

To His Eminence Gerhard Cardinal Müller,
Prefect of the Congregation for Doctrine and Faith
Palazzo S. Uffizio
Piazza del S. Uffizio, 11
00193 Roma
Italy

27.04.2015

Petrus Canisius

Revised attachment A, in response to the audience to [REDACTED] of the Doctrinal Office of the
CDF (d.d. 22.10.2015): 07.11.2015

Re: Request for clarity on the hermeneutics of Vatican II.

Your Eminence,

In accordance with Canon Law [Can. 208-223, especially Can. 212/2, Can. 213 and Can. 214] I am writing to you to express my confusion regarding the interpretation of the Second Vatican Council.

Because the faithful, both priests and lay people, have a right to clarity with respect to the Truth, I would ask you to provide such clarity on the hermeneutics of Vatican II. This clarity would not only benefit all the faithful, but would also provide justice to all religious participants of these theological discussions and would bring objective direction to such discussions in finding the Truth.

Herewith I have to refer to the address to the curial collaborators at Christmas 2005 [http://w2.vatican.va/content/benedict-xvi/en/speeches/2005/december/documents/hf_ben_xvi_spe_20051222_roman-curia.html]. Pope Benedict XVI condemned the wide spread '*hermeneutic of discontinuity and rupture*' and placed the '*hermeneutic of renewal, of reform in continuity*' in the foreground. In this way Pope Benedict XVI showed us a correct direction on the interpretations of Vatican II while at the same time he initiated renewed discussions.

However, we also have to consider that the condemnation of the '*hermeneutic of discontinuity and rupture*' by Pope Benedict XVI was preceded over 33 years earlier by a speech of Pope Paul VI to the Cardinals on June 23rd 1972. Pope Paul VI highlighted in this speech his concern with the following words: "... **an emergency which We cannot and must not keep hidden: in the first place a false and erroneous interpretation of the Council, which would want to break with the tradition, even as regards the doctrine, an interpretation which goes so far that the pre-conciliar Church is rejected and one is allowed to consider a 'new' church, as it were reinvented from the inside, as regards the constitution of the Church, her dogma, custom and law.**" [Unofficial translation, see for the original text in Italian attachment B01] These words spoken by Pope Paul VI seem to be a clear description of what Pope Benedict XVI has called the '*hermeneutic of discontinuity and rupture*'. In the same week on June 29th 1972 Pope Paul VI also said in his homily: "... *from some crack the smoke of Satan has entered the temple of God.*" So referring to Pope Paul VI in 1966 [attachment B02] we have to conclude that the emergency about which Pope Paul VI spoke in 1972 had already started directly after Vatican II and was still present in 2005, otherwise the addresses by both Popes, Paul VI and Benedict XVI, would be made without any actual references. And obviously, by more than once calling Archbishop Agostino Marchetto the best interpreter of Vatican II, His Holiness Pope Francis has confirmed the '*hermeneutic of renewal, of reform in continuity*'.

Therefore, as described by Archbishop Agostino Marchetto in 2010 --"*the false and erroneous interpretation of Vatican II, frequently availing itself of the sympathies of mass media and also being one trend of the modern theology that vituperates as anti-conciliar anyone who departs from their monopoly-line of the Council's interpretation*" [attachment B03]-- a situation has been created that affected so many innocent and well-meaning faithful (priests and laity) by misleading them for all these years, indeed for a period of almost a whole generation. Thus the People of God, and above all the 'little' ones, are confused, disoriented and aimless.

Regarding the widespread erroneous and false interpretations by the "*hermeneutics of discontinuity and rupture*" shortly after the Second Vatican Council, the answer to the Council Fathers by the '*Notification*' [attachment B04] has not been fully satisfactory. And because the faithful, priests and laity, have a right to clarity with respect to the Truth, I would be most obliged if you could provide such clarity on this matter. Such clarification would not only benefit the faithful, but would also bring justice and peace, where we find so many conflicts

between well-meaning faithful. It certainly would contribute to peace and mercifulness inside the Church, just at the beginning of the Extraordinary Jubilee of Mercy.

Therefore I am asking you to review the questions/statements provided and presented in attachment A and would greatly appreciate confirmation as to whether or not they are correct.

The first two items (ad 1 and 2) of the questions/statements concern the general rules mainly taken from the 'Notifications' [attachment B04]. The second part (ad 3 to 7) concerns some general topics concerning the *norms of theological interpretation* as well as the *pastoral approach of the Second Vatican Council*, based on the *hermeneutics of reform, of renewal in continuity* taught by Pope Benedict XVI. Here two levels have to be distinguished (ad 3): the level of the changes of the "modern world" also called "Today's World" or "modern times" (ad 4) and the level of the "Depositum Fidei" (ad 5) while ad 6 refers to the continuity. Ad 7 reflects the general attitude during such discussion and finally in ad 8 a summary has been given.

Hereby it can be stated explicitly that it is not the intention to block theological discussions but to regulate them so that in a correct way the Truth can be reached, without being blocked by false interpretations and/or subjective opinions. As a scientist I am aware of the importance of such free discussions in finding the Truth and that such discussions should not be blocked by dominating false opinions or ideologies.

With our heartfelt gratitude for your consideration and hope for your help regarding this matter, I offer the assurance of my filial support and prayers for your work, for His Holiness, and in hope of a speedy and just resolution of the presented matter. I ask for the kindness of your blessing.

Mr. Jack P. Oostveen
Scientific and Practical Civil Engineer
Emeritus Ass. Professor on Soil Mechanics and Foundation Engineering
Emeritus Guest Professor on Problem Solving Training


The Netherlands

cc. 

Attachment A

Statements/questions to review:

Introduction (added in version of 07.11.2015)

In order to prevent any misunderstanding as well as for a proper understanding of expressions like *failed* and *risks for failures* regarding a Council the following definitions are useful to consider (these come from the professional engineering discipline of failure analysis):

1. The *Ultimate Limit State* (ULS) as a type of failure for which the total functioning (of a system being analysed) has been destroyed. This type of failure is unrecoverable.
2. The *Serviceability Limit State* (SLS), a type of failure for which one or more distinct elements (of a system) do not function sufficiently. Such kind of failures can be resolved by taking appropriate corrective measures.

In analysing the Council and its documents it is clear that an ULS failure cannot exist, because that would attach the infallibility of the *Depositum Fidei*. Even if the documents are full of ambiguities due to imperfections in the free will of the individual Council Fathers, the Holy Spirit is guaranteeing that these documents can always be interpreted well in the light of Doctrine and Faith.

However in contrast with an ULS failure mode, the Council documents may be at of SLS failures if these documents contains imperfections, especially by ambiguous text phrases. Apparently any ambiguity carries a risk for failure, a risk by means of false interpretation as well as by consequent implementation of incorrect pastoral measures. The more ambiguities there are, the greater the risks for such failures. And as long as these ambiguities have not been resolved, the objective for which the Council has been convoked cannot be reached, which means that the Council has failed by not functioning sufficiently (SLS).

Resolving such a failure can be done but requires above all *Clarity of the interpretation of the Council*. However, evidently, to prevent such situation each text phrase of a document produced by a Council (or Synod) should be clear, well defined and precisely expressing the mentioned Teaching of the Church.

General rules

1. Is it correct to consider that due to the pastoral character of Vatican II the interpretation of the documents published by this Council can be the subject of theological discussions respectful of the supreme Magisterium, except on those subjects in matters of *Faith and Morals* that have been defined and openly declared by the Council as binding on Church.
[Attachment B4]?
2. (a) Is it correct to consider that at Vatican II the Pope and the Council Fathers did not define and openly declare any matters of *Faith and Morals* as binding on the Church?
(b) That therefore Vatican II has not that specific divine assistance which is typical for such infallible dogmatic definitions on *Faith and Morals* by the supreme Magisterium, and therefore the documents published contain solely the teaching of the Magisterium of the Church which can be subject to theological discussion with respect to the hierarchy of the Church teachings on Faith and Morals, respectful of the supreme Magisterium, according to the norms of theological interpretation.
[Attachment B4]?

Norms of theological interpretation:

3. (a) Is it correct to consider that due to the pastoral character of Vatican II the norms of theological interpretation have to be in accordance with the "*Hermeneutic of renewal, of reform in continuity*" as taught by the Magisterium of Pope Benedict XVI?
(b) That therefore discussions on the interpretations can be found on the two levels in accordance to the teaching by Pope Benedict XVI: on one hand at the level of the infallible *Depositum Fidei* and on the other hand at the level of the changes in the *modern world*?
[Please consider **attachment B05** as enclosed here]
4. (a) Is it correct to consider that, at the level concerning the underlying changed reality of the *modern world*, the visions of the *modern world* regarding several distinguished aspects have to be analyzed and characterized in the light of tradition and the Church's teachings on Faith and Morals?

(b) That such analysis and characterization of the *modern world* only touches on Faith and Morals and is therefore not fully a matter of Faith and Morals?

(c) That, therefore, such a vision can undoubtedly be fallible and capable of alteration?

(d) That this fallibility carries the risk of an imperfect characterization of the underlying changed reality of the modern world, and thereby also the risk for failure by incorrect decisions and/or measures as to the implementation of the *Depositum Fidei* with all consequences regarding the resulting effects?

[Please consider **attachment B06** as enclosed here]

5. (a) Is it correct to consider that regarding the level of the *Depositum Fidei* no discussion should take place concerning the infallible content of the *Depositum Fidei* itself unless it is a matter of organic development of doctrine?

(b) That such discussion regarding organic growth leads to a better understanding of the Faith and can never be contrary to the *Depositum Fidei*?

(c) That according to *Dignitatis Humanae* (DH_1) --"..., it searches into the sacred tradition and doctrine of the Church the treasury out of which the Church continually brings forth new things that are in harmony with the things that are old"-- discussions can take place about the effectiveness of alternatives taken from the *Depositum Fidei*, and that evidently such discussions do not touch the infallibility of the *Depositum Fidei* itself and can therefore be a subject of discussion?

6. Is it correct to consider that regarding the level of the *Depositum Fidei* the continuity can only be in one direction leading to a better understanding the Faith and can never be contradictory?

[Please consider **attachment B07** as enclosed here]

7. (a) Is it correct to consider that Conciliar and Papal decrees, whether or not infallible, are not inspired texts such as the Gospel and the Epistles of the Apostles?

(b) That therefore such decrees are human descriptions of Revelation and that in contrast to the special assistance of the Holy Spirit during the teaching by the Apostles, in the case of such decrees a gracious collaboration is required with regard to the inspiration of the Holy Spirit, a collaboration in which the free will of men is respected, even if it is imperfect?

(c) That a Council can fail, because it is not necessarily infallible or dogmatic in itself?

(d) That, as long as the total or partial inaccuracy of a text is not clearly demonstrated, non-infallible pronouncements of the Magisterium retain their authority, but that, in order to demonstrate the accuracy or inaccuracy of some texts and/or their interpretation the Council documents need to be the subject of theological discussions, however, always with respect to the supreme Magisterium?

Summary

8. Is the following summary correct?

In order to read the Council documents with a pastoral character with genuine continuity and always with full respect to the supreme Magisterium one has to distinguish between:

(I) *Statements concerning the characterization at the level of the changing modern world which are in principle fallible and might be imperfect leading to incorrect measures;*

(II) *Statements belonging to the *Depositum Fidei*;*

(III) *Statements concerning the implementation of the *Depositum Fidei* which (IIIa) might have been explored insufficiently or (IIIb) might be based on imperfect characterizations at the level of the modern world but leaving the *Depositum Fidei* as such intact.*

*While the statements under (II) affect the infallibility of the *Depositum Fidei* itself, the statements under (I) and (III) undoubtedly do not affect the infallibility of the *Depositum Fidei* at all.*

Attachment B

Attachment B01

Die 23 mensis iunii a. 1972: Eminentissimis Sacri Collegii Cardinalium Patribus, Summo Pontifici die Eius nominali felicia ac fausta ominantibus. [[Acta Apostolicae Sedis \(AAS\) 64 \(1972\), p. 498](#)]

“Da queste opposte tensioni deriva uno stato di disagio, che non possiamo e non dobbiamo nasconderci: anzitutto una falsa e abusiva interpretazione del Concilio, che vorrebbe una rottura con la tradizione, anche dottrinale, giungendo al ripudio della Chiesa pre-conciliare, e alla licenza di concepire una Chiesa « nuova », quasi « reinventata » dall'interno, nella costituzione, nel dogma, nel costume, nel diritto.”

Attachment B02

'The Second Vatican Council, a Counterpoint for History of Council', Archbishop Agostino Marchetto (2010), ISBN 978-1-58966-196-7, page 665.

Paul VI wrote: "*It would not be the truth for anybody to imagine that the Vatican Council II represented any kind of break, interruption, or 'liberation' from the teaching of the Church, or that it authorized or promoted any kind of accomodation or conformism with the mentality of our times, in its negative or ephemeral aspects*" [see Insegnamenti di Paolo VI, Volume IV, 1966, p699].

Attachment B03

'*The Second Vatican Council, a Counterpoint for History of Council*', Archbishop Agostino Marchetto (2010), ISBN 978-1-58966-196-7, pages 666, 670 and 682 (on 'Situation in the last ten years').

Since we are on this subject, what can we say about the conciliar hermeneutics of the last ten years? Not very much that is favourable: I must reply in this vein at the outset. There appears, in effect, to be a one-sided school of interpretation which, however, is not in the line of seeing renewal in the light of Church Tradition - but which, we contend, is characteristic of the Church and her Councils generally.

The fact is that "*the School of Bologna*" guided by Professor Guiseppe Alberigo, has mostly succeeded in monopolizing the whole subject and imposing a distorted view on how things are to be seen.

...

It even seems to me that there has been a kind of alliance formed between these two groups of Bologna and Louvain.

...

... more than that, it vituperates as "*anti-conciliar*" anyone who departs from the "*monopoly*"-line.

Attachment B04

'*Notifications*' given by the secretary general of the Council at the 123rd General Congregation, November 16, 1964 (From the Acts of the Council and Appendix to *Lumen Gentium*)

A question has arisen regarding the precise theological note which should be attached to the doctrine that is set forth in the Schema de Ecclesia and is being put to a vote.

The Theological Commission has given the following response regarding the Modi that have to do with Chapter III of the de Ecclesia Schema: "*As is self-evident, the Council's text must always be interpreted in accordance with the general rules that are known to all.*"

On this occasion the Theological Commission makes reference to its Declaration of March 6, 1964, the text of which we transcribe here:

"Taking conciliar custom into consideration and also the pastoral purpose of the present Council, the sacred Council defines as binding on the Church only those things in matters of Faith and Morals which it shall openly declare to be binding. The rest of the things which the sacred Council sets forth, inasmuch as they are the teaching of the Church's supreme magisterium, ought to be accepted and embraced by each and every one of Christ's faithful according to the mind of the sacred Council. The mind of the Council becomes known either from the matter treated or from its manner of speaking, in accordance with the norms of theological interpretation."

Attachment B05

Regarding the “*Hermeneutics of reform, of renewal in continuity*” and especially the two different and distinguished levels one can make a suitable comparison to the daily professional work by engineers, physicians and all kind of professions in which diagnostic analysis and design can be seen as their core business (Jack P. Oostveen).

The complex problems these engineers, physicians and others have to face cannot be solved without characterizing that reality by a serious analysis of the existing problems and even by analysing the problems one can expect due to the effects of the implementations of the potential solutions. There is, therefore, the need for a dynamic problem analysis. The better the problem analysis, the better the problem can be characterized and solved and the better it will lead to the optional best measures that need to be taken.

Here we see the same distinctions between the two levels mentioned in ad 4 of attachment A at work. On one hand there are the problems at the level of the continuous change of the *modern world*, which is the so called underlying changing reality. On the other hand there is the higher level, which is the level of the continuity of our natural knowledge of the truth, the natural laws distinguished by the level of certainty into scientific and experimental truths as well as opinions and presumptions. At this level one can distinguish the philosophical, physical, psychological, economical, sociological and all kinds of aspects of the natural laws as the knowledge of the truth, which due to research and scientific discussions develop only by organic growth.

Based on this level of natural knowledge, the problem analysis takes place using the necessary knowledge of the truth to find the best solution(s) as well as defining the measures to regulate the developments at the underlying level of the changing of the *modern world* in order to solve the problem in it.

However, if such problem analysis fails or even partly fails, the given solution will never solve the problem optimally, while the risk of worsening the problem will increase more and more if additional measures are still lacking.

Here we have to take into account that although the effects of failure are not always directly visible, they will certainly become visible in time.

Attachment B06

Consider the following case of a physician as an example characterizing some potential problems regarding the pastoral character of a Council (Jack P. Oostveen):

A physician has to make a diagnosis of his patient's physical problems to discover the illness. Such an act is in fact a fallible act of problem analysis concerning the changing reality of the *modern world*, while the result of that diagnosis can be considered as a characterization of the problem.

Thereafter, the physician has to decide what the best medicine is to restore the patient's health and then he prescribes this medicine to his patient. In doing this, he is in fact searching for the best solution at the level of truth, the natural scientific and experimental knowledge to determine the implementation of that truth onto the changing reality of the *modern world*. Although such search for the truth would be in full accordance with the diagnosis, if the diagnosis - problem analysis - is wrong, certainly such a medicine presents a high risk and can worsen the patient's condition and may even cause his death.

A new problem has thus appeared here: how self-sufficient will the physician be, will he be able to acknowledge his own failure and recognize his own false diagnosis or not.

Attachment B07

A comment on ad 6 of Attachment A

Regarding ad 6 of Attachment A an additional comment has to be made, which may not belong so specifically to the Congregation for the Doctrine of the Faith as it is not concerning the Depositum Fidei itself, but the pastoral application of it. This concerns a misuse of the term “*continuity*” as a positive argument, where it only concerns the level of the continued changing reality of the modern world. This concerns me too. With the introduction of the *hermeneutic of reform, of renewal in continuity* it can be found that the term “*continuity*” has been misused more and more to justify a pastoral approach which is in contradiction to the Depositum Fidei.

Therefore an alternative for ad 6 of Attachment A is given here:

(a) Is it correct to consider that regarding the term “*continuity*” a distinction has to be made in relation to the distinguished levels?

- (b) That the continuity regarding the level of the Depositum Fidei can only be in one direction leading to a better understanding the Faith and can never be contradictory?
- (c) That the continuity regarding the level of the *modern world* can be observed as working in two opposite directions?
- (d) That interchanges between these two opposing directions exist by continuous processes characterized by certain counterpoints called conversion if turning towards the Faith, while it is a loss of Faith if it turns into the contrary direction?
- (e) That, therefore, what objectively determines the specific character of a pastoral act is not simply its continuity, but its intrinsic orientation towards or away from the Depositum Fidei as the law of Faith, such that the pastoral approach must never be in contradiction to the Depositum Fidei?

Onderwerp: Re: Request for clarity on the hermeneutics of Vatican II.

Van [REDACTED]

Datum: 8-11-2015 16:00

Aan [REDACTED]

Dear Mr Oostveen,

Thank you for your information.

I hope that our meeting was of some help to you and your reflections.

Let us continue to pray for each other.

With my blessing and best regards in Christ,

Fr. [REDACTED]

|| 07/11/2015 23.01, oostveen ha scritto:

Dear Father [REDACTED]

Laudetur Jesus Christus!

Here I want to thank you for the audience you granted me dd 22.10.2015.

This audience, at which we discussed my letter to His Eminence Cardinal Müller, Prefect of the Congregation for Doctrine of Faith, especially the enclosed attachment A, seemed to me very instructive and useful.

From this discussion I learned that we were using two different approaches for the expressions like *failed* and *risk for failures* regarding a Council. Factually both these approaches can be recognized within the professional engineering discipline of failure analysis: the Ultimate Limit State (ULS) and the Serviceability Limit State (SLS). Therefore I have revised Attachment A as follows.

Firstly, regarding the use of the two different approaches for the expressions *failed* and *risks for failures* concerning a Council the following statement has been added as introduction to Attachment A:

In order to prevent any misunderstanding as well as for a proper understanding of expressions like *failed* and *risks for failures* regarding a Council the following definitions are useful to consider (these come from the professional engineering discipline of failure analysis):

1. The *Ultimate Limit State* (ULS) as a type of failure for which the total functioning (of a system being analysed) has been destroyed. This type of failure is unrecoverable.
2. The *Serviceability Limit State* (SLS), a type of failure for which one or more distinct elements (of a system) do not function sufficiently. Such kind of failures can be resolved by taking appropriate corrective measures.

In analysing the Council and its documents it is clear that an ULS failure cannot exist, because that would attach the infallibility of the *Depositum Fidei*. Even if the documents are full of ambiguities due to imperfections in the free will of the individual Council Fathers, the Holy Spirit is guaranteeing that these documents can always be interpreted well in the light of Doctrine and Faith.

However in contrast with an ULS failure mode, the Council documents may be at of SLS failures if these documents contains imperfections, especially by ambiguous text phrases. Apparently any ambiguity carries a risk for failure, a risk by means of false interpretation as well as by consequent implementation of incorrect pastoral measures. The more ambiguities there are, the greater the risks for such failures. And as long as these ambiguities have not been resolved, the objective for which the Council has been convoked cannot be reached, which means that the Council has failed by not functioning sufficiently (SLS).

Resolving such a failure can be done but requires above all *Clarity of the interpretation of the Council*. However, evidently, to prevent such situation each text phrase of a document produced by a Council (or Synod) should be clear, well defined and precisely expressing the mentioned Teaching of the Church.

Secondly, some small changes concerning the use of expressions like *imperfect* and *incorrect* are introduced with regard

to the distinct use of the ULS- and SLS-failure-modes as follows: the *imperfection* of men may lead to *incorrect* decisions and measures which might cause *failures* according the SLS-failure-mode.

Thirdly, regarding the suggested considerations, rule 2b has been changed by adding that *the theological discussion has to respect the hierarchy of the Church teachings on Faith and Morals*.

Please inform His Eminence Cardinal Müller, Prefect of the Congregation for Doctrine of Faith, about these changes and find attached the revised version of attachment A.

With our heartfelt gratitude for your consideration and hope for your help regarding this matter, I offer the assurance of my filial support and prayers for the work of the Congregation for Doctrine of Faith and His Eminence , the Prefect, for His Holiness, and in hope of a speedy and just resolution of the presented matter. I ask for the kindness of the blessing of His Eminence Cardinal Müller.

In Christo,

Mr. Jack P. Oostveen
Scientific and Practical Civil Engineer
Emeritus Ass. Professor on Soil Mechanics and Foundation Engineering
Emeritus Guest Professor on Problem Solving Training

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

cc. [REDACTED]

P.s.

Please find also attached the draft of my essay on this subject in a broader perspective. This draft has been adapted in accordance to the revised attachment A. This essay will soon be published on the internet.

Onderwerp: Your mail to Card. Müller

Van: [REDACTED]

Datum: 13-10-2015 10:44

Aan: [REDACTED]

Dear Mr. Oostveen,

I am Fr [REDACTED] of the Doctrinal Office of the Congregation for the Doctrine of the Faith. Cardinal Müller gave me your kind email from 10 October 2015, asking me to write to you. You will understand that the Cardinal is very busy in these days and cannot give you an audience. If you wish, I can talk with you, for example on Thursday, 22 October 2015, at 3pm, at the see of the Congregation for the Doctrine of the Faith (Palazzo del Sant'Uffizio).
With prayerful best wishes, yours in Christ

Fr [REDACTED]

Onderwerp: request for audience

Van [REDACTED]

Datum: 10-10-2015 11:53

Aan [REDACTED]

Your Excellency,

Laudetur Jesus Christus

Two years ago you granted Monika Rheinschmitt and myself an audience. We talk about a letter I would write to His Eminence Cardinal Müller concerning Clarity of the interpretation of Vatican II. Finally, after a lot discussions and advices I could finish that letter in April this year. I have sent that letter on 27 April 2015 to his Eminence by registered mail and at the same time an electronic copy to you. For your convenience this letter is attached to this mail too. Until now, nearly 6 month letter I did not receive any reaction.

I am now writing an essay on this subject together with an analysis of the remarkable preface by the Pope-emeritus Benedict XVI of the book of his works regarding Vatican II and who was still Pope Benedict XVI when he wrote that preface. Because any comment on my letter to the Cardinal is welcome, I am requesting for an audience to His Eminence Cardinal Müller. I hope you can arrange such.

I will be in Rome from 14 to 28 October this year of which the weekend around 25 October is occupied by the Populus Summorum Pontificum Pilgrimage and the General Assembly of the International Federation Una Voce.

Best regards

In Christo

Jack P. Oostveen

--

<http://www.ecclesiadei.nl>

<http://www.fiuv.org>

—Bijlagen:—

letter-CDF-v07.pdf

146 KB