1 Corinthians 11:1-16

A Scriptural, Historical and Canonical Analysis

(revised and expended from the original 2004 article, including a correction on the author of the 1976 Vatican document *Inter Insigniores*)

By Robert A. Sungenis, Ph.D.

In 1Co 11:4-7, St. Paul writes:

4 Every man praying or prophesying having his head covered dishonors his head. 5 But every woman praying or prophesying with her head uncovered dishonors her head; for she is one and the same with a woman who has been shaved.
6 For if a woman is not covered, then she should have her hair cut off; for if it is shameful for a woman to have her hair cut off or to be shaved, then she should be covered.
7 But a man should not have his head covered, since he is the image and glory of God; but the woman is the glory of man.

The question for today's modern church and culture is: does this Scriptural mandate apply to us? The answer commonly given today is: "No, women are not required to wear head coverings. That is an antiquated practice of the past, and today's church has officially declared that women are no longer bound to it." The truth is, the church has never abrogated the practice of head coverings; rather, the practice has fallen into disuse purely from cultural pressures. In a word, these cultural pressures have had a most damaging effect in deteriorating our whole society, and one of the more dramatic changes is the role of women. They have gone from wifely roles to business executives; from deacon's wives to veritable priests; from factory

workers to fighting soldiers; from wives in submission to equal rights advocates; from child-bearers to child-killers. In the face of all this upheaval are Scripture's commands, followed by a litany of ecclesiastical pronouncements for over 1900 years, showing that a woman is to be in subjection to her husband; that her primary duty is to raise children; and to have a meek and quiet spirit. The opposite, of course, occurs when women begin to rule in the church, family and society, as the prophet Isaiah lamented in the days of Israel's apostasy: "As for my people...women rule over them" (Is 3:12).

From the verses of 1Co 11:4-7 recorded above, St. Paul takes great pains to establish the necessity for women to wear head coverings. In fact, he takes 16 detailed verses to explain the issue of head coverings to the Corinthians, and he does so in a context that is explicit concerning the command for a woman to be in submission to the man (1Co 11:1-5, 11-16). Surely this is not an insignificant issue to St. Paul.

In 1Co 11:10 Paul adds: "Therefore the woman ought to have authority over her head because of the angels." St. Paul, being a Hebrew scholar, was most likely aware that the Hebrew root for "veil," dbr (*e.g.*, Is 3:23), is the same Hebrew root for "subjection," although St. Paul does not actually refer to the word "veil" in 1 Corinthians 11. In essence, the veil is a symbol of authority, yet it is not a symbol of a woman's authority, but of the husband's authority over her, which is the reason the veil is placed on her head, to show that she is completely "under" his authority. This command is in line with other passages in the New Testament that the woman is to be subject to the man's authority. [1]

1Co 11:10 adds that the woman should wear a covering not only for the sake of the man, but also "because of the angels." Although 1Co 11:1-16 is not limited to a woman's presence in the church, angels are indeed present in the sanctuary with the consecrated host, for angels bring the eucharistic sacrifice to God's altar in heaven (as the Eucharistic canon says: "may your angels bring this sacrifice to your altar in heaven"). The angels have a keen eye on the entire proceedings, including how the parishioners are conducting themselves. As St. Paul says in 1Co 4:9, "we are made...a spectacle to angels," and in Ep 3:10: "to me...to enlighten all men, that they may see...the mystery...made known to the principalities and powers in the heavenlies," or as Peter says in 1Pt 1:12: "things which are now declared to you...in which the angels desire to look." St. John Chrysostom, chiding the misbehaving parishioners of his day, once said,

Know you not that you are standing in company with angels? With them you chant, with them sing hymns, and do you stand laughing? Is it not wonderful that a thunderbolt is not launched...For such behavior might well be visited with the thunderbolt.[2]

The angels are sensitive to the issue of head coverings for the covering demonstrates that one is under authority, since the angels, in the presence of God, always cover themselves, yet God is uncovered (Is 6:2). Likewise, a woman is to be covered in the presence of her husband, for he is the image of God. So much was this practice a part of divinely inspired teaching that St. Peter told the Catholic women of his day: “women...being in subjection to their own husbands: As Sara obeyed Abraham, calling him ‘lord’” (1Pt 3:5-6). Since Sarah is cited as a precedent, this means that these principles from the Old Testament carry into the New, to wit, that the principle of the wife’s subjection to her husband is perpetual.

We obtain a glimpse of how the angels communicate their concerns to God in the account of Jesus’ teaching on little children: “See that you despise not one of these little ones: for I say to you, that their angels in heaven always see the face of my Father who is in heaven.” We draw our Catholic teaching about Guardian Angels from passages like this. Note that Jesus shows a direct relationship between “despising” a child to the angels who “see the face” of the Father in heaven. This relationship reveals that the angel’s special mission is to report to the Father when one of these children is harmed. The report implies that the offense is serious, and God will dispense his wrath accordingly upon the perpetrator, which leads Jesus to add, “...it were better for him that a millstone should be hanged about his neck, and that he should be drowned in the depth of the sea.” That is, it is better to suffering a horrible death than to face the eternal wrath of God.

The action of reporting the sin to God so that his wrath can be dispensed (which is similar to an imprecatory prayer, *e.g.*, Ps 37; Ap 6:9-10) is noted also in the immediately following parable about the unforgiving servant. According to Mt 18:31, his unforgiving attitude results in: “his fellow servants seeing what was done, were very much grieved, and they came, and told their lord all that was done,” from which information the lord “being angry, delivered him to the torturers.” Once told of the injustice, the lord follows swiftly with punishment. This does not mean to say that God does not already know what we do: rather, he is especially moved to action when the faithful cry out to him for vengeance. Consequently, to avoid having the angels report to God of her disobedience, a head covering is good advice. Similarly, if women desire to have their prayers answered, they should wear head coverings while praying, otherwise their prayers could be hindered just as a husband’s prayers are hindered for not honoring his wife (*cf* . 1Cor 11:5: “But every woman praying or prophesying with her head uncovered disgraces her head”; 1Pt 3:7: “giving honor to the female as to the weaker vessel and as to the co-heirs of the grace of life: that your prayers be not hindered”). Women, according to St. Paul, have already been punished due to Eve’s sin (1Tm 2:14), and it is certainly logical that they would not want to compound that judgment by repeating Eve’s sin, who, in essence, had usurped Adam’s authority, and is then told in Gn 3:16: “your desire will be to rule over your husband, but he shall rule over you.”

Unfortunately, modernists have deceived today's women. Women have been convinced that they should be "liberated"; that they should have equal authority with the man; that they should not be straddled with caring for children. But St. Paul says that the raising of children is the one sure remedy available to women to rectify the judgment from Eve's sin, as he says in 1Tm 2:14-15:

And Adam was not seduced; but the woman, being seduced, was in the transgression. Yet she shall be saved through child bearing; if she continue in faith and love and sanctification with sobriety."

Today's women are being told exactly the opposite of these truths. They are told that they have the right and privilege to curtail their responsibilities to rear children (*e.g.*, working outside the home, practicing contraception,
etc.
). Suffice it to say, these practices are part of our modern apostasy and they are destroying the fabric of society. Never before in the history of Christianity have women been given such license to resist traditional teaching. Not until the 1970s was there a wholesale departure from the traditional teaching on head coverings. The tradition is quite old, for it stems from the Fathers of the Church. Here is a sampling of their teaching on head coverings for women:

The Fathers of the Church:

Clement of Alexandria: "For this is the wish of the Word, since it is becoming for her to pray veiled. They say that the wife of Aeneas, through excess of propriety, did not, even in her terror at the capture of Troy, uncover herself; but, though fleeing from the conflagration, remained veiled." [3]

Augustine: “It is not as though one part of humanity belongs to God as its author and another to darkness, as some claim. Rather the part that has the power of ruling and the part that is ruled are both from God. Thus the apostle says, ‘A man certainly should not cover his head, since he is the image and glory of God, but a woman is the glory of man.” [4]

“We ought not therefore so to understand that man is made in the image of the supreme Trinity, that is, in the image of God, as that the same image should be understood to be in three human beings; especially when the apostle says that the man is the image of God, and on that account removes the covering from his head, which he warns the woman to use, speaking thus: ‘For a man indeed ought not to cover his head, forasmuch as he is the image and glory of God; but the woman is the glory of the man.’ What then shall we say to this? If the woman fills up the image of the trinity after the measure of her own person, why is the man still called that image after she has been taken out of his side? Or if even one person of a human being out of three can be called the image of God, as each person also is God in the supreme Trinity itself, why is the woman also not the image of God? For she is instructed for this very reason to cover her head, which be is forbidden to do because he is the image of God....”

“But because too great a progression towards inferior things is dangerous to that rational cognition that is conversant with things corporeal and temporal; this ought to have power on its head, which the covering indicates, by which it is signified that it ought to be restrained. For a holy and pious meaning is pleasing to the holy angels. For God sees not after the way of time, neither does anything new take place in His vision and knowledge, when anything is done in time and transitorily, after the way in which such things affect the senses, whether the carnal senses of animals and men, or even the heavenly senses of the angels.”[5]

Ambrosiaster: “The veil signifies power, and the angels are bishops… “This was the church’s tradition, but since the Corinthians were ignoring it, Paul made his appeal to nature.”
[6]

Ambrose: One act is becoming to a man, another to a woman...How unsightly it is for a man to act like a woman!” [7]

Chrysostom: “Being covered is a mark of subjection and authority. It induces the woman to be humble and preserve her virtue, for the virtue and honor of the governed is to dwell in obedience.” [8]

“For this cause He left it to nature to provide her with a covering, that even of it she might learn this lesson and veil herself.”[9]

“A woman does not acquire a man’s dignity by having her head uncovered but rather loses her own. Her shame and reproach thus derive from her desire to be like a man as well as from her actions.”[10]

“No governor should come before the king without the symbols of his office. Such a person would never dare to approach the royal throne without his military girdle and cloak, and in the same way, a man who approaches the throne of God should wear the symbols of his office, which in this case is represented by having one’s head uncovered.”[11]

“To oppose this teaching is contentiousness, which is irrational. The Corinthians might object, but if they do so, they are going against the practice of the universal church.”[12]

Jerome: “It is usual in the monasteries of Egypt and Syria for virgins and widows who have vowed themselves to God and have renounced the world and have trodden under foot its pleasures, to ask the mothers of their communities to cut their hair; not that afterwards they go about with heads uncovered in defiance of the apostles command.” [13]

Tertullian: “To her, then, to whom it is equally unbecoming to be shaven or shorn, it is equally becoming to be covered.” [14]

“Behold two diverse names, Man and Woman ‘every one’ in each case: two laws, mutually distinctive; on the one hand (a law) of veiling, on the other (a law) of baring.”[15]

“What is the meaning of the expression ‘every woman’ except women of every age, every rank and every circumstance? No one is excepted.”[16]

“It is on account of the angels, he says, that the woman’s head is to be covered, because the angels revolted from God on account of the daughters of men.”[17]

“Thus he says concerning the veiling of women: ‘Does not nature teach you this?’ Again, in saying in his letter to the Romans that the Gentiles do by nature what the law prescribes, he hints at the existence of natural law and a nature founded on law.”[18]

Liber Pontificalis: “Pope Linus forbade women to enter a church with uncovered heads.”[19]

The teachings of the Fathers on the requirement for women to wear head coverings coincides with their teaching on the submission of women in general. A representative sample is listed below:

Ignatius: “...and one Church which the holy apostles established from one end of the earth to the other by the blood of Christ, and by their own sweat and toil; it behooves you also, therefore, as ‘a peculiar people, and a holy nation,’ to perform all things with harmony in Christ. Wives, be ye subject to your husbands in the fear of God; and ye virgins, to Christ in purity, not counting marriage an abomination, but desiring that which is better, not for the reproach of wedlock, but for the sake of meditating on the law.”[20]

Augustine: “For the man is the head of the woman in perfect order when Christ who is the Wisdom of God is the head of the man.”[21]

“Nor can it be doubted, that it is more consonant with the order of nature that men should bear rule over women, than women over men. It is with this principle in view that the apostle says, ‘The head of the woman is the man;’ and, ‘Wives, submit yourselves unto your own husbands.’ So also the Apostle Peter writes: ‘Even as Sara obeyed Abraham, calling him lord.’”[22]

“For the name of Christ is on the lips of every man: it is invoked by the just man in doing justice, by the perjurer in the act of deceiving, by the king to confirm his rule, by the soldier to nerve himself for battle, by the husband to establish his authority, by the wife to confess her submission, by the father to enforce his command, by the son to declare his obedience, by the

master in supporting his right to govern, by the slave in performing his duty..."[23]

"Nor can it be doubted that it is more consonant with the order of nature that men should bear rule over women than women over men. It is with this principle in view that the apostle says, 'The head of the woman is the man' [1 Cor 11:3]; and 'Wives submit yourselves to your own husbands.'"[24]

Clement of Alexandria: "The ruling power is therefore the head. And if 'the Lord is head of the man, and the man is head of the woman,' the man, 'being the image and glory of God, is lord of the woman.' Wherefore also in the Epistle to the Ephesians it is written, 'Subjecting, ourselves one to another in the fear of God. Wives, submit yourselves to your own husbands, as to the Lord. For the husband is head of the wife, as also Christ is the head of the Church; and He is the Savior of the body. Husbands, love your wives, as also Christ loved the Church. So also ought men to love their wives as their own bodies: he that loves his wife loves himself. For no man ever yet hated his own flesh.' And in that to the Colossians it is said, 'Wives, submit yourselves to your own husbands, as is fit in the Lord.'"[25]

Chrysostom: "Wives be subject to your husbands" he writes to wives: "That is, be subject for God's sake, because this adorns you, Paul says, not them. For I mean not that subjection which is due to a master nor yet that alone which is of nature but that offered for God's sake."[26]

"Observe again that Paul has exhorted husbands and wives to reciprocity...To love therefore, is the husband's part, to yield pertains to the other side. If, then, each one contributes his own part, all stand firm. From being loved, the wife too becomes loving; and from her being submissive, the husband learns to yield."[27]

"'Subjecting yourselves one to another,' he says, 'in the fear of Christ.' For if thou submit thyself for a ruler's sake, or for money's sake, or from respectfulness, much more from the fear of Christ...rather it were better that both masters and slaves be servants to one another...Thus does God will it to be, for he washed his disciples' feet."[28]

"Then after saying, 'The husband is the head of the wife, as Christ also is of the Church,' he further adds, 'and He is the Saviour of the body.' For indeed the head is the saving health of the body. He had already laid down beforehand for man and wife, the ground and provision of their

love, assigning to each their proper place, to the one that of authority and forethought, to the other that of submission. As then ‘the Church,’ that is, both husbands and wives, ‘is subject unto Christ, so also ye wives submit yourselves to your husbands, as unto God.’ For she is the body, not to dictate to the head, but to submit herself and obey.”

“Wherefore, saith he, ‘Wives, be in subjection unto your own husbands, as unto the Lord.’...For if it is their duty to be in subjection ‘as unto the Lord,’ how saith He that they must depart from them for the Lord’s sake? Yet their duty indeed it is, their bounded duty...For he who resists these external authorities, those of governments, I mean, ‘withstandeth the ordinance of God (Rom 13:2), much more does she who submits not to her husband. Such was God’s will from the beginning.”[29]

Ambrosiaster: As the church takes its beginning from Christ and therefore is subject to him, so too does woman take hers from the man and is subject to him.”[30]

Epiphanius: “And the apostolic word has also escaped their notice: ‘I do not permit a woman to teach in such a way as to exercise authority over men. She is to preserve the virtue of quietness.’ And again, ‘For man is not from the woman, but woman from man.’”[31]

Serverian: Since man did not make woman, the question here does not concern the origin of woman. Rather it concerns only submission.”[32]

“For just as God has nobody over him in all creation, so man has no one over him in the natural world. But a woman does - she has man over her.”[33]

Theodoret: “Paul is particularly concerned here with believing women who are married to unbelieving men: thus, their subjection is in service to the Lord, that is, as the Lord commands.”[34]

“Man has the first place because of the order of creation.”[35]

Tertullian: “Do you go forth (to meet them) already arrayed in the cosmetics and ornaments of prophets and apostles; drawing your whiteness from simplicity, your ruddy hue from modesty; painting your eyes with bashfulness, and your mouth with silence; implanting in your ears the words of God; fitting on your necks the yoke of Christ. Submit your head to your husbands, and you will be enough adorned.”[36]

“Now, when I find to what God belong these precepts, whether in their germ or their development, I have no difficulty in knowing to whom the apostle also belongs. But he declares that ‘wives ought to be in subjection to their husbands:’ what reason does he give for this? ‘Because,’ says he, ‘the husband is the head of the wife.’ Pray tell me, Marcion, does your god build up the authority of his law on the work of the Creator? This, however, is a comparative trifle; for he actually derives from the same source the condition of his Christ and his Church; for he says: ‘even as Christ is the head of the Church;’ and again, in like manner: ‘He who loves his wife, loves his own flesh, even as Christ loved the Church.”[37]

Origen: “First, if our prophetesses have spoken, show us the signs of prophecy in them. Second, even if the daughters of Philip did prophesy [Acts 21:8-9], they did not do so inside the church. Likewise in the Old Testament, although Deborah was reputed to be a prophetess [Judges 4:4], there is no indication that she ever corporately addressed the people in the way that Isaiah or Jeremiah did. The same is true of Huldah [2 Kings 22:14].”[38]

Thomas Aquinas: “For though the wife be her husband's equal in the marriage act, yet in matters of housekeeping, the head of the woman is the man, as the Apostle says (1 Corinthians 11:3).”[39]

“For the higher reason which is assigned to contemplation is compared to the lower reason which is assigned to action, and the husband is compared to his wife, who should be ruled by her husband, as Augustine says (De Trinitate xii,3,7,12).”[40]

“The Apostle says (1 Corinthians 14:34): ‘Let women keep silence in the churches,’ and (1 Timothy 2:12): ‘I suffer not a woman to teach.’ Now this pertains especially to the grace of the word. Therefore the grace of the word is not becoming to women. I answer that, Speech may be employed in two ways: in one way privately, to one or a few, in familiar conversation, and in this respect the grace of the word may be becoming to women; in another way, publicly, addressing oneself to the whole church, and this is not permitted to women. First and chiefly, on account of the condition attaching to the female sex, whereby woman should be subject to man, as

appears from Genesis 3:16."[41]

Canon Law and Head Coverings[42]

Most of the objections raised by modernist to having women wear head coverings are based on the idea that the new code of canon law issued in 1983 under John Paul II does not reiterate the specific mandate that appeared in the 1917 code of Canon Law, and therefore there is no longer any obligation for them. The 1917 code stated:

Men, in a church or outside a church, while they are assisting at sacred rites, shall be bare-headed, unless the approved mores of the people or peculiar circumstances of things determine otherwise; women, however, shall have a covered head and be modestly dressed especially when they approach the table of the Lord.

The modernist further argues that, Canon 6 of the new 1983 code abrogates the 1917 code, and therefore, any commands given in the 1917 code are not applicable after 1983. Canon 6 states:

When this Code takes force, the following are abrogated: (1) the Code of Canon Law promulgated in 1917.

Before we explain the relationship between the 1983 and 1917 codes, we first need to understand why the 1917 code included a command for women to wear a head covering. The answer is simple. Since the wearing of head coverings has its roots in tradition and continued unabated for almost two millennia, this means that the 1917 code was reiterating what the Church already knew from Scripture and the Fathers, and which she had been faithfully practicing in the twentieth century. The only added feature was that the 1917 code put the practice of head coverings into more specified and legal form. The pope of that day, Benedict XV, felt the need to do so because, similar to the Women's Liberation movement of the 1970s, already in 1917 there was a rise of the Women's Suffrage movement, which was persuading Catholic women that they need no longer follow the practices of the traditional Church. In answer to this modern influence, the 1917 code reminded them of their traditional and ecclesiastical obligations. Nothing had changed as far as the Church was concerned. Unfortunately, by the time of the 1970s, the Church had bowed sufficiently enough to the

pressure from women's liberation groups, which by this time had seeped far and wide into the Church, and thus, weakened as she was, she failed to reiterate the traditional teaching.

Second, it goes without saying that a new code of canon law supersedes and abrogates a former code, since there cannot be two legal entities competing against one another. It is the same with the New Covenant replacing the Old Covenant. Legally speaking, the New Covenant completely abrogated the Old Covenant (Hb 7:18; 8:7, 13; 9:15; 10:9). We are not legally bound to obey any of the laws in the Old Covenant. Nevertheless, the New Covenant borrows from and promotes the legal principles contained in the Old Covenant, which is the very reason the New Testament consistently cites Old Testament laws and practices as being applicable, in principle, in the New Testament, especially with regard to women (*e.g.*, 1Co 14:34-35; 1Tm 2:13-14; 5:18; 1Pt 3:6). The New Covenant takes from the Old all the things that were good, for as St. Paul reminds us, "the law is holy, and the commandments are holy and righteous and good" (Rm 7:11). All legal enterprises work the same way. For example, in a court of law, although former cases have no legal authority upon the case presently being argued, still, an attorney can cite previous legal decisions as "precedent" to help the judge or the jury decide the case at hand. Hence, what was decided in previous times has, in principle, a huge bearing on how the court will decide current issues. Unless there is some overwhelming reason to reject the legal tradition, it will be the most influential source in arriving at a decision. So, we would not be surprised to see in the 1983 code of canon law the same respect for previous laws and customs. In fact, the 1983 code goes out of its way to accommodate them. For example, canon 20 states:

A later law [laws in the 1983 code] abrogates, or derogates, an earlier law if it states so expressly, is directly contrary to it, or completely reorders the entire matter of the earlier law.

Here we see that the 1983 code puts limits around itself in relation to previous canon law. Apparently, the 1983 code will not allow itself to automatically dismiss an earlier law unless the 1983 code:

1. (1)"states so expressly,"

1. (2)makes a statement about that law which "is directly contrary to it," or

1. (3)“reorders the entire matter.”

With regard to the issue of women wearing head coverings, none of these three requirements were exercised in the 1983 code.

To show that we are on the right track, canon 21 reinforces the meaning and extent of canon 20. It states:

In case of doubt [*e.g*., about the application of head coverings], the revocation of a pre-existing law is not presumed, but later laws must be related to the earlier ones and, insofar as possible, must be harmonized with them.

It seems then, far from disavowing itself from the 1917 code, if the 1983 code is silent on an issue (*e.g*., as it is with head coverings), it requires that we not presume a previous law was revoked, and, in fact, the 1983 code says it “must be related to” and “must be harmonized with” the 1917 code. Although on a legal basis the 1983 code abrogates the 1917 code, it is clear that the 1983 code imposes a legal stipulation on itself in the way it relates to the 1917 code, a stipulation which requires it to address the 1917 code so that the final decision on a given issue will be in harmony with, not opposed to, the 1917 code. This would be especially applicable in regards to a traditional practice that stretched uninterrupted for over nineteen hundred years and did so because of the original mandate in Holy Writ (*i.e*., head coverings for women).

Canon Law in Regards to Liturgy:

Since the 1917 code made head coverings part of the liturgy due to the fact that: (a) women could not pray with their head uncovered at Mass, and (b) men could not pray with their head covered, we can use the canonical laws regarding liturgy to address this issue. For example, Canon 2 says:

For the most part the Code does not define the rites which must be observed in celebrating liturgical actions. Therefore, liturgical laws in force until now retain their force unless one of them is contrary to the canons of the Code.

Here we see that the 1983 code is admitting that it has not “defined” many of the things that take place in “liturgical actions.” Since wearing head coverings is included in liturgical actions, then it follows that, since the 1983 code does not address head coverings, “therefore” the “law” of head covering is “in force until now” and “retains its force “unless…contrary to the canons of the code.” Obviously, it is not contrary, since the 1983 code does not address head coverings.

Canon Law in Regards to Custom:

Title II of the 1983 code has six canons in regards to “custom.” Custom is important in Catholic legal code for two reasons. First, Canon 27 says: “Custom is the best interpreter of laws.” This means, even though canon law is its own legal entity, it is not an end in itself, since it must be interpreted in accordance with tradition, and, as we saw above, it must “harmonize” with previous codes of law.

Second, if an act is practiced long enough in the Catholic Church, then it assumes what the code calls “the force of law,” and it becomes a law, in itself, without having to be validated by or connected to a canonical law. Regardless whether the custom enters or leaves canon law (as it did in 1917 and 1983, respectively), it remains a custom, since custom, legally speaking, is distinct from canon law.

In fact, custom is so strong that, if the custom has been practiced for 100 years or longer, then not even a canonical law can nullify it. We find this law regarding customs stated in two of the 1983 codes. Canon 26 says:

Unless the competent legislator has specifically approved it, a custom contrary to the canon law now in force or one beyond a canonical law obtains the force of law only if it has been legitimately observed for thirty continuous and complete years. Only a centenary [100 years] or immemorial custom, however, can prevail against a canonical law which contains a clause prohibiting future customs."

Before the 1917 code had included head coverings for women the Church had practiced the custom for nineteen centuries, for history shows us that the practice had never been interrupted after St. Paul gave the original command in 1 Corinthians 11. We also noted earlier that the Fathers and Medievals give their unanimous consent to its perpetuation. Hence, the wearing of head coverings must be considered an "immemorial custom" in the eyes of the 1983 code. As such, it is apparently impervious to abrogation. In fact, as the 1983 code regards the matter, we might conclude that practices such as wearing head coverings could even "prevail against a canonical law which contains a clause prohibiting future customs." Of course, at this point we are arguing hypothetically in order to emphasize the point, since there is no canon in the 1983 code which "prohibits" head coverings, yet this makes the thrust of Canon 26 all the more powerful for our case.

In the Catholic Church, tradition holds sway. Perhaps the power and ubiquity of tradition is why the 1983 code does not bother to mention anything about head coverings, since it would be superfluous in light of the traditional safe guards built around immemorial customs. It may be the case that what the modernist thinks is a non-obligation due to silence is, in fact, silence due to obligation.

That the force of law associated with centenary or immemorial laws is virtually impregnable is noted in two more canons. Canon 5.1 states:

…contrary customs are…considered suppressed unless the Code expressly provides otherwise or unless they are centenary or immemorial customs…

and Canon 28 says:

…a contrary custom…unless it [the code] makes express mention of them, however, a law does not revoke centenary or immemorial customs…

Thus, even if a custom is “contrary” to the new code, centenary and immemorial customs have virtual immunity from being reversed unless the new code specifically says otherwise. Once again, our calling on these canons is in order to overemphasize the point, since (a) wearing head coverings is not a “contrary” custom but a 1970-year old tradition backed up by divine commands in Scripture, and (b) wearing head coverings is not specifically addressed, much less abrogated, in the 1983 code. In other words, if a contrary custom possess a certain amount of immunity, we can only imagine how much immunity a
non-contrary
custom, such as wearing head coverings, possesses!

In retrospect, we see that the 1983 Code of Canon Law does not rescind the scriptural and traditional-based practice of head coverings for women, and, in fact, it does not even address the issue. By the 1983 code’s own admission, if the issue is not addressed, then one cannot presume that the code has rescinded the practice, much less tampered with or is antithetical to “immemorial customs” such as head coverings for women.

Additionally, because of canon law’s self-imposed limitation, when in the 1983 code John Paul II says:

Therefore, in promulgating the Code today, I am fully aware that this act is an expression of pontifical authority and therefore is invested with a primatial character…[43]

…this means, unless he officially decides to rewrite the 1983 code, John Paul II is bound by what he himself put in the code. Thus he is bound to abide by: (a) the rule of “customs” as outlined in canons 23-28; (b) the stipulation in canon 2 regarding the continuity of liturgical practices; and (c) the stipulations in canons 5, 20 and 21 regarding the limits and proper interpretation of canon law. Because of these things, it can be safely said that there has been no official change in the traditional teaching on head coverings.

History of Head Coverings

Since this is the case, how did the traditional practice fall into disuse in our generation? Was it

because of a misinterpretation of the 1983 code of canon law? Not likely, for most Catholic women had already dispensed with head coverings long before the 1983 code was published. In fact, women began putting their hats on the shelf shortly after the closure of Vatican II some twenty years earlier. As nuns were leaving their convents, priests were leaving their parishes and students were leaving their seminaries, so women were leaving their traditional roles as submissive wives. It is not difficult to reason that the discarding of the veil or hat symbolized the departure from her traditional role.

As for pinpointing the possible time and cause upon which head coverings fell into disuse, it is widely reported that during Vatican II a group of journalists had questioned Cardinal Annibale Bugnini, secretary of the New Congregation for Divine Worship and a Vatican envoy, whether women would forthwith be required to wear head coverings. Bugnini is said to have replied that the matter was not a topic of debate at the Council. By his wording, however, he may have given some subtle indication that the matter could be open for discussion at a future date. The journalists, whether because they already had an agenda or were inferring a conclusion from what Bugnini implied, interpreted his remarks to mean that women would no longer be required to wear head coverings in the Catholic Church. Correct or not, their interpretation was reported in newspapers all over the world and soon thereafter hatless women became the prevalent, yet unofficial, practice in the mid- 1960s. That, coupled with the fact that the 1960s was a decade of social revolution which entertained many heretofore unheard of ideas and practices, liberal bishops and priests began softening the requirement of head coverings, but all without one official word from the Vatican to do so. As more and more Catholic woman were coming to Church functions without the traditional head covering, it wasn't long before the Vatican was approached concerning the official teaching of the Church on this important issue. Surprisingly, the same man who may have fomented the disuse by his off-hand comments in 1963, Annibale Bugnini, held an interview, which was subsequently reported in *The Atlanta Journal* of June 21, 1969, in an article titled "Women Required to Cover Head, Vatican Insists." The article stated:

A Vatican official says there has been no change, as reported, in the Roman Catholic rule that women cover their head in church. The Rev. Annibale Bugnini, secretary of the New Congregation for Divine Worship, said the reports stemmed from a misunderstanding of a statement he made at a news conference in May. Bugnini stated: "The rule has not been changed. It is a matter of general discipline."

Since Bugnini revealed that a statement he made in May 1969 was "misunderstood," it stands to reason that whatever inferences were made from what he said in 1963 regarding head coverings were also "misunderstood," since there could be little else to explain why a hoard of journalists all interpreted him as saying what six years later was the exact opposite. Perhaps because of Bugnini's penchant for changing the traditional practices of the Church (for he was the chief architect of the Novus Ordo Mass), what was "misunderstood" both in 1963 and 1969

may have been something that Bugnini subtly planted in the minds of the reporters. In any case, it is likely that someone at the Vatican got wind of Bugnini's "misunderstood statement" and subsequently ordered him to make it clear in 1969 that the issue of head coverings "has not been changed" and "is a matter of general discipline." Shortly thereafter, Bugnini's Freemason ties were exposed in that same year and Paul VI had him deported from the Vatican, but the damage had already been done. For the first time in Catholic history, women were entering the churches in droves without their head coverings, all because of Bugnini's "misunderstood" statements to the press. Yet, in the face of Bugnini's possible misdirection, the last official statement we have from a Vatican envoy is: regarding head coverings for women, "the rule has not been changed [and] it is a matter of general discipline." Unfortunately, hardly anyone paid attention to that clarification.

The CDF's 1976 Declaration *Inter Insigniores*[44]

The matter of head coverings did not come up again except for a brief mention by the CDF in its 1976 Declaration titled *Inter Insigniores*, which, strangely enough, is only available in Portuguese on the Vatican website. The main topic of *Inter Insigniores* was not head coverings but the role of women in the church, particularly the continued exclusion of women from the ministerial priesthood. In the Declaration, of which I will underline the pertinent parts, Cardinal Seper writes:

Another objection [to ordaining women as priests] is based upon the transitory character that one claims to see today in some of the prescriptions of Saint Paul concerning women, and upon the difficulties that some aspects of his teaching raise in this regard. But it must be noted that these ordinances, probably inspired by the customs of the period, concern scarcely more than disciplinary practices of minor importance, such as the obligation imposed upon women to wear a veil on their head (1Co 11:2-16); such requirements no longer have a normative value. However, the Apostle's forbidding of women to speak in the assemblies (1Co 14:34-35; 1 Tm, 2:12) is of a different nature, and exegetes define its meaning in this way: Paul in no way opposes the right, which he elsewhere recognizes as possessed by women, to prophesy in the assembly (1Co 11:15); the prohibition solely concerns the official function of teaching in the Christian assembly. For Saint Paul this prescription is bound up with the divine plan of creation (1Co 11:7; Gn 2:18-24): it would be difficult to see in it the expression of a cultural fact. Nor should it be forgotten that we owe to Saint Paul one of the most vigorous texts in the New Testament on the fundamental equality of men and women, as children of God in Christ (Gal 3:28). Therefore there is no reason for accusing him of prejudices against women, when we note the trust that he shows towards them and the collaboration that he asks of them in his apostolate.

Although the Congregation's statement appears to demote the status and requirement of head coverings, I believe such a conclusion is unwarranted for the following reasons:

1. 1) The CDF Declaration's main topic, regarding which a binding decision for the Church appears to be made, is the issue of ordaining women to the priesthood, not head coverings. The issue of head coverings is added only to serve as evidence that St. Paul was not a misogynist or that he did not have "prejudices against women." As such, the Congregation was not making a specific decision on whether women should wear head coverings. As I understand it, the rule of interpreting magisterial documents is this: unless the magisterium is addressing the specific topic in question and intends on giving a definitive decision on that topic, than that topic is not being officially addressed and no formal decision regarding its validity is being decided. In effect, no one can appeal to *Inter Insigniores* to support the contention that the Catholic Church has made an official declaration that it no longer requires head coverings for women, especially in the face of Bugnini's statement from the Vatican seven years earlier saying: "The rule has not been changed. It is a matter of general discipline." An interlocutor may, of course, use the Congregation's statement to demonstrate the Congregation's provisional and tentative position may have been in 1976 before the issue of head covering had been studied in depth, but he cannot refer to it as an *official* teaching of the Church. Certainly, the Congregation would not want to be held to such rigorous and non-contextualized use of its words.

1. 2) Regarding the intent of the CDF, it is obvious that the Congregation did not want to have its words regarding head coverings interpreted as official Church teaching, since it is careful to say that such ordinances were " *probably* inspired by the customs of the period." By using the word "probably," the Congregation was clearly making a non-binding observation, not handing down a judgment, on the origin and nature of head coverings. (The observation, in fact, is quite questionable, since there is little evidence to support the view and much evidence against it in Catholic tradition). The fact that the wearing of head coverings was practiced for almost two millennia prior to this Declaration and was actually part of canon law when at the time, means that the preponderant teaching and practice of the Church did not see it as merely a "custom of the period" to be discontinued in any of the remaining nineteen centuries. Accordingly, as I noted earlier, the 1983 Code of Canon Law stated quite clearly that such "customs" attain the "force of law" if they have been practiced for a sufficient amount of time (canons 23-28), and as such, they are impervious to alteration, especially from documents such as *Inter Insigniores* in which the magisterium is not setting out to address the issue of head coverings formally and directly at all. Moreover, the 1917 code did not consider head coverings a "custom of the period" (the

"period" being the first century Christian Church) since it issued a strict law that the practice was to be continued in the twentieth century. If head coverings were (as the CDF in 1976 considered "probable") nothing more than mutable "customs of the period," then the 1917 Code and the whole of Catholic tradition which insisted on women's head coverings for nineteen hundred years would be wrong.

1. 3) This leads us to investigate precisely what the CDF meant when it said "such requirements no longer have a normative value." Since, as I noted above, the Congregation was basing its conclusion about the cessation of "normative value" on the premise that head coverings were "probably inspired by the customs of the period," then, by virtue of the indecisiveness of the word "probably," the conclusion about "normative value" was also based on an unproven premise. Therefore this unqualified and absolute conclusion (*i.e.*, "such requirements no longer have a normative value") is logically invalid. The rules of logic demand that one cannot base a certain conclusion on a premise that is uncertain. Furthermore, that all the popes previous to the pontificate of Paul VI understood the practice of head coverings to have "normative value" is demonstrated by the mere fact that the Church, long after the first century – indeed for almost two millennia – continued insisting that women wear head coverings in Church. After all, if head coverings, being merely a "custom of the period," had in reality no "normative value" after the first century, then the patristic, medieval, and post-medieval Church was mistaken in not seeing the practice as a mere first century idiosyncrasy, and were thus also mistaken in requiring all its women to abide by such a needless practice for nearly two thousand years.

1. 4) Since in *Inter Insigniores* the CDF does not cover the issue of head coverings in any depth whatsoever but is only interested in the case against ordaining women, we do a disservice to the magisterium and to the Church at large if we attempt to use these cursory statements on head coverings as an official teaching of the Church.

1. 5) Last but certainly not least, we must also consider that since *Inter Insigniores* was written in 1976, it was under the 1917 Code of Canon Law which specifically required the wearing of head coverings. Hence, it would be a gross breach of ecclesiastical protocol if the CDF were to be interpreted as countermanding what the 1917 Code of Canon Law had already commanded.

1. 6) It is quite likely that the cursory statement on head coverings in *Inter Insigniores* was not what the Prefect of the Congregation himself concluded regarding the exegesis of 1 Corinthians 11; rather, it was the product of more progressive exegetes. Not only is this possibility suggested by the direct reference in
Inter Insigniores
to “exegetes” who had conferred with Cardinal Seper,
[45] but it is also evident if one reads the then current polemical literature on the issue of head coverings and other related matters during the 1970s, both in Catholic and Protestant circles. Women’s issues were one of the more controversial topics of the 1970s, and progressive thinkers were making quite an impact with neo-orthodox interpretations of Scripture. The books advocating a reinterpretation of 1 Corinthians 11, advising that head coverings were culturally biased against a modernized society, became the first shots across the bow in this ongoing war. These new interpretations not only went against 2000 years of Catholic tradition but also 2000 years of Old Testament tradition. In Old Testament times, uncovering a woman’s head was seen as a way of humiliating her or punishing her (
cf
. Nm 5:12-18, Is 3:16-17, Sg 5:7). Even in late second millennium BC, a Hebrew woman would never consider entering the Temple without a head covering. Today, however, in light of all the other signs of a generation who has sought to loosen what it regards as the shackles of tradition, progressive exegetes claim that such proscriptions of Scripture are based on nothing more than the cultural biases of St. Paul and the early Church.

1. 7) The Vatican itself, to this very day, has not changed the practice of having women wear head coverings, at least on certain occasions. In the recent meeting, for example, between President Barrack Obama and Pope Benedict XVI, the women in the presidential entourage, including Mrs. Obama, were donned with black veils when walking through the Vatican and in the presence of the pope.

1. 8) The eastern churches, both of Catholicism and the Orthodox, still require head coverings for women.

NB: A letter arguing for the points raised in the paper has been sent to Fr. Ward, Under Secretary of the Congregation for Divine Worship, on July 15, 2009.

Robert Sungenis

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[1] 1Co 14:34-35; 1Tm 2:11-15; Cl 3:18; Ep 5:22-33; 1Pt 3:1-5.

[2] *Homilies on the Acts of the Apostles*, 24.

[3] *The Instructor*, Book III, Ch. XI.

[4] *Against the Manichaeans*, 2, 26, 40.

[5] *On the Trinity*, Bk XII, Ch 7.

[6] Commentary on Paul's Epistles as cited in the *Corpus scriptorum ecclesiasticorum latinorum* 81:122, 124.

[7] *Letter to Layman*, 78; FC 26:436.

[8] *Homilies on First Corinthians*, 26, 5.

[9] *Ibid.*, 14, 6.

[10] *Ibid*., 25, 4.

[11] *Ibid*., 26, 4.

[12] *Ibid*., 26, 5.

[13] Letter CXLVII, 5

[14] *On the Veiling of Virgins*, Chap VII.

[15] *Ibid*., 1

[16] *On Prayer*, 22, 4.

[17] *Ibid.*, 22, 5.

[18] *The Chaplet* 6, 1; FC 40:242

[19] Pope Linus was elected in 67 AD as the second Pope of the Catholic Church, he died in 76 AD and is buried near the tomb of St. Peter.

[20] *To the Philadelphians*, Ch 4.

[21] *Against the Manichaeans* 2, 12, 16.

[22] *On Marriage and Concupiscence*, Bk 1, Ch 10.

[23] Letters, CCXXXII.

[24] *On Marriage and Concupiscence* 1, 9, 10, NPNF1 5:267.

[25] *Stromata*, Bk 4, Ch 8.

[26] *Homilies on Colossians*, NPNF1 12:304.

[27] NPNF1 13:304

[28] *Homilies on Ephesians*, Homily XIX, NPNF1, 142.

[29] *Homilies on Ephesians*, NPNF1, 143-144.

[30] CSEL 81.3:117-118

[31] *Panarion*, 49, 3.

[32] *Pauline Commentary from the Greek Church*, 15:260.

[33] *Ibid*., 15:261.

[34] *Interpretation of the Letter to the Colossians* PG 82:621A.

[35] *Commentary on the First Epistle to the Corinthians*, 234.

[36] *On the Apparel of Women*, Ch XIII.

[37] *Tertullian Against Marcion*, Ch XVIII.

[38] *Commentary on 1 Corinthians* 4, 74, 6-16

[39] *Summa Theologica*, Treatise on the Theological Virtues, Question 32, Article 8.

[40] *Summa Theologica*, Treatise on Gratuitous Grace, Question 128, Article 4.

[41] *Summa Theologica*, Question 177, Article 2.

[42] We offer this study on Canon Law not as qualified experts but, as Canon 212:3 states: “According to the knowledge, competence, and prestige which they possess, they have the right and even at times the duty to manifest to the sacred pastors their opinion on matters which pertain to the good of the Church and to make their opinion known to the rest of the Christian faithful…” We submit this to the Church so that if it wishes, it can reexamine the case of head coverings in light of the insights we bring forth.

[43] *Code of Canon Law*, p. xxix

[44] Inter Insigniores is only available in Portuguese on the Vatican website.

[45] “…and exegetes define its meaning in this way…”