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INFALLIBILITY IN THE ECCLESIOLOGY OF PETER RICHARD KENRICK

Peter Richard Kenrick, at first the coadjutor and then ordinary of the Archdiocese of St. Louis from 1841 until a year before his death in 1895, has the distinction of being the only American prelate to attend all three plenary councils in Baltimore (1852, 1866, 1884). He is more celebrated, however, as one of the leaders of the opposition to the declaration concerning the infallibility of the papal teaching office at Vatican I. This brief study will attempt to point out the similarity between Kenrick's ecclesiological concepts and those articulated in some ecumenical discussions of today. Chronologically, Kenrick was of the late nineteenth century; theologically, he would probably have felt more at home in either the eighteenth or the twentieth.

Kenrick's older brother, Francis Patrick, who was coadjutor and ordinary of Philadelphia (1830–51) and archbishop of Baltimore (1851–63), was a more prolific writer on theological topics and is generally regarded as one of the outstanding Catholic theologians of the nineteenth century. Roman-educated, professor of theology, and rector of a seminary, he wrote both a general manual of theology[1] and specific treatments on particular topics.[2] His younger brother, a Maynooth alumnus and frontier bishop in the developing American Midwest, was not called upon to express himself in written form until his participation in the infallibility debates of Vatican I. As a result of this, few treatments of the younger Kenrick's theological work have appeared.[3]

Peter Kenrick, as an avowed advocate of local ecclesiastical administration, spared no words in his opposition (especially in 1866) to the necessity of submitting all conciliar decisions to Rome for approbation. The American bishops as a group were disturbed by the treatment to which decrees of their first plenary council were subjected in Rome. After the decisions of the bishops were presented to the Curia in person by the bishop of Chicago, James Oliver Van de Velde, S.J., they were given over to the Jesuit theologian Giovanni Perrone for review. If Perrone disagreed

[1] Francis Patrick Kenrick, *Theologiae dogmaticae tractatus tres: De revelatione, de ecclesia, de verbo Dei* (Philadelphia: n.p., 1839).

[2] Francis Patrick Kenrick, *Primacy of the Apostolic See* (3rd ed.; New York: Edward Dunigan & Brother, 1848); *Theologia moralis* (3 vols; Philadelphia: Eugene Cummiskey, 1843).

[3] The best general biography of Kenrick is Samuel J. Miller's "Peter Richard Kenrick, Bishop and Archbishop of St. Louis, 1806–1896," *Records of the American Catholic Historical Society of Philadelphia* 84 (1973) 3–163.

with some requests of the hierarchy (e.g, that the laws of fast, abstinence, and holy days be mitigated for the United States), the permission was not granted. While the American bishops were desirous of more independence, the political climate in Europe was such that Rome was adamantly opposed to greater autonomy for any local church. Even the repeated request of the Americans for a primate was never fulfilled because of Roman fear of administrative independence.[4]

During the month of April 1870, as a conciliar participant, Kenrick wrote a lengthy exposition entitled *De pontificia infallibilitate qualis in Concilio Vaticano definienda proponitur theologica.*[5] It was published in brochure form in Naples and distributed to all the fathers at the Council. In light of the current ecumenical attempt to come to grips with the problem of authority, Kenrick's thought is important. In this his first published presentation, he reiterated the arguments against papal infallibility which by this point of time at the Council had been advanced by others. He also emphasized, however, the need for a moral unanimity among the bishops for the passage of any doctrinal decree. By stressing this, he hoped to avoid the final calling of the question, since it was already evident that there was no such unanimity on the topic. S. J. Miller notes that "Kenrick stated the view of many anti-infallibilists that preponderance of the 'pope's friends,' Italian bishops dependent upon papal largesse and curial bishops without a diocese, would endanger any dogma promulgated by the council because doubt would arise among the faithful that perhaps human interest rather than the Holy Ghost had inspired the doctrine."[6] In light of this, Kenrick also proposed that votes be cast by language or nation, as had occurred at previous councils, rather than by a number of heads.[7]

As he became increasingly fearful that the cause of the opposition group was lost, Kenrick decided to lay out all of his arguments in as complete a form as possible. He did this in early June in another pamphlet—again distributed to the fathers—entitled *Concio in Concilio Vaticano habenda at non habita.*[8] This is certainly Kenrick's most com-

[4] See J. P. Marschall, C.S.V., "Francis Patrick Kenrick, 1851-1863: The Baltimore Years" (Ph.D. dissertation, Catholic University of America, 1965) 69–71, 114.

[5] Printed at Typis Fratrum de Angelis, Naples, 1870.

[6] Miller, "Peter Richard Kenrick" 108–9.

[7] *De infallibilitate pontificia* 55–56.

[8] Also published in Naples at Typis Fratrum de Angelis. The complete Latin text is found in J. D. Mansi, ed., *Sacrorum conciliorum nova et amplissima collectio* 52, col. 453–81. The volumes on Vatican I were edited by L. Petit and others. An English translation, which is used here, appears in Raymond J. Clancy, C.S.C., "American Prelates in the Vatican Council," *Historical Records and Studies* (United States Catholic Historical Society) 28 (1937) 93–131.

plete treatment of the topic and hence the key text for an understanding of his thought.

It is clear in the *Concio* that Kenrick's real fear was that as a result of the definition of papal primacy and infallibility the bishops would become mere vassals of the pope. This concept was completely antithetic to his personal American bent for decentralization in both civil and ecclesial affairs, but he also believed that it was contrary to the deposit of faith. He maintained that infallibility is found in the Church and exercised by the Holy Father only when he is manifestly in union with the body of bishops.[9] This was a concept that was prevalent in much of the American Church of the period[10] and had been stated rather forcefully by Kenrick himself in his sermon at the conclusion of the Second Plenary Council of Baltimore (1866), in which he stressed the role of the bishops in the transmission of revelation.[11] The notion of episcopal collegiality is clearly referred to in the joint pastoral letter of the bishops issued after this council, where they speak of the authority to settle disputes in the Church as having been given "to the Apostles as a Ministerial Body which was to have perpetual existence by the perpetual succession of its members."[12]

In the *Concio* Kenrick indicated a grasp of scriptural interpretation which was not then the norm in most ecclesiological tracts. His treatment of the Petrine texts attempted to prove that they were open to varied interpretations and that many of the prerogatives being claimed exclusively for Peter were promised in these texts to all the apostles.[13] He artfully recalled that all the participants had promised in the profession of faith made at the beginning of the Council to be faithful to the Catholic rule of biblical interpretation.

> The rule of Biblical interpretation imposed upon us is this: that the Scriptures are not to be interpreted contrary to the unanimous consent of the Fathers. But

[9] Miller is incorrect in stating that Kenrick's *Concio* "presented a serious contribution to the theory of the double subject of infallibility. That is, the pope is infallible, but the bishops and the pope together are also infallible" (p. 116). Kenrick, as will be seen, seems clearly to opt for one subject.

[10] See P. K. Hennessy, C.F.C., "Episcopal Collegiality and Papal Primacy in the Pre-Vatican I American Church," *TS* 44 (1983) 288–97.

[11] *Sermons Delivered during the Second Plenary Council of Baltimore* (Baltimore, 1866) 191-202.

[12] H. J. Nolan, *Pastoral Letters of the American Hierarchy, 1792–1970* (Huntington, Ind.: Our Sunday Visitor, 1971) 144.

[13] On the opinions of present-day scholars regarding the meaning of the various "Petrine" texts, see Raymond Brown et al., *Peter in the New Testament: A Collaborative Assessment by Protestant and Roman Catholic Scholars* (New York: Paulist, 1973); Hans Küng, *The Church* (New York: Sheed and Ward, 1967) 457–65; Beda Rigaux, O.F.M., "St. Peter in Contemporary Exegesis," in *Progress and Decline in the History of Church Renewal* (Concilium 27; New York: Paulist, 1967) 147–79.

this failing, the rule seems to lay down for us the law of following, in their interpretation of Scripture, the major number of the Fathers, that might seem to approach unanimity.[14]

He then pointed to the fact that there was far from unanimous agreement among the Fathers of the Church on the meaning of "the rock" on which Christ built his Church.

Kenrick proceeded on this line of argumentation and indicated in his presentation that he understood the *papal* infallibility which was being proposed by many at the Council as something which was promised to Peter alone and separated from the rest of the Church. He stated

... that no argument at all, or one of the slenderest probability, is to be derived from the words: "On this rock will I build my Church," in support of the Primacy. Unless it is certain that by the rock is to be understood the apostle Peter in his own person, and not in his capacity as the chief Apostle speaking for them all, the word supplies no argument whatever, I do not say in proof of Papal Infallibility, but even in support of the Primacy of the Bishop of Rome.[15]

Kenrick's own understanding of the "rock," he stated, was based on his reading of the Fathers: "If we are bound to follow the majority of the Fathers in this thing, then we are bound to hold for certain that *the rock* should be understood as the faith professed by Peter, not Peter professing the faith."[16]

In the publication *Peter in the New Testament*, which originated in the background discussions on the issue of papal primacy as part of the United States Lutheran–Roman Catholic dialogue and was published in 1973, the same confusion over the exact meaning of the word "rock" is indicated. The Scripture scholars involved in the dialogue point out that the text of Mt 16:16–18 probably came from a pre-Matthean Aramaic source. While this source might have identified Peter and the rock, the case is not so certain in the text of Matthew.

On that level, precisely because of the Aramaic identity of *Kepha/kepha'* there can be no doubt that the rock on which the church was to be built was Peter. Is this true also for Matthew in whose Greek there is the slight difference *Petros/petra*? Probably the most common view would be that it is. Other interpretations, however, are possible. For instance, the *petra* might not be *Petros* (Peter) himself, but Peter's confession—or, more precisely, Peter when he confesses and "thinks the things of God" (16:23).[17]

While Kenrick did not have at his command the resources of contemporary scholarship, he utilized his understanding of the scriptural texts

[14] Clancy, "American Prelates" 99.
[15] Ibid. 99–100.
[16] Ibid. 100.
[17] Brown, *Peter* 92–93.

to indicate that a collegial view of the apostles as the "foundation" of the Church was more acceptable than seeing Peter as the sole "foundation."

It seems to me, after some thought upon the diversity of interpretations, that they may all be resolved into one, by taking into consideration the distinction between the foundation on which a house is built, and the foundation which is laid in the building of it. The builder of a house, especially if it is to be a great house, and to stand a long time, begins with digging down until he comes, as the phrase goes, "to the live rock;" and on this he lays the foundations, that is the first course of the building. If we admit this double meaning of foundation, all the diversity of interpretations disappears; and many passages of Scripture, which at first might seem difficult to reconcile with each other, receive great light. The natural and primary foundation, so to speak, of the Church is Christ.... The architectural foundation, that laid by Christ, is the twelve Apostles, among whom Peter is eminent by virtue of his primacy.[18]

Kenrick relied very heavily on the interpretations of the Fathers of the Church for the proper understanding of Scripture. "Following the example of Irenaeus, Tertullian, Augustine, and Vincent of Lerins, I believe that the proofs of the Catholic Faith are to be sought rather in tradition than in the interpretation of the Scriptures."[19] He could find no tradition[20] of a "papal infallibility" in the early stages of the Church. He then summed up this aspect of his opposition to a definition.

We have in the Holy Scriptures perfectly clear testimonies of a commission given to all the Apostles, and of the Divine Assistance promised to all. These passages are clear, and admit no variation of meaning. We have not even one single passage of Scripture, the meaning of which is undisputed, in which anything of the kind is promised to Peter separately from the rest. And yet the authors of the *Schema* want us to assert that to the Roman Pontiff as Peter's successor is given that power which cannot be proved by any clear evidence of Holy Scripture to have been given to Peter himself except so far as he received it in common with the other Apostles; and which being claimed for him separately from the rest, it should follow that the Divine Assistance promised to them was to be communicated only through him, although it is clear from the passage cited that it was promised to him only in the same terms as to all the others. I admit, indeed, that a great privilege was granted to Peter above all the rest; but I am led to this conviction by the testimony, not of the Scriptures, but of Christian antiquity.[21]

[18] Clancy, "American Prelates" 101-2.

[19] Ibid. 105.

[20] While one must be wary of imposing modern notions regarding the meaning of tradition on Kenrick since there was far from a univocal sense at that time, it is clear that the Fathers hold priority of place for him in the testing of the validity of an opinion.

[21] Clancy, "American Prelates" 106.

It would seem that for Kenrick no proof could be adduced from the Petrine texts which could lead one to state without doubt that the papal teaching office is in itself infallible. It would also seem that he understood that the majority at the Council were advocating a "papal infallibility" which was separate from the rest of the Church.[22]

As he moved from Scripture to tradition, Kenrick was also extremely cautious in his assessment of the state of papal primacy in the early Church. In a paper developed by J. F. McCue as part of the Lutheran-Catholic dialogue a similar conclusion is stated "... one concludes that through the Council of Nicaea, a Roman universal primacy of jurisdiction exists neither as a theoretical construction nor as a *de facto* practice awaiting theoretical interpretations."[23] By the end of the patristic era in the fifth century, according to A. C. Piepkorn, it seems to be established that

> ... The bishops of Rome by the time of Leo have developed a self image which represents them as the heirs and successors and, in a sense, the continuing embodiments of Peter.
> ... This view is generally accepted in the patriarchate of the West ... it is tolerated in the Christian East when it is in the interest of the East to do so; otherwise it tends to be rejected in practice.... The bishops of Rome lack the power to enforce their decisions outside the patriarchate of the West and even there they often must and do solicit the assistance of the civil authorities.[24]

Kenrick's understanding of the papal teaching office was different from that which he thought was being proposed at the Council; for he feared that they desired "that the papal power, great by its divine origin, and since then, in the course of ages, enormously augmented, should be the sole power in the Church."[25]

The archbishop of St. Louis believed that in this presentation he was reflecting quite clearly the theology of his noted older brother, Francis Patrick, but he had some doubts that his brother went far enough in his

[22] There is little doubt that Kenrick and others in the minority played an important role in molding the final statement, as will be seen below. See also R. Aubert, "Motivations théologiques et extra-théologiques des partisans et des adversaires de la définition dogmatique de l'infaillibilité du pape à Vatican I, in "*L'Infaillibilité: Son aspect philosophique et théologique*, ed. E. Castelli (Paris: Aubier, 1970) 91–103; M. O'Gara, "French Minority Bishops of the First Vatican Council and the Ecclesial Character of Infallibility" (Ph.D. dissertation, University of St. Michael's College, Toronto, 1980).

[23] James F. McCue, "The Roman Primacy in the Patristic Era: The Beginning through Nicaea," in Paul C. Empie and T. Austin Murphy, ed., *Papal Primacy and the Universal Church* (Minneapolis: Augsburg, 1974) 72. See also J. N. D. Kelly, *Early Christian Doctrines* (2nd ed.; New York: Harper and Row, 1960) 189–93.

[24] Arthur Carl Piepkorn, "The Roman Primacy in the Patristic Era: From Nicaea to Leo the Great," in Empie-Murphy, *Papal Primacy and the Universal Church* 97.

[25] Clancy, "American Prelates" 106.

treatment of ecclesial infallibility, especially on the tacit acceptance of a papal dogmatic decree as a sign of its infallibility. He forthrightly stated:

... I do not agree in all respects with my brother's opinion, which, I am aware, is the common opinion of theologians. The assent of the Church dispersed, as the phrase is, I consider to have a negative rather than a positive authority. The Church, whether dispersed or assembled in Council, cannot assent to any error that *contradicts* revealed truth; otherwise, the gates of hell might be said to have prevailed against it. Nevertheless, it has the Divine Assistance in *those things alone* which were taught by Christ to the apostles, all which things, that is, all revealed truth: "all things whatsoever I have told you." ...
But when the question is on a new definition of faith, I consider that a Council which truly represents the Church universal is of necessity required. For it is there alone that inquiry can be made, in case any doubts should arise. In certain matters only, and these only under favorable circumstances, may silence be taken for assent; but not in all matters, especially when dissent might turn out to be either useless or perilous. Take the present controversy, for example. If the Pope had thought fit to define himself as infallible in the sense of the Schema, there would have been no opportunity given for the great investigation which we have seen instituted, now that the Council is convened and bishops assembled, affording light and courage to each other. Very few of those who have stood out so stoutly against the new definition, in the most difficult circumstances, would have ventured to resist the Pope, or, if they had the courage for that, would have known where to lay their hands on weapons fit and effective for the protection of their rights, so gravely imperiled.[26]

As an example of a statement made by a pontiff in very solemn terms which was subsequently rejected in practice, Kenrick referred to the bull *Unam sanctam* of Boniface VIII, which claimed papal superiority over the temporal realm.

I once used to think the language of the Bull, *Unam Sanctam*, capable of being reconciled with the view I then held of Papal infallibility. But I do not now think so. It used to seem to me a special act of Divine Providence which had kept the Pope from declaring all mankind to be subject to him in temporals, by reason of sin; but on more mature reflection I saw that this explanation was a mere subterfuge, utterly unworthy of an honest man. Words derive their meaning from the intent of the speaker and the acceptation of the hearers. No man can deny that the purpose of Boniface in that Bull was to claim for himself temporal power, and to propound this opinion to the faithful, to be held under the pain of damnation. No man can deny that the words of the Bull were received in the same sense by all then living. If it was withstood by the subjects of Philip the Fair, these were extremely few in number compared to the whole of Christendom .... The Church then through all that period seems to have approved by its assent the Bull, *Unam Sanctam*, hardly a single bishop having objected to it....

[26] Ibid. 108–9.

But at the present time the opinion so solemnly enunciated in that Bull is repudiated by all, not excepting even the most ardent advocates of Papal Infallibility.[27]

Once again, Kenrick seems to have seen more clearly than others the theological ramifications of the problems connected with "papal infallibility" and *Unam sanctam.* George Tavard believes that there was more opposition to the decree within the Church than Kenrick was aware of, but he also believes that ecclesiologists today must deal more adequately with the strong language of the bull than has been customary. "The bull *Unam Sanctam* attempted to stem the tide by reasserting a classical theology. Not unnaturally it stated this theology in its extreme form: the temporal power must be exercised by the king, within the church, at the discretion of the *sacerdos*, that is, practically speaking, of the pope. . . ."[28]

There is no question of the validity of Kenrick's logic when he stated in the *Concio* that regarding *Unam sanctam*

The tacit assent of the bishops . . . for no less than four centuries, did not have the effect to constitute the opinion of the power of the Popes in temporals into a doctrine of the Catholic Faith, which is obvious of itself, since otherwise the rejection of it now would be equivalent to defection from the unity of the Catholic Church.[29]

He could accept, however, a different concept of "papal infallibility." He believed that the testimony of antiquity proved that the pope is infallible: ". . . but on this condition, that he should use the counsel of his brethren, and should be aided by the judgment of those who are his partners in this supreme function, and should speak in their name, of whom he is the head and the mouth."[30]

This emphasis on the need for the "counsel of his brethren" on the part of the pope, mentioned here by Kenrick, was a rather common theme in the addresses of the members of the opposition during the weeks of late May and the first few days of June 1870. The theological commission of the Council took note of this and added a four-paragraph "historical preamble" to the proposed text in order to present the infallibility of the pope in the context of the infallibility of the Church. The first two paragraphs of this addition are important for a proper understanding of the doctrine as it was ultimately defined, but they are frequently overlooked.

[27] Ibid. 109–10.

[28] George H. Tavard, "The Bull *Unam Sanctam* of Boniface VIII," *Papal Primacy and the Universal Church* 111.

[29] Clancy, "American Prelates" 111.

[30] Ibid. 106.

> To fulfill this pastoral duty, our predecessors have striven tirelessly to spread Christ's saving doctrine among all the people of the earth. With equal care they have been vigilant to conserve this doctrine sound and pure where it has been accepted. The bishops of the entire world, therefore, sometimes individually, sometimes assembled in synods, have followed the long-standing customs of the Churches and the form of the ancient rule by referring to this Apostolic See dangerous situations, particularly those that have risen in matters of faith; so that harm done to the faith might best be healed where faith cannot fail.
>
> As circumstances recommended, the Roman Pontiffs have at time convoked ecumenical councils, or sought the views of the Church throughout the world; on other occasions they have utilized particular synods, or other helps supplied by divine providence. *After taking such measures*, they have defined as doctrines that must be held those which they had recognized, with God's assistance, as conformed to the Sacred Scriptures and apostolic traditions. For the Holy Spirit has promised the successors of Peter, not that they may disclose new doctrine by His revelation, but that they may, with His assistance, preserve conscientiously and expound faithfully the revelation transmitted through the Apostles, the deposit of faith.[31]

While this historical setting did not satisfy those who wanted to see a clear juridical norm which would have required some type of prior consultation, it was an attempt to indicate the historical relationship which had existed—and therefore should presumably exist in the future—between bishops, councils, and the Chair of Peter, i.e., that prior consultation would take place.

In an important part of his treatment Kenrick stressed that there seemed to be confusion in the minds of some regarding the distinction between faith and theology. It was his position that the Church is a *witness* to revealed truth and cannot be more than that in its presentation of the truths of faith.[32] On the other hand,

> Theology as a science is to be carefully distinguished from faith or the body of *credenda*. It sets forth the truths of faith in systematic order, and proves them, in its way of proving, either positively or scholastically, and deduces sundry conclusions from truths explicitly or implicitly revealed, which for distinction's sake are called theological conclusions. These conclusions, not being immediately and necessarily connected with revealed truths, so that denial of them would be deemed a denial of those truths themselves, cannot be elevated to the rank of truths of faith, or propounded as such to the faithful at cost of their everlasting salvation. Propositions contradictory of them may be condemned as erroneous, but not as heretical.[33]

[31] DS 3069; English translation from John F. Broderick, S.J., *Documents of Vatican I, 1869–1870* (Collegeville: Liturgical, 1971) 61–62 (emphasis added).

[32] Ibid. 114.

[33] Ibid. 115.

Kenrick did not attempt to pinpoint exactly what truths were "implicitly" revealed, other than to state that they were "necessarily connected" with explicitly revealed ones.[34] It is evident that he did feel, however, that the questions which were being debated at the Council were not revealed in any way, because the division of opinion among the bishops indicated that they could not be matters of "faith." The distinction between faith and theology had been overlooked.

The result, a thing unknown hitherto in councils, has been that the bishops are divided among diverse opinions, disputing, certainly not about doctrines of faith of which they are witnesses and custodians, but about opinions of the schools. The council chamber has been turned into a theological arena, the partisans of opposite opinions, not only on this question of the infallibility of the Pope, but on other subjects, exchanging blows back and forth with the hot temper which is more common in theologians than in bishops, and is not becoming either; for all acknowledge the Roman Pontiff, united with the body of bishops, to be infallible. Here we have a doctrine of faith. But not all acknowledge him to be infallible by himself alone; neither do all know what is meant by that formula; for different parties offer different interpretations of it. Here we have the opinions or views of the schools, about which, as is fair enough, there are all sorts of mutual contradictions.[35]

Thus one cause for Archbishop Kenrick's opposition was that the confusion which existed concerning the definability of the doctrine on the infallibility of the papal magisterium was a clear indication that what was being discussed was a theological opinion rather than a matter of faith. Kenrick argued systematically and forcefully for his position, and after the passage of the doctrinal decree he found it very difficult to retreat from it.[36] He was so convinced of his position that he went beyond what most other members of the opposition were saying. He stated that he intended to show that the opinion on the infallibility of the pope in the sense of the schema which had been presented to the fathers on the topic by the theological commission of the Council, whether true or false, is not a doctrine of faith and cannot be propounded as such to the

[34] Ibid. 114. [35] Ibid. 115.

[36] Upon his return to St. Louis Kenrick spoke thus: "The motive of my submission is simply the authority of the Catholic Church.... Simply and singly on that authority I yield my obedience and full and unreserved submission to the definition concerning the character of which there can be no doubt as emanating from the Council, and subsequently, accepted by the greater part even of those who were in the minority on that occasion" (*Western Watchman*, Jan. 7, 1871). In a March 29 letter to Lord Acton, Kenrick stated: "Sufficient time seems to have elapsed to allow the Catholic world to decide, whether or not the decrees of the Council were to be accepted. The greatest number of Bishops in the minority had signified their assent to them.... I accordingly made up my mind to submit to what appeared inevitable" (quoted in John Rothensteiner, *History of the Archdiocese of St. Louis* 2 [St. Louis: Blackwell, Wielandy, 1928] 316).

faithful, even by the definition of a council.[37] His argument was that such a teaching

> ... is not contained in the symbols of the faith; it is not presented as an article of faith in the Catechisms; and it is not found as such in any document of public worship. Therefore, the Church has not hitherto taught it as a thing to be believed of faith; as, if it were a doctrine of faith, it ought to have delivered and taught it.[38]

In fact,

> Not only has not the Church taught it in any public instrument, but it has suffered it to be impugned; not everywhere, but, with the possible exception of Italy, almost everywhere in the world, and that for a long time. This is proved by a witness above all impeachment, the approbation of Innocent XI, twice conferred upon Bossuet's *Exposition of the Faith,* a work in which the notion is plainly referred to in the remarks upon matters in dispute among theologians, on which opinion is free.[39]

Kenrick then indicated by references to various manuals used in different parts of the English-speaking world that this particular doctrine of "papal infallibility" was taught by the vast majority of theologians as an opinion rather than a doctrine.[40]

In his conclusion Kenrick alluded to the many petitions of the minority which had the purpose of attempting to see that no imprecise definition was made in the heat of verbal battle; but all these requests were to no avail. He still urged a more careful course: "For the question is one which calls for an investigation of the records of the entire Church, and should be dealt with in a calm rather than excited temper. The Archbishop of Dublin [Cardinal Paul Cullen, a leading member of the majority] says, indeed, that such an examination would last too long, ... but it were better to refrain from making any definition at all, than to frame one prematurely."[41]

Throughout his life Kenrick took seriously the fact that he regarded himself as a keeper and not a maker of the deposit of faith. This helps in some way to explain his constant opposition to what he saw as an innovation. Together with 54 others, he stated in a final letter to Pius IX and the cardinal presidents of the Council that he was opposed to the manner in which the Council had been conducted and hence would leave

[37] Clancy, "American Prelates" 116 (emphasis added).

[38] Ibid. 116–17.

[39] Ibid. 117.

[40] He noted that an exception to this was the noted Jesuit preacher Franz Weninger, and described him as "a pious and extremely zealous but ignorant man" (ibid. 117).

[41] Ibid. 131.

before a final vote. Nevertheless, the letter promised prayers for the Pope and the Church and assured Pius of faith and obedience.[42] Peter Kenrick left Rome a very disturbed man. He was clearly out of step with the majority of his brother bishops and the prevailing theological opinion of the time on the definability of papal infallibility. Nevertheless, it was through his efforts, and others like him, that the limitations found in the present definition were incorporated.

It is not the purpose of this brief essay to recount Kenrick's subsequent history and his ultimate acceptance of this definition. This has been treated fully by others.[43] Our concern has been to point out that in the midst of the delicate ecumenical discussions now taking place, the work of one of the major American participants at the Council deserves consideration. It would seem evident that Kenrick correctly understood what was being proposed by some of the more vigorous of the majority, such as Henry Edward Manning of Westminister, but that he did not follow in detail the refinements made in the various editions of the schema as a result of the debate. While it is clear from some of Manning's subsequent statements that he also missed some of the nuances which entered into the explanations of the final wording given by its framers, as a member of the theological deputation himself he had greater opportunity than Kenrick to follow the progress of the debate. A critical explanation regarding the "personal" infallibility of the pope as separated from the bishops went far in answering the objections of Kenrick and others and should not be overlooked in our ongoing discussions, for it establishes the proper *Sitz im Leben* for the decree. Bishop Vincenz Gasser of Brixen spoke for the framers on July 11. Referring to the problem of selecting the proper wording to indicate appropriately the relationship between the pope and the Church, he stated that the theological commission was most anxious to avoid the Gallican distinction between *sedes* and *sedens* (the chair and the person filling it) because it wished to stress that the charism was available to each and every pope who fills the Chair of Peter. He said that it was important that one not consider papal infallibility as something abstract, but rather as something potentially available to be exercised by the pope then in the Chair of Peter. Nevertheless, to clarify his position on "personal" infallibility, he stated:

> ... So we do not speak of personal infallibility, although we attribute it to the

[42] Mansi 52, 1324–28.

[43] See Miller 122–28; James Hennesey, S.J., *The First Council of the Vatican: The American Experience* (New York: Herder and Herder, 1963) 317–25; Rothensteiner, *History* 2, 312–17; Gerald P. Fogarty, S.J., "Archbishop Peter Kenrick's Submission to Papal Infallibility," *Archivum historiae pontificiae* 16 (1978) 205–22.

person of the Roman Pontiff not as an individual person, but as a public person, the Head of the Church in his relation to the Universal Church. Nor is the pope infallible simply as pope, but as subject to the divine assistance guiding him. For as pope he is always the supreme judge in faith and morals, and the father and teacher of all Christians; but he enjoys the divine assistance, whereby he cannot err, only when really and actually exercising the office of supreme judge in controversies of faith, and of teacher of the Universal Church.[44]

Peter Richard Kenrick was a man for whom the notion of collegiality was a vital and practical relationship between pope and bishops. One suspects that he would be in the forefront of the discussions on the topic were he living today, but it also seems clear that he would feel somewhat proud of the influence that he and other members of the opposition at Vatican I actually had—even after their lifetimes.

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[44] Bishop Gasser's entire address is found in Mansi 52, 1204–30. Significant portions of it, including the translation here, are found in Cuthbert Butler, O.S.B., *The Vatican Council: The Story Told from Inside in Bishop Ullathorne's Letters* 2 (London: Longmans, Green, 1930) 135–36.