearance of its current epistemological crisis. The achievement of a plausible counternarrative still does not warrant the acceptance of the proposed dramatic development. After all, the construction of multiple coherent and plausible narratives and counternarratives could as well be construed as support for Tanner's thesis concerning the thin and systematically porous character of the literal sense and its subsequent inability to warrant the acceptance of one interpretative narrative over another. To warrant the acceptance of the dramatic development, its supporters would not only have to establish the plausibility of its reconfigured reading of the tradition but also establish its superiority to the customary reading offered by the accepted literal sense. Although *Dignitatis Humanae* and its supporters were reluctant to adopt such a polemical tone, such a critique is necessary to establish that the proposed dramatic development marks a step of progress.

At this point, MacIntyre's tools prove valuable in setting a framework for the debate. In its terms, the superiority of a proposed dramatic development to the previously accepted literal sense can be established if it meets the following conditions.

1. It establishes that the traditional literal sense's teaching (on religious liberty in this case) has been, and in all likelihood will continue to be, frustrated by inconsistent beliefs and commitments and that the proposed conceptual innovations can resolve those inconsistencies and frustrations.

2. It appeals to the same normative standards—in this case natural law, Scripture, and the teachings of the authoritative magisterium—that have traditionally governed the literal sense, and can do so in a way superior to the

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that the doctrine of Vatican II is not to be found in the magisterial documents of the past, even though it may be said to be there implicitly. Murray, *Religious Freedom*, 100. Such is Dionne's thesis as well.

[143] Murray, "Vers une intelligence," 118–19, 126–34.

[144] Murray, *The Problem of Religious Freedom*, 76–77, 91.

appeals that have been traditionally made by that sense. Such superiority would, in part, be established by meeting the next condition.

3. Its preservation of the tradition's core values is superior to that of the traditionally accepted literal sense. For example, supporters of *Dignitatis Humanae* might argue that it preserves the values that its opponents consider essential to the tradition, such as the objectivity of divinely revealed truth, the moral duties that human beings and societies have toward it, and the need for the church and the state to act in harmony so that human beings can achieve their spiritual and temporal goals, but does so in such a way that its richer interpretation of human dignity and rights, the necessary freedom from coercion of any sort in the act of faith, and the place of the imitation of Christ in fashioning the witness of discipleship maintain values and beliefs that are crucial to the tradition in a way that the previously accepted literal sense cannot.

4. It incorporates within itself an explanation of the origin and persistence of the alleged difficulties of the traditional narrative by proceeding systematically in several ways. It might argue that the traditional literal sense's failure to draw the distinctions that Murray and others pointed out resulted in its embodying incompatible assumptions and forced it inevitably into the epistemological crisis that emerged in the years preceding the council. Or, it might relativize the traditional literal sense's position by describing the circumstances in which it originated or that contributed to its persistence, and showing that once these circumstances were rendered obsolete by new conditions to which the church believed itself obliged to adapt, the church was unable both to maintain that traditional position and to discharge its obligation to adapt itself to the new conditions in which it found itself. These systematic strategies are the ones that Murray and De Smedt adopt to explain the persistence of the commitment to the confessional state and why that commitment is no longer necessary or feasible.[145]

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[145] There is a certain ambivalence in Murray that reveals the difficulty that the Roman Catholic Church has in admitting that its traditional literal sense may have erred. On the one hand, Murray concedes that the traditional magisterium's failure to draw the relevant distinctions may be "regrettable" ("Vers une intelligence," 113) and the confessional state may reflect even a pagan import into Christianity (142). On the other hand, he insists that the commitment to the confessional state was not doctrinal (121–22) and was "understandable," and perhaps even prudent, in the context of the times ("Vers une intelligence," 118, 127–34; *The Problem of Religious Freedom*, 52–53). This is by and large the strategy that Benedict adopts in his Christmas address. If by doctrinal commitment Murray means infallible, he is most likely correct. As his critics pointed out, however, even if not infallible, these teachings were presented in such a way as to enjoy considerable authoritative status. Ottaviani, in "The Church and the State,"

5. The final condition is in MacIntyre's spirit, though it differs in detail. Genuine continuity in development should provide a more adequate conception of the goal(s) of the tradition's practices and inquiries and the direction in which the tradition should proceed to achieve them. Assuming that one of the goals of any tradition is a coherent presentation of its beliefs and commitments that can avoid or mitigate future epistemological crises, the proposed counternarrative's credibility will be increased to the degree that it is more supportive of, or at least more consistent with, approved changes occurring elsewhere in the tradition's literal sense. In this case, supporters of *Dignitatis Humanae* might argue that its proposed dramatic development supports the developing theological understanding taking place as the interpretation of faith and revelation becomes less intellectualist and more personalist, as witnessed by the history and evolution of the crucial document *Dei Verbum*,[146] and as the appreciation of the spiritual and saving power of non-Catholic and non-Christian religions increases, as seen in *Nostra Aetate* and *Unitatis Redintegratio*.[147] Thus an appreciation of religious

argues that it is a mistake to distinguish between the permanent and the temporary in church teaching, and Davies, citing several traditionalist authors, contends that Leo's (and his successors') formulations of the duties of the Catholic state are based on permanent theological truths and not just on the need to combat liberalism. See Davies, *The Second Vatican Council and Religious Liberty*, 29–36 and 167–68. Furthermore, Davies argues (124) that *Quanta Cura* and other documents of the ordinary magisterium are binding on all Catholics even if they are not infallible.

[146] The debates around this topic mirror those surrounding *Dignitatis Humanae,* often with the same partisans arguing from similar presuppositions. A history of the attempts to balance these different understandings can be found throughout the Alberigo and Komonchak volumes. In particular see J. A. Komonchak, "The Struggle for the Council during the Preparation of Vatican II," in *History of Vatican II: Announcing and Preparing Vatican Council II; Toward a New Era in Catholicism,* ed. Giuseppe Alberigo and Joseph Komonchak (Maryknoll, NY: Orbis Books, 1995), 272–84; Giuseppe Ruggieri, "The First Doctrinal Clash," in *History of Vatican II: The Formation of the Council's Identity; First Period and Intersession, October 1962– September 1963,* ed. Giuseppe Alberigo and Joseph Komonchak (Maryknoll, NY: Orbis Books, 1997), 233–66; Hanjo Sauer, "The Doctrinal and the Pastoral: the Text on Divine Revelation," in Alberigo and Komonchak, *History of Vatican II: Church as Communion*, 195–231; and Christophe Theobald, "The Church under the Word of God," in Alberigo and Komonchak, *History of Vatican II: The Council and the Transition*, 275–362.

[147] Pope Paul VI, *Declaration on the Relation of the Church to Non-Christian Religions* (*Nostra Aetate*), October 28, 1965, §2, http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_decl_19651028_nostra-aetate_en.html; Second Vatican Council, *Decree on Ecumenism* (*Unitatis Redintegratio*), November 21, 1964, §§3–4, http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_decree_19641121_unitatis-redintegratio_en.html.

freedom is both an indispensable condition and a fruit of a more adequate understanding of the personal character of the act of faith and an ecumenically sensitive appreciation of the spiritual value of non-Catholic religions for both Roman Catholics and non-Catholics.

The debate may well continue over whether *Dignitatis Humanae* is a genuine example of dramatic development or whether dramatic development is a legitimate category for Roman Catholic theology. However, these conditions help to specify the sort of continuity that Thiel requires for a genuine exercise of the sense of dramatic development and the sort of plausible fit or coherence that Tanner requires to prevent a reversal of a tradition from turning it into a "completely amorphous mush." Enrichment on this score will also clarify the issues at stake in the larger argument between the advocates of discontinuity and the advocates of reform concerning the proper interpretation of the place of the Second Vatican Council in the Roman Catholic tradition.