

Pope Clement V, Council of Vienne, 1311-1312:

« [W]here discipline is despised, religion suffers shipwreck. » ~ Translation taken from Decrees of the Ecumenical Councils, ed. Norman P. Tanner.

Pope Pius VI, *Auctorem Fidei*, 1794:

« 78. The prescription of the synod about the order of transacting business in the conferences, in which, after it prefaced “in every article that which pertains to faith and to the essence of religion must be distinguished from that which is proper to discipline,” it adds, “in this itself (discipline) there is to be distinguished what is necessary or useful to retain the faithful in spirit, from that which is useless or too burdensome for the liberty of the sons of the new Covenant to endure, but more so, from that which is dangerous or harmful, namely, leading to superstition and materialism”; in so far as by the generality of the words it includes and submits to a prescribed examination even the discipline established and approved by the Church, as if the Church which is ruled by the Spirit of God could have established discipline which is not only useless and burdensome for Christian liberty to endure, but which is even dangerous and harmful and leading to superstition and materialism,—false, rash, scandalous, dangerous, offensive to pious ears, injurious to the Church and to the Spirit of God by whom it is guided, at least erroneous. »

Pope Pius VII, *Diu Satis*, 1800, To all Patriarchs, Primate, Archbishops and Bishops:

« Still another deposit which We must firmly protect is that of the Church’s holy laws by which it establishes its own practice, and over which it alone has power. Under these laws, virtue and piety thrive; the spouse of Christ terrifies her enemies as an army set in battle array. Many of these laws are like foundations laid down to bear the weight of the faith, as Our predecessor St. Zosimus says. [Epistle 7] »

Pope Gregory XVI, *Mirari Vos*, 1832, To all Patriarchs, Primate, Archbishops, and Bishops of the Catholic World:

« Furthermore, the discipline sanctioned by the Church must never be rejected or be branded as contrary to certain principles of natural law. It must never be called crippled, or imperfect or subject to civil authority. In this discipline the administration of sacred rites, standards of morality, and the reckoning of the rights of the Church and her ministers are embraced. »

Pope Gregory XVI, *Quo Graviora*, 1833, To the Bishops of the Province of Upper Rhineland:

« You know, venerable brothers, on what erroneous principles the above-mentioned men and their followers depend and where that desire which moves them to begin effecting a revolution in the Church has its origin. We do not think it superfluous to clarify many of those things and to explain them here. A false idea has for a long time grown stronger and spread widely through these regions. This idea is spread by an impious and absurd system of indifference toward religious matters which claims that the Christian religion can become perfect in time. While the patrons of such a false idea are afraid to adapt the shaky possibility of perfection to the truths of faith, they establish it in the external administration and discipline of the Church. Moreover, in order to bring about faith in their error, they wrongfully and deceitfully usurp the authority of Catholic theologians. These theologians propound here and there a distinction between the teaching and the discipline of the Church which underlies this change, that it will always stand firm and never be harmed by any alteration. Once this is established, they state categorically that there are many things in the discipline of the Church in the present day, in its government, and in the form of its external worship which are not suited to the character of our time. These things, they say, should be changed, as they are harmful for the growth and prosperity of the Catholic religion, before the teaching of faith and morals suffers any harm from it. Therefore, showing a zeal for religion and showing themselves as an example of piety, they force reforms, conceive of changes, and pretend to renew the Church. . . . While these men were shamefully straying in their thoughts, they proposed to fall upon the errors condemned by the Church in proposition 78 of the constitution *Auctorem fidei* (published by Our predecessor, Pius VI on August 28, 1794). They also attacked the pure doctrine which they say they want to keep safe and sound; either they do not understand the situation or craftily pretend not to understand it. While they contend that the entire exterior form of the Church can be changed indiscriminately, do they not subject to change even those items of discipline which have their basis in divine law and which are linked with the doctrine of faith in a close bond? Does not the law of the believer thus produce the law of the doer? Moreover, do they not try to make the Church human by taking away from the infallible and divine authority, by which divine will it is governed? And does it not produce the same effect to think that the present discipline of the Church rests on failures, obscurities, and other inconveniences of this kind? And to feign that this discipline contains many things which are not useless but which are against the safety of the Catholic religion? Why is it that private individuals appropriate for themselves the right which is proper only for the pope?

We will now discuss those sections of discipline which are in effect for the whole Church. Because they are of free ecclesiastical institution, they can undergo change, but only by the pope, whom Christ placed over the entire Church to judge concerning the necessity of change for various reasons of circumstance. Thus, as St. Gelasius wrote: “Balance the decrees of the canons and consider the precepts of your predecessors, so that those things which the demands of the times require to be relaxed for the rebuilding of the churches may be moderated through careful consideration.” It is tedious to detain you with a long speech, venerable brothers, about the false principles which the reformers depend on. They add rashness to error with the usual verbal license of such men, since they attack this Holy See as if it were too persistent in outdated customs and did not look deeply inside the character of our time. They accuse this See of becoming blind amid the light of new knowledge, and of hardly distinguishing those things which deal with the substance of religion from those which regard only the external form. They say that it feeds superstition, fosters abuses, and finally behaves as if it never looks after the interests of the Catholic Church in changing times. Where does all this lead? Actually, so that the most Holy See of Peter in which Jesus Christ placed the foundation of His Church is hastened toward envy. Its divine authority is subjected to the hatred of the people, and the union of other churches with it is broken. »

Pope Pius IX, *Amantissimi Redemptoris*, 1858, To the Patriarchs, Primate, Archbishops, Bishops, other Ordinaries:

« You are all quite aware, Venerable Brethren, that a great portion of the Christian doctrine is bound up with the holy sacrifice of the mass. »

Pope Pius IX, *Quartus Supra*, 1873, To Anthony Peter IX, Patriarch of Cilicia, and the Archbishops, Bishops, Clergy, and Laity of the Armenian Rite:

« Furthermore, as Our predecessor Pius VI warned in his Apostolic letter condemning the civil constitution of the clergy in France [Quod aliquantum, 10 March 1791], discipline is often closely related to doctrine and has a great influence in preserving its purity. In fact, in many instances, the holy Councils have unhesitatingly cut off from the Church by their anathema those who have infringed its discipline. »

Pope Pius IX, *Quartus Supra*, 1873, To Anthony Peter IX, Patriarch of Cilicia, and the Archbishops, Bishops, Clergy, and Laity of the Armenian Rite:

« [D]iscipline is the rampart of faith. »

Pope Pius IX, *Omnem Sollicitudinem*, 1874, To the Ruthenian Archbishops of Lwow, Halicz and Kamiensk and the other Bishops of the Same Rite:

« [T]he closest possible link binds liturgical practice and dogmatic truths. »

Pope Leo XIII, *Testem Benevolentiae Nostrae*, To James Cardinal Gibbons, Archbishop of Baltimore, 1899:

« But in regard to ways of living she has been accustomed to so yield that, the divine principle of morals being kept intact, she has never neglected to accommodate herself to the character and genius of the nations which she embraces.

Who can doubt that she will act in this same spirit again if the salvation of souls requires it? In this matter the Church must be the judge, not private men who are often deceived by the appearance of right. In this, all who wish to escape the blame of our predecessor, Pius the Sixth, must concur. He condemned as injurious to the Church and the spirit of God who guides her the doctrine contained in proposition lxxviii of the Synod of Pistoia, “that the discipline made and approved by the Church should be submitted to examination, as if the Church could frame a code of laws useless or heavier than human liberty can bear.” »

Pope Benedict XV, *Providentissima Mater Ecclesia*, 1918, Bull promulgating the new Code of Canon Law:

« The Church, most provident mother, endowed by her Divine Founder with all the requisites of a perfect society, when, in obedience to the Lord’s mandate, she commenced in the very beginning of her existence to teach and govern all nations, undertook by promulgating laws the task of guiding and safeguarding the discipline of the clergy and the faithful.

As time elapsed, particularly after she had gained her liberty and, daily waxing stronger, had extended her kingdom, she never ceased to set forth and to define her own inherent right of making laws. Witness in proof of this the many and various decrees of the Roman Pontiffs and Ecumenical Councils which were published as the times and circumstances suggested. By these

laws and enactments not only did she make wise provision for the direction of the clergy and people, but, as history bears witness, she promoted also most effectually the development of civilization. For not only did she abolish the laws of barbarous nations and remodel on more humane lines their savage customs, but likewise, with God's assistance, she reformed and brought to Christian perfection the very law of the Romans, that wonderful monument of ancient wisdom which is deservedly styled *_ratio scripta_*, so as to have at hand, as the rules of public and private life improved, abundant material both for medieval and modern legislation.

...

Therefore, having sought the aid of Divine grace, trusting in the authority of the Blessed Apostles Peter and Paul, *_motu proprio_*, of our certain knowledge and in the fulness of the Apostolic power with which we are invested, by this our constitution, which we wish to be binding for all time, we promulgate, and we decree and order that the present Code, just as it is drawn up, have in future the force of law for the universal Church, and we entrust it for safekeeping to your custody and vigilance.

That all concerned, however, may have full knowledge of the prescripts of this Code before they become effective, we decree and ordain that they shall not have the force of law till Pentecost of next year, that is, on the nineteenth day of May, 1918.

All enactments, constitutions and privileges whatsoever, even those worthy of special and individual mention, and customs, even immemorial, and all other things whatsoever to the contrary notwithstanding.

Wherefore let no one violate or rashly oppose in any way this document of our constitution, ordinance, limitation, suppression, derogation, and expressed will. And if any one shall presume to attempt to do so, let him know that he will incur the wrath of Almighty God and of His Blessed Apostles Peter and Paul.

Given at Rome, at St. Peter's, on the Feast of Pentecost, in the year nineteen hundred and seventeen, the third of our Pontificate. »

(English translation taken from the American Ecclesiastical Review, Volume LVII, 1917.)

Fr. Leo A. Arnoult, O.P., “Problems of Prohibited Books: an Exploratory Discussion”, *Proceedings of the Catholic Theological Society of America*, 15, 1960:

« It is a solid theological position, *salvo meliori iudicio*, that the general laws of the Church are, as far as their substance is concerned, infallibly in accord with the deposit of revealed doctrine to be believed and practiced.* It is also accepted, I believe, that at the time general laws are made, they are made prudently, fittingly, opportunely, as far as circumstances are concerned.

*Cf. condemned doctrine of the Synod of Pistoia, condemned in Constitution *Auctorem Fidei*, Aug. 28, 1794, of Pius VI: namely, *De Collationibus Ecclesiasticis*, p. 4: “. . . quatenus pro generalitate verborum comprehendat et praescripto examini subiciat etiam disciplinam ab Ecclesia constitutam et probatam, quasi Ecclesia, quae spiritu Dei regitur, disciplinam constituere posset non solum inutilem et onerosiorem quam libertas Christiana patitur, sed et periculosam, noxiam, inducentem in superstitionem et materialismum: falsa, scandalosa, perniciosa, etc.” (D 1578). »

The Irish Ecclesiastical Record, Third Series, Volume I, 1880, Review of Dr. Ward’s *Essays on the Church’s Doctrinal Infallibility*:

« No doubt the use of the Sacraments, the liturgies of the Church—her ceremonial—the principles of morals, all these are brought home through her Ordinary Magisterium to the knowledge of the faithful, and in this teaching, apart altogether from her definitions, the Church is infallible. And indeed it is safe I should think to assert, that whatever practice is sanctioned throughout the universal Church, and everywhere imposed upon the people as obligatory, or recommended as useful to sanctification, must be really so, otherwise one should hold that the entire body of the faithful might be led astray in the practical end for which the Church exists. »

Dr. William George Ward, “Extent of the Church’s Infallibility—The Encyclical ‘*Mirari Vos*’”, *The Dublin Review*, Volume IV (New Series), 1865, January, Article III:

« Then, again, although a single doctrinal answer, given, e.g., to an individual bishop, and not published by the Pope, is not infallible, a series of similar answers given by different Popes under great variety of time and circumstance may well be so considered; and there can be no doubt that the unchanged and fundamental maxims of Papal government are infallibly sound. Moreover, the Pope is infallible, not only in teaching faith and morals, but in universal

discipline; or, in other words, he is not permitted to make a law for the Church which cannot be obeyed consistently with sound doctrine and true moral principle. »

Wilfrid Ward, “Mr. R. H. Hutton as a Religious Thinker”, The Dublin Review, Volume XX (New Series), July, 1888:

« And with reference to Mr. Hutton’s second question—how does infallibility help the Church to accomplish this aim to sanctify and save souls?—let me first cite, again, from a standard work in the hands of all Catholics, an account of the main features of Church guidance:

“The Church [writes Perrone] when she discharges her functions of teaching, performs a threefold office: the office of witness, of judge, of *magistra*. She performs the office of witness in professing those truths of the faith which she has received from Christ; that of judge in deciding those controversies which affect the faith or are related thereto; that of *magistra* in her daily ministry, wherein *by word of mouth and by her action she instructs the faithful in those things which conduce to their training in pure doctrine and morality, and leads them, as it were, by the hand along the path of eternal salvation.* That Christ has endowed His Church with infallibility for *these several offices* Catholics maintain and non-Catholics deny.”

Surely this account of infallibility by a Catholic theologian is a very different one from Mr. Hutton’s. The Protestant writer entirely omits from his estimate of its effects the sphere of practical guidance by her daily ministry; and yet this is just the sphere in which the infallible Church has the most constant and immediate communication with her children. The liturgical and sacramental system, and the ascetic discipline of the Church, which combine to impress, in the words of a well-known theologian, “a definite interior character” on Catholics, form a large part of this practical guidance—of the Church’s *magisterium ordinarium* as it is called. That infallible teaching as to the true ethical ideal which is definitely declared in the canonization of saints and in the approval of religious orders, is likewise impressed upon the minds of the faithful in the daily devotional life of the Church. Frequenting the Sacraments, carrying out the devotions and dwelling on the doctrines proper to the season or the saint commemorated, learning principles of self-improvement in the confessional—from the bare avoidance of sin to the study of the “interior life,” adopting at fitting times the prescribed remedies for spiritual sloth in systematic meditation and retreat from the world—these are obvious particulars in which Catholics may profit by Church guidance. And here are, surely, means of ethical

training designed to aid in the assimilation of revealed doctrine. There is no divorce of the intellectual from the moral order. »

Rev. Patrick Joseph Griffin, “Rites”, The Catholic Encyclopedia, Volume XIII, 1912:

« If any rite did not contain one of the essential notes of the service it would be invalid in that point, if its prayers or ceremonies expressed false doctrine it would be heretical. Such rites would not be tolerated in the Catholic Church. »

Monsignor Joseph Clifford Fenton, The Catholic Church and Salvation:

« The government of the universal Church by the Holy Father has a kind of practical infallibility attached to it, in the sense that it would be quite impossible for a man to lose his soul through obedience to the legislation of the universal Church militant of the New Testament. »

Monsignor Joseph Clifford Fenton, “Reform and Integralism”, The American Ecclesiastical Review, Volume CXXVI, January—June, 1952:

« Should there be some sinful condition within the Church, seriously harmful to the good of souls for whom Our Lord died, it is obvious that Catholics are bound to pray and to work for the overcoming of that difficulty. Prayer, after all, remains the chief weapon of the soldier for Christ.

There is, however, one way in which such difficulty will never be found in the Church. There is a kind of practical infallibility in the society founded by Our Saviour, an effect of His indwelling within the Church which makes it impossible for any man to lose his soul or to offend God by following the actual laws and precepts of the Church.

Some of those laws and precepts are divine in their origin, are irreplaceable guides of Catholic life. There could never be any possibility of a legitimate reforming movement against these enactments. Other laws fall within the category of positive human ecclesiastical law. It is a part of God’s provision for the Church that men can always save their souls and please Him by their obedience to these precepts also. »

Fr. Francis J. Connell, C.S.S.R., “Does Catholic Doctrine Change?” in the American Ecclesiastical Review, Volume 117, November 1947:

« It would be a grave mistake, however, to believe that the infallibility of the Church is limited to the proclamation of revealed truth. There are many doctrines, not contained in the deposit of faith, but so intimately connected with it that the authority to teach revealed truth infallibly would be rendered in great measure ineffective unless the infallible magisterium extended to them also. On this account it is held as certain by theologians that such doctrines constitute a genuine object of infallibility, though indirect or secondary. And when there has been a definitive and official pronouncement on such a doctrine by the infallible magisterium, this doctrine too is unchangeable for all time.

To this indirect object of infallibility pertain dogmatic facts particular happenings or incidents, closely related to revealed truth. Such, for example, is the fact that Anglican Orders are invalid, defined by Pope Leo XIII. . . His decision was evidently definitive, pronounced with the fulness of his teaching authority, for he asserted that he was “most fully confirming and so to say renewing the decrees of his predecessors” and that “with certain knowledge” he was pronouncing and declaring Anglican Orders null and void. . . Under the indirect object of the Church’s infallibility comes also what is known as general discipline. This means that in the dogmatic or moral teaching of the Church, which is included in a practical manner in what is commanded, approved or authorized for the spiritual welfare of all the faithful, by virtue of the protection of the Holy Spirit there can be found nothing that is false or detrimental to souls. »

Monsignor G. Van Noort, S.T.D., Dogmatic Theology, Volume II, Christ’s Church, Section I, Chapter III, Article I, §§ 87 & 91-92:

« PROPOSITION 2: *The secondary object of infallibility comprises all those matters which are so closely connected with the revealed deposit that revelation itself would be imperilled unless an absolutely certain decision could be made about them.* . . . When theologians go on to break up the general statement of this thesis into its component parts, they teach that the following *individual* matters belong to the secondary object of infallibility: 1. theological conclusions; 2. dogmatic facts; 3. the general discipline of the Church; 4. approval of religious orders; 5. canonization of saints. . . .

Assertion 3: The Church's infallibility extends to the general discipline of the Church. This proposition is theologically certain.

By the term “general discipline of the Church” are meant those *_ecclesiastical laws passed for the universal Church for the direction of Christian worship and Christian living_*. Note the italicized words: *_ecclesiastical_* laws, passed for the *_universal_* Church.

The imposing of commands belongs not directly to the teaching office but to the ruling office; disciplinary laws are only indirectly an object of infallibility, i.e., only by reason of the doctrinal decision implicit in them. When the Church's rulers sanction a law, they implicitly make a twofold judgment: 1. “This law squares with the Church's doctrine of faith and morals”; that is, it imposes nothing that is at odds with sound belief and good morals. This amounts to a *doctrinal decree*. 2. “This law, considering all the circumstances, is most opportune.” This is a *decree of practical judgment*.

Although it would be rash to cast aspersions on the timeliness of a law, especially at the very moment when the Church imposes or expressly reaffirms it, still the Church does not claim to be infallible in issuing a decree of practical judgment. For the Church's rulers were never promised the highest degree of prudence for the conduct of affairs. But the Church is infallible in issuing a doctrinal decree as intimated above—and to such an extent that *it can never sanction a universal law which would be at odds with faith or morality or would be by its very nature conducive to the injury of souls*.

The Church's infallibility in disciplinary matters, when understood in this way, harmonizes beautifully with the mutability of even universal laws. For a law, even though it be thoroughly consonant with revealed truth, can, given a change in circumstances, become less timely or even useless, so that prudence may dictate its abrogation or modification.

Proof:

1. From the *purpose of infallibility*. The Church was endowed with infallibility that it might safeguard the whole of Christ's doctrine and be for all men a trustworthy teacher of the Christian way of life. But if the Church could make a mistake in the manner alleged when it legislated for the general discipline, it would no longer be either a loyal guardian of revealed

doctrine or a trustworthy teacher of the Christian way of life. It would *not be a guardian of revealed doctrine*, for the imposition of a vicious law would be, for all practical purposes, tantamount to an erroneous definition of doctrine; everyone would naturally conclude that what the Church had commanded squared with sound doctrine. It would *not be a teacher of the Christian way of life*, for by its laws it would induce corruption into the practice of religious life.

2. From the *official statement of the Church*, which stigmatized as “at least erroneous” the hypothesis “that the Church could establish discipline which would be dangerous, harmful, and conducive to superstition and materialism.” (Auctorem Fidei)

The well-known axiom, *Lex orandi est lex credendi* (The law of prayer is the law of belief), is a special application of the doctrine of the Church’s infallibility in disciplinary matters. This axiom says in effect that formulae of prayer approved for public use in the universal Church cannot contain errors against faith or morals. But it would be quite wrong to conclude from this that all the historical facts which are recorded here and there in the lessons of the Roman Breviary, or all the explanations of scriptural passages which are used in the homilies of the Breviary must be taken as infallibly true. As far as the former are concerned, those particular facts are not an object of infallibility since they have no necessary connection with revelation. As for the latter, the Church orders their recitation not because they are certainly true, but because they are edifying. »

Fr. Frederick William Faber, *An Essay on Beatification, Canonization, and the Processes of the Congregation of Rites*:

« Thus the Church is infallible upon dogmatic facts, in her precept of holydays of obligation and of hearing mass, in her judgment of lay-communion in one kind, the refusal of the Eucharist to infants, the condemnation of simoniacal and usurious contracts, and the like; because faith, morals, and general discipline are laid down in theology as the three great provinces of her infallibility. »

Rev. Antoine Maurel, S.J., *The Church and the Sovereign Pontiff: An Analytical Catechism* (An Approved Translation of the Third French Edition by the Rev. Patrick Costello, C.C., 1878), Chapter VI, Article II:

« Q. Is the Church of Rome holy in its worship and in its sacraments?

A. It must be so, as her worship is the expression and reflection of Catholic belief, and this belief is holy. »

Rev. Antoine Maurel, S.J., *The Church and the Sovereign Pontiff: An Analytical Catechism* (An Approved Translation of the Third French Edition by the Rev. Patrick Costello, C.C., 1878), Chapter XVI, Article I:

« Quest. On what is the Pope infallible?

Answ. On all questions of dogma, morals, and universal discipline. »

Rev. Antoine Maurel, S.J., *The Church and the Sovereign Pontiff: An Analytical Catechism* (An Approved Translation of the Third French Edition by the Rev. Patrick Costello, C.C., 1878), Chapter XVI, Article II:

« Q. Are not some of the Popes reproached with errors?

A. Yes; the Papal infallibility has had detractors.

I say detractors, because the adversaries of the Papacy have never been able to allege anything positive against its dogmatic decisions. No; never, thanks to the assured, invincible, and perpetual assistance of Christ, has the least breath of error altered the symbol confided to the vigilance of the Roman Pontiffs. Falsehood has never stained their solemn judgments in the matter of faith, morals, or general discipline; and these judgments were, and ever shall be, the faith of Christian consciences. »

Rev. Antoine Maurel, S.J., *The Church and the Sovereign Pontiff: An Analytical Catechism* (An Approved Translation of the Third French Edition by the Rev. Patrick Costello, C.C., 1878), Chapter XVIII, Article IV:

« My object is simply to set forth here, that the Holy See cannot err in its regulations relative to the Divine Mysteries, to the Sacraments and the Office of the Church, and which concern faith, morals, and piety.

Q. How do you prove this?

A. I prove it by the fact, that the Pope is infallible in doctrine, and that the rites and prayers which the Liturgy prescribes are but the expression and continued profession of Catholic dogmas. For this reason, the Liturgical books approved by the See of Rome, which are used in the Church—the *Missal*, the *Ritual*, the *Pontifical*, and the *Roman Breviaries*—cannot contain anything whatever contrary to faith, to morals, or to piety.

Q. Does this conclusion extend to *Missals*, *Rituals*, and *Breviaries* peculiar to particular Churches?

A. Yes, as those books have, with the approbation of the Bishops, the express sanction of the Holy See. If this suffrage of the Church be wanting to them, doubtless they may be orthodox, but they may not be so in all points, having as a guarantee of their orthodoxy only the isolated authority of the Bishop who is their author, and who is not enough in the present case. How many liturgical books—Missals, Breviaries, Rituals, have been, unfortunately, at different times altered, mutilated, or modified by persons who had no authority to do so? The Holy See has complained of this, and, full of love and hope, evinced an ardent desire to see all dioceses return to the Roman unity. Thanks to his desires and his paternal exhortations, all our dioceses shall be soon of one voice, as they are of *one heart and soul*, with the principal Chair.

Q. Do you extend what you have said on the infallibility of the Apostolic See concerning Liturgy to the purely historical facts, namely, to the *Lessons* or *Legends* of the Breviaries approved by it?

A. No; there are, or there may be, in these Breviaries certain legends which, under critical scrutiny, might present some difficulties. The Church does not require us to attach unwavering credence to them; what she demands is, that we believe that even these legends, once approved, contain nothing which is not conformable to true doctrine and piety. The word *Legends* comes from *legenda—things to be read*. The title was formerly given to the book of the Church containing the Lessons which should have been read at the Office of Matins. As now retained, it is used to designate the Lessons of the second Nocturn, wherein are related in an abridged form the lives of the Saints whose feasts are celebrated. The ancient legendaries deserved great faith. Figurative expressions there have been more than once taken, in a literal sense. But our present Legends, corrected with care, undoubtedly present sure characters of truth and genuineness. »

Fr. Thomas Francis Knox, When Does the Church Speak Infallibly?

« (d.) Ordinances relating to general Ecclesiastical Discipline and Worship.

Pius VI., in the brief “Quod Aliquantum,” addressed 10th March, 1791, to the French bishops upon the subject of the civil constitution of the clergy decreed by the National Assembly, takes occasion to remark upon “the close connection which discipline often has with dogma, and

how great its influence is in maintaining the purity of dogma.” He adds that Councils have frequently excommunicated those who violate discipline, and that the Council of Trent, in various places, has anathematized impugners of ecclesiastical discipline. As instances, he mentions the excommunication pronounced by the Council against all who deny that Christians are bound to communicate at Easter, as well as against those who assert that the ceremonies, vestments, and external signs used at mass are incentives to impiety, or that the practice of saying the Canon of the Mass and the words of Consecration in a low voice is to be condemned, and that Mass ought only to be celebrated in the vulgar tongue; or that the Church cannot make diriment impediments of marriage, or has erred in making them; or that clerics in holy orders or professed religious can validly contract marriage in spite of the ecclesiastical law and the vow; or that the prohibition to solemnize marriage at certain seasons of the year is a Gentile superstition; or, again, who condemn the benedictions and other ceremonies used by the Church in solemnizing nuptials; or, lastly, who assert that matrimonial causes do not belong to the ecclesiastical judges. After this enumeration, the Pope goes on to remark that, “from the fulmination of excommunication against those who assail various points of discipline we may clearly infer that discipline is regarded by the Church as connected with dogma.” But this connection, according to the principles already laid down, brings the whole range of general ecclesiastical discipline within the Church’s infallibility. Hence she cannot enact disciplinary laws binding upon all the faithful, which are virtually incompatible with the purity of faith and morals. Otherwise, through these laws, she would be indirectly sapping the foundations of the faith in the souls of her children, and thus fall into palpable contradiction with herself as the infallible teacher of the faith. In like manner, whatever the Church ordains relative to public worship must be in harmony with the faith. “Lex orandi, lex credendi:” as we are bound to pray, so we are bound to believe. Thus the prayers we offer for the dead impress upon our minds, and so teach us the doctrine of purgatory. The exorcisms used in baptism bear witness to the dogma of original sin. The genuflections to the Most Holy Sacrament help us to realize Christ’s real presence. The doxology, with which we terminate each psalm, reminds us of the mystery of the Ever Blessed Trinity. Hence, through the necessary connection of worship with dogma, we may infer that the sanctity of the Church and her office as teacher of the faith alike require that she should be so far infallible in regard to the worship of God that she cannot command the universal flock to adopt any forms or mode of worship virtually inconsistent with revealed truth. Consequently, the mere fact that the Roman missal, pontifical, breviary, and ritual have been formally approved by the Sovereign

Pontiff, and imposed by him as of obligation upon the clergy, is proof sufficient that they contain nothing contrary to faith, morals, or piety. »

The Catechism of Rodez Explained in Form of Sermons by the Abbé Luche, Translated and Adapted by Rev. John Thein, 1899, p. 375:

« It is a well-known fact, and admitted by all jurists, that the Canon Law—the law of the Church—is *most wise and just*; and the chief excellencies of other codes are to be found where the principles laid down in our Canon Law have been adopted. To the laws of our Church, then, we have to look for the best course to be followed in reference to marriage. She has power to make laws for the good government of her subjects, because she is a society, and as such has power to govern her own members; and because Christ gave her all power necessary or ever useful for the right government of a Christian commonwealth. »

Rev. Adrian Fortescue, “Rites”, The Catholic Encyclopedia, Volume XIII, 1912:

« The dogmatic and apologetic value of liturgical science is a very important consideration to the theologian. It must, of course, be used reasonably. No Church intends to commit herself officially to every statement and implication contained in her official books, any more than she is committed to everything said by her Fathers. For instance, the Collect for St. Juliana Falconieri (19 June) in the Roman Rite refers to the story of her miraculous communion before her death, told at length in the sixth lesson of her Office, but the truth of that story is not part of the Catholic Faith. Liturgies give us arguments from tradition even more valuable than those from the Fathers, for these statements have been made by thousands of priests day after day for centuries. A consensus of liturgies is, therefore, both in space and time a greater witness of agreement than a consensus of Fathers, for as a general principle it is obvious that people in their prayers say only what they believe. This is the meaning of the well known axiom: *_Lex orandi lex credendi_*. The prayers for the dead, the passages in which God is asked to accept this Sacrifice, the statements of the Real Presence in the oldest liturgies are unimpeachable witnesses of the Faith of the early Church as to these points. The Bull of Pius IX on the Immaculate Conception (“*Ineffabilis Deus*”, 8 Dec., 1854) contains a classical example of this argument from liturgy. Indeed there are few articles of faith that cannot be established or at least confirmed from liturgies. The Byzantine Office for St. Peter and St. Paul (29 June) contains plain statements about Roman primacy. The study of liturgy from this point of view is part of dogmatic theology. Of late years especially dogmatic theologians have

given much attention to it. Christian Pesch, S.J., in his “Prælectiones theologiæ dogmaticæ” (9 vols., Freiburg i. Br.) quotes the liturgical texts for the theses as part of the argument from tradition. »

The Pastor, Volume I, November, 1882, Notices of Books—Familiar Conferences on the Theology of the Sacred Heart (1882), by Rev. E. M. Hennessy:

« Every devotion in the Church is necessarily grounded on a dogma of faith. We understand, and can approve or intelligently practice, a devotion only when we perceive its bearing as to dogma. »

Rt. Rev. Camillus Paul Maes, Bishop of Covington, KY, “The Shoe in Symbolism”, The Catholic World, Volume LXIII, April, 1896:

« There is a good reason for every ceremony in Catholic usage and worship. The most casual rite of the church’s functions and of the ceremonial connected with the official acts of her ministers has a *raison d’être*, a historical or symbolical reason worthy of the attention and respect of the learned and of the educated. »

The Pastor, Volume II, November, 1883, “The Mass. Duplicating.”:

« Our present enquiry is not what would be the best and most salutary law for the Church to make in regard to duplicating, but only what law has she made. This, calmly and dispassionately, we should try to ascertain, and having ascertained, obey. It is a doctrine questioned by no theologian, that the Supreme Pontiff is divinely directed and assisted in the disciplinary guidance of the universal Church. How else could he feed the lambs and the sheep? On no other hypothesis could the Primacy be really or reasonably upheld. Whatever law, then, the Holy See has promulgated and strives to enforce in a matter of such tremendous import as the Sacrifice of the altar, that law must be the most salutary for both lambs and sheep. Though we insist on observing all prescribed ceremonies, and though we are taught that it would be a *grave* to slight them in notable measure, we cannot for a moment hold any one, or any group, of the liturgical laws, in equal balance with this, the object of which is not the manner of doing the thing, but the thing itself, and that thing no other than the source of all life and good, the Adorable Sacrifice. Speculation and opinion must cease here. Find the law, and do in the matter as directed by Him who is commissioned from on high to direct us, and

to whom in fullest measure is constantly streaming from above, the graces and lights involved in the words *et portae inferi non praevallebunt*. »

Dr. William George Ward, “Church and State”, The Dublin Review, Volume XXVI (New Series), April, 1876:

« He [Hergenröther] considers Popes to be infallible in doctrine (*Catholic Church and Christian State*, vol. i. 43), even when they do not *express* any doctrine at all; when they merely *imply* doctrine, by this or that “moral precept” imposed on the Universal Church. If there could be any doubt on the meaning of Hergenröther’s words taken by themselves (though we do not see how there can be), his citation of Suarez in corroboration is perfectly conclusive as to what he intends. »

Rev. Herman Joseph Heuser, “Desiccation—A Recent Phase of Cremation”, The American Ecclesiastical Review, Volume IV, January, 1891:

« Laws of Church discipline are not laws of faith, but the preservation of the faith among men depends mainly on discipline, inasmuch as right practice preserves the life of faith. . . She, as guardian of faith and morals, acts like a parent who forbids his child certain practices and associations, although they be not positively wrong, simply because of the danger to which they expose the child. »

A Vindication of the Bull ‘Apostolicæ Curæ’ by the Cardinal Archbishop and Bishops of the Province of Westminster (Third Edition, 1898):

« We will begin by claiming for Leo XIII that he has exercised only his lawful authority in deciding this controversy about Anglican Orders. We are aware that the claim will be denied by the majority of those who belong to your Communion, although some among them readily acknowledge that the Pope represents the highest religious authority in Christendom. But we will put it to you in this way. If he does possess any authority over the Church, and is capable of passing final judgment in appeal upon any question, surely it must be upon so elementary, so practical, so vital a question as the valid administration of sacraments. On the other hand, if he be not capable of giving a final judgment on such a matter, who else in the world can be capable of giving one? And if no one can give a final judgment as to what is and what is not valid administration of a sacrament, as to what is and what is not the Christian Priesthood and Sacrifice, in what a condition of inextricable chaos has Christ left His Church! In short, to

deny Leo XIII's competency to define the conditions of a valid sacrament is to strike at the very roots of the sacramental system. For if there be no authority on earth capable of deciding so fundamental a point, how can we continue to attach vital importance to the sacraments, or to regard them as stable rites of divine institution on the due observance of which the maintenance of our spiritual life depends? »

Fr. Francis Jeremiah Connell, C.S.S.R., "The Apostolic Constitution *Sacramentum Ordinis*", Proceedings of the Catholic Theological Society of America, 4, 1949:

« (2). Is this an infallible pronouncement? It was the opinion of those present that in promulgating this important constitution, Pope Pius XII made use of his infallible teaching authority. In the first place, this is indicated by the words: "divino lumine invocato, suprema Nostra Apostólica Auctoritate et certa scientia declaramus. . . ." Secondly, this constitution lays down a ruling of vital importance for the universal Church, since the validity of priestly ordinations could be impaired if it contained error. Now, it is a certain theological doctrine that the teaching authority of the Church is infallible in matters of general discipline in the sense that the Holy Spirit will preserve the magisterium from any legislation that would be harmful to the faith or to the spiritual welfare of the universal Church. »

Giovanni da Legnano, Tractatus De Bello, De Represaliis et De Duello (1360), Chapter LXXX:

« Moreover, the canon law allows it; therefore the divine law does not forbid it. »

—*Mutability of general discipline & miscellaneous*—

Pope Clement V, Council of Vienne, 1311-1312:

« The following decretal, published a little while ago by our predecessor pope Boniface VIII, was revoked by our predecessor pope Benedict XI. Since, as results have proved, the revocation did not bring with it the peace hoped for by its author, but rather stimulated the discord which it was designed to allay, we annul it altogether and renew, with the insistence and approval of the sacred council, the said decretal published by Boniface which runs as follows. »

Pope Pius XII, Allocution to the professors and students of the University of Vienna law school, 3 June, 1956, AAS 48—498:

« We welcome you, gentlemen, who have come from Vienna to Rome.

You are devoted to the study and practice of canon law and the history of jurisprudence. Both studies, the first by nature and necessity and the second also, bring you in contact with the moral teachings of the Catholic Church.

Church law is not an end in itself. It is a means to an end. Like everything else in the Church, it is at the service of the “*salus animarum*” (the salvation of souls) and is therefore a matter of pastoral care. It should assist in opening and smoothing ways into the hearts of men for the truth and grace of Jesus Christ. However, it is not for that reason something which comes from without, as an adjunct to the inner structure and nature of the Church. It is not merely the work of men.

Many canons, to be sure, are only protective norms, such as those which guard the Faith from decay and keep the dignity of grace and the sacraments from sacrilege. But in addition to these, there are canons which are built into the very structure of the Church by her Divine Founder and which are indeed in direct accordance with her nature. These include such forms of organization of the Mystical Body of Christ as the laws regulating the constitution of the Church and those defining the powers of the Pope and of the bishops. Christ founded His Church not as a formless spiritual movement but as a strongly organized association.

Certainly Church law must not stifle the spiritual and supernatural values it is intended to serve. The accusation has indeed been made that that is just what it does and there has been talk of the “excessive legalization” of the Church. Thus the voice of accusation is too often raised against the inflexibility with which the Church holds fast to the indissolubility of a validly contracted and consummated Christian marriage. And yet she treats this problem not with legalistic heartlessness and harshness, as though she does not perceive the tragedy which is often present in such cases, but simply with regard for the faithful administration of the marriage laws which her Divine Founder Himself has laid down and upon which the Church is not competent to pass judgment.

We do not need to tell jurists that the few laws of Apostolic times would not be sufficient to direct a world church of over four hundred million souls today.

It was always when the Church itself spread geographically, strengthened its religious life and began to produce new blood, that almost spontaneously there have been developments in Church law in order to control and protect the stream of all religious life.

We must also keep in mind the operation of Providence in the formation of the Code of Canon Law, the present law of the Church. The new arrangement of the Church laws in any case coincided with the physical spreading out and the inner development of the Church in the 19th century, which no previous century had attained in exactly the same way.

The Church has not come thereby to any “excessive legalization.” Even today a religious will, spiritual power and a sacramental life among the faithful can be found which is generally stronger and freer, perhaps, than ever before.

Church life and Church law belong together. A symbol of this for you would be that of the sainted Pope Pius X. He was the creator of the new Church code of laws by which he opened the sources and sluices of all sacramental life.

We wish you, gentlemen, scholarly success and inner enrichment in your study of law, and We impart to you with fatherly wishes the Apostolic Benediction. » ~ Fr. Timothy Lincoln Bouscaren, S.J., A.M., LL.B., S.T.D., and Fr. James I. O’Connor, S.J., A.M., S.T.L., J.C.D., *The Canon Law Digest*, Volume V, pp. 3-4.

Isidore Cardinal Virga, Prefect of the Sacred Congregation of Bishops and Regulars, Decree *Quemadmodum*, ordered by Pope Leo XIII, 17th December, 1890:

« Just as it is the fate of human things, how praiseworthy and holy soever they may be in themselves, even so is it of laws wisely enacted, to be liable to be misused and perverted to purposes opposed and foreign to their nature. Wherefore it sometimes happens that they no longer serve the purpose which the lawmakers had in view; nay, they sometimes even produce quite a contrary result. . . . His Holiness annuls, abrogates, and declares of no force whatever, hereafter, all regulations whatsoever in the Constitutions of Pious Societies and Institutes of women who emit either simple or solemn vows, as well as in those of men of the purely lay order (even though the said constitutions should have received from the Holy See approbation

in any form soever, even that which is termed most special), in this one point, in which these Constitutions regard the secret manifestation of conscience in whatsoever manner or under what name soever. He therefore seriously enjoins on all then Superiors, Male and Female, of such Institutes, Congregations, and Societies to absolutely cancel and expunge altogether from their respective Constitutions, Directories, and Manuals all the aforesaid regulations. Likewise he declares whatsoever usages and customs in this matter, even such as are from time out of mind, to be null and void and to be abolished. » [“In this first paragraph a general reason for the promulgation of the Decree is presented, and the mind is prepared for its dutiful acceptance. Moreover, an objection which would seem to present itself most readily to us is anticipated; for we are reminded that experience teaches us that what has been established for the general good is very often turned to evil. Consequently, what had been wisely sanctioned or granted by the supreme authority is now prudently taken away, and that, too, without the least suspicion of contradiction or fickleness. Therefore there is no question here of a law, new in all its bearings, but only of certain arrangements and limitations for suppressing the abuses that have evidently crept in, and of restoring to usefulness what has become fraught with danger.” – Rev. Aloysius Sabetti, S.J., “Commentary on the Decree ‘Quemadmodum’”, The American Ecclesiastical Review, Volume VI, 1892, March, Article I.]

Pope Benedict XV, *Providentissima Mater Ecclesia*, 1918, Bull promulgating the new Code of Canon Law:

« With inevitable changes nevertheless in the conditions of the times and in the needs of men, as our predecessor, Pius X of happy memory, pointed out in the *Motu Proprio _Arduum sane_*, issued 17 March, 1904, it became apparent that Canon Law could no longer readily attain the fulness of its aims. Indeed in the passing of centuries many, many laws had been published, of which some had been abrogated by the supreme authority of the Church or had fallen into desuetude; whilst others, owing to changed conditions, had become difficult of execution, or less useful and expedient for the common good. Moreover these laws had so increased in number and were so separated one from another and scattered about that many of them were unknown not merely to the people at large, but even to the most learned.

For these reasons our predecessor, Pius X of happy memory, immediately on his accession to the Pontificate, realizing how helpful it would be for the stable restoration of ecclesiastical discipline to put an end to the serious inconveniences above referred to, resolved to arrange in a

clear and orderly collection all the laws of the Church which had been proclaimed down to our day, abolishing those already abrogated or obsolete, adapting others to present needs and making new ones as necessity or expediency should require. Setting about this most difficult task after mature deliberation, he considered it necessary to consult the bishops _whom the Holy Ghost hath placed to rule the Church of God_, so as to know fully their mind on this matter; and first of all he caused the Cardinal Secretary of State to write letters to all the archbishops of the Catholic world, charging them to interrogate their suffragans, and other Ordinaries, who are obliged to assist at provincial synods, if there were any such, and to inform the Holy See with as little delay as possible and briefly concerning the modifications and corrections which in their opinion might be especially necessary in the present laws of the Church.[Cf. *Epistolam _Pergratum mihi_*, 25 March, 1904.] »

(English translation taken from the *American Ecclesiastical Review*, Volume LVII, 1917.)

Cardinal Joseph Hergenröther, *Catholic Church and Christian State*, Volume I, Essay I, Part II, § 7:

« But it is said: “This Bull [*Cum ex apostolatus officio*] is directed to the whole Church, is subscribed by the Cardinals, and thus has been published in the most solemn form, and is certainly *ex cathedrâ*.” These characteristics, however, do not suffice for a dogmatic doctrinal decision. Universally binding laws as to discipline have also been subscribed by the Cardinals, and solemnly proclaimed. Even the Bull ‘*Cum divina*’ of Alexander VII. (26th March 1661), which imposed on all ecclesiastical property in Italy certain tithes to help the Venetians in their struggle against the Turks, was subscribed by the Cardinals.[2] And other Papal disciplinary laws have been issued ‘out of the fulness of power’ (*de plenitudine potestatis*);[3] the word ‘define’ is used in other places also of judicial judgments;[4] and laws designated as to be in force for ever (*constitutio in perpetuum valitura*) have been soon afterwards repealed, because they were found to be of no service to the Church.[5] The sort of proofs our opponents bring forward in this matter show an entire ignorance of Papal Bulls. Compare, for example, another Bull of the same Pope directed against the ambitious endeavours of those who coveted the Papal dignity;[7] this Bull has equally the agreement of the Cardinals, is published out of the plenitude of the Papal power, is declared to be for ever in force, threatens equally all spiritual and temporal dignitaries without exception, &c. And yet it is undoubtedly not in the least a dogmatic Bull. If it were, there would be scarcely any recent ecclesiastical laws (as opposed to

dogmas) for canonists to discuss; while dogmatic theologians would have been all in strange ignorance of their province.

[Notes:

2. Bull. ed. Lux. t. vi. p. 142 seq.

3. Cf. Bened. XI. 1304, c. iii. de Elect. i. 3. Joh. XXII. a. 1319, c. xi. de Praebend. iii. 2, in Xvagg. com. Clem. X. 1671, Const. 52. Romanus Pontifex, Bullar. ed. Lux. vi. 376 seq. Const. Creditae Nobis, 1670, ib. p. 321 (Indult for the residence of the Papal Court). Innocent XII. Const. Speculatores, 1694, § 3 (Conc. Trid. ed. Richter, p. 531). Pius IX. 26 Aug. 1852 (Acta Pii IX. vol. i. p. 376, Indult for the Congr. Laetana), &c.

4. Innoc. III. I. vi. ep. 90, 104, 109, 189, 202, 203, pp. 96, 111, 114, 208, 227 seq.; 1. viii. ep. 60, 61, 106, 155, p. 626 seq. 675, 734, and elsewhere. Thus 1. ix. ep. 88, p. 905: 'Quod est a nobis sententialiter definitum;' 1. vii. ep. 29, p. 311: 'Lis ante judicem debet contestari et causa per judicem definiri.'

5. So also the Emperor Frederic II. says of his law against the heretics (1220): 'Hoc edicto in perpetuum valituro' (Walter, Fontes, p. 84, § 6). Cf. Pius V. Const. Cam nil magis, c. un v. 14, de Monet. Tonsor. Const. 2, 3, de Ambitu, v. 10, in libro sept. Const. Romanus Pontifex, 1568 (Conc. Trid. ed. Richter, p. 502): 'De apostolicae potestatis plenitudine hac per petua valitura constitutione.' In like manner, Alex. VII. Const. 25, In sublimi; Clem. X. Const. 21, In gravissimis (Bull. vi. 42 seq. 328 seq. ed. Luxemb.), in which for the States of the Church the revocation of exemptions from certain taxes is declared, and in numberless other Bulls.

7. Cap. i. Cum secundum Apostolum. 1. v. 10, de Ambitu in lib. vii. Decret.] »

Rev. Augustine Francis Hewit, C.S.P., "Pure vs. Diluted Catholicism", The American Catholic Quarterly Review, Volume XX, From January to October, 1895:

« Beside doctrine, there is also all that complex order of organic life, embracing government, worship, legislation, customs, practical religion and morals, which may be called by the common name of discipline.

Doctrine, considered as truth, is, of its own nature, immutable, not subject to control or alteration by law and authority. It is otherwise with discipline. There is an eternal law in the moral order which, being founded in the essential truth of things, is not dependent even on the will of God, but equally unchangeable with necessary truth. But there is a positive law,

depending on the will of God as supreme legislator and on the will of the lawgiver to whom he has delegated power and authority, which admits of variation and is susceptible of change, within due limitations, by the action of authority, either divine or human. The Catholic discipline is in part of direct, divine institution, depending solely on the divine will, and above all direction from the will of man. The Unity and corporate Constitution of the Church, the Seven Sacraments, the Sacrifice, the Priesthood, the Episcopate, the Papacy, the Law of Monogamy and indissoluble Marriage, are of divine institution and above all human control. There are, in addition to these, institutions, laws, traditions, apostolic or ecclesiastical, proceeding from the will of human legislators, depending on this human authority and capable of variations, modifications, alterations in different times, countries and circumstances.

There is a wide difference, however, between the question, whether, in certain cases, the supreme power in the Church is absolutely competent to make a change in the discipline, and the question whether it can do so rightfully, wisely, prudently and usefully. The Pope has the absolute power to abolish the institution of metropolitans. Yet it would be a great abuse of power to attempt such an innovation. As an instance to the contrary, we may cite the case of priests in China being allowed to wear their caps during the celebration of Mass and the consecration, contrary to the universal rule requiring them to remain uncovered, out of reverence to the Blessed Sacrament. In China it is a mark of respect to cover the head in presence of dignitaries, and considered as very disrespectful to stand before them uncovered. Hence, it is wise to conform to that custom when ministering at the altar, and would be very foolish to do otherwise. Some persons may fancy that there are many matters of discipline in which the Roman Church might make concessions to the spirit of the age—to modern ideas and customs—in the same way and on the same principle that an exterior rule about wearing a biretum at the altar could be changed out of deference to a national custom. It is evident, however, without going into particulars, that any general plan of a transformation of Catholic discipline to suit the spirit of the age and the notions and habits of some particular countries and classes of persons, is equally fallacious and visionary with a scheme of doctrinal transformation. The great number of Protestants who are longing to return to the bosom of the Roman Church, through some sort of compromise, dream and scheme of some such transformation of discipline, though it is in the vaguest and most general way. Some Catholics may be caught by a similar illusion, through their zealous and charitable desire to facilitate the return of these separated brethren. There is no doubt that the Church has always shown a

flexible character of adaptability to different times and peoples, and that in matters not belonging to essential and substantial discipline there have been and are marked variations in the forms of external Catholic order. But all these things are and must be under the control of the rulers of the Church, and not subject to innovation and experiment from the caprice of individuals. . . .

Does the existing discipline place any barriers which can be removed by concessions or modifications which ecclesiastical authority has full power to make, and that without prejudice to the well-being of the Church?

There is a part of discipline founded in dogma, and above any human power to change. The Papal and Episcopal constitution, the authority of Ecumenical Councils, all that is essential in the offering of the Sacrifice and the administration of Sacraments, and whatever else is established by Divine law, is unchangeable. All that rests solely on ecclesiastical law is within the scope of the supreme power of the Church. Much of this is so long and so firmly embedded in the structure and order of the Catholic religion that it is practically unchangeable, and cannot be justly or prudently modified. There is also a practical application of the universal principles and laws of discipline in different countries and periods which is variable, and has been continually varied as the occasions have arisen. There is, besides, an environment of local and particular customs which spring up spontaneously, like the undergrowth in a forest. There is always in the popular religion a great deal which is Catholic, in the sense of being consistent with Catholic doctrine and law, but not Catholic in the sense of being obligatory or of universal fitness. There is no reason why one should imitate customs which prevail in any Catholic country from a notion that we thereby make ourselves more Catholic, whereas we are only striving to become French, Spanish, or Italian. Our accidental clothing ought to fit ourselves, and we fit our clothing. There is no sense in imitating French vestments, dressing up sacred images like the Spaniards, fitting up churches without pews as in old times, and some foreign countries, adopting books and practices of devotion suitable for other times and places but not for those with whom we have to deal in our own time and place. The mission exercises of St. Alphonsus were all held in the daytime, for night services in churches in Italy are unknown, and would not be approved if they were attempted. In this country missions would be impossible unless the people were assembled before daylight and after dark. The necessity of the case has brought about not only a diminution of the number of

holidays of obligation, but a practical relaxation of the law forbidding servile labor on those which remain, excepting Christmas and New Year's Day, as also the precepts of abstinence and fasting from which large dispensations are given. The congresses in which laymen take a prominent part, other conventions of various kinds, and the summer schools which have begun to be held, are remarkable instances of new measures and methods which have been adopted. The participation of Catholic prelates in the Columbian Congress of Religions is the most striking of all the innovations on old ways which has occurred. These and many other instances which might be adduced prove that the Church has no ironbound, inflexible policy in the methods and measures by which her discipline is practically applied. »

The Pastor, Volume V, September, 1887, "The Decrees of the Third Plenary Council":

« Students of canon law all realize how necessary it is, especially in that branch of studies, to make sure of the meaning of the terms called into use. Laws are altered to suit the altered circumstances of society. Custom generally precedes legislation. But words remain,—old words with new meanings. It is only necessary to look at Webster to get an idea of the number of words now used in social intercourse as well as in technical works in a sense in which they would never be understood by our ancestors. Many words have become obsolete. This is not very puzzling. They are not in use. But what is puzzling is to come across laws and dissertations of a few generations ago dealing with names and terms which are still in common use, but using them to signify things and ideas wholly different from what they signify to us. . . . Out of the altered circumstances of modern days naturally grew legislation suited to the circumstances. »

The American Ecclesiastical Review, Volume IV, February, 1891, Book Review:

« That the canon law of the Church should allow of such an adaptation without becoming untrue to the principles of her existing laws is one of the most striking proofs of her inherent and divinely secured wisdom. . . . But the excellence of our constitutions is no guarantee of our apprehending their proper spirit. This requires training. The seminaries are the places where respect for the law and for authority must be inculcated, and inculcated not by the recital of commandments and the enforcing of subjection, but rather by an appeal to the reasonableness, the absolute necessity, and the all-sided advantages of exact and consistent discipline. Neither age, nor dignity, nor individual virtue of any sort can dispense a body of men who are to work for a common end from the observance of a judiciously enforced discipline according to laws

made with a view to serve the end for which they combine. Order is the law which nature points out for the preservation of every organism, material or spiritual. If the members of any organization happen to be intelligent, it can only have the effect of making the observance of order more easy to them, since there is a pleasure in recognizing the wisdom of a law, distinct from the other advantages of its observance; but the superior intelligence of the members of an organization can never dispense with the discipline by which its object is to be secured and maintained. Hence the necessity of mastering the laws both in their principles and application.

»

Rev. Charles J. Powers, "Are Anglican Orders Valid?" *The Catholic World*, Volume LXIII, August, 1896:

« For while the dogmas of divine and Catholic faith are as unchangeable and eternal as truth itself, the discipline of the church can be adjusted to meet the exigencies arising from particular and peculiar conditions. »

Rev. Arthur Devine, C.P., *Convent Life; or, The Duties of Sisters Dedicated in Religion to the Service of God* (4th edit., 1897), Preface:

« In the Church, whilst her doctrine on faith is invariable, her disciplinary laws suit themselves to the needs of every age. What suits at one time is found to be unsuitable at another, and, although her own government is monarchical, her principles can suit themselves to republics and democracies. »

Rev. Joseph Rickaby, S.J., *The Lord My Light* (1915), Conference XIV, Dogma and Discipline:

« There are in the Church *_credenda_* and *_agenda_*, things to believe and things to do; in other words, doctrine and discipline. With regard to doctrine, the Church has only the power of a herald to *_proclaim_* (*_κηρύττειν_*, the original word for *_to preach_*). She cannot alter the matter of the proclamation put in her mouth by Christ and His Holy Spirit. She has nothing to unsay. She can only say more fully and completely what she has always said. It is otherwise with her discipline. The foundations of her discipline are the natural moral law, and over that she has no power, except to proclaim it in her pulpits, and enforce it in her spiritual tribunals: also certain enactments of Christ Himself touching the sacraments, their matter and form, and touching the hierarchical constitution of the Church,—these enactments she can but stand by

and obey. Over and above these foundations is superimposed a vast body of laws and customs, making up what is commonly understood by the discipline of the Church. Here the Church is no longer herald, she is lawgiver. She made these laws, and she can abolish them. It is the discipline, not the doctrine of the Church, that can be altered to meet local and temporal exigencies. And it may be said with a fair measure of truth that no one system of discipline can be adapted to the requirements of all men. »

Rev. Francis L. Filas, S.J., S.T.D., *Joseph Most Just: Theological Questions about St. Joseph* (1956), Chapter Six, The Petitions for St. Joseph's Advance in the Liturgy:

« The question of adding the name of the Saint to the prayers of the Mass does not incur any difficulty as far as the dogmas of the Church are concerned. The rites of the Church—and particularly the Latin Mass—have been changed in the past by Roman Pontiffs, and can be changed now. Such additions or revisions are thoroughly within the power of the popes.

One possibly serious difficulty calls for fuller discussion. Have the rites of the Mass been handed down to us unchanged from antiquity? The answer is that the Mass has been static only since the time of Pope St. Pius V (that is from the second half of the sixteenth century). Many changes were made in Mass prayers during the Middle Ages. Bover, relying on Batiffol, says, "Anyone who would think that the modern Mass formulary was compiled in its entirety by St. Gregory I would be in grievous error." [Joseph M. Bover, S.J., *De Cultu S. Iosephi Amplificando* (Barcelona: Subirana, 1926), p. 56.] »