

Vatican II as a Constitutional Text of Faith

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This article posits that the hermeneutical approach of Peter Hünermann toward the “text” of the Second Vatican Council possesses the capacity to dissolve disputes that have arisen from a fissure among Catholics about the meaning of the council. At the heart of Hünermann’s approach is a bold attempt to read the council’s genre in light of “constitutional texts” that have played an important role in founding and reconciling different types of communities in the modern world.

Keywords: Second Vatican Council, Peter Hünermann, hermeneutics, Pope Emeritus Benedict XVI

Whether Vatican II and its results will be considered as a luminous period of Church history will depend upon all the Catholics who are called to give it life.

—Joseph Cardinal Ratzinger, *The Ratzinger Report*, 42

The word “renewal” can cover a multitude of abuses.

—Henri de Lubac, “The Church in Crisis,” 319

Is there anyone who sees only continuity in the council, or anyone who sees only discontinuity?

—Joseph Komonchak, “Benedict XVI and the Interpretation of Vatican II,” 105

IT has been over fifty years since the Second Vatican Council convened. Almost from the moment that the council ended, the “event” of Vatican II has occasioned bitter disagreement and has pushed the question of interpretation to the center of debate. Such contrasts as “continuity vs.

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rupture,” “spirit vs. letter,” and “majority vs. minority” underscore how the meaning of the council depends on the interpretation that one adopts. Despite much discussion of these approaches, an impasse persists in different camps.¹ The debate about the hermeneutics of the council seems epiphenomenal to a broader debate about the very essence of Christian community and of the Catholic Church.² A stalemate has resulted in which the two sides have their own histories, their own hermeneutics, and their own list of forbidden books.

Both the “Final Report of the 1985 Extraordinary Synod of Bishops” and the 2005 address to the Roman Curia by Pope Benedict XVI can be read as attempts to ameliorate the state of affairs.³ In particular, Pope Benedict’s call for a “hermeneutic of reform” offered specific guidelines and also spoke of unhealthy interpretations that the faithful should eschew. It is not without reason, then, that many leading theologians have eagerly embraced

¹ Key texts in the debate include Giuseppe Alberigo and Joseph Komonchak, eds., *History of Vatican II*, 5 vols. (Maryknoll, NY: Orbis Books, 1996–2006); Gilles Routhier, *Vatican II: Herméneutique et réception* (Montreal: Fides, 2006); David Schultenover, ed., *Vatican II: Did Anything Happen?* (New York: Continuum, 2007); John O’Malley, *What Happened at Vatican II* (Cambridge, MA: Harvard University Press, 2008); Nicholas Lash, *Theology for Pilgrims* (Notre Dame, IN: University of Notre Dame Press, 2008), 227–84; Matthew Lamb and Matthew Levering, eds., *Vatican II: Renewal within Tradition* (Oxford: Oxford University Press, 2008); Agostino Marchetto, *The Second Vatican Council: A Counterpoint for the History of the Council*, trans. Kenneth Whitehead (Scranton, PA: University of Scranton Press, 2009); John McDermott, “Did That Really Happen at Vatican II?,” *Nova et Vetera*, English ed., 8, no. 2 (2010): 245–66; Kenneth Whitehead, “Vatican II Then and Now,” *ibid.*, 467–83.

² Heated debate about these works has occurred in a variety of Catholic magazines. A sampling of this debate would include the disagreement between Avery Dulles and John O’Malley, supplemented by a number of letters to the editor, in *America* (Feb.–Mar. 2003); between Joseph Komonchak and Matthew Lamb in *Commonweal* (Jan.–Feb. 2009); the review of O’Malley’s work by Richard John Neuhaus (“What Really Happened at Vatican II,” review of *What Happened at Vatican II*, by John W. O’Malley, *First Things* [October 2008]: 27); and the comments on Alberigo’s work by Cardinal Camillo Ruini, as reported by Sandro Magister, “Vatican II: The Real Untold Story,” <http://chiesa.espresso.repubblica.it/articolo/34283?eng=y>. For a mediation of these disputes, see Massimo Faggioli, *Vatican II: The Battle for Meaning* (Mahwah, NJ: Paulist Press, 2012).

³ “The Final Report of the 1985 Extraordinary Synod of Bishops” is found, among other places, in *Origins*, December 19, 1985, 446–50; online, see <https://www.ewtn.com/library/CURIA/SYNFINAL.HTM>. For the 2005 address, see http://www.vatican.va/holy_father/benedict_xvi/speeches/2005/december/documents/hf_ben_xvi_spe_20051222_ro_man-curia_en.html. The printed version cited here (page numbers in parentheses in the text) contains eleven pages. The text is also found under the title “A Proper Hermeneutic for the Second Vatican Council,” in Lamb and Levering, *Vatican II*, ix–xv.

the former pope's recommended hermeneutic. This article, while respectful of the many salient points made by Benedict XVI, argues that it would behoove the faithful to adopt the hermeneutical approach offered by another great German theologian, Peter Hünemann. One reason is that Pope Benedict's approach fails to get beyond the contemporary debate; it operates within the same set of terms—continuity and discontinuity—that have dominated the discussion over the past several decades. Hünemann's approach, while not incompatible with Benedict's, offers a more profound and ultimately sustaining hermeneutic. Hünemann's understanding of the council as a "constitutional text of faith" offers a different horizon than that of the hermeneutic of reform. More importantly, it depends on the conversion of the reader. This demand engages the problem with greater depth and breadth than does a hermeneutic that requires a faithful yet rule-bound approach.

This paper proceeds in three steps: (1) it narrates the "problematic situation" of conciliar hermeneutics; (2) it revisits Benedict's "hermeneutic of reform" and the debate about its audience; (3) it describes what Hünemann means by a "constitutional text of faith" and provides examples of how this definition alters the horizon of the debate as it has hitherto been carried out.

I. The Problematic Situation: Distinguishing between the Normative and Descriptive

Although this short article cannot hope to offer an extensive overview of the history of the debate about conciliar hermeneutics, it will be helpful, from a heuristic standpoint, to note a few highlights and to make several distinctions. To begin to be able to comprehend the debate, one must distinguish between normative and descriptive accounts. Many authors, most especially Pope Benedict, weave back and forth seamlessly between the two; they *describe* how the council has been interpreted and propose *norms* for interpreting it. I will offer a description of past interpretations that demarcates itself from normative claims. In addition, I will argue that the sense of a need for a proper hermeneutic develops from a prior sense that the council has been misinterpreted.

Descriptive Accounts

In his 1986 article on conciliar hermeneutics, Walter Cardinal Kasper distinguished three phases in development after the council: exuberance (roughly, the first decade), disappointment (the second decade), and stability

(from 1985 on), resulting from the 1985 Extraordinary Synod of Bishops, where the magisterium offered official hermeneutical guidelines for interpreting the Second Vatican Council.⁴ In 1986 Kasper hoped, perhaps naively, that the “Final Report” would add stability and begin a process of broad agreement among Catholics about how to interpret the council. At almost the same time, Hermann Pottmeyer marked the significance of the 1985 Synod by noting earlier phases of “excitement” and “disillusionment.”⁵ Both of these authors understood the reception of the council from the perspective of those who wanted Vatican II to initiate a “new Pentecost” in the church.

Such a perspective, though, describes only one of many interpretations of the council, which in turn sets only one horizon of expectation. Massimo Faggioli augments this field of vision by narrating not only the hopes and disillusionment experienced by the progressives, but also the staunch opposition most clearly embodied by the Lefebvrists. For such opponents, the council represented a departure from the Catholic tradition. Both the Lefebvrists and the progressives interpreted the council as a rupture from the past. For the former, the “past” was the univocal, unbroken tradition of nineteen hundred years. For the latter, on the other hand, the past was the unfortunate, “long nineteenth-century” reaction to modernity manifested in such documents as Pius IX’s *Syllabus of Errors*. The council departed from this period by embracing elements of the tradition that had been neglected in prior generations. It was a rupture for the sake of a deeper and more authentic continuity.

The staunch and continual opposition of the Lefebvrists and even more extreme schismatics belongs to any descriptive account of how the council has been interpreted. It adds another layer to the threefold chronological progression—exuberance, disappointment, stability—outlined by Kasper and Pottmeyer. Such rupture-inclined historians as Roberto de Mattei have interpreted the council text itself as departing starkly from the univocal tradition of the Catholic Church. According to de Mattei, later “confusion” that erupted over such matters as birth control, bishops’ conferences, and the reform of the Curia followed logically from the disaster that was Vatican II. In his review of this work, Jared Wicks notes, “The ‘hermeneutics of rupture’ rule

⁴ Walter Kasper, “The Continuing Challenge of the Second Vatican Council: The Hermeneutics of the Conciliar Statements,” in *Theology and Church*, trans. Margaret Kohl (New York: Crossroad, 1989), 166–76.

⁵ Hermann J. Pottmeyer, “A New Phase in the Reception of Vatican II: Twenty Years of Interpretation of the Council,” trans. Matthew J. O’Connell, in *The Reception of Vatican II*, ed. Giuseppe Alberigo, Jean-Pierre Jossua, and Joseph A. Komonchak (Washington, DC: The Catholic University of America Press, 1987), 33–34.

de Mattei's reconstruction."⁶ In another informative article commenting on the hermeneutics of rupture, Gilles Routhier emphasizes that the Lefebvrists needed to retain "complete fidelity to the forms of Catholicism that were familiar from the 17th, 18th, and 19th centuries" in order to show why "the reforms advanced by the Council and its teaching represented a rupture with the tradition."⁷ Already in the council proceedings, Archbishop Lefebvre argued that specific statements could not be permitted because they departed from the immutable teaching of the church.

It is important to emphasize that the rupture of the Lefebvrists differs qualitatively from that of such progressives as Giuseppe Alberigo and John O'Malley.⁸ O'Malley notes, in his response to the critiques against Alberigo, "Nowhere in the Alberigo volumes is there the slightest suggestion that the 'new beginning' meant in any way a rupture in the faith of the Church or a diminution of any dogma. The only person I know who believed and propagated that assessment was Archbishop Marcel Lefebvre."⁹ Although both authors highlight the dramatic scenes from the council and show how quickly opinions shifted during the different sessions, they both interpret the *aggiornamento* of the council through a *ressourcement*, and vice versa. Undifferentiated accounts of "hermeneutics of rupture" have created great confusion by failing to distinguish clearly between progressives on the left, and schismatics on the right.¹⁰

Normative Accounts

It should be reiterated that most attempts to interpret Vatican II include both normative and descriptive accounts. There are also numerous

⁶ Jared Wicks, "Still More Light on Vatican Council II," *Catholic Historical Review* 98, no. 3 (July 2012): 498.

⁷ Gilles Routhier, "The Hermeneutic of Reform as a Task for Theology," *Irish Theological Quarterly* 77, no. 3 (2012): 220.

⁸ Even Andrew Greeley's direct appeal to "rupture" deals more with Benedict's "practical forms" than with doctrinal matters; Greeley's examples of momentous rupture include decentralizing authority, the priest facing the congregation, and meat on Friday—hardly a revision of Christ's two natures or adding another person of the Trinity! See Greeley, "The Revolutionary Event of Vatican II: How Everything Changed," *Commonweal*, Sept. 11, 1998, 14–20.

⁹ O'Malley, "Vatican II: Did Anything Happen?," in Schultenover, *Vatican II*, 55.

¹⁰ One example is the review of O'Malley's *What Happened at Vatican II* by Richard John Neuhaus, who wrote, "The final irony is that if, in the twenty-fifth century, the Second Vatican Council is remembered as a reform council that failed, it will be the result of the combined, if unintended, efforts of the likes of Marcel Lefebvre and John O'Malley in advancing the argument that the council was a radical break from the tradition that is Catholicism" (Neuhaus, "What Really Happened at Vatican II," 27).

attempts that do not fit neatly under categories of continuity, rupture, or reform.¹¹ This article cannot hope to cover all such approaches fairly. Instead, after a brief discussion of Henri de Lubac's famous remarks, it recalls the 1985 Synod and Benedict's 2005 remarks. Both of these approaches give clear norms for interpretation, with the intention of allaying confusion.

Embodying what some have labeled a "Neo-Augustinian" interpretation of the council, de Lubac's 1969 lecture at Saint Louis University gave voice to concerns that would grow only louder.¹² In his choleric reaction to how some had misinterpreted the council, de Lubac pointed toward the abuse of "renewal" by those who, to his mind, had pushed for an implementation that was not in accord with the council's intentions. He declared: "Everyone uses ["renewal"] as a reference, but in a hundred different ways. Actually, the Council is little known and followed even less. Many of those who pretend to be the only ones to have taken the Council seriously sneer at it today. Almost the very day the Council ended, a deformed and deforming interpretation began to spread."¹³ In the middle of a decade that Pottmeyer and Kasper associated with exuberance, noted *progressives* like de Lubac were already despairing. Subsequent hand-wringing was rooted in a conviction that the initial implementation betrayed the council. Later despair, in contrast to de Lubac's, stemmed from the failures of the Vatican, and especially Pope John Paul II, to implement the council. The effect was that no matter what happened, certain factions were bound to feel that the council had failed to live up to its promise: hence the need for the right hermeneutic.

The "Final Report" of the 1985 Extraordinary Synod marks a watershed in the history of the council's reception. The key paragraph on interpretation reads:

¹¹ Two such examples are Ormond Rush, *Still Interpreting Vatican II: Some Hermeneutical Principles* (New York: Paulist Press, 2004) and Christoph Theobald, *La réception du Concile Vatican II*, vol. 1, *Accéder à la source* (Paris: Cerf, 2009). For discussions of Theobald in English, see Rush, *Still Interpreting Vatican II*; and Faggioli, *Vatican II*, 127–30. See also the essay by Theobald, "The Theological Options of Vatican II: Seeking an 'Internal' Principle of Interpretation," in *Vatican II: A Forgotten Future?*, ed. Alberto Melloni and Christoph Theobald (London: SCM Press, 2005), 87–107.

¹² See in particular Faggioli's subsection "Neo-Augustinian Receptions of Vatican II," in Faggioli, *Vatican II*, 68–75. Faggioli inherits this analysis from Komonchak; see Joseph A. Komonchak, "Augustine, Aquinas, or the Gospel *sine glossa*?" in *Unfinished Journey: The Church 40 Years after Vatican II: Essays for John Wilkins*, ed. Austin Ivireigh (New York: Continuum, 2005), 102–18.

¹³ For the English text, see Henri de Lubac, "The Church in Crisis," *Theology Digest* 17, no. 4 (1969): 312–25, at 318. A revised French version of his talk can be found in *Nouvelle Revue Théologique* 91 (1969): 580–96.

The theological interpretation of the conciliar doctrine must show attention to all the documents, in themselves and in their close inter-relationship, in such a way that the integral meaning of the Council's affirmations—often very complex—might be understood and expressed. Special attention must be paid to the four major Constitutions of the Council, which contain the interpretative key for the other Decrees and Declarations. It is not licit to separate the pastoral character from the doctrinal vigor of the documents. In the same way, it is not legitimate to separate the spirit and the letter of the Council. Moreover, the Council must be understood in continuity with the great tradition of the Church, and at the same time we must receive light from the Council's own doctrine for today's Church and the men of our time. The Church is one and the same throughout all the councils.¹⁴

One can distill four key principles for interpretation from the "Final Report": (1) that the four "Constitutions" be given privilege over the twelve decrees and declarations; (2) that the documents be read as a whole; (3) that one divide neither the doctrinal from the pastoral, nor the spirit from the letter; and (4) that the council, although shedding light on contemporary problems, should be read through the tradition. As John O'Malley has emphasized, the focus on continuity, which is the "conservative" approach exemplified here (despite what he calls its "excellent norms") raises the question "what happened at Vatican II?"¹⁵ The norms, which allude to prior failings in interpretation, do not fully explain *why* the council has been misinterpreted.

II. The 2005 Address to the Roman Curia and Its Hidden Audience

Although the "Final Report" hardly intended to give a comprehensive account of conciliar hermeneutics, one can agree with Kasper and Pottmeyer that it initiated a new period in interpretation. To this period one can now add a fourth phase: Benedict XVI's call for a "hermeneutic of reform," which he spelled out during his "Christmas address" to the Roman Curia on December 22, 2005. Benedict begins his analysis by asking a question: "Why has the interpretation of the council, in large parts of the Church, thus far been so difficult?" (5). He responds by saying that "it all depends on the correct interpretation of the council or . . . on its proper hermeneutics, the correct key to its interpretation and application" (5). Two kinds of interpretation have prevailed, and here, with surprising force, Benedict anathematizes one while blessing another: The "hermeneutics of discontinuity and

¹⁴ "The Final Report of the 1985 Extraordinary Synod of Bishops," §5.

¹⁵ O'Malley makes this point in "Vatican II," 55–58; and in *What Happened at Vatican II*, 290–313.

rupture,” he says, “risks ending in a split between the pre-conciliar Church and the post-conciliar Church” (6). This hermeneutic asserts that the texts of the council do not yet express the true spirit of the council. Benedict determines that according to this hermeneutic, “the nature of a council as such is therefore basically misunderstood” (6). On the other hand, the “hermeneutic of reform” initiates a “process of innovation in continuity” (8). Because of changing historical circumstances, he argues, the church called the council so as to articulate how it might understand basic principles anew. As a result, “a discontinuity had been revealed but in which, after the various distinctions between concrete historical situations and their requirements had been made, the continuity of principles proved not to have been abandoned” (8).

Preceding this seemingly cryptic point, Benedict cites the relationships between faith and science, faith and history, and Christianity and other religions as examples to show how “concrete historical situations” and “the continuity of principles” relate. A correct interpretation of the council’s documents shows that, by asserting religious freedom, Vatican II affirmed the abiding Christian principle of human freedom, even though it jettisoned a prior position that had rejected such freedom in states with Catholic majorities. The “practical forms,” Pope Benedict continues, “depend on the historical situation and are therefore subject to change” (8–9). These forms, one might gather, include papal statements and seemingly official Vatican policy unfavorable toward religious freedom, or toward the upshot of certain scientific theories like heliocentrism or the theory of natural selection. One should not confuse these forms, Benedict seems to say, with the principles of human freedom, and with Christianity’s long-standing attempt to show the compatibility between faith and reason.

Similar to the stance of de Lubac, Pope Benedict’s insistence on certain norms stems from a judgment of fact about prior abuses. Yet not a few theologians have wondered, “who exactly is carrying out a ‘hermeneutics of rupture’”? Many determined that Benedict’s comments were best understood as consonant with the June 17, 2005 remarks of Cardinal Camillo Ruini, then president of the Italian Bishops’ Conference. Ruini lauded Agostino Marchetto’s history of the council as a corrective to the “Bologna School,” that is, Giuseppe Alberigo, whose five-volume history had been held in high esteem.¹⁶ Ruini noted, “The interpretation of the council as a rupture and a new beginning is coming to an end. This interpretation is very feeble today, and has no real foothold within the body of the Church. It is time for historiography to produce a new reconstruction of Vatican II which will

¹⁶ For an account, see O’Malley, “Vatican II,” 52–56; the works of Marchetto and Alberigo have been translated into English; see note 1 above.

also be, finally, a true story.”¹⁷ Ruini’s account of what a correction would look like corresponds to some of the essays in *Renewal within Tradition*, which also cite Marchetto as a correction to Alberigo.¹⁸ Benedict’s 2005 address prefaces *Vatican II: Renewal within Tradition*, which gives credence only to the suspicion that Benedict’s remarks are best understood in concert with those of Ruini, as well as with such like-minded interpreters as Lamb and Levering.

A recent article by Gilles Routhier traces Benedict’s references to “rupture” to the Lefebvrists rather than the progressives. Routhier posits, “It is against the backdrop of the discussions between the Holy See and the Lefebvre movement, it seems to me, that one must read the debate on the hermeneutic of Vatican II and interpret the categories of the hermeneutic of continuity, of discontinuity, and of reform.”¹⁹ Routhier connects then-Cardinal Ratzinger’s dealings with Lefebvre, mostly in the 1980s, to the 2005 norms. He cites *The Ratzinger Report*, where Ratzinger outlined the argument for continuity and derided as faulty the reasoning of those who accepted Trent and Vatican I, but not Vatican II.²⁰ Could Pope Benedict’s hermeneutic of reform, then, signal a departure from, rather than an echo of, Cardinal Ruini’s comments? Routhier is not the only scholar to make such a suggestion.

Joseph Komonchak is one of the most adept readers of Pope Benedict’s theology. For Komonchak, the hermeneutic of reform offers a way through the tangled mess of continuity and discontinuity: “It is no less an oversimplification to reduce the question of interpreting Vatican II to the same choice between continuity and discontinuity. Is there anyone who sees only continuity in the council, or anyone who sees only discontinuity? Pope Benedict’s description of “true reform” invites an effort to discern where elements of continuity and elements of discontinuity may be found.”²¹ He gives a

¹⁷ This citation comes from the report of Magister, “Vatican II: The Real Untold Story.”

¹⁸ Lamb and Levering, *Vatican II*.

¹⁹ Routhier, “The Hermeneutic of Reform,” 232.

²⁰ Joseph Ratzinger with Vittorio Messori, *The Ratzinger Report: An Exclusive Interview on the State of the Church*, trans. Salvator Attanasio and Graham Harrison (San Francisco: Ignatius Press, 1985), 27–44. Routhier cites from the less ominously titled French version, for which he gives his own English translation; see Ratzinger, *Entretien sur la foi* (Paris: Fayard, 1985).

²¹ Joseph A. Komonchak, “Benedict XVI and the Interpretation of Vatican II,” in *The Crisis of Authority in Catholic Modernity*, ed. Michael J. Lacey and Francis Oakley (Oxford: Oxford University Press, 2011), 105. It should be noted that as early as 1995 Komonchak had located then-Cardinal Ratzinger, along with Henri de Lubac, in a “third position. . . . This middle position might be called a ‘reformist’ interpretation because of its insistence that the popes and the bishops never wished for a revolution to produce a new church, but a spiritual renewal and pastoral reform of the church”

robust analysis of a pope whose work he has read faithfully but also critically. Komonchak then deals with the question of audience in his analysis of Pope Benedict's address. It is worth remembering that Komonchak is a coeditor of the English-language edition of the *History of Vatican II*. He asserts, "There are reasons to think that this work (*History of Vatican II*) is not the chief target and certainly not the only one. Neither the editors nor the authors of individual chapters in the five volumes entertain the exaggerated hermeneutics of discontinuity that the pope criticizes."²² Komonchak distinguishes between matters of faith and the formal aspects of the church, and thus asserts that Benedict's description of a hermeneutic of reform is perfectly compatible with his and Alberigo's *History of Vatican II*. Komonchak then posits a more proximate audience of the pope's address: "His chief aim was to try to persuade traditionalists whose rejection of the council depends in no small part on their belief that its teachings on church and state and on religious freedom represent a revolutionary discontinuity in official church doctrine."²³ Komonchak is referring to the Lefebvrists and to the sedevacantists, and their well-documented opposition to the council's teaching on religious freedom. The examples cited in the papal address reference where these groups have insisted a real rupture occurred. Komonchak concludes, "Pope Benedict seems to have used his speech to the Curia to invite these traditionalists to see in the council's teaching on religious freedom, not a revolutionary shift in the church's teaching, but a development that applies enduring principles to new circumstances."²⁴

The debate about the audience of this speech signals a new site for the "battle for meaning" to continue. Not only Cardinal Ruini but also the late Richard John Neuhaus identified Alberigo and the "Bologna School" with a deleterious hermeneutic of discontinuity. Komonchak turns this argument on its head. Following Benedict's call for a "true reform," one might conclude that he and Alberigo, not Lamb and Levering, more closely parallel this description. By stating that he and Alberigo—not Lamb and Levering—embody the hermeneutic commended by Benedict, Komonchak notes, "While the editors [Lamb and Levering] offer the volume as exemplifying the kind of hermeneutic Pope Benedict urges, most of the essays do not try to imitate the example he gave in his famous speech."²⁵ The council itself was an occasion for many of the council fathers, and for subsequent

(Komonchak, "Interpreting the Council: Catholic Attitudes toward Vatican II," in *Being Right: Conservative Catholics in America*, ed. Mary Jo Weaver and R. Scott Appleby [Bloomington: Indiana University Press, 1995], 33).

²² Komonchak, "Benedict XVI and the Interpretation of Vatican II," 104.

²³ *Ibid.*

²⁴ *Ibid.*, 105.

²⁵ *Ibid.*, 110 n. 22.

interpreters, to see how the church changed some of the practical forms but not the basic principles of the faith. John O'Malley's recent treatment of the hermeneutic of reform runs in the same vein as Komonchak's.²⁶ Like Komonchak, O'Malley sees the category of reform as a "third way" of interpretation. Unlike Komonchak, O'Malley sees this new category more as a departure from Pope Benedict's earlier hermeneutic: "When Pope Benedict XVI proposed a hermeneutic of reform for interpreting Vatican II, he stepped away from the sharp dichotomy of rupture/continuity that he had earlier insisted upon. Historians, surely, must welcome the new category."²⁷ Reform lets one acknowledge something discontinuous within continuity. A strong emphasis on or the absolutizing of continuity is equivalent to the assertion that *nothing* happened at Vatican II. O'Malley's call for an embrace of "reform" stems from his long insistence that *something* happened at the council. He now sees Benedict's address as the official license for theologians and historians to explain how discontinuity and continuity inhere in the event of Vatican II. O'Malley concludes, "Theologians and historians now have license to address the council with a category that formerly was virtually off limits. . . . They will . . . be able to judge and then to tell us just how wide and deep the reform of Vatican II was."²⁸

For both Komonchak and O'Malley, Benedict's address permits a widening rather than a narrowing of interpretive possibilities. Their interpretation has given many, particularly those concerned about a retraction of the council's goals over the past three decades, signs of hope. While this article finds sympathy with their interpretation, it is also aware of its shortcomings. To interpret the council between rupture and continuity is to limit its possibilities. The category of "reform," at best, only mediates between these poles; it does not reset the terms on which the debate takes place. Thus it fails to provide a more *radical* hermeneutic. The rest of this article aims to show how Peter Hünemann's hermeneutic offers just such a radical hermeneutic—in the sense of getting to the root of how to read and to perform the text—in a manner not beholden to the poles of continuity and rupture.

III. The Hünemann Thesis and Its Testing

An emeritus professor of dogmatics at the faculty of Catholic theology in Tübingen, Peter Hünemann has devoted much of his scholarly energy since

²⁶ For O'Malley's analysis of the 2005 Curial address, see O'Malley, "The Hermeneutic of Reform: A Historical Analysis," *Theological Studies* 73 (2012): 517–46.

²⁷ O'Malley, "The Hermeneutic of Reform," 542.

²⁸ *Ibid.*, 546.

his 1997 retirement to the legacy of the council. The main fruit of this effort is the five-volume commentary on the council that he coedited.²⁹ No corresponding commentary exists in English, despite the need for one. In addition to spearheading the retranslation of all sixteen documents, Hünemann also wrote four commentaries—for *Lumen Gentium* (2:263–582), *Ad Gentes* (4:219–336), *Optatam Totius*, and *Presbyterorum Ordinis* (3:315–489; 4:337–580; both cowritten with Ottmar Fuchs)—totaling nearly eight hundred pages. Since 1990 he has coedited two additional books and has authored nearly thirty articles on the council. Despite (or perhaps because of) this output, English-language scholarship has given minimal attention to Hünemann, and specifically to his theory of conciliar hermeneutics.³⁰

The fifth volume of his groundbreaking commentary begins with his long essay on the hermeneutics of the text of the council.³¹ This essay offers his fullest treatment of conciliar hermeneutics. Hünemann thinks that a correct interpretation of the texts depends on proper identification of the genre.³² The genre here, he argues, is “constitutional,” meaning that it bears an analogy to governmental “constitutions.” Hünemann notes five similarities between Vatican II and constitutional texts.³³ First, modern constitutional

²⁹ Peter Hünemann and Bernd Jochen Hilberath, eds., *Herders theologischer Kommentar zum Zweiten Vatikanischen Konzil*, 5 vols. (Freiburg: Herder, 2004–6). In 2009 the five volumes were made available in an affordable paperback edition.

³⁰ For an exception, see Massimo Faggioli, “Council Vatican II: Bibliographical Overview, 2007–2010,” *Cristianesimo nella Storia* 32 (2011): 766–67, 774–76; Faggioli, *Vatican II*, esp. 131–33. Rush, O’Malley, and Komonchak are all aware of Hünemann’s work, but none of them has yet given a full account of it. For a brief account in French of the merits of Hünemann’s thesis, see Theobald, *La réception du Concile Vatican II*, 435–37.

³¹ Peter Hünemann, “Der Text: Werden—Gestalt—Bedeutung: Eine hermeneutische Reflexion,” in Hünemann and Hilberath, *Herders theologischer Kommentar*, 5:7–101. Hünemann’s additional contributions related to this question include “Zu den Kategorie ‘Konzil’ und ‘Konzilsentscheidung’: Vorüberlegungen zur Interpretation des II. Vatikanums,” in *Das II. Vatikanum: Christlicher Glaube im Horizont globaler Modernisierung*, ed. Peter Hünemann (Paderborn: Ferdinand Schöningh, 1998), 67–82; “The Ignored ‘Text’: On the Hermeneutics of the Second Vatican Council,” in Melloni and Theobald, *Vatican II*, 118–36; “Der ‘Text’: Eine Ergänzung zur Hermeneutik des II. Vatikanischen Konzils,” *Cristianesimo nella Storia* 28 (2007): 339–58; and “Kriterien für die Rezeption des II. Vatikanischen Konzils,” *Theologische Quartalschrift* 191, no. 2 (2011): 126–47.

³² Here it should be acknowledged that Hünemann’s concern with genre overlaps with a central point in O’Malley’s hermeneutic (O’Malley, *What Happened at Vatican II*, esp. 11–14, 305–13).

³³ Hünemann’s definition of *Verfassung* relies on Ernst-Wolfgang Böckenförde, “Geschichtliche Entwicklung und Bedeutungswandel der Verfassung,” in *Staat, Verfassung, Demokratie* (Frankfurt: Suhrkamp, 1991), 29–52; and Dieter Grimm,

conventions meet when crises arise because of a breakdown of the previous forms of public consensus and civil agreement. This breakdown initiates the need to reestablish the foundations for an agreed-on manner of social living, reached by consensus.³⁴ Second, a *representative* body drafts the given constitutional text. These texts are not simply the opinion of the slimmest majority, but are inclusive of minority factions and positions. In this way a constitutional text attempts to ensure that, by protecting the rights of minorities and promoting peaceful exchange, all groups in the society assent to it. Third, constitutional texts, by appealing to common history and experiences, aim to establish and further perpetuate a common cultural and social identity. Fourth (and perhaps most importantly), constitutional texts do not fill in every jurisdictional lacuna, but rather seek to provide general orientating guidelines that incline future legislative decisions. The “power” of the text consists in this quality, and manifests itself in its style, which is more suggestive and broad, and less concerned with specifics. Future generations are able to read it in such a way that the reading “effects” the meaning of the text—here one might think of the Declaration of Independence and Abraham Lincoln’s reading of it in the Emancipation Proclamation, which famously opens by appealing to the Declaration of Independence. Fifth and finally, constitutional texts require official declaration and consequent public acceptance.³⁵

Vatican II is only *analogous* to a constitutional text—it contains both similarities and differences. The *text* of the Second Vatican Council is dissimilar from a constitutional text in that it claims to be an “authentic interpretation of the word of God” and therefore asserts an authority beyond the scope of a modern constitutional text. This dissimilarity leads Hünemann to offer a qualifier: the text of Vatican II is a “constitutional text of faith.”³⁶ The most apt parallel to the council text, says Hünemann, is Saint Benedict of Nursia’s Rule. Like the Rule, Vatican II seeks to orientate believers who want to follow Jesus by giving them a foundation for communal life.³⁷ The

“Verfassung,” in *Staatslexikon*, ed. H. Sacher, 7th ed. (1989), 633–43. See Hünemann, “Der ‘Text,’” 12 n. 13.

³⁴ In a later article, Hünemann argues that Vatican II signaled a definitive recognition of a break from four epochs (with the associated dates in parentheses): an assumption of Christendom (312), an identification of Catholicism with Western thought-form (1054), a confessional understanding of Catholicism (1517), and a hostile disposition toward modern thought forms (1789). One could also see these as examples of Benedict’s “practical forms.” See Hünemann, “Kriterien,” 126–47.

³⁵ This paragraph has offered an abbreviated paraphrase of Hünemann’s “Der ‘Text,’” 13–15.

³⁶ Hünemann, “Der ‘Text,’” 16–17.

³⁷ For Hünemann’s comparison to the Rule, see “Der ‘Text,’” 82–83.

Rule laid the groundwork for how to live a monastic life, a lifestyle to which Christians had been called for several centuries, but which hitherto had nothing like a consensus in terms of implementation. Hünemann notes, "The goal of [Benedict's] *Rule* is to make possible a living out of the Christian faith in a specific manner."³⁸ Its norms regulate the relationship between prayer and work, and between abbot and monk. It also specifies the available form of monastic community. Likewise, Vatican II is a text for Catholic Christians who, in late modernity, would greatly benefit from a foundation that helps them navigate the modern world. This foundation includes norms for relating to non-Catholic Christians as well as people of other faiths and nonbelievers. Vatican II teaches the faithful how to be a pilgrim community in a world where the collapse of Christendom means that the way Catholic Christians reflect the gospel looks very different than it did in the Constantinian era.

Despite Hünemann's univocal insistence that Vatican II is only *analogously* a constitutional text, some have questioned whether his hermeneutic was the object of Benedict's cryptic remarks about a "Constituent Assembly." In his critique of those who go beyond the text by invoking the spirit of the council, Benedict states: "The nature of a council as such is therefore basically misunderstood. In this way, it is considered as a sort of constituent that eliminates an old constitution and creates a new one. However, the Constituent Assembly needs a mandator and then confirmation by the mandator, in other words, the people the constitution must serve" (6). Might not Benedict, who received a copy of Hünemann and Hilberath's commentary at an official ceremony in 2005, have made this statement as a thinly veiled critique of this hermeneutical approach? Komonchak finds this scenario plausible: "Perhaps Pope Benedict had in mind the view of . . . Hünemann, who has proposed that the texts [*sic*] of Vatican II be understood as 'constitutional' in character."³⁹ A more recent article by Hünemann addressed this theme directly. He notes, "To identify the texts of the Second Vatican Council on the same level as constitutional texts would involve a crude misunderstanding of the council's content and of the manner in which it should be treated."⁴⁰ After reminding readers that his earlier work emphasized the council as a

³⁸ Hünemann, "Der 'Text'," 82: "Das Ziel dieser Regel ist die Ermöglichung eines christlichen Lebens aus dem Glauben, allerdings in einer bestimmten Form."

³⁹ Komonchak, "Benedict XVI and the Interpretation of Vatican II," 97–98. Komonchak also mentions the possibility that Benedict could be referring to the Italian juridical scholar Paolo Pombeni.

⁴⁰ Hünemann, "Der 'Text': Eine Ergänzung," 354: "Die Texte des II. Vatikanischen Konzils auf eine solche Ebene zu fixieren, wäre ein grobes Missverständnis der behandelten Sachverhalte und der Weise, wie sie behandelt werden."

constitutional text *of faith*, Hünermann adds that constitutional texts serve merely as a means to facilitate the realization of the values—in this case the biblical revelation that Christ saves—that lie behind the text.⁴¹ They buttress rather than replace the normativity of Scripture.

Hünermann's justification for identifying the text as constitutional is not external to the text. His most direct evidence for identifying this genre as constitutional comes from the conclusion of *Gaudium et Spes*, which states: "Drawn from the treasures of the teaching of the Church, the proposals of this council are intended for all human beings."⁴² Besides attending to the obvious point, already made in the introduction to the constitution, that the audience is the entire human race, one must also observe the number of the subject noun: it is plural—*proposals*. Hünermann notes, "This conclusion indicates that the immediate goal of the text extends beyond the mere text of *Gaudium et Spes*."⁴³ The passage continues: "Faced with the wide variety of situations and forms of human culture in the world, this conciliar program is deliberately general on many points. . . . Hence we entertain the hope that many of our suggestions will succeed in effectively assisting all people, especially after they have been adapted to different nations and mentalities and put into practice by the faithful under the direction of their pastors" (GS 91, 2).

For Hünermann, this text exemplifies a pattern that underscores the constitutional genre of Vatican II. He notes, "Again and again the texts end in promptings."⁴⁴ The conclusion to *Gaudium et Spes* points to this, but so does the rest of the corpus. Hünermann continues, "The listing of principles for Catholic ecumenics in *Unitatis Redintegratio* offers the basic program for a means to relate and integrate into ecumenical activity the faithful, and the parish communities, as well as the Church as a whole."⁴⁵ As a constitutional

⁴¹ Hünermann, "Der 'Text': Eine Ergänzung," 355: "So ist eine staatliche Verfassung nie ein letzter Zweck in sich. Sie ist ein dienendes Mittel."

⁴² Second Vatican Council, *Pastoral Constitution on the Church in the Modern World* (*Gaudium et Spes*) 91, http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_cons_19651207_gaudium-et-spes_en.html.

⁴³ Hünermann, "Der 'Text'," 66: "Die Worte haben einen die unmittelbare Zielsetzung von *Gaudium et spes* überschreitenden Charakter."

⁴⁴ Hünermann, "Der 'Text'," 67: "Immer wieder münden die Darlegungen in Aufforderungen."

⁴⁵ Hünermann, "Der 'Text'," 67: "Die Aufzählung der Prinzipien des katholischen Ökumenismus in UR stellt zugleich die Grundzüge einer zu gestaltenden Verhaltens- und Aktionsweise der Gläubigen, der Gemeinden der Ortskirchen und der Kirche im Ganzen dar." He cites the Second Vatican Council's *Decree on Ecumenism* (*Unitatis Redintegratio*) 2–4, http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_decree_19641121_unitatis-redintegratio_en.html.

text of faith, the council leaves the specifics to future generations, thus making the faithful reader integral to the text's performance.

We can now use as a foil the hermeneutical approach embodied in but not exclusive to the formidable German theologian Otto Hermann Pesch, whose 1993 book on the council bridges the wave of scholarship in the 1980s with the more recent work mentioned in the opening notes. Pesch employs a hermeneutic of suspicion when offering guidelines for interpreting the council, especially when treating the so-called compromise texts. Relying on Max Seckler, Pesch notes in his rules for interpreting Vatican II that one must reckon with "contradictory pluralism" when wading through the different compromises in the text.⁴⁶ Pesch recalls two types of compromise often found in the statements from church councils: factual compromise and dilatory compromise (*Sachkompromiss* and *dilatorische Kompromiss*). The former is a compromise that aims at the lowest common denominator, while the latter aims at a statement that rejects neither of the two debated positions.⁴⁷ Pesch argues that Vatican II did something that no other council had done: it included statements from the two camps that in fact contradicted one another.⁴⁸ The council majority settled for such compromises—indeed the minority at several points achieved, through "unfair *Tricks*," a last-minute insertion of a contradictory phrase—in order to get the highest number of votes possible. These unseemly realities lead Pesch to conclude that there was indeed a reforming "spirit" at the council that was more zealous than sometimes indicated by the council's letter.⁴⁹

Hünemann's hermeneutic opens a different horizon for understanding the compromise texts from within. In agreement not only with Pesch but also with O'Malley, Rush, and Alberigo, he considers it significant that Vatican II did not define doctrines or issue anathemas. Instead, it was a pastoral council. Yet, *pace* Rush, merely calling it pastoral "does not *name* the

⁴⁶ Otto Hermann Pesch, *Das Zweite Vatikanische Konzil: Vorgeschichte—Verlauf—Ergebnisse—Nachgeschichte* (Würzburg: Echter Verlag, 1993), 148–60. Pesch cites Max Seckler, "Über den Kompromiss in Sachen der Lehre," in *Im Spannungsfeld von Wissenschaft und Kirche*, ed. Seckler (Freiburg im Breisgau: Herder, 1980), 99–103. It should be noted that Pesch's principles hardly embody the hermeneutic of rupture. For instance, his first hermeneutical principle states that one cannot interpret any council as fundamentally opposed to the church's tradition (Pesch, 149).

⁴⁷ Pesch, *Das Zweite Vatikanische Konzil*, 151–52; for an English summary, see Rush, *Still Interpreting Vatican II*, 28.

⁴⁸ After pointing to some of the typical examples of "contradictions"—democratic vs. hierarchical definitions of the church, episcopal collegiality vs. papal power, *sensus fidelium* vs. the magisterium—Pesch pithily asserts, "Logische Risse!" (Logical cracks!) (*Das Zweite Vatikanische Konzil*, 153).

⁴⁹ Pesch, *Das Zweite Vatikanische Konzil*, 160.

specific genre of the text.”⁵⁰ Identifying the council text as constitutional enables Hünermann to draw the parallel to modern states, which often achieve seemingly contradictory compromises.⁵¹ Take for instance the Constitution of the United States, which holds in tension a population-based logic and a state-based logic when it ordains two senators to each state regardless of size, yet members of the House are accorded strictly on the basis of number of citizens. This solution was amenable to populous and less populous states. This point makes it plausible to conceive how the insertions made by the minority do not dilute these texts. The minority voice exists in the texts because constitutional texts allow for such voices.

Most interpreters of Vatican II aiming to implement a hermeneutic of the “reader” or of the “receiver” focus on conciliar developments that lean in a certain direction; examples would include the new liturgical music, lay movements, and the emergence of liberation theology. Hünermann in no way denies the legitimacy of these developments.⁵² It is interesting, however, that he gives the 1983 Code of Canon Law as an example of implementation. As a constitutional text, Vatican II was not charged with laying out all of the implications for its new vision; he notes that “the council Fathers were aware that it was not their task to spell out the canonical implications of their statements.”⁵³ Yet as a text that provided a new fundamental orientation for believers (albeit in continuity with the faith of the fathers), Vatican II compelled the church to reformulate the 1917 Code. As Yves Congar famously noted, the old Code made virtually no reference to the laity.⁵⁴ As much as the council found the old Code deficient, it could only point to the need for

⁵⁰ Hünermann, “The Ignored ‘Text’,” 121. For the remark, see Rush, *Still Interpreting Vatican II*, 36. Rush cites Karl Rahner, who notes, “At least in *Gaudium et Spes* the Council adopted spontaneously a mode of expression which had the character neither of dogmatic teaching valid for all time nor of canonical enactments, but was perhaps to be understood as the expression of ‘instructions’ or ‘appeals.’” Rahner was perhaps the first theologian to identify the “pastoral” quality as significant. See Karl Rahner, “Basic Theological Interpretation of the Second Vatican Council,” in *Theological Investigations*, vol. 20: *Concern for the Church*, trans. Edward Quinn (New York: Crossroad, 1981), 89.

⁵¹ Hünermann, “The Ignored ‘Text’,” 128.

⁵² Hünermann’s vociferous defense of Juan Sobrino following the CDF’s critique of him may be the instance most likely to have caught the American theological community’s attention. See Peter Hünermann, “Moderne Qualitätssicherung? Der Fall Sobrino ist eine Anfrage an die Arbeit der Glaubenskongregation,” *Herder Korrespondenz* 61 (April 2007): 184–88.

⁵³ Hünermann, “Der ‘Text’,” 14: “Die Konzilsväter waren sich bewusst, dass die kirchenrechtliche Umsetzung ihrer Aussagen nicht ihre Aufgabe war.”

⁵⁴ Yves Congar, *Jalons pour une théologie du laïcat* (Paris: Cerf, 1954).

a new Code.⁵⁵ The new understandings of the church as the people of God, the priestly ministry of the laity, and the new manner of relating to non-Catholics not only suggested but practically demanded a new Code. That John XXIII suggested the revision, Paul VI began it, and John Paul II saw it to its completion indicates how the popes, as faithful readers of the council, were true to its “spirit” by overseeing the creation of a new Code.

Hünemann’s hermeneutic also puts in proper context the task of “source criticism” that has occupied so many scholarly investigations of the council. Such a criticism researches where insertions occurred, where original drafts were cut short and new emendations added. It also seeks to show which bishops and *periti* made these insertions, and whose original drafts were rejected. This approach can often lead to a “heroes and villains” version of the council’s history. Hünemann sees a place for this source criticism—indeed he engages in it in the earlier volumes of *Herders theologischer Kommentar*—yet this kind of criticism is outflanked in his commentary by what one might call a “canonical critique.” Hünemann asserts that, as a constitutional text, “Vatican II is a communal product. What it seeks to say, transmit, and effect cannot be reduced to the intention of individual authors.”⁵⁶ To interpret the council properly, one must do more than a source criticism of the sixteen conciliar texts.

Hünemann’s hermeneutical strategy, however, does not totally abandon authorial intent. As a constitutional text written over four years, and in preparation since 1959, Vatican II affected not only its post-1965 audience, but also its pre-1965 audience, indeed its very authors. Blessed John XXIII intended for the council to give to modern believers a fundamental orientation for living out the faith. In their time at the council, the fathers gradually learned what it meant to participate in a “Constitutional Convention of Faith.” They learned this not only from the opening address by Blessed John, but also through the debates of the first period, especially the debate on what would eventually become *Sacrosanctum Concilium*. Citing one of the speeches by the head of the liturgical commission, in preparation for introducing a draft of *Sacrosanctum Concilium*, Hünemann notes, “This speech determined the horizon in which the questions of the council would be considered: the matter at hand concerned the general meaning of the fundamental rule of relations in the life of the Church, and also in relation to the ecumenical

⁵⁵ For these points, see Hünemann, “Der ‘Text,’” 30, 34, 51.

⁵⁶ Hünemann, “Der ‘Text,’” 19: “Der Text ist ein Gemeinschaftswerk. Das, was er sagen, mitteilen, bewirken will, seine Intention lässt sich nicht von einzelnen empirischen Autoren her bestimmen.”

situation and to the task of the church to evangelize the world.”⁵⁷ Therefore the proposed schema on revelation and its sources (*De fontibus revelationis*) would have to be rethought, as would the schema on the church, insofar as many had assumed that Vatican II would simply reestablish the supreme authority of the Roman pontiff and would anathematize those who did not accept such a position. The council fathers could not create such texts, because that is not the kind of texts that constitutional texts are.

It is worth recalling certain events of the council in order to establish a new hermeneutic of it. In his analysis of Cardinal Augustin Bea’s role, Hünemann demonstrates how reading the history of the council within the constitutional horizon explains the process of transformation that the council fathers underwent. He recalls how John XXIII’s 1960 Pentecost sermon affected Bea’s understanding of what the council was tasked with doing. The famous sermon reflected on the “speaking the truth in love” of Ephesians 4:15 and helped Bea form a notion of what a “pastoral council might imply.”⁵⁸ Bea used this text as a touchstone for his work on the decrees dealing with non-Catholic Christians (*Unitatis Redintegratio*) and religious freedom (*Dignitatis Humanae*), emphasizing that the truth of conviction cannot be separate from the love command. Although particular events that influenced the council fathers may seem marginal to the question of interpreting the council texts, Hünemann shows that the council fathers actually learned something while in Rome, and in this way began the process of *Wirkungsgeschichte* of the text.⁵⁹ Hünemann goes so far as to call the council a *Bildungsgesellschaft*,⁶⁰ where bishops learned from theologians

⁵⁷ Hünemann, “Der ‘Text’,” 31: “Hier wird zunächst der Horizont bezeichnet, in welchem die Fragen des Konzils zu behandeln sind; es geht um die allgemeine Bedeutung fundamentaler Sachverhalte im Leben der Kirche, in Bezug auf die ökumenische Situation und in Bezug auf die Evangelisierungsaufgabe der Kirche in der Welt.” He cites the *Acta et documenta concilio oecumenico Vaticano II apparando*, series II (Vatican City: Typis Polyglottis Vaticanis, 1964–1995), II/III 2, 10.

⁵⁸ Hünemann, “Der ‘Text’,” 32–34.

⁵⁹ Both Rush and Pottmeyer make similar points. For Rush, see “Toward a Comprehensive Interpretation of the Council and its Documents,” *Theological Studies* 73 (2012): 547–69, at 550, where he writes: “Over time, the conciliar assembly ‘learned’ to be a council. Along the way it received into its thinking and its documents its own earlier documents. The bishops developed in their thinking, such that their later documents show development over the earlier ones. . . .” Pottmeyer writes: “A development is discernible both in the overall history of the Council’s work and in the history of the individual texts: a development, over the course of four years, in the council fathers’ level of theological formation, in their understanding of one another’s positions, and in their awareness of the problems” (Pottmeyer, “A New Phase,” 39–40).

⁶⁰ Hünemann, “Der ‘Text’,” 74.

and deepened their knowledge of the tradition and Scripture through the discussions of the different texts. The manner of communication that the council employed allowed for an exchange of ideas and for learned refutation, all of which contributed to the transformation of its participants. One can observe this transformation by comparing the responses to the questionnaire sent to the bishops before the council began with the actual documents that the council produced.⁶¹

A constitutional text is effective only if it encounters creative “readers” who implement it. Hünemann does not restrict this readership to the laity or the people of God. Its creative readership includes “the pope and the curia, who carry out their tasks in the spirit [*Sinne*] of the council, the bishops, who are conscious of their ecclesial responsibility and mission,” as well as “the people of God, [who] interiorize their own dignity and adopt a corresponding way of being.”⁶² The texts present themselves to their reader with the expectation that they transform her. In this Gadamerian “fusion of horizons,” the reader now reads everything else differently. One foresees here a new way of reading the “texts of terror” for Jews, especially in Matthew and John, that puts them into conversation not only with Romans 9–11, but also with the entire Hebrew Bible.

Reading the texts in this manner leads Hünemann—in agreement with O’Malley—to insist that style matters. Significantly, Vatican II does not end in judgments but rather in an invitation to realize its truth.⁶³ The constitutional genre requires that the community of believers engage in a continual, critical dialogue with the text as a way to realize the mutual recognition into which the text invites believers.⁶⁴ In contrast to a text that offers a categorical judgment, “a constitutional text of faith invites the reader in a different manner. It demands an assent. . . . This assent cannot be given with a mere

⁶¹ For an account of the responses to the questionnaire, see O’Malley, *What Happened at Vatican II*, 18–20.

⁶² Hünemann, “Der ‘Text’,” 15: “Auch sie implizieren den kreativen ‘Leser,’ d.h. Papst und Kurie, die im Sinne des Konzils wirken, Bischöfe, die sich ihrer kirchlichen Verantwortung und Sendung bewusst sind, ein Volk Gottes, das seiner Würde inne ist und die entsprechenden Lebensformen hervorbringt.”

⁶³ Hünemann, “Der ‘Text’,” 84–85. O’Malley writes: “Style is the ultimate expression of meaning. It does not adorn meaning but is meaning. It is the hermeneutical key par excellence” (O’Malley, *What Happened at Vatican II*, 49).

⁶⁴ Neil Ormerod seems to be getting at this point when he writes: “At the practical level we have seen major reviews of canon law, of seminary and religious life, and so on. While the soundness of some of these might be questioned, they must be located against the background of the dynamic process that Vatican II sanctioned” (Ormerod, “‘The Times They Are A-Changin’: A Response to O’Malley and Schloesser,” in Schultenover, *Vatican II*, 173).

‘yes’ or ‘no.’ Assent in this case means an engagement with the text.”⁶⁵ Unlike decrees that end in judgments, where a mere yes or no suffices, the constitutional text of Vatican II requires a different kind of obedience.⁶⁶

In this sense, Vatican II does signal a break from the recent tradition of mid-twentieth-century ecclesial life. Like the Bible, but always in subordination to it, it requires a kind of *lectio divina* in an effort to see in what ways it can be concretized and lived out.⁶⁷ Sometimes this enactment means asking forgiveness of the Jewish people for the sins of the church; other times it means calling for the representatives of the world’s religions to pray together at Assisi. It can also result in a deliberate decision to question radically what it means to be in relationship with the poor, which might result in the formation of base communities, or solidarity with those on death row. In assenting to a constitutional text of faith, a reader must do more than memorize a few points or slogans. “Throughout every level of the Church there is required, instead, a continuous dialogue and engagement, and a corresponding thinking through of the consequences of this text.”⁶⁸ The enactment of Vatican II has been taking place for over fifty years. One hopes that fidelity to the church in the next fifty years, in relationship to the interpretation of the council, will consist not so much in a conservative or a progressive “burrowing in,” but rather in a creative enactment as imagined by Hünemann.

Such a hermeneutic implies a real conversion and must ultimately be preferred to the hermeneutic of reform, because the former is more ambitious than the latter. A hermeneutic of reform, even if true in exactly the way that Pope Benedict describes it, still takes as its primary task a way of mediating between different degrees of continuity and discontinuity. Hünemann’s hermeneutic, on the other hand, holds out for a deeper and more permanent reform based on a refinement through a radical appropriation. The best way for the faithful to interpret the council is to be converted by it.

⁶⁵ Hünemann, “Der ‘Text’,” 85: “Ein konstitutioneller Text des Glaubens hingegen beansprucht den Leser bzw. den Angesprochenen in einer ganz anderen Weise. Auch hier ist eine Zustimmung gefordert. Dazu wird der Text ja vorgetragen. Diese Zustimmung aber kann nicht einfach mit einem Ja oder Nein gegeben werden. Zustimmung meint hier ein Sich-Einlassen auf den Text.”

⁶⁶ Hünemann makes this point in “Der ‘Text’: Eine Ergänzung,” 358.

⁶⁷ In a later article Hünemann references the work of the linguistic philosopher Konrad Ehlich, who thematizes a *text* as “essentially an instance of mediating the formation of tradition” (“Der ‘Text’: Eine Ergänzung,” 342).

⁶⁸ Hünemann, “Der ‘Text’,” 85: “Man braucht vielmehr auf allen Ebenen kirchlichen Lebens einen fortgehenden Dialog, eine fortgehende Auseinandersetzung und ein entsprechendes Durchdenken dieses Textcorpus.”