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INTERPRETING THE ORDINARY MAGISTERIUM ON MARY'S VIRGINITY *

First, I want to express my thanks to Fr. Juniper Carol for assigning this topic to me, because exploring it has pushed me a little closer toward the solution of a problem that has been bothering me for the last three or four years. During that time, I have given half a dozen talks on "The Doctrine and Role of Mary in the Church after Vatican II." It has been a frustrating experience, because the substance of the talk has been to point out that Vatican II strongly re-affirmed all the doctrines on Mary, that the only ones about which serious question was raised were the matters of the nature (not the fact) of her mediation, the use of titles like "Co-redemptrix" and "Mediatrix", the Christotypical or Ecclesiotypical stress to be laid on her role, and even these seemed to have been settled to the satisfaction of almost everyone, with the adoption of Chapter 8 of *Lumen Gentium* and the use of the title "Mother of the Church" to clearly distinguish her role from that of the one Redeemer. Yet, despite all these protestations, the fact of the matter is that devotion to Mary has sharply declined; interest in Mariology seems to be the prerogative of the middle-aged and those beyond; there is a positive distaste for any concentration on Mary on the part of younger priests and religious, and evidence of the same in catechesis. In short, theoretically there has been almost no change at all, and yet practically, the change is immense. Still my own efforts, and those of others, to explain why this has happened have been almost fruitless.

* *Editor's Note.*—For reasons beyond our control, this paper could not be published in last year's Proceedings. We are happy to make it available at the present time.

One thing that is clear is that changes in presentation of Catholic doctrine and in Catholic living are taking place in many instances without their ever having been ordered, approved or even sanctioned by hierarchical authority—and this is something that we have to recognize as a fact of life, instead of simply ignoring it or lamenting it. These changes have affected not just Mariology, but things like frequent confession, eucharistic devotions, devotion to the Saints, daily Mass and many other things that were part of the spirituality of a few years ago. The changes have come not through actions of authorities, but rather without them and (more rarely) in spite of them, but up till now there has been little analysis of the reason why.

This paper has pushed me a little further in the direction of a clearer answer to that “why?”, and I hope to take that matter up as a final point. But first, it might be better to briefly situate the overall problem on Mary’s virginity within the Church, to see where the ordinary magisterium fits in. (I will be touching briefly on the matter treated so well in yesterday’s papers.)

In the past, the Catholic teaching has affirmed Mary’s three-fold virginity: *before*, *in*, and *after* the birth of Christ. Now each of these positions has been questioned in some way in the Church in recent years.

In the early 1950’s, Mitterer asked whether the Fathers’ literal description of virginity *in birth* as meaning a painless birth with an unopened womb was to be regarded as a matter of faith, or rather only as their own way of understanding, in concepts accommodated to the mentality of their times, the deeper spiritual truth of Mary’s total integrity and holiness without any physical miracles at the time of Jesus’ birth; he felt this would lend greater meaning to her sharing in the kind of motherhood other women experience and thus make her motherhood more meaningful to the faithful. The question was left unanswered, but we can see in it two further questions that were

to return to be of great significance to the study of Catholic doctrine a decade later: how far can you and should you go in demythologizing the teachings of Councils or Fathers in the past? how important is it that revealed doctrine be relevant to people of our own day?

In the early 1960's, in an ecumenical environment, and more cautiously, some Catholics raised the question as to how much we were committed to the idea of virginity after the birth of Jesus, since there is no direct Scriptural evidence in favor of this, there are some passages that have been interpreted as being opposed to it, and there is a general tradition among Protestants of rejecting this notion as unsubstantiated. In this case, the question of the force and validity of Scriptural evidence loomed large.

Finally, some Catholics, in a period of re-examination of doctrine, have raised the question of whether or not we are committed to a physical interpretation of the virginal conception of Jesus, or whether the teaching that has been handed down might admit of other explanations. The clearest example of this up till now is the Dutch Jesuit, Fr. Piet Schoonenberg, who explained in an article reproduced in *Herder Correspondence* for May, 1967, why the Dutch Catechism seemed to be ambiguous about a physically virginal conception. He indicates there that the reason for the ambiguity is to leave the matter open since the doctrine is questionable. He regards it as questionable because: a) There is no definition of it from the extraordinary magisterium. While it is true that the Creeds have it, they have to be demythologized to separate what is really defined from the historical way of presenting it (which is time-conditioned and changeable). It is true that the Fathers spoke of virginal conception, but this may be a mythical portrayal of the divine ("more than human") origin of Jesus, and hence an indication of the Incarnation but nothing more. Later statements from the Church that are more explicit are not to be regarded as definitions. b) The New Testament as a whole might

give the impression that the virginal conception is a poetical expression for the unique divine sonship of Jesus. c) There is no universal teaching of the ordinary magisterium on this, since "there are reasonable grounds for thinking that there is not a universal consent today about the bodily virginity of Mary," because of a new reverence for earthly life, marriage and sexuality. d) Theological reasoning would argue against virginal conception since Jesus is truly man, "of one nature with us" as the Council of Chalcedon says, and virginal conception would detract from this sharing of the human condition. Schoonenberg's conclusion is that the matter is an open question: "Those who firmly believe in the divine sonship may hope for clear light of faith in the discussion of his virgin birth."

Significantly, aside from an attack on the Scriptural and Conciliar arguments in favor of virginal conception, on the basis of demythologizing them, this represents a whole new approach to what the ordinary magisterium is (the witness of the *faithful* either instead of, or along with, the hierarchy) and to what an argument from the ordinary magisterium should be ("universal consent [of the faithful] about the bodily virginity of Mary").

The question of re-evaluating the use of the ordinary magisterium has been raised by other theologians as well. Fr. George Tavard, in commenting on the action of the Second Vatican Council, and writing, not about Mary's virginity, but about her mediation, indicates that papal documents would have to be interpreted in terms of the Latin or Southern European mentality that gave rise to them. Fr. Gregory Baum, writing about the witness of the ordinary magisterium of bishops to the sinfulness of contraception in the 1920's and 1930's, indicated that it lost any probative force, since it did not represent any independent judgment or witness, but rather just a reflection of papal teaching.

What all of this means is that a classical presentation of an argument for the virginity of Mary from the ordinary magis-

terium will no longer be effective by itself, since much of what it represents in being questioned. In the past, such an argument would have consisted in marshalling the passages from documents of popes, councils and bishops that taught her virginity, and then assessing their authoritative force since they represent official teaching with binding power. Such an argument would probably have been regarded as unnecessary in the first place in a matter that was proposed so clearly in Scripture and the Creeds and Council decrees, but its force would have gone unquestioned.

Now objections are raised from at least five directions against arguments drawn from the ordinary magisterium: 1) There is a general suspicion of the degree of force that teaching of the ordinary magisterium has, since so much of what was once accepted on this basis (from the creation of the world in six days to the literal truth of the words and deeds of Jesus in the Gospels) has come to be rejected. 2) At the present time in particular, there seems to be a great deal of vagueness as to what the ordinary magisterium is actually teaching, since it is possible to find variations among theologians and hesitation on the part of bishops in the case of almost every doctrine. 3) Many past formulations of teaching by the ordinary magisterium seem to have outlived their usefulness, and this raises questions as to the force and the value of the documents that propose them (e.g. does the Holy Office decree on the Mitterer issue have the same force now as it did 13 years ago?). 4) New stress has been laid on the need for relevance in teaching that does not meet this criterion. 5) The prophetic role of the laity which has been emphasized since the Second Vatican Council means that they have a role to play in the formulation of doctrine that cannot be ignored by the bishops. If you put all of these points together, you can be led rather easily to a position akin to Schoonenberg's, in which the ordinary magisterium seems to consist in official recognition of a universal consensus, where this exists and can be recognized.

I cannot accept this explanation of the nature and role of the ordinary magisterium as valid. It seems to me that it would replace the "creeping infallibility" of which some complain with a "disappearing magisterium" with results that would be disastrous. I do not believe that the older concept of magisterium is invalid. But the very fact that these problems have been raised means that we need a deeper and more refined understanding of what the ordinary magisterium is and of where it fits in than we did in the past.

With this as a background, I would like to try to answer three questions that bear on our subject and to draw some conclusions from the answers: 1) What does the ordinary magisterium represent in relation to the solemn magisterium (past and future), in relation to the witness of the faithful, in relation to Scripture and the apostolic revelation, in relation to temporal conditions now and in the future? 2) How should we apply this to the virginity of Mary? 3) Why has there been a drop in devotion to Mary, and what can we do about it?

Most often in the past, the ordinary magisterium has been defined and described in terms of the degree of authority to be attached to it. It has been placed in opposition to solemn magisterium (definitions issued by a pope or council) or to extraordinary magisterium (teaching of all the bishops in a Council, even with no intention to define). It was regarded as taking in all the allocutions and encyclicals and pastoral letters of popes and bishops, the catechisms and official books they issue, indirectly the positions of theologians that they approve. The drawback in this approach is that the ordinary magisterium looks like little more than a somewhat weaker exercise of the solemn teaching authority. This raises problems as to how binding its decisions are, and these problems have begun to bedevil us in the last few years. Vatican II indicated that even the teaching of an individual local bishop calls for internal adherence. Those who look upon this as evidence of "creeping infallibility" find difficulty in according this kind of adherence

even to strong statements of the pope, except on a very conditional basis—for, to them, it seems to eliminate any real difference between solemn and ordinary magisterium, between fallible and infallible teaching.

It might be better to approach the ordinary magisterium in terms of its *functions*—and hence of its *distinctive* characteristics. It is really the preaching of the Gospel as it is adapted to the needs of local times and circumstances by those who are proclaiming it in the name of the Church. Just as the Church is incarnated most often in the worship of the local community, so the preaching of the Gospel is realized most frequently in its being applied to the problems of Christian living on the level of the local community.

On the other hand, the Gospel that is being preached must be the teaching of the *universal* Church, the fruit of 1900 years of meditation on the Gospel message, a meditation that is still going on. This preaching will contain some elements that are core-doctrine and known as such; some that will be recognized as core-doctrine in the future but that are only implicit right now; some that seem to be so closely connected to core-doctrine as to seem to be inseparable from it (and as to *be*, practically speaking, inseparable from it in the present historical circumstances) although they will be seen to be separable from it in the future (e.g. creation of the world in 6 days and the inspiration of the Bible in the light of the scientific and scriptural knowledge of the 1700s); some whose connection with core-doctrine is uncertain at the present time. The faithful are asked to accept the whole of this doctrine as mediated through the teaching of the Church, with a realization that not all elements in it are equally vital and equally certain.

What the ordinary magisterium does is to bring all of these elements into contact with the varied living situations of the faithful; each individual takes this universal message and applies it personally to himself and his own living situation. This new concretizing of the message provides a new insight to the

whole Christian community on the full meaning and implication of Christian revelation. This new insight has to be checked against the witness of the whole Christian community to see whether it is not only sincere but also genuinely Christian—and this measuring is the office of the hierarchy. I think that this explains a number of things: what the prophetic role of the laity in the Church is and how it contributes to the development of dogma; how it relates to the teaching authority of the hierarchy; what the local church has to gain from the teaching of the Church universal (i.e. the insights of others and a sense of what is universally accepted) and what it has to contribute (the knowledge that comes from the experience of realizing the Christian gospel and Christian salvation in its own unique circumstances of time and place.)

If all this is true, and it seems to me that it is, then a number of conclusions follow from it:

1. At any given moment, the permanently valid Christian message is clothed in a particular historical setting and framework, and it must be, if it is to become really salvific.

2. *Solemn* definitions are relatively rare assurances of the *permanent positive* validity of a particular formulation of revelation, without excluding improvement by way of addition or expansion, since even definitions are always clothed in historical language and concepts that do not exhaust the reality being communicated or known.

3. The ordinary magisterium has a double role to play: a) propose the whole Christian message faithfully in the form it has assumed or achieved up till now; b) adapt that message to the needs of the current time and the local situation. Anyone who has attempted to preach in a pulpit on Sunday is aware of this; if he fails in the first role, his message is not Christian; if he fails in the second, he may not be listened to and the message will not be genuinely salvific.

4. Even in the case of past definitions, the current ordinary magisterium will be the criterion for judging what is perma-

nently valid. I do not mean to deny the permanent force of past definitions based on the exercise of rightful conciliar or papal authority at the time. I do mean—and the discussion on the force of patristic and early Conciliar evidence on “*virginitas in partu*” yesterday confirmed this—that when the historical facts of what was said in the past are not being challenged, but rather the question is how much of what was defined is permanently valid and how much of what was said was due instead to the historical setting, then the only satisfactory criterion for distinguishing will be the perception of the Church in her current ordinary magisterium, in the light of all information now available, in response to the new challenge raised. If this is true, then a frequent and clear re-assertion of the essential doctrine in the light of new challenges is imperative.

5. The hierarchy is the ultimate criterion for judging what is true and valid in current Christian thinking on the revelation, but not the source of all or most of the insights on the deeper meaning of revelation.

6. The ordinary magisterium is the *critical* area for applying the Christian message to life-situations, and for determining how much of what has been handed down is core-doctrine. This throws a great deal of light on the respective roles of theologians and bishops in proposing the message of revelation. Because the bishop has the pastoral responsibility to make sure that the message reaches the people and does so in a way that will be genuinely salvific, he does not enjoy the same leisure in considering theories and their impact as a speculative theologian, and he must judge theories in terms of their illuminating the message of Christ or distorting and obscuring it. This does not immediately solve all problems, since there may be instances in which temporary risk has to be taken for the sake of long-range advantages, but it does explain why a bishop who is not a theologian, while he can and should take advice, still has to shoulder personal responsibility for the form in

which the message of salvation reaches his people.

7. In carrying out this pastoral function, those exercising the ordinary magisterium are bound by the objective criteria of Scripture, earlier definitions and the teaching that has been handed down (as applied and re-considered under the guidance of the Holy Spirit), but we have seen in our own day that without a clear exercise of the ordinary magisterium, these teachings can become meaningless.

8. The ordinary magisterium cannot be ignored or disregarded simply because in most instances it does not involve infallible statements; it is where most pastoral instruction takes place.

In the light of this exposition, the other questions about the ordinary magisterium that were raised earlier may now be treated more rapidly:

1) What is the relationship of the ordinary magisterium to the *witness of the faithful*? I think that the answer should follow these lines: Each of the faithful has something to contribute to a deeper understanding of Christian revelation, because he accepts it with faith in a uniquely personal way and lives it in a unique set of circumstances. This response and experience of the individual has to be tested against the criterion of universal teaching of the Church and apostolic revelation to see if it is genuinely Christian. On this basis, the faithful are instructed by the bishops, and they instruct them in turn—but in different ways and with different roles. The ordinary magisterium serves as the meeting ground for the witness of the bishops and the response of the faithful. The witness of the bishops on this level must be especially responsive to the needs of the people at this moment (or else it will not be salvific). The witness of the bishops must relay the insights of the universal church to the people (or else it will not be Catholic and Christian).

This poses a vital question that bears on our study here: can there be a clash between a message's being Christian and

being relevant? or, can the genuine Christian message be irrelevant? I will attempt a brief answer: Overall, it cannot, since this is the doctrine that explains human existence and God's plan for the world. The doctrine as a whole cannot be irrelevant. On the other hand, a part of the message may make no impact locally at a given time, perhaps because its relevance will become apparent only in a different age under different circumstances, perhaps because it is relevant somewhere else right now, perhaps because those proposing it are not effectively relating it to local needs, when they could do so. We should accept the need to hold onto the gospel message in its entirety, including those elements whose relevance is not clear now. But we should not accept this irrelevance as a necessity without serious continuing efforts to see what God is saying to us in this way. (Loss of relevance may easily lead to a tendency to discard a doctrine completely: Protestants held to the virginal conception of Mary, but not to perpetual virginity, because the literal meaning of Scripture was relevant to them, even if the notion of virginity itself was not; but once the literal meaning of Scripture was denied, the virginal conception became superfluous for many Protestants.)

2) What is the relationship of the ordinary magisterium to Scripture and the apostolic revelation?—It must hold to them, even at the risk of seeming to be or actually being partly irrelevant at times.

3) What is the relationship of the ordinary magisterium to temporal conditions now and in the future?—It must adapt the message to the needs of the present day to make it genuinely salvific, and then continue this process in each succeeding age or situation.

After this general consideration of the nature and the role of the ordinary magisterium, my second major question is: How should we apply this doctrine to the virginity of Mary? In terms of preserving the doctrine that has been handed down, there seems to be no immediate problem. Some question has

been raised as to the physical virginity of Mary in the Dutch catechism and in the writings of a few theologians, but thus far the response has been swift—by the Pope (on five separate occasions), and by the Congregation for Doctrine of the Faith, so there is no real doubt that the Church at the present time still intends to propose the physical virginity of Mary as core-doctrine. But what about making this doctrine salvific in terms of applying it to modern circumstances, which is the other major function of the ordinary magisterium?

I would like to attempt to do this briefly, partly as a sample of what we have to attempt to do with all doctrines in our own day. It seems to me that there are three steps involved: a) determining what the Christian message is, or what permanent truth we have to communicate; b) asking what problems our own day raises about the acceptance of this permanent truth; c) determining what this truth has to say to the problems of our own day.

I can think of five Christian truths that are contained in the notion of Mary's virginal conception (with a realization that this list is just a beginning): 1) The transcendence of Jesus—no one else ever came into the world as a result of a virginal conception; 2) the reality of God's intervention in the universe, even in the forum of miracles, since the conception was miraculous; 3) the fruitfulness of virginity for God's sake, since in this case it brought the Savior of the world into existence; 4) the primacy of charity over sexual love, since Mary was the greatest human person in degree of love while remaining a virgin; 5) the uniqueness of Mary as a parent, since historically her role in the plan of salvation is inseparable from that of Jesus, although far less than His.

Each of these truths raises special problems for our own day. 1) Transcendence seems to make God remote and uninvolved; a portrayal of Jesus as divine is often regarded as Docetic; a virginal conception seems to make Him less a man, less one of us, less subject to the real problems of this

world. 2) God's intervention in the universe seems to be an excuse for man to escape his own responsibilities. 3) Stress on virginity seems to be a rejection of the value of marriage, sex, of the material universe. 4) Opposition between charity and sexual love seems to be based on a negative view of this world and the values in it. 5) Since Christ is the one Redeemer, Mary is an unnecessary distraction from what is vital to the divine plan.

The answer to making a doctrine like the virginal conception salvific cannot be a mere repetition of its earlier content nor an ignoring of the problems and difficulties it poses for our own day. Instead, it has to be an effort to get a deeper grasp of that doctrine by seeing what light it sheds on human existence in our day, and vice-versa. The following efforts along these lines are brief and tentative.

1) It is precisely because of the fact that Jesus is unique, transcendent, different, that He is able to become immanent to our lives in a more profound way. He could not have been the source of life for us that He is, if He were not the Son of God. He would not have preached the message of salvation effectively, if He had not shown Himself to be different from others, as the Gospel clearly indicates. He would not unite the whole of mankind, unless He were capable of rising above it. The transcendence of Jesus and of the events of His life is the ground for the possibility of the immance that our day longs for.

2) God's intervention in the universe is not a substitute for man's efforts, but it is testimony to the limitations of those efforts and their incapacity to achieve the greatest goals man dreams of: peace, harmony, love, growth, except with the help of God. God came *after* man had failed repeatedly in his own efforts (this is the Old Testament message of the need for salvation); man's efforts toward peace, harmony, deep interpersonal relations still need God's intervention and help des-

perately, even if he can care for his material needs better than people could in the past.

3) A negative approach to the value of virginity or celibacy, regarding it as important mainly because it was a free sacrifice of something good, has been a part of our catechesis in the past. Part of the difficulty that has arisen over acceptance of celibacy and of religious vows has come from reaction to this, with stress being laid on the goodness of sex and marriage in an Incarnational view of the universe. The answer to this does not lie in denying the problem but rather in recognizing a deeper positive value in virginity for the sake of the kingdom; it is aimed at a total availability to God's action and to the needs of God's people, apart from the promise of immediate personal return in the form of love. The world needs this kind of generosity more than ever now. It is based on a belief that there is a deeper personal fulfillment to be found by a Christian in this type of giving than in seeking a more immediate return. Virginity for the sake of the kingdom is neither a denial of love of others nor a frustration of personal fulfillment—and Mary's life illustrates this.

4) The stress on the goodness of sex in our day has led people to suspect any doctrine that encourages surrender of the use of it; and yet, our own epoch is, in a short period of time, showing the effects of excessive eroticism and giving graphic proof of the fact that, because of original sin, sex easily runs wild and does untold harm to personal relationships, to people's sense of their own dignity and their sense of the sacred, unless it is kept under the control of a higher principle of love of God and love of God's people.

5) There may be a lurking suspicion that devotion to Mary detracts from devotion to Christ, because we have not been careful enough in linking the two at times in the past, but the great danger now is that devotion to Christ may become impersonal, little more than a tag for abstract goodness and kindness. Mary's importance as an object of devotion is that

she is a person, living and at work now, and she draws all of her love and power from the fact that she is an historical person linked inseparably with her divine Son.

This list could be expanded indefinitely, with greater success, by others; but what is more important is that we make serious critical efforts to see what Marian doctrines have to contribute to our understanding of the plan of salvation in our own day. (The same principle can and should be applied to all areas of our doctrine, but most especially to those that have been dealt with almost exclusively in the ordinary magisterium in the past, i.e. moral teaching and matters of devotion.)

Last of all, why has there been a drop in devotion to Mary, and what can we do about it. I think that there are two reasons for the fall-off: First, many people functioning as organs of the ordinary magisterium, while preaching or teaching religion in schools, regard Mary and the doctrines that deal with her as largely irrelevant and, for that reason, they make little effort to communicate them. Second, those who do accept their relevance in theory, are doing little to actually relate those doctrines to the problems affecting the life and salvation of contemporary man; or, if they are relating them, they are doing little to communicate this to others. The huge drop in the amount of writing about Mary evidenced in our periodical guides or in book-production may reflect a decline in demand, but that decline in itself represents a failure to theologize and to communicate the doctrine on Mary effectively.

In short, the problem in the ordinary magisterium is not that there has been any official denial or approval of denial of Mary's virginal conception, or that there is likely to be anything like this in the future, but rather that in the course of preserving that doctrine, we have failed to make it effectively salvific for our own day, except as a part of a whole whose own acceptance is weakened if less attention is paid to the significance of the parts.

On the other hand, we have an assurance that this is the

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doctrine of salvation, for our age as well as for the ones gone by and those yet to come, so all that remains for us to do is to use the talents and opportunities that God has given us in a realistic way, with confidence in the power of the Lord.

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