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THE THESIS OF MARY'S DEATH IN THE LIGHT OF "*Munificentissimus Deus*"

THIS paper proposes to analyze and evaluate the various positions adopted by theologians relative to Mary's death or immortality after and in view of the Apostolic Constitution *Munificentissimus Deus*.¹ We cannot divorce these positions from the passages of the Bull on which they rely. The major part of our paper, then, will be devoted to considering the argumentation about the meaning of various texts in the Bull as relating to Mary's death. After that, we shall summarize the positions taken by the authors.

THE VALUE OF PASSAGES QUOTED BY THE POPE

Regardless of their position on the fact of Mary's death, all theologians agree that many passages quoted by the Pope from the liturgy, the Fathers and Doctors expressly or equivalently affirm the death of the Blessed Virgin Mary. One question which immediately arises is, therefore, "What is the value of these passages quoted? Do they indicate the mind of the Pope about Mary's death, or is he using them simply to establish Mary's glorification? Aside from the Pope's intention in the matter, do these quotations of themselves constitute an argument from Tradition in favor of Mary's death?"

1. *The fact of references to Mary's death:* Between n 17 and n 37 the Pope quotes verbatim or summarizes the thought of numerous passages to show the basis in liturgy or Catholic

¹ Pius XII, *Munificentissimus Deus*, in *AAS* 42 (1950), 753-773. Generally the translation has been taken from D. J. Unger, O.F.M. Cap., *Mary All-Glorious*, ed. St. Anthony Guild Press (Paterson, N. J., 1956), except in a few passages where the author has made minor changes in the translation. The reference to paragraph numbers also follows Unger, who bases it on the paragraphing of the original Latin.

authors for the definition of the Assumption.² All but three quotations (*Veneranda*, St. Robert Bellarmine and St. Alphonsus) refer directly to the Assumption by the use of the word itself, or by the term "glorification" or some such phrase. These three quotations teach the Assumption indirectly by stating Mary was preserved from corruption.³ All but five of the quotations refer to the death of Mary by such terms as "death," "corruption—in/of the grave," "resurrection."⁴ Two of the clearer texts are the *Veneranda* from the Gregorian Sacramentary and St. John Damascene.⁵

Venerable to us, O Lord, is the festivity of this day on which God's Holy Mother *underwent temporal death*, but still could not be held down by the bonds of death .

It behooved her who in childbirth had kept her virginity intact, to retain her body free from all corruption *even after death*. It behooved her who had carried the Creator as a Child in her bosom, to dwell in the divine tabernacles.

In the same section of the Constitution the Pope at times summarizes in his own words the thoughts and expressions of the Doctors and theologians. When he does so, is he manifesting his own mind? Is he authentically interpreting tradition? Or is he simply playing the role of the historian, faithfully

² The numbering of passages quoted differs somewhat because of the thought-quotes contained in the section. T. Gallus, S.J. lists sixteen sources or authors for further analysis in *Ad quaestionem mortis post Bullam "Munificentissimus Deus"* in *Mm* 15 (1953) 127-137.

³ J. Filograssi, S.J. so explains the *Veneranda* text in *Constitutio apostolica "Munificentissimus Deus" de Assumptione Beatae Mariae Virginis*, in *Gr* 31 (1950) 494.

⁴ T. Gallus says seven of the sixteen sources he treats do not mention the death in the passage quoted by the Bull, cf. *art. cit.*, 136. Three of those he lists (SS. Germanus, Bonaventure and Bellarmine) say Mary did not corrupt—decay into dust, St. Albert says Mary was not subject to the four-fold curse. I would consider these as references to death, although they are not affirmations of death, but of Mary's incorruption.

⁵ Cf. *Munificentissimus Deus*, in *AAS* 42 (1950) 759, 761, n. 17, 21.

recording what was actually taught? There is more reason for thinking that in such passages the Pope is expressing his own mind, than when he is merely quoting. This is true simply because to record historically the belief in Mary's glorification, he did not have to introduce again here in his own words something that was already clear from the direct quotations he had made. But no certain argument can be derived from this, so we include these "thought-quotations" here. Two deserve to be pointed out specifically here:

(The holy Fathers and the great Doctors placed) under a brighter light what the liturgical books had often touched upon succinctly and briefly, namely, that this feast commemorates not only the fact that there was no corruption in the Blessed Virgin Mary's *lifeless* body, but commemorates also the triumph she achieved over death, her heavenly "glorification" after the example of her Only-begotten, Jesus Christ.⁶

(And the Ark of the Covenant) they regard as an image of the Virgin Mary's most pure body, preserved immune from all corruption of the grave and elevated to such great glory in Heaven.⁷

2. *Value of such quotations:* The "Mortalists" (proponents of Mary's death) and the "Immortalists" (proponents of her immortality) are diametrically opposed to one another on the value of these quotations.

A *Positive arguments* 1. Position of Mortalists: (a) The Pope uses these texts to express his own thoughts on the subject of Mary's death. Out of the hundreds of texts available to prove the Church's acceptance of the Assumption, he chooses these. This is not a chance selection but an intentional one.⁸ It is but logical to assume that a person approves of the doctrine contained in a quotation he has deliberately selected,

⁶ Cf. *Munificentissimus Deus*, in AAS 42 (1950) 760, n. 20

⁷ Cf. *Munificentissimus Deus*, in AAS 42 (1950) 763, n. 26

⁸ J. F. Bonnefoy, O.F.M., *La bulle dogmatique "Munificentissimus Deus,"* in *EphM* 1 (1951) 104.

unless he makes it clear that this is not the case.⁹ Hence the Pope in using these quotations is favoring the doctrine of Mary's death,—is describing the Assumption as actually involving Mary's death, incorruption in the tomb, resurrection and glorification.¹⁰ Certainly the Pope must use words with caution and discretion. Would he, then, intentionally introduce into the text of the Apostolic Constitution quotations conflicting with his own understanding of the matter?¹¹ If he is truly in favor of Mary's immortality, why does he not include among these texts for the Assumption at least one quotation casting doubt on the fact of her death, e. g. the famous text of St. Epiphanius?¹² For these reasons we must conclude (so the Mortalists argue) that the Pope is making these expressions about Mary's death his very own.

(b) Secondly, these texts constitute just as certain an argument from Tradition for the death of the Blessed Virgin as they do for her Assumption.¹³ Suppose that the Pope is using these texts only for the sake of proving the Assumption,—that he is not making them his own in their reference to Mary's death. Still, of themselves, they do testify to Mary's death with moral unanimity and constancy. Even such a vigorous Immortalist as Father Gallus, S. J., admits that reference to Mary's death can be discovered in all the writers and sources quoted by the Pope,¹⁴—and even more clearly than the Assumption, since many of these authors appeal to a pseudo-apostolic tradition for the death.¹⁵ If the immortality of Mary is formally im-

⁹ *Ibid.*, 94-95

¹⁰ B. García Rodríguez, C. M. F., *La razón teológica en la constitución "Munificentissimus Deus,"* in *EphM* 1 (1951) 47-48

¹¹ L. M. Simon, O. M. I., *La bulle "Munificentissimus Deus" et la mort de la Très-Sainte Vierge*, in *Mm* 14 (1952) 336

¹² *Ibid.*, 336

¹³ Bonnefoy, *art. cit.*, 113

¹⁴ T. Gallus, S. J., *art. cit.*, 136-137

¹⁵ T. Gallus, S. J., *Quaestio mortis B. V. Mariae post bullam "Munificentissimus Deus,"* in *DTPI* 55 (1952) 9.

plicity contained in the revelation of her Immaculate Conception, has the Church been in error in this matter of faith (her immortality) for the fourteen centuries during which she has constantly and with moral unanimity regarded Mary's death as a certainty?¹⁶

2. Position of Immortalists (a) The Pope is not using these texts to express his own mind about Mary's death. Everything in the Constitution is selected as contributing to the Pope's ultimate goal, the defining of the Assumption.¹⁷ He selects these texts only in so far as they favor the Assumption, not in so far as they mention the death of Mary. This is clear from the fact that many of the texts¹⁸ contain no reference to the death, although, if he had wanted to, the Pope could have quoted these authors also in favor of the death.¹⁹ The fact that he does not so quote them shows that he wants to prescind from the question of death, and to define only Mary's glorification. We grant that a person ordinarily approves of the doctrine contained in a quotation he has chosen, unless he makes it clear that he does not. And in this case the Pope has made it clear by his eloquent silence whenever he speaks in his own name.²⁰ Therefore, in inserting these texts into the Apostolic Constitution the Pope is not expressing his own mind about Mary's death, rather he follows the method of modern historical criticism, not mutilating the texts but rather quoting them in their entirety.²¹ Thus he shows the divine faith in the Assumption against its historical background of acceptance of Mary's death.

¹⁶ C. Bahč, O.F.M., *De proclamato Assumptionis dogmate prae theologorum doctrina et Ecclesiae vita*, in *Ant* 26 (1951) 9-10.

¹⁷ Gallus, *Ad quaestionem mortis post Bullam "Munificentissimus Deus,"* in *Mm* 15 (1953) 137. This statement is found quite commonly in both Immortalists and Mortalists.

¹⁸ *Ibid*, 136.

¹⁹ *Ibid*, 136.

²⁰ *Ibid*, 124.

²¹ *Ibid*, 137.

(b) Secondly, when we study these texts in their historical setting, they do not constitute as firm an argument from Tradition for Mary's death as they do for her Assumption. Every source quoted by the Pope in which there is reference to the death is dependent on either Pseudo-Dionysius or on the *Transitus* legend. Their dependence is shown in the way in which they describe the circumstances of Mary's death and glorification, e. g. the miraculous gathering of the Apostles for her death, etc. Frequently these theologians refer to an "apostolic tradition" (based on a human error about Pseudo-Dionysius) as a basis for their information.²² In defining, the Pope completely ignores any such "tradition," showing that the divine faith in Mary's Assumption rests on no such shaky foundation. He states that "All these arguments and considerations of the Holy Fathers and the theologians are based on the Sacred Scriptures as their ultimate foundation."²³ And, "Rather, enlightened by divine grace and moved by piety toward her who is God's Mother and our own sweet Mother, they contemplated in a light growing steadily brighter, the wondrous harmony and order of the privileges which the most provident God has bestowed on this loving associate of our Redeemer."²⁴ But there is no Scriptural foundation for Mary's death, rather her great privileges seem to demand her immortality.²⁵ Consequently the Pope quotes these passages as historical evidence of a divine faith in Mary's Assumption—a faith based on the deposit of revelation; but he does not approve the erroneous human faith in her death, which is found in many of the same texts,—a faith based on the *Transitus* legend.²⁶

²² Gallus, *Quaestio mortis B V Mariae post bullam "Munificentissimus Deus,"* in *DTPI* 55 (1952) 6-7.

²³ Pius XII, *Munificentissimus Deus*, in *AAS* 42 (1950) 767, n. 38

²⁴ *Ibid.*, 758, n. 14

²⁵ Gallus, *Ad quaestionem mortis post bullam "Munificentissimus Deus,"* in *Mm* 15 (1953) 137-138

²⁶ *Ibid.*, 137.

(c) Thirdly, to come to Father Balić's objection "If Mary's immortality is formally implicitly contained in the revelation of the Immaculate Conception, how can the Holy Spirit have allowed the Church in her Christian doctrine instructions, in the teaching of her doctors, in the various liturgical formulae and other manifestations of piety, to have erred for so many centuries not only by professing that the Blessed Virgin underwent temporal death, but also by asserting through this profession of faith in practice that she was not immortal in her body?"²⁷

The teaching of Mary's death does not belong to either the direct or indirect object of the Church's infallibility. It does not belong to the direct object, since it is not formally revealed either explicitly or implicitly. It does not belong to the indirect object, for it is not necessarily and intrinsically connected with any revealed doctrine, so that the Church's infallibility must extend to it in order to protect the deposit of revelation. It is not, for example, connected necessarily with the notion of the Assumption, otherwise how could the Pope pass over it in complete silence in defining the Assumption? Rather its connection with the Assumption is extrinsic and occasional. The Church, therefore, has never believed Mary's death by divine faith, but has taught it unanimously and constantly for centuries as a commonly accepted theological doctrine, not necessarily connected with revelation. But at the beginning of the development of a dogma, while the truth implicitly revealed is not yet explicitly known, the bishops and the faithful can affirm as a commonly accepted theological doctrine an opinion contrary to the implicitly revealed truth. So, for example, the common doctrine of the theologians of the twelfth century could hold with certainty that Mary was conceived in original sin and was sanctified in the womb of her mother. The same

²⁷ Balić, *art. cit.*, 9-10

could be true of Mary's immortality, if we are now at the beginning of the development of this as a dogma!²⁸

B. *Rejoinder offered by the Mortalists*: (1) The easy dismissal of all the texts quoted, on the grounds that they are dependent on Pseudo-Dionysius or the *Transitus* legend, seems to ignore a very important consideration. It is true that the complete texts narrate many accidental circumstances of the death, which are drawn from these suspect sources, but this is true, likewise, of their description of the Assumption or Glorification. Now the Pope selects passages referring only to the basic facts (both of Assumption and of death), and never once includes a passage containing accidental frills. Is he not indicating that these sources are drawing from a faith that existed before the apocrypha,—a faith that accepted the bare substance of the facts of death and Assumption, to which the apocrypha added many imaginary details?²⁹

(2) The Immortalists beg the question when they say that the death of Mary does not belong to the direct or indirect object of the Church's infallibility. That is the precise point in question: Is the death of Mary a divinely revealed truth or a definable dogmatic fact, or neither?

(3) One of the chief and strongest arguments of the Immortalists is the eloquent silence of the Pope. Whenever he is speaking in his own name, they say, he maintains a strict neutrality on the question of Mary's death.³⁰ Certainly, then, he is remaining neutral when he quotes from the Doctors and theologians to establish belief in Mary's glorification. Such is their argument. But is it valid? Does the Pope maintain neutrality whenever he speaks in his own name? This brings us

²⁸ Gallus, *Quaestio mortis B V Mariae post bullam "Munificentissimus Deus,"* in *DTP* 55 (1952) 9-12.

²⁹ B. García Rodríguez, C.M.F., *Una polémica sobre la muerte de María,* in *EphM* 3 (1953) 61-62.

³⁰ Gallus, *ari. cit.*, 14, cf. also G. M. Roschini, O.S.M., *La Madonna secondo fede e teologia*, 3 (Rome, 1953) 257.

to the second part of our examination of the Apostolic Constitution. Here we shall divide the texts into those of minor and major importance for our question

WHEN THE POPE SPEAKS IN HIS OWN NAME

A First let us consider the texts of minor importance, called such because the reference to the death (if any) is more, implicit and the counter-interpretation is quite obvious. There are three such texts.

1. The text itself: (at times we omit phrases not pertinent)

The Virgin's bodily Assumption into Heaven—which, as far as the heavenly glorification itself of the virginal body of God's loving Mother is concerned, no faculty of man's mind could know by its natural powers—is a truth revealed by God and must therefore be firmly and faithfully believed by all children of the Church.³¹

2. The interpretations of the text: The Mortalists argue that here the Pope draws a distinction between the Assumption and the glorification as one part of the Assumption. He states that the glorification cannot be naturally known, implying that at least some other part of the Assumption can be naturally known. The other naturally knowable part of the Assumption would be the death, incorruption and perhaps the resurrection. The Immortalists pay no attention to the text, except to say that here the Pope points out that the Assumption is beyond the scope of historical criticism, since it is a fact that cannot be naturally known³²

³¹ Pius XII, *Munificentissimus Deus*, in AAS 42 (1950) 757, n. 12.

³² Rodriguez, *La razón teológica en la constitución "Munificentissimus Deus"*, in EphM 1 (1951) 48

³³ M. Jugie, A A, *La définition du dogme de l'Assomption*, in Ath 11 (1951) 102-103.

3. (Because the Scriptures teach us the close association between the Divine Son and the Mother) it seems nearly impossible to view her as being separated from Him in body, even though not in soul, after this earthly life. Now, since He was able to adorn her with the great honor of preserving her, unimpaired, from the corruption of the grave, we must believe that He really did so.³⁴

4. The Mortalists state that the separation of Mother and Son in body after earthly life is conceivable only in relation to a death. Also, the Pope refers to Christ preserving Mary from the corruption of the grave.³⁵ The Immortalists say the text is rather an argument for Mary's immortality, for the Pope says it is impossible to consider the Son and the Mother being actually separated even in body after her earthly life—a thing that would take place for at least some time in the theory of Mary's death. The Pope is denying rather than asserting any such separation. As for Christ preserving Mary from the corruption of the grave, this can be done in the same ways that a person can be freed from original sin, i. e. Christ can preserve her from dying, or he can deliver her from the consequences of death after she has died. The Pope does not choose.³⁶

5. Finally (it is to be hoped) that the belief in Mary's bodily Assumption into Heaven will make our belief in our own resurrection more firm and render it more active.³⁷

6. The Mortalists think that the Pope is here pointing out a parallel between our resurrection and Mary's Assumption. If her Assumption involves a resurrection, it involves a death. The Immortalists say that our resurrection will begin in us the glorification which was instantaneously complete and perfect.

³⁴ Pius XII, *Munificentissimus Deus*, in AAS 42 (1950) 768, n. 38

³⁵ Simon, *art. cit.*, 334

³⁶ Roschini, *op. cit.*, 259-260

³⁷ Pius XII, *Munificentissimus Deus*, in AAS 42 (1950) 770, n. 42

without death in Mary's case,—our resurrection is a dim participation in Mary's glorification without resurrection and without death.

B. Texts of major importance: Although there are five major texts, we will deal with them under three headings because of the unity of thought found in three of them.

1. The first text states the conviction of the faithful about Mary's passibility and, consequently, her death. (a) Here is the text somewhat abridged:

The faithful through the instruction and guidance of their pastors have learned from Sacred Scripture that the Virgin led a life burdened with sorrows. . . . In like manner, it was not difficult for them to give assent to the fact that even God's great Mother had departed from this life, as her Only-begotten Son had already done. Nevertheless, this by no means hindered them from openly believing and professing that her sacred body was never liable to the corruption of the grave; that never did this august tabernacle of the Word disintegrate into ashes. Rather, enlightened by divine grace and moved by piety toward God's Mother and ours, they contemplated the wondrous harmony and order of Mary's privileges.³⁸

(b) Interpretations of the text (1) the Immortalists strive to weaken this text, for if it be accepted as the Pope's own thought and interpreted according to its obvious meaning, it would certainly prove that the Pope favors the doctrine of Mary's death. First, the Pope does not say that Mary died, but instead uses the ambiguous phrase "departed from this life," which could also describe an immediate transition without death from earthly to heavenly life. Secondly, the Pope does not present this as his own opinion or that of the teaching Church, but rather says "the faithful gave assent to the fact that she departed." Thirdly, this conviction of the faithful is

³⁸ *Ibid.*, 757-758, n 14

of a much lower order than their conviction about Mary's glorification. For he explains how this conviction arose from two reasons of non-repugnance, Mary's passibility and her resemblance in death to Christ; and on the supposition that she died, they were convinced that Christ would preserve her body from the corruption of the grave. Then the Pope proceeds to his principal intention, the doctrine of the Assumption, and his words take on a new forcefulness. "Rather, enlightened by divine grace and contemplating the harmony of her privileges. . . ." Here there is no longer question of natural conviction based on motives of mere non-repugnance. This faith in the Assumption is a supernatural faith elicited under the influence of grace; it is a divine faith contemplating the harmony of Mary's privileges as contained in the deposit of revelation. Therefore, the conviction of Mary's Assumption is far more sublime than the merely natural conviction of the fact of her death.³⁹

(2) The Mortalists answer these difficulties. First, the phrase "departed from this life" equivalently means death, as every dictionary states. The Italian translation of the Bull, which appeared in *L'Osservatore Romano*, is simply "that she died." The whole context, especially the line of thought which the Pope is pursuing, demands this meaning (a) she was passible, so she died; (b) she departed from this life like Christ, Who died; (c) despite her departure from life, her body did not corrupt nor disintegrate into ashes. Secondly, this conviction is that of the faithful, but "through the instruction and guidance of their pastors" and based on the Scriptural doctrines of her passibility and likeness to her Son. Do we not see a parallelism here between the faithful instructed and guided by their pastors and "the singular agreement of the Catholic Bishops and the faithful"—"the concordant doctrine

³⁹ Roschini, *op cit*, 257-258, Roschini, *Il problema della morte di Maria SS dopo la costituzione dogmatica "Munificentissimus Deus,"* in *Mm* 13 (1951) 161, Gallus, *art. cit*, 4-6

of the Church's ordinary teaching office and the concordant faith of the Christian people which this same teaching office upholds and directs" to which the Pope has just appealed as a certain criterion of divine revelation? ⁴⁰ Thirdly, this conviction of the faithful about Mary's death is based on the Scriptural doctrines of Mary's passibility and her likeness to Christ. The conclusion of Mary's death from such qualities may well be more than mere arguments of fittingness or of non-repugnance,—*may* in fact be formally implicitly revealed in these Scriptural doctrines. For 'do not the theologians generally regard passibility as the beginning of mortality? And if Mary was subject to this consequence of original sin despite her Immaculate Conception, could she not have been subject also to death? ⁴¹

2. There is a group of texts in the Bull which have in common the idea of the nexus between sin and death. This connection between sin and death, between immunity from sin and immortality ultimately contains the solution to the controversy ⁴² We present all these texts together, again somewhat abridged

N 4-5. "These two privileges (of Immaculate Conception and Assumption) are most closely related. Christ by His death overcame sin and death, and one reborn through baptism has conquered sin and death through Christ. Still, according to the general law, God does not will to grant to the just the full effect of the victory over death until the end of time. And so it is that the bodies of even the just disintegrate after death, and only on the last day will they at length be united, each with its own glorified soul.

"From this general law, nevertheless, God willed that Mary

⁴⁰ Pius XII, *Munificentissimus Deus*, in *AAS* 42 (1950) 756, n. 12, Bonnefoy, *art. cit.*, 105-106

⁴¹ Bonnefoy, *art. cit.*, 105

⁴² J. B. Carol, O.F.M., *The Immaculate Conception and Mary's Death*, in *Marian Reprints*, No. 27 (Dayton, 1954) 2

should be exempt. Because of an altogether singular privilege she conquered sin by her Immaculate Conception, and consequently she was not liable to the law of remaining in the corruption of the grave, nor was she bound to await the end of time for the redemption of her body . . .

N. 20. "(The Fathers and Doctors of the Church explained the meaning of the liturgical feast) namely, that this feast commemorates not only the fact that there was no corruption in Mary's lifeless body, but commemorates also the triumph she achieved over death, and her heavenly 'glorification' after the example (of Christ). . .

N 39-40. "The Virgin Mary has been proposed by the Holy Fathers as the New Eve, who, although subject to the New Adam, is most closely associated with Him in that struggle against the devil which, as is signified beforehand in the First-gospel (Gen. 3.15), would finally result in the fullest victory over sin and death, which are always connected with each other in the writings of (St Paul) (cf Rom 5 and 6; 1 Cor. 15:21-26, 54-57) Therefore just as Christ's glorious resurrection was an essential part and the final trophy of this victory, so the Virgin's struggle, which she had in common with her Son, had to be brought to a finish by the 'glorification' of her virginal body, for, as the Apostle says: When this mortal body puts on immortality, then shall come to pass the word that is written. 'Death is swallowed up in victory' (1 Cor. 15.54).

"Hence the august Mother of God—united in a mysterious way with Jesus from all eternity 'by one and the same decree' of predestination, Immaculate in her Conception, a most perfect virgin in her Divine Motherhood, the most noble associate of the Divine Redeemer who has won a complete triumph over sin and its consequences—finally obtained as the most excellent crown of her privileges that she be preserved immune from the decay of the grave, and that, having overcome death, just as her own Son, she be taken up body and soul to the highest glory of Heaven . . ." ⁴³

⁴³ Pius XII, *Munificentissimus Deus*, in *AAS* 42 (1950) 754, n 4-5, 760, n 20, 768-769, n 39-40.

a. Some points of textual criticism: First, there is a causal connection between Mary's victory over sin by the Immaculate Conception and her victory over death by her Assumption. The two privileges are not independent parts of one general victory, but the Assumption is a consequence of the Immaculate Conception. "She conquered sin by her Immaculate Conception, and consequently . . . was not bound to await the end of time for the redemption of her body."⁴⁴ Secondly, the phrase "redemption of her body" just quoted is an allusion to Rom 8 23, "We ourselves groan within ourselves, waiting for the adoption as sons, the redemption of our body." Ordinarily the redemption of the body is brought about by a resurrection; but even in Pauline thought there is a possibility of an immediate transition from earthly to heavenly life.⁴⁵ Hence no conclusive argument for Mary's resurrection after death can be derived from this phrase⁴⁶ Thirdly, in paragraph 40 we read, "that (Mary), having overcome death, just as her own Son be taken up." The Latin text has inserted a non-committal ablative absolute "*devicta morte*" between two phases of Mary's Assumption: immune from decay—*devicta morte*—glorification. The phrase could mean that death has been overcome by Christ, or by Mary. All agree that it is a reference to Mary's victory over death, and this is confirmed by the Italian translation in *L'Osservatore Romano*.⁴⁷ But are these three phases chronologically distinct events, or aspects which the mind distinguishes in an immediate glorification?⁴⁸ Has Mary overcome death by a resurrection or an immediate glorification?

b. The Immortalists' strongest positive argument is de-

⁴⁴ Unger, *op cit*, 34-36

⁴⁵ M. Peinador, CMF, *De triumpho B. Virginis supra mortem per ejus Assumptionem juxta bullam "Munificentissimus Deus,"* in *EphM* 3 (1953) 334

⁴⁶ *Ibid*, 326

⁴⁷ *Ibid*, 322

⁴⁸ *Ibid*, 326.

rived from the causal connection between the Immaculate Conception and the Assumption,—and from the New Eve's fullest opposition to and most complete victory over Satan. In the present state of fallen nature, man's death and the consequent remaining in the corruption of the tomb until the end of time is a consequence of original sin personally contracted. Where original sin has not existed, the law of death holds no dominion. Then the law of death holds no dominion over the Immaculate Virgin. The divine exemption of Mary from original sin results in the consequent divine exemption of her from the law of death. Therefore she is *de jure* immortal. If she died, it was not because she was bound by the law of death—somewhat as when Christ died, it was not because He was subject to the law of death induced by sin, but because of the Divine Will choosing death as the means of destroying Satan's empire,—“you shall lie in wait for (bruise) his heel,” “that through death he might destroy him who had the empire of death”⁴⁰ Since, then, Mary is immortal *de jure*, she is also immortal *de facto*, unless revelation teaches us that her actual death is a divinely ordained means (as Christ's was) for crushing Satan's power. Nowhere does revelation teach this; revelation demands only that she be passible, so that she can provide her Divine Seed with a passible nature and so that she can compassionate with Him in His victorious struggle of the cross⁵⁰ If Mary's death is a divinely ordained means of appeasing God and crushing Satan's power, then should not her death, like Christ's, have been an agonizing one instead of the serene and peaceful one, pictured by most Mortalists, in which a burst of ardent love for God snaps the union of body and soul?⁵¹

⁴⁰ Gen 3 15, Hebr 2 14

⁵⁰ Gallus, *Ad argumentum de conceptione ex Gen 3.15 erutum*, in *Mm* 17 (1955) 257-258

⁵¹ Gallus, *Ad quaestionem mortis post bullam "Munificentissimus Deus,"* in *Mm* 15 (1953) 138.

A similar argument is derived from the Eve-Mary antithesis and the *Protoevangelium* as used in paragraphs 39-40 of the Bull. The New Eve together with but subordinate to Christ engages in unbridled war with Satan and wins total victory. This total opposition to Satan in battle and in victory excludes all subjection to the devil's power, except in so far as some subjection is a divinely ordained means of winning victory. Now, the devil's power is exercised over souls through sin and over bodies through death. Therefore, neither sin nor death can be asserted of Christ or Mary, unless God has willed death as the means of victory. He has done so in Christ's case but not in Mary's. Then Mary's full opposition to Satan in battle and victory demands her immortality.⁵²

c. The Mortalists, generally speaking, reject any *de jure* immortality for Mary. *De jure* immortality is not a consequence of Mary's Immaculate Conception, they argue. First, the Pope does not say Mary was freed from the law of death but from the law of remaining in the corruption of the tomb and of waiting until the end of time for the redemption of her body.⁵³ Secondly, in the present state death is not merely the consequence and punishment of original sin personally contracted. It is also a consequence of a material nature, which tends to dissolution. In giving Adam original justice God suspended this natural reason for death. By Adam's sin we are placed back on the natural level as far as death is concerned, for the nature itself was despoiled of the preternatural gifts by the sin. Now when sinful adults die, their death can theologically be attributed to four reasons: (a) a mortal nature; (b) Adam's personal sin, which re-introduced the natural consequence of the mortal nature (whether this be due to *debitum peccati* or not); (c) original sin personally contracted,

⁵² Gallus, *Ad argumentum de conceptione ex Gen 3:15 erutum*, in *Mm* 17 (1955) 257-258

⁵³ Simon, *art. cit.*, 331.

and (d) personal sins⁵⁴ Although Mary was immaculately conceived and sinless, she was subject to the law of death for the first two reasons, i. e., because she received a mortal nature from her parents, and this was due to Adam's personal sin (if not due to a *debitum peccati*) Since she was mortal de jure, she actually died

Neither does Mary's full opposition to and full victory over Satan demand immortality *de jure*. Much theological investigation remains to be done to determine the qualities of Mary's opposition to Satan in battle and in victory,—and to determine how much subjection to the devil's power is a divinely ordained means of winning victory We simply do not know with certainty the answer to these problems, and so we cannot construct a certain argument (to say nothing of a *de fide* proposition) out of hypotheses and probabilities. In short, there are other theological explanations of Mary's opposition to Satan which allow for Mary undergoing death.

Some argue that Mary's death is a divinely ordained means of winning objective redemption, while others say it is a divinely ordained means of winning the fullest subjective redemption for Mary personally, i. e., means of her own fullest personal sanctification. The first argument draws from the doctrine of Mary's role as Co-Redemptrix. Mary's death, offered in anticipation by Mary standing beneath the cross, contributed its share to the price of man's redemption⁵⁵ What was offered then in affection, had to be offered later in reality The second argument draws from the doctrine of Mary's imitation of Christ. When Christ placed deliberate actions during His mortal life, even His death ^{in obsequium} *in fieri*, He was meriting graces for His members to meet many of these same crises in a Christ-like manner. Should not the graces won by the mystery of His undergoing death be operative in her who alone fully co-oper-

⁵⁴ E. Sauras, O.P., *En torno a la teología de la muerte de la Santísima Virgen*, in *EphM* 2 (1952) 266-267

⁵⁵ Penador, *art. cit.*, 330; Simon, *art. cit.*, 330.

ated with every grace she was offered? Was not a real re-enactment in her own life of the mysteries of Christ's life, death and resurrection a divinely instituted means of her own personal sanctification, a mean of her own greater victory over sin and death?

The positive part of the Mortalists' argument from these paragraphs is that the Bull presents Mary's victory over death as one of resurrection from the dead. In n. 20 the Pope, summarizing the Doctors' explanation of the feast, points out three phases of Mary's Assumption: incorruption of her lifeless body—victory over death—glorification after the example of her Only-begotten, Jesus Christ. In n. 39 he writes "just as Christ's glorious resurrection was an essential part and the final trophy of this victory, so the Virgin's struggle, which she had in common with her Son, had to be brought to a finish by the glorification of her virginal body." Then, they argue, just so no one will miss the point, the Pope quotes St. Paul to show that he means that Mary rises from death: "for, as the Apostle says: When this mortal body puts on immortality, then shall come to pass the word that is written: 'Death is swallowed up in victory' (1 Cor. 15 54)"⁵⁶ In n. 40 the Pope draws the conclusion from the argumentation of n. 39 and makes a clearer reference to the three phases, with another reference to likeness to Christ immune from decay—death being vanquished—like Christ taken up body and soul to heaven. This passage of the Bull (n. 39-40) is evidently based to a large extent on the *postulatum* for the definition of the Assumption at the Vatican Council, which used the phrase "a hastened resurrection"⁵⁷ They conclude that Mary's victory over death is modeled on Christ's, which involved resurrection. Therefore, Mary's victory over death involves resurrection and presupposes that she died.

⁵⁶ Bonnefoy, *art. cit.*, 107-108

⁵⁷ Peinador, *art. cit.*, 328

d Against this reason the Immortalists counter-charge that the likeness between Christ and Mary in victory over death is not meant to be a perfect likeness, but a likeness only in the aspect of possessing glorified life, whether this be by a resurrection or an immediate transition from earthly to heavenly life.⁵⁸ This is clear from the very nature of the case,—that the likeness cannot be perfect. Furthermore, a careful reading of the Bull shows that it speaks of the likeness of Christ and Mary in the struggle with Satan and in the final glorification, but never specifically likens them in victory over death by resurrection. N. 20 is not the Pope speaking in his own name, and while depending on the Vatican Council *postulatum* for the general line of reasoning, he has intentionally omitted any reference to a "hastened resurrection" in nn. 39-40. Instead he writes, "just as Christ's glorious resurrection was an essential part and the final trophy of this victory, so the Virgin's struggle . . . had to be brought to a finish by the glorification (not resurrection, as parallelism would have demanded) of her virginal body."⁵⁹ Nor can any certain argument be derived from the Scriptural quotation (1 Cor 15:54), since either a resurrection or an immediate glorification would swallow up death in victory.

3. The last important text of the Bull is the text of the definition.

We proclaim, declare, and define that it is a divinely revealed dogma that God's Immaculate Mother, the Ever-Virgin Mary, when the course of her earthly life was finished, was assumed body and soul into heavenly glory

While this text is the most important one in the entire Bull from one aspect, there is not as much room for controversy

⁵⁸ Roschini, *La Madonna secondo la fede e la teologia*, 3, 260-261

⁵⁹ *Ibid.*, 261; Gallus, *Quaestio mortis BV Mariae post bullam "Munificentissimus Deus,"* in *DTPI* 55 (1952) 14-15

about its stand on the death of Mary as there is about so many of the other texts of the Bull

a. Briefly, the following points are beyond controversy. First, the subject of the privilege of the Assumption is Mary's person. Secondly, the object of the definition is a past fact, "she was assumed"—a fact that concerned her body and her soul. It is generally agreed that if a death did take place, it did not last long,⁶⁰ for the meaning of the definition seems to demand this. Thirdly, the terminus of this Assumption is designated as heavenly glory, for that heaven is a place is not an article of faith.⁶¹ Fourthly, the phrase "when the course of her earthly life was completed"—"*expleto terrestris vitae cursu*" is of itself ambiguous, so that it alone does not settle the question of Mary's death or immortality explicitly.

b. The controversy about Mary's death, however, does crop up in a minor way in the varying interpretations put on the text of the definition. Some Immortalists say that the text of the definition defines or at least favors Mary's immortality, for it seems to imply or favor the notion that the body and the soul are *simultaneously* glorified, such a simultaneous glorification of body and soul would leave no room for death, unless it be just momentary. And they object, "In the hypothesis of death, where is Mary's soul while her body is in the tomb?"⁶²

The Mortalists counter this argument by pointing out that the definition says nothing at all about a simultaneous glorification of body and soul, but simply states the past fact, "she was assumed." A few of them go further, and contend that the definition implicitly defines the fact of Mary's death. They reason that the Bull defines the Assumption of Mary. But the term "assumed" must be taken in the context of the rest of the Bull. This context describes the Assumption as involving death, incorruption and glorification. Therefore, all of this is

⁶⁰ Jugie, *art. cit.*, in *4Th* 11 (1951) 104-105

⁶¹ *Ibid.*, 109.

⁶² Gallus, *art. cit.*, 14.

implicitly defined, because it is formally implicitly contained in that which is explicitly defined.⁶³

With this we conclude our summary of the reasons given by the theologians in the light of the Bull *Munificentissimus Deus* for the death or immortality of the Blessed Virgin. Let us now present in summary fashion the positions taken by theologians on this question.

SUMMARY OF POSITIONS TAKEN BY THEOLOGIANs

A. The Pope *defined*: (1) Her immortality at least implicitly, in defining the simultaneous glorification of body and soul (Quintas, Maré⁶⁴); (2) Her death at least implicitly in defining the Assumption in the context of the Bull, which is one of death, incorruption, resurrection and glorification (Simon, Rodríguez and Garreta⁶⁵). All others think the Pope deliberately refrained from defining anything beyond Mary's Assumption properly so called.

B. Although most agree that the Pope defined nothing on this point, both Mortalists and Immortalists claim the Pope *avored* their teaching. 1 The Mortalists who claim the Pope favored the doctrine of Mary's death appeal to the following reasons (a) the quotations show the mind of the Pope and of Tradition; (b) when the Pope is speaking in his own name, he favors Mary's death and never once favors her immortality. He favors her death when he implies there are other parts to her Assumption than her glorification only;—when he states that the faithful under the guidance of their bishops accepted Mary's death,—when he parallels Christ's resurrection and

⁶³ Simon, *art cit*, 339, Rodríguez, *La razón teológica en la bula "Munificentissimus Deus"*, in *EphM* 1 (1951) 48-49

⁶⁴ A López Quintas, O de M, *Sugerencias sobre la definición dogmática de la Asunción*, in *Est* 7 (1951) 215-232, T Maré, OMI, in *Noire-Dame du Cap, Reine du Très-Saint Rosaire*, in *ANDdC* (1952), reference taken from A Michel, in *AdC* 61 (1951) 119

⁶⁵ Simon, *art cit*, 339, Rodríguez, *art cit*, 48-49, Garreta, *Comentario a la definición asuncionista*, in *AS* 8 (1951), 202 ff.

Mary's victory over death and glorification. The one time when the line of argumentation would lead the Pope to favor her immortality, i. e., when concluding from her Immaculate Conception to her Assumption, he clearly avoids saying she is freed from the law of death.

The Mortalists who argue in this way to the favoring of Mary's death, disagree on the theological note and censure. Sauras thinks Mary's death is definable;⁶⁶ Cuervo and Bonnefoy, that it is so bound up with the definition in the argumentation and mind of the Bull that to deny it would be an error in faith;⁶⁷ Quera and Solá say there is no freedom to defend Mary's immortality;⁶⁸ Michel classifies Mary's death as most common teaching, and her immortality as scarcely probable.⁶⁹

2. The Immortalists (Roschini, Gallus, Jugie, Rossi and Loncke⁷⁰) are not quite so insistent that the Pope specifically expresses favor of Mary's immortality. Their direct concern is in proving that the Pope left the question open; a result of his leaving the question open is that the opinion on Mary's death should no longer be considered as definable or even as certain, but rather a pious opinion, from which we should prescind until the matter can be clarified.⁷¹ Practically speaking, therefore, just from the fact that the Pope left the question open, the opinion favoring Mary's immortality is stronger today than it was before the Bull.⁷²

The arguments of the Immortalists may be summed up as

⁶⁶ Sauras, *art. cit.*, 247.

⁶⁷ As cited by Sauras, *art. cit.* 255.

⁶⁸ As cited by Sauras, *art. cit.* 255.

⁶⁹ A. Michel, *La mort de la Sainte Vierge et la bulle "Munificentissimus Deus"*, in *AdC* 61 (1951) 118-119.

⁷⁰ Roschini, *op. cit.*, 261-263, Gallus, *art. cit.*, 15, Jugie, *art. cit.*, 109, J. Loncke, *De dogmatica definitione Assumptionis Mariae corporeae*, in *CBR* 47 (1951) 347.

⁷¹ Gallus, *Ad quaestionem mortis post bullam "Munificentissimus Deus,"* in *Mm* 15 (1953) 139.

⁷² Gallus, *Quaestio mortis B.V. Mariae post bullam "Munificentissimus Deus,"* in *DTP* 55 (1952) 14-15.

follows: (a) The eloquent silence of the Pope. Nowhere in the Bull when he is speaking in his own name does the Pope favor Mary's death; then all quotations must be regarded as being included only to teach the Assumption and not the death. In fact, in the one place in the Bull in which parallelism demands mention of Mary's death (n. 39 "as Christ's resurrection, so Mary's glorification"), he deliberately violates the parallelism. The only adequate proximate cause for the silence of the Pope is the deliberate intention to prescind completely from the question of her death.⁷³ Gallus concludes from this that the remote reason for the silence is the weakness of the arguments by which the death of Mary is proved.⁷⁴ (b) The Pope implies that Mary is immortal *de jure*, because of her Immaculate Conception (n. 5) and of her total opposition to Satan in battle and victory (n. 39-40). (c) He changes the Mass-formula, removing any reference to her death. Would he expunge from the liturgy a doctrine he was teaching in the Bull? ⁷⁵

C. The Pope did not define nor did he favor either side of the controversy, but he left it in the same status it was before. This is the opinion held by Balić, Filograssi, Carol and others ⁷⁶ It seems to us that this must be accepted as the only objective and realistic view, especially when one considers the studied caution with which the Pope speaks throughout the Bull, avoiding all manner of speech that would certainly and definitively favor either side.

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⁷³ Gallus, *Ad quaestionem mortis post bullam "Munificentissimus Deus,"* in *Mm* 15 (1953) 124

⁷⁴ *Ibid*, 125.

⁷⁵ *Ibid*, 124

⁷⁶ Filograssi, *art cit*, 517-518, Bahć, *De constitutione apostolica "Munificentissimus Deus" disquisitio dogmatico-apologetica* (Rome, 1951), 6, J B Carol, OFM, *Fundamentals of Mariology* (New York, 1956) 181, A Michel, *art cit*, 119