

Vatican I And The Papacy (I): A Proud Appellation

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“Perhaps the definition will *limit* the Pope’s power”: thus Newman wrote, less than a fortnight after the Vatican Council issued its decrees on papal jurisdiction and infallibility, to one of the many anxious Catholics who turned to him for explanation and comfort (Letters, XXV, 170). A few weeks later, answering the wife of the founder-editor of the *Liverpool Daily Post*, he pursued the same idea a little further: “As to this particular doctrine (Papal infallibility) I am not at all sure it will increase the Pope’s power—it may restrict it. Hitherto he has done what he would, because its limits were not defined—now he must act by rule” (p. 204). But he goes on to say that he cannot prophesy how it will be. With a century behind us since 1870, during which many Catholics have accepted, and allowed other people to believe, that the pope is infallible and that he has the right to do what he likes with the Church, it is surely evident that, if we return to the decrees and read them in peace, Newman’s hunch is verified that they mark an end, rather than an aggrandizement, of papal power. The attempt to secure far more (because many Catholics at the time plainly were seeking to commit the Church to a form of permanent papal dictatorship) finished by securing far less than the practice of papal authority had often assumed in the past. Now that we can read the decrees without being intimidated by the ultramontanist interpretation so frequently put on them, almost from the outset, it is possible to appreciate, as Newman did at the time, how drastically the texts limit the pope’s prerogatives. Indeed, as he suggests, the miasma of triumphalist propaganda with which the decrees have been so successfully obscured must itself derive its animus from the frustration, on the part of Manning and his publicists (such as Ward and Herbert Vaughan), at their at least half recognizing that so little had been secured. As he writes to Lady Simeon (Letters, XXV, p. 224):

“I wish you would separate two points from each other, which ought not to be confused—the doctrine itself, and what has taken place at Rome. Nothing can be more pitiless and intolerable than the conduct of those who have brought about and are carrying out this decision—and that conduct tempts one to rise in indig-

nation against the *matter* of the decision itself—but I don't think really, looking at that matter, that it is a very great thing, or very formidable. Very little has been passed indeed—and they *know* this, and are disappointed who have been the means of passing it—but they use big words just now to conceal their disappointment, and they hope by speaking big and breaking down opposition, to open the way to passing something more”.

Manning (archbishop of Westminster since 1865) had just dismissed the head of his archdiocesan seminary at Ware, and was launched on a campaign to enforce the most ultramontanist interpretation of the decrees. It was not until their Low Week meeting of 1875 that the English bishops were able to issue a joint pastoral on the Council and then, interestingly enough, they did little more than reprint and recommend the famous Declaration of the German episcopate (a text of which Hans Kung made a good deal in *The Council and Reunion*). This reaffirmation of the rights of local bishops, balancing the Vatican decrees on the papacy, certainly expressed the mind of the majority of the English bishops. Their best theologian, William Clifford, had insisted, in a brave speech during the Council (he was hissed by some of the audience); that *any* statement about papal authority, however it was phrased, would only cause misunderstanding and confusion if it were issued apart from a general statement on authority in the Church as such. It is a curious and sad fact of English Catholic history that the fine ecclesiological sense of how papal rights and episcopal authority complement each other which most of the bishops displayed in 1870 had apparently begun to yield by the close of the century to a predominantly papalist ecclesiology, such as it would not be difficult to illustrate from pastoral letters and other documents which in effect reduce the bishop to the status of a papal vicar.

The necessity of returning to the doctrine as finally defined, as distinct from what those who initiated the definition wanted, and what they made of it afterwards, has become imperative with the appearance first of the Venice Statement and now with the setting up of an official joint Catholic/Orthodox commission to begin serious theological dialogue. In the former, the Anglican/Roman Catholic International Commission presented an account of authority in the Church which made room for some kind of primacy on the part of the bishop of Rome. Two of the problems that remain to be resolved are, precisely, papal infallibility and jurisdiction: “Anglicans find grave difficulty in the affirmation that the pope can be infallible in his teaching”; “The claim that the pope possesses universal immediate jurisdiction, the limits of which are not clearly specified, is a source of anxiety to Anglicans who fear that the way is thus open to its illegitimate or uncontrolled use” (Venice Statement, par. 24). The picture which the Orthodox generally

have of the function of the Roman see, to which they traditionally attribute a certain primacy, seems at first sight extremely remote from the account of the power and nature of the primacy of the Roman pontiff and his infallible teaching as defined in the dogmatic constitution "Pastor aeternus" of Vatican I. The question of the Roman claims must obviously come high on the Catholic/Orthodox agenda. But, as Kallistos Ware suggests in his very positive assessment of the Venice Statement (see *One in Christ*, 1978 no 3, pp. 198 to 206), it could itself be taken as the basis of Catholic/Orthodox dialogue. It is certainly difficult to see how any more can be said or done to situate the role of the papacy within the Church until the insight and the tradition of the Orthodox are brought to bear on the matter. So much in the Church is a matter of custom and practice rather than of codified law and defined doctrine. This is particularly the case with the sacramental realities which are involved in the relationship between one bishop and another, and between one church and another, within the communion of local churches (dioceses) that constitutes the universal Church.

It is so long since the bishop of Rome was actually employed as universal primate (pope) within a communion of patriarchates that his function as patriarch of the western churches has become merged with his universal primacy. Yet his relationship as pope is different from his relationship as patriarch, with respect to any diocese, or group of dioceses, in the west—and different again from his relationship as metropolitan and chairman of the episcopal conference vis-à-vis any diocese in Italy. The second Vatican Council, with its stress on an ecclesiology of "communion", has pushed Catholics back to a proper understanding of what a diocese is: "A diocese is a portion of God's people which is entrusted to a bishop to be shepherded by him together with the presbytery, so that, hanging on to their pastor and being gathered by him in the Holy Spirit through the gospel and the eucharist, it constitutes a particular church in which Christ's one holy catholic and apostolic Church is truly present and operative" (*Christus Dominus*, 11). The immense practical difficulties and ideological impediments in the way of restoring this sense of the diocese as the basic churchly reality are painfully obvious. Both pastors and people have been brought up in an entirely different ecclesiological perspective in which the priest and his parish, and the pope and the universal Church, have been the principal foci of ecclesial consciousness. The bishop as such has tended to drop out of sight—to appear only as a super-priest endowed with a few extra functions and in particular with a heavier administrative load, or else (as has been said) as merely the pope's delegate. While Catholics in general have a strong sense of loyalty to their local parish, and an equally strong

sense of the universal and international dimension of the Church, they have only a very uncertain awareness of belonging to a "local church" in the sense of a *diocese*. And yet the Venice Statement, and any imaginable Catholic/Orthodox agreement about the papacy, cannot but start from the fact of the diocese and its bishop as the original and irreducible manifestation of "church"—to work out from there to find each local church linked, through its bishop, with every other local church, so that all the dioceses in the world, each truly a complete realization of the Church, form the communion of churches which is the Church universal. It is not as though the Catholic Church were a single homogeneous movement directed by a single leader, the pope, but divided up, like an army, for convenience or efficiency, into a number of subordinate units each led by a bishop. The Catholic Church, rather, is the real but mostly invisible link that is created when one local church recognizes the gospel it proclaims and the eucharist it celebrates in those of a neighbouring diocese, and so throughout the world. The link becomes visible, for instance, when bishops gather on official and liturgical occasions. "The Church of God", as the Venice Statement says (par. 10), "is found in each of (the local churches) and in their *koinonia*". It is in the diocese that the Church of God exists in its fulness—and in the "communion" of one diocese with another. From the earliest times the dioceses of a particular region have been grouped in communion, and it is as the centre of these various regional communions that the Roman see has traditionally found its universal primacy. But there can be no proper effective primacy unless there is a real communion of local churches within which it may be exercised. The fact is that, certainly since 1870, the local churches have generally lost their identity. A primate without a communion of real local churches to serve becomes like an abbot without any monks or a hub without enough spokes. As Michael Ramsey wrote more than forty years ago, in his most indispensable and prophetic book (*The Gospel and the Catholic Church*, p. 228): "A primacy should depend upon and express the organic authority of the Body; and the discovery of its precise function will come not by discussion of the Petrine claims in isolation but by the recovery everywhere of the Body's organic life, with its Bishops, presbyters and people. In this Body Peter will find his due place, and ultimate reunion is hastened not by the pursuit of 'the Papal controversy' but by the quiet growth of the organic life of every part of Christendom".

All the same, in the persons of John XXIII, Paul VI, and John Paul I, we have had a series of popes who were keenly aware of the odious legacy that they inherited from the distant past. In an important address to the Secretariat for Christian Unity on 28 April 1967 (AAS 1967, pp. 493 to 498), Paul VI concluded a survey of

their work by referring to the difficulty which his own position constituted: "The pope, we all know, is undoubtedly the gravest obstacle on the path of ecumenism. What shall we say? Must we appeal once again to the titles that sanction our mission? Must we try once again to present it accurately, as it is really intended to be: an indispensable principle of truth, charity and unity? A pastoral mission of leadership, service and fraternity, not denying the freedom and dignity of any who hold lawful office in the Church of God but rather protecting the rights of all and asking no other obedience than what is appropriate within a family. It is not easy for us to make our apologia. It is you who will know how to do it, with sincerity and gentleness, when the occasion and possibility arise. As for us, in all serenity, we prefer now to keep silent and to pray". From that point onwards, in his ministry, Paul VI did on the whole prefer ecumenical actions that would be eloquent, rather than attempt further definitions of papal prerogatives. But it falls to the rest of us to be clear, and to make clear to others, what we believe we are committed to, as Catholics, and what, in particular, the Vatican I decrees on papal jurisdiction and infallibility mean.

That many well-informed Orthodox and Reformed Christians believe that Catholics are committed, by the Dogmatic Constitution "Pastor Aeternus" of Vatican I and by its reaffirmation in chapter 3 of the Dogmatic Constitution "Lumen Gentium" of Vatican II, to a doctrine of papal prerogatives which would destroy the Church requires little demonstration. In casual reading I recently came across a remark by Nicholas Zernov to the effect that "it places the Roman pontiff above the Church and guarantees him personal infallibility" (Docks festschrift, 1976). He refers to the belief of Sergius Bulgakov, one of the leading Russian theologians in the first generation of emigrés in Paris, that the Vatican decrees inevitably make the bishops "vassals of an infallible and omnipotent pope". Some ten years ago, referring to the Immaculate Conception and the Corporeal Assumption of Our Lady, Austin Farrer spoke of the papacy as "an infallible factory going full blast". When theologians as sophisticated as these, and as sympathetic towards Catholicism as they are, can think of the papal function in such terms, we need not enquire what others may believe who are less well informed and less free of bias, nor do we have to justify one more attempt to clear up misconceptions.

Much, of course, has been written on the subject. Newman's understanding of papal infallibility has been studied in two valuable short papers: C. S. Dessain, 'What Newman taught in Manning's Church', in *Infallibility in the Church: An Anglican-Catholic Dialogue*, 1968; and J. D. Holmes, 'Newman's reaction to the def-

inition of papal infallibility', *Spode House Review* occasional papers 3, 1976. By far the most illuminating treatment of "Pastor Aeternus" is to be found in two splendid essays by Garrett Sweeney, distinguished by wit as well as by precision: 'The forgotten council' and 'The primacy: the small print of Vatican I', in *Clergy Review*, October 1971 and February 1974 respectively. Going back a bit, there are two essays by Edmund Hill which are worth burrowing for: 'The Vatican Dogma' and 'The Post-Conciliar Papacy', in *New Blackfriars*, September 1960 and August 1966 respectively. As part of the Venice Statement's attempt to re-situate the whole problem, mention should be made of two indispensable papers by J. M. R. Tillard: 'Sensus Fidelium' and 'The Horizon of the 'Primacy' of the Bishop of Rome', in *One in Christ*, 1975 and 1976 respectively. No bibliography of this subject, however brief, should omit the essay by Robert Murray, 'Who or What is Infallible?' in *Infallibility in the Church* (as above), and, finally, the essay by Cornelius Ernst, 'The primacy of Peter: theology and ideology', in *New Blackfriars*, 1969, pp. 347-355 and 399-404. The best English text remains Vincent McNabb's translation, *The Decrees of the Vatican Council*, 1907, and the standard history is of course *The Vatican Council 1869-1870* by Cuthbert Butler, 1930.

The preamble of "Pastor Aeternus" sets the doctrine touching the institution, perpetuity, and nature of the Petrine primacy very firmly in the context of preserving the unity of the episcopate within a Church which has been founded to perpetuate the saving work of redemption. The necessity of expounding the doctrine at all is attributed to contemporary threats to the security of the Catholic Church—"seeing that the gates of hell with daily increase of hatred are gathering their strength on every side to upheave the foundation laid by God's own hand, and so, if that might be, to overthrow the Church": a sentiment that perhaps made sense at the beginning of the nineteenth century but which, by 1870, with the widespread revival of Catholicism, could not be seriously felt except as regards the increasingly precarious oasis of papal territory and temporal sovereignty in the city of Rome itself. But however dubious the necessity, and however opportune the definition, the text as we have it plainly situates the Petrine function in the context of serving unity of faith and charity, oneness of faith and communion. Citing the 'ecumenical' text, "that all may be one", *ut omnes unum sint*, the preamble goes on:

"so it was his will that there should be shepherds and teachers in his Church until the end of the world. But in order that the episcopate might be one and undivided, and that by the mutual solidarity of the high-priests (*sacerdotes*) the whole multitude of believers might be preserved in unity of faith and communion, he

set blessed Peter before the other apostles, and established in him the abiding principle and visible foundation of each unity (sc. of faith and of communion)”.

Thus the twofold unity of faith and of communion (charity, earlier in the text) is said to be maintained by the bishops as a whole—per cohaerentes sibi invicem sacerdotes, by means of the bishops ‘cohering’ with one another. The suggestion is that the believing community is kept one in faith and communion by the bishops, and that the Petrine role is to preserve the unity of the episcopate. Far from being a miserably ‘juridical’ perspective, then, the primacy of the pope is, on the contrary, located here in the context of an episcopate that serves unity of faith and of charity/communion within the Holy Church that has been founded to continue for all time the life-giving work of Christ. Redemption, Christ, Holy Church, orthodoxy, agapè, koinonia, unity, Holy Order, hierarchy, episcopate . . . and, in that context, the primacy in St Peter: it cannot seriously be maintained that this is a narrowly legalistic, theologically impoverished vision of the Catholic Church. Far from placing the pope “above” the Church it seems rather to root his office deeply in the centre of the Holy Order of bishops to whom maintaining unity of faith and of communion is confided.

The text as we have it fails to show any marks of the sweat—rather, stains of the blood—that was shed as it was being composed. It is the product of a conflict between ecclesologies; but we shall examine that at a later stage in this study.

The first and second chapters of “Pastor Aeternus” deal, respectively, with the institution and the perpetuity of the Petrine primacy. We may pass over them quickly for the present. Insufficient and even naive as the use of Scripture may seem now, the claim in the first chapter that Simon Peter did indeed have a leading role among the apostles would not be denied by anybody prepared to discuss the Roman primacy in the first place. The chapter appeals to only two Scriptural texts: St Peter’s confession on the road to Caesarea Philippi (Matthew 16) and Christ’s injunction to him to “feed my lambs” (John 21). That Peter was thus called to voice the faith that all alike held, and then endowed with an all-embracing pastoral care for the whole Church, seems pretty obvious. In fact the study sponsored by the United States Lutheran/Roman Catholic Dialogue opens up a vastly richer and more illuminating conception of the Petrine role: *Peter in the New Testament*, edited by Raymond E. Brown and others (1973). The only serious problem for the reader of “Pastor Aeternus” is that the statement that Simon Peter “was endowed by Christ with a true and proper primacy of jurisdiction” seems a desperately jejune and meagre theme to concentrate on. But the close of the chapter makes clear

that the claim is for primacy of *jurisdiction* as opposed to primacy of *honour* only: a distinction that we must come back to.

The second chapter asserts that “what was established (by Christ) in the person of the blessed Peter . . . must necessarily remain unceasingly in the Church”, with the result that “the holy and blessed Peter . . . lives, presides, and judges to this day in his successors, the bishops of the Holy Roman See, founded by him and consecrated by his blood”. We need not examine the extent to which ancient Roman beliefs about legal inheritance may have combined with the political prestige of Old Rome and early Christian reverence for the community that was consecrated by the martyrdom of St Peter and St Paul to translate the New Testament figure of Peter as “chief shepherd” (John 21) and “steward of the Messiah” (Matthew 16) into the understanding of himself that Leo the Great had, in the middle of the fifth century, as “heir of Peter”, *heres Petri, comh-arba Pheadair* in the early Celtic Church. Once again, we may take it for granted here that some at least of St Peter’s functions were transmissible, and that they have in fact been inherited by the bishop of Rome. In such valuable studies as, for example, *The Primacy of Peter in the Orthodox Church* (1963), or Trevor Jalland’s Bampton Lectures, *The Church and the Papacy* (1944), we have Orthodox and Anglican views which, while clearly affirming that the bishop of Rome has inherited Petrine functions in some sense, equally clearly put to Catholics some serious questions about the scope and the character of the primacy of the pope—*de vi et ratione primatus Romani Pontificis*, which is the title of the third chapter of “Pastor Aeternus”.

The chapter runs to five substantial paragraphs with a concluding canon or anathema, with which we may begin because it certainly brings the issue to focus. The picture of the papal role is anathema which would grant to the pope the office merely of ‘inspecting’ or ‘directing’, *officium inspectionis vel directionis*, as opposed to conceding to him full and supreme power of jurisdiction as regards the universal Church, *potestas jurisdictionis in universam Ecclesiam*, and that “not only in things which belong to faith and morals, but also in those things which relate to the discipline and government of the Church throughout the world”. The scope of the universal primacy is thus not limited to the domain of faith and morals, to matters of doctrine only: that will be the subject of the fourth and final chapter of “Pastor Aeternus”. That the teaching on matters of faith and morals which is ascribed to the pope may on occasion issue in “irreformable definitions” such as the chapter on papal infallibility defines is simply part of his function as universal pastor. Although emphasis usually rests on papal infallibility (as it did at the Council itself), the touchstone and the stumbling-block in understanding the Roman primacy is really the

claim to “full and supreme power of jurisdiction as regards the universal Church”. This power of jurisdiction extends, then, to the actual running of the Church, the *disciplina et regimen*, as well as to what is preached and taught.

The canon goes on to gloss the adjective “full”: it is not that the pope possesses the principal part of this power of jurisdiction, as if he shared it with some other body (e.g. bishops or council); on the contrary, the pope possesses the fullness of this power. And this power, finally, is both ‘ordinary’ and ‘immediate’, “both over each and all the Churches and over each and all the pastors and faithful”. Such legal terminology requires to be carefully explained. ‘Power’ in this context—*potestas* in Latin, *exousia* in Greek—means the holder’s rightful freedom to act, the authority or licence which he has been granted, and not his having the power to impose his will on others by force or by intimidation. But *potestas* in the sense of “right” easily becomes confused with *potestas* in the sense of “might”, as the history of papal exercise of the right abundantly demonstrates. The phrase *potestas jurisdictionis seu regiminis* had become standard by the early Middle Ages to describe the governing aspect of pastoral care in the Church. That the episcopal office includes a certain amount of legislation, administration of justice, and so on, is surely plain enough: but it seems unfortunate, to say the least, that the gospel figure of the shepherd, and hence the vicar of St Peter too, should become so predominantly focussed in *jurisdiction*. (But it would be a mistake to think that the Church of Rome alone suffers from this juridicism: a glance into the history of litigation over doctrine and ritual in the Church of England when passions were stronger about such matters, or a glance at the painful and truly scandalous jurisdictional confusion and rivalry among the Orthodox in the west at least, suffices to dispose of that idea!).

To say that this jurisdiction is ‘ordinary’ is not to say that it is likely to be used ordinarily, habitually, on a day-to-day basis. On the contrary, it requires extraordinary circumstances for this ‘ordinary’ authority to come into play. It simply means that the authority belongs to the holder, in this case the pope, *ex officio*: that is to say, as part of his papal office, not as delegated to him (for example by a general council), or conceded to him (say on the initiative of some bishop or local church). To say that his jurisdiction is ‘immediate’ is to say that the pope is not obliged to work through intermediary authorities; access to him is direct, and his intervention need not be channelled through the local bishop or the local civil powers or whatever. These somewhat abstract ‘rights’ begin to make better sense, perhaps, as one reads the rest of the chapter and reconstructs the sort of situations which are envisaged.

The first paragraph of the chapter is simply a renewal of the definition of the universal primacy of the pope which was accepted by the Greeks at the Council of Florence (1438-39), the last conciliar attempt at a reconciliation of Rome and Orthodoxy, which was hailed with delight in the west but failed to convince the Byzantine clergy and people. The litany of titles which the Florentine agreement attributes to the pope—"successor of blessed Peter, vicar of Christ, head of the whole Church, Father and Teacher of all Christians"—is very much in the style of Curial rhetoric and far less precise and definitive than it sounds. There have been and are still many others besides the pope of Rome who deserve the title of Father and Doctor of all Christians—but in any case the Lord's own word must radically modify this title (Matthew 23:8 - 10): "Call no man your father on earth". If the pope is to be called *caput Ecclesiae* it must be in the context of the Church militant only—an extremely impoverished vision of the Church; the only true Head of the Church is the Lord Jesus Christ (Ephesians 4 and elsewhere). Down to the ninth century many bishops referred to themselves as Vicar of Christ; it is only since the thirteenth century that the popes appropriated it instead of the earlier, surely more suitable title 'Vicar of St Peter'. The burden of this paragraph, at any rate, is that "full power was given to him (the pope) in blessed Peter, by Jesus Christ our Lord, to rule, feed and govern the universal Church": a universal pastoral care, an ecumenical shepherding function, that remains, so far, remarkably vague and undefined, for all the grandiloquence.

So to the second paragraph. Here the sovereignty of ordinary power over all other Churches, and the immediate, truly episcopal power of jurisdiction of the pope, are said to be "so that the Church of Christ may be one flock under one supreme Pastor, through the preservation of unity, both of communion and of profession of the same faith, with the Roman pontiff". Ex officio, and without being obliged to work through intermediaries, the pope has the right to act as shepherd in each and all the local Churches, to preserve unity of communion and of faith. As we shall see when we examine the genesis of the text the phrase "truly episcopal" adds nothing to the claim that the pope's rights and responsibilities are 'ordinary' and 'immediate'. Added to the text, almost as a parenthesis, the phrase 'truly episcopal' has led many readers to believe that the only *truly* episcopal authority is that of the pope, and that consequently bishops are merely his delegates. The phrase was included because some surviving Gallicans were suspected of calling the pope's ordinary and immediate authority 'primatial', as opposed to 'truly episcopal', with the intention of limiting it to emergencies and rare circumstances. The fact that it is an authority most obviously required when things

go wrong does not mean that it should be so limited. On the contrary, like any bishop in his diocese, the pope in his capacity as universal pastor and ecumenical primate should be a symbolic centre of the unity of faith and communion even when nothing is going wrong. A shepherd is most significant when he can relax; his job is best done when he has nothing to do but be there.

In the third paragraph of chapter 3 this power of papal jurisdiction is at last defined:

“So far is this power of the pope from being damaging or obstructive to that ordinary and immediate power of episcopal jurisdiction by which bishops, who have been set by the Holy Spirit to succeed and hold the place of the Apostles, feed and govern each his own flock, as true pastors, that their power, precisely, is asserted, strengthened and protected by the supreme and universal pastor”—and the text goes on to quote from a splendid letter by Pope Gregory the Great. As the Venice Statement says (paragraph 24): “the First Vatican Council intended that the papal primacy should be exercised only to maintain and never to erode the structures of the local churches”. Of course there will be blurred edges and marginal cases, as to what counts as maintaining and what as eroding a local church structure; but by and large, surely it will always be very evident when the structure of a local church is being protected and when it is being destroyed by papal intervention. The way certainly remains open to illegitimate and uncontrolled use of this papal function, but it is hard to see how it can be limited any more specifically in advance.

The fourth paragraph of chapter 3 spells out a little how the pope’s function may be inhibited illegitimately, which illuminates the nature of the relationships it should imply:

“in the exercise of this office he has the right of free communication with the pastors of the whole Church, and with their flocks.... Hence we condemn the opinions of those who hold that the communication between the pope and the bishops and their flocks can lawfully be impeded; or who make this communication subject to the will of the secular power, so as to maintain that whatever is done by the Apostolic See, or by its authority, for the government of the Church, cannot have force or value unless it be confirmed by the assent of the secular power”.

What this refers to, as we shall see later on, is widespread attempts, on the part of professedly Catholic rulers as well as others, to keep control over the bishops and churches in their territory. Lying behind the text is the memory of the humiliation of Pius VI and Pius VII by the Emperor Napoleon Bonaparte. The liberty of a local church to communicate with the see of Rome is being treated as a sign of its spiritual independence: precisely the vision of a free church in a free State, Cavour’s *libera chiesa in libero stato*,

that Pius IX himself was so incapable of accepting. And in the fifth and final paragraph of chapter 3 of "Pastor Aeternus" it is declared that since the pope is the tribunal of last appeal for the faithful, "in all causes the decision of which belongs to the Church recourse may be had to his tribunal"—insisting thus on the right that any local church or bishop, or any member of the Church at all, has to take his case to Rome if he has not found justice at home. It is added only that "none may reopen the judgment of the Apostolic See, than whose authority there is no greater, nor can any lawfully review its judgment". So, while certainly not laying down the limits within which papal jurisdiction may function in any detail, the instances clearly indicate that its purpose is to maintain the rights and liberties of the local church and its bishop, while also enabling any who feel badly done by locally to appeal to a higher judgment. And the key to understanding this universal jurisdiction ascribed to the pope of Rome lies in that clear affirmation—that, "so far from this power ... being any prejudice to the power of episcopal jurisdiction ... the latter is really asserted, strengthened and protected by the universal pastor". But the text of the letter which is cited should be quoted in extenso; written about the close of the sixth century it is part of a letter from Pope Gregory the Great to Eulogius, Bishop of Alexandria:

"Your Beatitude has been careful to declare that you do not now make use of proud titles, which have sprung from a root of vanity, in writing to certain persons, and you address me as saying, 'As you have commanded'. This word 'command' I beg you to remove from my hearing, since I know who I am, and who you are. For in position you are my brethren, in character my fathers. I did not, then command, but was desirous of indicating what seemed to be profitable. Yet I do not find that Your Beatitude has been willing to remember perfectly this very thing that I brought to your recollection. For I said that neither to me nor to any one else ought you to write anything of the kind; and lo, in the preface of the epistle which you have addressed to myself who forbade it, you have thought fit to make use of a proud appellation, calling me Universal Pope (*universalis papa*). But I beg your most sweet Holiness to do this no more, since what is given to another beyond what reason demands is subtracted from yourself. For as for me, I do not seek to be prospered by words but by my conduct. Nor do I regard that as an honour whereby I know that my brethren lose their honour. For my honour is the honour of the universal Church: my honour is the solid vigour of my brethren. Then am I truly honoured when the honour due to all and each is not denied them. For if your Holiness calls me Universal Pope, you deny that you are yourself what you call me universally. But far be this from us. Away with words that inflate vanity

and wound charity. And indeed, in the holy synod of Chalcedon, and afterwards by subsequent fathers, your Holiness knows that this was offered to my predecessors. And yet not one of them would ever use this title, that, while regarding the honour of all bishops in the world, they might keep their own before almighty God”.

There is, of course, such a thing as the development of doctrine and popes since Gregory’s time have come to see that they must accept the proud appellation, *universalis papa*. But as to the scope and the character of the primacy of the bishop of Rome, as it is laid down in chapter 3 of the constitution “*Pastor Aeternus*”, the reference to Gregory the Great’s letter to the bishop of Alexandria is surely the definitive comment. It is, at any rate, very difficult to believe that Pio Nono had a deeper understanding of his office than Gregory the Great had, nearly thirteen hundred years previously. Whatever Pio Nono thought, however, Gregory the Great would surely have rejoiced at the emphasis in “*Pastor Aeternus*” on the role of the ‘universal pastor’ in promoting the ‘solid vigour’ of his brethren.

(To be continued)

Common Sense And Justification

Stephen Theron

Can we accept that ‘justification is a language-game which is based on a shared form of life’ (J. J. Ross, reporting Wittgenstein, in ‘Rationality and Common Sense’, *Philosophy*, July 1978)? How then, it might be asked, could this statement itself be justified, and not just be part of a language-game based on a shared form of life, since the possibility of its justification would at once falsify it, which is contradictory? But if the statement cannot be justified it ought not to be defended as a philosophical or metaphysical thesis. Again, we could only allow that justification could be reduced in this way if we were justified in so allowing.

For the demand for rational justification, it seems clear to me, is presupposed to all *theoretical* effort. Hence we honour Wittgen-

stein for the rigour with which he strove to justify propositions like the one cited above, a rigour which will not suffice if the enterprise contradicts itself (cf. *Philosophical Investigations* §217, 485). 'Justification by experience comes to an end. If it did not it would not be justification' (485). Whether by experience or not, if I am right a rational approach demands not only that justifications come to an end but that the final ground be self-justifying. It can only be seen as justified if it is either self-justifying or justified by something else, in which case the justification has not come to an end. So in fact it *cannot* come to an end in the way Wittgenstein seems to envisage, in a ground about which for practical purposes we merely do not ask further, captive to our "form of life."

It cannot suffice to suggest, as in *Philosophical Investigations* 217, that to have exhausted the justifications to the point of saying "This is simply what I do" (form of life) is equivalent to reaching bedrock, for it manifestly is not. A string of justifications hanging in the air is just simply no justification to those not accepting the suppositions (form of life); yet it is only before *them*, who require convincing, that the exercise is one of justification anyway.

Common sense after all is not sacrosanct. If Moore can show as against Hume that we have to accept the propositions of common sense before we are justified in making any assertions at all, yet it is likely that *accepting* the propositions of common sense *means* accepting them as guaranteed, and that this entails working out what state of affairs is implied by such propositions being guaranteed, implied, that is, by the possibility of knowledge. J. J. Ross was quite right: 'common sense views . . . can be regarded as the true basis – though by no means the justification – of rational belief and discussion' (op. cit. p. 381). Without a guarantor common sense could be common illusion, together with our belief that our conclusions based on it can be true; the fact that in that case this sentence itself cannot be justified supports my thesis that there is no possibility of common sense not being guaranteed, together with the thesis that it manifestly does not guarantee itself, particularly if it is seen as just *a* form of life in possible competition with other such forms. It seems to me it is merely bourgeois not to care about this as long as everything works comfortably. What lies behind the advancement of a philosophy supporting that attitude, I think, is a denial of or wish to eliminate the theoretical dimension of human life, that dimension in which all effort is bent upon equating things as they seem to us with things as they are, as Kant strove to see the truth about "pure reason". It is I think significant that Wittgenstein seems to look forward to having done with philosophy, even if only upon a superficial reading of, for example, *Philosophical Investigations* § 133.

The idea that the common sense view of the world, shifting as

it may be, 'is not itself true or false since it is the background against which everything else is said to be true or false' (Ross, op. cit.), seems to me therefore quite wrong, possibly senseless. The statements specifying this background are of necessity true or false, and only if they are true can no false conclusions be derived with their help. Ross is quite right to say that tradition and consensus on this common sense view 'cannot be said to *justify* the claims and assertions of our rational discourse,' wrong if he thinks that discourse can be rational without making or claiming to make justified assertions, since even hypothetical statements are asserted. Unjustified assertion is *the* characteristic of what falls short of the rational, no less so when it makes assertions about "forms of life."

However odd it may seem in most contexts to say "I know that here's a hand" there is one context in which it is in place, viz. a discussion of the validity of common sense views, in which, contrary to Wittgenstein's supposition (e.g. *On Certainty* § 243, 250, 136-8), we might go on to offer verification or justification of a theistic sort. For my argument is that accepting the propositions of common sense *means* accepting they are justified, since we claim to make theoretical assertions on their basis, but that they are patently not self-justifying. Thus I too reject the cartesian doubt, but not in order to rest content with an unexamined "form of life". In any case it does not seem to me correct to slide from this epistemological oddness, if one finds it odd, to saying that such propositions have 'a peculiar *logical* role in the system of our empirical propositions' (*On Certainty* 136, my italics) in any sense of logical role suggesting that their relation to the canons of truth and falsity was different from that of other indicative statements, though of course they may have a special role in an empirical system which takes them for granted. From the point of view of truth value, however, it seems to me immaterial whether a proposition is affirmed without special testing or not.

'At the foundation of well-founded belief lies belief that is not founded' (*On Certainty* 253). As it stands this seems false unless Wittgenstein were to mean that the foundation was belief which is also knowledge. Belief is only founded well where one correctly judges (and does not merely guess) that the authority believed himself knows (and one can apply this to one's own common sense too). If he too only believes, and without foundation at that, then there is no reason to believe, no well-founded belief. So if there is well-founded belief, then there exist beings who know at least those things that are believed. Such a being, I would argue, in order to found and support the chain of justification, must himself be the ordering principle of what he knows, since otherwise he would merely *find* the objects of knowledge, an inexplicable given, as we do, and so the objection to the possibility of knowledge

would remain. It seems to me less questionable to say “he” (or “she”) than to talk of an it that knows. Such an ordering intelligence, called Mind by Anaxagoras, we call God or the gods.

To take an example: whether my belief that it will rain tomorrow is well-founded depends on present observation, memory, or reports of observers from another place we have no reason to disbelieve. I can only believe I have observed something if I can be sure of remembering it from one moment to the next, while hypothetical connections between my observations today and those expected tomorrow will be generalized from memory of actual past observations. To be scientific and, I contend, to be anything other than just inconsistent, we must believe that this reliance on memory, for example, is justified, e.g. that we don't merely seem to remember that memory has not betrayed us in the past. We can't even assert “If we assume memory can be relied on, then p,” because to assert that is to assume reliance on memories of previous reliance on memory, and this implies the hypothetical assertion is otiose. There can be no question of not relying on memory. That is, the categories of common sense are not just the foundation of chains of justification like stones from which the first link is in each case suspended. They enter into and determine each and every step of the reasoning. The idea of justification itself might seem to be not independent of them, yet nothing can artificially forbid it facing these categories themselves with its requirements, even though it depends on them for its being, since insofar as it has that being, that character, which all our discourse presupposes, we can be confident that there *is* a justification for the common sense categories and only need to ask what kind of item this has to be. If discourse presupposes justification discourse cannot allow that it is open to doubt.

To be scientific, then, we cannot merely believe the truth of the observations because this is what we do. The theism outlined above could be the *scientific* account, rather than that “defence” of common sense which consists in saying that common sense does not need defending and no reason given. If justifications have to come to an end this is the only way they *could* end without being exposed as shams. But we cannot abandon the requirement for justifications which are not shams. We cannot say not being justified is justified.

It is not a matter of saying, in the form Popper criticized, ‘any assumption not supported by argument or experience must be discarded’ (*The Open Society and its Enemies*, RKP 1966 p. 231). This principle is practical in form and clearly does not apply to most practical contexts, though it be an “attitude” he calls an article of faith. But if it ‘cannot itself be defended by reason’ and this is *his* ground for despising it, then this itself shows that we require

all our beliefs, including Popper's, to be defended by reason. It is not a matter of discarding assumptions but, as integrity demands, of searching for the ground of those assumptions we are not prepared to discard. This certainly can be defended by reason since it is clear that ungrounded assumption cannot yield true statements fit for assertion. If Popper is saying that defending things by reason cannot be defended by reason then he is himself pointing to a further ground implied by our continued reliance on reason, since the existence of academic activity such as Popper's implies this reliance is more than merely practical. This *privileged access* of reason can only depend on a correspondence in parallel (by whatever mode from simple mirroring to active mapping: this is not in question here) with the ordering principles of reality that make things to be as they are and are understood to be. Plato meant this when he said 'All nature is akin and the soul has learned everything' (Meno).

In *Philosophical Investigations* § 87 Wittgenstein seems to anticipate these arguments:

"But then how does an explanation help me to understand, if after all it is not the final one? In that case the explanation is never completed; so I still don't understand what he means, and never shall!" As though an explanation as it were hung in the air unless supported by another one. Whereas an explanation may indeed rest on another one that has been given, but none stands in need of another – unless we require it to prevent a misunderstanding. One might say: an explanation serves to remove or to avert a misunderstanding – one, that is, that would occur but for the explanation; not every one that I can imagine.

Earlier he had said of an endless hierarchy of rules, 'that is not to say that we are in doubt because it is possible for us to *imagine* a doubt' (ibid. § 84).

This might be acceptable if applied to explaining the meaning of a word, especially as this has been analysed as a giving of *practical* directions for use. I learn to use words adequately before or independently of achieving complete theoretical understanding of what I am talking *about*. But I may seek final understanding beyond all utilitarian need and then I require it not to prevent misunderstanding but to remove ignorance. One has the feeling that Wittgenstein runs together the valid but trivial point that partial explanations are complete enough in context and what I argue is the false suggestion that there is no *theoretical* need to render the total mass of phenomena as entirely intelligible as we can achieve, in particular to justify our own apparent rationality or rather, to

repeat, to discover the ground on which our actual rationality, since we cannot begin the enterprise of doubting it, is justified. Descartes and Kant wrote as if it was to be first doubted and then justified. This was of course a self-contradictory way of posing the problem, but there is a problem, a need to understand, nonetheless. Epistemological scepticism and epistemological fideism are equally self-contradictory; the only defensible procedure is to construct the hypothesis which shows reason's justification, which cannot be doubted, and then enquire whether this is the only possible hypothesis, in which case it must be asserted as true.

For this reason I would not endorse the way W. R. Matthews (*New Blackfriars*, August 1977, 'Lonergan: a Final Word') argues against the rejection of epistemology:

Despite the minefields that Wittgenstein, Frege, Geach and Norman Malcolm have laid in the paths of aspiring epistemologists the question still has to be posed – is there not a nonsolipsistic sense in which we are all trapped in our own minds, does not everything that we come to know about the world and ourselves presuppose that it is by our own mental activity, the use of our own minds that we come to know it? Is it not impossible for any individual to get free from this presupposition, to get beyond this use of his own mind and arrive at a standpoint that does not presuppose it?

For to claim to be in a position to say or suggest that we are trapped in our own minds is to claim that we are not thus trapped. Mind has to be of an order beyond trapping, such that there is no sense in getting free from it, no getting beyond it, any more than one can get free from freedom. A standpoint not presupposing mind would indeed be 'washing the fur without wetting it.' Perhaps this is also Matthews's eventual position, but it will inevitably be weakened by his seeming to admit the legitimacy of these locutions to start with.

Such final theoretical understanding, then, though we desire and need it, is not of itself geared to any need. That is its attraction. We are of course often satisfied with something far short of it. But it is an intelligible aim. If I can "imagine" a misunderstanding or a doubt, then complete understanding needs, wants, to establish why it is only imaginary, if it is. In this area therefore we *are* in doubt if it is possible for us to imagine a doubt, and the doubt, we have said, will not be about whether we know what we know but about what the grounds for this knowledge are.

Wittgenstein's own philosophizing is an example of the theoretical thinking to which I have been appealing. Even if I am right in detecting in him a tendency to want to have done with theory,

he has to employ theory to do so. 'What matters,' said Marx, 'is not to understand the world but to change it.' But that was a theoretical statement even though about praxis. The corresponding practical judgment would be not about praxis but about the world.

On Priestly Marriage: A Response To

Father Hastings' On Celibacy

Marcel Boivin W. F.

Scandalous news has a way of getting around the world at a speed which is truly mystifying. The news of what was described to me as Adrian Hastings' latest eccentricity was no exception. "Fr. Hastings," I was told some time in May right here in Ngara, "is this time proclaiming disobedience to his bishop as a virtue and trumpeting the announcement of his forthcoming wedding".

In late September, I finally got hold of the offending piece ("On Celibacy", *New Blackfriars*, March 1978, pp. 104 - 111). I soon felt less sorry for Fr. Hastings than for his detractors. In truth, I know of many priests who feel the way Fr Hastings says he does, with the difference that being better able to articulate the reasons for his feeling he can express it as a legitimate stand. Before I could quite make out the value of Fr Hastings' arguments, I already felt sure that the most solid support for his position came from the saying of Jesus: "Go learn the meaning of the words: what I want is mercy, not sacrifice" (Mt. 9:13).

The fact, however, that so many members of the Church who cannot lightly be accused of hypocrisy still maintain that all priests must lead a celibate life prevents me from sharing Fr Hast-