

MT. ST. MICHAEL

Tuesday Evening Doctrine Classes – 6:30-7:30 p.m.

CATHOLIC DOCTRINE ON THE PAPACY

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January 15, 2019

NATURE & EXTENT OF PAPAL POWER

From 1911 *Catholic Encyclopedia* article on “The Pope”

This section is divided as follows:

1. **the pope's universal coercive jurisdiction**
2. **the pope's immediate and ordinary jurisdiction in regard of all the faithful, whether singly or collectively**
3. **the right of entertaining appeals in all ecclesiastical causes.**

THE POPE'S UNIVERSAL COERCIVE JURISDICTION

Not only did Christ constitute St. Peter head of the Church, but in the words, "Whatsoever thou shalt bind on earth, it shall be bound also in heaven; and whatsoever thou shalt loose on earth, it shall be loosed in heaven," He indicated the scope of this headship.

The expressions *binding* and *loosing* here employed are derived from the current terminology of the Rabbinic schools. A doctor who declared a thing to be prohibited by the law was said to *bind*, for thereby he imposed an obligation on the conscience. He who declared it to be lawful was said to *loose*. In this way the terms had come respectively to signify official commands and permissions in general. The words of Christ, therefore, as understood by His hearers, conveyed the promise to St. Peter of legislative authority within the kingdom over which He had just set him, and legislative authority carries with it as its necessary accompaniment judicial authority.

Moreover, the powers conferred in these regards are plenary. This is plainly indicated by the generality of the terms employed: "*Whatsoever* thou shalt bind . . . *Whatsoever* thou shalt loose"; nothing is withheld. Further, Peter's authority is subordinated to no earthly superior. The sentences which he gives are to be forthwith ratified in heaven. They do not need the antecedent approval of any other tribunal. He is independent of all save the Master who appointed him. The words as to the power of binding and loosing are, therefore, elucidatory of the promise of the keys which immediately precedes. They explain in what sense Peter is governor and head of Christ's kingdom, the Church, by promising him legislative and judicial authority in the fullest sense. In other words, Peter and his successors have power to impose laws both preceptive and prohibitive, power likewise to grant dispensation from these laws, and, when needful, to annul them. It is theirs to judge offences against the laws, to impose and to remit penalties. This judicial authority will even include the power to pardon sin. For sin is a breach of the laws of the supernatural kingdom, and falls under the cognizance of its constituted judges. The gift of this particular power, however, is not expressed with full clearness in this passage. It needed Christ's words (John 20:23) to remove all ambiguity. Further, since the Church is the

kingdom of the truth, so that an essential note in all her members is the act of submission by which they accept the doctrine of Christ in its entirety, supreme power in this kingdom carries with it a supreme magisterium — authority to declare that doctrine and to prescribe a rule of faith obligatory on all. Here, too, Peter is subordinated to none save his Master alone; he is the supreme teacher as he is the supreme ruler. However, the tremendous powers thus conferred are limited in their scope by their reference to the ends of the kingdom and to them only. The authority of Peter and his successors does not extend beyond this sphere. With matters that are altogether extrinsic to the Church they are not concerned.

Protestant controversialists contend strenuously that the words, "Whatsoever thou shalt bind etc.", confer no special prerogative on Peter, since precisely the same gift, they allege, is conferred on all the Apostles (Matthew 18:18). It is, of course, the case that in that passage the same words are used in regard of all the Twelve. Yet there is a manifest difference between the gift to Peter and that bestowed on the others. In his case the gift is connected with the power of the keys, and this power, as we have seen, signified the supreme authority over the whole kingdom. That gift was not bestowed on the other eleven: and the gift Christ bestowed on them in Matthew 18:18, was received by them as members of the kingdom, and as subject to the authority of him who should be Christ's vicegerent on earth. There is in fact a striking parallelism between Matthew 16:19, and the words employed in reference to Christ Himself in Apocalypse 3:7: "He that hath the key of David; he that openeth, and no man shutteth; shutteth, and no man openeth." In both cases the second clause declares the meaning of the first, and the power signified in the first clause by the metaphor of the keys is supreme. It is worthy of note that to no one else save to Christ and His chosen vicegerent does Holy Scripture attribute the power of the keys.

Certain patristic passages are further adduced by non-Catholics as adverse to the meaning given by the Church to Matthew 16:19. St. Augustine in several places tells us that Peter received the keys as representing the Church — e.g. *Tractate 1 on the Gospel of John*, no. 12: "Si hoc Petro tantum dictum est, non facit hoc Ecclesia . . . ; si hoc ergo in Ecclesia fit, Petrus quando claves accepit, Ecclesiam sanctam significavit" (If this was said to Peter alone, the Church cannot exercise this power . . . ; if this power is exercised in the Church, then when Peter received the keys, he signified the Holy Church); cf. *Tractate 124 on the Gospel of John*, no. 5; *Sermon 295*. It is argued that, according to Augustine, the power denoted by the keys resides primarily not in Peter, but in the whole Church. Christ's gift to His people was merely bestowed on Peter as representing the whole body of the faithful. The right to forgive sins, to exclude from communion, to exercise any other acts of authority, is really the prerogative of the whole Christian congregation. If the minister performs these acts he does so as delegate of the people. The argument, which was formerly employed by Gallican controversialists (cf. Febronius, "De statu eccl.", 1:76), however, rests on a misunderstanding of the passages. Augustine is controverting the Novatian heretics, who affirmed that the power to remit sins was a purely personal gift to Peter alone, and had disappeared with him. He therefore asserts that Peter received it that it might remain for ever in the Church and be used for its benefit. It is in that sense alone that he says that Peter represented the Church. There is no foundation whatever for saying that he desired to affirm that the Church was the true recipient of the power conferred. Such a view would be contrary to the whole patristic tradition, and is expressly reprobated in the Vatican Decree, cap. 1.

It appears from what has been said that, when the popes legislate for the faithful, when they try offenders by juridical process, and enforce their sentences by censures and excommunications, they are employing powers conceded to them by Christ. Their authority to exercise jurisdiction in this way is not founded on the grant of any civil ruler. Indeed the Church has claimed and exercised these powers from

the very first. When the Apostles, after the Council of Jerusalem, sent out their decree as vested with Divine authority (Acts 15:28), they were imposing a law on the faithful. When St. Paul bids Timothy not receive an accusation against a presbyter unless it be supported by two or three witnesses, he clearly supposes him to be empowered to judge him *in foro externo*. This claim to exercise coercive jurisdiction has, as might be expected been denied by various heterodox writers. Thus Marsilius Patavinus (*Defensor Pacis* 2:4), Antonius de Dominis (*De rep. eccl.* 4:6-7, 9), Richer (*De eccl. et pol. potestate*, 11-12), and later the Synod of Pistoia, all alike maintained that coercive jurisdiction of every kind belongs to the civil power alone, and sought to restrict the Church to the use of moral means. This error has always been condemned by the Holy See. Thus, in the Bull "*Auctorem Fidei*", Pius VI makes the following pronouncement regarding one of the Pistoian propositions:

[The aforesaid proposition] in respect of its insinuation that the Church does not possess authority to exact subjection to her decrees otherwise than by means dependent on persuasion: so far as this signifies that the Church "has not received from God power, not merely to direct by counsel and persuasion but further to command by laws, and to coerce and compel the delinquent and contumacious by external and salutary penalties" [from the brief "*Ad assiduas*" (1755) of Benedict XIV], leads to a system already condemned as heretical.

Nor may it be held that the pope's laws must exclusively concern spiritual objects, and their penalties be exclusively of a spiritual character. The Church is a perfect society (see *THE CHURCH*, XIII). She is not dependent on the permission of the State for her existence, but holds her charter from God. As a perfect society she has a right to all those means which are necessary for the attaining of her end. These, however, will include far more than spiritual objects and spiritual penalties alone: for the Church requires certain material possessions, such, for example, as churches, schools, seminaries, together with the endowments necessary for their sustentation. The administration and the due protection of these goods will require legislation other than what is limited to the spiritual sphere. A large body of canon law must inevitably be formed to determine the conditions of their management. Indeed, there is a fallacy in the assertion that the Church is a spiritual society; it is spiritual as regards the ultimate end to which all its activities are directed, but not as regards its present constitution nor as regards the means at its disposal.

The question has been raised whether it be lawful for the Church, not merely to sentence a delinquent to physical penalties, but itself to inflict these penalties. As to this, it is sufficient to note that the right of the Church to invoke the aid of the civil power to execute her sentences is expressly asserted by Boniface VIII in the Bull "*Unam Sanctam*". This declaration, even if it be not one of those portions of the Bull in which the pope is defining a point of faith, is so clearly connected with the parts expressly stated to possess such character that it is held by theologians to be theologically certain (Palmieri, "*De Romano Pontifice*", thes. 21). The question is of theoretical, rather than of practical importance, since civil Governments have long ceased to own the obligation of enforcing the decisions of any ecclesiastical authority. This indeed became inevitable when large sections of the population ceased to be Catholic. The state of things supposed could only exist when a whole nation was thoroughly Catholic in spirit, and the force of papal decisions was recognized by all as binding in conscience.