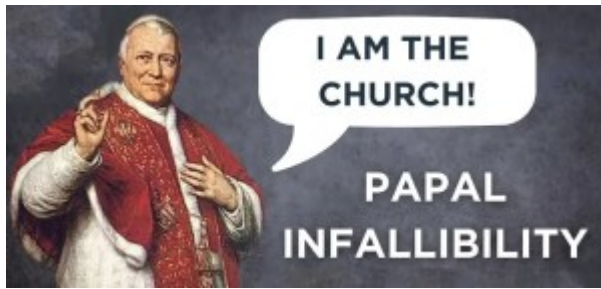


The Papacy And The Civil Power –

Chapter XX. Papal Infallibility



Continued from [Chapter XIX. The Claimed Rights of the Papacy Over Governments.](#)

Infallibility formerly in General Councils and the Popes conjointly.—Efforts made to prove this in England and the United States.—Books published on the Subject in both Countries.—Extracts from Several of Them. Doctrine of French Christians on that Subject.—They deny the Infallibility of the Pope.—Proceedings in England to obtain Catholic Emancipation.—The Doctrine denied both in England and Ireland.—The Pope's Infallibility a new Doctrine.—Denied in the Catechism.—Distinction between the Church and the Papacy.—Infallibility in the Church during the Early Times.—The Greeks never admitted the Infallibility of the Pope. The First Seven Councils mainly Greek.—They concede Primacy of Honor, not Jurisdiction, to the Pope.—The Council of Nice.—The First Council of Constantinople.—The Council of Ephesus.—The Council of Chalcedon.—The Second Council of Constantinople.—The Third Council of Constantinople.—The Second Council of Nice.—The Fourth Council of Constantinople.—Subsequent Councils held by the Latins.—The First Lateran Council.—The Second Lateran Council.—The Third Lateran Council.—The Introduction of Papal Constitutions.—Adding them to Decrees of Councils.—More Effort to make Law for the Church by the Force of Precedent.—The Fourth Lateran Council.—Blindly obedient to Innocent III.—The Primacy of the Church, not of the Pope, established. Constitutions of Heretical Princes not Binding.—Part of the Canon Law.—The First Council of Lyons.—The Second Council of Lyons.—The Council of Vienne.—None of these Councils declare the Pope Infallible.

IT ought not to be considered as asking too much of those who support the absolutism of the papacy, when we insist that they shall address themselves to our consciences in furnishing a solution of the problem involved in the claim of the pope's infallibility. It concerns the present age of the world too much, to let it rest upon the mere assertion that because it has been dogmatically avowed by a number of popes, therefore it is true. Such persons as have been trained in the school of submission, and accept whatsoever is told them by their superiors, may be satisfied with this; but to those who recognize no obligation of this nature, something more is due if they are expected to acquiesce in it. "No man," said Archbishop Tillotson, "can be under an obligation to believe anything who hath not sufficient means whereby he may be assured that such a thing is true."

Yet, when the objection is urged that this dogma places the papacy in direct antagonism to the domestic policy of the progressive nations, we are told—as if it were a complete answer—that there is nothing new in this; that it is a part of the ancient faith, descending from Peter, and which has known no variation from the beginning. Thus the whole question is rested; and we are required to give our assent, or remain under the pontifical curse if we do

not. (*)

* The whole substance of Archbishop Manning's reply to Mr. Gladstone is centered in his second and third propositions, set forth in his letter to the editor of the *New York Herald*, to wit, "that the Vatican Council announced no new dogma, but simply declared an old truth," and that the civil allegiance of Roman Catholics, "since the council, is precisely what it was before."—*New York Tablet*, December 21st, 1874, p. 405.

It has been elsewhere asserted that before the late council the infallibility of the Church was generally recognized by its lay members, especially in the United States, as lodged in the whole body of the Church, acting, according to the unvarying custom, through general councils and the popes conjointly. Even if the hierarchy thought otherwise, they studiously avoided any open declaration to that effect, leaving those to whom it was their duty to teach the whole truth in ignorance and delusion. There were even some of them who were not only guilty of this unpardonable sin of omission, but actually misled their flocks into the acceptance of a fatal error. And others, who did not go so far, silently acquiesced in the imposture.

About twenty years ago there was published and extensively circulated in the United States a work devoted to the discussion of the question of "Church authority"—the precise question involved in the dogma of papal infallibility. It was written by a former clergyman of the English Church, who had gone over to the Roman, as an explanation of his reasons for so doing. Starting out by defining the word *ecclesia* to mean *any combination of men*, he insists that in that sense the Church was established by Christ with the office of deciding what is human and what divine, and of interpreting the system of which it is the depository. (*)

* The Greek word *ecclesia* was in use in that language before the birth of Christ. Liddell and Scott, in their lexicon, define it to mean "an assembly of the citizens summoned by the crier, the legislative assembly." Potter says it was "an assembly of the people met together according to law to consult about the good of the commonwealth."—*Antiquities of Greece*, ch. xvii., p. 81. In the "Encyclopedia of Religious Knowledge" it is said to denote "an assembly called together upon business, whether lawful or unlawful." Thucydides used it to signify an assembly.—*Bloomfield's Thucydides*, bk. vi., viii., p. 19, and bk. lxix., p. 338, vol. iii. It occurs frequently in the New Testament, and is generally translated *church*. But a different rendering is given to it, both in the Douay (Roman Catholic) and Protestant Bibles, where it occurs in Acts xix., 32, 39, at both of which places it is translated *assembly*. In several of the earlier versions of the New Testament, the translation given it in Matthew xvi., 18, was *congregation*: "Upon this rock I will build *my congregation*." But this was not satisfactory to the Romanists, because it did not sufficiently convey the idea of an ecclesiastical organization with external authority. They therefore repudiated this translation, and adhered to the meaning attached by Jerome to the Latin word *ecclesiam*, when he introduced it into his "Vulgate" edition. When the revision was made in the reign of King James, he seems to have had some fear that the translators would introduce *congregation* instead of *church*, and thus favor the popular idea in opposition to ecclesiastical authority. He therefore caused to be drawn up a series of rules for their direction, in one of which he instructed them

as follows: "The old ecclesiastical words to be kept, viz.: the word *church* not to be translated *congregation*," etc.— *History of the Bible*, by Westcott, ch. ii., p. 151.

It would thus seem that the word *ecclesia*, though translated church, was intended by Christ to mean a body of believers assembled together at a particular place, or the whole body of Christians in general assembling by representation, as they did at Jerusalem when Paul and Barnabas went up from Antioch. To say, therefore, that it is composed of an organization with external powers, and that Christ's design in establishing his Church was that there should be a pope and a body of privileged ecclesiastics to govern it, is a manifest *perversion* of its original meaning.

He then proceeds to instruct us what the Church is, where it is that the Holy Ghost is always present, and where this power of interpretation is lodged. He proves by Ireneus, Origen, and other fathers that "the divine spirit" which directs the Church "has its dwelling in the collective body," which "is our sole guide in the things of God." ("Principles of Church Authority," by Wilberforce, pp. 27, 47, 61, 65.) He defines "the collective episcopate" to be "the medium of Church authority," and insists that Christ provided for the Church, "as the law of its organization, that the same persons [the bishops] who were individually the dispensers of grace should collectively be the witnesses to doctrine." ("Principles of Church Authority," by Wilberforce, pp. 77, 84, 89, 92, 98.)

And then, in flat denial of papal infallibility, if not of the primacy of Peter, he declares that this principle of Church organization "proceeds on the supposition that the gift bestowed upon the apostles, and which had been inherited by their successors, had been given to them as a body; that no bishop or bishops could possess it apart from the communion of the whole; that as grace and truth lay in Christ our Lord, and afterward in the college of apostles, so it had been inherited by the whole episcopate as a trust, in which they had a common share." (*Ibid.*, p. 103.)

That this principle has received the approbation of all the ages since Christ, he considers "manifest from the weight attached to general councils." He quotes this language from Cyprian:

"The episcopate is a single trust administered collectively by many individuals." And this from the Apostolic Constitutions: "For the confirmation of you who are put in trust with the universal episcopate." This episcopate he calls by the equivalent names of the "one Church" of Christ, "the federal union," and "the sacerdotal college." And then, summing up, he says: "...these principles evidently imply that the interpretation of doctrine was lodged as a perpetual trust in the episcopate, but the exercise of this function implied the co-operation of all bishops as a collective whole." (*Ibid.*, pp. 103, 104, 107, 108.)

It would be hard to find language more directly condemnatory of the doctrine of papal infallibility than this. Not only does it show that no such doctrine prevailed in the early ages of the Church, but that it is in express conflict

with "the law of its organization" as ordained by Christ. The writer was highly complimented for the manner in which he performed his task, and for the learning he displayed. He was considered as a valuable acquisition to the Church, and, doubtless, one object in circulating his book was to influence hesitating Protestants, if they could be found, by his argument.

Another object undoubtedly was to disprove what many Protestants considered the tendency toward papal infallibility in the Church. And still another, to quiet any apprehension that might exist among the lay men of the Church in regard to the threatened concentration of all the power of the Church in the hands of the pope. It may be readily called to mind, by almost anybody, how flatly, and even spitefully, it was denied that any such concentration was designed; as it may now be realized how this denial served to mislead many who find themselves deluded. This book was only one of the many instrumental ties employed to carry on this work. Having performed its task, it is now consigned to obscure places where the dust and cobweb may settle on it; while the faithful are instructed that the very doctrine it denied and condemned has always been the doctrine of the Church!

Another book was published a few years ago, written by a priest, designed to show that "the father of lies" had circulated misrepresentations and calumnies against the Church in this country. In reference to "new additions" to the faith, he says, it would be "damnable" to believe otherwise than as Christ teaches, although it "should be defined and commanded to be believed by ten thousand councils." And, answering the accusation that the pastors and prelates are held to be infallible, he classes it along with other "misrepresentations" of which "the father of lies" is the author, and says: "The papist, truly represented, believes that the pastors and prelates of his Church are *fallible*; that there is none of them but what may fall into error and heresies, and consequently liable to be deceived." And he assigns infallibility only to "the whole Church." ("A Papist Misrepresented and Represented," by Rev. John Gother, pp. 44-46.)

Coming at last to the pope, he says that it is an exhibition of the "black art" which the devil practiced in paradise, to charge the papist with believing that he has taken the place of Christ, "and that whatsoever he orders, decrees, or commands is to be received by his flock with the same respect, submission, and awe as if Christ had spoken it by his own mouth," or that he is "no longer liable to error, but is infallible." He indignantly repels the insulting and impious falsehood, as the devil's work, and declares that the pope is the head of the Church only as "every father of a family owns himself to be master of it under Christ;" and that, while God assists the popes in the administration of their office, no man is "obliged to believe them *infallible*," because no such doctrine has ever been defined by the Church. ("A Papist Misrepresented and Represented," by Rev. John Gother, pp. 49-51.)

There was yet another book of this same kind, published with the official endorsement of Bishop Fitzpatrick, of Boston, who certainly was fully instructed in the doctrines of his Church. The author of this book meets the question of papal infallibility squarely, and disposes of it without equivocation; manifestly intending to put it at rest, so that his adversary

should have no excuse for again referring to it. That there may be no misconception of his meaning, the whole of what he said is given as follows:

"I shall therefore tell the gentleman, once for all, and in the clearest terms I am able to express myself, that when you speak of the Roman Catholic Church, and maintain it to be that infallible Church which Christ has established upon earth, and to which all his promises of perpetual assistance were made, we mean not the particular Church or diocese of Rome, which, as a diocese has its jurisdiction limited, and is no more the Universal Church than the diocese of Paris or Toledo—because a part is not the whole; but we mean the whole body of Roman Catholics, whatsoever country or diocese they belong to, professing the same faith, and living in communion with the Bishop of Rome, whom they acknowledge to be their supreme pastor, or head of their Church on earth. This is plain English; and, if the gentleman will not understand it, but persists in his real or pretended ignorance, and to impose upon his reader with a manifest equivocation, I can say no more to render him sensible of his mistake.

"I observe, fourthly, that the gentleman has sometimes a great itching to shift the state of the question from the infallibility of the Church to that of the pope. Nay, he tells his lordship in plain terms that not to place the infallibility in the pope is giving up our whole foundation.' I am sorry he understands the doctrine of our Church no better, which he ought to have done before he wrote against it. For, as a controvertist, he ought only to dispute against articles of our faith *fairly stated*, and not against *private opinions*. Now, the infallibility of the pope is one of these. Some Catholic divines write for it, and many against it, without any breach of communion with the See of Rome. And therefore the gentleman shall have the liberty of talking by himself upon that subject as much as he pleases; for I am not bound to answer anything wherein the article of faith which I pretend to maintain is not concerned." ("The Shortest Way to end Disputes about Religion," by the Rev. Robert Manning, Boston, 1855, pp. 189, 190.)

Language more expressive could scarcely have been found. It will be observed that he not only lodges infallibility in the whole body of the Church, but denies flatly the doctrine of the pope's infallibility. Some divines favor it, he says, but many oppose it; clearly signifying that the latter constitute the majority. When it is considered that all this was specially approved by a distinguished prelate of the Church, it may be regarded as a sufficient set-off against the contrary assertions now so frequently and dogmatically made.

But there is abundant evidence, equally conclusive and satisfactory, to show that this question was met and dealt with in Europe in the same way, from the very earliest efforts of the Jesuits to keep the popes on their side by its persistent and pertinacious advocacy. A thesis was published in Paris, in the seventeenth century, wherein it was claimed that Christ had communicated his own infallibility to the pope, both in questions of right and of fact. This thesis was immediately laid before all the bishops of France; it being well understood that it came from the college of the Jesuits. Another soon after appeared from the same source, not merely affirming what the first contained, but insisting that the system of Copernicus, as defended by Galileo, should

be considered as battered down, because "the Vatican has also thundered against it, and the sentence delivered by the congregation of the Cardinals of the Inquisition has overthrown by its just censure the hypothesis, or rather the thesis, of Copernicus in the person of Galileo." The avowed purpose was to carry the doctrine of the pope's infallibility to the extent of requiring "some mathematicians, more bold than religious," who accepted the Copernican theory and the teachings of Galileo, to "submit to the authority of this censure." This thesis was submitted to the learned Faculty of Divinity of Paris. The Parliament of Paris also took the matter into consideration. It was thus brought directly before the whole country, and presented in such form as to invoke all the best intellects of France in its consideration. The result was a strong and decided affirmance of the doctrines set forth in the ancient decrees of the Faculty of Divinity, which were embodied in six distinct propositions.

1. It is denied that the pope has any indirect power or authority over the temporalities of the king.
2. That the king has no other superior in temporals than God alone.
3. That subjects owe such allegiance to the king that it cannot be dispensed with upon any pretense whatsoever.
4. That the pope cannot depose bishops against the rules of the canons.
5. That the pope is not above a general council.
6. That the pope is not infallible, when he has not the concurring consent of the Church. (*)

* 1. "Non esse Doctrinam Facultatis quod Summus Pontifex aliquam in temporalia Regis Christianissimi auctoritatem habeat; imo Facultatem semper obstitisse etiam iis qui indirectam tantum esse illam auctoritatem voluerunt.
 2. "Esse Doctrinam Facultatis ejusdem, quod Rex Christianissimus nullum omnino agnoscit nec habet in temporalibus superiorem praeferet Deum; eamque suam esse antiquam Doctrinam, a qua nunquam recessura est.
 3. "Doctrinam Facultatis esse quod subditi Fidem et Obedientiam Regi Christianissimo ita debeant, ut ab iis nullo pretextu dispensari possint.
 4. "Doctrinam Facultatis esse non probare, nec unquam probasse Propositiones ullas Regis Christianissimi Auctoritate aut germanis Ecclesie Gallicanae libertatibus, et receptis in Regno Canonibus contrarias; v. g., quod Summus Pontifex possit deponere Episcopos adversus easdem Canones.
 5. "Doctrinam Facultatis non esse, quod Summus Pontifex sit supra Concilium (Ecumenicum). 6. "Non esse Doctrinam vel Dogma Facultatis, quod Summus Pontifex, nullo accedente Ecclesiae consensu, sit infallibilis."—*Ecclesiastical History*, by Du Pin, vol. xvii., pp. 146-150.

The opinion of these leading minds of France, so clearly and strongly expressed, shows, beyond all controversy, what was the opinion of the Gallican Christians on this subject. The Jesuits were not able to drive them from their position, and, therefore, when Bossuet, the great Bishop of Meaux, who stood at their head, undertook to define the relation between sovereigns and the popes, he said "that kings and princes are not subject in the temporal order to any ecclesiastical power by the order of God; that they cannot be deposed, either directly or indirectly, by virtue of the keys of the Church; finally, that by virtue of that power, their subjects cannot be

absolved from their fidelity, obedience, and oath of allegiance which bind them to their prince." ("Defense of the Declaration, " by Bossuet, lib. i., s. i., ch. xvi., pp. 272, 273. *Apud* Gosselin, vol. ii., pp. 299, 300.)

The oath of supremacy and allegiance which the English law, during the reign of James I., required Roman Catholics to take, made it necessary they should swear that, in their opinion, the pope had no power to depose the king, or to dispose of the kingdom, or to authorize its invasion, or to discharge the citizens from their allegiance. With them it became a question whether, in view of their obligations to the pope, they could lawfully take this oath. They were not left in doubt long, in so far as the pope, Paul V., was concerned; for he addressed to them a brief which condemned "the oath as unlawful, and containing many things manifestly contrary to faith and to salvation."

He addressed them also a second brief of the same tenor; and Innocent X., after the death of Paul, condemned the oath anew. In this perplexed condition, arising out of their divided loyalty, they consulted the Faculty of Divinity of Paris whether they could, in their opinion, take the oath without prejudice to the faith, and this after two infallible popes had declared solemnly and officially, *ex cathedra*, that they could not. The sixty doctors of the Faculty declared, against these popes, that they could take the oath without prejudice to the faith; and they did take it.

The Jesuits, of course, were not satisfied at this direct and powerful opposition to their favorite theory of the pope's infallibility; and they had no difficulty in having this opinion of the French doctors placed upon the Index at Rome, so as to stamp it with pontifical condemnation and censure. (Gosselin, vol. ii., pp. 252, 253 (note).)

The same question arose afterward in England, at a period nearer our own times. When, toward the close of the last century, the question of Catholic emancipation was pending before the British Parliament, it was doubted by many whether it would be safe to confer full political privileges upon Roman Catholics because of the doctrines of the papacy in regard to their allegiance. Strong efforts were made to remove this doubt, and, as the most efficient means of doing so, the opinions of learned divines and foreign universities were solicited directly upon the questions of the power of the pope to depose monarchs, and to release their subjects from allegiance, and the obligation of papists to keep faith with heretics.

Three questions, embracing these points, were sent to the universities of Louvain, Donay, and Paris, in France; and Alcala, Valladolid, and Salamanca, in Spain. The answers were all condemnatory of the doctrine of papal infallibility. In that from Douay, taken as a specimen, it is said: "That no power whatsoever, in civil or temporal concerns, was given by the Almighty either to the pope, the cardinals, or the Church herself; and consequently that kings and sovereigns are not, in temporal concerns, subject by the ordination of God to any ecclesiastical power whatsoever; neither can their subjects, by any authority granted to the pope or the Church from above, be freed from their obedience or absolved from their oath of allegiance." And they declared that they were bound to keep all oaths, whether pledged to

"Catholic, heretic, or infidel."

These doctrines were also asserted, in 1792, by a Roman Catholic committee in Ireland, acting for and in the name of all their countrymen of that faith. And when, long afterward, in 1826, the three Irish bishops, Murray, Doyle, and Kelley, were examined before the British House of Commons on this same subject, they also unanimously affirmed the doctrines set forth by the universities. (*)

* "Papal Conspiracy Exposed," by Dr. Edward Beecher, pp. 36-40. Mr. Gladstone gives the evidence of Bishop Doyle. When asked by the committee whether the obligation of the Roman Catholic to obey the pope, divided his allegiance so as to interfere with that he owed to the State, he replied:

"I do not think it does in any way. We are bound to obey the pope in those things that I have already mentioned—[that is, in matters concerning "religious faith" and "ecclesiastical discipline"]. But our obedience to the law, and the allegiance which we owe the sovereign, are complete, and full, and perfect, and undivided, inasmuch as they extend to all political, legal, and civil rights of the king or of his subjects. I think the allegiance due to the king and the allegiance due to the pope are as distinct and as divided in their nature as any two things can possibly be."—New York Tribune, November 24th, 1874.

If the question then to be decided had been, whether or not the popes themselves had claimed and asserted their own infallibility, these inquiries would have been entirely useless. That a very large number of them had done so, directly and most explicitly, was well understood. The object of the inquiries, however, was to ascertain whether or, not the claim they set up was recognized by the Church as a part of its faith—whether or not their frequent repetition of the claim gave it the binding force of law to the whole Church. Like all other aspiring and ambitious rulers, they endeavored, at all times, to extend their power, and omitted no argument necessary to maintain it. Nor were they ever known to abate their pretensions. On the other hand, by including the deposing power in the spiritual, they had enlarged the limits of their jurisdiction so as to embrace the world. Hence, it became necessary to know to what extent the faith of the Church had been influenced by these exorbitant demands; for the plain reason that if the assertion of this enormous power, frequently repeated, by any number of popes, had ingrafted the doctrine of papal infallibility upon the canons of the Church, so that the whole membership were bound to accept it as a necessary part of the faith, then it was undoubted that the obligation of allegiance to the pope was higher and more binding than that to any nation on earth. Therefore it was necessary to ascertain whether the Roman Catholics of England and Ireland adopted or repudiated this kind of faith, so that Parliament could decide advisedly whether they should or should not be allowed to share in the management of public affairs.

It would be unjust, in the absence of all evidence to that effect, to say that they acted with duplicity by concealing their real belief. However this may have been, the answers were satisfactory, and the bill for Catholic

emancipation ultimately became a law. The object they desired was accomplished. (Any body who will examine the doctrines of the Gallican Church in France will see that the opinions here expressed agree precisely with them.)

If we are to decide upon the existence of facts not within our personal knowledge, by the settled and common-sense rules of evidence, it must be accepted as established, beyond contradiction, that, at the times referred to, the Roman Catholics of the United States, France, England, and Ireland not only did not accept papal infallibility as a part of their religious faith, but positively denied it. They constituted a very large portion of the Roman Catholic world; so large a portion that it would be absolute folly to talk about the universality of any dogma of faith which was rejected by them.

In France especially, notwithstanding Protestantism was tolerated, the Government was Roman Catholic; and to say that it could remain so, and reject so important a dogma as this, would amount to the impeachment of the integrity of the pope for not condemning it, and of the intelligence and piety of those who did so.

And in Ireland, as is well known, there has been, for several centuries, such devotion to the true faith, that no shadow of doubt has ever rested upon the loyalty of its Roman Catholic people to Rome. Shall we not accept all these people, then, as denying the pope's infallibility? If they truthfully declared the doctrine of the Church on this subject, has not the dogma of the late Council prescribed a new article of faith?

Manifestly, it has declared that to be the faith which, before its passage, was not the faith. Then it was not heresy to deny it; now it is. Then a Roman Catholic could believe it or not, as seemed fit to him; now he is anathematized if he does not believe it. It has changed his relations to the Church, and to the country in which he resides. It superadds to his obligation of allegiance to his country the obligation of a higher allegiance to the pope. It subordinates his national citizenship to his citizenship of a great ecclesiastical empire. It changes the orthodox faith into heresy. It takes away the right of individual opinion upon the very question involved, and denies any further exercise of reason. And carrying along with it all the consequences which the popes have claimed as involved in their infallibility, it requires the Church to accept, for the first time, as an absolutely necessary part of its faith, the equality of the pope with God in the government of all human affairs, within the extensive domain of faith and morals.

Is not all this new? We may readily agree that it is not so to the popes, who, like other ambitious men, are ever ready to assert doctrines designed to increase and consolidate their power. That is not the question, any more than it is now a question to decide whether kings, by the persistent assertion of the "divine light" to govern, have established a principle of law by which all mankind are to be, now and forever, held in subjugation by them. The question is, whether it is not new as the doctrine of the Church. How can it be otherwise, when the Universal Church never assented to it—when no council ever declared it as it is now declared—and when at least one ecumenical

council has expressly asserted precisely the reverse? The claim is not new, for the popes and the Jesuits have repeatedly asserted it— but the doctrine is; and it is only as doctrine that it becomes part of the faith. If, then, it is faith for the first time, it is new faith, necessarily.

But is it faith for the first time? The catechisms of the Church answer this. Previous to the late Lateran Council, there was an authorized version of catechism circulated in England which had the sanction of the highest authorities of the Church, including Dr. Manning, the great Archbishop of Westminster, wherein the following question and answer are found:

“Q. Are not Catholics bound to believe the pope in himself to be infallible?”

“A. This is a *Protestant invention*, and is no article of the Catholic faith.” (*Apud* Bishop Coxe, of Western New York, in his pamphlet entitled “Catholics and Old Catholics,” p. 15.)

And confirmatory of the fact that it was not an article of faith before the enactment of the dogma to that effect, it is well understood that a considerable number of the bishops petitioned the pope not to submit to the council his infallibility as a dogma of faith. Of these there were five archbishops and twenty-two bishops from America. (*)

* While the council was in session, Archbishop Purcell, of Cincinnati, addressed to Archbishop Dupanloup, of Orleans, France, a letter, wherein he says: “The American prelates have especial reason to hesitate upon the question of pontifical infallibility. Neither Catholics nor Protestants in our country admit that the popes have the right to depose sovereigns, to release subjects from their oath of allegiance, and to transfer, when they please, the kingdom of one prince to another. Our citizens of Irish nativity, who are the majority and chief support of the Catholic Church in the United States, will have much difficulty—*de la peine*—in admitting that Pope Adrian IV., who was an Englishman, was infallible when he gave Ireland to Henry II., King of England; on the other hand, the bulls of the popes upon this subject are so clear and positive that the defenders of pontifical infallibility in general believe themselves forced to admit the temporal sovereignty of the pope over the universe.

“Adrian IV. said most especially: ‘Ad cujus (Romane ecclesie) jus eam insulam, aliasque omnes quoe documenta fidei cepissent pertinere, nemini dubium esset’—” to which (the Roman Church) belong that island and all others which have received the faith, as no one will ever doubt.’

“That donation of Adrian IV. was confirmed by his successor, Alexander III. It is also remarkable that the modern authors who speak so high— *parlent si haut*—of the privilege of pontifical infallibility, preserve at present a profound silence upon the other privilege, which their predecessors estimated as important, and as well proven. Until now we have been permitted to say that the Catholic Church has nothing to do with these transactions, and that it is not responsible for all that the popes have done or may do. But if these pontifical decisions become articles of faith, the Archbishop of Baltimore will be placed in an embarrassing position, as well as all that has happened lately in the matter of the liberty of worship—*de la liberte des cultes*. The explanations which your lordship believed yourself obliged to give have calmed and appeased a petite tempest which threatened the Church. If our memory does not deceive us—the proof we have left behind us in the

United States—it appears to us that the Archbishop of Baltimore esteemed himself happy to be able to subscribe to your explanations when adopting them.

“The Archbishop of Baltimore tells us in his letter that he has never doubted the general belief of the Church relative to the infallibility of the vicar of Jesus Christ. In that case will it not be better to ask nothing more, and leave things where they are and where they have always been? Why does he ask for new definitions which do violence to the conscience of several of his colleagues in the episcopate? Many of us believe that ecclesiastical history, the history of the popes, the history of the councils, and tradition of the Church, are not in harmony with the new dogma, and that is why we believe that it is very inopportune to wish to define as an article of faith an opinion which appears to us to lack any solid foundation in Scripture and tradition—*dans l’Ecriture et la tradition*—while it is contradicted by many irrefragable monuments. It would be out of place to continue any longer a discussion which is the business of the council; but before concluding we cannot refrain from expressing our profound regret that the friends so devoted in appearance to the Holy See have raised by their indiscreet zeal many painful questions where religion has nothing to gain.”

This letter, written in French, was translated for and published in the Cincinnati Commercial of May 22d, 1870, and the above extract republished in the same paper of December 18th, 1874.

We shall fail to reach correct conclusions upon this subject, unless by observing the true distinction between the Church, as such, and the papacy. The former conveys the idea of universality, and includes the whole body of membership—the pope, cardinals, all the hierarchy and laymen. The latter excludes laymen from any participation in the management of Church affairs; and, if the pope’s infallibility be conceded, places the entire power and authority of the Church in his hands without any responsibility either to the Church as an organization, or to the lay members.

In the former sense, the Church has held nineteen ecumenical councils before that recently held at Rome; and from the opening of that at Nice down to the last—a period of over fifteen hundred years—it was universally understood, except by the popes themselves who succeeded Gregory VII., that whatever of infallibility it possessed was lodged in the whole body, acting through the episcopate assembled in general council, or through them and the pope acting conjointly. There is nothing in the early history of the Church contrary to this, but everything to confirm it. All the dogmas of faith express this idea in one or the other of these forms.

The seven first councils were almost entirely composed of Greeks, and were assembled by the Eastern emperors—not by the bishops of Rome. The aggregate number of bishops attending them at their different sessions was 1486, and only *twenty-six* of all these were Romans. There were only *three* Roman bishops in the Council of Nice; only *one* in each of the first of Constantinople and Ephesus; only *three* at Chalcedon; only six at the second of Constantinople; only five at the third of Constantinople; and only seven at the second of Nice. (Debate between Campbell and Purcell,” p. 45.)

The Greeks never admitted the primacy of the Bishop of Rome over the Patriarch of Constantinople. The most they ever agreed to was to concede to

him primacy of honor, but not jurisdiction. This was a point of perpetual controversy and disagreement, which continued up to the final schism. And therefore it falsifies all history to say that any of these early councils established or recognized the infallibility of the Pope of Rome. The pretense has no shadow of foundation. The Council of Nice did not even consider the assent of the pope as necessary to the infallibility of its action, and therefore did not submit its decrees to him for approval. They were communicated to him and the other absent bishops by Constantine, the emperor, "by a letter in his own handwriting." Constantine tells him that he is to receive them as a "divine injunction," because "whatever is determined in the holy assembly of the bishops is to be regarded as indicative of the Divine will." And Eusebius, in explanation of the universal Christian sentiment of the fourth century, says that the decrees of the council were confirmed and sanctioned by the emperor. (*)

* "Life of Constantine," by Eusebius, pp. 127, 132, 135. Dr. Hefele, Roman Catholic Bishop of Rottenburg. and a member of the late Lateran Council, admits that the emperors presided "at some of the first eight councils." He says, "Pope Stephen V. himself writes that the Emperor Constantine presided at the First Council of Nice, and the ancient acts of the synods frequently refer to a presidency of the emperor or his representatives."—*History of the Christian Councils*, by Hefele, Edinburgh ed., p. 28.

He does not mention the Bishop of Rome as having anything to do with them, except that, like all the other bishops, he was required to accept them as the infallible action of the council.

The First Council of Constantinople conceded to the Bishop of Rome the "place of honor" in the council, on account of the superiority of Rome over Constantinople; but did not extend his jurisdiction or concede to him any power not equally possessed by other bishops. It defined the jurisdiction of each bishop with great particularity, confining each one to his own diocese. The Bishop of Alexandria was to govern Egypt only; the bishops of the East were to govern the East, saving the ancient privileges and prerogatives of the Church at Antioch; those of Asia, their own dioceses; those of Thrace, the churches of Thrace; and those of Pontus, the churches of Pontus. Each one was expressly forbidden to interfere with the affairs of another diocese. Each province was to regulate what concerned itself. And when a bishop was accused, the accusation had to be carried to the bishops of his own province. If they could not decide, the case was to be taken to the synod of the diocese. No appeal to the Bishop of Rome is spoken of; there is not a word on the subject. ("Eccl. Hist.," by Du Pin, vol. ii., p. 273.) If there had existed any such idea as that he had supreme jurisdiction over all the churches and was infallible, these provisions would have been perfectly idle and useless.

Nothing can be inferred in favor of the pope's infallibility from the proceedings of the Council of Ephesus; but directly the contrary. That council was called by the Emperor Theodosius, without any conference with Pope Celestine I. The object of it was to deal with the heresy of Nestorius, Bishop of Constantinople. This prelate and some of his priests had insisted

that the Virgin Mary ought not to be called the Mother of God; and the heresy having reached the Egyptian churches, Cyril, Bishop of Alexandria, called a council of the bishops of his province to condemn it. After this was done the Church became much agitated, and both Nestorius and Cyril corresponded with the Bishop of Rome upon the subject. His opinion was solicited, more as an arbitrator than anything else; certainly not as a final judge. He decided against Nestorius, who appealed to a general council, which was called by the emperor. The council affirmed the decision of Celestine I. and deposed Nestorius. In this there was not a single element of infallibility recognized as being possessed by the pope. Nor was his primacy recognized. If he had possessed either, his judgment would have been executed without a general council. But it had no validity until ratified by a council, which he did not call, and over which he did not preside, either in person or by his legates, and which his legates did not attend until after Nestorius had been tried and deposed. This council reaffirmed what the first of Constantinople had done in reference to jurisdiction, by confining the bishops to their own provinces. (Du Pin, vol. iv., pp. 191-217.)

The Council of Chalcedon gives no more support to papal infallibility than any of the three preceding. Eutyches, a priest, and abbot of the monastery of Constantinople, was found guilty of heresy by a provincial council assembled in that city, and excommunicated. He appealed to a general council, and wrote to Pope Leo I. asking him not to decide the question in dispute between him and his diocesan bishop, but to give his judgment about the point of doctrine alleged to be heretical. Nor did he ask Leo to summon the council: this he solicited of the Emperor Theodosius. It was done by the emperor, who caused all the bishops, including the pope, to attend. The pope did not know of it until after it was summoned, but sent his legates. It was presided over by Dioscorus of Alexandria, by order of the emperor—the chief legate of the pope having the second place.

Its decision corresponded with that of Pope Leo in reference to the heresy of Eutyches, who had denied the two distinct natures, human and divine, in Christ; and its final result was the enactment of thirty canons. By none of these is any jurisdiction conferred upon the pope which had not already been conferred by the former councils. On the contrary, by one of them, the twenty-eighth, there were expressly conferred upon the Church of Constantinople "the same privileges with old Rome," and jurisdiction given to it over the dioceses of Pontus, Asia, and Thrace, and the churches "out of the bounds of the emperor," together with "the right to ordain metropolitans in the provinces of these dioceses." (*Ibid.*, vol. iv., pp. 218-242.)

Here, it will be observed, there is no recognition of the primacy of the Bishop of Rome over the other churches. The First Council of Constantinople had conferred upon him only "the place of honor," without interfering with the jurisdiction of any of the bishops, except to define it. This council leaves that honorary distinction undisturbed; but, when it comes to speak of "privileges" and "jurisdiction," places Rome and Constantinople upon a footing of perfect equality; thus absolutely repudiating the idea of the pope's infallibility or supremacy.

The Second Council of Constantinople was called by the Emperor Justinian, to

settle the controversy about "the three chapters." Pope Vigilius exhibited some inconsistencies during its proceedings, not being inclined to go to the whole extent of condemnation demanded by the emperor, but he finally yielded his assent to what was done. It included, however, nothing concerning his jurisdiction; for, although he was present in Constantinople during the session of the council, its proceedings were directed almost entirely by the emperor. (Du Pin, vol. v., pp. 131–146.)

The Third Council of Constantinople grew out of the controversy about the two wills of Christ, and was called by the emperor, Constantine Pogonatus, with a view to reconciling the disagreement between the Eastern and Western Christians. The emperor himself presided, although the pope had three legates present. The heresy condemned by the council had been professed over forty years before by Pope Honorius I., and, consequently, in finding Sergius, Theodorus, and others guilty of it, they included Pope Honorius by name. Its decrees were approved by Pope Agatho, who has been made a saint by the Church. So that the proceedings of this council have always been wonderfully perplexing to the advocates of papal infallibility, instead of being available to them in support of that doctrine.

How Honorius could have been infallible and yet a heretic, at the same time, is not a little puzzling. Baronius, the annalist, brought all his learning and ingenuity to bear on the question, but, as Du Pin says, his "fancy must pass for a matchless piece of rashness." (*Ibid.*, vol. vi., pp. 66–74.)

While the Jesuits have been taxing their ingenuity to escape the effect of this decree of a general council that Pope Honorius was a heretic, and its approval by Pope Agatho, the common sense of mankind has long since settled the difficulty by deciding that neither of these popes was infallible. Manifestly, the Third Council of Constantinople thought so.

Constantine Copronymus, the emperor, called a council at Constantinople to settle the dispute about the worship of images. It was afterward removed, and became the Second Council of Nice. The pope, Adrian I., sent his legates, to whom he entrusted a letter setting forth the necessity and orthodoxy of image-worship, which he traced back, of course, to Peter. The letter was addressed to the emperor, in the nature of a petition; and, among other things, entreated the emperor "to cause St. Peter's patrimony to be restored to him," and "to maintain the Church of Rome's supremacy." He exhibited the accustomed papal presumption in asserting his superiority. But, unfortunately for the cause of papal infallibility, his legates did not venture to lay this insolent demand before the council. Referring to these propositions, Du Pin says, "The pope's legates durst not, perhaps, present them to the synod in which Tarasius [Patriarch of Constantinople] presided." The council passed twenty-two canons, but none of them interfered with the jurisdiction of the churches, as previously fixed. (Du Pin, vol. vi., pp. 131–148.)

The Fourth Council of Constantinople, during the pontificate of Adrian II., was called by Basilus, the emperor, in consequence of the controversy between Ignatius and Photius, after the deposition of the former and the appointment of the latter as Patriarch of Constantinople. The pope took the side of Ignatius, and his decision was affirmed by the council. Twenty-seven

canons were enacted, but one of them, however, having any bearing on the question of the pope's supremacy. This, the twenty-first, provided, "That the pope of old Rome ought to be honored and respected in the first place, and next to him the patriarchs of Constantinople, Alexandria, Antioch, and Jerusalem."

It provides that no obloquy should be cast "against St. Peter's Holy See, the prince of the apostles," and that whosoever shall do so shall be condemned for heresy. Also, that he shall not be deposed by princes. And then it also provides as follows: "But if a general council being met, there happens any difference with the Bishop of Rome, he ought to be conferred with about the matter, and his answers be had, to make the best of it on either side, and no rash judgment to be passed against the supreme bishop." (Du Pin, vol. vii., pp. 92-98.)

Careful observation of this language will show its whole import. In the first place, following the First Council of Constantinople, it assigns the chief place of honor merely to the pope; and then, in the second place, gives as the reason for it that this precedence of honor was conferred upon Peter when he was made "prince of the apostles." But all this falls very far short of infallibility, which, besides honor, includes power and jurisdiction. And the council did not pretend, either that Peter had any superior power and jurisdiction beyond that conferred upon the other apostles, or that the pope had them in any greater degree than the other bishops. On the other hand, they, in the final clause of the canon, exclude any such idea by providing that differences existing between the pope and others may be settled by general councils, both parties being heard.

How could there be any such differences, or how could a council have jurisdiction over them if the pope was infallible? And this council, it should be observed, met in 869, long after the temporal power of the popes had begun to grow under the patronage of Pepin and Charlemagne, and just after the pontificate of Nicholas I., who had augmented the power of the papacy by means of the False Decretals. Even then the council was unwilling to surrender its supreme jurisdiction over the pope.

After the close of this council no other general one was held for nearly two hundred and fifty years. In the mean time, events of the greatest importance, bearing upon the increase of the papal power, had transpired. By the agency of Pepin and Charlemagne the popes had severed their allegiance from the emperors, and had become the acknowledged head of the Western or Latin Church, as distinct and separate from the Eastern or Greek Church. They had also succeeded in building up an immense fabric of papal power by means of false and forged decretals, which were manufactured as occasion required, to suit each exigency as it arose. And being thus separated from and independent of the Greeks, the remaining councils, covering the whole period of the Middle Ages, were held by the Latin Church, and under the immediate auspices of the popes.

True to the purpose of acquiring every possible degree of power, and of establishing their supremacy over the world, they began these Western councils at Rome, where the pope, by means of Italian influence, could

generally have his own way. We shall see, however, that, with all these advantages, slow progress was made toward papal infallibility. It took all the time from 869 to 1870—a thousand years—to find a general council with so little self-respect as to place the whole power of the Church in the hands of the pope.

The First Council of Lateran, called the Ninth Ecumenical, met during the pontificate of Calixtus II., but made no enactment in reference to the power and jurisdiction of the pope. It passed twenty-two canons, having reference to other matters. (Du Pin, vol. x., pp. 33, 34.)

The Second Council of Lateran, under Innocent II., confined itself mainly to the regulation of discipline. There seems to have been, by this time, a necessity for providing, as it did, that priests who kept concubines should not hear mass. But it also secured to them immunity from public censure by subjecting to anathema those who should abuse a clergyman. (*Ibid.*, p. 206.)

The Third Council of Lateran, under Alexander III., was professedly a reform council, designed “to reform a great number of abuses that had crept into the Church,” and also to condemn heresies. By this time the power of the papacy had nearly reached its culmination, and Alexander III. was not the kind of pope to permit any abatement of it. Not one of the twelve popes between him and Gregory VII. equaled him in ambition or strength of will; and not one among all his predecessors was more fitted than he to prepare the way for those events which were soon to transpire under Innocent III.

While this council asserted nothing in reference to the pope’s supremacy, it enacted twenty-seven disciplinary canons, some of which were pointed at existing abuses. It went somewhat farther than that immediately preceding, in the recognition of principles asserted in the False Decretals. It anathematized those laymen “who exact duties and lay taxes on the churches, and on ecclesiastical persons;” and those who should dare to “summon clergymen before their judges” in the secular courts. It relaxed nothing whatever in the work of establishing, papal supremacy, while it omitted any avowal of it. (Du Pin, vol. x., pp. 207–209.)

The practice of publishing what are called “papal constitutions” along with the proceedings of councils, seems, however, to have been then introduced. These consist of the briefs, bulls, and encyclical letters of the popes, wherein they asserted their own supremacy, and occasionally their infallibility. They were designed, of course, to maintain “the immunities of the Church,” by making the power of the popes, in its government, superior to all other.

The object to be accomplished by their publication in this form was, manifestly, to give to them a sort of consular sanction, in order that the Church might, in the end, be brought to the point of accepting them as of equal obligation with the canons of councils. The process was simple, and the argument plain. The False Decretals had furnished the claims of authority set up by the popes from Clement to Siricius, and these “constitutions” were such as the popes had made since then; and as they all claimed supremacy and infallibility, therefore they were supreme and infallible! Hence we find

annexed to the proceedings of this council "a large collection of divers constitutions of Alexander III. and of the popes who preceded," and, subsequently, of those also who "succeeded him," which are published "as a sequel to this council." (*Ibid.*, p. 209.)

The proceedings of the Fourth Lateran Council exhibit the unbounded ambition of Innocent III., under whose pontificate it was held. There we find the celebrated third canon, which makes the persecution and extirpation of heretics a religious duty, which yet remains the law of the papacy. By this time the claim of supremacy made, and so frequently repeated by the popes, was considered to have the sanction of the Church, because there was no formidable resistance to it. Acquiescence was inferred from silence.

Innocent III. availed himself of this, in order that the practice of asserting this claim in papal "constitutions" should become ripened into the force of law. He, accordingly, is the first pope who boldly and openly struck at the independence of a general council; and he was not accustomed to aim his blows ineffectually. Seventy canons were passed without debate, which "were already drawn up" by him when the council assembled in Rome. There was no deliberation or debate about them. They were laid before the council by the pope, who "ordered them to be read;" but they were not acted on. But because the prelates did not openly resist and denounce them, "their silence was taken for an approbation;" a rule of procedure yet adhered to.

Among these canons we find it avowed, for the first time in the proceedings of a general council, that "the Church of Rome" has "the primacy over all other churches according to the appointment of our Saviour;" that they all owe "obedience to the Holy See;" and that the pall received from Rome is "the ensign of the plenitude of the pastoral power." This bold avowal was not made, therefore, till the thirteenth century; but even then, when the world was enveloped in the thick mist of the Middle Ages, it stopped somewhat short of the claim of the pope's personal infallibility. Innocent III. was undoubtedly ready to carry it to that extent, but, with all his daring, he was not prepared to ask of a general council a direct decree to that effect.

It will be perceived that the primacy asserted was alleged to be in "the Church of Rome," not in the pope. It manifestly designed to consider the Church to be, according to the invariable custom, the whole body of Christians, as represented by the universal episcopate in general council; and that the pope, in asserting this primacy, should act within the limitations fixed by the Church. Otherwise, many of the canons would have been useless—especially the forty-fourth. This canon solemnly declares, "That the constitutions of princes which are prejudicial to the rights of the Church shall not be observed, whether they be for the alienation of fiefs, or for the encroaching on the ecclesiastical jurisdiction, or for any other goods."

If the council had intended to change the deposit of infallibility from themselves, as representing the Church, to the pope alone; or if the pope had thought it expedient to have his personal infallibility distinct from that of the council openly acknowledged, there would have been no necessity for this canon. The principle asserted in the canon was considered necessary to the

Church, and as requiring the stamp of infallibility upon it, in order that it should stand throughout all time. To give it this, the consent of the council was necessary; and that not having been withheld, this canon is one of those which the present pope is desirous of enforcing, and with reference to which the late council must be considered to have acted. (Du Pin, vol. xi., pp. 95-103.)

The principal object of the First Council of Lyons, under Innocent IV., was to decree a general crusade. And although much may be inferred from its silence, under the then existing state of affairs, yet it made no decree about primacy, supremacy, or infallibility. It, however, gave its sanction to the bull of the pope which deposed the Emperor Frederick and released his subjects from their allegiance; from which it is fair to suppose that both the pope and the council considered this sanction as necessary to give that act the ratification of the Church. Be this as it may, the stamp of infallibility was also given in this mode to the right of deposing monarchs and releasing their subjects from their allegiance, and that principle, with the approbation of this council, took its place among the canons of the Church, where it has ever since remained. (*Ibid.*, pp. 6-8, 114, 115.).

The Second Council of Lyons, under Gregory X., was called with reference chiefly to a reunion with the Greek Church; which fact will sufficiently account for its silence in reference to papal infallibility, primacy, etc. Its doctrinal decrees had reference to the procession of the Holy Spirit, though it passed a number of a disciplinary character and upon general subjects. (*Ibid.*, pp. 123,124.)

The Council of Vienne was assembled under Clement V. This pope had reached the pontificate by a corrupt bargain with Philip, King of France, by which he solemnly pledged himself that, if elected, he would cause Pope Boniface VIII. to be declared infamous. He was one of those who held the corrupt papal court at Avignon, in France, and who contributed his full share toward causing it to be esteemed the most prostituted place in Europe; so much so that Bishop Durandi said of it that it was "the retreat of dragons, the place of resort of satyrs, and the kingdom of demons."

Clement V. called this council to avoid, if possible, the fulfillment of his promise to Philip, as he hoped to find shelter behind its unwillingness to defame a former pope. He succeeded so far as to pacify the king by issuing a bull to the effect that all the former bulls of Boniface against him should be held void. The council did nothing but pass some canons concerning the faith, and others condemning and anathematizing some heretics. With its proceedings, however, there were published a number of "papal constitutions," after the practice introduced by other popes, all tending to increase the power of the papacy. Some of these by Clement V. himself only go to show how entirely impossible it was for such a man to be infallible: it is scarcely possible they could ever have been accepted by the Church, or that any general council would have allowed them a moment's consideration.

Among those given by Du Pin are such as these: that as man may reach perfection in this life, when he has done so, he "may freely allow his body what he pleases;" that he is not then "obliged to obey, or tied to practice,

the principles of the Church;" "that to kiss a woman is a mortal sin, but the carnal knowledge of her is no sin," etc., etc. This latter papal precept was probably designed as a shield for his intercourse with the beautiful Countess de Foix. (*)

* Du Pin, vol. xii., pp. 95, 96; Cermenin, vol. ii., pp. 39–44. Weninger is not content with referring to the claim of infallibility made by Pope Clement V. in his own behalf, but refers also to these "Clementine enactments," or constitutions of Clement V., to show that he was infallible!—WENINGER, pp. 143, 144.

This Council of Vienne was the fifteenth recognized as ecumenical, and the last which preceded that at Constance. Neither by any of its decrees, nor by any of those assembled before it, was there any direct averment to the effect that the pope was infallible. With all of them infallibility was lodged in the collective Church, and nowhere else. But so frequently had some of the most ambitious and pretentious popes endeavored to assert it for themselves independently of the Church, acting as an organized body, and by this means to enlarge the circle of their admitted spiritual primacy so as to make it broad enough to include jurisdiction over temporals, that it became absolutely necessary to the peace and welfare of the Church, that the Council of Constance should grapple directly with the question and put it at rest.

It did endeavor to do so, as we have already seen, by deposing one pope and declaring the superiority of a general council over all of them. This was undoubtedly the voice of the Church, declared in the only recognized mode, and was accepted as such by all but the popes themselves, and their special adherents in Italy, where their power was omnipotent. They were not disposed to rest long under this direct censure of a general council; for even Martin V., who accepted from it the place of the deposed pope, so soon as he could get away from its immediate influence, commenced a series of measures designed expressly to reverse its decisions and bring it into disrepute. In this he was sympathized with by Eugenius IV., his immediate successor, under whose pontificate the Council of Florence was held, only seventeen years after the Council of Constance.

To this council we are now referred by all the defenders of papal infallibility, in proof that this doctrine has always been recognized by the Church as a part of its faith. From that time they trace it down to the present, through the councils of the Fifth Lateran and of Trent, to show that the late council—the Sixth Lateran—did not introduce any new dogma, but only gave expression to the faith which had always and everywhere existed. This pretense requires a minute examination, somewhat more in detail; but in order to see that it is a pretense, and nothing more, it is only necessary to observe the manner in which the Jesuit writers dispose of the Council of Constance. Whether in doing this, mendacity or ingenuity prevails the most, the reader must judge for himself.

Passing by the equivocations of Weninger—from whose book repeated quotations have already been made—and his flagrant suppression of important facts necessary to a correct understanding of the Council of Constance, let us come directly to the important points of his explanation. He says that in

condemning the heresy of the Wycliffites, the council "did not pronounce new ecclesiastical censures against them, but contented themselves with reminding the faithful that the sect and its infamous doctrines had been previously condemned by the decisions of the Holy See. These decisions are irrefragable, remarks the council, because it is impossible that the Apostolic See—that is to say, the pope—should err." ("Apostolical and Infallible Authority of the Pope," by Weninger, pp. 145, 146.)

It requires but a moment's thought to see that it was impossible, in the very nature of things, for the fathers of Constance to have stultified themselves by any such declaration as this. It would have been as diametrically opposed to what they actually did, as darkness is to light. They had tried, condemned, and deposed John XXIII., a lawful pope, for innumerable crimes, including heresy; and to have followed such an act with the assertion that it was impossible that "the pope should err" would have made them the laughing-stock of all Europe.

But it is not necessary to argue upon general principles to show how entirely this assertion of Weninger is without any fact to support it. Du Pin says, the decree of the Council of Constance "concerning the authority of the council above the pope did plainly decide the question, and subjected the pope, as well as to faith as manners, to the judgment of a general council;" which applied not only to times of schism, or where there were rival popes," but generally in all other cases."And he gives the reason for this decision: "Because they deduce the authority of the council above the pope from its representation of the Church, and from its infallibility."

And when speaking of the bull of Martin V. against the errors of the Wycliffites, he says also, that, in the forty-first decree, "the authority of the Universal Church is distinguished from that of the pope; and there it is ordained that the Universal Church, or the General Council, have a *sovereign authority indefinitely*; whereas 'tis only said of the pope that he hath a primacy over other particular churches, which amounts to the same thing with the decision of the council." (Du Pin, vol. xiii., p. 15.)

This same author asserts, moreover, that, after Martin V. had been elected by the Council of Constance, and while it was yet in session, he issued a bull prohibiting all appeals from the pope to any other tribunal, and that it was approved by the council. The words of this bull given by him are these:

"It is not lawful for any person to appeal from the Roman pontiff, who is the supreme judge and the Vicar of Christ on earth, or by subterfuge to elude his judgment in matters of faith." (Weninger, p. 147.)

This statement is untrue, or else Du Pin did not understand, or has perverted the facts—neither of which is probable. When the Council was nearly drawn to a close, a question arose about which there was so much disagreement that the ambassadors of Poland talked about appealing to a future council—a remedy in entire accord with the common sentiment of the time. Martin V., like some of his predecessors, was disposed to avail himself of every opportunity to resist this idea, so as to concentrate all the power of the Church in his own hands, and accordingly issued the bull alluded to, notwithstanding, as was

then declared, it was directly contradictory of what the council had decreed. But it did not receive the sanction of the council, as Weninger asserts. On the other hand, if the council had acted upon it, there can be no reasonable doubt that it would have been not merely rejected, but sternly condemned. Du Pin says: "However, the bull of Martin V. containing the prohibition of appealing to the council was not read, nor approved, in this session of the council, but published in a private assembly of the cardinals;" (Du Pin, vol. xiii., p. 24.) that is, sent out as the popes have generally promulgated their "constitutions," with the hope that, in the course of time, their custom of asserting universality of power would ripen into the force of law. They understood full well the nature and import of that principle of their Church organization which construes silence into acquiescence—as do also the hierarchy of the present day. And they acted upon this principle, if not with impunity, at least with courage, until at last it has come to be a part of the settled faith of the Church that no layman has any right to inquire by what authority a papal decree has been issued, or to what extent it goes, or what it commands to be believed or done, but is bound to accept it as true and obey it accordingly, without any regard to whatsoever human power and authority it may defy.

Notwithstanding the contrary assertion of Weninger and other Jesuits, no man can study the history of the Council of Constance without seeing that the infallibility of the pope was directly contradicted by it—not merely by the act of deposing an obnoxious and heretical pope, and electing another in his place, but by the enactment of a decree to that effect, which was approved by Martin V. And if it be true, as alleged, that Martin V., after approving this decree, endeavored to counteract its effect by a papal bull—of which there seems to be no doubt—he is presented to all impartial minds in the attitude of having played a double part—of having misled the council by the pretense of approving what it did, while, at the same time, he cherished the purpose of resisting it at the earliest opportunity.

But this is nothing new in the conduct of the popes, who, in building up the wonderful system of the papacy, have taken care to reserve to themselves the right of doing whatsoever they may suppose the interest of the Church requires, without any regard whatever to what they themselves or any others may have done or said. Martin V. found ample justification for his duplicity in the example of many of his predecessors, and only increased the number of those popes whose conduct has since added to the significance of the precedent.

Continued in [Chapter XXI. Disputes About Papal Authority](#)