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Roma Locuta Est, Causa Finita Est

Power, Discursivity, and the Roman Catholic Hierarchy

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One should never forget that language, by virtue of the infinite generative but also *originative* capacity—in the Kantian sense—which it derives from its power to produce existence by producing the collectively recognized, and thus realized, representation of existence, is no doubt the principal support of the dream of absolute power.

—Pierre Bourdieu (Bourdieu and Thompson 1991, 42)

RESPONDING TO POWER

This chapter attempts to provide some of the typological, historical, and hermeneutical tools necessary to begin to see various forms of power relations as realized by the Roman Catholic hierarchy. While orienting itself from a partially Foucauldian perspective,¹ it also draws from the related and pertinent thought of Gianni Vattimo, Leonardo Boff, David Tracy, and others as seems fit. After assessing inadequate notions of power, an alternative and general account of the meaning of “power” is provided. This then receives specification through an analysis of the general types of *public* and *discursive* forms of power pertaining to the Roman ecclesia. Next, an examination of the mobilization of discursive power by means of curial discourse is explicated according to the themes outlined. Finally, the exposition of contemporary, hierarchical-linguistic power calls for a brief discussion of possible routes for pragmatic counter-conducts. Since the institutional hierarchy of the Roman Catholic Church resists significant changes by effectively deploying unique forms of discursive power (among other ways), a critical genealogy of the discursive formation of its hierarchical authority opens a space for more constructive and reasonable forms of discursive authorities.

In respect to the manner in which and the extent to which power operates by means of the Roman Catholic hierarchy, there exist numerous possible and actual responses, the relative adequacies of which do not necessarily equal the frequency of their pronouncement. From a traditional standpoint, the power of the Roman Rite secures various dynamics of institutional perseverance over time—namely, of past doctrines, particular values, customs, regulative ideals, bodily habits, orthodoxy (or, “right speech,” in the sense of the discursive counterpart to orthodoxy), etc. Roman power, it is thought, guides the fallen world to its own term and truth pastorally and by multiplied and subsistent forms of interpretation, discipline, and sacramentality, among other possible modes of mediated authority. Such traditional self-interpretation conceives of this ordering as just, necessary, one, holy, catholic (or universal), and apostolic. The injurious overflow and negative externalities of such power—intentional or not—receive the status of anomalies, and such leaks are understood not as betraying structural flaws but instead as the unfortunate outcomes of an otherwise necessary, good, and divinely ordained system: *abusus non tollit usum*. For example, the moderate apologist perceives the colonization of various nations, while having negative aspects, as accomplishing the more cosmic task of mass evangelization and conversion. According to this traditional view, Petrine authority primarily mediates and delegates the top-down flow of power, thereby guaranteeing a necessary homogeneity of beliefs, practices, and dispositions among the faithful. Within this paradigm, substantive internal reform occurs rarely, hyper-cautiously, and by means of highly selective memory.

Another frequent response to the power mobilized by the Roman Catholic hierarchy consists of the critical re-presentation of the aforementioned “anomalies” against a broad ethical and historical plane. This response amasses dramatic instances of blatant corruption—for example, the imprisonment of Galileo and murder of Giordano Bruno, the selling of indulgences, the initiation of the Crusades, the declaration of papal infallibility, the burning of conciliar voting ballots unilaterally ordered by Cardinal Alfredo Ottaviani (O’Malley 2008, 182),² the interminable cases of child sex abuse and the cover-ups—in order to build a case against the facile traditionalist justifications of Roman hierarchical power. Following this optics, the power of the Roman Rite predominantly manifests itself by means of cataclysmic events throughout history. The reverberation of such events into the moral fabric of the world cannot be explained away via the fragility of human agency, only to be forgotten and reconciled back to its original source, insofar as this circle would seem to remain morally and socially vicious. Instead, such events are understood to exemplify and realize the reserve of the power of the Vatican’s agnatic oligarchy, and one brings forth such occurrences to falsify the unjustified and self-serving response of the traditionalist.

An adequate analysis of Roman Catholic power relations does not simply require moderation between these two opposed ideal types. Possibilities for justice and good interpretations are not always to be found at the median between two extremes. An

enriched understanding of the ways in which power relations operate within and from out of the Roman hierarchy cannot be aided by apologetic naïveté and various modes of traditional rationalization—as these must themselves be analyzed. Such a framework not only balks before (auto-)critical analysis, giving hazardous preferential option to the status quo, but also precludes—hermeneutically and pragmatically—the necessary, ethico-political alterations of such power relations. However, while the second typical response to Roman hierarchical power properly avoids the rejustification of manifestations of corrupt, deleterious forces and correctly criticizes the horrendous events of hierarchical bureaucracy, it can nevertheless easily give way to caricaturization. This second position, which rightly takes seriously the ethico-political consequences of such power relations, does not sufficiently understand the subtleties and intricacies of the quotidian mobilizations of power relations within and from out of the Roman Rite. On the right track, it stops before reaching a more relatively adequate notion of *contemporary* power relations, their sociohistorical forms and genesis, and their subtle, banal types of proliferation. Thus, the trajectory of the second response to Roman hierarchical power relations must be refined, elaborated, and filtered by means of a form of rationality that can take these crucial nuances into account.

POWER, SOCIALITY, AND DISCOURSES

To begin to analyze the role of power as it functions discursively and between various publics related to the Roman Catholic hierarchy, the term “power” itself must be delimited. First, and to proceed negatively, power cannot be conceived as a commodity possessed by a subject or group (Foucault and Gordon 1980, 88). While there exist different forms, conditions, and means of gaining leverage over others within *relations* of power, one cannot transfer power as though it were an object. Said otherwise, power cannot be reified or acquired as one can own property, although modes of *using* property may maintain class divisions and perpetuate alienation. And, because power does not exist “in greater quantity” with the members of one set of persons (say, vassals) as opposed to another (e.g., serfs), it does not prove operative in only some sectors as opposed to others. Finally, power does not receive its only—or even a privileged—form of expression in repression, confinement, or condemnation. As Foucault remarks:

If power were never anything but repressive, if it never did anything but to say no, do you really think one would be brought to obey it? What makes power hold good, what makes it accepted, is simply the fact that it doesn't only weigh on us as a force that says no, but that it traverses and produces things, it induces pleasure, forms knowledge, produces discourse. It needs to be considered as a productive network which runs through the whole social body. (Foucault and Gordon 1980, 119)

To grasp a set of power relations, then, would seem to require a physiology of the relations of an entire social body as opposed to simply locating and decrying potentates.

Characterized positively and as a pliable, active *relation*, power consists of the set of actions that induce, guide, drive, influence, govern, and redirect the (possible) actions and conduct of others (Foucault 1992, 311ff). Such relations of power involve the relative freedom of agents within a broad, social field of power (*champ du pouvoir*) (Revel 2008, 107). The relations of power that operate at various levels of civil and international society do not necessarily or always assume the form of direct physical coercion or a coup d'état, although these cases may especially and theatrically manifest the conditions that (causally) preceded them. Rather, the efficacy of various strategies, mechanisms, and means of maintaining a leading or driving role in power relations often consists in appropriating, manipulating, and reproducing the very subtleties of such relations. That is, the ability to conceal the manner in which one benefits from the implementation of forms of communication, consent, regulations, self-differentiation, and so forth serves to preserve those very means of continually directing the (possible) actions of others. Thus while violence certainly could not come about without the pre- and coexistence of power relations, it nevertheless (1) does not constitute the primary expression of these relations; (2) often rids itself of the (possible) coactions of others, without which it no longer maintains its *relational* advantage and existence; and (3) serves as only *one* instrument, among others, within power relations (Foucault 1992, 313).

According to Foucault, the interaction of not-fully-determined yet subjectivated persons within a network of social relations functions as the sine qua non of relations of power. "A society without power relations can only be an abstraction" (Foucault 1992, 315). For instance, while the decision by a leader to raise or lower taxes will govern the (possible) actions of others, the decision of the governed to accept, reject, protest, or ignore such a measure likewise influences the (possible) actions of said leader and other members of society. The power relations deployed within social networks do not only consist of those between collectivities (such as institutions, corporations, and the state) and individuals, however. A thorough auscultation of social bodies over time also requires a careful analysis of systems of differentiation, the objectives of action, forms of institutionalization, and degrees of rationalization (Revel 2008, 107–8). Assembling, reorganizing, comparing, and criticizing forms of power relations involves relating forms of normativity and their implications, the bestowal of privilege, and strategic, clandestine modes of self-justification. However, this goal of mapping even a general, not to say total, account of even one of society's power relations over time proves to be an immense undertaking. But while potential Foucauldian themes, discursive formations, tools, horizons, and comparisons for such a task abound, a regional hermeneutics need only designate a particular forum for open inquiry.

One peculiar and ubiquitous mechanism or instrument involved in relations of power involves the limits, customs, rules, context, and production of various forms of discourse. Like the dramatic types of power mentioned earlier, discourse can

certainly alter power relations in the form of verbal abuse or political invectives, for example. Yet even seemingly innocuous discursive events inevitably enter into the *champ du pouvoir*, or as a metaphysician might say, the community of reciprocal causality. Discourse codifies international law, produces new forms of knowledge, facilitates exchange, purposefully misleads, and establishes norms for practice, among numerous other functions. Insofar as such discursive events inevitably constitute and preserve power relations, certain critical queries must be posed: “How is it that one particular statement appeared rather than another?” “What is this specific existence that emerges from what is said and nowhere else?” (Foucault 1972, 27–28), and “Do there exist other pertinent aspects of power relations that might illuminate such discourses?” These and similar questions guide an analysis into discursive formations as a special case of power relations. And, “[p]roviding one defines the conditions clearly, it might be legitimate to constitute, on the basis of correctly described relations, discursive groups that are not arbitrary, and yet remain invisible” (Foucault 1972, 29). It is the subtle operation of such discursive groups from out of the Roman Catholic hierarchy, and which are not necessarily thematized explicitly or in themselves, that will steer the present hermeneutic.

Although the description of power relations, sociality, and discourse above generally applies to persons, events, and subgroups within Roman Catholicism, a focused hermeneutical horizon requires equally specific determinations. Drawing from David Tracy’s categorization of theological and sociological publics into three spheres—namely, church, society, and academy (1981, 3–46)—an examination of their general connections yields informative categories for research into Roman hierarchical power relations. Typologically, we might state that there exist three basic forms of ecclesial power: inner-ecclesial power, socio-ecclesial power, and theoretico-ecclesial power. Each of these general types can be understood to cross-pollinate, that is, not as unrelated airtight compartments but as signaling a particular directionality (to make use of a spatial metaphor) of power as it emerges in homilies, encyclicals, gestures, expectations, canon law, dress, prohibitions, pedagogical models, and so forth. The first form, inner-ecclesial power, denotes power relations within the Catholic Church itself and can be understood as economical, that is, as concerned primarily with the customs, boundaries, and norms of the “law of the home”—the Vatican. Socio-ecclesial power refers to those inevitable relations with extra-ecclesial societal bodies, such as the Church’s role in the democratization of Lithuania and the colonization of Latin America. Finally, theoretico-ecclesial power can be properly understood as any use of influence to guide, limit, renew, silence, dismiss, or alter open academic inquiry or investigation. The “winner’s history” of heresiology, the mandated “Oath against Modernism,” and the centuries of officially encouraged Thomistic revivals serve as only a few apposite examples.

Having delimited general forms of Roman hierarchical power relations between three social realms, it now remains to set forth provisional groupings that will nonarbitrarily thematize the key elements of hierarchical discursive formations. At least three *interdependent* dimensions would seem to comprise the lowest common

denominator of most contemporary hierarchical discourses. First, a traditional, *particular philosophia naturalis* or *certain* (often integrist) version of classical *metaphysical realism* can be found at work in most papal, curial, and catechetical texts. Both forms of conceiving reality claim the ability and authority to cognize essences, substances, and universals in themselves and despite the passage of time. That is, the ability to grasp natures does not fail—significantly, if ever—because of the emergence of new forms of knowledge, competing likely interpretations, epochal discontinuity, or the historicity, materiality, or intentionality of subjectivity. As Vattimo and Zabala argue in regard to politics, such a frame of reference gives the impression of being impervious to the supposedly accidental character of time and contingency, not out of epistemic neutrality, but as an essentially conservative moment of a politics of description (2011, 12, 26ff).³ Strength in such politics of descriptions is not found in weakness; rather, strength nourishes itself by itself. Furthermore, not all receive initiation into, or an authorial role in, the nuanced discourse of Roman Catholic metaphysical realism. This discourse, then, functions not only as an instrument (whether tacit or explicit) of *preservation* but also (whether intentionally or not) of *differentiation*. In sum, various forms of the valorized naturalization of bold epistemic claims tend to accompany ecclesial discursive power in the Roman Rite.

A second discursive group might be denominated the *hermeneutics of continuity*. Like discourses involving metaphysical realism, hermeneutics of continuity both preserve—or at least repeatedly and reassuringly emphasize the minuteness of change—and differentiate via certain interpretive norms. A hermeneutics of continuity preferences and regulates its interpretative tasks by a *de facto* privileging of the past over the present and future. This can be seen at work, for instance, in the encomiums for past Church fathers and popes in encyclicals; in the reluctance of the three most recent popes to critically or persuasively correlate historical-critical methods with scripturally derived normative claims; in the reduction of inner-ecclesial changes to the sovereignly willed appropriation of that which is rendered anomalous; and in the ultramontaneous issuance of *Humanae Vitae* against the beliefs, deliberations, and concerns of the general Catholic population. In regard to inner-ecclesial power, particular institutions and practices proliferate such hermeneutical tendencies. The disciplinary and pedagogical rubrics of diocesan seminaries, which are still recovering from the era of “manual Thomism,” constitute just one instance of those practices that reproduce hermeneutics of continuity. And, since such hermeneutics and practices often have apologetics and a centralized model of pastoral governance as their goal, linguistic and existential differentiation from the laity inevitably occurs.

A final thematic for the interpretation of hierarchical power relations as expressed discursively might be labeled *mores*. This Latin term connotes “morals” and/or “practices” (Mahoney 1987, 122), and therefore highlights an important ambiguity in hierarchical discursive events. That is, the omnipresence of *mores* within the forms of discourse under consideration both seeks to provide a somewhat theoretical guide to ethical norms (moral codes) and to encourage the practical embodiment of such guidelines (moral behaviors) (Foucault 1990, 29). However, *mores* do not *only*

operate within the discursive events that one might consider blatantly moralizing. Rather, implications regarding norms and practices *permeate* hierarchical discourse, insofar as natures (the object of metaphysical realism) and authoritative interpretations (the object *and means* of a hermeneutics of continuity) are also considered to be unquestionably *good*. Thus, implications of “go and do likewise” need not be explicit but instead bind together diverse statements concerning authority, reality, scripture, self-discipline, and the divine.

AN ANALYSIS OF CURIAL DISCURSIVE POWER

If the aforementioned typology and discursive formations have some level of veracity, then one should generally be able to locate them within Roman hierarchical discourses. Events, speeches, interdictions, and documents that typify the public and discursive themes outlined above abound. For example, the very enunciation or declaration, not to mention form and content, of a required “dialogue” between Cardinal William Levada and the members of the Leadership Conference of Women Religious might be scrutinized as a form of inner-ecclesial power. Or, one might analyze the forms of governmentality operative within certain ecclesiologies, such as that of John Henry Newman:

The Catholic Church claims, not only to judge infallibly on religious questions, but to animadvert on opinions in secular matters which bear upon religion, on matters of philosophy, of science, of literature, of history, and it demands our submission to her claim. It claims to censure books, to silence authors, and to forbid discussions. In this province, taken as a whole, it does not so much speak doctrinally, as enforce measures of discipline. It must of course be obeyed without a word, and perhaps in the process of time it will tacitly recede from its own injunctions.⁴ (Newman and Ker 1994, 230)

One might also examine not only the form, content, and reception of *Humanae Vitae* but also the fact that its issuance knowingly disenfranchised those communed to discuss the matter at hand, as did a number of Paul VI's decrees (Alberigo and Komonchak 2005, 595–602). Finally, the comparison of divergent discourses between juries and curial officials convicted of child endangerment and/or abuse often provides a revealing context for the investigation of socio-ecclesial power relations and their concomitant forms of rationalization.

A rich, complex, and telling case of the employment of ecclesial power by means of discourse shows itself in the terse document from 1995, “Concerning the Reply of the Congregation for the Doctrine of the Faith on the Teaching Contained in the Apostolic Letter *Ordinatio Sacerdotalis*.” As a response to doubts, questions, and issues concerning the content of *Ordinatio Sacerdotalis*, this document emerges as an attempt to settle or quell nonhierarchically approved interpretations of the proper origin (Christ), constitution (male), and goal (general salvation) of the priesthood. It thus emerges within networks of power relations that have already been mobilized

between each of the publics. Written by the Congregation for the Doctrine of the Faith (CDF) under the watch of Joseph Ratzinger and intended as a pastoral correction of “inadequate” interpretations regarding women’s ordination, this document might be placed under the genre of “disciplinary theological instruction.” Moreover, this document does not deviate from the tendencies, norms, and motivations of typical hierarchical discourse and therefore provides one general example to corroborate the typologies and discursive formations provided in the previous section.

This text begins with general references to Pentecost, scripture, previous encyclicals, and former Apostolic letters in conjunction with a reassurance of “the Church’s divine constitution itself” and “constant and universal Tradition” (CDF 1995, 1). From its very initiation, then, it establishes and maintains a divinely ordained hermeneutics of continuity. No claim is made: about this church qua sociological reality; about its origin in history; about its various changes over time linguistically, culturally, philosophically, doctrinally, and structurally; about the compositional, canonical, and redactive histories of biblical texts; or about the fact that, “Prior to 215 C.E. there is no uncontested historical data on *ordination* to Christian ministry” (Osborne 1999, 46). Rather, the Catholic Church is described only in its gendered and theological timelessness: “Concretely, one must never lose sight of the fact that the Church does not find the source of her faith and her constitutive structure in the principles of the social order of any historical period” (CDF 1995, 4; emphasis added). Thus, as a primer (or flexing) for the ensuing portions of the text, the implied reader is reminded of the divine and ahistorical constitution of the Church, which remains more or less impenetrable by the social forces of the world. How are those members of the Roman Rite with legitimate, scholarly, interpretive objections to argue with the Church—and here there can be no doubt that “Church” signifies “Magisterium”—as presented here by the CDF? Faithful subjects are not encouraged to read the signs of the times and to not allow “oneself to be conditioned too much by the ways and spirit of the age” (CDF 1995, 2). From the outset, then, ahistoricity, divine constitution, and the weight of the past are wheeled out through a hermeneutics of continuity in order to negate all possible objections. There will be no open debate.

But the initial establishment of a divinely ordained and hierarchically mediated hermeneutics of continuity does not serve as the only way in which discursive power operates here. Paradoxically and simultaneously, the CDF both declares (1) “that the Church [again, read: Magisterium] has no authority whatsoever to confer priestly ordination on women and that this judgment is to be definitively held by all the Church’s faithful (n. 4),” and yet, (2) that the matter at hand cannot be “considered ‘open to debate’” since it is “a doctrine taught infallibly by the Church” and requires full, definitive assent (CDF 1995, 1). Such claims demonstrate the status-quo-preserving power play between tactical silences and faint modes of silencing.⁵ As if it were not difficult enough to argue with an ahistorical, divinely constituted patriarchy, such a body has now both relegated the very conditions for debating an issue to infallible changelessness. The timeless “deposit of faith,” in other words, exists *temporally* only insofar as cognizable and mediated by the *ecclesia docens*, but insofar

as dogma remains *timeless*, it cannot be grasped by the laity themselves—theologically trained or not. The “masters of discipline . . . [and] specialists of time” (Carrette 2000, 119), then, set themselves the task of providing the *one*, holy, catholic (universally binding), and apostolic interpretation. Leonardo Boff once rightly suggested that such forms of identitarianism function as “a Kafkaesque process wherein the accuser, the defender, the lawyer, and the judge are one and the same” (1985, 38). But this specific, discursive formation of power relations manifests another locus of tension between the hierarchy and the laity—namely, that involving the politics of veridiction.

The present document, from the very beginning, disallows queries into the often stark divergence between what the faithful of a region generally, reasonably “take to be true” and “the Truth” as codified by the CDF. The latter’s defense of the Truth that it expresses, in frequently eliding the *de facto* views, challenges, and knowledges of the laity, cannot but give rise to fundamental tensions and problems for a variety of reasons. First, the authoritative capitalization of Truth serves to downplay its necessarily finite and linguistic formulations. To state, as former Pope Benedict XVI recently claimed, “the Truth is the truth, there is no compromise” (McCarthy 2012, 1),⁶ for instance, wholly neglects the *definition* and *justification*—in a language, a context, and an epoch—of the terms of such an assertive tautology. This shortcoming only exacerbates the bifurcated politics of veridiction at hand. Secondly, maintenance of magisterially codified Truth occurs by occluding the groups of persons directly involved. For example, in claiming that “the Truth is the truth, there is no compromise,” the issues concerning *who* may formulate or access such Truth, *to whom* one addresses such claims, and the social repercussions of the *a priori* dismissal of compromise remain disconcertingly peripheral. And, in (tacit or explicit) assurances of Truth’s nondemocratic character,⁷ the Magisterium effectively renders itself unyielding to criticism while nevertheless guaranteeing its own, *communal*, and self-appointed rule of the few. Finally, tensions arise due to a lack of explicating *how* the modes of acquisition, forms of warrant and justification, and interpretative frameworks involved in such truth claims in fact operate. Such a dearth isolates the Magisterium from other epistemic communities, and this separation in turn augments the former’s defensive reliance upon social prowess and the potent subtleties of its own discourses.

Aside from issues of truth and lay participation, another strategy to be found within the *Responsum* gravitates around a certain classical metaphysical realism. Comprehension here claims to overgrasp not only those universals particular to the deposit of faith but also those of masculinity and femininity as such. While declaring that women serve an exceptional role within the Church, this claim is—yes—qualified by means of the foregoing hermeneutics of continuity, postulated “essence” of womanhood, and by an all-male branch of the curia. As if to prove reassuring, the text continues, “Diversity of mission in no way compromises equality of personal dignity” (CDF 1995, 2). In other words, women somehow exist equally to men in dignity, but *a priori* separately in self-determining possibilities, and despite not

being consulted about such a division. Furthermore, and without reference to gender studies, women's studies, feminisms, alternative theologies of creation (cf. McCarthy 2010), or insights from the positive sciences, the metaphysically realist claims reach their apex: "At the same time, it is important to keep in mind, as these reasons help us to comprehend, that the human will of Christ not only is not arbitrary, but that it is intimately united with the divine will of the eternal Son, *on which the ontological and anthropological truth of the creation of the two sexes depends*" (CDF 1995, 3; emphasis added).

This implies that Christ's will, comprehended here by the Magisterium alone, does not admit of a diversity of "arbitrary" interpretations. Moreover, it presupposes that in Christ, one does not find the dissolution of male and female (Gal. 3:28), but instead the co-eternal blueprint of gender binarity. Now it seems quite strange to base a largely mythological understanding of sex and gender upon the Johannine *logos*. But to do so after having disallowed questions (the conditions for the possibility of authentic dialogue among *all* parties involved) into the religious, ethico-political matter at hand, and after having almost magically "relinquished the authority" to consider the possibility and historical inevitability of doctrinal development—this represents the mobilization of discursive power in its most cunning and deleterious subtlety.

The text at hand, one of disciplinary theological instruction, also contains injunctions and implications throughout regarding mores. At points, the intention to maintain and reinforce binding practices and norms receives explicit expression, "In response to this precise act of the Magisterium of the Roman Pontiff, explicitly addressed to the entire Catholic Church, all members of the faithful are required to give their assent to the teaching stated therein" (CDF 1995, 3). But discursive events implicating the rigidity of moral norms and practices can also be noticed in their very attempt to conceal themselves. For example, after having surrendered *yet also maintained* the authority to consider the issue of women's ordination, the CDF argues that the ministerial priesthood "is a service and not a position of privilege or human power over others" (CDF 1995, 2). And yet if this very document serves as the intentional direction of the (possible) actions of others—namely, faithful subjects—and if it receives expression only by members of an all-male clergy, then while the priesthood may entail service, it also necessarily and inevitably entails relations of power as well. To deny this would be patently false. Finally, in response to those who object that *Ordinatio Sacerdotalis* causes serious difficulties for ecumenism, the CDF states that in fact "the authentic ecumenical task, to which the Catholic Church is unequivocally and permanently committed, requires complete sincerity in the presentation of one's own faith" (CDF 1995, 4).⁸ In other words, the norms and practices that guide authentic dialogue with other faiths require the prior, secure establishment of one's own position. What might be gleaned from other denominations and religions concerning a just and empowering inclusion of women, apparently, does not serve as a matter of primary concern.

SUGGESTIONS FOR PRAGMATIC COUNTER-CONDUCTS

While power relations permeate interconnected public spheres and discourses, including but not limited to those pertinent to the Roman Catholic hierarchy, their epochal formations always remain conditioned by time and by agency. Various power relations sustained by the agency of directing the (possible) actions of others do not exist apart from the finite constitution of such relations. And agents can question whether the formation of particular power relations serves the common good at a particular time. The possibilities of “an ontology of the present, an ontology of actuality, an ontology of modernity, an ontology of ourselves” (Foucault, Davidson, and Burchell 2010, 21) always remain open for any critical consciousness. Agents have questioned, will continue to question, and are correct to question whether certain power relations are “timely” or conducive to the “current state of affairs” in which they live, move, and have their being. Fortunately, “It would not be possible for power relations to exist without points of insubordination which, by definition, are means of escape” (Foucault 1992, 318), or at least deconstruction and reformation. The task of setting about to alter, undo, and/or ameliorate the finite conditions of those power relations to which one is subjected can be understood as engaging in pragmatic counter-conduct. Foucault uses the term *counter-conduct* as a descriptive concept to circumscribe historical and active struggles “against the processes implemented for conducting others,” and he differentiates it from mere misconduct (*inconduite*) and insubordination (*insoumission*) (Foucault et al. 2007, 200–201). By offering suggestions for pragmatic counter-conducts, I intend to displace its use for historical analysis for the sake of concrete and contemporary praxis.

If the previous sections have demonstrated the ubiquity and banality of finite forms of ecclesial power relations, if such power relations can be found at work under a variety of discursive formations as expressed by the Roman hierarchy, and if one does not consider such discourses to regularly lessen suffering or to promote common well-being, then the question concerning modes of pragmatic counter-conducts presents itself. But, before proceeding to positive suggestions for this type of praxis, an insufficient response is first outlined. In order to alter hierarchical discursive power, it does not seem reasonable to simply, passively hope that, when it proves convenient, members of the Roman ecclesia will make use of the vocabulary that characterized Vatican II—that is, language of collegiality, dialogue, charism, change, cooperation, and so forth (O’Malley 2008, 48–51). Such language not only often conceals the stark social differentiation of the clergy from the laity, but it also functions to reinforce complicity to the authority that derives from such divergences in social status. Nor can the deployment of this language by laypersons bring about substantive change in power relations. New discourses and vocabularies may serve as one necessary form of counter-conduct, but none are sufficient to deal with the general and global inadequacies of Roman hierarchical governance in general. And, as the former nonexhaustive analysis of just one document demonstrated, when

various positions, interpretations, voices, and vocations are rendered null and void from the outset, any reassuring qualifications, valuations of the dialogical process, or calls for collegiality prove self-refuting, if not ironically cruel. Such language proves as vacuous as Woodrow Wilson's proclamations on self-determination and self-governance in 1917 that, despite their lofty generality, were not in fact intended for all ethnicities and nations (Kohn and McBride 2011, 21–22).⁹ In other words, whether or not ecclesial groups employ the language of dialogue, community, and *aggiornamento* matters little if marginalization occurs by means of, for instance, theologically backed androcentrism. Pious language that silences alterity does just that.

What, then, might constitute the practical ideals for concrete praxis, in which realistic hope for the *metanoia* of discursive power relations and their conditions might find traction? To begin, the laity must not wait for a progressive papacy (if such an event seems possible, with most cardinals of voting age having been selected by John Paul II and Benedict XVI) or conciliar period *to nonviolently demand a significantly increased democratic role within a decentralized Church*. This would amount, at the very least, to a complete reopening of questions concerning radical reform of the curia and the significance of episcopal synods, closed from deliberation by Paul VI (Alberigo and Komonchak 2005, 25; O'Malley 2008, 165–73). And, in addition to funding and developing *comunidades eclesiales de base* (Boff 1985, 125), it would also require strenuous imagination and reorganization concerning the establishment of nonclerical bodies to check and balance those persons presumed competent to lead parishes, dioceses, and archdioceses. The decades upon decades of the mishandling of the sexual abuse crisis, which has ignominiously implicated every stratum of the Roman hierarchy and which has not been assuaged by “no tolerance” policies, for example, provides the paradigm case for the need for the increased transparency that would result from lay, democratic participation. Furthermore, only when the empty language of equality and dialogue becomes replaced with the *forms of structural decentralization* that incarnate such *logoi* will the employment of these terms have any meaning or meaningfulness.

Aside from steps taken to implement democratization within decentralized Church structures, opportunities for economic action also exist. How might one responsibly respond, for example, when Cardinal Timothy Dolan threatens to cut funding to Catholic Charities for reasons with which the majority of Catholics in the United States disagree, or wantonly authorizes the payment of known child abusers (see also Zaimov 2012; Goodstein 2012)? First, economic counterpressure can be applied to those Church officials who do not represent the will of the laity by denying their status as responsible monetary mediators. Dioceses cannot function without the influx of revenue, and if groups of laypersons determine that their donations have been recirculated in ways contrary to common decency, then such offerings should cease immediately. Secondly, one might fund charities, groups, or institutions that study and counteract clericalism, sexual abuse, *machismo*, material destitution, ahistorical ecclesiologies, homophobia, and so forth. While such institutions do not operate perfectly, nevertheless such investments often prove much more

socially beneficial and capable of reforming the types and limits of edifying, timely, and mature discourses. These actions, it must be remembered, do not “take” power from one who “has” it but rather in this particular instance serve to displace conduits of capital according to alternative and better ethical visions.

Against these suggestions, many conservatives, pointing fearfully to what they consider relativism, secularism, and nihilism, promote a strong, centralized governing hierarchy. For example, when Pope Benedict XVI states that “no minority has any reason to allow a majority to prescribe what it should believe,” in the sense that a “faith we can decide for ourselves is no faith at all” (2004, 129), he simply recapitulates the primary, transhistorical, and antidemocratic problems that beset *each* type of ecclesial power relation. Why, in fact, should archbishops and cardinals primarily represent the worries of the papacy to the laity as opposed to the other way around? The governance of a hierarchical minority in deciding the form and content of faith for all others does not ensure the richness or flourishing of that faith but precisely functions to reinforce disenchantment with it.¹⁰ Persons do not tend to leave parishes, in other words, because a stronger monarchical structure is needed but precisely *because* centralized religious authorities with few if any checks and balances prove time and again to propagate corruption, maintain self-serving discursive power relations, preclude all transparency, and fail to actively listen to the concerns of the laity.

The insecure fears that motivate such centripetal views of governance forgetfully neglect the worldwide excitement that followed the Second Vatican Council’s opening in solidarity with “the world.” Did the council’s slight, inchoate inclusion of women, lay theologians, and other denominations lead to demagogic relativism? Or did not even the mere possibility of structural, discursive, and theological changes by such a call for collective *aggiornamento* energize Catholics and non-Catholics alike? The first hints of sharing responsibility in the decision-making process, while interrupted and not at all extended far enough, first and foremost globally reinvigorated Roman Catholicism. Today, the conditions for the possibility of such revitalization and decentralization must not be idly hoped for but rather collectively demanded by those who see the good of the total reformation of ecclesial power relations.

Some of the hermeneutical, typological, and historical tools needed for such collective and pragmatic counter-conducts have been outlined here. A Foucauldian analysis of power, sociality, and discourse first provided a lens through which to view such complicated and interdependent relations. Yet, since providing a nuanced account of the subtle, daily forms in which ecclesial power manifests itself constituted the main purpose, refined categories were needed. By way of a typology of hierarchical power relations and discursive formations of hierarchical discourse, the nonexhaustive analysis of a textual example was then formulated. The foregoing then provoked the inevitable question concerning the role of counter-conducts within such power relations, and brief suggestions for structural reformation were adumbrated. In sum, each successive stage unfolded the intricacies of Roman hierarchical power without, however, culminating in a quietist or theatrical interpretation of such

finite, pliable relations. I hope that while this chapter might at times prove schematic that it nevertheless signals actual relations and patterns to assist alternative related analyses, for example: situational, empirical case studies of phonological differences between lay and clerical speech; disarticulations of the subjectivation and formation of the lay body via ecclesial discourse and liturgical repetition; and examinations of the relation between ecclesial performative utterances and their concomitant presuppositions of legitimate authority.

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NOTES

1. The framework of this essay remains *partially* and not fully Foucauldian for at least three reasons: (1) the shapes of power relations peculiar to the ecclesial structures of Roman Catholicism continue to operate hierarchically, and an analysis of these cannot too quickly pass over this structural fact; (2) to advance an "orthodox Foucauldian" argument would seem to be a contradiction in terms; and (3) I propose suggestions for ways in which ecclesial power relations might be adjusted for the common good.

2. Numerous other examples of the destruction of documents by archconservative clerics exist, but a history or psychology of these must take into consideration the vast differences between theatrical-symbolic book burnings, for example, and intentional deletions of electronic documents; see also Dale 2012; Lyons 1996; and Fox 2011, among others.

3. For example, the manners in which the encyclical *Fides et Ratio* (1) criticizes a plethora of nonrealist post-Cartesian modes of thinking, (2) claims the ability of the curia to intervene in philosophical matters, and (3) highlights Aquinas as a paragon for orthodox philosophy demonstrates strategic forms of inner-ecclesial discursive power.

4. While Newman at times qualifies such an authoritarian view of the hierarchy, it is precisely such afterthoughts and their ethico-political repercussions with which I am primarily concerned.

5. On Foucault's understanding of the mobilization of power via silence, see "Silence and Confession" in Carrette, *Foucault and Religion: Spiritual Corporality and Political Spirituality*, 25–43.

6. Aside from referring to capitalizing the first letter of the term Truth, I am also referencing the modalities of linguistic, symbolic, economic, and cultural capital as presented in Bourdieu and Thompson's *Language and Symbolic Power*.

7. These maneuvers are again taken up in *Truth and Tolerance: Christian Belief and World Religions*, 129. For another case of wariness concerning the relation of truth to democracy, see Pope John Paul II et al.'s encyclical letter *Fides et Ratio*, §89. Whether in these texts or in *Evangelium Vitae*, the underlying fear does not really so much consist in the possibility of populist uprisings within the Church as in challenges from multifarious sectors to the Vatican's claims to possess the complete fullness of truth (and the many abused privileges that come about from such a claim).

8. For another approach to this topic, see also Pinto, *Foucault, Christianity and Interfaith Dialogue*, 18–24.

9. Here again the pronouncement of "equal dignity" receives tacit, debilitating constriction in regard to self-determining possibilities.

10. For an introduction to the sociology of apostasy, see Zuckerman, *Faith No More: Why People Reject Religion*, 165–66. Bearing in mind the distinction between creating likely conditions for apostasy and causing apostasy, Zuckerman notes that while "there is no one single 'thing'—be it an experience, event, relationship, and so on—that always, in and of itself, *causes* apostasy," nevertheless when "several of them occur in a given person's life simultaneously, they become cumulatively corrosive to religious faith." Overcentralized authority only serves as a gathering mechanism for these conditions of often-justified apostasy. Such problematizations of the Roman Rite's hierarchical structure have been made, for example, by Eugene C. Kennedy for decades.