

## NOTES

### INFALLIBILITY IN MORALS: A RESPONSE

All Catholics agree that, all through the centuries, the Church has maintained its fidelity to the word of God. The current debates over infallibility are concerned with the problem of how we can best express this truth. Above all, they have raised the question of whether a continued adherence to the doctrinal definition promulgated at Vatican I is indispensable for a Catholic understanding of the Church's teaching authority. As these discussions proceed, it seems especially important that we avoid misunderstandings of one another's positions. I think that Gerard J. Hughes, in his recent very stimulating article on "Infallibility in Morals," has misunderstood Hans Küng.<sup>1</sup> More importantly, Hughes's argumentation illuminates in striking fashion a major issue involved in the recent debates which has so far evoked little explicit discussion. Since Hughes's argument deals with a problem that has a historical dimension—the difficulty of formulating moral propositions that are not liable to falsification through future experience—a historian may be permitted an attempt at further clarification.

Let me first explain what I take to be the neglected "major issue" of the modern debate. Everyone seems to agree on this point at least, that the concepts of infallibility and irreformability are very complex. Over and over again one reads that, if they are not to be rejected outright, such concepts need to be rethought, reunderstood, reinterpreted. Even before the controversy over Küng's book broke out, Karl Rahner was writing that there could be no exercise, in the future, of an infallible magisterium "as it was formerly conceived."<sup>2</sup> Moreover, in the course of the recent debates, a surprising degree of consensus has emerged concerning the scope of the teaching authority that a pope can actually exercise in the modern world. It is apparently more limited than we used to suppose. The central issue at stake, therefore, is not whether the pope is infallible in some simple, old-fashioned sense of the word "infallible." It seems clear that he is not—at any rate, it seems clear that Rahner and Küng and their various supporters are agreed on this point. What is by no means clear is how far the newer ways of looking at papal authority are compatible with the doctrine of papal infallibility that was defined at Vatican I and reaffirmed at Vatican II. This is the issue that, I think, requires further discussion.

<sup>1</sup> Gerard J. Hughes, "Infallibility in Morals," *THEOLOGICAL STUDIES* 34 (1973) 415–28.

<sup>2</sup> "Zum Begriff der Unfehlbarkeit in der katholischen Theologie," in *Zum Problem Unfehlbarkeit* (Freiburg, 1971) pp. 9–26. The article was originally published in 1970.

Catholic scholars who argue that the doctrinal definition of 1870 is no longer defensible are always accused of naivety, of failing to understand the subtleties of modern theological discourse, of attacking simplicistic positions which modern proponents of papal infallibility are no longer interested in defending. Such scholars may reply—sometimes indignantly but usually with little effect—that the extremely subtle and fine-spun theories which modern proponents of papal infallibility are interested in defending bear little or no resemblance to the doctrine actually defined in 1870—which they continue to find unacceptable. More overt debate on this point might be useful. It might even help to clear the air. After all, a theologian ought not to condemn those who have explicitly attacked the doctrine of 1870 without considering how far he himself has implicitly abandoned it.

Hughes's article provides an excellent example of the point I am making. The author does not question the theology of infallibility underlying the definition of Vatican I. Nor does he reject the actual formula which declares that *ex-cathedra* definitions of the pope in faith and morals are irreformable. But he maintains that, in fact, the pope cannot promulgate irreformable definitions on moral questions. Küng, needless to say, is in entire agreement on this point. But Hughes is sharply critical of Küng. In the following note I want to argue two points: (1) that Hughes has misunderstood Küng, and (2) that Hughes's position is incompatible with the doctrinal definition of 1870.

#### HUGHES AND KÜNG

Hughes's criticism of Küng is directed against Küng's use of phrases like "infallible propositions," "infallible and immutable propositions of faith," and especially "propositions that are a priori infallible." Along with other recent critics, Hughes points out that only persons can be fallible or infallible; propositions are simply true or false. The point might seem fairly trivial. Küng, after all, was simply following a common usage of other writers on infallibility. But according to Hughes, Küng's language leads to a major confusion of thought, a confusion between infallibly defined propositions and necessarily true propositions. Hughes invites us to consider the following statements: (1) "If an infallible person teaches that p, then it necessarily follows that p is true." (2) "If an infallible person teaches that p, then p is a necessary truth." He then suggests that "Confusion between (1) and (2) is surely behind Küng's talk about 'infallible propositions' . . ." (p. 416).

It seems to me that this is not the case. Küng's meaning is indicated in one of his first uses of the term "a priori" (*von vornherein*). "The pope does not err, not merely in fact, in *ex cathedra* decisions; but in such

decisions, in principle, a priori, he cannot err.”<sup>3</sup> If this early usage of the term “a priori” is borne in mind, the meaning of all Küng’s later references to a priori infallible propositions is plain enough. He is simply making the point that if such propositions existed, they would not merely be true; in addition, we *would know* a priori that they were true simply because they proceeded from an infallible teaching authority. Thus he writes: “By infallible propositions we mean—wholly in the sense of Vatican I—statements which must be considered as guaranteed a priori to be free from error . . .”<sup>4</sup> Küng is intending to say only what Hughes has said in the statement “If an infallible person teaches that p, then it necessarily follows that p is true.” Küng merely adds that we also know beforehand, *von vornherein*, that the teaching of the infallible person will be true. This is what he means by “a priori infallible propositions.”<sup>5</sup>

Of course, Küng is really concerned to argue that there is no infallible teaching authority in the Church and that there are no propositions from which, a priori, the possibility of error must be excluded. His argument is always cast in a negative and somewhat elliptical form and it is perhaps not overclear in places. Küng believes, of course, that the Church affirms permanent truths, doctrines that always have been true and always will be true. His point is simply that we cannot know beforehand, a priori, that a given statement will enunciate such a truth simply because it proceeds from a particular organ of the Church’s magisterium. In arguing this point, Küng suggests that because of the inherent imperfections of human language we cannot be certain a priori that any verbal statement will be wholly free from error. Readers may not find this argument and its applications convincing. But, at any rate, Küng’s argument does not involve the particular error for which Hughes reproaches him. Küng states that “infallible propositions” (the teachings of an infallible authority) can be known a priori to be true; but he does not state that they enunciate “necessary truths.” In one phrase that Hughes finds particularly obnoxious, Küng seems to be struggling to make precisely this distinction. He refers to “propositions that are not regarded as self evident in the philosophical sense, though theological infallibility is attributed to them.”<sup>6</sup> Küng is indicating that, typically, the content of a supposedly “infallible proposition” will not be a “self evident” or a “necessary” truth. Nevertheless theologians will hold that the proposi-

<sup>3</sup> *Infallible? An Inquiry* (Garden City, N.Y., 1971) pp. 140–41.

<sup>4</sup> *Op. cit.*, p. 150.

<sup>5</sup> Küng has recently explained this in more detail; see *Fehlbar? Eine Bilanz* (Zurich, 1973) pp. 351 ff.

<sup>6</sup> I have given the translation used by Hughes. The wording is slightly different in the American edition of *Infallible?* (see p. 170).

tion is bound to be true in a different sense. It has to be true, they maintain, because it proceeds from an unerring authority.

The distinction between infallibly defined propositions and necessary truths is not of the greatest importance for Küng. But it is all-important for Hughes. Necessary truths are timeless truths, he points out. If, then, we confuse infallibly defined propositions with necessary truths, we are liable to take a "further downhill step" and suppose that infallibly defined propositions must always express "timeless truths" or "be true for all time." Hughes maintains that this is not the case. In particular, he holds that infallibly defined propositions regarding morals *cannot* be "timeless truths."

In introducing his discussion of this problem Hughes puts forward for analysis the following statements: (1) Murder is wrong; (2) There are three persons in God; (3) Britain is a member of the Common Market. The first statement is true, necessary, and timeless merely because it is tautologous. (The word "murder" implies the idea of wrongful killing.) The second statement is not tautologous but it is also true, necessary, and timeless. The third statement is true but it is neither necessarily true nor timelessly true, as the other two are. At one time Britain was not a member of the Common Market, and at some time in the future she may again not be a member. And yet there is still a sense, a "weak sense" Hughes calls it, in which any true statement is true for all time. Whatever happens to Britain in future, it will always be true that Britain was a member of the Common Market in 1973. The purpose of Hughes's argument is to prove that all moral principles—provided that they are stated rigorously "in normal form" so as to avoid tautology—can be timeless only in the "weak sense" of proposition 3 above. We can say only that if a moral statement was once true, it will always be the case that it was once true, even if at some future time it ceases to be true. But moral truths can be infallibly defined according to the definition of 1870. Theologians, therefore, should not confuse infallibly defined truths with "necessary truths." Nor should they suppose that infallibly defined truths are necessarily "true for all time."

Hughes arrives at this position by an argument that takes as its starting point the criticism of a supposed confusion in Küng's work. It should be noted, however, that when Küng writes of "infallible and immutable propositions," he is not differing from other Catholic theologians in his understanding of the nature of infallibly defined doctrines. (The difference is simply that Küng does not believe such doctrines exist.) It has been common ground in earlier discussions that if a doctrine has been infallibly defined, it must in principle remain immutably true. Thus on the central point at issue—whether an infallible authority can

put forth irreformable doctrines in the area of moral teaching—the view that Hughes rejects is not a mere eccentricity of Küng. It is a view that hitherto has been held by nearly all Catholic theologians. As to the initial point about the proper use of the word “infallible,” Hughes is right in principle, of course. Only a person (or an institution) can be infallible. Propositions and teachings can only be true or false. The problem has perhaps arisen because, when we are writing of infallibility, we usually have papal infallibility in mind, and the vast majority of the pope’s definitions are not infallibly defined truths. When we want to refer to such truths, it is not enough, then, to write “papal definitions.” We should have to write something like “papal definitions promulgated by the pope in his capacity as an infallible teacher and satisfying all the requirements for an infallible pronouncement.” Phrases like “infallible definitions” and “infallible propositions” have been used by many writers (including myself) as useful pieces of verbal shorthand to avoid such circumlocutions. But they are not strictly accurate, and if they give rise to misunderstandings we ought to try to avoid them in the future. The difficulty of doing so is very clearly brought out by Hughes himself. On his first page he deplors the fact that “It has, unfortunately, become common practice to describe not merely persons as infallible, but also their teachings.” On his last page he writes of “the infallible teaching of the Church.”

#### HUGHES AND INFALLIBILITY

Like many recent writers on the problem of infallibility, Hughes is much concerned with the “time-bound” nature of moral principles. We can perhaps best illustrate his approach to the question by considering a familiar example of such a principle, one that the Church formerly upheld but that has not proved to be of permanent validity: “Of its intrinsic nature, all taking of interest on loans is wrong.” Küng cited this principle and the general prohibition of usury in the Middle Ages that was based on it as an example of an error of the universal Church in the area of moral teaching. But in the agrarian world of the early Middle Ages the prevailing forms of usury were in fact socially harmful. The Church was probably wise to prohibit all usury in those circumstances. Küng’s critics have naturally not failed to point this out. But so far as the problem of infallibility is concerned, this kind of criticism misses the whole point of the argument and of similar arguments about other changes in the moral teachings of the Church (e.g., in the matter of religious persecution). The point is that the Church was deceived by the circumstances of a particular time and place into supposing (and declaring) that a merely expedient principle of economic policy was an

immutable truth of Christian morals; and an infallible Church ought not to be deceived in this way.

Medieval moralists did not argue simply that the prohibition of usury was an appropriate policy because of the observable ill-effects of usury in their own society. They maintained that all taking of interest was inherently wicked because it offended against immutable natural law and against the divine revelation of Scripture. And for centuries the Church proclaimed this moral doctrine with the full weight of its teaching authority. When a commercial civilization grew up, the Church's established teaching on usury gave rise to great difficulties. In the end the most complex casuistry failed to resolve all the difficulties while maintaining intact the underlying moral principle. If that principle had been enunciated infallibly by the Church, the situation would have been impossible. In fact, the Church eventually changed its teaching.

Consideration of cases like this has led some theologians (like Küng) and some historians (like myself) to doubt whether the Church does in fact enjoy the gift of infallibility in defining doctrine in matters of morals. Defenders of the definition of Vatican I will usually argue that, in the particular case under discussion, no strictly infallible definition was ever promulgated. But Hughes's position is quite different from either of these. He argues that all infallible definitions in matters of morals are precisely of the type represented by the statement "All taking of interest on loans is immoral." That is to say, they define rules of conduct that are roughly appropriate to the time and place of the definition but are necessarily liable to falsification in the light of subsequent experience. This, he argues, is not due to any lack of infallible teaching authority in the Church; it is due to the intrinsic nature of moral propositions themselves. "No moral proposition in normal form," Hughes argues, "can be either a timeless or a necessary truth" (p. 425). And he maintains that accordingly "the dogma of infallibility can be expected to have less far-reaching results in morals than it does in dogma" (p. 427).

Hughes's discussion proceeds from an argument asserting that all moral statements are necessarily inadequate to a conclusion maintaining that they are all necessarily reformable. Moral statements are necessarily inadequate, he argues, because in order for the statement to be adequate without being merely tautologous the subject would have to contain "nonmoral descriptions of a potentially infinite number of morally relevant circumstances" (p. 423). (The subject has to be nonmoral because if it implied a moral judgment, as in "Murder is wrong," the statement would be a tautology.) But, the author argues, it is inherently impossible to satisfy this requirement. To illustrate the point, he considers the statement "Lying is always wrong" as an example of the

difficulties that arise when we attempt to formulate a moral principle adequately "in normal form." If we attach a moral significance to the word "lying," the proposition is tautologous. If we regard the word "lying" as morally neutral, the statement is untrue. We might reformulate it by defining "lying" as "not telling the truth when the person has a right to it." But here the word "right" implies a moral judgment and again we have a tautology. If we try to define more precisely the circumstances in which not telling the truth is wrong, "we can never come to the end of listing facts which could be material facts, which could make a difference . . ." (p. 424). The author concludes that any moral statement can only be "true as far as it goes"; it can be valid in the sense of applying to the particular cases the moralist had in mind; it can provide a rough guide to right conduct in such cases; but it can never be "adequate" in the sense of applying to the whole range of actions and still less to the whole range of possible future actions that might fall within the scope of the original definition. "Moral principles are of their very nature time-bound; for some of the morally relevant considerations which would have to be included to make the principle more adequate will have to be described in terms which become available only at a later date" (p. 425).

If all this is true, it follows that "moral principles of their very nature cannot be completely irreformable" (p. 425). If a moral principle is inadequate, there must always be a possibility that it will be proved false by a subsequently emerging case. (If we find one single example in which the taking of interest is licit, then the general statement "All taking of interest is wrong" is not merely inadequate; it is false.) Hughes sees this clearly enough and insists on it. He maintains, therefore, that all moral principles must be reformable, and not only in language and in mode of expression. Also, "they will necessarily be reformable in regard to their *content*" (p. 426).

But what, then, are we to make of Vatican I's statement that *ex-cathedra* pronouncements on faith and morals are "irreformable of themselves"? Hughes replies that all true statements are timeless and irreformable in the "weak sense" of the words, just as the statement "England is a member of the Common Market" is (as we have described) timelessly true in a weak sense. "Irreformability in morals must therefore mean that if a moral principle ever was true, however inadequately, then it will at all times remain the case that it was true, however inadequately" (p. 426). To take the example we have already considered: if it was roughly true in the twelfth century that the taking of interest on loans was wrong, it will always be the case that it was roughly true in the twelfth century that the taking of interest on loans was wrong. Appar-

ently Hughes takes this to be the real inner meaning of the doctrine enunciated at Vatican I about the inherent irreformability of infallibly defined moral teachings. He is not calling into question the validity of the Council's definition. On the contrary, he refers to it approvingly, writing of "the irreformability insisted upon—and quite rightly, in my view—by Vatican I." It is just that, when we are dealing with moral questions, an unusual connotation must be attached to the word "irreformable." The argument is not that the Church lacks the authority to define infallibly in matters of morals; it is rather that—because of the intrinsic nature of moral propositions—when the Church does define infallibly in this area, its definitions cannot be irreformable in the normal sense of the word.

I am reminded of a common medieval argument that was applied analogously to various modes of exercise of ecclesiastical authority. If a priest pronounced the words of consecration over oatcakes instead of over wheaten bread, the consecration would not produce an act of transubstantiation. This would not be due to any defect in the sacerdotal power of the priest; it would be due to the inherent nature of the material to which his sacerdotal power was applied. Hughes argues somewhat similarly. When the Church defines infallibly a truth of morals, the definition does not produce an irreformable doctrine. This is not due to any defect in the defining power of the Church; it is due to the inherent nature of the subject to which the defining power is applied.

This argument seems to me invalid. The most obvious, simple response to it on an elementary level might be to point out that the Church has, from the beginning, enunciated moral principles that have proved to be "timeless" in the strong sense of the word. Let us take the most obvious example: "To love all men is good." Following the strict logic of Hughes's argument, we should have to maintain that, although this principle has not yet been proved false by experience, there must always exist a possibility that this will happen in the future. ("No moral principle in normal form . . . can be either a timeless or a necessary truth.") Perhaps one day, then, we shall discover some race of human-kind that ought to be hated. Jesus gave us a good rough rule of conduct but, because of the intrinsic nature of moral principles, He could not be entirely adequate in this area.

Evidently, to a Christian, this is nonsense. Hughes would perhaps prefer to assert that the proposition "To love all men is good" is not expressed in normal form because it is tautologous. It does not seem to me that this is the case. Missionaries who have to convince non-Christian peoples that they should love their enemies could perhaps provide evidence on the point. But even if we agree that the statement is

tautologous, uncomfortable consequences still follow from the argument. As Hughes points out, moral propositions are “unhelpful” when they are necessarily true simply because they are tautologous (p. 421). We are left with the unconsoling reflection that the most fundamental moral affirmations of the Christian Church are either tautologous, and so not helpful, or nontautologous, and so not timeless.

But the fact that Hughes’s argument leads to uncomfortable conclusions does not in itself prove that the argument is invalid. To demonstrate this, we need to reflect for a few moments on the inherent nature of the infallible teaching authority that was claimed for the Church at Vatican I. Hughes maintains that, although the Church is infallible, it cannot promulgate doctrines in matters of morals that are irreformable in content. I would maintain that if the Church were infallible, then it most certainly could promulgate such doctrines, and that, accordingly, to deny that the Church can promulgate irreformable moral teachings is to deny that the Church is infallible in this area. This conclusion is not vitiated by Hughes’s arguments about the intrinsic nature and necessary inadequacy of moral propositions. The reason is that Hughes’s arguments (by their own intrinsic nature) cannot possibly apply to the pronouncements of an infallible Church.

Let us consider again our familiar statement “All taking of interest on loans is sinful.” This statement has indeed turned out to be false or, at any rate, inadequate. But Hughes argues that all such statements, by their very nature, must necessarily be inadequate. And this does not seem to be the case. Let us suppose that the number of ways of taking interest on loans is indeed infinite. There is nothing in the linguistic or logical structure of our statement to exclude the possibility that it might apply to each and every instance of interest-taking. Hughes surely cannot be asserting that it is intrinsically impossible for a general rule to apply to an infinite number of instances. Why, then, should he assert that “No moral principle . . . can be either a timeless or a necessary truth” and that “Moral principles of their very nature cannot be completely irreformable”?

Hughes does not fail to provide an answer to this question, and it is a very simple and commonsensical one. He offers much intricate and interesting argumentation about truth, necessity, and timelessness. But, at bottom, his assertion that all moral principles are reformable does not depend on this argumentation. His assertions are not justified by the arguments about the necessary structure of moral propositions; rather they are justified (if at all) by an argument about the necessary limits of human understanding. Hughes maintains that every principle a moralist can formulate must necessarily be inadequate because the moralist

cannot be aware of all the range of possible applications of his principle at the time when he formulates it. Still less can the human mind of the moralist foresee all the possible future applications of his principle. Therefore no moral principle can be irreformable. This is the essence of Hughes's argument. Fortunately he states it for us in very plain and unambiguous language. "The thesis depends simply on the fact (as I assume it is a fact) that our factual knowledge at any given time is incomplete . . ." (p. 426).

But such a thesis cannot possibly apply to a supposedly infallible, divinely guided Church. God's knowledge is not incomplete. No theologian has ever argued that the exercise of infallible teaching authority in the Church is an exercise of unaided human intellect. The underlying premise of every theory of ecclesial infallibility is a belief that in certain circumstances the Church enjoys divine assistance in promulgating doctrines on faith and morals. This was, of course, written into the dogmatic definition of 1870: "We teach and define that . . . the Roman pontiff, when he speaks *ex cathedra* . . . , by the divine assistance promised to him in blessed Peter, is possessed of that infallibility with which the divine Redeemer willed that His Church should be endowed for defining doctrine regarding faith and morals, and that therefore such definitions of the Roman pontiff are irreformable of themselves . . ."

In referring to "divine assistance," we are not, of course, suggesting that infallibly defined doctrines proceed from direct divine inspiration. The argument can be better put in the more usual negative form. In an infallible Church, divine providence would prevent the magisterium from defining, as permanent truths, moral principles that could prove false in the light of subsequent experience. It does not follow from the definition of Vatican I that the Church can mechanically grind out an infallibly defined answer to each new moral problem that arises. But it does follow that when and if the Church feels able to define a doctrine with the full weight of its authority, that doctrine will be valid for all time. The whole point of claiming infallibility for the Church is that, in the case of an infallibly defined proposition, divine assistance prevents the errors that would normally arise from the necessary limits of human knowledge.

Once this central premise of the theology of infallibility is acknowledged—that the Church enjoys divine assistance when defining infallibly—then all Hughes's argumentation about the necessary "inadequacy" and "time-bound" nature of moral propositions disintegrates; or, at any rate, it can be seen to be irrelevant when we are discussing the teachings of an infallible Church. According to Hughes's own arguments, there is no reason why a Church guided by an omniscient God should not define moral principles that are both adequate and timeless—that is, irreforma-

ble in the strong sense of the word. When, therefore, Hughes maintains that all moral principles defined by the Church are “necessarily . . . reformable with regard to their content,” he is not really making a statement about the intrinsic nature of moral propositions; he is denying the infallibility of the Church.

#### CONCLUSION

Hughes has analyzed with great clarity and perspicacity the difficulties inherent in the task of framing an irreformable moral principle. As we have indicated above, a historian, approaching this same problem from his different perspective, finds abundant evidence of these difficulties in the actual changes that have occurred in the Church’s teachings on certain moral questions over the course of the centuries. It may be that Hughes is right in his central contention. It may be that the Church cannot define a moral doctrine in such a way as to guarantee in advance that the content of the doctrine will remain irreformable through the whole course of future time. But we ought not to suppose that one can maintain this point of view while still adhering to the doctrine of infallibility as it was defined at Vatican I.

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