

Jacques Maritain On The Church's Misbehaving Clerics

— Sacramental function, pastoral dysfunction

by Bernard Doering

In recent months the rash of disturbing revelations concerning sexual abuse of children by priests that dates back over many years has resulted, for a great number of Catholic laity and their priests, in a serious crisis of confidence in the institutional Church. The daily accounts in newspapers of clerical sexual abuse and of hierarchical secrecy and cover-up to protect the reputation of the institution have led the laity to question the nature of their relationship to their priests and to the hierarchy of their Church. In this tragic situation it may be of considerable benefit to recall the insightful reflections of Jacques Maritain during his last years concerning the priests and the hierarchy of the Church he loved and revered.

Six years after the closing of Vatican II, when the Pope placed in the hands of Jacques Maritain the Council's message to the intellectuals of the world, and two years before his death at ninety-one, the aging philosopher published his last book *On the Church of Christ*. This book is a free and loving meditation on the Mystery of the Church, from his own perspective as a philosopher and an "inveterate" layman, as he liked to call himself. In the first half of his book, the author meditates on the "Person" of the Church because he felt that it was only after having shed a clear light on the supernatural "personality" of the Spouse of Christ that he could turn, in the second half of the book, to making the necessary distinction between the "Person" of the Church and its "Personnel." The title Maritain chose for the first chapter of the second half of his book is "The Person of the Church is Indefectibly Holy; Her Personnel is Not." He defined the "Personnel" of the Church as "that body of men who, by the fact that they belong to the secular or the regular clergy, are the officially appointed servants of the Church, and in particular those among them who, from the top to the bottom of the hierarchy, have the responsibility of authority over the Christian people." This Personnel, he writes, is neither indefectibly holy nor always free from error.

Their mission sets them apart, but with regard to their personal conduct and the wounds of nature, they are just like other men. They are members of the Church just like everyone else, all exposed to falling more or less gravely into error and sin. And those who have the responsibility of authority can, in the very exercise of that responsibility, be mistaken more or less gravely, either in their conduct with regard to practical decisions and government, or in what they say or what they do in matters of doctrine.

Here Maritain makes what he considers another necessary distinction between the Personnel when they act as their own *proper cause* and when that same Personnel act as *instrumental cause*. In the case of *instrumental causality*, it is Christ and the Holy Spirit who act through that Personnel as their instrumental agents, for example, when they proclaim the truths of faith taught universally all through the centuries by the episcopal body in union with the Pope, *i.e.*, the *ordinary magisterium* of the Church spread over the earth, or when the Pope himself speaks *ex cathedra*, or the bishops, assembled in Ecumenical Council, *i.e.*, the *extraordinary magisterium*. He notes that in the case of *instrumental causality* no error is possible in the strict measure in which they express the formal teaching they intend to proclaim (not the side issues), whereas in the cases of *proper causality* error is always possible.

However, it often happens that in the actions and teachings of the Personnel of the Church of Christ the two types of causality are inextricably intermingled. When there is question of *proper causality*, the assistance of the Holy Spirit is always available, but can be, and on occasion is, culpably disregarded.

The sins into which, by their own moral conduct, certain members of the Personnel of the Church happen to fall, -- whether it is a question of pride of spirit or weakness of the flesh, or of the allurements of prestige and riches [and we could very well add today, an exaggerated and dishonest concern for the reputation of the institutional Church or a haughty indifference to the sufferings of the innocent and most vulnerable members of the Church], - certainly have repercussions on the flocks it is their mission to shepherd and on the manner

in which they lead them.

Maritain ended the chapter on the Personnel of the Church by reflecting on the fact that the Church is definitely not a democracy. He points out that the Popes and the bishops are not chosen by Christ (and one of His choices ended up betraying Him), or by his Apostles. They are chosen, he wrote, by fallible men who, "succumbing to the wounds of our nature or to historical circumstances, may very well happen to disregard. . . the assistance of the Holy Spirit," and this is the case, whether the Christian community itself chooses its own leaders (as was the case in early times) or, like today, the cardinals elect the Pope and the Pope names the Bishops. Now when the Church's "Personnel" is chosen by other members of its Personnel, "it is inevitable and normal that this Personnel recruit itself: so that as a result, the person of the Church herself is not in any way, even by designation [of bishops], involved in what her personnel may do or say, except to the degree that it is an instrumental agent in her regard."

In the succeeding chapters, Maritain discusses briefly the most outstanding historical cases in which the Personnel of the Church, either through blindness or blatant arrogance, and disregarding the assistance of the Holy Spirit, did and said things for which the Person of the Church of Christ now has to blush: the Crusades, the treatment of the Jews, the Inquisition, the trial of Galileo and the burning of Joan of Arc. From personal experience Maritain had firsthand knowledge of the horrors of investigations and censure by the "Holy" Office at the Vatican because of his public refusal to recognize the Spanish Civil War as a *holy war*.

The conclusion of Maritain's meditation on the Church is particularly applicable to the present crisis which has been brought about by clerical sexual abuse and its cover-up by the hierarchy. He concluded:

concern for the truth and careful attention to the sacred mystery of the Church make it necessary for us to speak bluntly, ignoring the veils of modest reverence which traditional good form required that we draw over the mistakes and the errors which Churchmen, when they act as their proper cause, can commit, and which in fact they have often committed, and which they commit at present for reasons exactly opposite to those of other times, -- and which are not the mistakes and errors of the Church herself.

The present crisis, which is a genuine scandal to the people of God and to their good and faithful priests, demands a number of serious changes in the way the "Personnel" of the Church are chosen and promoted, and the way in which they operate at all the levels of the hierarchical institution. Bishops should be chosen by the Pope as *true shepherds* of the people of God, after serious consultation with the members of the flock they are to care for -- not as CEOs or legal experts (after all, don't lawyers learn how to skirt the law?) or as financial managers of the institution, whose main concern is damage control and financial stability. The Catholic laity, especially in America, is no longer made up of poor uneducated immigrants; very many of them are far more educated and experienced in various fields than the shepherds who are designated to "serve" them. Their flocks will no longer submit quietly to the law's delay and the insolence of office. Such arrogance was particularly evident in the response of the director of vocations for the diocese of Dublin, who, when he was reminded by reporters, that, at a time when there was a grave shortage of priests, only one seminarian would be ordained from the whole diocese, declared "In the end, the only way to have people sit up and take notice is to let them experience firsthand the problems that result from their own behavior." Or the Curial disdain for the American Church in the reply of the Vatican spokesman who, in answer to reporters' questions about the possible causes of the clerical child abuse scandal, declared that the very fact that all the questions being asked were in English was a good indication of the source of the problem. The "Personnel" of the Church must commit itself to transparency, to the sharing of power and to greater respect for and consultation with the people of God. What ever happened to the *sensus fidelium*?

During the period between his return to France after the death of his wife Raïssa in 1960 and his own death in 1973, Maritain, in a kind of nostalgic replay of the halcyon days of the Study Circles at Meudon, brought together each summer a small group of intimate friends, among whom was the late Cardinal Charles Journet, to discuss philosophical and theological questions of the day. In the summer following the publication of *On the Church of Christ*, Maritain presented for discussion by this group a paper on the priesthood which was published in the *Revue Thomiste* (nos. 2-3, 1971) and after his death in *Untrammelled Approaches*. It was

called "Apropos of the French School."

The term French School refers to a system for the recruiting and training of secular priests by the Oratory (the congregation of the Oratorians) conceived and founded by Cardinal de Berulle in the seventeenth century as "a seed-bed and nursery of priests who would devote themselves to a lofty spiritual life and the pursuit of sanctity and who would shine forth by their example on all the clergy of France." The work of the Oratorians has produced many excellent priests over the years, but Maritain pointed out a lack of theological rigor in Berulle's thinking that led him to slip from the notion of the exigencies of the sanctity of the sacerdotal *function* to the notion of the sanctity of the priestly *state of life* itself, a state in which the priest would be constituted by the very fact of his ordination.

On the one hand, Berulle was right, Maritain insists, and magnificently so, in his insistence on the holiness toward which the priest ought to strive. . .

On the other hand, Berulle was mistaken, and seriously so, in exalting the sanctity of the state of life in which the sacrament of Holy Orders places the one who receives it. From affirming the eminent perfection to which the priest is called so that he may exercise his function in a manner that is in complete harmony with what the office demands, to affirming the eminent perfection of the state of life which is conferred on him at the same time as the sacramental powers, there is no more than an imperceptible step for Berulle, and he was happy to take that step.

And the Cardinal did not miss an opportunity to explain that the priesthood itself is a "state of sanctity," Maritain finds this conception rather bizarre

when one recalls that the indelible mark that the character imprints on the soul of the priest is no other than the power with which he is invested to transubstantiate bread and wine and to absolve, even if he happens himself personally to be unworthy by the loss of grace.

The sacrament of Holy Orders does not constitute the priest in a *state of sanctity* any more than baptism constitutes an ordinary Christian in such a state. The *state of life* of the priest, Maritain maintains, "is the same as that of most ordinary members of God's people" and a clear distinction must be maintained between this *state of life* and the priestly *function*.

The mediation that he is called to exercise as a priest is of a completely different order: It is a "ministerial" or functional mediation which he exercises in the hierarchical structure of the Church, in which he is endowed with a canonically fixed authority to transmit to men the truths of faith, to celebrate in their midst the sacrifice of the altar, to give them the Body and Blood of Christ, and to confer on them the graces of the other sacraments -- without his having in any way to be a superchristian in order to acquit himself of these holy functions as such.

According to Maritain, the French School did an immense service to the Church by insisting with admirable zeal on the sanctity toward which the priest has the duty to strive, but at the same time it promoted an illusory sublimation of the priesthood through a serious misunderstanding of its true grandeur.

The belief that "God took on flesh" is absolutely and strictly the very same thing as "God made Himself a priest"; the belief that the priest is a superchristian, and even more than that; the belief that he is a conjoined instrument of the Savior; that he enters into His divine Person; that by his ordination he is constituted in a state of perfection and sanctity; finally the belief that through this very state all those things that he happens to do *in the exercise of his functions* are marked with the seal of the sacred.

He maintained that the French School went so far in this illusory sublimation that, at least in more recent times, many of those it formed believed that the priest communicates a higher dignity to and actually sanctifies whatever he happens to do *in his ordinary life*. Some even thought (contrary to Berulle) that any

act at all accomplished by a priest -- trimming trees, fixing a watch, indeed even scolding an altar boy (and we might ask in the present crisis, what have many altar boys not been required to submit to?) or eating a meal with friends -- is a sacerdotal act.

We were to believe that from the moment he does something in the exercise of his functions, the priest, *because his ordination, in making him the hand of Christ, constituted him in a loftier state than that of the ordinary Christian*, then acts as being *of Christ* by privileged right and brings to men a ray, sometimes a bit obscured (but in such a case we shed a furtive tear and then quickly pull the veil), a ray which emanates from Christ. . . *Sacerdos alter Christus* -- *this* is the maxim. . . for a long time now. . . the way in which [followers of the French School] sublimate the priesthood was considered the guarantee *par excellence* for maintaining the respect we owe the Church's ministers. (And not only were we supposed to respect them, but to love them as well.)

Maritain calls this an "illusory sublimation" of the priesthood. He is not using the term "sublimation" in the now-popular Freudian sense of the word. What he means is the illusionary raising of the priesthood and of the reverence due to the priest to a level far higher than is warranted. This illusionary and exaggerated reverence for the priest explains in good measure how a child or young adolescent could become deeply confused at the advances of pedophile and ephebophile priests and make agonizing efforts to convince himself or herself that what the priest was doing was not sinful because of the exaggerated reverence with which they were always taught to regard the person of that priest -- or explains their reluctance to speak of the situation to the authorities or their parents for fear that they would not be believed. It explains too the reluctance of the Personnel of the Church to confront, discipline or remove "one of their own" and their recourse to secrecy and cover-up to protect the reputation of the institutional Church and its Personnel.

Near the end of his presentation Maritain shares some interesting reflections on the problem of celibacy in the priesthood. Of course, relaxation of the rule of celibacy would not cure pedophiles or ephebophiles who suffer from profound psychological disturbances that can be contained, but almost never cured. But in the early 1970s Maritain made some arguments for a married clergy that seem as valid as those that have been used to require celibacy. After insisting again that the condition of existence and the state of life of the priest are in themselves the same as the conditions of existence and the state of life of ordinary Christian people, he writes:

It is true that the Church, at least in the Latin rite. . . demands [of the priest] that he give up the right to found a family, but this is not because of the state of life in which one leaves all for God; it is only to better satisfy the demands of a function -- working for the salvation of souls -- which demands total devotion of him who exercises that function. However, for other reasons, many find it desirable today that a regime which, while maintaining this general discipline, would permit marriage for priests in certain determined cases.

To these remarks Maritain appended an extended footnote which has immediate application to the present crisis:

As the example of the Eastern Churches (including the Eastern Catholic Church) shows us, celibacy is not linked to the priesthood in any absolutely necessary way. Suppose for example that one day permission were given to men who had been living in the married state for a sufficiently long time, and in a sufficiently irreproachable manner, to receive priestly ordination (as long as their wives were in agreement). We might well ask if the time has not come when the existence of such married priests is desirable, I would say even advantageous, for the priestly ministry itself. Is it not the case that in a multitude of good works -- catechism, church clubs, study groups, etc., collaboration between priests and lay Christians is required more and more? . . . does such a collaboration not entail grave risks if it takes place among young people all equally immature in their adolescent mentality? It would seem that such risks would be far less if it were only with married priests -- and as much as possible with their wives. . . -- that devoted (and sometimes sentimental) young Christian

women give themselves to a common apostolic work.

The abrogation of the celibacy rule would not solve all the problems posed by the clerical sexual abuse of adults, adolescents and children, male or female, but a serious reconsideration of that rule is certainly, as he says, "desirable" and "advantageous."

Maritain closed his presentation recalling the distinction between the *state of life* and its requirements that the priest shares with all the people of God and the *priestly function* that sets him apart from them -- "the grandeur of the priest and of the priesthood is by its essence a *eucharistic* grandeur."

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