

CHAPTER VIII ACTIVE AND OBJECTIVE TRADITION

The distinction between active and objective tradition can be traced back to Franzelin. He makes the distinction in his Tractatus de divina traditione. There he writes, in the exposition of thesis I, that the objective sense of tradition refers to that which is handed down, doctrines or institutions transmitted by our ancestors.¹ The active sense of tradition, on the other hand, refers to the process by which tradition is handed on. It includes the whole series and complex of actions and means by which doctrine, whether theoretical or practical, is propagated and transmitted to us.² Doctrines and institutions form objective tradition. Active tradition is composed of the acts and the means which bring objective tradition to us. The acts refer to a process; the means signify an institution by which the acts are accomplished. It is remarkable that the term objective tradition is counterposed to active tradition. One might expect the corresponding term to be passive tradition, rather than objective tradition. This is a point we shall take up later.³ For the present, it suffices to see the basis of the distinction between something handed on and the act of handing it on.

The distinction between active and objective tradition has been described so often by Catholic theologians since Franzelin that it has become, in Mackey's word, axiomatic.⁴ It is an axiom because the theologians of the period between the two Vatican councils found it worthy of general acceptance. It is not axiomatic, however, if by that we mean self-evident. As it shall become clear, the distinction between active and objective tradition is not without difficulties.

VIII.1. Active Tradition: The Formal Element

The first of these difficulties arises when active tradition is defined as the formal element of tradition. That Franzelin made such an identification is clear from the structure of his Tractatus. The two chapters of the book's first section refer, in their titles, to the formal element or *formalis ratio*, which can be seen in the way Christianity or the Church has been constituted. One cannot regard tradition in its fullness, according

¹ "Sensu *obiectivo* traditio est id ipsum, quod traditum est, doctrina vel institutum a maioribus transmissum." Johannes Baptist Franzelin, Tractatus de divina traditione et scriptura (Rome: Sacred Congregation of the Propagation of the Faith Press, 1870), p. 11.

² "Actus ipse sive potius tota series et complexus actuum ac mediorum, quibus doctrina sive theoretica sive practica ad nos usque propagata est et tradita, vocatur traditio significatione *activa*." Franzelin, p. 12.

³ See the section below entitled "Franzelin's Insistence on the Independence of the Remote Rule."

⁴ Mackey, p. x.

to Franzelin, without due attention to the mode of tradition by which it is made active and which gives it form. Franzelin spells this out in his exposition of thesis I:

If tradition is therefore to be seen more completely, it must always be considered *in its context, an object*, that is, *with a mode of being handed down*, just as matter with its form; because otherwise its conservation, integrity, power and authority could not be duly explicated or understood, since all these things depend on the mode of tradition or on active tradition, which will become clear as the argument unfolds.⁵

Here we see the parallel elements by which Franzelin defines tradition. It is matter with a proper form, an object in an active mode. Matter is to form as object is to act. The object or matter of tradition can not be seen properly, and cannot be preserved in its fullness, without the form which activates it. Franzelin emphasizes this formal element. The necessity for that emphasis became progressively clear to the Church, he adds, in the deliberations of the Council of Trent. There the council fathers agreed that the purity of the Gospel is contained in Scriptures and in unwritten traditions, which have been preserved in the Catholic Church through a continuous succession.⁶ This succession refers to the ecclesiastical magisterium, which promulgates traditions with authority. Its actions are indispensable to that “object” which is tradition. They constitute its formal element. Without the activity of the magisterium, tradition would be incomplete: mere matter, so to speak, without authoritative form.

VIII.1.A. Problems Posed by Scholastic Terminology

The identification of active tradition with tradition’s formal element, however, poses problems. They arise because the distinction between matter and form, even in the scholastic atmosphere which Franzelin’s work breathes, is not perfectly appropriate to a discussion of tradition. In the first case, it can suggest that objective tradition is limited to the concrete material of tradition, to its monumental expressions. In the second case, if active tradition is the form which defines the raw material of objective tradition, then one might conclude that objective tradition does not exist independently of the authority which gives it definitive form.

⁵ *Plenius igitur si traditio spectatur, considerari semper debet in complexu, obiectum videlicet cum modo traditionis velut materia cum sua forma, quia secus eius conservatio, integritas, vis et auctoritas rite explicare et intelligi nequit, cum haec omnia a modo traditionis seu a traditione activa pendeant, ut in disputationis progressu apparebit.* Franzelin, p. 12.

⁶ Henry Denzinger, ed., *Enchiridion Symbolorum: definitionum et declarationum de rebus fidei et morum*, edited after the editions of Clemens Bannwart and Joannes B. Umberg by Karl Rahner, 30th ed. (Freiburg in Breisgau and Barcelona: Herder, 1955), par. 783, p. 279. Translation: *The Sources of Catholic Dogma*, trans. Roy J. Deferrari from the 30th edition of Henry Denzinger’s *Enchiridion Symbolorum* (London and St. Louis: B. Herder Book Co., 1957), p. 244. This text will be examined more closely in the section below entitled “The Tridentine Decree.”

Let us begin with the first case. The distinction between form and matter is usually applied, in scholastic thought, to what are called material, rather than spiritual, substances. If Franzelin were speaking only of the monuments of tradition, its concrete manifestations, the terms form and matter might be unobjectionable. But tradition is a living thing, one can say, a force which merely finds expression in its monuments.⁷ It is what scholastics would call a spiritual as well as a material substance. “In a spiritual substance there is a composition of potentiality and act and, therefore, of form and matter, only if every potentiality is called matter and every act is called form,” as St. Thomas wrote; “but according to the ordinary use of the terms this is not the proper expression.”⁸ Form and matter are not, strictly speaking, the correct terms to apply to the spiritual good which is tradition. Within a scholastic framework, act and potentiality would be better. To be sure, the form-matter distinction is permissible when one speaks metaphorically of spiritual things. But such metaphoric usage might suggest that objective tradition is identical with its monuments. Such a suggestion is to be avoided. Franzelin, it must be said, does not make that identification.⁹ He recognizes that tradition cannot be confined to its monuments, that is, to what Thomas would call a material substance. But Franzelin’s language might be interpreted otherwise. For that reason, his attention to the formal-material distinction raises a second issue: can tradition be said to exist without reference to that which gives it form?

⁷ Matthias Joseph Scheeben, for example, a student of Franzelin, distinguished between living tradition and its forms of appearance or expression. See his Gesammelte Schriften, ed. Josef Höfer, 7 vols. (Freiburg in Breisgau: Verlag Herder, 1959), vol. III: Handbuch der katholischen Dogmatik, first book: Theologische Erkenntnislehre, 3rd ed., edited with an introduction by Martin Grabmann, with a forward to the Handbuch der Dogmatik by Josef Höfer. Sections 22 and 23 treat the “Erscheinung” or “Erscheinungsformen” of tradition, and section 25 distinguishes between the “Ausdruck” of tradition in documents, and living tradition itself. Scheeben will be treated at greater length in the section below entitled “Pre-History in Newman and Scheeben.

⁸ “[E]t sic in substantia spirituali est compositione potentiae et actus, et per consequens formae et materiae; sic tamen omnis potentia nominetur materia et omnis actus nominetur forma. Sed tamen hoc non est proprie dictum secundum communem usum hominum.” St. Thomas Aquinas, De spiritualibus creaturis, in P. Bazzi, M. Calcaterra, T. S. Centi, E. Odetto, and P. M. Pession, eds., Quaestiones disputatae, 8th ed. revised, 2 vols. (Rome and Turin: Marietti, 1949), 11.371 (art. 1, resp.).

One of the reasons why Thomas does not mention tradition as a source of theological doctrine is that the starting-point of theology is revelation and its auctoritas. Since all auctoritas is written, in his thought, Thomas had no recourse to tradition as an authority to explain doctrine. See G. Geenan, “The Place of St. Thomas,” The Thomist 15 (1952): 110-135, esp. pp. 128-129.

⁹ See Franzelin, pp. 127-139.

This question must be understood in reference to the ecclesiastical magisterium. Franzelin distinguishes between tradition, on the one hand, and Scripture and the monuments of tradition, on the other, in order to insist that what makes doctrine into tradition is the activity which preserves and propagates the doctrine. This is clear in thesis XI of the treatise De divina traditione. There Franzelin gives his definitive description of tradition:

The universal doctrine of the faith, insofar as it is conserved through the assistance of the Holy Spirit to whom it is entrusted, according to the consensus of the guardians and through the divinely instituted teachers, and is revealed in the profession and life of the entire Church, is divine tradition in the most proper sense.¹⁰

Tradition is not the universal doctrine alone. One can call the doctrine tradition only insofar as it is properly conserved. The means of conservation are the guardians and divinely instituted teachers, the ecclesiastical magisterium. Through their perpetual assertion of true doctrine,¹¹ the profession and life of the whole Church can be known with precision. Through their assertions the meaning of the deposit of faith and of revealed doctrine can be verified.¹² To put the matter in scholastic terminology, it is the activity of the magisterium which provides material tradition with its indispensable form.

But neither matter nor form have being in themselves, according to scholastic thought. Being, as Thomas wrote in his commentary on the Sententiae of Peter Lombard, belongs only to the composite of matter and form.¹³ To speak of tradition as an object, following Franzelin, in terms of matter with its form, might suggest that tradition has no being apart from the form which the magisterium gives it. One could then define tradition as a kind of matter which only participates in actual existence through the form which the magisterium imposes. Without the magisterium, tradition would have no real being.

¹⁰ “Doctrina fidei universa, quatenus su assistentia Spiritus Sancti in consensu custodum depositi et doctorum divinitus institutorum continua successione conservatur, atque in professione et vita totius Ecclesiae sese exserit, sensu maxime proprio divina est traditio.” Franzelin, p. 87.

¹¹ Ibid., sec. III, th. Xxi, p. 225.

¹² Ibid, sec. IV, th. xxv, p. 254.

¹³ “[M]ateria autem non habet esse, sed compositum ex materia et forma.” St. Thomas Aquinas, Scriptum super libros Sententiarum, ed. R.P. Mandonnet (vols. 1-2) and Maria Fabianus Moos (vols. 3-4), 4 vols. (Paris: P. Lethielleux, 1929-1947), 1.229 (dist. VIII, q. v, art. 2, solutio).

Franzelin, however, stops short of this complete identification of tradition with the magisterium. In his exposition of thesis XI he makes clear that tradition is both an object and an act, in which reference to the magisterium is necessary but not constitutive:

The divine doctrine and discipline, conserved and propagated from the apostles onward, if it is considered together with the mode and organ of propagation which, founded by Christ himself, as distinct from the means of Scripture, this is and ought to be called divine tradition in the most proper sense.¹⁴

Doctrine and discipline form the objective element. Conservation and propagation form the active element. The “organ of propagation,” the magisterium, is an adjunct consideration. The elements in Franzelin’s strict definition of tradition are “the teaching activity and the truth taught,” according to Mackey, “with a necessary reference to the body which teaches but which is not part of the strict definition.”¹⁵ One cannot invoke Franzelin to show that the magisterium alone constitutes tradition. He confines its role to active tradition. But because he equates active tradition with the formal element in his definition, he could be taken as suggesting that objective tradition is, in scholastic terminology, a material substance, matter which has no being apart from the form which the magisterium provides. This would be a mistake. Objective tradition is not analogous to matter in the way that active tradition is analogous to form.

VIII.1.B. Tradition and Magisterium

Not all of the theologians of the modern period were as reluctant as Franzelin to identify tradition with the ecclesiastical magisterium. This can be defined for present purposes as that body in the Catholic Church which succeeds the apostles as authoritative teachers. The French Jesuit, Jean Vincent Bainvel (1858-1937), for example, taught that the magisterium is not only the source, organ, and criterion for the truth of revelation, but also that it can be identified with the Church insofar as the Church is a *locus theologicus* or source of theological knowledge.¹⁶ The opinion of Hermann Dieckmann (1880-1928), a German and a Jesuit, provides another example. He believed that ecclesiastical tradition and the magisterium can be identified. Between the terms of his equation, tradition and magisterium, he inserted only the parenthetical qualification that the

¹⁴ “Atqui doctrina et disciplina divina inde ab Apostolis conservata et propagata, si consideretur una cum modo et organo propagationis, quod ab instrumentis Scripturae distinctum ac diversum a Christo ipso est institutum, divina traditio est ac dici debet sensu maxime proprio.” Franzelin, sec. I, tho xi, pp. 89-90.

¹⁵ Mackey, p. 10.

¹⁶ “Ecclesia magisterium ita est fons, organum, criterium veritatis revelatae ut cetera eo referantur et inde sint probanda. Est ergo Ecclesia [sic] quodammodo unicus locus theologicus sive definitorum sive non definitorum.” Jean Vincent Bainvel, De magisterio vivo et traditione (Paris: Gabriel Beauchesne & Cie, 1905), thesis VII, p. 56.

magisterium is tradition in action, and thus in the concrete.¹⁷ August Deneffe, another German Jesuit, took issue with Dieckmann. He posed the question of whether tradition is the presupposition of ecclesiastical teaching, or is in some sense the teaching itself. Dieckmann, before his death in 1928, persuaded Deneffe of the latter position. Deneffe could then make the following point: just as one, looking at a jug which contains wine, can reasonably say that it is wine, so can one point to the magisterial teaching office as tradition.¹⁸ And eleven years before the Second Vatican Council, Walter J. Burghardt drew a similar conclusion. “The contemporary, twentieth-century theology of tradition,” he wrote in 1951, “insists upon identifying tradition properly so called and magisterium.”¹⁹ In the thought of these men, the magisterium and its actions form a unity. None of these theologians made the distinction of Franzelin between the active element of tradition (the activity of the magisterium) and the body which performs the activity. In terms of Franzelin’s classical distinction, it is not the magisterium which is equivalent to active tradition, but the teaching of the magisterium. That teaching can be expounded by others, not members of the magisterium. This allows a wider body to participate in active tradition. The theologians cited above failed to see this, or saw it only indistinctly.

VIII.2. The Remote and Proximate Rules of Faith

All of them, however, linked the concept of tradition with the *regula fidei* or rule of faith. This term has referred, since the patristic age, to the truth of the Church’s teaching of the Gospel of Jesus Christ, particularly to its fixity and immutability.²⁰ Irenaeus called it the κανόνα της αληθείας or canon of truth.²¹ He taught that the Christian who holds firmly to the canon, which is received at Baptism, will be able to

¹⁷ “Ergo *traditio ecclesiastica* est (proxime actus, dein in concreto) illa persona, sive physica sive moralis, quae et quatenus auctoritate Christi doctrinam Christi annuntiat, cui proinde Christus munus magisterii sui contulit.” Dieckmann, 11.29, par. 669.

¹⁸ “Wie man nun auf einen Krug, der We in enthält, hinweisend sagen kann: das ist Wein, so kann man auch das Lehramt als die Tradition bezeichnen.” August Deneffe, Der Traditionsbegriff. Studie zur Theologie, Münsterische Beiträge zur Theologie, hrsg. von F. Diekamp und R. Stapper, vol. 18 (Münster in Westf.: Aschendorffsche Verlagsbuchhandlung, 1931), p. 103.

¹⁹ Walter J. Burghardt, “The Catholic Concept of Tradition in the Light of Modern Theological Thought,” in the Catholic Theological Society of America, Proceedings 6 (1951): 42-75, p. 44 cited here.

²⁰ Damien van den Eynde, Les normes de l’enseignement chrétien dans la littérature patristique des trois premiers siècles (Gembloux: J. Duculot; and Paris: Gabalda & Fils, 1933); see chapter 7, “La règle de la vérité,” esp. p. 312.

²¹ Irenaeus of Lyons, Contra Haereses, I, 9, 4, in Jacques-Paul Migne, ed., Patrologiae cursus completus, Series Graeca, 161 vols. In 166, (Paris: Petit-Montrouge, apud J.-P. Migne, 1857-1866), vol. 7, sections 46-47, cols. 545-548.

discern the true and false use of Scripture. Tertullian gave the rule of faith its Latin name. It is the teaching of Christ, he said, and it exposes heresies for what they are.²² The rule of faith measures what Christians believe, and is identical with that belief. Because it refers to that truth within which the true interpretation of Scripture takes place, one can easily understand why Catholic apologists found it useful for describing the role of tradition. Like the ancient rule of faith, which enabled the ante-Nicene fathers to discern the misuse of Scripture by the early heretics, tradition enables the magisterium to discern the errors of those who would turn Scripture against the Church.

But the theologians of the period between the two Vatican Councils did not simply equate tradition with the rule of faith. They introduced a distinction by which the rule could be seen as proximate or remote. The proximate rule of faith corresponds to active tradition; the remote rule corresponds to objective tradition. This was a departure from the ancient understanding of the rule. For the ante-Nicene fathers, the rule of faith did not refer to a criterion or guarantee of truth apart from the truth itself. In this ancient view, the pastors or magisterium guard the rule of faith, but are not, strictly speaking, a part of it.²³ For the theologians of the modern period, however, the magisterium is included within the rule of faith. As the agent of active tradition, the magisterium and its teaching comprise the rule's proximate aspect. For these theologians, the proximate aspect of the rule is even more important than the remote aspect. Bainvel, to take one instance, taught that the monuments of tradition, which constitute the remote rule, are necessary but subordinate to the magisterium.²⁴ Dieckmann used the terms "immediate" and "objective" instead of proximate and remote. In his opinion, the magisterium, as the "regula fidei immediata," conserves, transmits, and explains Christian truth, the "regula fidei sensu obiectivo."²⁵ Deneffe, who found Dieckmann so persuasive, opined that the remote rule of faith can only be called tradition in a secondary sense. The monuments of tradition, he argued, are only a means by which one attains the rule's proper end, the infallible preaching of the magisterium. Within this preaching one can distinguish constitutive tradition, which began with the apostles, and continuative tradition, by which the original deposit is transmitted. Constitutive and continuative tradition together, in his opinion, comprise the proximate rule of faith, tradition in the primary sense.²⁶ For these

²² Quintus Septimus Florens Tertullianus, *De praescriptione haereticorum*, chap. 14, in J.-P. Migne, ed., *Patrologiae cursus completus, Series Latina*, 221 vols. in 212 (Paris: excudebat Migne, 1844-1891), vol. 2, col. 27. In more recent editions of Tertullian, the passage in question is placed in chapter 13. See the edition by R.F. Refoule in *Corpus Christianorum, Series Latina*, 176 vols. (Turnhout, Belgium: Brepols, 1954 (i.e., 1953-1954)), 1.198.

²³ Congar, 1.145; translation, pp. 27-28.

²⁴ Bainvel, chap. II, thesis viii, p. 58.

²⁵ Dieckmann, 11.34, par. 677.

²⁶ "1. Tradition im Hauptbegriff ist die lebendige, unfehlbare kirchliche Glaubensverkündigung, die mit den Aposteln begann (traditio constitutiva) und von ihren

theologians, the rule of faith embraces, as does tradition itself, an active and an objective element. The active is more important. As the teaching of the magisterium which makes the rule of faith proximate, the active element authenticates the objective element, the remote truth which the apostolic generation bestowed.

VIII.2.A. Billot's Denial that Objective Tradition Is Part of the Rule

There was a school of thought, however, which objected to the distinction between the active and objective element of the rule of faith, as described above. Such a distinction, it was argued, leads to the inference that the objective rule of faith – the ancient truth – could exist independently of its active presence in the contemporary preaching of the Church. The magisterium's role was emphasized in this school to such a degree that the remote rule of faith, usually identified with objective tradition, was denied an independent existence. Instead it was said to be a mode of active tradition, one aspect, with the proximate rule, of the magisterium's preaching. This is the position of the Jesuit theologian and cardinal, Louis Billot (1846-1931). In his work, De immutabilitate traditionis contra modernam haeresim evolutionismi, he defined the rule of faith as tradition in the formal sense, that is, the Church's preaching. Because the notion of objective tradition suggested to him a source of doctrine distinct from the perennial teaching of the Church, he denied that objective tradition could be a rule of faith.²⁷ Billot did employ the term "remote rule of faith." But it did not mean to him what it meant to earlier theologians, that is, a truth which could be considered without reference to the ecclesiastical body which teaches it in the present with authority. For Billot, "remote" does not mean "remote from the contemporary magisterium." The remote rule of faith indicates rather two things: (1) the magisterial preaching when considered in terms of the intervening years of the preceding period upon which it depends, and (2) the means by which it is always continued, along with the teaching of those who were the first and immediate preachers, the apostles.²⁸ Remote and proximate do not, in sum, refer to different rules of faith. Remote suggests the antiquity of the magisterium's preaching, while proximate suggests its authority. In neither case does the rule of faith, or tradition, have an existence independent of the Church's contemporary teaching.

Nachfolgern mit derselben Autorität fortgesetzt wird (traditio continuativa). Diese Tradition ist nächste Glaubensregel.

"2. Tradition im abgeleiteten Sinne sind die im Laufe der Zeit entstandenen und entstehenden Denkmäler der kirchlichen Lehrverkündigung, aus denen die geschehene Glaubensverkündigung erkennbar ist. Diese Tradition kann entfernte Glaubensregel genannt werden, insofern sie ein Mittel ist, die nächste Glaubensregel, nämlich die kirchliche Lehrverkündigung, zu erkennen." Deneffe, pp. 1-2.

²⁷ Louis Billot, De immutabilitate traditionis contra modernam haeresim evolutionismi, 4th ed. (Rome: apud aedes universitatis Gregorianae, 1929), chapter I, par. 2, footnote, p. 23.

²⁸ "Primo quidem, in interpositis antecedentium aetatum annulis a quibus pendet, et quibus mediantibus semper continuatur cum praedicatione eorum qui primi et immediati fuerunt verbi revelati promulgatores." Billot, chap. I, art. 3, sec. 4, p. 33.

The significance of Billot's doctrine lies in what can be called its epistemological realism. He saw clearly that the rule of faith can only be known insofar as it is applied. Application does not take place apart from those who perform it. If one wants to know what the rule of faith is, one must inquire of those who apply it. For Billot, the application of the rule is the task of the magisterium. His opinions found favor among advocates of a monarchial model of the Church and papacy. Indeed, his views on tradition continued to enjoy a certain currency throughout the period up until the Second Vatican Council. Burghardt, for example, enthusiastically praised Billot's teaching on the rule of faith, affirming that objective tradition is not the rule but the object of faith.²⁹ It is not a criterion for judging the pronouncements of the magisterium, but can be equated with the pronouncements themselves.

The doctrine of Billot, identifying tradition with the teaching of the magisterium and with the rule of faith, can also be called an advance in consistency.³⁰ He affirmed what is not explicitly taught by other theologians, namely, that tradition does not exist apart from magisterial teaching. To this alone, Billot claimed, one looks for the rule of faith. This seems to follow from the pre-eminent role accorded to the magisterium. But it is perhaps an indication of the extremism of the French prelate's views that, in connection with the condemnation by Pius XI in 1927 of the pro-monarchial *Action Française*, Billot was, in the delicate phrase of J. Galot, "persuaded to renounce his cardinalial dignity."³¹ Even ecclesiastical authorities, who would seemingly benefit most from a monarchial theology, felt that Billot was going too far. Three objections to this doctrine of tradition can be easily made. First, the equation of tradition with the magisterium implicitly denies the role of the rest of the Church as bearers of tradition. Second, the doctrine introduces a formal principle or criterion of truth, the magisterium, into the definition of the rule of faith. A distinction between the criterion for the truth and the truth itself departs from the ancient belief about the rule of faith, that the truth taught is its own authority.³² Third, Billot's theory rules out the existence of doctrines within the rule of faith which receive little or no emphasis in current magisterial teaching. These three objections indicate why Billot's treatment of tradition and magisterium today exert more an historical than systematic fascination.

VIII.2.B. Franzelin's Insistence on the Independence of the Remote Rule

It is interesting that Franzelin, to whom Billot refers with admiration, admits what the French theologian excludes. He allows the existence within the rule of faith of

²⁹ Burghardt quotes at some length the passage from Billot cited in the previous footnote, calling it "perhaps the most illuminating single paragraph" he has encountered on tradition. Burghardt, p. 62 footnote.

³⁰ Mackey, p. 25.

³¹ New Catholic Encyclopedia, 1967 ed., S.v. "Billot, Louis," by J. Galot.

³² Congar, 1.45; translation, pp. 27-28.

doctrines which have not been expounded by the magisterium in a uniform way throughout Christian history. One sees this in his treatment of the way in which teachings which were once obscure become clear and are explicitly declared. Franzelin puts it this way:

If principal doctrines can be and are contained in objective revelation (Scripture and tradition) which have not always and everywhere been sufficiently put forth by the teaching of the Church as revelation; or (which is to say the same thing) if truths are contained in the remote rule of faith, which have not always and everywhere been sufficiently applied through the proximate rule of faith; through this very fact there evidently can be and are doctrines in objective revelation, which could sometimes be called into question or even denied by learned Catholics without the loss of faith and communion.³³

Here we note a distinction between the remote and proximate rules of faith which allows them existence independent of each other. There are doctrines in the remote rule which have not been uniformly taught, and so have not always been a part of the proximate rule. To be sure, these doctrines are not totally independent of the magisterium. Franzelin does not say that the Church has never taught them, but only that they have not been always and everywhere taught. Still, the distinction between the remote and the proximate rules is a real one. It prevents the absolute equation of objective tradition with the teaching of the magisterium.³⁴ It suggests that active tradition can not exhaust the riches of Christian truth, that rule of faith which is the source of what Christians believe and is that belief itself.

Franzelin surprises us with his statement that there can be doctrines in objective revelation which the learned Catholic can deny without the loss of faith and communion. If these doctrines are genuinely divine revelations, how can one in good faith deny them? The answer to this question lies in the adjective “objective.” Objective revelation is the logical counterpart to objective tradition. Both objective revelation and objective tradition refer to something which has been handed on. But they are “objective” precisely because the magisterium is not, at least at the present time, applying them. In other words, they are objective as distinct from active. What Franzelin means to emphasize here is the constitutive role of the magisterium as the authoritative and guaranteed interpretive body in the Church. If the magisterium has not or is not speaking

³³ “Si contineri possunt et continentur in obiectiva revelatione (Scriptura et traditione) doctrinae capita, quae non semper et ubique praedicatione ecclesiastica sufficienter sunt proposita tamquam revelata; sive quod idem est, si continentur veritates in fidei regula remota, quae non semper et ubique sunt sufficienter applicatae per fidei regulam proximam; eo ipso constat esse posse et esse doctrinas in obiectiva revelatione, quae a doctoribus catholicis citra dispendium fidei et communionis aliquando poterant in controversiam vocari vel etiam negari.” Franzelin, th. XXIII, sec. iii, p. 244.

³⁴ Mackey, pp. 21-22.

on an objective aspect of revelation or tradition, the theologian's responsibility is to bring it to the magisterium's attention for clarification.

The word "objective," whether applied to revelation or to tradition, is here a synonym for "passive." Revelation or tradition is passive because it is handed on, that is, acted upon. But more to the point, the word passive is particularly appropriate because tradition, one could say, suffers itself to be interpreted. Franzelin did not use the term "passive tradition," as far as I know, but other theologians of the modern period did.³⁵ For them, passive tradition is mainly interpreted by those whose work constitutes active tradition, the magisterium. When the magisterium so interprets, passive tradition becomes a rule of faith.

VIII.3. The Persistence of the Active-Objective Distinction

The application of the rule of faith to tradition by theologians of the modern period confirms tendencies already present in the discussion of active and objective tradition. We saw that the distinction between active and objective tradition poses two problems. First, the application of the term "material" to objective tradition, and of the term "formal" to active tradition, tends to suggest that objective tradition is what the scholastics would call a material substance. One might wrongly infer from this that objective tradition is identical with the monuments of tradition. Second, the terms "formal" and "material," when applied to tradition, can imply that material or objective tradition has no real existence until it is activated by formal or active tradition, defined as the preaching of the magisterium. This leads to the erroneous supposition that, without the magisterium's activity, objective tradition has only a potential or incomplete being.

The rule of faith, when applied to tradition, accentuates these tendencies. Considered as something remote in time, the rule is equivalent, in the thought of most of the theologians considered here, to objective tradition. The conclusion of Billot, which denied the equation between the rule of faith and objective tradition on the grounds that the remote rule of faith has no existence independent of magisterial preaching, is set aside here as extreme. The remote rule, within the modern theology of tradition in general, is comprised of doctrines and institutions, in a word, of monuments. Even in Franzelin's thought, which affirms that truths exist in the remote rule which have not always and everywhere been applied by the magisterium, these truths are defined as doctrines. They have been given a monumental character and a concreteness which obscure the living spirit of tradition which, as some have said, finds in its monuments only an expression or mode of appearance.

The distinction between the proximate and remote aspects of the rule of faith confirms another factor in the distinction between active and objective tradition. This is the subordination of objective tradition to tradition as it is actualized by the magisterium. To be sure, Franzelin does grant the remote rule of faith a certain measure of independence from the proximate rule. There can and do exist, as he states, doctrines in the revelation of the rule which have not always been sufficiently applied by the

³⁵ Bainvel, part I, chap. i, p. 11; Burghardt, p. 61; Congar, 11.65 (translation, p. 297).

magisterium. But this does not mean that these aspects of the remote rule are of equal value to the proximate rule. The very fact that they can be, according to Franzelin, called into question and even denied, suggests that they are of less importance. The following conclusion is unavoidable: these doctrines cannot be questioned or denied when the magisterium applies them as a rule. Only before magisterial application is the rule of faith a matter of dispute. The same inference could be made about the remote rule as could be made about objective tradition, namely, that it is mere matter without authoritative form. Whether one speaks of the rule of faith or of tradition, the magisterium dominates the discussion, at least for the modern theologians of tradition.

VIII.3.A. Congar's Acquiescence in Scholastic Terminology

Despite the shortcomings of the distinction between active and objective tradition – shortcomings confirmed by the application to tradition of the rule of faith – the distinction remained paramount through out the period between the two Vatican Councils. Even in 1963, while the Second Vatican Council was underway, Congar made the distinction between active and objective tradition central to his discussion.³⁶ Active tradition, for Congar, remains the primary sense of tradition. “In short,” he writes, “tradition is not primarily to be defined by a particular material object, but by the act of transmission.”³⁷ By insisting upon the active sense, however, Congar does not mean to exalt the authority of the magisterium, as previous theologians had done. On the contrary, he regards the magisterium as the servant or minister of the Gospel. “This role of the magisterium entails its giving the primary emphasis to the aspect of witness,” writes Congar, “rather than to that of ‘definition’ or exercise of authority.”³⁸ The magisterium’s task is to remain faithful to what has been transmitted to it. Congar denies Billot’s identification of magisterium with the rule of faith,³⁹ grants to the laity a role with the magisterium (if subordinate to it) as witnesses of tradition,⁴⁰ and allows the magisterium only the assistance of the Holy Spirit in the interpretation of tradition, and not inspiration in the same sense that the apostles were inspired.⁴¹ His version of active tradition departs considerably from the post-Tridentine theology which conceded to the magisterium virtually absolute power.

³⁶ Congar, vol. II, chap. ii, “Essai de clarification de la notion de tradition. Aspects et acceptions.”

³⁷ “Bref, la tradition ne se définit pas d’abord par un objet matériel particulier, mais par l’acte de transmettre.” Ibid., 11.65, translation, p. 296.

³⁸ “Cela engage ce magistère dans l’obligation de donner une primauté effective au moment de témoignage fidèle sur l’aspect de ‘definition’ et d’exercice de son autorité.” Ibid., II.98, translation, p. 334.

³⁹ Ibid., II.95, translation, p. 331.

⁴⁰ Ibid., II.89, translation, p. 325~

⁴¹ Ibid., II.70, translation, p. 302~

Yet Congar, by maintaining the distinction between active and objective tradition, clearly marks himself as one of the “modern” theologians of tradition. He criticizes the modern school, but adopts its terminology without criticism. A good example of this is his disapprobation of the doctrine of tradition which exalted the authority of the Church in post-Tridentine theology. “This theology is characterized by the affirmation of the principle of authority,” he writes, “that is to say the formal principle or *quo*, in a way which hardly allows for its conditioning by the content, the objective datum or *quod*.”⁴² Here we find a judgment on behalf of objective tradition. It is the “quod,” that which is, and should influence the “quo,” that whereby it is, or active tradition. In other words, Congar criticizes here the extreme subordination of objective to active tradition. This is the subordination characteristic of the modern school, and thus far Congar distances himself from the school to which he himself, after a fashion, belongs. But his acquiescence in the language of that school – in the distinctions between formal and material, active and objective, quo and quod – reveals his kinship with the modern theologians of tradition. At one point, Congar even uses the term “passive tradition.”⁴³ This suggests the degree to which even he regards the activity of the magisterium as primary and logically distinct from the matter of tradition. To be sure, he calls for a conditioning of the quo by the quod. But he still maintains the distinction between the two, a distinction which mitigates the possibility of understanding how the one influences the other.

VIII.3.B. Mackey’s Emphasis on the Separateness of Application

Another example of the persistence of the distinction between active and objective tradition can be found in Mackey’s work. Without a doubt, Mackey realizes that the language of scholasticism poses a problem to the modern understanding. This is particularly true about the term objective tradition, as he states in his introduction:

The very term “*traditio obiectiva*” is inclined to give the impression of a body of truth outside of all minds and handed on as a container of material goods is handed on. But truth has its formal existence only in the mind. It is handed on by communication between minds: expression given and impression received. . . . [P]rovided it is not misunderstood, “*traditio obiectiva*” is the accepted term for this aspect.⁴⁴

There is a danger in using the term objective tradition of regarding the deposit of revelation in a mechanical fashion. Mackey sees this, and cautions against it. But the philosophic vista opened up by his description of communication between minds –

⁴² “Cette théologie est caractérisée par l’affirmation du principe d’autorité, c’est-à-dire du principe formel au du *quo*, d’une façon qui marque peu son conditionnement par le contenu, le donné objectif ou le *quod*.” Ibid., I.223, translation, p. 176.

⁴³ Ibid., II.65, translation, p. 297.

⁴⁴ Mackey, pp. x-xi.

“expression given and impression received” – is never explored. Only in a tangential fashion does Mackey ever refer to what happens to the truth in this communication, or to how the expression differs from the impression.⁴⁵ In short, he is aware of the problem posed by the received terminology, but he prefers to employ it anyway – provided that it is rightly understood.

This appropriation of a received terminology, however, almost inevitably entails the acceptance of the conceptual world to which the terminology is linked. Mackey does not escape this dilemma, despite the caveat of his introductory remarks. One sees this dilemma in his discussion of the rule of faith. There Mackey introduces the parallelism, by now familiar, between the remote rule and material (objective) tradition, and between the proximate rule and formal (active) tradition. The oldest notion of the rule of faith, he writes, is that of an objective body of truth, the Gospel:

It was a rule of faith because it measured the material extent of the object of faith and it carried with it the authority of God, its Author, thereby demanding the formal assent of faith. The question of the concrete application of this rule of faith was a distinct question.⁴⁶

Mackey’s point here is one we have already met, namely, that there is a difference between the ancient notion of the rule of faith and the notion of it defined within the modern theology of tradition. The ancient rule of faith did not include a criterion or guarantee of truth distinct from the truth itself. For the theologians of the modern period, however, the rule of faith includes the magisterium as its proximate aspect, that is, as that body which applies the rule with authority. Mackey states that this inclusion of the magisterium is not part of the ancient teaching. But he accepts the modern view, drawing a parallel between objective tradition and “the material extent of the object of faith” – the rule of faith under its remote aspect.

What is perhaps most revealing about the above citation from Mackey is its insistence upon the separation between the material extent of the rule and its formal application. He repeats this distinction three times in quick succession.⁴⁷ The point of the distinction is to show the difference between the ancient and modern versions of the rule of faith, and to clarify precisely what the modern theologians have added. Mackey distances himself here from the modern theologians. They failed to note that, by

⁴⁵ See, for example, Mackey’s discussion of the external and internal aspects of active tradition (p. 11), the *sensus fidelium* as the internal intuition of the truths of faith (p. 95), and the wedding of revealed truth to the individual Christian’s thought (p. 109).

⁴⁶ *Ibid.*, p. 20.

⁴⁷ Mackey cites Augustine to the effect that the rule can be distinguished from its application (p. 20), notes that Franzelin used the word proximate to describe the applied rule (p. 20), and equates the remote rule (“remote for lack of application”) to objective tradition.

integrating the magisterium's application of the rule into the rule itself, they were departing from patristic teaching.

But Mackey, in making this point, affirms the teaching of the modern theologians on a profound level. He accepts as valid the distinction between the remote and the proximate rule, between objective and active tradition. It is a distinction between the rule or tradition in its purity, so to speak, and the rule or tradition as applied. He skirts the philosophic issue, raised by the hermeneutical school, of whether the understanding of a truth can properly be divorced from its application.⁴⁸ This issue is of considerable interest. It points, on the one hand to the contingent nature of the expressions by which the magisterium makes tradition active.⁴⁹ On the other hand, it points to the history which links the rule of faith and its application.⁵⁰ The rule is not an objective datum, extrinsic to faith. Rather, it lives in the heart of those for whom it is a rule, those who apply it. Although the application of the rule and the objective nature of the rule may be separate questions, as Mackey states, nevertheless they cannot be so distinguished that the intentional aspect of the rule – the degree to which it is a rule for a particular person or community – is forgotten. This the author of The Modern Theology of Tradition fails to sufficiently warn against.

Yet Mackey demonstrates, in a masterful way, the vitality which the distinction between active and objective tradition enjoyed up to and within the period of the Second Vatican Council. His work, along with Congar's La Tradition et les traditions, differentiates between active and objective tradition in a way which pays homage to and yet gently spars with the theologians of the modern period. Mackey and Congar show that the distinction, insofar as it was refined by means of the proximate and remote rule of faith, is something of a novelty. Yet they find it indispensable. For how else, apart from drawing a line between active and objective tradition, can one grasp the difference between the understanding which belongs to the living body of the Church and the truth embodied in that object which the Church understands? By what criterion, apart from this, can one determine a true interpretation of the past from a false one? These questions were raised in the discussions we have seen, but require closer examination. They were sharpened by the efforts of the theologians of the modern period to distinguish between the historical and dogmatic aspects of tradition. This new distinction aimed at determining whether the tradition which the Church affirms is a product of the historical record, or a matter of dogmatic faith, apart from documentary evidence. To it we now turn.

⁴⁸ Gadamer, Wahrheit und Methode, see "Das hermeneutische Problem der Anwendung," pp. 290-295; translation, pp. 274-278.

⁴⁹ See footnote 73 below.

⁵⁰ See the section below entitled "The Question of the Historicity of Dogmatic Tradition."