

U.S. BISHOPS' SUGGESTIONS FOR VATICAN II

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Scholarly investigation of the reactions of United States Catholics to the announcement of the Second Vatican Council has barely begun. Neither of the two most recent histories of the Church in the United States addresses the question, preferring instead general remarks on the great changes effected in American Catholicism by the election of President John F. Kennedy and the reforms inaugurated by the Council.¹ No social-scientific survey of Catholic responses to the announcement appears to have been made at the time, and a careful study of the reactions of the Catholic press, both popular and scientific, is still only in its initial stages. A vast amount of preliminary work is needed before one can make anything more than educated guesses about American attitudes towards Pope John's announcement.

A major part of any such study, of course, is the reactions of U.S. bishops.² An important source for a knowledge of their attitudes is provided in the proposals for the conciliar agenda that they submitted in response to the invitation of Cardinal Tardini. This essay will attempt a survey of these American *vota* which until now have been the object of only rapid and somewhat impressionistic reviews.³ For the full picture, of course, the materials reviewed here will have to be supplemented by a study, barely begun yet, of other sources--pastoral letters, newspaper columns, correspondence, diaries, etc.

THE FIRST REACTIONS OF AMERICAN CARDINALS

On January 25, 1959, there were four American Cardinals: Cushing, McIntyre, O'Hara, and Spellman, none of whom was present when Pope John announced the Council. Although they were all sent a copy of the Pope's speech at St. Paul's Outside the Walls and invited to comment on it, the only response published in the first volume of the *Acta et Documenta* was O'Hara's simple assurance of his diocese's prayers for the Council.⁴ Whether Cardinals Cushing

¹ James Hennesey, *American Catholics: A History of the Roman Catholic Community in the United States* (New York: Oxford University Press, 1981), 307-13; Jay P. Dolan, *The American Catholic Experience: A History from Colonial Times to the Present* (Garden City: Doubleday, 1985), 421-26.

² For a study of the social origins, educational background, and career patterns of the U.S. bishops just before the Council, see John D. Donovan, "The American Catholic Hierarchy: A Social Profile," *The American Catholic Sociological Review*, 19 (1958), 98-112.

³ See Pierre Fortin, "The American Hierarchy at the Eve of Vatican II," in *Le deuxième Concile du Vatican (1959-1965)* (Collection de l'École Française de Rome 113; Rome: École Française, 1989), 155-64. Rock Caporale's book, *Vatican II: The Last of the Councils* (Baltimore: Helicon, 1964), contains some interesting information, but it is not possible to determine which of the views summarized were held by the U.S. bishops he interviewed.

⁴ *Acta et Documenta Concilio Vaticano II Apparando. Series I (Antepreparatoria)* (henceforth: *ADA*) (Vatican City: Typis Polyglottis Vaticanis, 1960-61), I, 149.

and McIntyre responded is not known, but the Archives of the Archdiocese of New York contain the following copy of a letter from Spellman that does not appear in the official volume:

Thank you very much for your note of January 29th, Prot. N. 7803, and for the copy of the address given by our Holy Father to the Cardinals in the Basilica of St. Paul outside the walls.

Since the Holy Father was gracious enough to ask for any information that we had available, I am enclosing herewith some items from various sources, Protestant as well as Catholic, so that His Holiness may learn of the immediate reaction to our Holy Father's invitation. I learn also that it will probably require two years to prepare for the Ecumenical Council and wish to assure you that the Archdiocese of New York will be pleased to cooperate in every way, and especially by prayer, in making the results of the Council all that the heart of our Holy Father so ardently desires.⁵

While Spellman here does not state his own reaction to the Pope's announcement, he was more open in a conversation with a French diplomat that occurred on the same day he wrote this letter to Tardini. In a dispatch uncovered by Alberto Melloni, Raymond Laporte, the French Consul General in New York, reported that Spellman had criticized the calling of the Council, expressing his bitterness at having learned of the Council through the press. He thought the Council "premature, senseless, and doomed in advance to certain failure. Such meetings are only conceivable after a quite lengthy preparation and a prior consultation not only of the Cardinals of the Curia but of all the princes of the Church throughout the world."⁶ This annoyance may help to explain why, although he began a consultation within his archdiocese soon after receiving Tardini's request for proposals, Spellman did not send in his *votum* until February, 1960.

AMERICAN PROPOSALS FOR A CONCILIAR AGENDA

On June 18, 1959, Cardinal Tardini, the Secretary of State of the Vatican and president of the Antepreparatory Commission appointed by Pope John XXIII to begin preparations for the Second Vatican Council, sent the bishops of the world a letter inviting them to submit suggestions for an agenda for the Council. While mentioning doctrine, the discipline of the clergy and people, contemporary Church activities, and the major challenges facing the Church today as areas on which the bishops might suggest topics, he also left them free to add any other issues they might wish. The bishops were asked to submit their responses in Latin by September 1,

⁵Spellman to Tardini, February 7, 1959, New York (copy); Archives of the Archdiocese of New York (=AANY). A letter from Tardini to Spellman, March 14, 1959, indicates that Spellman sent other packets of material on January 29th, February 25th and 28th: "The Holy Father, to whose attention I brought the contents of Your Eminence's communications, noted with interest the reactions to the announcement of the Council, and He would have me express to Your Eminence His warm appreciation and cordial gratitude for your solicitude in placing this information at His disposal."

⁶"These attacks," the diplomat noted, "on the new Pope, I must say, surprised me by their vigor"; cited in Alberto Melloni, "Governi e diplomazie davanti all'annuncio del Vaticano II," in *A la veille du Concile Vatican II: Vota et réactions en Europe et dans le catholicisme orientale*, ed. M. Lamberigts and Cl. Soetens (Leuven 1992) 230.

1959.⁷ On March 21, 1960, Tardini sent a second letter to the bishops who had not yet submitted responses, asking them to send them in before the end of April.⁸ The responses received from the worldwide episcopate have been published in the antepreparatory series of the *Acta et Documenta Concilio Vaticano II Apparando*. Those received from the bishops of the U.S. were published in the sixth volume of the second tome.⁹

In 1959 there were twenty-seven archbishops in the U.S., 109 residential bishops, and one exarch. All but nineteen bishops and one archbishop (Floersch of Louisville) sent proposals, a response-rate of 85.4%.¹⁰ Of the 80 titular bishops consulted, 31 replied (38.7%).

Two-thirds of the responses from residential bishops were sent in from July to October 1959; the others were sent mostly in April and May 1960.¹¹ Twenty-one bishops to whom a second invitation had to be sent did not explain their delay; the twelve others offer various excuses. None of the letters indicated that the lack of an early response meant disapproval of the idea of a Council; in fact, some bishops went out of their way to indicate their enthusiasm.

The longest of the responses was Rummel's ten-page text; seven others were of five pages or more. One hundred and fourteen of the replies were of two pages or less. Most *vota* were discursive in style; but some were little more than lists of topics without comment. The replies of Meyer, Schulte, Rummel, Caillouet, Brady, Binz, Cushing, Cody, Primeau, Bartholome, and Marx stand out from the rest by the breadth of their vision and their alertness to contemporary conditions. Four bishops wrote, contrary to Tardini's letter, not in Latin but in English (Schenk, Wright, Lucey, Walsh), and one, Grimmelsman (321-22), changed from Latin to English mid-way through his letter.

Fifteen bishops (10.1%), ten Ordinaries (Vehr being the only archbishop) and five Auxiliaries, wrote to say only that they had nothing to propose.¹² Many of them indicated that the

⁷*ADA*, II/I, pp. x-xi.

⁸*ADA*, II/I, p. xiii.

⁹*ADA*, II/VI, pp. 265-518. To avoid multiplying footnotes, all page-references to the *vota* will be given in the text.

¹⁰This percentage is even higher (92.1%) if the ten dioceses which experienced a change in bishop between 1959 and 1960 are excluded. No replies were received from the following dioceses (those whose bishops had changed are marked with an asterisk): Altoona-Johnstown*, Buffalo, Camden*, Covington*, Erie, Fargo*, Gary, Greensburg*, Mobile-Birmingham, New Ulm, Peoria*, Providence, St. Augustine, Salina, Salt Lake City*, Savannah*, Sioux Falls, Superior*, and Wilmington*. It should perhaps also be noted that the bishops of Erie and Mobile-Birmingham were quite elderly in 1959.

¹¹The Auxiliary Bishops were much more punctual, 29 of the 31 submitting theirs before the end of October, 1959, one sending his in February, 1960, and the other one having no date. Six of the replies sent by Ordinaries are also undated.

¹²They were: Vehr (309), Newell (291), Willinger (377), Adrian (377-78), Bergan (400), Cotton (401), McCarty (414), Rehring (459-60), Fitzgerald (467), MacKenzie (477), Leven (482), McCormick (508), Tracy (508-509), and Hettinger (513), the last five being Auxiliary Bishops.

news of the Council had been well received and promised their prayers. Only Jerome Hannan (443) offered nothing because he seemed to feel that no changes were needed.

THE PREPARATION OF THE PROPOSALS

Very little work has been done on the preparation of the bishops' *vota*. As the examples given below indicate, initial investigations confirm what the texts of the proposals themselves suggest, that the breadth of consultation and the process of preparation varied widely.

Consultations

Cardinal Tardini's letter permitted the bishops to make use of the discreet advice of "expert and prudent churchmen." This phrase is repeated, with slight variations, in 22 of the responses, with six other bishops speaking more generally simply of "consultations." No bishop said that he consulted lay people, although some bishops claimed to know what their faithful thought. That a bishop does not mention consultation does not, of course mean that none was undertaken, as the following examples demonstrate.

Boston. Cardinal Cushing (278-84) said nothing about his consultation or the preparation of his *votum*. An inquiry addressed to the archdiocesan archivist found no documentation to illumine the process, but a conversation with Msgr. Robert Sennott (10/12/90), who was then Chancellor, revealed the following. Cushing appointed a committee of from eight to ten people, three or four each from the Seminary faculty and from archdiocesan administration and two pastors. This committee took advice from others and finally drew up a list of proposals. Cushing reviewed these and selected the twenty which were sent to Rome after they were translated into Latin.

Newark, Camden, and Trenton. Archbishop Boland (379-82) sent in a proposal containing seven doctrinal questions (the ends of marriage, infants who die without baptism, *virginitas in partu*, Church-State relations, "*Extra Ecclesiam nulla salus*," the identity between the Mystical Body and the hierarchical Church, and the traditional apologetics), all carefully argued and with precise references to sources. These proposals reproduce *verbatim* suggestions drawn up for Boland by Msgr. George W. Shea, professor of dogmatic theology at Boland's Seminary, whom Boland was to take to the Council as his personal *peritus*.¹³

A month before mailing these proposals to Boland, Shea had already sent very similar suggestions, in English, to two of Boland's suffragans, McCarthy of Camden and Ahr of Trenton.¹⁴ As it turned out, McCarthy never sent his proposals to Rome and Ahr had to be sent a

¹³In the papers of Msgr. Shea, located at Darlington Seminary, there is a typescript, "Obiecta quaedam, quorum pertractatio et definitio in Concilio Oecumenico optabilis censetur," on which Shea wrote: "Copy of suggestions mailed Sept. 23, 1959 to Archbishop Boland (at his request)."

¹⁴The exchanges of letters between Shea and the two bishops, along with his proposals, are found in the Shea papers.

second letter before he responded (460-61). The response Ahr sent on April 28, 1960 closely follows that of his friend Boland and echoes his arguments, but without the scholarly references. Ahr omits from his *votum*, however, the issues of salvation outside the Church and the identity between the Mystical Body and the hierarchical Church, while adding his own proposal that some provision be made for what the Church should do if the enemies of the Church use an atomic bomb to kill the Cardinal-electors of the Pope and all the other bishops assembled for the Council! The latter concern had not been articulated by Shea.

Washington. Archbishop O'Boyle (463-64) and his two auxiliaries, Philip Hannan (501-502) and John M. McNamara (498-501), sent in *vota* within two days of one another. While McNamara's text is in content clearly independent of the other two, Hannan's two doctrinal and two moral suggestions closely follow O'Boyle's proposals, although Hannan added on his own a call for more use of the vernacular in non-liturgical devotions.

We know something of the origin of O'Boyle's own *votum* from the papers of Francis Connell, C.S.S.R.¹⁵ Two texts are found there on which Connell wrote "Washington," the first simply listing eleven doctrinal and ten moral questions, the second listing the same issues but adding a brief explanation for each.¹⁶

The text which O'Boyle submitted reproduces Connell's fuller draft in the opening and closing paragraphs and in the five doctrinal and four moral proposals which O'Boyle selected to send to Rome. From the doctrinal section, O'Boyle chose *not* to send proposals on the constitution and membership of the Mystical Body, on Church-State relations, on the meaning, extension, and authority of the ordinary papal magisterium, on papal infallibility with regard to truths not revealed but connected to revealed truths, on the internal assent due to the ordinary papal magisterium, and on polygenism. From the moral section, O'Boyle omitted proposals on strikes, on the just wage, on the use of periodic abstinence in marriage, on the power of the Church to dissolve consummated marriages between a baptized and non-baptized partner, on the obligations of parents to provide a Christian education for their children, and on international relations. O'Boyle's papers are not yet organized for investigation and Connell's papers do not give any indication why O'Boyle chose some and rejected others of Connell's recommendations.

Harrisburg. Connell's Papers also include a letter and proposals drafted for Bishop Leech. The eight doctrinal and eight moral issues which Connell sent to Leech are exactly reproduced in Leech's *votum* (336), but Leech added one of his own, a request to restrict the privileges of

¹⁵These papers are found in the Archives of the Baltimore Province of the Redemptorists (=ABPR), Brooklyn, N.Y., in a file labelled "Ecumenical Council I."

¹⁶The same file includes a letter from O'Boyle to Connell, dated July 30, 1959, thanking him for his letter of July 28 "and the propositions for the Ecumenical Council. You've done a great job; they have enough work in your outline to take care of the whole Council." Another letter, dated August 17, 1959, from Hannan to Connell, thanks the latter for his "communication of August 12th" which he promises to bring to O'Boyle's attention. No indication of the content of this second letter is given; perhaps O'Boyle had asked Connell to fill out his schematic first draft and that Connell had then sent the second, fuller text. Connell also sent this second text to Bishop James McManus of Ponce, Puerto Rico, who added it verbatim to his own *votum*, published in *ADA*, II/VI, pp. 648-51.

religious in favor of the jurisdiction of the bishop in his own diocese, something of which Connell, as a Redemptorist, perhaps would not have approved.¹⁷

New York. In 1959 Cardinal Spellman had nine auxiliary bishops, four of whom (Pernicone, Furlong, Sheen and Maguire) submitted *vota* to the Vatican. The proposal of Pernicone printed in the *Acta et Documenta* (476-77) is dated July 30, 1959 and is addressed to Cardinal Spellman apparently as part of the Cardinal's consultation. Furlong's undated *votum* (480) asks for a revision of the formula for abjuration imposed on converts and for an abbreviation of the Divine Office. Fulton J. Sheen (486-89) sent his apparently quite independent proposals on August 28, 1959, two of which express his concerns as National Director of the Society for the Propagation of the Faith. (Relations between Sheen and Spellman were notoriously cool.) Five other auxiliaries of New York (Donahue, Flannelly, Dargin, Griffiths, Fearn, and Swanstrom) did not respond to Tardini's request. In Griffiths' case this did not prevent his later being appointed one of only two U.S. episcopal members of the Preparatory Theological Commission, and Fearn may have felt that he had satisfied his duty by the proposals he sent directly to Spellman.¹⁸

Something of the history of the preparation of the *vota* of Spellman and of Bishop John Maguire, the Vicar General, can now be told.¹⁹ The preparations included a consultation of the faculty of St. Joseph's Seminary, Dunwoodie, during the summer of 1959. Present and former members of the Chancery staff were also consulted. It was not until November 23rd that a draft of Maguire's letter to Tardini was ready, containing six proposals: on the lay apostolate, marriage, the active diaconate, ecclesiastical burial, censures, and the Index. This draft was not sent at that time, however, perhaps because Maguire thought that protocol required that his proposal not be sent before Spellman's. Maguire's published *votum* (478-80) is dated February 29, 1960, nearly three weeks after Spellman's, and contains all of the same items except the proposal to restore the diaconate.

In the New York Archives there is a seven-page document entitled "Re: Suggested Material for the Ecumenical Council," which appears to be an English summary of the issues gathered during the consultation and a draft of Spellman's *votum*. Since Spellman made marginal notations on these pages, the document provides insights into his own views. Three sections are most interesting. First, two lengthy paragraphs on Church-State relations were not included in

¹⁷Connell sent another set of proposals to Archbishop Floerssh of Louisville who was, however, the only U.S. archbishop who did not send a *votum* to Rome. In conversation on September 21, 1990, Bishop Charles G. Maloney, auxiliary under Archbishop Floerssh, could not explain why no response was sent but offered as possible reasons: (1) that the Archbishop did not believe major reforms were needed, (2) that he was quite firm in insisting on diocesan responsibilities, (3) that he had suffered a coronary thrombosis late in 1958, and (4) that he did not rush into things and did not like "ghost-writers," so that he may not have been able to revise to his own satisfaction the draft written for him by Francis Connell.

¹⁸Fearn, the former rector of the archdiocesan seminary, submitted eight doctrinal and five moral proposals in a letter to Spellman, July 31, 1959 (AANY). Although Spellman replied on August 20, 1959, that he had found the suggestions "most practical," there is no visible influence of Fearn's ideas on Spellman's *votum*.

¹⁹The following is based on materials found in AANY, file entitled "Vatican Council II--Agenda."

Spellman's final *votum*, presumably out of fear of what would be taught (see below). Second, Spellman turned down a proposal to extend the authority of Metropolitans over suffragan sees in the area of temporalities. Third, the majority of disciplinary proposals were introduced with a revealing paragraph: "Some of these suggestions relative to the disciplines of the Church may not properly come under the aegis of an Ecumenical Council, for they are local in area and particular to our country. It may be well, however, to send these along, since it affords the American Hierarchy the opportunity to bring these considerations to the attention of the Holy See." (In the end over two-thirds of Spellman's *votum* would be devoted to such disciplinary questions.)

A comparison of the various proposals submitted to Spellman and his final *votum* reveals that he accepted, although sometimes in modified form, most of the suggestions he received. Only the following do not appear in his final text:

- extending authority of Metropolitans over temporalities;
- dealing with problems caused by proximity of many churches in urban areas;
- the ordination of married convert ministers;
- wider use of the vernacular;
- the revival of the diaconate;
- Church-State problems;
- Ordinary's authority to determine place for baptisms;
- a set of theological issues, raised by Fearn, and dealing with the Mystical Body, baptism, confirmation, unity, the magisterium, and cultural diversity in the Church.

Of these, the wider use of the vernacular had already been excluded from the English draft of the *votum*.

Spellman received conflicting advice about the Marian titles of Mediatrix and Co-redemptrix, one calling for a definition of the first title, the other cautioning against any definitions. His proposal asked simply for a "clearer exposition" but mentions also the danger of obscuring Our Lady's dependence on Christ. With regard to the liturgy, Spellman received two proposals for greater lay participation. In his *votum* this appears as a desire that it become "more intimate" but in accordance with local customs, and in the U.S., he believed, this should mean using missals rather than introducing dialogue Masses. Striking in their absence from Spellman's *votum* is any reference to such matters as Catholic education, the threat of Communism and secularism, and the race question, on all of which he had spoken and acted often.

Collective Action

There is no evidence of any nationwide collaboration among bishops in preparing proposals for the ecumenical council. The minutes of the Administrative Board's meetings during

1959 and 1960 reveal no discussion of a collective response to Tardini's invitation. At the annual meetings of the U.S. Bishops in 1959 and 1960 a suggestion "to form a committee to prepare questions of interest to the United States in the forthcoming Ecumenical Council" was turned down on the grounds that the individual Bishops had already submitted their suggestions.²⁰

There are indications of particular collaboration in the following cases: Adrian (377-78) and Floersh (who did not send a text!); Boland (379-82) and Ahr (460-61; see above); Howard (410-11), Leipzig (273), and O'Flanagan (347); Hines (399) and O'Brien (337-38). But a random study of eight ecclesiastical provinces shows no other evidence in content or language of collaborative preparation.

As for collaboration within dioceses, besides the cases mentioned above, two Ordinaries (Connolly of Seattle, 444, and Garriga, 300) explained that they discussed their *vota* with their auxiliary bishops. But Connolly's auxiliary, Bishop Gill, did not submit a *votum* and Garriga left it to his auxiliary, Bishop Marx (490-92), to develop the four themes he was himself content simply to enumerate.

There is evidence that a few auxiliary bishops prepared their proposals with the knowledge of the *vota* of their Ordinaries; but there is no clear pattern here, either. While the majority of auxiliary bishops who responded felt quite free to send quite independent proposals, several auxiliary bishops excused themselves from sending their own *vota* by leaving the matter to their Ordinaries.²¹ In one case, Welch, the Ordinary, and Glenn, his Auxiliary, sent a common proposal (317-19).

There is not much evidence that the bishops wrote their *vota* with a sharp eye on local or regional problems. Particular references to their own dioceses are quite rare (seven bishops: 4.7%). In his plea for the same right to use the vernacular that had been granted to India, Hyland (272) noted that the United States, where at least 70% of the population was non-Catholic, and in particular his diocese (Atlanta), where only 2% are Catholic, were also missionary territory, a judgement about the South also implied by Rummel (388). Brunini (481) gave a judgement about the prospects for Church reunion in his diocese (Natchez-Jackson), which covers the whole of Mississippi, and noted that Catholics constitute only 3% of the South's population. Garriga (300) noted the insufficient number of priests in his diocese (Corpus Christi). Whether Greco (268) was referring to his own diocese (Alexandria, LA) when he spoke of the difficulty the clergy in some areas experience in maintaining celibacy is not clear. Bartholome (430-431) relied on his observations in a diocese (St. Cloud) which he said was "more Catholic than others in our country" when he remarked on growing materialism and defended the family farm, he being the only bishop from farming areas to mention this problem. Finally, McIntyre (365-67) referred to his own archdiocese (Los Angeles) in his extended comments on the problems caused the Church by growing inflation.

²⁰ "Minutes of the Forty-first Annual Meeting of the Bishops of the United States, November, 1959," p. 50; "Minutes of the Forty-second Annual Meeting..., November 1960," p. 61.

²¹ MacKenzie (477) left it up to Cushing and Leven (482) to Lucey. Tracy (508-509) simply associated himself with Schexnayder. McCormick (508) excused himself on the ground that he had worked with O'Hara.

A dramatic example of the absence of regional concern is found in the proposals submitted by the bishops in the two provinces of the Southwest, San Antonio and Santa Fe. Only one bishop, Garriga (299-301), referred to the insufficient number of vocations to meet the growth in the number of the faithful and in the Church's works "in this part of the Lord's vineyard." Neither in his nor in any other of the *vota* is there any indication of the particular traits of Churches with a very large number of Mexican-American Catholics,²² unless this is to be considered implicit in the calls for a definition of the role of the Blessed Virgin as Mediatrix of all graces. The absence of local references is perhaps most dramatic in the *votum* of Archbishop Robert Lucey who in 1945 had founded and was still directing the Bishops' Committee for the Spanish-Speaking, whose archdiocese had a very large Mexican-American population, and who had long fought on behalf of the rights of Hispanics and of blacks, but who does not refer to particular problems in his call (437-439) that the Council address issues of social justice.²³

From the printed material one would have to conclude, then, that there was very little sense of a collegial responsibility in replying to the invitation from Rome. Two confirmations of this: (1) only one bishop, Cardinal O'Hara (403) used terms referring to the college of bishops, and (2) the only reference to episcopal conferences comes in the *votum* of Archbishop Vagnozzi, the Apostolic Delegate (475-76)!²⁴

It would be only in the summer of 1962 that the U.S. Bishops would begin to act collectively, as they prepared a statement on the Council. As was common at the time, this statement itself was prepared for the Administrative Board of the Conference which was considered to be empowered to speak for the rest of the bishops. But neither the preparation of the statement nor its content give much indication of a sense of even local collegiality among the U.S. Bishops.²⁵

²²For the new challenges posed by the great influx of Mexicans, see Jay P. Dolan, *The American Catholic Experience: A History from Colonial Times to the Present*, pp. 371-77.

²³In 1956, Lucey contributed an essay, "The Catholic Church in Texas," to *The Catholic Church, U.S.A.*, ed. Louis J. Putz (Chicago: Fides, 1956), pp. 225-31, which discusses the problems caused by the lack of Mexican-American clergy and religious. Lucey's *votum* also makes no reference to another of his great concerns, the Confraternity of Christian Doctrine. Los Angeles was another goal of the new Mexican immigration, but there is no reference to it in the *votum* of Cardinal McIntyre (364-68).

²⁴Perhaps this is the place to note that the *votum* of Vagnozzi (474-76), who would not prove shy about injecting himself into U.S. Catholic controversies, is also surprisingly lacking in local reference and might as easily have been written by a delegate to any other country on earth. (It is only fair to note that he had only arrived at his post in May, 1959.) Vagnozzi asked for: 1) a definition of the sacramental character of episcopal consecration, 2) a law that diocesan priests be required to make annual retreats, 3) a clearer definition of the duties of Ordinaries with regard to economic matters, 4) a central office in the Roman Curia for examining fiscal matters, 5) permission for couples of mixed rite freely to choose to which rite they will belong, 6) Roman approval of statutes for episcopal conferences, and 7) a year of pastoral ministry between the diaconate and the presbyterate. It might prove illuminating to do a comparative study of the *vota* of the Vatican diplomats.

²⁵The Bishops' "Statement on the Ecumenical Council" may be found in *Pastoral Letters of the United States Catholic Bishops*, ed. Hugh J. Nolan, vol. III (Washington: NCCB/USCC, 1983), 11-16. Correspondence in the papers of Bishop Griffiths in the AANY reveals that after a meeting with Archbishop Shehan and Bishop Philip

GENERAL CONTENT

The great majority of U.S. Bishops chose to confine their *vota* to matters affecting the internal life of the Church (including ecumenism, almost universally understood as the return of schismatics and heretics). Only 54 of them (36.5%) included proposals about the challenges facing the Church because of contemporary economic, social, political or cultural conditions.²⁶ Most of the bishops made proposals about both doctrinal and disciplinary, canonical, or pastoral issues. A third of them addressed only practical issues. Only nine bishops devoted their *vota* solely to doctrinal issues.

General Comments on Change

A few bishops permitted themselves observations on the general need for change in the Church. After calling for great decentralization of authority, Nold (327) went on to insist on the need for the Church to change with the times, "rejecting both the stubbornness of antiquarians and the rashness of innovators." He cited particularly the urbanization of modern life. Kearney (418) ended his *votum* by asking for an examination of Church discipline in the light of modern cultures "so that in missionary regions our faith may be shown to be truly universal and in areas where Catholic practice (even though most are baptized Christians) is not fervent or active, it may revive and flourish." Similarly, while opposing change for the sake of change, Mueller (446) noted that past practices of the Church were not always adequate to modern needs.

On the other hand, McIntyre (367) claimed that "our people are not expecting great changes in the general laws of the Church" and that disciplinary concessions were not likely to have a great effect on Protestants' desire for unity. But it was J. Hannan (443) who was strongest in his opposition to great change. He stated that he had spent most of his life "explaining, promoting, and defending the Church's doctrine and discipline" and opposing changes in discipline and the interpretation of doctrine. Existing laws were adequate to the care of souls, and disobedience to them he thought the source of greatest evil in the Church. His role at the Council, he concluded, would be "to speak against at least radical innovations."

Contemporary Philosophical and Social Challenges

Hannan, Archbishop Paul Hallinan wrote the first draft of this statement, which was then sent to Bishop Griffiths. A revised version was circulated by Archbishop O'Boyle in July. Cardinal Spellman declared his pleasure with the statement on July 31, 1962.

²⁶Another 31 names can be added to this list if ecumenism is included, which would make the percentage 57.4%.

Some of the bishops made oblique or extended observations about the corruption of contemporary society.²⁷ Some expressed unspecified complaints about "a worldly spirit" (Babcock, 331), "the insidious spirit of the world" (Scanlan, 485), or "the licentiousness of the times and the vices of the age" (Dworschak, 513).

Some twenty-five bishops (16.9%) discussed at length the practical dangers of various false philosophies. Cushing (279) referred to dialectical materialism, positivism and existentialism.²⁸ Hallinan (290) described "a secular culture which is rooted in subjectivism, pragmatism, relativism, agnosticism and atheism," "the false philosophy which is the basis of this culture." Shehan (286) pointed to "a widespread moral corruption caused by the denial of the absolute moral law and fostered in a democratic society by a false idea of individual freedom" which is encouraging the spread by the media of ideas threatening "the moral integrity of the individual, the sanctity of the family, and the health of the whole society."²⁹ Several other bishops echoed the same concerns about moral decline.

Meyer (292) maintained that most of the errors of the day were based upon relativism with disastrous consequences for both doctrine and morality: "Any idea of absolute truth is denied by many people."³⁰ He described the crisis as "a real de-christianization or apostasy of nations. There is a real and universal absence of God, especially from the public life of peoples."³¹ To oppose it, he proposed repeating Catholic doctrine on the true notion of the supernatural, on original sin, on the redemptive Incarnation, on regenerating grace, on the true notion of sin, and on the need for faith against those who rely on works.

²⁷Since the Second World War, the U.S. Bishops had published at least seven statements deploring the spread of secularism and materialism in American society.

²⁸Grellinger (512) asked for a restatement of natural law against positivists. Schulte, 341, Cody, 348, Fletcher, 362, Kellenberg, 421, and Rancans, 506, also mention Existentialism.

²⁹Dearden (312) wanted a statement on the correct idea of freedom in order to counteract the false implications of the notion of freedom advanced by Liberalism. Grimmelman (321) in an aside said: "Ours is a democratic society with exaggerated ideas of personal freedom." Scanlan (484) asked for "a clear and simple presentation of the nature of truth and of freedom in order to refute pragmatism, communism, and other errors of this sort."

³⁰Several other bishops mention the problem of relativism and of indifferentism: Hallinan (290) Fletcher of Little Rock (362), O'Brien of Hartford (337), Feeney of Portland (409), Kellenberg of Rockville Center (421), Bartholome (431), Grellinger of Green Bay (512).

³¹Connolly of Fall River (324) pointed to the spreading errors of secularism which "are not only denying but mocking Catholic teaching about man's nature and his sublime vocation to eternal happiness with God." Howard of Portland (410) proposed "a solemn proclamation of the Kingship of Our Lord Jesus Christ in order to curb the insolence of a growing laicism." Secularism or laicism is also mentioned by Mueller (446) and Schmondiuk (516-17). Mitty of San Francisco (441) wanted the Council to address the view which had affected many Catholics, that there are two norms of morality, one for private, family, and social life, the other for secular affairs.

Meyer (293) was also one of the very few bishops who adverted to the challenges posed by scientific and technological progress.³² He proposed a set of questions which "the ubiquity of the technological revolution" pose for the methods of apologetics, catechesis, and seminary-education.³³

One of the fullest statements came from Schulte (341) who argued that the problems the Church faces today differ from those of the era of Vatican I. The Church was now free to present her teachings, and the horrors of two wars had demonstrated the futility of trying to govern human life solely by reason; in fact, today, people were being attracted to Existentialism, "a philosophy of pessimism based on an almost total abdication of reason." Still there was reason to hope:

But it is at night that the stars shine. Except only for those whose hearts are entangled in Communism, a concern for religion seems to be growing among people of all classes. Everyday those who in every nation enjoy dignity and authority are looking to the Church for leadership. The See of St. Peter has perhaps never enjoyed a higher reputation. There is a new and significant theological revival among Protestants, indeed an un hoped for desire for formal worship and a serious desire for unity. Today, then, it is not as necessary to denounce errors as it is to proclaim the character of the Church, and especially of the Holy See, as the source of the unity of the whole earthly community which it has in our day begun to be.

Kellenberg (421) had a list of no fewer than ten "errors of this time": the denial of God's freedom in creating; scientism and the rejection of metaphysics, existentialism, situation-ethics, relativism: historicism and cultural relativism, naturalism, psychological and sociological determinism, exaggerations of personal, academic, literary, artistic, and journalistic freedom, totalitarianism.

In the view of Mueller (446), "the errors condemned by Pius IX in 1862 have grown worse over the years. Yesterday's rationalism and modernism have degenerated into secularism, materialism, and atheistic communism and are powerful not only as theoretical systems but as norms for daily life."³⁴ These errors had spread so widely as to assume a social character; and people are ascribing the evils to society rather than to individuals.

Perhaps the most vigorous statement on the issues was that of Bartholome (430-31) who placed the chief purpose of the Council in the effort to combat errors: "It is the universal opinion of the priests of our diocese and of the bishop that the calling of the forthcoming Ecumenical Council by Pope John XXIII is appropriate and necessary to correct and to wrest out the errors

³²Schulte (435) also asked for a presentation of "the relationship between revealed doctrine and the conclusions of modern science" and for a repetition of "the teaching on the relation between faith and reason." Shehan (286) and O'Hara (405-406) refer to the threat to morality represented by modern media.

³³Only three other bishops, Babcock (331), Rummel (389), and Scanlan (485) urged a more effective use of modern media for evangelization and catechesis.

³⁴Helmsing (450), Rancans (506), and Schmondiuk (516-17) also mention materialism.

and false opinions which oppose the faith of Christian peoples and of Catholics, especially during the last half-century, through the pernicious movements and false doctrines of liberalism and materialism." Because of the influence of materialism, "people seem to be living for this world and for this world only and not for the eternal life of the world to come." Relativism is also a danger: "The opinion of people of our age that truth is relative, that norms for living are relative, that absolute truth and absolute principles for living do not exist, these opinions need to be clearly and certainly condemned so that Christian people, and even pagan people who believe in the force of natural law, may be confirmed in their faith and devote their energies to following such a firm faith in their lives."

As noted above, many of the bishops propose responding to these errors by presentations of the opposing Catholic doctrines.³⁵ But Meyer (292) also thought it would help if "a Syllabus or collection of these modern errors were solemnly prepared by the Council, excerpted perhaps from the various allocutions, encyclicals, and letters of the Supreme Pontiffs since the Vatican Council."

DOCTRINAL CONCERNS

Nine bishops asked for restatements of the Church's faith in Christ. His divinity was mentioned by Forst (314) and Primeau (370) as a key for ecumenical discussions. Feeney (409) referred simply to the Incarnation and Redemption. Gilmore (338), Hunkeler (353), and Dworschak placed the emphasis on him as Redeemer, while Kellenberg (421) wanted a discussion of Christ's satisfaction. Two bishops, Leech (336) and Howard (410) asked for an affirmation of Christ's Kingship.

Cushing (279) wanted the threat posed by materialism, positivism and existentialism to be met by authoritative statements on "the absolute value of reality, the nature of the spiritual human soul, free will, the existence of a personal God distinct from creatures, man as subject to God's rule, the diminishment of freedom by external or internal determination."

To counter the de-christianization of society Meyer (292) wanted statements on the notion of the supernatural, original sin, the redemptive Incarnation, regenerating grace, the notion of sin, and the need for faith to counteract a spreading works-righteousness. Connolly (324) wished to oppose secularism with a restatement of the Church's teaching about man's nature and sublime call to eternal happiness with God. An age of unbelief and indifferentism, Feeney argued (409), would be startled by a restatement of the Church's ancient and constant faith in the unity and trinity of God, the Incarnation and Redemption, the hierarchical constitution of the Church, the Scriptures as God's inspired Word, the sacraments as conferring grace--in short, that "the Church is Jesus Christ among us." Bartholome (430) thought that materialism had to be opposed by a restatement of the doctrines of original sin, redemption, and the future life. To address the license and vices of the day Dworschak (513) wanted restatements, in today's language, of God as Creator, original sin, redemption, the Church, the infallible magisterium, and true freedom.

³⁵In a slightly different context, Klonowski (494) wanted the Council to "condemn errors, not men."

O'Hara (404) wanted a restatement that could confirm the Decree *Lamentabili*, especially the proposition about the teaching and the learning Church, in order for it to be effective against the errors and aberrations of the day.

There are only a few indications of dissatisfaction with recent developments in theology. Boland (382), followed by Ahr (461), noted the opposition of some Catholics to traditional apologetics which reduced it to the argument drawn from the Church as a "moral miracle." Kellenberg (421) wanted discussions about the power of the human mind to know the truths contained in the preambles of faith and about miracles and prophecies as signs of credibility. Connolly (444) expressed reservations about the new notions and methods of "kerygmatic theology" and about a tendency among eirenicists to dismiss long consecrated theological concepts and to reject speculative theology as irrelevant to our age. He thus urged that the authority of St. Thomas in theology and philosophy not be lessened, a point on which he was joined by Buswell (412).

Gilmore (338-39) wanted a presentation of the main topics of fundamental theology: proofs for the existence of God directed at our scientific age, revelation, Christ, the Church. Somewhat similarly, Primeau (370) wanted a repetition of the elements of Christian philosophy--the limits of human reason, the nature, object, and role of authority, free will and responsibility--and of "the elementary truths of Christian theology"--sin vs. too much psychiatry, the supernatural order vs. naturalism, more about God's Fatherhood and less about human brotherhood, the divinity of Christ, the necessity of faith vs. works-sufficiency (also stressed by Kellenberg [420]), the need for penance and mortification. Sweeney (340) noted a tendency today to downplay dogmas out of an exaggerated sense of mutual relations among people.

Among other doctrinal topics the bishops asked the Council to discuss were:

- creatures on other planets: Cushing (284), Binz (317), O'Boyle (463-4)
- fate of infants dying without baptism (Limbo): Zuroweste (276), Cushing (284), Noa (375), Boland (380), Connolly (445),
- true notion of freedom: Shehan (286), Dearden (312), Primeau (371), Kellenberg (421),
- human evolution: Leech (336), O'Boyle (463),
- unity of the race, against polygenism: Gilmore (339), Fletcher (362), Foery (458),
- divine Providence: Wright (409),
- development of dogma: Kellenberg (420), Connolly (445), Caillouet (509),
- the objective reality of hellfire: Mitty (441).

The Church

Some twenty-two bishops called for a treatment of the Church, particularly as the Mystical Body of Christ. Apart from the simple mention of the theme or very brief indications of

topics,³⁶ there are various explorations of the motives and themes this treatment might develop. Cushing (281-82), for example, wanted this "beautiful dogma...considered not only in itself but also in its relationship to the circumstances of life today, e.g., to the growing abundance of peoples of the world, which urgently demands greater missionary efforts, to exaggerated nationalism, which is opposed to the unity of the family of God, to still quite evil discrimination against Jews and Muslims to whom the Mystery of the Church in her inner life is still not clear enough." Rummell (383) listed five topics worthy of consideration: (1) the Mystical Body as source and foundation of unity among Christians; (2) its nature and effects with regard to the Communion of Saints, (3) the teaching role of the Church, (4) membership and salvation, and (5) the participation of the laity.

Some bishops concentrated on particular dimensions of the doctrine. Meyer (292-93) thought it appropriate to consider solemnly defining the doctrine of *Mystici corporis*, especially its identification of the Roman Catholic Church with the Mystical Body, which he thought important not only in itself for Catholics but also for the sake of ecumenism.³⁷ Similar concern about the Church's unity is also found in Alter's *votum*, which notes that ecumenically inclined Protestants think that unity is something yet to be achieved. In response, the Council should restate "that the unity of the Church as established by Christ's will is an organic and supernatural unity, linking all the members of Christ's Church through the grace of Christ communicated to His whole Mystical Body, and also that the true unity of the Church demands as essential unity of doctrine, sacraments, and discipline under a divinely established authority." O'Hara (403) was also of the view that the doctrine of the Mystical Body was "the theological key for opening the door to the unity so greatly desired." Besides the question of salvation outside the Church, he thought that the Council should therefore discuss (1) the establishment of the Church as a true, visible, and external society, (2) the hierarchical nature of the Church, (3) the college of bishops as succeeding the Apostles, and (4) the infallibility of the college of bishops. Helmsing (450) wanted a presentation that by being expressed in Scriptural language and stating the doctrine about the Church's sanctity and worship contained in *Mystici corporis* and *Mediator Dei* would attract the separated brethren. Klonowski (493-95) stressed the missionary aspect and the unity of the Church.

More briefly, Hacker (277) thought that one of the main problems hindering the reunion of the Orthodox was "ignorance of the doctrine of the Church as the Mystical Body of Christ which is the unique mystery of unity." Schulte (342) wanted the Council to present the Church as "the unique divine cause of the unity of the human race, since it is the Mystical Body of Christ and the perfect society through which the Divine Redeemer remains among men as Priest, Teacher, and King." Casey (361) hoped that the Council could replace "the negative picture of the Church" held by most Protestants with "a complete and beautiful image of Mother Church" and could discuss the status of non-Catholics in the Mystical Body. Kellenberg (420) said a "statement of the identity of Christ with His Church and also of the union of Christ with His members in the Church could respond to the objection of Protestants that the Church interposes

³⁶Treacy 354, Fletcher 362, Gorman (305), Gilmore (339), Leech (336), Marling (345), Brady (435).

³⁷Boland (381) wanted the same thing because of an "imprudent irenicism."

herself between God and the human soul." Dougherty (469) wanted a discussion of "the figure of the true and only Church with special relation to the many non-Catholic and schismatic sects so that the whole Christian people might some day finally be reunified." Krol (483) wanted a statement, following the teaching of Pius XII, on the relation between non-Catholics and the Church and another on the relation between the Mystical Body and the "so-called Communion of Saints."³⁸ Cody (348-49) stressed the usefulness of the doctrine for safeguarding the unity of the Church with the Pope and bishops.

The other major concern visible in calls for a discussion of the Church is the question of authority. Meyer (293) wanted a treatment of authority as "a necessary and intrinsic element in a society. Hence the origin, nature and object of the Church's authority must be reaffirmed." Forst (314) specified this in terms of the Church's infallible teaching authority. For O'Connor (368) ecumenical reunion with both schismatics and heretics presupposed "a solution to the question of ecclesiastical authority." Other appeals for a discussion of authority have a more general reference.³⁹

The Place and Role of the Laity

This theme was developed by twenty-five bishops (16.9%).⁴⁰ The most elaborate argument was presented by an auxiliary bishop, Marx (490-91), who wanted the Council to offset the ecclesiology of the manuals by stressing that the Church is essentially constituted by both the hierarchy and the faithful.

Meyer (293) gave four reasons for proposing the topic: (1) to refute false interpretations of the nature and scope of the lay apostolate, (2) to avoid the dangers of Pelagianism or Semi-Pelagianism,⁴¹ (3) to arouse the laity to greater zeal and prudence, (4) to prepare the way for other Christians to return to Mother Church. Rummel (383, 390) noted that "the laity today are exposed to temptations and opposition from followers of atheism, materialism and the other errors which are spreading almost everywhere." The Council should therefore discuss providing lay adults opportunities to pursue advanced studies in dogma, philosophy, history, and morality. Spellman (392), echoed by Maguire (478), noted how eagerly lay people had responded to the Popes' calls for participation in the apostolate and asked for "a deeper and clearer presentation of the inner life of the Church and of her members, of the nature and goals of the apostolate of the

³⁸Leech (336), Reed (400), and Kellenberg (420) also asked for a discussion of membership.

³⁹See Babcock (331), Primeau (370), Helmsing (450), and Bartholome (430-31).

⁴⁰The following give simple statements of the topic: Zuroweste (276), Garriga (300), Binz (316), Connolly (324), Schulte (344), Casey (361), Fletcher (362), O'Connor (368), Primeau (371), Russell (416), Connolly (445), Helmsing (453), and Scanlan (485). For contemporary descriptions of the variety of lay activities, see *The American Apostolate: American Catholics in the Twentieth Century*, ed. Leo R. Ward (Westminster: Newman Press, 1952); Joseph M. Duffy, "Clergy and Laity," in *Catholicism in America* (New York: Harcourt, Brace, & Co., 1954), pp. 59-72; Leo R. Ward, *Catholic Life, U.S.A.: Contemporary Lay Movements* (St. Louis: Herder, 1959).

⁴¹This concern is echoed by Primeau (370, 372), formerly a priest in Meyer's diocese (Chicago).

laity in relation to the hierarchy, and of the nature of the obligation that the faithful actively participate in this work."

Kellenberg (421) thought that a statement on "the dignity and roles of the laity in the Church in Catholic Action and in the Liturgy" would counteract Protestant accusations that lay people are simply passive "receptacles" of doctrine and the sacraments. Perhaps for the same reason he asked for a discussion of "the freedom of the individual in the Church." McGucken (424) asked about extending the scope and deepening the spiritual energy and practicality of Catholic Action.

Other bishops expressed some concerns about the movement to increase lay involvement. O'Hara (405) stressed the need for hierarchical authority and supervision of the lay apostolate. Byrne (442) wanted a discussion of the scope and prerogatives of the laity to be sure that the hierarchical structure of the Church is preserved, "against those who, appealing to so-called democratic principles, are striving to weaken the authority of the Supreme Pontiff and of the Bishops." Brady (435) asked for "a clarification of the sense in which some in the Church are 'priests' properly speaking, while the laity (as a priestly people) are quite distinct." Krol's proposal on the same subject (483) is more neutral.

Cody (350) proposed that the Council discuss both the rights of the laity and their subjection to authority and also that a dicastery, composed of expert priests and lay people from various nations, be established in the Roman Curia to direct the lay apostolate.

The Magisterium

A total of ten bishops (6.7%) asked that questions about the Church's teaching authority be placed on the Council's agenda. Kellenberg (420) proposed the general question of "the relation of the Church's living Magisterium to both Sacred Scripture and Tradition, so that non-Catholics might better understand the Church's teaching on the authority of the Supreme Pontiffs and of bishops to teach and to guard divine Revelation."

There are general proposals, brief (Gilmore 339, Dworschak 514) and extended, namely Rummel's request (383) that the discussion include the nature, authority and effect of the teaching role, especially the obligation of the faithful to accept it, and the doctrinal authority of non-*ex cathedra* papal statements and of bishops both in plenary meetings and singly. Treacy (354) and Kellenberg (421) also wanted a discussion of the pope's ordinary magisterium, to which Leech (336) added the assent due to it. Binz (317) asked for a clearer determination of the authority of papal encyclicals.

There are suggestions that the Council discuss infallibility: repeating the definition of Vatican I and stating that the Pope enjoys it also in his ordinary magisterium (Marling 345, Russell 416), defining the infallibility of the college of bishops in union with the pope and Church teaching about its secondary objects (O'Hara 403-404), repeating the doctrine of the infallibility of the universal Church in order to explain papal infallibility to Protestants and Schismatics (Kellenberg 421).

Bishops

As noted above, the U.S. Bishops' *vota* display very little sense of collegiality. This is not simply a matter of the word "college," which appears in only one *votum* (O'Hara 403). Apart from an oblique reference in Rummel's proposals (383) to teaching authority of bishops in "plenary meetings" and the suggestion of Paschang (329) that provincial or national synods are preferable to diocesan synods, there are no references to the collective responsibility of the bishops, unless one wishes to include in this category the few proposals for national tribunals. Only Vagnozzi (475-76) made any reference to episcopal conferences.

Also surprising is the scant interest in a theology of the episcopate: only three bishops addressed it--Forst (314), Brady (435), and Dwyer (415), whose proposal for a description of "the sacramental nature of the office or role of Bishops" was most fully developed by Vagnozzi's request (474) for a definition that "episcopal consecration is truly a sacrament by which a character is imprinted for the performing of acts which are proper and exclusive to bishops." Three of the auxiliary bishops who replied asked for a consideration of their own office (Sheen 489, Ackerman 504, and Grellinger 512).

There were, however, many requests to increase the pastoral authority of the diocesan bishop. Twenty-five bishops (16.9%) asked for greater power to be delegated to them with regard to marriage dispensations. Twenty-two (14.9%) wanted restrictions placed on the exemption of religious and their special authority with regard to certain blessings. Ten (6.8%) wanted authority to permit bination and trination, and five (3.3%) greater power over the alienation of church property. One asked for greater authority to remove pastors. Almost all of these requests asked for "delegation" from the Holy See, as when Cushing (284) asked for a broadening of quinquennial faculties.

In terms of their relationship with the Roman Curia, the most common complaints were the length and complexity of procedures for marriage cases, restrictions on the alienation of church property, and poor communications between Rome and the bishops, so that bishops often learn about decisions first through the mass media (sixteen bishops referred to this problem).

There was some recognition of the difficulty of legislating generally for the many varied situations in the worldwide Church. Some bishops wanted greater uniformity in legislation, for example, on fast and abstinence (Meyer, 295, Forst, 314, Binz, 316, Leibold, 515) and on liturgical languages (Marling, 345, Woznicki, 428), although the chief interest here seems to be that concessions granted elsewhere should also apply to the U.S. On the other hand, Nold (327) and Bartholome (432) made a case for "decentralization," while McNamara (346) wanted universal laws to be so general that they could be applied to such different places as Scandinavia, Africa, and New York. Cody's comments to the same effect (351) were prompted by the problem of relations with non-Catholics in the U.S.: "Some universal norms promulgated because of a particular difficulty in some country are not always well understood and give non-Catholics occasion to arouse bitterness against the Church and her hierarchy." At least two bishops, Schulte (343) and Bartholome (432) propose that this problem be met by the establishment of "sub-

Curias" in various areas which would know local situations better and be able to give more relevant instructions and dispensations.

There was also at least one request, from Schulte (343), for greater international representation in the Curia and the establishment of a Roman center to train priests for curial and diplomatic service. Gorman (307) asked for a permanent council or commission in Rome which would meet regularly but whose functions he does not describe. Cody (351) proposed an official Vatican Press Office to improve official communications, which may also be what Primeau (373) wanted for the Office of Communications he proposed. Schulte (343) wanted what sounds like a Public Relations Office (*Secretariatatus Vaticanus de bona fama et opinione in mundo promovendis*) to provide better information and to prevent serious errors in the newspapers.

Priests and Deacons

One of the largest number of proposals can be grouped under this heading. Eighty-three bishops (56.1%) made suggestions about some twenty-two concerns having to do with priests. By far the largest number of them discussed the Divine Office. Fifty bishops made comments on the Breviary, twenty-four of them calling for its reform, fifteen asking that priests be able to pray it in the vernacular, and eleven others asking for both.

The next largest number of suggestions (21 bishops, 14.2%) concerned the academic and spiritual preparation of seminarians for the pastoral ministry. Here the largest number (10 bishops) asked for reforms in seminary-training, principally in order to prepare priests for the contemporary world.

Only five bishops asked that the Council give attention to a theology of the ordained ministry: Forst (314), Brady (435), Connolly (445), Gilmore (339), and Helmsing (453), the last two of whom referred to Pope John XXIII's encyclical on St. John Marie Vianney.

Other topics dealing with priests, with the number of bishops who mentioned them, are:

- permission to binate and trinate (8)
- financial support, especially of sick and elderly (7)
- need to promote vocations, lack of vocations (8)
- clerical dress (6)
- relations with religious clergy (6)
- preaching (5)
- priests who left the ministry (4)
- permission to carry sacred oils in their cars (4)
- permission to say Mass without a server (3)
- power to confer Confirmation to the dying (3)

- distribution of the clergy (2)
- removal of pastors (1)
- faculties for confessions everywhere (1)
- involvement in business (1)
- length of service as curates (1)
- a common life (1)
- luxurious styles of life (1)
- visiting of parishioners (1)
- clerical tonsure (1).

Sixteen bishops (10.8%) proposed the restoration of the diaconate, with most of them extending it to married men.⁴²

LITURGICAL REFORM

In 1952 a leading liturgical theologian wrote that "in the United States, the liturgical movement is as yet more a hope than an effective reality."⁴³ Four years later, however, others concluded more optimistically that "the future of the liturgical movement is bright indeed."⁴⁴ Before the Council there was very little episcopal leadership or even great interest in the liturgical movement.

The U.S. *vota*, however, show a good deal of support for liturgical reform. Eight bishops made a point of indicating that the liturgical reforms already initiated under Pius XII, particularly the reform of Holy Week and of the Breviary and the 1958 Instruction calling for greater lay participation, had been generally well received.⁴⁵ Twelve bishops made rather general

⁴²A proposal to restore the active diaconate was submitted in the course of consultations in New York and seemed once to have been accepted by Bishop Maguire; but it does not appear either in his *votum* or in Spellman's. Spellman persisted in his opposition to the suggestion during the Council itself.

⁴³Godfrey Diekmann, "The Primary Apostolate," in Ward, *The American Apostolate*, p. 34.

⁴⁴Jane Marie Murray and Paul Marx, "The Liturgical Movement in the United States," in Putz, *The Catholic Church, U.S.A.*, p. 313. For descriptions written in the late 1950s, see Ward, *Catholic Life, U.S.A.*, pp. 10-31; *Catholics in Conversation: Seventeen Interviews with Leading American Catholics*, ed. Donald McDonald (Philadelphia: Lippincott, 1960), pp. 137-69.

⁴⁵McIntyre (364), however, seemed to exclude the reform of Holy Week. For evaluations of this by U.S. Bishops, see Edwin V. O'Hara, "The Observance of Holy Week in the United States in 1956," in *The Assisi Papers: Proceedings of the First International Congress of Pastoral Liturgy, Assisi-Rome, September 18-22, 1956* (Collegeville: The Liturgical Press, 1957), pp. 167-75. Spellman (392) thought that in the U.S. greater lay participation could be achieved more effectively "by the use of 'missals' than by the so-called 'Dialogue' Mass," perhaps thereby indicating

recommendations for further liturgical reforms. Thirty-one bishops endorsed the efforts to improve the liturgical participation of the laity. And a host of more particular reforms were proposed, covering nearly the whole range of Catholic worship. Although it has often been said that mid-western Catholics maintained more advanced positions on liturgical reform, the *vota* of the bishops show no significant regional differences on the question.

Three-quarters of the fifty-four bishops (36.4%) who addressed the question of liturgical language spoke in favor of extending the use of the vernacular. Ten of them (6.7% of all, 18.5% of those who raised it) opposed it, and four did not make their positions clear. With regard to the Mass, fifteen of the bishops spoke rather generally about the vernacular. Twenty-one proposed its use for the "people's parts," the "didactic part," or the Mass of the Catechumens, some of them making it clear that this was all they were in favor of, others saying "at least" for those parts. Four bishops spoke in favor of greater use of the vernacular for the Sacraments or for devotions, but make no mention of the Mass. Four others, Cushing (282), O'Brien (338), Woznicki (428), and McGucken (424), did not make it clear where they stood. The principal motives for allowing greater use of the vernacular were to increase the comprehension and participation of the faithful, to respond to Protestant objections, and to assist the work of evangelization.

As for those who opposed the extension of the vernacular, four appealed to the majority view of the clergy and/or faithful of their dioceses: Paschang (331), Condon (334), McIntyre (364), and Gercke (462); two appealed to the importance of Latin for preserving the unity of the Church in an age of instant communication and easy travel: Bartholome (433) and Rancans (506); and four gave no reasons: Nold (328), Marling (345), O'Hara (405), and Schmondiuk (516-17).

Only three comments indicated some reservations about the liturgical movement. One of the strongest of these came from Bartholome (433) in whose diocese was located the Benedictine community at Collegeville which was in the forefront of the movement in the U.S. Not only did he argue in favor of keeping Latin in the liturgy and in the Church's daily life, he saw "socialistic inclinations" in the emphasis on the participation of the laity! Marling (345) asked for clear and universal norms "to contain the liturgical renewal within due limits" and "to remove the confusion which now infests the liturgical renewal." McGucken (424) referred to "the intemperance of some proponents of the use of the vernacular."

MORAL QUESTIONS

To meet the moral challenges of the day, described by Shehan (286), Carberry (358), and O'Hara in rather grave terms, the bishops made various proposals. Bartholome (430-31) complained about the forgetting of the Ten Commandments and the neglect of the duties of obedience and called for statements on the need for obedience to legitimate authority and on the nature of the Christian family and in particular of the authority of the father in the family, this also being a concern of O'Hara (405) and of Connolly (445). Waters (413) and McNamara (500)

his reservations about the 1958 Instruction of the Congregation of Rites.

were concerned about the spread of immodesty in dress. Three bishops, Zuroweste (276), McGucken (430), and Connolly (445), wanted the Council to address the relationship between morality and psychiatry. Kellenberg (421) wanted statements on the natural law and the objective character of morality, while O'Connor (369) mentioned situation ethics and subjectivism in morality. While Cushing (280-81) listed a number of questions, among them sterilization, the preservation of life, the extracting of secrets by spying, hypnosis, or drugs, he also took note of the debate between the many people who would like a moral theology that is less juridical and more ascetical, practical, and animated by charity, and others, with whom he seemed to agree, who argued that ascetical and moral theology are distinct sciences and that the latter is needed to form a forensic judgement.

Marriage and Birth Control

Fifty-eight bishops (39.1%) raised various questions about marriage. Among the problems mentioned were the widespread pagan concept of marriage, the dangers of apostasy because of mixed marriages (13 bishops⁴⁶), the spread of divorce, illicit means of birth control, and the denial of parental authority. But many of them also had problems with the Church's own legislation. They asked for an abbreviation, simplification, and de-centralization of the procedures for dealing with marriage-cases, a reconsideration of the impediments listed in the Code, and a discussion of papal power to dissolve consummated marriages, particularly the so-called "Petrine privilege."

Eleven bishops (7.4%) brought up the problem of birth control.⁴⁷ Some of the references are rather general.⁴⁸ Arguing that "a pagan concept of marriage" was "the greatest obstacle to the salvation of souls" and noting that "even among the clergy there are some who are not convinced of the intrinsic immorality of onanism," Zuroweste (275) asked for "a formal definition that onanism is a vice against nature along with an explanation that total or periodical continence is the only legitimate means for limiting a family." Meyer (294) made a similar request. Schulte (344) mentioned the problem in the context of the paradoxical threat at once of over-population and of the destruction of the race through modern warfare. Against the effort to solve the first problem through the use of contraceptives, he wanted "a truly Christian solution of the difficulty," as, for example, through the relocation of people and through means of improving the production of food. The same context is evoked by O'Hara (405) and by Woznicki (426), who also noted that the faithful were treating the problem too lightly. Carberry (358) noted that Anglicans and other non-Catholics had recently begun to favor artificial contraception, a point also made by Boland (380).

⁴⁶Greco (268-69), Reicher (272), Pursley (325), Sweeney (340), Cody (350), Albers (359), Casey (361), Noa (334), O'Hara (406), Helmsing (450), Walsh (471), Sheen (488), Ackerman (503).

⁴⁷O'Boyle (464) received from Francis Connell a proposal for the Council to discuss the rhythm method but did not include it in his *votum*.

⁴⁸Cushing (281), O'Connor (369), Primeau (371), and Wright (408).

It is surprising that so few bishops raised the issue of birth control at the time, particularly since in November, 1959, the Administrative Board was to issue a controversial statement in which they characterized as terrorist tactics the efforts to get the U.S. government to back birth control programs in underdeveloped countries and made a point of denying that artificial birth prevention "is gradually becoming acceptable even in the Catholic Church."⁴⁹

Modern War

Ten bishops (6.7%) mentioned the ethical problems of modern war, including among their concerns the massive destructive power of atomic weapons, conscientious objection, pacifism, and the continued relevance of the theory of the just war.⁵⁰ Marling (346) asked for a discussion of true and false nationalism, while Leech (336) proposed the need for an international agreement in accord with the divine law to preserve peace among nations.

Social Justice Issues

Apart from race and modern war, the issues of social ethics raised by the bishops chiefly concern economics. Lucey (437-39) devoted the whole of his *votum* to a general argument in favor of treating questions of social justice. Mitty (441) proposed that the Council address the problem caused by "two norms of morality, one for private, family, and social life the other for secular affairs." To address the many practical problems of the social question, Meyer (293-94) asked for a repetition of the teachings of Leo XIII and Pius XI on justice and social charity, particularly the principles based on natural law. O'Connor (368) proposed a statement on Catholic social principles to offset spreading social errors. Primeau (370) wanted a reminder of the need for penance and mortification in the human economy. Cushing (280) asked for a discussion of the moral law in business, in acquiring wealth, and in paying taxes. Leech (336), O'Hara (405), and O'Boyle (464) wanted a discussion of relations between employers and workers. Connolly (445) spoke more generally about morality in business. Bartholome (431) descended into more detail, asking for a discussion of the right to private property against socialism and communism, on the rights of industry and the duties of workers against vicious usurpation of power and greed, and on the distribution of land and the rights and duties of farmers in defence of the family farm. Grimmelsman (321) wanted the clergy and laity instructed on their social obligations, especially to workers, the elderly, immigrants, and the poor. Cody (349-50) also mentioned care for the poor and elderly.

CONTEMPORARY CONTROVERSIES

⁴⁹*Pastoral Letters of the United States Catholic Bishops*, ed. Hugh J. Nolan, vol. II (Washington: USCC, 1983), pp. 221-25.

⁵⁰Cushing, 280, Nold, 328, Leech 336, Schulte, 344, Wright, 408, Russell, 416, Connolly, 445, O'Boyle, 464, Hannan, 501, Zaleski, 505.

Church and State, Religious Freedom

One of the major controversies within the Catholic Church and indeed within the larger American context throughout the 1950s was the question of Church and State with particular reference to religious freedom.⁵¹ The years after the Second World War saw a revival of anti-Catholicism in the United States, most sharply represented by the founding in 1948 of an organization called Protestants and Others United for the Separation of Church and State (POAU) and by one of its principal spokesman, Paul Blanshard.⁵² The chief accusation brought against Catholics was that they were duplicitous in their views on Church and State, willing to enjoy the benefits of religious freedom while a minority in a state but determined to refuse those benefits to others should they ever become a majority. The examples of Spain and Italy were regularly invoked as expressions of the real doctrine of the Church as expressed by Popes Pius IX and Leo XIII and as defended by several American Catholic authors.

It was in part to respond to this criticism that John Courtney Murray had embarked on his effort to reconceive Catholic doctrine on Church and State and religious freedom.⁵³ Murray attempted to place Leo XIII's doctrine in the historical context of the secularizing Liberalism of continental Europe in the nineteenth century and to argue that, since the U.S. solution to the Church-State question was based on a quite different tradition, that Pope's teachings were not strictly applicable there. Murray's views were vigorously opposed by theologians such as Francis Connell and Joseph Clifford Fenton not only in published articles but in a series of letters to Rome pleading for a public repudiation of Murray by name.⁵⁴ Their efforts succeeded when in 1955 Murray obeyed the strong recommendations of his Jesuit superiors, behind which, it seems, stood some action by the Holy Office, that he withdraw from the arena.⁵⁵

Other factors that affected the broader discussion in the 1950s were the controversial career of Sen. Joseph McCarthy, the continued efforts of the Catholic bishops to gain governmental support for their schools, to oppose the spread of birth control, and to defend censorship. The issue reached a new intensity with the announcement by John Fitzgerald

⁵¹For a useful overview of the question in this century, see James Hennesey, "Roman Catholics and American Politics, 1900-1960: Altered Circumstances, Continuing Patterns," in *Religion and American Politics: From the Colonial Period to the 1980s*, ed. M.A. Noll (New York: Oxford University Press, 1990), pp. 302-21.

⁵²See C. Stanley Wall, *Embattled Wall: Americans United, An Idea and a Man* (Washington: POAU, 1966); Lawrence P. Creedon and W.D. Falcon, *United for Separation* (Milwaukee: Bruce, 1959); and Paul Blanshard, *Personal and Controversial: An Autobiography* (Boston: Beacon Press, 1973).

⁵³See Donald E. Pelotte, *John Courtney Murray: Theologian in Conflict* (New York: Paulist Press, 1976).

⁵⁴The Connell Papers (ABPR) contain no fewer than twenty-one letters written by Connell to Vatican authorities between August 1950 and December 1960, urging a public repudiation of Murray's views. Fenton also wrote to his close friend Cardinal Ottaviani on the problem and while he was in Rome in the summer of 1954 prepared for Ottaviani two reports on Murray's views and on the U.S. bishops' attitudes towards the Cardinal's views on Church and State.

⁵⁵See Pelotte, *John Courtney Murray*, pp. 27-73.

Kennedy in 1958 that he intended to run for the Presidency of the United States. Kennedy's decision was met by enough indications of Protestant worries as to make many Catholics fear that the same kind of anti-Catholicism which had helped defeat Alfred E. Smith in 1928 was being revived.

Given these circumstances, it is not surprising that 36 U.S. bishops (24.3%) included the issue of Church and State in their proposals. Most of them were content simply to mention the topic, giving no other indication of their own views than may be implied in their request that the Council consider the problems of a pluralistic society.⁵⁶

There were, however, longer arguments. To address the "very disturbing controversies" over the issue, Cushing (279) mentioned the "fundamental principles" but also asked for "a new concept, since the old concepts which have been in force so far are rooted in political realities which no longer exist." Later (282) he argued the need, in a society of mixed religion, to preserve both justice and charity towards non-Catholics in good faith. This would require looking at some dimensions of these virtues: "e.g., the permitting by civil authority of other worship; the necessary freedom of the act of faith; an acknowledgment for all of the rights of conscience; the relationship of the Church to a so-called mixed State; the obligation to seek and embrace the one true and salvific Church; the attitude Catholics should have towards non-Catholic groups and their followers. For these things it would be very helpful to have available an authoritative rule which must be applied to particular cases."

Alter of Cincinnati (296-97), who had defended Murray in the 1950s,⁵⁷ noted the Protestant objection and echoed Murray's view:

Many non-Catholics fear that the freedom to practice their religion which is granted to Catholics today by secular governments will be restricted for non-Catholics themselves should Catholics ever become a majority.⁵⁸ As supplying reasons for this fear, they cite the behavior in some so-called Catholic countries where freedom of religious expression is restricted by law. Since the matter is misunderstood, one must hope for a more precise definition of the nature of doctrinal tolerance in religious matters as distinct from political or civil tolerance. The Catholic notion of freedom of conscience would also need to be explained more clearly. In a state where several religions exist or where even no religion exists, it seems better if worship is left completely free of any force, physical or legal, on the part of the state.

⁵⁶Gorman (306), Babcock (331), Leech (336), Gilmore (339), Treacy (354), Primeau (371), Reed (400), Feeney (409), Waters (413), Russell (416), Kearney (417), Kellenberg (421), Ritter (433-34), Brady (435), Connolly (445), Mussio (457), Foery (458), Ahr (461), Hackett (497), Biskup (498), and Leibold (515).

⁵⁷See Gerald P. Fogarty, *The Vatican and the American Hierarchy from 1870 to 1965* (Wilmington: Glazier, 1985), pp. 372-74. As early as 1942, Alter had proposed a rethinking of the question of Church and State in "Church and State: Diarchy or Dualism," *The Ecclesiastical Review*, 106 (May, 1942), 321-40.

⁵⁸This same fear is described by Casey (361), Dwyer (414) Klonowski (494), and Zaleski (505).

It seems to be the quite constant Catholic teaching that it is the Church alone and never the state which has the right and authority to determine religious truth and practice. Thus the constitutional arrangement by which a secular state in a mixed society denies itself any right to intervene in religious matters is not at all to be considered religious indifference; more correctly viewed, it is a way of ensuring that freedom of conscience is sufficiently accorded to all citizens. A clear affirmation of this Catholic teaching would remove some prejudices on this issue which now obstruct and hinder a more favorable behavior towards the Catholic Church.

Schulte (342) also seemed to be echoing Murray when he hoped for "a careful distinction between the philosophy of the French Revolution which led to the attempt on the part of the State to rule the Church and finally to totalitarianism and civil absolutism and the practical political solution of the American Revolution which denies the State a right to intervene in ecclesiastical affairs and freed the Church so that it is able as a perfect society to exercise its own rights and fulfill all its canonical laws without civil hindrance." Similarly the Council should show the Church to be "a champion of the rights and freedom of men.... It is especially necessary to present human rights as in accordance with divine revelation and the Church's faith and it will help if the Church assures everyone that Catholics can accept and do in fact accept the civil right to freedom of religion, not certainly one founded on indifferentism but on the need to limit the power of the modern State in matters pertaining to religion, so that the act of Faith may remain free."

Cardinal O'Hara (404) also raised the issue of the Church's role in contemporary society. The Council should show that the Church "can reconcile herself to the demands and different languages, practices and civil customs of peoples; nor does it hinder, but rather promotes, the attainment of their legitimate natural ends." While the Church cannot co-exist with communism or tolerate modern false philosophies, the Council should consider "what are the practical norms for tolerance for those who must co-exist with non-Catholic sects both in Catholic countries and in countries of mixed religion." Finally, it should discuss "what is the authoritative and contemporary teaching of the Church about the union of Church and State, especially in countries where their separation is already civil law."

Three bishops raised the issue of the continued pertinence of Pius IX's "Syllabus of Errors." Noa (374) argued the need for further clarification of the individual's freedom of faith and appealed to the remarkable changes in political structures and in Church-State relations to suggest that "in some of the propositions of Pius IX's Syllabus or collection of modern errors, it seems that there are some things about the relation between Church and State which can be amended." Dwyer (414) said that while the teaching of the Syllabus was "orthodox and germane," "a new formulation on this issue should be developed" to remove the fear that Catholics might one day threaten the freedom of others. Flanagan (468) argued that the Council should show that "there is no contradiction between the profession of Catholic faith and our civic responsibilities. A point in Pius IX's Syllabus of Errors relevant to this issue, but which we know particularly referred to contemporary conditions of his day, is being distorted by enemies of the

Church to the disadvantage of the faithful who are seeking public office, indeed to the harm of the faith itself and of the Church."⁵⁹

Only Boland (381) submitted a proposal that set the issue in terms that resemble the position of Murray's critics:

Since in recent years there have been some people in France, the United States, Germany, and elsewhere who have attacked the doctrine transmitted in magisterial documents, especially in the Encyclicals of Leo XIII, on the relationships which per se must apply between the Church and the State or Civil Society, this doctrinal topic could provide material for discussion in the Ecumenical Council and, if the Fathers should consider it appropriate, be the object of a solemn judgement.⁶⁰

Only three bishops reflected another element of the controversy which had been agitating the U.S. Church for the previous two decades. Dearden (312), O'Connor (368), and Binz (315) wanted a clarification of the Church's rights in the field of education. Dearden also wanted the "correct notion of freedom of conscience" to be stated in order to offset the false notion proposed by Liberalism.

Why other bishops did not choose to include Church-State relations in their *vota* is often unknown, but in two cases it was a deliberate decision. Francis Connell's draft of a *votum* for O'Boyle of Washington included the following proposal:

Relations between the Church and the civil state. Recently some theologians have proposed the theory that civil rulers, as such, are not subordinated to the divino-positive law of Christ, but only to the natural law, and from this theory it follows that the civil state is not bound to acknowledge the Catholic Church nor her immunities.⁶¹

O'Boyle, for reasons now unknown, chose not to include this in his letter to Rome.

Cardinal Spellman also received a draft which addressed the issue of Church and State:

Official pronouncements of the Holy See have not defined sufficiently the relationship of the Church with the State in a pluralistic society. For the past years, the Church-State relationship has been a great problem here within the United States. It is evidenced in the fear that many non-Catholics have, in that Catholics await the day in which they would make our form of government completely subservient to the interest of the Church. We need only to recall to mind that within recent years, great controversy has

⁵⁹Flanagan sent his *votum* on April 13, 1960, when the controversy over Kennedy's Catholicism had become quite open.

⁶⁰Boland's *votum* was prepared by Msgr. George W. Shea, professor of dogmatic theology at Boland's diocesan seminary, and a critic of Murray's views. In 1950, Shea had published an article, "Catholic Doctrine and 'The Religion of the State,'" *AER*, 123 (1950), 161-74, to which Murray replied, "The Problem of 'The Religion of the State,'" *AER*, 124 (1951), 327-52. Shea returned to the question in "Catholic Orientations on Church and State," *AER*, 125 (1951), 404-416.

⁶¹Connell Papers, ABPR.

emanated in public on the Feeney incident in Boston. Over the past years, their Eminences Peter Cardinal Segura and Ottavio [sic, corrected to "Alfredo" in the margin] Cardinal Ottaviani, had been quoted in the press in such manner that there was general misunderstanding on the teaching of the Church in the matter of her relationship with the state. Happily the words of His Holiness, Pope Pius XII gave clearer exposition of the Church's attitude and reassured many. Theologically, however, the question still remains unresolved and a subject of controversy. This is evidenced in the recent series of articles found in the *American Ecclesiastical Review* in which the various theological positions have been put forth by the Reverend Francis Connell, C.S.S.R. and the Reverend J. Courtney Murray, S.J.

The practical difficulty of all Church-State relationships in this country, both on the national and local level, is the accusation of expediency, in that we seek only our rights and deny to others their "rights." The phrase, "extra ecclesiam nulla salus", provides a stumbling block to many outside the Faith. It may be helpful for the Council to consider a clear exposition of the obligation of the State in a pluralistic society towards the Church in relationship to its formal encouragement of the True Faith; its prohibition of errors; its attitude towards sects, whether heretical or schismatic.⁶²

Spellman chose not to include this topic perhaps because he was persuaded by the words written by an unknown hand in the margin of the draft: "Should this be brought up in this form; isn't it inviting trouble and a definition of contingent aspects?" A large "X" is drawn through the two paragraphs. Spellman's omission of the topic, then, appears not to indicate a lack of interest in the subject but a fear of the risks of raising it. It would be Spellman who, during the 1963 intersession, obtained Murray's appointment as a peritus at the Council.⁶³

Race

The question of race was much discussed among Catholics in the late 1950s. In September, 1955, the Catholic magazine *Jubilee* devoted a whole issue to the question, following it two years later with a study of Catholic attitudes towards racial integration which reported that the overwhelming majority of Catholic schools in the South were segregated and that in 1956 three-quarters of Southern Catholics supported segregation.⁶⁴ That same year one of the Catholic

⁶²This undated and unsigned draft is found in the Archives of the Archdiocese of New York. If these paragraphs were drawn up with some knowledge of Spellman's views on the subject, they show that Spellman shared the view of Murray, because of which Roman actions were initiated against him, namely that Pius XII's speech, *Ci riesce*, was a rejection of the views of Cardinal Ottaviani. In 1953 Spellman had taken part in an unsuccessful action to prevent Ottaviani's Lateran speech from being published in the U.S.

⁶³See Spellman to Cicognani (copy), New York, February 11, 1963; Spellman to Murray (copy), New York, April 9, 1963; Spellman to Cicognani (copy), New York, April 10, 1963 (AANY).

⁶⁴Charles Harbutt, "The Church and Integration: A Survey of Catholics' Response to the South's Most Pressing Problem," *Jubilee* (February, 1959), 6-14. For the issue as seen in the 1950s, see also Vincent J. O'Connell, "The Church in the South," in Ward, *The American Apostolate*, pp. 109-19; Dale Francis, "The Catholic Church in the

pioneers in the efforts on behalf of blacks, John LaFarge, S.J., sought the help of a Jesuit superior in obtaining from Pius XII a confirmation of the efforts of Archbishop Rummel to desegregate the Catholic schools in New Orleans, efforts that LaFarge said were being impeded "by the impression that the Archbishop is isolated and disapproved by his own confreres."

It is unfortunate, however, as an experienced Catholic missionary bishop recently said to me, that the laity have to be those taking the initiative in promoting interracial justice in our country and in urging compliance with the supreme law of the land. We have as yet no clear statement either by the American bishops as a whole (i.e., the Administrative Council), treating the question as a national problem, which it really is; nor by the Bishops of the Southern States treating it as a regional question, so as to guide the faithful in a matter that directly concerns the consciences of Catholics everywhere;...a matter on which the Church's teaching is clear and unequivocal. The point at issue is not that of kindness and charity to the Negro--on that topic, in theory at least, there is no discussion. The point is that the Church's disapproval of a legalized, artificially constructed system (not a "natural solution," as some erroneously have said) that in se is contrary to basic human dignity, and in the present world, especially in the United States, is the source of grave injustices, with their corresponding toll in cultural and moral retardation.

Until and unless the Bishops speak on this matter with some show of unity, the consciences of American Catholics are left in confusion.⁶⁵

Of the twelve bishops (8.1%) who proposed that the issue of race be included in the conciliar agenda five were from states in the north, six were from southern states, and that of O'Boyle came from Washington, D.C., a city with a majority of black residents. Five of these bishops were content with simple references to the problem.⁶⁶ Three Ordinaries from northern cities to which large numbers of southern blacks had moved addressed it. Meyer of Chicago (294) described race as an issue that is "very important in some regions" and asked if it were not

Deep South," Putz, *The Catholic Church, U.S.A.*, pp. 211-16; John La Farge, "The Catholic Church and Racial Segregation," *Ibid.*, pp. 272-88; Ward, *Catholic Life, U.S.A.*, pp. 160-82; Rollins E. Lambert, "The Negro and the Catholic Church," in *Roman Catholicism and the American Way of Life*, ed. Thomas T. McAvoy (Notre Dame: University of Notre Dame Press, 1960), pp. 156-63. For later assessments, see William A. Osborne, *The Segregated Covenant: Race Relations and American Catholics* (New York, Herder and Herder, 1967); Richard A. Lamanna and Jay J. Coakley, "The Catholic Church and the Negro, in *Contemporary Catholicism in the United States*, ed. Philip Gleason (Notre Dame: University of Notre Dame Press, 1969), pp. 147-93; James Hennesey, *American Catholics*, pp. 304-306; Jay P. Dolan, *The American Catholic Experience*, pp. 365-71; Stephen J. Ochs, *Desegregating the Altar: The Josephites and the Struggle for Black Priests, 1871-1960* (Baton Rouge: Louisiana State University Press, 1990), whose work prompts the comment that none of the U.S. *vota* discussed the question of black vocations; Cyprian Davis, *A History of Black Catholics in the United States* (New York: Crossroads, 1990).

⁶⁵John LaFarge to Father Assistant, December 10, 1956, New York; Archives of Woodstock College, LaFarge Papers. LaFarge had collaborated with Gustav Gundlach in preparing an encyclical on racism for Pius XI, portions of which seem to have been taken up in Pius XII's inaugural encyclical, to which LaFarge refers in this letter. See Johannes Schwarte, *Gustav Gundlach S.J. (1892-1963)* (München: Schöningh, 1975), 76-87, 127-30.

⁶⁶Zuroweste (277), Gorman (305), Leech (336), Carberry (358), and Kellenberg (421).

related to "the question of the reunion of dissidents." Dearden of Detroit (312) argued that "since in our day errors both theoretical and practical exist about the relationship of the human races, it will be appropriate to make a statement on the unity of the human species and at the same time to reject the error of those who deny the rights of others on this ground." O'Boyle (464) spoke similarly: "In several regions of the United States a lamentable spirit of discrimination and sometimes of hatred exists towards citizens of African origin. If the Ecumenical Council were to state the essential equality of all men, because of their unity in Adam and in Christ, it would bring much honor to the faith and to the Church."

Among the bishops of southern dioceses, Marling of Jefferson City (346) asked for a precise statement on the troubling question of "true and false razismo." Cody (348) noted that the issue was being exploited by Communists "so that the people are being led to the error of thinking that the Church is contrary to the equality of men." By far the most eloquent statements came from Rummel of New Orleans (384-85) and his Auxiliary, Caillouet (509). Rummel pointed out how racism contradicts the doctrines of creation and redemption and asked the Council to bear witness again to their truth. This should include a rejection of all forms of segregation on the basis of race and any kind of efforts to deprive people of their legitimate aspirations. Caillouet was surely thinking of Rummel himself when he asked that the Council's teaching support brave Catholics who were struggling against this injustice. Rummel had encountered bitter opposition when he condemned school segregation in 1953 and again in 1956. In the summer of 1957, Catholic laymen opposed to racial integration had written to Pius XII to challenge Rummel's authority on the matter.⁶⁷

The issue of racism is an interesting test-case for an interpretation of the US Bishops' *vota*. It is tempting, for example, to conclude that the absence of this concern means that a bishop was not particularly interested in the question. In November 1958, however, the U.S. bishops, urged on by one of the last acts of Pius XII, had issued a statement on the race question,⁶⁸ but of the twelve bishop members of the Administrative Board which drew up the statement, only three included it in their *vota*.⁶⁹ Among bishops who did not mention race were some who had taken or were taking courageous public stands on the issue: Lucey, Spellman, Ritter, Waters, and Hallinan. Why did even these bishops not include the question in their proposals to Rome? Was it that they, and other bishops, did not think that this was a suitable topic for an ecumenical council? Did they think Catholic principles on the issue sufficiently clear already?

Communism

⁶⁷See the editorials in *America* 97 (1957), 518, and *Commonweal*, 66 (1957), 508-509. On Rummel, see *The New Catholic Encyclopedia*, 12:721-22. For a contemporary account, see Joseph B. Gremillion, "The Catholic Church in Louisiana," in Putz, *The Catholic Church, U.S.A.*, pp. 217-24.

⁶⁸See *Pastoral Letters of the United States Catholic Bishops*, II, pp. 201-206. For a brief description of the background, see John F. Cronin, "Religion and Race," *America*, 150 (1984), 472.

⁶⁹Meyer, O'Boyle, and Zuroweste mention racism; Spellman, McIntyre, Keough, Alter, Ritter, Brady, Binz, Walsh, and Gilmore do not.

It might have been expected that the U.S. bishops would address the issue of the threat of Communism. In 1959-1960 the Cold War was still on, and the U.S. had just gone through the controversies caused by the views and activities of Senator McCarthy, an issue which had greatly divided American Catholics.⁷⁰ Moreover, several times in the 1950s the Bishops had released statements on Communist persecution of the Church and in November 1959, they were to say again that world Communism is the first obstacle to peace in the world.⁷¹

Twenty U.S. bishops mention Communism in their *vota*; this is 13.5% of the total and 31.4% of those bishops who included broader issues in their proposals. Some of the references are simply oblique as when Hayes (308) notes that "Christ's Church and several Eastern dissident churches face the same atheistic enemy, Communism," or when Schulte (341) refers to a revival of religion "except among those whose hearts are entangled in Communism;" see also Woznicki (426) and Bartholome (431). Some simply list Communism among many other topics.⁷²

Of the bishops who speak more fully about the issue, Cushing (279) included dialectical materialism along with positivism and existentialism in a paragraph entitled "Modern Philosophy." He wanted Communism to be addressed, "not as a political or economic reality, but insofar as it is more truly a philosophical lie and theological fabrication." Meyer (292) placed it in the larger context of the "de-christianization or apostasy of nations," a supreme example of the denial of man's supernatural life and goal. Mueller of Sioux City (446) ranked Communism along with secularism and materialism as providing not only theoretical systems but norms of daily conduct. Helmsing (450, 452) proposed, first, a restatement of the doctrines of the resurrection of the flesh and of life eternal to counteract "the fantasies of Communism about a final happiness in this life" and, second, a demonstration that "the real struggle or conflict is not between the various kinds or classes of men but in the human person itself. This struggle seems to be the effect of original sin. In my opinion it is quite necessary for the Council to repeat the doctrine of the fall of the first parent and of original sin and its effects, not being silent about the struggle with evil spirits." And he noted that it was bad enough that Catholics had lost their apostolic zeal. "But what is worse is that Communists have stolen this spirit in order to spread the fantasies and errors of atheistic materialism."

Cody (348) noted that Communists were promoting conflicts between faithful and hierarchy and trying to make it appear that the Church supports racism. O'Hara (404) wanted the Council to state "that the Church can never co-exist with atheistic communism."

Of the two Ruthenian bishops who mention Communism, Bohachevsky (407) wanted the Council to condemn the persecution Communists were waging in several parts of the world,

⁷⁰See Donald F. Crosby, *God, Church, and Flag: Senator Joseph R. McCarthy and the Catholic Church, 1950-1957* (Chapel Hill: University of North Carolina Press, 1978).

⁷¹Statements with references to Communist persecution were released in 1952, 1953, 1954, 1956, and 1959.

⁷²Binz (316), Gilmore (339), Leech (336), Casey (361), Fletcher (362).

while Senyshen (456) asked that its malice and how to oppose it should be taught in Catholic schools. The first proposal is echoed in the call by Klonowski (494) that the Council say something about the courage of those suffering persecution for Christ in countries like Hungary, Poland, and China.

Relations with Non-Catholics

There was little Catholic interest in ecumenism in the U.S. when Pope John announced the Council in January, 1959.⁷³ Three years earlier the great Protestant theologian, Reinhold Niebuhr, had written, "The relations between Catholics and Protestants in this country are a scandal and an offense against Christian charity."⁷⁴ Three volumes which discuss Catholic life and apostolates in the 1950s make no reference to ecumenical activity,⁷⁵ and an entry under "Ecumenical Movement" does not appear in the index to *The National Catholic Almanac* until 1961. In the U.S., the 1949 Instruction of the Holy Office was thought to discourage ecumenical interests, and, although it had called for diocesan and regional offices to direct ecumenical activities, none appears to have been established in the U.S. In 1954 Cardinal Stritch forbade Catholic participation in the second General Assembly of the World Council of Churches held in Evanston, Illinois.⁷⁶ The only serious ecumenical activities were the efforts of the National Conference of Christians and Jews, which was quite suspect in some Catholics' eyes, and the Chair of Unity Octave, whose vision of ecumenical activity was the return of the erring to the one true Church.⁷⁷

The reasons for this lack of ecumenical activity are many. A suspicion of Roman Catholicism was endemic to the common Protestant ethos that had dominated American culture and had played a role in the 1928 defeat of the only Catholic presidential candidate, Alfred E. Smith. Since the Second World War a series of controversies--over public aid to private schools, the case of Father Feeney, Church-State relations and religious freedom, censorship, birth

⁷³See the interview with Gustave Weigel published in McDonald, *Catholics in Conversation*, pp. 53-71.

⁷⁴"A Protestant Looks at Catholics," in *Catholicism in America: A Series of Articles from "The Commonwealth"* (New York: Harcourt, Brace, & Co., 1954), p. 29. Niebuhr's view was considered still valid in June, 1959, by John B. Sheerin, "American Catholics and Ecumenism," in Gleason, *Contemporary Catholicism in the United States*, p. 76.

⁷⁵See Ward, *The American Apostolate*; Putz, *The Catholic Church, U.S.A.*; Ward, *Catholic Life, U.S.A.*

⁷⁶See Sheerin, "American Catholics and Ecumenism," p. 75. In 1957, however, with the approval of the Apostolic Delegate, Sheerin and Gustave Weigel went as Catholic observers to the meeting of Faith and Order in Oberlin, Ohio. That same year Weigel published a book significantly entitled *A Catholic Primer on the Ecumenical Movement* (Westminster: Newman Press, 1957). In two essays written after the announcement of the Council, Sheerin noted that American Catholics were far behind their European brethren in ecumenical interest: "How Ecumenical Will the Council Be?" *The Catholic World*, 188 (March, 1959), 445-48; "There is a Catholic Ecumenism," *Ibid.*, 192 (1960-61), 67-70.

⁷⁷See *One Fold: Essays and documents to commemorate the Golden Jubilee of the Chair of Unity Octave, 1908-1958*, ed. Edward F. Hanahoe and Titus F. Cranny (Graymoor: Chair of Unity Apostolate, 1959).

control, etc.⁷⁸--had been interpreted by the POAU as proof that *in theory* Catholicism was incompatible with American democracy. While two of the most prominent U.S. Catholic theologians, Francis Connell and Joseph Clifford Fenton, were giving the strictest possible interpretation of Roman documents on ecumenical conversations and warning against Catholic capitulation to the demands of "pluralism," the leaders of the POAU were scornful in their criticisms of Protestant "brotherhooders" who believed in the possibility of Catholic-Protestant dialogue.⁷⁹

Given this context and in light of the previous lack of episcopal leadership in the ecumenical arena, it is surprising that forty of the forty-eight bishops (32.4%) who discussed ecumenical questions in their *vota* spoke about it quite positively--a fact which almost certainly has to be attributed to the new Pope's deep interest in the subject. Thirteen of these bishops explicitly mentioned Pope John's ecumenical goal, and several noted that it had been welcomed both in and outside their Churches. Six of the bishops spoke of it as the primary purpose of the Council.

It is interesting to note that the great majority of these *vota* (33 of them) were submitted in 1959, 12 were sent in 1960, and 3 have no date. It is possible that this distribution reflects a perception that ecumenism had been demoted among the purposes of the Council, particularly after Cardinal Tardini's statement in October 1959 that the Council would be an internal affair of the Catholic Church.⁸⁰ This interpretation is confirmed by the remarks of Bishop Schenk (302-305) who devoted his entire *votum*, sent on April 16, 1960, to reflections prompted by such news reports. He noted that Protestants were wondering "how much pressure was brought on the Holy Father by prelates in Rome to change his mind, and to minimize his first exalted goal; did some in Rome suspect that the Holy Father might betray the Faith by making too many concessions etc.?" Schenk begged that ecumenism not be "relegated to a footnote" but be "given the careful and profound consideration it deserves."

Five bishops indicated that they did not hold out much hope for Christian unity.⁸¹ Contrary to several other bishops, Casey (361) argued that "the great majority of non-Catholics in this pluralistic society have only a negative picture of the Church," falsely seeing it as "a monolithic institution which is trying to coerce human freedom." The need, then, is for the Council to present "a complete and beautiful image of Mother Church." Fletcher (363) noted that

⁷⁸For a contemporary description, see John A. Kane, *Catholic-Protestant Conflicts in America* (Chicago: Regnery, 1955).

⁷⁹See C. Stanley Lowell, *Embattled Wall. Americans United: An Idea and a Man* (Washington: POAU, 1966), p. 41.

⁸⁰See the report of Tardini's press conference, October 30, 1959, *ADA*, I, 154-58.

⁸¹Besides those discussed above, O'Brien (337) warned against an interpretation of Scripture which "smacks of Protestantism or Indifferentism" and referred to "schismatic errors or the division of national churches" (echoed by Hines [398]) and to the need to promote harmony between faithful and clergy "against the enemies of Holy Church and perverse men enjoying the name Christian." Connolly (444) warned against theological tendencies in people who were "embracing a false 'irenicism.'"

there were very few "schismatics" (i.e., Orthodox) in his diocese, and that there was no hope of converting "*ad modum multitudinis*" the very many Baptists and Methodists there; the work of their conversion would have to concentrate on individuals. Navagh (398-99) made a similar point, saying that it would be useful for the Council to address the Orthodox through their leaders, but that many Protestant leaders are so anti-Catholic and have so little control over their people that, in his opinion, "access to Protestants should consist in a direct call to the members of their churches, in accord with the principles stated in our Holy Father's first Encyclical."

Cardinal McIntyre (364-68) noted the multiplication of "non-Catholic sects" in the U.S. and their widespread "corruption." Since only a small percentage of non-Catholic "*ministelli*" continued to believe in the divinity of Christ, the validity of non-Catholic baptisms should no longer be presumed.⁸² He returned to the question at the end of his *votum*, noting that the popular press had raised the question of "possible concessions to non-Catholic people in order to procure unity." He saw no indication that disciplinary concessions would have this effect. "In the United States of America, the internal corruption of Protestantism is so complete that little, if any, kind of dogma remains among even the large sects."

Bartholome (431) was by far the most pessimistic:

No doubt the unity of the Christian peoples, a great concern of the Supreme Pontiff, will receive full consideration. In the U.S.A. this unity cannot be realized without a miracle of grace. Many bishops in this country believe that the unity of Christian peoples cannot be achieved. In my opinion this unity cannot be pursued with great success. The history of Christianity shows that it is more difficult to bring heretics back to the unity of faith than it is to bring pagans to life in Christ.⁸³

As is perhaps already clear from many of the statements quoted, most of the bishops saw the question of Christian unity in terms of the return to the one true Catholic Church of schismatics (i.e., the Eastern Orthodox) and heretics (Protestants). While some bishops spoke of a collective reunion of the Orthodox, others saw it, particularly in the case of Protestants, in terms of conversions. This is true even when a bishop such as McGucken (423) asked for a positive approach in discussing the relation between the Church and the "various categories of men, namely the faithful and schismatics, heretics and unbelievers."

This kind of doctrinal statement could be shaped in such a way that it would not drive schismatics and heretics away but would rather attract them to reunion with the true Church of Christ. In my opinion, what is needed today is not only, as in the past, to condemn inveterate heretics and their inventions, but rather to draw men who have been

⁸²Primeau (370), Brady (435), Dougherty (469), and Sheen (488) echoed similar concerns.

⁸³In a letter to *Commonweal*, 118 (1991) 114, Vincent A. Yzermans, historian of the diocese of St. Cloud, gives evidence that Bartholome's pessimism did not indicate a lack of interest, since in fact he "was light years ahead of most other Catholic bishops on the subject of ecumenism."

defrauded of their supernatural destiny by error and ignorance back to the Church as to the Christ resplendent with the light of truth and the power of love.

In other words, let us state the genuine meaning of the adage, "Outside the Church no salvation," but in a positive way in order to show that the Church is the Mystical Body, the single source of eternal salvation, the bestower of grace, the defender of life, protector of rights, and champion of peace and happiness.

Among the bishops with a broader view of ecumenism is Primeau (372) who proposed a study of "what harmony in doctrine, discipline, and customs exists between the Catholic Church and other Christian churches."⁸⁴ Binz (315) also showed a broader spirit with his set of questions: whether the spirit of the Council should not greatly differ from that of Trent and Vatican I, whether the sort of co-operation between Lutherans and Catholics which exists in Germany cannot be extended to other regions and towards other Christians, whether permanent groups should not be established, especially in our universities and seminaries, to carry on the dialogue with non-Catholic groups, and whether a dialogue under the supervision of the bishop should not be instituted in dioceses. Feeney (409) proposed "an invitation to those separated from us so that by 'dialogue,' as it is called today, means may be found for knowing their minds and opinions on religious matters, for there is strong evidence of a desire among all Christians for greater unity." Two bishops asked that non-Catholic leaders be invited to the Council, Helmsing (453) wanting the heads of the principal sects, such as Lutherans and Methodists, and of the World Council of Churches to come with a consultative vote and as observers, while Howard (410) wanted "the dissident brethren to be most warmly invited, according to the word of the Lord: 'Compelle intrare' (Lk 14:23)."

Besides Binz's proposal for ecumenical commissions at universities, several bishops asked for other ecumenical institutions. Alter (296) asked that the Holy See establish "a permanent commission, composed of members of both the Latin and Oriental Rites, to study the question of the unity of the Church and to propose means by which the reconciliation of the dissident churches with the Holy Apostolic See might be effected." Weldon (455) and Walsh (470) echoed this suggestion, while Cody (351) asked for national commissions to propose norms for contacts with non-Catholics in each country. O'Connor (368) asked for the formation of an international commission of theologians devoted to the work after the Council of converting Protestants and Orthodox.

A few bishops addressed the question of concessions to be made for the sake of Christian re-union. O'Connor (369) saw no difficulty in promising Protestants and the Orthodox dispensations from some ecclesiastical laws if they convert. Spellman, who had excluded from

⁸⁴On the other hand, his next proposal is the establishment of a practical pastoral activity "to foster and mature the union and return of heretics to the bosom of the true Church."

his *votum* a proposal that married convert ministers be admitted to ordination,⁸⁵ was more generous towards the Orthodox (393), explicitly evoking Pope John's ecumenical interests:

The Supreme Pontiff himself, speaking about the Ecumenical Council, has assigned highest importance to the reunion of all Christians and especially of the baptized in the dissident Oriental rites. The dogmatic differences between the Church and the Oriental dissidents were clearly set out in past councils, especially at Florence, Trent and Vatican I, so that no dogmatic definition about these differences seems necessary. Lest the reunion be precluded by disciplinary considerations, however, the Council should confirm the practice of the Church that permits Orientals to retain their own customs and ecclesiastical dispositions, and a judgement of the conciliar Fathers on the validity of Oriental orders may be recommended. With reunion in mind, conversations with these dissidents on moral, dogmatic and disciplinary matters should be encouraged in order to reduce practical difficulties and to increase the hope of reunion.

It is tempting to relate this paragraph, which did not appear in the draft of Spellman's *votum*,⁸⁶ to the incidents recounted by Gerald Fogarty.⁸⁷ Two months before sending in his proposals, Spellman had met with Patriarch Athenagoras in Istanbul. He immediately flew to Rome to meet with Pope John to convey the Patriarch's views and "to see if some reunion were possible." While the Pope seemed quite open, Tardini was not and made changes in Spellman's letter to Athenagoras so that, Spellman claimed, "the letter as expurgated was not as cordial as I would like and was not conclusive."⁸⁸ Perhaps the paragraph quoted above, sent only nine days after his letter to Athenagoras, reflects a new enthusiasm on Spellman's part as a result of his encounter with Athenagoras.⁸⁹

⁸⁵Next to this proposal in the English draft of his *votum*, Spellman wrote: "No, unless his wife dies or agrees to separate from him." Other bishops were more open to this suggestion, however, either for the priesthood (Greco [268], Gorman [306], Bona [335]) or for the permanent diaconate (Noa [374], Howard [411]).

⁸⁶Fr. Daniel V. Flynn, professor of moral theology at Spellman's seminary, had made such a proposal in August, 1959, but it was not included in the materials assembled for Spellman nor in the English draft of his proposals.

⁸⁷Fogarty, *The Vatican and the American Hierarchy*, pp. 388-90.

⁸⁸Spellman told Athenagoras that reunion would presuppose a recognition of papal primacy, but added: "I realize, of course, that great difficulties must be encountered and surmounted and that those who lead the journey back to reunion will be greatly criticized and even ostracized; but I do believe that the wounds of many years of separation can be healed and devoted followers of Christ united through the heroic leadership of a great soul like Your Beatitude."

⁸⁹Athenagoras' conversation with Spellman was alluded to three weeks later when the Patriarch met with G. La Pira and asked him to convey a message to Pope John: "He said to me: "Let the Holy Father know: We desire to be received by him; the hour is so great! (I've also talked about it with Card. Spellman). We're at a historic turning-point; we can't be disunited any more"; ited by Fioretta Mazzei, "Giovanni XXIII e La Pira," in *Giovanni XXIII: transizione del Papato e della Chiesa* (Rome: Borla, 1988), 77.

Many of the bishops drew out the implications of the ecumenical purpose for the agenda of the Council. On a doctrinal level, they addressed the questions of salvation, Marian dogmas, the Church's unity, the relationship between the Mystical Body and the Roman Catholic Church, membership in the Church, the role of the Pope, Scripture and Tradition, Church and State, and religious freedom. On the practical level, they spoke particularly of the question of association and co-operation with non-Catholics in their pluralistic society.

The Church and Salvation. Seventeen of the bishops asked that the Council discuss the Church as the instrument of salvation, many requesting clarification of the ancient adage, "*Extra Ecclesiam nulla salus.*" Once again, some were content simply to ask for a clear presentation on the issue, usually in relation to the salvation of non-Catholics in good faith.⁹⁰ Three bishops referred to the case of Fr. Feeney, but his case was not cited by the two bishops who had been most closely involved in the controversy, Cushing and Wright.

Some spoke more discursively. Zuroweste (275-76) noted a tendency among Catholics, even among priests, to downplay the Church's necessity for salvation. "They presume that non-Catholics who are accepted in the community as 'good individuals' can easily save their souls both because of their ignorance of the prescripts of Divine Revelation and of the precepts of the Natural Law. We think that a clearer explanation of the way in which non-Catholics can save their souls and a clearer explanation of the Church as the means of salvation will generate zeal for making catechumens among clergy and laity." Connolly (324) appears to have been addressing the same situation when he spoke of "religious indifference" and called for a conciliar statement "on the universal call of all men into the one fold of Christ and also of the eternal salvation of all non-Catholics." And perhaps this is also the "new heresy about the Church" which Sweeney (340) refers to: "A new mentality has arisen for which the mutual relationships of all men are exaggerated to the great detriment of the body of Christian doctrine." The views of Schulte (342) and McGucken (423) have been indicated above.

The Marian Doctrines. From the primacy of the ecumenical goal, several bishops concluded that the Council should avoid new definitions of dogma. Hyland (271) felt that this goal would be frustrated, particularly in his "Bible Belt" region, if there were "new" dogmas, which Protestants would surely misinterpret. Keough (274) and Issenmann (299) made the same point, with Shehan (285) adding that there would be difficulties, particularly for Anglicans, if such a new definition were even discussed so soon after the definition of the Assumption. While other bishops from Texas desired a definition of Marian titles (Garriga [300], Gorman [305], and Metzger [319]), Bishop Nold (327) opposed it.

Brady (435) pointed to the precise difficulty: "It is not opportune further to define the prerogatives of the Blessed Virgin Mary unless the notion (false but strong) among Protestants is first uprooted that the Catholic Church has the Blessed Virgin Mary for its center and not Christ

⁹⁰Leech 336, Gilmore 339, Marling 345, Hunkeler 352, Rummel, 383, O'Hara 403, Kellenberg 420, Brady 435, Foery 458, Hannan 501.

the Lord." Hunkeler (353) and Schulte (342) also pointed to the ecumenical complexities of the question.⁹¹

Many bishops discussed the question of new Marian dogmas without explicitly adverting to their ecumenical implications. All told, twenty-one bishops asked for a dogmatic definition of either one or both of the Marian doctrines (Mediatrice and Co-Redemptrix),⁹² six explicitly requested that there be no new dogmas,⁹³ and twelve wanted the issues put on the Council's agenda either for discussion or for a clearer exposition.⁹⁴

Other Marian questions raised were her perpetual virginity (Boland [381], Ahr [460], Ritter [433]), her Queenship (Leech [336]), and her role as spiritual Mother of all men (Connolly [324] Foery [458]) and as Mother of the Mystical Body (McGucken [460]).

Scripture. Twenty bishops (13.5%) raised questions about the Scriptures. Some of the proposals were very general.⁹⁵ Cushing (284) had the fullest proposal with regard to the relation between Scripture and Tradition:

Since some theologians, particularly in past centuries, taking the decree of Trent too literally and thus misinterpreting the mind of the Synod, consider Scripture and Tradition as if they were two distinct sources of revelation, it would be of very great help to explain how practically they both constitute one source, the latter being the authoritative and living interpreter of the former.⁹⁶

⁹¹Perhaps a similar concern lay behind Cardinal Spellman's proposal (392) for a clearer exposition of Our Lady's place in the economy of redemption, "lest in popular books, in fact or rather in words, the doctrine of the Blessed Virgin's dependence on Christ be obscured." An earlier English draft had stated: "Emphasis...upon these two [Marian] teachings have [sic] occasioned some danger in that certain writings and preachings, in effect, make the work of Our Blessed Lady almost the sole instrument of salvation. They seek to imply that Our Lady's part in the redemption of mankind was a work 'ex opere operato.'" In the margin three question marks have been placed next to each of these sentences, perhaps by Spellman himself.

⁹²Zuroweste (276), Byrne of Boise City (278), Garriga (300), Gorman (305), Metzger (319), Connolly of Fall River (324), Bona (335), Schulte (342), Marling (345), O'Flanagan (347), Carberry (358), Rummel (383), Howard (410), Woznicki (425), Ritter (433), Byrne of Santa Fe (442), Connolly of Seattle (445), Senyshen (456), Sullivan (478), Cunningham (502), Caillouet (509).

⁹³Hyland (271), Keough (271), Shehan (285) Issenman (299), Nold (327), Brady (435).

⁹⁴Hacker (277), Cushing (283), Binz (317), Paschang (329), Fletcher (362), Spellman (392), Kellenberg (421), McGucken (423), Hunkeler (353), Foery (458), O'Boyle (463), Scanlan (484).

⁹⁵Treacy (354): "recent studies," O'Connor (368), Primeau (372): "the larger and special errors and theological opinions on Scripture," Feeney (409): "as the inspired Word of God," Kellenberg (421): "literary forms," Connolly (445): inspiration and inerrancy.

⁹⁶Cushing also asked that the Council support Pius XII's hope that scholars would publish a new Latin text of the Scriptures drawn from the Greek and Hebrew texts.

Schulte (342) wanted Protestants taught that it was the Church which produced the New Testament and not vice-versa; he also asked for a clear definition of inspiration and for practical norms for the interpretation of Scripture in order to remove problems concerning the relation between faith and science.⁹⁷ O'Hara (404) wanted the Council "to define the nature of the infallibility of Sacred Scripture so that this source of Revelation would be clarified and defended by the true Church of Christ in these days when the value of Scripture is being diminished or rejected by non-Catholics." Kellenberg (420) wanted a discussion of the relation of the magisterium to both Scripture and Tradition so that non-Catholics would have a better understanding of its role. Brady (435) made similar associations: "Explain the relation between Sacred Tradition and Sacred Scripture, as well as the Church as the guardian and interpreter of both written and oral revelation." Caillouet (509) approached the issue in terms of the accusation made by non-Catholics that the development of doctrine through the Church's living tradition goes beyond "the limits of the primitive oral Tradition given by the Apostles."

Another issue which was at the point of exploding as the bishops were preparing their *vota* was the question of the historical value of the Scriptures. In fact, Francis Connell had initiated a controversy in January 1959 when he addressed "the trend among some Catholic scripture scholars nowadays to interpret the Bible in such wise as to seem to weaken its historical value." His concerns were echoed six months later by his colleague, Joseph Clifford Fenton. Archbishop Vagnozzi, the Apostolic Delegate was soon to join the fray as well.⁹⁸

Connell himself prepared the *vota* of three of the bishops who explicitly mention the historicity of the Bible (O'Boyle [463], Leech [336], and Hannan [501]). O'Boyle reproduced Connell's explanation of the issue: "In recent times several discussions have arisen among Catholic doctors and authors over the interpretation of the historical facts narrated in the inspired books, and some quite novel theories about the historical value of Sacred Scripture have been proposed." Cody (348) seems to have been addressing similar concerns when he noted that "among some modern authors the traditional meaning of Scripture is considered to be a 'fable;' some passages of Scripture are too facilely being interpreted and explained as it were *in a*

⁹⁷Similarly, Schexnayder (356) asked for a clarification of the nature of inspiration and for a statement on the nature and meaning of the first three chapters of Genesis.

⁹⁸For these controversies, see Gerald P. Fogarty, *American Catholic Biblical Scholarship: A History from the Early Republic to Vatican II* (San Francisco: Harper & Row, 1989), pp. 281-91. To Fogarty's documentation can be added a letter from Cardinal Ottaviani to Fenton, January 5, 1960, in which he comments: "You do well to present material defending the historicity of the Gospels; I know you will continue to keep me informed of developments and studies by Catholics relative to this matter. We must always be careful to encourage sincere research and study as opposed to mistaken and erroneous opinions and propositions"; Archives of Elms College. A month later, on February 13, 1960, Connell wrote to Ottaviani noting that Fenton had asked him "to petition your Eminence to have some of the statements of recent Scripture scholars examined. I myself am not a Scripture scholar, but I believe that some of the recent views on the New Testament do not seem to be reconcilable with statements of Pope Pius X in regard to Modernism. I sincerely hope that the wisdom and prudence of the Holy Office will give us some public teaching on these matters in the near future" (ABPR, copy).

scientific way." To meet this problem he wanted the Council to defend "the traditional Catholic faith in the unanimous interpretation of Sacred Scripture and of Catholic truth." O'Brien (337) asked the Council to discuss "the defence of Sacred Scripture from any interpretation which smacks of Protestantism or religious Indifferentism."

More pastoral concerns show up in some of the *vota*. Forst (314) wanted the Council to repeat the Church's care for the Scriptures, its use of them throughout the centuries, and its desire to teach the Word of God to all. Wright (408) asked for a discussion of "the place of Sacred Scripture in the devotional life and the theological sources of the Church" in the hope that "preaching and spiritual direction acquire one [sic] again a more strongly Scriptural basis and spirit, particularly in our times." O'Connor (454) proposed primarily pastoral reasons for the Council to discuss "the interpretation, study, and explanation of Sacred Scripture," and he was one of the nine bishops who asked for an expansion of the Scriptural texts read at Mass or in the breviary.

Daily Contacts. In a pluralistic society the ecumenical agenda also raises issues of the daily social relationships between Catholics and non-Catholics. Cody (351) pointed to the diversity of conditions in various countries so that universal norms for contacts with non-Catholics are often misunderstood and cause acrimony among them, an example being the prohibition of Catholics from belonging to the Rotary Clubs. McNulty of Paterson (402) noted the division between his older and his younger priests over whether it was licit for the faithful to attend non-Catholic weddings, funerals, and Bar Mitzvahs. Woznicki (428) noted that the daily co-operation and participation of Catholics in neutral activities which might be somewhat Protestant made it difficult to remain "immaculate from the sin of participation in worship;" and he cited the example of Catholic priests asked to say prayers at public events or to participate in Joint Services. Gorman (306) and Binz (315) asked for norms for collaboration between Catholics and Protestants. While these bishops appeared to be seeking some relaxation of norms, Schmondiuk, the auxiliary of the Philadelphia diocese of Ruthenians (517), took the opposite line: "With regard to the life of the faithful who must all be the salt of the earth: they should not, without valid necessity, mingle with unbelievers and heretics; they should imitate the customs of the faithful in the first centuries of Christianity in order to preserve the simplicity of the Gospel, even if they have to live in an a-Christian society and in times of great technological progress."

Catholic Education

Only fifteen bishops (10.1%) mention Catholic education in their proposals, a surprising number given the massive commitment to schools at every level which the Church had made over the previous century and the controversies in which the bishops had been embroiled, particularly since the Second World War, in their efforts to obtain state-aid for students in Catholic schools. Although they had published only as recently as 1955 a much-controverted

statement on the latter question,⁹⁹ only two bishops, Dearden (312) and Binz (315) referred to it. Leech (336), Dwyer (415) and Waters (413) mentioned the canonical requirements that parents ensure the Catholic education of their children. Gilmore (306) wanted a clarification of the Church's stance on the co-education of teenagers. Most of the other proposals were very general.¹⁰⁰

Given the controversies aroused by John Tracy Ellis' famous essay on Catholics and the intellectual life,¹⁰¹ it is also surprising that higher education occurs as a concern in only four *vota*.¹⁰² McNamara (500) came the closest to echoing Ellis' concerns when he noted that "despite the time, energy, and money which we are devoting to Catholic education, we are not reaping the desired fruits. The Council, therefore, should consider this problem and suggest ways and means for making Catholic education more fruitful."

In order to cultivate the lay apostolate, Rummel (390) asked that adult lay people be given opportunities to study dogma, philosophy, history, and morality in higher Catholic schools.¹⁰³ Sheen (487) was concerned about a trend to reduce the religion-courses being offered in Catholic schools at every level, while Bartholome (432) wanted the Council to find fit ways for investigating the curriculum in Catholic universities to ensure for orthodoxy, for example by visitations from delegates of the Congregation for Seminaries and Universities.

CONCLUDING OBSERVATIONS

While generalizations about so extensive and so varied a set of proposals as those submitted by the U.S. Bishops are risky, it does seem that the popular view that the American bishops went to the Council unprepared and were startled at what happened there needs at least considerable nuancing. Only one reply to Rome, that of J. Hannan, appeared to question the need

⁹⁹See "Private and Church-Related Schools in American Education," in *Pastoral Letters*, II, pp. 179-84; see pp. 115-19 for popular press reactions to the statement.

¹⁰⁰Gilmore (339), O'Hara (405), Dwyer (415), Bartholome (431), Scanlan (485), Rancans (506).

¹⁰¹John Tracy Ellis, "American Catholics and the Intellectual Life," *Thought*, 30 (1955), 351-88; reprinted as a booklet (Chicago: The Heritage Foundation, 1956) and in Putz, *The Catholic Church, U.S.A.*, pp. 315-57. Ellis reviewed reactions to his paper in his *Perspectives in American Catholicism* (Baltimore: Helicon, 1963), pp. 249-61. For further discussion of the theme, see Walter J. Ong, "The Intellectual Frontier," in Putz, *The Catholic Church, U.S.A.*, pp. 394-415; Gustave Weigel, "American Catholic Intellectualism--A Theologian's Reflections," *Review of Politics*, 19 (1957), 275-307; Ong, *Frontiers in American Catholicism* (New York: Macmillan, 1957); Thomas F. O'Dea, *American Catholic Dilemma: An Inquiry into the Intellectual Life* (New York: Sheed and Ward, 1958).

¹⁰²Russell (416) asked for courses in science in seminaries so that priests will be as well educated as lay people, and Gorman (306) and Daly (311) also asked for priests to be allowed to do higher studies, even in secular colleges.

¹⁰³Hallinan (290) asked for a revision of the laws about the Index of Prohibited Books in order to help prepare educated Catholics to understand "the false philosophy which is the basis of this culture."

for the Council to consider any changes in discipline or in the formulation of doctrine. Some bishops, it is true, thought only of tinkering with contemporary attitudes, activities, or institutions. But an impressive number were willing to propose more extensive changes, if not in doctrine, at least in the way it is presented, if not in the Church's fundamental constitution, at least in the way it functions pastorally. If none of the bishops was a revolutionary, a good number could be considered reformists.

Between 1960, when the last of the proposals was sent to Rome, and 1962, when the Council opened, some 43 U.S. Bishops would serve on preparatory commissions. The proposals of the worldwide episcopate were filtered to these commissions through a classical grid borrowed from the manuals of theology and the Code of Canon Law which did not always adequately represent the sorts of suggestions made nor the arguments and passions with which some of them were proposed. Most of the preparatory commissions, and particularly the Theological Commission, were carefully controlled by Curial interests. On the eve of the Council, it was not at all certain that the initial proposals for reform had much chance of winning the day. Hans Küng's question, "Can the Council Fail?", was being asked widely.¹⁰⁴

Hence the drama of the Council's first session. Within days it became clear that a majority of the Council were in favor of real reform in the Church, and among them the U.S. Bishops, including some whose proposals of two years earlier had been very cautious. The new spirit created by the early days of Pope John's pontificate, visible already in the sudden interest of U.S. Bishops in liturgical reform and ecumenical activity, was now strengthened as the Bishops of the world assumed a new and unique collegial responsibility. If the Council itself went further and more deeply than any of the bishops had anticipated two years earlier, it cannot be said to have been a complete surprise to many of them, nor a development which, given the proper charismatic inspiration, they would not welcome and embrace.

THE "SYNTHETIC REPORT"

On February 11, 1960, the Antepreparatory Commission prepared for the pope and for the Curial Congregations a synthesis of the *vota* received from the U.S. and Canadian Bishops.¹⁰⁵ Since the report summarizes only the responses received by that date and includes the *vota* of Canadian bishops as well, it deserves closer examination than I have been able to give it thus far. Two features of it, however, should already be noted. First, it summarizes the materials received by using a classical grid that divides the material into: I. Doctrinal Problems, II. Discipline of the Clergy, III. Seminaries, IV. Religious, V. The Laity, VI. Discipline of the Sacraments, VII.

¹⁰⁴ Küng's controversial article was translated and published in *The Commonwealth* and then in *Looking toward the Council: An Inquiry among Christians* (New York: Herder and Herder, 1962) 147-54.

¹⁰⁵"Rapporto sintetico sui consigli e suggerimenti dati dagli Ecc.mi Vescovi e prelati degli Stati Uniti e del Canada per il futuro Concilio Ecumenico," 13 typed pages, double-spaced. I thank Professor Andrea Riccardi for drawing this text to my attention.

Divine Worship, IX [sic]. The Magisterium, X. Processes and Penalties, and XI. Ecumenism. Granted that some sort of order had to be found for the plethora of proposals received, it seems that this grid has been imposed on the materials a priori rather than representing something that emerges from the *vota* themselves.

Secondly, while individual sub-sections are sometimes accurate and inclusive, the report ends with a conclusion, whose adequacy may best be judged by comparing the proposals summarized in this paper with the report's summary of "the topics of greatest interest to the Bishops of the United States and Canada":

1) For the doctrinal part:

- a) clarification of the Catholic doctrine on the nature and constitution of the Church;
- b) a dogmatic definition of the Universal Mediation of Mary;
- c) a determination of Church-State relations.

2) For the disciplinary part:

- a) determination of relations between Bishops and the Holy See;
- b) clarification of the condition of lay people in the Church and the ordering of their apostolate.

3) For the liturgical part:

reform of the Breviary.

Not only is this summary not adequate to the *vota* received from the U.S. and Canada, it does not even accurately represent the analysis given earlier in the report itself.

METHODOLOGICAL REFLECTIONS

At the end of this review let me offer a few observations on the use to which these episcopal *vota* may legitimately be put as well as some suggestions for further research. While these are prompted by close study of the U.S. submissions, they may be relevant to the study of the responses of bishops elsewhere. I have been aided both in my study and in formulating these reflections by Alberto Melloni's important paper.¹⁰⁶

¹⁰⁶Alberto Melloni, "Per un approccio storico-critico ai *Consilia et Vota* della fase Antepreparatoria del Vaticano II," *Rivista di Storia e Letteratura Religiosa* 26 (1990) 556-76.

First, generalizations are extremely risky, particularly where there is little evidence of collaboration. Some bishops clearly took great care in preparing their *vota* and consulted widely; others appear to have responded hastily and without much thought. For some the offer to propose an agenda for the Council was an opportunity for thoughtful reflection on the situation of the Church in the modern world; for others it was a simple opportunity to express grievances or to contribute topics for the reform of Canon Law. Some explain and justify their proposals; others simply list them.

Second, the absence of a topic does not necessarily mean indifference to it. That a bishop neglects to mention the welcome the news of the Council has received does not mean that he thought it was poorly received or that he personally disapproved of it. A failure to address the wider social and cultural context may indicate a different view of the purpose of the Council; it does not mean lack of concern for it.

Third, the *vota* need to be interpreted in the light of contemporary events, controversies, and expectations. This means resisting the temptation to read and interpret the proposals in the light of what happened at the Council and, a fortiori, since it.

Fourth, an adequate interpretation and evaluation of the proposals requires a study of the breadth of consultation and of the process of redaction in individual cases. An initial study of the cases of Washington and New York reveals that knowledge of drafts of the *vota* in particular casts light on what was included, on what was rejected, and on the reasons for both. In the individual cases, it will also be helpful to consult other contemporary statements the bishops made about the Council.

Fifth, for all the reasons given above, it is dangerous to use the proposals alone as the sole or even as a sure indication of the mind of individual bishops or of a national hierarchy, much less as a mirror of the state of a local Church at the time. For the latter in particular, it is essential to place the bishops' *vota* in larger contexts, first, that of other contemporary assessments of the condition of the Church and, second, that of the results of wider historical or sociological scholarship.

APPENDIX: THE *VOTUM* OF THE CATHOLIC UNIVERSITY OF AMERICA

Among the proposals submitted by Catholic universities and faculties is the twelve-page text sent to Rome by the Rector of the Catholic University of America, Msgr. William F. McDonald.¹⁰⁷ The first chapter called for a full conciliar presentation of the Church as the Mystical Body of Christ, a condemnation of modernism or liberalism, a treatment of various questions concerning the oriental churches, a vindication of the authority of bishops, and a discussion of the lay apostolate. The second chapter raised a set of unrelated questions: the force

¹⁰⁷ *ADA*, IV/II, 617-31. McDonald's introductory paragraph bears no date, but the text was probably sent in March 1962.

of statements of the magisterium, preaching, fast and abstinence, a worldwide census, the improvement of the teaching of Latin, and the education of women religious. The last chapter discussed a set of particular reforms of the Code of Canon Law.

The CUA text was the result of a consultation of the faculties initiated in January 1960.¹⁰⁸ The result of the inquiry was submitted to the Rector on 1 March for transmission to Rome. It was only three years later, however, that it became known that McDonald had made a selection of the materials submitted to him and that his submission to Rome had omitted the quite progressive recommendations of his faculty of canon law on the Church and cultural diversity, on religious toleration, on Church and State, and on liturgical reform.¹⁰⁹ (Whether McDonald undertook a similar selection among the proposals of the Faculty of Theology it is not now possible to determine.¹¹⁰) When his actions became known early in 1963, he defended himself on the grounds that the faculty committee that had gathered the materials was simply advisory to himself. McDonald was a notoriously cautious and conservative man, and he appears to have feared that the proposals of the Canon Law Faculty were too liberal and would reflect poorly on his University.

It may be that the CUA case was an exception, but perhaps it suggests to the historian another set of questions to ask about the proposals submitted by other universities, an area that remains largely unexplored.

¹⁰⁸ See John E. Lynch, "The Fulfilment of the Law," *Catholic Historical Review* 75 (1989) 612-616.

¹⁰⁹ See "Vota Facultatis Iuris Canonici de Materiis in Concilio Oecumenico Tractandis," February 1960; Papers of Fred. McManus. McDonald's text included in toto the Canon Law Faculty's proposals with regard to the reform of the Code, the oriental Churches, and the authority of bishops, although to the last of these he added a paragraph, probably from the Faculty of Theology, arguing against settling the issue of the sacramentality of the episcopate. That some such selection might be made by the Rector was feared by the Canon Law Faculty, which had asked in March 1, 1960 that any changes made in its text be discussed with it and that, in the case of disagreements among the Faculties on certain issues, "both sets of proposals should be submitted to the ante-preparatory commission in Rome;" see Lynch, "The Fulfilment of the Law," 613.

¹¹⁰ The only documentation available about the consultation of theologians is a text of F. Connell, "Doctrinal and Moral subjects submitted to the Committee of the School of Sacred Theology for Suggestions of topics for discussion at the coming Ecumenical Council" (ABPR), in which he asked for a repudiation of recent views on Church and State, a defense of the historicity of the New Testament, a clarification of the ordinary magisterium of the pope, a condemnation of contraception, and a rejection of racial discrimination. Of these proposals only the one on the papal magisterium is rejected in McDonald's text.