TEACHING AUTHORITY AND INFALLIBILITY IN THE CHURCH

COMMON STATEMENT

INTRODUCTION

1. Lutherans and Roman Catholics in the United States have been engaged since 1965 in a theological dialogue dealing with the main issues which have divided their churches since the sixteenth century.[1] The measure of consensus they were able to reach on the Eucharist and on Ministry[2] was expressed in two joint statements that are of major importance for continuing theological convergence. In approaching the topic of papal primacy, they were aware of special difficulties, since this topic occasioned the most violent antagonisms of the past, and since these antagonisms have left their mark on the mentalities of contemporary Christians. Yet they were also able to agree on many points in a joint statement in which papal primacy is regarded as a Ministry to the universal Church.

Because papal infallibility is conceptually distinct from primacy and has had its own, rather more recent, development, the agreed statement on primacy did not include consideration of the question of infallibility. But, as had been planned, the members of the dialogue began discussing this topic as soon as agreement had been reached on the principle of a Ministry to the Church universal. The present statement thus follows logically the previous discussions and joint statements of Lutherans and Catholics in Dialogue.

EDITOR'S NOTE.—Participating in this phase of the dialogue were: *Lutherans:* Eugene L. Brand, Joseph Burgess, Paul C. Empie, Gerhard O. Förde, Karlfried Froehlich, Eric Gritsch, Fred Kramer, George A. Lindbeck, Warren A. Quanbeck, John H. P. Reumann, William Rusch, and Paul A. Wee; *Roman Catholics:* Maurice C. Duchaine, Avery Dulles, Robert D. Eno, Joseph A. Fitzmyer, John F. Hotchkin, Kilian McDonnell, T. Austin Murphy, Carl J. Peter, Jerome D. Quinn, and Georges Tavard.

[1] See the previous volumes in this series, under the general title *Lutherans and Catholics in Dialogue:* 1: *The Status of the Nicene Creed as Dogma of the Church* (1965); 2: *One Baptism for the Remission of Sins* (1966); 3: *The Eucharist as Sacrifice* (1967); 4: *Eucharist and Ministry* (1970); 5: *Papal Primacy and the Universal Church* (1974). For the first four volumes, contact Publications Office, U.S. Catholic Conference, 1312 Massachusetts Avenue, N.W., Washington, D.C. 20005; or Lutheran World Ministries, 360 Park Avenue South, New York, N.Y. 10010. Vol. 5 was published by Augsburg Publishing House, Minneapolis, Minn. References to these volumes will be made below by citing the individual volume and page, as in n. 2 below.

[2] As in *Eucharist and Ministry* 9, "ministry" is here used for the task of proclaiming the gospel by the whole Church, and "Ministry" for that particular form of service, order, function, or gift (charism) within and for the sake of Christ's Church in its mission to the world.

In order to treat the subject adequately, this dialogue had to set the question of papal infallibility in a broad horizon. Papal infallibility is related to several wider questions: the authority of the gospel, the indefectibility of the Church, the infallibility of its belief and teaching, and the assurance or certainty which Christian believers have always associated with their faith. Furthermore, such a question cannot be examined in our day without referring to the contemporary crisis of authority, and without paying attention to the critical questions raised by linguistic analysis and philosophy regarding the use of language to express religious insights.

2. Discussion of papal infallibility on the Catholic side was given its focus by the First Vatican Council when the doctrine was defined in 1870. The Council taught that the bishop of Rome, as successor of Peter in the primacy, is divinely protected from error when he speaks *ex cathedra*, that is, when, "as pastor and doctor of all Christians" and by virtue of "his supreme apostolic authority," he "defines a doctrine concerning faith or morals" to be held "by the universal Church." In such an extraordinary case, the Council specified, the bishop of Rome proceeds with the infallibility with which "the divine Redeemer wanted his Church to be endowed in defining doctrine concerning faith or morals."[3] It was this infallibility which Pius XII invoked when he defined the doctrine of the Assumption of Mary in 1950.

Despite the careful delimitation of papal infallibility by Vatican I, this dogma was frequently understood more broadly in the period between the two Vatican Councils. Often for the popular mind, and also in theological manuals,[4] it was thought to imply that all papal utterances are somehow enhanced by infallibility. Encyclicals were sometimes interpreted as infallibly conveying the true doctrine even when they did not meet the conditions specified by Vatican I for *ex cathedra* definitions. Pius XII, indeed, pointed out that encyclical teaching may require the assent of Catholics, especially when it reiterates what is already settled Catholic doctrine or when the pope, even without appealing to his infallible teaching authority, expresses his intention of settling what was previously a controverted question.[5]

[3] H. Denzinger and A. Schönmetzer, *Enchiridion symbolorum* (33rd ed.; Freiburg: Herder, 1965) 3074. Hereafter cited as DS.

[4] A. Vacant, L. Billot, E. Dublanchy, J. Salaverri, and J. C. Fenton, among others, ascribed a fundamental infallibility to the ordinary magisterium of the pope. For a survey of opinions on this point, see F. M. Gallati, *Wenn die Päpste sprechen* (Vienna: Herder, 1960) 41–42, 80–85; also A. Peiffer, *Die Enzykliken und ihr formaler Wert für die dogmatische Methode* (Freiburg [Switz.]: Universitätsverlag, 1968) 72–100. Popular catechisms often made no distinction between the ordinary and extraordinary magisterium of the pope, stating simply that the pope is infallible when he proclaims a doctrine of faith and morals to all. See, e.g., *A Catechism of Christian Doctrine Prepared and Enjoined by Order of the Third Plenary Council of Baltimore* (New York: Benziger, 1886) 30.

[5] DS 3885.

Following Vatican II and its treatment of infallibility in the Constitution *Lumen gentium*,[6] the climate of Catholic theology has favored reassessing popular assumptions and theological interpretations. The present common statement of Lutherans and Catholics in Dialogue is a contribution to this reassessment.

3. On the Lutheran side, there seems at first glance no room for reassessment. The Reformers' attitude toward papal infallibility was strongly negative.[7] They insisted that in proclaiming the Pauline teaching of justification of the sinner by grace through faith they had a biblical and catholic basis. Consequently they regarded the excommunication of Luther as an arbitrary act, an abuse of papal authority. They viewed the division in the Church as a tragic necessity, as the price they had to pay for fidelity to the Word of God. The promulgation of papal infallibility in 1870 appeared to Lutherans as the deepening of an already serious disagreement. The separation begun by the condemnation of Luther's teachings in *Exsurge Domine*[8] and later widened by the Council of Trent now seemed beyond hope of reconciliation. For while Lutherans share with Catholics the conviction that the Church of Christ is indefectible,[9] they regard the maintenance of this indefectibility as the sovereign work of God. It appeared to them that the dogma of infallibility was an attempt to usurp the Lordship which God has conferred on Christ alone.

Yet Lutherans need not exclude the possibility that papal primacy and teaching authority might be acceptable developments, at least in certain respects.[10] The Lutheran Reformers accepted the legitimacy of developments in the Church except where these denied or subverted the teaching of Scripture. Thus, they retained the liturgy of the Latin rite, making revisions where they judged its formulations to be contrary to the gospel; and they tried to preserve the episcopal structure of the Church and the traditional ecclesiastical discipline.[11] Theoretically, some aspects of the papacy could have been accepted in the same way. For while Lutherans see papal primacy as emerging over a long period of time, rather than something taught in the Scriptures, this function could, under proper conditions, be acknowledged as a legitimate development, maintaining unity, mediating disputes, and defending the Church's spiritual freedom.

This theoretical possibility of seeing papal teaching authority in a more favorable light is now being actualized. Roman Catholics are rethinking their position, and this suggests that Lutherans may well ask themselves

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[6] *Lumen gentium* 25.

[7] Theodore G. Tappert, ed., *The Book of Concord: The Confessions of the Evangelical Lutheran Church* (Philadelphia: Fortress, 1959) 320–35.

[8] DS 1451–92.

[9] Tappert 168–80.

[10] Tappert 168 ff.

[11] Tappert 175; *Eucharist and Ministry* 19; *Papal Primacy and the Universal Church* 25 ff.

whether the Roman Catholic doctrine of papal infallibility, even if not something which they would be able to affirm for themselves, need continue to be regarded by them as anti-Christian and therefore as a barrier to the unity of the churches. Catholics, on the other hand, must ask themselves whether their view of the papal teaching office and its infallibility can be so understood and presented as to meet the legitimate concerns of those Christians who have traditionally opposed the doctrine.

I
A FRESH LOOK AT DOCTRINAL AUTHORITY
IN RELATION TO THE QUESTION OF INFALLIBILITY

4. Two areas of investigation have been especially helpful to us in examining infallibility afresh. First, the topic has been set in the broader horizon of doctrinal authority in the early Church, especially as examined in light of modern historical studies in Scripture and the Church Fathers. We set forth below not a complete historical survey but pertinent highlights from our discussions. Second, because of insights which arise when the question is examined in light of linguistic and cultural contexts, we have found ourselves able to think in ways which are different from earlier discussion. These influences have enabled us to view our mutual and individual concerns in new ways.

A) *Gospel and Doctrinal Authority in the Early Church:* *Biblical and Patristic Roots*

5. God, known to us above all through what He "has done for the salvation of the world in Jesus Christ,"[12] is the source and ground of authority for the Church of Christ. The gospel, the proclaiming of this saving action of God in the person, life, death, and resurrection of Jesus and made present in the Holy Spirit, is an expression of this authority. This gospel (*a*) was proclaimed by witnesses—apostles and others—in the early Church; (*b*) was recorded in the New Testament Scriptures, which have "a normative role for the entire later tradition of the Church";[13] (*c*) has been made living in the hearts of the believers by the Holy Spirit; (*d*) has been reflected in the "rule of faith" (*regula fidei*) and in the forms and exercise of church leadership; (*e*) has been served by Ministers.

1) Jesus Christ as Authority

6. In Jesus' day there were all sorts of authorities. For example, the

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[12] "The Gospel and the Church" (Malta Report of the Joint Lutheran/Roman Catholic Study Commission) sect. 16. German text in *Herder Korrespondenz* 25 (1971) 536–44; Eng. tr. in *Worship* 46 (1972) 326–51, and *Lutheran World* 19 (1972) 259–73. Hereafter referred to as Malta Report.
[13] Malta Report, sect. 17.

political authority was that of the Roman Empire. Israel recognized the
authority of the law (Torah), of the traditions (Mk 7:8) amplifying the
law set forth by the teachers (Mt 23:2), and of the Temple and its cult
administered by priests. In the New Testament authority is ascribed to
Jesus Christ (Jn 17:2; 5:27; Rev 12:10).

The New Testament pictures of Jesus are all influenced by the the-
ologies of various writers reflecting on his earthly life in the light of the
Easter event. Yet it is possible to discern, especially because of multiple
attestation in our sources, that Jesus' contemporaries associated various
kinds of authority with his words and deeds, even before his resurrection.

He was understood to be a prophet (Mk 6:2-4 and par.; Lk 7:39; 13:
33-34), to speak and act as one of the prophets of old (Mk 8:28 and par.;
Lk 7:16). Jesus was remembered as a man who taught with authority
(Mk 1:22). He not only interpreted the law, as the rabbis did, but he did
so with definitive authority (Mt 7:28-29, with reference to the Sermon
on the Mount). In the Gospel of Matthew he is depicted as speaking in
his own name, in contrast to "the men of old": "But *I* say to you ... "
(Mt 5:21-48).

Jesus was understood to have the authority of an exorcist because he
cast out demons and worked cures (Mk 1:27; Mt 12:27-28, par. Lk 11:19-
20; cf. Lk 9:1 and 10:17). These wonders aroused hopes that he might be
the expected King of Israel (Jn 6:14).

To him, as Son of Man, the Gospels ascribe the authority on earth to
forgive sins (Mk 2:5-10 and par.) and to interpret the Sabbath (Mk 2:23-
28 and par.). In Jerusalem, in the context of his teaching (Mk 11:17) and
the cleansing of the Temple (Mk 11:15-17), he was asked specifically,
"By what authority are you doing these things or who gave you this
authority?" (Mk 11:28).

Thus the New Testament authors see his authority, in various forms,
as a feature of his ministry. Here was "something greater than the
Temple" (Mt 12:6), greater than Jonah and Solomon (Mt 12:41-42), and
different from the power of "this world" (Jn 18:36).

7. After his death and resurrection, the authority of Jesus is seen in an
entirely new dimension. He is now declared to be risen and enthroned at
the right hand of God. He is acclaimed as the Lord, ruling with authority.
He is designated Son of God "with power" ... (Rom 1:3). To him "all
authority, in heaven and on earth," is given (Mt 28:18). He is exalted at
God's right hand (Acts 2:34-36), acclaimed as Lord (*kyrios*, Phil 2:9-11).
Now the Holy Spirit is poured forth as the Spirit of Christ (Acts 2:33;
Gal 4:6).[14]

Faith as trust and obedience is the proper response to the Lord Jesus
Christ (Rom 1:5; 10:8-10; Phil 2:12; 3:21). No one can confess him to be
Lord without the Holy Spirit (1 Cor 12:3). In the perspective of faith all

[14] On the work of the Holy Spirit, see further in paragraph 12 below.

creation is subject to him (Phil 2:10): he has a role in creation (1 Cor 8: 6; Jn 1:3) and in the preservation of the world (Heb 1:3); he will sit upon God's judgment seat (2 Cor 5:10; cf. Rom 14:10) as the one designated by God to judge the living and the dead (Acts 10:42). Past, present, and future are under the authority of Christ, in whom all God's promises are affirmed (2 Cor 1:20).

2) The Gospel as Authority

8. The risen Lord's authority and power in the Christian community are expressed in the gospel, that message of Christ crucified and risen which his followers proclaimed (1 Cor 1:21–23; 2:2; Rom 1:16; 4:25; Mt 26–28). It includes what Jesus himself had taught,[15] viewed in light of the Easter "good news" that "he is risen." This gospel, which is a word of power from God (Rom 1:16; cf. 1 Cor 2:5) and is truth (Gal 2:5, 14; cf. Eph 4:21), is expressed in various terms, as God's righteousness (Rom 1: 17, "justification"), reconciliation (2 Cor 5:18–21), and forgiveness of sins (Col. 1:14; Mt 9:2; Lk 4:18; Acts 10:43; 13:38). Indeed Christ is himself the gospel. This is true for Paul[16] and Mark[17] in particular. One can claim, indeed, that for the first two centuries of Christianity, "gospel" denoted "the revelation of Christ."[18]

3) The Gospel (a) Proclaimed by Witnesses

9. This gospel found expression in many ways, reflecting the Church's needs and the diverse cultures and literary forms of the day.[19] It was proclaimed orally and later written down. It took the shape of credal formulas and confessions of faith (1 Cor 12:3, "Jesus Christ is Lord"; 1 Cor 15:3–5); hymns (Col 1:15–20); letters (e.g., 1 Thess); catechetical material (1 Cor 6:9–11; Gal 5:19–23; Mt 5–7); miracle stories; narratives;

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[15] E.g., his message about the kingdom (Mt 4:17) and "all that I have commanded you" (28:20), which in Matthew's Gospel refers especially to the discourses in chaps. 5–7, 10, 13, 18, 24–25.

[16] Cf. André Benoît, "The Transmission of the Gospel," in *The Gospel as History,* ed. Vilmos Vajta (Philadelphia: Fortress, 1975) 147. Note the equation: Christ = the power of God (1 Cor 1:24) = the word of the cross (message about "Christ crucified," 1 Cor 1:18) = the gospel (Rom 1:16).

[17] Cf. Mk 8:35 and 10:20, where the two expressions are placed in parallel, "for my sake and the gospel's." Cf. Willi Marxsen, *Mark the Evangelist* (Nashville: Abingdon, 1969) 120–21, 136–37; J. A. Fitzmyer, "The Kerygmatic and Normative Character of the Gospel," in *Evangelium-Welt-Kirche,* ed. H. Meyer (Frankfurt: Lembeck-Knecht, 1975) 111–28; G. Strecker, "Literarkritische Überlegungen zum *euangelion*-Begriff im Markusevangelium," in *Neues Testament und Geschichte* (Zurich: Theologischer Verlag, 1972) 91–104.

[18] Damien van den Eynde, *Les normes de l'enseignement chrétien dans la littérature patristique des trois premiers siècles* (Gembloux: Duculot, 1933) 32–33.

[19] Cf. the Biblical Commission's *Instruction concerning the Historical Truth of the Gospels,* Rome, 1964; see *Theological Studies* 25 (1964) 402–8.

and eventually gospel books and apocalypses large (Revelation) and small (Mk 13). It was proclaimed in baptism (Mt 28:19) and the Lord's Supper (1 Cor 11:26). It was spoken, in the New Testament period, in Aramaic, Greek, Latin, and probably other languages. It employed images from the Hebrew Scriptures and from the cultures of the ancient Near East and the Hellenistic world. The gospel addressed needs of the Christian community in preaching, teaching, worship, and every aspect of daily life.

10. The witnesses who set forth this gospel shared in the authority of Jesus Christ. During his earthly ministry Jesus had sent forth disciples to carry on his mission by proclaiming the message about the kingdom of God (Mk 3:15; 6:7; Mt 4:23; 9:35). After Easter the risen Lord commissioned followers with his authority to go forth into all the world, to the close of the age (Mt 28:19-20), and promised them his presence in their corporate mission as his Church (Mt 18:20). When they proclaimed his word, they shared in the authority of Jesus himself. Jesus said, "He who hears you hears me" (Lk 10:16; cf. Mt 10:14, 40; Jn 17:18; 20:21). The witnesses to Jesus are enumerated in such groupings as apostles, prophets, teachers, evangelists, pastors, etc.,[20] and in lists of names such as those of "the Twelve."[21] Although those who exercised this apostolic Ministry are often anonymous and little is known about them, their boldness, confidence, and assurance are striking.[22] They did not hesitate at times to assert that the Holy Spirit guided the decisions they had made (Acts 15:28, "It has seemed good to the Holy Spirit and to us"); they invoked anathemas on those who preached a false gospel (Gal 1:6-9). Their statements reflect confidence that the truth of their message is ultimately anchored in God.[23]

4) The Gospel (b) Recorded in Scripture

11. In the period before the New Testament writings were composed and collected, the authoritative gospel about Christ was a spoken message transmitted by apostolic witnesses. Hence one can speak of "the Tradition of the Gospel (the *paradosis* of the *kerygma*)" by which Christians

[20] 1 Cor 12:28; Rom 12:6-8; Eph 4:11. Cf. *Eucharist and Ministry* 10, n. 6.

[21] Mk 3:16-19; Mt 10:2-4; Lk 6:14-16; Acts 1:13, 6:5.

[22] Cf. Acts 2:29 and 4:13, referring to the boldness of Peter and John, who had "been with Jesus." The Church in Jerusalem prayed "to speak the word with boldness" (4:29, cf. 31), and the Book of Acts closes with an emphasis on preaching and teaching "with boldness" (28:31). Cf. 1 Thess 2:3, 2 Cor 4:3, Eph 3:12, and 1 Tim 3:13 as examples in the Pauline corpus.

[23] Paul stressed that his gospel was not "man's gospel" but came through a revelation of Jesus Christ (Gal 1:11-12). Heb 6:19 states that God provides "a sure and steadfast anchor." In Heb 11:1 ff., faith is viewed as assurance. Assurance is particularly a concern in Luke-Acts; cf. Lk 1:4, " ... that you may know the truth (assurance) concerning the things of which you have been informed."

lived.[24] To be sure, the Christian community did have a Bible in what we term the Old Testament; these Scriptures were regularly interpreted in light of Jesus Christ and the good news about him (Lk 24:27, 45).

But to meet needs of their day and to offer their testimony in a more enduring form, the early witnesses wrote letters, Gospels, and other books, beginning about A.D. 50. Within the next fifty to one hundred years all twenty-seven books eventually designated as New Testament Scripture were composed,[25] and during the second, third, and fourth centuries these were assembled into the authoritative collection of books which we call the canonical New Testament. This collection provides a written precipitate of the primitive Church's faith. It witnesses to Christ, pointing to ways in which the gospel had been set forth. It was written "that you may believe that Jesus is the Son of God, and that believing you may have life in his name" (Jn 20:31). The canonical collection,[26] which includes the Old and New Testaments, is normative and authoritative for all the Church's statements of faith and teaching.

5) The Gospel (c) Made Living by the Spirit

12. The Spirit of God has been at work in every stage of the transmission of the gospel. No one can confess Jesus as Lord (1 Cor 12:3) or witness to him (Jn 15:26-27) apart from the Holy Spirit. Moreover, the Spirit is associated with Jesus' promise, "when the Spirit of truth comes, He will guide you into all the truth; for He will not speak on His own authority, but whatever He hears He will speak, and He will declare to you the things that are to come" (Jn 16:13). The Spirit is active not only in the inspiration of Scripture but also in the reception and further transmission of the message. The inspiration of Scripture is to be understood within the setting of the early Christian community. It is a unique work of the same Spirit who through the ages enlivens Christ's people with His gifts and brings them to assurance of faith. The Spirit-filled community plays an authenticating role in the reception of Scripture and the gospel.

[24] *Faith and Order Findings* 2 (Montreal, 1963) sect. 45. "Kerygma" means "proclamation" and here denotes the apostolic gospel. "Paradosis" is the Greek word for "transmission" or "that which is transmitted" orally, and is used in the New Testament in a positive sense for Christian traditions at 1 Cor 11:2 and 2 Thess 2:15, 3:6; cf. 1 Cor 11:23 and 15:3 for the verbal form. It was a feature of the Montreal statement to refer "the Tradition" (with a capital) to the New Testament witnesses, and "traditions" (lower case) to the subsequent individual confessional developments of various churches. Cf. *Peter in the New Testament,* ed. R. Brown, K. Donfried, and J. Reumann (Minneapolis and New York: Augsburg and Paulist, 1973) 167, n. 61.

[25] 1 Thessalonians is dated around A.D. 50. Most New Testament books were composed by the end of the century. Some would date 2 Peter towards the end of the first half of the second century. Cf. *Peter in the New Testament* 17.

[26] The Catholic and Lutheran traditions agree on the twenty-seven books which comprise the New Testament canon.

6) The Gospel (d) Summarized in the regula fidei

13. Brief summaries of the apostolic preaching were already developed in the first Christian generation. Some were in writing before that generation ended (cf. 1 Cor 15:3 ff.) and others were recorded in the second-generation Christian literature, including those documents that were later recognized as part of the canon of the New Testament (Titus 3:5-7; cf. 1 Clem. 32:3-4). These summary statements, often used in the context of baptism, were responses to the challenges of their day and guides to discerning the truth of the gospel. They continued to be fashioned in the second century, and the Church Fathers could describe such formulations as "the canon of the truth" (Irenaeus), "the rule of faith" (regula fidei, esp. Tertullian). From such summary statements developed the Old Roman Symbol from which is derived the Apostles' Creed. In the third and fourth centuries these confessions of local churches grew into authoritative statements of faith, stressing central truths and affirming particular points that had become crucial. This development reached a climax in the conciliar creeds of Nicaea-Constantinople (A.D. 325, 381), which took up and reformulated credal statements of previous generations.[27]

7) The Gospel (e) Served by Ministers

14. Along with the emergence of Scriptures and credal statements in this period, forms of church leadership also developed. The apostles, prophets, teachers, episkopoi, deacons, presbyters, and evangelists[28] of the first century were succeeded by others who carried on their witness. There developed an idea of "succession to the apostles," which has been interpreted as succession in doctrine, or as succession in office, or both.[29]

15. Of special relevance in the light of later developments is the "Petrine function" as delineated in the New Testament.[30] Among other

[27] Representative texts are conveniently gathered in DS 1–75, and in Philip Schaff, The Creeds of Christendom 2 (New York: Funk and Wagnalls, 1890) 11–41. Cf. Irenaeus, Adversus haereses 1, 10, 1; 3, 4, 1–2; 4, 33, 7; and further, for his salvation-history approach, Proof of the Apostolic Preaching, tr. J. P. Smith, in Ancient Christian Writers 16 (Westminster, Md.: Newman, 1952); also Tertullian, De virginibus velandis 1; Adversus Praxean 2; De praescriptione haereticorum 13, 36. On development from credal elements in the New Testament via the rule of faith to the Old Roman Symbol and later creeds, cf. J. N. D. Kelly, Early Christian Creeds (3rd ed.; London: Longmans, Green, 1972).

[28] For the development of a pattern of the threefold ministry, deacon, presbyter (priest), bishop, cf. J. F. McCue, "Apostles and Apostolic Succession in the Patristic Era," in Eucharist and Ministry 138–71; cf. also ibid. 10, n. 6, and J. D. Quinn, "Ministry in the New Testament," ibid. 69–100, which has now appeared in revised form in Biblical Studies in Contemporary Thought, ed. M. Ward (Somerville, Mass.: Greeno, Hadden, 1975) 130–60.

[29] Cf. Eucharist and Ministry 12; Malta Report, sect. 15; Anglican-Lutheran International Conversations (London: SPCK, 1973) 17 ff., sects. 73–74; Lutheran-Episcopal Dialogue: A Progress Report (Cincinnati: Forward Movement Publications, 1973) 20–22.

[30] Papal Primacy and the Universal Church 11; Peter in the New Testament 162 ff.

texts, Mt 16:18 has served to assure the faithful that "the powers of death shall not prevail" against the Church.[31] Peter, who is presented there as the "rock" on which the Church is to be founded, is the one for whom Jesus prayed that his faith might not fail (Lk 22:32); he has thus been associated with the notion of indefectibility.[32] Power and authority have also been associated with the image of Peter, to whom the "keys of the kingdom" are entrusted (Mt 16:19) and who has, along with others (Mt 18:18), the task of "binding and loosing."[33] Alongside of this, the Petrine function has been seen, in the light of Lk 22:32, as one of "strengthening the brethren," a responsibility which Peter also shares with others (Acts 15:32).[34]

However such passages are interpreted,[35] Peter's role should be understood in relation to Jesus' promise to remain with his disciples until "the close of the age" (Mt 28:20). The extent to which this promise includes a guarantee of Christian preaching and teaching is a question which Scripture does not answer.

16. Infallibility is not a New Testament term. It is used neither of the gospel nor of its proclamation, let alone of books, doctrines, or persons. Yet the New Testament is concerned with many of the issues that arise in later theological discussions of the authority and infallibility of Scripture, Church, councils, and popes.

The Pastoral Epistles in particular display a special awareness of the problem of the faithful transmission of the gospel. The author directs Titus to "amend what is defective and appoint elders in every town" (Titus 1:5), and Timothy to "charge certain persons not to teach any different doctrine" (1 Tim 1:3). Timothy is told, "Guard what has been entrusted to you" (1 Tim 6:20; cf. 2 Tim 1:12, 14). The key virtue of the apostolic ministry which Timothy and Titus share is faithfulness (Titus 1:7-9; 2 Tim 2:2). From this faithfulness should flow their bold proclamation of the gospel (Titus 2:15; 1 Tim 4:11-16). They share in and contribute to the solid assurance that belongs to "God's firm foundation" (2 Tim 2:19; cf. 1 Tim 3:15).[36]

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[31] *Peter in the New Testament* 83 ff.

[32] Cf. Lk 22:32 Vulgate, "Ut non deficiat fides tua" ("In order that your [singular] faith may not fail").

[33] *Peter in the New Testament* 95 ff.

[34] Ibid. 49 f.

[35] Ibid. 157 f.

[36] The phrase at 1 Tim 3:15, "pillar and bulwark of the truth," may be understood of the church, local or universal, or of Timothy as a minister. It was later applied to the gospel, the Spirit, the four Gospels, and even an individual Christian. For details see J. D. Quinn, "On the Terminology for Faith, Truth, Teaching, and the Spirit in the Pastoral Epistles," to be published in Volume 6 of the dialogue. The history of interpretation of the verse points to places where assurance of the truth has been sought.

B) *Gospel and Doctrinal Authority in Subsequent Centuries*

17. The concern for faithful transmission did not diminish during the following centuries. The Church Fathers emphasized the normative past and the Church's task of preserving the "deposit of faith." They trusted that the Holy Spirit would protect the gospel against false teaching. The earliest history of the appeal to an unbroken line of apostolic teaching is unclear. But in the late second century, especially in the struggle against Gnosticism, the Fathers linked the reliable transmission of apostolic teaching to episcopal sees regarded as founded by apostles. The doctrine transmitted in these sees became important for the councils, which endeavored to set forth authoritative interpretations of "the faith . . . delivered to the saints" (Jude 3).

18. Among these sees Rome gained special importance. At first the Roman bishops did not take much initiative in the doctrinal controversies, which took place mainly in the East. By the middle of the third century, however, they seem to have assumed special responsibility for preserving and interpreting the faith of "antiquity" because of the prerogatives of the See of Peter (*cathedra Petri*).[37] Some Roman emperors included the faith of the bishop of Rome in the official norm of orthodoxy, and the biblical image of the Church "without spot or wrinkle" (Eph 5:27) began to be applied to the church of Rome. Rome became *the* apostolic see. As Pope Innocent I put it, from Rome "the other churches, like waters proceeding from their natal source . . . (like) pure streams from an uncorrupt head, should take up what they ought to enjoin."[38] As the Formula of Pope Hormisdas (A.D. 515) declared, in Rome "the catholic religion has always been preserved immaculate."[39] The conviction that Rome had always defended the purity of the faith continued on into the Middle Ages, and it found expression in such influential documents as the Pseudo-Isidorian Decretals, in statements by popes and theologians, and in collections of canon law.

19. There were, however, challenges to such claims, both in the East and in the West. Eastern Christians regarded Rome as one of several apostolic sees to which protection of the pure faith had been entrusted. The faithfulness of such popes as Liberius, Vigilius, and Honorius was questioned. Even in the Early Middle Ages Western metropolitans could

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[37] According to the research of Pierre Batiffol, Stephen I (254–57) was apparently the first bishop of Rome to claim explicitly that he held the *cathedra Petri* by succession, but several years earlier Cyprian had argued that "Rome possessed the church instituted first of all in the person of Peter," i.e., the *ecclesia principalis,* the *cathedra Petri.* See P. Batiffol, *Cathedra Petri: Etudes d'histoire ancienne de l'église* (Paris: Cerf, 1948) 13–14; cf. 135–42, 150, 178–81.

[38] Epistle *In requirendis* (DS 217; Mirbt-Aland [6th ed.] no. 403); E. Giles, *Documents Illustrating Papal Authority* (London: SPCK, 1952) 201.

[39] DS 363; Mirbt-Aland, no. 470.

see it as their duty to contradict papal decisions if necessary. Prophetic voices, from the eleventh century on, warned that the pope might be an antichrist rather than the faithful preserver of the gospel.[40] It was readily admitted that individual popes of the past had been in error on specific points of doctrine, and the canonical tradition reckoned with the possibility that a pope might deviate from the faith.[41] Yet the formula that the Roman church "has never erred" survived, even though the expression *ecclesia Romana* was by no means unambiguous, particularly in its reference to the universal Church.

20. On the basis of the belief that Rome had never deviated from the truth, it came to be held that in the future Rome would be immune from error: the Roman church or the Roman bishop cannot err. While such a claim started appearing almost casually with Pope Gelasius (A.D. 492–96),[42] it did not imply that Rome could formulate "new doctrine," since novelty was the mark of heresy. Reformulations when attempted by bishops, synods, or councils were intended to affirm what had been handed down. Reception by the Church at large was undoubtedly a major factor in establishing the authoritativeness of such statements.[43] Roman bishops from the fourth century on regarded their "confirmation" of conciliar actions as an indispensable sign of authoritative teaching. Their own doctrinal decisions, however, needed to be accepted by secular authorities, councils, and fellow bishops in order to be enforced. With the growing practice of appealing to Rome, papal decisions came to be regarded in matters of faith as the last word, from which there could be no further appeal.[44] Popes since Siricius (A.D. 384–99) appealed to the Petrine function of "strengthening the brethren" (Lk 22:32) and to "solicitude for all the churches" (2 Cor 11:28), in order to establish their teaching authority. The legal maxim that "the first see is judged by no one,"[45] which appeared first in the sixth century, was later interpreted as ensuring the pope's highest teaching authority in matters of faith and

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[40] H. Grundmann, "Die Papstprophetien des Mittelalters," *Archiv für Kulturgeschichte* 19 (1929) 77–138; H. D. Rauh, *Das Bild des Antichrist im Mittelalter,* in *Beiträge zur Geschichte der Philosophie und Theologie des Mittelalters,* NF 9 (Münster, 1973).

[41] B. Tierney, *Foundations of the Conciliar Theory* (Cambridge: Cambridge University Press, 1955) 57–67 and passim.

[42] Epistles 1, 27, 34; 12, 6. See R. Eno, "Some Elements in the Prehistory of Papal Infallibility," to be published in Volume 6 of the dialogue.

[43] See Eno, ibid. For the concept of "reception," also Y. Congar, "La réception comme réalité ecclésiastique," *Revue des sciences philosophiques et théologiques* 56 (1972) 369–403.

[44] The earliest instances are found in letters of Pope Zosimus (417–18) and Pope Boniface I (418–22).

[45] See A. M. Koeniger, ed., "Prima sedes a nemine judicatur," in *Festgabe für Albert Ehrhard* (Bonn and Leipzig: K. Schroeder, 1922; reprint, Amsterdam: Rodopi, 1969) 273–300.

morals. It was restated in the era of the Gregorian Reform in terms of immunity from appeal and also on the basis of Christ's unfailing prayer for the faith of Peter (Lk 22:32). Shortly thereafter, Thomas Aquinas could describe the pope as the one to whose sole authority it belongs to "edit a new version of the creed,"[46] and whose judgment in matters of faith must be followed because he represents the universal Church, which "cannot err."[47]

21. In this context the language of "infallibility" first came to be associated with the papal magisterium. According to some recent historical research, this usage was occasioned by the controversy over poverty in the Franciscan Order during the late-thirteenth and early-fourteenth centuries.[48] Advocates of a rigorist position used the word to defend the binding authority of statements by earlier popes against the decisions of their successors. A theologian of the fourteenth century, Guido Terreni, was the first to speak expressly of the "infallible" truth of the teaching of the Roman pontiff in matters of faith.[49]

22. To be sure, the term "infallible" had been used earlier with reference to God's truth, His revelation, the Church's normative teaching, and in similar contexts. It continued to be used with reference to the norm of the Word of God and Holy Scripture in the churches of the Reformation. But with the discussions of the thirteenth and fourteenth centuries it had taken on a new, highly technical meaning.

23. Whatever one may think about the appropriateness of the term "infallible," it points to the unavoidable issue of the faithful transmission of the gospel and its authoritative interpretation, guided by the Spirit.

C) Doctrine and the Cultural Context

24. Lutherans and Catholics share the confidence that the Spirit is present and guides Christian teaching not only in the first periods of church history but also in later developments. Both accept, for example, not only Scripture and the rule of faith (regula fidei) as formulated in the Apostles' Creed, but also solemn declarations by early ecumenical councils, such as the creeds of Nicaea-Constantinople, and statements of

[46] Sum. theol. 2-2, q. 1, a. 10, corpus. See Y. Congar, "St. Thomas and the Infallibility of the Papal Magisterium (S. Th. II-II, q. 1, a. 10)," Thomist 38 (1974) 81–105.

[47] Quodlib. 9, q. 7, a. 16.

[48] This is the thesis of the book by B. Tierney, Origins of Papal Infallibility (Leiden: Brill, 1972).

[49] The text was published by Bartholomaeus M. Xiberta, O.Carm., under the title Guidonis Terreni Quaestio de magisterio infallibili Romani pontificis (Opuscula et textus, Series scholastica et mystica, fasc. 2; Münster: Aschendorff, 1926). For other instances of this use of the term, see Paul de Vooght, "Esquisse d'une enquête sur le mot 'infaillibilité' durant la période scolastique," in O. Rousseau et al., L'Infaillibilité de l'église: Journées oecuméniques de Chevetogne, Sept. 25–29, 1961 (Editions de Chevetogne, 1963) 99–146.

belief on a central point of doctrine, such as the so-called Athanasian Creed, which focuses on the Trinitarian faith. Further, Lutherans have their confessional writings, and Catholics, various later dogmas. The churches have traditionally attached a high degree of authority to such formulations of their teaching, so that to deny the faith confessed in these documents has been seen as amounting to a rejection of the gospel.

25. By Christ's own commission, the gospel had to be preached in diverse civilizations and cultures, and to be transmitted from generation to generation to the close of the age. This communication of the gospel has implied that the Church has the obligation and the authority to formulate its faith in such a way that this faith can be recognized and believed. Such an authority is spiritual, for it is fundamentally the authority of the Spirit guiding the faithful. It is evangelical, for it is the authority of the gospel (the evangel) itself, knowledge of which is transmitted through the Church's preaching and teaching. It is apostolic, for it is rooted in the early apostolic commission and community. It is centered upon Christ, the Word of God Incarnate who is the one mediator (1 Tim 2:5–7) of God's self-revelation to humankind.[50] It derives from God's gracious gift and not from any human work or merit. It is not a product of human culture or philosophy.

26. For our two traditions, the saving faith by which the gospel is received and believed has a noetic or intellectual aspect. Because human persons live in concrete cultural contexts, the gospel must be proclaimed in ways that speak to their culture. As cultures evolve, new emphases in the proclamation of the gospel may be needed, new conceptualizations may take shape, new formulations may become urgent. The formulation of the gospel, therefore, presents two aspects: the particular form in which the message is presented and understood, and the truth and certainty of the message itself. On the one hand, with respect to the form in which the message is presented, human language remains inadequate to the transcendent mystery of God and to the fullness of the paschal mystery of Jesus Christ. On the other hand, with respect to the truth and certainty of the message, Christians trust that through their Scriptures, their creeds, their conciliar definitions, and their confessional writings, they are led by the Holy Spirit to the truth of the gospel and to an authentic life of faith.

27. The historical-cultural context of the Christian faith, which at times demands reformulation of the Church's teaching, makes it necessary for the Church to develop structures concerned with the task of reformulation. The members and leaders of the Church must listen

[50] To emphasize the revelation in Christ does not detract from the revelation of God through nature or in the Old Testament.

carefully both to the diverse human cultures in order to be able to use their language, and to the Church's own past in order to maintain the proper continuity in the teaching of the Christian message. They must compare both the traditional understandings and contemporary refor-mulations of this message to the normative witness of the Scriptures.[51] Both Catholics and Lutherans believe that the Spirit will guide the process of reformulation so that the Church remains faithful to the gospel. They trust God's promise that the Church of the future will likewise be assisted by the Spirit in its missionary task.

28. This trust that the Holy Spirit guides the Church in transmitting the Christian message to new generations in fidelity to the gospel (cf. Jn 16:13) has given rise to the concept of the indefectibility of the Church, a term which is known to both the Lutheran and Catholic traditions. Indefectibility, like infallibility, has reference to the preservation of the Church thanks to the work of the Holy Spirit. But the two terms are not synonymous. Indefectibility refers to the continued existence of the Church in all its essential aspects, including its faith. Such fidelity is not an automatic quality of everything that the Church's leaders may say or endorse, but is the result of divine grace. It is recognized by testing the Church's faith and life by the standard of the Word of God. Infallibility has reference to an immunity from error in specific beliefs and teachings.[52] Even though protected by infallibility, such beliefs and teachings none-theless reflect a merely partial understanding of the gospel, and may be inopportune or poorly expressed. Whatever their differences with regard to infallibility, the Lutheran and Catholic traditions share the certainty of Christian hope that the Church, established by Christ and led by his Spirit, will always remain in the truth fulfilling its mission to humanity for the sake of the gospel.

29. Thus both our communions hold that the gospel of Christ is transmitted within the body of believers, the people of God. "The Spirit dwells in the Church and in the hearts of the faithful as in a temple."[53] Through the guidance of the Spirit, who distributes different gifts for the welfare of the Church, there is a unity of fellowship and service which is a sign that Christ is building up the Church as his own body. The gospel is transmitted in a special way in preaching and the sacraments, through which Christ unites his people to himself. Yet our two communions have sought to assure this transmission of the gospel along different lines.

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[51] *Mysterium ecclesiae* (*AAS* 65 [1973] 402-3).

[52] See Avery Dulles, "Infallibility: The Terminology," to be published in Volume 6 of the dialogue.

[53] *Lumen gentium* 4.

II

CATHOLIC AND LUTHERAN EMPHASES

A) *Catholic Emphases*

30. In the contemporary Roman Catholic understanding of the Church, it is emphasized that the transmission of the gospel is the responsibility of the whole people of God. Within this people the college of bishops has a special role. Working together with priests, deacons, and laity, the bishop helps the believers to hear the Word of God in the preached word, in the sacraments, and in the life of the community.

The bishop, as a member of the episcopal college, has a responsibility not only to the local community but also to the Church universal. Each bishop represents his local church, but all the bishops together in union with the pope represent the entire Church.[54] The episcopal college exercises its authority in a solemn way through an ecumenical council, and also in an ordinary way through the unity of the bishops dispersed throughout the world.[55]

31. Within the episcopal college the bishop of Rome has a unique function as head of the college. This function has many aspects.[56] One of these has been to supervise the transmission of doctrine in order that the faith of the people of God may be kept in its integrity and authenticity and may bear the fruit of a holy life. Teaching at the higher levels of authority has been exercised (1) through conciliar action, (2) in occasional papal statements, (3) through the guidance and supervision provided, under the pope, by the Roman congregations, secretariats, and commissions.

32. The highest authority in the transmission of doctrine has been exercised in definitions of faith made by councils or by the bishop of Rome speaking *ex cathedra*. By virtue of divine assistance,[57] the bishop of Rome is then acting with the infallibility with which the Church is endowed. Such a definition depends on the guidance of the Holy Spirit and is "irreformable."[58]

33. The Catholic belief that such definitions can be made implies:

a) the confidence that, when the bishop of Rome is the agent of the definition, he acts subject to conditions imposed by the Word of God and the faith of the Church, with the careful investigation and study that the seriousness of the action and the conditions of the time require and permit;[59]

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[54] Ibid. 23.

[55] Ibid. 22.

[56] Ibid. 18, 22, 23, 25.

[57] DS 3074. Cf. M. C. Duchaine, "Vatican I on Primacy and Infallibility," in *Papal Primacy and the Universal Church* 148.

[58] Ibid. 148 f.

[59] *Lumen gentium* 25; Duchaine (n. 57 above) 149.

b) the recognition that the irreformability of definitions does not rule out further research, interpretation through the hermeneutical process, various applications to the life of worship and piety, and new formulations that are called for if fidelity to the Word of God expressed in previous Catholic definitions is to be maintained, and if the needs of new historical or cultural situations are to be met;

c) the acknowledgment that the exercise of infallibility is open to historical investigation, that points of doctrine that have been said to be infallibly proclaimed may in fact not have been so proclaimed, and that there is no official list of *ex cathedra* definitions;

d) the trust that, thanks to the *sensus fidelium*, assent to a definition of faith will not be lacking.[60]

B) *Lutheran Emphases*

34. In protest against what were viewed as distortions of Christian truth, the Lutheran Reformers insisted on the priority, objectivity, and authority of the address of God to His creatures in His Word. The Word of God has priority: the initiative is God's. It has objectivity: God's Word comes as His address to us; it is not a figment of our mind or imagination. Authority resides ultimately in the power of the proclaimed Word to convict of sin and convince of grace. Given the depth of sin and the resultant human capacity for self-deception, it is necessary that sinners look only to God and His promise for their hope of salvation. All things are created good, but their goodness has been rendered ambiguous by sin, and therefore not even the greatest of God's gifts in the realm of creation can be trusted apart from the promise of God in the gospel of Jesus Christ. Human reason, morality, religious experience, and church structures all have their value, but can all be deceptive guides apart from God's self-disclosure in Christ.

35. The Lutheran understanding of the way that the gospel is communicated in the Church is expressed concisely in the Smalcald Articles: " ... The Gospel ... offers counsel and help against sin in more than one way, for God is surpassingly rich in grace: first, through the spoken word, by which the forgiveness of sin (the peculiar [*eigentlich*] office of the gospel) is preached to the whole world; second, through baptism; third, through the holy Sacrament of the Altar; fourth, through the power of the keys; and finally, through the mutual conversation and consolation of brethren. ... "[61]

The grace of God is thus made known and communicated in several distinct ways: proclamation, baptism, Eucharist, confession and absolution, and the mutual edification of the life of the community. Luther emphasizes that proclamation is the oral announcement of God's love

[60] *Lumen gentium* 25.
[61] Tappert (n. 7 above) 310.

and mercy in Christ by one person to others. The Church, he stresses, is a "mouth-house" and not a "book-house."[62] In his speech to us God uses things He has created: human language, rites involving words and signs, human community, and the Church itself.

36. For the Lutheran Reformers, the signs of the apostolicity or genuineness of the Church are twofold: the actual proclamation of the gospel of God's love for sinners and the administration of the sacraments according to Christ's command. Where these two signs are present, one can be sure that Christ is at work, and where Christ is, there is the Church. Recognition of both signs depends upon the Spirit's illumination and guidance. Both signs, therefore, drive the community back to the Word of God, where God grants the decisive disclosure of His will.[63]

37. For the authentication of the Church's proclamation of God's grace and love, the Lutheran Reformation looked primarily to the Word of God in Scripture. Even though modern historical study and the cultural relativity of all language complicate the process of interpretation, the Word of God as it is communicated to us in the Scriptures remains the final judge of all teaching in the Church.

38. The Reformers looked to tradition in the form of creeds and confessions as a secondary guide to the establishment of sound teaching. These texts, themselves the products of the Church's witness and often of theological controversy and struggle, show how the Scriptures were understood at certain critical periods in the life of the Church. The creeds and confessions also supply hermeneutical guidance for our reading of the Scriptures today.[64] Like the Scriptures, they too are expressed in human language, which is always relative to its culture and historical situation. They, therefore, are also in need of interpretation.

39. The traditional organs for continuing this process of interpretation were largely lost to the Lutheran churches at the time of the Reformation. The Reformers had a high regard for the authority of ecumenical councils and wished to maintain the historic ecclesiastical order, although they were unable to do so because of polemical conditions in the sixteenth century.[65] As a result, they were forced to rely heavily upon the princes and their theological advisers not only in the governance of the Church but also in the formulation and acceptance of the Lutheran confessional writings. At present, Lutheran churches are organized in many different forms, episcopal, presbyterian, and congregational, depending upon the historical circumstances of their development. Doctrinal interpretation and discipline are accordingly exercised in a great variety of ways. These

[62] Weimarer Ausgabe 10¹, 1, 17; 10¹, 1, 626; 12, 259.
[63] Tappert 310.
[64] Ibid. 464–65, 503–6.
[65] Ibid. 214 f.

provisional arrangements have provided a platform, though not the most adequate, for Lutherans in the twentieth century to confess together their faith as a world-wide communion. Lutheran communities, while rejoicing that these arrangements have helped to protect them from disintegration on the one hand and from excessive centralization and the sacralization of ecclesiastical power on the other, are increasingly sensitive to the shortcomings of their structures for teaching and mission in a world-wide ministry.

C) *Common Ground and Divergences*

40. There are notable differences in emphasis and in structure between Lutherans and Catholics. There is also a considerable common ground. Both communities have emphasized the authority of Christ, of the gospel, of Scripture, and of subsequent tradition, though in different ways and proportions. Lutherans have stressed Christ's presence and power in the Word proclaimed and also made visible in the sacraments. Catholics have, in addition, stressed his presence and power in the continuity of the Church as his body socially present and organized. There have been correlative differences in institutional structures, especially relating to authoritative teaching. Catholics have insisted on the authority of the Church's institutions, particularly of the structures of the Ministry of bishops and priests under the primacy of the bishop of Rome. But Lutherans have had to create other institutions, which, though intended to be provisional, have become part of the contemporary Lutheran patrimony. In both churches the structures are intended as means to promote the gospel. But as institutions become established, they tend to become ends rather than means. Each church has the responsibility of protecting its spiritual vitality against the weight of its institutions. And the two churches together have the responsibility of seeking ways of convergence, both at the level of doctrinal emphasis and at that of institutional structure.

III

CONVERGENCES

41. The context within which the Catholic doctrine of papal infallibility is understood has changed. Lutherans and Catholics now speak in increasingly similar ways about the gospel and its communication, about the authority of Christian truth, and about how to settle disputes concerning the understanding of the Christian message. One can truly speak of a convergence between our two traditions. The following instances of this convergence are significant. Our churches are agreed:

1) that Jesus Christ is the Lord of the Church, who discloses his gracious sovereignty through the proclamation of the apostolic gospel

and the administration of the sacraments;

2) that the Word of God in the Scriptures is normative for all proclamation and teaching in the Church;

3) that the apostolic Tradition in which the Word of God is transmitted, while normative for all other tradition in the Church, is interpreted within the family of God with the assistance of tradition in the form of creeds, liturgies, dogma, confessions, doctrines, forms of church government and discipline, and patterns of devotion and service;

4) that in accordance with the promises given in the Scriptures and because of the continued assistance of the risen Christ through the Holy Spirit, the Church will remain to the end of time;

5) that this perpetuity of the Church includes its indefectibility, i.e., its perseverance in the truth of the gospel, in its mission, and in its life of faith;

6) that among the means by which Christ preserves the Church in the truth of the gospel, there is the Ministry of Word and sacrament, which will never perish from the Church;

7) that there are Ministries and structures[66] charged with the teaching of Christian doctrine and with supervision and co-ordination of the ministry of the whole people of God, and that their task includes the mandate for bishops or other leaders "to judge doctrine and condemn doctrine that is contrary to the gospel";[67]

8) that there may appropriately be a Ministry in the universal Church charged with primary responsibility for the unity of the people of God in their mission to the world;[68]

9) that this Ministry to the universal Church includes responsibility for overseeing both the Church's proclamation and, where necessary, the reformulation of doctrine in fidelity to the Scriptures;

10) that in the Church universal the harmony between the teaching of the Ministers and its acceptance by the faithful constitutes a sign of the fidelity of that teaching to the gospel;[69]

11) that the Church in every age is able under the guidance of the Spirit to find language and other forms of witness which can communicate the gospel to persons living in different cultures, that no human language succeeds in exhausting the diversity and richness of the gospel, and that no doctrinal definition can adequately address every historical or cultural situation.

In the light of these convergences, Catholics can better appreciate the

[66] E.g., ecumenical councils and synods.

[67] Tappert 84.

[68] See *Papal Primacy and the Universal Church* 21.

[69] *Lumen gentium* 25.

significance of the Lutheran confession that the Church is indefectible. Specifically, the Lutheran trust that God will keep the Church in the truth of the gospel to the end has, in the context of Christian preaching and teaching, much in common with the Catholic concern for the Church's infallibility. Lutherans can recognize that Catholics affirm the supreme authority of the gospel and consider conciliar and papal infallibility as being subordinate to it.

42. This, to be sure, is not yet full agreement. Catholics, as well as many Lutherans, regret the absence in Lutheranism of a universal magisterium (i.e., of effective means of speaking to and for the whole Church), while Lutherans, as well as many Catholics, believe that the doctrine and practice of papal teaching authority and infallibility are not yet sufficiently protected against abuses. Catholics look upon the papacy, in view of its high responsibilities and the promises given to Peter, as especially assisted by the Holy Spirit. Lutherans think that Catholics have overconfidently identified the locus of the work of the Spirit with a particular person or office. Nevertheless, in the new context each side finds itself compelled to recognize that the other seeks to be faithful to the gospel. Further, given the convergence on the wider questions of authority and certainty in the Church, it becomes possible to hope that the two communions will be able to enter into further degrees of fellowship, while continuing to develop together their respective positions on infallibility.

43. These convergences, even though not complete, have concrete implications for the exercise of authority in the Church and for the method of settling disputes. The recognition of the primacy of the gospel enables us to see that Scripture, tradition, and church structures are means of transmission in the service of the gospel. While their subordination to the gospel message has never been actually denied, it has to some extent been overlooked in the past. Lutherans have a tendency to treat Scripture as if it were identical with the gospel or the Word of God, while Catholics have shown a similar tendency with regard to tradition and church structures. We have now become more aware of the varied forms of oral and written proclamation, of practice, and of structure through which the gospel was and is handed on in the Church. The one message must often be presented in new ways in order to address specific audiences with reference to their particular problems. One cannot simply repeat Scripture and tradition in order to be faithful to the gospel, but one must be open to new ways of structuring its transmission in the Church. While this need has been recognized in the creative periods in the Church's life, it has often been ignored by theologians and church authorities, sometimes with unfortunate results.

44. Moreover, historical work has led to a better understanding of the

relation of tradition and Scripture. Oral proclamation preceded the composition and collection of the writings of the New Testament.[70] Despite the polemics of the past, "Scripture can no longer be exclusively contrasted with tradition, because the New Testament itself is a product of primitive tradition."[71] Understood as the total process in which the gospel and Scripture itself are transmitted, tradition cannot be regarded as "merely human words." From this point of view Lutherans highly value liturgies, creeds, and confessions as embodiments of tradition.

45. In the Catholic Church there is a renewed appreciation of the privileged authority of Scripture. Scripture is the fount of virtually all we know of the founding Tradition, and is moreover the primary witness to the gospel. Catholic theologians now generally agree that there is no second source alongside Scripture which witnesses to the original revelation. Scripture is normative for all later tradition, and some Catholic theologians also find it possible to speak, as did the Reformers, of Scripture as the *norma normans non normata* and thus, in a certain sense, of *sola scriptura*.[72]

46. There is also a growing recognition of the need to restructure teaching authority in the Church. Although in the sixteenth century Lutheran churches spoke decisively on crucial doctrinal issues through the Confessions, they are deficient in the dimension of universality today.[73] Lutherans, like other Christians in our present divided state, lack the institutional means to participate with other Christian traditions in doctrinal decision-making. Thus they are confronted with the increasingly urgent need to develop new structures or adapt old ones in a way that will do justice to this universal aspect of their responsibility to the gospel.

47. Catholics increasingly recognize that all members of the people of God share in principle the responsibility for teaching and formulating doctrine. According to Vatican II, lay people "have the right and sometimes the duty to make known their opinion on things which concern the good of the Church."[74] The highest exercise of authority is itself fundamentally ecclesial, since the bishop of Rome acts in dependence on the faith of the Church.[75]

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[70] Cf. paragraph 5 above.

[71] Malta Report, sect. 17.

[72] For an argument in favor of Scripture as final norm (*norma normans non normata*), see Walter Kasper, *Glaube und Geschichte* (Mainz: Matthias-Grünewald, 1970) 188–90. Karl Rahner has repeatedly characterized Scripture as being in practice, for the contemporary believer, the only original, underived source of Christian revelation: e.g., in his *Theological Investigations* 6 (Baltimore: Helicon, 1966) 91–95. In this restricted sense, but without questioning the need for the authoritative testimony of tradition and magisterium, Rahner is prepared to defend a Catholic *sola scriptura* principle; see ibid. 98–112.

[73] But note the Lutheran World Federation as an international study and service agency.

[74] *Lumen gentium* 37; *Gaudium et spes* 62.

[75] *Lumen gentium* 25.

48. Moreover, structures can be developed that will make reciprocal relationships more apparent on all levels.[76] The laity should be enabled to participate in responsible discussions of doctrine, since they must witness to the faith. The clergy and theologians should be consulted, since they have a teaching responsibility. Bishops have always taken part in the consultations which have led to doctrinal definitions, but further ways of participation of the episcopal college in the definition of doctrine should be devised—for instance, through formal involvement of the episcopal conferences and of the synod of bishops.

49. The understanding of infallibility is affected not only by restructuring the process of defining doctrine but also by the new context created by the modern science of language. Whereas human languages have, at each moment, a recognizable structure, this structure does not remain stable through time. As the structure evolves, its impermanence affects all the formulations of human language. The formulations of Scripture and of doctrine also reflect the conditions prevailing at the moment when they take shape. The interpretation of such statements must accordingly take into account the historical circumstances which have called forth the formulation, the intentions of those who have drawn it up, and the religious and theological values they have attempted to assert or defend. Therefore, no statement, whether biblical or doctrinal, can be detached from its historical and cultural context if it is to be adequately understood.[77] Because the questions and concerns of our period differ from those of the nineteenth century, it becomes necessary to reinterpret or reformulate the concept of infallibility so that its valid theological insight may become more persuasive.

50. We already find ourselves in growing agreement on the practice of doctrinal authority. "Neither the *sola scriptura* principle alone nor formal references to the authoritativeness of the magisterial office are sufficient."[78] It is through Scripture, tradition, and teaching authority that the Spirit enables the believing community to settle disputes about the gospel. The convergences we have outlined provide both the context and the beginning of a reinterpretation of infallibility.

IV

CONCLUSION

51. In light of the considerations mentioned above, it is clear that doctrinal definitions should be seen as decisive moments in the continuing pastoral and theological search for a deeper understanding of the mystery of Christ. They should not be viewed as bringing to an end all previous

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[76] See *Papal Primacy and the Universal Church* 19–23.

[77] *Mysterium ecclesiae* (*AAS* 65 [1973] 402–4).

[78] Cf. Malta Report, sect. 18; *Dei verbum* 10.

developments or as making all further discussion superfluous. The ulti-
mate trust of Christians is in Christ and the gospel, not in a doctrine of
infallibility, whether of Scripture, the Church, or the pope. Thus infalli-
bility does not stand at the center of the Christian faith. Whatever
infallibility is ascribed to Scripture, the Church, or the pope, it is wholly
dependent on the power of God's Word in the gospel.

52. For Catholics, papal infallibility is now commonly discussed in the
context of the infallibility of the Church and in relation to confidence in
the faithful transmission of the gospel. As a consequence, the infallibility
of the Church takes on greater importance than papal infallibility. Cath-
olics, for whom the understanding of papal infallibility, though secondary,
is important, should not therefore regard the Lutheran rejection of papal
infallibility as equivalent to a denial of the central Christian message.
What is more, the unresolved differences between Lutherans and Cath-
olics on this matter need not, of themselves, preclude a closer union than
now exists between the two churches.

53. For Lutherans, the developments of the last two decades have
given a new outlook on the dogma of papal infallibility. Historical and
linguistic studies on the meaning of the dogma, the emphasis since
Vatican II on the collegial relationship of the pope and the bishops in
theology and practice, and the initiation of new styles of papal leadership
by Pope John and Pope Paul can help Lutherans see that the pope is not
an absolute monarch. The Ministry of the bishop of Rome should be seen
as a service under the authority of the Word of God. The doctrine of
infallibility is an expression of confidence that the Spirit of God abides in
His Church and guides it in the truth.[79] This understanding should allay
Lutheran fears that papal infallibility is a usurpation of the sovereign
authority of Christ, and make clear that this dogma is not the central
doctrine of the Catholic Church and that it does not displace Christ from
his redemptive and mediatorial role.

54. For both Lutherans and Catholics, these convergences have impli-
cations for the exercise of teaching authority. In our discussions we have
become aware of strengths and weaknesses in the existing structures of
this Ministry in our churches. This leads us to ask practical questions of
Catholics and Lutherans as we seek to bear witness to the gospel today,
without implying that we would all answer them in the same way.

55. Has not the time come for our churches to take seriously the
possibility of what we have come to call "magisterial mutuality"?[80] Should
we not recognize the Spirit of Christ in each other's church and acknowl-

[79] *Lumen gentium* 25.
[80] Cf. E. Gritsch, "Lutheran Teaching Authority Past and Present," to be published in
Volume 6 of the dialogue. The term emerged in the discussions of the dialogue group at its
New Orleans meeting, February 1972.

edge each other's Ministers as partners in proclaiming the gospel in the unity of truth and love? Should we not listen to each other in formulating teaching, share each other's concerns, and ultimately develop a more unified voice for Christian witness in this world?

56. Specific questions are raised which Catholics ought to examine seriously:

1) What is their present understanding of the anathemas directed in the past at Luther and at Lutheran teaching? Are these condemnations relevant today? Since the trend of our times is to avoid anathemas— witness the absence of any in Vatican Council II—should not the past anathemas against Lutheranism be reviewed? Could they possibly be "committed to oblivion"[81] or even rescinded?

2) Should not Catholic theology take a new look at the Lutheran Confessions, especially those—such as the Augsburg Confession—whose original purpose was irenic? Reinterpreted in a new context which would highlight their Catholic dimension, could these Confessions be recognized as valid expressions of the Church's teaching? Could such recognition serve as an instance of magisterial mutuality?[82]

3) Should not creative efforts be made to discover a form of institutional relationship between the Catholic and the Lutheran churches which would express magisterial mutuality and would correspond to the converging state of their traditions? The present Catholic authorization of some sacramental sharing with the Orthodox, who do not acknowledge papal infallibility, shows more flexibility in Catholic thought and practice than was anticipated a few decades ago. Should the current developments in our two churches lead to analogous authorizations regarding sacramental sharing between Catholics and Lutherans?

57. Specific questions are likewise raised which Lutherans ought to examine seriously:

1) Should not Lutherans be ready to acknowledge that the polemical language traditionally used to describe the papal office is inappropriate and offensive in the context of Catholic-Lutheran relationships today?[83]

2) Should not Lutherans, as participants in a movement toward a common Christian witness in our day, be willing to consult with Catholics in framing doctrinal and social-ethical statements?

3) Should not Lutherans move to develop closer institutional relationships with the Catholic Church in respect to teaching authority which would be expressive of the converging state of their traditions?

[81] The term was used in the meeting between Pope Paul VI and the Ecumenical Patriarch Athenagoras in Istanbul with reference to the mutual excommunications of 1053. See W. M. Abbott and J. Gallagher, *The Documents of Vatican II* (New York: Guild, 1966) 726.
[82] Cf. "Katholische Anerkennung des augsburgischen Bekenntnisses," in *Ökumenische Perspektiven* 9 (Frankfurt: Josef Knecht, 1977).
[83] Tappert 298–301. See also the Lutheran Reflections below, paragraph 21.

58. Our dialogue has thus completed another stage in a search for convergence between the Catholic and Lutheran traditions. Our dialogue began to bear fruit especially in 1967 with our agreed statement on the Eucharist as Sacrifice. Since that date we have arrived at agreements on Eucharist and Ministry (1970) and on Papal Primacy and the Universal Church (1974). With the present statement on questions raised by the Catholic doctrine of infallibility, we have found new areas of agreement in controversial matters which have for centuries separated Lutherans and Catholics. We are not in a position to state that all grounds for continuing division have been removed; we have not yet dealt at length with doctrinal issues such as justification; there are degrees of consensus which we have not yet been able to attain; there are reactions to our dialogue which we need to consider further; the agreements of theologians are not yet a consensus of the churches. It is our judgment, however, that the common grounds we have discovered in the doctrinal area point the way forward to significant changes in the lived relationships between our churches. We are convinced that our churches can overcome their past oppositions only as they become far more engaged, at all levels, through theological reflection, study of the Scriptures, worship, mission, and pastoral care, in a search for convergence along the lines developed in the work of this dialogue.

ROMAN CATHOLIC REFLECTIONS

INTRODUCTION

1. The Roman Catholic participants are gratified by the convergence achieved in this dialogue on the questions of teaching authority and infallibility in the Church. Although the consensus is not complete, the discussion has unearthed elements in each tradition which, with cultivation, may eventually lead to an agreed ecumenical reinterpretation of these doctrines. We are pleased to have had a share in this process.

2. In what follows we intend to reflect more specifically on various aspects of the Common Statement in the light of traditional Catholic themes and to deal in greater detail with certain questions that have been put to us by the Lutherans at different times in this round of discussions.

3. The convergences with regard to the communication of the gospel, as summarized, for example, in paragraph 41 of the Common Statement, are noteworthy especially when taken in conjunction with the agreements noted in *Papal Primacy and the Universal Church.*[84] These convergences may be seen as compatible with a recognition of the universal teaching Ministry of popes and councils.[85] The most significant new

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[84] *Papal Primacy and the Universal Church* 21–22.

[85] Whether this Ministry should be regarded as of divine institution must be judged in terms of the principles and difficulties stated ibid. 22, 30, 31, 34.

agreements—partial though they are at the present stage—have to do with the emotionally laden and theologically complex question of infallibility.

4. The concept of infallibility is by no means free from difficulty. The Common Statement (16) calls attention to the fact that "infallibility is not a New Testament term." Absent also in patristic literature, it emerges only in the late-medieval period. But we have to ask ourselves whether the concept and the term do not have a foundation in the data of the New Testament and in the faith of the first centuries. Examining the roots of the notion of infallibility, the Common Statement calls attention to the confidence of Christians, from the earliest times, that the Church could teach the truth of the gospel with assured authority.

5. The Common Statement (52–53) seeks to place the doctrine of infallibility in the theological categories of promise, trust, and hope rather than in the juridical categories of law, obligation, and obedience. Seen from this perspective, infallibility can be interpreted as a consequence of Christ's promise to be with the Church and to assist it "to the close of the age" (Mt 28:20). That promise is regarded by Roman Catholics as the basis of their confidence and trust that all those who have doctrinal responsibility, and especially the pope and the episcopal college as servants of unity, will be assisted by the risen Christ.

6. It is the "gospel" that invites us as Christians to respond with faith and trust or confidence (Rom 1:16). The Common Statement has accordingly set forth New Testament evidence about authority in doctrinal matters in terms of the gospel. The use of this term echoes the dynamism associated with *euangelion* by Paul (Rom 1:16), its truth (Gal 2:5, 14), and its relation to the Spirit (1 Thess 1:5). It is to be understood as a brief way of referring to the proclamation of the saving revelation which comes to us in the person, message, and deeds of Jesus Christ. The term "gospel," understood in this inclusive manner, has a secure place in the Roman Catholic tradition[86] and is capable of summing up what Vatican II referred to as "the Word of God."

7. The Catholics in this dialogue understand that contemporary Lutheran thought, emphasizing the sinfulness of all human institutions and instruments, finds it difficult to recognize any episcopal see, church office, person, or officeholder as gifted with such unfailing assistance from the Spirit as to preclude error in teaching. Therefore, the Lutheran tradition does not tie to any institution the task of authentic reformulation of Christian doctrine, which Catholics assign pre-eminently to the episcopal

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[86] In this comprehensive sense the term was used in the Tridentine decree on the canon of Sacred Scripture (DS 1501), where "puritas ipsa evangelii" was used to sum up what was promised in "Sacred Scripture" (= the OT) and promulgated by Christ himself. Compare *Dei verbum* 7.

college and the bishop of Rome. For the Catholic participants in these conversations, the doctrine of infallibility aims at safeguarding a basic Christian insight: that the Church, in view of its mission to preach the gospel faithfully to all nations, may be trusted to be guided by the Holy Spirit in proclaiming the original revelation and in reformulating it in new ways and languages whenever such reformulation is necessary. Such a trust, rooted in the sovereignty of God, is in our view inseparable from the Christian faith as understood and practiced in both our traditions.

8. In the following pages we propose to reflect more specifically on certain themes of the Common Statement: (1) the authority of the living Church; (2) the Catholic understanding of papal infallibility; (3) the biblical and historical background for the claim of papal infallibility; (4) noninfallible and doubtfully infallible papal teaching; (5) nonacceptance of infallible teaching; (6) conclusion.

I
THE AUTHORITY OF THE LIVING CHURCH

9. The Common Statement (28) calls attention to a major area of agreement between Lutherans and Catholics. Christ himself, who taught with the authority of the Son of God, by promising to be with his disciples to the end of the age and by bestowing the Holy Spirit, empowered the Church, as a community of faith, to abide forever in the truth of the gospel. Thanks to the divine assistance, the gospel will continue to be preached and believed, and thus the Church will endure to the end. In other words, the Church is indefectible as a community of Christian faith and witness, even though all its members, including its pastors, continue to be subject to weakness and sin.

10. In more familiar Catholic terminology we may say, as did the medieval theologians, "The universal Church cannot err";[87] that is to say, its faith in the gospel of Jesus Christ is divinely protected against corruption. Thus Vatican II declared: "The body of the faithful as a whole, anointed as they are by the Holy One (cf. 1 Jn 2:20, 27), cannot err in matters of belief. Thanks to a supernatural sense of the faith which characterizes the people as a whole, it manifests this unerring quality when 'from the bishops down to the last member of the laity' it shows universal agreement in matters of faith and morals" (LG 12).

11. Going further, Catholics have felt entitled to assert that those charged with the Ministry to the universal Church, in their teaching of the revelation of Christ, will not be allowed to lead the Church astray, for Christ remains with the apostolic body which teaches in his name. Accordingly, Vatican I taught that the assent of Christian faith extends

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[87] E.g., see Thomas Aquinas, *Sum. theol.* 2-2, q. 1, a. 9, sed contra.

to all that is contained in the Word of God and taught by the universal teaching body as divinely revealed (DS 3011).

12. The infallibility of the total Church in teaching and in believing forms, in the Catholic understanding, the context of conciliar and papal infallibility. The infallibility of popes and that of bishops gathered at ecumenical councils are particular instances of expressions of the infallibility of the whole Church, for these organs are held to represent the whole Church. Thus Vatican I, in its definition of papal infallibility, ascribed to the pope no other infallibility than that with which Christ willed the entire Church to be endowed (DS 3074). Even though Lutherans do not recognize any particular office as gifted with infallibility, we do not think this would require them to deny that the whole body of pastors or the whole body of the faithful is protected against error.[88] Indeed, the Lutheran understanding of indefectibility implies the preservation of the Church, as a community of Christian faith and proclamation, in the truth of the gospel.

II

THE CATHOLIC UNDERSTANDING OF PAPAL INFALLIBILITY

13. The term "infallibility," especially when it is connected with some particular office, can easily give rise to confusion. It suggests to many that the office or officeholder is being somehow divinized and deprived of the capacity for error that is a mark of the human condition. Thus understood, the doctrine of infallibility seems to remove the official teachers from their subjection to Christ and the gospel and to put them, in the eyes of the faithful, on a par with the divine Persons. This, however, is not the Catholic teaching on the subject.

14. Vatican Council I did not state without qualification that the pope is infallible. Rather, it taught that when performing certain very narrowly specified acts, he is gifted with the same infallibility which Christ bestowed on his Church (DS 3074). In his explanation of the meaning of the definition, given to the Fathers two days before they voted on the draft, Bishop Vincenz Gasser clearly pointed out that absolute infallibility is proper to God alone and that the infallibility of the pope is limited and conditioned. "In fact," he went on to say, "the infallibility of the Roman pontiff is restricted in respect to the *subject*, when the pope speaks as teacher of the universal Church and as supreme judge seated on the chair of Peter, i.e., in the center. It is restricted in respect to the *object*, insofar as it concerns matters of faith and morals, and in respect to the *act*, when

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[88] *Apology of the Augsburg Confession*, art. 7, par. 27 (*Die Bekenntnisschriften der evangelisch-lutherischen Kirche* [6th ed., Göttingen: Vandenhoeck & Ruprecht, 1967] 240; Tappert 173).

he defines what has to be believed or rejected by all the faithful" (Mansi 52, 1214).

15. Vatican I did not define the infallibility of the successors of Peter as a permanent property, definitively attached to the person of the pope. Though a personal infallibility is ascribed to a pope, it is present, as Gasser explained, "only when he exercises in reality and in act the function of supreme judge in the controversies of faith and doctrine of the universal Church" (Mansi 52, 1213). Here "act" must not be restricted too narrowly.

16. Admittedly, several misunderstandings have been occasioned by the expressions used in the Vatican I definition. Many difficulties have arisen from the sentence, "Such definitions of the Roman pontiff are therefore irreformable by themselves (*ex sese*) and not by reason of the agreement of the Church (*non autem ex consensu ecclesiae*)" (DS 3074). This might seem to give the pope an authority independent of that of the Church, as though the pope were not a member of the Church but somehow above it.

17. Historical research, however, makes it clear that the final phrase, "non autem ex consensu ecclesiae," was added for the purpose of excluding the tendency of some Gallicans and conciliarists, who regarded approval by the bishops as necessary in order to give infallibility to any papal definition.[89] Vatican I was here reacting against the kind of juridical language found in the fourth Gallican article of 1682, in which it was claimed that papal decrees are not irreformable until the assent of the Church (*ecclesiae consensus*) supervenes (DS 2284). Thus it is apparent that the term *consensus* at Vatican I is to be understood in the juridical sense of official approval and not in the more general sense of agreement or acceptance by the Church as a whole, which, according to Gasser, can never be lacking (Mansi 52, 1214). As Gasser also explains, the pope's infallibility is not "separate," for he is not protected against error except when he teaches as successor of Peter, and hence as representing the universal Church (1213). The same conclusion is supported by the statement of Vatican I that the assistance of the Holy Spirit is given to the successors of Peter not that they might manifest new doctrine but that they might safeguard and explain faithfully the revelation handed down through the apostles, the deposit of faith (DS 3070).

18. Another major difficulty arising from the text of Vatican I has to do with the term "irreformable," which is sometimes understood as though it excluded any further reformulation or reinterpretation. In order

[89] See Georges Dejaifve, "Ex sese, non autem ex consensu ecclesiae," *Salesianum* 24 (1962) 283–97; Eng. tr. in *Eastern Churches Quarterly* 14 (1962) 360–78; also Heinrich Fries, "Ex sese, non ex consensu ecclesiae," in R. Bäumer and H. Dolch, eds., *Volk Gottes* (Festgabe J. Höfer; Freiburg: Herder, 1967) 480–500.

to dispel this impression, the Common Statement (49) emphasizes that the formulas of faith are historically conditioned and are therefore subject to revision according to circumstances of particular times and places. In that connection it asserts that the doctrine of infallibility itself may need to be reinterpreted and newly expressed, so that its enduringly valid theological insight may better appear.

19. Our Catholic Reflections on Papal Primacy[90] have already shown, with the help of the Declaration of the Congregation for the Doctrine of the Faith *Mysterium ecclesiae* (1973), that definitions of doctrine are subject to a fourfold historical conditioning.[91] They are affected by the limited context of human knowledge in the situation in which they are framed, by the specific concerns that motivated the definitions, by the changeable conceptions (or thought categories) of a given epoch, and by "the expressive power of the language used at a certain point of time."[92] These four factors are critical for the proper interpretation of the Catholic teaching on papal infallibility. Application of the principles of *Mysterium ecclesiae* to this question suggests the possibility of eventually finding new expressions faithful to the original intention and adapted to a changed cultural context. This process of reinterpretation was already at work in the way in which the doctrine of papal infallibility was treated at Vatican II, bringing new aspects to the fore. Seven factors in this reinterpretation seem noteworthy:

1) Vatican II made it clearer than had Vatican I that the infallibility of the pastors (pope and bishops) must be related to the *sensus fidelium* or the "sense of faith" possessed by the entire people of God. The popes and bishops are infallible insofar as they are assisted in giving official expression and formulation to what is already the faith of the Church as a whole.[93] This theme of Vatican II underscores what is implicit in the assertion of Vatican I that the pope has no other infallibility than that which Christ conferred upon the Church.

2) Vatican II saw the infallibility of the pope as closely connected with that of the college of bishops. Indeed, when it described the infallibility of the Roman pontiff, it referred to him as "head of the college of

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[90] *Papal Primacy and the Universal Church* 35–37.

[91] Text in *AAS* 65 (1973) 396–408; Eng. tr. in *Catholic Mind* 71, no. 1276 (Oct. 1973) 54–64.

[92] *AAS* 65 (1973) 402; *Catholic Mind* (n. 91 above) 58–59.

[93] "Tunc enim Romanus Pontifex non ut persona privata sententiam profert, sed ut universalis ecclesiae magister supremus, in quo charisma infallibilitatis ipsius ecclesiae singulariter inest, doctrinam fidei catholicae exponit vel tuetur" (*Lumen gentium* 25). See J. D. Quinn, "'Charisma veritatis certum': Irenaeus, *Adversus haereses* 4, 26, 2," *Theological Studies* 39 (1978) 520–25; also Kilian McDonnell on the "charisma of truth" and its relationship to infallibility as understood at Vatican I—a paper to be published in Volume 6 of the dialogue.

bishops," a phrase not used in the Constitution *Pastor aeternus* of Vatican I. This suggests that normally, when he defines a matter of faith and morals, the pope should be expected to consult his fellow bishops and proceed in a collegial manner (*LG* 25, with footnote referring to Gasser in Mansi 52, 1213 AC).

3) Vatican II pointed out that while no antecedent or subsequent juridical approval by the Church is necessary for the exercise of infallibility, the assent of the Church can never be wanting to an authentic definition "on account of the activity of that same Holy Spirit, whereby the whole flock of Christ is preserved and progresses in unity of faith" (*LG* 25). This observation, together with Vatican II's emphasis on the *sensus fidelium*, puts in proper context the assertion of Vatican I that papal definitions are irreformable "ex sese, non autem ex consensu ecclesiae" (DS 3074).

4) Vatican II placed the teaching of the pope in the context of a pilgrim church. His definitions of faith will reflect the situation of a church whose task is "to show forth the mystery of the Lord in a faithful though shadowed way, until at last it will be revealed in total splendor" (*LG* 8). In other words, such definitions will inevitably suffer from a certain obscurity.[94]

5) Vatican II recognized that the Church, insofar as it is an institution on earth, is always affected by human finitude and sinfulness (*UR* 6), failings that may leave their mark even on the most solemn acts of the highest magisterium. Even while true in the technical sense, a dogmatic statement may be ambiguous, untimely, overbearing, offensive, or otherwise deficient.[95]

6) By its ecumenical orientation, Vatican II gave rise to the question: Will infallibility be able to serve the purpose for which it is intended without far more consultation with Christian communities not in full union with Rome?[96]

7) Vatican II called attention to the fact that "in Catholic teaching there exists an order or 'hierarchy' of truths, since they vary in their relationship to the foundation of the Christian faith" (*UR* 11). This important principle suggests the possibility that authentic faith in the basic Christian message may exist without explicit belief in all defined dogmas—a question to be discussed below (section V).

[94] This insight of Vatican II, of course, was not entirely new. It recalls the famous definition of an article of faith, used by Thomas Aquinas and many other Scholastic theologians, as a "glimpse of the divine truth toward which it tends" (*perceptio divinae veritatis tendens in ipsam*); see *Sum. theol.* 2-2, q. 1, a. 6, sed contra.

[95] See K. Rahner and K. Lehmann, *Kerygma and Dogma* (New York: Herder and Herder, 1969) 87–88.

[96] On this point see G. A. Lindbeck, *Infallibility* (Milwaukee: Marquette University, 1972) 21–22 and 60, with references to the work of R. P. McBrien.

20. The state of the doctrine of papal infallibility at the end of Vatican II is not to be taken as the last word on the subject. The understanding of the doctrine will continue to be nuanced in various ways as the historical, cultural, and linguistic situations change. Recent debates may have been a factor contributing to the rather moderate statement of infallibility in the Declaration *Mysterium ecclesiae*, referred to at the beginning of paragraph 19 above.

III

BIBLICAL AND HISTORICAL BACKGROUND

21. With regard to the biblical and historical testimonies about teaching authority in the Church, no sharp differences between Lutherans and Catholics have emerged in this dialogue. Catholics have usually thought that there is a biblical and patristic basis for the doctrine of papal infallibility, but we would add that the doctrine cannot be found explicitly in these early sources, nor can it be strictly deduced from these sources by syllogistic argument.

22. The Common Statement, in our opinion, gives a satisfactory overall presentation of the testimony of the New Testament regarding authoritative teaching. Some of the texts mentioned in our Common Statement, however, have at times received greater emphasis in the Roman Catholic tradition.

23. The promise of the risen Jesus commissioning the Eleven to "make disciples of all nations, baptizing them . . . [and] teaching them to observe all that I have commanded you" (Mt 28: 19–20) has been understood as implying distinctions among Christ himself, those teaching, and those taught. While acknowledging that the function of the Eleven "represents Christ and his over-againstness to the community only insofar as it [the Ministerial office] gives expression to the gospel,"[97] many Christians— correctly, in our view—have emphasized that the very commission given here is the basis of a teaching authority as a special Ministry within the Christian community, and one that is safeguarded by the assistance of Christ himself "to the close of the age."

24. Though this Matthean passage is not related literarily to the Pastoral Epistles, the Matthean commission to teach given by the risen Christ corresponds to the view of "the Church of the living God" and its apostolic Ministry spoken of in 1 Tim 3:15. The phrase "the pillar and bulwark of the truth" in this text should not be heard anachronistically with jurisdictional overtones. Nevertheless, 1 Tim 3:15 is a confident expression of the reliability of the Church—or at least of a Minister of the Church—to which the risen Christ has committed the preaching of

[97] Malta Report, sect. 50.

the gospel.[98]

25. The Common Statement makes mention of the Petrine function and its relation to teaching authority in the Church. This function has to be understood with the explanations given in *Papal Primacy and the Universal Church* and in *Peter in the New Testament.*[99] As we move beyond the discussion of primacy presented there to the question of infallibility and the Petrine function, we see how limited are the New Testament data on this topic. In the course of the tradition the Petrine text of Lk 22:32 was given the major emphasis. Jesus' prayer for Simon, who would prove faithless in denying him, has to be understood as efficacious: "that your faith may not fail." In virtue of this assurance of Jesus, Simon is told that he, after being converted, would have a role of "strengthening [his] brothers." Now it is obvious that the New Testament does not make the distinction of later theologians about *fides quae* (the faith which is believed) and *fides qua* (the faith by which one believes) and that Simon's "faith" here would have to be understood in a comprehensive sense; in any case, it cannot be restricted to faith in a content sense (*fides quae*).

26. Finally, it should be noted apropos of the Petrine texts in Mt 16:18 and Lk 22:32, which are used in the Common Statement, that they have likewise been cited in the Dogmatic Constitution of Vatican I *Pastor aeternus* (DS 3066, 3070) and used in connection with papal infallibility. Some Roman Catholic theologians have at times regarded these biblical passages as officially interpreted, or even infallibly defined, by the Council.[100] However, Vatican I did not define the sense of these verses.[101] While we recognize that these Petrine texts have played an important role in the development of the doctrine of papal infallibility, we do not claim that these texts, taken exegetically, directly assert that doctrine.

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[98] On the problems of interpreting the phrase "pillar and bulwark of the truth" (1 Tim 3: 15), see above, Common Statement 16, n. 36. There are also several passages in the fourth Gospel which could be examined further in this connection.

[99] See end of n. 24 above.

[100] See, e.g., A. Cotter, *Theologia fundamentalis* (2d ed., Weston, Mass.: Weston College, 1947) 681. Cf. A. Durand, "Exégèse," *Dictionnaire apologétique de la foi catholique* 1, 1838; E. Mangenot and J. Rivière, "Interprétation de l'écriture," *DTC* 7, 2318.

[101] U. Betti, a historian who has devoted much study to Vatican I and its Decree *Pastor aeternus,* has written: "The interpretation of these two texts [Mt 16:16–19 and Jn 21:15–17] as proof of the two dogmas mentioned does not fall per se under the dogmatic definition, not only because there is no mention of them in the canon, but also because there is not a trace that the Council wanted to give an authentic interpretation of them in this sense" (*La costituzione dommatica "Pastor aeternus" del Concilio Vaticano I* (Rome: Antonianum, 1961) 592. Similarly, apropos of Lk 22:32: " . . . the Council abstained from wanting to give an authentic interpretation . . . of that particular text . . . , although the request had been made in this sense by someone in the preparatory phase of the Decree and again during the conciliar discussion of the Decree" (628).

27. As regards the patristic and medieval history of teaching authority in the Church, we have noted, as have the Lutheran participants, the gradual emergence of papal primacy in doctrinal decision-making through a lengthy historical process briefly summarized in the Common Statement. The doctrine of papal infallibility was not formally taught until the end of the thirteenth century. It continued to be disputed within the Catholic Church, with many conciliarists and Gallicans denying it, until the definition of 1870. That definition was so restricted in scope and moderate in tone that it failed to satisfy the desires of ardent papalists, many of whom in the period after Vatican I went far beyond the letter of the Council in claiming infallibility for papal teaching that did not strictly meet the conditions for an *ex cathedra* pronouncement as set forth by Vatican I.

28. Lutherans and Catholics, of course, differ in their appraisal of the development they both recognize. However Lutherans evaluate this development, at very least they do not regard it as binding on all Christians. For Catholics, it represents an implication of the gospel or the Word of God as seen in the perspective of a long historical reflection, and as having developed in accordance with principles already present in the gospel from the beginning. Nevertheless, the doctrine has at times been too naively or rigidly understood by Catholics themselves and consequently stands in need of further nuancing. The concerns of Lutherans, as expressed in this dialogue, can help Catholics to understand papal infallibility in ways that better safeguard the primacy of the gospel and the freedom of the Christian believer.

29. It has sometimes been alleged that historical research can actually disprove the infallibility of the pope. Attention is called to various "papal errors," many of which were discussed at length both prior to and at Vatican I. There is no need, in these reflections, to review the evidence regarding the celebrated cases of Popes Liberius, Vigilius, and Honorius, which are discussed, to some degree, in our background papers.[102] In an earlier volume we published a background paper on Pope Boniface VIII and *Unam sanctam*.[103] Turning to yet another case, it need not be denied that Pope John XXII erred in his teaching regarding the beatific vision, which was corrected both by John XXII himself and by his successor Benedict XII.[104] No one doubts that popes can err in their teaching as private doctors. In none of the preceding cases can it be shown that the

[102] See Robert Eno, "Some Elements in the Prehistory of Papal Infallibility," to be published in Volume 6 of the dialogue.

[103] See G. Tavard, "The Bull *Unam sanctam* of Boniface VIII," in *Papal Primacy and the Universal Church* 105–19.

[104] For John XXII's earlier position, see Marc Dykmans, *Les sermons de Jean XXII sur la vision béatifique* (Rome: Gregorian University, 1973) 96. For John XXII's subsequent retraction and the correction published by Benedict XII, see DS 990–91 and 1000–1001.

errors, or alleged errors, would have met the requirements specified by Vatican I for an *ex cathedra* pronouncement, and hence these historical difficulties prove nothing against the truth of the teaching of that Council on infallibility. These historical difficulties, to which the Council fathers adverted, form part of the historical context within which the definition is to be understood.[105]

<div align="center">IV</div>

NONINFALLIBLE AND DOUBTFULLY INFALLIBLE PAPAL TEACHING

30. The cases just mentioned illustrate the importance of distinguishing between two major categories of papal teaching: that which is, and that which is not, clearly infallible. Before discussing the obligatory force of the latter, it will be helpful to clarify certain questions concerning the former. The Lutherans in this dialogue have frequently pressed us to respond to the following two questions. First, how does one distinguish which papal statements are, or are not, to be considered infallible? Second, what obligatory force attaches to noninfallible papal teaching?

31. There are only two papal pronouncements which are generally acknowledged by Catholics as having engaged papal infallibility: the dogma of the Immaculate Conception (1854) and that of the Assumption of the Blessed Virgin (1950).[106] Several other types of papal pronouncement have, however, been thought by some to be infallible. With an eye to the teaching of twentieth-century theological manuals, several prominent examples may here be mentioned: the solemn canonizations of saints, the condemnation of certain doctrines, papal teaching concerning certain moral matters, and the decision concerning Anglican ordinations.

32. The theological manuals of recent generations rather commonly hold that solemn canonizations of saints, as contained in papal decretal letters, are infallible.[107] The tradition in favor of infallibility in the matter

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[105] In his controversy with Hans Küng, Karl Rahner asserted: "All Küng's examples for such erroneous propositions seem to me either not to have been definitions or else there is question of propositions which Küng can reject as erroneous only if they are interpreted in a very definite manner which does not unambiguously impose itself" ("*Mysterium ecclesiae:* Zur Erklärung der Glaubenskongregation über die Lehre der Kirche," *Stimmen der Zeit* 191 [1973] 587). Cf. Y. Congar, in *Revue des sciences philosophiques et théologiques* 62 (1978) 87.

[106] These definitions, contained in apostolic constitutions published in the form of bulls, are phrased in unmistakably solemn language (DS 2803, 3903) and clearly claim to be infallibly uttered.

[107] In favor of the infallibility of canonizations, see I. Salaverri, *De ecclesia Christi* (2nd ed.; Madrid: B.A.C., 1952) nos. 724-25, pp. 723-25; L. Lercher, *Institutiones theologiae dogmaticae* 1 (4th ed., rev. F. Schlagenhaufen; Barcelona: Herder, 1945) n. 511b, p. 305; P. Molinari and A. E. Green, "Canonization of Saints," *NCE* 3, 55-61, esp. 59 and 61.

has been traced back at least to the time of Thomas Aquinas,[108] but there are genuine difficulties in seeing how canonizations fall within the object of papal infallibility as taught by Vatican I or Vatican II. Certainly, the virtues of particular persons of postbiblical times, and their present situation before God, can scarcely be reckoned as part of the apostolic deposit of faith. If one looks on revelation as having become complete in Christ, holiness may reasonably be seen as a concrete way of living, in a given culture, the saving truth revealed in Christ. The Church has the power to recognize authentic Christian holiness, yet canonization would not seem of its nature to convey infallible certitude that the holiness in question was actually present in the life of this or that historical person.[109]

33. The condemnation of certain doctrinal errors—for example, those of the Jansenists or the Modernists—would seem to fall indirectly within the scope of papal infallibility, insofar as such errors deviate from basic Christian belief or previously defined doctrine. Whether a particular condemnation is an exercise of infallibility is always a factual question, and the affirmative answer to this question is not to be presumed. According to canon law, "Nothing is to be understood as dogmatically declared or defined unless this is clearly manifest" (*CIC*, can. 1323, #3). For the infallible character to be clearly manifest, the condemnation would have to claim infallibility for itself and would have to fall within the scope of papal infallibility as set forth by the two Vatican Councils. In point of fact, none of the papal documents condemning doctrinal errors evidently meets these two criteria. Whatever clearly infallible teachings are contained in such papal condemnations have this status because other more authoritative documents or the universal and constant teaching of the Church affirm the same points.

34. With regard to the Bull *Exsurge Domine* (1520), condemning certain views attributed to Luther, the Catholic members of this dialogue are convinced that there are no solid grounds for regarding it as an exercise of papal infallibility. It embodies propositions of unequal theological weight. If some of the teachings in this Bull are infallible, this is because other more authoritative documents, such as conciliar canons, affirm the same points.[110]

[108] See M. Schenk, *Die Unfehlbarkeit des Papstes in der Heiligsprechung* (Freiburg [Switz.]: Paulusverlag, 1965). This is an extended commentary on Thomas Aquinas, *Quodlib.* 9, a. 16.

[109] P. Chirico, *Infallibility: The Crossroads of Doctrine* (Kansas City: Sheed, Andrews, and McMeel, 1977) 287.

[110] The view that *Exsurge Domine* is an infallible document is represented by J. B. Franzelin, *Tractatus de divina traditione et scriptura* (Rome: Propaganda Fide, 1870) 112–13. This view is not reflected in recent textbooks. The question whether Pius IX's *Syllabus of Errors* represents infallible teaching has been debated both pro and con by manualists.

35. Some authors maintain that the pope has acted infallibly in issuing certain moral teachings, notably in the case of the statements about contraception in the encyclicals of Pius XI[111] and Paul VI.[112] The solution to this question depends in part on whether the Church's infallibility extends to questions of the natural moral law, to which these documents primarily appeal. But even granted that it does so extend, there is the further point that the documents in question do not manifestly invoke infallibility. Moreover, Catholic commentators are not unanimous in regarding these teachings as infallible. Thus it seems that freedom to deny the infallibility of these documents must be allowed.

36. The principles just enunciated would hold likewise for the rejection of Anglican orders by Pope Leo XIII in the Letter *Apostolicae curae* (1896). Even granting that infallibility might extend to a "dogmatic fact" of this kind, the language of the Letter does not seem to demand that the decision be taken as infallible. In view of the lack of consensus among approved authors, the decision may be treated in practice as reformable.[113]

37. This brings us to the second question: the obligatory force of papal teaching which is not, or not evidently, infallible. Pius XII, in *Humani generis* (1950), pointed out that encyclicals, even when they do not engage the supreme teaching authority of the pope, have genuine doctrinal weight. More specifically, according to Pius XII, when the pope in

[111] *Casti connubii* (1930), which is held by F. Cappello and A. Vermeersch to contain an *ex cathedra* definition. For references see J. C. Ford and G. Kelly, *Contemporary Moral Theology* 2 (Westminster, Md.: Newman, 1964) 263-71. Ford and Kelly, while holding that the Encyclical contains infallible doctrine, attribute its infallibility to the ordinary and constant teaching of the magisterium which this Encyclical confirms. The authority of *Casti connubii* is also discussed by J. Noonan, who inclines toward noninfallibility in his *Contraception* (Cambridge, Mass.: Harvard University, 1965) 427-28.

[112] *Humanae vitae* (1968). Some theologians argue that the Encyclical in its prohibition of contraception contains irreformable doctrine because in it "the Pope as supreme teacher in the Church proclaims a truth that has constantly been taught by the Church's teaching office and corresponds to revealed doctrine." These are the words of Cardinal Pericle Felici in *Osservatore romano*, Oct. 3, 1968. Hans Küng, who quotes this in his *Infallible? An Inquiry* (Garden City: Doubleday, 1971) 61, also quotes on the preceding page a similar statement by Cardinal Charles Journet. Küng himself, seeking to discredit the doctrine of infallibility, argues that *Humanae vitae*, which he regards as erroneous, engages the claim of infallibility. For an opinion opposing the infallibility of the Encyclical, see K. Rahner, "On the Encyclical 'Humanae vitae,'" *Theological Investigations* 11 (New York: Seabury, 1974) 263-87. See also C. E. Curran, ed., *Contraception: Authority and Dissent* (New York: Herder and Herder, 1969); J. A. Komonchak, "*Humanae vitae* and Its Reception: Ecclesiological Reflections," *TS* 39 (1978) 221-57; J. C. Ford and G. Grisez, "Contraception and the Infallibility of the Ordinary Magisterium," *TS* 39 (1978) 258-312.

[113] In favor of the infallibility of this condemnation, see M. d'Herbigny, *Theologica de ecclesia* 2 (2nd ed.; Paris: Beauchesne, 1921) no. 329, pp. 210-12. For an opposed view, see L. Marchal, "Ordinations anglicaines," *DTC* 11, 1166.

such letters deliberately gives a decision on some previously controverted issue, the question may no longer be considered as one to be freely debated among theologians (DS 3885).[114]

38. *Lumen gentium* 25 restated and carried forward the essential teaching of Pius XII by its assertion:

Religious allegiance of the will and intellect should be given in an entirely special way to the authentic teaching authority of the Roman pontiff, even when he is not speaking *ex cathedra;* this should be done in such a way that his supreme teaching authority is respectfully acknowledged, while the judgments given by him are sincerely adhered to according to his manifest intention and desire, as this is made known by the nature of the documents, or by his frequent repetition of the same judgment, or by his way of speaking.[115]

As Karl Rahner points out in his commentary on this text, it may be significant that the Council did not reassert the doctrine of *Humani generis* forbidding further public discussion of matters settled by the pope, even though this doctrine appeared in the preliminary draft of November 10, 1962.[116]

39. There exists a vast literature dealing with the highly complex question of the authority of noninfallible papal teaching and the conditions under which this or that form of silent or vocal dissent may be permitted or required.[117] To illustrate one approach, we may refer to the collective Pastoral of the German bishops issued on September 22, 1967. Using an analogy which some have found helpful, this letter compares the noninfallible teaching of the magisterium to the decisions of a judge or statesman. "In such a case, the situation of the individual with regard to the Church is somewhat like that of a man who knows that he is bound to accept the decision of an expert, even though he knows that it is not infallible."[118]

40. As regards the legitimacy of dissent, the German bishops' Pastoral says that the contrary opinion may not be taught as Catholic doctrine, but that one may properly point out to the faithful the limited authority of such revisable pronouncements.

[114] According to Paul VI, in an address to the College of Cardinals of June 23, 1964, this teaching of Pius XII still holds good. See *AAS* 56 (1964) 588–89.

[115] The translation is that of J. A. Komonchak in his article "Ordinary Papal Magisterium and Religious Assent," in Curran, *Contraception* 101–26, at 101–2.

[116] Rahner, in H. Vorgrimler, ed., *Commentary on the Documents of Vatican II* 1 (New York: Herder and Herder, 1967) 210. The text of the schema in question is quoted in English translation by Komonchak, "Ordinary Papal Magisterium" 101–2.

[117] Besides the article of Komonchak already cited, see A. Dulles, *The Resilient Church* (Garden City: Doubleday, 1977) 107–12, and the various articles of R. A. McCormick there referred to.

[118] Quoted by K. Rahner, "Magisterium," *Encyclopedia of Theology: The Concise 'Sacramentum mundi'* (New York: Seabury, 1975) 878.

The Christian who believes that he has a right to his private opinion, and that he already knows what the Church will only come to grasp later, must ask himself in sober self-criticism before God and his conscience, whether he has the necessary depth and breadth to allow his private theory and practice to depart from the present doctrine of the ecclesiastical authorities.[119]

41. As this quotation illustrates, there is a very important difference between the assent of faith which is called for by infallible teaching and the religious allegiance or submission which is per se expected in the case of ordinary but noninfallible papal teaching.

V

NONACCEPTANCE OF INFALLIBLE TEACHING

42. Much of our discussion in the present round of dialogues has focused on three undoubted instances in which infallibility has been invoked: the conciliar dogma of papal infallibility itself (1870) and the two papal dogmas of the Immaculate Conception (1854) and the Assumption (1950). Questions have been raised about the implications of these three dogmas for the continuing relations between Catholics and Lutherans. To what extent does nonacceptance of these teachings preclude communion and unity?

43. First of all, the Catholic members of this dialogue must record their conviction that these dogmas refer to realities and values that are important for the Christian's response to God's word of revelation in Christ, even though they do not stand at the very center of Christian faith and teaching. In accordance with Vatican II, which presented these doctrines in a way calculated to show their relation to the mystery of the Church,[120] we are persuaded that these doctrines ought not to be viewed in isolation but in relationship to the entire Christian vision of God's saving work. We recognize, however, that the Lutherans represented in this dialogue consider that their Christian faith does not oblige them to affirm these teachings.

44. Second, we acknowledge that the community of those who accept these dogmas is not coextensive with the full number of individuals and groups that are rightly called Christian. Catholics do not hold that membership in Christ's Church is restricted to persons who formally and explicitly accept the three dogmas in question. For example, there are some Catholics today who belong to the Church even though they accept these teachings only implicitly.[121]

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[119] Ibid.   [120] See *LG*, chaps. 3 and 8.

[121] Regarding the implicit rather than the explicit faith of many Catholics, see J. H. Newman, *An Essay in Aid of a Grammar of Assent* (London: Longmans, Green, 1888) 146, 153, 211.

45. Third, the question arises about persons and groups who, after considering these doctrines, decide not to accept or even to reject them. Here it may be well to recall that each of the teachings in question was accompanied by an anathema (DS 3075) or its equivalent (DS 2804, 3904). Canonically, an anathema involves an excommunication (*CIC,* can. 2257, #2), which, however, is not incurred except by persons whose disbelief is culpable, obstinate, and externally manifested. The language of the anathemas in the instances that here concern us seems to reflect the presumption that only in rare and exceptional situations could a Christian in good faith deny these dogmas once they had been defined. However necessary presumptions are, they are understood in church law to yield to facts and to be open to change when facts so indicate. In our day it seems evident that many sincere Christians are unable to profess these dogmas with personal faith. And yet these same individuals wish very much to belong to Christ's Church; they gather together in his name to announce his death until he comes; they confess his Lordship; they accept his message as reflected in the Bible and the early Christian creeds; and they bear witness to him in their lives of service to his brothers and sisters. The questioning or denial of these dogmas should not be regarded, at least today, as presumptive evidence of a lapse from Christian faith.

46. A step in this direction was taken by Vatican II, which permitted *limited* Eucharistic sharing between Catholics and Orthodox,[122] even though the latter do not normally accept (and even at times explicitly reject at least one or more of) the dogmas in question. The situation of the Orthodox and Lutherans, though different in many ways, is similar at least in the following: both find themselves for the most part unable to accept one or more of these teachings as part of the deposit of faith. If this inability on the part of the Orthodox does not preclude all Eucharistic sharing with Catholics, the same inability on the part of Lutherans should not of itself do so either. Lack of Christian faith would and should so preclude. But the operative presumption is that Christian faith sufficient for Eucharistic sharing exists in the case of Catholics and Orthodox despite the inability of the latter to accept all these particular dogmas. We believe that this presumption regarding Christian faith should be extended also to Lutherans. If so, it would not thereby follow that limited Eucharistic sharing was justified in their case too. But it would follow that such sharing ought not to be ruled out because of Lutheran failure to accept these three teachings.

47. In this connection it should be mentioned that some Catholics are at times unable to accept one or other or even all these dogmas with personal faith. We are not here considering the hypothetically possible

[122] Vatican II, *Orientalium ecclesiarum* 26–29.

case of someone who would claim to be a Catholic and yet believe only what he or she would find personally appealing. We restrict our remarks to the refusal to accept the three dogmas with which we are here concerned. Given the information explosion, its impact on religious communication, and the widespread influence of mass media, it is understandable that the beliefs of many Catholics have been affected. Could it be that, in their questioning or denial of these three dogmas, not a few Catholics are reacting more against the inadequacy, incompleteness, limited expressive power, and historically-conditioned character of the official formulations than against the Word of God to which these dogmas bear witness? Would not this be especially indicated if such persons adhere to, and seek to live, their Catholic faith in other matters? We think our church leaders ought to consider whether a presumption to this effect may not be called for in our day. We do not concede that one can be a Roman Catholic Christian by simply wanting to and without thereby being committed to the acceptance of any specific teachings. We admit that at times the rejection of the three dogmas we are considering may be a sign that one has separated oneself from Catholic tradition and faith, but we think this ought not to be presumed. Indeed, a good case can be made for the opposite presumption.

48. Finally, we must say something about the question of lifting the anathemas themselves. Since the anathemas do not refer directly to the truth of the dogmas but rather to the canonical effects of their denial, they could be withdrawn without altering the truth of the dogmas or the obligation to believe them. The removal of these anathemas has in fact been suggested.[123] Such an action would serve to highlight the imperfect ecclesial communion that exists between Catholics and Lutherans despite the latter's nonacceptance of these three dogmas.

49. Nevertheless, there are grounds for hesitation in view of the historic nexus that exists between the anathema and the truth of the dogma. Given that nexus, the formal removal of the anathema might well contribute to the "take your pick among the dogmas" mentality that is already found among some Catholics (and other Christians). That anathemas were attached to such teachings in the past is something over which we, the living, have no control; past history cannot be undone. To judge the consciences of those, whether Lutheran or Catholic, who leveled anathemas at their opponents is best left to God. True, anathemas from the past might be lifted in the present. Indeed, the lifting in the case of these three dogmas might be a sign pointing to the ecclesial communion already in existence and contributing to the growth of that communion. But could this be accomplished without giving the impression that the Catholic Church no longer holds and teaches these dogmas? This is far

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[123] Cf. A. Dulles, "A Proposal to Lift Anathemas," *Origins* 4 (1974) 417-21.

from sure. On the question, then, whether the anathemas should be lifted, there is need for further discussion within the Catholic community. In this connection it is worth noting that Vatican II, true to its general style of teaching, reaffirmed these dogmas, in a new context, without restating the anathemas.

50. However this discussion may be resolved, we wish to stress here two important points. First, whether the anathemas are lifted or not, the differences between Catholics and Lutherans regarding these dogmas do not of themselves exclude all Eucharistic sharing between the churches.[124] Second, the truth-implications of these dogmas must not be overlooked. We aim at mutual communion one day with Lutherans without requiring either side to give up the fundamental evangelical convictions and values of its tradition. Even if there were a mutual recognition of Ministries and limited Eucharistic sharing, we would feel that we owed it to evangelical truth, as we are given by the Spirit to understand it, to continue to pray and study with Lutherans about these questions. It would still be important to preserve a mutuality of discussion regarding the meaning of these three dogmas, their place in the hierarchy of truths, and their role in the effective transmission of the Word of God. If our discussions were to lead one day to such recognition and such limited sharing, there would still be a task incumbent on both traditions: to search for a more shared understanding of the Word of God as it applies to Mary and to the one who continues in a unique way the Petrine office among the disciples of Jesus today.

VI

CONCLUSION

51. Considering both the progress already achieved and the task that still remains before us, we are both saddened by our inability to announce full agreement between Lutherans and Catholics regarding the infallible character of certain teaching and encouraged by the large measure of agreement that does exist regarding the nature and importance of teaching authority. Even with regard to infallibility, we have found it increasingly difficult, as our dialogue has proceeded, to specify the exact point at which, in fidelity to our respective traditions, we are bound to disagree.

52. There are certain understandings of infallibility which Lutherans, according to their own principles, would evidently have to reject. For example, if Catholics were to teach that any papal statement issued with certain juridical formalities, regardless of its basis in Scripture and tradition and its consonance with the faith of the Church, could be imposed as a matter of faith, Lutherans would legitimately protest that

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[124] Whether such sharing is excluded on other grounds is a complicated question that cannot and need not be answered here.

the primacy of the gospel was being imperiled. But, as we have sought to show, such an understanding of infallibility would be a misinterpretation of the Catholic doctrine.

53. Again, if irreformability meant that the solemn teaching of popes and councils had to be accepted forever as it was understood and stated when originally promulgated, with the result that it could not be reconceptualized and reformulated according to the needs and possibilities of different times and cultures, Lutherans would have good reason to reject irreformability. But, as we have explained, irreformability does not preclude further reinterpretation, reconceptualization, or rephrasing.

54. Because of the nuanced understanding of infallibility in much contemporary Catholic theology, we find that some Lutherans, even while denying what they recognize as infallibility, come very close to affirming what some Catholics understand by that term. They can in fidelity to their own tradition accept a certain presumption in favor of the evangelical truth of the preaching of duly constituted pastors, especially when this preaching resonates with the faith of the Christian community and is seen, upon examination, to be consonant with Scripture and early tradition. This kind of presumption could tell in favor of the pope as a bishop specially charged with the Ministry of universal supervision in matters of doctrine.

55. The denial of infallibility from the Lutheran side might seem to Catholics, at first sight, to open the path to radical questioning of the inherited affirmations of faith, but we do not hear the Lutherans in this dialogue so questioning Christian tradition. They do not hold that a contemporary Christian would be entitled to interpret the Bible in a sense patently contrary to the ancient creeds and confessions which, in their estimation, reliably express the teaching of Scripture and the faith of the Church. Drawing upon this shared heritage of Christian belief, and working in the light of a new will to overcome our past divisions, this dialogue has been able to achieve a convergence about teaching authority and infallibility which could scarcely have been thought possible even a few years ago.

56. The attempt to express papal infallibility in terms of promise, trust, and hope has already brought us a long way toward agreement. As to the limits that do remain in our present agreement on teaching authority, their source may lie in other issues that have been long debated by Catholics and Lutherans. Some of our remaining differences may be rooted in the content of certain dogmas and their basis in Christian revelation (e.g., the Immaculate Conception of Mary and her Assumption). Moreover, our theologies may still differ about the way the Scriptures are normative for faith.[125] Furthermore, Lutherans and Catholics

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[125] In *The Status of the Nicene Creed as Dogma of the Church* 32, this dialogue already noted: "Different understandings of the movement from kerygma to dogma obtained in the

could well direct further attention to the effects of grace and sin on individuals and institutions, including the teaching Church. We, therefore, need to discuss the doctrine of justification, a doctrine at the very root of the Reformation itself.

57. There remains an important ecumenical task incumbent on Catholics: infallibility has to be further examined in the light of the primacy of the gospel and of Christ's saving act; but it is also important to show how infallibility can render a service to God's people by giving expression to that primacy.

58. To promote a more ecumenical dimension in our Church's teaching function, we recommend:

a) that Catholics, particularly writers and teachers, observe an evangelical discretion in the titles bestowed on the papacy, avoiding that exaggerated language which tends to obscure the radical distinction between Christ or his Spirit and all other teachers within the Church, including the pope;

b) that Catholic leaders invite Lutheran church authorities to participate in the formulation of Catholic doctrine in a consultative capacity, seeking to follow and even to go beyond the precedent set by the participation of non-Catholic observers at Vatican Council II;

c) that Catholic bishops and their Lutheran counterparts seek to give joint witness (e.g., in pastoral letters) to emphasize and further Christian unity;

d) that Catholic theologians and religious educators make greater use of statements issued by Lutherans, especially when this will demonstrate and strengthen the unity of Christian faith.

The recommendations we have made refer to the Lutheran churches, because it is with them that we have been in dialogue. We trust that these recommendations offer a positive contribution to the efforts Christians are making toward greater unity in faith.

LUTHERAN REFLECTIONS

1. As is true of previous topics in this dialogue series, there is much that the Lutheran participants need to say to their fellow Lutherans about the question of infallibility beyond what is contained in the Common Statement. We need to explain from a Lutheran perspective the nature of and reasons for both our growing agreements and our remaining disagreements with our Roman Catholic fellow Christians.

2. That we can speak of even partial agreement may seem extraordinary in view of the divisiveness of this issue in the past. The Lutheran

two communities. Full inquiry must therefore be made into two topics: first, the nature and structure of the teaching authority of the Church; and, secondly, the role of Scripture in relation to the teaching office of the Church." The second of these inquiries has not as yet been undertaken by this group.

participants were prepared for disappointments as they approached this round of the dialogue. The issue of papal infallibility seemed to be an inner-Catholic problem to which Lutherans had little to contribute. Yet we recognized the inescapability of the theme. While not identical with papal primacy, the concept of papal infallibility is closely related to the exercise of the universal teaching office in the Roman Catholic Church and thus had to be discussed after the completion of our work on Papal Primacy and the Universal Church. During the course of our conversations, however, we have become aware that the issues at stake in this particular doctrine are anything but a solely Roman Catholic problem. The very nature and truth of the gospel, the verification and authority of its proclamation and interpretation, and the credibility of the Church's preaching and teaching Ministry are involved in this question. Our partners in dialogue have pressed us hard on many of these points, and we are deeply grateful to them. We discovered that, as Lutherans, we were not as clear as we have traditionally supposed about how to give account of our confidence in the truth of the gospel and in the authority of a teaching office. We have also discovered that the Roman Catholics with whom we are in conversation are as concerned as we are about the Lordship of Christ and the truth of the gospel. We have been led to examine afresh some of our most fundamental assumptions and cherished emphases in the course of trying to understand what Roman Catholics mean today when they affirm the infallibility of the papal magisterium. Some of the results of our reflections must be spelled out here.

3. It seems best to start where we started as a group. Thus we shall first treat of Lutheran problems with traditional infallibility claims and language. This will provide us with the viewpoint from which, in the second and third places, Roman Catholic and Lutheran convergences and continuing difficulties in this area can be assessed. Finally, we shall discuss the possibilities and hopes for the future opened up by our growing though by no means complete agreement on the nature and function of teaching authority in the Christian churches.

I

4. Ever since its definition in 1870, the dogma of papal infallibility has been widely seen as both theologically and emotionally the most divisive of all the issues separating the Roman Catholic communion from the churches of the Reformation. To be sure, Lutherans have difficulties not only with papal infallibility but with the ascription of infallibility to any of the Church's teaching offices (including ecumenical councils). Before turning to the theological core of these difficulties, however, we need to remind ourselves of the history of objections to the notion of an infallible pope.

5. From the sixteenth century on, Lutherans rejected what they regarded as exaggerated claims by the late-medieval papacy, among them the claim to teach truth inerrantly. "Nor should that be transferred to the popes which is the prerogative of the true Church, that they are the pillars of truth and that they do not err."[126] Following an older tradition, they even called the pope the "antichrist,"[127] in part because they saw him arrogating to himself the sole authority to interpret scriptural truth without fail. Thus antipapal polemics have remained a major part of the Lutheran stance. The First Vatican Council seemed to confirm all former suspicions. Its definition of infallibility was seen by many as the final step in the direction of papal absolutism, widening the gap between Roman and Reformation churches and making the break irreparable. The attempts at reconciliation and unification which occurred before the nineteenth century now seemed fruitless. While much of the emotion over Vatican I had national and political overtones, Lutherans reacted against the terminology of papal infallibility primarily because they thought it contradicted their basic conviction of the fallibility of all ecclesiastical institutions and orders. To speak of the pope or any of his pronouncements as infallible suggested to them the usurpation of the place which only Christ and the Word of God could occupy in the Church's teaching Ministry.[128] Infallibility language thus became the clearest proof, in the popular Lutheran perception of the decades since 1870, of what was regarded as the autocratic, oppressive, and anti-Christian character of the Roman Catholic Church. The definition of the Marian dogma of the Assumption[129] hardened this attitude even in irenic circles.[130] Lutherans

[126] *Apology,* art. 7–8, par. 27 (Tappert 173; *Bekenntnisschriften* 240).

[127] "This is a powerful demonstration that the pope is the real antichrist ... "; " ... we cannot suffer his [i.e., the devil's] apostle the pope or antichrist to govern us" (*Smalcald Articles,* Part 2, art. 4, par. 10 and 14 [Tappert 300 and 301; *Bekenntnisschriften* 430 and 432]). Cf. *Treatise on the Power of the Pope,* par. 39–42 (Tappert 327-28; *Bekenntnisschriften* 484–85); *Apology,* art. 7–8, par. 24 (Tappert 172; *Bekenntnisschriften* 240 German text); art. 15, par. 18–19 (Tappert 217–18; *Bekenntnisschriften* 300–301). This historical background is treated in Hans Preuss, *Die Vorstellungen vom Antichrist im späteren Mittelalter, bei Luther und in der konfessionellen Polemik* (Leipzig: Hinrichs, 1906). For more recent echoes, especially in the Lutheran Church–Missouri Synod, see Myron A. Marty, *Lutherans and Roman Catholicism: The Changing Conflict, 1917–1963* (Notre Dame: University of Notre Dame, 1968) 146–70.

[128] See the remarks on the definition of Vatican I in such standard works as Karl von Hase, *Handbook of the Controversy with Rome* 1 (London: Religious Tract Society, 1906) 24–74 and 324–29; W. von Loewenich, *Modern Catholicism* (New York: St. Martin's, 1959) 49–51; Per E. Persson, *Roman and Evangelical* (Philadelphia: Fortress, 1964) 57–58. For some early reactions, cf. Ulrich Nembach, *Die Stellung der evangelischen Kirche und ihrer Presse zum ersten Vatikanischen Konzil* (Zurich: EVZ, 1962).

[129] *Munificentissimus Deus,* Nov. 1, 1950 (DS 3900–3904).

[130] See the review article by Friedrich Heiler in *Theologische Literaturzeitung* 97 (1954) 1–48.

objected not only to the claim of infallibility for this dogma but also to the very notion that the Assumption of Mary could in any sense be proclaimed a doctrine of the Church. It did not serve, they believed, to protect the gospel, nor did it have the scriptural basis which is necessary for authoritative teaching.

6. It next needs to be noted, however, that the theological difficulty many Lutherans today have with infallibility language and claims is much broader and more fundamental than the specifically interconfessional problems raised by the dialogue between Lutherans and Roman Catholics. The critique of such language and claims in recent history has been directed in the first instance against certain aspects of the Lutheran tradition itself, especially against claims made about the infallibility or inerrancy of Scripture.[131] In defense of their normative scriptural principle, the fathers of the second Lutheran generation[132] used the late-medieval language of inerrancy for Holy Scripture as the Word of God and developed a doctrine of scriptural infallibility which was elaborated in ever greater detail during the period of Lutheran orthodoxy.[133] Some Lutherans even today regard the doctrine of the "inerrancy of Scripture" as the true touchstone of faithfulness to the Lutheran Confessions.

7. Others, however, have come to hold that such an emphasis on the letter of Scripture is not compatible with the doctrine of justification by faith, the article by which "the Church stands and falls."[134] Put most simply, this doctrine affirms that because God justifies the ungodly, forgiving sinners for Christ's sake, nothing else can be trusted for salvation. Neither scriptural inerrancy nor, even less, the infallibility of the Church's teachers, teaching offices, and doctrines is the basis of the Christian's confidence. All these may err, but not the gospel of God's

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[131] See, e.g., the programmatic essay by Gerhard Ebeling, "The Significance of the Critical Historical Method for Church and Theology" (1950), in Word and Faith (Philadelphia: Fortress, 1963) 17–61. An aspect of the historical origins of the historical-critical method is traced by Gottfried Hornig, Die Anfänge der historisch-kritischen Theologie: Johann Salomo Semlers Schriftverständnis und seine Stellung zu Luther (Göttingen: Vandenhoeck & Ruprecht, 1961.) For a contemporary insistence on inerrancy, see Crisis in Lutheran Theology: The Validity and Relevance of Historic Lutheranism vs. Its Contemporary Rivals 1: Essays by John Warwick Montgomery (2nd ed.; Minneapolis: Bethany Fellowship, 1973).

[132] The reference is to theologians such as Matthias Flacius, Martin Chemnitz, and Nikolaus Selnecker, who were prominent in the second half of the sixteenth century.

[133] See Robert D. Preus, The Inspiration of Scripture: A Study of the Theology of the Seventeenth Century Lutheran Dogmaticians (London: Oliver & Boyd, 1955); also by the same author, The Theology of Post-Reformation Lutheranism 1 (St. Louis: Concordia, 1970) esp. 339–62.

[134] Cf. Smalcald Articles, Part 2, art. 1, par. 1 (Tappert 292; Bekenntnisschriften 415 f.); Solida declaratio 3, par. 6 (Tappert 540; Bekenntnisschriften 916).

unconditional mercy in Jesus Christ to which the biblical writings are the primary witness.

8. In the light of this, Lutherans believe that the transcendence which the gospel enjoys over human truth-claims consists precisely in the fact that through the gospel God declares sinners righteous for Jesus' sake. The gospel, so to speak, establishes its own transcendence. Its truth becomes known and its authority acknowledged only upon being heard through the Word, received in the sacraments, and believed through the power of the Spirit. The authority of the Church's teachings and teaching office is dependent on the degree to which these further the proclamation of the gospel in accordance with Scripture.

9. One corollary of this emphasis on the self-authenticating character of the gospel is that questions about its authority can be answered ultimately only in its proclamation and celebration in preaching and sacraments when the Word of God genuinely encounters human beings in judgment and grace. Thus the Lutheran Confessions' use of something akin to infallibility language is in connection with the promises of God, i.e., "He does not lie" in such promises.[135] This, in turn, is inseparable from the conviction that the promises of God can be received only by faith, and that faith, by definition, is trust in such promises.

10. This understanding of faith has important consequences for the Lutheran view of church doctrine. It becomes necessary to make a careful distinction between faith as trust in the divine promises and those aspects of the faith of the Church which are responses to the divine promise through confession, action, teaching, and doctrinal formulations. These responses are necessary: the gospel (the promise of God) does indeed have a specifiable "knowledge" content. But the authority of this content, Lutherans believe, is established by its power to convict of sin and convince of grace through the work of the Holy Spirit and is not enhanced by saying that the teaching office or doctrinal formulations are themselves infallible.

11. Thus doctrinal formulations for Lutherans are, on the one hand, confessions and doxologies rather than promulgations of infallible dogma; and, on the other, they function as guides for the proper proclamation of the gospel, the administration of the sacraments, and the right praise of God rather than as statements which are themselves objects of faith. Furthermore, the scriptural witness to the gospel remains the ultimate norm for such formulations. Yet this does not exclude a high regard for their authority. Although they are the result of human responses to the

[135] *Large Catechism, Lord's Supper,* par. 57 (Tappert 444; *Bekenntnisschriften* 703). Similar expressions in the same context include: God's Word cannot "deceive," "cannot err" (ibid.); Scriptures "will not lie to you" (*Large Catechism, Lord's Supper,* par. 76 [Tappert 455; *Bekenntnisschriften* 723]).

word of forgiveness, church doctrines when rightly used are vitally important in order to foster, insofar as possible in changing historical contexts, the proper proclamation of the Word and the transmission of that Word in its purity. Lutherans should be supremely conscious in all this that "we have this treasure in earthly vessels, that we may know that the transcendent power belongs to God and not to us" (2 Cor 4:7). The Church abides and its teachings are authoritative, yet both remain *in via* until the day of Jesus Christ.

II

12. Although Lutherans have used this view of doctrinal authority in recent times largely as a critique of aspects of their own tradition, it is natural for them to apply it also in their interconfessional discussions with Roman Catholics. This leads them, on the one hand, to resist any suggestion that attributing infallibility to persons, institutions, doctrinal formulations, or even the Church as a whole could enhance the authority of the gospel; on the other hand, they welcome the assurance of the Roman Catholics that infallibility language is not intended to add anything to the authority of the gospel, but rather to let that authority be recognized without ambiguity. They rejoice in the increasing emphasis among Catholics on the supremely normative status of the gospel as witnessed to in Scripture, and on the importance of understanding infallibility in terms of trust, confidence, and hope in God's promises.

13. Roman Catholics, like Lutherans, have been impelled by historical research, the philosophical critique of language, and the contemporary experiences of change and pluralism to recognize the culturally conditioned character of all doctrinal formulations, though without surrendering convictions regarding their dimensions of abiding validity and truth. Further, changes in the understanding of the Church at Vatican II have begun to transform the monarchical features of papal infallibility into something more communal and collegial. As is made clear in both the Common Statement and the Catholic Reflections, infallibilist claims take on a very different appearance in this new context of thought and life. From the Lutheran perspective, it is now much clearer than before that Catholics also wish to place their ultimate reliance not in the teaching of popes, councils, or the Church but in God's promises in Jesus Christ.

14. One consequence of this is that Lutherans can no longer simply repeat their traditional objections to infallibility. What many Roman Catholics, including those who regard as important the acceptance of this doctrine, now affirm is not what Lutherans have in the past rejected. Our partners in dialogue deny that there is any automatic guarantee of the truth of dogmatic pronouncements. They seem to us to hold that assurance of the truth of a doctrinal pronouncement does not ultimately

depend on promulgation by pope or council but on the Word of God witnessed in Scripture and interpreted in the community of faith under the unfailing guidance of the Holy Spirit. We have come to recognize that it is for them often difficult to determine whether a particular teaching is to be numbered among infallible doctrines and that there is no official list of such doctrines. We hear them saying that their confidence in the abiding truth of, for example, the ancient Trinitarian and Christological creeds (which Lutherans also accept) is ultimately based on trust in God and His promised guidance of the Church, not in juridically conceived authority. Their acceptance of infallibility sometimes seems to us little different from the affirmation which we share, that God will not permit the Church to err definitively on any issue vital to the faith: "the gates of hell shall not prevail against it" (Mt 16:18).

15. As Lutheran theologians, we find it difficult to object to such a position. Lutherans also have a confidence, rooted in God's mercy, that the early ecumenical creeds, not to mention the Reformation decision on justification, are of abiding validity and value. As a result, it has sometimes seemed in these discussions that our disagreements over the possibility of infallible doctrines are more verbal than real.

16. Verbal disagreements, to be sure, can be important. The language of infallibility continues to seem dangerously misleading to most of us even when applied to the Bible, and to all of us when used in reference to popes, councils, or doctrinal formulations. It can too easily be abused to detract from the primacy of God's justifying act in Jesus Christ. Nevertheless, we must record our conviction that this is not the way this language is understood by the Catholic theologians with whom we have discussed these issues. There is, we are persuaded, increasing agreement between us on the centrality of the gospel and of trust in God and His promises. This has the consequence that we often find it difficult to pinpoint exactly where or how we differ from each other on the question of infallibility.[136] Yet this is an embarrassment in which we rejoice, because it grows from the convergence of Catholic concerns with those which spring from the Reformation.

17. Much, to be sure, remains to be done. Even if the difference on infallibility were overcome, there would still remain divergences between Catholics and Lutherans on specific doctrinal questions. The most manifest of those doctrinal divergences which we have not yet dealt with are the Marian dogmas of 1854 and 1950. Yet, given the convergence on the primacy of the gospel evident in our past and present discussions, it is our hope and prayer that even these need not be church-dividing.

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[136] The Catholic Reflections (51) express the same sentiment: "Even with regard to infallibility, we have found it increasingly difficult, as our dialogue has proceeded, to specify the exact point at which, in fidelity to our respective traditions, we are bound to disagree."

III

18. Convergence, however, has taken place not only from the Catholic side. While Catholics are rethinking the meaning of infallibility, many Lutherans are reawakening to the importance of an ecumenical or universal teaching Ministry within the Church. This has been our experience in this dialogue. Our Catholic partners have stimulated us to consider how vital it is for the churches to speak, when occasion demands, with one voice in the world and how a universal teaching office such as that of the pope could exercise a Ministry of unity which is liberating and empowering rather than restrictive or repressive.

19. This convergence, propelled by the Lutheran confessional commitment to the cause of Christian unity,[137] occurs in the midst of conflicting claims to authority in the modern world. Lutherans, like Catholics, are called to move in creative, ecumenical ways toward an effective expression of universal teaching authority. We share the conviction that decisions about the truth of the gospel have to be made for the sake of the gospel's life in the world. Consequently, we affirm a Ministry which has the responsibility of reformulating doctrine in fidelity to the Scripture when circumstances require.[138] In order to fulfil this responsibility, we need to overcome our past difficulties in organizing an effective magisterium which can articulate the doctrinal concerns of Lutherans around the globe. It should be the explicit purpose of such a magisterium to break through parochial, national, and denominational barriers and share in the ecumenical responsibility of witnessing in the world.[139] Ecumenical councils in conjunction with the papacy could thus become once again the instrument through which the unity and mission of the Church are affirmed and realized. Lutherans have always recognized that, though not guaranteed against error, the doctrinal decisions of free and universal councils are, when accepted by the churches, the highest exercise of the teaching office.[140]

20. To be sure, the Lutheran characterization of such a Ministry remains distinct from the Catholic one. As has been repeatedly emphasized, we continue to question the appropriateness of speaking of the Church's teaching office or doctrines as "infallible."[141] Infallibility sug-

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[137] Cf. *Augsburg Confession,* Preface, par. 13: " . . . we on our part shall not omit doing anything, insofar as God and conscience allow, that may serve the cause of Christian unity" (Tappert 26; *Bekenntnisschriften* 46 f.).

[138] Common Statement 41.

[139] Common Statement 46.

[140] Cf. Luther's treatise *Von den Konziliis und Kirchen* of 1539 (Weimarer Ausgabe 50, 509–653; *Luther's Works* 41 [Philadelphia: Fortress, 1966] 9–178) and the Common Statement 24.

[141] See Common Statement 28.

gests something above and beyond that indefectibility of the Church which we also accept. For us, there is no special gift (charism) of infallibility to the magisterium, although there is a preaching and teaching authority which exists to serve the proclamation of the Word and for the sake of order and discipline in the Church. Such order and discipline are, in part, the responsibility of the Ministry, which exists to ensure that the gospel is transmitted and preserved. The only guarantee of this transmission is the Holy Spirit, "who works faith when and where he pleases."[142] Doctrinal decisions of the Church are to be taken with utmost seriousness, but this means that they are to be constantly re-examined and reinterpreted in the light of God's Word. We thus return to the emphasis on God's promises, which is expressed in the affirmation that only the Word of God found in Scripture is "infallible and unalterable."[143]

IV

21. Yet, although our accord on infallibility is not complete, the convergences we have traced are of great significance. To agree on the primacy of the gospel is more than a change of climate. It calls, as the Common Statement has already noted, for "magisterial mutuality," for co-operation with Catholics in the teaching function of the Church. Concrete steps need to be taken to right old wrongs and to prepare for new directions at this crucial point in the history of our churches. Thus we recommend to our churches:

a) that they officially declare that the Lutheran commitment to the Confessions does not involve the assertion that the pope or the papacy in our day is the antichrist;[144] in this way our churches would publicly affirm that antipapal polemics should be replaced by an attitude of respect and love;

b) that they undertake an examination, with the participation of Catholics, of catechetical and other teaching materials, in order to identify and eliminate distorted accounts of historic and contemporary Roman Catholicism;

c) that in the presentation of our common Christian faith they encourage the greater use of Roman Catholic doctrinal, theological, catechetical, pastoral, and liturgical materials;

d) that they facilitate Catholic contributions to the process of formulating Lutheran positions on doctrinal and ethical issues; this might

[142] *Augsburg Confession*, art. 5, par. 2 (Tappert 31: *Bekenntnisschriften* 58 German text).

[143] *Book of Concord*, Preface (Tappert 8; *Bekenntnisschriften* 9).

[144] See n. 127 above and *Papal Primacy and the Universal Church* 25. In making such a recommendation, we are aware that to the best of our knowledge there is no precedent for Lutherans to affirm officially that, in the light of changing historical circumstances, a statement in the Confessions no longer applies. Our churches, however, have long been involved in such historical interpretation of the Confessions.

include Catholic participation in Lutheran conventions and assemblies;

e) that they develop structures for regular consultation with Catholic bishops on the local and national levels regarding matters of mutual concern;

f) that they declare their willingness to participate in a world-wide and ecumenically-based magisterium; this participation might take many forms, from representation in synods of bishops to joining in a fully ecumenical council.

We are aware that these recommendations are difficult to implement. They are in some respects ahead of what is at present possible. Yet, if our two traditions have indeed drawn as close in their understanding of the primacy of the gospel of Jesus Christ in relation to the Church's teaching authority as our work indicates, then it is incumbent on Lutherans to take concrete steps to bring the insights of our encounter to fruition. Only thus can Lutheranism become what it originally claimed to be: a reformation movement under the gospel within the Church catholic. We belong together with our Roman Catholic brothers and sisters in sharing the sufferings, joys, and tasks to which our common Lord calls us in God's world.