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INFALLIBILITY IN THE CONTEXT OF THREE CONTEMPORARY DEVELOPMENTS

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NESSENTIAL FEATURE OF THE CATHOLIC FAITH IS THAT THE AUTHORITY OF CHRIST is mediated through the apostolic succession interpreting Scripture and Tradition throughout time. Such an understanding is rooted in a sacramental view of reality that sees the human realm as capable of mediatorship, of bearing truth and grace. The apostolic succession consists of human beings specially guided by the Holy Spirit, and when we turn to the Magisterium, we are turning to the apostolic succession living in our own time.¹ However, not everything said by Popes and bishops throughout the centuries is an infallible interpretation of Scripture and Tradition. How can we tell what does and does not belong in the category of infallible teaching? In this regard, three issues are of particular interest today. First, are some matters relating to moral theology, especially some absolute moral norms, infallible? Second, is the recent teaching on the ordination of women infallible? Third, how ought we assess the recent appeal to Pope John Paul II to define as Dogma the teaching of Mary as Coredemptrix? My purpose here is to provide a basic introduction to the question of infallibility and to address these three disputed questions.

THE VARIOUS “VOICES” OF THE MAGISTERIUM

Vatican II was careful to point out exactly when and where the voice of the Magisterium speaks infallibly. The varying “voices” of the Magisterium are spelled out in *Lumen Gentium* 25. Let us begin with an explanatory outline of that important article, looking to those three places (indicated by asterisks) where the Magisterium speaks infallibly. This outline also serves to help understand Pope John Paul II’s recent Apostolic Letter *Ad Tuendam Fidem*, which serves as a further refinement of *Lumen Gentium* 25.

I. The Extraordinary Magisterium (as distinguished from the ordinary Magisterium in item 11 of the outline) “Extraordinary” and “ordinary” refer to the manner in which a truth is stated, whether that truth be infallible or not. An ecumenical council by its nature allows an extraordinary manner of teaching, as does an *ex cathedra* papal statement. Hence, the extraordinary Magisterium consists of a papal and an episcopal dimension:

*****A. The Extraordinary Papal Magisterium**

Here, the pope acts alone and speaks *ex cathedra* (“from the chair”) in defining a dogma.² According to a majority theological opinion, this has occurred two times: when the Immaculate Conception was defined in 1854 by Pius IX (*Ineffabilis Deus*); and when the Assumption was defined in 1950 by Pius XII

(*Munificentissimus Deus*).³ Regarding our three areas of concern: i) No matter regarding morality has been defined in this manner. ii) As regards the male priesthood, there are some who hold that the centerpoint of *Ordinatio Sacerdotalis* represents a third instance of an *ex cathedra* statement, but the more common opinion is that the ruling stopped just short of such a statement, as discussed below. iii) A recent request was made that the pope raise the teaching of Mary as Coredemptrix to the level of a definition. This has not occurred, nor is it likely to occur soon.

B. The Extraordinary Episcopal Magisterium

***1. Bishops gathered in ecumenical councils can

define dogmas. At the twenty-one ecumenical councils held throughout Christian history, certain items have been infallibly defined.

Consider Chalcedon's (451) definition of the two natures of Christ, or Trent's (1561) definition of the seven sacraments. One Marian dogma was defined in this manner: the Council of Ephesus, against the Nestorian position, defined Mary as Theotokos, Mother of God.⁴

While the nature of the priesthood has been defined, nothing has been defined regarding the relationship of the priesthood and gender, or regarding morality. We owe an "assent of faith" to all matters infallibly defined. The teaching on Mary as Coredemptrix remains undefined.

2. Proclaiming the Gospel and giving pastoral directions.

Many non-infallible items are also dealt with at councils.⁵ Some deal with matters of faith and morals, while others are of a disciplinary or prudential nature. While these might be related to infallible doctrines, they are not in themselves infallible. For instance, the majority of documents from Vatican II are of this nature. *Dignitatis Humanae* (The Decree on Religious Freedom), for example, rests upon the dogma that the Catholic Church is the true Church of Christ, but goes on to speak of political matters, an area on which the Church's infallible authority does not come to bear.⁶ We owe a "religious submission" or a "reverent obedience" (*obsequium religiosum*) of mind and will to such matters.

II. THE ORDINARY MAGISTERIUM

A. The ordinary papal Magisterium consists in Popes teaching "authentically," usually in documents such as encyclicals or apostolic exhortations. These documents may contain truths that are taught infallibly, but the documents as a whole are not infallible. Rather, they require the "assent of mind and will" of the faithful, an assent which is distinct in nature from the "assent of faith" required of items infallibly taught. *Humanae Vitae*, for instance, is not an infallible document.⁷ It contains ideas which require respectful assent but which, while not being erroneous, may be incomplete or partially flawed. However, in article 12 the pope touches upon a matter that, it can be argued, is infallibly taught: the inseparability of the unitive and procreative dimensions of each conjugal act.⁸ Hence, the evil of contraception can be said to be taught infallibly. Likewise, *Inter Insigniores* (On Reserving Priestly Orders to Men Alone) is not an infallible document. However, it may contain certain matters that, it can be argued, are infallibly taught. In sum, non-infallible documents can contain items that are infallibly taught or defined.



The Council of Trent (1561)

B. The Ordinary Episcopal Magisterium: Bishops teaching non-universally and universally.

1. Non-universally. Non-universal episcopal teaching occurs when bishops teach on items specific to their geographical location. They are not teaching on a matter which all bishops everywhere would necessarily recognize as true. This can occur either alone, such as when a single bishop appeals to a state official to not use the death penalty, or in episcopal conferences, such as when the U.S. bishops promulgated their pastoral letters on War and Peace, and on the Economy. Again, they might refer to items that are infallibly taught or defined, but their teaching as a whole is not infallible.

*****2. Universally.** This is the most delicate category, which the next section of the paper treats. When the bishops gathered throughout the world have at some time agreed on a matter of divine revelation, dealing with faith or morals, to be held definitively, such agreement constitutes infallible teaching and is irreversible. Various contemporary issues, such as the three discussed here, have given theologians an opportunity to further refine the exact meaning of this category.⁹

In sum, there are a variety of levels on which the Magisterium speaks. Three of these, asterisked in the outline above, constitute infallible teaching. Before exploring the last category in more detail, let us briefly consider the treatment of these matters in the *Catechism* and in *Ad Tuendam Fidem*.

The *Catechism of the Catholic Church* provides a short summary of these key points of *Lumen Gentium* 25 in sections 890-91, and regarding moral matters in 2032-40. Interestingly, the infallibility of the ordinary universal episcopal Magisterium is not clearly delineated in these paragraphs, but rather is tacitly noted. 2034 states that “The ordinary and universal *Magisterium* of the Pope and the bishops in communion with him teach the faithful the truth to believe, the charity to practice, the beatitude to hope for.” Then, 2035 notes that the charism of infallibility (no further distinctions) extends to the realm of morals (and in 2036 to the realm of the natural law). One may conclude that since moral matters are not taught infallibly by the extraordinary episcopal or papal magisteria, they must be taught infallibly by the ordinary universal episcopal Magisterium.

In his recent letter, *Ad Tuendam Fidem*, Pope John Paul II made it clear and fixed it more firmly in Canon Law that Catholic theologians must align themselves with the Magisterium on all matters of faith and morals. Many theologians had erroneously held that only the most fundamental dogmas, or only those formally defined by the extraordinary Magisterium, required assent. *Ad Tuendam Fidem* lends further refinement to *Lumen Gentium* 25, noting that of all the matters that are taught or defined infallibly, a further distinction can be made between the primary and secondary objects of infallibility. Doctrines placed under the primary object of infallibility, technically called dogmas, are those which are formally revealed, that is, are part of the deposit of faith as found in the Word of God. The assent of faith given to these dogmas is based on the Word of God itself. Doctrines placed under the secondary object of infallibility are those necessary for understanding and expanding that deposit of faith. The assent of faith given to these doctrines is based on confidence in the Holy Spirit’s guidance of the Magisterium.¹⁰ Still another distinction is made regarding the secondary object: some such doctrines are connected to the deposit of faith by historical relationship, and others by logical relationship.

It is on the last point of the outline that we must expound at some length, for it is on this level that some moral matters, possibly the doctrine on male priesthood and the doctrine of Mary as Coredemptrix, are infallibly taught. Again, when a) all bishops throughout the world, at any particular time in history, have b) concurred on some matter of faith and morals, and c) teach it definitively, then that matter is considered to be infallibly *taught*. Note that it is not defined infallibly, as would be the case if there were an exercise of the *extraordinary* Magisterium as indicated in the outline. Whether taught infallibly or *defined* infallibly, the matter is just as infallible.¹¹ Consider an analogy. In a classroom, a professor might state certain instructions in an extraordinary way by using special means of emphasis. For example, he might carefully define on the course syllabus the method of grading or the course requirements. Other items, of equal or even greater importance, may be taught in an entirely ordinary way (e.g., advice on how to study for an exam), or because they are such obvious points are not stated at all but are taught implicitly (e.g., respecting one another’s contributions in class). Analogously, the Church both *defines* certain matters infallibly in an extraordinary way and teaches other matters infallibly in an ordinary way.



Matters that are *defined* infallibly usually were taught infallibly prior to the extraordinary definition. Often what causes a matter to be raised to the level of an infallible definition is some type of crisis requiring a more official definition. It is always a question of prudence as to whether or not to define a matter that is already infallibly taught by the ordinary universal episcopal Magisterium.¹²

The recent encyclical *Evangelium Vitae* could have been the context within which the pope defined infallibly the Church’s teaching on the sanctity of human life, on abortion, and on euthanasia. Instead, the pope (wisely in this author’s opinion) used the encyclical to point out, in the midst of carefully reasoned argumentation, that these matters are already *taught* infallibly by the ordinary universal episcopal Magisterium. Likewise, the general opinion is that the pope could have used the occasion

of *Ordinatio Sacerdotalis* to formulate an ex cathedra infallible definition, but he chose not to for prudential reasons.¹³ And finally, the pope was asked to define the dogma of Mary as Coredemptrix, but for prudential reasons to be discussed he did not pursue the matter.

If some bishops today have taught otherwise, they themselves stand in conflict with the tradition, and in a sense are standing outside the apostolic tradition at least on a particular issue. While we must not agree with them as regards their dissenting position, we still owe them our respect as members of the apostolic succession who guard the deposit of faith in many other (usually most other) respects.

EXAMPLES FROM *EVANGELIUM VITAE*

Let us consider the specific language used (and not used) in *Evangelium Vitae*. The infallibility of three matters is dealt with: the sanctity of human life (article 57), the evil of abortion (article 62), and the evil of euthanasia (article 65). The same basic argument and language is used for each of the three. Consider the argument regarding the sanctity of life:

Faced with the progressive weakening in individual consciences and in society of the sense of the absolute and grace moral illicitness of the direct taking of all innocent human life, especially in its beginning and at its end, the Church's Magisterium has spoken out with increasing frequency in defense of the sacredness and inviolability of human life. The Papal Magisterium, particularly insistent in this regard, has always been seconded by that of the Bishops, with numerous and comprehensive doctrinal and pastoral documents issued either by Episcopal Conferences or by individual bishops. The Second Vatican Council also addressed this matter forcefully, in a brief but incisive passage [the reference is to *Gaudium et Spes* 27.]

So far, the text has made reference to the ordinary papal Magisterium (not infallible in and of itself) and the non-universal episcopal Magisterium (also not infallible in and of itself). The point is that popes and bishops have consistently and definitively spoken out in defense of the sanctity of life.

This is the backdrop against which one can go on to determine whether this matter may be infallibly taught by the ordinary universal episcopal Magisterium. In the

next part of the text, the pope confirms that this is the case. He is not defining infallibly, but rather is *confirming* that this matter is already taught infallibly by the ordinary universal episcopal Magisterium:

Therefore, by the authority which Christ conferred upon Peter and his successors, and in communion with the bishops of the Catholic Church, I confirm that the direct and voluntary killing of an innocent human being is always gravely immoral. This doctrine, based upon that unwritten law which man, in the light of reason, finds in his own heart (cf. Rom 2:14-15) is reaffirmed by Sacred Scripture, transmitted by the Tradition of the Church, and taught by the ordinary and universal Magisterium [a reference is then made to *Lumen Gentium* 25].

Hence, we find a clear statement (a reminder) that these moral matters are taught (not defined) infallibly. Any other moral matters that have infallible status are taught, not defined, infallibly by the ordinary universal episcopal Magisterium. Other examples are those issues rooted in the Church's teaching on the nature of the conjugal act as unitive and procreative, such as homosexual acts, adultery and fornication, contraception and sterilization, autoeroticism, and certain new birth technologies.

THE MOST POPULAR OPPOSING ARGUMENT

This is an opportune occasion to unmask one of the most popular arguments put forth by those claiming that no matters of morality belong to the infallible Magisterium.¹⁴

a) It is argued that no matters of morality have ever been defined infallibly by the Magisterium.

b) Therefore, all matters of morality are in the realm of fallible teachings that do not demand our assent of faith, but rather assent of mind and will.

c) Such teachings have changed in the past. For instance, the teaching that condemned religious liberty was not infallible, and it changed at Vatican II.

d) We are in the midst of another such change regarding the issue of contraception and other related issues. Hence, while giving due respect to the Magisterium, it is legitimate to dissent from these teachings.

Points "a" and "b" are correct in what they state, but err by omission. Matters of morality have not been defined infallibly, but they have been taught infallibly. One whole category of infallible teaching is ignored in

this argument. Point “c” is erroneous because those moral matters infallibly taught have not been changed, and the fact that non-infallible matters like religious liberty have changed is not a problem precisely because such teaching belongs in a different category, demanding a different type of assent. Finally, point “d” is a false conclusion because some of its premises are false, irrelevant, or incomplete.

THE MALE PRIESTHOOD: INFALLIBLY TAUGHT?

What about the doctrinal status of the male priesthood? Until June of 1994, the question of the doctrinal status of the male priesthood was unresolved. Since it had not been challenged before recent decades, the Church had not had an opportunity for careful theological reflection on the nature of maleness and femaleness and how that might affect the priesthood. Certainly the current crisis has born and will continue to bear fruit in that regard. Up until *Ordinatio Sacerdotalis*, it was a tenable theological opinion, but not a definitive conclusion, that the doctrine was infallibly taught. Those in legitimate doubt about the infallibility of such teachings still were required to give the *obsequium religiosum* (reverent obedience) that *Lumen Gentium* asks of the faithful for non-infallible teachings.

Before examining *Ordinatio Sacerdotalis* in more depth, it is opportune to outline some inherent difficulties with the category “ordinary universal episcopal Magisterium.” Some such difficulties are summarized well by James T. O’Connor:

By the nature of the case it *will* often be difficult to determine what in fact is being taught infallibly by the Ordinary Magisterium of the Church. This is so because it must be determined that the bishops of the world, in union with the Bishop of Rome, are teaching a matter of faith or morals which must be held definitively. It is not, therefore, sufficient to establish that such and such a matter is being taught by the bishops and the Pope. It must be clear that they are teaching it definitively as something which must be held. Therefore, one must ascertain 1) exactly what is being taught; 2)

whether the Pope and bishops are all (i.e., by a moral unanimity) teaching it; and 3) what degree of certitude they are attaching to their teaching. All of this entails a somewhat exhaustive study and one in which it can be expected that the experts (i.e., the theologians) will not always come to a meeting of minds.¹⁵

There are some matters where an exhaustive study can be done by competent scholars. For instance, John T. Noonan has done a careful study on the Church’s teaching on contraception, as has John Connery on the topic of abortion.¹⁶

On the matter of the male priesthood, however, it is very difficult to study what and how the bishops taught because the matter was not controversial until recent decades. Precisely for this reason, a variety of theologians held at the male priesthood was a matter of custom and discipline, akin to the celibate priesthood. Only over the past thirty years have theologians, in the midst of a new controversy, investigated the connection between priesthood and the possible sacramental meaning of maleness and femaleness.

With the promulgation of *Ordinatio Sacerdotalis*, the pope affirmed what we might call the integral connection between the priesthood and the sacramental significance of maleness. But such a position was not one that was carefully articulated

throughout the tradition, and so it is understandable why some theologians remain doubtful that this teaching was ever taught infallibly by the ordinary universal episcopal Magisterium.

Following the promulgation of *Ordinatio Sacerdotalis*, there was an official request for clarification and a response (*Responsum ad Dubium*) from the Congregation for the Doctrine of the Faith (CDF). The doubt (*dubium*) to which Cardinal Ratzinger responded was: “Whether the teaching that the Church has no authority whatsoever to confer priestly ordination on women, which is presented in the Apostolic Letter *Ordinatio Sacerdotalis* to be held definitively, is to be understood as belonging to the deposit of faith.” It is instructive to note what the response (*responsum*) both said and did not say or do. It

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made clear that the teaching belonged to the deposit of faith and must be assented to *de fide*. It said that that teaching has been set forth infallibly by the ordinary and universal Magisterium. On the one hand, the infallibility of the teaching is made clear; on the other hand, the *Responsum* is not itself an infallible document.

FRANCIS SULLIVAN'S ARGUMENT AND THE CTSA STATEMENT

One noteworthy argument against infallibility on this matter is from Francis Sullivan, S.J.,¹⁷ and is worth analyzing point by point. The core of this argument is the basis of Section III of the Catholic Theological Society of America's 1997 officially approved paper "Tradition and the Ordination of Women."¹⁸ Asterisks indicate those portions of Sullivan's article that are virtually the same as the CTSA statement.

Paragraph 2. Sullivan is correct in noting that this is the first time that a pope has authoritatively declared that a doctrine has been infallibly taught. But it is precisely the crucial difference between "taught" and "defined" that marks a possible error in Sullivan's analysis, and here we must turn to the next paragraph.

***Paragraph 3.** Canon 749 says that no doctrine is understood to have been defined infallibly unless this fact is clearly established. Sullivan says we should apply canon 749 to items infallibly taught as well as to items infallibly defined, and his criteria for "clearly established" is that the worldwide episcopacy be in agreement right now. He erroneously says that the CDF clarification statement (*Responsum ad Dubium*) means that it is a clear fact that the whole episcopacy is in agreement; however, the CDF statement neither says nor means anything of the sort. Furthermore the category "infallibly taught" (by the ordinary universal episcopal Magisterium) is by definition not so clearly established—that is precisely why doctrines end up being defined by the extraordinary papal or episcopal Magisterium. If they were already "clearly established" they would not need to be defined.¹⁹ We must reiterate the point made earlier that the category of infallible teachings of the ordinary universal episcopal Magisterium is a difficult category without the more clear parameters that accompany the extraordinary Magisterium's infallible teachings. But we certainly ought not blur the distinction. Sullivan is of course correct that the CDF statement is not infallible. No one should be claiming that it is.

Paragraphs 4, 5, and 6. Sullivan then argues that "the history of Catholic doctrine provides some examples of propositions that, up to a certain point in time, seemed to be the unanimous teaching of the whole episcopate and yet, as a result of a further development in doctrine, are no longer the teaching of the church." It is true that long-standing tradition alone does not guarantee infallibility by the ordinary universal episcopal Magisterium. But the examples Sullivan uses are somewhat unfair. 1) While maybe the whole episcopate agreed about the "no salvation outside the Church" question in 1442, that certainly could not be said of earlier "samples" of episcopal opinion. The political climate had a heavy influence on the salvation question at that time, and it can be argued that on this point the episcopate had lost touch with earlier tradition. 2) The other examples come from social doctrine, and it can be argued that the Church does not speak infallibly when applying her doctrine (dogmatic or otherwise) to the social/cultural/political sphere. While certain social principles arguably are infallibly taught, the applications to particular times and places are not. Further analysis, beyond the scope of this paper, could be provided regarding the application to a) slavery and b) non-Catholic proselytization. If Sullivan wishes to use these latter two examples, then he puts himself in the odd position of having to defend that these applications of social doctrine might have been (but weren't) infallibly taught. Such a position would be an over-extension of the parameters of infallibility, a "creeping infallibalism" that he himself laudably would wish to curb.

In contrast to the examples Sullivan uses, the teaching of *Ordinatio Sacerdotalis* bases itself on a historical fact attested to in Scripture. This went unchallenged for nearly two centuries. In paragraph 6 Sullivan says: 1) That the tradition has to have been constant. In fact it has been constant, but the real question, as addressed earlier, is whether this constancy represents actual doctrinal teaching (and possibly dogmatic teaching if held definitively) or only a matter of discipline. 2) He says that even today the whole episcopate must hold the doctrine definitively. Is this second point a prerequisite of a doctrine infallible by virtue of the ordinary universal episcopal Magisterium? Surely there have been members of the episcopacy who did not assent to doctrines that turned out to be infallibly taught. In fact Sullivan's first example—*Evangelium Vitae*—proves the point. *Evangelium Vitae* says that three points of moral theology are infallible by virtue of the ordinary universal episcopal Magisterium. Sullivan says the pope consulted all the bishops. But the

pope simply said he was teaching in communion with the bishops. This agreement is not numerical. There may well be some bishops who do not agree with the pope on one or another of these three matters.

Paragraph 7. Sullivan advances a second criterion for doctrines infallible by virtue of the ordinary universal episcopal Magisterium: a consensus of Catholic theologians. For support he cites Pius IX in *Tuus Libenter* (1863), who said that the response of faith must be given to “those things which are handed on by the ordinary magisterium of the whole church dispersed throughout the world as divinely revealed, and therefore are held by the universal and constant consensus of Catholic theologians to pertain to the faith.” Sullivan seems to have misunderstood this text, which simply assumes that Catholic theologians would agree on revealed dogma. The fact that many theologians in a different historical context do not so agree does not detract from the doctrinal status of a teaching of the ordinary universal episcopal Magisterium.²⁰ Interestingly, this criterion was not used in the CTSA statement.

*Sullivan’s third criterion, using Canon 750, says that doctrines taught infallibly by the ordinary universal episcopal Magisterium must be “manifested by the common adherence of Christ’s faithful.” In the CTSA statement, it is added that: “In support of its assertion that the doctrine excluding women from the priesthood has been taught infallibly by the ordinary, universal magisterium, the congregation did not, and indeed could not, appeal either to a consultation of all the bishops or to the common adherence of the Catholic faithful.” (In Sullivan’s article, a similar statement is used referring to all three criteria he gave.) Again, it is important to note that “common adherence” is not a numerical adherence. This is not the place to outline carefully a theology of the “sense of the faithful” except to make one note: the fact that some Catholic faithful in a select part of the world, largely uneducated about the theological meaning of *Ordinatio Sacerdotalis*, do not agree with the pope, is not an indication that “common adherence” is lacking.

Paragraph 8. After summarizing his three criteria, Sullivan notes that the CDF has not invoked them. Must they be invoked?

There may be prudent reason, given the current climate of the Church in the West, not to invoke these criteria. Furthermore, the real question is whether these

criteria, properly understood, *could* be invoked. It is arguable that they could very easily, but again given the current climate would have to be so thoroughly discussed, with all proper nuance, that it was imprudent for the CDF, in a brief teaching document, to go into them. For instance, the careful reflection in *The Ecclesial Vocation of the Theologian* would have to be repeated in order to do full justice to Sullivan’s second criterion. In sum, it would be fine for the CDF to deal with these criteria, but it need not.



Paragraph 9. Sullivan notes that bad reasons for the teaching on ordination have accumulated in the past, but as this is true of just about any teaching of the Church it is not too relevant. Sullivan admits that recent documents of the Holy See have presented better reasons. But if one is looking for reasons, such documents only allude to or briefly mention such reasons (they are not theological documents), and one must look to the work of theologians who have dedicated themselves to providing a theological rationale for the doctrine. Even then, ultimately the doctrine does not rest on “reasons” given for it. It stands on other ground; then, the teaching should be shown to be reasonable by qualified theologians.

Paragraph 10. Sullivan wonders whether the bishops are as convinced of those reasons as the pope. No doubt some bishops are not. Sullivan then asks whether they all universally agree on the doctrine’s infallible status, and concludes that unless they unanimously agree, we cannot be certain that the doctrine is infallible. This repeats his first criterion, already analyzed above.

THE DEFINITIVENESS OF THE EPISCOPACY’S UNIVERSAL STANCE

The central difficulty that remains in determining whether the teaching on ordination is taught infallibly is whether or not the episcopacy has held the matter definitively. Without perhaps entirely solving the difficulty, we can examine one way to approach it. It is true that the precise connection between gender and the priesthood was not articulated explicitly through the tradition. What recent scholarship shows, rather, is the connection between two matters that are taught infallibly, and this

connection, not clearly seen until recent controversies, yields the possibility that the Church's constant practice of admitting only males to the priesthood is a matter of faith, not discipline, and a matter of faith taught infallibly.

The two matters taught infallibly are: i) The priest acts *in persona Christi* at key parts of the Eucharistic celebration (as well as at the sacrament of Reconciliation). Christ, the bridegroom, is present (not just remembered or anticipated) in and through the sacramental mediation of the priest. ii) The sacramentality of marriage entails the sacramental imaging of the covenant between Christ and the Church.

The connecting point between these two teachings is that just as marriage requires a bridegroom and a bride in order for it to be efficacious as a sacrament, so too the Eucharistic "wedding ceremony" engages the bridal imagery of the covenant in an ontological, not just metaphorical fashion. A full examination of this connection is well beyond the scope of this paper; suffice it to say that a good deal of creative work has been done in this regard.

Still, such a theological argument for the male priesthood was not made explicit during the many centuries that the male priesthood was practiced, and hence it is difficult to ascertain that it was held definitively as *a matter pertaining to faith and morals*. The problem is then exacerbated by the fact that the episcopacy has by no means been unanimous in supporting the teaching during the past decades of controversy. While the above argument in favor of infallible teaching satisfies the present author, one ought not too quickly dismiss those for whom some such argument remains unconvincing, and those unconvinced should remain open-minded.

As someone wisely told me, "I am not dogmatically certain of my dogmatic uncertainty." To which the proper response would be, "I in turn am not dogmatically certain of my dogmatic certainty."

ORDINATIO SACERDOTALIS: POSSIBILITIES FOR THE STATUS OF ITS TEACHING

With *Ordinatio Sacerdotalis*, we find a firm stance

taken on the non-disciplinary status of the matter. Consider the final statement of the letter:

Wherefore, in order that all doubt may be removed regarding a matter of great importance, a matter which pertains to the Church's divine constitution itself, in virtue of my ministry of confirming the brethren (cf. Lk 22:32) I declare that the Church has no authority whatsoever to confer priestly ordination on women and that this judgement is to be definitively held by all the Church's faithful.

While it is clear that the teaching is to be held definitively, the letter did not specify (as was done on the three issues noted above in *Evangelium Vitae*) that the teaching was infallibly taught by the ordinary universal episcopal Magisterium (though the word "definitively" echoes one of the criteria by which a teaching of the ordinary Magisterium is to be considered infallible). Rather, the final statement gave the impression of being an *ex cathedra* statement, or just on the verge of being one.



The difficulty is that the word "define" is conspicuously absent, although the other criteria for an *ex cathedra* statement seem to be present. Because of this, most theologians who support this papal document agree that it does not represent an *ex cathedra* statement, but is still infallibly taught. Another opinion holds that it is an *ex cathedra* statement, and that the word "define" is by no means a required form in such a statement. We will discuss this view momentarily.

One can understand the confusion caused by the document. If the teaching had not been defined infallibly, then since it only came close to doing so it appeared as if it might not be infallible. And the document did not make clear reference to the other mode by which the teaching could be infallible—the ordinary universal episcopal Magisterium—as was so clearly done in *Evangelium Vitae* discussed above. Theologians, not to mention the faithful, were left somewhat in a state of perplexity.

Hence, the official request for clarification and the response from the CDF, already noted. Again, it made clear that the teaching belonged to the deposit of faith and must be assented to *de fide*. It said that that teaching has been set forth infallibly by the ordinary and

universal Magisterium, though that claim itself is not infallible. It would appear as if the question of whether or not it was an *ex cathedra* statement is also settled, in the negative.

However, granted that the CDF letter is not itself infallible, there remains the possibility that *Ordinatio Sacerdotalis* contains a papal definition (the arguments are presented in the following section). Ladislav Orsy has presented an assessment of the degree of authority of the CDF statement, particularly to demonstrate that the claim of infallibility therein is suspect.²¹ However, I will contend that his very argument not only cannot lead to that conclusion, but that it actually allows another conclusion quite the opposite of what Orsy intended: that while the CDF claimed infallibility by virtue of the ordinary universal episcopal Magisterium, that statement's authority is not such that it rules out the possibility of *Ordinatio Sacerdotalis* containing an *ex cathedra* definition.

Orsy notes that the CDF, in claiming that the teaching has been set forth infallibly, went beyond *Ordinatio Sacerdotalis* itself which just said "to be held definitively." However, it may be that the pope held back on the word "define" not because the teaching was not being presented as infallible, but because it wasn't being defined as such (*ex cathedra*). Rather, *Ordinatio Sacerdotalis* may be teaching that the doctrine is already infallible by virtue of the ordinary universal episcopal Magisterium. (Of course, one is welcome to criticize the document for not being more clear.) Orsy discusses the two degrees of papal approval of a congregation's document: the ordinary manner in which the pope does not himself affirm the teaching, and the special manner, in which he does. Orsy notes that the pope's approval is but ordinary. But the special approval would not be needed if the original document is not being added to in any significant way. That is, if the pope did intend the teaching as a reminder of the infallible status of the teaching, he did not need to give a special approval to the document. But his lack of special approval could also be construed to mean that the pope did not wish to rule out the possibility that *Ordinatio Sacerdotalis* contains an infallible papal definition. Orsy's final sentence—" . . . the doctrinal message of the apostolic letter remains the same as it was on the day of its publication"—is then entirely accurate, not in the sense that he intends, but in two other possible senses.

THE POSSIBILITY OF AN *EX CATHEDRA* DEFINITION IN *ORDINATIO SACERDOTALIS*

As noted, some scholars think that *Ordinatio Sacerdotalis* contains an *ex cathedra* papal definition, in which case the infallibility of the teaching would not be affected but the "font" of infallibility would move from the ordinary universal episcopal Magisterium to the extraordinary papal Magisterium. According to this view, the exact term "define," not found in *Ordinatio Sacerdotalis*, is not required for an *ex cathedra* statement.

The reasoning begins with Vatican I's definition of papal infallibility:

We teach and define that it is a divinely revealed dogma that the Roman Pontiff, when he speaks *ex cathedra*, i.e., when exercising his office as pastor and teacher of all Christians, he defines, by his supreme apostolic authority, a doctrine of faith or morals which must be held by the universal Church, enjoys, through the divine assistance, that infallibility promised to him in blessed Peter and with which the divine Redeemer wanted His Church to be endowed in defining doctrine of faith or morals; and therefore that the definitions of the same Roman Pontiff are irreformable of themselves and not from the consent of the Church.

Consider three lines of argumentation:

i) An argument from the text. While the verb "defines" is used and the noun "definition" appears, this does not mean, so it is argued, that a pope must use these terms in a papal definition.

ii) An argument from the context of Vatican I. In earlier drafts of the above statement, certain questions arose from the Council Fathers as to whether or not the text was locking future popes into the use of a specific formula in making a papal definition. Bishop Vincent Gasser clarified this matter in *a relatio* given to the Council Fathers. "Defines" simply means that the characteristic of definitively passing judgement must be expressed in some way, he noted, and the pope is not bound to any particular formula.²²

iii) An argument from Vatican II. *Lumen Gentium* 25, already referred to, when speaking of the extraordinary papal Magisterium, in fact answers again the question remaining from Vatican I about whether any particular formula is needed. It speaks of when the pope "proclaims (*proclamat*) by a definitive act," intentionally avoiding the word "define." It then speaks of these acts as "definitions." While it is understandable why one might misconstrue this to mean that an *ex cathedra* defin-

definition must use the word define, the document does not make this explicit, and in the context of Vatican I says just the opposite. In sum, according to this argumentation *Ordinatio Sacerdotalis* easily meets the requirements of an *ex cathedra* definition,²³ and is hence the third such definition in history alongside the Immaculate Conception and the Assumption.

Why, then, have a majority of theologians affirmed that *Ordinatio Sacerdotalis* only represents the pope affirming the infallibility of the teaching by the ordinary universal episcopal Magisterium? We can note two lines of argumentation.

i) The *Responsum ad Dubium* fails to make clear that it was an *ex cathedra* statement. Surely Cardinal Ratzinger would have noted this if he and/or the pope intended it to so be (though cross-apply Ladislav Orsy's argument summarized earlier).

ii) There seems to be a "quasi-tradition" of using the word "define" in an *ex cathedra* definition, even if such a formula is not explicitly required. Both *Ineffabilis Deus* and *Munificentissimus Deus* used the word define. Both said "we pronounce, declare and define . . ." and if the pope intended *Ordinatio Sacerdotalis* to follow suit as a third *ex cathedra* statement it seems to this author that he ought to have respected the usage found in the first two.

The purpose of this article is not to try to resolve this dispute, but rather to set forth the parameters within which it exists. Of primary importance is the fact that either way one goes, it is a highly tenable theological opinion that the teaching of *Ordinatio Sacerdotalis* is an infallible teaching.

MARY AS COREDEMPTRIX

Given the complexity of the above items, it is refreshing to find our third contemporary issue relatively easy to analyze. Professor Mark Miravalle of the Franciscan University of Steubenville, Ohio wrote a careful argument regarding the dogmatic teaching of Mary as Coredeмпtrix of mankind and organized a petition drive to ask the Holy See to raise the teaching to the level of a definition. Toward this end, he also edited two scholarly books on the topic.²⁴

Much of the media treated the event as if the pope were being asked to create a new dogma. It was, rather, a matter of taking a dogma already taught infallibly by the ordinary universal episcopal Magisterium, and raising it to the level of a definition by the extraordinary papal Magisterium. Even Catholic publications failed to make this point clear.²⁵ There would be nothing inherently wrong with the pope raising the dogma to the level of a definition, and the volumes edited by Miravalle argue that many advantages would accrue. In the view of other theologians, a definition would be imprudent. In August of 1996, at the Mariological Congress held in Czestochowa, a commission was established by the request of the Holy Father to consider the prudence of a definition. "The response of the commission, deliberately brief, was unanimous and precise: It is not opportune to abandon the path marked out by the Second Vatican Council and proceed to the definition of a new dogma."²⁶

Such theologians also argue that a definition would be imprudent in that it would unnecessarily hinder ecumenical efforts, particularly with the Orthodox. The present pontiff, as clear especially in *Ut Unum Sint*, is particularly convinced that "the Church must breathe with her two lungs." Hence, it is argued that progressing toward a definition without collaboration with Eastern Orthodoxy seems pointedly unwise. And since the exercise of the extraordinary papal Magisterium is a stumbling block for Orthodoxy, it may be imprudent to define the dogma in that manner.²⁷



Michelangelo's *Pieta*

Several media reports, not necessarily reliable, have indicated that the pope is not planning to so define. Should those reports prove to be true, will the efforts of theologians such as Miravalle have been wasted? Rather, careful theological reflection on this matter may well contribute to an eventual definition by the extraordinary episcopal Magisterium at a future council that might even mark the reunion

of East and West.

SOME LINGERING DIFFICULTIES:

a) *Why Different Levels of Authority?*

Some members of the faithful wonder why all

the truths of the faith can't be presented with the same degree of absolute clarity. As someone once suggested to me, why not take the whole Catechism and define it infallibly?

While in one sense it might be nice for everything to be clear cut, it would also be somewhat inappropriate. Jesus himself did not leave behind a crystal-clear guide book of infallible teachings, but rather gave the truth over to the Church to hand on (Tradition) with the promise of guidance by the Holy Spirit. In this Tradition, not all truths have the same status. Hence, certain truths of faith and morals are not infallible doctrines demanding assent of faith, but rather are in a different category of truths that demand a different kind of assent. Still other truths are not in the realm of faith and morals at all (customs, practices, disciplines, etc.).

An analogy might show the appropriateness of such categories. Imagine putting yourself in the care of a doctor who, while a general practitioner, also happens to have unique expertise in one particular area such as respiratory problems. When you take his advice on a variety of different problems, you are aware that not each piece of advice is given with the same authority. What he says to you about your respiratory ailment might be likened to an infallible truth to which you give a whole-hearted assent, while his advice on, say, a foot problem, given with less authoritativeness, is also taken seriously but not with the same high degree of assent. Still, you have put yourself in his care, and you do what he says across the board.

Likewise, the Church teaches some matters infallibly and other matters with lesser degrees of certitude. Still, you put your soul in her care and follow her teachings across the board, even while the type of assent given to various teachings may vary. A Catholic ought not spend too much time worrying about these different degrees of assent that is one reason why various documents of the Magisterium, including the *Catechism*, do not dwell on these distinctions too much. We should avoid a minimalist attitude that too anxiously seeks out those items that are infallible. We ought to embrace the whole truth, as articulated in the *Catechism*, even though these truths are taught with differing degrees of authority.²⁸ Only rarely-

the question of women's ordination is a case in point—is it necessary to delve into a careful examination of a teaching's infallibility.

b) Why Not More Papal Definitions?

Another question on those matters that do belong to the infallible deposit of faith is, “why doesn't the pope just clearly define teachings on the male priesthood, on abortion, on contraception and the like infallibly?” In other words, why is there any need for the somewhat hazy category of the ordinary universal episcopal Magisterium?

One response focuses on moral matters. It may well be that the Church is consistently hesitant to define matters of morality because she sees her teaching on such matters as a teaching that can also be known by all men through the “natural law” to which they have access by use of their reason alone, without the aid of Revelation.

“We ought to embrace the whole truth, as articulated in the Catechism, even though these truths are taught with differing degrees of authority.”

In other words, when the Church teaches that homosexual activity is wrong, this teaching is true for everyone. Everyone, Catholic or not, is expected to follow this truth, not because the Church taught it, but because the natural law, written on everyone's heart by the Creator (see Romans 1 and 2), teaches it. Hence, if the Church were to define such teachings in an extraordinary way, it might give the impression that these are truths especially

recommended for Catholics, inaccessible without divine Revelation, as would be the case with, say, doctrine on the sacraments.

Furthermore, if the extraordinary Magisterium were to define several matters of morality, it would give the impression that the other matters of morality left undefined were not taught as decisively. For instance, if the pope had defined the truths on abortion and euthanasia in *Evangelium Vitae*, he could very well have given the impression that the truths about contraception and homosexuality, not to mention a variety of other matters, were taught less decisively. In a word, it seems prudent to reserve matters of morality to the ordinary universal episcopal Magisterium.

As to the teaching on the male priesthood remaining in this same category, we can consider several possibilities. First, the pope has noted that the Church has *always* taught consistently on the matter of the male priesthood, as the matter goes straight back to Christ's own action in selecting apostles. To define the matter now would give the impression that its infallibility was not fully known in the past. With other matters, like the Assumption, the Immaculate Conception, the number of the sacraments, to give several examples, we find a development of doctrine throughout the history of Tradition such that these truths were not fully known about at earlier stages of the Church's history. They resided in the Tradition, without clear record in Scripture or in a recorded word or action of Christ himself, and their infallible status only gradually came to light.

Second, the pope may be reluctant to define the matter for ecumenical reasons-and this cross-applies to the dogma of Mary as Coredemptrix. As Rev. J. Michael Miller has aptly noted,

The Holy Father has his ecumenical eye focused very keenly on the Orthodox, the other "lung" of the Church which she needs to breathe freely.... Since one of the principle obstacles to reunion is the authority to teach *ex cathedra* ... it is not surprising that he decided against teaching infallibly on a matter about which the Catholic Church and her Orthodox sisters concur.²⁹

Eastern orthodoxy's key difficulty with the bishop of Rome is the claim that he can teach infallibly apart from an ecumenical council. Hence, on the one hand, the pope may be refraining from an *ex cathedra* statement out of sensitivity to this difficulty; on the other hand, in the wake of Anglicanism's abandonment of this teaching on the male priesthood, he is letting the Orthodox know with as much firmness as possible that Rome is not about to change too. Perhaps there will be an ecumenical council in the near future where, in union with Eastern Orthodoxy, the teaching will be defined infallibly. If so, *Ordinatio Sacerdotalis* will have been an important step in the right direction, containing the perfect balance of firmness and caution. Also recall what was said earlier about the dogma of Mary as Coredemptrix.

Thirdly, John Paul II clearly has used a strategy which tries to avoid schism at all costs. While there may already be a *de facto* schism in the Church, there is reason to hope that in time many of those who are alienated

will once again embrace the full apostolic tradition. By refraining from *ex cathedra* statements in all three areas discussed here, the pope may have intended to give some "breathing space" to those who have difficulty receiving the teaching, thereby giving the church as a whole more time to absorb it.³⁰

c) *Why Not Absolute Clarity on Infallibility?*

Finally, many are bothered by the fact that the Church herself seems uncertain about what is and is not infallible, especially in regard to the ordinary universal episcopal Magisterium. To put the matter rather bluntly, why wasn't the description of infallibility given in *Lumen Gentium* 25 given to the Church much earlier? And further, why isn't that very description even more clear cut so as to avoid all dissent on the question of infallibility? Why isn't the gift of infallibility less hazy?

Again, there is a certain appropriateness to the manner in which Christ gives this gift to his Church. Imagine a person who has a great gift for, say, music. He only becomes aware of his gift gradually. He is not aware of the extent of his gift for a long time. And by no means does he know how to use his gift perfectly right from the start. Likewise with the gift of infallibility. While the gift is present from the beginning of the institution of the Church (see Matthew 16), it is not clearly defined and delineated. Only gradually does the Church become aware of the full nature of this power. Only over centuries does the Church clearly define and delineate the various parameters and aspects of this gift. In the meantime, mistakes and misunderstandings find their place, as is to be expected. Rather than looking askance at various mishaps along the way, it is better to look with a certain awe at this great gift bestowed on the apostolic succession.



CONCLUSION: THE NEED FOR AUTHORITY

Before concluding our inquiry, observe a fascinating point about authority. Many people today shirk from the very idea of authority, thinking of it as an affront to their freedom and individuality. But it is impossible to avoid authority. Those who think they are shirking authority are simply substituting one authority for another-

for instance, the authority of secularism, or their own authority, for the authority of the Church. In a discussion on the ordination of women, one might be told that he is too rigid and obsessed with authority figures like the pope, to which he could ask, “on whose authority do you claim that there are no ultimate authorities for humanity?” In a word, it is part and parcel of humanity

to seek authority, simply because we are not gods and our own powers of insight and judgement are limited. The real question is not whether authority is good or bad, but rather, whose authority it is most reasonable and prudent to follow.



NOTES

1For a fuller treatment of the concept of Tradition, see this author’s “Tradition: the Presence of Christ Echoing Across Time,” *The Catholic Faith*, (Nov.-Dec. 1995).

2For a fine overview of papal infallibility that simultaneously critiques the views set forth by Fr. Richard McBrien, see Robert Fastiggi, “The Methodology of Ambiguity: Richard McBrien’s Revised *Catholicism*,” *Homiletic and Pastoral Review* (June 1996), 48-53, at 50-52.

3As H. Burn-Murdoch notes in *The Development of the Papacy* (London: Faber and Faber), “As to which papal utterances bear the true marks of infallibility in accordance with the Definition [of Vatican II], theologians have not been unanimous” (p. 396). He notes that some add the following to the two I noted: i) The last small section of Boniface VIII’s *Unam Sanctam* in 1302 stating that “For every human creature it is altogether necessary to salvation that he be subject to the Roman Pontiff.” ii) The Bull “Unigenitus” of Clement XI in 1713 condemning Jansenism.

4The doctrine of the perpetual virginity of Mary, while taught infallibly by the ordinary universal episcopal Magisterium (discussed below), was not defined at an ecumenical Council, though it was taught at the Council of Lateran in 649.

5For another view see Jose Pereira, “Are Ecumenical Councils Infallible?” *Josephinum Journal of Theology*, vol. 4, no. 2 (1997), 40-50, at 45 where he erroneously declares that any teaching at a council is infallible.

Lumen Gentium 25 states that the *definitions* of a council must be adhered to with the submission of faith, and the author perhaps thought that this includes everything taught at a council.

6 Failure to realize this point has caused much undue consternation regarding the Church’s new position on religious liberty at Vatican II. See, for instance, Thomas Storck, “Catholics and Religious Liberty: What Can We Believe?” *Homiletic and Pastoral Review* (Jan. 1997), 49-56, who states: “For if the Church can change her teaching previously proclaimed to be unchangeable, what is to prevent more such changes in the future?” (p. 49). He confuses strong rhetoric in various papal documents with the note of infallibility. For a more measured concern, see Christopher Wolfe, “The Church’s Teaching on Religious Liberty,” *Faith & Reason* 9 (Fall, 1983), 182-95, at 194.

7 A contrary, and in this author’s estimation untenable, position is found in Brian W. Harrison, “The *Ex Cathedra* Status of the Encyclical *Humanae Vitae*,” *Faith & Reason* XIX, no. 1 (Spring 1993), 25-78; a shorter argument is given in *Homiletic and Pastoral Review* (December 1983), 23-31.

8 See Germain Grisez, “Infallibility and Specific Moral norms: A Review Discussion,” *The Thomist* 49 (January 1985), 248-87, who criticizes the view of Francis A. Sullivan, S.J., in *Magisterium: Teaching Authority in the Catholic Church* (New York: Paulist Press, 1983).

9 See especially Livio Melina, “The Role of the Ordinary Magisterium: on Francis Sullivan’s Creative Fidelity” *The Thomist* 61 (1997), 605-15, and Lawrence J. Welch, “The Infallibility of the Ordinary Universal Magisterium: a Critique of Some Recent Observations,” *Heythrop Journal* vol. 39, no. 1 (Jan. 1998), 18-36. Both of these articles are in response to Francis Sullivan, whose writings include: *Magisterium* (New York: Paulist Press, 1983); “The Secondary Object of Infallibility,” *Theological Studies* 54 (1993), 536-50; “Reply to Germain Grisez,” *Theological Studies* 55 (1994), 732-37; “The Doctrinal Weight of *Evangelium Vitae*,” *Theological Studies* 56 (1995); *Creative Fidelity* (New York: Paulist Press, 1996).

10See Livio Melina, “Ordinary Magisterium,” p. 608, who shows how Francis Sullivan’s position undermines the infallibility of the truths falling under the secondary object.

11This is an opportune place to note the relationship between infallibility and truth. All things taught or defined infallibly are true, but not vice-versa. A doctrine can be true without it being taught as true at the level of infallible doctrine. Infallibility signifies not whether or not something is true, but rather a particular weight of authority which the Church places behind various truths that she teaches.

12Hence, the hesitancy of the American bishops, and the likes of Cardinal Newman, in regard to the definition of papal infallibility at Vatican I.

13See, for instance, Stephen Banyra, “Rome has Spoken; the Case is Closed,” *National Catholic Register* (Dec. 10, 1995), pages 1 and 10, for a typical view: “The method chosen to stress the definitive nature of the ruling on women priests stopped just short of the most solemn form of declaring something infallible...”

14See Richard M. Gula, *Reason Informed by Faith. Foundations for Christian Morality* (New York: Paulist, 1989), pp. 152-62. Gula depends heavily on Norbert Rigali, “Moral Theology and the Magisterium,” *Horizons* 15. (Spring 1988), 116-24, esp. 121-22.

15James T. O’Connor, *The Gift of Infallibility* (Boston: Daughters of St. Paul, 1986), p. 106. Also see Lawrence Welch, “Infallibility of the Ordinary Magisterium,” p. 23: “. . . when theologians try to identify undefined dogmas they must painstakingly inquire as to whether the Pope and the bishops have been in agreement that a particular doctrine must be held definitively.”

16John T. Noonan, *Contraception: A History of Its Treatment by the Catholic Theologians and Canonists* (Cambridge, MA: Belknap Press of Harvard University Press, 1986); John Connery, S.J., *Abortion: The Development of the Roman Catholic Perspective* (Chicago: Loyola University Press, 1977).

17*America* (Dec. 9, 1995), 5-6.

18The Statement of the CTSA Board approving the paper, and the paper itself, is available in *Origins* 27, no. 5 (June 19, 1997), 75-79.

19 For another clear expression of this point see Livio Melina, “Ordinary Magisterium,” p. 609.

20For several additional clear articulations of this point, see Lawrence Welch, “The Infallibility of the Ordinary Magisterium,” pp. 19 and 27, and endnote 42.

21 “The Congregation’s ‘Response’: Its Authority and Meaning,” *America* (Dec. 9, 1995), 4-5.

22See Vincent Gasser, *Relatio* of July 11, 1870, in *Collectio Conciliorum Recentiorum*, Mansi, vol. 52 (Arnhem, Holland, 1927) 1204ff, translated and edited in James T. O’Connor, *The Gift of Infallibility* (Boston: Daughters of St. Paul, 1986). See especially pp. 74-75 of the translation of Gasser’s *Relatio*, and 108-110 of O’Connor’s commentary.

23On this see Jose Pereira, “Infallible Papal Pronouncements,” *Homiletic and Pastoral Review* (March, 1996), 55-60. Although Pereira nicely compares *Ordinatio Sacerdotalis* to *Ineffabilis Deus* and *Munificentissimus Deus*, he then discusses *Evangelium Vitae* without making a sharp enough distinction between it and the other three pronouncements.

24Mark Miravalle, ed., *Mary: Coredemptrix, Mediatrix, Advocate: Theological Foundations: Towards a Papal Definition?* (Santa Barbara, CA: Queenship Publishing Company, 1996), and Mark Miravalle, ed., *Mary: Coredemptrix, Mediatrix, Advocate. Theological Foundations II: Papal, Pneumatological, Ecumenical* (Santa Barbara, CA: Queenship Publishing Company, 1996).

25For instance, Thomas Xavier’s “A New Marian Dogma for 1998,” *Inside the Vatican* (May 1997), 58-62, does not include this point, but only a quote from Cardinal Edouard Gagnon indicating that it is already a doctrine. Another article in the June issue of the same periodical does, however, make brief note of the point: Patrick Coffin, “Doctrine and Dogma,” *Inside the Vatican* (June 1997), 60.

26 “A New Marian Dogma?” *L’Osservatore Romano* (June 25, 1997), 10. This commentary explains a) the path of the teaching at Vatican II, which decidedly avoided new definitions, and placed Marian doctrine squarely in the midst of ecclesiology, focusing on her universal motherhood in the order of grace; b) the ambiguities of the new proposed terms; and c) the avoidance of these terms in a plethora of modern and contemporary Magisterial documents. As noted by Fr. Richard John Neuhaus, “Vatican Council II made it clear that the proper course of Marian devotion is not to heap up additional privileges and exemptions that distinguish her from other Christians but to incorporate our understanding of Mary ever more fully into the life of discipleship as the icon of the Church” (“The Public Square,” *First Things* [Nov. 1997], 77).

Also, see Bertrand de Margerie, “Can the Church Define Dogmatically the Spiritual Motherhood of Mary? Objections and Answers,” in Miravalle, ed., *Theological Foundations* (vol. I), 191-214, esp. 205-7.

28 See Avery Dulles, “The Hierarchy of Truths in the Catechism,” *The Thomist* 58 (July, 1994), 369-88.

29 “An Almost Infallible Teaching,” *Crisis* (September 1995), 17, 19 and 21. Although his analysis as to why *Ordinatio Sacerdotalis* does not contain an ex cathedra statement is excellent, he omits the consideration of the teaching being infallible by virtue of the ordinary universal episcopal Magisterium.

30Ibid., p. 21.

