CHAPTER FIFTEEN: THE TRUTH OF CHRIST LIVES IN HIS CHURCH

A. The infallibility of the Church as a whole

In its teaching on the Church as the People of God, Vatican II makes a point which I considered in chapter thirteen, sections K-L, namely, that the Church as a whole shares in Christ's prophetic office. Every member of the Church, not only bishops and priests, should bear living witness to Christ, especially by living a Christian life and participating in the sacred liturgy. The Council then explains how the Church as a whole is equipped to do its work:

> The body of the faithful as a whole, anointed as they are by the Holy one (cf. Jn 2.20, 27), cannot err in matters of belief. Thanks to a supernatural sense of the faith which characterizes the People as a whole, it manifests this unerring quality when, "from the bishops down to the last member of the laity" [note to St. Augustine omitted], it shows universal agreement in matters of faith and morals. For by this sense of faith which is aroused and sustained by the Spirit of truth, God's People accepts not the word of man but the very Word of God (cf. 1 Thes 2.13). It clings without fail to the faith once delivered to the saints (cf. Jude 3), penetrates it more deeply by accurate insights, and applies it more thoroughly to life. All this it does under the lead of a sacred teaching authority to which it loyally defers (LG 12).

This unerring quality, which belongs to the Church as a whole, excludes not only the making of mistakes but the very possibility of being mistaken in these matters: "in credendo falli nequit." As I explained at length in chapter thirteen, section J, "matters of belief" includes moral norms: "de rebus fidei et morum." This unerring quality is what elsewhere is called "infallibility."

Thus Vatican II teaches that the Church as a corporate person is infallible in believing. This is not to say that the Church, even considered as a whole, lives up to its belief--that is another question. Nor is to say that the laity as distinct from (much less as opposed to the bishops) enjoy infallibility in believing. Rather, the whole church, including the bishops and under their leadership, clings to the faith unerringly, develops it, and applies it to life, thus to bear witness to divine truth and love. The Council continues in the same article to explain that the Spirit also enriches various parts and members of the whole Church with appropriate and various gifts, to build up Christ's body. But judgment as to the genuineness and right use of such gifts also belongs to those who preside over the Church (cf. LG 12).

In recent years, "sensus fidelium" often has been used to suggest that opinions of the faithful have an independent value as a witness to moral truth, so that when these opinions diverge from received Catholic teaching, this divergence is a sign of a need for revision in the teaching. The sense of faith of which the Council speaks characterizes the People as a whole; by this very fact one cannot discover it in dissenting opinions, no matter how widespread.[1]

As various parables of Jesus make clear, the Church in this world includes both the good and the bad (cf. Mt 13.24-30, 47-50). One would expect that the Lord's field will contain more wheat than weeds, but one cannot expect the growth of the wheat itself to be unaffected by the weeds. Moreover, in certain seasons the field will appear to be dominated by the weeds.

Writing to the Corinthians, St. Paul asserts that whether one is led by the Spirit can be detected from the faith one professes (cf. 1 Cor 12.3). Nevertheless, the word of God did not come from the people; they must conform to norms even if they think the Spirit gives them contrary directions: "If anyone thinks he is a prophet or a man of the Spirit, he should know that what I have written you is the Lord's commandment. If anyone ignores it, he in turn should be ignored" (1 Cor 14.37-38). Salvation depends upon standing firm in the faith one received (cf. 1 Cor 15.1-3).

As St. Paul suggests, Christ is present in the Church, teaching through Paul himself (cf. LG 14), for as an apostle Paul was made "teacher of the nations in the true faith" (1 Tm 2.7). Christians must hold fast to the Gospel (cf. Col 1.23), for it communicates Christ, the fullness of wisdom (cf. Col 1.28). They must beware of being deceived by seductive philosophy which comes from human traditions, and continue to live in Christ (cf. Col 2.6-8). As children of God, Christians learn through apostolic instruction "what kind of conduct befits a member of God's household, the church of the living God, the pillar and bulwark of truth" (1 Tm 3.15).

As long as--but only as long as--individual Christians think with the Church, they share in its unerring sense of faith and enjoy the support and defense of this pillar and bulwark. For "the Spirit distinctly says that in later times some will turn away from the faith and will heed deceitful spirits and things taught by demons through plausible liars--men with seared consciences" (1 Tm 4.1-2). Those who are misled have failed to obey the truth; if they did not disobey, they would remain firm in the faith, for it is an indestructible seed, "the living and enduring word of God" (1 Pt 1.23).

B. The Spirit and the infallibility of the apostolic Church

Jesus chose apostles to be His companions and witnesses (cf. LG 19; AG 5). As I explained in chapter thirteen, section H, the apostles had a unique role, since they served as the authorized recipients of God's revelation in Christ, and so their appropriation of all Jesus communicated by His words and deeds was essential to complete the relationship in which revelation consists.

Divine truth really is present in and communicated by the words and deeds of Jesus; His flesh does not hide but expresses His divinity (cf. 1 Jn 1.1-3). Thus the apostles who were with Jesus directly received God's revealing acts and testimony (cf. DV 4). In seeing Jesus, they saw the Father (cf. Jn 14.9). As I explained in chapter thirteen, section D, the content of revelation enters human experience in material media, such as spoken words and observable behavior, not in some other, mysterious way. Thus Jesus really expressed divine truth in a humanly accessible form. In this expression, there

was no room for error on His part. His life reveals insofar as it is the medium of the activity of the Word, as I explained in chapter eleven, sections F-G.

As I explained in chapter thirteen, section E, faith itself obtains absolute certitude from the divine testimony by which one recognizes it. Still, individual believers can make mistakes in matters of faith. For example, St. Thomas Aquinas did not believe in Mary's immaculate conception; he mistakenly thought it would be incompatible with the universality of Christ's redemptive work. Such a mistake is possible without any defect either in divine revelation or in the individual's faith, because individuals can err in identifying what does and/or what does not belong to divine revelation--for example, by misunderstanding the content which is communicated.

Could the apostles not have made this sort of mistake, despite the immediacy of their contact with Jesus? Humanly speaking, certainly, they could have done so. During the earthly life of Jesus, the apostles very often misunderstood Him. Peter himself, although he recognized Jesus with divinely given faith as the Messiah, immediately proceeded to draw wrong conclusions from his imperfect grasp upon the mission of Jesus (cf. Mt 16.13-23).

However, Jesus promised and sent the Holy Spirit to assist the apostles (cf. Jn 14.16-17, 26; 15.26-27; 16.7-15; 20.21-22; Lk 24-49; Acts 1.8; 2.1-4). The role of the Spirit and that of the apostles are parallel; both bear witness to Jesus and communicate the truth revealed in Him (cf. Jn 15.26-27). The Spirit reveals nothing new, but brings about the apostolic appropriation of the revelation of God in Jesus (cf. Jn 16.13-15).[2] By this gift and only by it, God assured that the apostles could make no mistake in believing. Enlightened by the Spirit, they believed with absolute faith (itself a divine gift) all and only those things which God wished to make known to humankind through the life, death, resurrection, and ascension of the Lord Jesus.

For this reason, the apostle has the Holy Spirit (cf. 1 Cor 7.40) and Christ speaks in Him (2 Cor 13.3). The apostles together with the Spirit are witnesses to divine revelation in Christ (cf. Acts 5.32; 15.28). To accept apostolic teaching is to obey God (cf. Acts 6.7; Rom 1.1-5). By the Spirit, Christ fulfilled His promise to remain forever with the apostles (cf. Mt 28.20). God confirmed their work with many miracles (cf. Acts 2.43; 3.1 ff.; 5.12 ff.; 9.32 ff.; 19.11-12; and so on).

Hence it was not unreasonable to demand that humankind accept the apostolic witness as the very word of God (cf. 1 Thes 2.13; Jn 13.20; Mt 10.40; Lk 10.16). Given the infallibility of the apostolic faith, the Gospel they proclaimed could not possibly deviate from divine truth, and so it was not inappropriate to make the salvation or damnation of human persons hang upon their acceptance or rejection of apostolic testimony (cf. Mk 16.15-16).

To say that the apostles were infallible in their believing and preaching is not to say that all of them believed and preached exactly the same things. The multiplicity and diversity of individuals made possible a more rich and complete revelation; each of the apostles could appropriate aspects of the words and deeds of Jesus and find meaning in them which might have been missed by the others. We have evidence of the harmonious pluralism of apostolic faith in the unity in diversity of the fourfold Gospel which bears witness to that faith (cf. DV 19).

Thus, although the unity of divine truth and the infallibility of the apostles in identifying what God revealed precluded any incompatibility among the beliefs of the various apostles, their collegial unity and communication with one another was required so that they could proceed together in the full light of the whole of revealed truth. Hence the apostles conferred in Jerusalem (cf. Acts 15.1-29), and Paul submitted his preaching to the scrutiny of the other apostles "to make sure that the course I was pursuing, or had pursued, was not useless" (Gal 2.2).

Since the revelation of God in Christ is a concrete reality, made up not only of statements of propositional truths but also of the whole of Christ's human existence witnessed by the apostles, apostolic infallibility extended beyond the impossibility of making a mistake in identifying which propositions pertain to revelation and which do not. They also had to be assisted so that they made no mistake in humanly appropriating the total personal revelation of Christ. Otherwise, apostolic attitudes, ways of acting, patterns of worship, and communal structure would have betrayed God's intentions, and revelation would more or less wholly have failed.

The apostles were chosen to receive the revelation of God in our Lord Jesus. This revelation was not for them alone, but for all humankind, to which they were authorized to spread it (cf. Mt 28.20). After Pentecost, they faithfully fulfilled this commission; they and their associates also committed the message of salvation to writing and left bishops as their successors to carry on the work (cf. DV 7). Thus, in Christ's Church, apostles are primary (cf. 1 Cor 12.28); the Church is founded upon them, both now and forever (cf. Eph 2.20; Rev 18.20, 20.14).

> Therefore, the apostles, handing on what they themselves had received, warn the faithful to hold fast to the traditions which they have learned either by word of mouth or by letter (cf. 2 Thes 2.15), and to fight in defense of the faith handed on once and for all (cf. Jude 3). Now what was handed on by the apostles includes everything which contributes to the holiness of life, and the increase in faith of the People of God; and so the Church, in her teaching, life and worship, perpetuates and hands on to all generations all that she herself is, all that she believes (DV 8).

As I explained in chapter thirteen, sections G-H, Christian faith is not an individualistic act. Each believer enters into the faith of the Church: the apostolic, collegial grasp upon God's revelation in Christ Jesus. Hence, the Church <u>as a whole</u> enjoys the prerogative of the apostolic faith in which it shares: infallibility. Because of its unity with the apostles, the Church can continue through all generations to carry out the mission of Christ (cf. AG 5).

In its belief in and preaching of divinely revealed truth, the apostolic college, under Peter's leadership, enjoyed infallibility. To the extent that others received the faith of Christ through the apostles and built up the Church on their foundation, others shared in this gift. The episcopal college with the successor of Peter at its head

continues the work of the apostles; it enjoys their secure gift of communicating divinely revealed truth (cf. DV 8; LG 25; Vatican I, DS 3071/1837).[3]

Thus the infallibility of the Church, taught by Vatican II, is based upon the infallibility of the college of the apostles. Individual members of the Church can make mistakes concerning what is and what is not included in divine revelation, and so concerning what is and what is not to be believed with divine faith. The Church as a whole can make no such mistake. The absolute truth of God revealing, the absolute certitude of divine faith, and the unerring recognition by the Church of what pertains to faith coincide to make the Church's human belief and teaching enjoy and manifest the unerring quality of divine truth itself.

It follows that to the extent that errors in belief and in teaching can occur within the Church, these ought not to be attributed to the Church herself but rather to her individual members, whether they be popes, bishops, or others. The belief and teaching of the Church cannot err; beliefs and teachings within the Church can err, to the extent that they diverge from the norm of faith and teaching which is the common heritage of the Church as a whole.

C. Denials and arbitrary restrictions of infallibility

Those who deny infallibility or attempt to limit it in ways not sanctioned by received Catholic teaching generally do not discuss the infallibility of the apostles. However, in most cases their arguments if sound would exclude apostolic infallibility. Therefore, I consider some of these arguments as objections to the infallibility of the apostles and respond to them on this basis. This procedure helps greatly to clarify what ultimately is at stake in some of the recent debates about infallibility.

Hans Küng argues that faith always is articulated in propositions--simple or complex articles of faith. He asserts that propositions of faith never are directly God's word but are at best God's word mediated in human language, perceptible and transmissible by human propositions. Propositions, Küng claims, always fall short of reality, are open to misunderstanding, are susceptible to translation only within limits, change their meanings as time goes by, and can be abused for ideological purposes.[4]

Küng seems to me to make several mistakes. First, he apparently assumes that the word of God is not revealed in human words. This position, if carried through to its final implications, would exclude revelation altogether, for (as I explained in chapter thirteen, section B), revelation is accomplished by a set of created entities, such as the human words and deeds of Jesus, which were experienced by the apostles. Second, Küng seems to assume an individualistic conception of the act of faith; he nowhere makes clear that infallibility is claimed for the faith of the Church founded on the apostles, not for the faith of any individual precisely as such. Third, Küng completely confuses propositions, which are nonlinguistic entities, with statements, which belong to language. I explained this distinction in chapter one, section G.

The propositions of apostolic faith certainly fell short of the reality revealed in Jesus, but the apostles also captured many aspects of this reality in nonpropositional, personal modes of appropriation. The whole revelation falls short of divine reality itself, but cannot be faulted on that account; it is as complete a self-communication as God chose to give and could give in the modality of the Incarnation, and is a sufficient way by which we can come to see God as He is. The propositions of apostolic faith were not open to misunderstanding; they were themselves understandings, and ones accurate by God's help so that revelation did occur successfully. The propositions needed no translation; they were expressed linguistically in many tongues, with an accuracy underwritten by the Holy Spirit (cf. Acts 2.5-11; AG 4). The linguistic expressions which the apostles used in preaching could in time change their meaning; but since human persons can recognize such changes, they also can compensate for them. Moreover, the Church, infallible in believing and preaching, can correct misunderstandings which arise because of the ambiguities of language. As to the ideology-prone character of propositions, Küng only shows that truths of faith can be abused by us if we do not live up to them. He is certainly right about this, but it shows nothing against the infallibility of the apostles in identifying truths revealed by God.

Küng also argues that although the Spirit of God who can neither deceive nor be deceived "acts on the Church," human beings who can both deceive and be deceived constitute the Church. The Spirit and the Church must be distinguished absolutely.[5] In arguing thus, Küng apparently denies that in the man, Jesus, God reveals Himself, and that by the Spirit Jesus not only acts on but speaks in and through the Church. Küng seems to be allergic to the Incarnation and to the lasting results in human persons of our participation through Christ in divine truth and life.

Küng does say that infallibility belongs to God's word: "to his word that became flesh in Jesus Christ; to the gospel message as such, which is the unerringly faithful testimony of this salvation-event." But he denies that either Scripture or the Church is infallible.[6] Instead, the most he will grant is that the Church is "indefectible"--that is, that it remains fundamentally in the truth despite all sorts of errors.[7]

The basic reason why Küng takes this position is that he does not accept propositions as a medium of divine revelation; he thinks that his faith in some mysterious way contacts Jesus Christ directly.[8] I discussed and criticized this conception of faith in chapter two, section I. If one does not imagine with Küng that one's faith is independent of the word one hears and of the Church's faith in it, then one will be unable to make sense of Küng's notion of indefectibility. For if even the apostles did not know what God revealed, then He revealed in vain. And if the apostles did know but the Church as a whole does not know what God has revealed, then God is unfaithful to His own word--which is absurd.

In his most radical criticisms of "propositions"--linguistic entities taken to be propositional truth-claims--Küng actually maintains that every human proposition is historically conditioned and, as such, partly true and partly false.[9] This position, which Küng draws uncritically from a number of contemporary philosophers, is an instance of self-defeating relativism. Reduced to a straightforward formula, Küng's thesis on

propositions amounts to this: "Here is an absolutely true proposition: No proposition is absolutely true." Like all relativists, Küng of course exempts his own relativistic thesis from the limitedness, the inadequacy, and the partial falsity which he claims afflicts all the language we use to confess and preach our faith.

Peter Chirico does not deny infallibility altogether, but asserts that it can exist only with respect to what he calls "universal meanings." Underlying this position is a conviction that divine infallibility cannot be communicated to human persons, and so any infallibility possible to the Church in believing and preaching revealed truth must be limited to areas in which human persons naturally can know without the possibility of error.[10] Chirico thinks that the Church somehow is in contact with Christ, but he does not want to admit any infallibly certain identification of revealed truths, since for him the only infallibility admissible in human judgment is that by which one identifies the necessary conditions for any human communication whatsoever.[11]

Chirico's attempt to limit infallibility fails. He never makes a clear distinction between meanings and propositions, never clarifies what, if anything, he admits revelation to tell us that we do not already know from experience, and simply assumes and imposes upon faith a theory of knowledge which limits human certitude to the conditions of the possibility of communication. In the last analysis, Chirico is prepared to admit as a truth of faith only what he is able to understand to be a saving truth; if he cannot see the value of some teaching of faith which cannot be established independently of faith, then he is prepared to reject it.[12] It seems to me that if one puts this sort of condition upon one's readiness to believe, one's belief no longer is Christian faith.

I think that many theologians who reject Küng's frank attack upon infallibility nevertheless hold positions not far from his. This will be so whenever anyone suggests that each and every expression of the faith of the Church can be evaluated by one's own faith (at least, if one is a theologian), and that one's own faith need not be measured by any public and communal standard. Although his writings are very obscure, I think Karl Rahner's acceptance as legitimate of a pluralism which he holds to preclude any new dogmatic definitions implicitly subordinates the faith of the Church to the opinions of theologians, and so by a further implication denies the infallibility of the Church.[13] Rahner never gives any reason for supposing that the pluralism he regards as normative should be considered by the Church anything other than a pathological condition in the Body of Christ created by a group of articulate people some of whom have lost their Christian faith.

D. Infallibility in the field of morals -- denials and restrictions

Rahner limits the possible range of infallible moral teaching drastically, by claiming it extends to "hardly any particular or individual norms of Christian morality."[14] Only wholly universal norms of an abstract kind--perhaps he means: "Moral evil is to be avoided"--and the radical orientation of human life toward God could be proposed as dogmas. The reason he gives for this position is that concrete human nature is changeable, and the enduring universal nature of the human person yields little in the way of moral maxims.[15]

Rahner here obviously assumes a conventional natural-law theory, of the sort I criticized in chapter fourteen, section I. Assuming such a theory, any admission of dynamism in human life seems to require a corresponding admission of evolution in ethics. But Rahner never troubles to make clear what he thinks is changing and what constant in human nature. Does Rahner think, for instance, that life once was an intrinsic good of persons, but no longer is so now, or might cease to be (or become) so some time in the future? One does not know, for he never considers such a question, but contents himself with talking metaphysically about "concrete human nature."

If one does not claim that the basic human goods, which I described in chapter five, section F-H, eventually will no longer fulfill human persons, then one does not exclude the foundations of a permanently valid normative ethics, whose norms are grounded in a demand not to conform to human nature but to unfold the possibilities of human persons. The latter demand is the sort made by a genuinely Catholic account of ultimate moral principles, along the lines I sketched out in chapter fourteen, section M.

Peter Chirico also excludes infallibility for all of the Church's specific moral teaching. He asserts that infallibility has only to do with the universal, and so could concern only the process of Christian growth as such. No particular act always and everywhere contributes to or blocks this process. "It is the whole act taken in context of the life of the individual at his stage of development that determines whether he will or will not grow by it."[16] Chirico never shows that infallibility necessarily is limited to the universal; he himself wishes--commendably but inconsistently--to extend it to the belief that Jesus is God and man, that He died and is risen.[17]

But beyond this, Chirico makes no effort to show that certain kinds of acts, which always have been excluded by Christian moral teaching, are in fact compatible with growth in Christian love. Instead, he simply assumes a consequentialist theory of morality, and supposes that sometimes acts excluded by received Christian moral teaching will be helpful to "Christians in their march to the universal relatability of the risen Christ."[18] This last phrase seems to express Chirico's conception of the basic good by which all acts ought to be evaluated. As standards go, it is rather vague. One can imagine a young couple considering whether to fornicate pondering whether the act would or would not help in their march to the universal relatability of the risen Christ.

Like Chirico, Gerard J. Hughes, S.J., assumes a consequentialist theory of ultimate moral norms. On this assumption, infallible teaching in the moral domain would be limited to two kinds of propositions. One kind, which could be true permanently, would not be very informative--for example, "Murder is always wrong," where "murder" means unjust killing and leaves open whether a choice to kill the unborn or troublesome old folks should be considered unjust. The other kind, which might be informative, would be true only because of the consequences acts happen to have at a given time. A teaching excluding acts with all and only these consequences could be infallible, but Hughes

argues that such a teaching would be useless. One always would have to appraise consequences for oneself to discover whether the teaching was relevant; it would be found so only if it agreed with one's own judgment of the case.[19]

Hughes' pervasive assumption of consequentialism undercuts his treatment of infallibility in morals. He assumes, not proves, that norms such as that excluding sexual intercourse apart from marriage are derivative and justifiable only by the bad consequences of such a practice.

Nevertheless, Hughes does make a contribution to the extent that his discussion calls attention to the fact that the Church might infallibly propose a moral norm without thereby proposing a principle of morality always and everywhere relevant. A derivative moral norm would not lose its derivative character if it were infallibly proposed, Thus, for instance, the Church might teach infallibly that one ought to keep one's promises, without the infallible character of the teaching altering the fact that the moral principle of fairness which in general requires promise keeping by exception requires that promises be broken.

A number of other theologians have suggested that moral norms cannot be proposed infallibly because any moral norm is expressed within a certain conceptual framework; when conceptual frameworks change, the moral norm can become invalid. An example of a norm in a conceptual framework is the belief of a primitive group concerning how they should worship God.

This suggestion fails for several reasons. First, it is never accompanied with evidence or arguments to show that basic moral principles are as dependent upon conceptual frameworks as are derivative norms. Second, no proof is given that a true norm cannot be expressed in a rather inadequate "conceptual framework"--and the latter expression is none too clear. One would like to know what is inadequate about the conceptual framework in which the Christian tradition has, for example, rejected adultery, and how this inadequacy might invalidate the norm. Third, Christian moral norms are embedded within the framework of Christian faith and the description of the character of Jesus. It is not clear why this framework should be expected to change in the way that the beliefs of a primitive people can be expected to change.

Recently, an assertion is more and more often made, so that it begins to appear as a kind of slogan: No finite good is absolute. From this the conclusion is drawn that no moral norm is absolute; thus there is no room for infallible teaching in the moral domain.

This argument is fallacious. No finite good is absolute as God is. But received Catholic moral teaching requires that goods intrinsic to human persons be respected in ways consequentialists consider to be absolutist. One need not idolize the life of an unborn person to say that no choice to kill such a person can be moral. One need only hold that the good of life is incommensurable with other goods, not that it is unlimited in goodness. Furthermore, even a norm which is not unexceptionable might be proposed infallibly, as I have explained, with its derivative character indicated or taken for granted as common knowledge.

E. Scripture as expression of the Church's belief

If the Church as a whole is infallible in believing and preaching its faith, still apart from the apostles all members of the Church as individuals can make mistakes in their attempts to identify revealed truth. Therefore, one must take care to distinguish acts by which the Church's belief is expressed from acts by which members of the Church (even popes) express their individual belief. The belief of the Church must be distinguished from belief within the Church. Infallibility essentially belongs to the former; it belongs to the latter only insofar as the latter arises from and is included in the former.

Sacred Scripture expresses and bears witness to divine revelation. It is "the word of God inasmuch as it is consigned to writing under the inspiration of the divine Spirit" (DV 9). Having been accepted and handed on by the whole Church as God's word, Scripture both is an expression and a norm of the Church's belief--that is, the books of Scripture communicate the belief of the Church, not merely belief within the Church. From the infallibility of the Church as such in believing, it follows that Scripture can contain no error in its identification of divinely revealed truth.

Vatican II formulates anew and reaffirms the belief of the whole Christian tradition that Scripture, including all the books of both the Old and the New Testaments, were written under the inspiration of the Holy Spirit. Because of this fact, these books have God as their author; they contain His word. At the same time, God speaks in Scripture in and through human writers who also are, by God's inspiration, true authors of their own works. As usual, one must not imagine that either the divine or the human cause need be limited to make room for the work of the other, since the two cause in diverse ways. The result is that these humanly written works contain precisely what God wants in them (cf. DV 11).

> Therefore, since everything asserted by the inspired authors or sacred writers must be held to be asserted by the Holy Spirit, it follows that the books of Scripture must be acknowledged as teaching firmly, faithfully, and without error that truth which God wanted put into the sacred writings for the sake of our salvation [note 5 omitted]. Therefore, "all Scripture is inspired by God and useful for teaching, for reproving, for correcting, for instruction in justice; that the man of God may be perfect, equipped for every good work" (2 Tm 3.16-17, Greek text) (DV 11).

Since the assertions of the writers are assertions of God, the teaching of Scripture is without error. In identifying divine revelation by the norm of its own understanding of Scripture, the Church--infallible in believing--can make no mistake.

Some commentators on the text of Vatican II have taken "for the sake of our salvation" to be a restriction upon the kind of assertions of the sacred authors which must be considered free of error. They propose that Scripture contains errors, but can be trusted to the extent that its content bears upon matters of faith and morals. This position is attractive, because anyone who reads the Bible with care will find difficulty

with many points at which there seem to be inconsistencies, historical or scientific mistakes, and even questionable moral norms. An example of the latter is the total destruction of an enemy people (herem) which seems to be a divine command (cf. Jos 11.11-15).

However, those who assert that Vatican II has limited biblical inerrancy to some part of the assertions contained in Scripture misinterpret the text of the Council's document. First, inerrancy is concluded from the premise that the Spirit asserts what the human authors assert; therefore, to admit any erroneous assertion in Scripture is to admit a false assertion by the Spirit. Second, the Council's footnote five refers to passages in St. Augustine, St. Thomas Aquinas, the Council of Trent, and encyclicals of Leo XIII and Pius XII. These passages, most clearly those in Pope Leo's Providentissimus Deus, exclude altogether the possibility of error from all assertions in Scripture (cf. DS 3291-3293/1950-1952). The passages cited also make clear that the concern of Scripture is to communicate truth relevant to salvation, not assorted information which in no way affects our relationship with God. Finally, the history of the Vatican II's text shows that the Council's Theological Commission made clear that the text was not meant to restrict the inerrancy of the Bible to some subset of the assertions contained in it.[20]

Precisely because the Council does reaffirm the inerrancy of Scripture, it proceeds directly to insist upon the importance of careful interpretation to find out what God wants to communicate--that is, what the sacred writers really intended. One must pay attention to the literary form and style of each part of the biblical documents to understand what the author wanted to assert. One also must read and study Scripture not piecemeal but in its total context, which means considering the parts of Scripture in relation to the whole, and the whole of Scripture in relation to "the living tradition of the whole Church" (DV 13), whose book the Bible is.

Thus the Council points toward careful interpretation as the method of dissolving apparent errors in Scripture. One cannot suppose that there are as many assertions as there are sentences in the Bible. Many of its sentences are poetic; at least considered singly, they express no proposition. Narrative passages, in keeping with standards of an earlier time, perhaps assert only the main point of an account, while they sketch without firmly asserting details to create a context for grasping the main point. Again, some assertions bear upon what God's people thought; an assertion of a proposition about someone's mistaken ideas can be perfectly true but easily misunderstood. Moreover, insofar as the account of Israel's relationship with God is a record of many defects on the part of the chosen people, true assertions about false beliefs and wrong attitudes are instructive in making clear to us, as it were by experience, how we ourselves are to relate to God in Christ.

If careful interpretation is carried out, I think that the result will be to discern as asserted by the sacred writers only propositions which do pertain to faith or morals, at least in some indirect way. This outcome should be no surprise, since the Bible contains a witness to God's revealing words and deeds and an expression of the initial appropriation of these. The whole, considered together, richly hands on revealed truth, which is a personal communication directed toward establishing and perfecting a personal relationship between God and His adopted human family, as I explained in chapter one, section F, and chapter thirteen, section B. The primary truth revealed in the Bible is the firmness and faithfulness of God Himself, who never abandons or betrays His people.[21]

It is precisely God's fundamental truth which precludes error in the propositions asserted in the Bible. At the same time, the purpose of God in providing the Bible limits its propositional content to the truth which we need to know to form our relationship to Him and our lives in response to His love. Does this conclusion amount to the same thing as the position of those who take Vatican II's phrase, "for the sake of our salvation," to be a restriction upon the inerrancy of Scripture? Not at all. They assume that other propositions are asserted in Scripture and that these might be false. I deny this, and in denying it hold the point which the Church obviously is intent upon maintaining: The Holy Spirit inspires the whole of Scripture and makes no false assertions.

Moreover, in practice there is a great difference. When one supposes that the Bible contains some false propositions, one tends to ask oneself whether what one takes to be an assertion in the Bible is true, and one tries to answer the question by some extrinsic criteria. This process will lead to the exclusion of propositions which are saving truths, but which happen to be hard to understand and accept. When one supposes, as the Church does, that the Bible contains no assertions of false propositions, one tends to ask oneself how what one takes to be an assertion in the Bible can be true. To answer the question, one must try to discern what the proposition means in its larger context and ultimate reference to salvation. Only in the last resort will one give up the supposition that apparently asserted propositions are not really such; one will make this move when it is necessary with the help of what is found in other parts of the Bible, in the whole of tradition, and in the current teaching of the Church's teaching office.

A fundamentalist rightly believes that what is asserted in the Bible is true, disengages what he or she takes to be asserted in the Bible, and holds these propositions to be true. A theological liberal thinks that some less important propositions asserted in the Bible are false, sets up what he or she considers adequate standards of importance, and censors the Bible. Catholics believe that all propositions asserted in the Bible are true (because God is faithful), believe that the Church as a whole can make no mistake in identifying divine truth, and so work toward an ecclesial understanding of the Bible. This understanding precludes the private interpretation which invests the propositions each individual disengages with divine truth-value; it also precludes any attempt to judge the truth of God's word by extrinsic standards.[22]

Scripture conveys a great deal more than asserted propositions, for its concrete style provides images and descriptions of events which directly affect emotion, remain open to diverse propositional interpretations, and so form our personal relationship to God in nonpropositional ways as well as by propositions. In this respect, Scripture maintains something of the richness and vividness of the revelation itself which it

always makes present to us. Attention to the problem of inerrancy should not lead one to suppose that one appropriates the content of the Bible adequately if one assents to its true propositions, whatever these are determined to be. Interpretation requires meditation; the Spirit instructs one as one ponders His words in one's heart.

The scholarly study of Scripture is a necessary service to the Church, particularly insofar as such study prevents the sorts of errors which are made by fundamentalists and theological liberals. Still, I do not think that one ought to be credulous toward the results of scholarship. Many scholarly views considered certain at various times since 1800 now are commonly rejected, and scholarly opinion is divided on many points of real interest and importance.[23] In a situation of this sort, persons not within the field are justified in discounting claims to "science" and marking down even very plausible conclusions of sound scholarship to some level of informed opinion, which never can have sufficient weight to raise any serious difficulty for faith.

In considering the moral teaching contained in Scripture, one must bear in mind the fact that most moral norms are derivative. Furthermore, moral norms can be commended with varying degrees of force; only those clearly proposed as certainly true and definitely to be followed are asserted in Scripture.

For these reasons, examples of norms proposed in the Bible which admit of exception or which seem unsound do not argue against the truth of norms which are proposed in Scripture as certainly true and interpreted within Scripture itself in a way which makes clear their limits (if any) and precludes exceptions within these limits. What St. Paul says about women wearing hats in Church (cf. 1 Cor 11.2-16) contains qualifications not present in what the Bible teaches about adultery (cf. Ex 20.14; Dt 5.18; Jer 7.9; Hos 4.2; Mt 5.27-32; 19.18; Mk 10.19; Lk 18.20; Rom 13.9; Jas 2.11).

F. The Old Testament as a source of moral teaching

The Church insists upon the permanent value of the books of the Old Testament. They contain God's word and articulate His plan of salvation which culminates in Christ, whose life fulfills the expectations created by prior revelation. The books of the Old Testament show the situation and mutual relationship between God and humankind prior to Jesus.

> These books, though they also contain some things which are incomplete and temporary, nevertheless show us true divine pedagogy. These same books, then, give expression to a lively sense of God, contain a store of sublime teachings about God, sound wisdom about human life, and a wonderful treasury of prayers, and in them the mystery of salvation is present in a hidden way. Christians should receive them with reverence (DV 15).

Thus Vatican II teaches the continuing validity of the Old Testament. Still, since it is completed by the New, one can fully understand the Old Testament only if one interprets it in the light of the New (cf. DV 16).

The converse also is the case. One can hardly understand Christian morality without considering Christian life as following Jesus and living within His new covenant. As should be clear from earlier chapters, these notions are rooted in the Old Testament. The same is true of other themes, such as the prophetic character of Christian life, which I am developing in the present part.

Moral norms articulated in the Old Testament cannot be assumed at once to be asserted unconditionally as truths by the sacred writers. The injunction upon Israel to engage in total warfare against its enemies, who also are understood to be God's enemies, expresses both a moral truth and its distortion (cf. Dt 7.1-5, 16; 20.16-18). The truth is the absolute loyalty owed to the true God and moral obligation to avoid contamination by the idolatry of enemies. The distortion is the subordination of human life and the hatred of enemies. As I suggested in chapter eleven, section C, the very restrictedness of redemption before Jesus introduces a tension into it which is resolved only in Him. Jesus says: "'You have heard the commandment, "You shall love your countryman but hate your enemy." My command to you is: love your enemies'" (Mt 5.43-44). The norm asserted here completes and corrects the injunction to engage in total war. Similarly, Jesus corrects Mosaic legislation on divorce (cf. Dt 24.1; Mt 19.7-8).

It seems to me that a similar approach should be taken to the actions of holy persons in the Old Testament when these cannot be reconciled with Christian principles. For example, Abraham is a figure exemplary for his faith (cf. Heb 11.17-19). However, I do not think a Christian account of the morality of killing has to accomodate human sacrifice, even though the account of Abraham's testing seems to assert that God told Abraham to sacrifice Isaac (cf. Gn 22.1-2). One can suppose that the narrative expresses Abraham's understanding of God's will, and that what it asserts unconditionally is the obligation and the merit in following what one believes to be the will of God, regardless of consequences.

What about the Ten Commandments themselves? Some moral theologians today radically discount the ethical significance of the Decalogue. Timothy E. O'Connell, for example, stresses the religious and liturgical significance of the document, and the limitations which some exegetes see in the specific prohibitions, and concludes: "From all this, then, it is clear that the Decalogue did not present a particularly sensitive ethic, that the revelation of God's election of Israel neither included a revelation of moral specifics nor guaranteed that the people would quickly perceive the ideal of human behavior." After further discussion, he summarizes: "So the Decalogue was a tremendously important document, indeed a primary statement of Israel's life. But its importance was not precisely ethical."[24]

O'Connell's contrast between the religious and liturgical, on the one hand, and the ethical, on the other, is alien to both Jewish and Christian morality, which locates personal life within a community in covenant bonds with God.[25] The true significance of the Decalogue can be judged more adequately by considering it within the framework of interpretation prescribed by Vatican II--that is, one must interpret the Old Testament in light of the New (cf. DV 15).

Within the New Testament, Christian morality is presented as the perfection and

superabundant fulfillment of the Decalogue. In the Sermon on the Mount, Jesus broadens, deepens, and demands the interiorization of several of the commandments of the Decalogue (cf. Mt 5.21-37). Moreover, all the synoptics present Jesus as affirming the commandments as a necessary condition for entering eternal life (cf. Mt 19.16-20; Mk 10.17-19; Lk 18.18-21). Subsequently, in asserting that Christian love fulfills the law, St. Paul both assumes the truth of the Decalogue and its permanent ethical relevance, extols the superiority of love, and blocks any temptation to empty love of its practical, normative implications (cf. Rom 13.8-10).

The continuing validity of the Decalogue indicates that the norms contained in it are divinely asserted. Within the Mosaic law, the Ten Commandments have a unique place; they are represented as being the very words of the covenant, dictated by God (cf. Ex 34.27-28).[26] The religious and liturgical significance of the commandments makes them no less functional as a moral foundation for legal enactments.[27] While the prohibitions of the commandments in their original context undoubtedly were narrower than the prohibitions unfolded in Jewish and Christian tradition, no reasonable reading of the Decalogue can exclude it from the status of fundamental, revealed moral truth--a status always recognized by common Christian practice in moral instruction up to very recent years.

To say that the Decalogue has the status of fundamental, revealed moral truth is not to deny that it needs interpretation and development. This process begins in the Old Testament itself and is continued, as I have indicated, in the New. But the need for interpretation and development does not justify the claim that the Decalogue is mere moral exhortation to follow an already-existing code, which always must be read with consequentialist riders: Thou shalt not commit adultery--unless it happens to be the lesser evil.[28] When consequentialists claim that all limitations of derivative moral norms and all precisions in understanding all moral norms support consequentialism, they beg the question against their nonconsequentialist critics.

G. The New Testament as a source of moral teaching

In chapter eleven, section I, I considered the question of the use of the Gospels in theological reflection about Jesus. I take for granted here what I explained there.

Joseph Fuchs, S.J., has made some remarks about the moral content of the New Testament which have been followed by several other radically dissenting theologians. Fuchs grants that there is some absolute and universally valid moral content in the New Testament, but he wishes to limit such content to the commendation of values and attitudes, and to general principles--such as the requirements of fidelity and obedience to God, of the following of Christ, of life according to faith and baptism (or, in John, faith and love). He recognizes also that specific norms of behavior, which he calls "operative," are proposed both in the gospels and in the epistles. These Fuchs admits to be absolute, in the sense of being objectively valid for their time, but he denies them to be universally valid. Thus Fuchs refuses to accept arguments from the New Testament against justifying exceptions to those moral norms which set definite requirements, such as that excluding adultery.[29]

With respect to the Sermon on the Mount, for instance, Fuchs admits that it contains absolutely--that is, objectively--valid norms. He then goes on:

> The question is: absolute validity, as what--as universal norms, or as models for the behavior of the believing and loving citizens of God's kingdom who will be ready for such modes of conduct, perhaps, under determined conditions not individually specified by the Lord? The latter interpretation seems probable from the context and manner of expression. In recent years there has been renewed and heated discussion of the Lord's word about the <u>indissolubility of marriage</u> (Mt 19.3-10). Regarding the scope of this word, it is asked: Is it a question of a moral imperative or of something more? Is the moral imperative to be understood as a norm to be followed as universal practice or as ideal? The discussion makes at least this much clear: The acceptance of an absolute in the sense of an objectively valid moral affirmation in Scripture does not necessarily involve recognizing it as an absolute in the sense of a universal norm.[30]

Fuchs, of course, is right in saying that the status of the norms in the Sermon on the Mount has been questioned, and that some interpreters regard them as ideals--that is, as counsels which Christians might if they wish try to live up to when they feel ready to do so. He also is right in saying that there has been much discussion of the Lord's word on indissolubility of marriage; indeed, such discussion has been going on for several hundred years. The question is: Does such questioning and discussion have in its favor a presumption which makes it unreasonable to set it aside for the purposes of Catholic moral theology?

Fuchs obviously thinks the questioning and discussion cannot reasonably be set aside. But his judgment is in part determined by his acceptance of consequentialism. The evidence for this is that having alluded to questioning and discussion, he makes no attempt to evaluate the debate.

Rudolf Schnackenburg, a competent Catholic exegete who has written on the moral teaching of the New Testament, discusses the question of the practicability of the moral teaching of Jesus. He points out that the Catholic moral theological tradition "firmly maintains both the possibility and duty of carrying out the moral commands of Jesus, but has felt bound to draw certain distinctions between them."[31] Precepts in the Sermon on the Mount need to be interpreted and delimited, but the distinction between commandments and counsels does not apply to it. The grace and mercy of God are the solution to the problem of practicability. Schnackenburg draws his own conclusion after criticizing various exegetical theories:

> So then we must let the words of Jesus stand in all their severity and ruggedness. Any mitigation, however well intended, is an attack on his moral mission. But how Jesus judges those who fall short of his demands is quite another matter.[32]

In other words, the moral teaching of Jesus is not the proposal of an ideal. Correct interpretation will recognize derivative norms and their limits; hyperbolic language will

be taken for what it is. But the propositions which are disengaged are to be taken as normative for conscience, not merely as targets for aspiration.

Schnackenburg also discusses the passage on indissolubility which Fuchs mentions (cf. Mt 19.3-10) together with its parallels (Mt 5.31-32; Mk 10.11-12; Lk 16.18; 1 Cor 7.10-11). His conclusion is that the prohibition of remarriage is a universal norm; he does not even consider the possibility that this norm is an ideal.[33] Against the notion that this norm is an ideal stands the weight of Christian tradition, including the views of separated Christians who argued that the prohibition of remarriage admitted exception in cases of adultery; their argument would have been unnecessary and pointless were the prohibition of remarriage merely an ideal.

Fuchs also discusses St. Paul's moral teaching. He begins by noting that Paul ascribes some moral norms to the Lord and others to his own insight. Fuchs next claims that Paul presupposes most of the moral norms he teaches, taking them from the moral wisdom of the good people of his time. From this Fuchs concludes: "Paul does not present himself as a teacher of moral living, still less as a teacher of specifically Christian norms of conduct." He thinks Paul took his moral ideas from Stoic, Judaic and diaspora-Judaic sources. Was this morality not historically and culturally conditioned? Fuchs takes Paul's teaching on the position of women in marriage, society, and the Church as a self-evident instance of directives conditioned by the times. Perhaps all of the moral teaching in Paul was only binding for his own time?

> For the affirmation that certain explicitly mentioned modes of conduct ban one from the kingdom of God, from companionship with Christ and from the life given by the Spirit remains true if these modes were to be judged negatively, in accordance with the moral evaluation proper to the age and accepted by Paul. Paul therefore did not teach such evaluation as thesis, but admitted it as hypothesis in his doctrinal statement on the Christian mystery of salvation.[34]

Fuchs says that these considerations do not show that the norms of behavior found in the New Testament are no longer valid today. Nevertheless, in the next section of his article, he proceeds on the assumption that there are no universal and permanently valid moral norms in Scripture.[35]

The first thing to be noted about this argument of Fuchs is that it does not follow logically. The fact that St. Paul adopts some moral norms from the existing wisdom of his time--especially from the Judaic wisdom which itself had developed in the light of faith--does not show that Paul does not present himself as a teacher of moral living. In the passage I quote from Fuchs, the sentence beginning, "Paul therefore did not teach such evaluation as thesis. . .," does not follow from anything which precedes it. I suspect that the illicit deduction was made because of an assumption that moral norms bearing on properly human goods could not pertain directly to the message of salvation. If Fuchs made such an assumption, I think that my exposition of fulfillment in Christ in chapter seven, above, undercuts it.

The second point to be noted is that Paul does propose some norms as counsels, others as prudential guides based on charity in particular situations, and others in other ways. There are several specific moral norms which appear to be presented as universal and categorically binding for Christians: "Do not deceive yourselves: no fornicators, idolaters, or adulterers, no sodomites, thieves, misers, or drunkards, no slanderers or robbers will inherit God's kingdom" (1 Cor 6.9-10). This passage is used by the Council of Trent when it makes the point that the grace of justification is lost not only by unbelief, but also by every mortal sin (cf. DS 1544/808).

Like Jesus Himself, Paul was careful to discriminate what Christians had to accept out of the earlier tradition of Israel. The diligence Paul shows in liberating his converts from unnecessary requirements of the law argues strongly that any demands Paul assumes from the Judaic tradition are taken by him to be essential for the salvation of any Christian. Paul believes that the greatest possible transformation of human nature has occurred in Jesus; anything which survives this transformation can hardly be in Paul's eyes a mere expression of the Jewish ethos.

The thesis that Paul borrowed heavily from Stoic and other popular morality of the time needs to be proved, and Fuchs offers no proof for it. Against it stand very substantial exegetical studies, which minimize the borrowings of the authors of the New Testament epistles, including Paul, from Greek sources, and find in the epistles a pattern of moral teaching which suggests that underlying them is a primitive Christian catechism, probably developed for the instruction of the catechumens and the recently baptized.[36]

From a theological point of view, it seems to me impossible to reconcile the position of Fuchs with the use which the Church always has made and continues to make of the New Testament. The epistles are read with the evident intent to instruct the faithful. When the epistle has been read, the lector affirms: "This is the word of the Lord." If Fuchs were correct, the Church should have the lector say: "These are words of Paul the Apostle, adopted from the Stoic, Judaic, and Diaspora-Judaic ethos, valid in his day absolutely, and perhaps, but not necessarily, relevant to you today. It all depends on whether these ideas correspond to the moral convictions of upstanding members of our present secular humanist, post-Christian society."

H. The sacramental teaching office of the bishops and its authority

In chapter thirteen, section H, I explained the role of the apostles in the Church: They are sent by Jesus to spread the revelation they receive from Him in faith. In section B, above, I clarified the infallibility of the apostles and of the Church founded upon them. Catholic faith teaches that the bishops are the successors of the apostles in respect to those apostolic functions which, in the nature of the case, could be handed on.

Vatican I solemnly and definitively teaches that the Pope by the institution of Christ Himself is the successor of Peter as head of the Church (cf. DS 3058/1825). Vatican II confirms this teaching (cf. LG 18) and adds to it:

> Just as the role that the Lord gave individually to Peter, the first among the apostles, is permanent and was meant to be transmitted to his successors, so also the apostles' office of nurturing the Church is permanent, and was meant to be exercised without interruption by the sacred order of bishops. Therefore, this sacred Synod teaches that by divine institution bishops have succeeded to the place of the apostles as shepherds of the Church, and that he who hears them, hears Christ, while he who rejects them, rejects Christ and Him who sent Christ (cf. Lk 10.16) (LG 20).

The bishops succeed the apostles as shepherds of the Church and as authorized spokesmen for Christ, as men in a special way empowered to exercise Christ's prophetic office in the Church.

The bishops together, in communion with one another and the pope, exercise this prophetic role, which is referred to in many documents of the Church by the word "magisterium." This word has been given its technical sense only in modern times.[37] However, the reality to which it refers, according to the teaching of Vatican I and Vatican II, has existed in the Church since the apostles. "Magisterium" is translated both by "teaching office" and by "teaching authority." The teaching of the magisterium is said to be "authentic" and "authoritative"--the former expression here meaning the same as the latter.

Here I wish to clarify what is meant by "authority" in this context, and why our Lord Jesus establishes the bishops as a teaching authority within His Church, whose faith (when the Church is taken as a whole) is infallible, as I explained in section A, above.

The revelation of God in Christ is expressed and witnessed in Scripture and in the tradition of the Church--that is, in the whole life and reality of the Church who extends herself from generation to generation (cf. DV 8). Nevertheless, individual members of the Church as such are not infallible. In interpreting revelation, they can err in belief, mistaking what belongs for what does not belong to revelation, and the converse. The infallibility of the Church as a whole needs an organ, an instrument by which it can be exercised.

> The task of authentically interpreting the word of God, whether written or handed on, has been entrusted exclusively to the living teaching office of the Church, whose authority is exercised in the name of Jesus Christ. This teaching office is not above the word of God, but serves it, teaching only what has been handed on, listening to it devoutly, guarding it scrupulously, and explaining it faithfully by divine commission and with the help of the Holy Spirit; it draws from this one deposit of faith everything which it presents for belief as divinely revealed (DV 10).

The magisterium has authority to decide--"decide" not in the sense of "choose" but in the sense of "judge"--what belongs to revelation. It is not above the word of God, for revelation is complete in Jesus. But what is revealed must be unfolded and effectively communicated in each age. So that this work can be accomplished without deviation from divine truth, the magisterium exists to receive, guard, and explain that truth which the Church as a whole infallibly believes.

One aspect of the authority of the magisterium is shared by every member of the Church. Jesus amazed His listeners, because He taught with authority, not like the scribes (cf. Mt 7.29; Mk 1.22; Lk 4.32). The scribes functioned as theologians; they dealt in scholarly opinions about the meaning of the law, which they studied as a given object. Jesus did not talk about divine revelation; He personally revealed the Father. His preaching was not reflection upon truth as an object, but direct communication of the personal truth of God to human persons.

One who accepts the revelation of God in Christ enjoys a wisdom which surpasses that of scholarship: "'I offer you praise, O Father, Lord of heaven and earth, because what you have hidden from the learned and the clever you have revealed to the merest children'" (Lk 10.21). When a Christian mother tells her children of God, of Jesus His Son, and of the following of Jesus, she shares in the authority of Christ, for she hands on His personal truth. This truth also for her constitutes her own Christian life; it is not merely a subject matter for scholarly reflection and dissection.

Moreover, <u>insofar as this mother's belief is one with the belief of the Church</u>, Christ speaks in her and through her; her instruction is the word of Christ and it is received by her children with the light of the Spirit of divine truth. As long as her teaching <u>is that of the Church</u> as a whole, she infallibly hands on the faith. This aspect of authority and participation in infallibility is enjoyed also by the bishops and popes, and it is fundamental to their special teaching authority.

In recent years, some have argued that authority is of two sorts: some authorities are qualified (to determine what is true) by their experience or scholarly competence, while other authorities are qualified (to decide what will be done) by their social status. The former must be respected because they are in a position to know better; the latter must be obeyed because of their official power to decide. To which of these categories does the teaching authority of the bishops belong? If to the former, then their judgment depends on expertise, and can be challenged by theologians, who in general are more able scholars than most bishops. If the latter, then their decisions have only the force of law, not the force of truth; laws can bind in conscience only as long as one does not have a good reason for setting them aside.

The authority of Jesus in revealing, an authority shared by the Christian mother handing on her faith to her children, fits neither of these two categories. The division is inadequate. It leaves out of account the authority enjoyed by one who communicates personal truth to be accepted with personal faith. To the extent that the bishops share in this authority, communicated to them by Jesus (cf. Mt 28.18-20), their qualification neither is scholarly competence and expertise, nor is it administrative power. The doctrinal decisions--judgments in matters of faith and morals--made by the bishops have the authority of truth, of the personal truth revealed in Christ. Like the office of the bishops themselves, the office of theologians and experts does not stand above this truth, but must accept it with faith and serve it.

Thus the foundation of the teaching authority of the bishops is the divine truth which they receive in faith and share as members of the Church which proclaims it to the

world. The special office of the bishops adds to this foundation their role of leadership, of carrying on the apostolic duty of shepherding the Church.

One can imagine that Jesus might have initiated a redemptive community without providing any leadership role. However, no human society exists without leaders, whose activities unify the group. The authority of leaders derives from the fact that their official acts are directed to the common good; in them the interests of all members of the group make their demands upon each member. Had Jesus not provided leadership for the Church, leaders would have emerged, but their right to lead would always have been open to question. The Church itself could not establish this right, since the Church is not simply a voluntary human community, but a communion in Jesus with God.

For this reason it was very fitting that Jesus created the apostolic office and the role of bishops as successors to the apostles. By means of the college of bishops, Jesus provided His Church, which is infallible in believing and proclaiming Him, with a single, recognizable voice. Thus when the bishops speak with one voice, their preaching is not only teaching <u>within</u> the Church, but teaching <u>of</u> the Church. It is--and the whole Church can be sure it is--the word of God Himself.

One can imagine a Church in which every member participated equally in the magisterium. However, if all exercised this office responsibly, all other goods would remain unattended, because the communication required for this single task (especially if everyone were involved) would absorb the whole of one's Christian life. One also can imagine a Church in which only theologically competent persons were ordained as bishops. However, scholars have their own biases; in any society they normally form an elite more or less removed from the people at large. Moreover, one always must bear in mind that the truth with which the bishops are concerned primarily is the personal truth of God revealed in Christ. This truth includes but is not limited to true propositions. The methods of scholarship are not well adapted for discerning such truth; indeed, their habitual use tends to obscure it with an interesting but not always relevant pluralism of theories and arguments.

To some extent, the truth of Catholic faith is contained in the lived reality of the Church, not yet articulated intellectually, but handed on (cf. DV 8). For managing the task of handing on a personal truth which in part has not yet been articulated, a man like Peter perhaps is a better choice than someone more learned and clever--even than St. John or St. Paul. Jesus thought so.

I. <u>The infallibility of the ordinary magisterium</u>

Because individual members of the Church can err, and because erring individuals can form movements of opinion within the Church, history records many instances in which factions disagree concerning what belongs to faith in Christ. All claim to express the same faith and to be ready to try to live up to it, but diverse parties disagree about the appropriateness of certain expressions and actions. Such disagreement is repugnant to everyone who wishes to live redemptively, for it diminishes the value and effectiveness of Christian life as a sign of divine truth and love. At this point, the role of the magisterium is especially important. The unified witness of the bishops in matters of faith and morals expresses the infallible faith of the Church.

Vatican II clearly states the criteria for the infallible exercise of the magisterium by the bishops engaged in their day-to-day work of teaching:

> Although the bishops individually do not enjoy the prerogative of infallibility, they nevertheless proclaim the teaching of Christ infallibly, even when they are dispersed throughout the world, provided that they remain in communion with each other and with the Successor of Peter and that in authoritatively teaching on a matter of faith and morals they agree in one judgment as that to be held definitively (LG 25; translation my own).

An important footnote (the Council's note 40) to this statement cites four previous documents.

An examination of the development of this text in the conciliar process makes clear two things the Council is <u>not</u> saying here: first, that a strictly collegial act is necessary for an infallible exercise of the ordinary magisterium; second, that such an exercise of the ordinary magisterium can occur only when something divinely revealed is proposed for acceptance with the assent of divine faith. Had the Council said either of these things, it would have limited the possibility of the infallible exercise of the ordinary magisterium of the bishops. In fact, it said neither.

The unity required of the bishops is unity in communion and judgment. The relevance to revelation required for infallible teaching is that the matter be one of faith or morals, either included in revelation or required to explain and safeguard what is expressly revealed.[38] Hence, if the teaching of the bishops meets the stated conditions, one cannot argue that it is not infallibly proposed merely because they did not formally act as a body or because one cannot see precisely how a particular point is included in or implied by divine revelation.

To understand the conditions enunciated by Vatican II, one must look at the four documents cited in note 40. The first is a passage from Vatican I's constitution on the Catholic faith:

> Further, all those things are to be believed with divine and Catholic faith which are contained in the word of God, written or handed down, and which the Church either by a solemn judgment or by her ordinary and universal magisterium proposes for belief as divinely revealed (DS 3011/1792).

Because this constitution concerns divine revelation, this solemn teaching is limited to matters divinely revealed, to be accepted with divine faith. Nevertheless, the passage has a bearing upon Vatican II's teaching on the infallibility of the ordinary magisterium. It makes clear that one must believe not only those things which are defined, but also certain things taught by the ordinary magisterium.

In recent years, many have said or assumed: "This teaching has not been defined; therefore, it is not infallibly taught, and it could be mistaken." This argument is incompatible with what Vatican I and Vatican II teach, for it overlooks the possibility

that a teaching which has never been defined is proposed infallibly by the ordinary magisterium.

The note of Vatican II next cites a passage added to Vatican I's first schema On the Church, namely, a text drawn from Robert Bellarmine. Vatican I's document on the Church was never completed, but it has the weight of Vatican II's use of it to illustrate its own teaching. Rejecting limits on infallibility urged by some Protestants, Bellarmine writes:

> Therefore, our view is that the Church absolutely cannot err, either in things absolutely necessary [for salvation] or in other matters which she proposes to us to be believed or done, whether expressly included in the Scriptures or not. And when we say, "The Church cannot err," we understand this to apply both to the faithful as a whole and to the bishops as a whole, so that the sense of the proposition, The Church cannot err, is this: that what all the faithful hold as of faith, necessarily is true and of faith, and similarly what all the bishops teach as pertaining to faith, necessarily is true and of faith.[39]

Two things must be noted about this. First, Bellarmine refers both to things which are to be believed and to things which are to be done. Second, he does not limit infallibility to matters explicitly contained in Scripture or to matters which are absolutely essential for salvation.

The third document cited is Vatican I's revised schema for its never-completed constitution On the Church of Christ, together with a commentary by Joseph Kleutgen. The formula prepared in this schema would have defined the infallibility of the ordinary magisterium in terms very close to those in which Vatican II teaches it. Where Vatican II uses the expression "to be held definitively," Vatican I's formulation would have been "held or handed down as undoubted." Both expressions leave room for the infallible teaching of propositions not expressly revealed, if they are necessary to explain and defend revealed truth. Kleutgen's commentary discusses this point at length, arguing among other things that the Church can infallibly teach moral truths, whether or not they are included in divine revelation.[40]

The fourth text to which Vatican II's note 40 makes reference is a document of Pius IX (cf. DS 2879/1683), in which the same point is made as in Vatican I's subsequent solemn teaching: that faith is not limited to defined dogmas.

The text of Vatican II, quoted above, and the four documents cited in its note show that four conditions must be met for the infallible exercise of the magisterium of the bishops scattered about the world. These are: that the bishops be in communion with one another and the pope; that they teach authoritatively on a matter of faith or morals; that they agree in one judgment; and that they propose this as something to be held definitively. These conditions deserve separate consideration.

As the history of the conciliar text makes clear, the first condition--that the bishops be in communion with one another and with the pope--does not mean that they must act formally as a single body, in a strictly collegial manner. It is necessary and sufficient that they remain bishops within the Catholic Church. The voice of the Church is identified, and distinguished from various voices within the Church, by the sacramental ordination and bond of communion which unite the bishops who share in uttering the Church's teaching.

The second condition--authoritative episcopal teaching on a matter of faith or morals--requires that the bishops be acting in their official capacity as teachers, not merely expressing their opinions as individuals or as theologians. As for the subject matter of their teaching--"faith or morals"--the formula has a long history.[41] Suffice here to say that nothing in the pertinent documents limits "morals," in the sense intended by Vatican II, in such a way as to exclude specific moral norms, like that forbidding adultery.

The third condition--that the bishops agree in one judgment--identifies universality as a requirement for an infallible exercise of the ordinary magisterium. What is necessary, however, is the moral unity of the body of bishops in union with the pope, not an absolute mathematical unanimity such as would be destroyed by one dissenting voice.[42]

Furthermore, if this condition has been met for a considerable time in the past, it would not be nullified by a future lack of consensus among the bishops. For the consensus of future bishops is not necessary for the ordinary magisterium to have taught something infallibly or to do so now. Otherwise, one would be in the absurd position of saying that it is literally impossible for there to be an infallible exercise of the magisterium until the end of time; since at any given moment, one cannot tell what some bishops in the future might say.

As for the evidence that this condition has been met, it would seem to lie essentially in this: that in different times and places, in different cultural circumstances, and responding to different challenges, setting the teaching in different intellectual frameworks, and very likely offering different arguments to support it, bishops have agreed in and repeatedly proposed the same judgment concerning a matter of faith or morals as one to be held definitively.

The fourth condition--that the bishops propose a judgment to be held definitively--means at least this: that the teaching is not proposed as something optional, either for the bishops or for the faithful, but as something which the bishops have an obligation to hand on and which Catholics have an obligation to accept. In the case of moral teaching, however, it is unlikely that those proposing the teaching will explicitly present it as something to be intellectually accepted as true; it is more likely that they will propose it as a norm which followers of Christ must try to observe in their lives.

Vatican II's teaching on the infallibility of the ordinary magisterium is not in substance new. Catholics always have believed that the apostles and their successors enjoy an unfailing gift of truth in proclaiming Christ's teaching. As early as the fifth century, St. Vincent of Lerins tried to formulate the conditions for an infallible exercise of the ordinary magisterium (cf. FEF 2168 and 2174).

If one considers that the Church as a whole is infallible in believing and handing on the faith, and also that the bishops as leaders of the Church are her legitimate

spokesmen, then the infallibility of the teaching of the bishops under the conditions articulated by Vatican II follows. To deny it is to deny either the infallibility of the Church or to deny that Christ remains present in the Church and makes Himself heard through the bishops.

Very frequently the consensus of the Fathers of the Church is invoked in the Church's teaching as a witness of faith which cannot be contradicted.[43] The Fathers were bishops or closely associated with bishops; their writings as a body indicate what the bishops were teaching during the patristic period. It seems to me that the authority of the Fathers is an instance of the authority of the ordinary magisterium; their consensus in proposing a point of faith or morals to be held definitively makes clear that the conditions for the infallibility of the ordinary magisterium were met.

J. Catholic moral teaching infallibly proposed

There exists a substantial body of common Catholic moral teaching. One finds expressions of it in the New Testament and in the Fathers of the Church, in the lists of sins and penances used by confessors, in canonical law (where no act was considered a crime unless it was assumed to be a grave sin), in the works of doctors of the Church such as St. Thomas, in many catechisms, in numerous episcopal statements, individual and collective, in some conciliar documents including those of Vatican II, and in numerous documents of various sorts issued by the popes and their congregations.[44] (It is evidence of the commonness of this teaching that most of it also was handed on by Orthodox Christians and by Protestants at least up to the nineteenth century.)

Theological critics will point out that much of this teaching is in the form of exhortation, that many derivative norms are proposed without explicit qualifications, and that the teaching is not absolutely uniform on every matter on which it touches. I concede these points. Nevertheless, about some kinds of acts there is no room for doubt that they were condemned absolutely, without exception, and by every Christian teacher throughout many centuries. For instance, one will not find Catholic bishops--with the exception of some condemned as heretics--defending the moral acceptability of any form of sexual activity to orgasm apart from the marital act; nor will one find any Catholic bishop defending the moral acceptability of a choice to kill the unborn.[45]

Among Catholic theologians in modern times there is a constant consensus about such matters, a consensus broken only since 1960. This consensus is important because any indefiniteness in the tradition regarding the details of immoral kinds of acts, their immorality in every single instance, and other matters was eliminated either by explicit statements of the modern theologians or by the general principles which they shared in common. This is especially true of the works in moral theology generally in use in Catholic seminaries in the nineteenth and twentieth centuries, right up to Vatican II.[46]

I am not saying that all the principles shared by moral theologians during this period deserve the same respect as does the Church's substantive moral teaching. Moral theology was heavily influenced by rationalism, and the theologians proceeded legalistically, with very defective moral theories. But their very legalism and shared principles preclude suggestions that they did not all mean the same thing when they agreed, for example, that every act of adultery is intrinsically and gravely evil in its matter (and so is a mortal sin if done with full deliberation and voluntariness).

The consensus of modern Catholic moral theologians shows that common Christian moral teaching was universally proposed by the bishops, because the works of the theologians were authorized by the bishops for use in seminaries, and thus for the training of confessors who communicated Catholic moral teaching in the confessional, by various forms of catechesis, in missionary evangelization, by recommending materials to be read, and so on. As authorized agents of the bishops--during centuries in which the bishops were careful not to share their teaching authority with theologians whose views they did not accept--these approved authors teaching in their manuals exercised in a mediate but nevertheless real way the teaching authority of each and every bishop who sent his seminarians to seminaries in which these manuals were the required textbooks.

In many cases, documents of individual bishops, groups of bishops, and of the Holy See refer to the theological manuals, which in later editions refer to them. Instructions from Rome are picked up by bishops, and the teaching of bishops often is supported by Rome. This situation does not show that the bishops were not exercising their individual responsibility as teachers. On the contrary, it shows the harmony of action which one would expect of the body of bishops teaching in communion with one another and with the pope, proposing what they had received and held to be Catholic moral truth.

If there is evidence of a body of moral teaching proposed universally and authoritatively by the ordinary magisterium, was it proposed as certain--as the single position to be held definitively?

With respect to many specific points of moral teaching, I think the evidence supports an affirmative answer. Many points were proposed not merely as pious opinions, as probable judgments, as admirable ideals, or as optional guidelines, but as essential requirements for anyone who wished to live in the state of grace. In other words, the common teaching has been that acts of certain kinds are grave matter. When the Church proposes a moral norm as one which the faithful must try to follow if they hope to be saved, she a fortiori proposes the teaching as certain. On some matters, the magisterium allowed no differing opinions; probabilism was inapplicable. Thus the conditions under which the teaching was proposed left no room for doubt in the minds of the faithful.

In many cases, the norms proposed were set forth as divinely revealed. The Ten Commandments very often were used as a framework for moral instruction, and numerous kinds of acts commonly held to be grave sins were assimilated to one of these norms. For instance, the faithful were taught that any completed sexual act apart from marriage is forbidden by the commandment: "Thou shalt not commit adultery." Other passages in Scripture also were used or alluded to in condemning various kinds of sexual acts--for example, the story about Onan (cf. Gn 38.9-10) often was used to support the condemnation of contraception.

I prescind from the question whether the evidence alleged to show that the moral

condemnation of various kinds of acts is divinely revealed actually does show this. The point I wish to make is this: When one who proposes a teaching appeals to divine revelation to confirm the truth of what he proposes, he implicitly calls for an assent of divine faith, and thus proposes the teaching as one to be held definitively.

In cases in which Scripture and common Catholic moral teaching clearly coincide--for example, in the exclusion of adultery--it seems clear that there is no room for doubt that the Church's ordinary magisterium has infallibly proposed a revealed truth.

In other cases, where the interpretation of Scripture is reasonably argued--for example, in the condemnation of contraception--it should be remembered that those who invoked particular texts in Scripture or alluded to them did not interpret these texts in isolation from the whole body of Christian moral convictions. Christians grounded their moral convictions more upon their meditation upon the whole of divine revelation--contained both in Scripture and in the concrete experience of Christian life--than upon an exact reading of isolated texts. Once in possession of these convictions, and confident that they formulated the demands of God's wisdom and will for their lives, Christians invoked particular Scripture texts as witnesses to the truth and obligatory character of the moral norms they believed to belong to the law of Christ.

In cases such as these, the ordinary magisterium proposed moral norms to be held definitively. In chapter fourteen, section N, I argued that all natural law is implicitly revealed. If this argument is correct, then the moral norms which are to be held definitively also are revealed, if only implicitly. In any case, having been proposed with one voice by Catholic bishops as a requirement for one's eternal salvation, the whole body of common Catholic moral teaching concerning acts which constitute grave matter meets the requirements articulated by Vatican II for teaching infallibly proposed by the ordinary magisterium.

K. Definitions of moral doctrines?

Vatican I defines the dogma that when the pope speaks ex cathedra and defines doctrine, he has the infallibility of the Church, and so such definitions are irreformable--that is, they cannot be contradicted. "Ex cathedra" means he is acting as pastor of the universal Church and defining a teaching on faith or morals to be held by the whole Church (cf. DS 3074/1839). As the spokesman of the Church, the pope under the stated conditions utters the teaching of the Church, not merely a teaching within the Church. The pope is the principle of unity for the bishops much as the bishops are for the Church as a whole.

Vatican II restates the teaching of Vatican I concerning the infallibility the Pope has when he speaks as the voice of the faith of the Church. It adds that the body of bishops also clearly has the same infallibility when it exercises supreme teaching authority in union with the pope (cf. LG 25). In each case, what is in question is a mode in which the apostolic infallibility of the faith of the Church is manifested, for it is manifested in all the ways in which the faith of the Church as a whole is manifested.

Both Vatican I and Vatican II make clear that in defining doctrine, there is no question of adding anything to divine revelation. To define is to identify infallibly a teaching to belong to divine truth, and so the process of defining is subordinate to revealed truth (cf. LG 25; DS 3070/1836). The infallibility of the Church extends just as far as divine revelation extends--that is, it extends to all those things and only to those things "which either directly belong to the revealed deposit itself, or which are required to guard as inviolable and expound with fidelity this same deposit."[47]

This last clarification is provided by the commission responsible for Vatican II's text; it excludes a restrictive theory of the object of infallibility, which would limit it to truths explicitly contained in already articulated revelation, and so prevent the Church from developing its doctrine and rejecting new errors incompatible with revealed truth.

It is sometimes said that the Church has never defined any moral teaching, and this lack of definitive teaching in the moral domain is claimed to imply that the Church cannot define moral teachings. In fact, in its canons on matrimony, the Council of Trent excludes polygamy (which had been permitted by Luther):

> If anyone says that Christians are permitted to have several wives simultaneously, and that such a practice is not forbidden by any divine law (cf. Mt 19.4-9): let him be anathema (DS 1802/972).

Of greater interest, the same Council defends the Church's teaching on the indissolubility of marriage with two canons:

> If anyone says that the marriage bond can be dissolved by reason of heresy, domestic incompatibility [now called "breakdown of marriage"], or willful desertion by one of the parties; let him be anathema (DS 1805/975).
>
> If anyone says that the Church is in error when it has taught and does teach according to evangelical and apostolic teaching (cf. Mk 10; 1 Cor 7) that the marriage bond cannot be dissolved because of adultery on the part of either the husband or the wife; and that neither party, not even the innocent one who gave no cause for the adultery, can contract another marriage while the other party is still living; and that adultery is committed both by the husband who dismisses his adulterous wife and marries again and the the wife who dismisses her adulterous husband and marries again, let him be anathema (DS 1807/977).

One might argue that Trent does not define the indissolubility of marriage absolutely--for example, it does not say that marriage cannot be dissolved if both parties agree that different arrangements might promote the greater good of their growth toward personal fulfillment. This observation is technically correct.[48] No one in the sixteenth century had suggested anything so absurd, and Trent had enough real errors without inventing ridiculous possible ones to condemn.

In any case, my point is that some moral teachings have been proposed definitively, and others can be. What the Church defines already has been infallibly proposed by the ordinary magisterium; a definition only clarifies the situation and insists upon the boundaries of faith for members of the Church who are in serious error.

One might wonder why there have been few solemn definitions of faith in the moral field. I think the answer is twofold.

First, normally in the past moral norms have not been denied so much as they have been violated in practice. Exhortation to live up to accepted teachings has been more appropriate than definition of their truth. Usually persons who radically questioned Christian moral norms primarily deviated even more obviously and significantly on matters of fundamental doctrine, to which the deviation on moral teaching was incidental.

Second, canon law from the Middle Ages until 1917 codified moral formation in a manner analogous to the way in which the creeds and dogmatic definitions summarize and defend the truth of faith. The canonization of saints also is a mode of teaching which is solemn and universal; a canonization concretely presents a moral truth which all Catholics are to hold. Similarly, the formal approval of the rules of religious orders and congregations by the Church constitutes solemn and universal moral teaching concerning the forms of life proposed in such rules.[49] Thus, the Church's moral teaching has not lacked an appropriate form of definition, but until the present the dogmatic definition of moral norms as truths of faith seldom has been necessary.

L. Teaching which is not proposed infallibly

There are cases in which bishops, including the pope, clearly offer private opinions on matters outside the area of faith and morals. For example, a pope might comment on the literary value of Dante's poetry. There also are cases in which bishops, including the pope, speak or write on matters of faith or morals but make clear that they do so as simple believers or private theologians. Even within the official teaching context, observations and arguments often are stated which are not part of the proposition proposed for acceptance by the faithful. In some cases, disciplinary directions are given: This opinion should not be taught; that one is hard to reconcile with faith. Propositions sometimes are proposed tentatively--for instance, a new devotion might be recommended without its suitability being asserted as certain. In all these ways, statements by bishops, including the pope, can fail to meet the conditions required for teachings proposed infallibly by the ordinary magisterium.

In the remainder of this chapter, I am not concerned with any such cases. It is worth noticing that many standard theological works do not explicitly and clearly exclude all these cases before taking up the point to be discussed here. This point is: What are we to think about teachings by bishops, including popes, which could be recognized as truths proposed infallibly except for one thing, namely, that the whole collegium does not agree in one judgment, either because there is some disagreement among the bishops, or because the issue is one which has not been addressed by some substantial part of the collegium?

The first question about such teachings is how it happens that they are proposed at all. The answer is not obvious, since the situation under consideration is one in which a bishop or group of bishops (or a pope) is insisting on a certain point to be accepted as certain, although the point is not part of common and universally received teaching, and is one on which other bishops either disagree or, at least, might disagree if they addressed the issue.

One kind of situation in which teachings are proposed firmly by some of the collegium and yet rejected by part of it is that in which some part of the collegium falls into error and begins to teach contrary to Catholic truth. As the history of the Church amply shows, this can happen even when a matter has been solemnly defined; it happens more easily when a received teaching has been proposed infallibly for some time by the ordinary magisterium, but then is called into question. The latter situation often has led to a resolution of an issue by a solemn definition. Until such a resolution is achieved, the part of the collegium which holds the truth (which eventually is vindicated) often is very firm in teaching it despite the equally firm contradiction of the truth by the remainder of the collegium. The Arian controversy is a paradigmatic example.

A more common situation in which teachings are proposed firmly by some of the collegium and yet rejected, or simply ignored, by part of it is that in which bishops find it necessary to articulate the faith in new ways, to draw from it conclusions about new questions, to take a position with respect to new challenges to the faith. Vatican II points out, for example, that in missionary situations the encounter of the faith with the culture into which it is being introduced should lead to an enriching development in the understanding of faith and its application in life (cf. AG 22). The revealed truth remains the principle of judgment, but its preaching must make use of new ideas as well as new language, and Christian life must be lived in the institutions and opportunities offered by a changing world (cf. GS 44). In short, the "tradition which comes from the apostles develops in the Church with the help of the Holy Spirit" (DV 8).

In their prophetic office, then, bishops preach and teach the faith, which their people accept and put into practice. In doing this, the bishops not only repeat what they themselves received, but clarify the faith with the help of the Spirit, "bringing forth from the treasury of revelation new things and old (cf. Mt 13.52), making faith bear fruit, and vigilantly warding off any errors" (LG 25). The new things which are brought forth should spring from faith itself, and so they will be "in harmony with the things that are old" (DH 1). Nevertheless, to fulfill their duty, bishops must venture to teach what never has been taught before, and sometimes they must propose this teaching as truth to be held difinitively. In such cases, their teaching is official teaching within the Church.

Nevertheless, in cases of this sort, bishops (including a pope) individually do not enjoy the gift of infallibly discerning what belongs to divine truth from what does not. Mistakes are possible, and so there is room for disagreement among bishops. One cannot tell that such disagreement will not arise or how it will be resolved, if it does arise, until the collegial magisterium as a whole has spoken. It is about the teaching of the bishops and of the pope in such a situation that Vatican II teaches:

> Bishops, teaching in communion with the Roman Pontiff, are to be respected by all as witnesses to divine and Catholic truth. In matters of faith and morals, the

bishops speak in the name of Christ and the faithful are to accept their teaching and adhere to it with a religious assent of soul. This religious submission of will and of mind must be shown in a special way to the authentic teaching authority of the Roman Pontiff, even when he is not speaking ex cathedra. That is, it must be shown in such a way that his supreme magisterium is acknowledged with reverence, the judgments made by him are sincerely adhered to, according to his manifest mind and will. His mind and will in the matter may be known chiefly either from the character of the documents, from his frequent repetition of the same doctrine, or from his manner of speaking (LG 25).

Even in the situation envisioned, the bishops (and pope) teach in Christ's name. As Pius XII points out, "'He who hears you, hears me'" (Lk 10.16) applies in such a case; if a pope makes a point of settling a matter disputed by theologians, it no longer is open for free discussion (cf. DS 3885/2313). The judgment made must be accepted sincerely and adhered to, provided that in one or another way the pope makes clear that the truth is proposed as a position to be held definitively--that is, as certain.

M. The assent due to such teaching

In recent years, many theologians have assumed that what is in question here includes every teaching which is not solemnly defined, every papal teaching which is not an ex cathedra definition. The explanation given in section I, above, of the infallible exercise of the ordinary magisterium makes clear how mistaken this assumption is. But even if this obvious blunder is avoided, a subtler one often is made: All teaching which is not recognizable as infallible teaching--either because it is definitive or because the conditions are met by which it can be recognized as proposed infallibly by the ordinary magisterium--is classified forthwith as noninfallible, and the conclusion is drawn that it could be mistaken.

However, as I explained in section A, above, infallibility is not a characteristic of the truths believed but of the Church in believing. Divinely revealed truth carries its own objective solidity, and divinely given faith makes one who enjoys it absolutely confident in assenting. But individuals can by mistake assent with faith to what is not divinely revealed, and can fail to assent to what is. Infallibility is the gift by which the Church as a whole is protected from this kind of mistake. The infallibility of the Church is present whenever the belief and teaching of the Church is in question.

When bishops (including the pope) must venture individually to teach beyond the body of teaching commonly received and proposed, then the belief of the Church as a whole could be budding forth, but the venture also could be a false start. The outcome cannot be predicted in advance. Such a teaching does not at once express the belief of the Church as such; the Church's infallibility is not recognizably present. Nevertheless, the teaching might well faithfully expound divinely revealed truth or be essential to guarding it as inviolable. If so, the teaching proposed noninfallibly in fact pertains in some way to revealed truth, although it cannot at once be recognized for what it is.

Therefore, the teaching of bishops (including the pope) which is not proposed infallibly at a given moment in history should not be categorized at once as possibly erroneous without some indication that "possibly" here refers only to one's subjective lack of certainty that one is confronted with revealed truth. If the other conditions for a teaching proposed infallibly by the ordinary magisterium are met, then lack of agreement by the collegium as a whole warrants the statement: "This proposition could be false." But the nature of the subject matter, of the role of bishops in the Church, and of the firmness with which a teaching is proposed when the one proposing it wishes it to be accepted as certain warrant the statement: "This proposition could belong in some way to revealed truth."

Much of the new social teaching of the Church falls into this category when it is first proposed. The constant development of social-economic culture demands that new questions be dealt with constantly, sometimes by individual bishops or groups of bishops, sometimes by the popes. At the leading edge of such teaching, mistakes can and will be made. Nevertheless, when such teaching is proposed as certain, the conscientious Catholic is bound to make use of it in forming his or her conscience. This obligation is what is meant by the phrases used by Vatican II: "religious assent of soul" and "religious submission of will and of mind" (LG 25).

The standard theological manuals in use until Vatican II refer with these or similar expressions to the assent required to the teaching of bishops and especially of the pope when this teaching is not clearly infallibly proposed. Very often, however, the manuals try to analyze this assent legalistically, as if it were merely a duty of obedience by Church members to the governing authority of the hierarchy.[50] What I have explained makes clear the inadequacy of such an analysis. Basic in religious assent is the possibility that the proposition to which assent is given might in reality pertain to revealed truth.

If it does so pertain, then one with faith will accept it in faith. When one does not know that a certain proposition pertains to faith, one does not with faith unconditionally assent to it. One's attitude is: If this proposition is a truth of faith, then I assent to it as such; if not, I do not.

But this attitude, which is fundamental to religious aasent, is not itself assent. As the articulation shows, it is a conditional disposition to assent, and one is in no position to know whether the condition is fulfilled. What else is involved in religious assent? What provides the ground on which one can responsibly accept as true and form one's conscience by teachings proposed by one's bishop (or the pope) when these are neither independently evident nor clearly pertinent to faith?

In an encyclical on the main duties of Christians as citizens, Leo XIII stresses the importance of the solidarity of the faithful in accepting the whole of Catholic faith and moral teaching. After discussing the assent of faith due to truths proposed as divinely revealed, whether by solemn definition or by the ordinary and universal magisterium, Leo adds that the duty of Catholics goes further:

But it is also one of the duties of Catholics to permit themselves to be ruled and

governed by the authority and leadership of the bishops, and particularly of the Apostolic See. How fitting this doctrine is, is very evident. For the divine utterances [the Scriptures] refer in part to God Himself, in part to man, and to that which is necessary for man's eternal salvation. Now, in each division the prescription of what one must believe and do, rightly belongs by divine law to the Church, as We have said, and in the Church to the supreme Pontiff. Hence, the Pontiff must have the power authoritatively to judge the meaning of Holy Scripture; what doctrines are in harmony with it and what at variance; and also to make clear which actions are right and which wrong, what is to be done and what avoided in order to attain eternal salvation. Otherwise, man could have neither a sure interpreter of the word of God nor a safe guide for living.[51]

One's bishop, and more especially the pope as universal bishop, is a divinely appointed pastor; by sacramental ordination he leads and guards his flock in the place of Christ (cf. LG 20-27 as a whole; DS 3060, 3064/1827, 1831).

Even when it is not clear that the bishop's or pope's teaching is proposed infallibly, one has a good reason for human faith that his teaching pertains to divine revelation--this good reason being the reality of his divinely given office and of the grace which accompanies it. These latter realities one also accepts with divine faith. Thus religious assent is an act of human faith, which is grounded in divine faith itself.

The alternative to making this act of human faith is to proceed in Christian life in an individualistic way, with no sure interpreter of the word of God and no safe guide for living the Christian life. One who makes the act of human faith--that is, who accepts teaching with religious assent even when it is not recognizable as infallibly proposed--can proceed with confidence and a clear conscience. For if the teaching should turn out to be in error, one nevertheless has followed the guidance God has seen fit to provide.

As Leo also points out in the same encyclical, an individualistic approach to living one's Christian life will not do. The Church exists in a world which suffers from sin and error. The truth and salvation of the world is the responsibility of the Church, and every member of the Church shares this responsibility. Christians have absolutely no excuse for hesitation and cowardice. They are born for combat, and can be confident of victory since our Lord already has conquered the world. Jesus could carry out the whole task alone, but in His loving kindness He wishes us to share in His redemptive work.[52]

The preaching of the Gospel is not reserved exclusively to the pastors of the Church. All are called to share in the work, making their own voices echo the faith they receive. Noting that Vatican I calls for the active cooperation of the laity in defending and spreading the faith (cf. DS 3044/1819), Leo states: "Let each one bear in mind, then, that he can and should, so far as possible, preach the Catholic faith by the authority of example, and by open and constant profession of the obligations it imposes."[53] The apostolate of the laity and the prophetic responsibility of every member of the Church are clearly affirmed by Leo, three-quarters of a century before they are reaffirmed by Vatican II.

Leo explains that the faithful cannot fulfill their responsibility if they proceed as isolated champions of the faith. Jesus knew what opposition His truth would face; for this very reason He formed His followers into a Church, with Himself as head.

> The life of Jesus Christ pervades, therefore, the entire framework of this body, cherishes and nourishes its every member, uniting each with each, and making all work together to the same end, although the action of each is not the same (cf. Rom 12.4-5). Hence it follows that not only is the Church a perfect society surpassing all others, but for the salvation of humankind her Founder enjoins her to march forth "as awe-inspiring as bannered troops" (Sg 6.10).

Anyone who is not part of this army is part of the enemy force; one has no choice but to stand with one side or the other.[54]

Enemies of Catholic faith, Leo goes on, fear nothing more than such unity in the Church. For the sake of solidarity, members of the Church must maintain perfect oneness in thought and in action. Divisions, as St. Paul teaches, are absolutely excluded (cf. 1 Cor 1.10). Unanimity is possible, for it is grounded in divine faith. It is on this basis that Leo exhorts absolute agreement in the Church, not only with respect to defined doctrine, nor only with respect to teachings proposed infallibly by the ordinary magisterium, but even with respect to all the rest of the teaching of the bishops, and especially of the pope.[55]

Leo makes the point as clearly as one could wish. Each Catholic is a member of Christ's army, with a role to play in the battle which must conquer evil by means of redemptive love. In a battle situation, one follows the judgment of one's officers. Even if they could be mistaken, all hope of victory depends on discipline. Moreover, individuals who wander around on a battlefield by themselves are courting disaster, not only for themselves but also for their comrades.

> Therefore, it appears how urgent it is to maintain perfect unity of mind, especially in these times of ours, when Christianity is attacked with strategies so organized and so subtle. All who wish to be fully committed to the Church, "the pillar and bulwark of truth" (1 Tm 3.15), will steer clear of false "teachers" who "promise them freedom though they themselves are slaves of corruption" (1 Pt 2.1, 19). What is more, having become participants in the power of God which is present in the Church, they will win out over their adversaries' cleverness by wisdom, and over their force by courage. This is not the place to ask whether and to what extent the inertia and internal discords of Catholics have contributed to the present state of things; but it is certain that the wicked would be less audacious, and would not have brought about so many disasters, if the "faith, which expresses itself through love" (Gal 5.6) had been generally more energetic and lively in the in the souls of men, and had there not been so widespread a drifting away among Catholics from divinely given moral teaching.[56]

Any Catholic who takes his or her responsibilities seriously will thank God for the Church's teaching authority and will follow its judgments with no dissent. The

alternative is to cripple by one's dissent the Church's fight for truth and love, to detract by one's individualism from the witness of Christian life.

Does contraception lead to abortion? Not necessarily. But one who dissents from the Church's teaching on contraception weakens its witness for life. Would the United States Supreme Court have dared to declare the unborn nonpersons if it had faced a stronger and more unified public opinion? And did not dissent after Humanae vitae substantially lessen the Catholic contribution to the pro-life movement?

Even if the Church's teaching on contraception is not infallibly proposed by the ordinary magisterium--as I am convinced it is--such a teaching must be accepted, both because there is good reason to think it pertains to faith and because the alternative is the Church in its present state: not "as awe-inspiring as bannered troops" but as ludicrous as a busload of dirty old men drooling over a floozy lounging on a streetcorner.

N. The limits of assent to such teaching

Obviously, religious assent is conditional, in the sense that one who assents thus is aware that a norm which is morally certain and a safe guide has not the same status as an article of the Creed or a moral norm constantly and universally taught. While the norm might pertain to faith, it also could be objectively false and so might require correction by a later and better judgment. The individual teaching of one's own bishop, for instance, can be corrected and perfected by the teaching of the higher pastoral authority of the pope. And the teaching of a pope, when it adds to the common teaching of the Church, is open to correction by himself, by a later pope, or by an eventual consensus among the whole collegium including a pope.

Because this assent is conditional and open to correction, the standard theological manuals in use until Vatican II consider conditions under which one might rightly withhold or suspend the assent.[57] However, in discussing this problem, the manualists did not always consider clearly and distinctly the case I have been considering, namely, one in which only the agreement of the collegium as a whole is lacking for the proposition to be recognizable as one proposed infallibly by the ordinary magisterium.[58] Hence, they did not keep in mind that a proposition not infallibly proposed, which for all we know could be mistaken, also might pertain to faith, and have the solidity of divine truth.

Even so, the manualists do not authorize public dissent.[59] They talk of withholding assent by a person who has competence and serious grounds to consider a point of teaching false. The suggestion generally is that even such a person must maintain silence or communicate the difficulty to the teacher (pope or bishop) concerned.

The question is: Considering the sort of proposition we are concerned with--that is, one which could be false but also could pertain to divine revelation--what sort of reason could possibly undercut the normal grounds for religious assent? Here I am concerned only with propositions in the moral domain. Perhaps the question would involve additional complexities if one took into account the whole amplitude of the field in which the Church teaches.

As I explained in chapter two, section G, no systematic moral theory can settle issues by experience and purely rational analysis. One cannot demonstrate a moral norm false by confronting it with data, since the norm states what ought to be done, not what is the case. In chapter ten I examined original sin and some of its consequences. One who believes what the Church teaches about original sin cannot be sanguine about human moral judgments not informed by faith. In the encyclical already cited, Leo XIII teaches:

> In the case of those who profess to take reason as their sole guide, there would hardly be found, if, indeed, there ever could be found, unity of teaching. Indeed, the method of knowing things is extremely difficult; moreover, the mind of man is by nature weak and drawn one way and another by the variety of opinions, and not seldom led astray by impressions from without; and, moreover, the influence of desires often removes, or certainly at least lessens, the ability to see the truth. On this account, in controlling public affairs means are often taken to maintain by force unity among people whose minds conflict.[60]

Christians have a better way: the rule of faith received from the Church which generates agreement in will and a harmonious pattern of action.

It follows that experience and reason not itself illumined by faith can provide nothing able to undercut the moral certitude with which a Catholic who is consistent with his or her faith accepts the moral norms proposed as certain by the shepherds of the Church. The fact that one's bishop or the pope proposes a moral norm as certain is a sufficient ground for a Catholic to have human faith that the norm in question is a requirement of God's wise and loving plan. Thus, there is a good reason to accept the norm, and there will be no good reason not to accept it unless there is a reason founded on some clearer claim of faith itself. Therefore, the only solid ground for doubting a norm proposed will be a stronger authority drawn from faith itself.

In this situation, theologians are in no position to think a moral norm currently proposed by a pope exercising his ordinary magisterium is false, unless there is a superior theological source (such as Scripture, a defined doctrine, or a teaching proposed infallibly by the ordinary magisterium) which provides a real basis for this conclusion. Moral norms proposed universally in the constant and very firm teaching of the Church are proposed infallibly; there never will be a ground for calling them in question.

Theologians properly can investigate the precise meanings of moral norms and try to discern their exact limits, but this work ought not to become an excuse for qualifying them in ways not admitted by the Church's teaching. To interpret is not to judge; theologians have no business setting up a scholarly supreme court to pass judgment upon the pastoral acts of the collegial magisterium, as if the latter were merely an executive department of the Church.

Theologians can point out difficulties in arguments for moral norms; they should discuss how norms proposed relate to divine revelation. Such work should not call the norms in question. Much less should any theologian suggest to the faithful that they are dispensed or can dispense themselves from conforming their consciences to the teaching of those placed by Christ over His Church.

Theologians who use consequentialism to criticize the Church's moral teaching employ an indefensible method--a method not highly respected even among nonbelieving philosophers.[61] Moreover, the method is not grounded in Christian faith; on the contrary, as I explained in chapter fourteen, section L, there are grounds in faith for telling arguments against it.

The fundamental fact which theologians always should keep in mind when they consider a proposition proposed by the magisterium--especially one proposed currently by the pope as a truth of Christian morality which is to be accepted as certain and followed as a necessary part of the way of salvation--is that even if such a proposition is not proposed infallibly, still it might well pertain to divine revelation. Such a proposition deserves conditional assent of faith: If this is a truth of faith, then I accept it as such. Such a disposition cannot be maintained if one firmly rejects the proposition. Therefore, only a superior theological source (such as Scripture, defined doctrine, or a teaching infallibly proposed by the ordinary magisterium) could justify dissent. No pope is likely to teach as certain anything which can be impugned by such a superior source.

In view of the complexity of many new moral problems, bishops in general and the Holy See in particular can responsibly pronounce on them a judgment to be held as certain only after careful investigation. Such investigations ought to include consultation with persons who are expert. Moreover, the difficulties and opinions of the faithful at large should be investigated and taken into account.[62]

Nevertheless, the collegial magisterium has the responsibility for judging what faith requires of Catholics in their lives, and the pope has a supreme responsibility within the collegium. His judgment ought to be accepted by all and followed in practice. This submission most obviously is necessary if study of a disputed question tends to suggest that a certain moral norm has been proposed infallibly by the ordinary magisterium. It seems that Paul VI more or less clearly came to such a conclusion after he examined the results of the work of the Pontifical Commission on Population, Family, and Birthrate.[63]

Notes to chapter fifteen

1. In his address to the bishops of the United States in Chicago, October 5, 1979, John Paul II, after reaffirming a number of norms of Catholic moral teaching which have been called into question, points out that it is not possible to please everyone. He adds that it is one of the greatest rights of the faithful to receive the whole word of God, and that "we can be assured that the Holy Spirit is assisting us in our teaching if we remain absolutely faithful to the universal magisterium." In the community of the faithful, because of the activity of the Holy Spirit, there are great insights of faith: "'But these insights of faith and this sensus fidelium are not independent of the magisterium of the Church, which is an instrument of the same Holy Spirit and is assisted by Him.'" The Pope further explains that the dynamism of the faithful in understanding and living God's word depends upon their receiving and accepting the whole deposit of faith faithfully proclaimed by the Church's pastors.

2. See Ignace de la Potterie, S.J., and Stanislaus Lyonnet, S.J., The Christian Lives by the Spirit (Staten Island, N.Y.: Alba House, 1971), pp. 62-68.

3. See Jerome D. Quinn, "'Charisma Veritatis Certum': Irenaeus, Adversus Haereses 4, 26, 2," Theological Studies, 39 (1978), pp. 520-525, for the interpretation of this phrase which has been used to refer to infallibility (cf. DS 3071/1837; DV 8).

4. Hans Küng, Infallible? An Inquiry, trans. Edward Quinn (Garden City, New York: Doubleday & Co., 1971), pp. 157-161.

5. Ibid., p. 177.

6. Ibid., pp. 218-219.

7. Ibid., pp. 181-193.

8. Ibid., p. 192.

9. Ibid., pp. 169-172.

10. Peter Chirico, S.S., Infallibility: Crossroads of Doctrine (Kansas City: Sheed, Andrews and McMeel, 1977), pp. 57-62.

11. Ibid., pp. 46-56.

12. Ibid., p. 219.

13. Karl Rahner, Theological Investigations, vol. 14, Ecclesiology, Questions in the Church, The Church in the World (New York: Seabury Press, 1976), pp. 66-84, especially pp. 80-81. Rahner's claim (p. 74) that his position does not mean that "from now on the dogma hitherto defined will retrospectively dissolve" seems to me unconvincing. His argument for this is based upon the reality of God's self-communication to us in Christ, but he provides no reason to think that the pluralism he admits does not eliminate received dogmas as effective media by which we have access (within the public, single faith of the Church) to this reality.

14. Ibid., p. 14.

15. Ibid., pp. 14-15. Rahner's distinction (p. 15) between "transcendental necessity in human nature on the one hand, and human nature as it exists in the concrete on the other" is not explained here, but seems to invoke the mode of necessity (recognized by a Kantian metaphysics) involved in the very conditions of the possibility of any objective thinking whatsoever. Even if one takes such metaphysics seriously, one should try to show (which Rahner does not) that the invariant conditions of human action (which include the basic human goods) are inadequate to exclude permanently certain kinds of acts--for example, choices to kill unborn persons. Rahner also talks about change in concrete human nature, says it is too slow to detect in one lifetime, but provides no criteria for detecting it at all, and even suggests (p. 16) there are no definite criteria. One begins to suspect that the criterion for change in human nature will be a judgment that a certain norm no longer is to be accepted--in other words, having rejected received Catholic teaching on a matter such as contraception, one will then say that human nature changed. If this assertion is made, I would like to know when the change occurred. Since 1930? No, for that is within my lifetime.

16. Chirico, op. cit., p. 185.
17. Ibid., pp. 68-83.
18. Ibid., p. 185.
19. Gerard J. Hughes, S.J., Authority in Morals: An Essay in Christian Ethics (London: Heythrop Monographs, 1978), pp. 99-110.
20. See Augustin Cardinal Bea, The Word of God and Mankind (Chicago: Franciscan Herald Press, 1967), pp. 184-191, for a fuller discussion of the question and references to relevant conciliar documents. Bea was a competent and respected Scripture scholar who was made a cardinal and played a significant role in Vatican II.
21. See Oswald Loretz, The Truth of the Bible (New York: Herder and Herder, 1968), pp. 64-137, for a generally sound clarification of the idea of biblical truth, which always is centered upon God's faithfulness in the covenant relationship. The argument sometimes is pressed too exclusivistically (pp. 71-86), but Loretz also admits (pp. 90-91) propositional truths in Scripture about God, while insisting (I think rightly) on the connection of these to the central truth of God's own solidity and dependability.
22. Concerning a Catholic approach to the interpretation of Scripture, see the extraordinarily suggestive article of George T. Montague, S.M., "Hermeneutics and the Teaching of Scripture," Catholic Biblical Quarterly, 41 (1979), pp. 8-17.
23. See John A. T. Robinson, Redating the New Testament (London: SCM Press, 1976), pp. 1-7, for shifts since 1800, and this entire book for an indication of the extent of division among competent people on the important question he treats. The methods of modern Scripture scholarship developed under the influence of rationalism, and suffered from the oversimplifications of a rationalist conception of method, just as other fields, such as moral theology, did. Until method is reconstructed from the ground up and the results of earlier scholarship critically tested by a perfected methodology, I doubt that many of the results reached before Catholic scholars seriously entered modern Scripture work can be taken for granted (as, nevertheless, they now often must be, due to the practical exigencies of the profession).
24. Timothy E. O'Connell, Principles for a Catholic Morality (New York: Seabury Press, 1978), p. 129.
25. See William G. Most, "A Biblical Theology of Redemption in a Covenant Framework," Catholic Biblical Quarterly, 29 (1967), pp. 1-18; Loretz, op. cit., pp. 64-69.
26. See Édouard Hamel, S.J., Les dix paroles: Perspectives bibliques (Bruxelles-Paris: Desclée de Brouwer: Montréal: Éditions Bellarmin, 1969), pp. 18-20.
27. See Gordan Wenham, "Law and the Legal System in the Old Testament," in Bruce Kaye and Gordon Wenham, Law, morality and the Bible (Leicester, England: Inter-Varsity Press, 1978), pp. 24-52; Delbert R. Hillers, Covenant: The History of a Biblical Idea (Baltimore: Johns Hopkins Press, 1969), pp. 88-89.
28. See O'Connell, op. cit., p. 220, note 1; Richard A McCormick, S.J., "Current Theology: Notes on Moral Theology: April-September 1974," Theological Studies, 36 (1975), pp. 84-85. McCormick and others oversimplify the situation and beg the question by failing to show that the moral texts in Scripture really are parenetic (exhortation) rather than paracletic (reaffirmation of duties). In other words, they take what the Bible says on morality to be like a Sunday homily rather than like Humanae vitae, but they do not show they are not utterly mistaking the character of some (perhaps of almost all New Testament) passages. Until they show this, their talk about "parenesis" proves nothing. On "parenesis" and "paraclesis," see E. Hamel, "La théologie morale entre l'Ecriture et la raison," Gregorianum, 56 (1975), p. 317.
29. Joseph Fuchs, S.J., "The Absoluteness of Moral Terms," in Charles E. Curran and Richard A. McCormick, S.J., eds., Readings in Moral Theology, No. 1, Moral Norms and Catholic Tradition (New York, Ramsey, Toronto: Paulist Press, 1979), pp. 97-98.
30. Ibid., p. 98.
31. Rudolf Schnackenburg, The Moral Teaching of the New Testament (New York: Herder and Herder, 1965), p. 82.
32. Ibid., p. 88.
33. Ibid., pp. 132-143; see also: E. Schillebeeckx, O.P., Marriage: Human Reality and Saving Mystery (New York: Sheed and Ward, 1965), pp. 141-170.
34. Fuchs, op. cit., pp. 99-100.
35. Ibid., pp. 100-106.
36. See Philip Carrington, The Primitive Christian Catechism: A Study in the Epistles (Cambridge, England: Cambridge University Press, 1940), pp. 88-89 (summary); Edward Gordon Selwyn, The First Epistle of Peter: The Greek Text, with Introduction, Notes, and Essays (London: Macmillan & Co.; New York: St. Martin's Press, 1958), pp. 437-439 (summary); David Daube, The New Testament and Rabbinic Judaism (London: Athlone Press, 1956), pp. 90-105, especially pp. 102-103: "Everything points to the existence of early Christian codes of duties in Hebrew, from which the participles of correct practice crept into the Greek of the epistles. Freedom in the spirit did not relieve the Church of the necessity of insisting on a definite moral order" (p. 103). Forcefully opposing pagan corruption and carefully prescinding from elements of the Judaic law not essential to Christian life, the apostolic Church appropriated the revelation in Jesus to humankind of what human persons should be; the result was moral formation in the way--the Way of Christ--which is always valid for anyone prepared to transform human nature to make it conform with His perfect humanity (cf. GS 22, 38, 41, 45).
37. See Yves Congar, "Pour une Histoire Sémantique du Terme 'Magisterium,'" Revue des Sciences Philosophiques et Theologiques, 60 (1976), pp. 85-98; also "Bref Historique des Formes du 'Magistère' et de ses Realtions avec les Docteurs," same journal, pp. 99-112. The first of these articles clarifies the semantic point, the second the varying manners in which the collegium has functioned, particularly in relation to theologians. In regard to the latter point, one should bear in mind that almost all of the responsibility of bishops to teach can be and normally is delegated. At times it will be delegated to theologians to such an extent that they, rather than the bishops themselves, appear to function collegially as the voice of the Church's faith. This fact poses no difficulty for anything I say about the magisterium. It is an obvious mistake to confuse delegated authority with the authority of one in whom it inheres by sacramental

ordination. Nothing Congar says shows that theologians have any authority as teachers in the Church which they do not participate by the implicit or explicit delegation of bishops.

38. See John C. Ford, S.J., and Germain Grisez, "Contraception and the Infallibility of the Ordinary Magisterium," Theological Studies, 39 (1978), pp. 264-269, especially note 29, pp. 268-269. My own opinion is that everything infallibly taught somehow is included in revelation, because I consider revelation to be the living, personal reality communicated by Christ and present in all its vitality throughout all days in the Church. Thus the seeming novelty of points needed to expound and safeguard what already is accepted as revealed does not prevent these points also from being part of revealed truth. New shoots belong to the old vine.

39. J. D. Mansi et al., Sacrorum conciliorum nova et amplissima collectio, vol. 51 (Arnhem, Leipzip: H. Welter, 1926), 579C.

40. Ibid., vol. 53, 313AB (Vatican I's text); 324-331 (Kleutgen's commentary). In chapter fourteen, section N, I gave reasons for thinking that all of natural law is revealed truth. If this argument is accepted, the kind of argument Kleutgen makes is unnecessary; if not, then his approach (and the significant fact that Vatican II carefully leaves room for continuing to take it) closes the door against those who would argue that points of natural-law morality fall outside the Church's infallible teaching authority.

41. See M. Bévenot, "Faith and Morals in Vatican I and in the Council of Trent," Heythrop Journal, 3 (1962), pp. 15-30.

42. At Vatican I, Bishop Martin of Paderborn, speaking for the Deputation of Faith, explained the unanimity required for the infallibility of the ordinary magisterium (which Vatican I teaches: DS 3011/1792) by using the following example: All Catholic bishops believed in the divinity of Christ before the Council of Nicaea, but this doctrine was not defined until that Council; therefore, up to that time it was taught by the ordinary magisterium (Mansi, vol. 51, 224-225). As everybody knows, there hardly was anything like unanimity about this doctrine either before or even after Nicaea, except to the extent that those who denied it may have ceased to be Catholic bishops--that is, lost communion by their heresy.

43. See DS, Latin edition, index item A 7ad, for a list of references to the Fathers in Church teachings.

44. See Ford and Grisez, op. cit., pp. 277-286, for a marshalling of evidence that the conditions for an infallible exercise of the ordinary magisterium have been fulfilled in the case of contraception. This argument was criticized by an article in the same issue: Joseph A. Komonchak, "Humanae Vitae and Its Reception: Ecclesiological Reflections," Theological Studies, 39 (1978), pp. 238-250. (Komonchak does not explicitly mention Ford-Grisez, but had about a year to study and reply to it.) The heart of his reply is in the first full paragraph on p. 248. Ford-Grisez had reserved the right to reply briefly in the same issue to Komonchak's critique, and did so by adding to their article one footnote, p. 292, note 73. Nothing else Komonchak says in his article is incompatible with the thesis of Ford-Grisez.

45. This point can be seen with respect to any choice to kill the unborn (direct abortion) in the historical work of John Connery, S.J., Abortion: The Development of the Roman Catholic Perspective (Chicago: Loyola University Press, 1977), especially p. 311. Those who talk as if the tradition had not considered and reached precision about what falls under the commandments ignore items such as the Catechismus ex decreto Ss. Concilii Tridentini ad Parochos, Pii. V, Pont. Max., iussu editus (Romae: Propagandae Fidei, 1839), vol. 2, pp. 125-131 (on the fifth commandment). (This catechism has special status, since it was authorized and launched by Trent, published with the authority of many popes --first edition 1566--translated into many languages, and used for centuries all over the Catholic world; it served as the model for many other catechetical works.) Its treatment of murder carefully sets out cases of killing which are not murder: 1) killing animals, 2) capital punishment, 3) killing in a just war, 4) killing as in the Old Testament by divine decree, 5) accidental killing, and 6) killing in self-defense. Having done this, the text asserts the unexceptionability of the commandment as clearly as one could ask: "These, which we have just mentioned, are the cases not contemplated by this commandment; and with these exceptions, the prohibition embraces all others, with regard to the person who kills, the person killed, and the means used to kill. As to the person who kills, the commandment recognizes no exception whatever. . .. With regard to the person killed, the obligation of the law is no less extensive, embracing every human creature. . .. It also forbids suicide. . .. Finally, if we consider the numerous means by which murder may be committed, the law makes no exception. . .."

46. See Ford-Grisez, op. cit., pp. 279-280, note 51, for works consulted to bear out this point with respect to contraception. Probably very few seminarians during 1850-1950 escaped using one or another of these manuals. They are remarkably uniform, not only on contraception, but on anything involving grave matter, because probabilism dissolved and washed away whatever differences had existed in prereformation thinking about grave matter. In research I did on abortion, I also was surprised to discover that Protestant moral teaching in the seventeenth century differed very little from Catholic teaching of the same period, except that the former sometimes is stricter and without the casuistic precisions of the latter.

47. Please see note 38, above.

48. However, the canons are to be read in the context of the doctrinal introduction which does assert indissolubility in general (cf. DS 1797-1800/969-970).

49. The manualists commonly considered disciplinary decrees, canonizations of saints, and definitive approbations of religious orders to fall under the "secondary object" of infallibility--that is, to be included in things connected with revelation. See, for example, I. Salaverri, S.J., De Ecclesia Christi, in Sacrae Theologiae Summa, vol. 1, Theologia Fundamentalis, ed. 5 (Matriti: B.A.C., 1952), pp. 720-737; Christiano Pesch, S.J., Praelectiones Dogmaticae, tom. 1, Institutiones Propaedeuticae ad Sacram Theologiam, ed. 6-7 (Friburgi Brisgoviae: Herder, 1924), pp. 385-392. I prescind from the question whether infallibility is involved in the assertion of all of the propositions

implied by such acts; I think that the moral norms proposed by such solemn magisterial acts are infallibly proposed.

50. See Salaverri, op. cit., pp. 708-710; this understanding of the situation in terms of rights and duties partly arises from the very documents he cites. Needless to say, Catholics do have a duty to assent, but one must understand the moral foundation of this duty, which is deeper than that to obey ecclesiastical laws.

51. Leo XIII, "Litterae Encyclicae de praecipuis civium christianorum officiis" (Sapientiae christianae), ASS, 22 (1889-1890), p. 395 (translation my own).

52. Ibid., pp. 389-391.

53. Ibid., p. 392.

54. Ibid., pp. 392-393.

55. Ibid., pp. 393-395.

56. Ibid., p. 398.

57. Joseph A. Komonchak, "Ordinary Papal Magisterium and Religious Assent," in Charles E. Curran, ed., Contraception: Authority and Dissent (New York: Herder and Herder, 1969), pp. 105-116, provides some references and brief summaries. Unfortunately, the treatment is biased in favor of dissent. For example, the author never mentions that one manual he cites--Francisco A. Sullivan, S.J., De Ecclesia, vol. 1, Quaestiones Theologiae Fundamentalis (Romae: Apud Aedes Universitatis Gregorianae, 1963)--warns explicitly (p. 344) that papal doctrine often is infallibly proposed because of the consensus of the universal magisterium, even if not defined by any pope or council. Nor does he make clear that an author as recent and respectable as Sullivan considers (pp. 348-352) it a tenable, though less probable, theological opinion that a pope in his ordinary teaching on matters of faith and morals always is speaking infallibly if he proposes a teaching to be held as certain. (I agree with Sullivan in regarding this position as improbable.)

58. See Salaverri, op. cit., p. 711, #677, who makes clear that he himself is talking about a great variety of sorts of propositions, and that some other authors are less clear about the matter than he is.

59. Even Komonchak, "Ordinary Papal . . .," p. 110, admits: "The manuals are generally rather negative on the possibility of public dissent or disagreement." This is an understatement; he goes on to discuss one--J. M. Herve, Manuale Theologiae Dogmaticae, vol. 1, De Revelatione Christiana; De Ecclesia Christi; De Fontibus Revelationis, ed. 16 (Parisiis: Berche et Pagis, 1935), p. 523--"who can be regarded as leaving any door open." But a reading of the whole page shows there is no such open door here, which Komonchak himself virtually admits. What he does not mention is that Herve's discussion is mainly, though not exclusively, concerned with decrees of the Roman Congregations, not with papal teachings proper. A few pages later (pp. 112-113) Komonchak makes much of another author's--L. Lercher (F. Schlagenhaufen), Institutiones theologiae dogmaticae, vol. 1, (Innsbruck: Rauch, 1951), p. 297--statement that the Holy Spirit might prevent the Church from falling into error by helping the subjects of a decree to detect the error and desist from giving it internal assent. Komonchak proceeds to move quickly (p. 113) from this to: "Lercher does not exclude the faithful from the possibility of such dissent for the sake of preserving the Church from error." But Lercher (p. 298, #499) states: "If suspicion of error arises, which too quickly happens among those who trust in their own learning and are not favorable to the Holy See, there remains the obligation to be silent (20) and to accept a definitive and infallible judgment." The note (20) is: "As is evident the reasons for doubting may be made known to the Holy See." I find it difficult to see how Komonchak finds here any room for dissent, since "dissent" would be a strange word for keeping quiet and writing a letter to Rome.

60. Leo XIII, op. cit., p. 393.

61. See Germain Grisez, "Against Consequentialism," American Journal of Jurisprudence, 23 (1978), pp. 21-72, especially the works cited in notes 2, 4, 7, 14, 17, 24, 41, and 49. J.J.C. Smart is a leading proponent of the ultilitarian form of consequentialism; he frankly admits: ". . .the utilitarian is reduced to an intuitive weighing of various consequences with their probabilities. It is impossible to justify such intuitions rationally, and we have here a serious weakness in utilitarianism" ("Utilitarianism," Encyclopedia of Philosophy, vol. 8, p. 210).

62. See: Pontifical Council for the Instruments of Social Communication, "Pastoral Instruction on the Means of Social Communication," in Austin Flannery, O.P., ed., Vatican Council II: The Conciliar and Post Conciliar Documents (Northport, New York: Costello Publishing Co., 1975), pp. 330-332, for a very important statement of policy concerning two-way communication within the Church. Part of the present difficulty--not the most important part, I think, but a real and important part--is that while most of the faithful have no way to communicate effectively with the pastors of the Church, a small group of persons who are by no means representative of the whole of the faithful have considerable access.

63. Küng, op. cit., pp. 31-63, makes a plausible case for this statement. Although many of Küng's critics said he was wrong about the claim that Humanae vitae is infallible if anything is, no one I have read provides any good reason for denying that Paul VI more or less clearly thought the teaching had been proposed infallibly by the ordinary magisterium. I say "more or less clearly," because I think various statements of Paul VI suggest he might not have clearly understood the distinction between "infallible" and "definitive" or even that between "moral truth" and "ecclesiastical law."

Questions for study and review will be found on p. 15-23.

Questions for study and review

1. Exactly what is meant by "infallibility?"
2. Explain why and how infallibility belongs to the Church as a whole through its unity with the faith of the apostles.
3. Summarize the arguments Küng offers against infallibility and the criticisms here given of these arguments.
4. Summarize the proposals to restrict infallibility, especially within (or by excluding it from) the moral domain, and the criticisms here given of these proposals.
5. Accurately explain Catholic teaching as reaffirmed by Vatican II on the inerrancy of Scripture.
6. What arguments are offered against drawing specific moral teaching from Scripture? How are these arguments answered here?
7. The word "authority" in the expression "teaching authority of the Church" often is misunderstood. Clarify what "authority" means here.
8. What conditions must be fulfilled for the bishops to teach infallibly without solemn definition, when they are dispersed around the world?
9. Summarize the argument that these conditions are met by a substantial body of common Catholic moral teaching.
10. What ground is there for thinking that the Church can define moral norms as truths of faith? How can one explain the lack of definition of many moral norms?
11. Sections L-N are concerned exclusively with a certain type of teaching. Precisely what type?
12. Why is it that teachings of this sort are proposed at all? Why are they not proposed infallibly?
13. What kind of assent is due to teachings of this sort? Why is such assent appropriate, despite the possibility that the teaching could be mistaken?
14. Explain the possible limits of such assent, and why factors other than a superior theological source are not appropriate grounds for nonassent.
15. Discuss the responsibilities of the magisterium and of theologians in respect to teachings of this sort.