

The Post-Conciliar Rite of Orders
IS THE APOSTOLIC SUCCESSION INTACT?

Rama P. Coomaraswamy, M.D.

GENERAL INTRODUCTION

It is well known that the post-Conciliar Church has, in accord with the "Spirit of Vatican II," and with the desire of "updating" her rites, made changes in her manner of administering all the sacraments. Few would deny that the intention behind the changes was to make the Sacraments more acceptable to modern man and especially to the so-called "separated brethren."

Catholics have reacted to the changes in a variety of ways. Most have accepted them without serious consideration - after all, they emanated from a Rome they always trusted. Others consider them "doubtful," or have completely denied their efficacy; and as a result refuse to participate in them. Much of the controversy has centered around the new Mass, or *Novus Ordo Missae*, with the result that the other Sacraments - especially those which depend on a valid priesthood - have been ignored.^{1[1]} The present book will discuss the changes made in Holy Orders, along with those made in the various Sacraments dependent upon the priesthood. We shall initiate our study with a restatement of traditional Catholic theological principles relative to all the Sacraments.

According to the teaching of the Church, a Sacrament is a sensible sign, instituted by Our Lord Jesus Christ, to signify and to produce grace. There are seven Sacraments: Baptism, Marriage, Holy Orders, Eucharist, Absolution (Penance or Confession), Confirmation and Extreme Unction. I have listed them in this order because Baptism and Marriage do not strictly speaking, require a priest.^{2[2]} Holy Orders are administered by a Bishop and the remaining Sacraments require priestly "powers" to be conferred or administered.

^{1[1]} Cf. The author's *The Problems of the New Mass*, TAN, Rockford Ill., 1990.

^{2[2]} As will be explained, Baptism can be administered by even a non believer, providing he uses the correct words and intends to do what the Church or Christ intends. With regard to Marriage, the priest acts as a witness on the part of the Church. In marriage the "matter" is the parties to the "contract," and the "form" is the giving of consent.

Sacramental theology by definition dates back to Christ and the Apostles.^{1[3]} It has "developed" over the centuries, which to paraphrase St. Albert the Great, does not mean it has "evolved," but rather that our understanding of it has become clearer as various aspects were denied by heretics and the correct doctrine affirmed and clarified by definitive decisions of the Church. The end result can be called the traditional teaching of the Church on the Sacraments.

The rise of Modernism gave rise to a different and Modernist view of Sacramental Theology, one which holds that the Sacraments are not so much fixed rites handed down through the ages, as "symbols" that reflect the faith of the faithful - a faith which is itself a product of the collective subconscious of those brought up in a Catholic milieu.^{2[4]} The traditional Sacraments, according to this view, reflected the views of the early Christians. As modern man has progressed and matured, it is only normal that his rites should also change. It is for the reader to decide how much such opinions have affected the changes instituted in the Sacraments in the wake of Vatican II.

THE SOURCE OF THE SACRAMENTS

"Who but the Lord," St. Ambrose asks, "is the author of the Sacraments?" St. Augustine tells us "It is divine Wisdom incarnate that established the sacraments as means of salvation," and St. Thomas Aquinas states that "As the grace of the sacraments comes from God alone, it is to Him alone that the institution of the sacrament belongs." Thus it is that the Apostles did not regard themselves as authors of the Sacraments, but rather as "dispensers of the mysteries of Christ" (1 Cor. IV:1). There is some debate as to whether Confirmation and Extreme Unction were established by Christ directly or through the medium of the Apostles. The issue is of no importance, for Revelation comes to us from both Christ and the Apostles. The latter, needless to say, would hardly go about creating sacraments without divine authority.

A BRIEF HISTORICAL PERSPECTIVE

^{1[3]} "If anyone shall say that the sacraments of the New Law were not all instituted by Jesus Christ our Lord... let him be anathema" (*Denz.* 844)

^{2[4]} It is unfortunate that the Modernists used the term "symbol" to specify the reflection in doctrine of the beliefs of the faithful - beliefs which they held arose in the collective or individual subconscious - beliefs which were subject to change as man "evolved" and "matured." They misused this term because the early creeds were called "symbols." If one accepts their interpretation, it is obvious that "symbols" would have to change as beliefs changed. (The Modernist confuses the meaning of symbols and signs; signs can be arbitrary and can legitimately be used to indicate different meanings.) This idea and misuse of the term "symbolism" was rightly condemned by Saint Pius X in his Encyclical *Pascendi*, a situation which has given the term a bad connotation. True symbols are material (verbal, visual) representatives of realities that never change which is the sense in which the Church applied the term was applied to the creeds in post-Apostolic times. Just as natural laws are the manifest reflection of God's will, so all natural phenomena are in one way or another symbolic of higher realities. Nature, as St. Bernard said, is a book of scripture, or to quote the psalms, "*Caeli enarrant gloriam Dei* - the heavens declare the glory of God."

The early Church Fathers, mostly concerned with defining doctrine, expended little effort on defining or explaining the sacraments. One should not however assume that they lacked understanding. Consider Justin Martyr (114-165) who made it clear that the effect of Baptism was "illumination" or grace. And again St. Irenaeus (+ 190) who, in discussing the "mystery" of the Eucharist, noted that "When the mingled cup [i.e., wine mixed with water] and the manufactured bread receives the Word of God, and the Eucharist becomes the body of Christ..." In these two Fathers we see the essential theology of the sacrament - the joining of "form" and "matter," (though other terms were used) and the conveyance of grace.

The earliest Church Fathers placed the Sacraments among the "mysteries" (from the Greek *mysterion*)^{1[5]} without clearly specifying the number. It was Tertullian (circa 150-250) who first translated this term into Latin as "sacramentum," though once again, not in an exclusive sense.^{2[6]} It is of interest to quote him in order to show that he was familiar with the essential features of sacramental theology: "All waters, therefore... do, after invocation of God, attain the sacramental power of sanctification; for the Spirit immediately supervenes from the heavens, and rests over the waters, sanctifying them from Himself, and being thus sanctified, they imbibe at the same time the power of sanctifying... It is not to be doubted that God has made the material substance, which He has disposed throughout all His products and works, obeying Him also in His own peculiar sacraments; that the material substance which governs terrestrial life acts as agent likewise in the celestial."^{3[7]}

From this point on the term sacrament was increasingly used - often interchangeably with mystery. St. Ambrose (333-397) clearly provides us with the first treatise dedicated exclusively to the subject of what he calls sacraments, specifically to those of Baptism, Confirmation and the Eucharist. He made no attempt at a universal definition, but clearly understood the principles involved as is shown by his statement that "the sacrament which you receive is made what it is by the word of Christ." It is with St. Augustine (354-430) that the first attempt is made to define clearly the term as "a sign," or "signs," which, "when they pertain to divine things, are called Sacraments." Elsewhere he states that they are called Sacraments because in them one thing is seen, and another is understood. He still uses the word as virtually equivalent to Mysteries and speaks of Easter as well as the allegory of sacred numbers which he sees in the twenty-first chapter of John's Gospel as sacraments. Marriage, Ordination, Circumcision, Noah's Arc and, the Sabbath and other observances are also so labeled. Perhaps his most important contribution to sacramental

^{1[5]} The Greek Orthodox still use this word to describe the Sacraments. The primordial sense of the term is found among the classic Greek writers, and especially as used with reference to the Mysteries of Eleusis. In vesting with the stole before Mass, the priest says, "...*quamine indignus accedo ad tuum sacrum Mysterium...*," meaning of course the Mystery of the Mass.

^{2[6]} The Latin word *sacramentum* had several meanings: 1) the sum which two parties to a legal suit deposited - so called perhaps because it was deposited in a sacred place. Its meaning was often extended to include a civil suit or process. 2) it was used to describe the military oath of allegiance and by extension, any sacred obligation. 3) Tertullian used the word to describe the neophyte's promises on entering the Church at the time of baptism; he also used it with regard to "mysterious communications" on the part of what we would now call a religious sister who "conversed with the angels." 4) Finally, he used it with regard to Baptism and the Eucharist.

^{3[7]} Quoted from Elizabeth Frances Rogers, *Peter Lombard and the Sacramental System*, New York, 1917.

theology was the distinction he drew between the Sacrament as an outer sign and the grace that this sign conveyed. The former without the latter, as he indicated, was useless.^{1[8]}

The next person to discuss the Sacraments was Isidore of Seville (560-636) who functioned in this area as an encyclopaedist rather than as an individual who provided us with further clarification. His discussion is limited to Baptism, Chrism, and the Body and Blood of the Lord. Next was Gratian (1095 -1150) who made the first attempt to bring all the canon laws of the Church together. In his *Concordia Discordantium Canonum* he quotes the various definitions we have reviewed, and lists as examples the sacraments of Baptism, Chrism (Holy Orders) and the Eucharist. This collection became a standard source and Roland Bandinelli, who later became Pope Alexander III, (pope 1159-1181) wrote a commentary on this text in which he lists the Sacraments as Baptism, Confirmation, the Sacrament of the Body and Blood (in which he treats of the Consecration of Priests), Penance, Unction and Matrimony. This commentary itself became a standard text and a pattern for Peter Lombard's *Commentary on the Sentences*.^{2[9]}

Finally, it is Hugh of St. Victor (1096-1141) who reviewed the subject and provided us with a definition which most closely resembles that officially accepted today. In his text *De Sacramentis Christianae Fidei*, he defines a Sacrament as "a corporeal or material element sensibly presented from without, representing from its likeness, signifying from its institution, and containing from sanctification some invisible and spiritual grace." He also states, "add the word of sanctification to the element and there results a sacrament." He further distinguished between those Sacraments essential for salvation, those "serviceable for salvation because by them more abundant grace is received, and those which are instituted that through them the other sacraments might be administered [i.e., Holy Orders]."

We shall conclude this historical discussion with three definitive decisions of the Church which are *de fide*, that is, "of faith."

"A Sacrament is an outward sign of inward grace, instituted by Christ for our sanctification"
(*Catechism of the Council of Trent*).

^{1[8]} Such would occur if for example a layman or a priest not properly ordained were to attempt to say Mass.`

^{2[9]} Those seeking a more detailed review are referred to The *Dictionnaire de la Théologie Catholique*, Letouzey, Paris, 1939. Scriptural usage followed much the same pattern. The Greek *Mysterion* was translated as *Sacramentum* and as such the term is found 45 times - some 20 times in the writings of St. Paul alone. According to Father F. Prat, it is used in three contexts: 1 Secrets of God relative to the salvation of man by Christ, that is, secrets the meaning of which became clear with the New Covenant; 2) the hidden sense of an institution; and 3) hidden action, as in the mystery of the Resurrection to come.

"If anyone shall say that the sacraments of the New Law were not all instituted by Jesus Christ our Lord, or that there are more or less than seven, namely Baptism, Confirmation, Eucharist, Penance, Extreme Unction, Order, and Matrimony, or even that anyone of these seven is not truly and strictly speaking a Sacrament: let him be anathema" (*Canon of the Council of Trent, Denz. 844*). "If anyone say that the Sacraments of the New Law do not contain the grace which they signify, or that they do not confer grace on those who place no obstacle to the same, let him be anathema." (*Canon of the Council of Trent*).

MATTER AND FORM

The concept of "Form" and "Matter" - the words used and the material over which they are said (as for example the Words of Consecration said over wine mixed with water in the Mass) were borrowed from the Hylomorphic theory of Aristotle, and introduced into Catholic theology by either William of Auxerre or St. Albert the Great. The terminology was new but the doctrine old. For example, St. Augustine used such phrases as "mystic symbols," and "the sign and the thing invisible," "the word and the element."^{1[10]}

Thus it is that, while the proper words and the material vehicle of the Sacraments date back to Christ, debates as to proper form and matter only occur after the 13th century. It should be clear that these concepts help to clarify, but in no way change the principles enunciated by the earliest Church Fathers. The manner in which they clarify will become clear when we consider the individual sacraments.

With regard to validity, the Church clearly teaches that "A Sacramental form must signify the grace which it is meant to effect, and effect the grace which it is meant to signify."

DOES MAN NEED THE SACRAMENTS TO BE SAVED?

Not absolutely, but "relatively absolutely." The present study cannot discuss in detail the Catholic principle that "*Extra Ecclesiam nulla Salus*" - that is "outside the Church there

^{1[10]} Catholic Encyclopedia, 1908.

is no salvation."^{1[11]} Suffice it to say that the Church understands by this that, apart from the invincibly ignorant, salvation is normally dependent upon being in the Catholic Church; and that the normal means of entering this Church is Baptism.^{2[12]} The other Sacraments are not absolutely necessary, but are required in so far as one is a member of the Church and in so far as they are the normal means of grace instituted by Christ. Thus one must confess and receive the Eucharist at least once a year - providing a priest is available.^{3[13]} Now clearly Christ who established the Church, also established the other Sacraments as normal means of grace. Not to avail ourselves of them when they are available is as absurd as not seeking medical assistance when one is ill.

HOW THE SACRAMENTS WORK

Many so-called "conservative Catholics" are convinced of the validity of the post-Conciliar rites because of the manifold graces they believe they receive from them. Even if we grant that they are not subject to self-deception in this area, such an argument is useless in defending validity, for it is a constant teaching of the Church that in the reception of the Sacraments, grace enters the soul in two ways. The first is **ex opere operato**, or by virtue of the work performed. The second is called **ex opere operantis**, which is to say, by virtue of the disposition of the recipient. Thus, one who participates in good faith in false sacraments can indeed receive grace - but only that grace that comes from his own good disposition, and never that much more ineffable grace which derives from the Sacrament itself.

It has also been argued that, providing the disposition of the recipient is proper, the deficiencies of a sacrament are "supplied" by the Church. Such an argument is patently false, for it implies that no matter what the minister does, the Church automatically makes up for the defect. (It would also declare all the Protestant rites as being of equal validity to those of the Church.) It is possible that Christ Himself may make up for the defect in the case of those who are "invincibly ignorant," but the Church can in no way make up such a defect. As A.S. Barnes, the

^{1[11]} An excellent discussion of this topic is available in Father Barbara's *Fortes in Fide*, No. 9, (1991 series) available from F.J. Christian, 758 Lemay Ferry Road, St. Louis, Mo., 63125.

^{2[12]} To avoid any possibility of misunderstanding, it should be clear that one must live a life in accord with the teachings of the Church - Baptism, which wipes away the stain of original sin, in no way guarantees that the individual will not fall from the "state of grace" produced by this Sacrament. The issue of Baptism of Desire is discussed in an article by the present author in an 1992 issue of *The Reign of Mary*, (North 8500 St. Michael's Road. Spokane, WA 99207-0905).

^{3[13]} One could say that the Sacraments depending on Orders are not necessary in an absolute sense, but that, given the condition of fallen man, they are indispensable by a necessity of convenience or expedience.

admitted authority on Anglican Orders says: "God, we must always remember, is not bound by the Sacraments which He Himself has instituted - but we are."

The phrase **ex opere operato** was used for the first time by Peter of Poitiers (d. 1205). It was subsequently adopted by Pope Innocent III as well as St. Thomas Aquinas to express the constant teaching of the Church to the effect that the efficacy of the action of the Sacraments does not depend on anything human, but solely on the will of God as expressed by Christ's institution and promise. The meaning of the phrase should be clear. The Sacraments are effective regardless of the worthiness of the minister or of the recipient. What this means is that the Sacraments are effective, even if the priest is himself in a state of mortal sin (it would be sacrilegious for him to administer them in a state of mortal sin - should a priest not be able to get to confession before confecting a Sacrament, he should at least make an act of contrition), and even if the recipient's disposition is not perfect (he also commits sacrilege if he receives them in a state of mortal sin - apart from Penance of course). This is because the priest is acting on the part of Our Divine Master, Jesus Christ, and the Sacraments have their efficacy from their divine institution and through the merits of Christ. The Sacraments and the priests who administer them function as vehicles or instruments of grace and are not their principle cause.^{1[14]} It is Christ who, through the priest, forgives sins or confects the Eucharist, etc., etc.

Unworthy ministers, validly conferring the sacraments, cannot impede the efficacy of signs ordained by Christ to produce grace **ex opere operato**. But what of **ex opere operantis**? Obviously, there must be no deliberate obstacle to grace on the part of the recipient. These principles follow from the nature of Grace. Grace is God's free gift to us (whether in or outside the channels which He established), but man always remains free to refuse or to place obstacles in the way of God's grace. The recipient's disposition need not be perfect - indeed, only God is perfect. It must, as is discussed in greater detail below, be appropriate.

A further principle follows: the priest and the Church must follow the pattern which Christ established in instituting a special vehicle of grace. As St. Ambrose said:

"He is unworthy who celebrates the mystery (Sacrament) otherwise than Christ delivered it." And as the Council of Trent states, "If anyone

^{1[14]} Brother Andre of Quebec likened the priest to a seller of clothes. The salesman's personal morals had no effect on the clothes he sold.

saith that the received and approved rites of the Catholic church, wont to be used in the solemn administration of the Sacraments, may be contemned, or without sin be omitted by the ministers, or be changed by every pastor of the churches into other new ones; let him be anathema."

The Church, of course, has a certain latitude with regard to the manner in which the Sacraments are administered, and, as we shall see below, can change the manner of their administration and the ceremonies that surround them. However, she cannot make a Sacrament be other than what Christ intended, and she cannot create new Sacraments. The acceptance of the traditional Sacraments in their traditional form is part of that obedience that the faithful Catholic (which obviously should include members of the hierarchy^{1[15]}) owes to Christ through tradition. As evidence to this anti-innovative attitude consider the following letter of Pope Innocent I (401-417) addressed to the Bishop of Gubbio:

"If the Priests of the Lord wish to preserve in their entirety the ecclesiastical institutions, as they were handed down by the blessed Apostles, let there be no diversity, no variety in Orders and Consecrations... Who cannot know, who would not notice that what was handed down to the Roman Church by Peter, the Prince of the Apostles, is preserved even until now and ought to be observed by all, and that nothing ought to be changed or introduced without this authority..."

As St. Bernard says, "it suffices for us not to wish to be better than our fathers."

OTHER REQUIREMENTS FOR VALIDITY

All that has been said so far being granted, it behooves us to ask just what is required for a sacrament to be valid. The Church's answer is usually given under several headings. There must be a proper minister - and where the minister is a priest, he must be validly ordained; the minister must have the proper intention; there must be proper "form" and "matter"; the recipient must be capable of receiving the sacrament. If any one of these are faulty or absent, the Sacrament is not effective. Each of these requirements will be considered sequentially.

THE MINISTER: For administering Baptism validly no special ordination is required. Any one, even a pagan, can baptize, providing that he use the proper matter and

^{1[15]} This principle is well expressed by the phrase that members of the teaching Church (the hierarchy) must first of all be members of the believing Church.

pronounce the words of the essential form with the intention of doing what the Church does or what Christ intended. However, only a Bishop, Priest, or in some cases a Deacon, can administer Baptism in a solemn manner.^{1[16]} In marriage the contracting parties are the ministers of the Sacrament, because they make the contract and the Sacrament is the contract raised by Christ to the dignity of a Sacrament.^{2[17]}

All the other Sacraments require a duly ordained minister by which term Catholics understand a priest.

INTENTION: The Minister must have the proper intention. That is, he must intend to do what the Church intends, or what Christ intends (which is in fact the same thing). Intention is usually seen as having both an external and internal aspect. The external intention is provided to the minister by the rite he uses and it is assumed that he intends what the rite intends. His internal intention is another matter and can never be known with certainty unless he exposes it or makes it known. The minister can, by withholding his internal intention, or having an internal intention that contradicts that of the rite, obviate or prevent the effect of a Sacrament. The Church, recognizing that it can never know the internal intention of the minister, assumes it is the same as his external intention, (the intention which the traditional rite provides by its very wording) unless he himself informs the Church otherwise.^{3[18]}

PROPER FORM AND MATTER: It is well known that the manner of administering the Sacraments was confided by Christ to His Church.

We know that Christ specified certain sacraments in a precise manner - *in specie* to use the theological term. Such is the case with both Baptism and the Eucharist. With regard to the other sacraments, it is generally held that He only specified their matter and form *in genere* - in a general way, leaving to the Apostles the care and power of determining them more precisely.

^{1[16]} In hospitals, nurses often baptize infants in danger of death. However, to baptize outside the case of necessity is to usurp a priestly function.

^{2[17]} Strictly speaking, the priest is the witness on the part of the Church to this contractual Sacrament. This is further confirmed by the fact that in countries or locations where a priest is not available for long periods of time, a couple can marry, and when the priest arrives, the marriage is "solemnized." Again, a valid Protestant marriage is not repeated when the parties become Catholic.

^{3[18]} There was a bishop in South America who was strongly prejudiced against ordaining "native" clergy. On his deathbed he confessed that when it came to native clergy he had always withheld his intention. The priest who heard his confession refused him absolution unless he gave permission for this fact to be exposed to the proper authorities. This permission was granted. All the native clergy involved were re-ordained. Such episodes are extremely rare in the history of the Church, and for obvious reasons not normally made public.

"Christ determined what special graces were to be conferred by means of external rites: for some Sacraments (e.g. Baptism, the Eucharist) He determined minutely (*in specie*) the matter and form: for others He determined only in a general way (*in genere*) that there should be an external ceremony, by which special graces were to be conferred, leaving to the Apostles or to the Church the power to determine whatever He had not determined - e.g., to prescribe the matter and form of the Sacraments of Confirmation and of Holy Orders."^{1[19]}

Now the Church has been around for a long time, and has long since determined the essential components of the Sacraments - almost certainly within the lifetime of the Apostles. These essentials are part of tradition and cannot be changed at will - not by any individual, not by a council, and not even by a pope. This principle was made clear by Leo XIII in his Bull *Apostolicae curae*:

The Church is forbidden to change, or even touch, the matter or form of any Sacrament. She may indeed change or abolish or introduce something in the non-essential rites or "ceremonial" parts to be used in the administration of the Sacraments, such as the processions, prayers or hymns, before or after the actual words of the form are recited..."

"It is well known that to the Church there belongs no right whatsoever to innovate anything on the substance of the Sacraments." (Pius X, *Ex quo nono*).

It [the Council of Trent] declares furthermore that this power has always been in the Church, that in the administration of the sacraments, ***without violating their substance***, she may determine or change whatever she may judge to be more expedient for the benefit of those who receive them..." (Session, XXI, Chapter 2, Council of Trent). The crux of the debate about "substance" revolves around the issue of "meaning." Thus, as we shall see, in some of the Sacraments, the form used varied over the centuries, and in the different (traditionally recognized) Churches. But providing the "meaning" of the form was not changed, the words used substantially carried the same import that Christ intended. This is clearly the teaching of St. Thomas:

"It is clear, if any substantial part of the sacramental form is suppressed, that the essential sense of the words is destroyed, and consequently the Sacrament is invalid" (*Summa III, Q. 60, Art. 8*).

Sacramental terminology can be confusing. "The substance of the form" refers to the words that convey its meaning. "The essential words of the form" are those words on which the substance depends. Theologians will argue about what the essential words are, but all agree on the need to maintain the integrity (i.e. the completeness) of the received forms.^{2[20]} Again, a form may contain the "essential words" but be invalidated by the addition of other words that change its meaning. As the *Missale Romanum* states, "if words are added which do not alter the meaning,

^{1[19]} See *Catholic Encyclopedia*, v. 13, p. 299.

^{2[20]} An illustration of this is the phrase "*Hoc est enim corpus meum*" (For this is my body) from the traditional Mass. The elimination of the word "for" (enim) would not change the meaning of the phrase. Hence it would not lead to a substantial change. It follows that "for" is not an "essential" word. The "integrity" of the form however requires that it be used, and the priest sins gravely if he intentionally fails to use it.

then the Sacrament is valid, but the celebrant commits a mortal sin in making such an addition" (*De Defectibus*).

THE RECIPIENT: The previous reception of Baptism (by water) is an essential condition for the valid reception of any other sacrament. In adults, the valid reception of any Sacrament apart from the Eucharist requires that they have the intention of receiving it. The Sacraments impose obligations and confer grace, and Christ does not wish to impose those obligations or confer grace without the consent of man. There are certain obvious impediments to reception of the Sacraments, such as the rule that women cannot be ordained. Finally, according to ecclesiastical law, a married person cannot receive ordination (in the Western Church), and a priest who has not been laicized cannot enter the state of Matrimony.^{1[21]} There are various impediments to priestly ordination for men such as age or blindness. Obviously, someone who is blind cannot say Mass without risk of spilling the consecrated species.

The reason the Sacrament of the Eucharist is excepted from this rule is that the Eucharist is always, and always remains, the Body of Christ, regardless of the state of the recipient.

In general, attention on the part of the recipient is not essential. Obviously inattention is disrespectful of the sacred and an intentional indulgence in "distractions" would involve a proportional sin. In Penance however, because the acts of the penitent - contrition, confession, and willingness to accept a penance in satisfaction are necessary to the efficacy of the rite, a sufficient degree of attention to allow for these is necessary.

Obviously, the recipient of a Sacrament would sin gravely if he received the sacrament (Penance apart) when not in a state of grace, or sin proportionally if he received them in a manner not approved by the Church.

Having enumerated these principles, we shall discuss some of the other Sacraments, with the obvious exception of the Holy Sacrifice of the Mass and the Eucharist which has been covered in a previous book.

^{1[21]} A widower can of course receive Holy Orders. Married individuals who have fulfilled their obligations to the state of marriage, may, with their wife's permission, by special dispensation, (and taking the vow of celibacy) receive Holy Orders. Similarly, older couples may, by mutual consent, both enter the religious state. The Eastern Church allows for married (non celibate) priests. Eleven of the Twelve Apostles were married. Cf. St. Paul's Epistle to Timothy, Chap. III, 1-7.

WHAT TO DO WHEN THERE IS DOUBT ABOUT A SACRAMENT

The Church, being a loving mother, desires and indeed requires, that the faithful never be in doubt about the validity of the sacraments. For a priest to offer doubtful Sacraments is clearly sacrilegious and where this doubt is shared by the faithful, they also are guilty of sacrilege. As Father Brey states in his introduction to Patrick Henry Omlor's book *Questioning the Validity of the Masses using the new All-English Canon*:

"*In practice*, the very raising of questions or doubts about the validity of a given manner of confecting a sacrament - if this question is based on an apparent defect of matter or form - would necessitate the strict abstention from use of that doubtful manner of performing the sacramental act, *until the doubts are resolved*. In confecting the Sacraments, all priests *are obliged* to follow the '*medium certum*.' - that is, "the safer course."^{1[22]}

Similarly, Father Henry Davis, S.J.:

"In conferring the Sacraments, as also in the consecration in Mass, it is never allowed to adopt a probable course of action as to validity and to abandon the safer course. The contrary was explicitly condemned by Pope Innocent XI [1670-1676]. To do so would be a grievous sin against religion, namely an act of irreverence towards what Christ Our Lord has instituted. It would be a grievous sin against charity, as the recipient would probably be deprived of the graces and effects of the sacrament. It would be a grievous sin against justice, as the recipient has a right to valid sacraments."^{2[23]}

POST-CONCILIAR CHANGES IN THE SACRAMENTS

It is well known that the post-Conciliar Church changed all the Sacraments. While the changes in the Mass were discussed in a previous book^{3[24]}, they will be briefly reviewed before proceeding to consider the changes in the other Sacraments that either affect the priesthood or depend upon the priesthood for their confection.

THE MASS The *Novus Ordo Missae* or new mass was promulgated on April 3, 1969, the Feast of the Jewish Passover. The traditional rite had been divided into two parts, "the Mass of the the Catechumens" and "the Mass of the Faithful." The new rite was also divided into two parts, "the Liturgy of the Word," and "the Liturgy of the Eucharist." This change was in itself significant, for the term "Word," which was traditionally applied to the Sacred Species - the

^{1[22]} Patrick Henry Omlor, *Questioning the Validity of the Masses using the New, All-English Canon*, Reno, Nevada: Athanasius, 1969

^{2[23]} Fr. Henry Davis, S.J., *Moral and Pastoral Theology* (London: Sheed and Ward, 1936) v. 2, p. 27.

^{3[24]} Rama Coomaraswamy, M.D., *The Problems with the New Mass*, TAN, 1990.

"Word made flesh," was now tied to the reading from Scripture. In similar fashion, the second part of the new rite stressed "Eucharist" which means thanksgiving - for indeed the new rite was merely a "sacrifice of praise and thanksgiving." All references to it being an immolative sacrifice "for the living and the dead" or the "unbloody representation of the sacrifice of the cross" have been deleted. The net result is a service which is in no way offensive to Protestants - and indeed, the Superior Consistory of the Church of the Augsburg Confession of Alsace and Lorraine, a major Lutheran authority, have publicly acknowledged their willingness to take part in the "Catholic eucharistic celebration" because it allows them "to use these new eucharistic prayers with which they felt at home." And why did they feel at home with them? Because they had "the advantage of giving a different interpretation to the theology of the Sacrifice."^{1[25]}

The net result then is a rite which is at best, dubiously Catholic. Closer examination tends to support the suspicion that it is indeed Protestant in outlook. Consider the definition initially given to the rite by Paul VI who is responsible for promulgating it with seemingly Apostolic authority:

"The Lord's Supper or Mass is the sacred assembly or congregation of the people of God gathered together, with a priest presiding, in order to celebrate the memorial of the Lord. For this reason Christ's promise applies supremely to such a local gathering together of the Church: "Where two or three are gathered in my name, there am I in their midst (Matt. 1:20)." (DOL. No. 1397^{2[26]})

The definition is extraordinary because it declares that Christ is no more present when the *Novus Ordo Missae* is said, then he is when I gather my children for evening prayers. Moreover, whereas in the traditional rite it is clearly the priest alone who celebrates, the above definition clearly implies that the function of the priest is only to "preside," and that the supposed confection of the sacrament is effected not by the priest, but by "the people of God." One has only to leave out the prepositional phrase "with a priest presiding," to see that the action is performed by the "assembly or congregation of the people of God gathered together."

So offensive was this definition that Paul VI found it necessary to revise it shortly after its promulgation. Its new form reads:

^{1[25]} In similar manner, many other Protestant and Anglican groups either use the *Novus Ordo Missae* or have brought their own rites into concordance with it.

^{2[26]} DOL refers to *Documents on the Liturgy, 1963-1979*, published by The Liturgical Press, Collegeville, Minn., 1982. This text provides official translations of the innumerable post-Conciliar documents related to liturgical matters. This definition is to be found in paragraph 7 of the *General Instruction* that accompanies the *Novus Ordo Missae*, an instruction which explains its meaning and the rubrics attached to it.

"At Mass or the Lord's Supper, the people of God are called together, with a priest presiding and acting in the person of Christ, to celebrate the memorial of the Lord or eucharistic sacrifice. For this reason Christ's promise applies supremely to such a local gathering together of the Church: "Where two or three are gathered in my name, there am I in their midst (Matt. 1:20)."

In changing the definition Paul VI was careful to point out that no doctrinal differences existed between this and the former definition, and that "the amendments were only a matter of style." The stylistic change is that the presiding priest is now acting in the person of Christ. However, his function is still that of "presiding"; it is still the "people of God" who are called together to celebrate the memorial of the Lord; and the parallel with evening family prayers is retained. True, we find the traditional phrase of the priest "acting in the person of Christ." But it should be remembered that a priest can act in the person of Christ in a variety of ways other than as a sacrificing priest (which is the essential and traditional understanding of the nature of the priesthood), as for example, when he teaches, exhorts, counsels or exorcises in the name of the Lord.^{1[27]} Does the priest in saying the *Novus Ordo* provide or perform any sacrifice other than that of "praise and thanksgiving" such as Protestants believe is appropriate to Sunday services? Nowhere in the *General Instruction* (or in the rite itself) is it made clear that such occurs. And indeed, as we shall see, all reference to the priest performing any sacrificial function (apart from praise and thanksgiving) has also been deleted from the new rites of ordination.^{2[28]}

^{1[27]} A further addition was made in the definition given in paragraph 7 of the new *General Instruction*. After the quotation from Matthew it added:

"For the celebration of Mass, which perpetuates the sacrifice of the cross, Christ is really present to the assembly gathered in his name; he is present in the person of the minister, in his own word, and indeed substantially and permanently present under the eucharistic elements."

Once again, there is nothing in these ambiguous phrases that would really offend a Protestant. Nowhere are we informed that the celebration involved is other than a memorial - and the very word "memorial," like the phrase "the Lord's Supper," is another 16th century Protestant Reformation term used to distinguish a Protestant service from the Catholic Mass. There is a very striking similarity between this new phraseology and the condemnation of the declaration of the Jansenist Pseudo-Synod of Pistoia which stated:

"After the consecration Christ is truly, really and substantially present beneath the appearances (of bread and wine), and the whole substance of the bread and wine has ceased to exist, leaving only the appearances."

This proposition was condemned by the Bull *Auctorem Fidei* as "pernicious, derogatory to the exposition of Catholic Truth about the dogma of transubstantiation, and favoring heretics." (Denzinger, 1529). The reason it was condemned is that "it entirely omits to make any mention of transubstantiation or the conversion of the entire substance of bread into the Body, and of the whole substance of wine into the Blood which the Council of Trent defined as an article of faith..."

And finally, this addition states that Christ is "really" present, as much in the assembly as in the priest and in His (Christ's) words. There is nothing within the "new" *General Instruction* to suggest to us that He is any more present in any other parties or "elements" than He is in the assembly of the people.

^{2[28]} Michael Davies assures us that we can ignore the General Introduction and be secure with the validity of the New Mass. This is just another example of his picking and choosing which magisterial documents he likes. What priest would ever ignore *De Defectibus* which discusses the rubrics of the traditional Mass.

Consideration of the other aspects of the new rite - the *Novus Ordo Missae* - tend to confirm its Protestant and non-sacrificial orientation. Consider the fact that the Words of Consecration are no longer called the "Words of Consecration," but only the "Words of Our Lord." While the point may seem minor, it raises the question of whether any consecration in fact occurs. Moreover these words are part of the "Institution of the Narration," (an entirely new phrase to Catholic theology). Nowhere is the priest instructed to say the words of Consecration "in the person of Christ." If one follows the rubrics of the *General Instruction* (such as obedience presumably requires), they are simply said as part of the history of what occurred at the Last Supper. Now, the traditional Church has always taught that when the words are read as part of a narrative - as occurs when one reads the Gospel - no Consecration occurs. The priest must say the words *in persona Christi*, as something happening "here and now," or the Sacred Species are not confectioned. Truly the new mass has changed the "immolative sacrifice" into a mere "memorial."

And what of the supposed "Words of Our Lord"? I say "supposed" because these words were also significantly changed by Paul VI. The words used by Our Lord at the Last Supper are well known - they have been handed down to us by Tradition since time immemorial. These words are not exactly the same as those found in the Gospel renditions and there was absolutely no justification for changing them to bring them into line with Scripture. (And even less for bringing them into line with the Lutheran service.) It should be remembered that the true Mass existed years before the first Scriptures were written down (and long before Luther came on the scene); one can assume that the Apostles took great care to use the exact words specified by our Lord at the "Last Supper" for the Consecration. (The twelve Apostles said Mass in slightly different ways, but always preserved these words with great care - and to this day in the 80 or more different traditional rites which have been in use in various parts of the world, preserve these words exactly.) But not only did Paul VI change the words of our Lord traditionally used in the Consecration formulas, he also altered them so that they no longer even conform to those found in Scripture. The Church has throughout the ages taught that Christ's Sacrifice on the Cross was sufficient to save all men, but that on our part it does not effectually save all, but only those that cooperate with grace. Thus it is that the traditional formula for Consecrations says "for you and for many."^{1[29]} However, the new rite insistently translates this phrase as "for you and for all," thus attacking the theological (and logical) principle that distinguishes sufficiency from efficiency and leading on to assume that as a result of the historical Sacrifice of the Cross, all men are saved. Such a change of meaning in the Consecratory formula attacks the "substance" of the rite and

^{1[29]} While the Latin *Multis* is preserved, in almost all the translations, the approval of which specifically rested with Paul VI, the word *multis* has been translated by all.

even taken in isolation - apart from the numerous other defects indicated - certainly renders it of dubious validity.

Such then are but two or three of the ways in which the Mass inherited from the Apostles has been altered. Space does not allow for a fuller discussion and the reader is referred to the author's *Problems with the New Mass* for a more detailed consideration. The primary intent of the present book is not to discuss the Mass, but rather the other Sacraments - namely Holy Orders and the Sacraments dependent upon it.

THE SACRAMENT OF ORDER

We shall consider Holy Orders first because it is that Sacrament by means of which priests are ordained, that is, given the "power" to say Mass and administer the other Sacraments pertinent to their function. It is said to imprint a "sacramental character" on the recipients that provides them with the special graces necessary for them to fulfill their high calling and to act "*in persona Christi*." Priests are ordained by bishops who are consecrated by other bishops going back in an "initiativ chain" to the Apostles, and hence it is through the "episcopacy" that the Apostolic Succession is passed on.^{1[30]} It follows that, if the ordination rite for bishops were in some way to be nullified and rendered invalid, priests ordained by them would not be priests, and all the other sacraments dependent upon this high estate would be rendered null and void.^{2[31]} In order to place the subject under consideration in a proper perspective it will be necessary to define the "Sacrament of Order," to determine whether the rite of episcopal consecration is a true Sacrament, to specify what is required for validity, and then to examine the new rite and see whether it "signifies the grace" which it is meant to effect, and "effects the grace" which it is meant to signify.

Considerable perplexity arises from the fact that while the Sacrament of Order is one, it is conferred in stages. In the Western Church these are divided into seven steps - the "Minor Orders" of acolyte, exorcist, lector and doorkeeper; and the "Major Orders" of the subdeaconate, deaconate and priesthood. Almost at once confusion enters the picture, for some of the ancient texts list six, others eight and nine. In the Greek Church, the rites of which are considered unquestionably valid, subdeacons are listed in the "minor" category. In all the Churches that recognize Orders as a Sacrament (The Protestants - which category includes Anglicans - do not) we find both Deacons and Priests are "ordained" and that the Episcopate or rank of Bishop is included under the heading of Priests; it is in fact called the "*summum sacerdotium*" or the "fullness of the priesthood." Higher ranks in the Church such as Archbishop,

^{1[30]} Apostolic Succession is to be distinguished from "Apostolicity." The Bishops are the spiritual descendents of the Apostles, and hence the Apostolic Succession is passed on through them. Apostolicity however is one of the qualities of the true Church, not only because it preserves the Apostolic Succession, but also because it teaches the same doctrines and uses the same rites that the Apostles did.

^{2[31]} The phrase "null and void" was used with regard to Anglican Orders by Pope Leo XIII.

Cardinal or Pope, are considered administrative and not Sacramental. Thus once a Pope is elected he is installed with appropriate ceremonies, but not with a sacramental rite.^{1[32]}

For the sake of completeness it should be noted that 1) An ordinand (an individual about to be ordained) to any order, automatically receives the graces pertaining to a lesser order. (This principle is called *per saltum*, or "by jumping"). Thus if an individual were consecrated to the priesthood without receiving the lesser orders, he would automatically receive all the power and graces that relate to the lesser orders, such as, for example exorcism. The post-Conciliar Church has abolished many of the minor orders, but if this Church validly ordains priests, then these priests automatically receive the powers that pertain to these lower and "abolished" orders. However, when it comes to Bishops, almost all theologians hold that they must already be ordained priests, lacking which the episcopal rite conveys nothing. The Church has never infallibly pronounced on this issue and contrary opinion - namely that the Episcopal rite automatically confers on the recipient the character of priestly orders - exists.^{2[33]} So critical is the Apostolic Succession that it is the customary practice of the Church to ordain a bishop with three other bishops. The rule is not absolute, for validity only requires one, and innumerable examples of where this custom has been by-passed can be given.

It is of interest that many traditional theologians have questioned whether the elevation of a Priest to the rank of Bishop is a sacramental or juridical act. The point is important because 1) it implies that an ordinary priest has the ability (not the right) to ordain (make other priests), and because 2), if the episcopal rite involves no "imprinting of a sacramental character," the question of validity can hardly arise. However, in so far as the ordination of Bishops has a "form" and a "matter," the greater majority hold that it is in fact a Sacrament - or rather that it is the completion of the Sacrament of Orders and confers upon the ordinand the "Fullness of priestly powers" and functions. Leo XIII clearly taught that such was the case. To quote him directly: "the episcopate, by Christ's institution, belongs most truly to the Sacrament of Order and is the priesthood in the highest degree; it is what the holy Fathers and our own liturgical usage call the high priesthood, the summit of the sacred ministry" (*Apostolicae curae*).

^{1[32]} Sacramentally speaking there is no higher rank than that of Bishop. Such a statement in no way denies or repudiates the teaching of the Church on the Primacy of Peter.

^{2[33]} Cardinal Gasparri in *De Sacra Ordinatione*, and Lennertz in his *De Sacramento Ordinis* both hold that the recipient of Episcopal Orders automatically receives - if he does not already have it - the powers of the priesthood. It is difficult to see why this should not be the case since he receives the *summum Sacerdotium* or fullness of the priesthood. The issue is discussed in *Anglican Orders and Defect of Intention* by Francis Clark, S.J. (subsequently laicized) Longmans, Green: London, 1956.

DISTINCTIONS BETWEEN THE PRIEST AND THE BISHOP

In the traditional ordination rite of the priest, the Bishop instructs him that his function is "to offer sacrifice, to bless, to guide, to preach and to baptize." (In the post-Conciliar rite this instruction has been deleted and the priest is consecrated to "celebrate" the liturgy which of course means the *Novus Ordo Missae*.^{1[34]}) Such an instruction is not all-inclusive, for it mentions nothing of the power of absolution - its intent being to specify the principal functions of the priest. The power to absolve is however clearly specified in other parts of the traditional rite. (Again, the post-Conciliar rite has abolished the prayer that specifies this power.)

Bishops however have certain powers over and beyond those of priests. According to the Council of Trent, "Bishops, who have succeeded to the position of the Apostles, belong especially to the hierarchical order; they are set up, as the same Apostle [St. Paul] says, by the Holy Ghost to rule the Church of God; they are superior to priests, and can confer the Sacrament of Confirmation, ordain ministers of the Church, and do several other functions which the rest who are of an inferior order have no power to perform" (*Denz.* 960). Again, the seventh canon on the Sacrament of Orders states: "if anyone says the bishops are not superior to priests, or have not the power of confirming and ordaining, or have that power but hold it in common with priests... let him be anathema" (*Denz.* 967).

However, as Father Bligh states in his study on the history of Ordination: "from the practice of the Church it is quite certain that a simple priest can in certain circumstances (now not at all rare) administer Confirmation validly, and it is almost certain that with Papal authorization he can validly ordain even to the diaconate and priesthood. The Decree for the Armenians drawn up by the Council of Florence in 1439 says that the Bishop is the **ordinary** minister of Confirmation and the **ordinary** minister of Ordination - which would seem to imply that in extraordinary circumstances the minister of either Sacrament can be a priest. Since the decree *Spiritus Sancti Munera* of 14 September 1946, it has been the common law in the Latin Church that all parish priests may confer the sacrament of Confirmation on their subjects in danger of death. And there exist four Papal Bulls of the fifteenth century which empowered Abbots, who were not Bishops, but simple priests, to ordain their subjects to Sacred Orders; two

^{1[34]} Those who would question this statement would do well to read the Vatican Instruction entitled *Doctrina et exemplo* on The Liturgical Formation of Future Priests (*Documents on the Liturgy*, No. 332, The Liturgical Press, Collegeville, Minn.) They will find no recommendation that seminarians be taught anything about the Sacrificial nature of their function or about the Real Presence.

of them explicitly give powers to ordain "even to the priesthood."^{1[35]} Some have held that such ordinations were invalid because the popes were acting "under duress," but the fact remains that, at least with regard to the Deaconate, these powers were exercised for centuries without papal objection. In the Greek and other "Eastern Churches," the priest is the ordinary minister of Confirmation and the Bishop is the Ordinary minister of Ordination.^{2[36]}

Canon Law (1917) states that "the ordinary minister of sacred ordination is a consecrated bishop; the extraordinary minister is one, who, though without episcopal character, has received either by law or by a special indult from the Holy See power to confer some orders" (CIC 782 and 951). Now the term "extraordinary" minister is important, for it is commonly used with regard to the priest who administers the Sacrament of Confirmation; in the post-Conciliar Church it is used to describe lay-persons who distribute the bread and wine. And so it seems necessary to conclude that a simple priest can, by Apostolic indult, be given certain powers, or, since no additional ceremony is involved, the right to exercise certain powers that normally are not considered appropriate to his status. One could draw a parallel with the Sacrament of Baptism which is normally administered by a priest, but which under certain circumstances can be administered by any Catholic.

How are we to resolve these seeming conflicts? One solution is to consider the right of conferring Orders as juridical. When Pope Pius XII gave permission for parish priests to become extraordinary ministers of Confirmation, he did not confer this power by means of a sacramental rite, but through the a mandate. Thus, one could hold that by his ordination every priest receives the power to confirm and ordain, but cannot utilize these powers without papal authorization. As Father Bligh says, "by his ordination to the priesthood a man receives no power whatever to confirm or ordain..." He, however, is stamped with an indelible character so that "he is a fit person to whom episcopal or Papal authority can communicate power when it seems good."

On the assumption that the matter is jurisdictional, several questions can be raised. Did Christ Our Lord Himself lay down the rule that in normal - or perhaps all - circumstances, only bishops should confirm and ordain? Was this rule laid down by the Apostles in virtue of the authority they received from Christ? Is the rule sub-Apostolic, which would make it part of

^{1[35]} John Bligh, S.J., *Ordination to the Priesthood*, New York: Sheed and Ward, 1956.

^{2[36]} It is of interest that during the present century 12 priests of the Russian Orthodox Church, not wishing to be under state approved (KGB) Bishops, gathered together and ordained a priest.

ecclesiastical law rather than revelation? Further, the necessity for the papal indult can be conceived of as arising either from an ecclesiastical law restricting the priest's valid use of his power, or from a divine law requiring that a priest who exercises these powers must receive a special authority or some kind of jurisdiction from the Pope. The Council of Trent deliberately left the answer to these questions open and undecided. In its sixth Canon on the Sacrament of Order it simply states:

"If anyone says that in the Catholic Church there is not a hierarchy, instituted by divine ordination and consisting of bishops, priests and deacons, let him be anathema."

Before adopting the phrase "by divine ordination" the Council considered the phrases "by divine institution" and "by a special divine ordination," but rejected them because it did not wish to decide the question.

Reference to the practice of the early Church suggests that normally all the Sacraments were administered either by the Bishop or by priests explicitly delegated by the Bishops. Blich quotes De Puniet as saying that priests in Apostolic times administered the churches under the direction of the Apostles and almost certainly enjoyed the fullness of sacerdotal powers which included the power of ordination. St. Jerome taught that the priest at his ordination received the power to ordain, which power was immediately restricted ecclesiastically. Even in mediaeval times, after the bishops ordained a priest, the other clergy present would place their hands on the head of the ordinands (the "matter" of the rite) and repeat the consecratory prayer - thus acting as "concelebrants." In current traditional practice the priests bless the ordinands by placing their hands on their heads, but they no longer repeat the consecratory form. The point is important for under such circumstances it is clearly only the bishop who ordains. The post-Conciliar Church retains this practice.

IS THE BISHOP ORDAINED OR CONSECRATED?

The question as posed is illegitimate, for Pius XII uses both terms interchangeably in his *Sacramentum Ordinis*.^{1[37]} The real issue is whether or not the raising of a priest to the rank of Bishop involves a sacramental act or an administrative decision. According to the Catholic Encyclopedia (1908) "most of the older scholastics were of the opinion that the episcopate is not a Sacrament; this opinion finds able defenders even now (e.g. Billot's *De Sacramentis*), though the

^{1[37]} Pius XII, *Sacramentum Ordinis*, Acta Apostolicae Sedis, January 28, 1948

majority of theologians hold it as certain that the Bishop's ordination is a Sacrament."^{1[38]} Whatever the answer, two points are clear: 1) the Council of Trent defines that Bishops belong to a divinely instituted hierarchy, that they are superior to priests, and that they have the power of Confirming and Ordaining which is proper to them" (Sess. XXIII, c. iv, can. 6 & 7). 2) Leo XIII, as already noted, clearly teaches that the episcopate "belongs most truly to the Sacrament of Order," and Pius XII, in defining both the Matter and Form to be used in the rite, implicitly teaches that it is, indeed, a sacramental act. The position taken in this paper is that, while the issue as to whether a simple priest receives the power (not the right) to ordain remains open, the Episcopate remains part of the Sacrament of Order. Despite the fact that the power to ordain is a lesser power than that of offering the propitiatory Sacrifice for the living and the dead (i.e, the Holy Mass), and despite the fact that the priest may indeed already have this power, one can certainly hold that special graces are required of a Bishop to properly perform his functions, and that these graces are transferred to him by means of a sacramental act. It is thus that the Bishop receives within this Sacrament what is called the "*summum sacerdotium*" or the "*fullness of the priesthood*." Again, it should be stressed that in the ordination of priests, regardless of earlier practice, both in the traditional and the post-Conciliar practice, it is only the Bishop who repeats both the matter and the form. Consequently, when a Bishop ordains, the "validity " of his own orders and of his sacramental act remains not only essential, but critical.

A BRIEF HISTORY OF THE SACRAMENTAL RITE OF ORDINATION

The rites used for Ordination are to be found in the *Pontifical*, a book that contains all the rites and ceremonies that are normally reserved to Bishops. Such was not always the case, for the first time we find reference to Pontificals as such is around the year 950 A.D.

Prior to that time, however, ordination rites existed and were to be found in various collections under a variety of different titles. One of the earliest of such collections still extant is that compiled in Rome by the schismatic anti-Pope Hippolytus - about the year 217 - and it is essentially from this source that Paul VI derived the new post-Conciliar rite of episcopal ordination.^{2[39]} Next in time are the three famous "sacramentaries" of the Roman Church, called the Leonine (Pope St. Leo died in 461), the Gelasian (Pope St. Gelasius died 496) and the Gregorian (Pope St. Gregory the Great died in 604). These collections of ceremonies include ordination rites. The last was revised and introduced into the Carolingian Empire during the eighth century; it was subsequently further revised and eventually became the

^{1[38]} Section on "Orders," *The Catholic Encyclopedia*, New York: Appelton, 1911,(Vol. XI).

^{2[39]} Hippolytus was a schismatic bishop at the time that he compiled this text. Subsequently he was reconciled and died a Martyr. His situation and the nature of this text is discussed in greater detail below. The reader is reminded that prior to the later part of the fourth century, the Church was under persecution. Documentations during this era are, as a result, sparse.

Pontifical, a title that as such dates from 954. In the thirteenth century the celebrated canonist Guillaume Durand once again revised the text and this in turn was the basis of the first printed Pontifical which was issued in 1485. With the advent of printing, greater uniformity throughout Christendom became possible and Pope Innocent VII formally recommended the use of this text to all the churches in communion with Rome. Now, presumably St. Leo did not himself create the ordination rite found in his sacramentary - but rather wrote down the practice of the Church as he received it. No significant change in the rites of the western Church occurred between the time of St. Leo (461) and 1968.

THE ESSENTIAL ASPECTS OF THE ORDINATION RITES

In the sixth chapter of the Acts, the disciples, at the bidding of the Apostles, chose seven deacons. "These were set before the Apostles; and they praying, imposed hands upon them." The two elements discernible in this unique description of the Apostolic rite, that is, the outward gesture of imposing hands and the recitation of a prayer, form the substance of the rite of ordination.^{1[40]}

Prior to the twelfth century liturgical and theological writers did not concern themselves with determining the precise moment of ordination or the exact words required for validity. They were inspired with the principle of retaining intact all that had been handed down to them, though they did not hesitate at times to elaborate the rites further with appropriate additions. They were doubtless satisfied with the knowledge that the whole rite properly performed conferred the priesthood. However, when one reads their explanations of the symbolism involved in the rites, one can conclude that they had opinions about what was essential as opposed to what was ceremonial - thus some thought that the sacrament was conferred by the imposition of hands on the ordinand's head, while others considered that it occurred when the bishop anointed the hands or gave the newly ordained priest the paten and chalice - the so-called "tradition of instruments."^{2[41]}

As noted above, it was William of Auxere or St. Albert the Great who introduced the Aristotelian terminology of "matter" and "form" into the discussion, a pattern followed by St. Thomas Aquinas, St. Bonaventura and all subsequent writers. Yet these individuals had differing opinions as to just what constituted proper matter and form. Once again, it should be stressed however that they accepted without question the traditional rites of the Church handed down from

^{1[40]} Walter B. Clancy, *The Rites and Ceremonies of Sacred Ordination*, (A Historical Conspectus and a Canonical commentary), The Catholic University of America, Washington, D.C., 1962.

^{2[41]} "Tradition" in this context means "passing on" or "handing over."

time immemorial. They also recognized that these rites, like the Mass itself, had undergone certain changes in the way of appropriate additions (but not deletions) over the centuries. Thus for example, the tapping of the shoulder of the Deacon with the Scriptures could not have occurred prior to the Scriptures having been written, and this occurred years to decades after the death of our Lord. Again, the "tradition of instruments" was added to the rite some time after the fourth century and is not even mentioned in any ritual composed before 900 A.D. One must logically assume that the essential form and matter remained unchanged from the time of the Apostles who ordained the first Deacons and Priests. Appropriate additions, unlike deletions, do not affect validity.

DETERMINING THE "SUBSTANCE" OF THE SACRAMENTAL FORM

As noted above, the form and matter of Holy Orders were not among those given *in specie*, or precise detail, by Our Lord. These being established by the Apostles, the Church was free to change the words of the form, providing she retained their "substantial" nature as specified by Christ or the Apostles.

The first "semi-official" pronouncement by the Church on the issue of the necessary "form" is to be found in the Decree for the Armenians promulgated in 1439:

"The sixth Sacrament is that of Order; its matter is that by giving of which the Order is conferred: thus the priesthood is conferred by giving the chalice with wine and of a paten with bread... The form of the priesthood is as follows: "Receive power to offer sacrifice in the Church for the living and the dead, in the name of the Father and the Son and the Holy Ghost."

This statement reflected the opinion of St. Thomas Aquinas and the shared common practice of the Roman and Armenian churches. It was however never considered as definitive. For one thing, the Greeks, the validity of whose Orders has never been questioned, do not practice the "tradition of instruments." For another, historical studies demonstrate that this practice was introduced sometime after the fourth century. Thus it is that the Fathers at the Council of Trent left the issue open and deliberately avoided defining either the matter or form of this sacrament.^{1[42]}

^{1[42]} As Pope Pius XII pointed out in his *Sacramentum Ordinis*, the Church at the Council of Florence did not demand that the Greek Church adopt the tradition of the instruments. Hence it followed that the Decree to the Armenians was not meant to define the tradition of the instruments as being substantial to the rite for ordaining priests. St Alphonsus and Pope Benedict XIV were of the opinion that Eugene IV did not intend to determine the essential matter of the sacrament but desired simply to present a practical instruction to the Armenian Church concerning the use of the delivery of the instruments, and in no way sought to settle the question. (Clancy, op. cit., #32) Father P. Pourrat comments: "The *Decretum ad Armenos* is the official document of the Church, that treats of the binary composition of the sacramental rite. It was, as we know, added to the decrees of the Council of Florence; yet it has not the value of a conciliar *definition* (Father Pourrat's italics). It is "merely a practical instruction" intended for the United Armenians, and not for the

EVENTS DURING THE REFORMATION

Luther and those that followed after him, clearly denied that the Mass was an immolative Sacrifice, and among other things, propitiatory for the living and the dead. If such is the case, it follows that there is no need for a priesthood. Hence it is that Protestants deny that Holy Orders and the rites that flow from Orders are in fact sacraments at all. (They only accept Baptism and Marriage as such.) However the reformers faced a serious problem. The laity were unwilling to accept as religious leaders individuals who were not in some way consecrated, and in whom they did not see the character of their familiar priests.^{1[43]} As a result, the reformers devised new rites aimed at incorporating their new and heterodox theology, but clothed them in the outward forms familiar to the people. In essence they did this by changing the form of the Sacrament, and by deleting any statements in the accompanying rites (what theologians call "*significatio ex adjunctis*") that specified special powers and graces such as were pertinent to the priesthood or episcopacy.

In England, Cranmer (strongly influenced by both Luther and Calvin) was the individual who master-minded the changes during the reigns of Henry VIII and Edward VI - changes incorporated into the Anglican Ordinal.^{2[44]} During this period innumerable "presbyters" and "bishops" were "ordained" with rites aimed at voiding the Catholic understanding of their function.^{3[45]} Shortly after this first apostasy of the English realm the true faith was restored under Catholic Queen Mary. Almost at once the problem of the validity of these Cranmerian ordinations came into question.

In June of 1555 Pope Paul IV issued the Bull *Praeclara carissimi*, in which he stated that anyone ordained a Bishop who was not "*rite et recte ordinatus*" (properly and correctly ordained) was to be ordained again. He further clarified this statement in another Brief entitled *Regimini universalis* (issued October 1555) in which he stated "*eos tantum episcopos et archiepiscopos qui non in forma ecclesiae ordinati et consecrati fuerunt, rite et recte ordinatos dici*

whole Church. Hence, although the decree is worthy of great regard, still it does not impose itself on our faith." (*Theology of the Sacraments*, St. Louis: B. Herder, 1914, p. 51.) Also Cf. section on Orders in *The Catholic Encyclopedia*, op. cit.

^{1[43]} It is never the common people - the laity - who desire changes. On the contrary, the majority of people prefer the security of stability, especially in religious matters. And in fact, it is virtually impossible for the laity to have wished for changes in the Sacrament of Orders in so far as their use was restricted to those in religion.

^{2[44]} The Episcopalians use this ordinal. Prior to the American Revolution they were American Anglicans. However, the Anglican Church recognizes the King or Queen of England as the head of their church and such would have been inappropriate in America after 1776. Doctrinally however they are virtually the same ecclesiastical body. Thus for example, Episcopalians adhere to the same "39 articles" which among other things deny that the Mass is an immolative Sacrifice, or that the priesthood is a sacrament.

^{3[45]} The Reformers "loved" the term *presbyter* which literally translated from the Latin meant "elder." This allowed them to use a Latin word meaning priest in an altered sense in English. (The early Church avoided using the term *sacerdos* or priest because of confusion with the pagan priesthood that might result.)

non posse (Anyone ordained to the rank of bishops or archbishops by rites other than those used by the Church are not properly and correctly ordained.") To be properly and correctly ordained it was necessary to use the "customary form of the Church." In accord with the traditional practice of the Church, the fact that rites were performed by schismatics did not invalidate them. Where doubt existed conditional re-ordination was required.

This practice of the Church did nothing to solve the issue of what was correct form and matter, and what has to be understood is that the theologians of that period were not concerned with determining the matter and the form, but with assuring themselves that the entire rite of the Church be used with the proper intention on the part of the officiating consecrator. But it was also a period when the number of Protestant sects was growing by leaps and bounds, and with them the number of rites containing major and minor changes. As in the Mass, minor changes did not necessarily invalidate the rite or even make it depart from what was considered customary form.

To make matters worse, affairs in the Anglican Church later took a conservative turn. After the reign of Queen Elizabeth the Puritans with their anti-sacramentarian attitudes gained increasing control. But in 1662 under Archbishop Laud, there was a reaction in the opposite direction which resulted in the creation of a "High Anglican" party that Romanized much of the Anglican liturgy while firmly retaining her reformist principles. Words were added to the consecratory forms of Orders to bring them closer to Catholic practice - specifically the term "priest" and "bishop" were introduced into their formulas and the claim put forth that the Anglican body was, like the Greek Church, separate but "orthodox." The "branch theory" was born and they claimed the status of a "sister Church." Regardless of the words used however, the adherence to Protestant theology (Anglicans still had to adhere to the "39 Articles.") left these rites with at least a defect of intention.^{1[46]} And so the debates went on as to what was proper form and matter, and

^{1[46]} For the sake of completeness the form in the Edwardine Ordinal for the Anglican Priesthood is:

"Receive the holy ghost: whose synnes thou doest forgeue, they are forgeuen: and whose synnes thou doest retayne, they are retayned: and bee thou a faithful dispensor of the word of God, and of his holy Sacraments. In the name of the father and the sonne and the holy ghost. Amen." This was changed in 1662 to: "Receive the Holy Ghost for the office and work of a Priest in the Church of God, now committed unto thee by the imposition of hands. Whose sins thou dost forgive etc."

For the Episcopate: "Take the Holy Goste, and remember that thou stirre up the grace of God, which is in thee, by imposition of hands: for God hath not geuen us the spirite of feare, but of power and loue and of sobernesse." This was altered in 1662 to:

"Receive the Holy Ghost for the office and work of a Bishop in the Church of God, now committed unto thee by the imposition of hands; In the name of the Father, and the Son, and the Holy Ghost. And remember that thou stir up etc." Several theologians have stated their opinion that the 1662 forms would be valid "if used in a Catholic setting or in orthodox circumstances." (*Why are Anglican (Episcopalian) Orders Invalid?* by Ref. M.D. Forrest, M.S.C. St. Paul, Minn.: Father Rumble and Carty's Radio Replies Press.)

what constituted the essential words required to confer the priestly and/or episcopal character on ordinands.

A Sacrament must by definition be an "outward sign of inward grace instituted by Christ for our sanctification" (Catechism of the Council of Trent.) As Leo XIII stated in his *Apostolicae curiae*, "all know that the Sacraments of the New Law, as sensible and efficient signs of invisible grace, ought both to signify the grace which they effect, and effect the grace which they signify. Although the signification ought to be found in the essential rite, that is to say, in the 'matter' and 'form,' it still pertains chiefly to the 'form' since the 'matter' is the part which is not determined by itself but which is determined by the 'form.'" (One can illustrate this with Baptism where the matter is water and the form is "I baptize you in the Name of the Father and of the Son and of the Holy Ghost.") The "form" is then of paramount importance and it is primarily this which we will concern ourselves in what follows.

THE WORK OF FATHER JEAN MORAN

By the middle of the 17th century, both as a result of printing and the increase in international travel, scholars became familiar with the ordination rites in use throughout the world. In 1665, Jean Moran, a French Roman Catholic theologian, published a work in which he set out a large collection of ordination rites of both the Eastern and Western Churches. Following the principle that the matter and form must be something which was held in common by all these valid rites, he concluded that for matter what was required was the imposition of hands,^{1[47]} and that all the forms agreed in requiring that the office conferred must be specified. To quote him directly:

"Let Protestants search all Catholic rituals not only of the West, but of the East; they will not find any one form of consecrating Bishops (or priests), that hath not the word Bishop (or priest) in it, or some others expressing the particular authority, the power of a Bishop (or priest) distinct from all other degrees of holy orders."

This of course was a private opinion and theologians continued to debate as to whether it was sufficient that the office conferred be mentioned in the other parts of the rite - the so-called principle of "*significatio ex adjunctis*." Further, as already mentioned, Protestant sects

^{1[47]} Because the matter has become a contended issue in recent time, it should be noted that while usual practice involves the extension of both hands, it suffices if only one is extended over the head of the ordinand. Cf. Discussion in *Dictionnaire de la Théologie Catholique*, Letouzey: Paris.

who had in earlier times avoided the word "priest" like the plague, began to re-introduce the word "priest" within the context of their rites - understanding by the term "priest," not a "sacrificing priest," but an individual elected by the community to preach the Word of God. In a similar manner they re-introduced the term "Bishop" - but understood in a purely juridical or administrative sense and often translated as "overseer." This particular issue - namely, the need to mention the office of the ordinand within the "form" - was seemingly settled by Leo XIII's *Apostolicae curae* which criticized the Anglican form prior to 1662 for lacking this specification, and criticized the Anglican form after 1662 for using the terms priest and bishop in other than the Catholic sense.

THE DEFINITION OF PIUS XII

As a result of the work of Jean Moran, Catholic theologians shifted the grounds of their objection to Protestant ordination rites. Two things became clear: 1) the fact that they had no "tradition of the instruments" could no longer be said to invalidate them, and 2) **the prayer "Accept the Holy Ghost" which the Anglicans used in their episcopal ordinations and which they claimed transferred the sacramental power, was not universally used, and hence could not be said to constitute an essential part of the rite.** (This sentence is highlighted for later reference.) Debate on the issue of the "form" continued until 1947 when Pius XII determined for all future times just what the matter and the form for the Sacrament of Order was.

His definition is to be found in the Decree *Sacramentum Ordinis*,^{1[48]} which document has, according to such renowned theologians as J.M. Hervé and Felix Capello, all the characteristics of an infallible definition.^{2[49]} According to Father Bligh, "its purpose was not speculative... but practical." The rite itself was in no way changed, and indeed, Pius XII insisted that it should not be. His aim was "to put an end to scruples about the validity of Orders received by priests who felt that some possibly essential part of the long and complicated rite had not been

^{1[48]} Pius XII, *Sacramentum Ordinis*, Acta Apostolicae Sedis, January 28, 1948.

^{2[49]} Hervé, J.M., *Man. theol Dog.*, Tom. iv, ed nova A Orentino Larnicol C.S. Sp. Recognita, 1962: "*Atque Pius XII, in Const. Apostl. "Sacramentum Ordinis," ut omnino videtur, loquitur ut Pator et Doctor Supremus, et vere definit doctrinam de fide vel moribus (doctrinam de essentia sacramenti Ordinis, quae intime connectitur cum aliis veritatibus revelatis), ab universa Ecclesia tenendum.*" Similarly, Mgr. G.D. Smith argues that when the Church defines what is and what is not sufficient to confer a Sacrament, such decisions involve an implied infallibility. (*The church and her Sacraments*, in *Clergy Review*, April 1950, and referred to by Father Francis Clark in his *Anglican Orders and Defect in Intention*, op. cit. above). Father Clancy (op. cit., #32) gives many other authorities that concur in this opinion. to quote Francisco Miranda Vincente, Auxiliary Bishop of Toledo: "This Apostolic Constitution is a true and solemn dogmatic declaration, and at the same time, as the terms used in the fourth and fifth point indicate, it is a doctrinal and disciplinary decree."

properly performed in their cases." For the future it intended "to remove all disputes and controversy: the character, graces and powers of the sacrament are all conferred simultaneously by the imposition of hands and the words *Da quaesumus...* the other ceremonies - the vesting, anointing, tradition of instruments and second imposition of hands - do not effect what they signify; they signify in detail what has already been effected by the matter and the form."

FORM AND ESSENTIAL WORDS FOR ORDAINING PRIESTS (PIUS XII)

Pius XII stated that "the form consists of the words of the 'Preface,' of which these are essential and required for validity":

"Da, quaesumus, omnipotens Pater, in hos famulos tuos presbyterii dignitatem. Innova in visceribus eorum spiritum sanctitatis, ut acceptum a te, Deus, secundi meriti munus obtineant; censuramque morum exemplo suae conversationis insinuent." (Grant, we beseech Thee, Almighty Father, to these Thy servants, the dignity of the priesthood; renew the spirit of holiness within them so that they may obtain the office of the second rank received from Thee, O God, and may, by the example of their lives inculcate the pattern of holy living).

Similarly, in the ordination of bishops, the same infallible document states that "the form consists of the words of the Preface of which the following are essential and therefore necessary for validity":

"Comple in sacerdote tuo ministerii tui summum, et ornamentis totius glorificationis instructum coelestis unguenti rore sanctifica" (Fill up in Thy priest the perfection (summum can also be translated "fullness") of Thy ministry and sanctify him with the dew of Thy heavenly ointment, this thy servant decked out with the ornaments of all beauty).

It should be stressed that Pius XII in no way changed the rite - indeed, he stressed that the rite was to remain intact. At the end of the document he states:

"We teach, declare, and determine this, all persons notwithstanding, no matter what special dignity they may have, and consequently we wish and order such in the Roman Pontifical... No one therefore is allowed to infringe upon this Constitution given by us, nor should anyone dare to have the audacity to contradict it..."

THE PROBLEM OF SIGNIFICATIO EX ADJUNCTIS

According to the majority of theologians, "Catholic theology teaches that if a properly constituted minister of a Sacrament uses due matter and form, with at least the minimum personal intention necessary, his sacrament is valid, even if he adheres to a sect which is openly

heretical."^{1[50]} Now if this is the case, it would seem that the remainder of the rite - the so-called "ceremonial" part - is not essential for validity. (As has been pointed out elsewhere, a priest who uses these criteria within a non-Catholic rite is guilty of sacrilege, but sacrilege as such does not necessarily invalidate the Sacrament.)

Despite this principle, Pope Leo XIII taught that the revised 1662 form of Anglican Orders is invalid (among other reasons) because the terms "priest" and "bishop" mean vastly different things to Anglicans than they do to Catholics. This, he said, is made clear from the other parts of the Anglican rite which deliberately delete every reference to the sacrificial nature of these exalted states. To quote him directly:

"In the whole [Anglican] ordinal not only is there no clear mention of the sacrifice, of consecration, of the priesthood (sacerdotium), and of the power of consecrating and offering sacrifice, but, as We have just stated, every trace of these things which had been in such prayers of the Catholic rite as they had not only entirely rejected, was deliberately removed and struck out..."(*Apostolicae curae*).

In the traditional Catholic rite innumerable references make it clear that the primary function of the priest is to offer the Sacrifice; his other functions are also delineated. (So also with the Bishop.) The fact that other parts of the rite make the meaning of the form quite clear is termed *significatio ex adjunctis*. It would seem that while a positive *significatio ex adjunctis* may not be essential for validity, a negative one - as for example when every reference to the sacrificial nature of the priesthood is deliberately omitted - may invalidate the form.^{2[51]}

THE POST-CONCILIAR RITE FOR ORDAINING PRIESTS

^{1[50]} Francis Clark S.J., *Les ordinations anglicaines, problème oecumenique*, Gregorianum, vol. 45, 1964. In essence, his address to the Fathers at Vatican II on this topic. See also his review of Michael Davies,' *The Order of Melchisedech*.

^{2[51]} The importance of *significatio ex adjunctis* is a confusing issue in so far as the Church teaches that "form, matter, valid orders and intention are all that are required for validity of the sacraments" (Council of Florence). Clearly, for a priest to fulfill these criteria in an inappropriate setting (as for example, a Satanic Mass), however sacrilegious, is possible. With regard to Anglican Orders, Leo XIII discussed the importance of the defects of the rite surrounding the form, but left the issue confused. As Francis Clark, S.J. points out, theologians have given seven different interpretations to his words (*Anglican Orders and Defect of Intention*). Francis Clark defines *significatio ex adjunctis* in the following terms: "the sacramental signification of an ordination rite is not necessarily limited to one phrase or formula, but can be clearly conveyed from many parts of the rite. These other parts could thus contribute, either individually or in combination, to determining the sacramental meaning of the operative formula in an unambiguous sense. Thus the wording of an ordination form, even if not specifically determinate in itself, can be given the required determination from its setting (*ex adjunctis*), that is, from the other prayers and actions of the rite, or even from the connotation of the ceremony as a whole in the religious context of the age" (*The Catholic Church and Anglican Orders*, CTS, 1962, quoted by Michael Davies in his *Order of Melchisedech*). The term "negative" *significatio ex adjunctis* is not hallowed by theological usage and is a phrase of convenience. Francis Clark lays great stress on this concept without using the term - cf. his *Anglican Orders and Defect of Intention*, op. cit. A clearer way of demonstrating negative *significatio ex adjunctis* is the following: a priest saying the proper words of Consecration in the Mass follows them with a statement or intention that negated the meaning of those words. The deliberate removal of all references to the sacrificial nature of the priesthood (or of ordaining for bishops) in the Anglican ordinal is equivalent to denying the purpose for which a man is ordained.

The issue of *significatio ex adjunctis* becomes critical in evaluating the validity of the post-Conciliar rite for ordaining priests. Like its Anglican prototype, the new Latin "form" contains the word "priest," but like its Anglican prototype, the remainder of the new rite fails to specify the sacrificial nature of the priesthood.^{1[52]} Thus it would appear to suffer from precisely the same defects that Leo XIII pointed to in the Anglican rite. It is interesting to consider Michael Davies' assessment of the new rite.^{2[53]}

"Pope Paul VI promulgated the new ordination rites for deacon, priest and bishop with his Apostolic Constitution *Pontificalis Romani recognitio* of 18 June 1968. Where the rite for ordaining a priest is concerned, the first point to make is that the matter and essential form designated by Pius XII in *Sacramentum Ordinis* remain unchanged. [This is not strictly speaking true as the next section points out. Ed.] this is a point in favour of the new rite. It is the only point in its favour. The traditional rite of ordination has been remodeled 'in the most drastic manner,' and following Cranmer's example, this has been achieved principally by the subtraction of 'prayers and ceremonies in previous use,' prayers and ceremonies which gave explicit sacerdotal signification to the indeterminate formula specified by Pius XII as the essential form. This formula does indeed state that the candidates for ordination are to be elevated to the priesthood - but so does the Anglican. Within the context of the traditional Roman Pontifical there was not the least suspicion of ambiguity - within the new rite there most certainly is. While the new rite in no way suggests that it is not intended to ordain sacrificing priests, where (and if) it does refer to the sacrifice of the Mass it does so in muted tones, and with considerable stress is laid on the ministry of the Word - a change in emphasis well calculated to please the Protestants... Cranmer's reform has been followed not simply in the composition of the new Ordinal, denuded of almost every mandatory reference to the sacrifice of the Mass - the very term 'Sacrifice of the Mass' does not occur in either the Latin or vernacular version of the 1968 Catholic rite."^{3[54]}

Michael Davies further points out that, while the "form" used in the new rite is not greatly different from that specified by Pius XII, it nevertheless contains nothing "to which any Protestant could take exception," and nothing that "in the least incompatible with Protestant teaching." Now, if the form is "indeterminate," and if the remainder of the rite fails to specify that it intends to ordain sacrificing priests, then the new rite suffers from exactly the same defects as its Anglican prototype. The fact that Leo XIII's irreformably condemned the Anglican rite on just these grounds obviously justifies raising questions about the validity of the post-Conciliar result.

So much is this the case that Michael Davies believes that the strongest - and perhaps only - argument in favor of its validity is that it was promulgated by a valid Pope (Paul VI). While the principle that a valid pope cannot promulgate an invalid sacrament is correct,

^{1[52]} Cf. Footnote #26.

^{2[53]} Taken from his *Order of Melchisedech* which strongly defends the validity and legitimacy of the new rite.

^{3[54]} Michael Davies, *The Order of Melchisedech*, Devon, England: Augustine, 1979, p. 75. Michael Davies "as if" which he places in parenthesis, is highly significant, for in the new rite, the priest is not ordained as a sacrificing priest, but in order to "say the liturgy" which is of course, the *novus ordo missae*.

Michael Davies seems oblivious to the possibility that his argument can be inverted. If the rite is shown to be invalid, or for that matter, even doubtful, one is forced to question the legitimacy of the pope.^{1[55]}

Michael Davies is of course mistaken when he states that the post-Conciliar "form" for ordaining priests is unchanged. Consider once again the words specified by Pius XII:

"Da quaesumus, omnipotens pater, in hos famulos tuos presbyterii dignitatem. Innova in visceribus eorum spiritum sanctitatis, ut acceptum a te, deus, secundi meriti munus obtineant; censuramque morum exemplo suae conversationis insinuent" (Grant, we beseech Thee, Almighty Father, to these Thy servants, the dignity of the priesthood; renew the spirit of holiness within them so that they may obtain the office of the second rank received from Thee, O God, and may, by the example of their lives inculcate the pattern of holy living).

The sacrosanct character of the substance of a sacramental form has already been discussed. Pope Pius XII specified that for validity the Sacrament of Order must clearly specify the sacramental effects involved. These are, in the rite under consideration, the power of Order and the Grace of the Holy Ghost (*Sacramentum Ordinis*).

If we examine this new formula we see that the first part expresses the power of the priestly order, but not the grace of the Holy Ghost. The word "priesthood," however, has lost its specifically Catholic meaning during the past few centuries, so that the second sentence fulfills two functions: it specifies that the priesthood is an "office of the second rank," and further specifies that the "grace of the Holy Ghost" accompanies the Sacrament.

When we come to the post-Conciliar form, confusion reigns. In the Latin, the form specified in Paul VI's official promulgation (found in the *Pontificalis Romani Recognitio*) uses the phrase *"in his famulos tuos* (similar to the traditional form and Pius XII), while the *Acta Apostolica* - equally official - uses the phrase *"his famulis tuis."* Further, regardless of which post-Conciliar form is considered "official," both delete the word *"ut."*

What do these changes signify? The deletion of the word *"ut"* (meaning "so that") removes the causal relationship between the two sentences. No longer is it made clear that the ordinand receives the "office of the second rank" as a result of the "renewal of the Spirit of Holiness." Whether or not this invalidates the rite is open to question and much depends on the reason why *ut* was deleted.

^{1[55]} It should be noted that Sacramental rites have never been considered valid because they were instituted by a Pontiff, but because they were instituted by Christ. A Pontiff may, when doubt arises, specify what it was that Christ intended. A pope cannot create a new Sacrament. Hence it is important to know whether the claim that the post-Conciliar Sacraments are substantially the same as the traditional ones becomes important. If they are, then why the changes; if they are not then are they Sacraments? In the second edition of *The Order of Melchisedech* Michael Davies considers it a "fundamental doctrine" that "any sacramental rite approved by the Pope must certainly be valid..." In essence, this means that should the pope say "green apples" is a valid sacramental form, "we must accept it.

By changing *in hos famulos tuos* (on these Thy servants) to *his famulis tuis*, not only are the words of Pius XII further altered, but their sense is changed. *In hos famulos tuos* implies giving something to the ordinand in such a manner that it enters into him and becomes interior to him. To specify *his famulis tuis* has the sense of giving something to someone merely as an external possession - without the idea of it entering into him and becoming part of him. The significance of this difference should hit home, as Father Jenkins points out, when we remember that we are speaking here of the order of priesthood which involves the indelible character imprinted upon the very soul of the recipient. This idea is clearly conveyed in the traditional expression, but not in the new form created by Paul VI.^{1[56]} Rather, the new formula communicates the idea that the priesthood is an external office (such as the "Presidency"), and such as Reformers believed in, such a change in meaning is clearly "substantial."

Things are made even more confusing when the vernacular is used, The "provisional" ICEL (English) translation used between June 1968 and June 1970 asked the Ordinand be given "the dignity" of the "presbyterate." Now the term "presbyter" has been used throughout history by the Reformers to designate their non-Sacrificing and non-ordained "ministers." As I have clearly shown elsewhere, the term in English can in no way be considered as equivalent to "priest" - indeed, it signifies just the opposite, and even the High Anglicans reject its use.^{2[57]} This casts still further doubt on validity - as is recognized by the fact that after 1970 the ICEL translation no longer used it, but reverted to "priesthood." However, the innovators seem determined to maintain the doubtful status of the rite. Even though in 1970 they changed "presbyter" back to "priesthood," they also changed the meaning of the second part of the formula by mistranslating and changing "the office of the second rank" (the importance of which was demonstrated above) to "co-workers with the Order of bishops." Needless to say, this latter phrase is completely indeterminate and can mean almost anything except "office of the second rank."

Highly significant of the post-Conciliar presidential "ordination" is the omission or rather deletion of the phrase which states that a priest is ordained according to the Order of Melchisedech, for Melchisedech who is both king and priest, is a figure of the Messiah who offers a sacrifice of bread and wine.^{3[58]}

^{1[56]} Father William Jenkins has discussed this issue in great detail in *The Roman Catholic*, Vol III, No. 8 and 11 (1981) Oyster Bay Cove, N.Y., N.Y. 11771. Still further confusion results from consulting *The Documents on the Liturgy*, 1963-1979 (Collegeville, Minn.: Liturgical Press) Document 324 tells us that the Latin taken from AAS is *in hos famulos tuos*, but the current official English translation is "Grant to these servants of yours" rather than "confer on these Thy servants."

^{2[57]} Rama P. Coomaraswamy, *Once a Presbyter, Always a Presbyter*, *The Roman Catholic*, Vol. V, No. 7, August 1983.

^{3[58]} The significance of this omission is clarified when we read in Psalm 109 that "the Lord swore and will not repent: thou art a priest for ever after the Order of Melchizedek. St. Paul refers to this in Hebrews VII: 21 when he says "For those [Jewish] priests were made without an oath by Him who said unto Him" the Lord swore...." by so much was Jesus made the surity of a better priesthood. It further distinguish the priesthood of Christ in which the Catholic priest shares, from the Aaronic priesthood which

Consider some of the other deletions. In the traditional rite the Bishop addresses those to be ordained stating "...it is a priest's duty to offer the sacrifice, to bless, to lead, to preach and to baptize." This admonition has been abolished in the new ceremony. In the traditional rite, while the men to be ordained lie prostrate on the floor, the litany of saints is sung: "That thou woudst recall all who have wandered from the unity of the Church, and lead all unbelievers to the light of the Gospel." This unecumenical petition is excluded. Again, in the traditional rite, after the newly ordained priests are vested with stole and chasuble, the Bishop recites a long prayer including the words "Theirs be the task to change with blessing undefiled, for the service of Thy people, bread and wine into the body and blood of Thy Son." This prayer has been abolished.

In the traditional rite, after the anointing and consecrating of the hands which are then bound together, the bishop extends to each priest the Chalice containing wine and water, with a paten and host upon it for the priest to touch, while he says to each: "Receive the power to offer sacrifice to God, and to celebrate Mass, both for the living and the dead in the name of the Lord." This has also been abolished. Again, just before the postcommunion, each new priest kneels before the Bishop who lays both hands upon his head and says: "receive the Holy Ghost, Whose sins you shall forgive, they are forgiven them; and whose sins you shall retain, they are retained." Again, this has been abolished. The final blessing of the Bishop: "The blessing of God Almighty come down upon you and make you blessed in the priestly order, enabling you to offer propitiatory sacrifices for sins of the people to Almighty God" has been abolished. So much for the *significatio ex adjunctis* of the new rite.

But if all this is not enough to cast doubt on the validity of post-Conciliar ordinations, there is yet more. Obviously, one of the requirements for valid ordination of a priest is a validly ordained Bishop. No matter how correct the rites used for the priesthood are, the absence of a validly ordained bishop would make the rite a farce.^{1[59]} Let us then look at what has been done for the Episcopate.

COMPARING THE TRADITIONAL WITH THE POST-CONCILIAR MATTER AND FORM FOR ORDAINING BISHOPS

terminated with the Crucifixion. Cf. Rev. J.M. Neal and R. F. Littledek, *Commentary on the Psalms*, Vol Iii, p. 450, Masters, London, 1874.

^{1[59]} It is pertinent that the "Bishops" selected for ordaining the priests of the Society of St. Peter ("The Pope's own Traditional Order") are Ratzinger and Meyer. Both of these received their episcopal "consecration" by the new rites to be discussed in the body of this text. If they are in fact not bishops, all the priests they ordain - even if they use the traditional rites as they state they intend to do - are no more priests than any layman.

As noted above, Pope Pius XII, **while in no way changing the rite used since time immemorial**,^{1[60]} determined in a presumably infallible manner that:

"In the Ordination or Consecration of Bishops the matter is the imposition of hands which is done by the consecrating Bishop. The form consists of the words in the Preface of which the following are essential and therefore necessary for validity: '*comple in sacerdote tuo ministerii tui summum, et ornamentis totius glorificationis instructum coelestis unguenti rore sanctifica* - fill up in Thy priest the perfection (*summum* can also be translated "fullness") of Thy ministry and sanctify him with the dew of Thy heavenly ointment this Thy servant decked out with the ornaments of all beauty." Later in the same document he states: "We teach, declare, and determine this, all persons notwithstanding, no matter what special dignity they may have, and consequently we wish and order such in the Roman Pontifical... No one therefore is allowed to infringe upon this Constitution given by us, nor should anyone dare to have the audacity to contradict it..."

One would have thought that this statement by Pius XII had settled the issue once and for all. Not so! Only 20 years later we find Paul VI issuing his Apostolic Constitution entitled *Pontificalis Romani* (June 23, 1968) in which he retains the matter - the laying on of hands - but in which he specifies that the form for ordaining bishops is to be:

"et nunc effunde super hunc electum eam virtutem, quae a te est, spiritum principalem, quem dedisti dilecto filio tuo Jesu Christo, quem ipse donavit sanctis apostolis, qui constituerunt ecclesiam per singula loca, ut sanctuarium tuum, in gloriam et laudem indifcientem nominis tui - So now pour forth upon this chosen one that power which is from You, the governing Spirit whom You gave to your beloved Son, Jesus Christ, the Spirit given by him to the holy apostles, who found the Church in every place to be your temple for the unceasing glory and praise of your name."^{2[61]}

We have then two forms, or more precisely two groups of "essential" words wherein the substance of the form is to be found, and both of which are stated to be required for validity. How are we to explain this apparent disparity. We know that the Church has the right to change the wording of the form for Holy Orders, but only in so far as she doesn't change their "substance" or meaning. The problem to be resolved then, is whether both forms mean the same thing. Several approaches are possible.

1) We can compare the wording of the two forms and find those words or phrases held in common. Doing this however yields the following common element: the single word "*et*"

^{1[60]} As Pius XII stated in his Apostolic Constitution: "Those things which We have above declared and established regarding the matter and the form are not to be understood in such a way as to make it allowable for the other rites as prescribed in the Roman Pontifical to be neglected or passed over even in the slightest detail; nay, rather We order that all the prescriptions contained in the Roman Pontifical itself be faithfully observed and performed."

^{2[61]} Pius XII said that the words in his form were "essential" and required for validity. Paul VI states that the words that constitute his form "belong to the nature of the rite and are consequently required for validity." He further states in the same document that "it is our will that these our decrees and prescriptions be firm and effective now and in the future, notwithstanding to the extent necessary, the apostolic constitutions and ordinances issued by our predecessors and other prescriptions, even those requiring particular mention and derogation." (*Pontificalis Romani*, Acta Apostolicae Sedis, July 29, 1968.)

which means "and." Now, **obviously "and" cannot represent the substantial aspect of these two forms and such an approach must be rejected as absurd.**

2) Another way to determine the substance of the form is to consider the various consecratory prayers in use throughout the universal Church (Eastern and Western). This was indeed done by Jean Moran, and still later, by the English bishops in their "Vindication of the Bull" *Apostolicae curae*.^{1[62]}

"In each of the rites which the Catholic Church has recognized, the 'essential form' is contained in a 'consecrating prayer' to accompany the imposition of hands, and these prayers are in all cases of the same type, defining in some way or other the Order to which the candidate is being promoted, and beseeching god to bestow upon him the graces of his new state."^{2[63]}

They then proceed to give a list of these prayers which includes the ancient Leonine Sacramentary "still preserved in the modern Pontifical," the Greek, the Syro-Maronite (which is also the Syro-Jacobite), the Nestorian, the Armenian, the Coptic (or Alexandro-Jacobite) and the Abyssinian, together with the ancient Gallican, the rite in the Apostolic constitutions, and the "Canons of St. Hippolytus." They proceed to list the significant words respectively in each - the "High Priesthood" (*summi sacerdotii*), the "Pontifical dignity," the term "Bishop,:" the "perfect (or complete) priest," and the "Episcopate." This specification is to be found in all the known used forms (i.e., in the essential words of the various Western Catholic and Orthodox Churches).^{3[64]} It is even found in the Canons of Hippolytus. **The form of Paul VI does not fill**

^{1[62]} *A Vindication of the Bull 'Apostolicae curae'*, A Letter on Anglican Orders by the Cardinal Archbishop and Bishops of the Province of Westminster in reply to the Letter Addressed to them by the Anglican Archbishops of Canterbury and York, N.Y.: Longmans, Green and Co., 1898; Also to be found in Bishop Peter Richard Kendrick's *The Validity of Anglican Ordinations*, Phil.: Cummiskey, 1848

^{2[63]} "It is not essential to express the word, "deacon," "priest," or "bishop," but the form must at least express some clear equivalent. Thus "the order of the Blessed Stephen" is a clear equivalent of the order of Deacon. It is not essential to express the main power of the priest or the bishop in the form, but if this main power were expressed, it too would be an equivalent. However, it is essential to express *either* the order *or* its main power, and if the main power is not only left out, but positively excluded, then the right name, though kept, is not the right name in reality but only a shadow. Now, the main power of a true priest is to offer a true sacrifice, and at least one of the main powers of a bishop is to make priests. Semple, H.C., S.J., *Anglican Ordinations*, N.Y.: Benzinger Broth, 1906.

^{3[64]} Taken from Semple's book (op.cit.) the following are the various presumed consecratory forms for bishop (presumed as the Church never so specified prior to Pius XII:

Ancient Roman and Ancient Gallican: "...and therefore to these Thy servants whom Thou has chosen to the ministry of the HIGH PRIESTHOOD." Greek: "DO Thou O Lord of all, strengthen and confirm this Thy servant, that by the hand of me, a sinner, and of the assisting ministers and fellow-Bishops, and by the coming, the strength, and grace of the Holy Ghost... he may obtain the EPISCOPAL DIGNITY." Maronite: "Thou who canst do all things, adorn with all virtues... this Thy servant whom Thou has made worthy to receive from Thee the sublime ORDER OF BISHOPS." Nestorian: "We offer before Thy Majesty... this Thy servant whom Thou hast chosen and set apart that he may be a BISHOP." Coptic: "Or Lord, God, Almighty Ruler... bestow, therefore, this same grace upon Thy servant N., whom thou has chosen as BISHOP."

Armenian: "The Divine Grace calleth this N. from the Priesthood to the EPISCOPATE. I impose hands. Pray that he may become worthy of the rank of BISHOP."

Liturgy on the Constitutions of the Apostles: "Give O God... to this Thy servant whom Thou hast chosen to the EPISCOPATE to feed Thy people and discharge the Office of PONTIFF." Canons of Hippolytus: "O God the Father of our Lord Jesus Christ... look down upon Thy servant N., granting him Thy strength and power, the spirit which Thou didst give to the holy Apostles, through our Lord Jesus Christ. Give to him, O Lord, the EPISCOPATE."

these requirements. Present in the words specified by Pius XII, **it is conspicuous by its absence in the post-Conciliar form. Neither the rank, nor the power, nor a clear equivalent is present.** And as Leo XIII made clear in his *Apostolicae curae*, the mentioning of the Holy Ghost - if "Governing Spirit" is in fact the Holy Ghost - is insufficient.

3) Another way to determine what is substantial is to consider the opinions of the theologians during the post-Reformation period. They are reviewed in some detail by Paul Bradshaw in his history of the Anglican Ordinal. One such individual was the Benedictine Wilfrid Raynal who stated that a valid form must express the distinctive character of the order being conferred in one of three ways: a) An allusion to the type found in the ancient Testament of the order conferred; b) The mention of some spiritual power which is the distinctive privilege of the order to which the candidate is raised; or c) The actual mention made of the office under the name which from earliest times has become attached to it, viz *summus sacerdos* for Bishop or *Sacerdos secundi ordinis* for Priest. He further added that the actual mention of the words Bishop and priest must really and truly bear the meaning attached to them by the Universal Church. A formal denial of the distinctive character of these two sacred offices must vitiate the Intention, and would render the ordination null and void. Now, as Bradshaw points out, "all the Western and Eastern forms fulfilled these requirements." **The new rite of Paul VI does not.**

All debate is resolved by the statement of Pius XII in his *Sacramentum Ordinis*. As the renowned theologian J.M. Hervé, who considers this definition infallible, states: "*forma vero, quae et una est, sunt verba, quibus significatur effectum sacramentale, silicet potestas Ordinis et gratia Spiritus Sancti* - the true form (i.e., the substance of the form) is that which signifies the sacramental effect, which is to say the power of "orders (i.e., priest or bishop) and the grace of the Holy Spirit."^{1[65]}

Consider once again the form specified by Paul VI:

"So now pour out upon this chosen one that power which is from you, the governing spirit whom you gave to your beloved son Jesus Christ, the spirit given by him to the holy apostles, who founded the Church in every place to be your temple for the unceasing glory and praise of your name."

It is perfectly clear that in no place is it specified that the rank or dignity of a Bishop has been conferred. The request that God give the "governing Spirit" (*Spiritum principalem* - whatever that is) "whom you gave to your beloved Son, Jesus Christ, the Spirit

^{1[65]} Hervé, J.M. op.,cit. Note 36 above.

given by him to the holy Apostles" may imply that he is raised to the rank of the Apostles, but it doesn't clearly so state. The sacramental effect is not clearly specified and at best we are left with another post-Conciliar ambiguity. Again, in the former, the grace of the Holy Spirit is clearly indicated by the time honored phrase "*Coelestis unguenti rore*" while in the latter we are left with a phrase entirely new to sacramental theology - *spiritum principalem*. In so far as some will argue that this phrase (or the phrase "*eam virtutem quae a te est, Spiritum Principalem*") suffices for the substance of the form, and indeed, in so far as it is the only phrase in the new form for which such a claim could be made, it behooves us to examine it in detail.

SPIRITUM PRINCIPALEM - WHAT IS IT?

Apart from the concoction ascribed to Hippolytus (discussed below) the phrase "*spiritum principalem*" is not to be found in any known ordination rite, as can be seen by referring to either "Vindication of the Bull 'Apostolic curae,' or Bishop Kendrick's book on "The Validity of Anglican Ordinations," both of which list all the known episcopal rites. The phrase is found in only one place in Scripture - Psalm 50, verse 14 - "*redde mihi laetitiam salutaris tui et spiritu principali confirma me* - restore unto me the joy of thy salvation and strengthen me with a governing (or upright) spirit.." The context is that of David asking God's forgiveness for his adulterous relationship with Bathsheba and the strength to control his passions, and thus can be applied to any individual.^{1[66]}

What does the word *Principalem* mean? Cassell's New Latin Dictionary translates it as 1) first in time, original; first in rank, chief; 2) of a prince; 3) of the chief place in a Roman camp. Harper's Latin Dictionary also translates it by the term "overseer." Now this latter term is of great interest because it the one used by the Reformers to distort the true nature of a Bishop. As the *Vindication of the Bull 'Apostolicae Curae'* points out:

^{1[66]} *Concordantiae Bibliorum Sacrorum quas digessit Bonifatius Fischer*, O.S.B. published by Friedrich Fromman Verlag Gunther Holzberg, Stutgard-Bad, Germany, 1977. The translation into English is from the Douay version. The Psalm in question is the penitential song of David in response to the Prophet Nathan's chiding of him for his adultery with Bathsheba. According to Father Boylan's commentary, "*Spiritu principali* is, apparently parallel to the *spiritus rectus* of verse 12. *Principalis* represents the Greek *Hegemonikos* meaning princely, leading, or ruling. The Hebrew is *n'dibhah* - a spirit of 'readiness,' of 'willingness' - to learn, to do the right and good (cf. Matt. XXVI:41). - 'the spirit indeed is willing [=ready]. St. Augustine understands the verse in the following sense: "An upright spirit renew in my inner parts' which are bowed and distorted by sinning" (*Commentary on Psalm 51*) Cornelius Lapide follows Bellarmine in translating the phrase as "I ask that you stabilize and confirm in the good by means of the governing spirit." Father Joseph Pohle, the well known professor of dogmatics, specifically denies that *Spiritus Principalis* is the Third Person of the Holy Trinity. (*The Divine Trinity*, page 97 - translation of Arthur Preuss and familiarly known as Pohle-Preuss.)

"The fact that the Anglicans added the term Bishop to their form did not make it valid because doctrinally they hold the bishop to have no higher state than that of the priest - indeed, he is seen as an 'overseer' rather than as one having the "fullness of the priesthood."

It is pertinent that post-Conciliar theologians have recognized the difficulty of adequately translating this phrase into the vernacular. Prior to 1977 it was rendered in English as "Perfect Spirit," but since then Rome has officially insisted on the phrase "governing" or "ruling" Spirit, and in French, "the Spirit of Authority."^{1[67]} Father B. Botte, O.S.B., the individual (apart from Montini) primarily responsible for the creation of this new rite for Ordaining Bishops, tells us in the semi-official journal *Notitiae* that the meaning of the phrase need not necessarily be drawn from its Scriptural use. Indeed, he states that in the third century it probably had a meaning quite different from that used during the time of David and that in Hippolytus's document it almost certainly meant Holy Spirit. He explains that meaning in the following words:

"The expression has, for the Christian of the third Century (the time of Hippolytus) a theological meaning which has nothing in common with the thought of the king of Judah [David] twelve centuries earlier. Even assuming that "principalis" is a mistranslation, it is not important here. The only problem is to know what meaning the author of the prayer (Hippolytus) wanted to give the expression."

The statement as applied to a Sacramental form is a quite extraordinary new force. It admits that not only are we unsure of the meaning of "*principalis*" but that the word itself may be a mistranslation. It further admits that this critical word is not derived from either Christic or Apostolic sources. But even more, Father Botte, with exquisite historical insight (some seventeen centuries after the fact), proceeds to tell us just what Hippolytus did mean!

"The solution must be sought in two directions: the context of the prayer and the use of *hegemonikos* (Greek for *principalis*) in the Christian language of the third century. It is clear that "spirit" means the person of the Holy Ghost. The whole context so indicates: everyone keeps silent because of the descent of the "Spirit." The real question is why among other relevant adjectives, has *principalis* been chosen? The research must be widened here."

^{1[67]} *Notitiae* states that the proper translation of the word *principalis* is "governing," and the same issue of this semi-official journal carries the "*Declaration on the Translation of Sacramental Formulas*" promulgated by Paul VI on January 25, 1974, a document which states that "difficulties can arise when trying to express the concepts of the original Latin formula in translation. It sometimes happens that one is obliged to use paraphrases and circumlocutions... The Holy See approves a formula because it considers that it expresses the sense understood by the Church in the Latin text."

Father Botte then proceeds to give us a truly innovative theological interpretation of the primary function of the different members of the hierarchy in orders, and moreover one which the new rite incorporates.

"The three hierarchies have the gift of the Spirit, but it is not the same for each of them. For the bishop it is the '*Spiritus Principalis*'; for the priests who are the counsellors of the bishops, it is '*Spiritus Consilii*'; for the deacons who are the right hand of the bishop it is the '*Spiritus zeli et sollicitudinis*.' It is evident that these distinctions are made in accord with the functions of each rank of minister. It is clear then that *principalis* must be understood in relation to the specific function of the bishop. One only has to reread the prayer to be convinced of this... God has never left his people without a chief, nor his sanctuary without ministers... The bishop is the chief of the Church. Hence the choice of the term *hegemonikos* is self explanatory. It is the gift of the Spirit that pertains to the chief. The best translation would seem to be "the Spirit of Authority."^{1[68]}

Those unfamiliar with Catholic teaching will perhaps not be shocked by this statement made by the person who was the principle architect of the new rite of Holy Orders. Suffice it to say that the primary function of the Bishop is to ordain priests; the primary function of the priest is to offer the immolative sacrifice. Without this power, the power to forgive sins cannot be received. It is a common saying among Catholic theologians that the priest must receive first the power over the real Body of Christ, and only afterward over the mystic body of Christ or over the Christian people whose sins he forgives or retains. Nowhere in the new rite for ordaining priests is it made clear that he is given the power to offer sacrifice, and no where in that of bishops that he is given the power to ordain!

The new form also asks that this "Governing Spirit" that is given to the ordinand be the same that was given to the Holy Apostles. It should be clear that such a request in no way states that the ordinands are themselves raised to the rank of the Apostles. (It would after all be legitimate to ask God to give any Catholic layman the same Holy Spirit that was given to the Apostles.) Now, Leo XIII makes note of the fact that the Anglican rite has the phrase "Receive the Holy Ghost" but that this "cannot be considered apt or sufficient for the Sacrament which omits

^{1[68]} Luther defined the priesthood in these terms: "The function of the priest is to preach; if he does not preach, he is no more a priest than a picture of a man is a man. Nor does it make a man a bishop if he ordains this kind of clapper-tongued priest, or consecrates church bells, or confirms children? Never! These are things that any deacon or layman might do. What makes a priest or bishop is the ministry of the word." Elsewhere he says "Everyone who knows that he is a Christian would be fully assured that all of us alike are priests, and that we all have the same authority in regard to the word and the sacraments, although no one has the right to administer them without the consent of the members of his Church, or by call of the majority." Quoted by Father W. Jenkins, "*The New Ordination Rite: An Indelible Question Mark*," *The Roman Catholic*, Vol.III, No. 8, Sept. 1981.

what it ought essentially to signify." And so, even if we grant that this governing Spirit could be the Holy Spirit, the form lacks sufficient "power" to function in a sacramental manner. What is more, its use thrusts the sacramental form into a totally Protestant setting.

THE PROTESTANT UNDERSTANDING OF THE EPISCOPAL RANK

Many Protestant sects retain the title of "bishop" among their clergy. This is true for the Lutherans in Germany, but not in America. It is also true of the Anglicans, the Episcopalians, and certain Baptist sects. Yet all of these denominations deny that either the priesthood or the episcopacy involves any imprinting of a sacramental character. In what sense then do they understand the function of their bishops?

Their primary function is jurisdictional. While it is true that Anglican bishops "ordain" and "confirm" - both are in their view non-Sacramental acts. In England they are appointed by the reigning King or Queen who is the current "head" of their Church. Among other Protestant sects they are "elected" from among the people. And thus, in all these situations they are seen as "**overseers**." The inclusion of the term "bishop" and "high priest" in a Protestant rite in no way confers on such a rite validity in the Catholic sense, especially when all reference to Catholic understanding of their function is deliberately removed from the content of the sacramental form and from the remainder of the rite. Moreover, Leo XIII instructs us in his *Apostolicae curae* that such terms when used in ambiguous situations must be understood in their Protestant sense.

Thus the use of "governing spirit" is not only inoffensive to Protestants; it also functions to make the new rite highly acceptable to them. This is not to deny that Catholic bishops have such a function - what is offensive in a supposedly Catholic rite is the implication, if not the ecumenically inspired surrender, that this is their only - or even their primary - function.

In determining Anglican orders to be "null and void" Leo XIII discussed the "negative" effect of the remainder of the rite - its *significatio ex adjunctis* - upon an indeterminate sacramental form. The deliberate deletion from the rite of all reference to a Catholic understanding of Orders made it quite clear that the Sacramental form was meaningless. If the new post-Conciliar rite follows the Anglican prototype in this, then clearly it is subject to the same condemnation that was leveled against Cranmer's creation. Before discussing this aspect of

the problem however, we must examine with greater care the source from which Paul VI drew his new sacramental form.

THE SOURCE OF PAUL VI'S ORDINATION RITE

When Paul VI approved the new rite for ordaining bishops in June of 1968 he stated that "it was necessary to add, delete, or change certain things, either to restore texts to their earlier integrity, to make the expressions clearer, or to describe the sacramental effects better... it appeared appropriate to take from ancient sources the consecratory prayer which is found in the document called the Apostolic Tradition of Hippolytus of Rome, written in the beginning of the third century, and which is still used in large parts in the ordination rites of the Coptic and Western Syrian liturgies."

Needless to say, he does not tell us why it was necessary "to add, delete or change certain things" which had presumably been adequate for some 2000 years. As to whether the result expresses things more "clearly" or "describes the sacramental effects better," this the reader will have to see for himself. But Paul VI is up to his old tricks again. While he is correct in pointing to the "Apostolic Tradition of Hippolytus" as the source of his new rite, he stretches the truth to the limit in stating that this highly questionable document is 'still used in large part in the ordination rites of the Coptic and Western Syrian liturgies.'" In fact the Hippolytus text has almost nothing in common with the eastern rites, and the crucial words - especially the critical phrase of "governing spirit" is nowhere to be found within these eastern rites.

Let us then compare these still used rites with the new rite. The first paragraph below is translated from pages 204-5 of the Pontifical of the Antiochean Syrians, Part II, printed in 1952, Sharfe, Lebanon, and carries the *Imprimatur* of Ignatius Gabriel Cardinal Tappuni, Syrian Patriarch of Antioch. This is the rite used by the Coptic and West Syrian Liturgies. The second paragraph is the consecratory prayer promulgated by Paul VI - supposedly taken from the first. It is taken from the new rite in English as used in the United States.

THE ANTIOCHEAN PONTIFICAL

"O **God**, Thou hast created everything by Thy power and established the universe by the will of Thine only Son. Thou hast freely given us the grasp of truth and made known to us Thy holy and excellent love. Thou hast given Thy beloved and only-begotten Son, the Word, Jesus Christ, the Lord of Glory, as pastor and physician of our souls. By His Precious Blood Thou hast founded Thy Church and ordained in it all grades pertaining to the priesthood. Thou hast given guidance that we may please Thee in that the knowledge of the name of Thine Anointed has increased and spread in the whole world. Send on this Thy servant Thy Holy and Spiritual Breath so that he may tend and oversee the flock entrusted to him, namely - to anoint priests, to ordain deacons, to dedicate altars and churches, to bless houses, to make appointments, to heal, to judge, to save, to deliver, to loose and bind, to invest and divest, as well as to excommunicate. Grant him all the power of Thy saints - the same power Thou gavest to the Apostles of Thine only begotten Son - that he may become a glorious **highpriest** with the honor of Moses, the dignity of the venerable Jacob, in the throne of the Patriarchs. Let Thy people and the flock of Thine inheritance be well established through this Thy servant. Give him wisdom and prudence and let him understand Thy will, O Lord so that he can discern sinful things, know the sublimities of justice and judgement. Grant him this power to solve difficult problems and all bonds of iniquity."

PAUL VI'S CONSECRATORY PRAYER

God the Father of our Lord Jesus Christ, Father of mercies and God of all consolation, you dwell in heaven, yet look with compassion on all that is humble. You know all things before they come to be; by your gracious word you have established the plan of your Church. From the beginning you chose the descendants of Abraham to be your holy nation. You established rulers and priests and did not leave your sanctuary without ministers to serve you. From the creation of the world you have been pleased to be glorified by those whom you have chosen. (All consecrating bishops) *So now, pour out upon this chosen one that power which is from you, the governing spirit whom you gave to your beloved son Jesus Christ, the Spirit given by him to the Holy Apostles, who founded the Church in every place to be your temple for the unceasing glory and praise of your name.* (The essential words of Paul VI's form are in italics, but are not to be found in the Antiochean Pontifical.) (Principal consecrator alone) Father, you know all hearts. You have chosen your servant for the office of bishop. May he be a shepherd to your holy flock, and a **high priest** blameless in your sight, ministering to you night and day; may he always gain the blessing of your favor and offer gifts of holy Church. Through the Spirit who gives the grace of high priesthood grant him the power to forgive sins as you have commanded, to assign ministries as you have decreed, to loose every bond by the authority which you gave to your Apostles. May he be pleasing to you by his gentleness and purity of heart, presenting a fragrant offering to you, through Jesus Christ, your Son, through whom glory and power and honor are yours with the holy spirit in your holy Church now and forever. (All) Amen."

(The essential "form" as specified by Paul VI is italicized. The two words printed in bold script represent the only two significant words that the prayers have in common. In the Antiochean rite, while the essential words are not specified - the theological terms of form and matter are not used in the eastern Churches - the bishops hands - the matter of the sacrament - are placed on the ordinand's head for the entire prayer, while in the new Roman rite, only during the repetition of the essential form. As pointed out in the introduction, form and matter must be united to effect the sacrament.)

Clearly the prayer taken from the Antiochean Pontifical is intended to consecrate a Catholic bishop and fulfills several times over all the requirements we have discussed in the section on the History of Sacramental Rites. The latter has barely a dozen words in common with the former and is suitable for use in the most liberal Protestant communions. It is hardly just to say that one is derived from the other.

Obviously deleted from the eastern liturgical prayer are such phrases as "anointing priests" - there is a vast difference between "ordaining priests" and "assigning ministries." Also deleted are references to his function of protecting the Church against heresy. The post-Conciliar "bishop" is to "loose every bond" but not "to loose and bind, to invest and divest, as well as to excommunicate." Retained however are two important words - that of "bishop" and "high priest," but they are placed outside the "essential" form. Moreover, one can seriously question whether the terms "bishop" and "high priest" can be understood in the Catholic sense of the words. In view of any proper indication in the *significatio ex adjunctis*, one can be permitted to doubt it.

Where then does the new "form" of Paul VI come from. The answer is the "Apostolic Tradition" of Hippolytus.^{1[69]}

THE "APOSTOLIC TRADITION" OF HIPPOLYTUS

The real source of Paul VI's new consecratory prayer is the so-called "Apostolic Tradition" of Hippolytus - a composite document of dubious origins for which there is no evidence whatsoever that it was ever actually used to consecrate a bishop. We shall consider two

^{1[69]} Father Clancy, quoting Johannes Quasten's *Patrology*, tells us in his Historical study of the rite of Ordination that "The Apostolic Tradition had no appreciable effect on the development of the rite of ordination in the west."

aspects of the problem raised by the use of this source: Who was Hippolytus and what do we really know about the form he used?

Hippolytus was a highly enigmatic person who lived in the third century. He was born about 160 and is thought to have been a disciple of St. Irenaeus. He became a priest under Pope Zephyrinus about the year 198 and won great respect for his learning and eloquence. Because of doctrinal differences with the Pope, Hippolytus left Rome, found a bishop to consecrate him, and established a schismatic Church, as a result of which he was formally excommunicated. He drew up his "Apostolic Traditions" while he was outside the Church, presumably to establish a "pontifical" for his schismatic sect. Subsequently, after Maximus became emperor and instituted a new persecution against the Christians, both he and the reigning Pontiff (Pontianus) were arrested and sent to the mines in Sardinia. It was here, just prior to his death, that he became reconciled to the Church. Both he and the Pope were martyred together and later canonized. The Hippolytic schism ended with this event.

The text written by Hippolytus as a "Pontifical" for his schismatic sect was named by him "The Apostolic Traditions." (He was not the last to lend authority to his acts by referring them back to "earlier authority"!.) In so far as Hippolytus was extremely conservative - he objected to the legitimate relaxation of the Church's laws, especially those related to forgiving and readmitting to communion those Christians who in times of persecution had sacrificed to the Roman gods, it has been assumed that he preserved the rites then in use - but this is by no means certain.

Now Hippolytus wrote in Greek, and once the Roman Church adopted the almost exclusive use of Latin, his works were for all practical purposes forgotten in the West. The particular work in question, "The Apostolic Traditions," was rediscovered by Job Ludolf in Ethiopia in 1691. In 1848 another version came to light through the study of Coptic documents. Still later a Sahidic version was found, and then, around 1900, a Latin translation from the Greek in the sixth century came to light. None of these versions were complete and scholars therefore were forced to "reconstruct" the various segments in order to produce a relatively cohesive document. According to Professor Burton Scott Easton of Cambridge University, we can summarize what we know of this document in the following words:

"The original Greek of the Apostolic tradition has not been recovered, except in small fragments. The Latin is generally trustworthy, but is incomplete. The only other primary version, the Sahidic, is

likewise incomplete, and the results of the moderate abilities of its translator have been further confused in later transmission. The Arabic is a secondary text, offering little that the Sahidic does not contain. The only practically complete version, the Ethiopic, is tertiary and is otherwise unreliable. All four of these versions presuppose a common Greek original, in which two different endings have been conflated. The other sources, the Constitutions, the Testament and the Canons are frank revisions, in which the original is often edited out of recognition or even flatly contradicted. Under these conditions the restoration of a really accurate text is manifestly impossible."^{1[70]}

With this in mind, and with absolutely no idea of what Hippolytus considered to be the "form" or essential words involved, let us consider his consecratory prayer as the scholars have reconstructed it:

"God the Father of our Lord Jesus Christ, Father of mercies and god of all comfort, who dwellest on high, yet hast respect to the lowly, who knowest all things before they come to pass. Thou hast appointed the borders of Thy Church by the words of Thy grace, predestinating from the beginning the righteous race of Abraham. And making them princes and priests, and leaving not thy sanctuary without a ministry, Thou has glorified among those (or possibly, in those places) whom Thou hast chosen. Pour forth now the power which is Thine, of Thy governing spirit which (Greek version)... Thou gavest to Thy beloved Servant (Greek but not Latin) Jesus Christ which he bestowed on his holy apostles (Latin)... who established the Church in every place, the Church which Thou hast sanctified unto unceasing glory and praise of Thy name. Thou who knowest the hearts of all, grant to this thy servant whom Thou hast chosen to be bishop, (to feed Thy holy flock, in some versions) and to serve as Thy high priest without blame, ministering night and day, to propitiate Thy countenance without ceasing and to offer Thee the gifts of the holy Church. And by the Spirit of high-priesthood to have authority to remit sins according to Thy commandment, to assign the lots according to Thy precept, to loose very bond according to the authority which Thou givest Thy apostles, and to please Thee in meekness and purity of heart, offering to thee an odour of sweet savour. Through Thy Servant Jesus Christ our Lord, through whom be to Thee glory, might honor, and with the Holy Spirit in the holy Church both now and always world without end. Amen (Greek)."^{2[71]}

Such then is the true nature and source of the post-Conciliar sacramental prayer for ordaining bishops. Clearly we have no exact knowledge of the form that Hippolytus used, and just as clearly, there is no evidence that the form adopted by Paul VI was ever used to ordain anybody. What are we to say when the Church teaches:

^{1[70]} Burton Scott Easton, *The Apostolic Tradition of Hippolytus*, translated into English with an introduction and notes, Cambridge University Press, 1934; republished by Arenon Book, England, 1962.

^{2[71]} According to Father (subsequently Cardinal) J. Tixeront, (*Holy Orders and Ordination*, St. Louis: Herder, 1928) the Consecrating bishop held his hands over the ordinand's head throughout the entire prayer. According to Father Semple S.J., (*op. cit.*) after asking God to give the ordinand that spirit which "Thou didst give to the holy Apostles..." Hippolytus continued: "Give to him, O Lord, the Episcopate." He adds the following note: "But if a priest is ordained, all is done with him in like manner as with a Bishop, except that he shall not sit in the chair. The same prayer shall be prayed in its entirety over him as over the Bishop, with the sole exception of the name of EPISCOPATE. A Bishop is in all things equal to a Priest except in the name of the chair, and in Ordination, which power of ordaining is not given to the latter.")

"Matter and Form must be certainly valid. Hence one may not follow a probable opinion and use either doubtful matter or form. Acting otherwise, one commits a sacrilege."^{1[72]}

THE COUP DE GRACE

In the traditional rite, **prior** to the superimposition of hands - the matter of the rite - the Consecrator took the open book of the Gospels, and saying nothing, laid it upon the neck and the shoulders of the Bishop-elect, so that the printed page touched the neck. One of the chaplains kneeled behind supporting the book until it was given into the hands of the Bishop-elect. After this the consecrator superimposed his hands on the head of the ordinand, saying "Receive the Holy Ghost," and then proceeded with a short prayer and the preface which contained the words of the form. There was a moral continuity of action so that the form was not really separated from the matter.

In the new rite the principal consecrator lays his hands upon the bishop-elect in silence. **Following** this the principal consecrator places the open Book of the Gospels upon the head of the bishop-elect; two deacons, standing at either side of the bishop-elect, hold the Book of the Gospels above his head until the prayer of consecration is completed. Here the continuity of action is discontinuous which is to say that the matter and the form are separated by the imposition of the Gospels over the head of the bishop-elect.

Whatever we may think of the new "form," tradition makes it clear that the form must be added to the matter in order for the sacrament to be effected. In Holy Orders, it is the superimposition of the hands which is the matter (as confirmed by Leo XIII in his *Apostolicae curae*.)

As Augustine said with regard to Baptism: "What is the Baptism of Christ? A washing in water by the word. Take away the water and you have no Baptism; take away the word, and you have no Baptism." And again: "And in water the word cleanses. Take away the word and what is water but water? The word comes to the element and a sacrament results."^{2[73]}

^{1[72]} Quoted from Father Brey's introduction to Patrick Henry Omlor's book, *Questioning the Validity of Masses using the New All-English Canon*, Reno, Nevada: Athanasius Press, 1969. This is the common teaching of moral theologians.

^{2[73]} Bernard Leeming, S.J., *Principles of Sacramental Theology*, London: Longmans Green, 1955.

Now the Matter and Form must be united or concurrent. "The matter and form must be united - so far as union is possible - to produce the one external rite, and so to produce a valid Sacrament..." However in Holy Orders, "moral simultaneity is sufficient, that is, these Sacraments are valid though the proximate matter is employed immediately before or after the use of the word. What interval would suffice to render the Sacrament invalid cannot be determined; the interval of the recital of the 'Our Father' appeared sufficient to St. Alphonsus, but in such matters we should not rely on probabilities, we should make sure the matter and form are as united as we can make them."^{1[74]}

In the new rite, the placing of the Gospels on the head of the bishop-elect comes after the superimposition of hands and thus breaks the "moral simultaneity" between the matter and the form much in the same way as taking a coffee- break at this moment would break it. Once again, one is given grounds for seriously doubting validity.

OTHER ASPECTS OF THE NEW EPISCOPAL RITE - ITS "SIGNIFICATIO EX ADJUNCTIS"

It may be argued that the other parts of the post-Conciliar rite - its "*significatio ex adjunctis*" - function to correct the obvious defects of a highly indeterminate form. It behooves us then to examine the remainder of the ceremonies and see if such is the case. We will consider this under the two categories of additions and deletions:

WHAT HAS BEEN ADDED

Reading through the text of the new Ordination Rite for Bishops one finds the Consecrator's Homily given under the title "Consent of the People." This is a totally Protestant concept, for in Catholicism the bishop is appointed by the Pope (or his agent), and no consent on the part of the laity is required. Did Christ ask for the approval of anyone in appointing the Apostles?

^{1[74]} Henry Davis, S.J., *Moral and Pastoral Theology*, New York: Sheed and Ward, 1935, Vol. III, p. 10. Dr. Ludwig Ott says much the same: "It is not necessary that they coincide absolutely in point of time; a moral coincidence suffices, that is, they must be connected with each other in such a fashion, that according to general estimation, they compose a unitary sign" (*Fundamentals of Catholic Dogma*, Rockford, Ill.: TAN, 1986.)

Continuing in the next paragraph we are informed that "in the person of the bishop, with the priests around him, Jesus Christ the Lord, who became High Priest for ever, is present among you. Through the ministry of the bishop, Christ Himself continues to proclaim the Gospel and to confer the mysteries of faith on those who believe..." Such a statement is again misleading for strictly speaking, the presence of Christ among us and the proclamation of the Gospel do not depend upon the bishop. However, this manner of expressing things has the advantage of being acceptable to Protestants.

Next we read that the bishop is a "minister of Christ" and a steward of the Mysteries of God. He has been entrusted with the task of witnessing to the truth of the Gospel and fostering a spirit of justice and holiness." But this task is not particular to a bishop. Each and every Catholic is obliged "to give witness to the truth and to foster a spirit of justice and holiness." In a still later paragraph the bishop-elect is told that he is to be an "**overseer**." Once again we are left with an individual whose function as a Catholic bishop is in no way delineated. There is nothing in the entire statement that would offend Protestants, and indeed, the delineation of his function as "**overseer**" would delight them. And so this homily continues to the end without providing any positive *significatio ex adjunctis*.

What follows is the "Examination of the Candidate." Again, the bishop-elect is asked if he is "resolved to be faithful and constant and proclaiming the Gospel of Christ." The only part of this examination which could relate to his function as a Catholic bishop is the question as to whether or not he is "resolved to maintain the Deposit of Faith entire and uncorrupt as handed down by the Apostles and professed by the Church everywhere and at all times." He must respond in the affirmative, but then, so must every layman who wishes to call himself a Catholic. Moreover, it is obvious from the statements of the post-Conciliar bishops that they hardly take this responsibility seriously.^{1[75]}

After the Litany of the Saints we find what is perhaps the only saving statement in the entire post-Conciliar rite. The principal consecrator at this point stands alone, with his hands joined and prays: "Lord, be moved by our prayers. Anoint your servant with the fullness of priestly grace and bless him with spiritual power in all its richness." This prayer is also found in the traditional rite where the Latin for the important phrase is "*cornu gratiae sacerdotalis*" (literally, "the horn of sacerdotal grace"). The statement however is ambiguous because the "horn

^{1[75]} Strict adherence to this response would require that they reject the heresies of Vatican II. Under such circumstances one can question whether they would be chosen by modern Rome to be "overseers."

of sacerdotal grace" - or even the mistranslation "fullness of priestly grace" could be applied to the priesthood as much as to the episcopacy. Moreover, and most important, it is made outside the sacramental form and apart from the matter, and it in no way specifies the power or grace conferred in the Sacrament.

WHAT HAS BEEN DELETED

In the present historical context, and in view of Pope Leo XIII's *Apostolicae curae*, what has been deleted is of greater significance than what has been added. Because of the great length of the traditional rite (taking some two or three hours to say), I shall only discuss those passages which might influence the validity of the Sacrament.

The traditional rite is initiated by a request on the part of the senior assistant to the Consecrator: "Most Reverend Father, our holy Mother the Catholic church asks that you promote this priest here present to the burden of the episcopate" (Retained). this is followed by an oath on the part of the ordinand in which he promises God "to promote the rights, honors, privileges and authority of the Holy Roman church: and to "observe with all his strength, and cause to be observed by others, the rules of the Holy Fathers etc..." (Omitted in the new rite and replaced by the Homily described above under the title of "Consent of the People.") Next proceeds the "examination of the candidate" in which he is asked among other things if he will "keep and teach with reverence the traditions of the orthodox fathers and the decretal constitutions of the Holy and Apostolic See." (Omitted, though he promises to "maintain the deposit of faith, entire and uncorrupt, as handed down by the Apostles and professed by the Church everywhere and at all times"). Then he is asked to confirm his belief in each and every article of the Creed (Omitted). Finally he is asked if he will "anathematize every heresy that shall arise against the Holy Catholic Church" (Omitted). The deletion of the requirement to anathematize heresy is significant, for this is indeed one of the functions of a Bishop. Further, this function remains unspecified in the remainder of the post-Conciliar rite.

In the traditional rite the consecrator instructs the bishop elect in the following terms: "A bishop judges, interprets, consecrates, ordains, offers, baptizes and confirms." Now such a statement is indeed important for the *significatio ex adjunctis*. Its deletion in the new rite is most significant. Nowhere in the new rite is it stated that the function of the bishop is to ordain, or to confirm, much less to judge (to loose and to bind).

The consecratory prayer in the traditional rite of the Roman Church is different from that of the Antiochean-Syrian rite and provides the necessary "form" (including the essential words as specified by Pius XII. Its content or "substantial meaning" is sufficiently close to that of the Coptic, Antiochean and Syrian prayers as to require no further discussion. If in fact Paul VI had adopted the form used in the Eastern rites, absolutely no doubt would remain about validity.

In the traditional rite, after the consecratory prayer, the functions of a Bishop are once again specified. "Give him, O Lord, the keys of the Kingdom of Heaven... Whatsoever he shall bind upon earth, let it be bound likewise in Heaven, and whatsoever he shall loose upon earth, let it likewise be loosed in Heaven Whose sins he shall retain, let them be retained, and do Thou remit the sins of whomsoever he shall remit... Grant him, O Lord, an episcopal chair..." This entire prayer has been omitted in the new rite.

THE RESULT OF THESE CHANGES IS THE PROTESTANTIZING OF THE ORDINAL; SOME WORDS OF LEO XIII TAKEN FROM HIS APOSTOLICAE CURAE.

Clearly, almost every reference to a specifically Catholic understanding of the episcopate has been deleted from the post-Conciliar rite. Included in these deletions are his function of ordaining priests, confirming, and his use of the "Keys." Admittedly the term "bishop" is retained, but outside the essential form, and in such a way as would in no way offend our Protestant brethren. As such there is no positive *significatio ex adjunctis*, but rather a negative one. With this in mind, let us consider some of the statements of Leo XIII in his *Apostolicae curae* that irreformably declared Anglican Orders "null and void."^{1[76]}

"In vain has help been recently sought for the plea of the validity of Anglican Orders from the other prayers of the same Ordinal. For, to put aside other reasons which show this to be insufficient for the purpose of the Anglican rite, let this argument suffice for all. From them has been deliberately removed whatever sets forth the dignity and office of the Priesthood of the Catholic rite. That "form" consequently cannot be considered apt or sufficient for the Sacrament which omits what it ought essentially to signify."

"The same holds good of episcopal consecration... Nor is anything gained by quoting the prayer of the preface, 'Almighty God,' since it, in like manner has been stripped of the words which denote the *summum sacerdotium*."

^{1[76]} Some liberal theologians argued that this Bull was not binding. Pope Leo XIII subsequently made it clear that the Bull was "irreformable."

"The episcopate undoubtedly, by the institution of Christ, most truly belongs to the Sacrament of Order and constitutes the *sacerdotium* in the highest degree, namely that which by the teaching of the holy Fathers and our liturgical customs is called the *Summum sacerdotium, sacri ministerii summa*. So it comes to pass that, as the Sacrament of Order and the true *sacerdotium* of Christ were utterly eliminated from the Anglican rite, and hence the *sacerdotium* is in no wise conferred truly and validly in the episcopal consecration of the same rite, for the same reason, therefore, the episcopate can in no wise be truly and validly conferred by it and this the more so because among the first duties of the episcopate is that of ordaining ministers for the Holy Eucharist and Sacrifice."

Michael Davies, despite his dubious conclusion (*The Order of Melchisedech*) that the new ordination rite is unquestionably valid, provides us with all the necessary evidence required to state that the intention of Paul VI was to make the new ordination rites acceptable to Protestants. He also provides us with the evidence that Paul VI's Ordinal was created with the help of the same henchmen that assisted in creating the *Novus Ordo Missae* - Archbishop Bugnini and the six heterodox (Protestant) "consultants." Francis Clark also stresses Paul VI's ecumenical intent. Indeed, he goes so far as to parallel it with Cranmer's intent in creating the Edwardian (Anglican) rite, namely that of destroying the sacerdotal character of Orders. He considers the Cranmerian result invalid, but that of the post-Conciliar church as legitimate because it derives from a Pope.^[77]

Let the import of such an intent be clear. Protestants deny the sacramental character of orders, and any attempt to create a rite that would satisfy them must resort to both ambiguity and deliberate obfuscation of doctrine. If Michael Davies' contention is correct, and I believe it was, Paul VI had no choice but to deliberately delete every reference to a specifically Catholic characterization of the Episcopacy. Let us once again turn to Leo XIII's *Apostolicae curae*:

^[77] Francis Clark, S.J., *Eucharistic Sacrifice and the Reformation*, Devon: Augustine, 1981. In his second edition of *The Order of Melchisedech* Michael Davies again reiterates his opinion to the effect that there can be no question about the validity of the new rites for administering Holy Orders, because they have the approval of a pope. He quotes Francis Clark with special emphasis: "The wording of an ordination form, even if not specifically determinate in itself, can be given the required determination from its setting (ex adiunctis), that is, from the other prayers and actions of the rite, or even from the connotation of the ceremony as a whole in the religious context of the age.." Such a doctrinal position means that the new Church can ignore 2000 years of sacramental theology and declare anything it wishes to be a valid sacramental rite. It could for example declare "monkey-shines" or "aba cadabra" to be a valid sacramental forms.

"For the full and accurate understanding of the Anglican Ordinal, besides what we have noted as to some of its parts, there is nothing more pertinent than to consider carefully the circumstances under which it was composed and publicly authorized... The history of the time is sufficiently eloquent as to the animus of the authors of the Ordinal... As to the abettors whom they associated with themselves from the heterodox sects... for this reason, in the whole Ordinal not only is there no clear mention of the sacrifice, or consecration, of priesthood (*sacerdotium*), and of the power of consecrating and offering sacrifice, but, and as We have just stated, every trace of these things which have been in such prayers of the Catholic rite as they had not entirely rejected, was deliberately removed and struck out."

"In this way, the native character - or spirit as it is called - of the Ordinal clearly manifests itself... **any words** in the Anglican Ordinal as it now is, **which lend themselves to ambiguity, cannot be taken in the same sense as they possess in the Catholic rite.** [highlighting is mine] For once a new rite has been initiated in which, as we have seen, the Sacrament of Order is adulterated or denied, and from which all idea of consecration and sacrifice has been rejected, the formula, 'Receive the Holy Ghost,' no longer holds good, because the Spirit is infused into the soul with the grace of the sacrament, and so the words 'for the office and work of priest or bishop,' and the like no longer hold good, but remain as words without the reality which Christ instituted."

CONCLUSION

If the post-Conciliar rite, animated by a spirit of false ecumenism, follows the pattern established by its Cranmerian prototype; if it is, as Michael Davies contends, a move in the direction of a Common Ordinal, and if it deletes every phrase which characterizes a Catholic episcopacy, not only from the essential form, but from the entire rite, then it must logically be subject to the same condemnations that Leo XIII promulgated against Anglican Orders. In fact, there is not one statement in the above quotations from his Apostolic Bull which cannot be applied to it. If one adds to this the abrogation of the traditional form as specified by Pius XII's *ex cathedra* pronouncement, and the change in the "substance" or meaning of the essential words specified as its replacement, we are left with the unfortunate conclusion that the bishops ordained by the new rite may be in no way different from their Lutheran and Anglican counterparts.

And if the ordination of post-Conciliar bishops is at best extremely doubtful, what is one to say of the ordination of "presbyters" under their aegis. In so far as the ordination rite for the priesthood has been criticized on similar grounds, we have a situation where doubt is added onto doubt. This in turn places all the other sacraments (except of course baptism and matrimony) on equally dangerous ground. The reader is reminded that, in the practical order, for a rite to be doubtful is the same as for it to be invalid. As Francis Clark says, "probabalism may not be used

where the validity of the sacraments is in question," and as Father Jones states, "Matter and form must be certainly valid. Hence one may not follow a probable opinion and use either doubtful matter or form."^{1[78]}

Even worse than placing the various aspects of the Sacrament of Order and their dependent sacraments in doubt, is the question that these ritual changes raise about what is called the Apostolic Succession. The Bishops are the descendants of the Apostles and retain all the functions of the Apostles except that of Revelation. If their "descent" is nullified and voided, hopes for reconstituting the Church that Christ established in a saner age are also seriously circumscribed.

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^{1[78]} Rev. Heribert Jone, *Moral Theology*, Newman: Westminster MD, 1962.