

Disputed Questions on Papal Infallibility

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Prologue

THE FIRST VATICAN COUNCIL solemnly defined that the pope is infallible when he speaks *ex cathedra*, that is, from the chair of Saint Peter, which is the chair of truth:

Therefore, faithfully adhering to the tradition received from the beginning of the Christian faith, for the glory of God our Savior, for the exaltation of the Catholic religion, and for the salvation of Christian peoples, with the approval of the sacred council, We teach and define that it is a divinely revealed dogma: that the Roman Pontiff, when he speaks *ex cathedra*, that is, when, exercising his office as shepherd and teacher of all Christians, in virtue of his supreme apostolic authority, he defines a doctrine concerning faith or morals to be held by the whole Church, possesses, by the divine assistance promised to him in blessed Peter, that infallibility with which the divine Redeemer willed his Church to be endowed in defining doctrine concerning faith or morals; and therefore, that such definitions of the Roman Pontiff are irreformable of themselves, and not by the consent of the Church. But if anyone, which God forbid, should presume to contradict this Our definition: let him be anathema.²

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² First Vatican Council, Dogmatic Constitution on the Church of Christ, *Pastor Aeternus* (1870), ch. 4 (translation mine).

With this definition the question as to whether the pope is able to speak infallibly at all has been finally settled; since then, theological discussion has centered on the subsidiary questions as to how often and under what conditions he does so.

There are two errors to be avoided here. On the one hand, we must avoid the very real phenomenon of “creeping infallibilization,”³ according to which almost every utterance of the pope is regarded as being at least practically infallible. On the other hand, we must beware the equally dangerous tendency to interpret arbitrarily the conditions for papal infallibility so restrictively as to render the dogma almost meaningless. Paradoxically, these opposite tendencies seem to be almost equally widespread amongst Catholics in general. For one constantly encounters the idea that the pope has only ever spoken infallibly twice (in defining the dogmas of the Immaculate Conception and Assumption of Mary) and yet it is also everywhere assumed (often by the very same people) that no pope could possibly teach anything false in any of his official teaching on faith or morals. As is so often the case, the truth lies in between.

There are many questions involved here that need to be untangled and so I have chosen the format of the medieval Scholastic disputation in an effort to bring some measure of greater clarity to the topic. There are two main questions to be considered concerning the infallibility of the pope: the first concerns the extension and limits of papal infallibility in general; the second concerns particular cases of papal teaching. Here we are concerned only with the first question.

Question I: On the Extension and Limits of Papal Infallibility

Concerning this first question, there are seven points to be considered: (1) whether the essential conditions for speaking *ex cathedra* are rightly enumerated as three; (2) whether the pope is able to teach any error at all in the exercise of his authentic magisterium; (3) whether the infallibility of the pope is limited to the exercise of his extraordinary magisterium; (4) whether the pope is able to speak infallibly when he confirms or reaffirms a doctrine already infallibly taught by the ordinary and universal magisterium; (5) whether the infallibility of the pope is limited to defining dogmas of divine and Catholic faith; (6) whether the infallibility of the

³ See Wolfgang Beinert, “Unfehlbarkeit,” in *Lexicon für Theologie und Kirche*, 3rd ed., ed. Walter Kasper, vol. 10 (Freiburg im Breisgau: Herder, 1993–2001), 390. See also Augustin Schmied, “‘Schleichende Infallibilisierung’: zur Diskussion um das kirchliche Lehramt,” in *In Christus zum Leben befreit: Festschrift für Bernhard Häring*, ed. Josef Römelt and Bruno Hidber (Freiburg: Herder, 1992), 250–72.

pope extends to the canonization of saints; (7) whether the pope is able to speak infallibly without explicitly addressing the universal Church.

*Article 1: Whether the Essential Conditions for Speaking
Ex Cathedra Are Rightly Enumerated as Three?*

Objection 1. It seems that the essential conditions for speaking *ex cathedra* are not rightly enumerated as three. For Saint John Henry Newman enumerates four conditions, saying: “He speaks *ex cathedra*, or infallibly, when he speaks, first, as the Universal Teacher; secondly, in the name and with the authority of the Apostles; thirdly, on a point of faith or morals; fourthly, with the purpose of binding every member of the Church to accept and believe his decision.”⁴

Objection 2. Furthermore, Monsignor Joseph Clifford Fenton enumerates five conditions, saying that the pope is infallible when: “A) He speaks in his capacity as the ruler and teacher of all Christians. B) He uses his supreme apostolic authority. C) The doctrine on which he is speaking has to do with faith or morals. D) He issues a certain and definitive judgment on that teaching. E) He wills that this definitive judgment be accepted as such by the universal Church.”⁵

Objection 3. Furthermore, even if there are only three conditions given in the body of the definition of papal infallibility, we must add another condition, which is that the pope must be faithfully interpreting divine revelation and not inventing any new doctrine. For the First Vatican Council teaches that “the Holy Spirit was promised to the successors of Peter not so that they might, by his revelation, make known some new doctrine, but that, by his assistance, they might religiously guard and faithfully expound the revelation or deposit of faith transmitted by the apostles.”⁶ The Second Vatican Council also teaches that, “when either the Roman Pontiff or the body of bishops together with him defines a judgment, they pronounce it in accordance with revelation itself, which all are obliged to abide by and

⁴ John Henry Newman, *A Letter Addressed to His Grace the Duke of Norfolk on Occasion of Mr. Gladstone's Recent Expostulation* (London: Pickering, 1875), 115; see also Joachim Salaverri, *Tractatus de Ecclesia Christi* (Madrid: Biblioteca Autores Cristianos, 1955), no. 594.

⁵ Joseph C. Fenton, “Infallibility in the Encyclicals,” *American Ecclesiastical Review* 128 (1953): 177–98, at 186.

⁶ Vatican I, *Pastor Aeternus*, ch. 4 (Documents of Church Councils, ed. Norman P. Tanner, 2 vols. [Washington, DC: Georgetown University Press. 1990], 2:816).

be in conformity with.”⁷ And again: “The Roman Pontiff and the bishops, in view of their office and the importance of the matter, by fitting means diligently strive to inquire properly into that revelation and to give apt expression to its contents; but a new public revelation they do not accept as pertaining to the divine deposit of faith.”⁸

On the contrary, Bishop Vincent Ferrer Gasser, in his official *relatio* delivered at the First Vatican Council, in order to explain the intended sense of the definition of papal infallibility, enumerates three essential conditions that restrict the infallibility of the pope: “The infallibility of the Roman Pontiff is restricted by reason of the *subject*, that is when the pope, constituted in the chair of Peter, the center of the Church, speaks as universal teacher and supreme judge; it is restricted by reason of the *object*, i.e., when treating of matters of faith and morals; and by reason of the *act itself*, i.e., when the Pope defines what must be believed or rejected by all the faithful.”⁹

I answer that it must be said that the pope speaks *ex cathedra*, and hence infallibly, whenever three essential conditions are fulfilled, and these pertain to the subject, the object, and the act of the teaching. This is evident both from Gasser’s *relatio* at the First Vatican Council and from the Second Vatican Council’s reformulation of the doctrine, according to which: “The Roman Pontiff, the head of the college of bishops, in virtue of his office, enjoys this infallibility when, [subject:] as supreme shepherd and teacher of all Christ’s faithful, who confirms his brethren in the faith (Lk 22:32), [act:] he proclaims by a definitive act, [object:] a doctrine concerning faith or morals.”¹⁰

Reply to Objection 1. To the first it must be said that the first two conditions enumerated by Cardinal Newman are really only one, for the pope does not speak as universal shepherd and teacher otherwise than in virtue of his supreme apostolic authority. This can be seen in the reformulation of the teaching in *Lumen Gentium* §25, which places the phrase “in virtue of his office” prior to and outside of the enumeration of conditions contained

⁷ Second Vatican Council, Dogmatic Constitution on the Church, *Lumen Gentium* (1964), §25.

⁸ Vatican II, *Lumen Gentium*, §25.

⁹ Vincent Ferrer Gasser, *The Gift of Infallibility: The Official Relatio on Infallibility of Bishop Vincent Ferrer Gasser at Vatican Council I*, trans. James T. O’Connor, 2nd ed. (San Francisco: Ignatius Press, 2008), 49. Italics are in the original Latin text (*Sacrorum Conciliorum Nova et Amplissima Collectio* [hereafter, “Mansi”], ed. J. D. Mansi, vol. 52 [Florence, 1759; repr. Paris: H. Welter, 1901–1927], 1214 C).

¹⁰ Vatican II, *Lumen Gentium*, §25.

in the *cum* (“when”) clause: that is, the pope is infallible, *when* . . . etc.

Reply to Objection 2. To the second it must be said that the first two conditions enumerated by Fenton are really only one in the same way as those enumerated by Newman; and the last two conditions enumerated by Fenton are likewise only one: for whenever the pope as supreme head of the Church issues a definitive judgment on a matter of faith or morals, then it follows as a necessary consequence that this judgment must be accepted as such by the universal Church. This too can be seen in the reformulation of the teaching in *Lumen Gentium* §25, which does not include the phrase “to be held by the whole Church” within the clause where the conditions for infallibility are enumerated.

Reply to Objection 3. To the third it must be said that this argument reduces the dogma of papal infallibility to a meaningless tautology. For it amounts to saying that the pope is infallible whenever he speaks the truth, which is the same as saying that he always speaks truly when he speaks truly. But absolutely everyone is infallible in this sense. It should rather be understood that this “requirement” for the pope to speak in accordance with divine revelation when he defines a doctrine is not given as a *condition* by which to judge whether the pope has spoken infallibly, but as an *assurance* that when he does speak infallibly, then what he says will in fact be in accordance with divine revelation. This is why both *Pastor Aeternus* and *Lumen Gentium* place this teaching outside the enumeration of conditions for papal infallibility. Hence we should not say that, if the pope acting as supreme head of the Church were to define by a solemn judgment that there are four persons in the holy Trinity, he would not in that case have fulfilled the conditions for speaking infallibly, and hence that he could have, and in fact did, teach error. Rather we must say that, because the pope is infallible when he defines a matter of faith or morals by a solemn judgment, God will therefore prevent him from promulgating such a definition. In other words, the dogma of papal infallibility does not *account for*, but rather *rules out*, this hypothetical possibility.

As for how God prevents the pope from solemnly defining a false doctrine, this could be by an external act of providence, by which God would cause the pope to lose his voice or his pen or even his life in order to prevent him from promulgating an erroneous definition; but we ought rather to believe that God ordinarily accomplishes this by the internal working of grace, by which he would move the pope to change his mind about a false doctrine he had intended to define. For this is more consistent

with the ordinary working of divine providence, which “reaches from end to end mightily, and orders all things sweetly” (Wis 8:1).

*Article 2: Whether the Pope Is Able to Teach Any Error at
All in the Exercise of His Authentic Magisterium?*

Objection 1. It seems that the pope is not able to teach any error at all in the exercise of his authentic magisterium. For according to Joachim Salaverri, what is taught by the authentic magisterium of the pope is taught by the Church.¹¹ And according to the Roman Catechism, “This one Church cannot err in faith or morals, since it is guided by the Holy Ghost.”¹² Likewise, the Baltimore Catechism says: “The Church can not err when it teaches a doctrine of faith or morals.”¹³

Objection 2. Furthermore, according to Pope Saint John Paul II: “Alongside this infallibility of *ex cathedra* definitions, there is the charism of the Holy Spirit’s assistance, granted to Peter and his successors so that they would not err in matters of faith and morals, but rather shed great light on the Christian people. This charism is not limited to exceptional cases, but embraces in varying degrees the whole exercise of the magisterium.”¹⁴ Therefore, etc.¹⁵

Objection 3. Furthermore, according to the Second Vatican Council, the faithful are required to accept the teaching of the authentic papal magisterium with a “religious submission of will and intellect.”¹⁶ If, therefore, the pope were able to teach error in the exercise of his authentic magisterium, then Catholics could be required to accept something that is false, which would be opposed to the indefectibility of the Church. Therefore, etc.

¹¹ Salaverri, *Tractatus de Ecclesia Christi*, nos. 657–60; see also no. 892.

¹² *Catechism of the Council of Trent* (1566), trans. John McHugh and Charles Callan (Rockford, IL: TAN Books, 1982), 107 (I, a. 9).

¹³ *Baltimore Catechism* (1891), no. 526 (<http://www.baltimore-catechism.com/lesson12.htm>).

¹⁴ Pope John Paul II, General Audience of March 24, 1993, §4 (English trans. from “The Holy Spirit Assists the Roman Pontiff,” totus2us.com/teaching/jpii-catechesis-on-the-church/the-holy-spirit-assists-the-roman-pontiff/).

¹⁵ Stephen Walford makes this argument in “The Magisterium of Pope Francis: His Predecessors Come to His Defense,” *Vatican Insider*, February 7, 2017, lastampa.it/vatican-insider/en/2017/02/07/news/the-magisterium-of-pope-francis-his-predecessors-come-to-his-defence-1.34649513.

¹⁶ Vatican II, *Lumen Gentium*, §25.

Objection 4. Furthermore, the pope is the final judge in matters of faith and morals. Hence, there can be no legitimate dissent from any papal teaching nor appeal to any other authority. But this would place the faithful in an impossible situation if the pope were at all able to teach error.

Objection 5. Furthermore, according to Gasser's *relatio* on papal infallibility, the First Vatican Council raised to a dogma the teaching of Saint Robert Bellarmine regarding the extent of papal infallibility.¹⁷ But Cardinal Bellarmine held it to be a pious and probable opinion "that the Sovereign Pontiff not only cannot err as Pontiff, but also that as a particular person he cannot be a heretic, by obstinately believing something false contrary to the faith."¹⁸ Therefore, it is now a dogma of faith that the pope is in no way able to teach error in matters of faith or morals.¹⁹

Objection 6. Furthermore, according to the Congregation for the Doctrine of the Faith (CDF), propositions contrary to the non-definitive teaching of the authentic magisterium "can be qualified as *false* or, in the case of teachings of the prudential order, as rash or dangerous and therefore *tuto doceri non potest*."²⁰ But if all speculative propositions contrary to the teaching of the authentic magisterium are false, then all such propositions taught by the authentic magisterium must be true.

Objection 7. Furthermore, according to Cardinal Johann Baptist Franzelin, in addition to the gift of "infallible truth," which protects the *ex cathedra* definitions of the pope, there is also the gift of "infallible security," which guarantees that all authentic papal teaching, even if not infallibly true, is at least infallibly safe, so that it would always be safe for the faithful to embrace it and could never be safe to reject it.²¹ Therefore, the authentic magisterium of the pope is at least practically infallible.

¹⁷ Gasser, *Gift of Infallibility*, 59.

¹⁸ Robert Bellarmine, *Controversies of the Christian Faith*, trans. Kenneth Baker (Saddle River, NJ: Keep the Faith, 2016), 970.

¹⁹ Emmett O'Regan makes this argument in "The Heretical Pope Fallacy: The Official *Relatio* of Vatican I on the Dogmatization of St. Bellarmine's 'Fourth Opinion,'" *Vatican Insider*, December 11, 2017, lastampa.it/vatican-insider/en/2017/12/11/news/the-heretical-pope-fallacy-1.34082024.

²⁰ Congregation for the Doctrine of the Faith (CDF), *Doctrinal Commentary on the Concluding Formula of the Profession of Faith* (1998), §10.

²¹ See Johann Baptist Franzelin, *Tractatus de divina traditione et scriptura* (Rome: Marietti, 1870), 116.

Objection 8. Furthermore, according to Cardinal Louis Billot, the non-definitive exercise of the authentic magisterium consists in probabilistic rather than in certain judgments. Thus, when the pope teaches a doctrine of faith or morals without intending to proclaim it definitively, he is to be understood as proposing that this doctrine is *probably* true (and therefore *safe* to hold) in light of current knowledge. Such teaching is “reformable” in the sense that the Church, enlightened by new knowledge, could later teach that the reverse is true. And yet this would not make the previous teaching false, since it was rightly considered probable at the time. Therefore, even the reformable teaching of the pope cannot be said to be in error. As Billot says: “That which is not safe now, looking at the present state of the question, can later become safe, when new evidence has appeared: and thus the decision declaring as safe that which was said before not to be safe, would not strictly speaking be a reformation of the sentence, but a new declaration not contrary to the prior one.”²²

On the contrary, according to Pope Saint John Paul II, “The non-infallible expressions of the authentic magisterium of the Church should be received with religious submission of mind and will.”²³ But if there are non-infallible expressions of the authentic magisterium, then it is possible for the authentic magisterium to teach error. For what is not infallible is fallible; and what is fallible is able to fail.

I answer that it must be said that it is possible for the pope to teach error in the exercise of his authentic magisterium, although the divine assistance granted to him in virtue of his supreme office prevents this from occurring frequently. The charism of infallibility is bestowed on the Church by God in order to protect the faithful from being forced by holy obedience into error in matters of faith or morals. Since the solemn judgments or definitions of the pope are strictly binding in conscience, if the pope were able to err in such judgments, then all Christ’s faithful could be obliged to believe something against the faith, which would be contrary to the indefectibility of the Church, according to the words of Christ, “The gates of hell shall not prevail against it” (Matt 16:18). But when the pope teaches a matter of faith or morals in his authentic magisterium without speaking *ex cathedra*, then he does not require a definitive assent from the faithful. Hence, if he

²² Louis Billot, *Tractatus de Ecclesia Christi*, q. 10, th. 19, in vol. 1, 3rd ed. (Rome: Giachetti, 1909), 437.

²³ Pope John Paul II, Address to the Bishops from the United States of America on Their *Ad Limina* Visit, October. 15, 1988, §5.

should err in such teaching, the whole Church would not necessarily be led astray by the error. Therefore, it is not necessary that this kind of teaching should be absolutely protected from all error. Yet it is more fitting that even this kind of teaching should be protected from frequent error, lest anyone be led to conclude that the Church “does not enjoy divine assistance in the integral exercise of its mission.”²⁴

Moreover, according to the Second Vatican Council, the response owed by the faithful to the authentic magisterium of the pope when he is not speaking *ex cathedra* is a “religious submission of will and intellect.”²⁵ According to the official notes provided by the Theological Commission at Vatican II, this text is intended to be understood in reference to *non-infallible* teaching. One note mentions that this clause was added “in order to determine further what assent ought to be given to the teaching of the authentic magisterium *below the grade of infallibility*.”²⁶ When the text was later relocated, there is another note that “it seemed better to treat of the *non-infallible* magisterium of the Roman pontiff in the context of the magisterium of the whole episcopal body.”²⁷ Thus it is clear that, according to the intended sense of *Lumen Gentium* §25, the authentic magisterium of the pope is not always infallible, which means that it may sometimes teach error.

The religious submission of will and intellect that is normally due to the teaching of the authentic magisterium is a genuine interior assent of the mind, which has the character of opinion rather than knowledge or faith, since the doctrine is to be accepted as true though with the awareness that it could possibly be false.²⁸ This assent may legitimately be withheld in certain cases, although to do so merely on the basis of one’s own private judgment would be rash and dangerous.²⁹ However, assent *must* be withheld when the teaching in question clearly conflicts with any irreformable doctrine of the Church, a doctrine that has been taught infallibly. This is because, in the case of conflicting obligations, precedence must always be given to the stricter obligation (as the obligation to obey traffic laws may give way to the obligation to save lives); and the obligation to give definitive assent to the irreformable teaching of the infallible Church is a

²⁴ CDF, Instruction on the Ecclesial Vocation of the Theologian, *Donum Veritatis* (1990), §24.

²⁵ Vatican II, *Lumen Gentium*, §25.

²⁶ *Acta Synodalia Sacrosancti Concilii Oecumenici Vaticani Secundi* (Rome: Typis Polyglottis Vaticanis, 1970–1999), 2/1:255 (emphasis added).

²⁷ *Acta Synodalia*, 3/1:250 (emphasis added).

²⁸ See Thomas Aquinas, *De veritate*, q. 14, a. 1.

²⁹ See: *Donum Veritatis*, §§24–31; Salaverri, *De Ecclesia Christi*, no. 675.

stricter obligation than the religious submission due to the non-infallible teaching of the authentic magisterium of the pope or bishops. This may be understood by analogy with the obligation of children to obey their parents. Just as children have a duty to obey their parents in all things, as long as their commands do not conflict with the higher law of God, so too the faithful children of the Church have a duty to accept the magisterial teaching of the pope and the bishops in union with him as long as their teaching does not conflict with the higher law of God's own revelation infallibly proposed by the Church.

The faithful must take care, therefore, to be well formed in the tradition of the Church, especially the sacred Scriptures, the common teaching of the fathers and doctors, the divine liturgy, and the infallible decrees of prior popes and councils, so that they may not be led astray if the bishops, or the pope, or even an angel from heaven should preach a gospel contrary to that which has been received from the apostles (see Gal 1:8).

Reply to Objection 1. To the first it must be said that when the pope or bishops exercise their merely authentic (non-infallible) magisterium, this is only said to be the teaching "of the Church" in an improper sense. When the pope teaches infallibly, then it can be said simply and properly that "the Church" teaches. But when the pope exercises his authentic magisterium without speaking infallibly, then it should be said more properly that the pope teaches. And thus if he should err in such teaching, we would say that the pope has erred and not that the Church has erred. An indication of this can be seen in the concluding formula of the Profession of Faith, which speaks in the first two paragraphs of the definitive assent owed to the infallible teaching "of the Church," whereas the third paragraph speaks of the religious submission of will and intellect due to the non-definitive teaching "of the pope or college of bishops."³⁰

Reply to Objection 2. To the second it must be said that in the same series of general audiences devoted to a catechesis on the Church, Pope John Paul II distinguishes the ordinary (merely authentic) papal magisterium, which is exercised continually, from the extraordinary or solemn papal magisterium, which is exercised only in *ex cathedra* definitions,³¹ and then proceeds to say that the pope is infallible "only when he speaks *ex cathe-*

³⁰ CDF, *Profession of Faith* (1998).

³¹ Pope John Paul II, General Audience of March 10, 1993, §3 (English in "The Roman Pontiff is the Supreme Teacher," totus2us.com/teaching/jpii-catechesis-on-the-church/the-roman-pontiff-is-the-supreme-teacher/).

dra.”³² But if the pope is infallible only when he speaks *ex cathedra*, then he is not infallible when he does not speak *ex cathedra*, and therefore he is able to teach error, even in matters of faith or morals, in his authentic magisterium when not speaking *ex cathedra*. In order to uphold the objection, one would have to deny what Pope John Paul II teaches here, which would be to attribute error to the teaching of his authentic magisterium in a matter pertaining to faith, in which case the objection would fail. Therefore, the charism of the Holy Spirit’s assistance, about which the pope speaks in the passage quoted, cannot be understood as an absolute protection against error, such as is given in the case of infallible teaching, but should rather be understood as a grace of office, of which the pope must avail himself in order to benefit from, just as grace is given to the justified so that they *would* not sin, but not so that they *could* not sin.

Reply to Objection 3. To the third it must be said that this same religious submission is also due to the teaching of the individual bishops, who are certainly not infallible, as the Second Vatican Council teaches in *Lumen Gentium* §25 and as history also proves by the example of Nestorius and other heretical bishops. But if the response due to the teaching of individual bishops, who are not infallible, is this same religious assent or religious submission, then we cannot conclude that the authentic magisterium of the pope is infallible simply from the fact that a religious submission of will and intellect is owed to it.

Reply to Objection 4. To the fourth it must be said that although the pope is the final judge in matters of faith and morals, he is not always acting *as* final judge even in his official teaching, but only when he speaks *ex cathedra*. Hence, if there should be controversy over a doctrine taught by the pope in the exercise of his merely authentic magisterium, whereby he proposes a doctrine of faith or morals as true, but not in the form of a solemn or final judgment, then the faithful are not left without recourse. They can appeal to the same pope (or a future pope) to issue a definitive judgment on the disputed point and so remove all doubts. And as long as the pope does not do so, it is clear that he does not demand an absolute assent to his teaching.

Reply to Objection 5. To the fifth it must be said that this argument assumes that the First Vatican Council, by raising Cardinal Bellarmine’s so-called

³² Pope John Paul II, General Audience of March 24, 1993, §1.

“fourth opinion” to the status of a dogma, must also have dogmatized all the further reasons adduced by Bellarmine in support of his conclusion, of which one indeed was that extreme opinion of Albert Pighius which he calls “pious and probable.” But this does not follow. And it is especially absurd to suppose that it entails an endorsement of precisely that opinion which Gasser explicitly rejects as being contained in the meaning of the definition when he says:

As far as the doctrine set forth in the Draft goes, the deputation is unjustly accused of wanting to raise an extreme opinion, viz., that of Albert Pighius, to the dignity of a dogma. For the opinion of Albert Pighius, which Bellarmine indeed calls pious and probable, was that the Pope, as an individual person or a private teacher, was able to err from a type of ignorance but was never able to fall into heresy or teach heresy. . . . From this it appears that the doctrine in the proposed chapter is not that of Albert Pighius or the extreme opinion of any school, but rather that it is one and the same which Bellarmine teaches in the place cited by the reverend speaker and which Bellarmine adduces in the fourth place and calls most certain and assured, or rather, correcting himself, the most common and certain opinion.³³

Reply to Objection 6. To the sixth it must be said that this doctrinal commentary carries no properly juridical authority. For it was issued without the seal of papal approval by which, according to *Donum Veritatis* §18, the doctrinal decrees of the CDF participate in the ordinary (i.e., authentic) magisterium of the pope. It is therefore permissible for a Catholic theologian to hold that it simply errs on this point. Instead of describing propositions contrary to non-definitive magisterial teaching as *false*, it would be more accurate to describe all such propositions—and not only those of the prudential order—as *rash* or *dangerous* and therefore *not able to be safely taught*. For this would correspond more closely to the limited but real authority of the kind of teaching in question. That is, since it is not infallible, it could occasionally be false, and thus the contrary could be true; but because it is authoritative, there is a strong presumption of truth in its favor, on account of which it would be rash and dangerous to hold the contrary without sufficiently grave cause.

³³ Gasser, *Gift of Infallibility*, 58–59.

Reply to Objection 7. To the seventh it must be said that Cardinal Franzelin was concerned to emphasize the authority of the authentic papal magisterium against those who would consider themselves free to disregard everything except infallible teaching. But he failed to consider the possibility of authoritative papal teaching that would be in conflict with the previous teaching of the Church.

Reply to Objection 8. To the eighth it must be said that this objection proves only that non-definitive doctrinal judgments *can* be true even in cases where they are later reversed due to changing circumstances. But it does not prove that they *must* be true, which would be required in order to uphold the thesis that the pope cannot err in the exercise of his authentic magisterium.

Article 3: Whether the Infallibility of the Pope Is Limited to the Exercise of His Extraordinary Magisterium?

Objection 1. It seems that the infallibility of the pope is not limited to the exercise of his extraordinary magisterium, but extends also to his ordinary magisterium. For according to the Second Vatican Council, the pope as head of the Church possesses the same infallibility as the whole Church.³⁴ And the Church is infallible both in her solemn (or extraordinary) judgments and in her ordinary and universal magisterium.³⁵ Therefore, as Salaverri and many others have concluded, the pope must also be infallible both in his extraordinary judgments and in his ordinary magisterium.³⁶

Objection 2. Furthermore, as Salaverri points out,³⁷ the pope possesses the complete fullness of the supreme power of jurisdiction over the Church, which includes the power of the magisterium.³⁸ But if the pope were not infallible in his exercise of the ordinary magisterium, then he would not

³⁴ See Vatican II, *Lumen Gentium*, §25; cf. Vatican I, *Pastor Aeternus*, ch. 4.

³⁵ See Vatican I, Dogmatic Constitution on the Catholic Faith, *Dei Filius* (1870), ch. 3; cf. Vatican II, *Lumen Gentium*, §25.

³⁶ See, for example: Salaverri, *Tractatus de Ecclesia Christi*, no. 647; Fenton, "Infallibility"; J. M. A. Vacant, *Le magistère ordinaire de l'Eglise et ses organes* (Paris: Delhomme et Brugué, 1887); Edmond Dublanchy, "Infaillibilité du Pape," in *Dictionnaire de théologie catholique* (Paris: Letouzey et Ané, 1927), 7:1638–717; Paul Nau, "Le Magistère pontifical ordinaire au premier concile du Vatican," *Revue Thomiste* 62 (1962): 341–97. This was an argument I defended in John P. Joy, "Cathedra Veritatis: On the Extension of Papal Infallibility" (STL thesis, International Theological Institute, 2012), 51–89.

³⁷ Salaverri, *Tractatus de Ecclesia Christi*, no. 647.

³⁸ See Vatican I, *Pastor Aeternus*, ch. 4.

possess the complete fullness of magisterial power, since the gift of infallibility would then be more restricted in the pope than in the Church, for the Church is infallible in her ordinary and universal magisterium.

Objection 3. Furthermore, according to Fenton,³⁹ the extraordinary magisterium is exercised only in “solemn” judgments.⁴⁰ But the pope is infallible whenever he speaks *ex cathedra*, and solemnity is not one of the conditions required for speaking *ex cathedra*.⁴¹ Hence, the infallibility of the pope is not limited to extraordinary definitions—that is, those issued with special solemnity—but extends also to ordinary (i.e., non-solemn) *ex cathedra* definitions.

On the contrary, according to Gasser’s *relatio* on papal infallibility, “The pope is only infallible when, by a solemn judgment, he defines a matter of faith and morals for the Church universal.”⁴² But a solemn judgment is an exercise of the extraordinary magisterium; hence, the pope is infallible only in his extraordinary magisterium.

I answer that it must be said that the infallibility of the pope is limited to the exercise of his extraordinary magisterium. The ordinary and universal magisterium, which is the magisterium of the whole Church dispersed throughout the world, is infallible when it proposes a doctrine of faith or morals “as to be believed as divinely revealed” or “as definitively to be held.”⁴³ Now it is impossible that the pope should not likewise be infallible when he proposes doctrine in the same way, lest we fall into the error of the Gallicans by attributing greater authority to the Church than to the pope. But when the pope, as head of the universal Church, proposes a doctrine of faith or morals “as to be believed as divinely revealed” or “as definitively to be held,” then he speaks *ex cathedra*, and this is reckoned as an exercise of the extraordinary magisterium. According to Pope Pius IX, the distinction between the ordinary and the extraordinary magisterium of the Church is this, that the extraordinary magisterium is exercised in “explicit decrees of ecumenical councils or Roman pontiffs,” while the ordinary magisterium is exercised in the general teaching of “the whole Church dispersed through-

³⁹ See Fenton, “Infallibility,” 188–89.

⁴⁰ See Vatican I, *Dei Filius*, ch. 3.

⁴¹ See Vatican I, *Pastor Aeternus*, ch. 4.

⁴² Gasser, *Gift of Infallibility*, 46.

⁴³ See: Vatican I, *Dei Filius*, ch. 3; Vatican II, *Lumen Gentium*, §25.

out the world,”⁴⁴ on account of which the First Vatican Council described the ordinary magisterium as “universal.”⁴⁵ The two modes of infallible teaching possessed by the bishops, therefore, pertain to the distinction between being gathered in council and being dispersed throughout the world; but no such distinction is possible for the singular person of the pope, and so he possesses only one mode of infallible teaching.

Reply to Objection 1. To the first it must be said that this argument equivocates on the term “ordinary magisterium,” which means one thing when applied to the Church and another thing when applied to the pope. Now the term “extraordinary magisterium” refers unequivocally to the explicit and definitive teaching of the Church—that is, the infallible teaching of the Church that is tangibly enshrined in public documents of the supreme magisterium. But because the extraordinary magisterium has two essential characteristics (namely, that it is both *explicit* and *definitive*), two very different forms of teaching can be contrasted against it and each will appear to be “ordinary” by comparison, though in different ways. First, and more properly, the term “ordinary magisterium” refers to the *definitive* but *non-explicit* teaching of the Church—that is, to the infallible teaching of the Church that is *not* found in explicit decrees of popes or councils but is gathered instead from all the sources of theology, and especially from the plain sense of Scripture, the consensus of the Church Fathers, the consensus of Catholic theologians, the consensus of the bishops, or the consensus of the faithful.⁴⁶ Secondly, however, the term “ordinary magisterium” is also sometimes used to refer to the *explicit* but *non-definitive* teaching of the pope or the college of bishops,⁴⁷ which is more properly called the “authentic magisterium” of the pope or bishops.⁴⁸ But since “ordinary” in this case simply *means* “non-definitive” or “non-infallible,” it is impossible for the pope to speak infallibly through his “ordinary” magisterium. This unfortunate ambiguity of the term “ordinary magisterium” has been a

⁴⁴ Pope Pius IX, Apostolic Letter *Tuas Libenter* (1863).

⁴⁵ See Mansi, 51:322 B; cf. Salaverri, *Tractatus de Ecclesia Christi*, no. 552.

⁴⁶ See Joseph Kleutgen, *Die Theologie der Vorzeit verteidigt*, 2nd ed., vol. 1 (Münster: Theissing, 1867), 97–115. I explore this topic more thoroughly in John P. Joy, *On the Ordinary and Extraordinary Magisterium from Joseph Kleutgen to the Second Vatican Council*, Studia Oecumenica Friburgensia 84 (Münster: Aschendorff, 2017).

⁴⁷ See, for example: Pope Pius XII, Encyclical Letter *Humani Generis* (1950), §20; CDF, *Doctrinal Commentary*, §10.

⁴⁸ See Vatican II, *Lumen Gentium*, §25.

source of untold confusion.⁴⁹ It is as if one were to call an angel and an ape by the same name simply because neither is a man.

Reply to Objection 2. To the second it must be said that the reason why the pope is not infallible in his ordinary magisterium is not because of a defect of magisterial power, but precisely on account of its fullness. The infallibility of the ordinary and universal magisterium of the Church arises from the consensus of individually fallible teachers proposing a doctrine of faith or morals as definitively to be held. But when the pope proposes a doctrine of faith or morals as definitively to be held, his teaching is infallible of itself and not by the consensus of the Church.

Reply to Objection 3. To the third it must be said that, although it is true that solemnity is not a condition for infallible papal definitions, nevertheless the term “solemn” is not used *restrictively* in the expression “solemn judgment,” as the objection supposes, but rather *descriptively*. That is, every infallible definition of doctrine, whether issued by pope or council, is intrinsically solemn, whether or not it is phrased in especially solemn language or issued with special solemnity of pomp and circumstance. There can be no *ex cathedra* definition which is not by that very fact a solemn judgment of the extraordinary magisterium.

Article 4: Whether the Pope Is Able to Speak Infallibly When He Confirms or Reaffirms a Doctrine Already Taught Infallibly by the Ordinary and Universal Magisterium?

Objection 1. It seems that the pope is not able to speak infallibly when he confirms or reaffirms a doctrine already taught infallibly by the ordinary and universal magisterium. For according to the doctrinal commentary of the CDF on the concluding formula of the Profession of Faith: “*Such a doctrine can be confirmed or reaffirmed by the Roman Pontiff, even without recourse to a solemn definition. . . .* The declaration of *confirmation or reaffirmation* by the Roman pontiff in this case is not a new dogmatic definition, but a formal attestation of a truth already possessed and infallibly transmitted by the Church.”⁵⁰ Therefore, such acts of confirmation or reaffirmation

⁴⁹ As Richard Gaillardetz rightly notes in this connection: “Contemporary discussions of issues related to the magisterium have been hampered considerably by a lack of terminological consistency” (Richard R. Gaillardetz, *Teaching with Authority: A Theology of the Magisterium of the Church* [Collegeville, MN: Liturgical, 1997], 162n6).

⁵⁰ CDF, *Doctrinal Commentary*, §9 (italics original).

of existing Catholic doctrine are not infallible.

Objection 2. Furthermore, according to Cardinal Joseph Ratzinger, commenting on *Ordinatio Sacerdotalis*, “The Pope is not proposing any new dogmatic formula, but is confirming a certainty which has been constantly lived and held firm in the Church. In the technical language one should say: here we have an act of the ordinary magisterium of the Supreme Pontiff, an act therefore which is not a solemn definition *ex cathedra*.”⁵¹ But if *Ordinatio Sacerdotalis* belongs to the ordinary papal magisterium precisely because it does not propose any new dogmatic formula, then it must be the case that the pope is only able to speak infallibly when defining new dogmas; and not, therefore, when confirming or reaffirming what has already been taught infallibly by the ordinary and universal magisterium.

Objection 3. Furthermore, according to Archbishop Tarcisio Bertone, “If we were to hold that the Pope must necessarily make an *ex cathedra* definition whenever he intends to declare a doctrine as definitive because it belongs to the deposit of faith, it would imply an underestimation of the ordinary universal magisterium, and infallibility would be limited to the solemn definitions of the pope or a council.”⁵² Therefore, etc.

Objection 4. Furthermore, the extraordinary magisterium of the pope is exercised in the act of solemn judgment, by which he settles controversies of faith. But if the pope confirms or reaffirms an existing Catholic doctrine, then he does not settle a controversy of faith, for there can be no controversy about a doctrine that has already been infallibly taught by the Church. Therefore, in such cases the pope does not exercise the extraordinary magisterium; and he is only infallible in his extraordinary magisterium, as shown above.

Objection 5. Furthermore, it would be unnecessary to define infallibly a doctrine that has already been taught infallibly by the Church; and it would be unfitting for papal infallibility to be exercised unnecessarily; therefore, we ought not to suppose that the pope speaks infallibly when he confirms or reaffirms a doctrine already infallibly taught by the Church.

⁵¹ Joseph Ratzinger, “The Limits of Church Authority,” *L’Osservatore Romano* (English), June 29, 1994; cf. Ratzinger, “Letter Concerning the CDF Reply Regarding *Ordinatio Sacerdotalis*,” *L’Osservatore Romano* (English), November 19, 1995.

⁵² Tarcisio Bertone, “Magisterial Documents and Public Dissent,” *L’Osservatore Romano* (English), January 29, 1997.

On the contrary, there is the practice of the Church. For according to Pope Pius XII, the Assumption of Mary was already a dogma infallibly taught by the ordinary and universal magisterium before he proceeded to confirm it as such by a solemn definition.⁵³

I answer that it must be said that the pope is able to speak infallibly not only when he defines new dogmas, but also when he definitively confirms or reaffirms a doctrine already infallibly taught by the Church. For the purpose of the charism of infallibility bestowed on the pope by Christ is so that all Christ's faithful would be able to know with certainty what they ought to believe in order to be saved. But doubts may arise in the Church not only with regard to legitimately disputed questions, but also when the established teaching of the Church is obscured by heresies and errors. And indeed, the need for an infallible judgment is all the more urgent in the latter case. Thus the purpose of infallibility would be frustrated if the pope were not able to issue an infallible judgment by which he confirms or reaffirms existing Catholic doctrine.

Moreover, in order to avoid falling into the error of the Gallicans, we must hold that the charism of infallibility is not more restricted in the pope than in the Church, as said above. But it is clear from history that the Church is able to pronounce solemn and infallible definitions by which she confirms or reaffirms doctrines already taught infallibly by the ordinary and universal magisterium. For the Council of Nicaea solemnly defined the co-equal divinity of Christ, which had been infallibly taught by the ordinary and universal magisterium of the Church from the beginning, according to the words of Christ: "I and the Father are one" (John 10:30). Likewise, the Council of Trent defined the necessity of good works for salvation, which had always been taught infallibly by the Church, according to the words of Saint James: "You see then that a man is justified by works, and not by faith alone" (Jas 2:24). Therefore, the pope can also pronounce a solemn and infallible definition by which he confirms or reaffirms a doctrine already taught infallibly by the ordinary and universal magisterium, as Pope Pius XII did when he defined the dogma of the Assumption.

Reply to Objection 1. To the first it must be said that this doctrinal commentary carries no properly juridical authority, as shown above. So it is permissible for a Catholic theologian to hold that the commentary simply

⁵³ See Pope Pius XII, Apostolic Constitution *Munificentissimus Deus* (1950), §12.

errs on this point. Or perhaps one could also say that the commentary does not entirely exclude the possibility of a solemn definition confirming or reaffirming the infallible teaching of the Church, since it says only that this *can* be done without a solemn definition, thus leaving open the possibility that it could also be done with a solemn definition.

Reply to Objection 2. To the second it must be said that there are no grounds for such a restriction of the extraordinary magisterium to the defining of *new* dogmas. This error seems to have arisen from a partial reading of Cardinal Billot, who describes an *ex cathedra* definition as a “new doctrinal judgment” and contrasts this against the way in which papal encyclical letters typically instruct the faithful about things already within the teaching of the Church.⁵⁴ However, Billot also proceeds to say that the term “defines,” as it is used at Vatican I in the definition of papal infallibility, “is to be taken indiscriminately, whether about a thing never before defined, or about a thing already previously contained explicitly in the rule of the Church’s magisterium, confirmed again by a new sentence and a new judgment of the pope; just as we see practiced in the ecumenical councils with regard to the appearance of new errors or the return of old ones.”⁵⁵ Hence, the solemn definition of a truth already infallibly taught by the Church is indeed a new judgment, but the only thing new about it is the *new act* of reaffirming the *same doctrine*.

Reply to Objection 3. To the third it must be said that this argument would hold only if the same doctrine could not be infallibly taught more than once, but there is no reason to suppose such a limitation. And in fact, many doctrines have been taught infallibly more than once. For example, that the Sacred Scriptures are divinely inspired has always been taught infallibly by the ordinary and universal magisterium, according to the words of Saint Paul: “All Scripture is inspired by God” (2 Tim 3:16); and yet this was solemnly defined both at Florence and at Trent, according to the words of Pope Leo XIII: “This is the ancient and unchanging faith of the Church, solemnly defined in the Councils of Florence and of Trent.”⁵⁶

Reply to Objection 4. To the fourth it must be said that the solemn judgments of popes and ecumenical councils are always *sufficient* to settle controversies of faith, but it is not *necessary* that there be an actual contro-

⁵⁴ See Billot, *Tractatus de Ecclesia Christi*, 640.

⁵⁵ Billot, *Tractatus de Ecclesia Christi*, 640–41.

⁵⁶ Pope Leo XIII, Encyclical Letter *Providentissimus Deus* (1893), §20.

versy of faith, much less a legitimate one, in order for a solemn judgment to be given. According to Gasser's *relatio*, the forty-seventh proposed emendation to the text of the definition of papal infallibility had to be rejected for this reason: "The reverend Father appears to restrict pontifical infallibility only to controversies of faith, whereas the Pontiff is also infallible as universal teacher and as supreme witness of tradition, the deposit of faith."⁵⁷

Reply to Objection 5. To the fifth it must be said that this objection neglects the essentially pastoral purpose of the magisterium. As Joseph Kleutgen says:

Something can be universally taught and believed in the Church as revealed truth, and therefore the error opposing it can be rejected with certainty as heretical, and yet a judgment of the Church can still be necessary if the innovators succeed in winning a following, or in seducing even a single prominent member of the Church, or other men of great prestige, such that it is slightly doubtful, especially for the multitude of the faithful, upon which side the truth lies.⁵⁸

Solemn judgments that confirm or reaffirm existing Catholic doctrine may not be necessary for the advance of sacred theology; but they are often very necessary for the salvation of souls, and that is the primary purpose of the magisterium.

*Article 5: Whether the Infallibility of the Pope Is Limited to
Defining Dogmas of Divine and Catholic Faith?*

Objection 1. It seems that the infallibility of the pope is limited to defining dogmas of divine and Catholic faith—that is, to the primary object of the magisterium. For according to Bishop Joseph Fessler, in his book on the infallibility of the pope, for which he received a personal letter of thanks from Pope Pius IX, the pope is infallible only when he defines truths *as divinely revealed* or when he condemns errors *as heretical*,⁵⁹ both of which pertain exclusively to the primary object of the magisterium.

⁵⁷ Gasser, *Gift of Infallibility*, 74.

⁵⁸ Kleutgen, *Die Theologie*, 100.

⁵⁹ See Joseph Fessler, *Die wahre und die falsche Unfehlbarkeit der Päpste* (Vienna: Sartori, 1871).

Objection 2. Furthermore, according to Gasser's *relatio*, Vatican I left the question of the secondary object of infallibility in the same state in which it was before,⁶⁰ and this was a state of free theological opinion.⁶¹ Hence, it cannot be conclusively asserted that papal infallibility extends beyond the definition of dogma or the condemnation of heresy.

Objection 3. Furthermore, the teaching of the Second Vatican Council is commonly held to be non-infallible precisely because it did not define any new dogmas or condemn any errors specifically as heretical.⁶² And the infallibility of the pope is the same as that of the Church, as said above.

On the contrary, according to the CDF it is a matter of Catholic doctrine that "the infallibility of the Church's magisterium extends not only to the deposit of faith," which is the primary object of the magisterium, "but also to those matters without which that deposit cannot be rightly preserved and expounded,"⁶³ which refers to the secondary object of the magisterium.

I answer that it must be said that the pope is able to speak infallibly not only in defining divinely revealed truths as dogmas of divine and Catholic faith, but also in defining matters of faith or morals that are necessarily connected to divine revelation. Here it should be noted that the primary object of the magisterium comprises every doctrine directly revealed by God and contained in the deposit of faith—namely, in Scripture or Tradition. Such doctrines can be infallibly defined by the pope as dogmas which must be believed by divine and Catholic faith (*de fide credenda*), the obstinate doubt or denial of which constitutes heresy.⁶⁴ Such dogmas can also be defined negatively by the definitive condemnation of the opposing heresy.

⁶⁰ See Gasser, *Gift of Infallibility*, 80.

⁶¹ See Cuthbert Butler, *The Vatican Council*, vol. 2 (London: Longmans and Green, 1930), 216.

⁶² See, for example: Umberto Betti, "Qualification théologique de la Constitution," in *L'Église de Vatican II*, vol. 2, ed. Guilherme Baraúna (Paris: Cerf, 1967), 217; Yves Congar, "En guise de conclusion," in *L'Église de Vatican II*, vol. 3 (Paris: Cerf, 1967), 1367; Francis A. Sullivan, *Magisterium: Teaching Authority in the Catholic Church* (Eugene: Wipf & Stock, 2002), 121; Sullivan, *Creative Fidelity: Weighing and Interpreting the Documents of the Magisterium* (Eugene: Wipf & Stock, 2003), 167; Avery Dulles, *Magisterium: Teacher and Guardian of the Faith* (Naples, FL: Sapientia, 2007), 69–70, 76.

⁶³ CDF, Declaration in Defense of the Catholic Doctrine on the Church, *Mysterium Ecclesiae* (1973), §3.

⁶⁴ John Paul II, *Codex Iuris Canonici* [henceforth: 1983 *CIC*] (Vatican City: Typis Polyglottis Vaticanis, 1983), can. 751.

The secondary object of the magisterium comprises those truths pertaining to faith or morals that are not directly revealed, but are intrinsically connected to divine revelation by a logical or historical relationship and which are required for inviolately preserving and faithfully expounding the deposit of faith.⁶⁵ Truths contained in the secondary object of the magisterium include philosophical truths presupposed to divine revelation, such as the existence of God, the immortality of the human soul, and the mind's ability to know truth with certainty; theological conclusions that follow logically from divine revelation by the aid of natural reason; and dogmatic facts, such as the legitimacy of an ecumenical council or the validity of a papal election. Such truths can be infallibly defined by the pope as doctrines which must be held definitively (*de fide tenenda*). Although the denial of such doctrines would not constitute heresy in the strict sense, the doctrinal commentary of the CDF on the Profession of Faith says: "Whoever denies these truths would be in a position of rejecting a truth of Catholic doctrine and would therefore no longer be in full communion with the Catholic Church."⁶⁶ Such truths of Catholic doctrine can also be defined negatively by the definitive condemnation of the opposing error as false or proximate to heresy.

The extension of infallibility to the secondary object of the magisterium is taught by the Second Vatican Council, which says: "And this infallibility with which the divine Redeemer willed his Church to be endowed in defining doctrine of faith and morals, extends as far as the deposit of revelation extends, which must be guarded inviolately and expounded faithfully."⁶⁷ For according to the Theological Commission's official explanation of this text, "The object of the infallibility of the Church, thus explained, has the same extension as the revealed deposit; and therefore it extends to all those things, and only to those things, which either directly pertain to the revealed deposit itself, or which are required for the same deposit to be inviolably guarded and faithfully expounded."⁶⁸ And if the infallibility of the Church extends to the secondary object of the magisterium, then so does the infallibility of the pope. For the pope possesses the very same infallibility as that possessed by the Church, as shown above.

Reply to Objection 1. To the first it must be said that a semi-official letter of approbation for Fessler's work as a whole does not necessarily imply an

⁶⁵ See John Paul II, Motu Proprio *Ad Tuendam Fidem* (1998), §§3–4.

⁶⁶ CDF, *Doctrinal Commentary*, §6; cf. 1983 CIC, can. 750, §2.

⁶⁷ Vatican II, *Lumen Gentium*, §25.

⁶⁸ *Acta Synodalia*, 3/1:251.

endorsement of every claim made within the work. And Gasser's *relatio* explicitly denies that papal infallibility is limited to the definition of dogma and the condemnation of heresy in the way that Fessler would have it. For according to Gasser:

The Deputation *de fide* is not of the mind that this word ["defines"] should be understood in a juridical sense [*in sensu forensi*] so that it only signifies putting an end to controversy which has arisen in respect to heresy and doctrine which is properly speaking *de fide*. Rather, the word "defines" signifies that the pope directly and conclusively pronounces his sentence about a doctrine that concerns matters of faith or morals and does so in such a way that each one of the faithful can be certain of the mind of the Apostolic See, of the mind of the Roman pontiff; in such a way, indeed, that he or she knows for certain that such and such a doctrine is held to be heretical, proximate to heresy, certain or erroneous, et cetera, by the Roman pontiff. Such, therefore, is the meaning of the word "defines."⁶⁹

Reply to Objection 2. To the second it must be said that the question left unsettled by Vatican I was not whether the infallibility of the pope extends to the secondary object, but rather whether this secondary extension of infallibility is itself a dogma or "merely" theologically certain. This indeed remains an open question. But there can be no doubt that the extension of papal infallibility to the secondary object of the magisterium is at least a theologically certain conclusion and not merely a matter of free theological opinion. Moreover, the constant consensus of Catholic theologians regarding the certitude of this doctrine is sufficient evidence that it is to be held definitively in virtue of the infallible teaching of the ordinary and universal magisterium.

Reply to Objection 3. To the third it must be said that this common opinion about Vatican II is not well-founded. It appears to arise from three sources. First, there is the example of prominent authors such as Fessler who arbitrarily limit papal infallibility to the primary object of the magisterium, as shown above. Second, there is the wording of the 1917 *Code of Canon Law*, which said: "Nothing is to be understood as dogmatically declared or defined unless this is clearly manifested."⁷⁰ Now the word "dogmatically"

⁶⁹ Gasser, *Gift of Infallibility*, 92.

⁷⁰ Benedict XV, *Codex Iuris Canonici* [hereafter: 1917 *CIC*] (Vatican City: Typis Polyglottis Vaticanis, 1917), can. 1323, §3.

can be used in a broad sense to mean something like “fixedly” or “irreformably,” but it also has a narrower technical meaning which refers exclusively to the primary object of the magisterium. And so it seems to have been interpreted by many. But this is corrected in the 1983 *Code of Canon Law*, which substitutes “infallibly” for “dogmatically” so that the parallel canon now reads: “Nothing is to be understood as infallibly defined unless this is manifestly the case.”⁷¹ Third, there are the words of Pope Paul VI, who said that the council “did not wish to issue extraordinary dogmatic pronouncements,”⁷² and again, that it “avoided giving solemn dogmatic definitions backed by the infallibility of the Church’s magisterium,” and “avoided pronouncing in an extraordinary way dogmas endowed with the note of infallibility.”⁷³ But if Paul VI is using the terms “dogma” and “dogmatic” in the broader sense of “definitive,” then we cannot infer from his words any restriction of infallibility to the primary object of the magisterium. And if he is using them in the stricter sense, then we can only infer from them that Vatican II did not in fact infallibly define any dogmas (*de fide credenda*), but not that it did not define (much less could not have defined) any truths of Catholic doctrine (*de fide tenenda*).

*Article 6: Whether the Infallibility of the Pope
Extends to the Canonization of Saints?*

Objection 1. It seems that the infallibility of the pope does not extend to the canonization of saints. For according to John Lamont, in order to teach infallibly, the pope “must assert that his teaching is a final decision that binds the whole Church to believe in its contents upon pain of sin against faith.”⁷⁴ But in the formula of canonization, as Lamont says:

There is no mention of teaching a question of faith or morals, no requirement that the faithful believe or confess the statement being proclaimed, and no assertion that a denial of the proclamation is heretical, subject to anathema, or entails separation from the unity of the Church. The absence of these condemnations is itself an absence of the condition of the intent to bind the whole Church in

⁷¹ 1983 *CIC*, can. 749, §3.

⁷² Pope Paul VI, Address During the Last General Meeting of the Second Vatican Council, December 7, 1965.

⁷³ Pope Paul VI, General Audience of January 12, 1966 (translation mine).

⁷⁴ John R. T. Lamont, “The Authority of Canonizations,” *Rorate Caeli*, Aug. 24, 2018, rorate-caeli.blogspot.com/2018/08/the-authority-of-canonisations-do-all.html.

the sense required for an infallible teaching, because these assertions are what constitute binding the Church in this sense.⁷⁵

Objection 2. Furthermore, the infallibility of the Church extends only to matters of faith or morals that are either contained in divine revelation or so closely connected with the deposit of faith that “revelation would be imperiled unless an absolutely certain decision could be made about them.”⁷⁶ Now the sanctity of any particular post-apostolic Christian cannot possibly be contained in divine revelation; nor is it necessarily connected with divine revelation unless “the doctrine of a particular saint has been so extensively adopted by the infallible teaching of the Church that denial of his sanctity would cast doubt upon the teachings themselves” or unless “devotion to a saint has been so widespread and important in the Church that the denial of that individual’s sanctity would cast doubt upon the role of the Holy Spirit in guiding the Church.”⁷⁷ But these conditions are not realized in many canonizations. Therefore, canonizations are not necessarily infallible.

Objection 3. Furthermore, recent changes in the process of examining causes for canonization, such as the abolition of the so-called devil’s advocate and the reduction in the number of miracles required, have considerably lessened the reliability of these examinations, so that even if canonizations used to be infallible, they cannot be so any longer.

Objection 4. Furthermore, in the ceremony of canonization there are prayers for the truthfulness of the decree of canonization, which implies the possibility that the decree could be false.

On the contrary, according to Saint Thomas Aquinas: “The honor we show the saints is a certain profession of faith by which we believe in their glory, and it is to be piously believed that even in this the judgment of the Church is not able to err.”⁷⁸

I answer that it must be said that we ought to hold that the infallibility of the pope extends to the canonization of saints. In the first place, it is clear that the pope is issuing a solemn judgment as supreme head of the

⁷⁵ Lamont, “Authority of Canonizations.”

⁷⁶ Lamont, “Authority of Canonizations.”

⁷⁷ Lamont, “Authority of Canonizations.”

⁷⁸ Thomas Aquinas, *Quodlibet* IX, q. 8, a. 16.

universal Church when he pronounces a typical formula of canonization, which is as follows: "For the honor of the blessed Trinity, the exaltation of the Catholic faith, and the increase of the Christian life, by the authority of our Lord Jesus Christ, and of the holy apostles Peter and Paul, and our own, we declare and define that N. is a saint and we enroll him among the saints, decreeing that he is to be venerated as such by the whole Church."

Hence, the only question that arises is whether the canonization of saints falls within the object of the infallible magisterium as a matter of faith or morals. And here it must be said that the canonization of the saints is intrinsically connected with the holiness of the Church, which is one of the essential marks of the Church, and so falls within the secondary object of infallibility. For by the act of canonizing a saint, the pope not only declares that this saint is in heaven, but also establishes the liturgical veneration of this saint, so that the most holy sacrifice of the Mass should henceforth be offered in honor of this saint. And it would be contrary to the holiness of the Church if the whole Church would be obliged to venerate and to offer Masses in honor of a soul not in heaven.

Moreover, according to Salaverri, the infallibility of the pope in canonizing saints has been implicitly defined.⁷⁹ For on several occasions, the supreme pontiffs have expressly declared the infallibility of these judgments. For example, Pope Pius XI says: "We, as the supreme teacher of the Catholic Church, pronounce infallible judgment with these words." And again: "We, from the chair of blessed Peter, as the supreme teacher of the whole Church of Christ, solemnly proclaim with these words an infallible judgment." Likewise, Pope Pius XII: "We, the universal teacher of the Catholic Church, from the one chair founded on Peter by the word of the Lord, have solemnly pronounced with these words this judgment, knowing that it cannot be wrong."⁸⁰ Therefore, although it would not be heretical in the strict sense to deny the infallibility of the canonization of saints, it would be contrary not only to the common teaching of Catholic theologians but also to the express teaching of Popes Pius XI and Pius XII.

Reply to Objection 1. To the first it must be said that the definitive and binding character of the decree of canonization is sufficiently manifest in the formula of canonization through the use of the word *definimus* ("we define"). Lamont, however, objects that the presence of the word *definimus* in the formula of canonization is not decisive, saying:

⁷⁹ See Salaverri, *Tractatus de Ecclesia Christi*, no. 726.

⁸⁰ All cited in Salaverri, *Tractatus de Ecclesia Christi*, no. 725 (trans. Kenneth Baker in *Sacrae Theologiae Summa*, vol. 1B [Saddle River, NJ: Keep the Faith, 2015], 273).

Nor can we suppose that the use of the Latin word *definimus* necessarily signifies the act of defining a doctrine of the faith. The word has a more general, juridical sense of ruling on some controversy concerning faith or morals. This general sense was recognized by the fathers of the First Vatican Council, and explicitly distinguished by them from the specific sense of *definitio* that obtains in infallible definitions.⁸¹

But this is the reverse of the truth. As we have already seen, the official *relatio* on infallibility does indeed distinguish between a broader and a narrower sense of the word “defines”; but it is the narrower sense which Gasser describes as “juridical” and which he rejects, while affirming that the broader meaning of the word obtains in infallible definitions, as noted above (a. 5, reply to obj. 1).

Reply to Objection 2. To the second it must be said that the canonization of every saint is sufficiently connected to divine revelation in precisely the way that the objection maintains on behalf of only some saints. That is, just as the denial of the sanctity of a saint who has already been widely venerated in the Church would cast doubt upon the role of the Holy Spirit in guiding the Church, so also would the denial of the sanctity of one whose veneration has been decreed for the whole Church for the future.

Reply to Objection 3. To the third it must be said that the charism of infallibility rests on the promise of God, not on the reliability of the process. As such it guarantees only the truth of the final definition, not the prudence of making it. Just as the pope, when he intends to define a dogma of faith, ought carefully to investigate the sources of revelation in order to be certain of the truth he intends to define, so also, when he intends to canonize a saint, he ought carefully to investigate the sanctity of that person in life and the miracles worked by him after his death. Failure to do so places himself at risk of being directly prevented by divine intervention, but it does not cast doubt on the certainty of the canonization itself, if God in his providence has allowed him to pronounce it. For then the words of Christ apply: “Whatever you bind on earth shall be bound in heaven, and whatever you loose on earth shall be loosed in heaven” (Matt 16:19).

Reply to Objection 4. To the fourth it must be said that prayers for the

⁸¹ Lamont, “Authority of Canonizations.”

truthfulness of the decree are inconclusive, since there is nothing unfitting in asking God to do that which he has promised to do.

*Article 7: Whether the Pope Is Able to Speak Infallibly without
Explicitly Addressing the Universal Church?*

Objection 1. It seems that the pope is not able to speak infallibly when he does not explicitly address his teaching to the universal Church. For as Gasser's *relatio* makes clear, the pope is only said to be infallible when he teaches as supreme head of the Church and "not, first of all, when he decrees something as a private teacher, nor only as the bishop and ordinary of a particular See and province."⁸² But if the pope addresses his teaching only to a part of the Church, then he may be acting only as local bishop of Rome, or Primate of Italy, or Patriarch of the West, and not as head of the universal Church.

Objection 2. Furthermore, according to the definition itself, the pope is only said to be infallible when he defines a doctrine as one that is "to be held by the whole Church,"⁸³ which he cannot do if he does not address his teaching to the whole Church.

On the contrary, according to Cardinal Billot: "It is not necessary for a papal document to be materially directed to all the bishops or faithful; it is enough that it pertains to the deposit of faith and there is present the manifest intention of putting an end to doubt by a definitive sentence not subject to further determination."⁸⁴

I answer that it must be said that, in order to speak infallibly, the pope must be acting as supreme head of the whole Church. This is most clearly manifest when the pope explicitly addresses the whole Church, as he frequently does in his apostolic constitutions and encyclical letters. But this can be made manifest in other ways. For example, in the encyclical letter *Commissum Divinitus*, which is addressed only to the clergy of Switzerland, Pope Gregory XVI explicitly invokes his supreme apostolic authority, which he does not possess otherwise than as head of the whole Church, when he infallibly condemns the Baden articles as follows:

⁸² Gasser, *Gift of Infallibility*, 77.

⁸³ Vatican I, *Pastor Aeternus*, ch. 4.

⁸⁴ Billot, *Tractatus de Ecclesia Christi*, 642.

With the fullness of the apostolic power, We reprove and condemn the aforementioned articles of the meeting of Baden as containing false, rash, and erroneous assertions; as detracting from the rights of the Holy See, overthrowing the government of the Church and its divine constitution, and subjecting the ecclesiastical ministry to secular domination; and as proceeding from condemned premises. We decree that they should forever be considered condemned.⁸⁵

Similarly, when the pope imposes a profession of faith on any individual or group as a condition for union with the Church, it is clear that he is acting as supreme head of the universal Church, as for example in the professions of faith prescribed by Pope Hormisdas for the Acacians (517), by Pope Innocent III for the Waldensians (1208), by Pope Gregory XIII for the Greeks (1575), or by Pope Benedict XIV for the Maronites (1743). For it is only as supreme head of the Church that he has the authority to determine the conditions for union with the Church.

Reply to Objection 1. To the first it must be said that it is true that the pope *may* be acting only as the local bishop of Rome, or Primate of Italy, or Patriarch of the West in such cases. But he need not always be acting only in these more limited capacities, as is clear from what is said above.

Reply to Objection 2. To the second it must be said that, if the pope, acting in his capacity as supreme teacher of the universal Church, imposes a doctrine of faith or morals on any part of the Church directly, then by that very fact he also indirectly imposes the same doctrine on the whole Church. N·V

⁸⁵ Pope Gregory XVI, Encyclical Letter *Commisum Divinitus* (1835), §16.