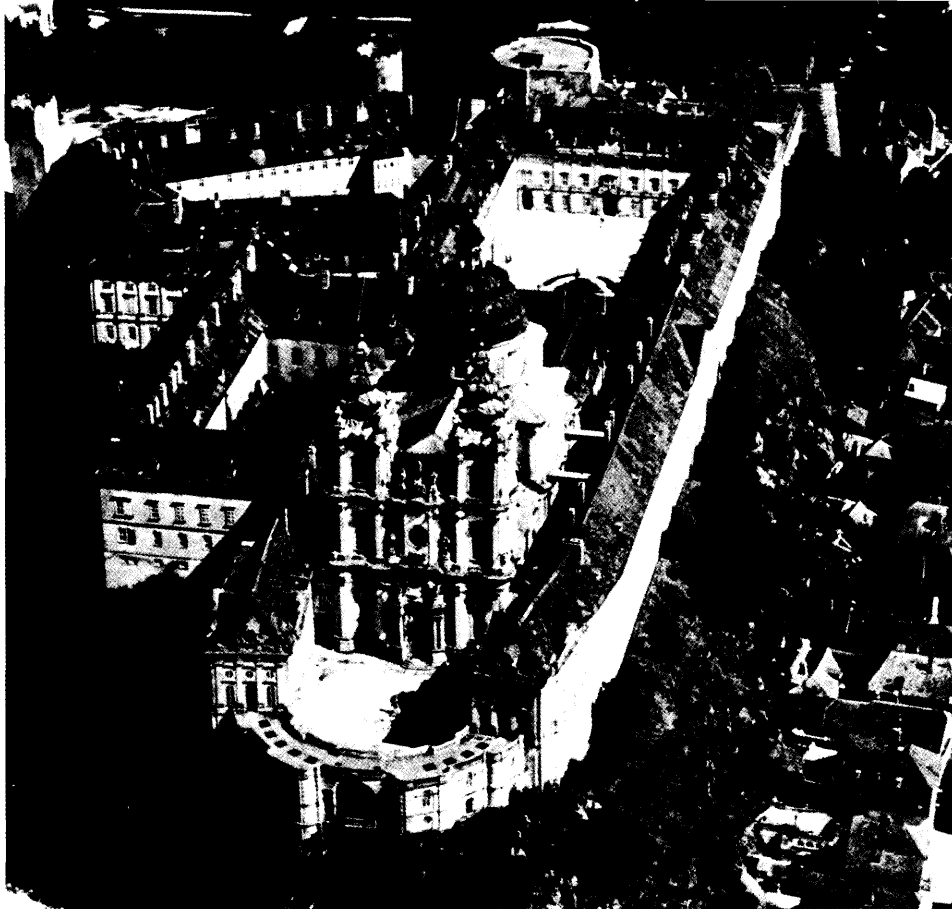




SACRED MUSIC

Volume 106, Number 3, Fall 1979



Melk, aerial view.

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SACRED MUSIC

Continuation of *Caecilia*, published by the Society of St. Caecilia since 1874, and *The Catholic Choirmaster*, published by the Society of St. Gregory of America since 1915. Published quarterly by the Church Music Association of America. Office of publication: 548 Lafond Avenue, Saint Paul, Minnesota 55103.

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*Membership, Circulation
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Second class postage paid at St. Paul, Minnesota.

Library of Congress catalog card number: 62-6712/MN

Sacred Music is indexed in the Catholic Periodical and Literature Index and in Music Index.

Front cover: *Abbey church of Melk, exterior.*

Back cover: *Plan of Melk*

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Abbey church of St. Florian, interior.

CONTINUITY AND DEVELOPMENT IN ECCLESIASTICAL LEGISLATION CONCERNING GREGORIAN CHANT IN THE LIGHT OF VATICAN II

Presented as a lecture at the observance of the seventy-fifth anniversary of the *Motu proprio* of Pius X, held at Cologne, Germany, November 22, 1978, this study was published in *Musicae Sacrae Ministerium*, journal of the Consociatio Internationalis Musicae Sacrae, Anno XVI, No. 1, Spring 1979. This translation was made by Monsignor Schuler.

Today we mark a double anniversary in the recent history of ecclesiastical legislation pertaining to church music. Seventy-five years ago, on the feast of Saint Cecilia, November 22, 1904, Pope Pius X published his "juridical code of sacred music,"¹ as he himself called his *motu proprio* on church music. On the same feast day, fifteen years ago, the fathers of the Second Vatican Council gave their final vote on the Constitution on the Sacred Liturgy, *Sacrosanctum concilium*, which contains a short chapter on sacred music.²

I do not intend to make a critical commentary on post-conciliar legal develop-

ments in the area of church music. This has already been done to a large degree by others.³ I shall, therefore, touch on the post-conciliar legislation only in passing. Rather, I would like to use this occasion of the double anniversary to inquire about legislation pertaining to Gregorian chant and to establish whether there is a relationship between the two legislative instruments, separated by sixty years, or whether they have nothing to do with each other. The question is, then, has Vatican II introduced a completely new beginning for chant or has the council simply brought a continuous legislative development to a summit. With only limited time, I must concentrate on a few important points.

1. *The nature and function of sacred music*

In his commentary on the Constitution on the Sacred Liturgy of the Second Vatican Council, Josef Andreas Jungmann, a master in liturgical research, says in passing that to call "sacred music an integral part of liturgy" is a totally new concept.⁴ But this point of view cannot be sustained, because the role of sacred music as *pars integrans* in the solemn liturgy was in fact the very basic principle of the *motu proprio* of Pius X.⁵ It is true, of course, that a few small differences can be noticed. The *motu proprio* attributes this character to church music in a very general way, while the council's document restricts it solely to sacred music with words.⁶ The council was more precise in its terms, but it still followed the line of Pope Pius. It is, in fact, easy to observe the great importance given to vocal music by the *motu proprio*, which states that the music proper to the Church is a "purely vocal music."⁷ Another difference between the two texts is found where the constitution calls sacred music not merely an integral part of the solemn liturgy but even a "necessary part."⁸ It seems here that a point is being made with greater precision, *i.e.*, sacred chant is not only a part of the solemn liturgy in which it is used, but solemn liturgy itself only exists when sacred chant is present as an integral part of it. In other words, liturgy does not exist in its fullness unless sacred chant exercises its liturgical role within it.⁹

Finally, for a general description of the role of sacred music (in addition to its essence), the Constitution on the Sacred Liturgy refers specifically to Saint Pius X who emphasized so strongly the ministerial function of church music in worship. He emphatically rejected an expansive, theatrical and worldly style that appeared chiefly in Italy during the nineteenth century, relegating the liturgy into a secondary position.¹⁰ As a matter of fact, the *motu proprio* says that music is simply a part of the liturgy, its humble handmaiden.¹¹ The phrase, "humble handmaiden of the liturgy," and Pope Pius XI's expression, "most noble handmaiden,"¹² and Pope Pius XII's "like a handmaiden of the sacred liturgy,"¹³ were all considered in preparation of the Constitution on the Sacred Liturgy.¹⁴ In the final text, however, the statement that sacred music serves the liturgy as a handmaiden (*ancilla* or *ministra*) does not appear, although the ministerial character of church music is emphasized beginning with the first article of Chapter VI.¹⁵

2. *The place of Gregorian chant*

In his commentary on Article 113 of the Constitution on the Sacred Liturgy, Jungmann writes that "the ideal of a high Mass in a foreign language with great musical splendor has been abandoned."¹⁶ Leaving the problem of language for

the moment, one must note that there has never been such an “ideal” in ecclesiastical legislation, at least since the time of Pius X. Article 116 of the constitution states that “the Church acknowledges Gregorian chant as specially suited to the Roman liturgy, and, therefore, other things being equal, it should be given pride of place in liturgical services.”¹⁷ Thus, according to the council, the ideal of ecclesiastical song and consequently the ideal of the solemn liturgy is Gregorian chant. In speaking this way, the council neither abandoned anything nor set up new accents. Rather, it faithfully subscribed to what can be identified as the basic principle of Pius X’s *motu proprio*. The highest designation accorded to Gregorian chant — that it is the music proper to the Roman Church and its liturgy — comes from the legislation of Pius X where it is explained according to the history of the liturgy.¹⁸ But for Pius X the real reason for the eminent place given to chant rests in its innermost nature. He requires three qualities in church music: it must be holy, *i.e.*, it should not be profane in itself or in its manner of performance, or create a profane atmosphere;¹⁹ it must be true art; and it must be universal.²⁰ He sees these qualities realized most fully in Gregorian chant.²¹

That is why Pius X regards chant as the supreme archetype and standard for all other church music.²² Concerning the “ideal of a high Mass surrounded by great musical splendor,” the *motu proprio* clearly states that no ecclesiastical function would lose any of its solemnity if it were accompanied by no other music than Gregorian chant.²³ This same thought continued for the succeeding decades. Fifty years ago, Pius XI stated in his apostolic constitution, *Divini cultus*, that “we hereby declare that singing with orchestral accompaniment is not regarded by the Church as a more perfect form of music or as more suitable for sacred purposes; voices rather than instruments ought to be heard in the church — voices of the clergy, the choir and the congregation.”²⁴ In his commentary on the Constitution on the Sacred Liturgy, Jungmann explains the retention of chant in the highest position as an expression of the Church’s loyalty to her own history.²⁵ Such an historical argument proves only that Gregorian chant ought to be preserved as an archaic museum treasure. The council spoke very briefly and did not explain why the Church regards Gregorian chant as the song especially proper to the Roman liturgy.²⁶ In reality, the reason remains unchanged; it is to be found in the very essence and structure of the chant itself as well as in fidelity to the history of the Church. Later decrees of the council did not exclude or contradict these facts.

Finally, when Jungmann claims that an exclusive place in the liturgy is no longer possible for Gregorian chant,²⁷ one can ask just what is being referred to. An exclusive place for the chant is not claimed in the *motu proprio* of Pius X nor in any legislation following it up to the Vatican Council.²⁸ In the position established by the council, nothing has changed in regard to the exemplary role of Gregorian chant; it is obviously assumed by the council that Gregorian chant possesses qualities to be sought also in all other types of church music, especially polyphony, which must correspond with the spirit of the liturgy.²⁹ Moreover, it is noteworthy that when the “spirit of the liturgy” is discussed, reference is made specifically to Article 30 of the Constitution on the Sacred Liturgy, the very article which deals with the elements of external participation by the faithful in the celebration of the liturgy. This leads to a third point in our consideration.

3. *Gregorian chant and actuosa participatio*

One of the major concerns of the Constitution on the Sacred Liturgy is to promote the active participation of the faithful in the liturgical celebration.³⁰ The interpretation of *actuosa participatio* at first caused some problems which have not altogether been eliminated. For example, the singing of the *Sanctus* in polyphonic Masses is not satisfactorily clarified, legally speaking.³¹ Nevertheless, not only does Gregorian chant not stand in the way of a living participation of the faithful in the solemn liturgy, but quite on the contrary, it actually promotes such participation. Pius X opened the way in this area by demanding that Gregorian chant be restored to congregational use: "Special efforts are to be made to restore the use of the Gregorian chant by the people, so that the faithful may again take a more active part in the ecclesiastical offices, as was the case in ancient times."³² Both Pius XI and Pius XII repeated this and insisted on it,³³ so that Vatican II was able to harvest the fruits of sixty years of development. It is understandable that the Constitution on the Sacred Liturgy was limited to general statements and declaration of principles. Article 28 is the main statement on *actuosa participatio*; it says that each person who has an office to perform in liturgical celebrations, cleric or layman, should do all the parts, but only those parts, which pertain to his office according to the rite and the rules of the liturgy. This fundamental rule, welcome as it is, is less clear than may at first appear. Emphasis is placed on the division of roles between the celebrant and the assembly of faithful; it is intended to prevent the celebrant from assuming all the functions. Within the assembly of the faithful there might be several roles as the situation and possibilities dictate, e.g., lectors, servers, commentators and singers, as Article 29 lists them.³⁴ For the congregation, the minimum demanded of it in addition to actions, gestures and movements are various acclamations, responses, and the singing of psalms, antiphons and hymns. Post-conciliar legislation and in particular the instruction on sacred music and liturgy of 1967 demanded more precisely that the congregation should at least sing certain responses and acclamations, and as a general rule, the *Pater noster* together with the priest.³⁵ These minimal requirements correspond closely with the regulations given in the instruction, *De musica sacra*, in 1958, as the first step of *actuosa participatio*, making allowance for the modifications introduced into the liturgy more recently, as for example, the singing of the *Pater noster* in its entirety by both the priest and the people who now have more than the final response to sing. If one considers this instruction of 1958 as the last pre-conciliar summary of all that the *motu proprio* of Pius X had begun, then one cannot but be amazed at the program presented for deepening the participation of the congregation in the solemn liturgy. The second degree of participation provides for the congregation to sing the ordinary parts of the Mass or at least the simpler parts, and the third degree made even the proper parts open to singing by the people. This final stage was especially recommended for communities of religious and for seminaries.³⁶

The council recommended the publication of a manual of chants containing the simpler melodies and selections useful for small churches, thus showing how the council wished the widest possible use of chant.³⁷ These efforts, it is true, were not only directed toward a deepening of active participation but were intended at the same time to form a community of faithful making use of liturgical singing as a means to promote it. This brings me to another point.

4. *The universality of Gregorian chant*

The Constitution on the Sacred Liturgy initiated a wide use of the vernacular languages in worship, a development hailed with enthusiasm by pastors everywhere. Whether the one-sidedness of the post-conciliar practice is in actual accord with the texts and the intentions of the council is another question, and I will not enter into that debate here. However, it is clear that the program given as the second stage in the instruction of 1958 has been taken over expressly as Article 54, para. 2 of the constitution, at least in part: "Steps should be taken so that the faithful may also be able to say or to sing together in Latin those parts of the ordinary of the Mass which pertain to them." Somewhat less complete but more significant is the general introduction to the missal published in 1969 which says: "As Catholics from various nations gather together more and more frequently, they should be able to sing together in Latin the easier pieces including at least some parts of the ordinary of the Mass, especially the profession of faith and the Lord's prayer."³⁸

Pius X said that universality is an essential quality not only of the liturgy in general but of church music in particular. The *motu proprio* intended universality as a quality of church music to mean that music rising from one culture should not offend the faithful of other cultures.³⁹ Gregorian chant displays this characteristic in a most exemplary manner and universality is seen as part of its innermost nature.⁴⁰ In his encyclical, *Musicae sacrae disciplina*, Pius XII expands in detail the three essential qualities of sacred music given by Pius X. Concerning universality, he says that "if in all the Catholic churches of the world Gregorian chant ring out pure and incorrupt, it will, like the Roman liturgy, be *universal*, so that the faithful anywhere in the world will hear those familiar, almost household, melodies, and become aware, to their spiritual strengthening, of the Church's marvellous oneness. This is one of the main reasons why the Church is so anxious that Gregorian chant be closely bound with the Latin words of the sacred liturgy."⁴¹ In this text of 1955, the intrinsic universality of Gregorian chant, founded on its very nature, is seen to be closely aligned with its extrinsic universality, promoting the unity of the Church. From Pius X through Pius XII to the Constitution on the Sacred Liturgy the unifying factor of Gregorian chant for the congregation is clear to see.⁴²

Although the council carefully abstained from entering the technical, musical and artistic discussions concerning the essential unity existing between Latin and the chant, it was perfectly aware that the universality of chant depends on the qualities of the Latin language to which it is so closely linked.⁴³

5. *Scientific and pedagogical approach to Gregorian chant*

Only a brief mention of the last point permits me to point out the continuity and development of the legislation regarding chant. The council refers expressly to the *editio typica* of the chant books and orders their critical revision and completion.⁴⁴

For the preservation and spread of Gregorian chant it is imperative that it be cultivated both in theory and in practice in seminaries and religious houses. Pius X expressly ordered,⁴⁵ and the council's constitution does not authorize any different conclusions, that cultivation of sacred music be carried on in seminaries and religious houses. The council places great importance on education in church music,⁴⁶ and thus it is impossible to suppress that very form of church

music which takes primacy of place in solemn liturgy as the music proper to the Roman Church.

Summary

The statements and juridic prescriptions of the Second Vatican Council concerning Gregorian chant form part of the development begun with the *motu proprio, Tra le sollecitudini*, of Pope Pius X and continued by his successors up to Pius XII. The legal foundations of the legislation on chant were not changed in their basic elements by the council, but rather sixty years of continuing reform aided the work of the council.

The definition of sacred music as *pars integrans* of the liturgy and its ministerial role within the liturgy was taken from the *motu proprio* of Pius X. Nothing was changed concerning the position of primacy occupied by Gregorian chant as the song proper to the Roman liturgy. The use of chant by the congregation corresponds closely with the council's intention that the people sing the important parts of the liturgy.

Further work must be done with a complete, critical edition to be published, based on the *editio typica* of Pius X. In centers of religious training, chant must be given special attention as the church music of highest rank. Such training is imperative if chant is to be made use of in parishes. The council's recommendation for a collection of simpler Gregorian melodies is another means of attaining the end.

Although the council left open the extent of the use of the vernacular in the liturgy, it insists that appropriate means be employed so that the faithful be able to sing together, also in the Latin language, the parts of the ordinary of the Mass that pertain to them. This cannot be explained as merely an intention of continuing a very venerable tradition. Rather it is the realization that the universality of Gregorian chant sung in Latin, so encouraged by Saint Pius X and his successors, is a contributing factor in the unity of the Church. The use of the vernacular in the liturgy expresses the importance of the local church, a concept rediscovered by the council. The enrichment of pastoral, musical and liturgical life brought about by the vernacular must not conceal the danger that possible provincialism may result. The fostering of Gregorian chant in the Latin language, and particularly by the congregation, must be regarded as of pressing importance, not in spite of the Second Vatican Council, but precisely because that council ordered it. So will a consciousness of universal unity be expressed and reinforced in the liturgy which is the very heart and life of the Church. Without this consciousness pluralism threatens to destroy the Church through a multiplicity of forms.

Post-conciliar developments in Gregorian chant have not always been favorable, but this must not be thought to be a problem of law. It is rather an attitude or fashion that should be changed by pastoral means so that Gregorian chant will have the position in fact that it has in law.

WINFRIED AYMANS

1. *Motu proprio, Tra le sollecitudini dell' officio pastorale*. *Acta Sanctae Sedis* 36 (1904), 329–39. This Italian version is the official text. A Latin translation followed it immediately entitled *Inter plurimas pastoralis officii sollicitudines*. *Acta Sanctae Sedis* 36 (1904), 387–95. Later, F. Romita published both texts

in a parallel edition, but the Latin text was a new translation. Cf. F. Romita, *Jus Musicae Liturgicae*. Rome, 1947. pp. 290–301.

2. Chapter VI, articles 112–121. The schema was voted on and approved as a conciliar constitution at the public session of December 4, 1963.

3. Cf. H. Flatten, "Zur Rechtslage der Musica Sacra nach dem 2. Vatikanischen Konzil," in U. Mosiek and H. Zapp (eds.), *Jus et salus animarum: Festschrift Panzram*. Freiburg, 1972. pp. 171–99. Cf. G. May, "Zur liturgisch-musikalischen Rechtslage," in Johannes Overath (ed.), *Magna Gloria Domini. Die liturgische Musik in den Kathedralen, Abteikirchen und Ecclesiae Maiores nach dem Vatikanum II*. Rome, 1972. pp. 15–39.

4. *L Th Konzilsband*, I, 97.

5. *La musica sacra, come parte integrante della solenne liturgia, ne partecipa il fine generale, che è la gloria di Dio e la santificazione dei fedeli. Motu proprio*, n. 1.

6. *Musica traditio Ecclesiae universae thesaurum constituit pretii inestimabilis, inter ceteras artis expressiones excellentem, eo praesertim quod ut cantus sacer qui verbis inhaeret necessarium vel integram liturgiae sollempnis partem efficit*. Constitution on the Sacred Liturgy, *Sacrosanctum concilium*, para. 112.

7. *Motu proprio*, n. 15.

8. This formulation comes from Bishop Kempf. Cf. J. A. Jungmann in *L Th Konzilsband* I, 95. The official Italian text of the *motu proprio* uses *parte integrante*; in the Latin version, *Inter plurimas*, it is rendered as *pars integrans*; in the version given by Romita, it is *pars necessaria*. It may be that this text suggested the formulation used in the schema for the Constitution on the Sacred Liturgy: . . . *cum musica sacra efformet necessariam liturgiae sollempnis partem*. Cf. Johannes Overath, "Die liturgisch-musikalischen Neuerungen des II. Vatikanischen Konzils," in K. G. Fellerer (ed.), *Geschichte der katholischen Kirchenmusik*. Kassel, 1976. Vol. 2, pp. 370–80. (Here: p. 373).

9. The council did not give a definition of solemn liturgy. Cf. Johannes Overath, "Neuerungen," p. 379, n. 8. The Latin text of the Constitution on the Sacred Liturgy, article 112, connects the words, *necesariam* and *integram partem*, with the conjunction *vel*. It is to be understood in the sense of "and." This is confirmed by the following paragraph which says that liturgical worship "is given a more noble form when the divine offices are celebrated solemnly in song." Thus it is correct to designate sacred music as a *constitutive* element of the solemn liturgy.

10. *Motu proprio*, n. 6 in connection with n. 22.

11. *Ibid.*, n. 23.

12. Apostolic constitution, *Divini cultus*, December 20, 1928. *Acta Apostolicae Sedis* 21 (1929), 35.

13. Encyclical, *Musicae sacrae disciplina*, December 25, 1955. *Acta Apostolicae Sedis* 48 (1956), 12.

14. Cf. J. Overath, "Neuerungen," p. 373, n. 8.

15. Constitution on the Sacred Liturgy, article 112, para. 2, 4.

16. *L Th Konzilsband*, I, 96. Cf. J. Overath, "Bestimmungen der Konzilskonstitution," in K. G. Fellerer (ed.), *Geschichte der katholischen Kirchenmusik*. Kassel, 1976. Vol. 2, p. 389.

17. This information can be found in the instruction, *De musica sacra*, September 3, 1958. *Acta Apostolicae Sedis* 50 (1958), 630–3, n. 16.

18. *Motu proprio*, n. 3. The Roman Church inherited Gregorian chant from the ancient fathers. She preserved and cultivated it for centuries, giving it to the faithful and admitting it as the sole form of music to be used in certain parts of the liturgy.

19. Cf. Encyclical of Pius XII, *Musicae sacrae disciplina*, article 3, para. 3.

20. *Motu proprio*, n. 2.

21. *Motu proprio*, n. 31, para. 1. *Queste qualità si riscontrano di grado sommo nel canto gregoriano che è per conseguenza il canto proprio della chiesa Romana. . .*

22. *Motu proprio*, n. 3, para. 2. Chant is called *supremo modello della musica sacra*.

23. *Motu proprio*, n. 3, para. 3. . . . *una funzione ecclesiastica nulla perde della sua solennità*. Cf. *Motu proprio*, *Inter plurimas. . . . sacram liturgiam nihil sollemnitatis amittere*. Cf. Romita's version. . . . *divinam rem nihil magnificentiae suae amittere*.

24. Cf. *White List of the Society of St. Gregory of America*. New York, 1951, pp. 18–21.

25. *L Th Konzilsband*, I, 97.

26. Cf. Words of Bishop Cesare d'Amato, Abbot of Saint Paul without the Walls, spoken in Saint Peter's Basilica, October 29, 1963.

27. *L Th Konzilsband*, I, 97.

28. Cf. Pius XI, apostolic constitution, *Divini cultus*, December 20, 1928; Pius XII, encyclical, *Musicae sacrae disciplina*, December 25, 1955; Sacred Congregation of Rites, instruction, *De musica sacra*, September 3, 1958. The *motu proprio* of Pius X excluded vernacular songs from the solemn

liturgy (n. 7), but the Constitution on the Sacred Liturgy, article 118, allows congregational religious singing “according to the norms and requirements of the rubrics,” even in liturgical actions strictly so-called (*in ipsis liturgicis actionibus*).

29. Constitution on the Sacred Liturgy, article 112, para. 2.

30. Cf. Constitution on the Sacred Liturgy, articles 26–31.

31. See above, note 3, H. Flatten, pp. 187–9.

32. *Motu proprio*, n. 3, para. 4. *In particolare si procuri di restituire il canto gregoriano nell’ uso del popolo, affinché i fedeli prendano di nuovo parte più attiva alla officatura ecclesiastica, come anticamente solevasi.*

33. Pius XI, apostolic constitution, *Divini cultus*, n. 9. “In order that the faithful may more actively participate in divine worship, let them be made once more to sing the Gregorian chant, so far as it belongs to them to take part in it. It is most important that when the faithful assist at the sacred ceremonies, or when pious sodalities take part with the clergy in a procession, they should not be merely detached and silent spectators, but filled with a deep sense of the beauty of the liturgy, they should sing alternately with the clergy or the choir, as it is prescribed. If this is done, then it will no longer happen that the people either make no answer at all to the public prayers — whether in the language of the liturgy or in the vernacular — or at best utter the responses in a low and subdued murmur.” Pius XII wrote similarly in the encyclical, *Mediator Dei*, November 20, 1947. This text was quoted in the instruction, *De musica sacra*, of 1958, n. 22.

34. Cf. the explicit statement concerning choirs in the general instruction to the Roman missal of 1969, n. 63.

35. Cf. H. Flatten, p. 182.

36. Sacred Congregation of Rites, instruction, *De musica sacra*, n. 25.

37. Constitution on the Sacred Liturgy, article 117, para. 2. For a discussion of *simpliciores modos*, see J. Overath, *Bestimmungen*, p. 392, n. 15.

38. General introduction Roman missal, n. 19, para. 3. Cf. B. Fischer, *Was haltet ihr von der Kirche?* Münster, 1976. p. 35. He predicts and demands a reasonable coexistence between international Latin and the various vernacular languages, “if we do not want to be accused by our descendants of insensibility in the face of a world which is daily drawing closer together.” To achieve this much practical effort must be expended.

39. *Motu proprio*, n. 2, para. 4. *Ma dovrà essere universale in questo senso, che pur concendendosi ad ogni nazione di ammettere nelle composizioni chiesastiche quelle forme particolari che costituiscono in certo modo carattere specifico della musica loro propria, questo però devono essere in tal maniera subordinate ai caratteri generali della musica sacra, che nessuno di altra nazione all’ udirle debba provarne impressione non buona.*

40. *Motu proprio*, n. 3, para. 2. *Per tali motivi il canto gregoriano fu sempre considerato come il supreme modello della musica sacra. . .*

41. Encyclical, *Musicae sacrae disciplina*, article III, para. 4. The pope mentions the exceptions allowed in certain areas, but demands that even then “ordinaries and other pastors of souls should take all care that from childhood the faithful learn at least the easier and more popular Gregorian hymns, and sing them at liturgical functions, so that the unity and universality of the Church be daily more manifest.”

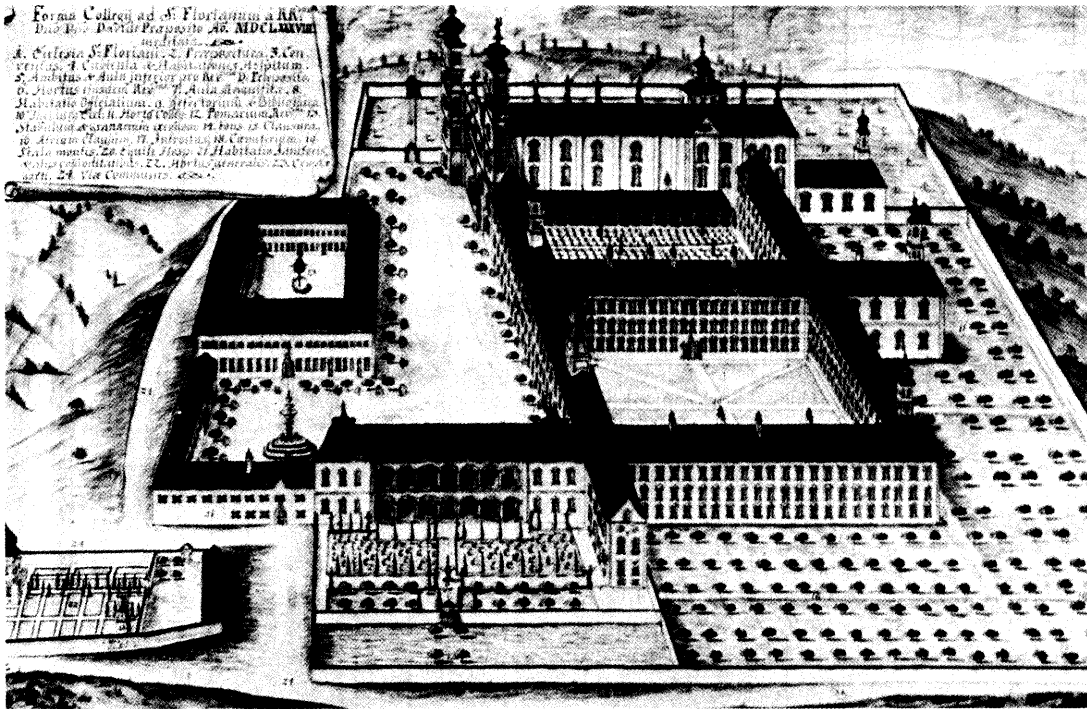
42. Constitution on the Sacred Liturgy, article 116, in connection with article 54, para. 2.

43. See the report on the schema as published in a German translation by J. Overath, *Neuerungen*, p. 387, n. 8ff.

44. Constitution on the Sacred Liturgy, article 117. This reform is mentioned in passing in the *motu proprio* of Pius X, n. 3, para. 1.

45. *Motu proprio*, n. 25, 26.

46. Constitution on the Sacred Liturgy, articles 115, 116.



St. Florian, plan of the new building project, 1743.

ECCLESIASTICAL LEGISLATION ON LITURGY AND CHURCH MUSIC AFTER THE SECOND VATICAN COUNCIL (II)

This article originally appeared in the *Festschrift für Johannes Overath: In Caritate et Veritate*, edited by Hans Lonnendonker (Sarrbrücken: Minerva-Verlag, 1973), pp. 67–99. This is the second part of the three-part study. The translation was made by Dr. Richard M. Hogan.

THE MAKING OF LAWS

I. Permanence as a mark of law.

Permanence is a characteristic of law. Because permanence is totality in time, only a perpetual norm is an abstract totality. If laws rapidly supersede one another, the legislation ceases to be permanent and an important characteristic of law is lost. Such regulations cease to be laws and are more properly called rules. The effectiveness of any law is to a great extent dependent on its permanence. Only laws which are permanent are able to guarantee legal certainty and accountability. Legislation which may be recalled at any time has no reliability

and discourages trust. Those bound by such laws do not exert much effort to acquaint themselves with them. Further, the work of interpreting laws is only worthwhile if the legislation has a certain permanence. Jurisprudence cannot stay abreast of a legal system which continually issues laws superseding its own previous legislation. Such a system has no interest in jurisprudence since it never seeks the opinion of legal scholars. If it did, its laws would not supersede one another.

Earlier ecclesiastical law makers understood the value of permanence as a primary characteristic of law. For example, the legislative program of Aegidius Albornoz (1300–1367), who established the law code of the papal states with his constitutions, was founded on the principle that it is better to enforce older laws than to promulgate new ones.⁵⁴

Of course, the desired permanence of laws does not exclude modifications and changes in them. No one demands of law, even church law, that it be unchangeable. But it is reasonable to expect that it will be observed and applied as long as it is in force and not legally altered. Further, only those changes which are necessary, useful and carefully considered should be introduced.

II The Profusion and constant changes of legislation.

A. *The profusion of legislation.*

The post-conciliar period is marked by an unusual amount of legislation promulgated by ecclesiastical law makers on all levels. For years the Church has been almost inundated by a mass of norms, rules and laws. It is not only the Holy See that issues firm decrees, some of considerable breadth and importance. Episcopal conferences, synods, and individual bishops promulgate lasting laws, creating a varied wealth of norms. Even experts have some difficulty trying to survey the totality of present church law. In certain cases, it is the episcopal conferences themselves which have stemmed the tide of new liturgical legislation if only because they cannot prepare translations and make the other necessary arrangements to introduce the new legislation on the dates specified.⁵⁵ The "boom" in the drafting of ecclesiastical legislation falls at a time when there is a sharp decline in religious consciousness among both clerics and laity. It has been centuries since the world has seen such a rejection of God and religion as we are witnessing today. In light of the very unusual legislative initiatives, one perceives the meaning of Tacitus when he wrote, "*Corruptissima republica plurimae leges*" (The most corrupt state has the most laws).⁵⁶

Among the almost infinite and varied legal forms used today to establish laws are the "normative guidelines." Those who promulgate these guidelines claim that they deserve the obedience of people subject to them. However, within *papal legislation*, there remain the usual forms of immediate and mediate papal decrees. As examples of recent *apostolic constitutions* one might mention the decree on penance, *Paenitemini*,⁵⁷ the new document regulating indulgences, *Indulgentiarum doctrina*,⁵⁸ the reform of the Roman curia, found in *Regimini ecclesiae universae*,⁵⁹ or the promulgation of the new missal of Pope Paul VI, *Missale romanum*.⁶⁰ Numerous are the *litterae apostolicae motu proprio datae*. For example, Pope Paul VI established the papal commission on the communications media, which was to implement the conciliar decree on social communications, with the *motu proprio*, *In fructibus multis*;⁶¹ he founded a papal institute for

advanced studies in the Latin language, which was to implement the apostolic constitution of Pope John XXIII, *Veterum sapientia*⁶², with the *motu proprio*, *Apostolica sollicitudo*.⁶³ While the bishops were granted many powers and privileges through the *motu proprio*, *Pastorale munus*,⁶⁴ superiors of religious communities were given similar powers through the rescript, *Cum admotae*,⁶⁵ of the papal secretary of state.

Markedly increased are the numbers of *instructiones*, especially in liturgical matters. The Sacred Congregation of Rites issued three instructions for the implementation of the Sacred Constitution on the Liturgy.⁶⁶ In addition, there have been many further instructions issued by this congregation.⁶⁷ Other congregations have also found the format of the instruction useful for promulgating norms and have issued instructions frequently, e.g., the Sacred Congregation for the Doctrine of the Faith issued new laws pertaining to mixed marriages in the instruction, *Matrimonii sacramentum*;⁶⁸ the Sacred Congregation for Bishops issued an instruction concerning the spiritual needs of travelers;⁶⁹ the Sacred Congregation for the Sacraments⁷⁰ promulgated an instruction to improve the procedures concerning valid, but not consummated marriages;⁷¹ and the Congregation for Religious has issued many for those under its jurisdiction.⁷² The Secretariat of State issued an instruction concerning the garb, title and insignia of cardinals, bishops and lesser prelates,⁷³ while the papal commission for the communications media issued a "pastoral instruction"⁷⁴ which fulfilled the wishes of the conciliar fathers as expressed in the decree, *intemirifica*.⁷⁵ Numerous new laws issued by the congregations take the form long in use, that of the *decretum*. For example, the Sacred Congregation of Rites established new norms for dispensing holy communion,⁷⁶ issued the *Kyriale simplex*,⁷⁷ and revised the rights of a minor basilica in decrees.⁷⁸ Further, the Sacred Congregation for Bishops issued a decree concerning the rights and privileges of Latin America and the Philippines.⁷⁹ The form called a *declaratio* is usually employed to issue clarifications of already existing laws.⁸⁰

A new form for implementing conciliar decrees is the *directorium*.⁸¹ The Secretariat for the Promotion of Christian Unity issued two parts of an ecumenical directory on May 14, 1967, and on April 16, 1970.⁸² The Sacred Congregation for the Clergy issued one for the spiritual care of tourists,⁸³ and one for catechetical work.⁸⁴ These directories are intended to establish general principles from which the episcopal conferences should develop more particular legislation.⁸⁵ Their contents are only partially normative. In the catechetical directory, those parts which contain binding stipulations and those parts which have only suggestions and proposals are expressively differentiated.⁸⁶

In a similar fashion, the Sacred Congregation for the Clergy indicated that only the principal paragraph of its document, *Ratio fundamentalis institutionis sacerdotalis*,⁸⁷ was binding. However, the congregation was aware that it was not quite clear just precisely what paragraph was the principal one and gave certain directions in a footnote which were to clarify the difficulty. Unfortunately, these indications did not put an end to the problem. The differing obligations imposed by the directives in *Ratio fundamentalis institutionis sacerdotalis* are emphasized in many places in the document. For example, in one place, it reads that the directives are to be applied *hic ad modum codicis, illic ad modum directorii*.⁸⁸ The Commission for the Laity issued a directory of international Catholic establish-

ments,⁸⁹ but it labeled the document, modestly, a *document d'orientation*.

In addition to all these, there has appeared a new form of mediate papal legislation in the unpretentious shape of a *notificatio*.⁹⁰ With a particular confirmation of these *notificationes* by the Holy Father, they obtain the same legal force as the Code of Canon Law⁹¹ and the conciliar documents.⁹²

The episcopal conferences and the bishops issue decisions, norms, guidelines, directives, pastoral guides, implementation decrees, edicts and resolutions in a colorful array. In many cases, the categories to which these documents belong is unclear or erroneously given. For example, mandates are often not distinguished from laws. In other cases, new norms are issued without any designation.

The superfluity of norms has for years threatened to overrun the Church, but there are reasons for the situation. Many in the hierarchy wish to harvest what they regard, correctly or not, as the fruit of the council. Others wish to see the results of the "movement," which for years has attempted to guide the Church, normalized, *i.e.*, made generally binding on the entire Mystical Body. These are of the opinion, not totally without some logic, that the type of laws which we presently have will not be possible in a few years when the Church will have again found itself. Not a few who hold this opinion overemphasize the value of the reforms and the strength of the laws establishing them. They live with the somewhat hybrid notion that from the flood of norms which they have created there will come a blossoming of the life of the Church. But the begetting of norms is of itself not a sign of the vitality of the Church, especially in the present situation where the massive body of laws, guidelines and regulations points rather to a crisis in the Church. It should now be apparent that the drafting of legislation in the Church today suffers from many defects. Some of them which are most obvious and cry out for modifications will be discussed specifically below.

B. *The alteration of legislation.*

The extraordinarily impetuous succession of norms in the post-conciliar Church is conspicuous and questionable. Most of them last only a few years, and sometimes not even that long.

A typical example of ever-changing laws is found in those concerning eucharistic piety.⁹³ Within twelve years, the established requirements for those receiving holy communion have repeatedly been reduced until now when only a bare minimum remains. One change has followed upon another for the last twenty years in matters pertaining to Holy Saturday and Holy Week in general.⁹⁴ We cannot even be sure that the present arrangements will last any longer than the past ones did. The reform of the rubrics of March 23, 1955,⁹⁵ was followed by that of July 25, 1960.⁹⁶ This became obsolete with the reform of May 4, 1967.⁹⁷ Finally, the *Institutio generalis missalis romani*, completely changed the previous circumstances. The norms sent to religious superior-generals and to local religious superiors, dated February 2, 1964, concerning the procedures for the return of priests to the lay state were nullified on January 13, 1971, when new ones were issued.⁹⁸ In 1965, a new Mass book appeared,⁹⁹ but only two years later it was outdated.¹⁰⁰ The establishment of the Synod of Bishops, dated

December 8, 1966, had already been altered on June 24, 1969,¹⁰¹ and was again changed on August 21, 1971.¹⁰² On April 6, 1969, the Sacred Congregation of Rites published the *Institutio generalis missalis romani*.¹⁰³ Only a half year later, on November 18, 1969, the congregation responsible for the liturgy admitted that the *institutio* was in error in not a few places.¹⁰⁴ As the corrections appeared, it became apparent that there were fifty different passages where changes were necessary and some of these were of considerable significance.¹⁰⁵ The instruction of the Sacred Congregation for the Liturgy of October 20, 1969, established that the episcopal conferences must introduce the new *ordo missae* by the first Sunday of advent in 1971 (November 28, 1971).¹⁰⁶ Even before this date was near, it was revoked by the *notificatio* of June 14, 1971.¹⁰⁷ The decision on the timing of the compulsory introduction of the new *ordo missae* was left to the individual episcopal conferences in June, 1971.¹⁰⁸ Within the last ten years, at least fourteen documents concerning the construction and decoration of churches have been issued. These decrees, according to an expert in this field, partially and in important questions contradict one another even though — or because? — they appeared shortly after one another.¹⁰⁹

The impetuous succession of laws in the present also has its varied causes. One possible explanation is the rapid, progressive and general decline in the church. The ecclesiastical legislators are perhaps attempting to arrest the various stages of this decline, but are unable to keep pace with the decline. But successive and repeated changes in laws is usually one of the paths which puts societies and institutions on the road to perdition, on the road to legal and moral minimalism, and leads to the elimination of everything burdensome. It leads the Church to an accommodation with the behaviour of a world which has become unhinged and to an accommodation with the Protestant mentality.¹¹⁰ Therefore, since the legislator claims to sanction the circumstances created in the rebellion through "laws," these laws lose their normative character and become current events reports.

Not infrequently, the legislation bears the marks of haste, and even of frantic rush. Even the publishers are often not able to keep pace with the changes. When liturgical books leave the publishing houses, they are often already in part obsolete. This situation occurs because the legislators hurry to create norms which accommodate contemporary desires and "trends." Naturally, people's expectations and "trends" change rapidly and often. The circles which create and nourish such movements show little patience. They demand with threatening tones swift changes. The ecclesiastical authorities attempt to gratify them before their angry frowns explode in protests and other spectacular deeds.¹¹¹ Those subject to laws, who are often incited by progressive theologians, in many cases do not await the promulgation, let alone the effective date of the new law, before they implement the new possibilities and permissions. The Diocese of Feldkirch found it necessary to announce that reports of ecclesiastical laws and regulations appearing in newspapers, or on radio and television, do not constitute the promulgation of a new law. No one is justified in calling upon such reports to defend his actions, nor is anyone obligated to implement such reports, especially since they are very often shortened and incomplete accounts of what the new ordinance really entails. Priests were asked "for their own sake" to await the publication of the diocesan paper before they implemented any new

regulations "in order to avoid mistakes which would later have to be corrected."¹¹²

The result of the haste with which the new norms are created is the imprecision and incompleteness of the laws, which must then be corrected and augmented. This situation occurred when the bishops remarked that there was no rubric for the mention of the name of the bishop in the canon of the new Mass. The Congregation for the Sacred Liturgy very quickly issued a decree regulating this problem.¹¹³

Militating against the permanence of norms in recent years is the extraordinarily frequent practice of issuing laws *experimenti causa*¹¹⁴ or *ad interim*.¹¹⁵ Those subject to such laws take these as invitations to aid the law-giver as much as possible in order that he would have (unpleasant) experiences. With his own (bad) "experiment" in mind, the law-giver might modify the law in the (progressive) desired direction.¹¹⁶ Therefore, it has become generally customary to designate newly promulgated ecclesiastical legislation which does not correspond to the progressive mentality as temporary and provisional and in that way to call its force into question from the beginning. This happens not only through certain theologians, but also through some high-ranking ecclesiastics. For example, the Franciscan, G. Sobrero, saw in the norms of the instruction dated November 23, 1965, concerning the use of the vernacular in the divine office, *un compromesso destinato ad essere sorpassato dagli avvenimenti*.¹¹⁷ The instruction, *Matrimonii sacramentum*, had hardly been promulgated when the head of the Secretariat for the Promotion of Christian Unity, Cardinal Bea, exposed its provisional character and in this way encouraged the watchful Protestants to apply further pressure on the Holy See.¹¹⁸ The Archbishop of Munich/Freising, Cardinal Döpfner, announced on July 5, 1970, that the *motu proprio*, *Matrimonia mixta*, dated March 31, 1970, "had a certain transitory character."¹¹⁹

Especially damaging for the recognition and observance of existing laws have been the guarded permissions for experimentation issued in certain areas, e.g., in religious life¹²⁰ and in liturgy.¹²¹ The pope declared in the *motu proprio*, *Ecclesiae sanctae*, that *experimenta contra jus commune, prudenter quidem facienda, pro opportunitate libenter a Sancta Sede permittentur*.¹²² He did not realize what forces were unleashed with this statement. The practice seems to be that a permission to undertake experiments is often not even sought or, if it is, the limitations of the permission are exceeded; that by an appeal to experiments the lowest element becomes the highest; and that the creator or author of the experiments declares that the situation established by the experiment cannot be nullified, i.e., that the legislator should legalize it by promulgating a corresponding law. In many cases, the assessment is valid. The explanation, as always, lies in the submission of the ecclesiastical law-giver.

The legislators in their retreat are in some cases not even able to preserve the forms of law. In many cases when norms are abrogated, there is not even an expressed or tacit revocation. At the same time, one hears privately that certain laws are no longer in force. So it was with the decree of the Congregation for the Doctrine of the Faith, issued on November 15, 1966. In this document, Christendom learned that canons 1399 and 2318 of the Code of Canon Law were abrogated.¹²³ The same congregation announced the abrogation of the *Index librorum prohibitorum* in a *notificatio*.¹²⁴

A new form, which allows the legislator himself to ignore an existing law without abrogating it, is the *suspensio, i.e.*, a temporary and passing removal of the binding force of a law.¹²⁵ The penalties for the violation of norms pertaining to a cloister were suspended (*vigore carent*) until the promulgation of the new Code of Canon Law.¹²⁶

III. Consequences.

The consequences of all these indulgences, inconsistencies and illegalities are disastrous.

A. Insecurity.

The countless, impetuous changes following upon one another have created grave doubts among Catholics in general and even among those in the hierarchy as to what laws are in fact in force and binding. In part, many view all previous laws as obsolete. In the *motu proprio, De episcoporum muneribus*, the pope and the Roman curia found it necessary to reiterate formally that the laws found in the Code of Canon Law or issued since the promulgation of the code, which had not been abrogated, were still in force, unless the Second Vatican Council publicly, either completely or in part, had abolished them.¹²⁷

The unending changes in all areas of ecclesiastical life have given rise to the opinion that there never will be an end to the changes in the Church.¹²⁸ The uncertainty of the faithful also extends to divine law and dogma¹²⁹ as well as morality. Untroubled by earlier decisions of the highest teaching office in the Church and in general without hindrance from those holding magisterial offices in the Church today, teachers and homilists, armed with a *missio canonica*, present heterodox opinions in many areas of the world. The ecclesiastical collapse in matters of teaching has had negative effects on ecclesiastical law. The faithful ask why they should observe disciplinary stipulations when the more important teachers in the Church may offend the faith in matters of doctrine and morality without any penalties being imposed.

B. Disappearance of legal consciousness.

In these circumstances, it is hardly surprising that the legal consciousness of Catholics suffers onslaught after onslaught and is weakened ever further. The common sense awareness of legality has in a large part disappeared among the Catholic people. It is not an exaggeration to claim that the respect for ecclesiastical law is practically totally absent. The spirit of disobedience spreads. Tacit and open offenses against ecclesiastical laws multiply. In a few cases, theologians encourage the faithful to ignore certain existing laws of the Church and yet the responsible ecclesiastical superiors do not demand an accounting from these theologians for their actions.¹³⁰

Presumably, the theologians cannot be asked for an accounting by the bishops because the bishops fear the response, *Et tu*. The remonstrations against the ecclesiastical legal structure and the leadership in the Church began with certain bishops who accused the Roman curia of holding too much power and narrowly circumscribing episcopal privileges and jurisdiction. Then, they either extorted certain guidelines from a weak pope or pressed them upon him. They modified other papal rulings as they wished or they ignored them. Now and then, they issued their own "laws" which contradicted the general law of the Church.

Today, it has reached the point that many episcopal conferences and even individual bishops either do not take any notice of norms issued by the Holy See which they dislike or they do not publicize these guidelines among their priests and people. Therefore, there are mediate papal laws, which have not been publicized in Germany. I remember the rather inconvenient third instruction for the implementation of the Constitution on the Sacred Liturgy of September 5, 1970,¹³¹ and the general directory of catechetics issued by the Sacred Congregation of the Clergy on April 11, 1971.¹³²

A characteristic example of the disobedience of episcopal conferences is the postponement of the first reception of the sacrament of reconciliation for two or three years after the first holy communion. This ruling demonstrates a disdain for existing laws. But equally typical is the reaction of the Holy See to this ruling. It is found in the general directory of catechetics where the Holy See reiterates the general principle that the regular practice of the Church must be followed unless a dispensation is obtained from the Holy See. Following this statement, the faithful are reminded that the existing practice, *i.e.*, first holy communion preceded by first confession, should be maintained, although the document does allow, as almost a concession to the rebellious episcopal conferences, that a common, penitential meditation may be held in connection with the sacrament of reconciliation. In addition, the Holy See expresses its complete understanding of the special situations existing in many areas. The bishops are asked not to depart from the existing established practice without first consulting the Holy See. Where the new customs have already (on the bishops' own authority) been introduced, the responsible authorities are encouraged to re-examine these experiments. In case individual bishops wish to continue the "experiment," the particular bishop should contact the Holy See, which would be pleased to hear from him on this matter. Then, the Holy See and the individual bishop can work in concert to extend the "experiment."¹³³ Only with great difficulty could disastrous events be made worse or the abdication of the highest ecclesiastical authority go even further.

A striking blow against the general law of the Church is the introduction of the lay homily by the German episcopal conference. The law is crystal clear: canon 1342 of the Code of Canon Law forbids laymen to preach. The Constitution on the Sacred Liturgy did, under certain circumstances, allow a deacon or someone designated by the bishop to conduct the liturgy of the Word.¹³⁴ The first instruction for the implementation of the constitution spoke specifically of a deacon or layman conducting the liturgy of the Word. However, while the deacon could deliver a homily, the layman was to read a homily given to him by the bishop or pastor.¹³⁵ Therefore, laymen were not permitted to preach either in the conciliar legislation or in the documents issued for its implementation. Still, the German episcopal conference allowed laymen to preach by a ruling established at their meeting held from November 15 to November 17, 1970.¹³⁶ Especially aggravating was the permission for laymen to preach even within the Mass. The document granting this privilege did not include even an attempt to justify the decision by an appeal to a formal authorization. The legislators simply display their naked presumption. The German episcopal conference did not retract their decision when the papal commission for the interpretation of the documents of the Second Vatican Council decided on January 11, 1971, that the words of no. 42 of

the *Institutio generalis missalis romani* are not to be interpreted so as to allow laymen to preach homilies during Mass, even though this decision was confirmed by the Holy Father.¹³⁷

This behavior of the bishops towards the Holy See sets a precedent. The theologians, whom the bishops have appointed as their advisors, are not willing to bow to episcopal decisions in the event that the bishops decide issues differently than they advise. Even before the promulgation of these decisions, the theologians announced that they would not observe such laws that do not meet their approval, and after the promulgation, they ignore them.¹³⁸ The guardians of the laws usually observe this procedure without attempting to alter the sequence of events as though they did not know what was happening. These men justify their inactivity by reminding themselves of the ostensible need to glean experience, and by an appeal to a usually doubtful authorization to permit experimentation. It is even the case that those responsible for the enforcement of the laws sympathize in secret with the illegal undertakings and some, more boldly, even declare their agreement with those violating the law. Every precedent which remains uncontradicted weakens the law. In this fashion, the current situation which finds most bishops without authority in their own dioceses has developed. Infringements of laws are usually tolerated, if they are perpetrated by personalities or "circles" which are either able to mobilize public opinion or show themselves to be intractable. Even the best laws, which ecclesiastical legislators might issue, will never be implemented if they contradict the statements of the theological opinion-makers. The penalties imposed by ecclesiastical law are regarded as totally obsolete.

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54. A. Erler, *Aegidius Albornoz als Gesetzgeber des Kirchenstaates*. (Berlin 1970): 12.

55. For example, on May 15, 1969, the Sacred Congregation of Rites ordered that the new rites for the baptism of children would become effective on September 8, 1969 (AAS 61, 1969, 548). Not even two months later, it shifted the date to March 29, 1970 (AAS 61, 1969, 549 f.), when several bishops conferences declared the first date for ending the experimenting was impracticable.

56. See Tacitus, *Annales*, III, 27.

57. AAS 58 (1966): 177-198.

58. AAS 59 (1967): 5-24.

59. AAS 59 (1967): 885-928.

60. AAS 61 (1969): 217-227.

61. AAS 56 (1964): 289-292.

62. AAS 56 (1964): 225-231.

63. AAS 57 (1965): 775-780.

64. AAS 56 (1964): 5-12.

65. AAS 59 (1967): 374-379.

66. AAS 56 (1964): 877-900; 59 (1967): 442-448; 62 (1970): 692-704.

67. AAS 57 (1965): 1010-1013; 59 (1967): 300-320; 59 (1967): 539-573; 60 (1968): 406-412; 61 (1969): 541-545, 749-753.

68. AAS 58 (1966): 235-239.

69. AAS 61 (1969): 614-643.

70. Translator's note: The names of the curial congregations are given as they appear on the documents under discussion. Since the reform of the curia, some of these no longer exist, but their names are retained here since they were the issuing bodies of the documents.

71. AAS 64 (1972): 244-252.

72. AAS 61 (1969): 103-120; 61 (1969): 674-690; 63 (1971): 318 f.

73. AAS 61 (1969): 334–340.
74. AAS 63 (1971): 593–656.
75. AAS 56 (1964): 145–157, no. 23.
76. AAS 56 (1964): 337 f.
77. AAS 57 (1965): 407.
78. AAS 60 (1968): 536–539.
79. AAS 62 (1970): 120–122.
80. For example, AAS 62 (1970): 179 (Congregation for the Oriental Church, March 25, 1970); 184–188 (Secretariat for Christian Unity, January 7, 1970); 63 (1971): 250 f. (Congregation for Catholic Education, February 1, 1971); 64 (1972): 237–241 (Congregation for the Doctrine of the Faith, February 21, 1972).
81. Instruction on general and special directories in the decree, *Christus Dominus*, no. 44, AAS 58 (1966): 696.
82. AAS 59 (1967): 574–592; 62 (1970): 705–724. See G. May, “Fragen zum Ökumenischen Direktorium I. Teil:” *Trierer Theologische Zeitschrift* 78 (1969): 150–160.
83. AAS 61 (1969): 361–384.
84. AAS 64 (1972): 97–176.
85. AAS 62 (1970): 706.
86. AAS 64 (1972): 98.
87. AAS 62 (1970): 321–384.
88. AAS 62 (1970): 324 (n. 7).
89. AAS 63 (1971): 948–956.
90. Congregation for the Doctrine of the Faith: AAS 58 (1966): 445; Congregation of Rites: AAS 63 (1971): 712–715; Secretariat of State: AAS 63 (1971): 841.
91. G. May “Die Aufhebung der kirchlichen Bücherverbote” in K. Siepen, J. Weitzel, P. Wirth (eds.), *Ecclesia et Jus. Festgabe für Audomar Scheuermann zum 60. Geburtstag*. (Munich, Paderborn, Vienna 1968): 547–571. On April 11, 1970, the Sacred Congregation for the Doctrine of the Faith sent a circular letter to the chairmen of all the bishops’ conferences indicating that in the future the cathedral chapter could no longer be considered the chief consultative body, for the bishop in the administration of the diocese, as indicated in the Code of Canon Law, canon 391, para. 1, and in the decree, *Christus Dominus*, no. 27. The priests’ senate now performs this function.
92. G. May, *Zur liturgisch-musikalischen Rechtslage*, 36 f.
93. Code of Canon Law, canon 858; AAS 45 (1953): 15–24; 49 (1957): 177 f.; 56 (1964): 212; 57 (1965): 186.
94. AAS 43 (1951): 128–137; 44 (1952): 48–63; 47 (1955): 838–847; 48 (1956): 153 f.; 49 (1957): 91–95; 57 (1965): 412 f.; 61 (1969): 217–222.
95. AAS 47 (1955): 218–224, 418 f.
96. AAS 52 (1960): 593–740.
97. AAS 59 (1967): 442–448.
98. AAS 63 (1971): 309–312, 303–308. See also ABl. München and Freising (1973):125.
99. AAS 57 (1965): 408 f.
100. AAS 59 (1967): 442–448.
101. AAS 61 (1969): 525–539.
102. AAS 63 (1971): 702–704.
103. *Archiv für katholisches Kirchenrecht* 139 (1970): 156.
104. *Notitiae* 5 (1969): 417 f.
105. *Notitiae* 6 (1970): 177–190. See A. Tinz, “Liturgiereform und kein Ende,” *Una Voce Korrespondenz* 1 (1970): 41–47, 77–80; Th. Kurrus, “90 Jahre liturgische Reformen,” *Anzeiger für die katholische Geistlichkeit* 80 (1971): 463–465.
106. AAS 61 (1969): 749–753 (n. 7).
107. AAS 63 (1971): 712–715.
108. See *Una Voce Korrespondenz* 2 (1972): 98.
109. *Una Voce Korrespondenz* 2 (1972): 221.
110. See W. Siebel, “Liturgie als Angebot. Bemerkungen aus soziologischer Sicht,” *Der Fels* 3 (1972): 74–78.
111. See G. May, “Niedergang und Aufstieg der Seelsorge,” *Der Fels* 3 (1972): 201–210.
112. *Österreichisches Archiv für Kirchenrecht* 20 (1969): 236 f.

113. AAS 64 (1972): 692–694. For the missal of Pius V, see the *Ritus servandus in celebratione Missae*, n. VIII, 2.
114. For example, AAS 58 (1966): 757, 758; 61 (1969): 120, 540 f.
115. For example, AAS 62 (1970): 179. The experimental period for the norms introduced by the *motu proprio, Ecclesiae sanctae*, was to last until the new Code of Canon Law was issued unless the Holy See wished to shorten it (*nisi interdum ab Apostolica Sede aliter providendum sit*). (See AAS 58 (1966): 757, 758.)
116. For example, G. May, *Mischehe heute, Fakten und Gedanken*. (Mainz 1970): 241.
117. “La celebrazione dell’ Ufficio divino,” *Studi Francescani* 65 (1968): 200–216, esp. 211 f.
118. G. May, *Das neue Mischehenrecht. Werdegang und Inhalt*. Kreuzring-Bücherei. Vol. 44 (Trier 1966): 167; *ibid.*, *Mischehe heute* 16.
119. *ABl. München und Freising* (1970): 267.
120. AAS 61 (1969): 690 (n. 17); 62 (1970): 549; 64 (1972): 393 f. See *L’Année canonique* 16 (1972): 27–29.
121. AAS 56 (1964): 111 (n. 40), 112 (n. 44); 57 (1965): 412.
122. AAS 58 (1966): 776 (II, 6).
123. AAS 58 (1966): 1186.
124. AAS 58 (1966): 445.
125. AAS 62 (1970): 549 f.; 64 (1972): 393. A suspension of full authority: AAS 63 (1971): 841.
126. AAS 61 (1969): 690 (n. 16).
127. AAS 58 (1966): 468.
128. See the typical remarks of a French priest in *Una Voce Korrespondenz* 2 (1972): 320.
129. G. May, “Das Glaubensgesetz,” in A. Scheuermann, G. May (eds.) *Ius Sacrum. Klaus Mörsdorf zum 60. Geburtstag* (Munich, Paderborn, Vienna 1969): 349–372.
130. G. May, “Die ‘Protestanten’ gegen das Grundgesetz,” *Der Fels* 2 (1971): 232.
131. See also *Una Voce Korrespondenz* 1 (1971): 145.
132. AAS 64 (1972): 97–176.
133. AAS 64 (1972): 175 f. See *Archiv für katholisches Kirchenrecht* 140 (1971): 517–521; *ABl. München und Freising* (1973): 131; *Der Fels* 4 (1973): 84–86.
134. See Constitution on the Sacred Liturgy, para. 35, no. 4.
135. See the first instruction for the implementation of the Constitution on the Sacred Liturgy, no. 37.
136. *ABl. München und Freising* (1971): 94–97. For the consequences see *Una Voce Korrespondenz* 2 (1972): 317 f.
137. AAS 63 (1971): 329. A letter of the prefect of the Congregation for the Clergy of December 1972 asks the German episcopal conference to change its decision in this matter. *Deutsche Tagespost* 3 (1973): 1 f. However, the bishops rejected any substantial changes in their document. See *Der Fels* 4 (1973): 56–59.
138. For example, *ABl. München und Freising* (1970): 200.

Magnificat

(Sing praise to Him)

St. Luke, I: 48-55
English words by
Robert L. Bedoll, Mus. Doc.

For Four-part Chorus
of Mixed Voices

Hendrik Andriessen
(1892-)

Revised and edited by
Henry Clough-Leigher

Andante con moto

SOPRANO

f

Ma - gni - - fi - cat, a - ni - ma me - -
Sing praise to Him, Who is the Lord

ALTO

f

Ma - gni - - fi - cat, a - ni - ma me - -
Sing praise to Him, Who is the Lord

TENOR

f

Ma - gni - - fi - cat, a - ni - ma me - -
Sing praise to Him, Who is the Lord

BASS

f

Ma - gni - - fi - cat, a - ni - ma me - -
Sing praise to Him, Who is the Lord

Andante con moto

ORGAN

f (Sw. to *Gt.*)

Pedal

f

Gt. to Ped.



- a Do - mi - num. - Et ex - sul - ta - vit
 - of Heav - en, Most High: Raise now your voic - es,
 - a Do - mi - num. - Et ex - sul - ta - vit
 - of Heav - en, Most High: Raise now your voic - es,
 - a Do - mi - num. - Et ex - sul - ta - vit
 - of Heav - en, Most High: Raise now your voic - es,
 - a Do - mi - num. - Et ex - sul - ta - vit
 - of Heav - en, Most High: Raise now your voic - es,

spi - ri - tus me - us, in De - o sa - lu - ta - ri -
 Sing, then, - with glad - ness, for He is King - a - bove all
 spi - ri - tus me - us, in De - o sa - lu - ta - ri -
 Sing, then, - with glad - ness, for He is King - a - bove all
 spi - ri - tus me - us, in De - o sa - lu - ta - ri -
 Sing, then, - with glad - ness, for He is King - a - bove all
 spi - ri - tus me - us, in De - o sa - lu - ta - ri -
 Sing, then, - with glad - ness, for He is King - a - bove all

off Gt. to Ped.

me - o.
na - tions.

me - o.
na - tions.

me - o.
na - tions.

me - o. Qui - a re - spe - - - xit hu - mi - li -
na - tions. God of our Fa - - - thers, high on Thy

Sw. *p* *mf*

p *mf*

Sw. to Ped.

mf

Ec - ce e - nim ex hoc be -
Rul - er of the - earth, and

ta - tem an - cil - lae su - ae:
throne in the realms of Heav - en:

mf

E. C. S. No 1557

REVIEWS

Special

Magnificat by Hendrik Andriessen. SATB, organ. E. C. Schirmer. \$.65.

With experience, most choral directors gather their own list of favorite, trusted publishers. Among the favorites of this reviewer is the firm of E. C. Schirmer, 112 South Street, Boston, Massachusetts. To my knowledge, they have not published anything but quality works. They are especially known for their choral music of the twentieth century, including the works of Randall Thompson, Arthur Honegger and Daniel Pinkham.

Presented in this issue, for your inspection, is a *Magnificat* by Hendrik Andriessen, who may be better known in the United States for a lesser, though very lovely, work, *O Lord with Wondrous Mystery* which can be found in the *People's Mass Book*.

The *Magnificat*, scored for mixed choir and organ, is a strong and effective setting of the Latin text. It begins with the familiar incipit of the old chant melody sung in unison followed by well-delineated choral lines in which the choir "locks" into modern harmonies with ease. Changing meters provide rhythmic interest without apparent difficulties. Variety of texture is achieved in sectional solo passages for basses, tenors, and for the women's voices, duets of soprano and alto sections, sectional trios and full four-part segments. The well-written organ accompaniment provides interesting transitions and support, at times in equal dialogue with the choral forces. The choir also has splendid *a cappella* sections. Finally, the *Magnificat* incipit returns at the *Gloria Patri* bringing the work to an appropriately festive conclusion. This could most effectively grace a Christmas program.

RICHARD D. BYRNE

Gregorian Chant

Liber cantualis. Abbey of St. Peter of Solesmes and Consociatio Internationalis Musicae Sacrae. 1978.

The publication of the *Liber cantualis*, a book of selected Gregorian chants designed to increase the participation of the laity in sung Latin liturgical services, will probably not have any significant impact on Roman Catholic liturgical worship in this country. The very appearance of the book, like that of the new *Missale Romanum* or the *Graduale Romanum*, will remain unknown to the vast majority of the Catholic laity and even the clergy.

The book fulfills a long time desire of the Pontifical Institute of Sacred Music in Rome and the papal church music federation, the Consociatio Internationalis Musicae Sacrae (CIMS) to publish a small volume of chants for congregational use. Both bodies are dedicated to carrying out the orders of the Vatican Council in the Constitution on the Sacred Liturgy (articles 116, 117). The selection, editing and publishing of these chants is the work of the Benedictine monks of Solesmes and a

committee of CIMS. The chants are set in the traditional Gregorian notation with the rhythmical signs of Solesmes.

According to the book's introduction, a second volume is to follow, containing popular hymns whose melodies are common to linguistically different cultures. Apparently, each hymn will be set with verses in different languages. In my opinion, the book will be difficult to use and of limited use for an average parish unless some international convention be held in it, perhaps an international eucharistic congress.

The *Liber cantualis* contains 118 pages divided into four sections. Section I, entitled *Ordo Missae*, contains all of the chants for the ordinary of the Mass: *Kyrie*, *Gloria*, *Credo*, *Sanctus* and *Agnus Dei*, chosen from different Gregorian Masses. The criterion for selection seems to be simplicity of the melodies. Thus, for example, the *Sanctus* is the simple and familiar one from Mass XVIII. It is this section which I think is the most valuable, since the Gregorian melodies of Pope Paul's Mass are made available to the laity. All the other parts of the *Liber cantualis* are able to be found in old missals, *Kyriales*, or in the old *Liber usualis*. But the chants for *Mysterium fidei* or *Quia tuum est regnum* and the other new responses are not easily come on for the average parish.

The second section of the book, labeled *Cantus in ordine Missae occurrentes*, is nothing more than an abridged *Kyriale*. It contains Masses I, IV, VIII, IX, XI, and XVII. The old *Requiem* Mass is included with all its beautiful chants. Then there is a curious *Missa primitiva* made up of the most ancient chants of the *Kyriale*, including *Credo I*.

Section III contains the four sequences that have survived the reforms of the II Vatican Council.

Section IV, entitled *Cantus Varii*, is an assortment of popular Latin hymns and chants for varied liturgical seasons and feasts. To mention only a few, one can find *Adoro Te*, *Veni Creator* and *Attende Domine*. Hymns and canticles in honor of Our Lady include the *Ave maris stella*, the *Magnificat* and the four traditional marian anthems. The section is remarkable for what is missing among the pieces that should be fostered for congregational use. Some music for holy week and a few psalms and canticles from the divine office are included. It concludes with the music for compline of Sunday. I find this somewhat strange as compline is not celebrated with the laity that often in a parish situation. Music for vespers of Sunday would have been so much more appropriate. A page added as an appendix contains the various chants for *Ite missa est*.

All those who wish to see the Latin liturgy flourish cannot but be pleased with the appearance of this volume. However, some practical difficulties militate against its success. The poverty of its contents coupled with its high price make it unrealistic for parish use. The firm, Christian Classics, distributes the book in the United States for \$5.95, which would be a modest price for a good hymnal, but the *Liber cantualis* is far too small to be considered a hymnal. Certainly not many parishes could afford to buy the book for the congregation. Those

that would be interested in chant for the congregation would do better to buy a *Kyriale* which can be obtained for \$.60.

This is not to say that the *Liber cantualis* is completely without merit. It could be of use in a small chant choir which does not have the old *Liber usualis* or the new *Graduale*. Or it might be useful in Catholic high schools as an introduction to Gregorian chant. The real pity is that in the United States it will have about as much impact as the *Jubilare Deo* or any Gregorian books issued since the council. Yet Rome is eternal, and perhaps some day her chant will return to our churches in this country. Let us hope so.

JOHN M. BURNS

Choral

A Child is born in Bethlehem by Michael Praetorius, William Tortolano, ed. 3 equal voices. G.I.A. Publications.

In Dulci Jubilo by Michael Praetorius, William Tortolano, ed. 3 equal voices. G.I.A. Publications.

How bright and fair the Morning Star by Michael Praetorius, William Tortolano, ed. G.I.A. Publications. \$.50.

These three Christmas carols, taken from the *Musae Sioniae*, Vol. IX, are very singable and can be most effective for a small group, either treble or male. They can be useful in a Christmas program to form a contrast with larger choral ensemble works. The texts are English translations, made by the editor, of the original German which is also underset, except for the final piece where it is printed at the end. Both could well be used. They are not difficult and are quickly appreciated by the audience.

O Magnum Mysterium by William James Ross. SATB *a cappella*. Blue Arrow Press.

The beautiful Christmas text that has so intrigued composers of all periods is set here in a very modern medium, almost more instrumental than vocal in its conception. It surely requires a skill of intonation and sight-singing beyond the capacity of the usual choir, since the accidentals and melodic skips are not easily negotiated. A very free rhythmic flow is complicated by varied time signatures in different voices. The composer explains that the motet was written to provide him rest from a wind quintet that he was writing. The piece could well be performed as a woodwind quintet.

The Lord's Prayer by Alan Cather. Solo, organ. Blue Arrow Press.

For those who seek to vary the wedding repertory, this setting of the Our Father is useful and not taxing vocally, although the organ accompaniment contains a fair amount of chromaticism. The text is the version containing the ending, "for thine is the kingdom. . ." Done in a modest manner, this can be very pleasing.

From the Rising of the Sun by Werner Roberts. SATB, treble solo, organ. Blue Arrow Press.

The text is from Psalm 113 and is very skillfully set with a variety of polyphonic and homophonic texture.

The vocal lines are very singable without difficult leaps, while the organ accompaniment carries the harmonic interest that contains dissonance and contemporary key relationships. The rhythm is free and based in the word accents. With some effort, and with sound leadership, a parish choir could add this useful piece to its repertory.

Psalm 136 by William James Ross. SATB, soprano and tenor solos, organ. Blue Arrow Press.

Augmented intervals and considerable chromaticism abound in this setting of the text, "Give thanks to the Lord." Even the organ accompaniment does not offer the support that most choral groups would expect in negotiating these melodic lines. I cannot agree that a text makes a composition a vocal piece. This is really an instrumental work and could be quite effective performed by an ensemble of woodwinds or even brass.

I will greatly rejoice by Harold Darke. SATB, organ. Theodore Presser. \$.60.

Issued in the English Cathedral Choral Series, this anthem is a very stirring work for a good-sized choir. Very straightforward, it provides an interesting balance of unison, polyphonic and homophonic passages together with an independent organ part. It is eleven pages of music that present little vocal or choral problem, tonal in conception and triumphant in presentation. I think a choir would like to sing this.

Whence is that goodly fragrance? arr. by A. E. Baker. 2 treble voices, organ. Theodore Presser. \$.50.

A charming melody from an old French carol and the poem as translated by A. B. Ramsay provide a delightful addition to the Christmas repertory. For treble voices and possibly for two flutes, a very pastoral effect can be obtained.

God's Christmas Trumpets by Austin C. Lovelace. SATB, organ. Abingdon. \$.40.

Traditional in harmony and easy in vocal line, this can be a likable piece, providing the organist with opportunity to display the reed stops in contrast with the flutes. All four voices perform together only briefly, but the choral writing is interesting and serious.

The Greatest of These is Love by Adois Fitchett. SATB, organ. Abingdon. \$.90.

In the Catholic liturgy, this famous text from I Corinthians does not occur in parts assigned to the choir, but it provides a beautiful selection for an optional motet. "Though I speak with the tongues of men. . ." is appropriate for nearly every occasion. This motet is written in a traditional harmonic technique; the voice leading is easy; the organ accompaniment also. It can be a very useful piece for nearly any liturgical season.

In Thy Mysterious Presence by A. Eugene Ellsworth. SATB, organ. Abingdon. \$.90.

The text of Samuel Johnson is delicately set to provide a kind of mystical atmosphere created by interesting harmonic progressions. An independent organ accom-

paniment provides adequate support for the voices and makes this a useful motet for communion time.

R.J.S.

Alleluia by Walter Ehret. SATB, organ. Augsburg Publishing House. \$.50.

This arrangement is an adaptation of a longer work by Michael Haydn, written in a contrapuntal style.

Veni Creator by John Erickson. Unison, handbells. GIA Publications. \$.40.

Despite the Latin title, the text is in English. The original chant melody is retained and a handbell score appended.

Lord, Look Down by H. H. Hopson, SAB, GIA Publications. \$.45.

An arrangement of a sixteenth century canon, possibly by Clemens non Papa, the organ accompaniment is *ad libitum*.

Sing to the Lord a Joyful Song, by Mary M. Faulkner. Unison, treble instruments. Augsburg Publishing House. \$.40.

Claudio Monteverdi originally wrote this piece for tenor and two violins with continuo. The melody is slight but fresh. The main interest lies in the accompaniment.

Followers of the Lamb by Robert Wetzler. SATB *a cappella*. Augsburg Publishing House. \$.40.

Robert Wetzler has arranged this Shaker melody from 1847 using mainly unison and quintal writing.

Eleven Motets for Treble Voices by Maynard Klein. SA, SSA, SSAA *a cappella*. GIA Publications. \$2.50.

This could be a useful volume for equal voice choirs, but there are so many egregious errors in the transcriptions that its use is unwise and impractical.

Psalms 150: Praise the Lord by Eugene Englert. SATB, organ. GIA Publications. \$.50.

This is a metrical setting in a full-blown harmonic treatment that is mildly dissonant and of medium difficulty.

Psalms 27: 10-18 by Roger Sherman. Two mixed voices, handbells. GIA Publications. \$.40.

A metrical antiphon based on a psalm tone taken from the fourth mode. It is not difficult.

Psalms 26 by Roger Sherman. SAB, handbells. GIA Publications. \$.40.

A chant adaptation with some quintal harmonization for several verses. It is not difficult.

Nunc Dimittis by Roger Sherman. Two voices and handbells. GIA Publications. \$.35.

An easy setting, it is chant-like and occasionally quintal. It is easy.

Seasonal Psalms. Congregation, choir, organ. Augsburg Publishing House. \$3.00.

This is a collection of ten psalms by different compos-

ers, mostly metrical but with careful attention given to the text. The volume includes parts for the congregation that may be photocopied. Most of the pieces are easy.

Sing Alleluia by Paul Fetler. SATB, optional handbells, organ. Augsburg Publishing House. \$.50.

The text and the tune are in constant agreement. It would probably be better not to use the keyboard accompaniment. It is not difficult.

Wise Men, Noble Wise Men Three by Judy Hunnicott. SATB, organ, handbells *ad lib*. GIA Publications. \$.50.

This simple setting of an old text is a welcome addition for celebrations of the Epiphany. It is easy.

Little Lord of Long Ago arr. by Austin Lovelace. Unison, organ. Augsburg Publishing House. \$.40.

A traditional Scottish melody is enhanced by an interesting accompaniment. It is easy and appropriate for Christmas.

The King and the Shepherds by Daniel Pinkham. SATB, *a cappella*. E. C. Schirmer Co. \$.50.

A musically sophisticated carol by an American composer, it uses a contemporary idiom.

Today is Born Our Savior by Alexander Peloquin. Cantor, congregation, SATB choir, organ or harp. GIA Publications. \$.90.

The melodies are attractive and the rhythms interesting. A complementary accompaniment should make it a favorite.

Nine Short Christmas Carols by Robert J. Powell. SSA. GIA Publications. \$1.00.

There is nothing really new in these except for the *a cappella* setting for equal voices. In all it is skillfully and tastefully done and is not difficult.

A Hymn to the Infant Christ by Francis A. Wapen. SATB, organ, two flutes. GIA Publications. \$.70.

This is not a difficult piece. There is polyphonic texture throughout in both the *a cappella* choral sections and the instrumental parts that introduce the choir. Traditional harmony makes it not difficult to learn.

A Star Rose in the Sky by Robert Wetzler. SATB, organ. Augsburg Publishing House. \$.50.

This arrangement of a familiar Catalonian carol, entitled *Carol of the Birds*, has some good part writing in traditional harmony. It is not difficult.

C.A.C.

Jesus with Thy Church Abide by Jonathan A. Tuuk. SATB, organ. GIA Publications.

Bread of the World by Jonathan A. Tuuk. SATB, organ. GIA Publications.

Immortal, Invisible, God only Wise arr. by Jonathan A. Tuuk. SATB, congregation, organ. GIA Publications.

Mass of the Holy Trinity by Jonathan A. Tuuk. SATB, congregation, organ. GIA Publications.

Mass in honor of Saint Andrew by Jonathan A. Tuuk. SATB, congregation, organ; handbells, brass, timpani *ad lib.* GIA Publications.

Jonathan A. Tuuk is a relatively new name added to the scene of church music composers. He is a well-schooled church musician serving as organist and choir-master at Immanuel Lutheran Church, Grand Rapids, Michigan. He enjoys the talent to write music for a small parish choir in an easy and interesting manner without sounding trite or simplistic. His organ accompaniments are particularly enjoyable, always complimenting the voices in the most artistic fashion while at the same time never neglecting to add to their support. The music of Jonathan Tuuk is fresh and will enrich the liturgy in any parish situation.

Jesus with Thy Church Abide is an original tune, only eight measures long, presented in four varied and charming verse arrangements. The anthem concludes with a three measure polyphonic *Amen* which greatly enriches the finale. It is easy.

Bread of the World is a 32 measure composition appropriate for singing during the presentation of the gifts. It can be especially useful for the parish that insists that the anthems not be too long during that liturgical action. Complimented by a well-written organ part, the voices are sustained and musical interest is added.

Immortal, Invisible, God only Wise is a new setting of an old tune. It can involve everyone in the church. After a 16 measure organ fanfare, four verses are presented in unison, then by SATB, followed by unison again with a fine organ dance-like accompaniment, and finally a setting with soprano descant. It is easy and effective.

The Mass of the Holy Trinity is a good setting for the Sundays of the year. *Kyrie, Sanctus*, the memorial acclamation and the great *Amen* are well coordinated for congregational participation. *Gloria* and *Agnus Dei* are best left for the choir alone. It is an easy composition with soprano and tenor often doubling and also alto and bass. A well-written and independent organ accompaniment supports the voices but adds interest.

The Mass in honor of Saint Andrew is written in much the same style as the *Mass of the Holy Trinity*. Again a basic theme is used for the *Sanctus*, the memorial acclamation and the great *Amen*, a practice that invites the congregation to participate easily. The *Gloria* uses the recurring theme and text, "Glory to God in the highest and peace to His people on earth." Organ chimes can be substituted for the handbells in the *Gloria*.

CAL J. STEPAN

Organ

Hymn Preludes and Free Accompaniments. Augsburg Publishing House. \$2.50 for each set of 12 pieces.

Organists are often looking for effective, short introductions to hymns that not only present the musical theme but also create a proper mood. Augsburg Publishing House has given us such a set of pieces, extremely simple, written for manuals only, and printed on cards.

The prelude is on one side, the hymn accompaniment on the other.

At this writing, twelve sets, each containing twelve pieces, have been published. They are sold in envelopes with holes punched in the pages for enclosure in a loose-leaf binder. The pieces are the work of Jan Bender, Emma Lou Diemer, Philip Gehring, Austin Lovelace, Hugo Gerke, Wilber Held, Charles Ore, Donald Bus-sarow, Ronald Arnatt, Richard Hudson, Richard Hillert and David Schack.

Hymns are listed under their generic titles. Translations or first lines are not given. Thus one must determine which prelude and accompaniment fits the given English hymn assigned to be sung. Although many organists may be familiar with titles such as the *Tallis Canon* or *Jesu, meine Freunde*, some might need to research *Darwell's 14th* or *Ack, bliv hos oss*. Some indication of the meters or some listing of texts frequently used with a given melody might have been supplied. Perhaps they fit more easily with the newly published Lutheran hymnal. Certainly they reflect a long and distinguished history of hymnody in the Lutheran congregations. They are well written, short and functional. There are frequent registration suggestions and in some instances alternate keys and harmonizations are provided. When all of these one-page pieces are put together in a binder, one should have some kind of an index, but the problem is complicated because no page numbers have been printed on the individual items, and at present they already number 144!

WILLIAM TORTOLANO

Magazines

UNA VOCE (France). No. 85. March-April, 1979

A very thoughtful article by Dominique François deals with the argument presented by liturgists that the changes in the Church and the liturgy are a response to the will of the faithful and the needs of a changing world. It is said that the Church is changing because we are changing. We will no longer accept an absolute set of values imposed from on high. We want to create our own liturgy, etc. Every day in statistical studies and public opinion polls we read what we think and what we don't think. The use of the indefinite we and the passive voice eliminates the need for precision and makes the information seem objective and non-debatable, while encouraging the reader to accept the ideas presented in order to be a part of this new and changing world. Isn't it better to be "open to the future" rather than "wedded to tradition?" However, statistical studies tell us not only what we think, but also what we do, or more precisely, what we do not do, for instance, go to Mass on Sunday. A poll in *Le Monde* (July, 1975) reports a 40% drop in Mass attendance since 1971 and a 60% drop since 1961. For every five Frenchmen who went to Sunday Mass in 1961, only two attended at the time of the poll. Could it be, as Fr. Gelineau admitted in an article published in 1974 by the French national liturgical center, that the new Mass in most churches is deadly dull? Could we have

been turned away from the Mass by the changes made in the liturgy, including the abandonment of Latin? Fr. Gelineau himself admits that a large category of people have been turned away from the Church by the liturgical changes made since Vatican II; traditionalists are bored by Mass in the vernacular and others are unhappy because now that Mass is in French one should understand it.

If the Church is responding to the changes we want, why do young parents continue to prefer the sacrament of baptism over a welcoming ceremony that defers baptism? In the diocese of Limoges where this plan has been promoted for the past ten years, only 4 to 5% of the parents are choosing a deferred baptism, and this statistic comes from the national liturgical center (CNPL). Moreover, young people continue to ask for the sacrament of marriage and the faithful request funerals which include the celebration of the Mass. But the liturgical bureau will not be discouraged; we will change the demand by changing what is offered. The author concludes with the observation that what is being done in our name is not necessarily what we want, but that we are being used as the excuse for a program of change being willed by another we. Along this same line, a brief news item points out that while the ordinary layman cannot be buried with a Latin Requiem Mass, even if he requests it, a Latin Requiem was sung at the funeral of the famous filmmaker Jean Renoir recently in Los Angeles. The funeral of Cardinal Villot was sung entirely in Latin by Pope John-Paul II, as was that of the wife of General Mobutu of Zaire.

V. A. S.

Books

Built in Boston: City and Suburb by Douglass Shand Tucci. New York Graphic Society, Boston, 1978. 269 pages.

Scholarly yet extremely readable, this handsomely illustrated volume gives a chronological account of the development of Boston's architecture from 1800 to 1950. Chapter headings such as Before and After Bulfinch; H. H. Richardson's Boston; Streetcar City, Garden Suburbs; French Flats and Three-Deckers; Charles McKim and the Classical Revival indicate the rich variety in this book. Of particular interest to readers of *Sacred Music* is the author's original research on Ralph Adams Cram and the gothic revival churches he built in Boston at the turn of the century. Through his study of medieval art and his work, Cram, a Unitarian who converted to Anglo-Catholicism, made Boston the center of a full-fledged revival of medieval Catholic art. Although originally conceived for Anglo-Roman churches, gothic revival was eventually used for churches of all denominations, creating as it were a common Christian architecture for the United States, that, along with the classical revival style of the Boston Public Library, shaped the dominant modes in American architecture until the 1930's.

All Saints Episcopal Church in Ashmont (1892) was Cram's first attempt to re-create (not copy or adapt) the gothic style by studying its underlying principles and

motives. Cram's thesis was described thus by Montgomery Schuyler, a leading architectural critic of the period: "the gothic principle is the very principle of progress, and faithfully applied to modern conditions would result in an architecture as unlike in form (but) as kindred in spirit to the medieval building in which thus far it has found its most triumphant expression." (p. 159) With reference to the exquisite All Saints Church whose exterior and chancel became a model for American Catholic tradition churches, Tucci says: "All Saints was designed as a setting for liturgical worship in the Catholic tradition, which is essentially corporate in nature. Thus its architectural art reflected this function. It was designed to be visually corporate, each detail calling attention not to itself but to an overall and organic unity of design that Cram insisted must pervade not only the architectural setting but all the elements of what John Henry Newman called the 'sacred dance' of the high Mass — including even such things as altar frontals and processional crosses, which Cram and Goodhue designed there as elsewhere." (p. 175)

Following the strong example of the anglo-Catholic Cram was the Roman Catholic Charles Donagh Maginnis, senior partner of the firm of Maginnis and Walsh. He became the leading Roman Catholic architect in the United States working both in the gothic and classical revival styles. Maginnis's firm along with that of Allen and Collins, responsible for the high altar of St. Patrick's Cathedral in New York among other things, served to continue Boston's dominant role as a center for explicit revival architecture until the 1930's.

The thoughtful analysis presented in this book by Douglass Tucci of the origins of the style of church architecture so prevalent in the United States until World War II and its relationship to the rites of the Roman Catholic liturgy gives us pause for reflection about the current state of affairs in these two areas. Moreover, his well chosen quotations from Cram's writings lead us to think twice about the modernist's scorn of revival architecture. As Tucci concludes, Cram and his contemporaries found in the renaissance palazzo and the medieval church "building types that could stimulate the creative architect to his own personal and timely achievement in the same way that the renaissance attempt to recover the architecture of antiquity had stimulated Bramante." (p. 181)

V. A. S.

Isabel Pope and Masakata Kanazawa, eds. *The Musical Manuscript Montecassino 871: A Neapolitan Repertory of Sacred and Secular Music of the Late Fifteenth Century*. Oxford: Clarendon Press, 1978. \$65.00.

This truly handsome volume of nearly seven hundred pages is a significant addition to the growing list of editions of renaissance vocal music. The work is dedicated to Monsignor Higinio Angles, the famous musicologist from Catalan who was president of the Pontifical Institute of Sacred Music in Rome and first president of the papal international musical federation, the Consociatio

Internationalis Musicae Sacrae. Angles did much for Spanish musicological research, and this volume continues that effort.

Manuscript 871 from the Abbey of Montecassino contains many compositions of the Spanish composer, Johannes Cornago, who worked at the court of the Aragonese kings of Naples. Other composers whose works are present are Guillaume Dufay, Hayne van Ghizeghem, John Dunstable, Loyset Compere, Johannes Ockeghem, Franchinus Gafforus and others. Texts are Latin, French, Italian and Spanish. Forms include hymns, antiphons, psalms, *Magnificats*, and lamentations among the liturgical compositions; secular forms are French *chansons*, Italian *ballate strambotti* and Spanish *canciones*. The division between secular and sacred pieces is about half and half. Many of the sacred compositions have reference to the liturgy of Holy Week; most of the texts pertain to the office rather than to the Mass.

The work is of significance for the musicological world. Certainly it will be of value to college history of music courses. Renaissance performance ensembles will find it a source of interesting new repertory. In all cases, it must be used by a trained and experienced musician. For example, the texts are given as found in the manuscript and so frequently they are not printed under the various voices; original keys, as given in the manuscript, are retained, but may not always fit a performance without being transposed; compositions chosen for liturgical performance, such as hymns, often need the additional verses that have not been set polyphonically and must be supplied in chant for completeness.

For the parish choir, especially with the use of Latin so greatly curtailed at present, these pieces have little practical value in this format. It would be interesting to see some of the music for passiontide published in more practical editions for use by groups without any musicological expertise. The many three-part pieces are not difficult and could provide effective material for choir use.

R.J.S.

OPEN FORUM

Moving Toward A Golden Era

May I add a note to my article, "Moving Toward a Golden Era: American Catholic Liturgical Music, 1947-1964," published in *Sacred Music*, Summer 1979. There are two very helpful dissertations, one of which I mentioned in the article. They are: Sr. M. Christian Rosner, C.S.J., *Contemporary Trends in the Musical Settings of the Liturgical Mass* (unpublished Ph.D. dissertation), Eastman School of Music, 1957; and William Tortolano, *The Mass and the Twentieth Century Composer* (unpublished D.S.M. dissertation), University of Montreal, 1964. I will welcome comments and information suggested by the questionnaire printed at the end of my article.

LAVERNE J. WAGNER

FROM THE EDITORS

The Place of Prayer

Recently Father Edward Holloway, editor of *Faith*, a journal published in England primarily for the clergy, wrote some interesting words in an editorial for the July-August issue of that publication. He wrote:

In the Catholic Church of the past we had one solemn liturgy which emphasized the sacred, the holy, and the deeply contemplative. We did however recognize a wide variety of national and personal temperament, and we had many "popular" devotions, aside from our main stream liturgy, which catered for the more ebullient national temperament, or for the more extrovert individual temperament. Other faiths seemed to find it necessary to create a new sect every time they wished to stress an aspect of union and communion with God. The Protestant churches had everything from the somewhat cold and formal majesty of the Church of England "parish Matins," through to the folksy "Bringing in the Sheaves" hymnody of Sankey and Moody, and the grave, Buddhist-like quiet of the Society of Friends. In the United States, of course, one had the wildly excited and very "pentecostal" sort of service in the Bible Belt a long time ago. At the moment, the Catholic Church does not seem to know what to do with its liturgy, and is in danger of fragmenting into a liturgy and a service based, like so much of Protestantism, on the personality of the local minister and the personal preference of the worshipper. Fragmentation of the basic liturgy does, and will mean fragmentation also of the faith which is taught and the faith as lived. It is no accident that the most "advanced" parish liturgies are generally associated with priests and groups of laity who do not accept the authentic and full teaching of the Church on major matters of faith and morals.

What he is saying is the old Latin dictum, *Lex orandi est lex credendi* (the rule of prayer is the rule of faith). And how truly that is manifest in the public worship presented in so many places in this country today. If the Holy Eucharist is indeed the sacramental presence of the Body and Blood, Soul and Divinity of Jesus Christ, why then do we witness the lack of reverence, almost a studied irreverence toward it, unless what is believed is truly shown by what is said and acted out as prayer? If Mary is truly the Mother of God, and we firmly believe that, then why has devotion to her in all the many ways that the Church has always cultivated so dwindled in the past few years, unless the faith in her has also waned?

As church musicians we must profess the words that we sing and mean what we so profess. Truly the rule of prayer is the rule of faith. Unfortunately many of the words presented for us to sing in today's compositions for the Church have little, if any, doctrinal content. Many are almost completely naturalistic, words that could be accepted easily by any good pagan. When have you last looked at something new in honor of the Blessed Virgin or come on a motet in honor of the Blessed Sacrament? A watering down of teaching, wrongly called ecumenism, is reflected in church music too.

Our task is to be more careful than ever in the selection of music, careful about the texts as well as the notes, considering whether what we are singing is truly Catholic and can pass the test: *Lex orandi est lex credendi*.

R.J.S.

About the Pictures

Jakob Prandtauer, a Tyrolean craftsman and sculptor who only became an architect after the age of forty, was responsible for the construction of the two eighteenth century Austrian baroque masterpieces, the abbeys of Melk and St. Florian, that we feature in this issue. At Melk the buildings created by his genius seem to grow out of the rock ridge dominating the Danube, thus realizing the architect's ideal of the wedding of site and structure. In 1702, Prandtauer was commissioned by the Benedictine abbot, Berthold Dietmayr, to redesign the abbey after fire and Turkish invasions had ravaged the earlier construction. The monastery had been founded by the Benedictines in a castle given to the order by Leopold III von Babenberg in the eleventh century when he moved the seat of his government eastward to Vienna. Intellectual and spiritual center of lower Austria since that time, Melk has been particularly noted for the study of history, although music has also held an important place there. Mozart himself performed in the marble hall of the abbey.

The abbey church is said to have an intensely emotional appeal on visitors because of the richness of its decoration, its soaring height, its spaciousness and the curves of its architectural lines. It is perhaps not fair to compare the interiors of the churches at Melk and St. Florian, for it was Carlo Antonio Carlone and not Prandtauer who was the architect of the latter, but one cannot help but be struck by the differences between these two great baroque edifices. At Melk all is gilt, old gold and reddish ochre, all is elaborate decoration; whereas at St. Florian, even though there is much decoration, one is struck by the absence of gilding and the white, light-filled interior.

If tourists remember Melk for its majestic site, they associate St. Florian with the elegant stairway designed by Prandtauer that is located in the courtyard of the monastery buildings and with the name of Anton Bruckner. Bruckner was a choir boy at St. Florian, and later came back to teach and serve as organist. Even when he went on to live at Linz and Vienna he always thought of St. Florian as his home. He is buried in the crypt of the church. Located near Linz in upper Austria, the Augustinian abbey of St. Florian was founded in Carolingian times at the site of the grave of St. Florian, a high Roman official who converted to Christianity and was martyred by drowning in 304 A.D. He is a very popular saint in Austria and is invoked against flooding and fire.

In addition to the elegant churches, one finds at both Melk and St. Florian richly decorated marble halls and imperial apartments equal in beauty to the rooms of any palace in Europe. Fine libraries at both abbeys contain rich collections of books and manuscripts housed in magnificent settings.

V. A. S.

NEWS

Monsignor Robert F. Hayburn has been assigned to the Church of St. Brigid in San Francisco, California, moving from Saint Francis of Assisi parish where he had been pastor for several years. His new work began on July 24, 1979. His recently published work, *Papal Legislation on Sacred Music, 95 A.D. to 1977 A.D.*, is available from the Liturgical Press in Collegeville, Minnesota.



The Twin Cities Catholic Chorale completed its season of Viennese Masses with the Feast of Corpus Christi, June 17, 1979. Thirty Masses with members of the Minnesota Orchestra providing the instrumental accompaniment were sung this year at the Church of Saint Agnes in Saint Paul, Minnesota. The repertory included thirteen Masses of Mozart, Joseph Haydn, Schubert and Beethoven. The proper of the Mass is sung always in Gregorian chant from the new *Graduale Romanum* published to bring the chants into line with the new *Ordo Missae*. The program of orchestral Masses is supported by over three hundred people who are Friends of the Chorale.



Joseph Baber, formerly of Jersey City, New Jersey, conducted the choir of the Church of Saint Raphael in Snell Isle, Florida, for the first Mass of Reverend Benjamin B. Gorr on May 20, 1979, and the twenty-fifth jubilee of Reverend Edward F. Dunne on May 27, 1979. The choir sang Gruber's *Jubilee Mass* and other music by Vermulst and Mozart. A seven piece instrumental ensemble accompanied the singing. Mary Steingarten is secretary for the choir.



Jack H. Ossewaard played a recital at Christ Church Cathedral in New Orleans, Louisiana, May 6, 1979. His program included works by Couperin, Zipoli, J. S. Bach, Joseph Jongen and Julius Reubke as well as his own improvisations. He is organist and choirmaster at Saint Bartholomew's Church on Park Avenue in New York City.

R. J. S.

Book Bargain

The announcement about the sale on *Sacred Music and Liturgy Reform after Vatican II* brought a great number of orders. There are still copies available. It is a significant work establishing the basic principles upon which a true reform of music and liturgy should be built in accord with the decrees of the council. Order one for yourself, your pastor, a library or another organist or choirmaster. Make checks payable to Sacred Music. The price is \$10, postpaid when the money accompanies the order.

R. J. S.



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