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## INFALLIBILITY

It has often been charged that the doctrine of papal infallibility is either false or incoherent. These charges stem, I believe, from a misunderstanding of the logical character of infallible papal utterances, a misunderstanding shared alike by friends and foes of the doctrine. In this paper, I shall argue that the doctrine is both coherent and correct. I devote section I to uncovering some of the sources of this misunderstanding and thereby defending what might be called my negative thesis, namely, that infallible papal utterances are not statements. In section II, I continue defending my negative thesis, not now as an end in itself, but rather as a means of advancing my positive thesis that infallible papal utterances are declarations and have the same logic as other declarations. The latter thesis requires a discussion of the difference between statements and declarations. Section III contains a formal speech act analysis of successful and non-defective statements and declarations with some additional explanatory notes. In section IV, I speak rather generally about the task of philosophical theology in the light of the results and procedures of sections I-III.

How my negative and positive theses prove that the doctrine of papal infallibility is coherent and correct will be spelled out in this paper. However, one consequence that these theses do *not* entail deserves mention at the outset. They do not entail that anyone should convert to Catholicism who would not otherwise do so. My theory of infallibility is meant not to instill the Catholic faith but to remove a conceptual obstacle to it.

The doctrine I shall defend was defined in 1870 by the First Vatican Council as follows:

We teach and define that it is a dogma divinely revealed: that the Roman Pontiff, when he speaks *ex cathedra*, that is, when in discharge of the office of Pastor and Doctor of all Christians, by virtue of his supreme apostolic authority he defines a doctrine regarding faith or morals to be held by the Universal Church, by the divine assistance promised him in Blessed Peter, is possessed of that infallibility with which the Divine Redeemer willed that his Church should be endowed for defining doctrine regarding faith or morals: and that therefore such definitions of the Roman Pontiff are irreformable of themselves and not from the consent of the Church.<sup>1</sup>

<sup>1</sup> *Enchiridion Symbolorum Definitionum et Declarationum De Rebus fidei et morum*, ed. xxxii, ed. Henricus Denzinger and Adolfus Schönmetzer (Freiburg: Herder, 1963) (hereafter: DS), 3073-4; translated in *The Teaching of the Catholic Church*, ed. Karl Rahner (Staten Island, N.Y.: Alba House, 1967) (hereafter: TCC), p. 229.

## I

Foes of papal infallibility<sup>1</sup> often argue that the doctrine is incoherent or false, either because no person or utterance could be infallible or at least none is, and hence in particular neither the pope nor his utterances could be or in fact are. This argument is dubious because its premise, 'No person or utterance could be infallible or at least none is', is dubious. Many philosophers in the history of philosophy have held that all persons are infallible with respect to a certain class of utterances, and until recently this was the dominant epistemological view. Philosophers typically call such utterances, not 'infallible', but something that means the same thing, 'incorrigible'. The serious and normal utterance of sentences like 'I exist', 'I think, therefore, I am', 'I am in pain', 'I seem to be in pain', 'I see red', 'I seem to see red', 'I am thinking of Socrates', and 'I seem to be thinking of Socrates' have traditionally been touted as prime candidates for incorrigibility or infallibility. These are sentences justified by what Roderick Chisholm calls, 'self-presenting states'. Since even opponents of incorrigibility allow that the notion of an utterance that cannot be false is coherent, it is not obvious that the notion of papal infallibility is incoherent.

This of course does not prove the doctrine. Further, and, more importantly, there is a danger in comparing incorrigible utterances of self-presenting states with infallible papal utterances. The danger is that the latter class of utterances will be assimilated to the former, when in fact the two classes are logically quite different. With this mistaken assimilation comes an argument against papal infallibility: Incorrigible utterances of self-presenting states require a characteristic experience of that state; but the pope has no relevantly similar experience in making purportedly infallible papal utterances and so, lacking such experience, cannot be infallible.

This argument helps to illuminate a difference between incorrigible utterances of self-presenting states and infallible papal utterances. Both premises of the argument are true, but the conclusion does not follow, because no experience comparable to a self-presenting state is a necessary condition for papal infallibility. Although one might think there is such a condition because of clauses like 'the Spirit of Truth actively and infallibly directs [the Church] in perfecting the knowledge of revealed truths', and 'having directed humble and repeated prayers to God, and having invoked the light of the Spirit of Truth',<sup>2</sup> which are included in documents containing infallible utterances, these clauses say nothing about felt experiences and serve purposes quite different from reporting experiences. The first makes clear the pope's intention to speak infallibly; the second makes clear the

<sup>1</sup> For example, Philip McGrath, 'The Concept of Infallibility', in *Truth and Certainty*, ed. Edward Schillebeeckx and Bas van Iersel. Concilium vol. 83 (New York: Herder and Herder, 1973), pp. 65–76.

<sup>2</sup> DS 3902, 3903; TCC, p. 195.

seriousness of the pope's intention, which is usually considered a necessary condition for infallible utterances. Further, the First Vatican Council's definition of infallible papal utterances requires no special experience, and traditional Catholic theologians emphasize that a pope is infallible not in virtue of any 'inspiration' or charism,<sup>1</sup> but in virtue of his office and concerning matters of faith and morals which God revealed to the apostles and which are preserved either in the Bible or by tradition. The Catholic Church rejects private revelation of doctrine. Since infallibility is often confused with 'inspiration', on the one hand, and 'revelation' on the other, it is worthwhile to quote a portion of a theologically conservative explanation of the doctrine:

Infallibility must be carefully distinguished both from Inspiration and from Revelation. Inspiration signifies a special positive Divine influence and assistance by reason of which the human agent is not merely preserved from liability to error but is so guided and controlled that what he says or writes is truly the word of God, that God Himself is the principal author of the inspired utterance... Revelation, on the other hand, means the making known by God, supernaturally, of some truth hitherto unknown, or at least not vouched for by Divine authority; whereas infallibility is concerned with the interpretation and effective safeguarding of truths already revealed.<sup>2</sup>

The closest the Vatican Council comes to specifying an experience is the phrase, 'by the divine assistance promised him in Blessed Peter'. But this phrase has nothing to do with experience. Even if this divine assistance is a grace, in some technical sense, no grace is itself an experience. How the Divine assists the pope is not specified. Finally no pope has ever appealed to any special experience to justify his infallible papal utterances. Consider the two most recent. First the proclamation of the Immaculate Conception by Pope Pius IX in the Papal Bull, *Ineffabilis Deus* (8 December 1854):

We by the authority of our Lord Jesus Christ, of the blessed Apostles Peter and Paul, and by Our own authority declare, pronounce and define that the doctrine which holds that the Most Blessed Virgin Mary from the first moment of her conception was, by the singular grace and privilege of Almighty God, in view of the merits of Christ Jesus the Saviour of the human race, preserved immune from all stain of original sin, is revealed by God and is therefore firmly and constantly to be believed by all the faithful.<sup>3</sup>

Secondly, the proclamation of the bodily assumption of Mary into heaven by Pope Pius XII in the Apostolic Constitution *Munificentissimus Deus* (1 November 1950): 'We proclaim and define it to be a dogma revealed by God that the immaculate Mother of God, Mary ever Virgin, when the course

<sup>1</sup> A. Tanqueray, *A Manual of Dogmatic Theology*, I, tr. John J. Byrnes (New York: Desclee Company, 1959), p. 114.

<sup>2</sup> *The Catholic Encyclopedia*, VII (New York: The Encyclopedia Press, 1913), 790b.

<sup>3</sup> DS 2803; TCC, p. 186.

of her earthly life was finished was taken up body and soul into the glory of heaven.’<sup>1</sup>

These two examples of infallible utterances also undercut a variation of the above argument which goes as follows: granted that infallible papal utterances do not require a special characteristic experience of infallibility, they do require evidence for their support, and infallibility requires a privileged access to the evidence. But, far from being privileged, the pope’s access to the evidence is not even superior to all; it is in fact inferior to that of many, call them ‘experts’ (‘periti’), upon whose expertise he relies for his infallible utterances. But since the reliability of an utterance cannot be greater than that of the evidence upon which it depends, no papal utterance can be infallible.

There is much in this argument that is correct. The pope does not have any privileged access to evidence and because his knowledge is inferior to many, he usually does commission experts to study issues bearing upon infallible utterances and later consults them and considers their findings. But all this is irrelevant, because infallible papal utterances do not depend upon evidence for their soundness. Evidence is not cited as a condition of infallibility by the First Vatican Council’s definition. Although the cited conditions are perhaps only a partial list, each necessary but not jointly sufficient, the burden of proof that evidence is necessary falls upon the foe of infallibility. Further, it is the received opinion among Catholic theologians, conservative as well as liberal, that the evidence for a papal pronouncement, even that included in the document proclaiming a dogma, is not itself infallible. Ludwig Ott, for example, after endorsing the reasons which support the Immaculate Conception and which were included in the bull proclaiming the doctrine, ends by saying, ‘It must also be observed that the infallibility of the Papal doctrinal decision extends only to the dogma as such and not to the reasons given as leading up to the dogma.’<sup>2</sup> Infallible papal utterances could not depend on evidence, because all evidence is fallible,<sup>3</sup> and, as the argument above rightly points out, the reliability of a statement is no better than the evidence for it. Evidence points to the truth but does not guarantee it; we appeal to evidence in the absence of certainty. A distinguishing mark between corrigible (fallible) and incorrigible (infallible) utterances is the lack of evidence for the latter.

That infallible papal utterances do not depend upon evidence drives a wedge between them and the class of statements or assertions: one cannot make a statement without evidence;<sup>4</sup> one can issue infallible papal utterances

<sup>1</sup> DS 3903; TCC, p. 196.

<sup>2</sup> Ludwig Ott, *Fundamentals of Catholic Dogma*, 4th ed., tr. Patrick Lynch (Rockford, Illinois: Tan Books and Publisher, Inc., 1960), p. 200.

<sup>3</sup> In this sense of ‘evidence’ the self-presenting states of incorrigible utterances do not count as evidence.

<sup>4</sup> J. L. Austin, in *How To Do Things With Words*, 2nd ed., ed. J. O. Urmson and Marine Sbisa (Cambridge, Mass.: Harvard University Press, 1975), p. 137, says: ‘[T]here are things you cannot state

without evidence; it follows that the latter are not statements. The belief that infallible papal utterances are statements is the misunderstanding of their logical character that I referred to at the beginning of this paper and is the root of the opposition to the doctrine. Most people have thought that infallible papal utterances are statements. One of the more notable of these is the Lutheran theologian George A. Lindbeck, who once described infallible utterances as ‘enunciations which are expressive of infallibly true affirmations, judgments or, in technical scholastic terms, second acts of intellect’.<sup>1</sup>

However, recently Lindbeck has come to question whether infallible papal utterances actually assert propositions. He suggests that an infallible utterance functions as

a rule of language which discourages certain ways of expressing and inculcating the faith and encourages others. Official formulations, as we have said, are second order statements about the primary uses of the Christian tongue, and their properly dogmatic role is, not to affirm anything directly about God and his revelation, but to serve as directives which distinguish good and bad, correct and incorrect, safe and dangerous ways of speaking. In Wittgenstein’s metaphor, they articulate the rules of the game rather than being themselves part of the game.<sup>2</sup>

Although I think Lindbeck is correct in denying that infallible papal utterances are statements, he is wrong in what he says they are. There are at least two things wrong with Lindbeck’s view. It is first of all too weak. In saying that dogmatic utterances ‘distinguish . . . safe and dangerous ways of speaking’, he fails to distinguish them from the views that the Vatican so quaintly calls ‘offensive to pious ears’. More importantly, he fails to identify the correct category to which infallible papal utterances belong. They are not instructions about how to use a word or phrase, nor grammatical remarks in any non-Pickwickian sense; they are not stipulative definitions. He was perhaps misled by the First Vatican Council’s declaration that the pope ‘defines’ a doctrine. Saying what infallible papal utterances are belongs to the next section.

## II

Although there was a long philosophical tradition of applying the term ‘statement’ to any speech act produced by uttering what school grammarians

– have no right to state – are not in a position to state. You *cannot* now state how many people there are in the next room; if you say “There are fifty people in the next room”, I can only regard you as guessing or conjecturing (just as sometimes you are not ordering me, which would be inconceivable, but possibly asking me to rather impolitely, so here you are “hazarding a guess” rather oddly). Here there is something you might, in other circumstances, be in a position to state; but what about statements about other persons’ feelings or about the future? Is a forecast or even a prediction about, say, persons’ behavior really a statement?’ See also John Searle, *Speech Acts* (Cambridge: Cambridge University Press, 1969), p. 66.

<sup>1</sup> George A. Lindbeck, *Infallibility* (Milwaukee: Marquette University Press, 1972), pp. 15–16. See also Hans Küng, *Infallible?: An Inquiry* (Garden City: Doubleday & Co., 1971), pp. 124–5, and Philip McGrath, ‘The Concept of Infallibility’, *passim*.

<sup>2</sup> George A. Lindbeck in *The Infallibility Debate*, ed. John J. Kirwan (New York: The Paulist Press, 1971), p. 128.

called a 'declarative sentence', philosophers have found that this tradition was confused, or at least that it failed to make important distinctions among the various things one does in uttering a declarative sentence. For example, a speaker uttering 'That bull is going to charge' might either be making a statement or issuing a warning; and a speaker uttering 'I'll see you at high noon' might be making either a statement or a prediction or a promise or, quite likely, a threat. Such distinctions are important because different speech acts often have quite different properties. Suppose a speaker says, 'Jones will be at the party'. If he is making a statement, he is not committed to bringing it about that Jones will be at the party; but if he is making a promise, then he is.

So far the examples I have adduced have involved ambiguous sentences. The sentences 'That bull is going to charge', 'I'll see you at high noon', or 'Jones will be at the party' are partially undetermined with respect to their speech act potential. But they can often be made fully determinate by prefixing them with the first person, present tense form of a performative verb, 'I state', 'I promise', 'I predict', 'I threaten', etc. Such explicit performative formulas precisely identify the type of speech act being performed. It is often understandable that someone will misidentify the speech act of a sentence which is not in explicit performative form. This is less often so when a sentence is. Fortunately, infallible papal utterances are often, if not always, in explicit performative form and use such performative verbs as 'declare', 'pronounce', 'define', and 'proclaim', not because more than one type of speech act is involved, but in order that one might disambiguate the other since in addition to their synonymous senses, the four performatives in question can mean, among other things, such diverse things as 'discover and set forth the meaning of', 'specify the meaning of a word or phrase', or 'employ the organs of speech to produce the spoken counterpart of a word, syllable, speech sound, or phrase'. There is, of course, no guarantee that the pope will make himself understood. The perverse or invincibly ignorant will persist in thinking that should the pope say, 'We define and pronounce that artificial birth control is evil' he would mean something similar to "'artificial birth control" means "evil" and we can employ our organs of speech to produce the spoken counterpart of "birth control"'. Not even the pope would equate birth control with evil and brag about his English pronunciation. There are not then four types of infallible papal utterances, but one, which we can indifferently call definition, proclamation, pronouncement or declaration, and which we must analyse.

The reason analysis is important is that unless the nature of statements and papal declarations is completely and precisely spelled out, there is no guarantee that infallible papal utterances do not share some property of statements that undermines their possibility. While I could contrast statements with declarations *simpliciter*, I shall instead speak more particularly about the necessary and sufficient conditions for infallible papal declarations.



Not only does making a statement require evidence, but in addition no statement can be made unless it is not obvious to the speaker and hearer that the latter knows and does not need to be reminded of what is being asserted.<sup>1</sup> There is no such condition on infallible papal utterances. Pius XII in large part decided to proclaim the Assumption of Mary because he discovered in a poll, instituted 1 May 1946, that there was almost unanimous belief in the doctrine among bishops, other clergy and laity.

There are other differences between statements and infallible papal utterances. Statements are not institutional speech acts;<sup>2</sup> they do not depend for their existence upon any formal social organization as do jury verdicts, proclamations, inaugurations and baptisms. Infallible papal utterances, on the other hand, are squarely in the class of institutional speech acts. Without the Catholic Church there would be no pope, no papal utterances and, in particular, no infallible papal utterances. One consequence of this institutional character is that infallible papal utterances have a status condition which statements lack. In an infallible papal utterance the speaker must have a certain status or authority within the church institution. The only individual who can issue an infallible utterance is one who is vested with the office of pope. This requirement does not hold in general for infallible utterances within the Catholic Church, which recognizes that certain groups within it can speak infallibly, e.g., an ecumenical council and the bishops dispersed throughout the world in their ordinary magisterium. The declaration of papal infallibility by the First Vatican Council was itself a non-papal infallible utterance. Further, the speaker must not merely be the pope but must speak *as* the pope. The definition of papal infallibility specifies that the pope speaks infallibly only when acting 'in discharge of the office of Pastor and Doctor of all Christians, by virtue of his supreme apostolic authority'. And the proclamation of the Immaculate Conception appeals to the same authority: 'by the authority of our Lord Jesus Christ, of the blessed Apostles Peter and Paul, and by our own authority'. This condition relieves the pope of the burden of infallibility not only when speaking in an off-hand or private way, but when speaking publicly as a theologian or as the local bishop of Rome.

Perhaps the most complicated issue in the comparison of statements and infallible papal utterances concerns the *fit* between the utterances and the world. There are three basic ways in which words and the world can fit each other, and one crucial hybrid way. First, the purpose of some kinds of speech acts is to get the world to fit the utterances. One issues commands and requests in order to get the world to fit the words. '(Please) open the door'

<sup>1</sup> John Searle, *Speech Acts*, p. 66.

<sup>2</sup> For more about institutional speech acts, see my 'Sacraments and Speech Acts, II', *The Heythrop Journal*, xvi (1975), 405–17, and John Searle's 'A Taxonomy of Illocutionary Acts', in *Minnesota Studies in the Philosophy of Science*, vii, ed. Keith Gunderson (Minneapolis: University of Minnesota Press, 1975), 349–50. For the relation between language and conventions, see P. F. Strawson, 'Intention and Convention in Speech Acts', in *Logico-Linguistic Papers* (London: Methuen, 1971), pp. 149–69.



is designed to get the world to be such that the words represent it, specifically, by the speaker getting the hearer to open the door. Conversely, promises are also attempts to get the world to fit the words, by the hearer getting the speaker to commit himself to an action that accomplishes it. Second, the purpose of some kinds of speech acts is to get the words to fit the world. Statements and assertions are the paradigm cases of this. When one states or asserts that *p*, one's utterance purports to represent how the world is. Third, the purpose of some kinds of speech acts is to make facts which the utterances *ipso facto* fit. When a veritable Adam brings an object before him and names it 'lion', then it is a fact that that object is a lion. When the president of the Olympic Games declares them open, then it is a fact that the Olympic Games are open. When the president of the United States declares a certain day a holiday, then it is a fact that that day is a holiday.

The hybrid way in which words and the world fit each other is the offspring of the second and third ways mentioned. There are some speech acts whose purpose is two-fold: it is for the utterance to fit the world but also to make a fact that it fits. Jury verdicts and umpire calls are examples. When a jury says, 'We find the defendant guilty' or an umpire says, 'Safe', then the defendant is guilty or the player is safe. Their saying so makes it so. Juries and umpires try to get their verdicts and calls into line with the world; but even when they fail, it remains a fact that the defendant is guilty or the player safe. Similarly, when Pius IX declared that Mary was immaculately conceived, it became a fact, an institutional fact, that Mary was immaculately conceived; and when Pius XII said that Mary 'was taken up body and soul into the glory of heaven' he created the institutional fact that makes it the case that Mary was taken up body and soul into the glory of heaven. The fact-making quality of infallible utterances guarantees their correctness; without it the pope's supposedly infallible utterances would lack force.

However, it is further true that popes try to get their infallible utterances to fit the world; they intend their utterances to represent the way the world is. Because of this intention and because their utterances are not supported by self-presented facts, it is logically possible for a papal pronouncement not to fit the facts just as it is possible for a jury's verdict or an umpire's call not to fit. And if any infallible papal pronouncement does not fit the facts, it is then undoubtedly defective, and yet nonetheless successful as an infallible utterance. One difference between jury verdicts and infallible papal propositions is that the former are reversible, while the latter, like the umpire's calls, are 'irreformable of themselves and not from the consent of the Church' or players. Perhaps because of the special way in which jury verdicts, umpire calls and infallible papal utterances fit the world, we do not speak of their speech acts as true or false, but rather such things as fair or unfair, good or bad, correct or incorrect. In this regard Lindbeck was correct when, after noting that the First Vatican Council said only that infallible utterances are

‘not false’, he said that this ‘is a remarkably modest claim’. He continued: ‘Not only may a “not false” doctrinal statement be a very bad dogma, but it may not even be true. It may, in other words, not be a proposition or affirmation at all. It may not express a judgment which is capable of being either true or false.’<sup>1</sup>

Whether or not any infallible papal utterance has actually ever failed to fit the facts is another question, and one that is neither within the scope of this paper nor the competence of its author. A question that can be asked is, ‘Since it is possible for infallible papal utterances not to fit the facts, can theologians debate whether particular infallible papal utterances do or do not?’ To answer this question, I shall allow myself the use of a familiar distinction of sacramental theology, the distinction between validity and liceity. An action is valid just in case it succeeds in doing what it is intended to do; an action is licit just in case what is done is permitted by law. Thus, when a duly constituted bishop ordains a new priest, his ordaining is both valid and licit, *ceteris paribus*. But when Archbishop Marcel Lefebvre ordains a new priest, his ordaining is valid, because he is a bishop, but illicit, because Paul VI suspended him from exercising his episcopal powers. And should I, a layman, attempt to ordain anyone, my attempted ordaining would be both invalid and illicit, because I have neither the power nor the licence. Now, investigating whether an infallible papal utterance fits the facts or not is valid but illicit. One can always validly question whether an utterance that is supposed to fit the fact does so; but when one questions utterances that are supposed to end the debating that causes dissension and threatens order, one frustrates their very purpose and risks eviction from the game if the utterance is an umpire’s call, and excommunication if the utterance is a papal pronouncement. Hans Küng, in questioning infallibility itself and particular infallible (or supposedly infallible) utterances, finds himself in this situation, as did large numbers of Catholics, including some bishops, who initially resisted the First Vatican Council’s definition of papal infallibility. The Vatican persuaded most of them, most notably the distinguished Church historian Karl Joseph von Hefele, bishop of Rottenberg, and no bishop left the Church over the issue. Other Catholics, such as Franz Brentano and Ignaz von Döllinger, were not persuaded and either left the Church or helped found a new Church, the Old Catholics. This is part of the politics of infallibility. Again, I am not competent to say how much of the papal opposition of persons like Hans Küng and the Old Catholics is infernal and how much divine disobedience.

One might think that although my theory renders the concept of papal infallibility coherent and unobjectionable, it is nonetheless inadequate because it is too weak; that it overemphasizes the fact-making aspect to the

<sup>1</sup> George A. Lindbeck, in *The Infallibility Debate*, p. 141; see also p. 129.

detriment of the fact-fitting aspect of infallible papal utterances. But this is not correct. Just as the principal reason for having jury verdicts and umpire calls is to settle disputes that would interfere with the orderly operation of society or the progress of a game, so also the principal reason for having infallible papal utterances is to settle disputes that would interfere with the orderly practice of Christianity. This at least has been the traditional justification. Thomas Aquinas, in answering the question of 'Whether to order the articles of faith belongs to the Supreme Pontiff' says that it does on the ground that there is no other way to prevent divisive dissension in the Church: 'The reason for this [that infallibility belongs to the Supreme Pontiff] is that there should be but one faith for the whole Church, according to I Cor. 1, 10: "That you all speak the same thing, and that there be no schisms among you"; and this could not be secured unless any question of faith that may arise would be decided by the one who presides over the whole Church, so that the whole Church may hold firmly to his decision. Consequently, it belongs to the sole authority of the Sovereign Pontiff to publish a new rendition of an article of faith, as do all other matters which concern the whole Church, such as to convoke a general council, and so forth.'<sup>1</sup> The so-called Dutch catechism introduces its discussion of infallibility as follows: 'The question is this. Where are we to turn if there is a division in the Church, among the bishops?'<sup>2</sup> Lindbeck gives the same answer to essentially the same question. In answer to 'What is the function of infallibility?' he says, 'Infallibility functions, not so much to insure correct and effective teaching and preaching, but to help maintain the unity of the Church. There must be a final assembly or court of appeal to decide disputes which cannot be settled in any other way and which threaten to rend the Church.'<sup>3</sup> Finally, and perhaps most importantly, the reason that the First Vatican Council gives for the institution of infallibility is the political one of unity. Near the beginning of its 'First Dogmatic Constitution on the Church of Christ', we read: 'And in order that the episcopate also might be one and undivided, and that by means of a closely united priesthood the multitude of the faithful might be kept secure in the oneness of faith and communion, he set blessed Peter over the rest of the Apostles.'<sup>4</sup> Later the document ascribes this guarantee of unity through infallibility to the popes in the words: 'This gift, then, of truth and never failing faith was conferred by Heaven upon Peter and his successors in this Chair . . . that the occasion of schism being removed the whole Church might be kept one. . . .'<sup>5</sup> The document also exploits the rationale of unity to justify submission to the pope in matters beyond faith and morals: 'both pastors and faithful, both

<sup>1</sup> *Summa Theologiae* II-II. q. 1, art 10, c. See also *ibid.* art 11, ad 3; *Summa Contra Gentiles* IV. 76.

<sup>2</sup> *A New Catechism*, tr. Kevin Smyth (New York: Herder and Herder, 1967), p. 366.

<sup>3</sup> George A. Lindbeck, in *The Infallibility Debate*, p. 148; see also p. 140.

<sup>4</sup> DS 3050-3051; TCC, p. 221.      <sup>5</sup> DS 3071; TCC, pp. 228-9.

individually and collectively, are bound by their duty of hierarchical subordination and true obedience, to submit, not only in matters which pertain to faith and morals, but also in those that pertain to the discipline and government of the Church throughout the world, so that the Church of Christ may be one flock under one supreme pastor through the preservation of unity both of communion and of profession of the same faith with the Roman Pontiff'.<sup>1</sup>

Infallibility, then, like jury verdicts and umpire calls is essentially a political institution. The Church needs it not so much as a source of knowledge but as a source of peace. One might well argue against its effectiveness and desirability in the twentieth century as a political institution but that is a quite different argument from one concerning its coherence and truth.

### III

We are now in a position to formulate an explicit speech-act analysis of statements and infallible papal utterances, an analysis which will summarize our results to this point and add additional elements, which it has not been necessary to mention. The juxtaposed analyses can be compared and contrasted easily.

A speaker *S* successfully and non-defectively states that *p* to an audience *A* in an utterance of an expression *E* just in case

1. *S* has evidence that *p*.
2. It is not obvious to both *S* and *A* that *A* knows that *p*.
3. *S* believes that *p*.
4. *S* expresses the proposition that *p* in the utterance of *E*.
5. The utterance of *E* conventionally counts as an undertaking to the effect that it represents that *p*, that is, fits the facts.
6. *S* has an intention *I* to produce in *A* the knowledge *K* that *p*, intends to produce *K* by means of *A*'s recognition of *I*, and intends *A* to recognize *I* in virtue of *A*'s knowledge of condition 5 and the conversational postulates.

A pope *S* successfully and non-defectively declares, defines, pronounces, or proclaims that *p* to an audience *A* in an utterance of an expression *E* just in case

1. *S* speaks, in virtue of his office, as pope.
2. *S* believes that *p*.
3. *A* is all Catholics.
4. *S* expresses the proposition that *p* in the utterance of *E*.
5. The proposition that *p* concerns faith and morals and God's revelation to the Apostles and has been preserved either in the Bible or by tradition.
6. The utterance of *E* conventionally counts as an undertaking to the effect

<sup>1</sup> DS 3060; TCC, p. 225.

- (a) that it represents that  $p$ , that is, fits the facts; and (b) that it institutes that  $p$ .
7.  $S$  has the intention  $I$  to produce in  $A$  the knowledge  $K$  that  $p$ , intends to produce  $K$  by means of  $A$ 's recognition of  $I$ , and intends  $A$  to recognize  $I$  in virtue of  $A$ 's knowledge of condition 6 and the conversational postulates.

Three comments about these analyses are in order. First, they are analyses of *successful and non-defective* speech acts. There are various ways in which speakers can succeed in performing a speech act which is defective. It would seem that just as a person successfully but defectively promises, when he does not sincerely intend to fulfill his promise, so also a person successfully but defectively makes a statement when he does not believe what he says, *ceteris paribus*. The same would seem to hold for infallible papal utterances. A pope could successfully, though defectively, issue an infallible pronouncement even if he did not believe that  $p$ . There is no incoherence in the following case: A pope, who secretly loses his faith, nonetheless faithfully discharges his office, and, to this end, issues an infallible pronouncement which he does not believe. Or, if the pope's pronouncement fails to fit the facts, it is defective but nonetheless successful. It would be a relatively easy matter to weaken the above conditions to give the necessary and sufficient conditions for merely successful statements and infallible papal utterances. The second comment is that condition 6 for statements and condition 7 for infallible pronouncements have a technical cast involving complex, piggy-back intentions, which a general theory of speech acts demands, but which does not call for explanation here.<sup>1</sup> The third comment concerns the fifth condition for infallible pronouncements. Given that God, the author of truth, does not contradict himself, it follows from 5 that  $p$  not only is an article of faith but also that  $p$  does not contradict any other article of faith or morals.

#### IV

Both friends and foes of infallibility might initially be reluctant to accept my theory, and for the same reason, namely that for all its merits, it makes no provision for a 'transcendent' guarantee of truth.<sup>2</sup> Friends of infallibility might desire some transcendent element lest they lose touch with God. The friends seem in this instance to be wrong-headed. When Christ ascended into heaven, his leaving the earth was even more decisive than his death. After

<sup>1</sup> For the development of this kind of condition see H. P. Grice, 'Meaning', *Philosophical Review*, LXVI (1957), 377–88; John R. Searle, *Speech Acts*, pp. 42–50; H. P. Grice, 'Logic and Conversation', in *The Logic of Grammar*, ed. Donald Davidson and Gilbert Harman (Encino, Calif.: Dickenson Publishing Company, Inc., 1975), pp. 66–74; and A. P. Martinich, 'Referring', *Philosophy and Phenomenological Research* (forthcoming).

<sup>2</sup> For this criticism of my treatment of the sacraments in 'Sacraments and Speech Acts' see B. R. Brinkman, "'Sacramental Man" and Speech Acts Again', *The Heythrop Journal*, xv (1975), 418–20; for my reply see 'Unspeakable Acts: A Reply to Brinkman', *ibid.* xvii (1976), 188–9.

the ascension there were no remains to visit, honour or venerate. What he left his followers was a Church and an unincarnate Spirit. The Church, guided by the Spirit, is the principal presence of God that remains. This at least is the Catholic or infallibilist view, which sharply contrasts with the Protestant view, which deemphasizes the role of the Church and appeals to private and individual experience for its validity. Foes of infallibility might also want some transcendent element, because it makes such an easy target for criticism. I agree with the foes on this point. It is just such 'transcendent' elements that wrongly suggest that infallibility (or the sacraments) operates by magical powers, and it is just such elements that constitute the myths of systematic theology which are to be legitimately de-mythologized.

If philosophical theology is, as I believe it should be, the conceptual clarification of issues pertaining to God or things in their relation to God,<sup>1</sup> then such magical elements must be excised and replaced by the conceptual apparatus of an adequate contemporary philosophy. This is what Thomas Aquinas in his day did in explaining Christian doctrine in Aristotelian terms. Perhaps no philosophical theory is perennial; when its deficiencies have become exposed and kill it, the old phenomena, secular and religious, demand a new explanation in a new theory. However, not every new theory will be adequate either for analysing religious discourse or in general. Logical positivism was both inconsistent with orthodox Judaeo-Christian doctrine and inadequate in itself. Philosophical theologians have a stake in both identifying inadequate secular theories and extending adequate theories to cover their subjects. In this paper I have attempted to do the latter by applying speech act theory to papal infallibility. If faith need not be made rational, it at least needs to be made credible.

<sup>1</sup> *Summa Theologiae* I. 1, 7, c; for a different kind of example of conceptual clarification in philosophical theology see my 'Identity and Trinity', *The Journal of Religion*, LVIII (1978), 169–81.