

THE DUBIETY OF ORDINATION CONFERRED WITH ONE HAND

A Refutation/Rebuttal of Anthony Cekada's Monograph Titled "The Validity of Ordination Conferred with One Hand," Based on Pistrina Liturgica's Series of Posts Published in 2013, Beginning on May 4: <http://pistrinaliturgica.blogspot.com/2013/05/save-rev-mr-nkamukes-orders.html>)

I. What is the origin of the problem with the priestly ordination of Daniel Dolan?

On September 21, 1990, nine American priests wrote¹ Dolan a cautionary letter. In it, they concluded, "Since your ordination was done with one hand, we must hold your ordination to be dubious, unless evidence can be brought forth that one-handed ordination is certainly valid." They urged Dolan to "diligently...research the problem" and report his findings.

II. How certain is this allegation that Dolan was ordained by Archbishop Lefebvre with one hand? It has been argued that at the time the letter was written, there were many disagreements and rivalries among the American priests who had broken off from the SSPX. Perhaps someone just started a rumor to get even for some dirty trick.

1. The nine priests, two of whom are bishops today, must have been morally certain at the time of the allegation or else their consciences would not have permitted them to sign their names. This inference must be true, because a priest has reported that many American clergy at the time were aware of the report of the archbishop's conferring one-handed priestly orders in 1976.

2. First-hand reports from former seminarians at Écône and Winona relate it was common knowledge that the 1976 ordinations had been performed with one hand. At least one of these men, a man who later received his own priestly orders from one of the 1976 *ordinati*, underwent conditional ordination as a safeguard against any future impeachment of his orders.

3. A witness present at the 1976 ordination confirmed in writing that the one-handed ordination happened, and he confided his irritation with the senior clergy in the sanctuary who did not intervene at the moment the defect occurred. Another

individual, who was not present at the 1976 ordination, heard from witnesses present that the archbishop was "in a panic" following the ceremony but later composed himself after another party "explained" the validity of one-handed priestly orders. One well-informed individual familiar with the early cultural environment at Écône thought it probable that the declaration of validity was not the result of research but an *ad-hoc* opinion aimed at relieving the archbishop's anxiety.

4. If Dolan affirmatively knew he had been ordained with two hands, then by natural right and in natural justice he had a moral duty to **deny immediately, vigorously, and unequivocally** the nine priests' allegation that his "ordination was done with one hand." Dolan replied on October 5, 1990, and merely affirmed that he did not notice "'just one hand.'" He then claimed that Cekada, "at the organ bench, 20 feet away" did not notice any "'one-hand' business." Such an assertion is not a categorical denial in which anyone may have confidence. First of all, his head would have been lowered, and it is likely as an ordinand he would have been preoccupied with many other thoughts at the time. Moreover, Cekada, "following the text and rubrics of the ceremony in a Latin-English booklet," may easily have missed the imposition because he was busy reading or may not have been able to see clearly at such a distance with so many people in the sanctuary. Besides, he probably was more concerned with fulfilling his job as organist and so may not have paid over-careful attention to the rite, since in those days, everyone believed whatever the archbishop did was correct. Dolan's reply provides another indirect indication that he was not really convinced the archbishop had used both hands: Dolan asserted neither he nor Cekada had the time to prepare "a 30-page monograph" and "expend precious time cranking out research papers." Nevertheless, in 2000, with the appearance of Cekada's 28-page monograph "The Validity of Ordination Conferred with One Hand," Dolan in fact **complied** with the nine priests who had urged him "diligently to research the problem and, to let us know any findings which shed light on this issue."

By means of a strong, categorical, public denial of his one-handed ordination, Dolan would have shifted the **burden of proof** to the nine priests who raised the allegation in the first place. Then they, as the contributing party, should have been prepared to prove the allegation. Likewise, the nine priests, not Dolan or his associate, would subsequently have assumed the **risk of nonpersuasion**. Yet it seems that Dolan elected not to challenge aggressively the nine priest's claim that he was ordained with just one

hand. By meeting their conditions, he appears to have agreed with it. In his reply, he acknowledged that another person had previously told him that one-handed imposition had occurred at the 1976 ordinations. Perhaps he offered a lukewarm, private defense because he knew that someone reliable had actually witnessed the one-handed conferral.

III. Didn't two or three of these priests later make a retraction?

Although retractions have been reported by third parties, we have never seen one in written form. Moreover, no one can be certain of precisely what they retracted. Did they retract their assertion that Dolan's ordination was "dubious," or did they retract their assertion that his "ordination was done with one hand," or did they retract the imputation in their letter that one of the authorities cited therein (viz. Clarence McAuliffe, S.J.) advised that such a case "be referred to the Vatican for judgment"? There is a great difference between each of these motives for retraction. As a result, until the reasons are made plain by each individual in a sworn statement, we discount the significance of the retractions and continue to believe all nine priests were/are morally certain Dolan had been ordained with one hand. In addition, if one of these priests had made his retraction based on Cekada's perverse translation of Pope Pius XII's infallible teaching (see questions V-X), he may wish to renounce his retraction and reassert his faith in the doubtfulness of Dolan's priestly ordination. To his October 1990 reply, Dolan appended a RETRACTION AND PLEDGE for the nine priests to sign. It should be noted that all he required was that they (1) retract statements and insinuations "that the ordination to the priesthood of the Rev. Daniel L. Dolan was (or ought to be considered) 'dubious,' doubtful, and/or invalid" and (2) pledge to retract the statements and insinuations, make no further statements impugning Dannie's validity, and inform people of the retraction. It is very important to note that Dolan did *not* require them to retract the affirmation that he had been *ordained with just one hand*.

IV. How, then, did Dolan bring forth the requested evidence that one-handed priestly ordination was "certainly valid"?

According to Dolan's October 1990 reply to one of the signers of the letter, his associate Anthony Cekada, "while researching some other issues, came across ample evidence that the imposition of one hand is certainly valid matter." Another priest recalled that, sometime after the 1990 letter was sent, clergy received word that "*Tony has researched*

the problem, and there is no doubt that one hand is sufficient." In 2000, Cekada privately printed and circulated a pamphlet containing his defense of one-handed conferral of priestly orders. Later he made the defense available on the Internet.

V. It's been well over ten years since Cekada printed his defense of one handed orders. Why the disturbance now?

It is true that, for a time, most American and foreign clergy uncritically accepted Cekada's "findings." However, in 2005, a wandering bishop suspected that Cekada had gravely mistranslated Pope Pius XII's definition of the matter of the sacrament of priestly orders for the Latin rite (found in the 1947 apostolic constitution *Sacramentum Ordinis*, which decreed the imposition of hands for valid ordination). A subsequent analysis by a university-trained Latinist confirmed the translation was erroneous. The blog **Pistrina Liturgica** posted the proof of mistranslation as a reference document and occasionally discussed the issue of conferral of priestly orders with one hand. Finally, in May 2013, in response to a challenge to rebut all Cekada's arguments, **Pistrina Liturgica** began a nine-month series of posts to prove that Cekada's defense could not any longer be used to defend the validity of orders conferred with one hand. This paper is a summary of that rebuttal.

VI. What is the most serious fault with Cekada's defense of one-handed ordination?

The worst error is Cekada's mistranslation (along with illicit additions) of an infallible papal teaching of the 1947 apostolic constitution. In fact, his translation is perversely wrong. The text in question reads: [*declaramus, etc.:*] *Sacrorum Ordinum Diaconatus, Presbyteratus, et Episcopatus materiam eamque unam esse manuum impositionem*, which Cekada wrongly translated as "The matter of the Sacred Orders of Diaconate, Priesthood, and Episcopacy is **one and the same**, and that indeed is the imposition of hands." (Cekada's emphasis).

No reputable translation agrees with Cekada's version. A *very* literal translation is: "[We...declare ...that] the matter of the Sacred Orders of the Diaconate, the Priesthood, and the Episcopacy, and the only matter [*or even* "the one and only matter," since Pius is

making it clear that the matter is onefold] is the imposition of hands." This translation is supported by the following published translations in several languages.

- "... the matter of sacred orders of the diaconate, priesthood, and episcopate, and this alone, is the imposition of the hands."²
- "...the matter, and **the only matter**, of the Sacred Orders of the Diaconate, the Priesthood, and the Episcopacy is the imposition of hands."³
- "...the only matter for the sacred orders of the diaconate, the priesthood, and the bishopric is the imposition of hands."⁴
- "... the matter of the holy orders of diaconate, priesthood, and episcopate, is the imposition of hands, and that alone."⁵
- "... *la matière, et la seule, des ordres sacrés du diaconat, du presbytérat et de l'épiscopat est l'imposition des mains.*"⁶
- "... [d]ie Materie der Heiligen Weihen des Diakonates, Presbyterates und Episkopates - und zwar die einzige - ist die Auflegung der Hände."⁷
- "... *la materia única de las sagradas órdenes del diaconado, presbiterado y episcopado es la imposición de las manos.*"⁸

Cekada's translation, in fact, is completely *bizarre*. **No reliable authority** has ever given Pius's Latin the reading "**is one and the same**." In the apostolic constitution, *eamque unam* **does not and cannot mean** "one and the same" (and it is not the grammatical predicate either).

VII. Besides the gross mistranslation of the pope's *eamque unam* as "one and the same," what else is wrong with Cekada's translation, especially with regard to his addition of unwarranted words to the pope's text?

In his faulty translation, viz., "*The matter of the Sacred Orders of Diaconate, Priesthood, and Episcopacy is **one and the same**, and that indeed is the imposition of hands,*" (1) Cekada separated and inverted the syntactical and semantic order of *eamque* and *unam* (viz., "*one and the same, and that indeed is the imposition of hands*"); (2) he supplied an additional *esse* in the indirect statement where it is unwarranted (viz. "*The matter...is one and the same, and that indeed is the imposition of hands*"); (3) he gratuitously added *indeed* where

the Latin has no express particle or adverb to justify the inclusion of that word. Accordingly, a reader might infer the following Latin text behind his translation: ...*Sacrorum Ordinum Diaconatus, Presbyteratus et Episcopatus materiam esse unam {atque eamdem} eamque profecto esse manuum impositionem.*

That is definitely **not** what Pius XII wrote, and no amount of special pleading or appeal to translator's license can make it so. By severing *unam* from *eamque* he misunderstood the syntax and the author's intent; by supposing two dependent clauses in *oratio obliqua* where there is only one, he misconstrued the Latin; by adding *indeed*, he injected an emphasis that was not in the original and thereby misread it.

VIII. Why is Cekada's perverse translation so serious?

Pius XII's teaching that "the matter of the Orders of the Diaconate, Priesthood, and Episcopate is the *imposition of hands alone*" is, in Fr. Ludwig Ott's estimation, a teaching **proximate to faith** (*sententia fidei proxima*), i.e., a doctrine commonly *considered as revealed* but not yet expressly proposed as a truth of Revelation by the magisterium.⁹ The contrary teaching is "suspect of heresy." As Jesuit theologian Clarence McAuliffe wrote, "no Catholic can be opposed to this Conclusion" (viz., 'the matter of the sacrament of order consists of the imposition of hands alone').¹⁰

It should be noted that Cekada's mistranslation seriously misunderstands the papal teaching. In actuality, Pius XII first speaks of the three orders in general: he says that the matter is *onefold* and common to the three, namely, the imposition of hands; that is to say, it is not *twofold*, for the delivery of the instruments is not necessary for validity; and then he determines **in particular** what the matter of each one of the orders is, most especially that of the priesthood, which was the one that presented doubts.

Cekada, by his mistranslation, makes it appear as though the pope were referring *in particular* to each one of the orders (diaconate, presbyterate, episcopate). By means of an erroneous, tendentious translation (founded upon a misunderstanding), he argues that just as the ordination of deacons is valid with one hand, so too are priestly and episcopal ordinations conferred with one hand—something *far different* from the simple question the pope intended to resolve, viz., whether the imposition of hands is sufficient matter for priestly ordination or whether the delivery of the instruments should also be included.

IX. What impact does Cekada's mistranslation have on his argument as a whole?

The practical effect of the *dangerously inept* translation "one and the same" is **to nullify every argument based on it and advanced in support of it**. We count at least seven direct references to the **gross mistranslation** in support of Cekada's unwarranted conclusions. Indeed, Cekada's error is so *egregious*, so *alien* to universal Catholic understanding, that no prudent man may give credence to anything else he writes in the monograph.

X. The best Latin dictionaries give many different meanings for the word unus, -a, -um. Sometimes it can mean "one (in number)," "one and only," and "one and the same" even without a strengthening form of idem. With so many different senses of the word, Cekada could assert that all the other translations are wrong and that he alone is right. Is there internal evidence to prove that Cekada grossly mistranslated the teaching of Pius XII?

Yes, there is, and it is not necessary to invoke others' translations to establish the correct significance of the pope's "*unam*." The text of *Sacramentum Ordinis* is sufficient to prove Cekada's translation is wrong. Because of the rigid parallelism of the pope's teaching, it is easy to determine the definition the Holy Father intended. Here is the Latin sentence in question (line 1) along with the immediately following clause (line 2). We have color-coded the words to show the clauses are almost *mirror images* of each other.

- 1 **materiam** eam**que unam** esse manuum **impositionem**;
 2 **formam** vero item**que unam** esse verba **applicationem** huius materiae determinantia

First, recall how the Cekada erroneously "translated" clause 1:

The matter....is one and the same, and that indeed is the imposition of hands.
 (The underlined words have no corresponding words to phrases in the pope's Latin; they were added by Cekada. In other words, Cekada, not Pius XII, is speaking through them.)

Now, if Cekada's translation were right, then in keeping with the compelling parallel structure of the original, if we follow Cekada's rendering, we should arrive at the following (ghastly) translation of clause 2:

Moreover, **the form** is likewise **one and the same**, and that indeed is the words determining **the application** of this matter.

This is nonsense on every level -- idiomatic, textual, theological, and doctrinal. For one thing, it would be an absurdity as well as an impiety to say that the form is **one and the same**, when in paragraph 5 of *Sacramentum Ordinis*, Pius formally teaches *three differently worded* forms: one for the ordination of deacons, a second for priests, and a third for bishops. Consequently, on purely *internal* grounds, Cekada's translation "one and the same" is impossible.

XI. Cekada cites examples where theologians sometimes use the singular "imposition of the hand" and sometimes the plural "imposition of hands." Could that mean there is no difference? Did scholars writing about the 1947 constitution give any indication that two hands were required for valid priestly ordination?

First of all, Cekada's argument based on the interchangeable usage of hand/hands among the authors is irrelevant in light of the explicit direction of Pius XII's constitution *Sacramentum Ordinis*, which is the only text that counts in the discussion. Moreover, some of the authors' apparently indiscriminate use of the singular and plural may be explained on linguistic grounds.

Impositio manus does not *have* to be translated "imposition of *a* hand," where the indefinite article is usually understood as individualizing the noun. Instead of reading *manus* as a grammatical singular, we may read it as what linguist Otto Jespersen called **the generic number**. We may then translate the phrase by the *definite article with generalizing force*: "imposition of **the** hand," which is something quite different from the sense of "imposition of **a** hand." (Our translation is akin to the adherent noun phrase "hand-imposition.") In this case, the singular's individualization becomes less important semantically than the representative idea. As an illustration, we cite Virgil's *triste lupus stabulis*, "a baleful thing [is] the [not *a*] wolf for folds," which is a generic assertion about a whole class, not one individual.

As for the usage of theologians writing about the constitution, we need go no further than the Jesuit Heinrich Lennerz, who, after the publication of Pius XII's apostolic constitution, wrote a monograph titled *De Sacramento Ordinis* ("On the Sacrament of Order"). When he wrote of defects of priestly ordination (p. 131 of the 1953 edition), he specifically identified the plural **hands** (*in impositione manuum*); when later he discussed

defects in a diaconal ordination, he used the singular **hand** (*in impositione manus*). In addition, when he categorically affirmed the essential rite of priestly ordination (p. 125), he used the plural: *Sola impositio manuum cum invocatione Spiritus sancti est et semper erat ritus essentialis ordinationis sacramentalis* ("the imposition of hands alone with the invocation of the Holy Ghost is and always was the essential rite of sacramental ordination").

Lennerz was careful to contrast, by rigorous parallelism, the plural *impositio manuum*, "hands," for the priesthood (emphasis ours):

In ordinatione Presbyteri. Impositio manuum unius episcopi, ritus antiquissimus, semper et ubique... (no. 212. 1947 edition),

and the singular *impositio manus*, "hand," for the diaconate:

In ordinatione diaconi. Impositio manus solius episcopi: semper et ubique... (no. 213, 1947 edition).

Also note his repeated observation that the distinct ritual gestures were observed *semper et ubique*, "always and everywhere."

Father Lennerz, however, is not the only theologian of the era (1) who insisted that hands were necessary for the conferral of the priesthood and (2) who carefully distinguished the priestly rite from the diaconal. Consider this 1958 citation from Zalba (underscoring ours), where he meticulously explicates the term "imposition of hands" (*impositio manuum*):

1233. 2. *Materia Ordinum quae certo sunt sacramenta, est impositio manuum ministri super caput ordinandi vel consecrandi ...* (lit.) **The matter of Orders** that are certainly **sacraments** is the **imposition of the hands** of the minister upon the head of the one to be ordained or consecrated ...

Impositio manuum ministri, id est, secundum rubricas, unius dexteræ in diaconatu, utriusque autem in presbyteratu et Pontificatu. (lit.) **The imposition of the hands of the minister, that is, according to the rubrics, of the one right hand in the diaconate but of both [hands] in the presbyterate and episcopate.**

From this, it is clear that Cekada's argument amounts to no more than a meaningless observation of the idiosyncratic usage of individual writers. There is no doubt that there is one kind of imposition for the diaconate and another for the priesthood and episcopacy.

XII. Is the liturgy specific regarding the use of hand/hands?

The rubrics of Roman Pontifical (*Pontificale Romanum, De Ordinatione Presbyteri*), the official liturgical book of the Church that contains the rite of ordination, direct the bishop to lay **both hands** on the head of each candidate for the priesthood.

XIII. What about Cekada's anecdote about a Holy-Office "decision" that purportedly rules one-handed ordination valid?

On close analysis, the *weakest argument* for one-handed conferral of priestly orders is what Cekada misrepresents as a "decision" of the Holy Office. The word "decision" connotes a judgment or, more precisely, a conclusion (1) based on a careful consideration of all the arguments and (2) solemnly delivered by a competent body after consultation with disciplinary experts. Moreover, we would expect a **decision of the Holy-Office** to be in the form of a written decree.

No such document exists. What Cekada tries to pass off as a "decision" is in actuality *hearsay*. Here are the naked facts: A theologian (Regatillo) passed along an unidentified bishop's anecdote about (1) making an inquiry somewhere at the Holy Office regarding one-handed conferral of priestly orders and (2) receiving a reply affirming the validity of orders so conferred. The theologian did not personally hear the reply. He merely *reported* this bishop got an *answer*.¹¹ Regatillo did *not* use the word "decision."

An *unidentified* bishop's avowal that he received a presumably oral answer *from* an *unnamed* source in the Holy Office is definitely *not* a formal decision *of* the Holy Office. Note that beyond the sparsely narrated account, Regatillo supplied no concrete details: no name of the bishop, no date of the visitation to the Holy Office, no description of the attendant circumstances of the encounter, no name or title of the official(s) who gave the answer, no date of the defective ordination, etc. All we have is a minimalist account. We do not assert that Regatillo or this certain bishop *lied*. As it stands, the anecdote is a piece of information that belongs to the study of the problem of one-handed conferral of priestly orders. However, it cannot, by any stretch of the imagination, be raised to the dignity of a *decision of the Holy Office*, with all the coercive force that such pronouncements carry.

It is certainly possible the reply may have come from one of the lesser officers of the Congregation, one who may have been speaking off the record to a private individual. He may not even have had a brief to offer an opinion on the subject, but perhaps informally ventured one offhandedly on that occasion. We will never know. But one thing is certain: without concrete, collateral details and knowledge of the identity of the declarant as well as of the functionary who answered the query, we cannot assess the weight of the reply: It certainly is not irrelevant, but neither is it confirmatory.

In any case, the report is **secondhand** and hence must be considered *hearsay*, which is inherently weak: We cannot form a judgment of the directly involved parties' competence, trustworthiness, veracity, or accuracy. For the credulous, the meager anecdote may be persuasive, but for deeper thinkers without an agenda or vested interests, it fails to overcome a prudent man's *positive doubt*. The teaching of Pope Pius XII is simply too specific: imposition of hands is the matter of priestly orders.

In time, a restored Church *may* confirm or disconfirm the truth of the answer given to Regatillo's anonymous bishop (whoever he was). Only then will we know for certain that one-handed conferral of priestly orders is or is not valid. But that time, if it is to come at all, may lie far away in the future. Meanwhile, to safeguard the integrity of the sacrament of priestly orders here and now, we must deeply discount the *grossly inflated evidentiary value* Cekada assigns this **hearsay account**, which he erroneously characterizes as a "decision of the Holy Office." A generous assessment is that the story merits notice, but its utility suffers owing to the **absence of official, confirmatory documentation**. Moreover, even if we suppose, for the sake of argument, that the unnamed bishop received such a reply from someone in authority at the Holy Office, it is possible that this "answer" had been given before the publication of *Sacramentum Ordinis*; therefore, it may have been valid *before* the promulgation of the apostolic constitution but **not after**.

XIV. Cekada cites several well-known theologians to support the validity of one-handed ordinations. Shouldn't we always presume that recognized theologians are correct?

Theologians, no matter how eminent, can be mistaken, especially in disputed matters unsettled by the Church. There is no better instance of this precept than in the case of the matter and form of holy orders; indeed, all the uncertainties surrounding holy

orders motivated Pope Pius XII to promulgate his definitive teaching. A concrete illustration will make our point clear.

The multivolume Pohle-Preuss *Manual of Dogmatic Theology* is a well-respected and comprehensive authority on matters of dogma. In the 1924 fourth edition, we find this discussion of the matter of priestly orders (our emphasis):

...the rite of ordination to the priesthood seems to contain no less than three distinct impositions. First the bishop silently lays both hands on the head of the ordinand. The same is done by all the priests who are present. Then bishop and priests together extend their right hands....This part of the ceremony is known as *manuum extensio* or χειροτονία After Communion, the bishop imposes his hands upon the candidate for the third time....This is the *impositio manuum* proper, or χειροθεσία. The question arises: Which of these three rites, with its accompanying prayers, is sacramental? **The first laying-on of hands cannot be essential, because it is accomplished silently....**The third and final *impositio* seems equally non-essential, because the candidate has already exercised the sacerdotal power by co-consecrating the bread and wine.... Hence...**the conclusion is inevitable that the matter of the Sacrament consists in the second imposition — the *manuum extensio*, or χειροτονία, conceived as a continuation of the physical contact embodied in the first.**¹²

Twenty-three years later, however, Pope Pius infallibly taught in paragraph 5 of *Sacramentum Ordinis* (our emphasis):

In Ordinatione Presbyteriali materia est Episcopi prima manuum impositio quae silentio fit, non autem eiusdem impositionis per manus dexteræ extensionem continuatio, nec ultima ... (lit.) In priestly ordination, the matter is the first imposition of the hands of the bishop, which is done in silence, **but not** the continuation of the same imposition by the extension of the right hand, nor the last ...

As you can see, despite the well-reasoned argument, Pohle-Preuss was **entirely wrong** on the question of the matter of priestly orders. (As a result, Pohle-Preuss also erred about the form.) It took an infallible decree from the Church's supreme teaching authority to settle once and for all the question.

Pohle-Preuss, and many other theologians, erred through no fault of their own. Writing before 1947, they could not have known the Church's mind. However, theologians,

even well-known theologians, can make inexcusable mistakes that impeach their credibility. Such is the problematic situation we have with one of the theologians, De Jorio, whom Cekada cites in his monograph. Writing in defense of one-handed priestly ordination in 1958 — 11 years *after* the promulgation of *Sacramentum Ordinis* — De Jorio astonishingly affirmed “*unius manus dexteræ extensio habetur continuatio impositionis manuum,*” (lit.) the extension of one right hand is held to be a *continuation* of the imposition of hands (case 341, vol. 2, p. 287, 2°). Now that is the opposite of what Pius XII actually taught. The pope, as you yourself can read in the citation immediately above, absolutely *excluded* from the matter of the sacrament the extension of the right hand. Accordingly, theologians can be wrong in both their opinions and in the facts they assert. Catholics must always weigh theologians’ pronouncements, remembering always that

Theological opinions are free views on aspects of doctrines concerning Faith and morals, which are neither clearly attested in Revelation nor decided by the Teaching Authority of the Church. Their value depends upon the reasons adduced in their favour (association with the doctrine of Revelation, the attitude of the Church, etc.)¹³

By definition, in an *opinion*, the mind assents but always with a fear of error. Hence in delivering an opinion on a disputed issue, a properly trained theologian knows he could be wrong. The faithful must also be aware of this possibility.

XV. Is it possible that the pope’s teaching is not clearly written and therefore subject to various interpretations?

Absolutely not. Writing separately in 1948, two French commentators on the constitution, A. Michel and A. Delchard¹⁴, independently praised the sharp verbal precision and limpidity of the declarations of *Sacramentum Ordinis*. Nowhere is this linguistic exactitude more evident than when Pius XII makes it abundantly clear that the *extension of the right hand* (which uninterruptedly succeeds the first imposition of hands) is *absolutely NOT the matter*. The matter of priestly ordination, as Pius clearly and unequivocally taught and as you read above, “is the first imposition of the hands of the bishop, which is done in silence.”

Pius intended to end all doubts in the future regarding orders, hence his remarkable linguistic and jurisprudential rigor throughout the constitution. The document’s

precision resists and defeats every effort to read into it what it clearly never affirmed. The pope taught the matter for the priesthood was the first imposition of hands done in silence, thereby precisely locating where the matter occurred in the rite. He explicitly excluded from the matter of priestly orders the ensuing extension of the right hand following the first imposition as well as the last imposition of hands to which are joined the words: "Receive the Holy Ghost: whose sins thou shalt forgive, etc." Furthermore, *for each order*, he distinguished and differentiated the matter (imposition of **hands** [*plural*] for priests and bishops, imposition of the **hand** [*singular*] for deacons) and specified the exact words of the form. The text is crystal clear; there can be no other interpretation.

XVI. Doesn't the use of one-hand in the rite of confirmation support Cekada's argument?

Cekada's references to confirmation are notably **valueless** because (1) as a sacrament, confirmation is numerically distinct from orders and (2) theologians have been divided on what constitutes the essential matter.¹⁵

XVII. Besides his perverse translation, is there another serious error in Cekada's understanding of Sacramentum Ordinis?

Not only did Cekada fail to understand Pius XII's Latin, he also did not understand the juridical and historical *context* of the apostolic constitution *Sacramentum Ordinis*. Even though it is certainly true, as Billot says, that the debate prior to the publication of the constitution was more theoretically academic than any other insofar as *the Church always opted for the safer way*, nevertheless, for anyone who has read any theological treatise on the Sacrament of Order written before Pius's constitution, it is easy to see that the theologians' discussion was twofold.

1) First and foremost was the discussion of whether or not the delivery of the instruments belonged to the essence of the sacrament; in connection with that discussion, there were three opinions:

- a) The imposition of hands was sufficient.
- b) The delivery of the instruments was sufficient.
- c) Both ceremonial actions were necessary.

2) In the second place, supposing the necessity of the imposition of hands, there was doubt about which one of the impositions was essential. In the diaconate and the episcopate, there is only one imposition, regarding which there was no problem, but in the case of the priesthood, there were three opinions:

- a) The first imposition was sufficient.
- b) The first imposition followed by the extension of the right hand.
- c) Opinion "b" plus the last imposition.

In respect to this last option, it was the common teaching of theologians that the last imposition did not form part of the matter since it took place after the Host and Chalice had been consecrated.

Such was the nature of the discussion before the promulgation of *Sacramentum Ordinis*. Now, in 1947 Pius XII resolved both doubts, something that Cekada apparently did not understand.

Here is what Pius actually wrote in paragraph 4 of his constitution (emphases ours; translation from the "Canon Law Digest" of 1954 found on the papalencyclicals.net website):

Wherefore, after invoking the divine light, We of Our Apostolic Authority and from certain knowledge declare, and as far as may be necessary decree and provide: **that the matter, and the only matter, of the Sacred Orders of the Diaconate, the Priesthood, and the Episcopacy is the imposition of hands; and that the form, and the only form, is the words which determine the application of this matter**, which univocally signify the sacramental effects — namely the power of Order and the grace of the Holy Spirit — and which are accepted and used by the Church in that sense. **It follows as a consequence that We should declare, and in order to remove all controversy and to preclude doubts of conscience, We do by Our Apostolic Authority declare, and if there was ever a lawful disposition to the contrary We now decree that at least in the future the traditio instrumentorum** ["delivery of the instruments"] *is not necessary for the validity of the Sacred Orders of the Diaconate, the Priesthood, and the Episcopacy.*¹⁶

That is to say, by the context, you clearly see that he is differentiating the imposition of hands from the delivery of the instruments, which is evident from paragraph 5 of

Sacramentum Ordinis (emphases ours; translation from the “Canon Law Digest” of 1954 found on the papalencyclicals.net website):

As to the matter and form in the conferring of each Order, We of Our same supreme Apostolic Authority decree and provide as follows: In the Ordination to the Diaconate, the matter is the one imposition of the hand of the Bishop which occurs in the rite of that Ordination.... In the Ordination to the Priesthood, the matter is the first imposition of hands of the Bishop which is done in silence, but not the continuation of the same imposition through the extension of the right hand, nor the last.... Finally in the Episcopal Ordination or Consecration, the matter is the imposition of hands which is done by the Bishop consecrator.¹⁷

In a word, the pope **first** speaks of the three orders **in general**: he says that the matter is *onefold* and common to the three, namely, the imposition of hands; that is to say, it is not twofold since the delivery of the instruments is not necessary for validity, and then he determines **in particular** what the matter of each one of the orders is, most especially that of the priesthood, which was the one that presented doubts.

Cekada, in contrast, understands the above-cited paragraph 4 as referring *in particular* to each one of the orders (diaconate, presbyterate, episcopate) when he writes:

In his Constitution *Sacramentum Ordinis*, Pius XII, having explicitly invoked his supreme Apostolic Authority, declared and decreed:

The matter of the Sacred Orders of Diaconate, Priesthood and Episcopacy is **one and the same**, and that indeed is the imposition of hands.

Then, by means of his erroneous, tendentious translation, he tries to prove that just as the ordination of deacons is valid with one hand, the same thing occurs with priestly and episcopal ordination. However, note that, in paragraph 4, the only thing Pius XII is discussing is whether the imposition of hands is sufficient or whether the delivery of the instruments should also be included. In his commentary on the constitution, the Jesuit Hürth makes this point very clear (emphases ours; literal translations ours):

After having thus finished the preparatory section, the apostolic constitution (paragraph 4) goes on to the determinative section, wherein **first, for the three orders** of the diaconate, priesthood, and episcopate, **it is comprehensively determined what is required for validity, [and] what is**

not required; next, in the same context (*ibidem*) [the determination] is made in relation to each one of these orders, taken one by one.¹⁸

Or in other words, paragraph 4 specifies **in general** what is required for validity (imposition of hands) and what is not required (delivery of instruments), and then the next paragraph specifies **in particular** what matter and what form are required in each one of the orders.

Hürth clarifies his thinking even further (our emphases in bold):

That which “is declared,” (in this particular respect, moreover, “[that which] is provided”) is partly positive, partly negative. **The positive part has reference to the necessity and sufficiency of the imposition of hands alone, as the matter, for a valid diaconal, priestly, [and] episcopal ordination**, and also the necessity and sufficiency of the words, as the form, etc.¹⁹

To the positive part is immediately joined the negative part, namely, the declaration and the provision—what, then, is not required (paragraph 4). This negative part is a simple and necessary conclusion from the preceding positive part; therefore, it begins with the words “hence it follows” [“it follows as a consequence” in the “Canon Law Digest” translation cited above]. **And in reality, if the only matter, which is required for validity, is the imposition of hands, no other matter can be necessary for validity. The negative part chiefly has reference to the “delivery of the instruments,”** which, as has been noted above, many theologians of highest note before and after the Council of Florence said was the matter of the sacrament, at least also necessary for validity.²⁰

(As an aside, the Latin of Hürth’s phrase “**the only matter**,” is *unica materia*, which constitutes another proof that the pope’s *materiam eamque unam* does not mean, “the matter is one and the same,” as Cekada wrongly translated, but “the only matter.”)

He then goes on to speak of the orders in particular and comments:

To the general part concerning the three orders of the diaconate, the priesthood, and the episcopate is joined the particular (*specialis*) part concerning each order, taken one by one (paragraph 5), and there is an examination of which [ritual elements], then, from the occurring rites are necessary for the essence and validity of each order.²¹

It is evident that not only does Cekada not know Latin, and not only does he distort the words of the pope, but he has no understanding at all of what *Sacramentum Ordinis* is talking about.

XVIII. Are there other unscholarly errors such as faulty transcription and additional mistranslations that show Cekada's problems with the Latin language?

There are numerous such errors, but we will not burden the reader with typographical mistakes like the careless transcriptions in footnote 37 (*inposta* for *inposita*) or in footnote 62 (*huc et illus* for *huc et illuc*) or in footnote 41 (which we expose in tedious detail near the end of the *Pistrina Liturgica* post of June 1, 2013). Moreover, we will not make this section overly long by incorporating other discussions of his errors, such as our post of August 4, 2013. Instead, we will focus on one example found in Cekada's footnote 10, (we have printed in **bold** four words to document his problems with the Latin language):

Theol. Mor. Summa 3:666. "Nam in diaconatu *unica* manus Episcopi imponitur; in presbyteratu ambae imponuntur, et haec **impositionem deinde** continuatur per extensionem *solius dexteræ*. Et cum in Constitutione Pii XII designetur **tamquam** unica materia essentialis, triplici ordini communis, **impositionem manuuum** ... (Cekada's italics.)

Here's how Cekada translates it in the monograph's appendix:

For in conferring the diaconate, one hand of the bishop is imposed; in the priesthood, both are imposed and this imposition is continued by the extension of the right hand alone. And since in Pius XII's Constitution the only essential matter common to all three holy orders is designated at the imposition of hands ...

We begin with the two smaller errors: Cekada translates neither *deinde* ("then, thereafter, thereupon") nor *tamquam* ("as"). These words are *not* untranslatable particles but essential parts of speech for understanding the flow of the theologian's line of reasoning. Perhaps the first case represents a careless oversight, but the second omission may have arisen from his inability to construe the erroneously transcribed text, as we will explain in the next paragraph.

The two occurrences of the word *impositionem* (accusative feminine singular) are *wrong*. Anyone with a basic knowledge of Latin can see at a glance that the word in both cases should be *impositio* (nominative feminine singular). A look at Cekada's handling of the second occurrence is instructive, for it suggests he did not recognize his **erroneous transcription**. He knew he had to find a nominative singular for the verb *designetur*, but in his erroneous transcription the only animal of that kind was (*unica*) *materia (essentialis)*, which he then treats as the subject of the verb in question and conveniently leaves out *tamquam* ("as"). The trouble is, *tamquam* makes *materia* a predicate complement, so (*unica*) *materia (essentialis)* cannot be the subject. The subject must lie elsewhere.

At this point, a reasonable, trained individual would have suspected he had made a **transcriptional error** and at least would have checked the text as printed in original; a genuinely educated person would have immediately recognized that the subject must be *impositio [manuum]*, and could have silently emended the text without having to consult the original. What Cekada, in fact, appears to do is to try to "save" the erroneous accusative *impositionem* by *adding* words (as he did to the text of Pope Pius XII), in this case the preposition "at." Cekada has no business being anywhere near Latin theological documents, and you must never pay him any attention when he speaks or writes.

XIX. What about Cekada's argument from papal ordinations and the Council of Carthage?

Section IV of Cekada's monograph, "Papal Consecrations & Ordinations" is solemn testimony to the author's **missing advanced education**. Cekada begins by appealing to the "practice in the Roman books used for **priestly ordinations conferred by the Pope.**" [Cekada's emphasis.] He cites as his source for these "Roman" books an 18th century compilation made by the French Benedictine Edmond Martène. (Typically he consistently fails to spell the name with the grave accent mark.)

The **chief trouble** with his so-called "Roman" argument lies in the ugly truth that "the *Ordines* of Martène...represent early usages of the Church in Gaul."²² Martène's purpose was to rediscover, through the *Ordines*, "the authentic Roman liturgy in antiquity and follow its adaptations and transformations, particularly in Gaul."²³ A cursory inspection of Martène's data reveals that the various *Ordines* he printed came from places like Noyon, Jumiègne, Compiègne, Soisson, Besançon, Le Bec, Cambrai, Pamier, and Mainz.

Some documents derived from English sources. Scholars have long noted that the "Roman" *Ordines*, although they purport to describe how liturgical functions were performed in Rome, are far from homogeneous and contain interpolations, omissions, glosses, corrections, and **non-Roman materials**. Yet from reading Cekada, one would think these were the very texts from which reigning Roman Pontiffs recited.

Worse than this verbal subterfuge is Cekada's affirmation that

a full **two-thirds of the Roman books**, therefore, used at various points over a period of several hundred years, prescribe that one hand be imposed for priestly ordination. [Cekada's emphasis.]

But what if the origin of this "Roman" text is secondary? Anyone with an ounce of knowledge of textual criticism would dismiss Cekada's embarrassingly naïve observation. The renowned New-Testament textual critic Bruce Metzger's advice to beginners is worth heeding, even in this context: "The abundance of witnesses numerically counts for nothing in view of the secondary origin of the text type as a whole."²⁴

Absent an informed analysis of the provenance of the documents and the genealogical interrelationships among the manuscripts, no one can draw any conclusions about how faithfully Martène's *Ordines* attest to Roman praxis. Furthermore, it is quite possible that these *Ordines* may have derived their canonical regulations on priestly ordination from a *non-Roman* source (say, for instance, the *Statuta Ecclesiae Antiqua*, compiled in Gaul around A.D. 500 and circulated as [pseudo-] Carthage IV²⁵). But without hard information, almost everything is **groundless speculation**. Given only Cekada's presentation, at most all anyone *might* be able to say about Martène's *Ordines* is this:

For several centuries, in some regions beyond the Alps, priestly ordination likely may have been conferred with one hand, under the supposition that one-handed conferral of priestly orders was the Roman practice.

There is **nothing** in the Cekada's exposition of papal priestly ordinations to warrant a claim that one-handed imposition for priestly orders was the actual practice of the

Popes at Rome. Moreover, we must entertain the possibility that some transalpine compilers may have, unwittingly, introduced *a practice never used in Rome*.

However, the necessary information needed to come to a conclusion about papal practice will not be found in Martène, for he died about a century before the great methodological breakthroughs occurred in the science and art of textual criticism. Insofar as Cekada did not reproduce a coherent discussion of manuscript witnesses and exemplars to support his contention, traditional Catholics may freely **disregard** this entire section IV of Cekada's monograph, for, if the source is **non-Roman** and/or the texts **corrupt** (see footnote 25 below), the section contributes nothing to the subject under dispute.

XX. What about the argument based on the practice of one-handed conferral of orders in the Eastern rites, which the Church considers valid?

We remind everyone that Pope Pius XII, in his 1947 apostolic constitution (*the only text that counts in this question*), juridically determined *for the Roman rite* the matter and form required for valid ordination *in the future*. Past practice within and without the **Roman rite** as well as another rite's current practice are of no account. As one of Cekada's sources says, *Constitutio haec vim retroactivam non habet* ("this constitution does not possess retroactive force.")²⁶

Therefore, it seems to us very simple: after April 28, 1948, the only valid matter for priestly ordination in the **Roman rite** is the imposition of the bishop's (two) *hands*. Nothing else *matters*, so to speak. All the distracting references to Byzantine, Coptic, or Maronite rites is **not germane**. If you are going to be an undoubted priest of the Roman rite after the promulgation of *Sacramentum Ordinis*, you must receive the imposition of (both) the bishop's hands. In light of the explicit definition found in Pius's apostolic constitution, one-handed conferral of priestly orders can only be viewed as a defect in the **Roman rite of ordination**.

Cekada and his supporters are off the mark when they argue that considering one-handed priestly orders dubious would "imply a substantial difference between Holy Orders in the West and in the East." When one speaks of the validity of ordination conferred with one hand in an Eastern rite, even supposing that it be so, it is perfectly

possible that a sacrament may have one matter in an Eastern rite and another in the Latin rite. Among proponents of this proposition is the Jesuit Hürth who expressly says so when he comments on the validity of “moral contact”: he writes that, in the case in which there had been no physical contact of the hands on the head of the ordinand in an Eastern-rite ordination, Rome must be consulted to determine whether the ordination is valid or not.

One must not forget that Pius XII defined the sense of the word *substance* as given by Trent, and he did not identify sacramental substance with the matter and the form. Furthermore, the notion of the *generic* institution of some sacraments (among which is the sacrament of order) is a perfectly valid theological opinion. We are always going to be able to return to this argument in order to uphold the dubiety of a one-handed priestly ordination.

Even if it were proved that in the West one-handed conferral of priestly orders was valid, there always remains the *possibility* that the Church may have the power to change the *matter* of the sacraments (generic institution), and, in fact, in *Sacramentum Ordinis* Pius XII may have done just this by specifying the imposition of **(both)** hands.

The weakness of Cekada’s defense of one-handed priestly orders by appealing to analogues in Eastern-rite practices becomes more evident when we consider the centuries-long debate about whether the *traditio instrumentorum* formed a part of the matter of the sacrament. (One of the principal reasons behind the issuance of *Sacramentum Ordinis* was the resolution of that very question.) Now, the *traditio* never existed in Eastern rites, so the whole question of the *traditio* as the matter of the sacrament in Latin orders would have been absurdly and entirely *useless* if similarities between the Latin and Eastern rites were required to make a determination.

Seeing that there are differences between the rites, it is misleading to compare apples to oranges. Consequently, there is no viability whatsoever in defending the *certainty* of a one-handed priestly ordination by invoking the practice of an Eastern rite.

XXI. Can you go into greater detail about the generic origin of the sacraments?

We'll draw our reply from an easily available book written in English, the Jesuit Bernard Leeming's *Principles of Sacramental Theology* (The Newman Press, 1956).

The Latin term for "generic institution" is *institutio in genere* (institution in a general manner), as opposed to *institutio in specie* (in a specific manner). As explained by Fr. Leeming, starting on p. 414, according to the theory of *institutio in genere*,

Christ settled the meaning of the sacrament, but left power with the apostles or the Church to determine the elements in which this meaning may be embodied. ... [I]n Orders, Christ settled the office and the grace to fulfill it, but left it to the Church to settle which particular rite would express the meaning of the grant of such power.

Therefore, Fr. Leeming concludes, "the same meaning" can be expressed in rites "differing in material form." Hence it is *possible* to have one matter in the West and another in the East. Fr. Leeming informs us that among the authors who endorsed the generic-institution theory are de Soto, Lugo, Billuart, Billot, Tanqueray, Lennerz, and Doronzo.

As a reminder, we do not argue that the substance of the sacrament could have been changed under the theory of generic institution. The change would have occurred in the rite. What we do hold is that after *Sacramentum Ordinis*, it is clear that **two** hands are the required matter for valid priestly ordination in the Latin rite. One hand, then, must be by definition a *defect*. Since in the crisis-ravaged Western Church we cannot be certain if *less than two will do*, the defect should be cured by conditional ordination. The stakes are too high to tolerate the slightest doubt.

XXII. Does any of this matter after Dolan was consecrated a bishop? Doesn't the episcopacy confer the fullness of the priesthood?

In fairness, we admit there are **two sides to this question**. For the sake of brevity, here are two theological opinions illustrating the different positions. In support of our view that Dolan should be re-ordained and re-consecrated, the Dominican Royo Marín writes (our bold emphasis):

If there is well-founded and prudent doubt over whether or not something *essential* was missing, the ordination ought to be repeated *sub conditione* ["conditionally"], even though a higher order might have already been

received, at least if it is a question of the three orders that certainly are *sacrament* and impress character. And so one ought to repeat *sub conditione* the doubtful ordination of deacon even though one may have already received the priesthood; and all the more one ought to repeat that of the priesthood even though one may have already received episcopal consecration, inasmuch as **the validity of the episcopal consecration in one who may not be previously a priest is very doubtful**. In this case, one would have to repeat *sub conditione* the two ordinations: that of priest and that of bishop.²⁷

However, the Spanish Jesuit Ferreres, footnoting Gasparri, tells us that some authorities found no problem with orders *per saltum* ("by a leap"):

...others claim with a great deal of probability that episcopal ordination confers the priesthood fully and independently of priestly ordination, and, therefore, for its validity it does not require in its subject either the presbyterate or the lower orders.²⁸

So as you can see, *real* theologians have been divided on the question of whether a man can **leap** to the episcopacy without an intermediate valid priestly ordination. Our position is that Catholics must always choose **the safer side**, and that is the default position of the Church.

Let us first look at what Marcelino Zalba, S.J., wrote in 1958:

It is disputed... whether [the episcopate] contains in an eminent degree the priesthood, such that if anyone should pass over by a leap from the diaconate to the episcopate, his consecration would be *valid* albeit gravely illicit, just as an ordination to deacon carried out with suitable ceremony upon an acolyte not promoted to the rank of subdeacon would be valid. The negative opinion, which once was the more common, is now no longer held by certain persons of great name [*with a footnote citing Lennerz*].²⁹

While to Dolan's defenders, this may seem to be a powerful argument in their favor, we must draw everyone's attention to the **all-important phrase** *it is disputed*. We argue that in the face of a disputed point in theology, the only recourse is the **safer way**. There is nobody so important as to induce any Catholic to risk spiritual danger just to avoid wounding Dolan's (or Cekada's) feelings.

Zalba, however, did not have the last word on the leap. As late as 1960, the editor of the 32nd edition of Noldin's *Summa Theologiae Moralis* still could print the following:

Whether the episcopate is an order distinct from the presbyterate or a kind of extension and complement of the priesthood itself is disputed. Nevertheless, it is more commonly affirmed that, when the priesthood has not yet been conferred, the episcopate cannot be validly conferred.³⁰

If doubt exists whether the priesthood has been conferred owing to a defect – and we do know *for certain* that one-handed orders are *at least* **defective** in light of the infallible teaching of *Sacramentum Ordinis* -- the only recourse, then, is to follow the hallowed and safer practice of the Holy Office in cases of doubt: **conditional ordination** and **consecration**.

Whether one-handed conferral is an *essential* defect or not must wait until the Church decides the question, an event that may not happen for quite some time. In the meantime, a deeply solicitous regard for the salvation of souls demands that **one-handed priestly orders** be considered, *for safety's sake*, an **essential defect**. Here we must heed the opinion of the Spanish Dominican Antonio Royo Marín:

If there is well-founded and prudent doubt over whether or not something *essential* was missing, the ordination ought to be repeated *sub conditione* ["conditionally"], even though a higher order might have already been received...³¹

We know from Fr. Lennerz's study that the Church has historically acted on the safer side in cases similar to Dolan's:

The practice of the Roman Congregations in repairing defects of the ordination of priests done before the Constitution *Sacramentum Ordinis* is, that the ordination be repeated conditionally, if the defects were either in the imposition of hands (in the beginning of the ordination), or in the handing over of the instruments; **it is supposed therefore that such defects can render an ordination invalid.** [Bold-face emphasis ours.]³²

XXIII. Are there any other historical examples of re-ordinations performed for the sake of safety?

Yes. There is a famous instance where, *despite* Pope Pius VI's decision in a controversy over the necessity of physical touch at the imposition of hands for the episcopate, the Holy Office maintained its policy of conditional re-consecration.

In his commentary on *Sacramentum Ordinis*, Fr. Hürth wrote that the Holy Office "always has chosen the safe way in deciding particular cases" (*in decidendis casibus particularibus, semper viam tutam elegit* [p. 34]). After summarizing the transactions attendant to the pope's decision to accept the majority view of a committee of theologians, which decided that, in the *particular* case before it, physical contact was not necessary for validity, Fr. Hürth appended the following observation (p. 36):

Notatu dignum est: S. Officium ... non obstante decisione Pii VI. controversiam de necessitate tactus physici non habuisse solutam, ideoque, ob securitatem et ad arcendas funestas sequelas ordinationis forte invalidae, continuasse consuetam suam praxim, statuendo in casu dubii insolubilis: ad cautelam reordinetur ex integro sub condicione cum tactu physico. (lit.) It is worthy of note that the Holy Office ... notwithstanding the decision of Pius VI did not consider the controversy on the necessity of physical contact solved, and therefore, for the sake of safety and to avoid the deadly consequences of a possibly invalid ordination, continued its customary practice, deciding in a case of insoluble doubt: as a precaution, let him be entirely re-ordained conditionally with physical contact.

We restate for emphasis Fr. Hürth's observation: *notwithstanding a papal decision in a particular case, the Holy Office determined to follow the safe course in cases where doubt could not be resolved.* As we have repeatedly asserted, cases of one-handed priestly orders conferred after the 1947 publication of *Sacramentum Ordinis* are insoluble until the restored Church makes a pronouncement. Neither a valid pope nor the Holy Office has officially and formally addressed the issue. All we have to rely on with certainty is the plain teaching of *Sacramentum Ordinis*, where Pius *explicitly* taught that the first imposition of the bishop's **hands** constitutes the matter of the sacrament of priestly orders in the Latin rite. All this leads to one fundamental conclusion:

If the Holy Office decided to be safe even in the face of a papal decision in a particular case, then traditional Catholics must cleave all the more tenaciously to the safe side in the face of proximate-to-the-faith papal teaching directed in general to the entire Latin Church.

In the absence of any authoritative, authentic ruling to the contrary on the part of the magisterium, the *safe bet* is to adhere to the clear and unambiguous letter of the lawgiver: imposition of **hands** is the matter of the sacrament of priestly order in the Latin rite. Accordingly, since the question about the validity of one-handed conferral of priestly orders in the Latin rite is currently insoluble, conditional re-ordination is the only **safe way** out of this mess.

XXIV. Cekada affirms that opponents of one-handed ordination who appeal to the pars-tutior principle are doing "nothing more than parroting (sic) a phrase." He insists "[t]here is no safer course." Isn't Dolan, then, not bound to follow a safer course if one does not exist?

Let us look at what Cekada has to say about the famous maxim *in dubio pars tutior eligenda est* ("in doubt, the safer side must be chosen"). He insists the axiom "applies only to a choice between a *morally safe* course of action and a *morally unsafe* one" (Cekada's emphasis.) However, Noldin (p. 220, § 236 [β]) instructs us that the axiom applies "where it is a question of the validity of the sacrament (*ubi agitur de valore sacramenti*)." Indeed, "where...it is a question of a matter on which the validity of a sacrament depends, the certain means must be chosen (*ubi...agitur de re, a qua valor sacramenti dependet, eligendum est medium certum*)."

In other words, **we are bound to follow the safer course when the validity of a sacrament is at stake**, which is what we, and many others, have been saying all along. And since we do not know for sure whether one-handed conferral of priestly orders is an invalidating defect or not, this is the right occasion to opt for the safer side. The sacraments are too important to run any risk at all, even a slight one. (Although, we suspect, the defect of one-handed ordination renders the risk more than slight, particularly in view of the Holy Office's documented practice of re-consecration in related questions [see XXIII above].)

Make no mistake about it: when a question concerns the validity of the sacraments, one *must* follow the safer course in matters of doubt. As we have demonstrated, contrary to what Cekada wrote, there **IS** sufficient doubt about one-handed ordinations to command our adherence to the safer course. Blindly supposing that Dolan is a validly ordained priest as well as a valid bishop is simply **not a safe course**. In fact, it is **morally unsafe**, for there is too great a risk of losing eternal life without valid sacraments.

The theologian Regatillo offered advice along similar lines, *in spite of the fact that he considered one-handed priestly orders valid!* Note this remark:

The other canonists, whom I have consulted, and I think that an ordination so conferred [viz. with one-hand] is valid; and we would leave one so ordained to exercise his order[s] in peace. However, in the meantime we would recommend [*or "advise" or "urge" or "suggest" etc.*] that the Holy Office be consulted whether something must be supplied in the case.³³

As certain as Regatillo was of the validity of one-handed orders, he prudently advised a **safer course of action**: *meanwhile check with Rome to see if something should be done with regard to the defect in a particular case.* The Roman ethos of cautiousness in such matters is always to choose the **safer way**, no matter what. In the case of Dolan and all the men he has ordained either as priest or as deacon, that safer course **is conditional re-ordination** (and **consecration**, where applicable).

Notwithstanding Regatillo's caution, Cekada insists we know that ordination with one hand is a safe course based on his arguments from papal practice and the practice of Eastern rites. However, as you now know, we have refuted/rebutted these arguments: question XIX (and footnote 25) impeached his position on papal practice, and question XX answered his claim regarding Eastern Rites.

XXV. Can you make a case that the laity could use to persuade Dolan to seek re-ordination and re-consecration in order to remedy his defective ordination?

Yes, we can. If Dolan's defective, 1976 one-handed priestly ordination denounced by nine priests failed to confect the sacrament, he is not a priest and likely not a bishop, for it is quite possible that Dolan's episcopal consecration did not assure his possession of the priesthood. In the view of theologians like Arthur Vermeersch, S.J., one must be a priest first to receive the episcopacy:

The episcopate...is a sacrament *so distinct from the simple presbyterate* that not only do inferior priests *lack* the power conferred by episcopal consecration, but also, at least according to several [authors], that *the episcopate does not contain the simple priesthood*, [lacuna in original print version] priestly

ordination having been bypassed, it would be *invalidly* conferred... (Emphasis in original.)³⁴

Dolan must consider the needs of the laity and act to relieve their unease by repeating both his priestly ordination and episcopal consecration. Note the opinion of Henry Davis, S.J., on this matter (bold-face emphases ours):

...whenever a prudent doubt based on probable reasons **persists** regarding the validity of a Sacrament bestowed, that Sacrament may be repeated (c. 732,2), and it is to be observed that **when the good of others is at stake** or the mental anxiety of the recipient is concerned, repetition may the more readily be conceded. The repetition of the Sacrament ought to be done where its validity is doubted — **or rather, so long as its validity is not morally certain** — in cases when the Sacrament is necessary, whether absolutely and of its nature, as Baptism, or relatively and **in respect of the good of others**, as **Ordination**, absolution, Extreme Unction. Consequently, **in doubt as to validity**, Baptism, **Ordination**, absolution of the dying, Extreme Unction of the unconscious, and consecration of doubtfully consecrated hosts, **must be repeated**.³⁵

If Catholics are truly obliged to do anything necessary to assure access to true sacraments, then Dolan is obligated to make sure there is not the smallest amount of doubt about those *he* administers. So far, he does not appear to have done anything to remedy the defect, so it is time for the laity to demand action. They must tell Dolan that he is duty-bound to remedy the defect in his orders for the good of souls. The faithful should instruct him that Cekada's error-filled monograph on one-handed orders is of no value. Moreover, Catholic prudence dictates that, for the good of others, even if **gross mistranslation, faulty scholarship, faulty transcription, and shameless special pleading** had not *impeached* Cekada's article, Dolan should have sought re-ordination before his consecration two decades ago, just to be perfectly safe: it is the Catholic way.

Without appeal to that now discredited monograph, Dolan can no longer be morally certain of the validity of his priesthood and episcopate. The faithful must have **unqualified confidence** in the validity of the sacraments they receive from his hands, even if *he himself* is not concerned about the integrity of his own orders. Dolan has a duty of care to remedy the defect because the risk of being wrong in this matter touching upon the sacrament of orders carries so many **deadly consequences**.

XXVI. But, if it is a principle of sacramental theology that "form determines matter" in the sacraments, isn't Cekada right in saying that those who "question the validity of an ordination conferred with one hand turn this principle on its head: Matter (one hand or two) ends up determining what form signifies"?

First, let us clarify the principle, for if you only read Cekada's text, you might get the impression that a bishop could use one or two hands or even an elbow, or his middle finger or his right big toe to designate the receiver of the blessing. The word *determine*, in a Scholastic context, does not mean, as it sometimes does in American English, "to settle or decide by a choice of alternatives or possibilities." There is no choice of the matter of a sacrament since we cannot change the Church's definitions. (Although, if you think about it, Cekada *did*, in fact, try to do that very thing with his **perverse translation** of Pius XII's apostolic constitution [see above, questions VI - X]). As a term of art in Scholastic philosophy, *determine* means "to cause a definite perfection." Thus in the phrase "form determines matter," the word *determines* means "actualizes."

In Catholic theology, the terms *matter* and *form* are taken **by analogy** from Aristotle's hylomorphic theory where, to use John O'Neil's lucid explanation, "substantial form actualizes primordial matter, and thus produces a substance that has a determinate existence, a natural activity, and an intelligible essence."³⁶ The difference between Aristotle's doctrine of the principles of nature and the application of his terminology to theology is that the union between *sacramental* form and matter is moral, *not* physical. In a moral union of matter and form, the correct form cannot actualize anything that has not been defined as the valid matter for a specific sacrament. Right now, all we know for certain is that the matter of priestly holy orders is the imposition of hands.

Now, to the central question here: There is no reason to give any credence to Cekada's assertion in section III that "To question the validity of an ordination conferred with one hand turns this principle on its head: *Matter* (one hand or two) ends up determining what *form* signifies." Pope Pius XII infallibly defined (1) the specific form and (2) the specific matter that would result in ordination to the priesthood. After 1947, there can be absolutely no doubt. The matter of the presbyterate is NOT an optional "one hand or two" as Cekada writes, because the Pope declared that the sole matter is the first imposition of the bishop's **hands**, performed in silence, not the continuation thereof by

stretching out the right hand. And the essential words that determine, or actualize, the imposition of the bishop's hands are *Da, quaesumus, omnipotens Pater... insinuet*.

Therefore, the issue has been settled, and no amount of verbal gymnastics, mistranslation, or special pleading can change it. By questioning the validity of one-handed conferral of priestly orders, no one is turning any "principle on its head" by absurdly asserting that the undetermined element determines the determining element. The truth is that Catholics who harbor doubts about the validity of one-handed priestly ordination are faithfully adhering to the abundantly clear **supreme teaching authority of the Church**.

Cekada did get one thing right, though: he used the word *questioning*. As we have always insisted, we do not affirm that a one-handed ordination is *invalid*, for the simple reason that the Church has not officially ruled on the issue. However, in light of Pius XII's *explicit teaching*, one-handed ordination *is questionable*. Is it valid or not? Who knows? But until we get an authoritative ruling from the restored Church, we must invoke *the* sovereign principle of sacramental theology: *in dubio pars tutior eligenda est* -- when in doubt, we must choose the safer side. Remember: historically, the Church has always chosen the safer path with respect to the administration of the sacraments.

XXVII. As a practical matter, what should the faithful do?

There is **positive doubt** about Dolan's priestly and episcopal orders. That means the faithful cannot assent to either their validity or invalidity because of equally serious reasons. As long as positive doubt remains, the faithful must take the safer side and consider Dolan's orders to be null and void, that is to say, they must assume he is neither a priest nor a bishop. Leave Dolanite chapels immediately and have your children (and yourself, if necessary) reconfirmed by a valid bishop. Furthermore, ask a competent priest outside the cult whether you must make a general confession if you have been receiving absolution from Dolan or any of the 14 men he has ordained as a priest (as well as from any men ordained to the priesthood by another bishop but who received their diaconate from Dolan). If you plan to stay at the cult center or one of its satellites, let Dolan know that if he refuses to put the faithful before self, you will withdraw all financial, material, and moral support.

¹ Fathers Zapp, Kelly, Skierka, Jenkins, Sanborn, Mroczka, Ahern, Greenwell, and Bamberger.

² Roy J. Deferrari in *Denzinger: The Sources of Catholic Dogma*, p. 360, #4. Also found at *onetruecatholicfaith.com*. **N.B. For ease of reading, we have adopted an informal, minimalist style of citation for all endnotes.**

³ "Canon Law Digest" of 1954 found on at *papalencyclicals.net*.

⁴ Clarence McAuliffe, S.J., *Sacramental Theology*, p. 360.

⁵ Jesuits of St. Mary's College, *The Church Teaches*, p. 333.

⁶ *Symboles et Définitions de la Foi Catholique*, ed. Joseph Hoffman, Les Éditions du Cerf.

⁷ Denzinger-Hünemann, 43rd edition, 2010, Herder, Freiburg im Breisgau, No. 3859, p. 1002.

⁸ Ruiz Bueno, 1963 Herder edition of "Denzinger."

⁹ *Fundamentals of Catholic Dogma*, p. 454.

¹⁰ *Sacramental Theology*, p. 359.

¹¹ The Latin text, as Cekada prints it, reads "*eique responsum fuit validam fuisse ordinationem presbyteralem in qua Episcopus unam manum imposuit*," which he translates as "Its response was that **a priestly ordination in which the bishop imposed one hand was valid...**" [Cekada's emphasis.] In this rendering, the noun "response" certainly sounds very official, and we grant that there is in Latin a noun *responsum* that denotes an official reply (as, for instance, in Denzinger, when we read *Resp[onsum]*. *Commissionis de re Biblica* ("Reply of the Biblical Commission")).

We further allow that, as a serviceable translation into plain English for *informal* purposes, Cekada's version is acceptable, although it is *not* entirely accurate, for the underlying Latin construction is the *impersonal passive* (with *fuit* for *est*, a not uncommon substitution). Literally, *...eique responsum fuit...* means "and it was answered to him..." or even more literally, "... and an answering to [or for] him took place..." The semantic difference is subtle but not insignificant: the passive voice, in addition to avoiding naming an agent, emphasizes the action as a whole and highlights the notion that an action was produced or effected. In other words, we have before our minds an activity, not a product (i.e., a formal or semi-formal ruling), as the word "response" would lead us to assume. A more accurate, yet still idiomatic, rendering would have been "...and they answered him [or said in reply to him]..."

We will not say this translation is as deceptive as is Cekada's perversely erroneous mistranslation of the papal teaching of *Sacramentum Ordinis*. We prefer to think that, owing to his insurmountable educational deficits, he just could not understand the Latin (as his translation "**its** response was that..." [emphasis ours] strongly seems to suggest).

¹² *The Sacraments*, vol. iv (book six, vol. xi in the Loreto Publications 2014 reprint), pp. 69-70.

¹³ Ludwig Ott, *Fundamentals of Catholic Dogma* (TAN Books), p. 9

¹⁴ rore-sanctifica.org/biblio-num-06.html

¹⁵ Fr. Ludwig Ott's *Fundamentals of Catholic Dogma* (Tan Books), pp. 363-365, has an brief, easy-to-understand discussion of the issues in English . Although this English translation of Ott's *Grundriss der Katolischen Dogmatik* has, as Fr. Hay pointed out in 1960, many inadequacies, it is still a useful resource for non-specialists.

¹⁶ Quae cum ita sint, divino lumine invocato, suprema Nostra Apostolica Auctoritate et certa scientia declaramus et, quatenus opus sit, decernimus et disponimus: **Sacrorum Ordinum Diaconatus, Presbyteratus et Episcopatus materiam eamque unam esse manuum impositionem; formam vero itemque unam esse verba applicationem huius materiae determinantia**, quibus univoce significantur effectus sacramentales — scilicet potestas Ordinis et gratia Spiritus Sancti — , quaeque ab Ecclesia qua talia accipiuntur et usurpantur. **Hinc consequitur ut declaremus, sicut revera ad omnem controversiam auferendam et ad conscientiarum anxietatibus viam praecludendam Apostolica Nostra Auctoritate declaramus, et, si unquam aliter legitime dispositum fuerit, statuimus instrumentorum traditionem saltem in posterum non esse necessariam ad Sacrorum Diaconatus, Presbyteratus et Episcopatus Ordinum validitatem.**

¹⁷ **De materia autem et forma in uniuscuiusque Ordinis collatione**, eadem suprema Nostra Apostolica Auctoritate, quae sequuntur decernimus et constituimus: In Ordinatione Diaconali materia est Episcopi manus impositio quae in ritu istius Ordinationis una occurrit... In Ordinatione Presbyterali materia est Episcopi prima manuum impositio quae silentio fit, non autem eiusdem impositionis per manus dexterarum extensionem continuatio, nec ultima... Denique in Ordinatione seu Consecratione Episcopali materia est manuum impositio quae ab Episcopo consecratore fit.

¹⁸ Parte preparatoria sic absoluta, Constitutio Apostolica (*Const.* n. 4) transit ad partem dispositivam, in qua **primo collective pro omnibus tribus ordinibus**, Diaconatus, Presbyteratus, Episcopatus **statuitur, quid ad valorem requiratur, quid non requiratur; deinde ididem [read *ibidem*] fit relate ad singulos hos ordines, singillatim sumptos.**

¹⁹ Id quod “declatur”, (respective insuper “disponitur”), ex parte est positivum, ex parte negativum. **Pars positiva respicit necessitatem et sufficientiam solius manuum impositionis, tamquam materiae, ad validam Ordinationem** diaconalem, presbyteralem, episcopalem, necnon necessitatem et sufficientiam verborum, tamquam formae, etc.

²⁰ Parti positivae statim adnectitur pars negativa, scilicet declaratio et dispositio, quidnam non requiratur (*Const.* n. 4). Haec pars negativa est simplex et necessaria conclusio ex antecedenti parte positiva; ideo incipit verbis: “hinc consequitur”. **Et revera, si unica materia, quae ad valorem requiratur, est impositio**

manuum, nulla alia materia ad valorem necessaria esse potest. Pars negativa in primis respicit “traditionem instrumentorum”, quam, ut supra notatum est, multi theologi primae notae ante et post Concilium Florentinum dixerunt materiam sacramenti, ad valorem saltem etiam necessariam.

²¹ Parti generali de tribus Diaconatus, Presbyteratus, et Episcopatus Ordinibus adiungitur pars specialis de singulis Ordinibus, singillatim sumptis (*Const.* n. 5), et quaeritur, quinam ex ritibus occurrentibus ad essentiam et valorem singulorum ordinum sint necessarii.

²² Hugh Williams in his 1899 edition of *De Excidio Britanniae* by Gildas, p. 232 (Google Books).

²³ Éric Palazzo, *A History of Liturgical Books From the Beginning to the Thirteenth Century*, p. 181 (Liturgical Press, 1998).

²⁴ *The Text of the New Testament*, p. 212 (Oxford, 1968).

²⁵ It's well worth noting that the text of the *Statuta* printed in 1951 by Michel Andrieu reads differently from Martène's text. Martène printed (p. 22, ¶ XI, 1763 edition) the following, as the rite described by the "Council of Carthage IV":

Presbyter cum ordinatur, episcopo eum benedicente, et **manum** super caput ejus tenente, etiam omnes presbyteri, qui praesentes sunt, manus suas juxta **manum** episcopi super caput illius teneant. [Our emphasis. N.B. we altered the ampersand to *et*, and we changed the long-s in several words.] (lit.) When a priest is ordained, while the bishop is blessing him and holding [his] **hand** upon his [the ordinand's] head, let all the priests who are present also hold over the head of that man [the ordinand] their own hands next to the **hand** of the bishop. [Our emphasis.]

If you consult Cekada's footnotes to the *Ordines* he cited in defense of one-handed orders (nn. 41-48), you will observe the similarity of language: in fact, the several texts are virtually identical to the above cited direction. In further support of his argument for one-handed conferral of orders, Cekada later (under the section on rites derived from Rome) cites from Paul Bradshaw's book a translation of the *Statuta's* ritual direction, a text that Cekada himself admits is Gallican.

However, the modern, scholarly recension of the *Statuta* printed in M. Andrieu's *Les Ordines Romani du Haut Moyen Age* (III, p. 617, Spicilegium Sacrum Lovaniense) reads as follows:

Presbyter cum ordinatur, episcopo benedicente et **manus** super caput eius tenente, etiam omnes presbyteri qui praesentes sunt, manus suas iuxta **manus** episcopi super caput illius teneant. [Our emphasis.] (lit.) When a priest is ordained, while the bishop is blessing and holding [his] **hands** upon his [the ordinand's] head, let all the priests who are present also hold over the head of that man [the ordinand] their own hands next to the **hands** of the bishop. [Our emphasis.]

One, small letter makes a big difference. Note also that another version of the *Statuta*, this one based on *Italian* manuscripts -- first printed by the Ballerinis in 1757 and later by Migne and then by the patrologist

Dom Germain Morin (with some variants), whose text Andrieu reproduced in 1951-- witnesses for the plural HANDS.

²⁶ *Ius Sacramentarium* (2nd Edition, Sal Terrae, 1949), p. 469.

²⁷ **Teología Moral para Seglares*, II (BAC, 1961), p. 494 , ¶ c: Si hay duda fundada y prudente sobre si faltó o no algo *esencial*, debe repetirse *sub conditione* la ordenación, aunque se hubiera recibido ya una orden superior, al menos si se trata de las tres órdenes que son ciertamente *sacramento* e imprimen carácter. Y así debe repetirse *sub conditione* la ordenación dudosa de diácono aunque se haya recibido ya el sacerdocio; y con mayor motivo debe repetirse la del presbiterado aunque se haya recibido ya la consagración episcopal, por cuanto es muy dudosa la validez de la consagración episcopal en uno que no sea previamente sacerdote. En este caso habría que repetir *sub conditione* las dos ordenaciones: la de sacerdote y la de obispo. (Emphasis his.)

²⁸ ** *Derecho Sacramental* (Eugenio Subirana, 1932), ¶ 348 (1) p. 184 ..otros pretenden con bastante probabilidad que la ordenación episcopal confiere el sacerdocio pleno e independientemente de la ordenación de presbítero, y, por tanto, para su validez no se requiere en el sujeto ni el presbiterado ni las órdenes inferiores.

²⁹ *Theologiae Moralis Compendium*, II (BAC ,1958), p. 704. *Disputatur...num [episcopatus] presbyteratum eminenter contineat; ita ut si quis per saltum a diaconatu transiret ad episcopatum, eius consecratio esset valida etsi graviter illicita; sicut valida esset ordinatio in diaconum rite peracta super acolythum non promotum ad subdiaconi gradum. Sententia negativa, quae olim fuerat communior, nunc a quibusdam magni nominis non jam sustinetur.*

³⁰ *Summa Theologiae Moralis* (32nd edition, Felician Rauch, 1960), p. 390, ¶ 454,1. *Utrum episcopatus sit ordo a presbyteratu distinctus, an extensio quaedam et complementum ipsius sacerdotii, disputatur. Illud tamen communius affirmatur episcopatum, nondum collato sacerdotio, valide conferri non posse.*

³¹ *Teología Moral para Seglares*, II (BAC, 1961), p. 494 , ¶ c. Si hay duda fundada y prudente sobre si faltó o no algo *esencial*, debe repetirse *sub conditione* la ordenación, aunque se hubiera recibido ya una orden superior....

³² *De Sacramento Ordinis* (Pontificia Universitas Gregoriana), p. 131. *Praxis Congreg. Romanarum in reparandis defectibus ordinationis presbyterorum ante Constitutionem «Sacramentum Ordinis» factae est, ut sub conditione ordinatio iteretur, si defectus erant vel in impositione manuum (in initio ordinationis), vel in traditione instrumentorum; supponitur ergo tales defectus posse ordinationem reddere invalidam.*

³³ *Theologiae Moralis Summa* III (1954), p. 495. ...Alii canonistae, quos consuli, et ego validam putamus ordinationem sic collatam; et sic ordinatum relinqueremus ut ordinem in pace exerceret. At interea suaderemus ut consulatur S. Officium: an aliquid sit supplendum in casu.

³⁴ *Theologia Moralis*, III, (Università Gregoriana, 3rd Edition), p.554, ¶ 619. *Episcopatus ... est sacramentum a simpliciter presbyteratu ita distinctum ut non tantum inferiores sacerdotes careant potestate*

collata per consecrationem episcopalem, sed etiam, saltem secundum plures, ut *episcopatus simplicem presbyteratum non contineat*, [lacuna of 8 characters in printed text] *praetermissa ordinatione sacerdotali, invalide conferretur...* (Author's emphasis.)

³⁵ *Moral and Pastoral Theology*, Volume Three, (Sheed and Ward, 1943), p. 25.

³⁶ H.J. Koren, C.S.Sp., *Readings in the Philosophy of Nature*, p. 183 (Newman Press, 1965).