

The recasting of the *Professio fidei* and a question which asks about Church teachings that are presented as *definitive*¹

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1. Statement of the Problem

Since March 1, 1989, a new formula for the Profession of Faith (the *Professio fidei*) and a new formula for the Oath of Fidelity (the *Jusiurandum fidelitatis*) has come into force within the life of the Church. In the introductory preamble which introduces these texts [in the *Acta Apostolicae Sedis*]² at the very beginning, it is stated that "believers who are called to exercise an office in the name of the Church are obliged to make a '*Professio fidei*' in accord with a formula that is approved by the Apostolic See (cf. Canon 833). In addition, the obligation to subscribe to a separate 'oath of fidelity' with respect to the particular duties that are inherent to the exercise of the episcopal office and which, in past times, has been prescribed only for bishops, has been extended to the categories which are specified in Canon 833, Nos. 5-8. Hence, as a consequence of these changes, it has been judged necessary to prepare texts in order to update them and align them more with a style and a content which conforms to the teaching of the Second Vatican Council and the documents which have emerged as a consequence."³

In the present study, I shall confine myself to the text of the *Professio fidei*. It consists of two parts: (1) the Nicene-Constantinopolitan Creed which is then followed by (2) a concluding formula that is structured in a way which consists of three paragraphs. With the addition of this section, he who subscribes to the *Professio fidei* expresses his will to accept the truths that the Church believes in or, more precisely, the truths which are presented by the teaching of the Church's Magisterium. According to the explanation that is provided by the official introductory preamble, the goal of this tripartite division is that it should serve "to better distinguish the type of truth and the kind of assent which would be accordingly required." In the discussion which follows, I will focus on this added section, employing a designation which refers to three additives: a first, a second, and a third additive.⁴

¹Editorial note: this paper was originally published in German (under the title "Die Neufassung der 'Professio fidei' und die Frage nach den von der Kirche 'definitiv' vorgelegten Lehren") within a larger anthology of papers which appeared with the title, *Kontroverse Theologie*, eds. Ulrich L. Lehner; Ronald K. Tacelli (Bonn: Nova et Vetera, 2005).

²*Acta Apostolicae Sedis* 81 (1989) 104-106.

³Editorial note: while Sala directly translates from Italian to German the text which in German he cites, for greater accuracy, the English translation which is provided is directly crafted from the original Italian text as this has been given in the *Acta Apostolicae Sedis*.

⁴Editorial note: for ease of reference purposes, we cite below the concluding formula of three paragraphs that is attached to the *Professio fidei*:

With firm faith, I also believe everything contained in the word of God, whether written or handed down in Tradition, which the

My remarks will revolve around two issues. First, a few basic considerations should be alluded to with respect to the Magisterium: its mission and the different ways in which it is exercised. It is especially necessary to clarify a familiar distinction which exists within theology between that which exists as the ordinary Magisterium and that which exists as the extraordinary Magisterium.⁵ I attend to the meaning and scope of this distinction. Now, in the new version of the *Professio fidei*, special emphasis is placed on the existence of different degrees of obligation by which a believer will adhere to the truths of salvation which the Church proclaims. For this reason, these different degrees of obligation will be investigated to determine ultimately what is their basis or ground.

The other issue relates to the second paragraph whereby one promises to firmly accept all teachings (*firmiter amplector ac retineo*) that are "definitively" proposed by the Church. With respect to this category of doctrinal teaching which has been especially drawn up, there exists, from a formal point of view, a species of novelty (relatively speaking!) within the *Professio fidei* which is now currently in effect. In particular, as a consequence, this new fact has raised a question which asks about how the tripartite division of the section that follows the creed can be related to the twofold division which we have mentioned above.

Church, either by a solemn judgment or by the ordinary and universal Magisterium, sets forth to be believed as divinely revealed.

I also firmly accept and hold each and everything [that is] definitively proposed by the Church regarding teaching on faith and morals.

Moreover, I adhere with religious submission of will and intellect to the teachings which either the Roman Pontiff or the College of Bishops enunciate when they exercise their authentic Magisterium, even if they do not intend to proclaim these teachings by a definitive act.

Cf. http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_1998_professio-fidei_en.html (accessed August 6, 2015).

⁵The magisterial pronouncements of the Church rarely use these two terms. The phrase *magisterium ordinarium* [ordinary magisterium] is found for the first time in 1863 in a letter of Pope Pius IX [*Tuas libenter*] that is addressed to the Archbishop of Munich and Freising (DS 2879); the phrase is used again by the First Vatican Council in 1870 (DS 3011), and again later in 1950 in the encyclical *Humani generis* in DS 3885. Shortly afterwards, within the same encyclical, in the next paragraph, both terms [ordinary and extraordinary; in Latin cited as *ordinario sive extraordinario*] are given together. See DS 3886.

Editorial note: to avoid any misapprehensions if one attends to some English translations that can be found, we cite the following English translation which is given of the assertion that is initially found in Latin in DS 3886. Hence: "But if the Church does exercise this function of teaching, as she often has through the centuries, either in the ordinary or in the extraordinary way, it is clear how false is a procedure which would attempt to explain what is clear by means of what is obscure." Cf. http://w2.vatican.va/content/pius-xii/en/encyclicals/documents/hf_p-xii_enc_12081950_humani-generis.html (accessed August 5, 2015).

The redrafting of the *Professio fidei* has prompted numerous comments and essays. Many of them were more interested in polemics against this ordinance which comes to us from the Congregation for the Doctrine of the Faith than in pointing out the theological meaning which comes from the mission of the Church and the usefulness of this ordinance because of the current situation which now exists today within the life of the Church.⁶ Two more extensive works merit special consideration. First, the volume: *Glaubensbekenntnis und Treueid. Klarstellungen zu den neuen römischen Formeln für kirchliche Amtsträger* ["Creed and Oath of Fidelity. Clarifications for Church Officials about the new Roman Formulas"], Mainz 1990. This book contains two very different contributions: one, from the Louvain theologian, Gustave Thils; the other, from the Mainz theologian, Theodor Schneider. Schneider's work comes across to us as a shocking example of a genre of theological journalism which Hans von Balthasar has referred to as a theology of resentment. Wherever it is at all possible, with respect to the Magisterium, a deleterious interpretation of texts is imposed upon a reader. Hence, as a result: the *Professio fidei* should be seen to exist as a "mere show of force" (120) which the Apostolic See has presented in a manner which works with "offensive language." (121).

From the pen of Prof. Heribert Schmitz of the Canon Law Institute of the University of Munich comes a detailed treatise: "*Professio fidei und iusiurandum fidelitatis. Glaubensbekenntnis und Treueid. Wiederbelebung des Antimodernisteneides?*", published in *Archiv für katholisches Kirchenrecht* 157 (1988[!]) 353-429. As principally a canonical investigation, it documents the standard sources for understanding the development of the *Professio fidei* as a consequence of the current legal situation as this has arisen from the advent in 1983 of the Church's new Code of Canon Law. Part of this study (413-427) is dedicated to the oath of fidelity. Now since the author deals with the *Professio fidei* also in a theological way, with respect to his interpretation, I will move on and enter into a brief discussion that is given further below.

2. The Teaching Ministry within the Church

The life of the Church is to live in service of the truth, the truth "which is Christ" (*Dignitatis Humanae* 14).⁷ This life in the truth consists in preserving and in actively implementing the

⁶See, for example, H.-J. Lauter, "Zum neuen Glaubensbekenntnis und Treueid für kirchliche Amtsträger", *Pastoralblatt für die Diözesen Aachen, Berlin, Essen, Hildesheim, Köln, Osnabrück* 41 (1989) 247f; D. Seeber, Apostolischer Stuhl: "Neue Eidesformeln für kirchliche Amtspersonen", *Herder Korrespondenz* 43 (1989) 153f. F. Dünzl, "Perfekter Kontrollmechanismus", *Anzeiger für die Seelsorge* 99 (1990) 347-349. P. Knauer ST, "Der neue kirchliche Amtseid", *Stimmen der Zeit* 115 (1990) 94; D. Mieth, "Der überflüssige Treueid oder: Das Credo genügt", *Theologische Quartalschrift* 170 (1990) 141. Of value for me was an article that I found by F. Sullivan SJ, "Some Observations on the New Formula for the Profession of Faith", *Gregorianum* 70 (1989) 549-558.

⁷Editorial note: in *Dignitatis Humanae* 14, the relevant sentences which appear to be the context of Sala's paraphrase read as follows:

For the Church is, by the will of Christ, the teacher of the truth. It is her duty to give utterance to, and authoritatively to teach, that truth which is Christ himself, and also to declare and confirm by

disclosure of revealed truth and this is a task which belongs to the entire people of God. Only as the Word of God is present to us, as it is borne by the whole Church, only as Christ's messengers – the apostles and their successors – only they have a special service to the truth. This service is what the Magisterium is all about. A theology of the Magisterium must begin with the great commission of the risen Christ who has said: "Go and teach all nations, and make all men disciples ... teaching them to observe everything that I have commanded you" (Mt 28:19 f). With respect then to the meaning of the assignment which is given, what the Church believes and that from which she lives is not to be identified with the undifferentiated teaching of the church community but precisely with "the teaching of the apostles" (Acts 2, 42): the apostles and their successors are "authentic teachers, that is, teachers endowed with the authority of Christ" (*Lumen gentium* 25a).⁸

For this, the messengers are distinguished in two ways. First, through a sacramental ordination, in a special way, they participate in the priestly office of Christ. The ministry of the Eucharist and the ministry of the Word exist as components within the Church's *one ministry*⁹ of governance. It is evident that the transmission of saving truth cannot be reduced to some kind of intellectual activity. On the contrary, it is connected to a sacramentally constituted form of communicative task. Second, they are assisted by the "Spirit of truth" that has been promised to them (Jn 14, 17). In the church, mission and grace belong together; by this means, their authority as messengers is established; their authority as evangelizers, to whom the following words apply: "He who hears you hears me" (Lk 10, 16).

For centuries, the church has not known a theology of the Magisterium as this exists in the sense that we have today. Yet, from the beginning, Christians were aware of the fact that they have been

her authority those principles of the moral order which have their origins in human nature itself.

Cf. Second Vatican Council, *The Documents of Vatican II with notes and index*, Vatican translation (Strathfield, NSW: St Paul's Publications, 2013), p. 401, #14.

⁸Editorial note: we cite the text which Sala quotes as it is given to us in *The Documents of Vatican II with notes and index*, Vatican translation (Strathfield, NSW: St Paul's Publications, 2013), p. 39, #25. Sala's citation and quotation from *Dignitatis Humanae* and *Lumen gentium*, in both cases, is a bit abbreviated.

Among the principal duties of bishops the preaching of the Gospel occupies an eminent place. For bishops are preachers of the faith, who lead new disciples to Christ, and they are authentic teachers, that is, teachers endowed with the authority of Christ, who preach to the people committed to them the faith they must believe and put into practice, and by the light of the Holy Spirit illustrate that faith. They bring forth from the treasury of Revelation new things and old (cf. Matt. 13:52), making it bear fruit and vigilantly warding off any errors that threaten their flock (cf. 2 Tim. 4:1-4). Bishops, teaching in communion with the Roman Pontiff, are to be respected by all as witnesses to divine and Catholic truth.

⁹Editorial note: the italics is not found in Sala although it is used here to indicate the emphasis which Sala gives to the oneness of the ministry which he refers to.

taught by persons who had been personally authorized to do so by the Lord and, then, by their legitimate successors. They therefore accepted the word that was given to them and responded with an obedience of faith that was given to the claims that resulted from the word that was given to them by their successors. The "Symbola" that was gradually generated summarized the truths of faith which were proclaimed by the 'ordinary' teaching of the Church's shepherds.

That some of the teachings of the church were raised to become dogmas in the theological sense of the term was frequently the result of the play of historical conditions. Subsequent theological reflection has identified in the definition of Nicaea the Church's first dogma and this pronouncement was regarded as an act of the extraordinary magisterium where here the shepherds of the Church acted in light of a promised charism of truth that was endowed with the guarantee of infallibility. This charism is something which the Church has always experienced at crucial moments in its history, without being able to control this charism according to any form of human calculation and, in addition, without her being able to acquire a grasp of it – nothing beyond constantly listening to the Word of God that has been handed down to her.

Therefore, it is wrong to confuse the extraordinary Magisterium – this is the *kairoi* which God gives to His Church whenever He wills it – with the Church's teaching ministry and, then, to construct from it a theology of the ordinary Magisterium, a theology which, from the beginning, would be associated with a negative designation which thinks in terms of "fallible" teaching. As an unfortunate consequence thus, the positive orientation of the Magisterium toward apprehensions of truth would be forever largely ignored: i.e., its higher insight into the meaning of revelation and the fact that this insight exists as a fruit of the assistance of the Holy Spirit in a context which points to a general moral obligation which exists and which says that we must use all possible means for discovering the existence of any kind of truth.¹⁰

What a Christian is to believe as *fide divina* [with divine faith] does not coincide with what the Magisterium defines as dogma through an extraordinary exercise of its teaching authority. At no time in church history has this ever been in doubt and at the first Vatican Council an authentic expression of this position is given where, with respect to the contents of faith, the Council refers not only to the extraordinary Magisterium but also on the ordinary Magisterium: "All those things are to be believed with divine and Catholic faith which are contained in the word of God, written or handed down, and which by the Church, *either* in solemn judgment *or through her ordinary and universal magisterium*, are proposed for belief as having been divinely revealed" (DS 3011).

It is evident thus that, in no way, does the extraordinary Magisterium entirely embrace the life of the Church with respect to its dwelling within the truth; instead – in most cases – it has a further hermeneutic function with respect to the enduring truth of the Church's "ordinary" proclamations, especially in regards to those cases where, because of tensions and conflicts, elements that belong to the *fidei depositum* [the deposit of faith], are being exposed to the threat of obscuration or the possibility of denial (cf. *Lumen gentium* 25d).¹¹

¹⁰That a theology of the Magisterium as originating with the mission of Christ from the different ways of teaching can be adequately appreciated, I have attempted to explain in "Fehlbare Lehraussagen unter dem Beistand des Hl. Geistes? Zum ordentlichen Lehramt in der Kirche fallible," in *Forum katholische Theologie* 7 (1991) 1-20. For further treatment, see "Insegnamenti 'fallibili' e assistenza dello Spirito Santo. Riflessioni sul Magistero ordinario in connessione con l'Istruzione sulla vocazione ecclesiale del teologo," in *Rassegna di Teologia* 34 (1993) 516-543.

¹¹Editorial note: for ease of reference and purposes of clarity, we cite the proposition which serves as the immediate context of Sala's reference to the *fidei depositum* as this is given to

Hence, when we speak about the ordinary Magisterium, we should not adhere to truths that are proposed by it in a manner which too readily thinks that the kind of assent that is required is to be understood in the exclusive sense of *religiosum obsequium* [a religious submission] (i.e., in contrast to an assent which is both definitive and existing as a matter of faith). In other words, the ordinary preaching ministry of the Church's pastors and the religious obedience of the faithful are not coincident with each other. In the final analysis, the Church's Magisterium in its day to day operations, presents indeed, above all, the truths that are contained in divine revelation and also, figuratively speaking, any truths which can be included within that which exists as the mystery of Christ.

The demand for the infallibility of each and any manifestation of the Church's teaching office would turn the Church's Magisterium into a kind of "miracle worker," functioning as an oracle, completely putting aside the limits of history and culture and administered by human beings who are always infallible. However, such a way of operating does not belong to the current order of grace: neither for the individual nor for the Church as a whole. By maximizing the Church's Magisterium in this way (in a manner which is often demanded today if we are to obey the Church's Magisterium) - as a consequence of this emphasis, *de facto* the authority of the Magisterium is eliminated; and, as a consequence, the elimination of multifaceted teaching which takes into consideration the respective condition of the particular Churches and also conditions which belong to the universal Church.

3. The main text about the Magisterium: *Lumen Gentium* # 25.

The text of *Lumen gentium*, for this reason alone, is important because, in employing this Dogmatic Constitution, the Fathers of the Second Vatican Council sought to explain the essence and mission of the Church comprehensively. Hence, the section which deals with the Church's Magisterium is found within a context which refers to the Church as a whole. The third chapter, in fact, deals with the hierarchical constitution of the Church and, especially, with the episcopate. Now, when the Council speaks about a special teaching ministry, the Council sees the teaching ministry of the Church as constituted by the "successors of the apostles" who have received a commission, entrusted to them by the Lord: "the mission ... to preach the Gospel to every creature." (*Lumen gentium* 24a).¹²

us in *Lumen gentium*, in the *Documents of Vatican II with notes and index*, Vatican translation (Strathfield, NSW: St Paul's Publications, 2013), p. 40, #25.

The Roman Pontiff and the bishops, in view of their office and the importance of the matter, by fitting means diligently strive to inquire properly into that revelation and to give apt expression to its contents, but a new public revelation they do not accept as pertaining to the divine deposit of faith.

¹²Editorial note: again, for ease of reference and purposes of clarity, we cite the full sentence which contextualizes the quotation which Sala takes from *Lumen gentium*, 25a (cf. *Documents of Vatican II*, Vatican translation, p. 38, #25).

Bishops, as successors of the apostles, receive from the Lord, to whom was given all power in heaven and on earth, the mission to teach all nations and to preach the Gospel to every creature, so that all men may attain to salvation by faith, baptism and the fulfillment of the commandments (cf. Matt. 28:18; Mark 16:15-16; Acts 26: 17ff).

This mission and the authority which is given with it creates the context within which, in terms of reasons, the nature and the consequences of the Church's teaching mission should be theologically interpreted as this mission is addressed to the College of Bishops as well as to its Head.

Consequently, one begins with a detailed discussion of the different ways in which the bishops fulfill their mission (*Lumen gentium* 25), the exercise of which is called, in theology, the ordinary Magisterium. Only afterwards does the council proceed to deal with the extraordinary Magisterium.

3.1 The ordinary and the extraordinary Magisterium

The first paragraph of *Lumen gentium* 25 is entirely dedicated to the ordinary Magisterium. Its key elements are as follows: the proclamation of the Gospel is to be regarded as one of the principal duties of bishops; as authentic teachers, they are endowed with the authority of Christ; they preach the faith to the people who have been entrusted to them, indicating what they must accept and put into practice in the conduct of their moral lives; through their preaching which is done "by the light of the Holy Spirit," they ward off any errors that threaten their flocks. Hence, with respect to the attitude of the faithful towards their bishops: believers are to defer to their bishops insofar as "teaching in communion with the Roman Pontiff, they are to be respected...as witnesses to divine and Catholic truth."¹³

Following this, the Council Fathers concretize this attitude: a) with respect to the authoritativeness of episcopal teaching, "in matters of faith and morals, the bishops speak in the name of Christ and the faithful are to accept their teaching and adhere to it with a religious assent [*religioso animi obsequio*]," b) The same "religious submission of mind and will must be shown in a special way to the authentic Magisterium of the Roman Pontiff, even when he is not speaking *ex cathedra* [with highest teaching authority]."¹⁴

The paragraph concludes by indicating three criteria by which, "primarily," the intention and the will of the Pope can be known and recognized: a) the type of document, b) the frequency of repetition in teaching the same doctrine, and c) the manner of speech.

I omit the first sentence and immediately proceed to the second sentence of the second paragraph which, with the third paragraph, constitutes a unity that is dedicated to the extraordinary Magisterium. First, the entire episcopate is mentioned when, "gathered together in an ecumenical council," something is defined. Through their definitions, the doctrine of Christ is proclaimed in an infallible way; therefore, these definitions are to be accepted with *fidei obsequio* ["with the obedience of faith"]. Then, the third paragraph passes to the Pope, "when, as the supreme shepherd and teacher of all the faithful [all Christians]¹⁵...by a definitive act [*definitivo actu*]¹⁶ he proclaims a

¹³Editorial note: in rendering into English how Sala quotes from the text of *Lumen gentium*, I work and adapt from the official English translation of *Lumen gentium* as this is given to us in the *Documents of Vatican II*, Vatican translation, p. 39, #25 (previously cited).

¹⁴Editorial note: in rendering into English how Sala quotes from the text of *Lumen gentium*, again, I adapt and cite from the official English translation of *Lumen gentium* as this is given to us in the *Documents of Vatican II*, Vatican translation, p. 39, #25 (previously cited). Sala's text does not refer to *ex cathedra* papal teaching although the official English text of *Lumen gentium* explicitly refers to *ex cathedra* teaching. Within square brackets, I have rendered into English the text of Sala's German which refers to "highest teaching authority."

¹⁵Editorial note: in rendering into English how Sala quotes from *Lumen gentium*, again, I cite from the official English translation given in the *Documents of Vatican II*, Vatican translation, p. 39, #25 (previously cited). Strictly speaking, Sala's text refers to "all Christians."

¹⁶Editorial note: in rendering into English how Sala quotes from *Lumen gentium*, I again

doctrine of faith or morals." Also in this case, it is an infallible act. In this paragraph, the Council accepts the central definition of Vatican I (DS 3074).¹⁷

The fourth and last paragraph explicates that which was meant already with respect to preceding statements pertaining to the infallible Magisterium: the aforementioned dogmatic definitions are to be held "in accordance with Revelation" which the Magisterium faithfully interprets.

3.2 Addressing a Question which asks about an appropriate Classification of Modes with respect to how the Magisterium is to be exercised

Deserving of special attention is the first sentence of the second paragraph which constitutes a kind of transition, moving from the ordinary to the extraordinary Magisterium, insofar as it connects the ordinary magisterium with the same infallibility which belongs to the extraordinary Magisterium (although not exclusively so!):

Although the individual bishops do not enjoy the prerogative of infallibility, they nevertheless proclaim Christ's doctrine *infallibly* whenever, even though dispersed through the world, but still maintaining the bond of communion among themselves and with the successor of Peter, and authentically teaching matters of faith and morals, they are in agreement on one position *as definitively to be held [tamquam definitive tenendam]*.¹⁸

In itself, a systematic classification in a science is somewhat conventional. It is permissible under the minimal condition that it contains no contradictions. A dichotomy on the basis of contradictory terms has the advantage that it is complete insofar as it is based on the principle of the "Law of the

cite from the official English translation as given in the *Documents of Vatican II*, Vatican translation, p. 39, #25. In his text, Sala gives the Latin which, in our translation, we put within square brackets.

¹⁷Editorial note: for reference purposes, we cite DS 3073 from Vatican I, *Pastor aeternus*:

We teach and define that it is a divinely revealed dogma that the Roman pontiff, when he speaks *ex cathedra*, that is, when, acting in the office of shepherd and teacher of all Christians, he defines, by virtue of his supreme apostolic authority, a doctrine concerning faith or morals to be held by the universal Church, possesses through the divine assistance promised to him in the person of Blessed Peter, the infallibility with which the divine Redeemer willed his Church to be endowed in defining the doctrine concerning faith or morals; and that such definitions of the Roman Pontiff are therefore irreformable of themselves, not because of the consent of the Church (*ex sese, non autem ex consensu ecclesiae*).

Cf. *Christian Faith in the Doctrinal Documents of the Catholic Church*, 6th ed., Jacques Dupuis, ed. (New York: Alba, 1996), p. 298, #839.

¹⁸Editorial note: in rendering into English how Sala quotes from *Lumen gentium*, I again cite from the official English translation as given in the *Documents of Vatican II*, Vatican translation, p. 39, #25. In his text, Sala also cites the Latin which Sala also gives also within square brackets.

Excluded Middle."¹⁹ Such is the dichotomy with respect to the Magisterium in terms of its being infallible and non-infallible: either the Magisterium teaches something in virtue of the charism of infallibility by which it is endowed (on a case by case basis) or it does not teach something in virtue of its infallibility. If so, then the Christian faithful already know, on the basis of formal criteria, that the doctrinal decisions must be true. If not however, then the faithful know that it is an act of the ordinary Magisterium; the truth status of this teaching has already been discussed.

In theological literature however, one finds as well another dichotomy that is not lacking in its own completeness: the Magisterium as *ordinary* and the Magisterium as *extraordinary* (= non-ordinary). However, the criterion for attributing an exercise of the Magisterium to either the first or the second constituent of this alternative is not as clear as is the case with the aforementioned previous dichotomy. If one were to take (as often happens) the charism of infallibility as the distinguishing criterion, then this classification would completely coincide with the aforementioned distinction which has just been discussed. However, to reduce the classification fallible-infallible to the classification ordinary-extraordinary is ruled out because, as has been already mentioned, there is an ordinary Magisterium which can present truths in an infallible manner (DS 3011).²⁰

There is finally also a third, less common designation: namely, "solemnly" ("solemne") for the extraordinary Magisterium.²¹ In the crucial text that is taken from [*Dei filius*] the dogmatic constitution of the First Vatican Council, DS 3011, magisterial instructions are divided into those which are presented *solemni iudicio* [by solemn judgment] and those which are presented *ordinario et universali magisterio* [by her ordinary and universal Magisterium] as revealed by God. However, it remains rather vague when a doctrinal decision is to be regarded as "solemn" because solemnities of an external, palpable kind that would specify the making of a doctrinal decision by the extraordinary, infallible Magisterium have not been specified by either the First Vatican Council or the Second Vatican Council.

With respect thus to the degree of certainty which belongs to proffered magisterial teachings and the kind of consent that is properly owed to them, despite an understandable tendency which would want to impose an interpretation which thinks in terms of the alternative, giving definitive assent for statements of the extraordinary-infallible Magisterium and religious obedience for statements of the ordinary-fallible Magisterium, one must nevertheless resort to a trichotomy because exercises of the

¹⁹Editorial note: with respect to the Law of the Excluded Middle, briefly stated: either A or not-A; or oppositely (in other words): „a thing either is or is not so and so“; „contradictory propositions cannot both be false“; or „A either is or is not B.“ Cf. H. W. B. Joseph, *An Introduction to Logic* (Cresskill, NJ: Paper Tiger, Inc., 2000), p. 13.

²⁰Editorial note: citing the text of DS 3011 (as this is given in Dupuis, p. 99, #219):

All those things are to be believed with divine and Catholic faith which are contained in the word of God, written or handed down, and which by the Church, either in solemn judgment or through her ordinary and universal magisterium, are proposed for belief as having been divinely revealed.

²¹Editorial note: Please note that, if we cite the text of DS 3011 in the original Latin version, instead of the *solemne* which Sala cites, *solemni* is given:

Porro fide divina et Catholica ea omnia credenda sunt, quæ in verbo Dei scripto vel tradito continentur, et ab Ecclesia sive solemni iudicio sive ordinario et universali magisterio tamquam divinitus revelata credenda proponuntur.

ordinary and infallible Magisterium do not refer to exercises of the Magisterium that are to be regarded as mutually exclusive of each other.²² With respect thus to this trichotomy which has always existed in the life of the Church, in so far as the everyday teaching of the Church's shepherds has never existed as an alternative to the communication of infallible teachings and so, as a consequence, seen to exist as irreformable doctrinal statements, and given too the official expression of this teaching at the First Vatican Council and its confirmation at the Second Vatican Council, in an inquiry which we should undertake in what now follows, we attempt to explain the second paragraph of the *Professio fidei* in its concluding formula.

4. An Ordinary Infallible Magisterium

With respect to the first sentence of *Lumen gentium* 25b which is located between text that deals with the Church's ordinary non-infallible Magisterium (25a) and text which deals with the Church's extraordinary infallible Magisterium (25b, second sentence, and 25c), a number of theologians have spoken about its implementation in terms of its being an exercise of the infallible ordinary magisterium. What is common with respect to both sentences from which *Lumen gentium* 25b is constituted is the fact that that they deal with the *infallible* Magisterium of all the world's bishops, in the one case ("dispersed through the world") in its ordinary exercise and, in the other case ("in an ecumenical council") at its extraordinary exercise.

How can it be proved that, in the first sentence of *Lumen gentium* 25b, the Council thinks that it is ascribing an infallible authority to the ordinary Magisterium? The key text of the First Vatican Council, in which the phrase *ordinario et universali magisterio* occurs (DS 3011), according to an explanation that comes to us from Bishop [Konrad] Martin, the chief formulator of the Deputation de fide,²³ depends upon a letter of Pope Pius IX that was addressed to the Archbishop of Munich and Freising, *Tuas libenter*.²⁴ In Munich, in September 1863, the "Assembly of Catholic scholars," led by Ignaz von Döllinger, had wanted to ensure the freedom of scientific inquiry while adhering to an obligation to abide by the teaching of the Church although, at the same time, limiting this adherence to pronouncements *ab infallibili Ecclesiae iudicio veluti dogmata ab omnibus credenda*

²²Editorial note: to unpack the meaning of how Sala expresses his position, employing a terse form of expression in the German, please note that, while infallible exercises of the Church's Magisterium are commonly associated with extraordinary exercises of the Church's Magisterium and while infallible exercises of the Church's Magisterium can occur through ordinary exercises of the Church's Magisterium (we can argue in fact that, often, through the Church's ordinary Magisterium, infallible exercises of the Church's Magisterium are given), it is to be also noted as a third dimension that, in common exercises of the ordinary teaching office (the Church's ordinary Magisterium), it is often not known or it is often not stated that a given teaching is to be viewed one way or the other: as, in one case, impossibly errant or as, in another case, possibly errant (even if remotely errant) and so, as a consequence, respectively speaking, meriting a species of reception and acceptance which exists either as definitive assent or as an act of religious obedience. In the concrete life of the Church, the gravity and status of many teachings are often not known or explicitly stated and so, as a consequence, the kind of reception which is properly due to them. A distortion would necessarily result if we were not to acknowledge the reality of this third dimension.

²³Editorial note: Sala uses the term "relator" in German which does not differ from the English word, "relator." To avoid any misunderstanding, we refer to Bishop Konrad Martin who is cited as the "chief formulator of the final definition of faith on infallibility" at the First Vatican Council. Cf. Vincent Ferrer Gasser, *The Gift of Infallibility The Official Relatio on Infallibility of Bishop Vincent Ferrer Gasser at Vatican Council I*, 2nd ed., trans. James T. O'Connor (San Francisco: Ignatius Press, 2008), p. 60, n. 31.

²⁴See Mansi, *Amplissima collectio conciliorum*, 51, 224.

proponuntur [proposed by the infallible judgment of the Church as **dogmas** to be believed by all]. Consequently, against this, the Pope wrote that adherence "by an act of divine faith" also applies to truths *quae ordinario totius Ecclesiae per orbem dispersae magisterio tamquam divinitus revelata traduntur ideoque universali et constanti consensu a catholicis theologis ad fidem pertinere retinentur* [which are handed down as divinely revealed by the *ordinary teaching power* of the whole Church spread throughout the world, and therefore, by universal and common consent are held by Catholic theologians to belong to faith].

To a large extent, in the *Dogmatic Constitution on the Catholic Faith* [in *Dei filius*], the First Vatican Council takes over the wording that is found in the aforementioned text of Pope Pius IX (DS 3011) and, in doing so, further clarifying the meaning of *magisterium ordinarium* through the use of the word *universale* [universal] in order to make things a bit more clear that – hence, again, the explanation of Bishop Martins – the question of the Pope's infallibility is not being considered within it. Both texts [*Tuas libenter* and *Dei filius*] deal with the content (the *objectum materiale* [the material object]) of "fides divina" [divine faith].

As a consequence, in its wanting to deal with the question of infallibility in all its implications as this exists with respect to the Church's bishops, the Second Vatican Council began not with the particular case which exists when bishops are gathered together in an Ecumenical Council but with their day to day teaching ministry where, as "dispersed through the world" (the Council borrowing a turn of phrase that is taken from the aforementioned letter by Pope Pius IX: DS 2879), the bishops fulfill their mission as teachers. Infallible teachings (*infallibiliter enuntiant* [literally: proclaim infallibly]) are rendered within the framework of the ordinary Magisterium which belongs to the Church's bishops.

However, a difference between two texts can be noted. The First Vatican Council had coined its definitional statement (DS 3011) in terms of truths that are "contained in the word of God, written or handed down"; therefore it spoke about a "fides divina et catholica" [a "divine and Catholic faith"] by which these truths are to be accepted. The Second Vatican Council accepts this aforementioned definition but without restricting its meaning to the teaching of formally revealed truths by the bishops. On the other hand however, the more recent Council (the Second Vatican Council) adds something to this definition and, at one point, it changes it in the following terms: a) in terms of addition: the agreement *in unam sententiam* [in one position] must have the quality of being a definitive teaching, b) in terms of change: the intended teaching is to be submitted to in terms of *tenenda* (to be held) and not as it had been referred to in the DS 3011 as *credenda* [to be believed]. The reason for this change in determining the species of consent that is to come from the faithful is the fact that, according to a widely held point of view, a definitive teaching of the Church is also possible even if it does not refer to an actual truth of revelation that can only be accepted on the basis of divine faith. By way of illustration thus, the infallible teachings of the Church can also apply to that which is viewed and which is referred to as an *obiectum secundarium* [a secondary object]. Under this designation *obiectum secundarium* are meant additional teachings which, in themselves, do not belong to the *divinae revelationis depositum* [the deposit of revelation]²⁵ (*Lumen gentium* 25c), but which are so connected as "background" that, without also making infallible decisions about the aforementioned teachings that are connected with this background,²⁶ the

²⁵Editorial note: the English translation that is cited within square brackets is taken from the aforementioned Vatican translation of the *Documents of Vatican II*. The official translation omits a reference to "divine."

²⁶With respect to the *obiectum secundarium* as this is found within the documents of the First Vatican Council, it is repeatedly discussed. However, I only mention the important speech that was given by Bishop Gasser on July 11, 1870 with respect to the Pope's infallible Magisterium:

teachings which belong to the deposit of revelation cannot "be religiously preserved and faithfully expounded" (*Lumen gentium* 25c).²⁷

Now if, in its second paragraph, the *Professio fidei* prescribes for someone, who is appointed to an office in the Church, all that the person is to adhere to "which is definitively proposed by the Church regarding teaching on faith and morals," this is obviously connected to the first sentence of *Lumen gentium* 25b. On the other hand however, in the same place, we find that a partial acceptance of teachings that were intended by *Lumen gentium* is already included within the second part of the first paragraph where, through the ordinary and universal Magisterium, teaching is submitted with respect to *revealed* truths. Specifically: the first paragraph of the *Professio fidei* incorporates the first sentence of *Lumen gentium* 25b in the form according to how the Second Vatican Council had already spoken about the ordinary and universal Magisterium; hence, it has restricted the assent (*fides*) that is to be given to revealed truths that are put forward by this exercise of the Church's Magisterium.

From this analysis it follows that, in the second paragraph of the *Professio fidei*, the teaching which is given in the first sentence of *Lumen gentium* 25b is to be seen as something which differs with respect to an aspect that had been accepted according to the phraseology of the First Vatican Council (DS 3011). As shown above, this aspect refers to a) teachings which are presented as *definitive*, and b) truths taught as definitive which are *to be held* (*tenenda*).

From the wording of the second paragraph, it is evident that the characteristics here of the intended exercise of the Church's Magisterium pertains to a truth which is being presented to us in a definitive way. But, within this context, what expressions of Church teaching are truly intended? In the wake of the above statements that we have made with respect to the teaching ministry in the church, it is now possible to answer this question clearly. The utterances that are made by the extraordinary Magisterium (in terms of definitions) as well as the utterances that are made by the ordinary and universal Magisterium with respect to revealed truths come under the first paragraph of the *Professio fidei*. All of these magisterial teachings are to be believed *fide divina* [with divine faith]. The utterances of the ordinary Magisterium of the Pope and the utterances of the ordinary Magisterium of the College of Bishops (in the sense of being authentic but not as definitive) come under the third paragraph of the *Professio fidei* and they are to be accepted by way of a religious submission of will and intellect. Then, there remains only those magisterial teachings which are presented by the entire episcopate as definitive but which do not refer to truths that are contained in the deposit of Revelation; with respect to this, we refer to the second paragraph of the *Professio fidei*.

a decision about the Pope's infallibility with respect to the *obiectum secundarium*, whether namely it is itself dogma or merely *theologicæ certa* [a "theologically certain" teaching or, in other words, "a doctrine...whose truth is guaranteed by its intrinsic connection with the doctrine of revelation"], from there proceeding to the definition (heretofore postponed!) about the infallibility of the universal Church (Mansi 52.1225 to 1227). In all the passages with slight variations one finds references to *sanctè custodiendum et fideliter exponendum* [religiously preserving and faithfully expounding]. For a discussion of this problem, see also Angel Antön, "Ordinatio Sacerdotalis. Algunas reflexiones de gnoseología teológica," *Gregorianum* 75 (1994) 723-742; most pertinently, 734f.

²⁷Editorial note: although Sala refers to 25c of *Lumen gentium*, the text that he cites is not located in 25c but in 25d according to the pagination of the English Vatican translation of the *Documents of Vatican II*.

With respect to the ordinary teaching ministry of the entire episcopate who unanimously present a doctrine that is to be held universally as definitive – be it a revealed truth, or be it a truth that happens to belong to the secondary objects of the infallible Magisterium – a double question is raised: 1) How are the faithful to understand *Lumen gentium* 25b where it speaks about something which is “definitively to be held” and the second paragraph of the *Professio fidei* where it speaks about something which is “definitively proposed”? This question I will discuss in this next section. 2) How are we to know that a doctrine or a practice with doctrinal implications that was previously regarded as indisputable (belonging to the mandatory teaching of all the world's bishops) and so, as a consequence, regarded as true – in situations that have seen the emergence of serious doubts as a result of changes that have occurred within a given cultural situation or because of questions that are asked by some theological circles – how do these doctrines and practices continue to be true and how are they to be regarded as objects that merit full assent? This question I will discuss later in this study, especially in connection with an inquiry that asks about those who exercise the ordinary magisterium where, in a given case, the Pope has confirmed a doctrine that is taught by all bishops specifically as definitive.

With respect precisely to these two questions, discussions were ignited on the occasion of the publication of the *Professio fidei* and later, with the publication of the *motu proprio, Ad tuendam fidem* [an Apostolic Letter issued by Pope John Paul II on May 18, 1998]. This was especially the case concretely after 1994 in the wake of the definitive teaching that was presented in the Pope's Apostolic Letter, *Ordinatio Sacerdotalis*.

5. Pertaining to a Condition of Infallible Teaching: the Ordinary Magisterium must demand Absolute Assent

An important element pertaining to the above discussion with respect to the Magisterium of the world's bishops has still be clarified. In the first sentence of *Lumen gentium* 25b, it is said that the world's bishops, though scattered throughout the world, when they teach unanimously, they proclaim this teaching infallibly (*infallibiliter enuntiant*). However, as clarified by the Council, it is also said that an infallible teaching is rendered by the bishops under the condition that, when they teach anything unanimously, the teaching that is taught is to be viewed “as definitively to be held” (*sententiam tamquam definitive tenendam*). The second paragraph of the *Professio fidei* which, as indicated, the teaching of the Second Vatican Council accepts, has formulated the promise [of infallibility] as applying to “everything [that is] definitively proposed by the Church regarding teaching on faith and morals.

The condition mentioned in *Lumen gentium* 25b has been acknowledged attentively by later theologians and it has been carefully noted, indeed strongly emphasized. In his commentary, Rahner writes as follows (and this text has often been quoted): “It is expressly stated that, by an infallible teaching of the ordinary Magisterium (and, accordingly also, a teaching of the extraordinary Magisterium), such a thing can only be spoken about if the unanimous teaching of the world's bishops contends that it is a *res fidei et morum* [a matter of faith and morals] “*tamquam definitive tenendam*” [definitively to be held] and so, as a result, an assent is *explicitly required which is absolute and irreformable*... Not everything, however, which is unanimously taught by the world's bishops is to be regarded so readily as infallible... (The original schema of November 10, 1962...had not included this clause “*tamquam definitive tenendam*” which is all the more notable if we are to understand the intention of the final text). Only a qualified form of unanimity is given as a criterion *quoad nos* [in regard to us, in relation to our perception, etc.]²⁸ for determining the

²⁸Editorial note: this translation for *quoad nos* is taken from a “Lexicon of Latin and Greek Words and Phrases” that is located at the back of Bernard Lonergan's *Verbum: Word and*

infallibility of a given teaching. Naturally enough, the text in *Lumen gentium* does not deal with the difficult, albeit, practically important question about how such a qualified form of unanimity is to be detected on the part of the faith committed believer."²⁹

However difficult it may be to determine whether the latter condition is fulfilled with respect to a doctrine which is included within the tradition of the Church (we refer to the presence of diachronic unanimity), one cannot doubt, however, that this condition is theologically correct. Not everything that is carried by the flow of tradition, and which is fed by a cultural stream that is informed by the influence of human variables, is to be regarded as belonging to the truth of salvation. The same is also true, at any given time, with respect to synchronous unanimity to the degree that it is present in the proclamations of the Church. Our sharpened awareness of history in our day and the current state of hermeneutics requires this of us in a way and to an extent that had not applied to earlier generations.

What has just been said accordingly expresses an aspect of the problem that is raised by the text that is found in *Lumen gentium*. However, it is necessary to consider also another aspect so that we will not read into the text of the Council something that does not belong to it and so not hold, more precisely, to a particular mentality that is held to be the only appropriate perspective that will give us access to the truths of salvation. In our world today, we understand the gerunds *tenenda* and *credenda* to refer to an attitude that is not necessarily the attitude which belongs to genuine Christian faith, an attitude which is alien to the attitude from which the revelation of God in the Church was proclaimed and adopted by the many generations that have come before us. Enlightenment rationalism, experimental science, and the like, which increasingly exist within our culture, have aspects which have led to a narrowing of that former openness of mind which turns a man into a "hearer of the word" of God. The same tendency also applies today to the being and life of highly appreciated, independent, critical persons who, in view of the "instruction" or even the "gift" of a truth that is given to them, know almost exclusively a "hermeneutics of suspicion": - in a manner which points to the presence of hardly any kind of empirically detectable difference - these persons are at home almost exclusively with a "hermeneutics of suspicion" which renders them incapable of accepting a truth that goes beyond what people can appreciate and understand from within (*intellectus fidei*).

From the context thus of this historical situation (from the context of the intellectual history that we find), we tend then to ask the following question with respect to the Church's official proclamations: should we also believe this? - a question which, as posed, then often leads us toward a minimalist attitude with respect to the teaching of the Church and even to a virtual elimination of the ordinary Magisterium because its doctrinal sentences are seen no longer to impose any kind of absolute obligation on the ranks of the faithful.

The question that is being discussed has gained currency as a result of the apostolic letter of Pope John Paul II who declared that the Catholic doctrine of a male only priesthood to be held in a definitive manner in fidelity to the constant witness of tradition. However, against this position, several authors have expressed their doubts: whether, with respect to this teaching, the tradition

Idea in Aquinas, eds. Frederick E. Crowe and Robert M. Doran (Toronto: University of Toronto Press, 1988), p. 315.

²⁹Karl Rahner, *Das Zweite Vatikanische Konzil* [The Second Vatican Council] (Supplement to the 2nd edition of the *Lexikons für Theologie und Kirche* [Lexikon for Theology and the Church]), I 237. See also his paper from 1969: "Glaubenskongregation und Theologenkommission" [The Congregation for the Doctrine of the Faith and the Theological Commission] in *Schriften zur Theologie*, X, Zürich 1972, 348 f.

“*expressly and formally* has presented this doctrine as 'definitively to be held'.³⁰ Now if you take this criterion and if you apply it in terms which refer to how it literally exists and how it will be understood by opponents of *Ordinatio Sacerdotalis*, we can see that a claim is being made which, in fact, amounts to negating an otherwise commonly known fact that is known with respect to the development of Christian doctrine (*dogmatic* development existing here as a particular aspect).³¹ [Identifying this commonly known fact: there exists a species of *doctrina de fide* which is not to be understood as doctrine *de fide definita* because it refers to doctrines of faith which exist prior to any kind of papal declaration: in other words, doctrines that have been accepted and taken for granted for the most part within the life of the Church's history].³² Within this context thus, how, for example, would you prove that the dogma of Mary's assumption into heaven, which we confess as revealed truth – how would you prove that, “expressly and formally,” it has been continuously presented as definitively to be held? Or, from a slightly different perspective, if we were to allow that tradition exists as a source of disclosure only in the sense of material that has been explicitly fixed and if it is supported since Apostolic times by additional teachings that exist outside of scripture - how would we prove that this doctrine or that doctrine has been continuously proclaimed as binding on the conscience of the faithful? Such an anti-historical tradition, as it is applied within this context, is not usually represented by theologians today.

Suffice it now to mention only a few dogmas that are remembered for the infallible character of their proclamation, indicating where traditional arguments have played a crucial role in order to see how, in the course of time, the unanimous teaching of the bishops depends, at a certain time, on the unanimity of the entire episcopate.³³

30Hence, H.-J. Pottmeyer in *Rheinischer Merkur*, 8 December 1995; similarly, G. Greshake in *Pastoralblatt*, February 1996, p. 56 (cf. *Herder Korrespondenz*, September 1996, 463). However, it should be noticed that one can say that something is either formally stated or formally implied, depending on whether this something is included within the words which are used or within the meaning of the terms which are used (or within the completed action).

31Hence, L. Scheffczyk has countered Pottmeyer's reading of the Pope's Apostolic Letter in "Das responsum der Glaubenskongregation zur Ordinationsfrage und eine theologische Replik [The Response of the CDF to the Ordination Question and a Theological Reply]," in *Forum Katholische Theologie* 12 (1996) 131.

32Editorial note: within square brackets that have been given above, an attempt is made to translate the meaning of *jenes*, a demonstrative pronoun that is given in Fr. Sala's original German. The reference, for some, might not be too obvious. However, if we attend to a footnote which refers to Leo Scheffczyk's aforementioned article, we find that the Pope's letter, *Ordinatio Sacerdotalis*, on the ordination of women, is but an example of what the Pope means when he refers to a *testimonium fidei* [a testimony of faith]. A *doctrina de fide* can exist as a doctrine *de fide definita*. Its teaching has been defined by the Church's Magisterium. Or, a *doctrina de fide* can exist without any kind of definition as simply a testimony of faith. No prior definition has been needed. The truth of a given teaching has been obvious. Hence, it has not been necessary for the Pope to act as a judge of faith in terms of forming and determining a definition. The Pope's judgment, the Pope's ratification, is to be understood as a species of faith testimony.

33In a remarkable essay, in the following terms, Prof. Winfried Aymans of the Institute of Canon Law Institute at the University of Munich, explains how, for the teaching of doctrine, an obligatory character can be found as this is implicated within the practice of the Church: "Within the continuity of her history, by her actual behavior, the Church has born witness to the fact that she has understood the selecting of men for the apostolic ministry as something that is not bound by time but as a deliberate action of the Lord. The tradition which exists in this understanding is effected by the ordinary and universal magisterium through behavior and not chiefly through the use of appropriate teaching documents. However, this does not mean an inner defect of tradition

As a matter of fact, within the life of the Church, tradition exists as a living transmission of Revelation in a way which mediates the presence of Christ's Spirit to us and this transmission is such that it serves to remind the Church of all that the Lord has said (cf. John 14, 26) where, by it, this remembering exists in order to increase our understanding and also to refresh, over time, our sense of the mystery of Christ.³⁴ And so, as a faithful understanding of the Church's teaching increases, so too does our knowledge of the binding character of this teaching. That such a development occurs in a way which also depends on the influence of general cultural factors is not something which tells against the mandatory nature of the tradition itself since, instead, what we have exists as evidence. It points to the reality of Christ's incarnation and, from this, the historical character of the Christian dispensation.

With respect, however, to the foregoing discussion that we have had about the final formula of the *Professio fidei*, two comments have yet to be added. The first relates to the discussion of H. Schmitz that was mentioned at the beginning. With respect to the three additions, he believes that only the first is part of the creed (as belonging to the confession of faith). The pronouncements of the ordinary magisterium deserve only a "disciplinary form of obedience"; hence, the third addition is or should be part of the oath of fidelity. The second addition "should be deleted without substitution" because any intermediate stage which exists between the infallible and the non-infallible Magisterium threatens to blur the clarity of this distinction. The intended teachings are subject either to the first paragraph since *fides ecclesiastica* [ecclesiastical faith] is nonetheless grounded in *fides divina* [divine faith] or, if this is not the case, they belong to the third paragraph and thus the oath of fidelity. In my opinion, this highly reductionist interpretation is based on an inappropriate "juridification" of the creed (the confession of faith) and a misunderstanding about how the ordinary Magisterium governs the Church to maintain it *in the truth*.

Our second comment pertains to a fundamental reflection about the different degrees of assent that are owed by the faithful to the authentic teaching of the Church. Despite the importance of the aforementioned difference which we have been examining, its existential value is not to be overrated. A difference probably exists with respect to whether, in fact, I should agree with a doctrine which is contained within the *depositum fidei* [the deposit of faith], or whether I should agree with an infallible teaching that is presented to us as a species of *obiectum secundarium* [as a secondary object]. However, even with respect to the assent that is to be given to secondary objects which apply directly to the Church, this assent is borne and carried by a truth which is contained in

since teaching documents are mainly issued in order to clarify existing differences of opinion that would seem to challenge the understanding of the Church's faith. Hence, *a continuous course of conduct – even and especially if it is accompanied by few teaching documents or by no teaching documents that relate directly to these issues – the continuous course of action is itself more an expression of the Church's understanding of revelation than anything else*. Pope John Paul II has confirmed and reinforced this assessment of the history of Church's faith in authentically exercising his teaching office in a non-definitive manner. The species of definitive binding which occurs here in the Pope's teaching with respect to how we are to understanding this aspect of the priestly ministry does not arise from papal affirmation (the affirmation of the Pope) but from the tradition of the ordinary and universal Magisterium." Cf. Winfried Ayman, "Veritas de fide tenenda. Kanonistische Erwägungen zu dem Apostolischen Schreiben 'Ordinatio sacerdotalis' im Lichte des Motu proprio 'Ad tuendam fidem'," in *Frauen in der Kirche: Eigensein und Mitverantwortung* [Women in the Church: On their Being and Responsibility as Women], hrg. von G.L. Müller, Würzburg 1999, 398.

³⁴See Joseph Ratzinger, "Ein Versuch zur Frage des Traditionsbegriffs [An attempt to question the Concept of Tradition]," in K. Rahner - J. Ratzinger, *Offenbarung und Überlieferung* [Revelation and Tradition], Freiburg 1965.

revelation which refers to a teaching ministry that has been founded by Christ and so a teaching ministry which is enabled and facilitated through a kind of faith which exists as theological faith (specifically here, a pre-reflective kind of faith which exists apart from any kind of reflection and thought if, ordinarily or according to a more common significance, apprehensions of meaning and being in matters of faith and religion are theological if they have arisen in the wake of, or as a consequence of inquiries that we have been undertaking if we are to move toward apprehensions of meaning and being that, otherwise, for us, would not exist).³⁵ Similarly, as regards assent, with respect to the "religious obedience" that is owed to the teaching of the ordinary Magisterium. Because there exists a Magisterium which enjoys the assistance of the Holy Spirit, its teachings can be accepted only on a basis which refers to the reality of a faith that is supernatural: a faith that is now directed toward one person (to God and to his messengers) before it assents to what is

35Editorial note: please note that, in English, an equivalent word for word translation of *theologalen* does not exist at this time; hence, our need for an explanatory, subordinate clause that can possibly point to the meaning and significance which Sala is attempting to convey. In the use of German adjectives, *theologisch* commonly translates as "theological" but Sala avoids this term since, instead, he wants to refer to another kind of theological faith: one which is not to be confused with apprehensions of meaning and being which are conditioned by the kind of good which belongs to our acts of theological inquiry and the related kind of good which also belongs to our acts of theological understanding. As we attend to the physical resemblance and the suggestiveness of the German term, it is possible that *theologalen* comes from the French adjective *théologique* which, in its own way, translates into English as "theological" although however, another French term, *théologique*, more commonly translates as "theological." The second adjective, *théologique*, seems to be more well known and used than the first adjective although we can ask if the French term *théologique* could possibly derive from the German use of *theologische*. Are we referring to developments that originated in French theology or to developments that have originated in German theology?

The lack of an equivalent English word is revealed in a context which compares two translations with each other: one German, the other English. The official text in *Donum Veritatis* is given to us in Latin. In the German text of the *Instruktion über die kirchliche Berufung des Theologen* [the "Instruction on the Ecclesial Vocation of the Theologian"] issued in Rome by the Congregation for the Doctrine of the Faith on May 24, 1990, in the third paragraph of section 35, its words read: *Wenn sich daher der theologale Glaube als solcher nicht irren kann, so kann doch der Gläubige irrige Meinungen haben. Cf. Verlautbarungen des Apostolischen Stuhls, Nr. 98.* However, in the equivalent English translation, its words read: *Although theological faith as such then cannot err, the believer can still have erroneous opinions.* Emphasis both mine. Cf. https://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19900524_theologian-vocation_en.html (accessed December 19, 2022). A nuance in meaning exists in the German text but not in the English text.

To identify a source within German theology that would seem to be somewhat proximate (relatively speaking), see Marc Ouellet's "Adrienne von Speyr und der Karsamstag der Theologie," in *Adrienne von Speyr und ihre spirituelle Theologie*, 2002, p. 103f. In Ouellet's German, we have the following words: "Balthasar bezeichnet Adriennes Sprache als „theologal“ und nicht theologisch. „Theologal“ entstamme im Gegensatz zur theologischen Sprache aus dem Inhalt und reflektiere diesen nicht." Hence, in English: "Balthasar describes Adrienne's language as „theologal“ and not as theological. „Theologal“ language, in contrast to theological language, originates from that which exists as content. It does not reflect on it." But, as we find other texts in German that use *theologalen* instead of *theologisch*, the likelihood of a probable German origin is nonetheless not yet proved if the same difference in conceptuality can be found within French

witnessed by a person (by someone who is to be regarded as a witness). However, none of this precludes the fact that the truth which is communicated can have a number of ontological gradations and, so from this, in correspondence, a number of existential gradations.

6. A contribution of the Secretary of the Congregation for the Doctrine of the Faith to clarify what is meant by teachings that are definitively presented

As has been already mentioned, the reception of both the new formulas for the *Professio fidei* and the oath of allegiance has been extremely negative. Immediately after the document's publication, especially in the German-speaking countries, a massive agitation began to emerge to try to bring it down. In this campaign, the "Union of Superiors General in Germany" also became involved.³⁶ At their Würzburg meeting in June 1990, 45 provincials and abbots dispatched a letter to the chairman of the German Bishops' Conference wherein they asked the bishops to do all they can to ensure that the new formulas are not to be introduced as compulsory within the German Church. Hence, as a result of this pressure that was exerted on the episcopate, it was decided by them that "the regulations pertaining to the profession of faith and the oath of allegiance are to be suspended with respect to their validity within the territory of the German Bishops' Conference until the matter has been clarified."³⁷

Indeed, on July 2, 1998, immediately after the publication of John Paul II's *Motu proprio*, cited as *Ad tuendam fidem*, the *Deutsche Tagespost* noted as follows: "Since the German Bishops' Conference has not prepared an official translation of the oath of allegiance in the years which have followed [i.e. after its publication in 1989] and since they have not they published it in any of the official church gazettes, the oath of allegiance [as also is the case with the *Professio fidei*] has not yet been taken in Germany by any of the persons concerned." At the third congress of the "European Society for [Catholic] Theology,"³⁸ meeting in Nijmegen in August 1998, it was noted, with a certain satisfaction, that the *Professio fidei* and the oath of allegiance "had hardly been received anywhere within the Catholic Church."³⁹

However, while this initial refusal was subsequently followed by years of silence, with almost no attempt being made to discuss the theological issues surrounding the *Professio fidei*, late in 1996 (after the appearance of the Apostolic Exhortation, *Ordinatio Sacerdotalis*, on May 22, 1994) an important contribution, in the context of some reflections on the infallible Magisterium of the Church, came from Archbishop Bertone, the Secretary of the Congregation for the Doctrine of the

theological literature in terminology which can be found to predate the later German usage.

36Editorial note: cited in Germany as the *Vereinigung Deutscher Ordensoberen* or, more simply, as the VDO.

37H. Schmitz, *Katholische Theologie und kirchliches Hochschulrecht* (Arbeitshilfen der Deutschen Bischofskonferenz, Nr.100, vom 1. Oktober 1992), p. 75

38Editorial note: Sala omits the designating adjective "Catholic" in how he refers to this society (founded in 1989) although this adjective is included as part of the official title and designation in other sources that can be consulted. Cf. <https://www.kuleuven.be/eurotheo/> (accessed December 27, 2022). The omission could be purely accidental or, perhaps more truly, it could reflect an assessment and judgment that Sala has been making and which is being evidenced now by how he omits the use of this term.

39KNA of September 2, 1998, p. 5. In the same report, the reaction of the participants to the Pope's *Motu proprio* that had appeared shortly before is reproduced with the words: "Hence, the *Motu proprio* should not be implemented any further."

Faith, which provided a remarkable clarification with respect to how we are to understand and interpret the definitive teachings of the Church's ordinary and universal Magisterium.⁴⁰

The author begins by pointing out the fact that the current tendency of thought and discussion is to take infallibility and to convert it in a way which makes it the central, dominant criterion of all questions that are to be asked about the Church's teaching authority; hence, in effect, replacing the concept of authority with that of infallibility. As a result thus, infallibility is seen to exist as a prerequisite. It has been turned into a prerequisite that is needed if we are to speak about the truth and the immutability of any given doctrine. However, as the Archbishop writes and notes, the truth and the immutability of a doctrine derive from the *depositum fidei* (from Scripture and Tradition); on the other hand however, infallibility refers to the degree of certainty which belongs to exercises of the Church's Magisterium.

In dealing with important statements that have come to us from the papal magisterium in recent years (for example, from the Pope, in the encyclicals *Humanae vitae* in 1968, *Veritatis splendor* in 1993, and *Evangelium vitae* in 1995, and in the apostolic exhortation *Ordinatio Sacerdotalis* in 1994; and also from the Congregation for the Doctrine of the Faith, in the *Responsum ad dubium* on the *Ordinatio Sacerdotalis* in 1995, and in the letter *Annus internationalis familiae* of September 14, 1994 on the reception of communion by divorced people who have remarried) with respect to the validity of their truth claims and so the quality of the consent that is properly owed to them, if, properly, we are to respond to the raising of these questions, what is key pertains to the clarifications that we have been mentioning with respect to the role and the place of the Church's ordinary and universal magisterium. As the same author however writes and notes, the Pope has confirmed and reaffirmed in the aforementioned documents, "though not in a solemn way," doctrinal statements "which belong to the ordinary, universal teaching of the Magisterium, and which *therefore* are to be held in a definitive and irrevocable way."⁴¹

What, then, is the Pope's contribution with respect to clarifying the truth status of teachings that belongs to the whole episcopate when he presents them to us, as definitively, to be held? I reproduce the full text: "The Magisterium can teach a doctrine as definitive either by a defining act or a non-defining act"⁴²... The ordinary papal Magisterium can teach a doctrine as *definitive because*

40Tarcisio Bertone, "A proposito della recezione dei Documenti del Magistero e del dissenso pubblico" ["On the reception of the Documents of the Magisterium and the Question of Public Dissent"], in *L'Osservatore Romano*, December 20, 1996; German version, *L'Osservatore Romano*, weekly edition, February 21, 1997, 10-12. Editorial note: the English version of this piece was published in the weekly English edition of the *L'Osservatore Romano* on January 29, 1997 although under a more simple title: as "Theological Observations by Archbishop Bertone."

41Editorial note: The English translation that is given here within the quotation marks that Sala gives and uses is taken from how this translation is rendered and partially reproduced by Fr. Francis A. Sullivan SJ in the context of his discussion given within his paper on "Recent Theological Observations on Magisterial Documents and Public Dissent," *Theological Studies* 58 (1997): 512. Cf. <https://journals.sagepub.com/doi/epdf/10.1177/004056399705800306> (accessed January 6, 2023). Instead of our translating into English the German text that Sala cites (most probably from the official German weekly edition of the *L'Osservatore Romano*), we have opted to quote from a translation that comes to us from the official English edition of the *L'Osservatore Romano*, the translation that Sullivan quotes from within the context of his discussions. We move directly from Italian to English instead of from Italian to German and then on into English.

42The Italian text by Msgr. Bertone reads as follows: "Infatti, considerando l'atto dell'insegnamento, il Magistero può insegnare una dottrina come definitiva o con un atto definitorio o con un atto non definitorio." The German text in the *Osservatore Romano*, the weekly edition,

it has been constantly maintained and held by Tradition and transmitted by the ordinary universal Magisterium. This latter exercise of the charism of infallibility does not take the form of a papal act of definition, but pertains to the ordinary, universal Magisterium which the Pope [as head of the College of Bishops] again sets forth [“riassume”] with his formal pronouncement⁴³ of confirmation and reaffirmation.”⁴⁴

In a nutshell, *ex officio* the pope acts here in his capacity as the Church's authorized spokesman - which no other bishop can do - because, as the successor of Peter, he is personally endowed with a power of his own which, on the one hand, depends on the collegiality of the bishops but which, on the other hand, completes and unifies this collegiality (since, without the pope, no college of

reads as follows: "Was nämlich den Lehrakt betrifft, kann das Magisterium eine Lehre entweder durch einen definitiven Akt oder durch einen nicht definitiven Akt als endgültig zu halten [= als eine definitive] vortragen [as we translate from Italian however directly into English and as we partially cite and use this translation that is taken from an official translation that was given earlier than the German translation in an English language edition of the *Osservatore Romano*, dated January 29, 1997, it is said in the following terms: hence, “in fact, considering the act of teaching, the Magisterium can teach a doctrine as definitive either by a defining act or by a non-defining act.”]. The German translation renders the two different adjectives in the phrases "atto definitorio" [in English, “defining act”] and "dottrina definitiva" [in English, “definitive doctrine,” possibly meaning “final” or “conclusive”] by using the same German adjective, "definitiv." Unfortunately thus, this translation can cause difficulties for a reader because this German use of "definitiv" applies both to the presentation of magisterial teaching (by the Magisterium) and also to the assent of the faithful. However, the definitive presentation of the Magisterium's teaching, in its ordinary and universal exercise, is done by a magisterial act which does not exist in itself as a definition, a definition in the proper sense ("atto non-definitorio" [“non-defining act”]) - otherwise it would exist as an act of the extraordinary Magisterium which, however, belongs to bishops when they gather together within the context of an ecumenical council.

43The *Responsum* states as follows, from the original Latin: *Romanus Pontifex, proprium munus fratres confirmandi exercens (cf. Luke 22,32), eandem doctrinam* [previously, this doctrine had been spoken about and conceptualized in terms of *ab ordinario et universali magisterio infallibiliter proposita* (as "infallibly proposed by the ordinary and universal teaching") ***per formalem declarationem tradidit, explicite enuntians quod semper, quod ubique et quod ab omnibus tenendum est, utpote ad fidei depositum pertinens.***

Editorial note: in English, this text has been translated as follows: "The Roman Pontiff, exercising his proper office of confirming the brethren (cf. Lk 22:32), *has handed on* this same teaching *by a formal declaration, explicitly* stating what is to be held always, everywhere, and by all, as belonging to the deposit of the faith." Cf. https://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19951028_dubium-ordinatio-sac_en.html (accessed January 4, 2023). In the translation that I have borrowed, I emphasize the same words and phrases that Sala had himself emphasized in his use of italics when he was citing from the original Latin version.

44Editorial note: The English translation of the last two sentences that Sala quotes from Bertone is taken from how this translation is rendered in Sullivan's aforementioned paper, “Recent Theological Observations on Magisterial Documents and Public Dissent,” p. 512.

bishops exists).⁴⁵ It [the ordinary papal Magisterium]⁴⁶ declares, about a given doctrine, that it belongs to the Church's deposit of faith and that this is *already* known and taught by the ordinary and universal Magisterium in an infallible way as something which is either revealed by God or which is to be definitively held. This papal act of affirmation is exercised in conjunction with and by virtue of the infallibility which belongs to the ordinary Magisterium of the universal episcopacy, and therefore it explicates the pre-existing character of the doctrinal instruction in question.

“It is therefore essential to preserve the principle that, even by means of an act which does not solemnly exist in the form of a definition, a doctrine can be definitively presented or, that is to say, it can be proposed and presented *in an infallible form* by the teaching of the ordinary and universal Magisterium.”

It was precisely against this principle that the objection was raised that the Pope cannot proclaim a definitive and therefore an unchangeable doctrine through an act that is not specifically infallible: "Whether it really confers greater certainty when the 'infallible character' of a magisterial teaching is proclaimed in an act 'which is not infallible in itself' is a matter of some doubt."⁴⁷ Indeed, the load-bearing capacity of a chain cannot be greater than the load-bearing capacity of its weakest link. However, this objection is only valid on the condition that we isolate the pope's magisterium from the ordinary magisterium of the entire Church. In such a case thus, the definitive promulgation of a doctrine would be effected through an inadequate doctrinal act (hence, an act which would exist as a non-definitive act).

However, this premise is false since, by means of a formal declaration, the head of the episcopate is expressing and explicating a doctrine that is already "preserved by the constant and universal tradition of the Church" - as it says in *Ordinatio Sacerdotalis*, 4. The Pope referred to this connection with the universal episcopate when, therein, within his formal declaration, he speaks about the existence of a consensus of the ordinary and universal magisterium, "in virtue of my

⁴⁵The main text concerning the Magisterium, in *Lumen gentium* 25, several times emphasizes the special authority and responsibility of the Successor of Peter in passing on, in an incorrupt manner, the data and truths of Revelation. For example, toward the end of this section, with respect to Revelation, it is said about it that *per legitimam episcoporum successionem et imprimis ipsius Romani pontificis cura integre transmittitur* [literally, in English, the revelation "is transmitted in its entirety through the legitimate succession of bishops and especially in the care of the Roman Pontiff himself," as cited in *The Documents of Vatican II: with Notes and Index*, Vatican translation (Strathfield, NSW: St. Pauls Publications, 2013), p. 40].

⁴⁶Editorial note: I insert this reference to the ordinary papal Magisterium for the sake of clarify of reference.

⁴⁷Hans Waidenfels SJ, "Unfehlbar. Überlegungen zur Verbindlichkeit christlicher Lehre" ["Infallibility. Reflections on the Binding Character of Christian Doctrine"], *Stimmen der Zeit*, 1996, pp. 147-159. On this point, see especially p. 148. The author quotes from the commentary that accompanies the *Responsum ad dubium* of the Congregation for the Doctrine of the Faith (that can be found in the *L'Osservatore Romano*, November 19, 1995, p. 2; and in the weekly edition in German, November 24, 1995, p.5). It says about the Apostolic Exhortation, *Ordinatio Sacerdotalis*: "In this case, an act of the ordinary papal magisterium, which is not infallible in itself, attests to the infallible character of the exposition [by the ordinary and *universal* magisterium] of a doctrine which the Church already holds and possesses."

office of confirming the brethren (cf. Lk 22:32)."⁴⁸ However, this is not to deny the fact that the individual believer, who, for example, could have doubts about the nature of priestly ordination, is enabled, by the Pope's declaration, to give an unreserved form of assent to the reality of this declared truth.

The discussed case of the ordinary and universal Magisterium which bears those definitive teachings, for which the "firmiter amplector ac retineo" ["I firmly embrace and hold"] of the *Professio fidei* applies, leads of itself to an important insight into the ordinary and universal Magisterium in general: namely, that it is "the normal form of ecclesiastical infallibility."⁴⁹ For, to it, applies the promise: "I am with you always" (Mt 28:20), which the Lord had extended to those whom he was sending to proclaim his Gospel and so not something which would exist as a hodgepodge of opinions that are more or less credible or plausible.

7. The *Motu Proprio "Ad tuendam fidem"* and the accompanying doctrinal commentary

It was an unpleasant surprise for some theologians and clergy when, on June 30, 1998, with the *motu proprio, Ad tuendam fidem*, the Holy Father ended the long silence that had been imposed in opposition to the 1989 decree (the *Professio fidei* and the accompanying oath of fidelity). Regarding the reactions and responses that greeted this document, a comment from the Prefect of the Congregation for the Doctrine of the Faith possibly suffices here when, a few months later, he wrote about the "polemics with which this papal text was showered in Germany."⁵⁰

The explicitly stated intention of this *motu proprio*, dated May 18, 1998, was to establish

48This unique position and status of the teacher of the universal Church within the ordinary and universal Magisterium can be considered as analogous with respect to his position and status as it applies and exists within the context of Church's extraordinary infallible Magisterium (although the parallel is not perfect). In both cases however, we speak of something which belongs "as singular [*singulariter*]" to the Pope (*Lumen gentium* 25c).

Editorial note: the translation of *singulariter* as "singular" is derived from the official German rendition of *Lumen gentium* as we find and translate it from the words that are used, "als einzelner." Cf. https://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_const_19641121_lumen-gentium_ge.html (accessed January 12, 2023). The official English text, however, in its translation of *Lumen gentium*, speaks about the infallibility of the Church's teaching office as "individually present" in the Pope in virtue of his office as the "supreme teacher of the universal church." Cf. *The Documents of Vatican II: with Notes and Index*, Vatican translation (Strathfield, NSW: St. Pauls Publications, 2013), p. 40.

49The quotation is taken from J. Ratzinger, *Das neue Volk Gottes*, Düsseldorf 1969, 165.

Editorial note: alternative translations can speak about "ordinary form" or "standard form" instead of "normal form" when referring to the impeccability or the infallibility of the kind of teaching authority which typically belongs to the Church's ordinary, universal Magisterium.

50See "*Richtigstellung* ["Correction"]" to an article by L. Örsy S.J. on the *motu proprio, Deutsche Tagespost*, December 19, 1998, p. 5; reprinted as "*Stellungnahme* ["Statement"]," *Stimmen der Zeit*, 1999, 169-171. See also other statements: Örsy, "*Antwort an Kardinal Ratzinger* ["Reply to Cardinal Ratzinger"]," *ibid.* 305-316; Ratzinger, "*Schlußwort zur Debatte mit Pater Örsy* [„Concluding remarks on the debate with Father Örsy"]," *ibid.* 420-422.

juridically, i.e. disciplinarily and punitively, the second category of truths which the *Professio fidei* refers to. Hence, this was effected through the addition of a new paragraph in canon 750 in the *Code of Canon Law* which speaks about "propositions which are to be held definitively"⁵¹ and then also through the establishment of corresponding sanctions in canon 1371. However, one is not mistaken in suspecting that, together with this amendment of canon law, there also existed the intention of urging the Church's bishops to carefully observe the *Professio fidei* - "to protect the faith of the Catholic Church against errors arising from certain members of the Christian faithful, especially from among those dedicated to the various disciplines of sacred theology,"⁵² as it says at the beginning of the document.

To the *motu proprio* was attached a "Commentary on the Profession of Faith's Concluding Paragraphs" that was signed by the Prefect and the Secretary of the Congregation for the Doctrine of the Faith.⁵³ Cardinal Ratzinger wrote later about the species [the rationale] of this text: in order to correct the "erroneous theses" that Ladislav Örsy S.J. was presenting in his critique of the Pope's *motu proprio*.⁵⁴ Quoting Ratzinger: "As a matter of fact, its whole text was composed by the Congregation, also, at the successive stages of its preparation, it was submitted to the assembly of the Cardinals, and at the end it was approved by them. It obtained also the approval of the Holy Father. Such approvals notwithstanding, all agreed that the text should not be given a binding force; rather, it should be offered as a help for *understanding*. It was not, therefore, published as a proper document of the Congregation itself. To show, however, that {the Commentary} is not the private work of the Prefect and the Secretary of the Congregation but an *authorized aid* for the understanding of the texts, a specific {extraordinary} manner for its publication was chosen."⁵⁵

51Editorial note: this quotation is directly taken from the official English text of *Ad tuendam fidem* and not from a translation of Sala's German. Cf. https://www.vatican.va/content/john-paul-ii/en/motu_proprio/documents/hf_jp-ii_motu-proprio_30061998_ad-tuendam-fidem.html (January 15, 2023).

52Editorial note: this quotation, similarly, is directly taken from the official English text of *Ad tuendam fidem* and so it does not directly translate Sala's German text (which he probably borrows or adapts from the official German version). Cf. https://www.vatican.va/content/john-paul-ii/en/motu_proprio/documents/hf_jp-ii_motu-proprio_30061998_ad-tuendam-fidem.html (January 15, 2023).

53Both were published in the *L'Osservatore Romano*, the weekly German edition, on July 17, 1998, pp. 6-8.

Editorial note: the title cited reproduces the title of the official English translation which was later published in *Origins* 28 (July 16, 1998): 116-119. Cf. Avery Cardinal Dulles, *Magisterium Teacher and Guardian of the Faith* (Naples, Florida: Sapientia Press, 2007), p. 86, n. 7.

54Ladislav Örsy SJ, "Von der Autorität kirchlicher Dokumente. Eine Fallstudie zum Apostolischen Schreiben 'Ad tuendam fidem'" [„On the Authority of Church Documents. A Case Study of the Apostolic Exhortation 'Ad tuendam fidem'"], *Stimmen der Zeit*, 1998, 735-740.

55Editorial note: this quotation is given not as a translation from the German text which Sala cites but from an English translation that was later published under the title, "Infallibility Explored – the Cardinal responds." Cf. <https://www.churchauthority.org/resources2/ratzing1.asp> (accessed January 24, 2023). The use of italics is not found in the English translation that we are using. However, the italics that is given reproduces the italics that Sala himself uses though it is not

Of particular importance are the comments of the “Commentary” on the second paragraph of the *Professio fidei* toward which the most severe criticisms had been directed: what kind of assent is due to doctrines that are taught by the ordinary and universal Magisterium of the Church⁵⁶ as a “*sententia definitiva tenenda* that is infallibly taught” [“a judgement, assertion, or meaning that is to be held definitely as infallibly taught”]?⁵⁷

With respect to the full and irrevocable character of assent that is owed, “Commentary,” 8 responds by noting that no difference exists between the doctrines that are intended in the first paragraph and those that are referenced in the second paragraph. Instead, the difference with respect to the question of assent refers to “the supernatural virtue of faith: In the case of truths of the first paragraph, the assent is based directly on faith in the authority of the word of God (doctrines *de fide credenda* [doctrines “of faith to be believed”]); in the case of the truths of the second paragraph, the assent is based on faith in the Holy Spirit's assistance to the magisterium and on the Catholic doctrine of the infallibility of the magisterium (doctrines *de fide tenenda* [doctrines “of faith to be held”]).”⁵⁸

known, without looking at the original German text, if the italics is original to Ratzinger's German text.

In his *Magisterium Teacher and Guardian of the Faith* (Naples, Florida: Sapientia Press, 2007), p. 86, n. 7, Avery Cardinal Dulles refers to this explanation of Cardinal Ratzinger's and that the source of this information is Ratzinger's "*Stellungnahme* [“Statement”]" that was published in *Stimmen der Zeit*, 1999, 168-171, on p. 171. Sala gives a slightly different pagination for the location of this statement in *Stimmen der Zeit* but the difference suggests the probability of a typographical error.

⁵⁶In the corresponding paragraph of the *Professio fidei*, it simply says: "by the Church." It is worth mentioning, however, the clarification that the “Commentary,” 4, gives to the notion of Church with regard now to "persons who assume in it certain specific functions. In this regard, it is clear that, in matters of faith and morals, only the Pope and the College of Bishops in union with him are competent to exercise the Magisterium with an authority that is binding on the faithful."

Editorial note: the official English version, in the translation which it gives, when speaking about *church*, refers to “persons who act within the Church. In this area it is clear that on questions of faith and morals the only subject qualified to fulfill the office of teaching with binding authority for the faithful is the supreme pontiff and the college of bishops in communion with him.” Cf. “Commentary on the Profession of Faith's Concluding Paragraphs,” *Origins* 28 (July 16, 1998): 117.

⁵⁷Editorial note: Sala directly quotes, apparently, from the German text of the “Commentary” and we try now to translate this quotation without breaking it up and putting it into different parts which we would do, for instance, if we were to refer to doctrines “infallibly taught” by the ordinary and universal Magisterium of the Church as “*sententia definitiva tenenda*.” However, in the official English text of the “Commentary,” the equivalent text is given as follows: “such doctrines...can be taught infallibly by the ordinary and universal magisterium of the church as a '*sententia definitiva tenenda*.'” Cf. “Commentary on the Profession of Faith's Concluding Paragraphs,” *Origins* 28 (1998): 117.

⁵⁸Editorial note: instead of offering and citing a translation of the German text that Sala is directly quoting from a German edition of the “Commentary,” the quotation that is given is directly taken from the official English edition that is published in *Origins* 28 (1998): 116-118. See pp.

In addition, “Commentary,” 9 deals with the delicate question which pertains to the nature of the doctrinal act, by which a doctrine is presented definitively (and therefore infallibly), in those cases where the Magisterium does not provide a definition. The clarification that is given in this regard essentially reiterates, however, what we have already learned from Archbishop Bertone's aforementioned “Notes.”⁵⁹ “In the case of a *nondefining* act, a doctrine is taught *infallibly* by the ordinary and universal magisterium of the bishops dispersed throughout the world who are in communion with the successor of Peter. *Such a doctrine can be confirmed or reaffirmed by the Roman pontiff, even without recourse to a solemn definition*, by declaring explicitly that it belongs to the teaching of the ordinary and universal magisterium as a truth that is divinely revealed (first paragraph) or as a truth of Catholic doctrine (second paragraph). Consequently, when there has not been a judgment on a doctrine in the solemn form of a definition, but this doctrine, belonging to the inheritance of the *depositum fidei*, is taught by the ordinary and universal magisterium, which necessarily includes the Pope,⁶⁰ such a doctrine is to be understood as having been set forth infallibly. The declaration of *confirmation* or *reaffirmation* by the Roman pontiff in this case is not a new dogmatic definition, but a formal attestation of a truth already possessed and infallibly transmitted by the church.”⁶¹

8. The object of doctrinal statements which are to be definitively kept

The question arises as to which objects are referred to by the statements that the Magisterium definitively presents, although not through a solemn dictum. In the *Professio fidei* itself, in the second paragraph, only “teaching on faith and morals”⁶² is referred to. In the “Considerazioni dottrinali” [in the “Doctrinal Considerations”] of Father Umberto Betti, OFM, that was appended to the *Professio fidei* and the Oath of Allegiance in the *L'Osservatore Romano*, February 25, 1989, p. 6, the Consultor of the Congregation for the Doctrine of the Faith writes as follows: “The second section recalls the truths of faith or morals which are presented by the Church in a definitive manner but not as divinely revealed.”⁶³

117-118.

⁵⁹See above, footnote 41. Editorial note: Sala, in his German text, refers to footnote 16 but, because of the many editorial footnotes that have been added and which have been included in this text, Sala's footnote 16 is to be identified with footnote 41 as we have it in this version.

⁶⁰Editorial note: please note in the German text which Sala is quoting that this clause (“which necessarily includes the Pope”) is set apart from the rest of the text by dashes and not by commas and this suggests a heightened degree of emphasis that is not found in the official English translation that we are quoting as opposed to a translation from German to English that we could have also used but have decided not to use.

⁶¹Editorial note: this quotation that is taken from “Commentary,” 9 is taken directly from the official English translation that is published by *Origins* and not from the German text that Sala cites from the official German version. Cf. “Commentary,” 9, *Origins* 28 (1998): 118.

⁶²Editorial note: this quotation, this citation, is taken from the official English text. Cf. http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_1998_professio-fidei_en.html (accessed August 6, 2015).

⁶³Editorial note: this quotation that is taken from the Father Umberto Betti's “Considerazioni dottrinali” is translated directly from Italian to English in a translation that we make, in failing to find an official English translation. However, for the text in Italian, see

In order to point to an explanation, Betti refers to the First Vatican Council which had preferred, for its definition of the scope of papal infallibility - which coincides with the scope of the infallibility which belongs to the entirety of the teaching Church - a formulation that says that the object of this infallibility is teaching about matters of faith and morals which would be presented as "ab universa Ecclesia tenenda" (DS 3074) [literally, "to be held by the universal Church"], without however specifying in what way it must be accepted: whether with *fides divina* [with "divine faith"] or with that assent which is most often referred to as *fides ecclesiastica* [as "ecclesiastical faith"]. In the latter case, the primary reason and ground for the assent that is owed is not the authority of the Word of God but, instead, it is the authority of the teaching Church [the Church's Magisterium].

With respect however to the kind of object which is alluded to in the second paragraph, Cardinal Ratzinger has expressed himself even more precisely in his "Richtigstellung" [in his "Correction"].⁶⁴ Örsy had interpreted the definitively presented teachings of the second paragraph of the *Professio fidei* as irreformable, but not as infallible.⁶⁵ Probably as a result of this separation of irreformability and infallibility which, however, could not be substantiated or accounted for, Örsy was then led to claim that the definitive teachings of the second paragraph were not to be confused with the secondary objects of infallibility. In contrast to this however, Ratzinger writes as follows: "Clearly, with the second level of knowledge precisely this category is intended. The truths of this level must be definitively held even though they are not to be received with theological faith in the proper sense."⁶⁶

With respect to the object of the Church's infallible teaching, the theological tradition distinguishes between a primary and a secondary object. The primary object, either explicitly or implicitly, refers to formally revealed truths which are therefore to be received with theological faith; and the secondary object refers to truths which are to be accepted with "ecclesiastical faith." According to the same tradition (although without claiming an exhaustive understanding), the latter includes virtually revealed truths as these refer to the *praeambula fidei* and the *facta dogmatica* ("preambles of faith" and "dogmatic facts").

https://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19880701_professio-fidei-cons-dott_it.html (accessed January 21, 2023).

⁶⁴Editorial note: as best as can be determined, Sala is elliptically referring here to Ratzinger's explanation as he had given it in his "*Stellungnahme* ["Statement"]" that had been published in the *Stimmen der Zeit* in 1999, pp. 168-171. Sala does not refer to this text according to its officially cited German title but, instead, in terms of "Correction" which probably best points to the purpose or the intended object of the paper's argumentation and comments. If we look at the opening paragraph of Cardinal Ratzinger's "Statement," he refers to "certain information that must be corrected." Cf. <https://www.churchauthority.org/resources2/ratzing1.asp> (accessed January 24, 2023).

⁶⁵It would be more precise to say: not presented as infallible.

⁶⁶Editorial note: the quotation which is cited here is again not derived from a translation of the German text which Sala had cited and used since, instead, it comes from an English translation that has been published under the title, "Infallibility Explored – the Cardinal responds." Cf. <https://www.churchauthority.org/resources2/ratzing1.asp> (accessed January 24, 2023).

At the First Vatican Council, the *obiectum secundarium* [the “secondary object”] of the Church's infallible teaching authority was discussed a number of times. In an address that was given on July 11, 1870, Bishop Vincent Gasser, on behalf of the Deputation for the Faith [the Deputation *de fide*], declared that the *obiectum secundarium* of the infallible Magisterium consists of truths which, although not revealed in themselves, are so related to the revealed ones that they are necessary "*ad ipsum depositum revelationis integre custodiendum, rite explicandum et efficaciter definiendum*" [in order, literally, “to guard fully, explain properly and define efficaciously the very deposit of faith”].⁶⁷

In his "doctrinal Commentary," 7, Ratzinger (as in *Motu proprio*, 3) identifies two types of connection: a historical relationship and a logical connection. However, in the examples which he discusses in 11, with respect to these two types of connection, another important aspect is present. Objects of the infallible teaching of the Church and therefore the definitive teaching of the Church, with respect to the truths which are taught but which not to be believed with *fides divina* [with “divine faith”] - these can also exist as truths that are later defined as to be revealed and so they are to be held with theological faith - hence, truths that now prove to belong to the first class. In other words thus, the definitive kind of teaching which the second paragraph refers to and which grounds the definitive assent of the faithful, can refer to an object that is eventually recognized as belonging to the *obiectum primum* [to the “primary object”] of the Church's infallible teaching authority (the Magisterium). The limitation which attends an infallibly taught truth which exists as the secondary object of the Church's teaching authority is thus to be understood in this sense: the infallibly taught doctrine can possibly exist as a moment within the kind of doctrinal development which belongs to the reality of revealed truths.

With respect to how, as an example, Ratzinger refers to how the doctrine of the Pope's infallibility is to be understood, he writes as follows: "The primacy of the successor of Peter was always believed as a revealed fact, although until Vatican I the discussion remained open as to whether the conceptual elaboration of what is understood by the terms *jurisdiction* and *infallibility* was to be considered an intrinsic part of revelation or only a logical consequence. Even if the doctrine of infallibility and the primacy of jurisdiction of the pope was not defined as *God-revealed truth* until the First Vatican Council, it was already recognized as *definitive* in the period preceding the Council. History clearly shows, therefore, that what was accepted into the consciousness of the Church was considered a *true* doctrine from the beginning and was subsequently held to be *definitive*;⁶⁸ however, only in the final stage – the definition of Vatican I – was it also accepted as a divinely *revealed* truth."⁶⁹

⁶⁷Mansi, 52, 1226. Editorial note: the English translation that is provided is taken from Bishop Vincent Ferrer Gasser's *The Gift of Infallibility The Official Relatio on Infallibility of Bishop Vincent Ferrer Gasser at Vatican Council I*, trans. James T. O'Connor, 2nd ed. (San Francisco: Ignatius Press, 2008), p. 79.

⁶⁸One could object against the distinction between "true" and "definitive" that what is known as true is *eo ipso* ["by itself"] to be regarded as definitive. However, the distinction is based on the fact that we human beings have a criterion of truth but not one for infallibility. Consequently, it is possible that we reach a judgment which, only later, we discover to be mistaken. That this can also happen in individual cases in exercises of the ordinary magisterium and for views that sections of the faithful hold and espouse in a *bona fide* manner ["in good faith"] cannot be ruled out.

⁶⁹Editorial note: the quotation which we cite here is again not derived from a translation of the German text which Sala himself cites since it comes from an official English translation that is given in the “Commentary on the Profession of Faith's Concluding Paragraphs,” *Origins* 28 (July 16, 1998): 118.

Something similar seems to be the case with the subject of priestly ordination in as much as, in his *Ordinatio Sacerdotalis*, Pope John Paul II refers to the foundation of this doctrine in Sacred Scripture [in “the written word of God”].⁷⁰ If this teaching is currently “only” considered to be definitive, which is to be believed (directly) on the basis of the word of the Church, it is nevertheless not impossible “that in the future the consciousness of the church might progress to the point where this teaching could be defined as a doctrine to be believed as divinely revealed”;⁷¹ hence, with theological faith.

Cardinal Ratzinger specifically indicates that the truths that are referred to in the second paragraph of the final formula (belonging to the *Professio fidei*) can also include moral teachings that pertain to the natural moral law. For “by reason of the connection between the orders of creation and redemption and by reason of the necessity, in view of salvation, of knowing and observing the whole moral law, the competence of the Magisterium also extends to that which concerns the natural law... It is a doctrine of faith that these moral norms can be infallibly taught by the Magisterium.”⁷²

9 On the Necessity of Faith and the Magisterium Today

9.1 The current break with tradition

In recent decades, under the catchword of “Roman centralism,” the Pope has often been accused of subtly expanding the scope of his teaching office which, *de facto*, seems to be acting as an infallible teaching office that is detached and separate from the Church's College of Bishops. It is obvious that such a complaint can refer to the increased teaching activity of the Holy See. In concluding our remarks about what we have been saying about the Church's Magisterium, especially with respect to the definitive exposition of doctrines that pertain to faith and morals, we will now seek to move toward a theological interpretation of the Pope's Magisterium, as it currently exists, from within an intellectual-historical perspective.

Most people agree today in a judgment which says that our contemporary culture is characterized by a break with tradition. The familiar catchwords - cultural revolution, sixty-eight revolt, sexual revolution and the like – these all express this point of view. A similar agreement about a break with tradition within the Catholic Church also currently exists. One only needs to think about the periodization that has become dominant *ad nauseum*: pre-conciliar and the post-conciliar church or in talk about a paradigm shift in theology. In a commentary on *Ordinatio Sacerdotalis*, Cardinal Ratzinger has indicated that, for example, wherever the Holy Scriptures are read in a purely historical way (independently of the Church's living tradition), the concept of institution with respect to the being of a sacrament (as, for example, a sacrament as an *ordo*) has lost its evidential

⁷⁰Editorial note: see the English text of the “Commentary on the Profession of Faith's Concluding Paragraphs,” *Origins* 28 (July 16, 1998): 118.

⁷¹Editorial note: this quotation is again not derived from a translation of Sala's German since it is taken from the English text of the “Commentary on the Profession of Faith's Concluding Paragraphs,” *Origins* 28 (July 16, 1998): 118.

⁷²Congregation for the Doctrine of the Faith, *On the Ecclesial Vocation of the Theologian* [*Donum veritatis*], 1990, 16. Editorial note: for reasons of accuracy, the title that we cite (and also the quotation) is not taken from an English translation of Sala's German but from an official English text which we have from the Congregation for the Doctrine of the Faith. Cf. https://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19900524_theologian-vocation_en.html (accessed January 31, 2023).

nature; and, as a result, the criterion of institution, which goes back to the will of Christ as the Church's founder, is being replaced by the criterion of functionality.⁷³

Now, if we consider the importance of the truth of salvation which the Church receives and which she has to pass on in every generation (cf. I Cor. 11:23), it is not surprising, in view of this break with tradition, that the Magisterium has intervened more frequently than in the past. This is because the breach with tradition, that contemporary culture strives to impose in all areas of life (as far as possible), corresponds in the Church to the breach with tradition in areas pertaining both to formally revealed truths and to "Catholic" truths as these are related to revelation. The Magisterium's response to the challenge of the times has been no other than a more intense exercise of its duty to effectively protect, fully preserve, and faithfully interpret the Church's *depositum fidei* (the Church's deposit of faith). The ordinary Magisterium, as normally the mode or the typical form of the Church's teaching ministry, is accordingly being called upon today to a greater extent and with increased insistence and emphasis.

On the part of all those who are carrying out this current general attack on the truth of the Catholic faith, the Magisterium is being asked to dogmatize its teachings whenever it is convinced that indispensable elements that belong to divine revelation or the teachings of the Church are at risk. It is easy to see into which trap one would like to maneuver the Magisterium as this leads into a practical abolition of the binding force that belongs to the ordinary exercise of the Church's teaching authority because, in producing dogmas as if from a kind of assembly line, the Church's pastors would be admitting that, beyond their proclamation of dogmas, their teaching activity would consist in only presenting opinions that are more or less plausible (opinions which everyone, especially all mature Catholics, would be free to hold as these would seem good to each of them). The doctrinal authority of the Church's Magisterium would be replaced by the charism of infallibility as this charism functions and works whenever dogmatic definitions have to be made.

9.2 The Pope accentuates the ordinary and universal Magisterium

In a situation like the present one today, we are able to appreciate, perhaps more than in previous generations, God's gift with respect to having a head of the College of Bishops who is personally responsible for the unity of the Church in its faith and who, for this purpose, is furnished with the assistance of the Holy Spirit. It is not without the influence and work of the Holy Spirit that, in recent decades, the Pope has exercised his authority and has discharged his office (as head of the universal episcopate), by confirming as definitive, through appropriate declarations, truths that the same Holy Spirit has been introducing into the Church during two thousand years of history on

73J. Ratzinger, "Grenzen kirchlicher Vollmacht ["Limits of Ecclesiastical Authority"], *L'Osservatore Romano*, weekly edition in German, June 24, 1994, p. 4; originally, "La Lettera Apostolica 'Ordinatio Sacerdotalis' [literally, "The Apostolic Letter 'Ordinatio Sacerdotalis'"], *L'Osservatore Romano*, June 8, 1994, p. 1 and p. 6.

Editorial note: in a commentary which appeared on July 2, 1994 in an issue of *La Civiltà Cattolica*, Ratzinger explains his position by noting that in "reading Scripture independently of the living tradition of the Church in a purely historicist manner," the result has led, for instance, to an understanding of the sacrament of Holy Orders which regards "the question of the institution of the priesthood simply as an historical question with no clear original will or intent." It can then "be seen as developing in a substantially different manner," and so, from this, "the criterion of the institution of the priesthood loses its validity and a functional criterion can be substituted." Cf. <https://www.ewtn.com/catholicism/library/summary-of-cardinal-ratzingers-commentary-on-ordinatio-sacerdotalis-9196> (accessed February 2, 2023).

account of menacing challenges or dangerous distortions. The endorsement of the *Catechism of the Catholic Church* is to be mentioned in particular. By means of it, "the Successor of Peter wished to render a service to the holy Catholic Church and to all individual churches."⁷⁴ It is precisely this "sure norm for teaching the faith," which came into being as the "result of the collaboration of the whole Episcopate,"⁷⁵ that demonstrates the connection of the Pope with the pastors scattered throughout the earth.

With respect to the Magisterium, I have spoken above about the theological distinction which distinguishes between ordinary and extraordinary and about the tendency to make this division coincide with the distinction which exists between non-infallible and infallible.⁷⁶ In a retrospective reflection which thinks about how the Magisterium has fulfilled its responsibilities over the course

⁷⁴Editorial note: to avoid any awkwardness in the translation that we offer, we translate Sala's German citation into English and we do not cite any wording that is taken from the official English text of *Fidei depositum*, the apostolic constitution which had been issued by Pope John Paul II on October 11, 1992 (on the occasion of the publication of the *Catechism of the Catholic Church*). Cf. <http://www.catholiclinks.org/apostconfideidepositum.htm> (accessed February 9, 2023). The official English text, in all its fullness, reads as follows: "The approval and publication of the Catechism of the Catholic Church represents a service which the Successor of Peter wishes to offer to the Holy Catholic Church, and to all the particular Churches in peace and communion with the Apostolic See: the service, that is, of supporting and confirming the faith of all the Lord Jesus' disciples (cf. Lk 22:32), as well as of strengthening the bonds of unity in the same apostolic faith."

⁷⁵John Paul II, Apostolic Constitution *Fides depositum*, October 11, 1992. Editorial note: here, instead of translating Sala's quotations into English, we directly cite from the official English text of the Apostolic Constitution. Cf. <http://www.catholiclinks.org/apostconfideidepositum.htm> (accessed February 9, 2023).

⁷⁶This tendency, however, does not necessarily imply that the doctrine of an infallible, ordinary, universal, Magisterium (as defined by Vatican I and as confirmed by Vatican II), is to be rejected. However, with regard to this doctrine, several authors have been noting that, if the conditions required for exercises of the ordinary Magisterium (as understood in this way) are all fulfilled (above all, the requirement which stipulates that the doctrine in question is to be unequivocally presented as "definitively to be held" and thus as irreformable), then, *de facto*, we are dealing with a doctrinal act which belongs to the extraordinary Magisterium (concerning this, see Angel Antön, i.e., p. 740. With respect to this point, Antön seems to distinguish between "definitely submit" and "infallibly submit," although, in fact, the two coincide).

Editorial note: To understand the reference to Antön, as best as we can determine it, Angel Antön S.J. was a professor at the Gregorian University in Rome and he is the author of a book known as *De Ecclesia*. He has also published a number of articles in the university journal, in the *Gregorianum*. He is mentioned in the context of a footnote 10 in an article which first appeared in German on November 14, 2022 and which is cited as "Der Papst und die Frauenweihe: Bedeutet „definitiv“ auch „unfehlbar?“" Cf.

<https://neueranfang.online/der-papst-und-die-frauenweihe-bedeutet-definitiv-auch-unfehlbar/> (accessed February 11, 2023). The title apparently translates into English as "The Apostolic Exhortation *Ordinatio Sacerdotalis* - Does 'definitely' also mean 'infallible'?" In the article, as we translate it, it is noted that "despite this unambiguity of *Ordinatio Sacerdotalis* in diction and intention, a situation soon arose in Catholic circles that has persisted to this day. Thus, it has been claimed, also by canonists, that 'definite' in theological usage is not to be equated with 'infallible' (infallible)." In the attached footnote 10, it is noted, for instance, that "Antön, a professor at the Gregorian, admits that not a few theologians find it difficult to accept a definitive teaching that is not at the same time infallible. Nevertheless, he leaves it with the impression that definitive is a

of many centuries, it can be said, in a certain sense, that this theological conceptualization has been sufficient for understanding how, theologically, the successors of the Apostles have understood the Gospel's message. It has been sufficient, in fact, for as long as among the people of the Church and among the Church's theologians, a lively awareness has existed about the fact that "the bishops are preachers of the faith, ... authentic teachers, that is, teachers endowed with the authority of Christ" (*Lumen gentium*, 25a).⁷⁷ In acknowledging such an authority, an assurance already existed with respect to the truth of the ordinary, daily instruction of the Church's bishops. Even apart from any recourse to the theological concept of infallibility (which was elaborated at a later time), the existence of an authentic Magisterium and the existence of an infallible Magisterium were regarded as one and the same in the normal life of the Church.

The threatening crisis which had arisen in the first half of the 16th century prompted the Church's bishops at the Council of Trent to articulate a number of dogmatic definitions in order to respond to a widespread questioning of the truths of the faith. The schism within the Church and the theological controversies that were connected with it (i.e., the Reformation principle of "free inquiry") led to a more intensive form of reflection about the role of Church's teaching ministry and, so from this, the development of a theology of the Magisterium with a marked distinction between the ordinary and the extraordinary Magisterium, eventually culminating in the dogma of the infallible Magisterium as this belongs to the Successor of Peter (defined at the First Vatican Council).

Nevertheless, despite a strong emphasis in theology on the importance of the extraordinary, infallible Magisterium, that a knowledge of the fundamental role that is played by the ordinary Magisterium remained unchanged is displayed by the fact that the *Dogmatic Constitution on the Catholic Faith* granted not only solemn definitions, but also the "ordinary and universal Magisterium," the authority to speak about the revealed truths which are to be believed "*fide divina et catholica* ['with divine and catholic faith']" (DS 3011).⁷⁸ This precluded a misunderstanding that would completely equate an infallible magisterium with an extraordinary magisterium.

Now, after the First Vatican Council, because of the accelerated pace of cultural changes that have been taking place, the Pope's ordinary magisterium has increasingly grown in importance to the degree that it has been entrusted with the obligation of communicating God's abiding truth in timely ways: bringing this truth into a number of rapidly succeeding situations in order to meet the needs of the Church's faithful. Added to this also has been the emergence of a "counter-teaching ministry" to which the Holy Father bluntly referred on November 24, 1995 when then addressing a plenary assembly of the Congregation for the Doctrine of the Faith.⁷⁹

term that allows for several grades, the highest of which means infallible."

⁷⁷Editorial note: again, instead of quoting here directly from a translation of Sala's German, we cite text that is taken from an official English translation. See the Second Vatican Council, *The Documents of Vatican II with notes and index*, Vatican translation (Strathfield, NSW: St Paul's Publications, 2013), p. 39, #25.

⁷⁸Editorial note: the context of Sala's quotations is taken from text as we cite, using an English translation. Quoting this text: "...all those things are to be believed with divine and catholic faith which are contained in the Word of God, written or handed down, and which the Church, either by a solemn judgment, or by her ordinary and universal Magisterium, proposes for belief as having been Divinely-revealed." Cf. <https://www.catholicplanet.org/councils/20-Dei-Filius.htm> (accessed February 13, 2023).

⁷⁹In the same sense, the *Instruction on the Ecclesial Vocation of the Theologian* had already spoken, in connection with the problem of dissent in the Church, about "attitudes of general opposition" (32), from which "in opposition to and in competition with the authentic magisterium,

Therefore, no one should be surprised that the "supreme teacher of the universal Church," more often than formerly, discharges the task and mission of strengthening his brothers in the faith (*Lumen gentium* 25c) by reaffirming doctrines that are already held by the Church, according to the ordinary Magisterium. In a situation where the Church's established teachings are thrown into a "permanent furnace of endless discussion,"⁸⁰ where permanent questioning itself becomes a proof of the fact that the truths which are testified to by the Church are not to be regarded as truths at all, it is quite appropriate and right that the Pope - without appealing to solemn definitions - confirms and restates their status as truths which are to be definitively held by employing a species of formal declaration.

With the assistance of the Holy Spirit, the Pope has perceived the signs of the times and he has undertaken the task and mission which belongs to him. Pope John Paul II, in the previously aforementioned address, mentions some of the documents by means of which he "has wished once again to set forth ["to re-propose"] the constant doctrine of the Church"⁸¹ – these being the same ones that have already been discussed in this paper: the encyclicals *Veritatis splendor* and *Evangelium vitae*, the apostolic *Ordinatio Sacerdotalis*, and the letter of the Congregation for the Doctrine of the Faith on the reception of Communion on the part of remarried divorcees.⁸² A false teaching, a distorted interpretation of a given truth, a behavior that is contrary to the moral teaching of the Church can hardly be regarded as a local problem today: the problem of a particular Church becomes, within a very short time, a problem for the universal Church; and, as a result, the universal Magisterium of the Pope is called into action. However, this does not deprive the pastors of particular Churches of their very own task and mission as teachers of the faith. Experience teaches that even a doctrine that is declared definitive by the Pope has little chance of being accepted and implemented in the lives of the faithful if a bishop makes insufficient use of the proper

there thus arises a kind of "parallel magisterium" of theologians." (34). Editorial note: instead of directly translating Sala's German language quotations into English, we cite from the English of the text that has been already provided by the Congregation for the Doctrine of the Faith. Cf. https://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19900524_theologian-vocation_en.html (accessed February 15, 2023).

⁸⁰This is how Archbishop Johannes Dyba, in his Sylvester sermon in 1995, described the means which is much used today in order to break with the role and place of tradition.

⁸¹Editorial note: the quotation which is cited is directly taken from the text of an English translation that comes to us from the Servants of the Pierced Heart of Jesus and Mary. Cf. https://www.piercedhearts.org/jpii/magisterium_authority_christ_1995.html (accessed February 20, 2023). The title which is given to this address is cited as "The Magisterium Exercises Authority in Christ's Name" although a title of this kind is not given in the officially published Vatican texts. An Italian and a Spanish rendition of this papal address can be consulted at https://www.vatican.va/content/john-paul-ii/it/speeches/1995/november/documents/hf_jp-ii_spe_19951124_cong-fede.html (accessed February 20, 2023). It seems that, if we have to make a choice, the address was probably given in Italian and not in Spanish. "To re-propose" would seem best if we are to literally translate the Italian infinitive "riproporre."

⁸²It should be recalled that the Pope "fulfills his universal mission with the help of the various bodies of the Roman Curia and in particular with that of the Congregation for the Doctrine of the Faith in matters of doctrine and morals. Consequently, the documents issued by this Congregation expressly approved by the Pope participate in the ordinary magisterium of the successor of Peter." (*Instruction on the Ecclesial Vocation of the Theologian*, 18). Editorial note: as we have often previously done, the wording of the quotation which is given that is directly cited from an official English translation that has been issued by the Holy See. For the full text, see https://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19900524_theologian-vocation_en.html (accessed February 20, 2023).

authority that belongs to him (and the corresponding obligation which belongs to him) for which reason, in full truth, he is called and referred to as the pastor of his people (*Lumen gentium* 27b).

10. "So that they can do it with joy"

The concerns and travails of our pastors demand, from every Catholic, an understanding which is borne of faith, religious obedience, loyalty and gratitude. The new version of the *Professio fidei* seeks to express such a response: a response which, first of all, is to be expected from all of Christ's faithful. By no means is this a specific charge or an unreasonable requirement that is being imposed on only one group of Catholics because what is being claimed is nothing other than what was ultimately taught by the Second Vatican Council as, in general, the content of the Catholic faith. Hence, it is only fair and right, in responding and in accepting the Council's teaching, that those to whom the Church entrusts the task and responsibility of leadership and proclamation should lead the way.

Owing to the renunciation and the rejection of the *Professio fidei*, no younger cleric today, as well as none of his older confreres before him, needs however to be embarrassed or ashamed of it - as Schneider thinks that he must admit to himself. The *Professio fidei* is not a "deformatio conscientiae [a "deformation of conscience"] that is imposed by ecclesiastical authority," which is how the same theologian, following Fr. Hünemann, has condemned the ancient practice of the Church in requiring a profession of faith before anyone is to receive the sacrament of holy orders.⁸³ On the contrary, this profession exists as the answer or the response of those who have been chosen (the so-called "clergy") who have been called by the Lord, and who also know in faith whom they have trusted and placed their faith in: "*Scio cui credidi* ["I know whom I have believed"]" (2 Timothy 1:12). By this means, those who receive an office in the Church (especially the priests around their bishop) - they all manifest their will to obey and to submit to the government of their overseers as these watch over them and for which they must later give an account; in their obedience and submission, all should be able to do this with joy and not with groaning (Hebrews 13:17).

⁸³Schneider, i.e., 119 f. Another German professor has expressed the fear that candidates for the priesthood who are willing to take an "oath of fidelity to the authentic, i.e. fallible, Magisterium" will not become the priests that the Church today needs (Klerusblatt, 1989,110). As an aside however, it is to be noted that critics have not infrequently confused the *professio fidei* with the oath of fidelity; however today, "the *Professio fidei* is not an oath; nor is it to be taken under oath," Schmitz, i.e. 426.