



The dogma of Papal Infallibility was proclaimed by the papal bull *Pastor Aeternus* when the first Vatican Council was disbanded in 1870. Its wording is very specific:

The Roman Pontiff, when he speaks “Ex-Cathedra,” that is:

- when, exercising the office of pastor and teacher of all Christians,
- he defines with his supreme apostolic authority
- a doctrine concerning faith or morals
- to be held by the universal Church, through the divine assistance promised him in St. Peter, is possessed of that infallibility with which the divine Redeemer willed his Church to be endowed in defining doctrine concerning faith and morals: and therefore such definitions of the Roman Pontiff are irreformable of themselves and not from the consent of the Church.

The definition seems quite straightforward, but what does it mean in practice?

In recent years, an attempt has been made to scale down the importance and scope of this dogma. Hence, for the purpose of understanding this complex and critical issue, we shall extensively refer an excellent article by Brian Harrison (RC) on the interpretation of Vatican I which is actually a defense of the thesis that *Humanae Vitae* was an Ex-Cathedra pronouncement. Fr. Harrison writes:

Peter L. Chirico’s “Infallibility: The Crossroads of Doctrine” (Kansas City: Sheed, Andrews and McMeel, 1977) effectively denatures the whole dogma, rendering it of little or no practical use. Chirico... reduces its role to something like that of a mere foreman of the jury, who enunciates a consensus already existing. Although Chirico denies that his position contradicts the dogma’s explicit assertion that the pope’s definitions do “not” require the consent of the Faithful in order to be binding, his denial seems to me mere sophistry. He tells us, for instance, that the very fact of “*Humanae Vitae*’s” having been greeted by widespread dissent shows that it was not infallible. On Chirico’s terms, no theologians or members of the Faithful need ever feel “bound” to accept any Papal declaration, no matter how solemnly worded and promulgated, unless it has “the ring of truth in their minds and hearts.” That is, unless their own private judgment agrees with it anyway! For the very fact of significant dissent from such a declaration on the part of professing Catholics, according to Chirico, shows that it is not infallible! The very fact that infallible definitions have so often appended an “anathema” against dissenters shows how flagrantly Chirico’s interpretation of this dogma clashes with that of the popes and Councils which have promulgated such definitions. Nevertheless, his book bears the imprimatur of the Archbishop of San Francisco, and is promoted by

Chirico himself in a supplementary volume of the highly respected “New Catholic Encyclopedia” under the entry “Infallibility.”<sup>1</sup>

Chirico’s view is obviously extreme in one direction, and yet, he is only trying to deal with a question that has perplexed Roman Catholic thinkers since the promulgation of 1870: what past, present and future Papal statements are infallible? How can one really tell?

The popular consensus among Roman Catholic theologians is that the charisma of infallibility has been positively used only on two occasions: in 1854 (16 years before Vatican I) for the Immaculate Conception and in 1950 for the Assumption, although the Tome of Leo and the Agatho’s Letter to the Sixth Council are also cited as examples of Ex-Cathedra statements. Yet, this opinion seems artificially restrictive: it ignores the plain meaning of the decree and implies that such an awesome charisma would have been used less than five times in two thousand years.

For this discussion, I suggest a two-step approach. First, let us try to understand the original intent of *Pastor Aeternus* / Vatican I and establish a list of possible Ex-Cathedra proclamations meeting the criteria set forth in the bull. Secondly; we shall attempt an evaluation of the infallible characters of these pronouncements.

Rightfully so, Harrison proposes:

We will need to devote our attention to the Church’s official documents: in the first place, the Vatican I Constitution itself; secondly, the teaching of Vatican II and the post-conciliar magisterium; and finally, the official and highly authoritative “relatio” of Bishop Vincent Gasser, who explained to the Vatican I Fathers the authentic meaning of the schema which was being presented for their vote, and which finally was promulgated as the dogma...

Bishop Vincent Gasser, spokesman for the deputation “de fide” (the committee of Conciliar Fathers charged with drafting the solemn definition), delivered a four-hour speech explaining and defending the draft which was submitted to the assembled Fathers for their vote. The importance of this learned, historic dissertation lies in the fact that it is the only “official” commentary on the 1870 definition. This speech informed the conciliar Fathers beforehand “what they were to understand” by the formula which was being presented for their vote...

Vatican II itself recognizes the vital importance of Gasser’s “relatio” by actually making the substance of some of his comments part of the Dogmatic constitution “Lumen Gentium” itself: he is quoted no less than

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<sup>1</sup> *Infallibility of Humanae Vitae - Ex Cathedra Status of the encyclical 'Humanae Vitae'*, Fr. Brian W. Harrison, O.S.

four times in the official footnotes to “Lumen Gentium” 25, which treats of infallibility...

Two other passages from Gasser’s “relatio” make it still more indisputable that the formula was officially understood to include the secondary truths under the guarantee of Papal infallibility, and not only “de fide” definitions of revealed truth.

Harrison continues with an amazing point:

In replying to some Fathers who urged that the procedures or form to be used by the pope in arriving at an infallible decision (i.e., his grave moral duty to pray for guidance, diligently consult the existing teaching of the Church, etc.) be included in the definition, Gasser replied:

*But, most eminent and reverend fathers, this proposal simply cannot be accepted because we are not dealing with something new here. “Already thousands and thousands of dogmatic judgments have gone forth from the apostolic See;” where is the law which prescribed the form to be observed in such judgments?*

In other words, Gasser was able to assert “in passing”—that is, as something which did not need arguing and would be taken for granted by his audience—that there had already been “thousands and thousands” of infallible definitions issued by the Roman see! Even if he did not intend to be taken quite literally and meant only to make the point that “a great many” such definitions were “Ex-Cathedra,” it is obvious that he was not only referring to solemn definitions of revealed truth, such as Pius IX’s definition of the Immaculate Conception a few years previously. There have in fact been only a few such definitions. So Gasser obviously meant to include the many Papal definitions of secondary truths, including censures less than heresy, as genuine “Ex-Cathedra,” infallible definitions.

In summary, Harrison argues that any Papal definition pertaining to morals, dogmas or ‘secondary truths’ is infallible and irreformable if it meets the criteria of Vatican I. Indeed, the official interpretation of the definition by Bishop Gasser makes it clear that a large number of such documents are in existence, not just the proclamation of 1854 or Leo’s Tome. According to Vatican I, the signs that a definition is infallible are:

1. The definition comes from the pope himself
2. He must act as Pastor of all the Faithful
3. He must invoke his apostolic authority
4. He renders judgment on an issue of faith or morals
5. The definition is to be held by the universal Church.

Keeping these criteria in mind, we are now in a position to consider a few Papal documents that may exhibit of the earmarks of being Ex-Cathedra and discuss their infallible character.

## 2. *Exsurge Domine* (1520)

The first text to consider is the famous bull *Exsurge Domine*<sup>1</sup> promulgated by Pope Leo X against Martin Luther.

Let us carefully study the text of this bull and observe how all five criteria are indeed fulfilled:

1. The definition comes from the pope himself.

2. He is acting as Pastor of all the Faithful:

In virtue of our pastoral office committed to us by the divine favor" and "We forbid each and every one of the Faithful...

3. He invokes his apostolic authority:

When you were about to ascend to Your Father, You committed the care, rule, and administration of the vineyard, an image of the triumphant Church, to Peter, as the head and Your vicar and his successors. Rise, Peter, and fulfill this pastoral office divinely entrusted to you as mentioned above. In virtue of our pastoral office committed to us by the divine favor...

4. This is a judgment on an issue of faith or morals:

We can under no circumstances tolerate or overlook any longer the pernicious poison of the above errors without disgrace to the Christian religion and injury to orthodox faith... We have therefore held a careful inquiry, scrutiny, discussion, strict examination, and mature deliberation with each of the brothers, the eminent cardinals of the holy Roman Church, as well as the priors and ministers general of the religious orders, besides many other professors and masters skilled in sacred theology and in civil and canon law. We have found that these errors or theses are not Catholic, as mentioned above, and are not to be taught, as such; but rather are against the doctrine and tradition of the Catholic Church, and against the true interpretation of the sacred Scriptures received from the Church.

5. The definition is binding on all:

By listing them, we decree and declare that all the Faithful of both sexes must regard them as condemned, reprobated, and rejected . . . We restrain all in the virtue of holy obedience and under the penalty of an automatic major excommunication.... We forbid each and every one of the Faithful of either sex, in virtue of holy obedience and under the above penalties to be incurred automatically, to read, assert, preach, praise, print, publish, or defend them.

Based on these characteristics, most pre-Conciliar Roman Catholics agreed that Pope Leo's bull was an Ex-Cathedra proclamation. The

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<sup>1</sup> Pope Leo X, Bull issued June 15, 1520

problem is that this document clearly says: “we condemn, reprobate, and reject completely each of these errors,” including the following that are relevant both to the Orthodox – Catholic dialogue and to the issue of infallibility:

17. The treasures of the Church, from which the pope grants indulgences, are not the merits of Christ and of the saints.

25. The Roman Pontiff, the successor of Peter, is not the Vicar of Christ over all the Churches of the entire world, instituted by Christ Himself in blessed Peter.

33. That heretics be burned is against the will of the Spirit.

This last article poses a serious ethical problem. It is well-known that Luther decried the Church-approved practice of burning heretics at the stake<sup>1</sup>. And here, we have an Ex-Cathedra document condemning Luther for this criticism and therefore at risk of endorsing the burning of heretics as being “the will of the Spirit.” This is not the only instance of such a statement. In its canon 3, the Fourth Lateran council of 1215 (considered ecumenical by the Roman Catholic Church) declared:

We excommunicate and anathematize every heresy that raises against the holy, orthodox and Catholic faith which we have above explained; condemning all heretics under whatever names they may be known... Secular authorities, whatever office they may hold, shall be admonished and induced and if necessary compelled by ecclesiastical censure, that as they wish to be esteemed and numbered among the Faithful, so for the defense of the Faith they ought publicly to take an oath that they will strive in good faith and to the best of their ability to exterminate in the territories subject to their jurisdiction all heretics pointed out by the Church... If [a ruler] refuses to [comply] let the matter be made known to the supreme pontiff, that he may declare the ruler's vassals absolved from their allegiance and may offer the territory to be ruled lay Catholics, who on the extermination of the heretics may possess it without hindrance and preserve it in the purity of faith... Catholics who have girded themselves with the cross for the extermination of the heretics, shall enjoy the indulgences and privileges granted to those who go in defense of the Holy Land...<sup>2</sup>

For the sake of honesty, let us admit that this kind of intolerance also affected the Eastern Churches. Today, both sides repudiate this position as contrary to the apostolic Faith and the spirit of Christianity. The Orthodox have less of a problem because most theologians agree that only the dogmatic definitions of the Ecumenical Councils are considered true or

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<sup>1</sup> Or more accurately, to hand them over the secular authorities for that purpose.

<sup>2</sup> Internet Medieval Source Book, Fordham University

infallible. The same could probably be said of the above canon. But what can be done with *Exsurge Domine*? There are many Roman Catholic apologists and theologians who admit that this bull is indeed an Ex-Cathedra pronouncement. What then? Maybe there is an elaborate way to rationalize this situation in order to maintain the dogma of Vatican I, but our point here is to show why many Christians cannot see how Papal infallibility can be a usable and sustainable concept.

### 3. *Unam Sanctam* (1302) and *Unigenitus* (1713)

Let us briefly mention two other cases of problematic applications of the concept of infallibility. We have already mentioned the famous bull *Unam Sanctam*. Before Vatican II, it was typically considered Ex-Cathedra. As we have seen, other popes had expressed the same idea in more or less definitive documents. In the context of *Unam Sanctam*, Pope Boniface had the (Greek) Orthodox in mind:

Therefore, if the Greeks or others should say that they are not confided to Peter and to his successors, they must confess not being the sheep of Christ, since Our Lord says in John “there is one sheepfold and one shepherd.”

The bull concludes with this powerful and unambiguous statement:

Furthermore, we declare, we proclaim, we define that it is absolutely necessary for salvation that every human creature be subject to the Roman Pontiff.

Notice the similarity of language with the 1854 Papal proclamation of the dogma of the Immaculate Conception, universally recognized as infallible by modern Roman Catholics:

We declare, we proclaim, we define...<sup>1</sup>

This leads us to several questions that we leave unanswered: Was *Unam Sanctam* Ex-Cathedra? Does the Roman Catholic Church still teach that “it is absolutely necessary for salvation that every human creature be subject to the Roman Pontiff?” and if no, why not?

A few words should also be said about the controversial bull *Unigenitus*. It does not bear the five marks of an Ex-Cathedra statement but it is worth studying because of these words for Pope Benedict XIV:

The authority of the apostolic constitution which begins with the word *Unigenitus* is certainly so great and lays claim everywhere to such sincere

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<sup>1</sup> *Ineffabilis Deus*, Apostolic Constitution issued by Pope Pius IX on December 8, 1854

veneration and obedience that no one can withdraw the submission due it or oppose it without risking the loss of eternal salvation.<sup>1</sup>

And yet, *Unigenitus* condemns such ideas as:

LXX. The reading of the Holy Scriptures is for all

Again, we must realize that Orthodox prelates and synods have also condemned the private reading of the Holy Scriptures, a fact that shows the possible tension between ecclesiastical obedience and one's own discerning of God's commands.<sup>2</sup>



The informed reader may be surprised that no attempt has been made to discuss the condemnation of Pope Honorius by the Sixth Ecumenical Council or the case of Liberius since these are often brought to the witness-bar by Orthodox and Protestant apologists. I have already discussed both cases in my Historical section and do not consider them as problematic as *Exsurge Domine*, for instance.

#### 4. A more positive approach...

Infallibility is bound to be a delicate matter. I have already explained in my "Prologue and Thesis" that I do not believe in infallibility as it is often popularly understood and expected. The infallibility of the Church – or of its bishop which is almost equivalent – is soteriological in nature: the Church saves infallibility because whoever is truly joined to the Church and 'in Christ' is beyond the reach of death; God does not fail to save his elect.

But the issue of 'intellectual' or 'dogmatic' infallibility is more difficult: because of the cultural environment and of the limitations of human language, doctrinal formulations and confessions often seem to fail the high expectation of infallibility. We have analyzed this problem in the case of many Orthodox and Catholic documents.

There is one instance where it might be argued that a mechanism of infallibility could exist: (1) if the diocesan<sup>3</sup> bishops of all the apostolic

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<sup>1</sup> *Ex Omnibus*, Encyclical of Pope Benedict XIV promulgated on October 16, 1756

<sup>2</sup> Acts 5:19

<sup>3</sup> This is the ancient and Orthodox norm: that only heads of Eucharistic communities are truly 'bishops' in the original sense of the word and eligible to vote at an Ecumenical Council.

Churches<sup>1</sup> agreed on a matter of faith and morals; (2) if there was no significant reaction of rejection from the people of God whom they represent and (3) if the universal primate proclaimed the decision after a reasonable period to allow (2) to be fulfilled. In this context, it would be hard to conceive that the *pleroma* of the Churches would fall in error. Admittedly, this somewhat idealistic model is quite different from the mechanism envisioned in *Pastor Aeternus*, but we have seen that Vatican I was admittedly “not successful” (Cardinal Ratzinger) in providing a usable system of dogmatic and moral infallibility.



Eastern Orthodoxy does recognize the exceptional doctrinal record of the Roman Church during the first centuries of Christianity and the fact that at least two popes of Rome did produce doctrinal statements worthy of the acclamation “Peter has spoken!” Hence, Orthodox theologians can certainly view Leo’s Tome and Agatho’s Letter to the Sixth Council as Petrine and infallible. On the other hand, the idea that Papal Infallibility can be presented as independent of any conciliar consent and as “the constant belief of the universal Church” is rejected.

Perhaps more convincingly, Orthodox theologians can argue that Papal Infallibility as defined by the bull *Pastor Aeternus* does not harmonize well with historical data, a problem also recognized in modern Roman Catholicism. The fact that no list of Ex-Cathedra statement has or in or likelihood will ever be produced further leads the reduction of this dogma to the level of confusing and non-testable rhetoric.

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<sup>1</sup> Or perhaps their primates