

1-30-1954

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### Recommended Citation

Robichaud, Armand (1954) "The Immaculate Conception in the Magisterium of the Church Before 1854," *Marian Studies*: Vol. 5, Article 6, Pages 73-145.

Available at: [https://ecommons.udayton.edu/marian\\_studies/vol5/iss1/6](https://ecommons.udayton.edu/marian_studies/vol5/iss1/6)

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# THE IMMACULATE CONCEPTION IN THE MAGISTERIUM OF THE CHURCH BEFORE 1854

## *Introduction*

Revelation, according to its integral definition, "is a free, divine and essentially supernatural action by which God . . . speaking to us through the prophets and lastly through Christ, manifests with some obscurity supernatural mysteries and natural truths of religion, so that they can afterwards be infallibly proposed by the Church till the end of time without any change of meaning."<sup>1</sup> Thus revelation is the complexus of truths which God has made known to us for our salvation

It is Catholic teaching that the deposit of revelation was completed or definitely ended with the death of the last Apostle, St. John. The Church, in the decree *Lamentabili* of the Congregation of the Holy Office, condemned the following proposition: "Revelation, constituting the object of Catholic faith, was not completed with the Apostles."<sup>2</sup> St. Thomas Aquinas in his time witnessed to the Catholic thought on this subject when he wrote:

For our faith rests upon the revelation made to the apostles and prophets, who wrote the canonical books, and not on the revelations (if any such there are) made to other doctors<sup>3</sup>

However, even though the content of revelation was complete at the time of the Apostles, there has been a progress or an evolution in the truths that are contained therein. The

<sup>1</sup> R. Garrigou-Lagrange, O.P., *De Revelatione*, ed. 4, vol. 1, Romae 1945, p. 132

<sup>2</sup> Denziger-Bannwart, ed. 21-23, Freiburg in Breslau, 1937, no. 2021

<sup>3</sup> *Summa Theologica* I, q. 1, a. 8 ad 2<sup>um</sup>, English translation from the Benziger edition, New York, 1947

reason for this is that the human mind can always progress in the knowledge of what God has spoken.

Each source of divinely revealed doctrine contains so many rich treasures of truth, that they can never really be exhausted <sup>4</sup>

This evolution has not been a change or objective progress in the doctrine itself, for "in se" it is immutable and not to be perfected. It is an evolution "quoad nos," a subjective progress. It is an elaboration, a blossoming, an explicitation of what is already contained in revelation. A recognized authority on the subject of dogmatic evolution has put it

The dogmatic progress consists only in making better known, in fathoming, in developing, in a word, explaining that which is implicit in the apostolic deposit or revealed datum <sup>5</sup>

The dogmatic progress is not a thing subject to the whim and fancy of every individual. It is done under the direction of the Church guided by the Holy Ghost, the Spirit of Truth. For it is to the Church that the divine command was given:

Go and make disciples of all nations baptizing them in the name of the Father, and of the Son and of the Holy Spirit, teaching them to observe all that I have commanded you . . . <sup>6</sup>

It was to the Church that Christ promised:

These things I have spoken to you while yet dwelling with you. But the Advocate, the Holy Spirit, whom the Father will send in my name, He will teach you all things, and bring to your mind whatever I have said to you " <sup>7</sup>

<sup>4</sup> Pius XII, *Humani Generis* in *AAS*, vol 42, 1950, p 568 English translation *Libreria Editrice Vaticana* edition p 8, hereinafter to be referred to as *Vatican edition*, *N C W C* edition, no 21

<sup>5</sup> F. Marin-Solá, O P, *Evolution homogène du dogme catholique*, ed 2, vol 1, Fribourg 1924, p 265

<sup>6</sup> *Matthew* 28, 19

<sup>7</sup> *John* 14, 25-26

And again.

but when He, the Spirit of Truth, has come, He will teach you all the truth. For He will not speak on His own authority, but whatever He will hear He will speak, and the things that are to come He will declare to you. He will glorify Me, because He will receive what is mine, and declare it to you<sup>8</sup>

The truth of the evolution of dogma under the Church's direction and guidance has been the object of some misconceptions. Pope Pius XII in some of his recent pronouncements re-emphasizes the Church's stand. For example in the encyclical letter, *Humani Generis*, the Holy Father says

... this sacred Office of Teacher in matters of faith and morals must be the proximate and universal criterion of truth for all theologians, since to it has been entrusted by Christ Our Lord the whole deposit of faith—Sacred Scripture and Divine Tradition—to be preserved, guarded and interpreted.<sup>9</sup>

and again:

For, together with the sources of positive theology God has given to His Church a living Teaching Authority to elucidate and explain what is contained in the deposit of faith only obscurely and implicitly. This deposit of faith our Divine Redeemer has given for authentic interpretation not to each of the faithful, not even to theologians, but only to the Teaching Authority of the Church<sup>10</sup>

In *Munificentissimus Deus* we read:

Certainly this teaching authority of the Church, not by any merely human effort but under the protection of the Spirit of

<sup>8</sup> *John* 16, 13

<sup>9</sup> *A.A.S.*, vol. 42, 1950 p. 567, *Vatican edition* p. 7; *N.C.W.C.* translation, no. 18

<sup>10</sup> *A.A.S.*, vol. 42, 1150, p. 569, *Vatican edition*, pp. 8-9, *N.C.W.C.* translation, no. 21

Truth, and therefore absolutely without error, carries out the commission entrusted to it, that of preserving the revealed truths pure and entire throughout every age, in such a way that it presents them undefiled, adding nothing to them and taking nothing away from them. For, as the Vatican Council teaches, "the Holy Ghost was not promised to the successors of Peter in such a way that, by His revelation, they might manifest new doctrine, but so that, by His assistance, they might guard as sacred and might faithfully propose the revelation delivered through the Apostles or the deposit of faith."<sup>11</sup>

We celebrate this year the centenary of the solemn definition of the Immaculate Conception by Pope Pius IX. This definition was the culmination of a process of elaboration, of explication which extended over many centuries. The Apostolic Bull *Ineffabilis Deus* declared that the truth that states that Mary from the first moment of her conception was preserved from the stain of original sin, in virtue of the fore-application of the merits of Christ or in other words, by the preservative redemption, had been revealed by God. Or to put the truth in its positive form, God has placed in the deposit of faith the fact that Mary's soul from the first moment of its creation and its infusion into her body, was adorned with grace, in virtue of the merits her Son was to obtain by His life, death and resurrection.

The dogma of the Immaculate Conception is as marvelous an example of dogmatic evolution as one would hope to find in the history of dogma. It is found in the initial deposit of revelation, implied or hinted at in the words God spoke to man at the dawn of civilization, as related in the book of Genesis, chapter 3, verse 15. Pope Pius XII, in his latest encyclical *Fulgens corona glorie*, more clearly than in any previous papal document, attests to the Marian sense of the Protoevangelium. He says:

<sup>11</sup> *A.A.S.*, vol 42, 1950, pp. 756-757, *N.C.W.C.* translation, no 12

In the first place, the foundation of this doctrine is to be found in Sacred Scripture where we are taught that God, creator of all things, after the sad fall of Adam, addressed the serpent, the tempter and corrupter, in these words, which not a few fathers, doctors of the Church, and many approved interpreters applied to the Virgin Mother of God: "I will put enmities between thee and the woman, and thy seed and her seed" (Gen 3, 15). Now, if at any time the Blessed Mary were destitute of divine grace even for the briefest moment, because of contamination in her conception by the hereditary stain of sin, there would not have come between her and the serpent that perpetual enmity spoken of from earliest tradition down to the time of the solemn definition of the Immaculate Conception, but rather a certain subjection<sup>12</sup>

At the dawn of the Christian civilization, God again makes known this truth. It is implied in the Angelic Salutation: "Hail full of grace"<sup>13</sup> Pope Pius IX in *Ineffabilis Deus* explains it in this way:

When the Fathers and Writers of the Church reflected in their hearts and minds that the Most Blessed Virgin was, in the name and by the order of God Himself, proclaimed "full of grace" by the Angel Gabriel when he announced her most sublime dignity of Mother of God (Luke 1, 28), they taught that this singular and solemn salutation which had never been heard elsewhere shows that the Mother of God is the seat of all divine graces and is adorned with all gifts of the Holy Spirit; why, she is an almost infinite treasury, an inexhaustible abyss of these gifts, to such an extent that she was never subject to the curse and is together with her Son the only partaker of perpetual benediction.<sup>14</sup>

<sup>12</sup> English translation in *The Register*, Denver, Colorado, Oct 4, 1953, vol 29, no 40, p 4, col 1, *AAS*, vol 45, 1953, p 579

<sup>13</sup> *Luke* 1, 28.

<sup>14</sup> *Mary Immaculate—The Bull Ineffabilis Deus*, translated by Dominic Unger, O.F.M Cap, Paterson, N J, 1946 pp 12-13

Although it is found so early in the historical record, the full bloom of the dogma remained hidden. As a seed it was buried in the garden of faith, waiting for the time when under the guidance of the Celestial Gardener it would become a beautiful flower. At the opportune time, the time decreed by Divine Providence, at a time when the most good would come of it for God's glory, for the honor of His Blessed Mother, for the honor of His Church and for the good of souls, the truth of the Immaculate Conception blossomed forth before the eyes of the world. As the reigning Pontiff so admirably puts it:

When our predecessor decreed in the Apostolic Letter that this tenet of Christian doctrine was to be firmly and faithfully believed by all the faithful, he was merely carefully conserving and sanctioning with his authority the teaching of the fathers and of the whole Church from its earliest days right down through the centuries.<sup>15</sup>

The task of this paper is to show what Pius XII calls the "authentic interpretation"<sup>16</sup> of the content of revelation. It is not to show the evolution of the dogma of Mary's Immaculate Conception in all its phases. Rather it is to set forth the official guidance given by the Church in the process of its development.

It is a theological commonplace that the Church to "elucidate and explain what is contained in the deposit of faith only obscurely and implicitly,"<sup>17</sup> uses her divinely given teaching authority—the Magisterium. Therefore, the title of this paper is the "Immaculate Conception in the Magisterium of the Church Prior to 1854."

<sup>15</sup> *Fulgens corona gloriae*, *The Register*, loc. cit., p. 4, col. 1, *A.A.S.*, vol. 45, 1953, pp. 578-579.

<sup>16</sup> *Humani generis*, in *A.A.S.*, vol. 42, 1950, p. 569, *Vatican Edition*, p. 8, *N.C.W.C.* translation, no. 21.

<sup>17</sup> *Humani generis*, loc. cit.; *Vatican edition*, loc. cit., *N.C.W.C.* translation, loc. cit.

As you can readily see, the title is very broad and encompasses an extremely large topic, so much so that the adequate treatment of the Magisterium in all its phases, in a paper such as is called for here, is an impossible task. To bear this out just recall that the Magisterium, as exercised by the bishops with reference to this truth of Mary's Immaculate Conception, fills ten volumes which are entitled *Pareri dell'Episcopato Cattolico . . . sulla definizione dogmatica dell'Immacolato Concepimento della B V Maria*, Roma, 1851-1854. Hence, it was imperative that the topic be limited to the most important expression of the teaching authority, i e, the Papal Magisterium. So, the title of this paper should more correctly read *The Immaculate Conception in the Papal Magisterium Prior to 1854*.

This paper places before itself and is guided by these words of Pope Pius IX in his historic Bull *Ineffabilis Deus*.

The Roman Church, therefore, had nothing more at heart than to state, protect, promote and vindicate in the most eloquent ways the cult and doctrine of the Immaculate Conception of the Virgin. This fact the many and truly illustrious acts of the Roman Pontiffs, Our predecessors, most clearly and evidently testify and proclaim. To these predecessors of Ours, in the person of the Prince of the Apostles, Christ our Lord divinely committed the supreme care and authority of feeding the lambs and sheep, of strengthening the brethren and of ruling and governing the universal Church.

It is a fact that Our predecessors were exceedingly happy to institute in the Roman Church, by their Apostolic authority, the Feast of the Conception, and to augment and ennoble it by a proper Office and Mass, in which the prerogative of immunity from the hereditary stain was most clearly asserted, and to promote and increase by every means the cult already instituted, either by granting indulgences, or by giving permission to states, provinces and kingdoms, to choose as their Patroness the Mother of God under the title of the Immaculate Conception, or by approving sodalities, congregations and families of religious



founded to honor the Immaculate Conception, or by bestowing praise on the piety of those who, under the title of the Immaculate Conception, erected monasteries, hospitals, altars, or churches, or who bound themselves by a religious vow zealously to defend the Immaculate Conception of the Mother of God

Moreover, they were supremely happy to order that the Feast of the Conception be celebrated in the whole Church with the same class and rank as that of Mary's Nativity, and that it should be celebrated with an octave in the universal Church and be kept by all as a holyday of obligation, also that each year on the day dedicated to the Conception of the Virgin, a Pontifical service be held in Our Patriarchal Liberian Basilica. Likewise, desiring to promote daily more and more this doctrine of the Immaculate Conception of the Mother of God in the minds of the faithful, and to arouse their piety to worship and venerate the Virgin conceived without sin, they very gladly and freely gave permission to proclaim the Immaculate Conception of the Virgin in the Litany of Loreto and in the Preface of the Mass itself. Thus the law of faith was confirmed by the law of prayer. We Ourselves, following in the footsteps of so many predecessors, not only approved and accepted what had been most wisely and piously ordered by them but, remembering the instruction of Sixtus IV, We confirmed by Our authority a proper Office of the Immaculate Conception, and with the greatest spiritual joy granted the use of it to the universal Church.

Since the matters that pertain to cult are very intimately woven into the object of the cult, they cannot remain definite and fixed if the object is doubtful and uncertain. Therefore, Our predecessors, the Roman Pontiffs, while increasing with all care the cult of the Conception, made every effort to declare and inculcate its object and doctrine. They clearly and openly taught that the feast treated of the Conception of the Virgin, and they proscribed as false and entirely foreign to the mind of the Church the opinion of those who thought and affirmed that it was not the Conception itself but the sanctification which was venerated by the Church. Nor did they think of being more lenient with those who, in order to overthrow the doctrine of the Immaculate

Conception of the Virgin, devised a distinction between the first and the second instant and moment of the Conception, and then asserted that the Conception was indeed venerated, but not that of the first instant and moment. Our predecessors thought it their duty to protect and defend with every effort both the Feast of the Conception of the Most Blessed Virgin and the Conception of the first instant, as the true object of the cult . . .

Moreover, Our predecessors considered it their special and solemn duty, with all diligence, zeal and effort to preserve intact the doctrine of the Immaculate Conception of the Mother of God. For, not only have they in no way ever allowed this doctrine to be censured or changed, but they have gone much further and by clear statements on repeated occasions asserted that the doctrine by which we profess the Immaculate Conception of the Virgin, is on its own merits entirely in harmony with the ecclesiastical cult; that it is ancient and almost universal, and of the same nature as that which the Roman Church has undertaken to promote and protect, and that it is entirely worthy to be used in the Sacred Liturgy (The Eucharistic Sacrifice) and solemn prayers.

Not content with this they most strictly prohibited any opinion contrary to this doctrine to be defended in public or private, in order that the doctrine of the Immaculate Conception of the Virgin might remain inviolate. By repeated blows they wished to put an end to such an opinion. And lest these oft-repeated and clearest statements seem useless, they added a sanction to them <sup>18</sup>

Thus in the words of the Holy Pontiff of the Immaculate Conception, we have the *résumé* of what this paper will try to do—discuss what the predecessors of Pius IX on the throne of Peter have done in developing the Marian dogma. To this end the paper will have a threefold general division:

1. The Immaculate Conception in the Papal Magisterium anterior to and including Sixtus IV (1484).

<sup>18</sup> Unger translation, pp. 4-7

- 2 The Immaculate Conception in the Papal Magisterium from Sixtus IV (1484) to Alexander VII inclusive (1667).
- 3 The Immaculate Conception in the Papal Magisterium from Alexander VII (1667) to Pius IX (1854).

After this will follow a short corollary treating the contribution, if any, of the Church in the U S. to the dogma

## PART ONE

### *The Immaculate Conception in the Papal Magisterium Anterior to and Including Sixtus IV*

It is generally admitted that the first Pope to issue a document dealing explicitly with the Immaculate Conception was Sixtus IV (1471-1484). We have a corroborating fact in that some of the most eminent and most learned saints of this era did not accept as true Mary's preservation from original sin: St. Bernard, St. Albert the Great, St. Thomas Aquinas and St. Bonaventure.

St. Bernard wrote around the year 1140 his famous letter to the Church of Lyons. He upbraids the leaders for celebrating the feast of the Immaculate Conception. He maintained that this was a new feast not approved by reason, nor recommended by the tradition of the Fathers. He concluded with these words:

However, all that I have said must be understood without prejudice to a better sentiment. This whole question, like others of the same nature, I reserve to the authority of the Roman Church, and if I am not in harmony with her, I am ready to change my opinion.<sup>19</sup>

These men were extremely devoted to Christ and to His

<sup>19</sup> *PL* 182, col 336, E. Campana, *Maria dans le dogme catholique*, translated from the Italian by A. M. Viel, O.P., vol 2, Montrejeau 1913, pp 183-194.

Church. Obedience to the Pope was a marked characteristic of their sanctity, as we witness in the preceding quote from St. Bernard. There is no doubt that, had there been a clear and explicit statement on the Immaculate Conception, they would have modified their stand.

As the doctrine of Mary's wonderful privilege is a dogma of faith and is to be found in Revelation, we may ask: "In the centuries preceding that of Sixtus IV, is there anything which bears this out?"

The Church has always believed in Mary's incomparable sanctity. This belief carried with it, implicitly it is true, the belief in Mary's preservation from original sin. Christian tradition in calling her "*full of grace* or the *new Eve* or other synonymous titles implied its conviction as to her great privilege."<sup>20</sup>

But we have more than that. From the darkness that had veiled our truth, a few rays of light emanated. I believe we have testimonies that have emanated from some early predecessors of Sixtus IV, which are worthy of note. They are indicative of the Church's belief.

#### *Honorius I (625-638)*

Honorius in his letter *Scripta fraternitatis vestrae* written in 634 to Sergius, Patriarch of Constantinople, says

For Christ . . . was conceived without sin of the Holy Ghost, and also without sin He was born of the holy and *immaculate* Virgin Mother of God. . . .<sup>21</sup>

#### *St. Martin I (649-653)*

St. Martin's first major act was the convocation and the celebration of the Council of the Lateran in 649.<sup>22</sup> Although

<sup>20</sup> *Ineffabilis Deus*, Unger transl., pp. 10-14. *Fulgens corona gloriae*, in *A 4.S.*, vol. 45, 1953, pp. 579-580.

<sup>21</sup> *D.B.*, no. 251.

<sup>22</sup> J. D. Mansi, *Sacrorum Conciliorum nova et amplissima collectio*, vol.

this was not an ecumenical council, it has, according to J. Hefele, almost as great an authority in the Church as an ecumenical one.<sup>23</sup> The Pope presided at its assemblies—five sessions in all—; he was the first to sign its documents containing the Church's doctrine against the Monothelites. He ordered that these documents be sent to the universal Church.<sup>24</sup>

These documents contained a *symbolum* and twenty canons. In the third canon we find these words

If anyone does not properly and according to truth confess according to the holy Fathers that the holy Mother of God and ever Virgin and *immaculate* Mary . . .<sup>25</sup>

### *St Agatho (678-681)*

St Agatho convoked the Third Council of Constantinople (680-681) In a letter written in his name and that of the Roman Synod to Emperor Constantine Pagonatus and his brothers, Heraclius and Tiberius, on the occasion of this, the Sixth Ecumenical Council,<sup>26</sup> two things are to be noted

(1) The Pope accepts the canons of the Council of the Lateran as a profession of the true faith.<sup>27</sup> Therefore, canon three

10, Paris 1901, col 870 sq, C J Hefele in *Histoire des Conciles*, French translation by Dom H Leclercq, vol 3, part 1. Paris 1909, pp 434-451

<sup>23</sup> Hefele, *op cit*, p 435

<sup>24</sup> Hefele, *op cit* pp 436 and 450

<sup>25</sup> *D.B.*, no 256 Mansi, *op cit*, vol 10, col 1151 sq Hefele, *op cit* p. 446

<sup>26</sup> *P.L.*, 87, col 1216 sq Hefele, *op cit*, vol 3, part 1, p 481 sq

<sup>27</sup> *P.L.*, *loc cit*, col 1224 "Hanc igitur morae catholicae atque apostolicae confessionis regulam, et sanctum concilium, quod in hanc Romanam urbem servilem vestri Christianissimi imperii sub apostolicae memoriae Martino papa convenit, praedicasse synodice, ac constanter defendisse, omnes nos, quisquis ubique est, humillimi Ecclesiarum Christi antistites, cognoscimus in qua et nostrae parvitatibus praedecessores convenientes, apostolicam confessionem, quam a principio perceperunt, etiam synodali praeconio praedicarunt, et absque cuiuspiam novitatis errore citra ambiguitatem determinarunt", Hefele, *loc cit*, p 482

(2) A quotation from the letter:

We confess, however, that God the Word . . . was incarnate of the Holy Ghost and of the holy, *immaculate*, ever glorious Virgin, Mary our Lady, truly and properly Mother of God. . . <sup>28</sup>

In the eleventh session of the Council, at the demand of the monk Gregory, the celebrated letter of St. Sophronious written in 634 to Pope Honorius and to other bishops, was read to the assembly <sup>29</sup> From this letter we have these noteworthy excerpts:

. . . and He (Christ) entered the intact womb brilliant with the virginal chastity of Mary, the holy and illustrious one, who full with a divine wisdom, *free from all stain of body and soul* and intellect . . . That is why a holy Virgin is chosen, *she is sanctified in her soul* and in her body, and because she is pure, chaste and *immaculate*, she becomes the co-operatrix of the Incarnation of the Creator.<sup>30</sup>

From the inviolable and virginal blood of the *immaculate* Virgin Mary, the Word became incarnate. . . <sup>31</sup>

This letter was approved by the Fathers of the Council and was deemed worthy to be inserted in the Acts of the Council.<sup>32</sup>

<sup>28</sup> *PL*, loc cit, col 1220-1221 Mansi, *op cit*, vol 11, col 290 This letter was read in the Sixth Ecumenical Council and was loudly proclaimed by the Fathers of the Council with these words. "per Agathonem Petrus loquebatur" Cf. *DB*, note 2 to no 288

<sup>29</sup> Hefele, *op cit*, vol 3, part 1, p 499 M Jugie, A.A., *L'Immaculée Conception dans l'Ecriture Sainte et dans la tradition orientale*, Rome, 1952, pp 99-105 *PG*, 87, col 3147-3199 Mansi, *op cit*, vol. 11, col 462-509.

<sup>30</sup> *PG*, 87, col 3159 Mansi, *op cit*, vol 11, col 474

<sup>31</sup> *PG*, loc cit, col 3162 Mansi, loc cit, col. 475

<sup>32</sup> *Pareri dell'Episcopato Cattolico . . . sulla definizione dogmatica dell'Immacolato Concepimento della Beata Vergine Maria*, Part 3, vol 6, Roma, 1852, p 39, *ibid*, part 3, vol 5, p 266, *ibid*, part 1, vol 2, pp 187-188 (hereinafter to be referred to as *Pareri*) Jugie, *op. cit*, p 100 F. Cayré, A.A., *Manual of Patrology*, English transl by H Howitt, A A, vol 2, Tournai, 1940, p 306

As a matter of fact, the major part of the written acts of Session eleven is made up of the letter.

The object of the Council of Constantinople III was the condemnation of the Monothelitic heresy. The Fathers in acclaiming Sophronius' letter were focusing primarily on his *dyothelism*. But as they approved his letter *in globo* and had it inserted as such in the Acts, we can say that they approved, incidentally, what was said about the Blessed Virgin.

### *St. Leo II (682-683)*

St. Leo's reign was very short, yet he performed a very important act. As St. Agatho died just at the close of the Council, it fell to Leo to confirm the acts of the Sixth Ecumenical Council.<sup>33</sup> Thus, the letter of St. Sophronius fell under official Papal confirmation

As a conclusion to the testimony of the preceding Popes, we can adduce what Pius XII has just recently expressed. He enumerated the titles applied to Mary by the early Church among which is mentioned *immaculate*, then he goes on to say:

If these praises of the Blessed Virgin Mary be given the careful consideration they deserve, who will dare to doubt that she who was purer than the angels and at all times pure, was at any moment, even for the briefest instant, not free from every stain of sin<sup>34</sup>

### *The Feast*

The next thing that brings the question of Mary's admirable prerogative to the front is the feast of her Conception. It was during the era prior to Sixtus IV that the feast became almost general in the Western Church. We all know that the Liturgy is a vehicle of instruction used by the Papal Magis-

<sup>33</sup> Hefele, *op cit*, vol 3, part 1, pp 512-515

<sup>34</sup> *Fulgens corona gloriæ*, in *AAS*, *ibid*, p 580 English transl, *The Register*, *ibid*

terium. Recall to mind the important words of Pius XI in his encyclical *Quas primas*:

For people are taught the truths of the faith and brought to appreciate them more effectively by the annual celebration of the sacred mysteries than by official pronouncements of the Church. For such pronouncements usually reach only the few and, for the most part, the learned, feasts reach all the Faithful. Pronouncements speak once, feasts speak every year, in fact forever.<sup>35</sup>

This being the case, it behooves us to evaluate the data that has come down to us concerning the feast and see how the Apostolic See acted.

About the year 1320 the feast was not celebrated in Rome. In the extensive and heated discussions between the Franciscans and the Dominicans on the question of Mary's preservation from original sin, John of Naples, O P, maintains: "The Roman Church does not celebrate the feast of the Conception." This argument would have easily been destroyed had there been a pontifical approbation of the feast of the Immaculate Conception.<sup>36</sup>

John of Naples and others holding his views were reiterating what St. Thomas Aquinas had said some forty years earlier. In his *Summa Theologica*, the Angelic Doctor answers to an objection in this wise:

Although the Church of Rome does not celebrate the Conception of the Blessed Virgin, yet it tolerates the custom of certain churches that do keep that feast. . . .<sup>37</sup>

<sup>35</sup> *A.A.S.*, vol. 17, 1925, pp. 603. English transl. by Gerald Treacy, S.J., The America Press, N. Y., 1944, p. 9.

<sup>36</sup> P. Doncoeur, S.J., *Les premières interventions du St. Siège relatives à l'Immaculée Conception, XII-XIV siècles*, in *Revue d'histoire ecclésiastique*, vol. 8, 1907, pp. 282-285. "Ecclesia Romana non celebrat festum Conceptionis." Cf. Le Bachelet, S.J., article *Immaculée Conception*, in *D.T.C.*, vol. 7, col. 1099.

<sup>37</sup> *Summa*, P. 3, q. 27, a. 2 ad 3<sup>um</sup>. English translation from Benziger Edition.



Nevertheless, about the year 1330 or a little after, the feast came to be recognized and to be solemnly celebrated by the Apostolic See. We have evident testimony of men who lived at the time. Thus, for example, John Bacon, about the year 1330, asserted that there existed, ". . . the public and long standing custom" of venerating the virginal Conception in the Roman Curia. About the year 1339, Thomas of Strasbourg wrote:

The Holy Roman Church is accustomed to solemnly celebrate the feast of the Conception of the glorious Virgin

John Tauler, O.P., about the year 1350, re-echoes practically the words of Thomas of Strasbourg<sup>38</sup>

In the fourteenth century all the calendars, breviaries and missals make constant mention of the solemnity of the Conception "iuxta consuetudinem Romanae Curiae."<sup>39</sup>

| How do we account for the change within a span of ten or fifteen years?

Some<sup>40</sup> claim that Innocent III (1198-1216), a century previously, had planted the seed which only gradually took root. An order from Innocent III, about 1215, is supposed to have imposed the feast of the Conception on all the dioceses of France.<sup>41</sup>

<sup>38</sup> Cherubinus Sericoli, O.F.M., *Immaculata B.M. Virginis Conceptio iuxta Xysti IV Constitutiones*, Romae, 1945, pp. 12-13, Doncoeur, *ibid*, p. 697, *D.T.C.*, *ibid*, col. 1099, J. B. Malou, *L'Immaculée Conception de la bienheureuse Vierge Marie considérée comme dogme de foi*, vol. 1, Bruxelles, 1857, p. 131, gives quotation from Tauler taken from his book, *Lib. de X Caecitatibus*, caec. 4, p. 135 "Sancta Romana eademque Catholica Ecclesia quae errare non potest, hoc ipso quod festum Conceptionis illius solemniter celebrandum colendumque assumpsit, haud obscure (Immaculatam Conceptionem) astruit et affirmat."

<sup>39</sup> Sericoli, *op. cit.*, pp. 13-14. Doncoeur, *art. cit.*, pp. 700-701.

| <sup>40</sup> C. Passaglia, S.J., *De Immaculato Desparae semper Virginis conceptu*; vol. 3, Romae, 1855, p. 1771. J. Mansella, *Il Dogma dell'Immacolata Concezione della Beata Vergine Maria*, vol. 1, Roma, 1866, p. 46.

<sup>41</sup> Doncoeur, *art. cit.*, pp. 272-274. Sericoli, *op. cit.*, pp. 13-14.

One simple argument seems to destroy this. St. Thomas Aquinas lived in Paris as a student and as a professor from 1252-1259.<sup>42</sup> It is very doubtful that he would not have known of a Papal approbation of the feast, had one been in existence. Yet in the passage of the *Summa* that has been quoted above, he states that the Church *tolerates*, which is quite different from an "approbation or imposition of the feast for Gaul."<sup>43</sup>

The introduction of the feast in Rome seems to have come about in this wise. The feast of the Immaculate Conception gradually made its way first into the Roman Curia. The Popes first tolerated it, then they personally assisted at the celebrations, then had the feast celebrated.

The phase really began when the Papal Court, finding itself temporarily at Anagni, about the year 1241 or 1242, assisted at the festivities in honor of Mary's Conception in the Cathedral of the city.<sup>44</sup> It is on one of these occasions at Anagni that Boniface VIII (1294-1303) enriched the feast with an indulgence of eight years and forty days.<sup>45</sup>

Clement V (1305-1314) left Rome for Avignon. While there, the Pontifical Court began to assist at the rites in the Church of the Carmelites on the eighth of December. This became the customary and habitual procedure. Next, it was introduced in the Curia itself. This certainly began while the Popes were still at Avignon.<sup>46</sup>

<sup>42</sup> V. J. Bourke, *Introduction to St. Thomas Aquinas*, New York, 1948, p. 20.

<sup>43</sup> Doncoeur, *art. cit.*, pp. 273-275, points out many historical difficulties in attributing this decision with regard to the feast of the Immaculate Conception to Innocent III.

<sup>44</sup> Doncoeur, *art. cit.*, pp. 275-276, p. 699. Sericoli, *op. cit.*, p. 14, *D.T.C.*, *art. cit.*, col. 1100. Malou, *op. cit.*, vol. 1, p. 136.

<sup>45</sup> Doncoeur, *ibid.*, p. 699. *D.T.C.*, *ibid.*, col. 1100. *L'Ami du Clergé*, vol. 32, 1910, p. 1010.

<sup>46</sup> Sericoli, *ibid.*, pp. 13-14. Doncoeur, *ibid.*, pp. 699-700. *D.T.C.*, *ibid.*, col. 1100-1101.

The Curia became so accustomed to celebrating the feast that it continued to do so when it moved back to Rome. Gilles de Bellemer writes, in 1385, that he saw the feast of the Conception celebrated by the cardinals and prelates, "sciente et permittente Romano Pontifice" Francis Martin a few years later, reports that:

. . . the feast was celebrated with solemnity by the Sovereign Pontiff and by the Cardinals; in their chapels they carry out the feast of the Conception.<sup>47</sup>

Can we deduce anything from the Papal action concerning the feast? There was no Pontiff who, in documents or other official acts, authentically recognized this feast. This is evident from the bulls of John XXII (1316-1334), Clement VI (1342-1352) and Eugene IV (1431-1444), for when dealing with the feasts of the Blessed Virgin they constantly name only four. Nativity, Annunciation, Purification, and Assumption.<sup>48</sup>

The feast celebrated before Sixtus IV conveyed a sense that was vague and indetermined, and not the strict immaculistic sense as we have it today. It was very general, a sanctification *in genere* in the womb of St. Ann without further determination as to instant and modality. Thus the celebration did not favor any side of the bitter controversy rampant at the time between those defending Mary's Immaculate Conception and those against it. The Curia does not give to its adherence a dogmatic import. The proof of the matter is that the feast was celebrated by men of great influence in the Papal Court and yet who were *maculists*, e.g., Durandus of St. Portianus, William of Perpignan, and celebrated even by some Popes of Avignon who were against the privilege, at least before they became Popes, i.e., John XXII (1316-1334), Benedict XII (1334-1342), and Clement VI (1342-1352).<sup>49</sup>

<sup>47</sup> Doncoeur, *ibid*, p. 700. *DTC*, *ibid*, col. 1101.

<sup>48</sup> Doncoeur, *ibid*, p. 701. Sericoli, *ibid*, p. 14.

<sup>49</sup> Sericoli, *op cit*, p. 15. *DTC*, *ibid*, col. 1080-1081. Doncoeur, *art*

We can, I think, deduce this much from the the feast. It is of importance in the history of our dogma. The toleration or the permissive acts of the Popes of the time were a condition for the evolution of our truth, and a prelude of things to come

*John XXII (1316-1334)*

Pope John has already been mentioned above in relation to the development of the feast of the Immaculate Conception. Before we take our leave of him there is one more fact that bears noting.

There was, supposedly, a public debate held before him, at Avignon—around the year 1325—between the Dominicans and the Franciscans. It came about in this way. The Friars Preachers, being persuaded that their opinion was the only one conformable to Sacred Scripture, to the principles of the Fathers, and to the belief of the Church, referred the matter to the Pope. The occasion for this was Dun Scotus' brilliant defense of the privilege of the Immaculate Conception which had won over many to his opinion. Representatives of both Orders were called on to debate the question. The Pope, after hearing both sides, declared the Friars Minor the victors. To confirm this, he ordered the Mass of the Conception to be celebrated with greater solemnity in his chapel and in Avignon.<sup>50</sup>

This certainly was not a definitive papal pronouncement in favor of the Immaculate Conception, for, as we shall see shortly, Sixtus IV, in trying to make peace between the oppos-

*cit.*, pp 706-715, and vol 9, 1908, p 291. Benedict XII, before his elevation to the throne of Peter, was a Cistercian Cardinal and followed St. Bernard on the question of the Immaculate Conception. As a Cardinal he said "mundata fuit a peccato originali, et praeservata a peccato actuali." Doncoeur, p 708.

<sup>50</sup> Malou, *op cit.*, vol 1, p 55. Mansella, *op cit.*, vol 1, p 98. Their authority is Th Strozzi, S J, *Controversia della Concezione della Beata Virgine Maria descritta istoricamente*, L 5, c 3, Palermo, 1700. Doncoeur, *art cit.*, vol 8, p 706 and Le Bachelet in *DTC*, vol 7, col 1100, do not consider these facts to be authentic.

ing factions, declared that "the Church had not as yet defined it."<sup>51</sup> John's decision would be similar to any decision given in a debate. It is not so much the truth of the position as its defense that is important. So, in all probability the Pope's pronouncement comes to this: the Franciscans vindicated their position better than their opponents.

### *Gregory XI (1370-1378)*

In the year 1377 Gregory had the revelations of St. Bridget of Sweden examined, and he approved them. This approbation was confirmed by his two immediate successors, Urban VI (1378-1389) and Boniface IX (1389-1404).<sup>52</sup>

In his approbation Gregory said:

All that is contained in these revelations is conspicuous for its truth, and perlucid in its sanctity and perfect . . .

In these revelations we find Mary then speaking of her Conception: "It is the truth that I was conceived without original sin." Again:

Believe, my daughter, seeing that they think rightly who believe and profess that I was preserved from the original stain, wrongly, however, those who think the contrary, especially if they do so with temerity.<sup>53</sup>

Know that I was conceived without original sin, and not in sin . . . Know that my Conception was not known to all because God willed it that way . . . thus it was pleasing to God that His friends would piously doubt of my Conception, and each one would manifest His zeal, until the truth would be clarified at its foreordained time.<sup>54</sup>

<sup>51</sup> Bull *Grave nimis* (1483).

<sup>52</sup> Pourrat, art *Brigitte*, in *Catholicisme*, vol 2, Paris, 1949, col 271-272

<sup>53</sup> Excerpts taken from L 6, c 49 of the *Revelations* and quoted by the Bishop of Narni as a proof of the Immaculate Conception in his answer to Pius IX in *Pareri*, part 1, vol 2, 1851, pp 324-325

<sup>54</sup> Excerpt from L 6, c 55 of the *Revelations* quoted by D Cerni in

The approbation by the three Popes gives us this assurance, that in these revelations there is nothing contrary to Catholic truth. What there is concerning the Immaculate Conception is in harmony with faith. However, in approving private revelations, the Pontiffs do not and cannot demand from us a belief of divine Catholic faith. There is a definite sign of better things to come with regard to our truth.

*Martin V (1417-1431) - Eugene IV (1431-1447)*

In 1431 Martin V convoked the Council of Basle, which convocation was confirmed by Eugene IV.

There was a strong movement afoot to have the Council study thoroughly the question of Mary's Conception. At the end of 1435, it began to consider the question. There were some very extensive and lively discussions on the matter during April, May, June, and July of the following year. The

*Enchiridion auctoritatum super duodecim . . . triumphos B. Mariae Virginis Matris Dei in originale peccatum*, in *Pareri*, part 3, vol 6, Roma, 1852, p 174

This fact might be added here without attempting a critical evaluation of it. The Provincial Council of Lyons in 1850 petitioned Pius IX to define the Immaculate Conception. It declared that the Church of Lyons had been the first to celebrate the feast in France and that the Church of Macon had been in perfect agreement, and it gave as a proof, the following "Cum Lugdunensi consonat Matisconensis Ecclesia, in cujus antiquissimis fastis scriptum legitur Innocentius Papa IV (1243-1254), anno Incarnationis millesimo ducentesimo quadragesimo quinto, et die Sacratissimae Conceptionis Virginis Mariae, decembris octava, cum maximo comitatu, Ecclesiam dignissimam monasterii S. Petri, juxta civitatem Matisconensem, manu propria dedicavit"—in *Collectio Lacensis*, vol 4, 1873, col 498a. The antipope, Clement VII (1378-1394) confirmed and sustained the condemnation of John of Montesono, OP pronounced by the University of Paris. Montesono in defense of some theses, held that the belief in the Immaculate Conception was a heresy. The Bishop of Paris, Peter de Orgemont, ratified the censure imposed by the University and made the friar liable to excommunication. The friar appealed to Clement at Avignon. After hearing both sides, the antipope handed down his decision. This decision has no doctrinal value. However, it shows a tendency towards the clarification of the dogma. Cf Malou, *op cit*, vol 1, p. 56. Mansella, *op cit*, vol 1, p 105. Sericoli, *op cit*, p 18. *DTC*, *ibid*, col 1083-1086.

leader of those opposing the privilege was John of Montenegro, O.P., and Cardinal John of Turrecremata, O.P.; the leaders of the defense were John of Segovia and Peter Perqueri, O.F.M.

The arrival of the Greeks at Basle postponed further discussion on the subject. However, at the end of May, 1439, the discussions were renewed. In September, members of the commission chosen to examine the evidence held a consultation. Two days later, September 17, 1439, the following decree was published in Session XXXVI: <sup>55</sup>

... we define and declare that the doctrine according to which the glorious Virgin Mary, Mother of God, by a special effect of divine preventing and operating grace, was never stained with original sin, but has always been holy and immaculate, is a pious doctrine, conformable to the cult of the Church, to Catholic Faith, to right reason and Sacred Scripture; it must be approved, held and professed by all Catholics; furthermore, it is no longer allowed to preach or teach anything contrary to it.<sup>56</sup>

There is no doubt that at the time this decree was promulgated, the Council was schismatic. Therefore, it is not dogmatic <sup>57</sup> But the question comes up, when did the Council lose its authority? There are two possible, valid Catholic opinions.

The first opinion maintains that the Council lost its ecumenic status almost at the outset. It was convoked legiti-

<sup>55</sup> *DTC*, vol 2, art *Bâle* (Concile de) by A Baudrillart, col. 113-129 *DTC*, vol 7, col 1110-1113 *The Catholic Encyclopedia*, vol 2, article, *Basle*, by J MacCaffrey, pp 334-338 Mansella, *op cit*, vol. 1, p 137, sq Malou, *op cit*, vol 1, pp 58-61. Sericoli, *op. cit*, p. 21

<sup>56</sup> *DTC*, vol 7, art *cit*, 1113 Sericoli, *op cit*, p 21. Malou, *op cit*, vol 1, p 60

<sup>57</sup> Mansella, *op cit*, vol 1, p 148. *DTC*, vol 2, col 125-127, vol 7, col 1115 Malou, *op cit*, vol 1, p 60

mately, but it became nil after the first session because it began at that time to oppose the Pope.<sup>58</sup>

The other opinion, which seems to me to be the better of the two, holds that the Council was Ecumenical from the beginning up to its transfer to Ferrara in 1437 by Eugene IV.<sup>59</sup>

From this latter position, this argument follows. The question of the Immaculate Conception was discussed and material gathered at a time when the Council was still legitimate. Thus, the decree on the Immaculate Conception can be looked upon as a precious monument to the belief of the Church in Mary's singular privilege during the middle of the fifteenth century. It attests to a widespread and imposing belief by the Western Church. The Pope would not have authorized his legates to discuss the subject if he had not believed, at that time, a definition at least possible.

The future was to give this decree an indirect confirmation: all the points contained therein were sanctioned, little by little, by the legitimate authority. It marks, also, the end of the period of pure controversy, where the polemics existed without the final outcome being too clearly defined. It helped immensely in the development of the dogma. It was the first time that the question of a definition was brought up with reference to it.<sup>60</sup>

### *Sixtus IV (1471-1484)*

The first in a long line of Popes extending over five centuries, who have given explicit guidance on our dogma, Sixtus IV, a Franciscan Conventual, issued some sixteen constitutions

<sup>58</sup> Opinion of A. Baudrillart, in *DTC*, vol 2, col 126, sq.

<sup>59</sup> J. Hefele, *op cit*, vol 1, part 1, pp 81-86. The arguments he adduces from authority, quotations from Eugene IV and Leo X, are very strong. Mansella, *op cit*, vol 1, p 148. Malou, *op cit*, pp 60-61. MacCaffrey in *The Catholic Encyclopedia*, art *cit*, vol 2, p 334. Le Bachelet seems to hold this opinion in *DTC*, vol 7, col 1115.

<sup>60</sup> Malou, *op cit*, vol 1, pp 61-62, vol 2, p 265. Mansella, *op cit*, vol. 1, p 148. *DTC*, vol 7, col. 1115.



with reference to Mary's Conception. They are not all of equal value. Twelve of these were not destined for the universal Church. In them, the Pope granted indulgences to those attending certain churches on the feast of the Conception, or he erected convents or monasteries under the title of Conception, or he granted faculties and privileges for the feast. The twelve minor documents are:

| *Inter cetera*, July 13, 1472, *Ineffabilia*, Sept. 8, 1472; *A Sede Apostolica*, Oct. 4, 1472; *Inter praecipuas*, Jan. 23, 1473; *Regina coelorum*, May 26, 1475; *Dudum siquidem*, 1476; *Dum devote*, Sept. 17, 1477; *Dum attente*, 1477, *Romanus Pontifex*, Dec. 8, 1479; *Praeclara*, Mar. 23, 1480; *Apostolicae Sedis*, Jan. 4, 1481; *Et si gloriosus*, June 18, 1481.<sup>61</sup>

Of greater importance are the four Sistine Constitutions: *Cum praecelsa*; *Libenter*; *Grave nimis*, prior; *Grave nimis*, posterior.

(1) *Cum praecelsa*, Feb. 27, 1477.<sup>62</sup>

The occasion for this Bull was the heated and furious polemics between those in favor of, and those opposed to, the Immaculate Conception. As Sericoli says:

Such ire, such stubborn and disgraceful argumentation over which, with good reason, the heretics rejoiced, the good grieved, and the faithful were offended.<sup>63</sup>

<sup>61</sup> Sericoli, *op cit*, pp. 26, 69.

<sup>62</sup> Authors do not agree on the date of this document. Sericoli, *op cit*, p. 33, note 22, gives date as Feb. 27, 1477. G. Roschini, *Mariologia*, vol. 2, par. 2, ed. 2, Romae, 1948, p. 75, dates it Feb. 27, 1477. He changes from the view held in his first edition, and this was brought about by Sericoli's research. E. Carroll in *Marian Studies*, vol. 4, p. 41, and George Shea in *Marian Studies*, vol. 3, pp. 41 and 42, both have the date as above. The following authors give the date as 1476: E. Campana, in *Marie dans le dogme catholique*, translation from the Italian by A. M. Viel, O.P., vol. 2, Montrejeau 1913, p. 246. Le Bachelet, in *D.T.C. art cit*, col. 1122, has April 26, 1476. Denzinger-Bannwart, no. 734, gives Feb. 28, 1476, as does Paul Palmer, S.J. in *Mary in the Documents of the Church*, Westminster, Md., 1952, p. 74, who follows D.B.

<sup>63</sup> Sericoli, *op cit*, p. 31.

Writing to pour oil over the troubled waters, and to offset greater evils, Sixtus IV ordered a solemn and public disputation to be held in his presence at Rome. This took place in the beginning of the year 1477.

The *Maculistic* position was defended by the recognized leader of the group, Vincent Bandelli, O.P., who eloquently exposed his views. Francis Insuber of Brescia, Minister General of the Friars Minor, ably defended the *Immaculistic* position. It seems that the latter won.

On the occasion of this victory, Leonard of Nogarolis petitioned the Pope to approve the Office, *Sicut Lilium*, and the Mass, *Egredimini*, in honor of Mary's Conception. He also asked that they be enriched with indulgences. Sixtus acceded to his request and to this end he issued *Cum praeclsa*.<sup>64</sup>

By this Bull, the feast of the Immaculate Conception was approved and solemnly instituted. To those who devoutly celebrated the feast, and said or were present at the canonical hours, the Pope granted the same indulgences that had been granted by his predecessors for the feast of *Corpus Christi*.<sup>65</sup>

This document is definitely *Immaculistic*:

(a) The Pope calls Mary's Conception wondrous:

. . . we deem it fitting, and even our duty, to invite by means of indulgences and the remission of sins, all the faithful of Christ to offer thanks and praise to God . . . for the *wondrous Conception* of this same *Immaculate Virgin* . . .<sup>66</sup>

(b) The feast of Nogarolis has a very definite *Immaculistic* tone. We have such phrases as:

You are all beautiful, O Mary, and the stain of original sin is not in thee. (2nd ant. of 1st Vesp.)

<sup>64</sup> Sericoli, *op cit*, pp 31-33. In the appendix of this book, Sericoli gives *in toto* the four Sistine documents. Campana, *op cit*, vol 2, p 246

<sup>65</sup> Sericoli, *op cit*, appendix, pp 153-154

<sup>66</sup> Palmer, *op cit*, p. 74

Today is the Immaculate Conception of the Holy Virgin Mary God Who, by the Immaculate Conception of the Virgin, didst prepare a worthy dwelling . . . grant, we beseech Thee, Who by His foreseen death didst preserve her from all stain of sin . . . (Collect of the Mass and Oration of the Office—the same as we have today.)

God protected you from all sin, Mary.<sup>67</sup>

Ten times in the course of the Office and Mass, according to Sericoli, is Mary's Conception called *Immaculate*. About thirty times it is asserted that the Virgin was conceived without sin, or was preserved or was immune from sin or from the stain of original sin.<sup>68</sup>

(c) Alexander VII in his Bull *Sollicitudo omnium* declares that the object of the feast instituted by Sixtus IV has always been the Immaculate Conception.<sup>69</sup> This will be treated later in its proper place.

The Church cannot teach error. We know from the quotation from *Quas primas*<sup>70</sup> already given, that the Liturgy is a vehicle of instruction. In approving the feast officially, the Pope was implicitly teaching a doctrine, Mary's Immaculate Conception. Therefore, *Cum praeclsa* is a document which was definitely a giant step forward. God's truth concerning Mary was gradually unfolding and would soon stand unchallenged.

(2) *Libenter*, Oct. 4, 1480.

By this Apostolic Brief, Sixtus IV approved the Office and Mass in honor of Mary's Immaculate Conception, composed

<sup>67</sup> Sericoli, *op. cit.*, p. 80. Letter of Bishop of Havana in *Pareri*, part 1, vol. 2, p. 350.

<sup>68</sup> Sericoli, *op. cit.*, p. 80.

<sup>69</sup> J. Bourassé, *Summa aurea de laudibus B M V*, vol. 7, Paris, 1862, col. 251. Pius IX, in *Ineffabilis Deus*. Bourassé, *ibidem*, col. 631. Unger, transl. pp. 6 and 7. Sericoli, *op. cit.*, p. 70 sq. Roschini, *op. cit.*, vol. 2, part 2, p. 76.

<sup>70</sup> *A.A.S.*, vol. 17, p. 603.

by Bernardine de Bustis, O.F.M. This Office, like the preceding one, definitely had as an object Mary's preservation from original sin.<sup>71</sup> E.g., Ant. to Magnificat:

My soul doth magnify the Lord and my spirit exults in God  
my Saviour Who preserved me from original sin

Collect.

God Who preserved the Immaculate Virgin Mary from all  
stain of sin in her conception. . . .<sup>72</sup>

(3) *Grave nimis*, prior—1482.

The two preceding Papal documents did not silence the opposition to Mary's prerogative. They attacked it indirectly in two ways: (1) by not celebrating the feast, or (2) celebrating the feast of Mary's Sanctification; directly, by writing against *Cum praeclsa*.

Bandelli claimed that in approving Nogarolis' Mass and Office, the Pope meant Mary's sanctification after the instant of animation, or taught only her spiritual and not her natural conception. This attack was most immoderate and seemed to question the authority of the Holy See. Therefore, Sixtus published his first Bull entitled *Grave nimis*.

In this document the Pope, with strong words, condemns the members of different Orders who are deputed to preach the word of God in the different cities and towns of Lombardy, and who seem not to be ashamed to publicly affirm, before crowds of people, that anyone who holds Mary's preservation from original sin is to be considered a heretic, and that the Roman Church speaks only of Mary's spiritual conception or her sanctification. All the more so are they to be condemned,

<sup>71</sup> Sericoli, *op. cit.*, pp. 36-40. Copy of the whole brief in appendix DTC, vol. 7, col. 1122.

<sup>72</sup> DTC, *loc. cit.*, Sericoli, *op. cit.*, p. 87.

as they know that the Church celebrates the feast of the Conception and that she has ordered a special and proper Office. The Pope wishes to oppose these temerarious and perverse assertions which are alien to the truth

By his own impulse, *motu proprio*, he fulminates an excommunication reserved to the Roman Pontiff on all those who would presume to affirm that the Holy Roman Church celebrates only Mary's spiritual Conception and her Sanctification in her mother's womb, and that those who believe and hold that Mary was Immaculately Conceived are guilty of heresy, since these affirmations are false and erroneous and alien to truth. Anybody who edits books of the same tenor is condemned

Also, he subjects to some censures those who preach, or teach or otherwise affirm by word or writing that it is heretical to believe that Mary was conceived in original sin.<sup>73</sup>

The explanation of this Bull will be better understood in the discussion of the following one.

(4) *Grave nimis*, posterior.—Sept. 4, 1483.

The preceding Bull put an end to Bandelli's argument. His ideas, however, spread to others. Thus, to put a stop to these, Sixtus published another Bull under the same title, *Grave nimis*. This Bull is more general in tenor:

Although the holy Roman Church publicly and solemnly celebrates the feast of the Conception of the inviolate and ever Virgin Mary, and has arranged a special and proper Office for the feast, we have learned that some preachers from different Orders, in their sermons to the people throughout various cities and districts, have up to the present unblushingly asserted in public and are daily continuing to preach that all sin mortally or are heretics who hold or assert that the same glorious and immaculate Mother of God was conceived without the stain of original sin; and that those sin mortally who celebrate the Office of this same Immaculate Conception or listen to the sermons of

<sup>73</sup> Sericoli, *op cit*, appendix

those who affirm that she was conceived without stain of this kind. . . By the tenor of these presents, we reprove and condemn with apostolic authority assertions of this kind as false and erroneous and as wholly foreign to the truth . . . We reprehend as well those who shall dare to assert that those who hold the contrary view—namely, that the glorious Virgin Mary was conceived with original sin—are guilty of the crime of heresy or of mortal sin, since the matter has not been decided as yet by the Roman Church and the Apostolic See.<sup>74</sup>

This second *Grave nimis* is much like the first,<sup>75</sup> but these main differences are noticeable.

(a) *Grave nimis*, prior.—destined for Lombardy. *Grave nimis*, posterior:—destined for the whole Church

(b) In the *posterior*, Pope Sixtus IV gives the reason for the excommunication he fulminates against the Immaculists who maintain that those denying Mary's Immaculate Conception are guilty of heresy and commit a mortal sin. That reason is:

. . . since the question has not yet been decided by the Roman Church and the Apostolic See.<sup>76</sup>

<sup>74</sup> Sericoli, *op cit*, appendix Engl transl by Palmer, *op cit*, p 75

<sup>75</sup> According to Sericoli, *op cit*, pp 49-50, *Grave nimis*, posterior, is authentic, for it is found in the *Corpus Juris Canonici*, c 2 Extrav comm 3, 12; it is mentioned by Popes, e.g., Pius IX in *Ineffabilis Deus*, and by the Council of Trent—*DB*, 792, 735. There are more difficulties militating against the authenticity of the *Grave nimis*, prior. It is not admitted in the *Corpus Juris Canonici*, neither is it found in any *Bullarium Romanum*, nor confirmed by any successors of Sixtus, nor by the Council of Trent. However, Pius IX in *Ineffabilis Deus*, has an implicit but clear reference to it when speaking of the Pontiffs. He says "uti falsum et ab Ecclesiae mente alienissimam proscripserunt illorum opinionem, qui non Conceptionem ipsam sed Sanctificationem ab Ecclesia coli arbitrarentur et affirmarent." This is mentioned only in the prior *Grave nimis*, cf. *Ineffabilis Deus*, Unger transl, p 6. A comparison of this with both *Grave nimis* brings out the fact clearly. Sericoli lists other books and authors having the prior one.

<sup>76</sup> Sericoli, *op cit*, p 48, and appendix, *loc cit* ". . . cum nondum sit a Romana Ecclesia et Apostolica Sede decisa."

It is absent in the *prior*.

The import of these last two Bulls, lies in this.

(a) They definitely established that the object of the feast approved by Sixtus was Mary's preservation from original sin.

(b) There is an immense impetus given to the *pious belief*. The Pope declared as false, erroneous and contrary to truth, the assertions of those accusing the defenders of the Immaculate Conception of sin and heresy because the Church approved it and commended it, and the Church celebrates the feast. On the other hand, he forbade the Immaculists to accuse their adversaries of heresy and sin, not because it was contrary to truth, but simply because the Church had not as yet decided the question.<sup>77</sup>

Thus, the Holy See no longer allowed the tags "heresy" or "sin" to be attached to the "pious belief."

From the study of the four Sistine documents we can deduce, with Cherubino Sericoli, that:

(a) The Roman Pontiff invited or urged the faithful to celebrate this feast, but did not command it.

(b) Sixtus clearly signified that the object of the feast was Mary's preservation from original sin.

(c) The Pope never asserted or signified that the doctrine of the Immaculate Conception had been raised to the grade of certitude below that of divine-Catholic faith. He never prohibited the opposition from defending their opinions.

<sup>77</sup> Malou, *op cit*, vol 1, p. 65. *DTC*, vol 7, col 1124. These facts lead St. Robert Bellarmine to declare in a general assembly of the Sacred Inquisition, on Aug 31, 1617, that it could never come about that the Holy See condemn the *pious belief* as heretical, or that she define as a dogma of faith, the contrary opinion. The Cardinal says in part "Non potest definiri sententiam communiorum (i.e. Mary was immaculately conceived) esse haeticam: Probatur, quia Ecclesia seu Sedes Apostolica definivit contrarium. Sixtus, enim, IV, in extravaganti, *Grave nimis*, expresse definivit eos qui dicunt haeticum esse dicere beatam Virginem sine peccato originali esse conceptam, falsum dicere et excommunicat illos excommunicatione reservata Summo Pontifici." Cf. Mansella, *op cit*, vol 1, p. 164. *DTC*, *loc cit*.

(d) It would seem that the affirming opinion, namely, that Mary was conceived with original sin, is *damnabilis*, while the negative opinion, at least implicitly, is asserted to be *de fide catholica defimbilis*.<sup>78</sup>

## PART TWO

### *The Immaculate Conception in the Papal Magisterium from Sixtus IV to Alexander VII Inclusive*

*Innocent VIII (1484-1492); Alexander VI (1492-1503)*  
*Julius II (1503-1513)*

These three Popes added their contribution to the development of our dogma. There was one Pope, Pius III, who came between Alexander and Julius, but his reign was too brief to allow him to issue any acts.

Innocent VIII by his Bull *Inter innumera*, issued in 1489, approved a Spanish congregation of nuns known as the *Religious of the Immaculate Conception of Mary*.<sup>79</sup>

Alexander VI by the Bull *Illius qui*, confirmed the constitution *Grave nimis* posterior of Sixtus IV.<sup>80</sup>

Julius II, in his Bull *Ad statum prosperum*, of 1511, ratified Innocent VIII's approbation of the above mentioned religious order of women under the title of the Immaculate Conception, and he also approved their new rule. Julius stated that the scope of those professing this rule is to be espoused to Jesus Christ, our Redeemer, and to venerate the Immaculate Conception to His Mother.

In c. 3, the Pope prescribes that:

<sup>78</sup> *Op cit*, p 97, 118, 124, 127

<sup>79</sup> Malou, *op cit*, vol 1, pp 148 and 156, Passaglia, *op cit*, vol 3, pp 1782-1783, *Pareri*, part 1, vol 3, p 12, letter of Bishop of Málaga, Spain, *ibid*, p 121, Bishop of Toledo, Spain, *ibid*, part 3, vol 7, Cerri *Enchiridion*, pp 111 and 112

<sup>80</sup> *DTC*, vol 7, col 1164; Campana, *op cit*, p 247, Passaglia *op cit*, vol 3, p 1783.



... the habit and the scapular must be white in color . . . in testimony of the virginal purity of mind and body; the mantle (pallium), however, must be the color of hyacinth because of a mystical signification, namely, because the soul of the glorious Virgin from its creation was totally heavenly .

With the rule, the Pontiff prescribed also this formula of profession:

"I, Sister N., out of love and subjection to God and the Immaculate Conception of the Mother of God, vow and promise to God and to the Blessed Virgin Mary. . . ." <sup>81</sup>

#### *Leo X (1513-1521)*

Leo X confirmed and approved the Constitutions of Sixtus IV, endowed the feast of the Conception with new honors by his Constitutions and Indults: *Ad ea*, (1515); *Super gregem*, (1517), *Pia Christifidelium*, (1518); *Quia nuper*, (1519); *Ineffabilis*, (1521). <sup>82</sup>

He also approved a confraternity bearing the title of the Conception of the Blessed Virgin erected in the Carmelite Church at Rouen. He praised the rite that they had, on the occasion of the death of a member, of carrying a white candle and a palm to declare their firm belief in Mary's Immaculate Conception. <sup>83</sup>

By the Bull *Sacrosanctae*, Leo ordered that in all the dominion of Poland, the feast of the Conception be celebrated in the same way "as it is done in Rome and in the Roman Curia." <sup>84</sup> He also permitted the Spaniards to have a Midnight

<sup>81</sup> Passaglia, *ibid*, *Pareri*, part 1, vol. 3, pp. 12-13, Letter of the Bishop of Málaga.

<sup>82</sup> Passaglia, *op cit*, vol 3, pp 1783, Mansella, *op cit*, vol 1, pp 168-170

<sup>83</sup> Passaglia, *ibid*, pp 1783-1784, "Ad declarandum defunctum ipsum perpetuo fidei lumine vestitum sinceritatem conceptionis huiusmodi usque ad mortem tenuisse ac defendisse, et palmam virginalem in Cades exaltatam, quam contra omnem etiam originalis culpae labem reportasse ipsam Virginem, vivens contenderat, quasi ante summum Dei tribunal post obitum repraesentasse"

<sup>84</sup> Sericoli, *op cit*, p 144

Mass, the Mass of the Immaculate Conception, on the feast of December the eighth.<sup>85</sup>

Of great importance as indicative of a trend begun by Sixtus IV, was Leo X's decision to settle the controversy which divided the Catholic schools on the question of the Conception. He planned to have the matter discussed in the Fifth Council of the Lateran (1512-1517). He charged many learned theologians to handle the question—especially Cajetan, Cardinal Thomas de Vio, recognized as the eminent theologian of his time. These men were to give their opinion, and to examine whether there was any possibility of a definition of the Immaculate Conception as an article of faith. However, the project was abandoned due to more pressing business, for the Council had been convened to discuss the reformation of the Church, and to legislate to this end.<sup>86</sup>

#### *Adrian VI (1522-1523)*

Adrian VI, by the Bull *Romanus Pontifex* of July, 1522, confirmed a confraternity in honor of the Immaculate Conception erected in Toledo, Spain.<sup>87</sup>

#### *Clement VII (1523-1534)*

Clement VII published a breviary drawn up by a Cardinal, in which is found the greater part of the office approved by Sixtus IV. In it we find again the following invitatory: "Let us celebrate the Immaculate Conception of the Virgin Mary . . ."; and the verse: "Thou art all beautiful, O Mary, and the original stain is not in Thee."<sup>88</sup>

<sup>85</sup> P. Biancheri, *Voto in forma di dissertazione*, in *Pareri*, part 3, vol 5 p 263

<sup>86</sup> *D T C*, vol 7, col 1164-1165, Sericoli, *op cit*, p 146, Malou, *op cit*, vol 1, pp 66-67, vol 2, p 277, Mansella, *op cit*, vol 1, pp 168-170

<sup>87</sup> Passaglia, *op cit*, vol 3, p 1784; B. McKenna, *The Dogma of the Immaculate Conception*, Washington, D C, 1929, p 117

<sup>88</sup> *Pareri*, part 2, vol 4, p 230, part 2, vol 6, p 112, Passaglia, *op cit*, vol 3, p 1784

*Paul III (1534-1549)*

In his Constitution *Breviarium divini Officii* of July 3, 1536, Paul III defended by his Apostolic authority the above mentioned Breviary written at the order of Clement VII.<sup>89</sup>

Paul's greatest act, by far, was the convocation of the Council of Trent on Nov. 19, 1544. The Council opened on Dec. 13, 1545. The object of this Council was to treat only those problems raised up by the heretics which were detrimental to our faith. It had taken as a general rule not to define any question freely controverted, up till that time, among Catholics<sup>90</sup>. Thus, strictly speaking, the Immaculate Conception was not to be on the agenda.

When, however, the question of the universality of original sin arose, it carried with it, as a rider, the problem of whether Mary was subject to the law. Many heated discussions ensued. Finally, after much argument, the following decree was approved at the Fifth Session on July 17, 1546:

This same holy Synod declares that it is not its intention to include in this decree, where there is question of original sin, the blessed and immaculate Virgin Mary, Mother of God. Rather, the constitutions of Sixtus of happy memory are to be followed. . . .<sup>91</sup>

The authentic interpretation of this decision, arrived at by the Fathers of the Council, is given us by Pius IX in his Bull *Ineffabilis Deus*

Besides, we must note a fact, most grave and important indeed. Even the Council of Trent itself, when it gave out the

<sup>89</sup> Passaglia, *ibid.*

<sup>90</sup> Malou, *op cit*, vol 1 p 69, Mansella, *op cit*, vol 1, p 171 sq

<sup>91</sup> D.B., n 792, English transl Palmer, *op cit*, p 77; D.T.C., vol 7, pp 1166-1167, Mansella, *op cit*, vol 1, pp 171-178, Malou, *op cit*, pp 69-70. Cfr M. Tognetti, O.S.M., *L'Immacolata al Concilio Tridentino*, in *Marianum* vol 15, 1953, pp 304-374.

dogmatic decree concerning original sin, following the testimonies of the Sacred Scriptures, of the Holy Fathers and of the very worthy Councils, decreed and defined that all men are born infected by original sin; nevertheless, it solemnly declared that it had no intention of including the Blessed and Immaculate Virgin Mary, the Mother of God, in this decree and in the very broad sweep of its definition. Indeed, considering the times and circumstances, the Fathers of Trent sufficiently insinuated by this declaration that the Blessed Virgin Mary was free from the original stain, and thus they clearly signified that nothing could be reasonably cited from the Sacred Writings, from Tradition, or from the authority of the Fathers, which would in any way be opposed to so great a prerogative of the Virgin.<sup>92</sup>

In the decree of Trent three things are to be noted

- (1) Mary is excluded from the universal law of original sin. Taking into consideration the decree plus the ideas of the members of the Council as can be seen from their debates, it is evident that for the great majority,—two-thirds of the members of the assembly, according to one author<sup>93</sup>—the reason they did not want to include Mary lies in the fact that they were convinced that she had not incurred original sin.<sup>94</sup>
- (2) Mary is called *Immaculate*. I think we can say with Cardinal Luigi Lambruschini, that the meaning of that word must be determined by the quality of the stain discussed in the decree. The stain was original sin. Therefore, she is called Immaculate because she was conceived without original sin.<sup>95</sup>
- (3) The Sistine Constitutions are to be observed. From

<sup>92</sup> Bourassé, *op cit*, vol 7, col 633; Unger transl, p 9

<sup>93</sup> LeBachelet, in *DTC*, vol 7, col. 1167

<sup>94</sup> *DTC*, vol 7, col 1168.

<sup>95</sup> Cardinal Luigi Lambruschini, *Sull'Immacolato Concepimento di Maria*, in *Pareri*, part 3, vol. 5, p 136.

the Acts we know that *Cum praeclsa* and *Grave nimis* were read to the assembly. Thus, juridically, the question was left in the same state as it was previously.<sup>96</sup> But the tenor of these documents was definitely *Immaculistic*, as we have already seen.

Therefore, we can repeat again the words of Pius IX: "The Fathers of Trent sufficiently insinuated by this declaration that the Blessed Virgin Mary was free from the original stain." The Council of Trent brought the pious belief closer to its definition

#### *Pius IV (1559-1565)*

Pius' all-important act was the confirmation of the decrees of the Council of Trent by the Bull *Benedictus Deus* of Jan. 26, 1564. Included, evidently, was the famous last paragraph of the decision of the Fifth Session on the Immaculate Conception.<sup>97</sup>

#### *Pius V (1566-1572)*

Three documents of Pius with reference to the Immaculate Conception are worthy of note: *Ex omnibus*, of 1567; *Quoad a nobis*, of 1568, and *Super speculam*, 1570.

In the Bull *Ex omnibus*, written in 1567 and not published till later, Pius condemns the errors of Baius (Michael du Bay) contained in seventy-nine propositions. The seventy-third proposition reads:

No one, with the exception of Christ, is without original sin. Therefore, the Blessed Virgin died because of the sin contracted

<sup>96</sup> *D T C*, vol. 7, cols. 1167-1168.

<sup>97</sup> *Bullarium Privilegiorum ac Diplomatum Romanorum Pontificum*, vol. 4, part 2, pp. 168-169 (hereinafter to be referred to as *Bull. Rom.*); Passaglia, *op. cit.*, vol. 3, p. 1784.

from Adam, and all her afflictions in this life, no less than those of the rest of the just, were the punishment of actual or original sin<sup>98</sup>

The reason why this proposition was proscribed was that it went contrary to the law decreed by Sixtus IV and confirmed by the Council of Trent. Baius claimed that the belief in the Immaculate Conception was a heresy. Thus, he fell under the censures.<sup>99</sup>

The condemnatory clause of Baius' teaching comes at the end of the document and is given in block without particular application to each assertion. Thus, they were proscribed because temerarious, scandalous and offensive to pious ears. Benedict XIV in an unpublished Bull, *Mulierem pulchram*, understood the condemnation of proposition 73 in this way. So we cannot say that it was a definition of our dogma, but it certainly was a protective measure enhancing the privilege.<sup>100</sup>

The Bull *Quoad a nobis*, of July 9, 1568, promulgated the use of a new Breviary and suppressed all others, except those whose usage dated back two hundred years or more, or which had special papal approbation. The purpose was to reform the liturgy and to get some semblance of unity in the official prayers of the Church.

The feast of the Conception was inserted in the calendar, in the Proper of the Saints. This was an innovation and it implicitly extended the feast to the Universal Church.

The Office for the feast was that of Mary's Nativity with the substitution of the word *Conception* for *Nativity* wherever it was found. The Sistine offices were suppressed, but the action was not directed against the Immaculate Conception. It was simply a detail in the overall plan of unifying the Bre-

<sup>98</sup> *DB*, 1073, *Bull. Rom* vol 4, part 3, p. 429

<sup>99</sup> Mansella, *op cit*, vol 1, p 189, Malou, *op cit*, vol. 1, pp 70-71

<sup>100</sup> *DT C*, vol 7, col. 1169.

viary.<sup>101</sup> As a matter of fact, the new office was *immaculistic*.<sup>102</sup> Besides, Pius allowed the Franciscans to use the Mass and Office of Nogarolis.<sup>103</sup>

In the Bull *Super speculam*, of 1570,<sup>104</sup> Pius decries the evil effects of the controversy raging over the question of Mary's privilege. Desirous of offsetting scandal and promoting peace, he renews the prescriptions of Sixtus IV and of the Council of Trent. To these he added new measures:

... we establish and order . . . that no one is allowed to discuss either of the opinions in sermons given before the people and in mixed reunions . . . or to write or dictate anything in the vernacular on the question.<sup>105</sup>

This is followed by the ecclesiastical penalties that the transgressors become subject to.

There is one exception. As long as the Church does not define either side, the *periti* are granted permission to discuss the matter in public academies and other similar circumstances, on two conditions:

- (1) as long as there is no occasion of scandal, and
- (2) as long as they do not claim either side to be erroneous, observing what had been decreed on the matter by Sixtus IV.<sup>106</sup>

<sup>101</sup> *Bull. Rom.*, vol 4, part 3, pp 22-23, *DTC*, vol 7, col 1170, Sericoli, *op. cit.*, p 144, Prosper Guéranger, *Mémoire sur la question de l'Immaculée Conception*. in *Pareri*, part 3, vol 7, pp 21-22

<sup>102</sup> We have, e.g., in the antiphon to the Magnificat, and the eighth responsory of Matins, the following "Gloriosae virginis Mariae Conceptionem dignissimam recolamus" "Sentiant omnes tuum juvamen quicumque celebrant tuam sanctam Conceptionem" *DTC*, vol 7, col 1170, *Pareri*, part 1, vol 3, p 18 Passaglia, *op. cit.*, vol 3, p 1785

<sup>103</sup> *DTC*, *ibid.*; Passaglia, *ibid.*

<sup>104</sup> *Bull. Rom.*, vol 4, part 3, pp 138-139; Bourassé, *op. cit.*, vol 7, col 72-75, Malou, *op. cit.*, vol 1, p 71, *L'Ami du Clergé*, vol 32, 1910, p 1011, *DTC*, vol 7, col 1171, Sericoli, *op. cit.*, p 146

<sup>105</sup> *Bull. Rom.*, *ibid.*, p 138, Bourassé, *ibid.*, col 73

<sup>106</sup> *Bull. Rom.*, *ibid.*, p 139, Bourassé, *ibid.*, col 74.

Pius V still allowed liberty of opinion on the subject, but forbade public manifestation of either opinion except within specified norms

*Gregory XIII (1572-1585)*

In his Bull *Provisionis nostrae*, of Jan 24, 1579, Pope Gregory confirmed the condemnation of Baius by publishing the Bull *Ex omnibus*, of his predecessor, which had, as yet, been unpublished<sup>107</sup>

In his document *Omnipotentis Dei*, of 1584, Gregory granted a plenary indulgence under the usual conditions, to the members of a confraternity of students of the Jesuit School in Rome, on the following feasts: Annunciation, Assumption, *Conception* and Nativity of the Blessed Virgin.<sup>108</sup>

*Sixtus V (1585-1590)*

In the Constitution *Ineffabilis*, of 1588, Sixtus praises the custom of the Franciscan Order by which they devoutly celebrate the most pure Conception of the Mother of God. He then proceeded to enhance the celebration of the feast with a plenary indulgence to be gained under the usual conditions.<sup>109</sup> He also approved for the Franciscans a proper office for each day of the octave of the Immaculate Conception.<sup>110</sup>

*Clement VIII (1592-1605)*

In his Brief *Pastoralis Romani Pontificis*, of June 15, 1598, Pope Clement praised highly the catechism composed by St. Robert Bellarmine which had been published at the Pope's

<sup>107</sup> Bull Rom, vol 4, part 3, pp 426-429

<sup>108</sup> Bourassé, vol 7, col 102

<sup>109</sup> Passaglia, *op cit*, vol 3, p 1786, " . . . ex ipsius Ordinis instituto purissimam Dei genitricis conceptionem devotissime celebrare, ac illam condignis laudibus et honoribus extollere, ac fidelibus praedicare et explanare, ipsiusque festum maxima reverentia venerari," *ibid*, note 1

<sup>110</sup> Malou, *op cit*, p 148



demand. He imposed it on all the dioceses within the Papal States, and he strongly recommended it to the other bishops. We read in c. 5 of the catechism, this question and answer:

What do the words *Full of Grace* mean?

Our Lady is *full of grace*, for she was never tainted with the stain of any sin either original or actual, mortal or venial.<sup>111</sup>

Implicitly, the Pope puts his mark of approval on this passage.

Clement raised the feast of the Immaculate Conception to the rite of *double major* for the Universal Church.<sup>112</sup> In two Constitutions, *Gratia devotionis*, edited 1600, and *Dignum*, of 1601, he speaks of "Chapels dedicated to the *Immaculate Conception*," and "altars of the *Immaculate Conception*"<sup>113</sup>

#### *Paul V (1605-1621)*

The battle between the opposing camps still raged in the early years of the seventeenth century, although the ranks of those opposing the privilege were thinning out, while those of the defenders were on the increase. Paul, desirous of peace, issued the Bull *Regis pacifici* on July 9, 1616.

In this document he recalls the decree of Sixtus IV, its renewal by the Council of Trent, and the Bull *Super speculam* of Pius V. However, the Pope maintains that these did not suffice to calm the troubled waters, and he is forced again to legislate on the question. So, by his *Apostolic power* he con-

<sup>111</sup> McKenna, *op. cit.*, p. 118, Passaglia, *op. cit.*, vol. 3, p. 1786, Dubosc de Pesquidoux, *L'Immaculée Conception*, Tours, 1898, p. 433; Guéranger, *op. cit.*, in *Pareri*, part 3, vol. 7, pp. 46-47, Le Bachelet, article *Bellarmin*, in *DTC*, vol. 2, col. 584-585, J. Lebreton, article *Bellarmin*, in *Catholicisme*, vol. 1, col. 1383-1385.

<sup>112</sup> Passaglia, *ibid.*; McKenna, *ibid.*

<sup>113</sup> J. M. Diez de Sollano, *Theologica de Immaculata Conceptione BV Mariae dissertatio*, in *Pareri*, part 3, vol. 6, p. 263.

firms, approves and renews the decisions of his predecessors, penalties included. He adds his bit, and increases the punishment for the transgressors.<sup>114</sup>

His Bull still did not obtain the desired results. In an attempt to correct the abuses, a general meeting of the Roman Inquisition was held before the Pope, and at his command, the results of the meeting were published on Sept. 12, 1617, in the decree *Sanctissimus*.

It recalls, in the Proemium, that up to the present, Catholics were free to hold that Mary was conceived either with, or without original sin, provided that they did not condemn the opposite view as erroneous or heretical. However, when the assertion was made in public sermons and discourses that the Blessed Virgin had been conceived with original sin, this caused scandals, quarrels and dissensions among the people. In order to eradicate such evil effects, it is forbidden, as of this time, to affirm in *public* speeches or acts, that Mary was conceived *with* original sin. This prohibition is to hold until such a time as the Holy See decides otherwise.

It is explicitly stated that by this decree, Paul V does not intend to disapprove of the opposite opinion, nor to be prejudicial to it, but wishes to leave matters as they are, with exception of the above decision. He allows the defenders of the privilege to propose or defend their views, with this proviso, that they do not attack or discuss in any way, in public, the opposing opinion.<sup>115</sup>

Worthy of note is the acknowledgment that the denial of the Immaculate Conception was offensive to the faithful. Tradition, the living thing which also championed the Assumption, is in evidence—*sensus fidelium*.

<sup>114</sup> *Bull. Rom.*, vol. 5, part 4, pp. 209-211, Bourasse, *op. cit.*, vol. 7, col. 200-204, Mansella, *op. cit.*, vol. 1, p. 191, Malou, *op. cit.*, vol. 1, p. 73.

<sup>115</sup> *Bull. Rom.*, *ibid.*, pp. 234-235, Bourassé, *op. cit.*, *ibid.*, col. 208-210, *D T C*, *art. cit.*, vol. 7, col. 1172, Passaglia, *op. cit.*, vol. 3, p. 1786.

*Gregory XV (1621-1623)*

The Spanish Kings of this era had constantly and insistently asked for a definition of the Immaculate Conception. Their demands were the occasion for the decrees of Paul V, and also of Gregory XV.

On May 24, 1622, a general assembly of the Roman Inquisition took place before the Pope. Its decree, *Sanctissimus*, was published at Gregory's command on June second, and it echoed his mind on the particular problem at hand.<sup>116</sup>

This document confirms the above mentioned decree of the same name, of Paul V. It goes further, however, by broadening and extending its prohibitions to *private* conversations and writings, until such a time as the Apostolic See would settle the issue.<sup>117</sup>

The Pope then confirms the decrees of his predecessors, Sixtus IV, Alexander VI, Pius V, and Paul V.

Towards the end of the decree, Gregory commands that in the celebration of the Mass and Office on the feast of the Conception, no other word but Conception be used.<sup>118</sup>

Two things in this decree are worthy of special note:

(1) Absolute silence is imposed on those denying the Immaculate Conception. The reason given is again the same, because it gives rise to scandals and dissensions among the faithful. In other words, to say that Mary was conceived with sin is offensive to the sense of the faithful. However, people

<sup>116</sup> *Bull Rom*, vol 5, part 5, pp 45-46, Bourassé, *op cit*, vol 7, col 220-222, *DTC*, art *cit*, vol 7, col 1172-1173

<sup>117</sup> "Hoc suo praesente decreto extendit et ampliavit etiam ad privata colloquia et scripta, mandans et praecipiens omnibus et singulis supradictis, ne de cetero neque etiam in sermonibus et scriptis privatis audeant asserere, quod eadem Beatissima Virgo fuerit concepta cum peccato originali, nec de hac opinione affirmativa aliquo modo agere, seu tractare, exceptis tamen quibus a Sancta Sede Apostolica fuerit super hoc specialiter indultum" Cf *Bull Rom*, *ibid*, p 45, Bourasse, *ibid*, col 221

<sup>118</sup> "mandat et praecipit, ut in Sacrosancto Missae sacrificio, ac divino officio celebrandis, tam publice, quam privatim, non alio, quam Conceptionis nomine uti debeant" *Bull Rom*, *ibid*, p 46, Bourassé, *ibid*, col 221

may still hold their opinion, but must keep their ideas to themselves. The question, as yet, is not officially defined. There is a definite trend but no official settlement.

(2) The word *Conception* has to be used in the Liturgy of the Church. Thus, the word *Sanctification* is no longer acceptable for the feast.

The month following the publication of *Sanctissimus*, the Pope issued a decree (July 28, 1622) wherein he granted a privilege to the Dominicans. They were given permission to discuss the Conception of Mary in their private conferences or "get-togethers," but only amongst themselves, and not in the presence of others: "inter se dumtaxat, et non inter alios aut cum aliis."<sup>119</sup>

From this we can readily see that the problem is still in the realm of opinions for the Church. The Church does not consider the matter officially decided one way or the other.

#### *Urban VIII (1623-1644)*

Pope Urban had no sooner ascended the throne of Peter, than Philip IV of Spain petitioned him for a definition of the Immaculate Conception. Other princes, e.g., Sigismund of Poland, Ernest of Bavaria and Leopold of Austria, joined their voices to his.

The petition of the king of Spain was turned over for examination to the Congregation of the Holy Office. The Cardinal members of this august group unanimously answered in a decree dated Jan 28, 1627, that:

The predecessors of his Holiness had so favored the opinion professing the Immaculate Conception that the only thing left to do was to define the question or to determine measures equivalent to a definition.<sup>120</sup>

<sup>119</sup> *Bull Rom*, *ibid*, p 46, Bourasse, *ibid*, col 222-224

<sup>120</sup> Guéranger, *op cit*, in *Parisi*, part 3, vol 7, p 28, *D.T.C.*, *art cit*, vol 7, col 1174, Mansella, *op. cit*, vol 1, p 218.

To Sigismund the Pope answered:

The causes which have prevented Us from settling the problem, still exist. Therefore, we cannot accede to your request. The light of the Holy Spirit, alone capable of unveiling this celestial mystery, has not as yet enlightened Our mind.<sup>121</sup>

Urban was known to have had great devotion toward the Immaculate Conception. With his brother, Cardinal Anthony Barberini, O.F.M.Cap, he promoted the building, at Rome, of a new Capuchin convent to which was to be connected a church dedicated to the Immaculate Conception. The Pope himself solemnly blessed and laid the cornerstone of the church on Oct 4, 1626. He granted a plenary indulgence to all those present at the ceremony.<sup>122</sup>

On February 12, 1624, the Bull *Imperscrutabilis* was issued by Urban, in which he erected a Christian Militia under the title of the Immaculate Conception of the Blessed Virgin Mary.<sup>123</sup> In subsequent decrees on behalf of the same order, he increased its privileges, broadened the authority of the Master General,<sup>124</sup> adjourned its general chapter,<sup>125</sup> and confirmed its statutes.<sup>126</sup>

In 1631, by the Constitution *Sanctae et immaculatae*, he granted to the church of St. James of the Spaniards in Rome,

<sup>121</sup> *DTC*, *ibid*, col 1173 Latin "Nondum enim Spiritus sancti lux pontificiae menti affulget, coeleste hoc arcanum hominibus detegens"

<sup>122</sup> Archangelus a Roc, O.F.M.Cap, *Joannes Maria Zamoro ab Udine, O.F.M.Cap, praeclarus mariologus* Extract from *Collectanea Franciscana*, vols 15-19, 1945-1949, Rome, pp 115-116 Grant of plenary indulgence

"Indulgentia plenaria e remissione di tutti li peccati a chi si troverà presente al gittar della prima pietra che fara la Santità di N S Papa Urbano VIII nella nuova chiesa dell'Immacolata Concettione della Madre di Dio nel nuovo convento de' Pp Capuccini che farà nella festa di S Francesco, domenica alli 4 d'ottobre 1626" Cf p 156

<sup>123</sup> *Bull Rom*, vol 5, part, pp 191-194, Bourassé, *op cit*, vol 7, cols 223-228

<sup>124</sup> Bourassé, *op cit*, vol 7, cols 228-230

<sup>125</sup> Bourassé, *ibid*, cols 230-231

<sup>126</sup> Bourasse, *ibid* col 235-238, *Bull Rom*, vol 5, part 5, p 239

the privilege of celebrating the feast of the Conception with the rank of double of the first class, even if it should fall on the Second Sunday of Advent.<sup>127</sup>

By a brief issued on Feb. 22, 1633, Urban recommended the use of the catechism of Bellarmine in the missions of the Orient.<sup>128</sup> This catechism, as we know, was definitely favorable to Mary's privilege.

The Pope granted a perpetual plenary indulgence under the usual conditions to the Confraternity of the Conception of the Blessed Virgin, erected in the church of St. Barbara in Goa, India.<sup>129</sup>

The granting of indulgences readily enough to groups or churches, manifests a benevolence towards our dogma. Rome is moving consistently towards an official pronouncement, and these grants are steps along the way.

There were two acts attributable to Urban, which seem adverse to the Immaculate Conception, but in reality, are not.

In the decree *Unversa*, of 1642, he enumerated and stabilized the holydays of obligation. The feast of the Conception was not of the number.<sup>130</sup> The fact that the Pope does not make it a feast of precept is in no way detrimental to it. He does not abrogate it; it keeps its place in the calendar with the same rank, double major, given it by Clement VIII.

The other act is a decree of the Holy Office, drawn up on Jan. 20, 1644, a few months before Urban's death, and published only three years later. It said in part:

It is not permitted to attribute the title of "Immaculate" to the Conception of the Blessed Virgin, one must say the Conception of the Immaculate Mary.

<sup>127</sup> Bourassé, *op cit*, vol 7, col 243-244

<sup>128</sup> Gueranger, *op cit*, in *Pareri*, part 3, vol 7, pp 46, *DTC*, vol 2, col 585 of article *Bellarmin*

<sup>129</sup> *Cum sicut accepimus* 1639, in Bourassé, *op cit*, vol 7, col 244-246

<sup>130</sup> *Bull Rom*, vol 6, part 2, pp 341-343

According to Le Bachelet, it is commonly held that it had neither approval nor confirmation from pontifical authority. Even so, the Cardinals could have been acting on pure juridical grounds. The Popes had let the question stand, not having decided definitely for one side of the controversy. The feast was officially designated under the title of Conception. In keeping with the decrees of the Popes, the Holy Office could have rendered this decision, as a remembrance, to prevent private innovations.<sup>131</sup>

### *Innocent X (1644-1655)*

Acceding to the request of Philip IV of Spain, Innocent raised the ban of Urban VIII with reference to new feasts of obligation. In the decree *In his per quae*, of 1644, he allows the celebration of the Conception as a feast of obligation for Spain and her possessions.<sup>132</sup>

Thus a precedent is being set for the raising of the feast to a higher rank. The manifestation of Mary's privilege is becoming more pronounced under pontifical guidance.

### *Alexander VII (1655-1667)*

In 1655, there was elevated to the See of Peter, one of the more important Popes in the history of our Dogma, Alexander VII. He ranks second to Pius IX, just as his all-important Bull, *Sollicitudo omnium Ecclesiarum*,<sup>133</sup> ranks second to *Ineffabilis Deus* in the dogmatic evolution of the Immaculate Conception. The Alexandrine document was as close as one could come to an out and out definition. Its importance demands a greater analysis.

<sup>131</sup> Archangelus a Roc, *op cit*, p 117, *DTC*, art. cit, vol 7, col 1174

<sup>132</sup> *Bull Rom*, vol 6, part 3, p 4, Passaglia, *op cit*, vol 3, p 1788

<sup>133</sup> *Bull Rom.*, vol 6, part 5, pp 182-184; Bourassé, *op cit*, vol 7, col 251-255, Passaglia, *op cit*, vol 3, pp 1788-1792, Malou, *op cit*, vol. 1, pp 76-79, vol 2, pp 298-321; Mansella, *op cit*, vol 1, pp 227-229, vol 2, pp 272-285, *DTC*, vol 7, col. 1174-1175

In paragraph one, Alexander declares that the devotion to Mary conceived without sin is very old. He then specifies the object of the belief:

Ancient is the piety of the faithful of Christ toward His Most Blessed Mother, the Virgin Mary, in believing that her soul, in the first instant of its creation and infusion into the body, was preserved free from the stain of original sin, by the special grace and privilege of God, in virtue of the merits of Jesus Christ, her Son, the Redeemer of the human race. It is in this sense that the faithful venerate and celebrate with solemn rites the festival of her Conception.<sup>134</sup>

Alexander deals here a final blow to the opposition who claimed that the object of the Conception was Mary's spiritual Conception, her Sanctification in the womb of St Ann, or her conception honored as a remarkable event since she was to be Mother of God

The last phrase of the paragraph is very significant, for the Pope acknowledges that this piety and belief is universal in the Church. " . . . jam fere omnes Catholici eam complectantur." <sup>135</sup>

He states in paragraphs two and three, that the turbulence and discord of his own time as well as that of his predecessors, was due in part to the audacity of those who questioned Mary's privilege <sup>136</sup>

In paragraph four, the Pope declares that the cult has never varied in the Roman Church, and expresses his desire to protect it:

Likewise, We were desirous after the example of the Roman Pontiffs, Our predecessors, to favor this praiseworthy piety, de-

<sup>134</sup> *Bull Rom*, vol 6, part 5, p 182—Engl version from Unger's transl of *Ineffabilis Deus*, p 6, Bourassé, *op cit*, vol 7, col 251

<sup>135</sup> *Bull Rom*, vol 6, part 5, p 182, Bourasse, *op cit*, vol 7, col 251

<sup>136</sup> *Bull Rom*, vol 6, part 5, p 182, Bourassé, *op cit*, vol 7, col. 251-252



votion, feast and cult—a cult which is in keeping with the piety and *which remained unchanged in the Roman Church from the day it was instituted*. We also desired to protect this piety and devotion of venerating and extolling the Most Blessed Virgin preserved from original sin by the preventing grace of the Holy Spirit <sup>137</sup>

He renews the Constitutions and Decrees of Sixtus IV, Paul V, and Gregory XV in favor of the doctrine and in favor of the feast and cult of the Conception which was manifestly instituted in keeping with the pious belief

This section has three things worthy of note.

(1) Alexander calls the belief in Mary's conception without original sin, a *pia sententia*. The force of this expression is to be gauged by events of little over a century before. The use of the expression *pia sententia* was strongly objected to by the adversaries of the Immaculate Conception present at the Council of Trent. They maintained that if the opinion favoring the Conception without sin came to be called "pious belief," then the contrary opinion would be called "non-pious," i.e., *impious belief*.<sup>138</sup>

(2) The decree of the Holy Office of 1644, forbidding the juxtaposition of Immaculate and Conception becomes a dead letter, for the Pope tells what is meant by Conception in reference to Mary, and it equals *Immaculate*.

(3) He officially interprets the decrees of his Predecessors as being favorable to the Immaculate Conception

Alexander, in paragraph five, confirms anew the canonical penalties of his Predecessors and adds his contribution by making them broader and more severe.

In this he is carrying out a preconceived plan. In a letter

<sup>137</sup> *Bull Rom*, vol 6, part 5, pp 182-183, Bourasse, *op cit*, vol 7, col 252

<sup>138</sup> Mansella, *op cit*, vol. 1, pp 171-179 Tognetti, *art cit*, in *Marianum*, p. 362.

written to Father Hilarion Recanati, a Cistercian, whom he had named to work out the proposed document, the Pope said:

We wish to forbid the adversaries of the Immaculate Conception more things than were forbidden them in the Constitutions of Our Predecessors, and under more severe penalties. You can, therefore, express in the Bull, as a new measure, the prohibition of calling in doubt the mystery of the Immaculate Conception, the prohibition of attacking the position of the defenders of the mystery; the prohibition of interpreting the Constitutions of the Supreme Pontiffs in a sense different from that which we give them . . . <sup>139</sup>

In paragraph six, he places *ipso facto* on the Index of Prohibited Books, any works which call into doubt the opinion, the feast or the cult of Mary conceived without sin. And he also says:

Adhering to the Constitution of Sixtus IV, We forbid anyone to assert that because of this (what has been decreed) those holding the opposite opinion, i.e., Mary's conception with sin, are guilty of heresy or incur a mortal sin, since it has not been defined by the Roman Church and the Apostolic See and We do not wish to decide it. . . .<sup>140</sup>

It is to be noted that the Holy Father maintains that his document is not a dogmatic definition. Secondly, it is to be noted that he leaves out of his decree what his Predecessors had consistently kept, i.e.:

By this, His Holiness does not intend to reprove the contrary opinion, nor to prejudice it in any way, except for the things mentioned in the decree, he leaves it in the same state as it was before.<sup>141</sup>

<sup>139</sup> Malou, *op cit*, vol 2, p 311, Mansella, *op cit*, vol 1, p 267. Both quote from Gravois *De ortu et progressu cultus et festi Im Conceptus B.M.V.*, art 11, p 132, ed Luc 1764.

<sup>140</sup> *Bull Rom*, vol 6, part 5, p 183, Bourassé, *op cit*, vol 7, col 253.

<sup>141</sup> "Per hoc autem Sua Sanctitas non intendit contrariam opinionem

Thus, the only consolation he leaves to the adversaries is the prohibition of calling them heretics or sinners. But their position is getting more precarious. His words seem to have an ominous undercurrent; their days are numbered.

The Acts that followed this historic Bull are in line with it. Alexander forbade the Master of the Sacred Palace to apply the above mentioned decree of the Holy Office, which did not permit the juxtaposition of Immaculate and Conception. He also ordered him to approve without difficulty, books and writings in which the Conception of Mary was called Immaculate.<sup>142</sup> He granted to different kingdoms the privilege of celebrating the feast of the Conception as a holyday of obligation.<sup>143</sup> The terms used in these decrees are: "Conceptionis Beatae Mariae Virginis Immaculae"

The work of Alexander VII had given a mighty impetus to our dogma. It called for a completion. Great as it was, fulfillment had not been achieved. The Church had to wait almost two centuries. Theologically, the status of the Immaculate Conception at this time was that of a *pious opinion* having strong Papal support. It was left to Pius IX to declare it a *revealed truth*.

### PART THREE

#### *The Immaculate Conception in the Papal Magisterium from Alexander VII to Pius IX*

This third period will see the definite triumph of the cult to the Immaculate Conception; it will witness the transforma-

reprobare, nec ei illum praeiudicium inferre, praeterquam quoad supra disposita, relinquens illam in eodem statu et terminis, in quibus reperitur." Gregory XV, in *Sanctissimus*, Paul V, in *Sanctissimus*

<sup>142</sup> Malou, *op cit*, vol 1, p 298, *DTC*, vol 7, col 1174

<sup>143</sup> Spain and Spanish Indies (on July 7, 1664), *Bull Rom*, vol 6, part 6, p 20, Territories of Duke of Savoy (in 1665), *Bull Rom*, *ibid*, p 79, Territories of Duke of Etruria (1665), *Bull Rom*, *ibid*, p 83, States of Milan (1665), *Bull Rom*, *ibid*, p 89, Kingdom of Sicily and Sardinia (1665), *Bull Rom*, *ibid*, p 90

tion of the once pious opinion into a dogma of faith,—a doctrine declared to have been revealed by God. In this period privileges are multiplied in favor of the cult and of the feast. The avalanche of indulgences, decrees, constitutions which poured out from Rome caused the devotion to the Immaculate Conception to penetrate more deeply and more extensively into almost every section of the Catholic World. A proof of the matter is had in the responses of the Bishops to Pius IX's letter of 1849.<sup>144</sup>

### *Clement IX (1667-1669)*

Clement IX granted to the Jesuits<sup>145</sup> and to the Hermits of St. Augustine<sup>146</sup> the privilege of celebrating the Office and Mass of the feast of the Immaculate Conception as a feast of precept with octave.

Much more significant, however, was the prescribing of the same thing for Rome and the Papal States.<sup>147</sup> The step then, from the diocese of Rome to the Universal Church, becomes a most natural one.

### *Clement X (1670-1676)*

Clement X granted to the kingdom of Portugal and its possessions the privilege of celebrating the feast of the Im-

<sup>144</sup> In Papal documents anterior to and in many posterior to Alexander VII, the terms referring to Mary's privilege were always in this sequence (festum aut cultus aut devotionem) *Conceptionis Beatae Mariae Virginis Immaculatae*. In all probability, *Immaculatae* refers to *Virginis* and not to *Conceptionis*. However, I do not think it poses much of a problem, since we know from *Sollicitudo omnium Ecclesiarum*, that the object of the cult, feast and devotion was Mary conceived without sin. I do not think, therefore, that we are overstepping the mind of the Popes if we employ the terms *Immaculate Conception* any time the above mentioned phrasing is used.

<sup>145</sup> *Bull. Rom.*, vol. 6, part 6, p. 197. "Officium et Missa Conceptionis ejusdem Beatae Mariae Virginis Immaculatae cum Octava in posterum de praecepto recitatur."

<sup>146</sup> *Bull. Rom.*, vol. 6, part 6, p. 217.

<sup>147</sup> *Bull. Rom.*, vol. 6, part 6, p. 208, Bourassé, *op. cit.*, vol. 7, col. 257.

maculate Conception with the rank and the rite of the most principal Patron. The decree *Pastoralis officii* allowed the new Franciscan Province of Brazil to be erected under the title of Immaculate Conception<sup>148</sup>

### *Innocent XI (1676-1689)*

Innocent ordered that the clerical students living in common under the jurisdiction of the Bishop, if not yet obligated to recite the Little Office of the Blessed Virgin, must say the Office of the Immaculate Conception approved by the Apostolic See.<sup>149</sup>

He confirmed the statutes of the Church and Hospital of St. Anthony of the Portuguese at Rome. In them we find a list of Masses that must be celebrated annually, among which, for December, a solemn high Mass in honor of the Immaculate Conception of the Blessed Virgin Mary, Patroness of Portugal.<sup>150</sup>

### *Innocent XII (1691-1700)*

Innocent granted plenary indulgences to confraternities having the title of Immaculate Conception<sup>151</sup>. It is to be noted here that the Pope allowed the juxtaposition of Immaculate and Conception.

More important, for our purpose, is the Constitution *In excelsa*, of 1693, by which the Pope makes the Office and Mass of the Immaculate Conception to be of precept for all the seculars and regulars of both sexes who are bound to the recitation of the Canonical Hours<sup>152</sup>.

<sup>148</sup> J. Maria Diez de Sollano, *op cit*, in *Pareri*, part 3, vol 6, p 266

<sup>149</sup> *Credita Nobis* (1680), in *Bull Rom*, vol 8, p 139

<sup>150</sup> *In supremo* (1683), in *Bull Rom*, vol 8, p 272

<sup>151</sup> *Ad ea per quae* (1692), in *Bull. Rom*, vol 9, p 288; *Coelestium* (1696), *ibid*, p 439

<sup>152</sup> *Bull Rom*, vol 9, p 304, Bourasse, *op cit*, vol 7, col 323-324

*Clement XI (1700-1721)*

Clement improved on his predecessor and gave the feast its broadest scope. By the Bull *Commissi Nobis*, of 1708, he made the feast of the Immaculate Conception one of obligation for the whole Catholic Church.<sup>153</sup>

This act is very important. According to the principles commonly accepted, the Church only celebrates feasts *de sanctis*. As Pius IX declared: "The Church celebrates feasts only of things that are holy"<sup>154</sup> Making the feast obligatory for the Universal Church, the Pope manifests the certitude— theological certitude—of its object, the holy Conception, without sin.<sup>155</sup>

Clement also granted many indulgences to the wearers of the small blue scapular of the Theatine Fathers. This scapular was given to those devoted to the mystery of the Immaculate Conception. In the decree granting the spiritual benefits, we have these words which are indicative of the Papal mind:

Therefore, desirous of daily increasing and propagating the laudable devotion of the faithful towards the above mentioned mystery, We decree. . . .<sup>156</sup>

In 1720, he confirmed the decrees of the Definitorium General of the Franciscan Conventuals. The first of these decrees was the choice of the Blessed Virgin under the title of Immaculate Conception as the principal Patroness of the Order.<sup>157</sup>

<sup>153</sup> " festum Conceptionis ipsius B.M Virginis Immaculatae ubique terrarum in posterum ab omnibus . sicut alia festa de praecepto servari et celebrari . " *Bull Rom*, vol 11, p 1, p 206, Bourassé, *op cit*, vol 7, col 339

<sup>154</sup> *Ineffabilis Deus*, Unger transl, p 3

<sup>155</sup> Roschini, *op cit*, vol 2, part 2, p 76, *DTC*, vol 7, col 1186

<sup>156</sup> *Coelestium munerum* (1710), in *Bull Rom*, vol 11 part 1, p 234

<sup>157</sup> "Sacra Minorum Conventualium Religio Beatissimae Virginis Conceptionem singularibus devotionis officis a suis primordiis quovis tempore prosecuta est Quamobrem Majorum suorum semitis inhaerendo, decrevit Ven

*Benedict XIII (1724-1730)*

Benedict XIII erected the Archconfraternity of the Conception of the Blessed Virgin Mary in the Church of the Aracoeli in Rome, and at the same time granted to the Minister General of the Franciscans the privilege of erecting confraternities of the same name anywhere.

One of the reasons for the grant, the Pope declares, is the fact that he was desirous of increasing the cult and veneration of the Conception of the Virgin Mother of God.<sup>158</sup>

He granted permission to all the clergy in the lands under the sway of Charles VI, with the exception of northern Italy, to recite every Saturday the Office of the Immaculate Conception and to celebrate the Mass of the feast.<sup>159</sup>

Benedict confirmed by the decree *Pio orthodoxorum* (1729) a summary of the indulgences that could be granted by the Abbot of Monserrat. The third, fourth and nineteenth indulgences have reference to the Immaculate Conception.<sup>160</sup>

Definitorium eamdem Beatam Virginem sub titulo Immaculatae Conceptionis in Patronam Principalem sibi assumere firmissimam ex eo spem concipiens, futurum ut in Ordine nostro erga eamdem Deiparam, ejusdemque Immaculatae Conceptionis Mysterium, pietas, ac Religio in dies fervereat, et augeatur" Constitution *Ex inunctis* (1720), in *Bull Rom*, vol 11, part 2, p 161

<sup>158</sup> "Nos Conceptionis ipsius Virginis Dei Matris Mariae cultum ac venerationem augere, animarumque salutem, paterna charitate promovere cupientes" *Ex quo Sedes* (1727), in *Bull Rom*, vol 12, p 193

<sup>159</sup> Passaglia, *op cit*, vol 3, p 1794, Cerri, *op cit*, in *Pareri*, part 3, vol 6, p 118 The lands included Austria, Bohemia, Austrian Netherlands

<sup>160</sup> Third indulgence "Chi sarà solito dire una o piu volte il giorno, 'benedetta sia la purissima, ed Immacolata Concezione,' quadagni per una volta al giorno quaranta giorni d'indulgenza"

Fourth indulgence "Ciascuno, che dirà il Rosario, corona della Madonna in onore della sua purissima, ed Immacolata Concezione, pregandola, che interceda consegua sette anni d'indulgenza"

Nineteenth indulgence 'If because of infirmities one is prevented from doing the prescribed works, all the indulgences can be gained by saying "tre Pater Noster, tre Ave Maria, ed una Salve Regina, ed al fine d'essa dirà benedetta sia e la Purissima Concezione della Santissima Vergine Maria concepita senza peccato originale ." *Bull Rom* vol 12, p 193 —*Ex quo sedes* of 1727

*Clement XII (1730-1740)*

Clement XII confirmed<sup>161</sup> the statutes of the University of Cervera in Catalonia, Spain.

In title 26 of the statutes it is decreed that before candidates are granted their Baccalaureates, Licentiates or Doctorates, they must take an oath to the effect that they will strenuously defend the Immaculate Conception of the Blessed Virgin Mary, the Patroness of the University<sup>162</sup>

Title 44 decrees that the Feast and the Octave of the Immaculate Conception must be solemnly celebrated. To this end there will be public prayers: "in laudem Immaculati Conceptus Virginis Matris Mariae"; as well as public defense of theses by students from each of the faculties.<sup>163</sup>

At the end of the Constitution, the Pope lets the authorities know exactly how these statutes are to be observed:

. each and all above-mentioned statutes, word for word, in their full and integral meaning, not one word being omitted . are confirmed and approved by the Apostolic Authority . and must be firmly and inviolably observed.<sup>164</sup>

*Benedict XIV (1740-1758)*

In a secret consistory held on November 26, 1744, Benedict XIV decreed that there be, *in perpetuo*, a *Papal Chapel* in the Basilica of St. Mary Major on the feast of the Immaculate Conception. By this act he wanted to honor the Immaculate Virgin and to ask her protection for the Apostolic See and for the Church.<sup>165</sup>

He strongly urged the use of the above-mentioned cate-

<sup>161</sup> *Imperscrutabilis* (1730), in *Bull. Rom.*, vol. 13, pp. 114-154

<sup>162</sup> *Bull. Rom.*, *ibid.*, p. 132, Passaglia, *op. cit.*, vol. 3, p. 1794

<sup>163</sup> *Bull. Rom.*, *ibid.*, p. 141

<sup>164</sup> *Bull. Rom.*, *ibid.*, p. 148

<sup>165</sup> *Bullarium Benedicti Papae XIV*, vol. 1, Romae 1760, appendix, pp. 291-292



chism of St. Robert Bellarmine and even made it the object of a special Constitution.<sup>166</sup>

### *Clement XIII (1758-1769)*

The Acts of Clement dealing with the Immaculate Conception were all done at the request and in favor of Spain.

The Constitution *Quantum ornamenti*, of 1760, confirmed the choice of the Great Mother of God, under the Mystery of her Immaculate Conception, as the principal and universal Patroness of Spain and her possessions. It ordered that the Immaculate Conception be celebrated as the patronal feast with octave and having the rank of a double of the first class. A plenary indulgence was granted under the usual condition to those attending services on the day of the feast.<sup>167</sup>

In 1761 by the Bull *Cum primum*, Clement granted to Spain and her possessions, the use of a proper Office and Mass with Octave for the feast of the Immaculate Conception, the same as used by the Franciscans. Therefore, what the Pope allowed was the use of the Office *Sicut lilium* and the Mass *Egredimini*, of Nogarolis, approved by Sixtus IV, which, we have already seen, were definitely Immaculistic.<sup>168</sup>

Spain was not satisfied with the glory she obtained for Mary; she asked for two more privileges. Clement graciously and willingly acceded to her requests. Thus it was that on

<sup>166</sup> *DTC*, vol 2, col 585, Gueranger, *op cit*, in *Pareri*, part 3, vol 7, pp 46-47. The mind of Benedict XIV is shown by the unpublished Bull *Mulierem pulchram*. In it, he exposes *per longum et latum* all that his predecessors had done in favor of the Immaculate Conception. He declares that it is no longer permitted to doubt her Conception without sin, but it was not as yet a defined truth of Faith. Cf *DTC*, vol 7, col 1187-1188.

<sup>167</sup> *Continuatio Bullarum Romanorum Pontificum*, Romae, 1835, vol 2, pp 38-40 (hereinafter to be referred to as *Bull Rom Cont*) *Pareri*, part 1, vol 1, p 243, part 1, vol 3, pp 128-129—letter of the Bishop of Toledo, Spain, Passaglia, *op cit*, vol 3, p 1795.

<sup>168</sup> *Bull Rom Cont*, vol 2, pp 55-56, *Pareri*, part 1, vol 1, p 382—letter of the Bishop of Valencia.

the same day in March, 1767, two decrees were published which granted to Spain and her possessions:

(1) the privilege of reciting the Office and of celebrating the Mass of the Immaculate Conception on every non-impeded (i.e., not impeded by a feast having the rank of a double or semi-double) Saturday, those of Lent and Advent excepted;<sup>169</sup>

(2) the permission to add the verse *Mater Immaculata* after the verse *Mater Intemerata* in the Litany of Loretto.<sup>170</sup>

#### *Clement XIV (1769-1774)*

Clement XIV granted to all the clergy of the Republic of Genoa the privilege of reciting the Office and the Mass with Octave of the Immaculate Conception—Patroness of the Republic—as said by the Franciscan Conventuals.<sup>171</sup>

He also granted indulgences to all the faithful who visited any of the churches of the Camaldolese Monks of the Monte Corona observance on any and all of the festivities of the Immaculate Conception.<sup>172</sup>

The permission was granted to the Chapter and Canons of the collegiate Church of Mary Immaculate of the diocese of Freising in Bavaria, allowing them to say the Office and Mass of the Conception on every non-impeded Saturday, even during Lent and Advent.<sup>173</sup>

#### *Pius VI (1775-1799)*

Pius VI's important acts in the development of our dogma were the approbations of two religious congregations bearing the title of the Immaculate Conception.

By the decree *Ex debito pastoralis officii* (1787), he confirmed the Constitutions of the Order of the Immaculate Con-

<sup>169</sup> *Commissi Nobis*, in *Bull. Rom. Cont.*, vol. 3, pp. 245-246.

<sup>170</sup> *Eximia pietas*, in *Bull. Rom. Cont.*, vol. 3, p. 246.

<sup>171</sup> *Bull. Rom. Cont.*, vol. 3, pp. 119-120.

<sup>172</sup> *Bull. Rom. Cont.*, vol. 4, p. 217.

<sup>173</sup> *Bull. Rom. Cont.*, vol. 4, pp. 516-517.

ception of the Blessed Virgin Mary—Marian Clerks Regular.<sup>174</sup> This group had as one of its principal aims the propagation of the cult and veneration of the Immaculate Conception.<sup>175</sup>

The erection of the Community of Pious Workers of the Immaculate Conception of the Blessed Virgin Mary in the city of Ascoli-Piceno, was confirmed by the Pope.<sup>176</sup>

He allowed the Franciscans of Villa de Mulae of Carthage to have a Midnight Mass on the feast of the Immaculate Conception.<sup>177</sup> To the Chapel of the Immaculate Conception, in Lima, Perú, he allowed the use of the Mass of the Immaculate Conception used by the Franciscans.<sup>178</sup>

In 1793, Pius granted a 100 days indulgence to all the faithful who said:

In your Conception, O Virgin Mary, you were Immaculate, pray for us to the Father. . . .<sup>179</sup>

### *Pius VII (1800-1823)*

Pius VII confirmed the union, first effected by Pius VI, of the Confraternity or Congregation of the Conception of Mary at Barcelona, with the Archconfraternity of the Blessed Virgin

<sup>174</sup> *Bull Rom Cont*, vol 8, pp 13-26, Bourasse, *op cit*, vol 7, col 443-463

<sup>175</sup> Ch 1 of the Constitutions "cultum et venerationem Immaculatae Conceptionis electissimae Dei Genitricis Virginis Mariae specialiter promoveri" *Bull Rom Cont*, vol 8, p 14, Bourassé, *op cit*, vol 7, col 444 — Chapter 2 "Ad protestandum erga Immaculatae Conceptionis Deiparae Virginis internum candorem, habitus religiosus sit simplicis panni" *Bull. Rom Cont*, *ibid* p 17, Bourassé, *ibid*, col 449 Ch 9 The newly elected General must take this oath "Ego, NN, juro et promitto coram Deo, Conceptionem Immaculatam B M V tueri ac defendere" *Bull Rom Cont*, *ibid*, pp 23-24; Bourasse, *ibid*, col 459

<sup>176</sup> *Ex quo divina*, in *Bull Rom Cont*, vol 5, pp 437-439, Bourasse, *op cit*, vol. 7, col 426-428

<sup>177</sup> *Bull Rom Cont*, vol 5, p 285, Bourassé, *op cit*, vol 7, col. 419-420

<sup>178</sup> *Bull Rom Cont*, vol 8, p 405, Bourassé, *op cit* vol 7, col 474-475

<sup>179</sup> Cerni, *op cit*, in *Pareri*, part 3, vol 6, p 120, Passaglia, *op. cit*, vol 3, p. 1795

Mary Conceived without Sin, erected in the Church of SS. Lawrence and Damasus at Rome.<sup>180</sup> He also approved and confirmed the statutes which almost continuously affirm Mary's Immaculate Conception.

E.g.: First statute: The institute of the said Congregation is to defend and maintain the mystery of the Immaculate Conception.<sup>181</sup>

Third statute. The protector of the Congregation will do everything possible to further devotion and cult of the Immaculate Mother.<sup>182</sup>

Thirteenth statute. New members must make a solemn promise to defend and maintain the mystery of the Immaculate Conception.<sup>183</sup>

To the Franciscans of the town of Palma on the Island of Mallorca he allowed the singing of the Mass *Egredimini* as a votive Mass *pro re gravi* on one of the last three Sundays of Advent.<sup>184</sup>

On May 17, 1806, Pius granted to all Franciscans, Observant and Reformed, the permission to add in the Preface of the Blessed Virgin, on the feast of the Immaculate Conception, the words "Et te in Conceptione Immaculata."<sup>185</sup> He approved the Pious Association of the Daughters of the Immaculate Conception.<sup>186</sup> On July, 1818, he prescribed the fast on the vigil of the feast of the Immaculate Conception for all the churches of the Kingdom of Naples and Sicily.<sup>187</sup>

<sup>180</sup> *Bull Rom Cont*, vol 11, pp 361-366, Bourassé, *op cit* vol 7, col 479

<sup>181</sup> *Bull Rom Cont*, vol 11, p 361

<sup>182</sup> *Ibid*, p 362.

<sup>183</sup> *Ibid*, p 364

<sup>184</sup> *Bull Rom Cont*, vol 11, p 379

<sup>185</sup> *DTC*, vol 7, col 1190; Mansella, *op cit*, vol 2, p 22, Malou, *op cit*, vol 1, p 154, Caspar Rivarola, OSB, *Dissertazione*, in *Pareri*, part 3, vol 5, p 73

<sup>186</sup> *Bull Rom Cont*, vol 12, p 1

<sup>187</sup> Rivarola, *ibid*, p 73

*Leo XII (1823-1829)*

Leo XII made a declaration in 1824 which touches the belief very closely. He was asked by a group of doctors of theology whether those who had bound themselves by oath to follow the doctrines of St. Thomas Aquinas, committed perjury if they held the Immaculate Conception. The answer was:

eos qui iureiurando se obstrinxerint ad tuendam sancti Thomae doctrinam, posse sine periurii timore immaculatam beatæ Mariæ virginis conceptionem defendere.<sup>188</sup>

By the Apostolic Letter *Si tempus*, of March 21, 1826, Leo approved the rules and statutes of the Congregation of the Oblates of the Most Holy Virgin Mary Conceived without Sin—Oblates of Mary Immaculate. He granted them in that same letter the use of that name as their official title.<sup>189</sup>

*Gregory XVI (1831-1846)*

Gregory XVI might be called the precursor for Pius IX. The indulgences that were authorized by him prepared the way more proximately for the final definition.

The mind of the Pontiff on the question of Mary's Immaculate Conception is clearly shown in the letter of Clement, Bishop of La Rochelle, France, answering the Encyclical *Ubi primum* of Pius IX. The Bishop describes a conversation he had with Gregory on the occasion of his *Ad limina* in 1843:

The Supreme Pontiff kindly answered that nothing would be more pleasing and more joyful to him than to declare by a solemn judgment the Immaculate Conception of the Mother of God,

<sup>188</sup> Cf. Bishop of San Marco e Bisignano, Calabria, *Votum*, in *Pareri*, part 3, vol 7, p 67, note, *DTC*, vol 7, col. 1190.

<sup>189</sup> Cf. Eugène de Mazenod, Bishop of Marseilles and founder of the O.M.I., in his letter to Pius IX in *Pareri*, part 1, vol 1, p 139.

that this truth was most evident to him, so much so that he freely and quickly conceded the faculty of publicly invoking the Mother of God, under the title Immaculate, to all the Bishops who up till that time had asked it of him; however, due to the circumstances of the time, great prudence prevented him from giving the definitive judgment . . . so unshakably is the truth of the Immaculate Conception considered at Rome that it is under this title that the feast is designated in the Ordo and other liturgical books. (The Pope declared) that by degrees the belief has grown and has reached such a stage that it is almost considered a Catholic dogma and that the Immaculate Conception is honored by the cult and invocation of the Universal Church; besides, he would freely shed his blood to the last drop to attest and seal this glorious privilege of the Most Holy Virgin.<sup>190</sup>

Gregory again manifested his mind on this point in an answer to the Bishop of Asti on February 24, 1844:

We are no less happy to habitually accede to the pious demands of those who in public ceremonies and prayers, desire to honor the Most Blessed Virgin conceived without sin.<sup>191</sup>

The Pope's conviction was translated into acts which fanned the flame of desire for a definition.

His first official act on behalf of the Immaculate Conception was the granting, in 1831, of indulgences to be gained by anyone assisting at the Mass of the Conception celebrated in the Convent of St. Didacus in Santa Fe, Bogotá.<sup>192</sup>

Three years later he confirmed the Constitutions of the Society of Mercy under the title *B. Mariae in sua Conceptione Immaculatae*.<sup>193</sup>

<sup>190</sup> *Parers*, part 1, vol. 1, pp. 12 and 13, *DTC*, vol. 7, col. 1193.

<sup>191</sup> *DTC*, vol. 7, col. 1193.

<sup>192</sup> Bourassé, vol. 7, col. 584, *DTC*, vol. 7, col. 1190

<sup>193</sup> Bourassé, vol. 7, col. 602-604, *DTC*, vol. 7, col. 1190

He granted to France the privilege of celebrating the Mass of the Immaculate Conception, with the addition of *Et te in Conceptione immaculata* in the Preface, on the second Sunday of Advent. The feast was not one of obligation in France. By the same indult he granted indulgences to those who assisted at the celebration.<sup>194</sup>

On March 20, 1846, Gregory confirmed by the Apostolic Letter *Quum multa*, the approbation of the Oblates of Mary Immaculate.<sup>195</sup>

Gregory's devotion to the Immaculate Conception has an everlasting memorial in the number of indults he granted on two different measures. Between the 20th of September, 1839, and March 4, 1844, he allowed 133 dioceses, religious orders and churches to add to the Litany of Loretto the invocation *Queen conceived without original sin, pray for us*.<sup>196</sup> Then from September 6, 1834, to March 4, 1844, the permission was given to 211 dioceses, religious order and churches to add the word *Immaculata* to the Preface of the Mass of the Conception.<sup>197</sup>

After March 4, 1844, Gregory ordered that from that time forward one decree would suffice to grant both additions. He told the Cardinal Prefect of the Sacred Congregation of Rites to give the permission to whomsoever asked for it.<sup>198</sup> There were seventy-one indults granted under this new enactment from March, 1844, to May 21, 1846.<sup>199</sup>

These indults did much for the spread of the devotion and the honor of the Immaculate Conception, so much so, that many bishops, in their answers to Pope Pius IX, gave, as a

<sup>194</sup> Malou, *op cit*, vol 2, p 26

<sup>195</sup> Eugène de Mazenod, *Pareri*, part 1, vol 1, p 139

<sup>196</sup> Bourassé, vol 7, col 608-612, *Pareri*, part 3, vol 6, pp 574-579

<sup>197</sup> Bourassé, vol 7, col 613-620, *Pareri*, part 3, vol 6, pp 580-588

<sup>198</sup> Malou, *op cit*, vol 2, p 25

<sup>199</sup> Bourassé, vol. 7, col 620-622; *Pareri*, part 3, vol 6, pp 588-591

proof of the devotion in their dioceses to Mary's privilege, the permissions asked of and granted by Gregory XVI.

One act which, of itself, is not too important, but which is most striking because of the history behind it. The Pope, through the Sacred Congregation of Rites, granted the request of Very Rev. Angelus Ancarani, Master General of the Dominicans, whereby the Friars Preachers were allowed to celebrate, according to their own rite, the feast of the Immaculate Conception with solemn Octave; and also to add the word *Immaculata* to the Preface.<sup>200</sup>

The definition was in the offing. Even at this time many petitions asking for the definition were received at Rome. From May to September, 1840, Gregory received petitions from 52 Cardinals, Archbishops and Bishops of France; from June, 1843, to December, 1844, he received 34 from Bishops of Spain, Italy, Germany and China. The Pope answered that he did not think it opportune at the moment because he had not received a sufficient number of petitions from important sections of the Church, notably Germany and England.<sup>201</sup> Pius IX in the Bull *Ineffabilis Deus* says:

These petitions were renewed also in these our own times. They were especially brought to the attention of Gregory XVI, Our predecessor of happy memory, and to Ourselves, not only by bishops, but by the secular clergy and religious families, by the sovereign rulers and by the faithful.<sup>202</sup>

### *Pius IX (1846-1878)*

Pius IX was the one chosen by God to define Mary's singular privilege as a dogma. He will go down in history as the *Pope of the Immaculate Conception*. In St. Peter's Basilica,

<sup>200</sup> *Pareri*, part 3, vol 6, pp 592-593, Bourassé, *op cit*, vol 7, col 623-624; *DTC*, vol 7, col 1192

<sup>201</sup> Malou, *op cit*, vol 1, p 216

<sup>202</sup> Unger transl, pp 17-18



near the statue of St. Francis there is a marble plaque bearing this inscription:

Pius IX, Pontifex Maximus, in hac Patriarchali Basilica die VIII decembris an. MDCCCLIV dogmaticam definitionem de Conceptione Deiparae Virginis Mariae inter Sacra Solemnis pronuntiavit totiusque orbis catholici desideriis explevit.

Pius, following in the traces of his predecessors, continued to grant the privilege of inserting the additions to the Preface and to the Litany of Loretto.<sup>203</sup>

He signed with his own hand a decree of the Sacred Congregation of Rites, September 30, 1847, which authorized the use of an entire Office proper to the Immaculate Conception, plus a special Mass for the day of the feast and octave. This privilege was, at first, only granted to the diocese of Rome; two years later, it was extended to the Universal Church.<sup>204</sup> This act is an important prelude to the definition if we recall that St. Pius V had suppressed the Office and Mass of Nogarolis and had ordered the use of that of the Nativity with the change of the word *Nativity* for *Conception*. The feast now had its proper Office and Mass in which we find such expressions as:

Immaculatam Conceptionem Virginis Mariae celebremus.  
Sicut lihum inter spinas, sic amica mea inter filias  
Tota pulchra es, amica mea, et macula non est in te  
Nihil inquinatum in eam incurrit, candor est lucis aeternae  
speculum sine macula.

The collect:

Deus, qui per immaculatam Virginis conceptionem dignum Filio tuo habitaculum praeparasti, ejus nobis intercessione con-

<sup>203</sup> *Pareri*, part 3, vol 6, p 591

<sup>204</sup> *Ubi primum*, in Mansella, *op cit*, vol 2, p 211, *DTC*, vol. 7, coll 1195-1196; Guéranger, *op cit*, in *Pareri*, part 3, vol. 7, p 34. Passaglia, *op. cit*, vol 3, p 1796

cede, ut cor et corpus nostrum immaculatum tibi, qui eam ab omni labe praeservasti, fideliter custodiamus <sup>205</sup>

On July 2, 1847, by a Decree of the Congregation of Propaganda Fide, Pius IX approved the choice of the Blessed Virgin, under the title of the Immaculate Conception, as Patroness of the United States.<sup>206</sup>

Petitions for a definition were pouring in from all sides. From June, 1846, to January, 1849, some 130 of them were received.<sup>207</sup> Pius was determined to solve the problem. On June 1, 1848, he set up a *Consultum* of eminent theologians. They were charged with the examination of the following

Should the pressing demands of a large number of bishops be acceded to, especially in what concerns a pontifical definition?

The verdict returned was in the affirmative. Of 20 consultants, 17 were favorable.

Then the Pope set up on December 6, 1848, a group composed of eight Cardinals and five consultants who were to hold at Naples an antepreparatory congregation under the presidency of Cardinal Lambruschini. This was done on December 22. The deliberations centered on two questions:

(1) Taking into consideration the demands made by the greater part of the Bishops of the Catholic World and by Ferdinand II of the Kingdom of the two Sicilies, should the Pope be counseled to declare that the Blessed Virgin Mary enjoyed the singular privilege of having been conceived without the stain of original sin?

(2) If the answer to the first question be in the affirmative,

<sup>205</sup> *DTC*, vol 7, col 1195-1196

<sup>206</sup> *Pareri*, part 3, vol 6, p 597, *Acta et Decreta Sacrorum Conciliorum recentiorum—Collectio Lacensis*, vol 3, Friburgi Brisgoviae, 1875, col. 101c and 106c

<sup>207</sup> Malou, *op cit*, vol 1, p 217

how should His Holiness proceed to the declaration in the present circumstances?

All the members answered in the affirmative to the first question, namely, that it could be defined as a dogma of faith. There was, however, no unanimity on the second, so the resolution arrived at was: *Dilata ad mentem*. The explanation added to this was that the Holy Father should address an Encyclical to the bishops to ask for prayers and to ask their opinion on the question: "An expediat definitio?"<sup>208</sup>

In line with this advice, Pope Pius wrote the Encyclical *Ubi primum*.<sup>209</sup> In it he says that he was highly and strongly impressed by the many petitions for a definition. These afforded him a great joy since even from his youth he had the deepest veneration, piety and affection for the Mother of God.<sup>210</sup>

He proposed a double question to which he wanted a speedy answer:

Optamus autem vehementer, ut maiore, qua fieri potest, celeritate Nobis significare velitis, qua devotione vester Clerus, Populusque fidelis erga Immaculatae Virginis Conceptionem sit animatus, et quo desiderio flagret, ut eiusmodi res ab Apostolica Sede decernatur, atque in primis noscere vel maxime cupimus quid Vos ipsi, Venerabiles Fratres, pro eximia vestra sapientia de re ipsa sentiatis quidque exoptetis<sup>211</sup>

<sup>208</sup> *D T C*, vol 7, col 1196-1197, Unger, *op cit*, note 26, pp 32-33

<sup>209</sup> Mansella, vol 2, pp 205-211

<sup>210</sup> *Ubi primum*, in Mansella, *ibid*

"Equidem huiusmodi vota pergrata, perque iucunda Nobis fuere, qui vel a teneris annis nihil potius, nihil antiquius habuimus, quam singulari pietate, et obsequio, atque intimo cordis affectu Beatissimam Virginem Mariam colere, et ea peragere, quae ad maiorem ipsius Virginis gloriam, et laudem procurandam, cultumque promovendum conducere posse videantur. Itaque vel ab ipso supremi nostri Pontificatus exordio summa quidem alacritate in tanti momenti negotium curas cogitationesque Nostras serio convertimus, atque humiles fervidasque Deo Optimo Maximo preces adhibere haud omisimus, ut coelestis suae gratiae lumine mentem Nostram collustrare velit, quo cognoscere possimus quid in hac re a Nobis sit peragendum."

<sup>211</sup> *Ubi primum*, Mansella, *ibid*, p 210

The Pope received 543 answers; of this number 484 wanted the definition<sup>212</sup> The others affirmed the belief in the privilege but did not think a definition opportune,<sup>213</sup> or else did not want the definition because it had no foundation in revelation and thus the doctrine was not definable;<sup>214</sup> still others preferred an indirect definition. All however, expressed their willingness to abide by the Pope's decision

With all the material on hand, the Pope ordered the drafting of the Bull. After much deliberation, the final form was submitted to him. As a last step he gathered the Cardinals in a secret consistory. Let us hear his own words:

After these things had taken place, following the example of Our predecessors, and desiring to proceed properly and rightly, We announced and held a consistory, in which We addressed Our Brethren, the Cardinals of the Holy Roman Church. It was the greatest spiritual joy for Us when We heard them ask Us to promulgate the dogmatic definition of the Immaculate Conception of the Virgin Mother of God.

Therefore, having full trust in the Lord that the opportune time had come for defining the Immaculate Conception of the Virgin Mary, the Mother of God, which the Divine Words, the venerable tradition, the perpetual mind of the Church, the singular agreement of the Catholic bishops and of the faithful, and the signal acts and constitutions of Our predecessors wonderfully illustrate and proclaim, also having most diligently con-

<sup>212</sup> Malou, *op cit*, vol 1, p 220, Roschini, *op cit*, vol 2, part 2, p 76

<sup>213</sup> Eg, the Bishop of Anger *Pareri*, part 1, vol 1, pp 254-259, the Archbishop of Petra in Constantinople *Pareri*, *ibid*, pp 265-267; the Bishop of Coutance *Pareri*, *ibid*, p 362, the Bishop of Adria *Pareri*, *ibid*, p 367, the Archbishop of Dublin and Suffragans *Pareri*, part 1, vol 2, p 141, sq

<sup>214</sup> Eg, the Archbishop of Rouen *Pareri*, part 1, vol 1, p 357 sq. He also added in words which today sound offensive "Je regarde qu'une définition dogmatique, en la circonstance présente, serait tout ensemble surabondante et périlleuse" (p. 357) "Loin de désirer un tel décret, je le regarderais comme une chose dangereuse, comme un glaive à deux tranchants capable de blesser la main qui en ferait usage" (p 359); the Archbishop of Paris *Pareri*, p 1, vol 2, p. 27, sq.

sidered all things, and having poured forth to God diligent and heartfelt prayers, We thought that We should no longer delay in ratifying and defining by Our supreme authority the Immaculate Conception of the Virgin and thus satisfy the most devout wishes of the Catholic world and Our own piety towards the Most Holy Virgin, and at the same time honor more and more the Only-begotten Son, Jesus Christ Our Lord, in the Virgin, since whatever honor and praise are bestowed on the Mother redound to the Son <sup>215</sup>

Finally on December 8, 1854, the long awaited words were heard:

So by His inspiration, for the honor of the Holy and Undivided Trinity, for the glory and adornment of the Virgin Mother of God, for the exaltation of the Catholic faith and for the increase of the Catholic religion, by the authority of Jesus Christ Our Lord, of the Blessed Apostles Peter and Paul, and by Our own, We declare, pronounce and define that the Most Blessed Virgin Mary, at the first instant of her Conception was preserved immaculate from all stain of original sin, by the singular grace and privilege of the Omnipotent God, in virtue of the merits of Jesus Christ, the Saviour of mankind, and that this doctrine was revealed by God, and therefore, must be believed firmly and constantly by all the faithful.

Hence, if any one shall dare—which God forbid—to think otherwise than as has been defined by Us, let him know and understand that he is condemned by his own judgment, and that he has suffered shipwreck in the faith, and has defected from the unity of the Church; besides, by his own action he incurs the penalties established by law if he should dare to express in words or writing or by any other outward means what he thinks in his heart <sup>216</sup>

Great was the joy of the Catholic World. We can measure it by comparing it with the joy that was ours when Pius XII

<sup>215</sup> *Ineffabilis Deus*, Unger transl, p 20, Bourassé, *op. cit*, vol 7, col. 638

<sup>216</sup> *Ineffabilis Deus*, Unger transl, p 21, Bourassé, *op. cit*, vol 7, col. 639

defined the Assumption. Greater joy, I think, was caused by the definition of the Immaculate Conception because the road traveled was more arduous and the progress was made more difficult by the strong opposition of revered and holy men. The more difficult the attaining of the end, the greater the joy once it is attained.

Once again rang true these words of the Immaculate One:  
"All generations shall call me blessed "

#### COROLLARY:

#### *America's Contribution?*

The contribution of the Church in the United States to the definition of the Immaculate Conception was not so very outstanding, at first sight. I do not want to minimize what the Church in America has done, but in all truth I must say it was not much more than other nations had done, with the exception of Spain. However, considering that we were a pioneer nation and that the Church was being established, our part takes on a brighter hue.

A projected paper on this topic was to have been given at this Convention. Dr. Tracy Ellis, the eminent professor of Church history at the Catholic University of America, had graciously accepted the task. But after a thorough investigation he came to the conclusion that material was at a minimum. As he put it:

At the instance of the Mariological Society of America the managing editor of the *Review* made an investigation several months ago of the source materials available in Baltimore for the action taken by the American bishops in the Sixth Provincial Council of May, 1846, relating to the Immaculate Conception as the heavenly patroness of the United States and to the bishops' petition at that time for the definition of the dogma

by the Holy See. The results obtained in the archives of the Archdiocese of Baltimore and of the Sulpician Fathers at St Mary's Seminary, Roland Park, were quite disappointing.<sup>1</sup>

The official acts of the American Hierarchy on behalf of the Immaculate Conception prior to the definition are three in number.

(1) The 6th Provincial Council of Baltimore in 1846 chose Mary conceived without sin as Patroness of the United States<sup>2</sup>

(2) This same Council also petitioned the Holy Father to allow the use of the word "Immaculate" in the Orations and Preface, and also to add the verse *Queen conceived without original sin, pray for us*, in the Litany of Loretto<sup>3</sup>

In the Pastoral Letter written at the end of the Council, we find:

We take this occasion, brethren, to communicate to you the determination unanimously adopted by us, to place ourselves, and all entrusted to our charge throughout the U S, under the special patronage of the Holy Mother of God, whose Immaculate Conception is venerated by the piety of the faithful throughout the Catholic Church.<sup>4</sup>

The petitions and decrees of the Council were confirmed

<sup>1</sup> *Catholic Historical Review*, April, 1953, p 90

<sup>2</sup> *Coll Lacensis*, vol 3, col 101c "Patres, ardentibus votis, plausu consensuque unanimi, B Mariam Virginem sine labe conceptam in Patronam Americae Foederatae Statuum elegerunt, nulla tamen inducta obligatione audiendi missam et a servilibus operibus abstinendi in ipso festo Conceptionis B Mariae atque ideo Summo Pontifici humiliter supplicandum ut solemnitas, nisi festum in Dominicam inciderit, transferatur in Dominicam proxime sequentem, in qua missae, tam privatae quam solemnes, de festo illo translato celebrentur, vespertinumque officium de eodem recitetur"

<sup>3</sup> *Coll Lacensis*, vol 3, col 100d

<sup>4</sup> *Coll Lacensis*, vol 3, col 1134b

by Pius IX in decrees emanating from the Sacred Congregation of Propaganda Fide on July 2, 1847<sup>5</sup>

(3) The third act came from the 7th Council of Baltimore in May, 1849. In answer to *Ubi primum* of Pope Pius, the Fathers of the Council petitioned for the definition of the Immaculate Conception<sup>6</sup>

That was the extent of our contribution as an independent nation. We, as a landed territory, however, have a much older history when it comes to Mary's glorious privilege. I mentioned Spain. It is to her glory that she championed for centuries the Immaculate Conception. In the course of the paper we had occasion to mention some of the attempts made by the Kings of Spain for a definition of our Marian truth

Some of that glory has honored us. Great portions of our land, e g, West and Southwest, were, until the nineteenth century, Spanish Colonies. When Spain received any indult or permission from Rome dealing with the Immaculate Conception, it was granted to her possessions as well. Thus it came about that almost 100 years before our Hierarchy placed our Nation under Mary's patronage, part of our land had Mary in the Mystery of Her Immaculate Conception as Patroness.

In 1760, if you recall, Clement XIII declared the Immaculate Conception patroness of Spain and her possessions. The indulgences, the Office and Mass of *Nogarolis*, the use of the

<sup>5</sup> *Coll. Lacensis*, vol 3, col 104a, 106d-107a and b, *Pareri*, part 3, vol 6, p 597

<sup>6</sup> *Coll. Lacensis*, vol 3, col 115b, *Pareri*, part 3, vol 6, pp 655-657  
"I Perlectis litteris Encyclicis Summi Pontificis Pii IX, quibus significavit se vehementer optare ut Episcopi totius Catholici orbis per litteras ipsi referrent qua devotione clerus populisque fidelis erga Immaculatæ Virginis Conceptionem sint animati, Patribus omnibus visum est respondere clerum populumque fidelem, in Foederatis Americae Statibus, magna flagrare erga eandem devotione II Censuerunt pariter Patres Summo Pontifici significandum, gratum sibi fore ut veluti Catholice Ecclesie doctrinam definiat, si id sapientissimo suo iudicio opportunum existimet, Beatissimæ Virginis Mariæ Conceptum immaculatum omnino fuisse, atque ab omni prorsus originalis culpæ labe immunem."



verse *Mater Immaculata* in the Litany of Loretto were all benefits that came to our land through Spanish petitions.

In the Piazza di Spagna in Rome, there stands an impressive monument commemorating the dogmatic definition of 1854. The locale is fitting for it stands in the square named after Spain, in front of the Spanish Embassy to the Holy See. It is a reminder to the world of all that Spain has done to glorify Mary conceived without sin.

We can share a bit of that glory and we can be grateful to Spain for it.

It would seem that the Immaculate Mother, having had part of our land, would not allow it to slip from her grasp. When we had become an independent nation, she inspired our ecclesiastical forebears to dedicate the whole of it to her.

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### Exchange of Views on Father Robichaud's Paper

*Father Habig*, the appointed discussion leader, praised the lengthy survey offered by Father Robichaud, particularly from the viewpoint that it furthers the better understanding of the *Ineffabilis Deus*. He also submitted his opinion that Leo II is the first Pope to give a clear statement of the Immaculate Conception in terms of sinlessness. *Father Connell* called attention to a Master's dissertation in progress of being written at the Catholic University by a nun who is collecting the statements of the American Hierarchy concerning the Immaculate Conception prior to the definition of the dogma. Besides combing the newspapers, she is also investigating the diocesan archives in Baltimore, Boston and Philadelphia.

*Father O'Kane* and *Father Huber* made references to the Immaculate Conception in early American History. The former referred to Columbus' flagship, the *Santa Maria*, the latter told of the original name for the Mississippi River given by Father Marquette who named it the *River of the Immaculate Conception* in memory of De Soto and his devotion to Our Lady. De Soto manifested his love for the B.V.M. by his last testament in which he set aside 1,500 ducats for the con-

struction of a church dedicated to her and assigned 500 ducats for Masses in her honor.

The next remarks were made by *Father Shea* who indicated that the Schoolmen used the term "immaculate" as a title given the BVM *after* her conception rather than *at* her conception. At this point *Father May* raised the question of the first appeal of the Popes to Scriptural texts in favor of the dogma. Most probably, in the opinion of *Father Robichaud*, the Council of Basle (schismatic at the time) and the Council of Trent made first recourse to the Sacred Scriptures in this connection. The Popes, however, were more interested in settling disputes among the religious groups than in Biblical exegesis. *Father Connell* indicated that Pius V forbade all public discussions about the Immaculate Conception; Paul V permitted all to hold the doctrine of the Immaculate Conception provided that the opposite opinion were not held as heretical. *Father Mullaney, O P*, pointed out that in the seventeenth century the Dominicans petitioned the Holy Father to depart from the teaching of St. Thomas on this point but were refused.

*Father Plassmann* again referred to the use of the term "immaculate" by the Church Fathers as meaning "sinlessness" without having reference to original sin. The question of the Immaculate Conception arose in medieval writings when the universality of redemption was examined. *Father Carol* made some brief remarks on the use of the Protoevangelium as an immaculistic text.

At this point the discussion centered on the recall of historical dates and facts. *Father Connell* pointed out that since 1749 no one could join the Redemptorists without adhering to the doctrine of the Immaculate Conception. *Father Plassmann* mentioned the Sisters founded by St. Beatrice of Silva who took a solemn oath of belief in this teaching. *Father Jarzembowski* said that the professors at the Jagiellonian University in Poland took a vow to defend the Immaculate Conception about the year 1650. *Father Huber* contended that the professors at the Sorbonne did the same. In response to a request from the floor, *Father Huber* spoke about the supposed discovery of America by the Norsemen and the inscription on the Kensington Stone in Minnesota. The runic writing upon it (AVM, Save us from evil) is commonly held to refer to the Blessed Virgin, namely, Ave Virgo Maria.