

The Current Juridic and Moral Value of the Index of Forbidden Books

by

Anthony PILLARI

DCA 6395

Chad GLENDINNING

Faculty of Canon Law

Saint Paul University

Ottawa

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## TABLE OF CONTENTS

<b>INTRODUCTION</b> .....	4
<b>CHAPTER 1 – HISTORY OF THE INDEX OF FORBIDDEN BOOKS</b> .....	7
1.1 Early Church History.....	7
1.2 Sacred Congregation of the Index (1571 – 1917).....	10
1.3 Censorship in the 1917 Code.....	13
<b>CHAPTER 2 – ABROGATION OF THE INDEX: CURRENT JURIDIC AND MORAL STATUS</b> .....	18
2.1 Abrogation of the Index.....	18
2.2 Current Juridic Status.....	19
2.3 Current Moral Value.....	20
2.4 Censorship in the 1983 Code.....	23
2.5 Manner of Proceeding of the Congregation for the Doctrine of the Faith in Censorship.....	24
<b>CHAPTER 3 – CASE STUDY: WRITINGS OF MARIA VALTORTA</b> .....	27
3.1 Valtorta’s Work is Placed on the Index.....	28
3.2 Juridic Import of Subsequent Letters from Prelates.....	29
3.2.1 Letters of Ratzinger.....	29
3.2.2 Letter of Tettamanzi.....	31
3.2.3 Imprimatur Granted.....	34
3.3 Juridic Import of Testimony of Saints.....	34
3.3.1 Saint Teresa of Calcutta.....	36
3.3.2 Blessed Maria Inés Teresa Arias.....	36
3.3.3 Blessed Gabriel Allegra.....	37
3.4 Current Juridic and Moral Value of the Index for the Poem of the Man-God.....	39
<b>CONCLUSION</b> .....	43
Appendix I Testimony of Fr. Leo Maasburg.....	45
Appendix II Letter of Blessed Maria Inés Teresa Arias.....	46
Appendix III Letter of Sister Uranga.....	47
<b>BIBLIOGRAPHY</b> .....	48

## ABBREVIATIONS

<i>AAS</i>	<i>Acta Apostolicae Sedis</i>
<i>c.</i>	Canon
<i>cc.</i>	Canons
CDF	Congregation for the Doctrine of the Faith
<i>CIC/17</i>	<i>Codex iuris canonici, Pii X Pontificis Maximi iussu digestus</i>
<i>CIC/83</i>	<i>Codex iuris canonici, auctoritate Ioannis Pauli PP. II promulgatus</i>
<i>TPSF</i>	<i>To Promote and Safeguard the Faith, CDF.</i>
Notification	CDF, Notification regarding the abolition of the Index of books.
Poem	<i>The Poem of the Man-God or The Gospel as Revealed to Me, Valtorta.</i>

## INTRODUCTION

Jesus came and said to [the apostles], “All authority in heaven and on earth has been given to me. Go therefore and make disciples of all nations, baptizing them in the name of the Father and of the Son and of the Holy Spirit, teaching them to observe all that I have commanded you, and behold I am with you always, to the close of the age.”<sup>1</sup>

The Catholic Church, seeking to carry out this mission solemnly confided to her by Jesus Christ, proclaims that she has the “duty and innate right, independent of any human power whatsoever, to preach the Gospel to all peoples.”<sup>2</sup> This includes the duty of vigilance with regard to teachings that could be harmful to the Gospel message. In this regard the bishops, as the successors of the apostles, have a particular “duty and right to be watchful so that no harm is done to the faith and morals of the Christian faithful through writings or the use of instruments of social communication.”<sup>3</sup>

Throughout the past two thousand years this duty has been exercised in a variety of ways. The New Testament reports that the apostles exercised vigilance with regard to particular people and the spoken word.<sup>4</sup> Following their example, the bishops as the successors to the apostles have continued throughout the Church’s history to exercise this vigilance in each of their own dioceses. On occasion bishops have gathered in regional or ecumenical councils to exercise this role of vigilance with regard to particular geographic regions of the Church or with regard to the entire Church. With the advent of the printing press and the events of the Protestant Reformation, particular authors and books were more frequently impacting simultaneously the Christian

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<sup>1</sup> Mt 28: 18-20. In this paper, all quotations from the Bible are from *The Holy Bible: Revised Standard Version, Second Catholic Edition*, original edition prepared by the CATHOLIC BIBLICAL ASSOCIATION OF GREAT BRITAIN, second edition revised according to *Liturgiam authenticam* by Ignatius Press, Nashville, TN, Thomas and Nelson Publishing, 2006.

<sup>2</sup> *Codex iuris canonici, auctoritate Ioannis Pauli PP. II promulgatus, fontium annotatione et indice analytico-alphabetico auctus*, Libreria editrice Vaticana, 1989, English translation *Code of Canon Law: Latin-English Edition, New English Translation*, prepared under the auspices of the CANON LAW SOCIETY OF AMERICA, Washington, DC, Canon Law Society of America, 1999, canon 747 §1. All references to the canons of the 1983 code will be styled “c.” for canon and “cc.” for canons, followed by the canon number(s).

<sup>3</sup> Canon 823 §1.

<sup>4</sup> See 1 Ti 1:19–20, 6:20; Tt 3:10–11; 2 Jn 10–11; Rom 16:17.

faithful in different countries. To more effectively respond to this situation the Church created in the sixteenth century the Sacred Congregation of the Index, which oversaw, in conjunction with the Holy Office, the Index of Forbidden Books (hereafter “the Index”), for almost four centuries.

In 1966 Paul VI abolished the Index, and in 1983 the new Code of Canon Law laid out new procedures for exercising this vigilance. Since the Index is now abolished, does it retain any value for the Church today? Or is it merely a relic of the past that is no longer relevant for our modern world, or at least no longer relevant for modern western democracies? In fact, western democracies are beginning to reconsider the value of censorship. For example, faced with the decapitation of hostages broadcast via the internet, western societies are again seriously considering whether it might not be in people’s best interest to prohibit the public communication of such things.<sup>5</sup>

For the Church there are deeper reasons for which this issue continues to be relevant: the Gospel mandate to “make disciples of all nations... teaching them to observe all that I have commanded you” is as relevant today as it was two thousand years ago. Similarly, the dangers that misleading or erroneous teachings pose to souls continue today. When the Index was abrogated the Congregation for the Doctrine of the Faith clarified that the Index, while no longer having the force of ecclesiastical law, remained morally binding.<sup>6</sup> However, the precise nature of this enduring value and the role it should play in the life of the Church continues to be debated.<sup>7</sup> This paper will seek to clarify the current juridic and moral value of the Index.

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<sup>5</sup> H. WOLF, *Storia dell’Indice. Il Vaticano e i libri proibiti*, Rome, Donzelli, 2006, 10.

<sup>6</sup> CONGREGATION FOR THE DOCTRINE OF THE FAITH, Notification regarding the abolition of the Index of books, 14 June 1966, in *AAS*, 58 (1966), 445, English translation [http://www.vatican.va/roman\\_curia/congregations/cfaith/documents/rc\\_con\\_cfaith\\_doc\\_19660614\\_de-indicis-libr-prohib\\_en.html](http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19660614_de-indicis-libr-prohib_en.html) (23 February 2016).

<sup>7</sup> See M. PACWA, “Is the Poem of the Man-God Simply a Bad Novel?” in *New Covenant*, February 1994. See also M. MIRAVALLE, “Response to Various Questions Regarding ‘The Poem of the Man-God,’” in *Mother of All Peoples*

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online journal), 15 April, 2006. <http://www.motherofallpeoples.com/2006/04/in-response-to-various-questions-regarding-the-poem-of-the-man-godq/> (1 April 2016).

# 1 – HISTORY OF THE INDEX OF FORBIDDEN BOOKS

## 1.1 Early Church History

“He who believes and is baptized will be saved, but he who does not believe will be condemned.”<sup>1</sup> With these words, and many others in the Gospel,<sup>2</sup> Christ indicated the gravity of the mission of passing on to all people his teaching. While this mission is the responsibility of all the Christian faithful,<sup>3</sup> it is in a particular way the responsibility of the hierarchy of the Church.<sup>4</sup> Jesus designated Peter as the head of that hierarchy, declaring, “I will give you the keys of the kingdom of heaven, and whatever you bind on earth shall be bound in heaven, and whatever you loose on earth shall be loosed in heaven.”<sup>5</sup> During the first decades of the Church’s existence the apostles, with Peter as their head, carried out the authoritative teaching mission of Christ, who had said, “He who hears you hears me, and he who rejects you rejects me, and he who rejects me rejects him who sent me.”<sup>6</sup>

This authoritative teaching mission included exhorting the Christian faithful to avoid those who dissented from Christ’s teaching. For example John declared, “If any one comes to you and does not bring this [Christ’s] doctrine, do not receive him into the house or give him any greeting; for he who greets him shares his wicked work.”<sup>7</sup> Paul spoke of some “whom I have delivered to Satan that they may learn not to blaspheme,”<sup>8</sup> and declared as a general policy, “As

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<sup>1</sup> Mk 16:16.

<sup>2</sup> See for example Mt 5: 28-30; Mt 18:6-7; Mt 7:15.

<sup>3</sup> See cc. 211, 225.

<sup>4</sup> See cc. 375, 823.

<sup>5</sup> Mt 16:19.

<sup>6</sup> Lk 10:16.

<sup>7</sup> 2 Jn 10–11. See also Rom 16:17, 1 Tim 6:20.

<sup>8</sup> 1 Ti 1:19-20.

for a man who is factious, after admonishing him once or twice, have nothing more to do with him, knowing that such a person is perverted and sinful; he is self-condemned.”<sup>9</sup>

One sign of the seriousness with which safeguarding the teaching of Christ, and hence also shunning teachings that could be harmful to faith in Christ’s teaching, was taken, is the mass burning of books that took place in Ephesus as a result of Paul’s teaching there. A great bonfire was made of the books of those who practiced magic arts. The quantity and value of the books was so great that altogether they were valued at fifty thousand pieces of silver.<sup>10</sup>

The seriousness with which the apostles carried out their mission of safeguarding the teaching of Christ was continued by their successors. Due to the persecutions of Christians in the first few centuries, and due in a particular way to the destruction of Christian writings under Diocletian (284-305), very few documents from this period are extant. Nonetheless the *Muratorian Fragment*, believed to have been composed in the latter part of the second century, has survived. This work forbids the public reading of certain apocryphal books, while indicating its approval of others.<sup>11</sup>

In 325 the Council of Nicea formally condemned Arius’ book *Thalia*.<sup>12</sup> A subsequent decree from the Emperor Constantine mandated the burning of every copy of it and stipulated that anyone who refused to comply would be punished by death. In the following century the council of Ephesus condemned Nestorius and his writings. Then Pope Gelasius I, in the latter

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<sup>9</sup> Tt 3:10–11.

<sup>10</sup> Acts 19:18-20.

<sup>11</sup> J. BETTENCOURT, *The Imprimatur: Ecclesiastical Tradition, Canonical Basis and Contemporary Function*, Rome, Pontifical Gregorian University, 1999, 19–20.

<sup>12</sup> The Council’s decree reads, “First of all the impiety and perversity of Arius and his followers was examined, . . . and it was unanimously decided to condemn his impious doctrine and the blasphemous utterances by which he expressed himself regarding the Son of God: maintaining in fact that he came from nothing and that prior to his birth he did not exist; he also has said that the Son of God, through his free will, had the capacity for both good and evil and called him a creature and something made. The holy council anathematized all this, not wishing even to listen to this impious and insane doctrine or such blasphemous language” (H. DENZINGER, *Compendium of Creeds, Definitions, and Declarations on Matters of Faith and Morals*, 43<sup>rd</sup> ed., San Francisco, Ignatius, 2012, 53).



part of the fifth century, issued the *Decretum Gelasianum*, a decretal letter concerning those books approved and those not approved by the Church.<sup>13</sup> In this *Decretum* heretical or apocryphal texts were “condemned and forbidden even for private reading.”<sup>14</sup>

Other examples could be cited. For instance, in 787 the Second Council of Nicea further defined Church doctrine concerning the veneration of images. Any books contradicting this teaching were to be handed over to the Bishop of Constantinople. The Council decreed that anyone who instead retained such books would face excommunication (for laity and monks), or deposition (for clerics). Even bishops who transgressed this decree would be punished.<sup>15</sup>

Several centuries earlier bishops had already been prohibited, by the Council of Carthage in the fourth century, from reading works written by pagans. Though an exception was made for those pagan works necessary for a bishop to refute heretical works.<sup>16</sup> The basic principle was that if certain works could be harmful to Christian faith or morals then they should be avoided as much as possible by all Christians, regardless of their status in the Church. The attitude that everyone in the Church, regardless of their status, could be subject to restrictions on their activities or even to penalties manifested itself on a number of occasions. In the 1463 bull *In minoribus agentes*, Pius II condemned a book that he himself had written before becoming pope.<sup>17</sup>

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<sup>13</sup> See DENZINGER, \*250-264, \*353-354.

<sup>14</sup> BETTENCOURT, 23.

<sup>15</sup> Ibid, 27.

<sup>16</sup> Ibid, 22.

<sup>17</sup> Ibid, 29; See also the case of the condemnation of Pope Honorius I in DENZINGER, \*550-563 and in A. SILVEIRA, *Ipotesi Teologica di un Papa Eretico*, Chieti, Italy, Solfanelli, 2016, 39-42. The Third Council of Constantinople pronounced one of Honorius’ letters to be “soul destroying” and declared, “we have seen fit to banish from the holy Church of God and to anathemize also Honorius, the former pope” (DENZINGER \*550).

Throughout the first twelve centuries of the Church the work of safeguarding the Faith through vigilance with regard to heretical or harmful works had been carried out primarily by local bishops, with only rare interventions from an ecumenical council or pope. The events of the Protestant Reformation would present particular challenges to the Church's teaching mission. To respond more effectively to these challenges the Sacred Congregation of the Index would be created. For almost four centuries this congregation would oversee this important aspect of the Church's teaching mission.

## **1.2 Sacred Congregation of the Index**

In the first part of the thirteenth century, faced with the Cathar heresy, Pope Gregory created the Medieval Inquisition and the Holy See thus began to directly oversee the work of suppressing heresy, which up to then had primarily been the task of local bishops. The Inquisition's work was given new impetus in 1478 by Isabella of Castille and Ferdinand of Aragon, who were particularly concerned with heresy in the Iberian Peninsula. At their request Sixtus IV agreed to restore and expand the Inquisition in their kingdoms.<sup>18</sup>

The fifteenth century also saw the invention of the printing press. The Church welcomed this newly invented tool and during the latter part of the fifteenth century Catholic publishers flourished.<sup>19</sup> However, the sixteenth century saw the outbreak of the Protestant Reformation, whose writings attacked core Catholic beliefs with a vigor that pushed the hierarchy of the Church towards a new way of carrying out its mission of safeguarding and protecting the faith.

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<sup>18</sup> CONGREGATION FOR THE DOCTRINE OF THE FAITH, *To Promote and Safeguard the Faith*, Libreria Editrice Vaticana, 2015, 9-10.

<sup>19</sup> See for example the sermon of Blessed Bernardino da Feltre cited in V. FRAJESE, *Nascita dell'Indice. La censura ecclesiastica dal Rinascimento alla Controriforma*, Brescia, Morcelliana, 2006, 15-16. See also F. BETTEN, *The Roman Index of Forbidden Books: with a Summary of the Index*, 2<sup>nd</sup> ed., St. Louis, MO, Herder, 1909, 9.

To more effectively respond to the challenges posed by the Protestant Reformation Paul III established, by his 1542 Constitution *Licet ab initio*, the Congregation of the Holy Roman and Universal Inquisition.<sup>20</sup> It was given jurisdiction over the entire Christian world. Though this universal jurisdiction would not be fully exercised by the Congregation until the beginning of the nineteenth century, the Congregation's mission was clear from the beginning: to exercise universal jurisdiction in matters of heresy. The Congregation's work was not always well received. For example in 1559, on the day of Paul IV's death, an angry mob sacked the seat of the Congregation, destroying some of its official records. In that same year, Peter Canisius, a future saint, wrote to Rome requesting that the Congregation's severity be softened.<sup>21</sup>

Yet the Congregation of the Inquisition's work continued. In fact, a second congregation was created, to function under the Congregation of the Inquisition's supervision: The Congregation of the Index. Created by Pius V in 1571 and formally established by Gregory XIII in 1573, it was charged with the examination, correction, and prohibition of books, and hence with issuing from time to time an index of forbidden books (*Index librorum prohibitorum*, hereafter "the Index").<sup>22</sup> The first Roman Index was published by Paul IV in 1559. Thereafter, for the next three-and-a-half centuries until 1917, the Congregation of the Index would continue, as part of its work, to periodically update the Index.

This congregation's work would be guided by ten rules established by the Council of Trent. With only very minor modifications these rules would remain in force until 1897, when

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<sup>20</sup> CONGREGATION FOR THE DOCTRINE OF THE FAITH, *To Promote and Safeguard the Faith*, Libreria Editrice Vaticana, 2015, 11.

<sup>21</sup> F. BETTEN, *The Roman Index of Forbidden Books: with a Summary of the Index*, 2<sup>nd</sup> ed., St. Louis, MO, Herder, 1909, 48.

<sup>22</sup> See CONGREGATION FOR THE DOCTRINE OF THE FAITH, *To Promote and Safeguard the Faith*, 11, 16-17.

Leo XIII would abrogate them and establish new rules in their place.<sup>23</sup> These rules may be summarized as follows:

(1) Titles condemned previously to 1515 by Popes and Ecumenical Councils continued to be forbidden even if not specifically named in the Index. (2) It forbade all books published after 1515 by authors considered heretics, particularly those on religion. (3) Translations done by condemned individuals of other authors' works were permitted if they were free of errors. (4) The translation into Latin of the Old Testament, if permitted by the bishop was still subject to certain conditions. Vernacular translations of the Bible by Catholics were to be permitted in writing by the bishop, each copy containing the declaration. Anonymous books were not to be approved in any circumstance. Violations of the norms were punishable. (5) Works or collections done by heretics such as Lexicas or Concordances would be permitted after any necessary expurgations were made. (6) Vernacular books containing controversies between Catholics and heretics were allowed under the same restrictions as the vernacular bibles. (7) Obscene books with the exception of old classics were forbidden. (8) Parts of books that were considered good would be permitted once the objectionable parts were cleared. (9) Books, whose subject matter was superstitious, magic or of the "dark world" would be forbidden. (10) All books would be subject to censorship following the regulations laid down by Leo X at the V Lateran Council.<sup>24</sup>

This last rule asserted that *no* book could be published without prior Church approval. All books were to be submitted to the appropriate person delegated by one's local bishop, or in Rome to the one delegated by the pope, for examination prior to publication. The scope of the Congregation of the Index's work was thus immense. The Council of Trent's particular concerns regarding heretical books, faulty translations of Scripture, and obscene books would be echoed by Leo XIII in his 1897 Constitution *Officium ac munera* and the accompanying decree.<sup>25</sup> In abrogating the ten rules of Trent and replacing them with new ones Leo in no way diminished the gravity of the charge laid on the Congregation of the Index. On the contrary, he reaffirms the Church's mission to protect the faithful from the reading of harmful books "as from a poison," asserting that if ever it had been necessary for the Church to fight to protect the faithful from harmful books that fight was particularly necessary at that time.<sup>26</sup>

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<sup>23</sup> See BETTEN, 11-12.

<sup>24</sup> BETTENCOURT, 53. See also WOLF, 25-28.

<sup>25</sup> See LEO XIII, Constitution *Officiorum ac munerum*, 7 February 1897, in *ASS*, 30 (1897-1898), 39-43. See also LEO XIII, *Decreta Generalia de prohibition et censura librorum*, 7 February 1897, in *ASS*, 30 (1897-1898), 43-97.

<sup>26</sup> *Officiorum ac munerum*, 39.

In his revision of the Index, Leo dropped about one thousand works from the list.<sup>27</sup> This was possible because the act of placing a book on the Index was not an infallible act, and hence was reformable.<sup>28</sup> Therefore throughout the Index's history books were from time to time removed. This was done for various reasons. Sometimes a work had been placed on the Index for disciplinary reasons rather than because of heretical or obscene content. For example, towards the beginning of the eighteenth century, the pope imposed silence on two groups disputing a difficult theological question. When each side published a book that violated this silence their books were both placed on the Index.<sup>29</sup> Sometimes a book was placed on the Index because it was judged that it might be dangerous for some persons, at that particular point in history, to read. Years later, when such dangers were judged to no longer be present due to changed conditions, the book could be removed from the Index.<sup>30</sup>

### 1.3 Censorship in the 1917 Code

Just twenty years after Leo XIII's *Officium ac munera* was promulgated, it was abrogated and replaced by the 1917 Code of Canon Law. The 1917 Code's provisions regarding the Index would remain in force until their abrogation by Paul VI in 1966. Not only did Benedict XV promulgate, in the 1917 Code, new legislation concerning the Index; he also suppressed, by his motu proprio *Alloquentes*, two months before promulgating the Code, the Congregation of the Index.<sup>31</sup> This motu proprio transferred all of the duties formerly held by the Congregation of the

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<sup>27</sup> BETTEN, 12.

<sup>28</sup> C. BACHOFEN, *A Commentary on the New Code of the Canon Law*, 2<sup>nd</sup> edition, St. Louis, MO, Herder, 1918, Vol. VI, 458-459.

<sup>29</sup> BETTEN, 15-16.

<sup>30</sup> *Ibid.*, 18.

<sup>31</sup> BENEDICT XV, Motu Proprio *Alloquentes*, 25 March 1917, in *AAS* 9 I (1917), 167.

Index to the Supreme Sacred Congregation of the Holy Office.<sup>32</sup> This suppression and transfer of duties was done in order to avoid any conflicts of jurisdiction between the two congregations, but did not substantially effect the work of overseeing the Index, since *Alloquentes* transferred all of the officials of the former Congregation of the Index to the Supreme Sacred Congregation of the Holy Office.<sup>33</sup>

Though the prescriptions of the 1917 Code regarding the Index remained substantially the same as those promulgated by Leo XIII, there were some minor differences. For example, Leo XIII had relaxed the rules regarding obscene books when it concerned works of classical literature. The 1917 Code, however, abolished this mitigation. But it did permit teachers, and others whose duties called for the reading of such works, to apply in many cases to their own superiors for the necessary permission.<sup>34</sup>

The 1917 Code prescribed that clergy, religious, and laity were all bound to seek written permission before publishing books relating to the “divine Scriptures, sacred theology, ecclesiastical history, canon law, natural theology, and ethics and other religious and moral disciplines of this sort; books and booklets of prayers, devotions, and teaching or religious instruction on morals, ascetics, mysticism and other [topics] of this sort... and generally those writings in which there is something of import to religion and right living.”<sup>35</sup> Any work in the

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<sup>32</sup> The Congregation of the Inquisition was renamed by Pius X in 1908 the “Supreme Sacred Congregation of the Holy Office.”

<sup>33</sup> See *Alloquentes* 167, III: “Ad ministeria quae sunt apud S. Officium, accedat peculiaris Sectio de Indice; eique addicantur Officiales qui extinctae Congregationi ministrabant...” See also *TPSF*, 20-23; See also *Codex iuris canonici, Pii X Pontificis Maximi iussu digestus Benedicti Papæ XV auctoritate promulgatus*, Typis polyglottis Vaticanis, 1917, English translation E. PETERS, (ed.), *The 1917 Pio-Benedictine Code of Canon Law*, San Francisco, Ignatius Press, 2001, c. 247. All references to the canons of the 1917 Code will be styled “CIC/17, c.” for canon and “CIC/17, cc.” for canons, followed by the canon number(s).

<sup>34</sup> See *CIC/17*, c. 1402. See also BACHOFEN, Vol. VI, 480.

<sup>35</sup> *CIC/17* c. 1385 §1, 2°.

above categories published without formal ecclesiastical approval thereby became a prohibited work.<sup>36</sup>

The Christian faithful were instructed by the 1917 Code that books could be prohibited either in virtue of the natural law or in virtue of positive ecclesiastical law. Positive ecclesiastical law refers to the laws promulgated by the Church, which the Christian faithful are bound to obey. The natural law refers to the law that God has placed in each person's heart and that every person, including each of the Christian faithful, is bound to obey. The Code affirms that each person is prohibited by the natural law from "reading books that present a proximate spiritual danger to oneself,"<sup>37</sup> even if one had permission from an ecclesiastical superior to read those particular books.

The Holy Office was charged, in the 1917 Code, with helping to protect the faithful from these same types of books—that is books that could pose a spiritual danger—by making use of positive ecclesiastical law, which was the goal of the Index, and therefore also of the Holy Office's work in this domain.<sup>38</sup> The act of placing a book on the Index was not an infallible or irreformable act.<sup>39</sup> However once a book was placed on the Index, and for as long as it remained there, the Christian faithful were bound to obey, in virtue of positive ecclesiastical law, the prohibition. Thus, if a book containing good Catholic doctrine and with no objectionable content did not receive the required ecclesiastical permission to be printed, but nonetheless was printed, the book would be prohibited for a Catholic in virtue of positive ecclesiastical law, even though it was not prohibited for them by the natural law.

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<sup>36</sup> *CIC/17* c. 1399 §5.

<sup>37</sup> *CIC/17* c. 1405 §2.

<sup>38</sup> See *CIC/17*, c. 247 §4.

<sup>39</sup> BACHOFEN, vol. VI, 458-459.

Once a work was placed on the Index it could not be “published, read, retained, sold, translated into another language, or in any other way communicated to others.”<sup>40</sup> The consequences of violating this law were serious. Theologians held that one who read a substantial portion of a forbidden book, knowing it to be forbidden, committed a mortal sin.<sup>41</sup> Some who violated this law also incurred excommunication.

“Publishers of books of apostates, heretics, and schismatics that propagate apostasy, heresy, and schism” as well as “those defending these books or others prohibited by name in apostolic letters,” and those who “knowingly and without required permission read and retain [such books],” incurred excommunication specifically reserved to the Apostolic See.<sup>42</sup> Similarly, those who published commentaries on or books of the Bible without permission incurred excommunication, but in this case an excommunication “reserved to no one” as opposed to the above excommunication reserved to the Apostolic See.<sup>43</sup>

Canon 2318 specified that the excommunication reserved to the Apostolic See did not arise in the case of violations of the law concerning every book on the Index. Rather this excommunication was only incurred if the book in question had been prohibited by name in apostolic letters. Thus, works placed on the Index in virtue of decrees issued by the Holy Office or by any other congregation, even if such decrees were approved by the pope, would not fall

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<sup>40</sup> *CIC/17* c. 1398 §1.

<sup>41</sup> BETTEN, 43. See also distinctions made in the classic manuals of moral theology such as, “The violation of the laws on the prohibition of books is itself a grave sin; but in matters of lesser moment there is only a venial sin” (H. JONE, *Moral Theology*, Rockford, IL, Tan Books and Publishers, 1993, 274). Jone, for example, makes the following distinctions with regard to works on the Index, “Reading forbidden literature is gravely sinful if the amount read would constitute a great danger for many people, even though it be harmless to the one reading... If the book is very obscene even half a page may be sufficient to constitute a mortal sin, whereas, if the book is not very dangerous, even the reading of thirty pages may not be very gravely sinful. If a book is in itself harmless and is forbidden merely because it relates new revelations, etc. but is published without ecclesiastical permission, a person might commit only a venial sin by reading the entire volume.” (JONE, 274).

<sup>42</sup> *CIC/17*, c. 2318 §1.

<sup>43</sup> *CIC/17*, c. 2318 §2.



into this category. Only works prohibited by name in a decree from the pope—whether that decree be a brief, a bull, an encyclical letter, or some other form of apostolic letter—could lead to excommunication reserved to the Apostolic See.

The serious obligation of the Christian faithful to avoid prohibited works was coupled with another serious obligation: the obligation of sending to the appropriate authorities—the local ordinary or the Apostolic See—any books that they judged to be pernicious.<sup>44</sup> Though codified in positive ecclesiastical law this obligation would seem to spring from the natural law. If one is bound by natural law, as canon 1405 asserts, to avoid works that present a proximate spiritual danger to oneself, one would seem bound in charity to help others avoid works that could pose proximate spiritual dangers to them. These duties flowing from the natural law would remain unchanged for all Christian faithful. However positive ecclesiastical law in this domain would undergo in 1965 a radical change.

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<sup>44</sup> See *CIC/17*, c. 1397.

## 2 - ABROGATION OF THE INDEX: CURRENT JURIDIC AND MORAL STATUS

On December 7, 1965, Paul VI renamed the Holy Office the “Congregation for the Doctrine of the Faith” through his motu proprio *Integrae servandae*.<sup>1</sup> More importantly, he also restructured this dicastery. As would become apparent in some of the dicastery’s first official acts—its notification of June 14, 1966,<sup>2</sup> and decree of November 15, 1966<sup>3</sup>—positive ecclesiastical law regarding the Index had been abrogated.

### 2.1 Abrogation of the Index

Paul VI asserted that the Church “employs different instruments according to the various times and human cultures,” and that “because there is *no fear* in love (1 Jn 4:18), the defense of the faith is now better served by promoting doctrine.”<sup>4</sup> *Integrae servandae* thus signaled a significant shift in the Church’s manner of exercising its duty of vigilance with regard to teachings that could be harmful to the Gospel message. However, the full implications of the motu proprio with regard to the Index were not at first completely clear.

The Congregation therefore issued, just six months after *Integrae servandae*, a notification regarding the abolition of the Index of forbidden books, which proclaimed that, “the Index remains morally binding, in light of the demands of natural law, in so far as it admonishes the conscience of Christians to be on guard for those writings that can endanger faith

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<sup>1</sup> PAUL VI, Motu Proprio *Integrae servandae*, 7 December 1965, in *AAS*, 57 (1965), 952-955, English translation [http://w2.vatican.va/content/paul-vi/en/motu\\_proprio/documents/hf\\_p-vi\\_motu-proprio\\_19651207\\_integrae-servandae.html](http://w2.vatican.va/content/paul-vi/en/motu_proprio/documents/hf_p-vi_motu-proprio_19651207_integrae-servandae.html) (23 February 2016).

<sup>2</sup> CONGREGATION FOR THE DOCTRINE OF THE FAITH, Notification regarding the abolition of the Index of books, 14 June 1966, in *AAS*, 58 (1966), 445, English translation [http://www.vatican.va/roman\\_curia/congregations/cfaith/documents/rc\\_con\\_cfaith\\_doc\\_19660614\\_de-indicis-libr-prohib\\_en.html](http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19660614_de-indicis-libr-prohib_en.html) (23 February 2016).

<sup>3</sup> CONGREGATION FOR THE DOCTRINE OF THE FAITH, Decree Regarding Canons 1399 and 2318 no Longer in Force, 15 November 1966, in *AAS*, 58 (1966), 1186, English translation [http://www.vatican.va/roman\\_curia/congregations/cfaith/documents/rc\\_con\\_cfaith\\_doc\\_19661115\\_decretum\\_en.html](http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19661115_decretum_en.html) (23 February 2016).

<sup>4</sup> *Integrae servandae*.

and morals. But, at the same time, it no longer has the force of ecclesiastical law with the attached censure.”<sup>5</sup> Nonetheless requests for clarification continued to be sent to the CDF. It therefore issued, just five months after its notification on the matter, a decree to clarify that canons 1399 and 2318 (*CIC/17*) were now abrogated. This meant that books on the Index were no longer prohibited in virtue of positive ecclesiastical law, and that anyone who had incurred censures by publishing, reading, retaining, selling, translating into another language, or in any other way communicating prohibited works to others was hereby considered absolved of those censures.

It would be difficult to overstate the significance of this change. Whereas the above-mentioned actions had previously been considered mortal sins in virtue of their violation of positive ecclesiastical law, they were now not sins at all, in this regard, because the positive ecclesiastical law no longer existed. Such actions *might* be sins due to the violation of the natural law. However the primary arbiter in this matter was now the “conscience of Christians.”<sup>6</sup>

## 2.2 Current Juridic Status

What is the current juridic status of the Index of forbidden books? As the Congregation’s Notification regarding the abolition of the Index of books stated, the “Sacred Congregation for the Doctrine of the Faith, after having asked the Holy Father, announces that the Index [...] no longer has the force of ecclesiastical law with the attached censure.”<sup>7</sup> Since the Index no longer has any force in ecclesiastical law it no longer has any juridic status.<sup>8</sup> Hence with regard to all of

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<sup>5</sup> CONGREGATION FOR THE DOCTRINE OF THE FAITH, Notification regarding the abolition of the Index of books.

<sup>6</sup> Ibid.

<sup>7</sup> Ibid.

<sup>8</sup> Compare with the continuing prohibition in ecclesiastical law of membership in the Masons, as analyzed in E. CONDON, “The Enduring Force of the Canonical Prohibition of Masonic Membership in the 1983 Code of Canon Law,” in *The Jurist*, 74 (2014), 289-352.

the works that Catholics had been forbidden to read because they were on the Index, Catholics were now free to read them.

It may be helpful to consider an example. A Catholic who in 1964 was aware that John Stuart Mill's *Principles of Political Economy* had been placed on the Index of Forbidden books and who nonetheless chose to read the work, without any special permission from ecclesiastical authorities, was considered to have committed a mortal sin.<sup>9</sup> The individual was considered to have committed a grave sin of disobedience because he had violated the prohibition in positive ecclesiastical law against reading works placed on the Index, not because the book's content was gravely sinful to read.<sup>10</sup> The latter might be the case for some works on the Index, in virtue of the natural law, but that is a separate question that will be examined below. However if a Catholic in 1967, fully aware that Mill's work had been placed on the Index, chose nonetheless to read it, he would not be guilty of any sin by virtue of the fact that the work was on the Index. Yet there would remain the question of whether or not it was sinful to read the work based on its content.

### **2.3 Current Moral Value**

The Notification declares that the "Index remains morally binding, in light of the demands of the natural law, in so far as it admonishes the conscience of Christians to be on guard for those writings that can endanger faith and morals."<sup>11</sup> The Notification thus echoes the fundamental principle that, even where one had permission to read books, this freedom "in no

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<sup>9</sup> "The violation of the laws on the prohibition of books is in itself a grave sin." (JONE, 274). See also BETTEN, 43.

<sup>10</sup> Classic manuals of moral theology, while maintaining the basic principle that the violation of the prohibition of books was in itself a grave sin, made a number of distinctions that could diminish the degree of sin in particular cases. For example, Jone asserts that, "The violation of the laws on the prohibition of books is itself a grave sin; but in matters of lesser moment there is only a venial sin. . . . Reading forbidden literature is gravely sinful if the amount read would constitute a great danger for many people, even though it be harmless to the one reading. . . . If the book is very obscene even half a page may be sufficient to constitute a mortal sin, whereas, if the book is not very dangerous, even the reading of thirty pages may not be very gravely sinful. If a book is in itself harmless and is forbidden merely because it relates new revelations, etc. but is published without ecclesiastical permission, a person might commit only a venial sin by reading the entire volume." (JONE, 274).

<sup>11</sup> Notification.

way exempts one from the prohibition of the natural law against reading books that present a proximate spiritual danger to oneself.”<sup>12</sup>

Every Catholic has, by virtue of the natural law, an obligation to avoid writings that would harm his faith or morals. Prior to the abrogation of the Index, each Catholic who had received special permission to read works that had been placed on the Index then had to decide, according to his conscience, if a given work would present a proximate spiritual danger to his soul. After the abrogation of the Index, every Catholic now finds himself in this position. Hence each Catholic must now make a prudential judgment, according to his conscience, with regard to any work that had been placed on the Index. He must judge whether or not the work would present a proximate spiritual danger to his soul.

The Church teaches that, “moral conscience, present at the heart of the person, enjoins him at the appropriate moment to do good and to avoid evil.”<sup>13</sup> The Church describes this judgment of conscience as involving three essential steps: 1) perceiving the “principles of morality,” 2) applying those principles to the concrete circumstances that one is faced with via a “practical discernment of reasons and goods,” and 3) making a concrete judgment about acts yet to be performed.<sup>14</sup> Hence, when faced with a decision as to whether or not to read a particular book—regardless of whether the book had been previously placed on the Index or whether it was a new book or simply an old book that had never been placed on the Index—the judgment of conscience incorporates these three elements. If one judges, according to one’s conscience, that a book would present a proximate spiritual danger to one’s soul, and one nonetheless decides to

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<sup>12</sup> *CIC/17*, c. 1405 §1.

<sup>13</sup> *Catechismus Ecclesiae catholicae*, Libreria editrice Vaticana, 1997, English translation *Catechism of the Catholic Church*, 2<sup>nd</sup> ed., New York, Doubleday, 2003, no. 1777.

<sup>14</sup> *Ibid.*, no. 1778.

read the book, one commits a sin. However, if in conscience one judges that a book would not present a proximate spiritual danger then there is no sin committed in reading it, even if it had previously been placed on the Index.

In evaluating a given work that had been on the Index, it is good to recall that works were placed there for a variety of reasons. Some works were placed there simply because they had been published without prior Church approval, not because of harmful content.<sup>15</sup> Sometimes a work was placed on the Index for disciplinary reasons rather than because of heretical or obscene content. At times a book was placed on the Index because ecclesiastical authorities determined that it might be dangerous for some persons, at that particular point in history, to read. Years later, when such dangers were judged to no longer be present due to changed conditions, the book would be removed from the Index.<sup>16</sup> For example, in his revision of the Index, Leo XIII removed about one thousand works from the list.<sup>17</sup>

The current moral value of the Index is that it can assist people by providing information that should be weighed as they discern whether or not to read a work. It would be erroneous to consider the Index morally binding in such a way that it would be a sin to read any work that had been placed on it. On the contrary, the Church today asks each Catholic to consider, and to make a prudential judgment, as to whether or not a given work would be a proximate spiritual danger to his soul.

Was a given work placed on the Index because it lacked ecclesiastical approval prior to its publication rather than because of its content? Or was it on the contrary placed on the Index because its content was judged to be heretical or obscene? Was its content such that it was

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<sup>15</sup> See BETTENCOURT, 53. See also WOLF, 25-28.

<sup>16</sup> BETTEN, 18.

<sup>17</sup> Ibid., 12.

considered to be dangerous for some persons at that point in history to read, but where such danger no longer exist today? Such considerations must be weighed in conscience, realizing also that it has been fifty years since the abrogation of the Index, and hence that for fifty years there has been no dicastery charged with updating it, with removing works from it if the reasons for its prohibition were no longer present, etc.

## 2.4 Censorship in the 1983 Code

Positive ecclesiastical law concerning the publication and use of books would undergo a significant change with the promulgation of the 1983 Code of Canon Law. The change was so significant that just one year after the Code's promulgation James Coriden would pen an article entitled "The End of the Imprimatur." As Coriden explains:

From the sweepingly broad categories of "whatever pertains to religious or moral disciplines" and "anything of special religious or moral interest" (C. 1385 '17) [the *imprimatur*] was reduced to biblical and liturgical texts, prayer books, catechisms, school textbooks dealing with religious or moral matters, and religious literature sold or given away in churches. The range of writings requiring the imprimatur was narrowed down to those few basic categories of works which are considered most "official" and whose need for accuracy calls for special screening. All other theological and religious writings are exempted from the requirement.<sup>18</sup>

Previously the imprimatur had been required for any book that touched upon the areas of religion or morality, and it had been forbidden to read any such book that had been published without the imprimatur.<sup>19</sup> After the promulgation of the 1983 Code, the only categories of writings that always require an imprimatur for publication are: editions of Sacred Scripture, liturgical books, books of prayers, collections of ecclesiastical decrees and acts, and catechisms.<sup>20</sup> Books whose content pertains to Sacred Scripture, theology, canon law, ecclesiastical history, or religious or moral disciplines do not normally require an imprimatur. They only require this approval from the competent ecclesiastical authority if they are to be used

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<sup>18</sup> J. CORIDEN, "The End of the Imprimatur," in *The Jurist*, 44 (1984), 340.

<sup>19</sup> See *CIC/17* c. 1399 §1 and c. 1385.

<sup>20</sup> See *CIC/83* cc. 825-828.

as “texts on which instruction is based in elementary, middle, or higher schools.”<sup>21</sup> Furthermore, while the code reaffirmed the duty and right of bishops to condemn writings which could cause harm to faith or morals, the indicated condemnation is something vastly different from what had taken place for many centuries, when condemned works were placed on the Index. The manner of condemnation most often used in the Church since the abrogation of the Index can be best understood by looking at the Congregation for the Doctrine of the Faith’s actions in this regard.

## **2.5 Manner of Proceeding of the Congregation for the Doctrine of the Faith in Censorship**

Paul VI signaled the change in the Church’s manner of exercising its role of vigilance in *Integrae servandae*. In renaming and restructuring the Holy Office he proclaimed, “because there is no fear in love (1 Jn 4:18), the defense of the faith is now better served by promoting doctrine, in such a way that... those who err are gently called back to the truth.”<sup>22</sup> The CDF itself asserted that the Church “trusts in the mature conscience of the faithful.”<sup>23</sup> In implementing this approach the CDF has chosen, over the past fifty years, to make use primarily of notifications of errors in works. These notifications are meant to alert the members of the Church to the errors or dangers in these works, but they do not impose any juridic prohibitions or censures, thus leaving Catholics, in most cases, completely free to make use of them as they judge best.<sup>24</sup>

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<sup>21</sup> CIC/83 c. 827 §2.

<sup>22</sup> *Integrae servandae*.

<sup>23</sup> Notification.

<sup>24</sup> See for example the CDF’s Notification on the works of Father Jon Sobrino, S.J., 26 November 2006, in *AAS*, 99 (2007) 181-194. English translation [http://www.vatican.va/roman\\_curia/congregations/cfaith/documents/rc\\_con\\_cfaith\\_doc\\_20061126\\_notification-sobrino\\_en.html](http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20061126_notification-sobrino_en.html) (30 December 2016); See also Notification regarding certain writings of Fr. Marciano Vidal, C.Ss.R., 22 February 2001, in *AAS*, 93 (2001) 545-555. English translation [http://www.vatican.va/roman\\_curia/congregations/cfaith/documents/rc\\_con\\_cfaith\\_doc\\_20010515\\_vidal\\_en.html](http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20010515_vidal_en.html) (30 December 2016); See also Notification concerning the writings of Father Anthony De Mello, S.J., 24 June 1998, in *AAS*, 90 (1998), 833-834. English translation [http://www.vatican.va/roman\\_curia/congregations/cfaith/documents/rc\\_con\\_cfaith\\_doc\\_19980624\\_demello\\_en.html](http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19980624_demello_en.html) (30 December 2016); See also Note on the book *The Sexual Creators, An Ethical proposal for Concerned Christians* by R. André Guindon, O.M.I., 31 January 1992,



For example, after an extensive examination of the works of Fr. Jon Sobrino the Congregation found his writings to contain errors in key doctrines, such as the Divinity of Jesus Christ, the Incarnation of the Son of God, and the salvific value of his death.<sup>25</sup> Nonetheless, rather than imposing any sort of censure on the author or prohibition with regard to the publication or reading of the works in question, or with regard to their use as textbooks, the Congregation limited itself to asserting, "...it was decided to publish this *Notification*, in order to offer the faithful a secure criterion, founded upon the doctrine of the Church, by which to judge the affirmations contained in these books or in other publications of the author."<sup>26</sup> Even in cases such as this, where the errors contained in a work risk causing substantial harm to faith in key doctrines, the Congregation normally takes the approach of limiting its condemnation to the publication of a notification pointing out the errors in question. The Congregation then entrusts to each individual the discernment and judgment as to whether or not to read, publish, or make use of such texts.

A recent case, in which the Congregation took stronger measures, involves Mary Farley's book *Just Love. A Framework for Christian Sexual Ethics*. In addition to pointing out the errors in this work, the Congregation declares:

With this Notification, the Congregation for the Doctrine of the Faith expresses profound regret that a member of an Institute of Consecrated Life, Sr. Margaret A. Farley, R.S.M., affirms positions that are in direct contradiction with Catholic teaching in the field of sexual morality. The Congregation warns the faithful that her book *Just Love. A Framework for Christian Sexual Ethics* is not in conformity with the teaching of the Church. Consequently it cannot be used as a valid expression of Catholic teaching, either in counseling and formation, or in ecumenical and interreligious dialogue.<sup>27</sup>

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[http://www.vatican.va/roman\\_curia/congregations/cfaith/documents/rc\\_con\\_cfaith\\_doc\\_19920131\\_book-guindon\\_en.html](http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19920131_book-guindon_en.html) (30 December 2016).

<sup>25</sup> Notification on the works of Father Jon Sobrino, S.J., 26 November 2006, in *AAS*, 99 (2007) 181-194, no. 1.

<sup>26</sup> *Ibid.*

<sup>27</sup> CDF, Notification regarding the book *Just Love. A Framework for Christian Sexual Ethics* by Sr. Margaret A. Farley, R.S.M., 30 March 2012, in *AAS* 104 (2012) 505-511.

On rather rare occasions the Congregation applies censures to the author.<sup>28</sup> For example after examining Roger Haight's book "Jesus Symbol of God," the Congregation determined that the work contained serious doctrinal errors concerning some fundamental truths of the faith and which were causing "grave harm to the faithful."<sup>29</sup> These serious errors involved fundamental doctrines such as the pre-existence of the Word, the divinity of Jesus, the Holy Trinity, the salvific value of the death of Jesus, his resurrection, and the salvific mediation of Jesus and of the Church. The Congregation judged these errors to be "serious doctrinal errors contrary to the divine and Catholic faith of the Church. As a consequence, until such time as his positions are corrected to be in complete conformity with the doctrine of the Church, the Author may not teach Catholic theology."<sup>30</sup> Nonetheless the Congregation did not impose any prohibition on the use of this work, either for personal study or as a textbook (at least at the university level). Rather it left each individual free to discern whether or not to read, publish, or in any other way make use of the text.

In some cases the Congregation has gone beyond alerting the faithful to errors in a work or applying a censure to the author. For example, after examining the works of Vassula Ryden the Congregation requested the intervention of bishops so that "no opportunity may be provided in their Dioceses for the dissemination of her ideas." It also invited the faithful "not to regard Mrs. Vassula Ryden's writings and speeches as supernatural."<sup>31</sup>

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<sup>28</sup> In some cases this includes even the excommunication of the author. See for example the Notification concerning the text "Mary and Human Liberation" of Fr. Tissa Balasuriya, O.M.I., 2 January 1997, in *Origins*, 26 (1996), 528-530.

<sup>29</sup> CDF, Notification regarding the book "Jesus Symbol of God" of Fr. Roger Haight, S.J., 13 December 2004, in *AAS*, 97 (2005), introduction.

<sup>30</sup> CDF, Notification regarding the book "Jesus Symbol of God" of Fr. Roger Haight, S.J., 13 December 2004, in *AAS*, 97 (2005), conclusion.

<sup>31</sup> CDF, Notification on the writings and activities of Mrs. Vassula Ryden, 6, October 1995, in *AAS*, 88 (1996), 956-957.

### 3 – CASE STUDY: WRITINGS OF MARIA VALTORTA

Although the Index was abrogated more than fifty years ago, debates about its current moral and juridical value continue to this day.<sup>1</sup> We will now examine a particular case, one that, despite its having previously been placed on the Index, has in the past few decades been published in more than twenty languages and has sold hundreds of thousands of copies.<sup>2</sup> We will examine the Life of Christ written by Maria Valtorta in the 1940s and placed on the Index on December 16<sup>th</sup>, 1959.<sup>3</sup>

Valtorta was born in Caserta, Italy on March 14, 1897, into a middle class family. At the age of twenty-three she was randomly, violently attacked and struck in the back by a young man. As a consequence her health began to decline. By the age of thirty-seven she was permanently confined to bed. Nine years later, still bedridden, she began to record in handwritten notebooks what she believed to be mystical experiences of the lives of Jesus and Mary. Over the next four years (1943-1947), she would write almost 13,200 pages of “dictation” (what she believed to be supernatural visions and messages) while lying in her bed. The majority of these pages would form the Life of Christ entitled in English *The Poem of the Man-God*, or later *The Gospel as Revealed to Me* (hereafter the work will simply be referred to as “the Poem”). Having died on

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<sup>1</sup> See for example M. PACWA, “Is the Poem of the Man-God Simply a Bad Novel?” in *New Covenant*, February 1994. This is still presented to the public by EWTN, for example at <https://www.ewtn.com/library/SCRIPTUR/VALTORTA.TXT> (20 December, 2016). See also M. MIRAVALLE, “Response to Various Questions Regarding ‘The Poem of the Man-God,’” in *Mother of All Peoples* (online journal), 15 April, 2006. <http://www.motherofallpeoples.com/2006/04/in-response-to-various-questions-regarding-qthe-poem-of-the-man-godq/> (1 April 2016).

<sup>2</sup> As of 31 December 2016 367,000 complete editions (containing all 10 volumes) of the Poem of the Man-God have been sold by the primary publisher in England. However this figure does not include editions of the work published in 9 other languages and so the total figure is likely approaching 500,000. See L. VENDITTI, Aiuta per Tesi, 3 January 2017, e-mail [cev@mariavaltorta.com](mailto:cev@mariavaltorta.com).

<sup>3</sup> CDF, Decree placing *Il Poema di Gesù* and *Il Poema dell’Uomo-Dio* on the Index, 16, December 1959, in *AAS*, 52 (1960), 60.

October 12, 1961, her body was later transferred to the Capitular Chapel in the Grand Cloister of the Basilica of the Most Holy Annunciation in Florence.<sup>4</sup>

### 3.1 Valtorta's Work is Placed on the Index

On February 26, 1948 Pius XII received in audience Fr. Romualdo Migliorini, O.S.M., Valtorta's spiritual director, Father Corrado Berti, O.S.M., professor of dogmatic and sacramental theology at the Marianum Pontifical Faculty of Theology in Rome, and Father Andrea Cecchin, Prior of the Order of the Servants of Mary.<sup>5</sup> Pius XII had been given some months earlier a typewritten copy of Valtorta's still unpublished work. The above-mentioned priests reported that Pius XII told them at the audience, "Publish this work as it is. There is no need to give an opinion about its origin, whether it be extraordinary or not. Who reads it, will understand."<sup>6</sup>

However, in 1949, the Holy Office summoned Fr. Berti to appear before it and forbade the publication of the work. In 1952 ten scholars, among whom was Archbishop Alfonso Carinci, Secretary for the Sacred Congregation of Rites, petitioned Pius XII to permit the work to be published.<sup>7</sup> Nonetheless there was no forthcoming papal intervention and on December 16, 1959, under John XXIII, the Holy Office placed the work on the Index.<sup>8</sup> The decree was

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<sup>4</sup> E. PISANI, *Pro e Contro Maria Valtorta*, 5<sup>th</sup> Edition, Isola del Liri, Italia, Centro Editoriale Valtortiano, 2008. See also M. MIRAVALLE, "Response to Various Questions Regarding 'The Poem of the Man-God,'" in *Mother of All Peoples* (online journal), 15 April, 2006. <http://www.motherofallpeoples.com/2006/04/in-response-to-various-questions-regarding-qthe-poem-of-the-man-godq/> (1 April 2016). See also M. VALTORTA, *Autobiographia*, 3<sup>rd</sup> Edition, Isola del Liri, Italy, Centro Editoriale Valtortiano, 1997, English translation *Autobiography*, Isola del Liri, Italy, Centro Editoriale Valtortiano, 1991.

<sup>5</sup> Notice of Audience with Pius XII, in *L'Osservatore Romano*, Italian ed., 27 February 1948, 48.

<sup>6</sup> MIRAVALLE, no. 1. See also, PISANI, 63.

<sup>7</sup> See PISANI, 65-94. Msgr. Carinci was Secretary to the Congregation of Rites from 1930-1960 and charged with discerning between authentic saints and frauds. Having visited Valtorta multiple times he had a favorable opinion of her and her writings. See also correspondence between Carinci and Valtorta in VALTORTA, *Lettere a Mons. Carinci*, Isola del Liri, Italy, Centro Editoriale Valtortiano, 2006.

<sup>8</sup> Decree placing *Il Poema di Gesù* and *Il Poema dell'Uomo-Dio* on the Index, CDF, 16, December 1959, in *AAS*, 52 (1960), 60.

published in the January 6, 1960 edition of *L'Osservatore Romano* along with an anonymous article that was critical of the work. The article asserted that the work had been placed on the Index because the publisher had violated canon 1385 (*CIC/17*) which required any writings treating of religious matters to receive the imprimatur prior to publication. The article went on to criticize the work's length, literary style, and content.<sup>9</sup> The Index would be abrogated just a few years later. Interest in Valtorta's writings would not only continue but would increase significantly in the following decades. This would lead some ecclesiastical authorities to issue letters referencing the fact that this work had been placed on the Index and that the Index's moral value endured.

### **3.2 Juridic Import of Subsequent Letters from Prelates**

In the decades following the Index's abrogation Cardinal Joseph Ratzinger and Bishop Dionigi Tettamanzi wrote letters recalling that Valtorta's work had been placed on the Index and reiterating the Index's enduring moral value. Other prelates wrote letters in support of the work. We will now briefly examine the juridic import of these documents.

#### **3.2.1 Letters of Ratzinger**

Since the abrogation of the Index the CDF has never issued a notification or decree with regard to Valtorta's writings. However, on January 31, 1985, Cardinal Ratzinger wrote a private letter to Cardinal Siri on the subject.<sup>10</sup> A priest from Cardinal Siri's diocese had written the CDF asking the position of the Church's Magisterium with regard to the Poem. Ratzinger responded by writing Siri, whom he invited to share the contents of the letter with the priest concerned. The brief letter recalled the Holy Office's decree of December 16, 1959, the anonymous article

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<sup>9</sup> "Una vita di Gesù malamente romanizzata," in *L'Osservatore Romano*, Italian ed., 6 January 1960, 4.

<sup>10</sup> J. RATZINGER, to Cardinal Giuseppe Siri, 31 January 1985, in E. PISANI, *Pro e Contro Maria Valtorta*, 5<sup>th</sup> Edition, Isola del Liri, Italia, Centro Editoriale Valtortiano, 2008, 208.

printed in *L'Osservatore Romano* in 1960, and the CDF's 1966 Notification on the enduring moral value of the Index. As was seen supra the Notification clarified that the decree of 1959 no longer has any juridic value and that the enduring moral value of the Index lies in it providing input to the conscience of each Catholic, who then has the role of discerning and deciding whether or not to read a work that had been on the Index.

Ratzinger then adds something new: that “the diffusion and recommendation of [a work such as the Poem] is not held to be opportune when its condemnation was not taken superficially, but after weighing its purposes, to the end of neutralizing the damages which such a publication could bring to the more unprepared faithful.”<sup>11</sup> This statement was not made in the form of a juridic act of the CDF—such as a decree or notification (nor therefore, *a fortiori*, could it be considered to be an authentic interpretation of the law).<sup>12</sup> As a result this affirmation in the letter has no juridic weight.

On May 21, 1993 Bishop Raymond Boland of Birmingham Alabama, in a letter to Terry Colafrancesco, asserted that Cardinal Ratzinger had written to him on April 17, 1993 and had “asked me to inform you about the position of the Church” regarding the Poem. Boland asserted that the Cardinal wished to recall the items previously published in *L'Osservatore Romano* (presumably the decree of December 16, 1959, the accompanying anonymous article, and the Notification of November 15, 1966). He also asserted that the CDF had asked the Italian Bishops Conference to request of the publisher of the Poem that in any future edition “it might be clearly indicated from the very first page that the ‘visions’ and ‘dictations’ referred to in it are simply

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<sup>11</sup> “...non si ritiene opportune la diffusione e raccomandazione di un’Opera la cui condanna non fu presa alla leggera ma dopo ponderate motivazioni al fine di neutralizzare i Danni che tale pubblicazione può arrecare ai fedeli più sprovveduti” (J. RATZINGER, private letter to Cardinal Giuseppe Siri, 31 January 1985, in E. PISANI, *Pro e Contro Maria Valtorta*, 5<sup>th</sup> Edition, Isola del Liri, Italia, Centro Editoriale Valtortiano, 2008, 208).

<sup>12</sup> See *CIC/83*, c. 16. In addition to the fact that the letter was not a juridic act of the CDF, neither the CDF nor Cardinal Ratzinger are legislators. And since the pope had not confided to them a power of authentically interpreting this matter they could not issue an authentic interpretation.

the literary forms used by the author to narrate in her own way the life of Jesus. They cannot be considered supernatural in origin.”<sup>13</sup>

The April 17 letter of Ratzinger was never made public. Even if it were made public, and if its language matched exactly that reported by Boland, Ratzinger’s letter would not have any juridic weight as its content does not contain a judicial sentence or an act of legislative or executive authority. It would rather be a letter relaying that the CDF had communicated with the Italian Bishops Conference and that this Conference communicated with the publisher of the Poem. Those communications would then need to be analyzed to determine their own juridic weight.

### **3.2.2 Letter of Tettamanzi**

On May 6, 1992 Bishop Dionigi Tettamanzi, General Secretary to the Italian Bishops Conference, sent a letter to Dr. Emilio Pisani, the publisher of the Poem. The letter first recalled the decree of December 16, 1959 and the Notification of November 14, 1966. It then requested that, “in any future editions of the Poem, it be clearly indicated from the first pages that the ‘visions’ and the ‘dictations’ referred to therein cannot be considered to be of supernatural origin, but should be considered simply as literary forms which the Author made use of in order to narrate, in her way, the life of Jesus.”<sup>14</sup>

What is the juridic import of this request? Conferences of Bishops are only able to issue juridically binding documents when certain conditions are met. For example, a conference can

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<sup>13</sup> R. BOLAND, private letter of May 21, 1993 to T. Colafrancesco, <http://www.bardstown.com/~brchrys/Chrchval.html> (14 April 2017).

<sup>14</sup> “...sono a chiederLe che, in un'eventuale ristampa dei volumi, si dica con chiarezza fin dalle prime pagine che le 'visioni' e i 'dettati' in essi riferiti, non possono essere ritenuti di origine soprannaturale, ma devono essere considerati semplicemente forme letterarie di cui si è servita l'Autrice per narrare, a suo modo, la vita di Gesù” (D. TETTAMANZI, private letter to E. Pisani, 6 May, 1992, in E. PISANI, *Pro e Contro Maria Valtorta*, 5<sup>th</sup> Edition, Isola del Liri, Italia, Centro Editoriale Valtortiano, 2008, 263).

only issue general decrees 1) “in cases where universal law has prescribed it or a special mandate of the Apostolic See has established it;” 2) where, at a plenary meeting of the conference, two thirds of the bishops voted in favor of the decree, and 3) where they have been reviewed by the Holy See and are then legitimately promulgated.<sup>15</sup> Similarly, a conference is only able to issue juridically binding singular administrative acts in specific limited instances such as the erection of a national association of the faithful (c. 312 §1, 2°) or the approval of a national shrine (cc. 1231, 1232, §1). Quite often documents issued by a conference, even those documents approved by a majority of the bishops at a plenary assembly, are not juridically binding.<sup>16</sup>

For example, in *Apostolos suos* John Paul II clarified that no doctrinal declarations of the conference of bishops may constitute authentic magisterium unless they are either unanimously approved by the bishops who are members of the conference, or else are approved, at a plenary meeting of the conference, by two-thirds of the bishops and also receive the *recognitio* of the Apostolic See.<sup>17</sup> Documents issued by the conference of bishops that do not meet those criteria only constitute authentic teaching to the degree that they repeat prior statements of the Church’s magisterium that do constitute authentic teaching. Furthermore “no body of the conference of bishops, outside of the plenary assembly, has the power to carry out acts of authentic magisterium. The conference of bishops cannot grant such power to its commissions or other bodies set up by it.”<sup>18</sup>

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<sup>15</sup> CIC/83, c. 455.

<sup>16</sup> See for example UNITED STATES CONFERENCE OF CATHOLIC BISHOPS, “Preaching the Mystery of Faith: The Sunday Homily,” Washington, DC, United States Conference of Catholic Bishops, 2012.

<sup>17</sup> JOHN PAUL II, Apostolic letter *motu proprio* on the theological and juridical nature of conferences of bishops *Apostolos suos*, 21 May 1998, in *AAS*, 90 (1998), art. 1, 657, English translation in *Origins*, 28 (2008-2009), 158.

<sup>18</sup> *Ibid.*



Since conferences of bishops can only rarely, when the above criteria are met, exercise authentic magisterium or issue juridically binding decrees, and since they cannot delegate such powers to commissions or other such bodies, *a fortiori* a conference is unable to delegate such powers to any individual member of the conference, even to the president of the conference. Moreover, neither the conference, nor its president, nor other officials of the conference, have jurisdiction and the ability to exercise executive authority in the territory of the conference (except in very limited cases where the law or the Holy See grants them this authority—for example in virtue of canons 312, 320, and 322 conferences can exercise executive authority with regard to national public associations of the faithful).

The president of a conference of bishops, or any other official of the conference, does not have jurisdiction over the faithful in the territory of the conference in the same way that the pope has jurisdiction over the faithful throughout the world. By virtue of his office the pope possesses “supreme, full, immediate, and universal power in the Church, which he is always able to exercise freely.”<sup>19</sup> The officials of a conference of bishops are not like a smaller version of the Holy See with regard to the territory of the conference. Rather, the conference ordinarily facilitates consultation and collaboration among the bishops, and clarifies that normally the “competence of each diocesan bishop remains intact.”<sup>20</sup>

In light of the above, Bishop Tettamanzi, as the secretary of the Italian Conference of Bishops, has no jurisdiction over Dr. Pisani, the editor of the Poem. Hence, his request that in future editions of the Poem it be indicated that the work may not be considered to be of supernatural origin has no juridic weight. Since Tettamanzi has no executive power over a

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<sup>19</sup> *CIC/83*, c. 331. See also c. 333.

<sup>20</sup> *CIC/83*, c. 455. See also c. 824.

member of the Christian faithful not in his diocese,<sup>21</sup> and since such executive power is necessary in order for an individual to place a singular administrative act,<sup>22</sup> Tettamanzi's request is one that Pisani has no obligation to carry out. Hence Pisani is not bound to adhere to the opinion expressed therein by Tettamanzi on the question of the supernatural origin of the Poem.<sup>23</sup>

### 3.2.3 Imprimatur Granted

On March 17, 1993 Bishop Soosa Pakiam of Trivandrum granted an imprimatur to the Malayalam translation of the Poem. What is the juridic import of this imprimatur? It means that classroom instruction (in elementary, middle, or high schools) in religious or moral disciplines may be based on the Malayalam translation of the Poem. The imprimatur is only valid for this translation and so does not give permission for other language editions of the Poem to be used as the basis for classroom instruction in elementary, middle, or high schools.

A number of other bishops have written letters endorsing the Poem.<sup>24</sup> For example Bishop Mar Joseph Kindukulam writes, "There is nothing contrary to faith and morals in this work."<sup>25</sup> Similarly, Bishop Roman Danylak issued an endorsement of the Poem. All such letters have no juridic weight, since the bishops in question have no jurisdiction over the publisher and hence are incapable of granting an imprimatur to the work.

### 3.3 Juridic Import of Testimony of Saints

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<sup>21</sup> When the letter was issued Tettamanzi was not the ordinary Dr. Pisani's diocese, nor in fact of any of a diocese, due to his responsibilities within the Italian Conference of Bishops.

<sup>22</sup> See CIC/83, c. 35.

<sup>23</sup> *A fortiori* no other member of the Christian faithful is bound to adhere to the position proposed by Tettamanzi regarding the question of the supernatural origin of the Poem.

<sup>24</sup> For example photocopies of supportive letters from seven bishops in India can be seen here: [http://www.maria-valtorta.net/document\\_library.html](http://www.maria-valtorta.net/document_library.html) (30 December 2016).

<sup>25</sup> M. KINDUKULAM, letter endorsing the Poem of the Man-God, 25 March, 1992.

The most recent juridic acts of the Church that touch upon the question of the enduring juridic and moral value of the Index with regard to the Poem have been in the context of the canonization process. In the apostolic constitution *Divinus perfectionis magister*, the Church expounds the reasons for proposing some of the faithful who were “outstanding in the practice of Christian virtues” for the “pious devotion of, and imitation by, the faithful.”<sup>26</sup> Proposing someone for the pious devotion of the faithful means proposing him or her as a heavenly intercessor. Three significant steps occur in the later stages of the process of canonization: the promulgation of a decree on the heroic virtues of the Servant of God, the act of beatification, and the act of canonization. As Robert Sarno of the Congregation for the Causes of Saints asserts, “only beatification gives the confirmation of the intercessory power of the Servant of God.”<sup>27</sup> Once a Servant of God has been beatified the faithful can have full confidence in the blessed’s intercessory power and imitability.

With regard to imitability the Church proclaims that “when we consider the life of those who have faithfully followed Christ [...] we are most safely taught the path by which [...] we can arrive at that perfect union with Christ, which is holiness.”<sup>28</sup> This does not mean that the individual was infallible. However, it does mean that the Church invites the faithful to have particular confidence and trust in imitating the lives of those who have been declared blessed or canonized, assuring us that we are “most safely” taught the path by which we can arrive at holiness when we imitate them. Sarno specifies that the Church gives us the assurance that those

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<sup>26</sup> JOHN PAUL II, Apostolic Constitution on the Revised Procedure in Causes of Saints *Divinus perfectionis magister*, 25 January 1983, in *AAS*, 75 I (1983), 349–355, English translation in W. WOESTMAN, *Canonization: Theology, History, Process*, 2<sup>nd</sup> Edition, Ottawa, Faculty of Canon Law, Saint Paul University, 2014, 214.

<sup>27</sup> R. SARNO, Quick Question from Former Student, 16 August 2016, e-mail [personal email address not published in order to respect the privacy of Msgr. Sarno]. .

<sup>28</sup> JOHN PAUL II, Apostolic Constitution on the Revised Procedure in Causes of Saints *Divinus perfectionis magister*, 215.

declared blessed or who are canonized led a “totally heroically virtuous life,” meaning that they practiced the four cardinal virtues and the three theological virtues to a heroic degree. The Congregation looks especially closely at the last five to ten years of the individual’s life in order to “verify the reaching of a heroic practice of all the Christian virtues.”<sup>29</sup>

Within the past five years the Church has carried out two beatifications and a canonization with particular relevance to the question of the current value of the Index with regard to the Poem. These cases will be briefly examined below to evaluate the relevance of these juridic acts in determining the current juridic and moral value of the Index with regard to the Poem.

### 3.3.1 Saint Teresa of Calcutta

On September 4, 2016 Mother Teresa of Calcutta was canonized. Father Leo Maasburg,<sup>30</sup> who, as her confessor, traveled and worked closely with her for years, testifies to the following:

At times, over the course of several years, I observed Mother Teresa traveling with three books: the Bible, her breviary, and a third book. When I asked her about the third book she replied that it was the *Poem of the Man-God* by Maria Valtorta. When I further asked about its contents, Mother Teresa replied “read it.” The book was one of the five English volumes of “The Poem of the Man-God.”<sup>31</sup>

From the Church’s juridic act of canonizing Mother Teresa we know that in imitating her we are “most safely taught the path” by which we can arrive at holiness, and that she possessed the virtues to a heroic degree. This does not mean that she was infallible, and that she could not have erred, but it does mean that her example is a relevant one when discerning the enduring

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<sup>29</sup> R. SARNO, Quick Question from Former Student, 16 August 2016, e-mail [[personal email address not published in order to respect the privacy of Msgr. Sarno](#)].

<sup>30</sup> Father Leo Maasburg is the author of *Mother Teresa of Calcutta: A Personal Portrait*, San Francisco, CA, Ignatius Press, 2015.

<sup>31</sup> MAASBURG, L., Testimony regarding Blessed Teresa of Calcutta’s use of writings of Maria Valtorta, given in writing to Pillari, A., 3 June, 2015, appendix I.

moral value of the Index with regard to the Poem, particularly when considered in conjunction with the following examples.

### 3.3.2 Blessed Maria Inés Teresa Arias

On April 21, 2012 Maria Inés Teresa Arias (1904-1981) was beatified. Foundress of the Poor Clare Missionary Sisters of the Blessed Sacrament, she wrote in 1978, “I am very attached to the reading of the work *The Poem of the Man-God*. Truly it has become one of the most beautiful sources of spiritual reading.”<sup>32</sup> In addition to using the work for her own spiritual reading, Arias promoted it to others. As Sister Urlanga testified, “...our Reverend Mother liked [the Poem] very much and asked me to order the series of four volumes in Spanish and Italian for the thirty-five houses that she had founded up until then and that were scattered all over the world. She also gave them as gifts to Bishops, Priests, and other persons.”<sup>33</sup> These actions were taken during the last five to ten years of Arias’ life,<sup>34</sup> the period of a blessed’s life that the Congregation for Saints scrutinizes particularly carefully to ensure that the individual practiced heroic virtue during that time.

### 3.3.3 Blessed Gabriel Allegra

On September 12, 2012 Gabriel Allegra (1907 – 1976) was beatified. A world-renowned Scriptural exegete, and in fact the only twentieth century Scriptural exegete to be beatified, he

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<sup>32</sup> “Io sono molto affezionata alla lettura dell’opera ‘Il Poema dell’Uomo Dio.’ Veramente è diventata una delle fonti di lettura spiritual più bella” (M. ARIAS, letter expressing gratitude for writings of Valtorta, 22 May, 1978, Appendix II).

<sup>33</sup> “...yo por encargo de N. Rev. Madre hice todos los pedidos para surtir a las 35 casas esparcidas por el mundo que hasta entonces habia fundado Nuestra Madre porque a ella le gustaba mucho y aparte regaló a Obispos, Sacerdotes y personas la serie de los 4 tomos en español e italiano” L. URLANGA, letter requesting additional copies of the Poem, 19 July, 2001, Appendix III).

<sup>34</sup> The 1978 letter is written just three years before her death. Since the first Spanish volume did not appear until 1976, Arias’ actions to obtain the work for the 35 houses she had founded and others must have taken place during the last five years of her life.

discovered Valtorta's writings in 1965 and studied them intensely. After several years of study and prayer he wrote:

After the Gospels, I do not know another life of Jesus that can compare to the *Poem*, as I do not know any other lives of St. Peter and St. John which make the characters of these two Apostles so alive [...] In treating the mystery of Mary's Compassion, it seems to me that Valtorta through her breadth, profundity and psychological probing of the Heart of the Virgin, surpasses even St. Bonaventure and St. Bernard. Could she have done this without having supernaturally seen and heard?<sup>35</sup>

Much impressed with the Poem, he urged others to read it and continued to study it during the last ten years of his life. He held, while respecting an eventual judgment of the Church, that the work came from the Spirit of Christ, and that "It is a work that makes one grow in the knowledge of the Lord Jesus and of His Holy Mother."<sup>36</sup> Such assertions are significant because they were made by one whom the Church assures us not only had to an heroic degree the virtues of prudence and faith, but who also had as his life's work the study of Sacred Scripture, who was an expert in this domain, and who analyzed the Poem while at the peak of his scholarly knowledge.<sup>37</sup> This does not render Allegra's judgment in the matter infallible. However by proclaiming, through the juridic act of beatification, that when we imitate him we "most safely" follow the path that leads to holiness, the Church is indicating that we can safely follow his prudential judgment.

Two centuries earlier, in 1816, the Church beatified another scholar, Alphonsus Liguori. A few years after his beatification, but before his canonization, and well before he was

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<sup>35</sup> "Dopo i Vangeli, io non conosco un'altra vita di Gesù che si possa paragonare al Poema, come non conosco altre vite di San Pietro o San Giovanni che rendano così vivi i caratteri dei due Santi Apostoli... Nel trattare il mistero della Compassione di Maria, pare a me che la Valtorta, per ampiezza, profondità e scandaglio psicologico del Cuore della Vergine, superi perfino San Bonaventura e San Bernardino. Poteva farlo senza aver supernaturalmente visto e sentito?" PISANI, *Pro e Contro Maria Valtorta*, 5<sup>th</sup> Edition, Isola del Liri, Italia, Centro Editoriale Valtortiano, 2008, 129-130.

<sup>36</sup> PISANI, 143, and "È un'opera che fa crescere nella cognizione e nell'amore del Signore Gesù e della sua Santa Madre." PISANI, 121.

<sup>37</sup> Allegra would continue to work actively as a scholar up until the time of his death in 1976. His analysis of the Poem began in 1965; at a time when he could approach the text with the benefit of forty years' experience as a Scriptural exegete.

proclaimed a doctor of the Church, the Sacred Penitentiary clarified that “one could safely follow the teaching of St. Alphonsus, without even seeking other opinions,”<sup>38</sup> though this did not mean that Alphonsus was infallible nor that other opinions were false. While that judgment was a singular one concerning St. Alphonsus, it sheds light on how the Church’s assertion, “when we consider the life of those who have faithfully followed Christ [...] we are most safely taught the path by which [...] we can arrive at that perfect union with Christ, which is holiness,” can be received with regard to a beatified scholar.

### **3.4 Current Juridic and Moral Value of the Index for the Poem of the Man-God**

What then is the current juridic and moral value of the Index for the Poem of the Man-God? The Index no longer has the force of ecclesiastical law; therefore when one chooses to read, publish, or promote the Poem there is no violation of ecclesiastical law. The various letters issued by prelates in the decades following the abrogation of the Index on the subject of the Poem are not (with the exception of the imprimatur granted by Bishop Pakiam), juridically binding. Hence a Catholic is permitted to think and act in ways different from the opinions expressed therein. For example, a Catholic who believes the Poem to be of supernatural origin or promotes it as such is not being disobedient to Bishop Tettamanzi’s letter, for the letter has no juridic weight.<sup>39</sup>

With regard to its current moral value, the “Index remains morally binding, in light of the demands of natural law, in so far as it admonishes the conscience of Christians to be on guard for

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<sup>38</sup> A. CUMMINGS, *The Servant and the Ladder*, Leominster, England, Gracewing, 2014, 131.

<sup>39</sup> In fact the editor of the Poem, Dr. Emilio Pisani, has chosen to publish Tettamanzi’s request at the beginning of the work, but he is not bound to do so. Regarding the degree of faith which is juridically permissible with regard to private revelations such as the Poem purports to be, see M. MIRAVALLE, *Private Revelation: Discerning with the Church*, Goleta, CA, Queenship Publishing, 2007, 32-38, which presents key points of Benedict XIV’s classic treatise *Heroic Virtue*.

those writings that can endanger faith and morals.”<sup>40</sup> Hence any Catholic considering reading a book on the Index, whether it be John Stuart Mill’s *Principles of Political Economy* or the *Poem of the Man-God*, must judge, according to his conscience, whether or not the work would be nourishing for his soul or whether it would on the contrary present a proximate spiritual danger to his soul.

While this discernment is the right and responsibility of each individual, and is not properly a canonical matter, canon law can shed some light on the discernment. For example, canon law can assist in answering the following question: Even though Catholics are free to disagree with the opinions of prelates such as Ratzinger or Tettamanzi, who expressed critical opinions with regard to the Poem; or to disagree with prelates such as Kindukulam<sup>41</sup> or Danylak, who expressed favorable opinions with regard to the Poem, should the Church’s juridic acts of appointing these prelates to their respective posts add a certain weight to their opinions? For example, does the appointment of Cardinal Ratzinger as prefect of the CDF not also add a certain weight to his personal judgments, even when he is not issuing a juridic act? In effect, is an appointment to this post not similar to the acts of beatification or canonization whereby the Christian faithful are invited to have particular trust in the individual as someone to be trusted and imitated?

The appointment of an individual to the office of prefect of the CDF, or to any other office in the Church, does not entail an invitation to the faithful to have a particular trust in the individual’s personal life or in their personal judgments and opinions. The appointment of an individual to an office does entail for the faithful an obligation of obedience to their legitimate

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<sup>40</sup> Notification.

<sup>41</sup> “There is nothing contrary to faith and morals in this work.” M. KINDUKULAM, letter endorsing the Poem of the Man-God, 25 March, 1992.



decisions, when such are given in the appropriate juridic form so as to be juridically binding. It also is normally an indication that this individual has a particular personal competence in that area. Hence where an individual expresses an opinion or gives advice, either privately or in the public exercise of his office, a member of the Christian faithful may well decide to trust those statements in a particular way.

However this is not comparable to the trust that the Church invites the faithful to have in the opinions and advice of those who have been beatified or canonized. The Church proposes for imitation of the personal lives, including the part of their lives that involved giving opinions or advice, of those beatified or canonized as a “most sure” path. For among the virtues practiced heroically by these men and women is the virtue of prudence. Hence one is invited to have a particular degree of trust in their decisions. This does not make their decisions infallible, but speaks significantly in their favor.

Therefore, Saint Teresa of Calcutta’s choice of the Poem as spiritual reading; Blessed Maria Inés Teresa Arias’ discernment that the Poem had become “one of the most beautiful sources of spiritual reading,”<sup>42</sup> and her decision to promote the Poem in the convents she had founded and to promote it to other individuals; and Blessed Gabriel Allegra’s evaluation that, after the Gospels, no other life of Christ can compare to the Poem, or his evaluation that the Poem’s description of Mary’s compassion surpasses even the writings of St. Bernard and St. Bonaventure—these assertions merit particular consideration by the Christian faithful when discerning whether reading the Poem would be nourishing for their soul, or whether it would, on the contrary, present a proximate spiritual danger to their soul. The Church invites the faithful to consider the actions of these individuals with the confidence that “when we consider the life of

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<sup>42</sup> “Io sono molto affezionata alla lettura dell’opera ‘Il Poema dell’Uomo Dio.’ Veramente è diventata una delle fonti di lettura spiritual più bella” (M. ARIAS, letter expressing gratitude for writings of Valtorta, 22 May, 1978, Appendix II).

those who have faithfully followed Christ [...] we are most safely taught the path by which [...] we can arrive at that perfect union with Christ, which is holiness.”<sup>43</sup>

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<sup>43</sup> JOHN PAUL II, Apostolic Constitution on the Revised Procedure in Causes of Saints *Divinus perfectionis magister*, 215.

## CONCLUSION

Christ confided to the Church the mission of proclaiming throughout the world, and of safeguarding, the Gospel message. This mission implies a duty of vigilance with regard to writings that could be harmful to the Gospel message. While the manner of exercising that duty has varied throughout the past twenty centuries, it remains just as important today as it was two thousand years ago. Fifty years ago, through Paul VI's motu proprio *Integrae servandae* and through the CDF's subsequent clarifying notification and decree, Church discipline underwent a radical and abrupt change in this domain. Actions that had been considered mortal sins were suddenly not considered sins at all. Each member of the Christian faithful was now called to decide, according to his or her conscience, something that previously had been decided at the highest levels of the Church. In the wake of such a radical change, it is not surprising that it has taken some time for the precise nature of the current moral value of the Index to be properly understood. Moving forward, how is the Church likely to exercise her duty of vigilance in this domain in the future?

The quantity of works—books, pamphlets, web pages, and many other electronic forms of communication—is increasing exponentially and shows no sign of slowing. In such a setting, expanding the Church's role of oversight or censorship would seem impracticable. Rather, it seems likely that ecclesiastical authorities will continue to exercise a particular oversight almost exclusively for the specific categories of books indicated in the 1983 Code. From a pastoral perspective, it would seem that assisting the Christian faithful in obtaining a deeper and more solid formation in the Faith, and hence in obtaining an increased ability to discern between works that are nourishing for their souls and works that are not, will continue to be a key priority in the Church's *munus docendi*. Canonists can facilitate this work by helping to provide clarity with

regard to the specific roles and responsibilities of prelates and others who hold ecclesiastical offices, as well as clarity with regard to the specific roles and responsibilities of the Christian faithful. Through this particular service, canonists can help foster the mission that Christ solemnly confided to his Church:

Jesus came and said to [the apostles], “All authority in heaven and on earth has been given to me. Go therefore and make disciples of all nations, baptizing them in the name of the Father and of the Son and of the Holy Spirit, teaching them to observe all that I have commanded you, and behold I am with you always, to the close of the age.”<sup>1</sup>

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<sup>1</sup> Mt 28: 18-20.

**APPENDIX I: Testimony of Fr. Leo Maasburg**

Testimony of Fr. Leo Maasburg  
Regarding Blessed Mother Teresa and the Works of Maria Valtorta

I, Father Leo Maasburg, affirm the accuracy of the following from my personal travels with her:

At times, over the course of several years, I observed Mother Teresa traveling with three books: the Bible, her breviary, and a third book. When I asked her about the third book she replied that it was the *Poem of the Man-God* by Maria Valtorta. When I further asked about its contents, Mother Teresa replied "read it." The book was one of the five English volumes of "The Poem of the Man-God."

  
Fr. Leo Maasburg

25/4/16  
Date

## APPENDIX II: Letter of Blessed Maria Inés Teresa Arias

CASA GENERALIZIA  
MISSIONARIE CLARISSE



DEL SANTISSIMO  
SACRAMENTO

Roma, 22 maggio 1978.

Gentilissimo Signor Pisani:

La ringrazio molto vivamente per il prezioso omaggio fattoci da Lei: "I QUADERNI DEL 1943" e "LEZIONI SULL'EPISTOLA DI PAOLO AI ROMANI" ambe due della scrittrice Maria Val torta.

Io sono molto affezionata alla lettura dell'opera "IL POEMA DELL'UOMO DIO". Veramente è diventata una delle fonti di lettura spirituale più bella. Per questo mi auguro che gli scritti suddetti siano oltre che belli interessanti.

Grazie di nuovo signor Pisani per il suo prezioso regalo, che ho già cominciato a leggere. Io di solito lavoro fino all'una o due del mattino e poi, prima di addormentarmi faccio la mia meditazione nella quiete della notte e mi godo i miei libri.

Tanti cari saluti a Lei e a la signora, e sto in attesa del giorno in cui -come me lo avete promesso- posiate accettare il mio invito a pranzare da noi.

Ossequi,

*M<sup>re</sup> Inés T. Arias*  
María Inés-Teresa Arias,  
Missionaria Clarissa,  
Superiora Generale.

Sig. Emilio Pisani.  
Tipografia E. Pisani.  
03036 ISOLA DEL LIRI  
(FROSINONE)

### APPENDIX III: Letter of Sister Uranga



*Missionarie Clarisse del Santissimo Sacramento*  
*Casa Generalizia*

Roma, 19 de Julio del 2001 . -

Estimado Sr. Emilio Pisani:

Soy una Misionera Clarisa (hija de la Madre Ma. Ines Teresa Arias) que Usted conoció y que ella tanto estimaba.

Cuando empezó a salir el Poema del Hombre: Dios yo por encargo de N. Rev. Madre hice todos los pedidos para surtir a las 35 casas esparcidas por el mundo que hasta entonces habia fundado Nuestra Madre porque a ella le gustaba mucho y aparte regaló a Obispos, Sacerdotes y personas la serie de los 4 tomos en español e italiano.

Ahora por lo que le escribo ésta es porque la Superiora de Irlanda me pide el tomo No. 5 en español y ya lo busqué en las más grandes librerías de Roma (sobre todo las que venden libros en español) y no lo encontré y con gran sorpresa me enteré de que ya no lo editan y en cambio ha salido otro nuevo de la misma autora pero la Hna. quiere el 5o en español por que tiene los 4 anteriores.

Yo queria pedirle que si por caso tiene alguno en su imprenta (tipografia) que haya quedado escondido me lo mandara por correo a la dirección que va en el sobre y llegando a Roma le mando el importe - solo le pido me mande decir el precio.

Si no tuviera en su casa ese tomo le pido, me indique donde lo puedo conseguir. Se lo agradeceré mucho.

Las demás casas todas tenemos la serie de los 4 primeros y algunas el No. 5o y ahora que nos enteramos que ya no editan el Poema del H. D. nos da mucha pena.

Agradeciéndole y pidiéndole perdón por escribirle en español (no se escribir en Italiano) me despido con saludos para la Si.ra Claudia y para Ud. mi afecto de siempre.

tel: 88521625 y 88521721

FAX: 88 045 27

Maria Gpe. Uranga L.  
Misionera Clarisa

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