

## THE CONSENSUS OF THE CHURCH: DIFFERING CLASSIC VIEWS

RICHARD F. COSTIGAN, S.J.

*Loyola University of Chicago*

ON FRIDAY, July 15, 1870, in the tension-filled final days of the First Vatican Council, the council minority sent a delegation to Pope Pius IX to plead for the insertion into the draft of the *Pastor aeternus* of even one phrase mentioning the role of the episcopate in formulating an important statement of the faith.<sup>1</sup> If this were done, they said, then nearly all those who had voted *non placet* in the preliminary vote on July 13 (who numbered 88 of the total of 601 voting) could vote *placet*, and there could be a near-unanimous final vote.<sup>2</sup> But all such phrases were rejected and the phrase "ex sese, non autem ex consensu Ecclesiae" was added to the text, which was then voted through solemnly on Monday, July 18. "So little, it may seem now, ninety years after the event," says Philip Hughes, writing in 1960, "separated the Minority, at the crucial hour, from their brethren—the question which is the better form of words."<sup>3</sup>

But in reality both sides were right in regarding the "form of words" as being far more than a "little" matter. The minority, with deep conviction, considered that the omission of any mention of the involvement of the episcopate in the preservation and teaching of the faith was an omission of something essential to the historic understanding of the Church. The majority, for their part, were determined to assert a strictly monarchical version of papal supremacy and to exclude any phrase that might suggest any kind of qualification or limitation of that sovereign ruling and teaching power. Specifically, as the precise wording of the "ex sese" clause indicates, they were determined to close and bolt the door forever on the dreaded spectre of "Gallicanism." The dogmatic constitution *Pastor aeternus*, in its finished form, states that the definitions of the Roman pontiff are irreformable "ex sese, non autem ex consensu

<sup>1</sup> Cuthbert Butler, O.S.B., *The Vatican Council 2* (London: Longmans, Green, 1930) 157; in one-volume ed. (London: Collins and Harvill, 1962) 407.

<sup>2</sup> On this meeting of the minority with Pius IX, see Pierre Vallin, S.J., "Pour l'histoire du Vatican I: La démarche de la minorité auprès de Pie IX, le 15 juillet 1870," *Revue d'histoire ecclésiastique* 60 (1965) 844–48.

<sup>3</sup> Philip Hughes, *The Church in Crisis: A History of the Twenty Great Councils* (London: Burns and Oates, 1960) 322.

ecclesiae" (of themselves, and not from the consensus of the Church).<sup>4</sup> This phraseology is clearly calculated to counter Article 4 of the Declaration of the Gallican Clergy of 1682. That article asserts that the pope does indeed have the leading role ("praecipuas partes") in teaching the faith to the whole Church, but stipulates that his "judgment is not irreformable unless the consensus of the Church is present with it (nisi ecclesiae consensus accesserit)."<sup>5</sup> The determination to prevent any possible revival of this idea associated with Gallicanism, with its evident nonacceptance of a totally monarchical papacy, was the reason why the majority refused to allow any mention of the episcopate in the text of the definition. It might somehow provide a possible opening to future "Gallicans."<sup>6</sup>

The definition of Vatican I, reaffirmed by Vatican II in *Lumen gentium* 25, is clearly a product of a complex of historical factors, as the human persons on both sides strive according to their lights to assert what they consider right for the Church. Each side has an idea of the Church shaped by centuries of varied influences and aspirations. It is one same Church cherished by both sides, and one chair of Peter accepted and revered by both sides, despite very different ideas of the nature and function of the primatial office. Since these views developed in history, historical study can shed considerable light on them.

At least two questions deserve to be studied here. Looking at the council of 1870, a first question could ask to what extent, if any, the specific label "Gallican" is correctly applied to the minority at the council, especially, looking at the 88 who voted *non placet*, the 62 (70%) who were not French. Despite the rather free use of the term by some then and since in describing the whole minority,<sup>7</sup> this question can really only be

<sup>4</sup> DS 3074.

<sup>5</sup> The text of the Gallican Declaration is given in Latin in DS 2281-84. An English translation is available in Sidney Z. Ehler and John B. Morrall, eds., *Church and State through the Centuries: A Collection of Historic Documents with Commentaries* (Westminster, Md.: Newman, 1954) 207-8. The translation given here is my own. The decision to render *consensus* throughout as "consensus" rather than "consent" is based on consultation with classical scholars. The word *accesserit* does not have to mean a *consensus subsequens*, i.e. a consensus of the episcopate expressed *after* the Roman pontiff has spoken. It certainly need not be subsequent for Tournéy.

<sup>6</sup> Several scholars have written useful studies on the council debate on the wording of *Pastor aeternus*. One of the most illuminating remains that of Georges Dejaifve, S.J., "Ex sese, non autem ex consensu ecclesiae," *Eastern Churches Quarterly* 14 (summer-autumn 1962) 360-78. This article has been reprinted in several places.

<sup>7</sup> For an outstanding example of this, see M. R. Gagnebet, O.P., "L'Infaillibilité du pape et le consentement de l'église au Vatican I," *Angelicum* 47 (1970) 267-307 and 428-55. He bluntly labels the whole minority "Gallican" (271 and 273-77). Throughout this long, two-

answered by careful study of what these many prelates actually said in their writings, in the council debates, and elsewhere.<sup>8</sup> The present study, however, will not deal with this specific question or with other questions about Vatican I itself.

Given that abhorrence for Gallicanism produced the "ex sese" clause, a second question must inquire into the actual church-and-papacy thought of the historic Gallicanism of the 17th and 18th centuries in France. One must ask whether the basic convictions of that ecclesiological tradition need to be described only in abhorrent terms and branded as simply incompatible with a genuine acceptance of papal primacy. This is particularly so in view of the rediscovery in recent decades of the more collegial and consensual ecclesiology of the early and medieval centuries, which Gallicanism knew well and on which it consistently drew.<sup>9</sup> The present article is part of a study of what Gallican theologians actually said about church authority, and especially what they said in defense of Article 4 of the Declaration of 1682, dealing with the concurrence of the Church with papal statements. It is disconcerting to find how little attention has been devoted even by scholarly historians to the actual Gallican sources on this subject. Authors such as Thils, Fries, Nau, and Aubert, to name only four, speak of "the Gallican doctrine" without citing a *single* Gallican treatise or any study about Gallicanism.<sup>10</sup> The

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part article he gives abundant, precise references to the conciliar sources but makes no references to Gallican sources.

<sup>8</sup> For a comprehensive and nuanced study of the ideas of the French minority bishops at the council, see the new book by Margaret O'Gara, *Triumph in Defeat: Infallibility, Vatican I, and the French Minority Bishops* (Washington, D.C.: Catholic University of America, 1988). Austin Gough provides much information on this in the last chapter of his *Paris and Rome: The Gallican Church and the Ultramontane Campaign 1848-1853* (New York: Oxford University, 1986). See also the excellent study by Jean-Rémy Palanque, *Catholiques libéraux et gallicans en France face au Concile du Vatican, 1867-1870* (Aix-en-Provence: Publications des Annales de la Faculté des Lettres d'Aix-en-Provence, 1962), and the informative article by Jacques Gadille, "L'Épiscopat français au premier Concile du Vatican," *Revue d'histoire de l'église de France* 56 (juillet-décembre 1970) 327-46.

<sup>9</sup> Concerning Gallican authors' knowledge of church history, see Yves Congar, O.P., "L'Éclésiologie de la Révolution française au Concile du Vatican, sous la signe de l'affirmation de l'autorité," in M. Nédoncelle et al., *L'Éclésiologie au XIXe siècle* (Paris: Cerf, 1960) 105. Aimé-Georges Martimort discusses the Gallican study of history in *Le gallicanisme de Bossuet* (Paris: Cerf, 1953) 90-91 and at greater length on 154-74. See also on this matter his *Le gallicanisme* (Paris: Presses Universitaires de France, 1973) 83-84, 86.

<sup>10</sup> Gustave Thils, *L'Infaillibilité pontificale: Source, conditions, limites* (Gembloux: Duculot, 1969), speaks of "la théorie gallicane" (173, 174), giving no reference except to cite Article 4 as quoted in *DTC*. Heinrich Fries, "Ex sese, non autem ex consensu ecclesiae," in Remigius Bäumer and Heimo Dolch, eds., *Volk Gottes* (Freiburg: Herder, 1967), talks about the Gallican view (490-91) without giving any references. Paul Nau, O.S.B., "Le magistère pontifical ordinaire au premier Concile du Vatican," *Revue thomiste* 62 (1962), says that

present work studies those treatises very closely.

A natural correlate to a study of the classic Gallican tradition is an examination of the opposing papalist or Roman (ultramontane) ecclesiology, which eventually triumphed at Vatican I. Papalist authors writing treatises *De ecclesia* after 1682 explicitly reacted to the Gallican Declaration, and this enters into their rearticulation of monarchical papal authority. Studying the specific terms in which they criticize the Gallican view on the consensus of the Church helps to understand how two conceptions of the same Church can differ so markedly that what is properly integral to one is totally foreign to the other. Attending closely to this key question of the consensus of the Church, we shall simply study one important representative of each school, Honoré Tournély, a spokesman of mainline Gallicanism, and Pietro Ballerini, a forceful and influential spokesman of the Roman or papalist view.

#### HONORÉ TOURNÉLY

Honoré Tournély (1658–1729), professor of theology at the Sorbonne (1692–1716) and author of a number of treatises in theology, provides in his *Praelectiones theologicae de ecclesia Christi* (first published in 1726) an excellent delineation of the central current of Gallican thought on the Church and the papacy.<sup>11</sup> M. Dubruel, correctly describing him as “one of the most moderate, but also one of the most learned” and influential Gallican theologians, uses him as a representative exponent of Gallican ecclesiology in his *DTC* article on Gallicanism.<sup>12</sup> Regarding the consensus of the Church, Tournély adheres seriously to Article 4 of the Declaration of 1682, seeing it as a quite valid expression of much traditional Catholic thought on the nature of papal teaching authority. His detailed and nuanced study of this point has been neglected even by the few modern scholars who have written on Tournély.<sup>13</sup>

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the Gallican position demands a *consensus subsequens* (207, 208) but cites no sources at all. Roger Aubert, “L’Ecclésiologie au Concile du Vatican,” in Bernard Botte et al., *Le concile et les conciles* (Paris: Cerf, 1960), speaks of the Gallican view (281) without citing any sources.

<sup>11</sup> Johann Mayr offers some biographical information about Tournély in *Die Ekklesiologie Honoré Tournély's* (Essen: Ludgerus-Verlag Hubert Wingen, 1964) 1–2.

<sup>12</sup> M. Dubruel, “Gallicanisme,” *DTC* 6/1, 1096–1137. Dubruel gives a lengthy summary of Tournély’s ecclesiology (1097–1108) and of his church-state thought (1118–22). He deals with the topic of the consensus of the Church (1103–7), but really makes only brief mention of Tournély’s *extended* discussion of many aspects and nuances of this question. J. Carreyre’s short *DTC* article on “Tournély” (15/1, 1242–44) does not go into any particulars of Tournély’s ecclesiology.

<sup>13</sup> Johann Mayr, in the one book-length study on Tournély (n. 11 above), does deal with the consensus of the Church in two places: 125–33 concerning the infallibility of the Church, and 139–46 on the infallibility of the Roman pontiff. But in neither of these does he discuss

*Tournély and the Church*

Many years of research and reflection are clearly evident throughout Tournély's extended analysis of authority in the Church, a topic pursued systematically and insightfully throughout his massive treatise *De ecclesia*, whose two parts total some 700 closely printed octavo pages. Tournély's deep ecclesial concern comes through very clearly in his *Praefatio* addressed to students of theology. Here he says that, amid many ongoing challenges encountered by the faith community, the individual will find in adherence to the Church steady and reliable guidance.<sup>14</sup> The Church is custodian and sustainer of the faith, and the supreme judge of controversies about it. Moreover, Tournély urges all his students to preserve communion with the successor of Peter, citing the Council of Florence on papal primacy.<sup>15</sup> The Church's firmness against schismatics and other challenges comes from its enduring unity in faith with its visible head.<sup>16</sup>

At no time does Tournély tend to "omit" the papacy from the description of the Church or to depreciate its importance. The contrary is true at every point. Indeed, when he defines the nature of the Church, he actually, like Bellarmine, includes the Roman pontiff in the definition of the Church. "The Church is rightly defined as an assembly of persons joined in the profession of one and the same Christian faith, and in the communion of the same sacraments, under the government of the legitimate pastors, and especially the Roman pontiff."<sup>17</sup> Moreover, in discussing the "notes" of the Church, he maintains that the "Catholic Church of Christ truly is and should be Roman."<sup>18</sup> This is because "the Roman or Apostolic See is the center and bond of Catholic unity and

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such important points as consensus antecedent or subsequent, express or tacit, to which Tournély devotes great attention. Indeed, the whole Mayr book is a rather perfunctory account of what Tournély says, and shows little interest in discussing controversial topics. Ulrich Horst, O.P., has a page and a half on Tournély and his *Konsensustheorie* in his *Unfehlbarkeit und Geschichte: Studien zur Unfehlbarkeitsdiskussion von Melchior Cano bis zum I. Vatikanischen Konzil* (Mainz: Matthias-Grünwald, 1982) 124–26. Yves Congar has a good paragraph on Tournély in *L'Eglise de saint Augustin à l'époque moderne* (Paris: Cerf, 1970) 400–401.

<sup>14</sup> Honoré Tournély, *Praelectiones theologicae de ecclesia Christi* (Paris, 1765) 1.i. All subsequent references to Tournély will be to this work, cited as *De ecclesia* with part number and page. The *De ecclesia* is divided into two parts, separately paginated, both contained in Vol. 5 of this eleven-volume edition of Tournély's *Praelectiones*.

<sup>15</sup> *Decretum pro Graecis*, DS 1307.

<sup>16</sup> *De ecclesia* 1.viii–ix.

<sup>17</sup> *Ibid.* 1.13. As Congar notes (*L'Eglise de saint Augustin* 400), Tournély, in adopting this definition from Bellarmine, omits only the words *unius Christi in terris vicarius*. (Congar neglects to include the words *in terris*.) Cf. Robert Bellarmine, *Quarta controversia generalis: De conciliis* 3.2, in *Opera omnia* 1 (Paris, 1870) 317.

<sup>18</sup> *De ecclesia* 1.108.

communion, and no one can be accounted Catholic except one who is joined in unity of faith and doctrine with it."<sup>19</sup> This theme of the necessity of union with the Roman pontiff, while undergoing many refinements of nuance, is maintained consistently throughout the work.

Addressing the issue of authority in the Church, he asks first: "Who is the supreme judge of controversies of faith?"<sup>20</sup> Through eight pages he says that it is not Scripture alone.<sup>21</sup> Nor is it the individual inspiration of the Holy Spirit, for "in every well-ordered and well-constituted state it is necessary that there be judges, who interpret the law" for all.<sup>22</sup> So also "the law of faith must be public and known, given the nature of the Church as a visible society."<sup>23</sup> Again, the secular prince cannot be recognized as the judge in matters of faith. He is indeed the guardian and maintainer of the laws of the Church and of the dogmas of religion, "but he is not the arbiter or supreme judge of controversies of faith."<sup>24</sup> In this passage expressing a traditional view of the role of the Christian king, Tournély does not see fit to mention the *placet, lettres patentes*, or the Gallican system's other royal controls over communication within the Church of France and between the Holy See and France.<sup>25</sup>

Thus, clearly it is the *Church* which is the judge of doctrinal questions: "only the Church is the supreme and infallible judge of controversies of faith."<sup>26</sup> For Tournély, Church, when there is question of authority, does not mean the whole community of faith but only the hierarchy, "that is, the supreme pontiff and the bishops, whom the Holy Spirit has placed as bishops to rule the Church of God, either in council or apart from a council."<sup>27</sup> The Church, he says in a later connection, has a living, public authority competent to resolve questions and doubts, and this is the Roman pontiff and the bishops. It is not the "populus Christianus" but the "rectores et pastores" of the Church.<sup>28</sup> Tournély's Church is a hierarchical one.

### *The Roman Pontiff*

The term, the head of the Church, Tournély says, has two uses. "There is a head of the Church that is supreme, essential, and invisible, and this is Christ."<sup>29</sup> And there is a "head that is ministerial, visible, and external, the Roman pontiff, who is called the supreme pontiff par excellence

<sup>19</sup> Ibid. 1.112.

<sup>20</sup> Ibid. 1.138.

<sup>21</sup> Ibid. 1.140-48.

<sup>22</sup> Ibid. 1.148.

<sup>23</sup> Ibid.

<sup>24</sup> Ibid. 1.150.

<sup>25</sup> On the workings of Gallicanism on the ecclesio-political level, see André Latreille et al., *Histoire du catholicisme en France* 2 (2nd ed.; Paris: Spes, 1962) 355-78, esp. 363-67, or Roland Mousnier, *The Institutions of France under the Absolute Monarchy, 1598-1789* 1 (Chicago: University of Chicago, 1979) 311-16.

<sup>26</sup> *De ecclesia* 1.152.

<sup>27</sup> Ibid.

<sup>28</sup> Ibid. 1.218.

<sup>29</sup> Ibid. 2.1.

because of the primacy of honor and jurisdiction which he possesses in the whole Church over the other bishops."<sup>30</sup>

Speaking on behalf of mainline Gallican ecclesial thought, Tournély states unequivocally that Christ conferred on Peter a primacy over the other apostles.<sup>31</sup> Contrary to the accusation often made by papalist authors, that the Gallicans attributed to the papacy a mere primacy of honor, he affirms that "by the word primacy we understand not only a prerogative of honor and dignity, but also a pre-eminence of power and jurisdiction."<sup>32</sup> This is the historic belief of the Church, he adds, and it is only in these "later times" that the primacy of Peter has been impugned, by Luther, Calvin, and the other Protestants.<sup>33</sup> It is agreed among all orthodox (Catholic) theologians that the Roman pontiff possesses by divine privilege a primacy of jurisdiction and authority over the entire Church. "It is in assigning the limits and prerogatives of this authority and jurisdiction that they differ exceedingly with each other."<sup>34</sup> In other words, Tournély says, we all agree on papal primacy, but the key question is: What are the *prerogatives* that come with the primacy? He lists and discusses three different positions found among Catholic theologians.

The first he terms that of the "ultramontanes." They consider that the Roman pontiff is an absolute monarch, that the fulness of ecclesiastical jurisdiction resides in him alone, and that from him a certain portion of it flows down to the individual bishops. They believe that the pontiff defining *ex cathedra* cannot err and that he can be judged by no one, not even a general council. Finally, they regard him as "lord of the whole world," with power to depose kings and release subjects from their oath of fealty.<sup>35</sup> It is striking, Tournély notes incidentally, how the Protestants have scored "many triumphs" by representing this as the "common doctrine of all Catholics."<sup>36</sup>

A second position, virtually the opposite extreme from the ultramontane, is the view of those who effectively deny a real primatial authority in the Roman pontiff. The most prominent and widely-read exponent of this view in 17th–18th-century France was Edmond Richer. In his *Libellus de ecclesiastica ac politica potestate* (1611), in Tournély's words, "in order to extol the authority of the Church, he completely puts down

<sup>30</sup> Ibid.

<sup>31</sup> Ibid. 2.2.

<sup>32</sup> Ibid. Tournély devotes eight pages to scriptural and patristic testimonies in support of this position, and another 15 to answering objections to it.

<sup>33</sup> Ibid.

<sup>34</sup> Ibid. 2.26.

<sup>35</sup> Ibid. All this is stated in one paragraph. He does not cite any works of ultramontane writers here.

<sup>36</sup> Ibid.

(*deprimit*) the papal, and violates the legitimate privileges of the primacy of the Roman See."<sup>37</sup> Richer, as Tournély reports, maintains that Christ conferred the keys of jurisdiction directly on the Church as a whole, and not on Peter or the apostles. The pope and bishops receive such authority as they have from the Church, an authority which is instrumental and executive. Thus the pope is a symbolic and ministerial head, and not essential to the existence of the Church.<sup>38</sup> Tournély had no use whatever for Richerism, but it was a view popular among a number of rank-and-file clergy in France at that time.<sup>39</sup>

Between these two extremes, says Tournély, there is a *sententia media*, a middle position, which upholds the primacy of the Roman pontiff in carefully stated terms.<sup>40</sup> The pope, as head of all the (local) churches, is solicitous for the observance of the canons in the universal Church. In questions of faith and morals he has the leading role ("praecipuas partes"), and his decrees apply to all the churches. Although he is "not the sole judge of controversies" and is "not infallible," all the members of the Church should recognize that his words carry great weight and should assent to them. If there is a major and prolonged controversy, the Roman pontiff has the power to summon all the bishops to a council. It is *here*, at an assembly of the entire episcopate of the universal Church, that there is the "supreme and infallible authority" needed to settle definitively a question that has agitated the Church.<sup>41</sup>

In this passage Tournély does not apply the name Gallican to this "middle position" regarding papal primacy, which he clearly espouses himself, but it is that of mainline episcopal or ecclesiastical Gallicanism as expressed in Articles 2, 3, and 4 of the Declaration of 1682. "What kind of regimen was established by Christ in the Church?"<sup>42</sup> It is agreed among Catholics, Tournély says, that the Church is not a democracy, in which the power of deciding doctrine and policy is accorded to the multitude.<sup>43</sup> Rather, the Church is certainly a monarchy, for it has one supreme pontiff who has the primacy not simply of honor but of jurisdic-

<sup>37</sup> Ibid. See the article "Richer" in DTC 13/2, 2698-2702, and Congar, *L'Eglise de saint Augustin* 394-95.

<sup>38</sup> *De ecclesia* 2.27.

<sup>39</sup> See, e.g., François Lebrun, ed., *Histoire des catholiques en France du XVe siècle à nos jours* (Toulouse: Privat, 1980) 157-58; Louis S. Greenbaum, *Talleyrand: Statesman Priest: The Agent-General of the Clergy and the Church of France at the End of the Old Regime* (Washington: Catholic University of America, 1970) 129-30.

<sup>40</sup> *De ecclesia* 2.27-28.

<sup>41</sup> All these particulars are in 2.28.

<sup>42</sup> Ibid. 1.264. This introduces a 16-page discussion in the latter part of Part 1.

<sup>43</sup> Ibid. 1.265.



tion.<sup>44</sup> But there are several kinds of monarchy. Granted that the Church is “truly monarchical,” is it also “purely monarchical,” which would mean that the whole Church “depends on the *arbitrium* (judgment) and *imperium* (power to command) of the Roman pontiff alone?”<sup>45</sup> No, the Church is not such an absolute monarchy! “The regimen of the Church is not purely monarchical but tempered with aristocracy, and the exercise of apostolic power is to be moderated through the canons established by the Holy Spirit and consecrated by the reverence of the whole world.”<sup>46</sup> This is the view, he says, which is properly asserted by Article 3 of the Declaration of the Gallican Clergy of 1682. The “aristocracy” is, of course, the episcopate, which is also of divine institution and has according to both Scripture and tradition a true authoritative voice in deciding controversies of faith.<sup>47</sup>

The system of absolute monarchy, he continues, may be appropriate and laudable in civil society but not in the spiritual. One cannot argue from the civil sphere to the ecclesial, claiming that the Church must pattern itself after the civil model. Rather, “the condition and state of the Church depends solely on the will of Christ in instituting it.”<sup>48</sup> There were good reasons why Christ did not want the Church to be purely monarchical. (1) Absolute domination could have incited and fostered pride in the primate and degenerated into tyranny. Thus Christ instituted a ministerial office, which is more conducive to humility. (2) The Church, as a spiritual communion, consists of free acts of faith and piety, and “cannot be ruled by force and external coercion through an absolute and monarchical power.”<sup>49</sup> (3) The “communion of saints” cannot be governed by the personal will of one man but by “common and catholic consensus.”<sup>50</sup>

The basic concern of the Gallican view comes through clearly and insistently in this section on the kind of regimen intended by Christ for the Church. Citing a number of popes from Julius I to Nicholas I who affirm that they govern the Church in accord with the canons, he concludes: “From so many outstanding testimonies of holy pontiffs emerges the axiom which we have always preserved from our ancestors with the greatest care: the Church is governed *by law, not by absolute power.*”<sup>51</sup> And this is “the very solid foundation of the Liberties of our Gallican Church, firm and constant adhesion to the sacred canons of the

<sup>44</sup> *Ibid.*; he spells this out further on, 266–67.

<sup>45</sup> *Ibid.* 1.266.

<sup>46</sup> *Ibid.*

<sup>47</sup> *Ibid.* 1.268–69; he does not cite any sources here.

<sup>48</sup> *Ibid.* 1.280.

<sup>49</sup> *Ibid.*

<sup>51</sup> *Ibid.* 1.275; italics his.

<sup>50</sup> *Ibid.*

ancient and common law, which have been founded by the Spirit of God and consecrated by the reverence of the whole world."<sup>52</sup>

*Papal Infallibility and the Consensus of the Church*

Tournély begins his 100-page study of the question "Can the supreme pontiff err in defining cases of faith and morals?" by quoting Article 4 of the Declaration of 1682, which states: "In questions of faith also the supreme pontiff has the principal role, and his decrees apply to all the churches; but his judgment is not irreformable unless the consensus of the Church is present with it."<sup>53</sup> We want our students of theology in France, Tournély says, to understand clearly the several positions on this celebrated question, so that they can intelligently defend this doctrine of the Gallican Church, always in such a way, of course, that the "sacred and legitimate authority of the Apostolic See remains intact."<sup>54</sup>

In issuing the Declaration of 1682, Tournély points out, the Church of France did not violate Catholic orthodoxy or exceed its rights as a particular segment of the universal Church.<sup>55</sup> Papalist authors generally acknowledged begrudgingly that papal infallibility was not a defined dogma of faith. Pietro Ballerini, for example, writing a few years after Tournély, admitted this, as will be noted below. Tournély cites Robert Bellarmine as acknowledging reluctantly that the view denying papal infallibility, though "erroneous and proximate to heresy, is not properly heretical, since it is tolerated by the Church."<sup>56</sup> Tournély says: "Far more soundly and rightly, others think that this question is one of those about which there is, *salva fide*, dispute. For since there is nothing defined by the Church about this controversy, no party, whether affirming or denying, should be branded with the note of heresy."<sup>57</sup> Furthermore, it has

<sup>52</sup> Ibid.

<sup>53</sup> Ibid. 2.63. The original reads: "In fidei quoque quaestionibus praecipuas Summi Pontificis esse partes, eiusque decreta ad omnes et singulas Ecclesias pertinere; nec tamen irreformabile esse iudicium, nisi Ecclesiae consensus accesserit."

<sup>54</sup> Ibid. 2.73. Pierre Blet, S.J., *Les Assemblées du clergé et Louis XIV de 1670 à 1693* (Rome: Gregorian University, 1972), draws on exhaustive research in the sources to show that the ecclesiological views expressed in the Declaration of 1682 were the genuine long-held beliefs of the French clergy and were not simply dictated to them by King Louis XIV (348–62, esp. 350–51).

<sup>55</sup> *De ecclesia* 2.69.

<sup>56</sup> Ibid. Speaking of the view that the pope, if he defines something apart from a general council, could possibly teach a heresy, Bellarmine says "we do not venture to call it properly heretical, for we see that those who follow this opinion are thus far tolerated by the Church; however, it seems altogether erroneous and proximate to heresy, so that it could deservedly be declared heretical by the judgment of the Church" (*Tertia controversia generalis: De summo pontifice* 4.2, in *Opera omnia* 2 (Paris, 1870) 80).

<sup>57</sup> *De ecclesia* 2.69.

always been licit for particular churches to follow one side in such situations. "Is it licit for Italians to be attached to one side, and not licit for French to be attached to the other?"<sup>58</sup> The French prelates who drafted the Declaration of March 19, 1682, made no pretension of defining a dogma and have always upheld the true authority of the Roman pontiff against its detractors.<sup>59</sup>

But the key question on this whole issue, as Tournély sees it, is: What provides the firm certitude, the irreflexibility, of a statement of the pontiff speaking *ex cathedra*? Does this come from the consensus and reception of the Church or from a divine privilege conferred on the Roman pontiff, enabling him to define the faith singlehandedly? The ultramontane school strongly holds for the latter, saying that the pope, speaking *ex cathedra*, is infallible before and independently of the consensus of the Church. Not only is the consensus of the Church totally unnecessary to the papal teaching function; it is actually not permitted for the Church, the episcopate, to refrain from concurring with a papal pronouncement.<sup>60</sup>

The view of the Gallican Church is distinctly opposed to the papalist, for it thinks that the judgment of the Roman pontiff in cases of faith and morals is subject to error, and is not certainly irreflexible, unless the consensus of the Church is present with it. "Therefore, before that consensus, it does not consider the judgment of the First See irreflexible."<sup>61</sup> The Church must be able to recognize in the papal pronouncement the belief of the historic community of faith, and for this there must be a wide involvement of the episcopate as a whole.

What is necessary, in Tournély's view of the consensus of the Church, is recognition of the genuine role of the episcopate in teaching the faith. He does not propose any single way in which this role of the episcopate is implemented. The consensus of the Church (episcopate) may be antecedent, concomitant, or subsequent, and it may be express or tacit.<sup>62</sup> It is antecedent if the papal doctrine has already become rather widely known, e.g. from having been worked out at several councils. It is concomitant when the bishops are in council with the pope and there decide upon the position to be taken. Tournély stresses that a general council does not receive authority from the supreme pontiff, but rather has received immediately from Christ himself the gift of teaching the faith without error.<sup>63</sup> The consensus is subsequent if the pope sends his statement either to a universal synod or to the bishops dispersed in their

<sup>58</sup> *Ibid.*

<sup>59</sup> *Ibid.* 2.70.

<sup>60</sup> *Ibid.* 2.67. This view of papal authority is attributed to the ultramontanes generally, without citation of particular authors.

<sup>61</sup> *Ibid.* 2.72.

<sup>62</sup> *Ibid.* 2.84.

<sup>63</sup> *Ibid.*

dioceses. In either case the latter add their judgment to the judgment of the supreme pontiff.<sup>64</sup>

Whatever the manner in which the bishops receive the papal decree, "they always utilize their right and authority received from Christ to judge cases of faith; in accepting the decree they interpose their judgment and consensus."<sup>65</sup> Sometimes the matter is so clear and well known that the bishops can and do concur in the papal statement without need of further study or discussion. This is what happened, Tournély thinks, in the case of Jansenism. The bishops of France received the bull *Unigenitus* readily and without feeling the need for further analysis and discussion.<sup>66</sup> He says in an earlier reference to this episode that the bishops received the bulls against Jansenism "not in blind obedience but with prior understanding and judgment of the matter."<sup>67</sup> Tournély stresses that in this situation the bishops are not acting "only as executors" of the pontifical will "but are fulfilling and carrying out the role of judges."<sup>68</sup> In this reception they are not extolling themselves as judges of the supreme pontiff "but only exercising the right entailed in the episcopal dignity."<sup>69</sup> Individual bishops, of course, cannot subject the judgment of the supreme pontiff to their own judgment. Only the universal Church, "when assembled in general council, can subject the statement of the Roman pontiff to a new examination and judgment, or even annul it."<sup>70</sup>

The consensus of the episcopate may be express or it may be tacit and "interpretative."<sup>71</sup> The latter may be said to happen when the papal pronouncement has been adequately published and made known, and bishops do not remonstrate against it. As for the numerical or quantitative aspect of the consensus, Tournély states that it is not necessary to have the consensus of *all* the bishops. It is enough to have the concurrence of "the greater number, whereby the Church is sufficiently represented."<sup>72</sup> A small number who do not want to concur should be considered bound to do so. In case of a major division in the episcopate, in which there are many bishops standing with the Roman pontiff and many disagreeing with him, "certainly one should adhere to the side which is conjoined

<sup>64</sup> Ibid. 2.85.

<sup>65</sup> Ibid.

<sup>66</sup> Ibid. Tournély had himself been active in urging the acceptance of *Unigenitus*; cf. Mayr, *Die Ekklesiologie Honoré Tournély's* 1.

<sup>67</sup> *De ecclesia* 1.272, and see on this Yves Congar, O.P., "La 'réception' comme réalité ecclésiologique," *Revue des sciences phil. et théol.* 56 (1972) 390.

<sup>68</sup> Ibid. 2.85 and 1.272.

<sup>69</sup> Ibid. 1.272.

<sup>70</sup> Ibid. 2.85.

<sup>71</sup> Ibid.

<sup>72</sup> Ibid. 2.86. Thus, what Jacques Gres-Gayer says about Gallican doctrine demanding unanimous approbation by the bishops certainly does not apply to Tournély; cf. "The *Unigenitus* of Clement XI: A Fresh Look at the Issues," *TS* 49 (1988) 276.

with the head, for it should be considered the better and sounder part.”<sup>73</sup> This is true even if these seem to be numerically fewer, though Tournély does not think that God in His providence would allow this to happen. This is because “the Church is a visible body united with its head the Roman pontiff, and the Roman pontiff himself is the center of unity and ecclesial communion.”<sup>74</sup> Clearly, despite frequent comments to the contrary in papalist authors, Tournély’s attitude toward the papacy is *not* adversarial. He simply wants to maintain what he considers the rightful and traditional role of the episcopate.

The very conservative nature of Tournély’s whole outlook on the Church comes through further as he inquires: Are the faithful bound to assent to a papal pronouncement on faith or morals as soon as it is issued (and promulgated in their country) and before it is clear that the bishops have confirmed it with their consensus?<sup>75</sup> He answers with an unequivocal yes, they are bound to assent to it, even though it is not yet strictly irreformable. The reason for this is that people should obey the authority of a legitimate superior even when it is still, strictly speaking, subject to error. The presumption is always in favor of the superior authority, and it is not up to individual members of the Church to try to judge the rightness or wrongness of the authority’s act.<sup>76</sup>

In concluding pages of his discussion of papal authority, Tournély makes some penetrating comments in response to papalist arguments based on the Roman pontiff’s role in convoking and confirming councils. Granting that it pertains to the pope to convoke a council, he asks: “What does that right (*ius*) have in common with the privilege of inerrancy?”<sup>77</sup> Emperors used to convoke councils, and archbishops to convoke provincial councils. Do they need infallibility to do that? The Roman pontiff confirms councils. “Does he in doing this confer by himself alone strength, force, and firmness on the councils? Certainly not, for they have this immediately from Christ, [who said,] I am with you all days.”<sup>78</sup> The pope’s confirmation adds to the council his and the Western Church’s consensus, without which a council is not considered fully and truly ecumenical. “For thus all the members join in unity of faith; thus the body of the Church is perfectly represented, which consists of head and members.”<sup>79</sup>

Tournély disagrees profoundly with the pervasive assumption of the ultramontane view that supreme administrative power must entail the ability to issue decrees that are absolutely final, irrevocable, and irreformable, i.e. unable to be in error. Like the pope, every bishop performs

<sup>73</sup> Ibid.

<sup>76</sup> Ibid. 2.146.

<sup>79</sup> Ibid.

<sup>74</sup> Ibid. 2.87.

<sup>77</sup> Ibid. 2.161.

<sup>75</sup> Ibid. 2.145.

<sup>78</sup> Ibid.

these functions of teaching and clarifying doctrine and policy. Does this make every one of them infallible? "Are we bound to obey only superiors whom we know to be unable to err?"<sup>80</sup> No, we obey all those who have legitimate authority from God and who perform this function for Christ.

PIETRO BALLERINI

Pietro Ballerini (1698–1769), a priest of the diocese of Verona, produced many works of erudition, particularly in collaboration with his brother Girolamo.<sup>81</sup> Their edition of the works of Leo the Great (published 1753–59) was highly regarded and later adopted by Jacques-Paul Migne in the *Patrologia latina*.<sup>82</sup> Pietro wrote two major treatises on papal authority: *De vi ac ratione primatus romanorum pontificum, et de ipsorum infallibilitate in definiendis controversiis fidei* (Verona, 1766) and *De potestate ecclesiastica summorum pontificum et conciliorum generalium* (Verona, 1768). Of these the *De vi ac ratione* most expressly represents his determination to produce "un opera sistematica contro le teorie gallicane."<sup>83</sup> Systematic it definitely is, and Giuseppe Alberigo aptly attributes much of Ballerini's influence on later authors to the rigorously methodical way in which he crafts the formulae that became "practically definitive" on papal supremacy and infallibility.<sup>84</sup> This influence can readily be traced in *Pastor aeternus* itself.<sup>85</sup> Pursuing the reasoning in his stern dismissal of Article 4 of 1682 is quite illuminating, showing why there is no place for the *consensus ecclesiae* in this vision of the Church.<sup>86</sup>

<sup>80</sup> Ibid. 2.162.

<sup>81</sup> Biographical information on Ballerini is given by Tarcisio Facchini in his *Il papato principio di unità e Pietro Ballerini di Verona: Dal concetto di unità ecclesiastica al concetto di monarchia infallibile* (Padua: Il Messaggero di San Antonio, 1950) 33–39.

<sup>82</sup> Cf. A. de Meyer, "Ballerini, Girolamo et Pietro," *Dict. d'hist. et de géogr. chrét.* 6.400.

<sup>83</sup> The phrase is Facchini's (52). Regarding this motivation, Facchini (52–57) draws on letters and other personal papers of Ballerini. He does not, incidentally, cite here or elsewhere any works by or about any Gallican authors, and mentions Gallican authors only once, in passing (70).

<sup>84</sup> Giuseppe Alberigo, *Lo sviluppo della dottrina sui poteri nella Chiesa universale: Momenti essenziali tra il XVI e il XIX secolo* (Rome: Herder, 1964) 288. Alberigo devotes 13 pages to Ballerini (288–300).

<sup>85</sup> Facchini devotes special attention to tracing the influence of Ballerini in Vatican I, in a chapter (201–13) and in an appendix (245–49), where he examines texts of *Pastor aeternus* showing the language of Ballerini. See also on this Yves Congar's concluding essay in B. Botte et al., *Le concile et les conciles* (Gembloux: Chevetogne/Cerf, 1960) 302–3 and 305 n.

<sup>86</sup> None of the scholars who deal with Ballerini do more than mention what he says about the consensus of the Church. Facchini includes a perfunctory summary of Ballerini's treatment of the topic (98–104) but does not discuss it, nor does he draw on Ballerini's *Appendix de infallibilitate*. Incidentally, throughout several chapters mentioning mistakes of Bossuet, there are no citations of any work by Bossuet. Ulrich Horst, in 26 pages (52–77) on Ballerini in *Unfehlbarkeit und Geschichte* (see n. 13 above), deals briefly with the

*Nature and Force of the Primacy*

Ballerini states plainly in the Preface to *De vi ac ratione* that he is going to take issue with those Catholic authors who say that they accept a primacy of jurisdiction but who dissent regarding the faculties or prerogatives that belong to the primacy.<sup>87</sup> They evidently do not understand either the true *ratio* (nature) of the primary or the *vis* (force) of its jurisdiction. The Catholic adversaries acknowledge, even in the 4th Gallican Article itself, that the Roman pontiff has the leading role in the issuance of dogmatic decrees, but they balk at agreeing that these are per se irreformable or infallible.<sup>88</sup> The adversaries say that they agree with the principle that there should be unity of communion and of faith with the Roman pontiff by reason of the primacy. What they fail to see is the conclusion that follows strictly from this: that the primacy itself contains the force (*vis*), the coercive force, to preserve both kinds of unity, and especially the unity of all believers in the faith of the Roman pontiff.<sup>89</sup> Spelling this out in rigorous systematic fashion will be the task of this book, and since it is a rigorous system, Ballerini asserts, it is necessary to study the whole system.<sup>90</sup>

The whole work does proceed in clear and logical fashion, each chapter setting forth and demonstrating a single, precisely phrased proposition. Chapters 1 through 7 enunciate such basic propositions as that Peter received the primacy, a primacy which is one not simply of order but also of jurisdiction, and which is personal, of divine right, and based on Gospel testimony. But it is the *purpose* of the primacy, addressed in proposition 8, which is supremely significant in Ballerini's conceptualization of papal

consensus of the Church (65–67) but does not go into detail and does not draw on the *Appendix*. Michael Place, *The Response Due to Papal Sollicitude in Matters of Faith and Morals: A Study of Selected 18th-Century Theologians* (Ann Arbor: University Microfilms International, 1978), in a section on teaching authority in Ballerini (104–20), mentions but does not discuss the consensus of the Church. Candido da Remanzacco, O.F.M.Cap., “Vita e opere di Pietro Ballerini,” *Studia Patavina* 9 (1962) 452–92, mentions but does not discuss the *consensus ecclesiae* (477–78) and does not deal with the *Appendix*.

<sup>87</sup> Pietro Ballerini, *De vi ac ratione primatus romanorum pontificum, et de ipsorum infallibilitate in definiendis controversiis fidei* (Verona, 1766), edited by E. W. Westhoff (Münster: J. H. Deiters, 1845) xiii. This book of 397 pages will be cited hereinafter as *De vi ac ratione*, with page number.

<sup>88</sup> *De vi ac ratione* xv.

<sup>89</sup> *Ibid.* xvi. The consistent translations for these key words, followed throughout here, are as follows: *vis* is always rendered as “force,” *potestas* as “power,” and *auctoritas* as “authority.” Thus, Ballerini's favorite phrase *vis coactiva ad unitatem fidei* is always rendered as “coercive force for the unity of faith.” Though it may sound rather harsh, “coercive force” is the literal meaning of *vis coactiva*, and he does have available to him, and occasionally uses, the alternative words *potestas* and *auctoritas*.

<sup>90</sup> *Ibid.* xviii, xix.

authority, for everything is *deduced* from Christ's *intention* in establishing the primacy. This must be understood clearly, he says, in order to clarify the precise force and jurisdiction of the primacy. The reason for the primacy, as even the Gallican Declaration agrees, is "the unity of the Catholic Church."<sup>91</sup> Christ assigned to the chief pastor the duty of preserving the unity of the Church, and he "foresaw and provided everything that was necessary to guard and conserve his Church and its unity."<sup>92</sup>

Proposition 9, asserting that the primacy must have "coercive force for catholic unity," bases itself on the guiding assumption that "God never commits an office to anyone without bestowing on him the faculties suitable for accomplishing it."<sup>93</sup> Thus Jesus Christ certainly conferred on Peter the full power needed to achieve the end of the primacy, and this is the strictly coercive force to form and maintain unity of faith.<sup>94</sup> The power must be certainly coercive. It must be that "force of compelling (*vis cogendi*)" which is proper to "jurisdiction," which "cannot be understood without the coercive force which obliges the subjects."<sup>95</sup> It would have done no good to give Peter the role of merely representing unity "if the force of compelling to unity had not been added to it."<sup>96</sup> Peter had to have, necessarily, the full power to impose the faith on his subjects, the members of the Church.

It is in chapter 14 that Ballerini replies most directly and fully to the doctrine of the 4th Gallican Article. These Catholic adversaries, he says, do indeed see the principle of the primacy but somehow fail to see the consequences of it. The great and pervasive error of their Gallican stance is the insistence on *imposing conditions* on the acceptance of papal authority. They say that one need assent to definitions of the Roman pontiff only if it is evident that he is defining from the common faith and tradition of the apostolic Church, or if there is added at least the tacit consensus of the Church, from which one learns that it is the common faith.<sup>97</sup>

Ballerini, in reply, will show that the necessity of assenting to papal definitions is not subject to any such conditions.<sup>98</sup> Bossuet should be reminded of what he said in criticism of Melancthon in the *Variations*, for clinging to various pretexts for declining to accept papal authority. If each one, Bossuet there notes gravely, may appeal to his own reasons for considering papal authority oppressive, then the Church's authority would become subject to the whim of all.<sup>99</sup> Any such conditions, Ballerini

<sup>91</sup> Ibid. 32.

<sup>92</sup> Ibid. 39.

<sup>93</sup> Ibid. 40.

<sup>94</sup> Ibid. 41.

<sup>95</sup> Ibid. 42.

<sup>96</sup> Ibid. 44.

<sup>97</sup> Ibid. 246.

<sup>98</sup> Ibid. 247.

<sup>99</sup> Ibid. 252. Ballerini correctly cites Bossuet's *Histoire des variations des églises protes-*



asserts, are incompatible with the unity of the Church. The power of the primacy must be deemed "absolute (*absoluta*)," for if it is to be a force apt and efficacious to preserve unity of faith, then it "must not be tied to any condition of human judgment or will."<sup>100</sup> (It is characteristic of papalist authors to assume that the Roman pontiff speaks with divine judgment, and the episcopate with mere human judgment.) If we are not going to say that Christ provided badly for unity of faith when he established the Roman cathedra, then we must say that the Roman pontiff has in his primacy "absolute force, which is not subject to any condition."<sup>101</sup>

The Roman pontiffs, when they assert a doctrine, certainly "proclaim from the common tradition the faith common at once to all the catholic churches,"<sup>102</sup> and there cannot be any doubt about this. It is both superfluous and wrong to talk about any provisions being needed to judge the pope's exercise of the teaching office. The adversaries claim that definitions of the Roman pontiff are not irreformable "*nisi accesserit consensus Ecclesiae*." If this condition were valid, says Ballerini, then "all the coercive force for unity of faith" which we have been attributing to the Roman pontiff "would be void."<sup>103</sup> The stipulation in Article 4 really denies the coercive force of papal definitions, because it claims that they do not compel to unity "except after the *consensus ecclesiae* is added."<sup>104</sup> (The Gallican text, of course, pointedly omits such a chronological term as "after.") According to Scripture and the Fathers, Christ endowed the primacy with force which is by itself suitable and efficacious for obtaining its end, which is the unity of the Church. It has force enough "to compel the universal Church to unity."<sup>105</sup> But if that power depended on the *consensus ecclesiae*, then "the force and the right to compel (*ius cogendi*) would not be a proper and personal prerogative of the primacy, but rather of the Church, whose consensus would bestow the force of compelling on the definitions." Moreover, it would be difficult in practice, and time-consuming, to obtain such consensus and easy for adversaries to impede it. "Accordingly, it is false that the power of compelling to unity, which Christ bestowed on Peter and his successors in the primacy, was tied to the condition of the consensus of the Church."<sup>106</sup> When he committed to Peter the role of confirming the brethren in dissensions regarding the faith, "he committed it so that he [Peter] should compel them to assent and hold them in unity, and did not derive the force of compelling from their consensus."<sup>107</sup>

*tantes* 5.24 (Versailles: J. A. Lebel, 1817, in which four-volume edition the passage cited is found on 1.298). Bishop Jacques-Bénigne Bossuet (1627–1704), a most important spokesman of the Gallican ecclesiology, will be treated at length in a later article.

<sup>100</sup> *De vi ac ratione* 252.

<sup>101</sup> *Ibid.*

<sup>102</sup> *Ibid.* 253.

<sup>103</sup> *Ibid.* 255.

<sup>104</sup> *Ibid.*

<sup>105</sup> *Ibid.* 256.

<sup>106</sup> *Ibid.*

<sup>107</sup> *Ibid.* 257.

The duty of filially obeying papal definitions certainly applies to bishops also, emphatically including any bishops who, on receiving a decree from Rome, feel that they want to examine it and judge the matter defined. "In Catholic bishops assent out of obedience is always to be assumed."<sup>108</sup> If there is some "liberty" to examine and study a papal decree, this "does not liberate them from the submission and assent which all owe out of obedience." The only liberty of examination or judgment which is "conceded" to Catholic bishops is that which was vouchsafed to the Fathers at Chalcedon after the promulgation of St. Leo's dogmatic epistle on the errors of Eutyches. They were not allowed ("non licuit") to dispute the definition. They were allowed, on reading over his definition, to add their judgment to the pontifical (exclaiming "Peter has spoken through Leo!"), so as to help persuade any dissidents to return to unity.<sup>109</sup>

If bishops in their sees conduct any examination of a papal statement, they weigh the traditions of their own churches and compare them with the apostolic definition. If their own concurs with it, they rejoice to have their tradition confirmed, happy to be reassured that their church has retained the "true faith." If theirs differs from the Roman definition, they are admonished that they diverge from the truth, because the Roman faith is the touchstone.<sup>110</sup> There is always the presumption of consensus in Catholic bishops. This includes those who receive papal decrees with some examination, who are always fewer, as well as the greater number who receive them with pious obedience.<sup>111</sup>

### *No Human Conditions*

After Ballerini published the *De vi ac ratione* in 1766, he wrote a much shorter treatise on papal infallibility, which he published in conjunction with his *De potestate ecclesiastica* in 1768. The shorter work, *Appendix de infallibilitate pontificia in definitionibus dogmaticis*, he describes in a prenote as a "compendium" of what he had said at greater length in the

<sup>108</sup> Ibid. 260.

<sup>109</sup> Ibid. The famous exclamation of the fathers at Chalcedon gets diametrically opposed readings from papalist and from Gallican authors. Ballerini here offers the papalist reading: the council gratefully and obediently assents to the papal judgment. Gallican authors (e.g., Tournély 2.80) see the council as recognizing, after studying it, that the epistle of Leo expresses the traditional faith of the Church. Thus they "receive" it. The consensus of modern scholarship leans toward the latter interpretation; cf. W. de Vries, *Orient et occident: Les structures ecclésiastiques vues dans l'histoire des sept premiers conciles oecuméniques* (Paris: Cerf, 1974) 140-41; see also Francis A. Sullivan, S.J., *Magisterium: Teaching Authority in the Catholic Church* (New York: Paulist, 1983) 67-68.

<sup>110</sup> *De vi ac ratione* 261.

<sup>111</sup> Ibid.

*De vi ac ratione*.<sup>112</sup> In actuality, the *Appendix* is not simply a briefer version, for in it he says some things not in the earlier work. Even more rigorously deductive than the *De vi ac ratione*, the *Appendix* affords further vivid insight into the whole conceptualization of papal authority which pervades the Roman ecclesiology, with particular reference to the reason for its very blunt and absolute rejection of any idea of reception or consensus of the Church.

Ballerini proceeds through a series of propositions, all strictly deduced from the starting concept enunciated in Proposition 1: "Papal authority, established for the purpose of conserving unity, especially unity of faith, must be sufficient by itself for the obtaining of this end."<sup>113</sup> God, when He establishes an office for some purpose, provides appropriate and sufficient means for certainly obtaining that purpose. This means, asserts Proposition 2, that papal authority must be full jurisdiction, which is endowed with coercive force.<sup>114</sup>

Proposition 3 states emphatically the principle that rules out any notion of the consensus of the Church, and does so, incidentally, in language different from that of the *De vi ac ratione*. If any authority is to be *per se sufficiens*, it must be such as not to need the support or help of any other authority.<sup>115</sup> This proposition "overturns the condition of the consensus of the Church, which the adversaries demand"; for if the apostolic authority to define matters of faith is endowed with suitable and sufficient power to preserve unity, then it must not need the consensus of the Church.<sup>116</sup> To say with the adversaries that the authority is sufficient *if* the consensus of the Church is added to it is to deny that it is apt and sufficient in itself. Papal authority does not need any support such as the consensus of the Church, a condition invented by the adversaries, "a new invention which was unknown in antiquity" and in church history.<sup>117</sup> Indeed, such a condition would undermine any authority in church or state: "Woe to the authority of superiors, even princes, if their precepts and laws do not have the force of obliging unless the consensus of the subjects is added."<sup>118</sup>

It is at this juncture that Ballerini most strongly invokes the famous

<sup>112</sup> Pietro Ballerini, *Appendix de infallibilitate pontificia in definiendis dogmaticis*, as published together with Ballerini's *De potestate ecclesiastica* (Rome: Congr. de Propaganda Fide, 1850) 207. This brief work, totaling 34 pages (207-40 in this volume), will be cited hereinafter as *Appendix*.

<sup>113</sup> *Appendix* 209.

<sup>116</sup> *Ibid.* 211.

<sup>114</sup> *Ibid.* 210.

<sup>117</sup> *Ibid.*

<sup>115</sup> *Ibid.*

<sup>118</sup> *Ibid.* 212.

dictum of Irenaeus, and does so in terms that throw additional light on his basic understanding of papal teaching authority. Irenaeus, he says, certainly rejects any suggestion that the Roman see in any way depends on the consensus of the Church. Irenaeus says of the church of Rome that "it is necessary for every church to concur with this one because of its more potent principality."<sup>119</sup> In Ballerini's treatment of it, this is no longer simply a statement of a second-century author but a mighty near-divine proclamation of papal supremacy which seems almost to stand right beside the "Thou art Peter" of Matthew 16 and the "Feed my sheep" of John 21. It is a statement not only authoritative in the strictest sense in itself, but one from which one can deduce a whole array of corollaries about the sovereign papal power.

Irenaeus, according to Ballerini, teaches that there is a necessity imposed on all the faithful in all churches to concur with the church having the primacy. "The primacy, which by its own force imposes this obligation, by its own force requires the consensus."<sup>120</sup> By virtue of its *potentior principalitas*, the Roman church by itself alone is endowed with so much force "that it imposes on all the churches the necessity of unity and consensus. When this one faith is known, the consentient tradition and faith of all the others is at once known."<sup>121</sup> For Ballerini, the brief statement of Irenaeus is a powerful rejection of the 4th Gallican Article.

Therefore, Irenaeus did not deduce the force of compelling all to unity from their consent, which he thought there is no need to inquire about or to learn; but rather deducing this consent from the coercive force of the Roman faith and primacy, he attributes to the Roman faith and primacy a force *per se sufficiens* to oblige all.<sup>122</sup>

The next four propositions of the *Appendix* spell out further corollaries of this. Number 4 asserts that the authority of the Roman pontiff, since it is sufficient to preserve unity in the entire Church, necessarily binds *all* Christians, singly and collectively, of whatever rank or station, including the episcopal. Proposition 5 adds that the authority that unifies the whole Church *in faith* imposes the obligation not only of external compliance but also of the inner assent and obedience of the mind.<sup>123</sup> Such is the nature of faith. And "let no one think that bishops are excepted" from this duty of mental obedience, for they are obliged to obey no less than the rank and file of the clergy and laity.<sup>124</sup> Moreover, continues Proposition 6, assent to papal definitions must exclude all

<sup>119</sup> Irenaeus, *Adversus haereses* 3.3.2.

<sup>120</sup> *Appendix* 212. These are, of course, the words of Ballerini.

<sup>121</sup> *Ibid.* 213.

<sup>122</sup> *Ibid.*

<sup>123</sup> *Ibid.* 216.

<sup>124</sup> *Ibid.*

doubt and all questioning as to whether the pontiff may have erred. "The internal assent proper to faith, by which the intellect is captured in the compliance of faith, cannot be conjoined with doubt; and accordingly simple doubt about a dogma is enough to violate faith."<sup>125</sup> This also follows rigorously from the starting principle: the authority necessarily *gives full certitude*, because otherwise it would not be sufficient to preserve the Church's unity of faith.

Hence also there must not be any talk about a need to check with the faith of any other parts of the Church. As Irenaeus has plainly said, "the faith of all the other Catholic churches must be the same as the Roman faith, which is the same as to say that the Roman faith is the same as the faith of all the Catholic churches, that is, of *the Catholic Church* itself."<sup>126</sup> Since this is so, "to ascertain the true Catholic faith, there is no need to inquire what is the faith of the other churches; inquiring about and learning the Roman faith is sufficient."<sup>127</sup>

Papal authority, states Proposition 7, must be termed "infallible." Ballerini says that he deduces this from the infallibility of the whole Church, which according to the promises of Christ cannot err in the faith.<sup>128</sup> Surely the primatial authority, which has the role and power to teach and ensure the unity of that faith, must also be infallible. As has been indicated throughout, there cannot be any conditions attached to this authority.

Hence unity with the Roman faith is absolutely necessary. Accordingly, the prerogative of infallibility which must be attributed to it is an absolute prerogative, and the coercive force for the unity of faith is equally absolute, just as the infallibility and the coercive force of the Catholic Church itself are absolute, which [Catholic Church] must adhere to the Roman faith, as we learn from Irenaeus.<sup>129</sup>

Despite the very forceful way in which Pietro Ballerini asserts this nonarchical conception of papal primacy, and despite the fact that he clearly considers it to be certainly true, he does not claim that it is a dogma of faith. Rather, he expressly acknowledges that it is not. In the latter part of the *Appendix* he addresses the question whether papal infallibility must be believed with the assent of faith. He answers, "I do not say that it must be believed as a matter of Catholic faith that the pope in deciding controversies of faith is infallible."<sup>130</sup> As a scholarly theologian writing in the 1760s, he knows that this has not been defined.

<sup>125</sup> Ibid. 218; "captured" renders *captivandus est*.

<sup>126</sup> Ibid. 219; italics added.

<sup>127</sup> Ibid.

<sup>128</sup> Ibid. 220; he does not give references here.

<sup>129</sup> Ibid. 221-22.

<sup>130</sup> Ibid. 231.

"Something is not a dogma of faith which is controverted among Catholics and which has not yet been expressly defined by the Church. Thus the otherwise Catholic adversaries, who uphold the opinion contrary to papal infallibility, are not regarded as heretics."<sup>131</sup> Ballerini does not, incidentally, give any examples of papal statements that he considers *ex cathedra*.

Nonetheless, though not a defined dogma of faith, papal infallibility should be considered as certainly true, because it has been demonstrated by strict theological reasoning from certain premises. The adversaries are prevented only by their prejudices from recognizing this. But really it is wrong to dissent not only from statements that are defined of faith, but also from "propositions which are validly deduced from certain theological principles and clearly demonstrated."<sup>132</sup> Ballerini warns the adversaries to ask how they can be excused of all guilt before God if they impugn papal infallibility just because it is not defined, and incite people to slight that authority, thereby withdrawing them from unity of faith.<sup>133</sup> "Is not this clearly to oppose oneself to the institution and plan of Christ the Lord?"<sup>134</sup>

It is difficult to concur with Ulrich Horst's view that Ballerini really hoped and expected, "by building his ecclesiology on the idea of *communio*, to reach a common ground with the Gallicans."<sup>135</sup> Though he wanted them to be convinced by the rigor of his argument, he had to be aware that this would be a simple conversion to his Roman view, not a "gradual meeting of minds."<sup>136</sup> Moreover, he did not really build his ecclesiology on the idea of *communio*. His starting point is Christ's establishment of the primacy to ensure unity in the Church, and communion is introduced only later, as a duty or obligation of the subjects. It is a duty which they cannot evade, because the Roman pontiff is "endowed with power to compel them to unity of charity or communion as well as of faith."<sup>137</sup>

#### CONCLUSION

The profoundly different ecclesiologies of Tournély and Ballerini entail distinctly different views of the consensus of the Church, as what is

<sup>131</sup> Ibid. Regarding the drafting and significance of the brief *Inter multiplices* of Alexander VIII, dated Aug 4, 1690 (text: DS 2281-85), stating that the Gallican Articles were "null and void," see Aimé-Georges Martimort, *Le gallicanisme de Bossuet* (Paris: Cerf, 1953) 505-15 and 632-33. Ballerini here admits, with the majority of the committee of theologians who studied the Articles for several years in Rome, that they could not be termed "heretical" (Martimort 512). See also Yves Congar, O.P., "Gallicanisme," *Catholicisme* 4 (1956) 1738.

<sup>132</sup> Ibid.

<sup>133</sup> Ibid. 232.

<sup>134</sup> Ibid.

<sup>135</sup> Horst, *Unfehlbarkeit* 58.

<sup>136</sup> Horst uses this phrase ("allmähliches Einverständnis") *ibid.* 77.

<sup>137</sup> *De vi ac ratione* 53, in the heading of chap. 11. *Communio*, incidentally, is not mentioned in the *Appendix*.

naturally included in the former is naturally excluded from the latter. For Ballerini, what is given from the beginning is the almighty primatial power established by the divine founder of the Church, and conferred on one man alone. This is the supreme power to rule and teach the whole community, and specifically to effect and maintain its unity of faith. All revolves around this power and all is deduced from this power. Once you understand the nature and purpose of this tremendous power, you can and necessarily must deduce from it in rigorous logical order all other aspects of the structure and functioning of the authority and of the whole Church itself. Upholding and revering this majestic power is the prime and central concern of the members of the Church, who should be grateful that God has wisely and magnanimously provided this power to guide them.

This is plainly not a friendly climate for bringing up any questions about the participation of the members of the Church, including the entire episcopate, in the making of decisions about policy or doctrine. The instinctive tendency of this view is to perceive any suggestion about the involvement of the community as an infringement on The Power, as some kind of attempt, overt or devious, to evade or depreciate The Power. For this reason, the suggestion is rejected out of hand as being self-evidently wrong. One need not and should not even discuss or analyze its alleged merits, because any discussion might imply some deficiency in the sovereign power established by Jesus (and probably a lack of faith in Jesus himself).

Thus, a proposal that a definition of the supreme pontiff needs to be "received" by the community, and specifically by the world episcopate, is as obviously mistaken as any other failure to accept the plan of God. The great error of the Gallicans is to try to impose human conditions on the divine institution of the primacy. To say that the voice of the episcopate needs to be heard is to forget that the power of the primacy "must not be tied to any condition of human judgment or will."<sup>138</sup> The pope speaks divine truth, and any comments that bishops might have about it are assumed to be mere human judgments or preferences, which just might be tainted by some earthly concern. Again, any suggestion as to means to implement the idea of collegiality is dismissed as an attempt to import political and secular schemes into the sacred precincts of the Church.

For Tournély, what is given from the beginning in the description of the Church is the whole community, which needs and has a number of ministers. The congregation of the faithful is not an unstructured one, and it is not at all a democracy. It is a fully structured, hierarchical, and

<sup>138</sup> *De vi ac ratione* 252.

indeed monarchical institution. This ecclesiology genuinely accepts papal primacy, a Roman primacy not merely of honor but of jurisdiction over the whole Church, and at no time tries to minimize or depreciate papal authority. This view and the papalist view differ only regarding the prerogatives entailed in the primacy. Tournély says that only the Church, meaning the hierarchy as a whole, can infallibly decide an important question of faith, not the Roman pontiff by himself. For him, the consensus of the Church is an essential part, from the beginning, of a Church which is a community of faith endowed by its founder with bishops as well as a pope, and is not a "human condition" concocted later by persons who are not sincere when they say that they accept papal primacy.

Yves Congar summed it up with admirable succinctness when he said of the ecclesiology common to a number of Gallican theologians, "One can, I believe, characterize it in the history of ecclesiological doctrines as the will not to let the pole *Ecclesia* be absorbed by the pole *papacy*."<sup>139</sup> The Gallicans believed, he continued, that the divinely established authority of the Church is shared between the power of the episcopate and the power of the pope in such a way that "neither can be validly exercised without the other."<sup>140</sup> Both are essential and neither should be reduced to a merely nominal role. Tournély, a committed Gallican Catholic theologian, can be seen as "depreciating" the papacy only from a standpoint that believes with great intensity and total conviction that the only genuine "primacy" is one totally vested in one person and unlimited by any "human condition," that is, not shared with any other ministers of the Church, all of whom are simply subjects of the Roman pontiff.

<sup>139</sup> Congar, "Gallicanisme" (n. 131 above) 1736.

<sup>140</sup> *Ibid.* Congar also has informed and perceptive comments on this concern of Gallican Church thought in his article on "reception" (n. 67 above) 389-91.