

On Non-Infallible Pronouncements

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by Karl Rahner, S.J.

A Pastoral Letter

On the 22nd September, 1967, the German bishops published a pastoral letter concerning the Church's doctrinal authority and mission to teach. In view of a certain incident that has occurred since, a few remarks need to be made about one passage in the document. The passage runs as follows:

'17. On this point there is a difficult problem which needs careful appraisal, since it concerns the faith or the relationship to the Magisterium of many Catholics today even more than in the past. We refer to the fact that in the exercise of its task the ecclesiastical magisterium can fall into error, and indeed has been known to do so. The Church has always been aware of this possibility, has catered for it in her theology, and has developed rules of procedure for such a situation. This possibility of error does not arise with those decisions whose promulgation demands the absolute assent of faith, namely those promulgated by the solemn definition of a Pope or General Council or through the ordinary magisterium.¹

It is historically incorrect to maintain that subsequently the Church has been found to be in error on such dogmas, though a given dogma is inevitably liable to be understood differently (while preserving its original sense) as it acquires greater precision in the face of past and contemporary misunderstandings.

This process just referred to must not be confused with the obvious fact that beside the unchangeable divine power, there is in the Church a changeable human power too. Moreover the alterations mentioned above, while entailing no error, do give rise to the question as to whether earlier or later decisions were opportune.

18. Thus we are concerned with error and the possibility of error in the non-defined teachings of the Church, which in their turn demand very different degrees of assent. We must recognize that the business of life in general must proceed according to the best certitude available. We have to make decisions which from the theoretical standpoint cannot be regarded as absolutely sure, and yet which, since they are the best available, must be respected as valid norms for thought and action. Everyone experiences this in his own life; the doctor in his diagnosis is familiar with it, and so is the statesman in his assessment of the political situation, and the decisions which flow therefrom. The Church too in her teaching and practice cannot always propose either to give a definitive decision or simply to remain silent and leave everything to the decision of individuals. To protect individuals, and ultimately the substance of faith, the Church must make doctrinal pronouncements which are binding to a limited degree, despite the

¹'Ordinary' here is a technical term. The ordinary magisterium is the teaching authority of the universal episcopate when the bishops are not gathered together in a General Council. (*Ed.*)

danger of error in particular matters. Since these are not definitions of faith, they are to some extent provisional and entail the possibility of error. Were it not so, the Church could hardly proclaim the faith as a living reality, nor explain it, nor apply it to new human situations. In this kind of situation the individual Christian and indeed the Church as a whole is like a man who has to follow the decision of an expert whom he knows is not infallible.

19. The fact that the faithful are to be instructed on the nature and limited scope of one of the provisional ecclesiastical pronouncements of disputed meaning, does not on that account make it part of the preaching and catechesis. However, this has already been dealt with. Whoever believes that he must follow his own opinion having a better appreciation than the Church, must ask himself soberly before God and his conscience, whether he has the necessary breadth and depth of theological expertise to deviate from the explicit teaching of ecclesiastical authority. Such a situation is conceivable, but subjective conceit and idle arrogance will have to be answered for before God's judgment.

20. The normal pattern of a Catholic's life of faith will entail serious efforts to understand and assimilate even a provisional pronouncement of the Church. Just as in everyday life there is no escaping from far-reaching decisions which have to be made on the basis of fallible insights with only as much reliability as these can yield, so in Church affairs it would be shameful and dishonourable to hesitate in one's attitude to the Church's teaching on the ground that it cannot yet be considered as definitive. . . . It is possible that the Church's doctrinal development proceeds too slowly in particular instances. But in making such a judgment one must be prudent and discreet. Doctrinal development takes place in a Church with a human time-scale; it cannot advance more rapidly than the safeguarding of the substance of the faith will permit.

21. We have no need to fear that we are depriving our contemporaries of the answer to current problems by presenting the mind of the Church in this way. The sincere questionings of our time, to which we must respond in faith, frequently oblige us to ponder anew the truths of faith and in this way new emphases may appear. This is not to call faith into question; on the contrary it serves to deepen our grasp of divine revelation and the teaching of the Church. Of this we are convinced, and experience bears it out; we do not wish to be untrue to the Catholic faith nor to a single truth thereof; we understand the faith solely in the spirit of the Church, and thus do we seek ever more deeply to possess it.'

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We will say more later about the theological import of this pastoral letter in general, and of the passage quoted in particular. The text appeared in Italian in the *Osservatore Romano* of 15th December, 1967 (in a translation which I suppose was produced by the Secretariat of State). I learned incidentally that the pastoral letter was read out to the distinguished professors of the Gregorian University in their refectory, and was well received (so it cannot

be quite as bad as is alleged in the next document to be quoted). The text is noteworthy because it is the first time, as far as I am aware, that this problem has been dealt with in a (relatively) official document; hitherto it has been confined to the attention of theologians.

The Critic

A duplicated document has been circulating for some time in high-ranking ecclesiastical circles which expresses opposition to this pastoral letter. About the passage we have quoted it says:

'The document of the German bishops of 22nd September, 1967, has proved to be of great service in all matters with which the Church's doctrinal teaching is concerned; it is, however, erroneous when it speaks of "provisional" pronouncements in contrast to infallible doctrinal decisions, and says of them: "in this kind of situation the individual Christian and indeed the Church as a whole is like¹ a man who has to follow the decision of an expert whom he knows is not infallible."

'An ecclesiastical doctrinal pronouncement which does not claim to be infallible can *per accidens* be understood erroneously; but it cannot on that account be described as provisional. Whoever speaks in the name of the Church's teaching authority can and should speak only when he is assured of the *truth* of what he is teaching. Thus the example of the expert is not applicable for there is no similarity. For the expert the fundamental principle must always be *tantum valet, quantum probet* (it is valid as far as it can be proved). In a doctrinal pronouncement of the Church the reasons adduced simply facilitate the free acceptance of the decision that has been formulated. Therein lies the radical difference between ecclesiastical teaching authority and theology as a science. In its down-grading of non-infallible pronouncements the Pastoral uses a significant formula (one which even the religious press used in connexion with *Humanae Vitae*) namely: "Non-infallible pronouncement—Conscience decides". The function of conscience is here completely distorted. The fact is overlooked that conscience is operative in *every* human act, including the acceptance of an infallible doctrinal pronouncement. If this were not so, it would be impossible to see how the conscience of the Christian could serve as a guide through Christ and through those to whom the Lord has entrusted his mission.'

What should one say of such a text? Briefly, I consider this criticism of the bishops' document to be fundamentally false, both from the theological and the practical standpoint.

Internal contradictions of the criticism

In the first place the reader of this criticism will wonder how

¹It is to be noted that the critic uses the word 'like' (*analog*) as if it meant 'simply the same' (*schlechthin gleich*).

it can logically be maintained that the teaching authority of the Church is belittled in the Pastoral, since the statement comes from the bishops and comprises their own teaching. One cannot logically claim for the bishops an authority which they authoritatively disavow. Naturally a bishops' pastoral letter is not infallible; it is not necessarily correct in every detail, and consequently one is entitled to disagree with such a pronouncement or with particular details in it, provided that after mature reflection one has serious reasons for doing so. This is perfectly correct. However, the critic disputes just that kind of criticism, and demands a more or less unconditional obedience to doctrinal pronouncements, which do not claim to be infallible. Hence in this very instance the critic himself sees them as not beyond debate, though this is contrary to his general principle. That is how the matter stands: nowadays the Raskolnikovs of the Catholic Church will only support the Pope and the bishops when they are teaching what they themselves consider right. Otherwise they excuse themselves from that unconditional obedience to doctrine which they defend as a holy and unqualified principle against today's 'Modernists'.

Teaching Authority and Supporting Arguments

The critic contends that the bishops' pastoral letter overlooks the fact that the teaching authority of the bishops and Pope enjoys a unique importance which demands acceptance even in cases where no definition is made. This authority, he says, must be distinguished from the objective arguments which are used in the doctrinal clarification, and which have their own importance. In fact the pastoral letter of the bishops does not make any such identification between objective arguments and ecclesiastical authority. The analogy from the Pastoral that the critic has linked with his totally false presentation of the case has indeed to be taken with a grain of salt, but it is a good and clear example. For when somebody has to abide by the (non-infallible) diagnosis of a doctor, he acts thus not on the basis of the arguments which the doctor marshals before him (which he would scarcely understand) but rather on account of the doctor's authority. We should, of course, bear in mind that such authority is very different from that of the Church's magisterium. Is this comparison incomprehensible? It is based on the fact that in both cases someone presents someone else with a decision about which two things are clear; firstly that it is not infallible but can be in error, and secondly that there is an objective reason for acceptance (in fact authority—though in different forms). Since there is no question of infallibility, the recipient has the right (not arbitrarily, but under certain clearly defined conditions) to differ from the proponent's decision, when he believes that he possesses reasons which are as good as or better than the proponent's.

At this point it could be said that all this may theoretically be correct, but it is irrelevant to our particular case. The reason being that the individual Catholic, theologian or layman, could never have good, or better, reasons to depart from a decision of the magisterium, even though the decision were understood by both sides to be in principle capable of revision. It would be like a roadsweeper declaring that he considered Professor XY's latest theory in plasma physics to be false; does not even the professor admit that his theory is not absolutely certain?

It cannot be denied that cases can and do occur of false and morally unjustifiable dissent from the non-infallible pronouncements of the Church. (There are those who act on the presumption that this is always the case, and those who presume just the opposite.) The bishops' pastoral letter leaves no doubt that such cases do occur, and that the Christian who makes an unjustifiable and irresponsible deviation from the Church's teaching will have to answer for it before God, even though no formal definition is involved. Nevertheless the other situation is possible, too. And on this the pastoral letter speaks honourably and courageously. Situations can occur in which a Catholic Christian has the right, and in some circumstances the duty, to differ from doctrine of this kind. This is what the critic in question will not admit. Yet it is true.

This is not the place to specify more exactly whether a distinction is to be made on the basis of this principle, between the rights and duties of the laity, and of the theological experts. (In particular cases much will depend upon the matter in question.) Nor will I develop a casuistry to decide how exactly in such cases the standpoint of the dissenter is to be viewed in the light of the traditional principles of fundamental and moral theology. Nor will I demonstrate that the principle in the bishops' pastoral letter derives from traditional theology and is itself traditional. All this would entail too lengthy an exposition. Instead I will present the critic with a straightforward question about the practice of theologians.

Some Erroneous Decisions

First a true story: At the time of the Modernist crisis a friend said to the great Dominican scripture scholar Lagrange: 'No, on this matter (an anti-Modernist clarification by the magisterium on a question of exegesis) you need give only a "silentium obsequiosum" (colloquially, "Keep quiet, but don't accept this clarification internally").' Lagrange replied: 'Agreed, and I would be committing a mortal sin (against the known truth) if I were to act otherwise.'

Now let us get to the point. I have no time to examine Denzinger page by page to search out doctrinal decisions of recent decades which were false, and which today are accepted by no Catholic theologians. I will simply search my memory for a few. This means

inevitably that they will be principally, but not exclusively, about exegesis. It was however made clear in the past that exegetical decisions had the same authority as other Roman doctrinal pronouncements. I hope I will be forgiven if I present them unsystematically. I will go back no further than the present century. If today I were to accept all these doctrinal decisions as true or valid (and they were never officially abrogated with the explicit import with which they were promulgated), then I would have to subscribe to such propositions as the following:

The majority of the psalms were written by David, and there are no post-exilic psalms.

There are no deutero-Pauline writings.

The words of Jesus in St John are not theological compositions.

The gospels were composed in the same order as we list them today.

There is no such thing as the source Q.

There is no deutero-Isaiah.

The Epistle to the Hebrews was written by St Paul.

The Pentateuch is a Mosaic text written by Moses almost in its entirety (and not, as a witty French exegete once called it, 'a mosaic of texts').

I must hold it as certain that the baptismal formula of Matthew 28 was defined by Jesus himself. I must be convinced that it is modernism to desire a reform of the Holy Office or the abolition of the Index. I cannot prudently entertain the possibility that the so-called theory of polygenism can be reconciled with the correct interpretation of the doctrine of original sin. I must hold as modernism the suggestion that the laity should have a share with the clergy (in any form) in the government of the Church.

As I have said above, I am quoting from memory. But the reader can satisfy himself, without referring to Denzinger by number, that these are correct. Every professional theologian knows them. In addition to these and similar examples, I could also quote other decisions in which the condemnation of a proposition amounts in practice to affirming an alternative that in the long run is no improvement on the one legitimately condemned.

In citing these examples, I do not want to write a 'chronique scandaleuse' of the first half of the twentieth century. It would be foolish to take the examples in that sense; it would betray a failure to understand the darker side of the Church's history, it would mean overlooking the context of these erroneous decisions. Such an attitude would betray an inexcusable failure to grasp that the development of the Church's life of faith, and doctrinal consensus proceeds with unavoidable slowness (though in my opinion it often proceeds more slowly than necessary).

Provisional Decisions and the Progress of Doctrine

This is the point at which to address my question to the critic

of the bishops' pastoral letter: How, on his principles, does the critic think the Church manages to reverse these erroneous decisions? At the very least this progress means that many of them are passed over now in silence. According to the bishops' pastoral letter, I can think them mistaken; but according to his principles I cannot do so. Whence would come the insight into the falsehood of such defective decisions if, as our critic maintains, theologians and laity must simply treat erroneous pronouncements in practice (if not in theory) as obligatory norms, on account of the authority of the magisterium? Any one may, and indeed within the Catholic Church must, begin to say and to make up his mind that he cannot agree with such things. Although Denzinger 2007 requires internal assent (*assensus internus*) from him, and although Denzinger 2113 threatens the exegete with serious fault (*culpa gravis*) if he will not subscribe to the decisions of the Biblical Commission, a beginning has to be made by introducing a nuanced interpretation. Indeed it was already possible to find these nuances in the 'approved authors'. This is precisely what the German bishops are doing at present.

In the past those who entertained doubts of this kind with respect to such doctrinal pronouncements were obliged to remain silent, and simply to wait while observing a '*silentium obsequiosum*'. But in the first place in today's society the continuous and increasing communication of everyone with everyone else, even in private life, renders such a '*silentium obsequiosum*' almost impossible. Moreover, in today's situation time moves too swiftly for men to wait until the outlook of the magisterium has gradually and imperceptibly changed to the point where some alteration of outlook has been adopted, or some opinion is no longer considered as opposed to a previous position. (I recall at the time of the Council being assured in all earnestness by a Roman Cardinal that no one in Rome had ever denied that man, in his body, has evolved from the animals.) A slow, unreflecting alteration of theological opinion in the Church may yet be possible (there is an example in the question of the hope of salvation, where Vatican II envisaged the possibility of salvation for all men), but in general this is not enough. Our consciousness has become too deliberately reflexive, and time goes too quickly. Hence the question for our critic: How can any alteration take place in the Church's consciousness (not in the ultimate substance of faith, but in the officially promulgated, yet erroneous pronouncements), if the Christian never has the right to differ from the teaching of the Church (even for carefully weighed reasons), and certainly not for the first few decades after the promulgation of the doctrine? Clearly the principle enunciated in the pastoral letter can be abused, but this does not alter its legitimacy. Such an abuse of the principle in the overall search for truth bears no comparison with the principle of our critic which

would lead to heresy, stagnation of Catholic theology, and to loss of faith for many. (I say this with justification, and in the light of historical evidence.)

It is not a valid argument against the principle in the bishops' pastoral to say that its application in concrete situations (since it is not the only principle available) leads to delicate problems of conscience for the individual, in which each one is left in isolation before God and his conscience. The same situation arises in countless other instances in the Christian life. My eternal salvation depends for example to a large extent on my rightly choosing my vocation in life; the official Church leaves me on my own in this (apart from general principles concerning things and their relation to God and the devil). This is quite right. God has arranged it thus. According to Catholic teaching there is never any case in this world in which the decision of conscience does not constitute an absolute norm for the individual.

The magisterium, if it is working rightly, must take account of the individual in this situation, acting 'at his own risk', so to speak, and not trying to use the authority of the magisterium as a substitute. Indeed, the initial acceptance of the authority of the magisterium is a far-reaching decision, and it is preceded by a situation where the individual acts 'at his own risk'. Why then should it be surprising that other situations exist, entailing similar risks? And why should it cause surprise that the magisterium recognizes their existence?

Naturally one must not overlook the fact that 'the conscience of the Christian is the guide through Christ and through those to whom the Lord has entrusted his mission'. But is not this the constant message of the pastoral letter of the bishops? And is this statement about the necessity of the guide invalidated when the pastoral letter makes the necessary distinctions and indicates that in specified cases the guidance itself is provisional? Moreover, it is because of these circumstances that such guidance gives rise to recognized rights and duties, for it has to be dealt with as it really exists, namely as provisional (in the concrete) and not as something of mere abstract theory. I cannot accept the claim of our critic that doctrinal clarifications should not be regarded as provisional, simply because the official teacher is convinced that what he says is *true*. Naturally he must only teach when he is convinced that it is right for him to do so. But can he not be thus convinced, and yet realize that he could be in error? Or should he at that point give up teaching? Even this is not the same as the critic's contention that such teaching would be erroneous *per accidens*. A doctor can be convinced that his diagnosis is right, yet be aware simultaneously that he could be wrong, and he still has the right to claim that this diagnosis is right and must be followed.

The critic finds fault with the word 'provisional' which is used

in the pastoral letter deliberately for non-infallible decisions of the magisterium. This prompts me to ask, how then in heaven's name is one to accept doctrine which makes no claim to irreflexibility and which has often been shown to be erroneous? When Leo X declared against Luther that it was altogether conformable to the will of the Holy Ghost to burn heretics, should I not think: Thanks be to God that this is only a provisional decision?

In conclusion I trust that the reader will allow me a serious observation, although it has pathetic overtones. A few days ago I acquired a copy of a letter (I assume that it is accurate, since I myself have heard similar reports from behind the Iron Curtain). The writer declared that he had endured twelve years in prison with frightful sufferings for the sake of his Catholic Faith and for the Pope. Then he came to the West and had the impression that here in the Church all that he suffered for has been dissipated in unbelief; he would rather live again in a prison for he was happier there. This I can understand, for I too have friends like this in the East. There is much in this judgment which must be carefully clarified historically and sociologically, and it must not be taken as an unqualified reflection of the outlook of sanctity. Only then, when a Christian of the West looks with laudable envy at these confessors of the faith; only when this is grasped, can the problems of the Church in the West be solved by a steadfast conservatism, thus reinforcing it in the faith and unity which it needs.

These are the problems with which, under the providence of God, history faces us. They can be resolved, under God's grace, only by courage, truthfulness, steadfastness in faith, and also by *thinking*. From the martyrs we will willingly receive a reminder of the theology of the cross; from the simple reactionaries, who let things go on much the same as the rest of us prosperous citizens, we will get precious little.

However, if we desire to fulfil the task of the Church in the West for the future, it is necessary to validate the Church's past to some extent. The procedure for this validation comprises also the principle which the German bishops have pronounced in the pastoral letter referred to. We respectfully ask them not to let it be put aside, to affirm it, and to abide by it in practice. We the 'neo-modernists' (so we have been labelled) are aware that the unity of the Church (though not in our critic's sense), acknowledgment of Jesus Christ as our Lord and Saviour, fidelity to the Church, and many other things are *much more* important than the principle which is here vindicated. We will be content if the principle, having been enunciated by the German bishops, does not need to be defended ever again.