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## EDITORIAL

### VITA MUTATUR, NON TOLLITUR

**I**N THE afternoon of All Saints Day, the city of the living moves to the city of the dead. All roads lead to the cemetery wherein, the mortal remains of our beloved departed rest; for not all man dies with death. This practice goes back to the early days of Catholic Philippines. In preparation for this annual visit, the graves of our relatives and friends have been fittingly decorated, and we are carried in the wings of love to this quiet place where the dead live. There we feel closer, it seems, to those who still living this side of the grave, we called father, or mother or sister or friend.

This is a very normal and noble sentiment, but should we stop here? For some of us this might be enough; for not a few, this occasion offers an opportunity to express their feelings and sentiments to the departed ones by means and ways reminiscent of pagan practices and superstitions; still others acting more in keeping with the christian spirit offer prayers for their eternal rest.

What spiritual benefit is gained by our beloved from these our visits? Reverence for our departed ancestors is not exclusively a christian practice; in one form or another this has been done by non christians in all parts of the world. Christianity in its early centuries purged and purified some of these manifestations nay ennobled and enriched them with the help of light that reveals to us, to some extent, the mystery of life after death. "Pagans, says Saint Ambrose, decorate their sepulchers with roses and garlands, but we christians embellish our tombs with the flowers of prayers, whose fragrancly reaches heaven and pleases

God". "For with regard to thy faithful, O Lord, reads the Preface of the daily Mass for the Dead, life is changed, not taken away, and the house of their earthly dwelling being destroyed, an eternal dwelling in heaven is obtained".

All this may be good and well done, but holy mother the church wishes us to do something more useful and beneficial for the departed souls. She exhorts us to move to the house of God wherein she opens to us the treasures of her mercy in favor of these same souls. Twice a year she allows her priests throughout the whole world to offer three times in the same day, the holy sacrifice of the Mass; All Saints Day, is one of them. She grants a plenary indulgence in favor of the Holy Souls "Toties Quoties", they visit a church or public oratory, and fulfill the established and well known conditions.

The thought that permeates and animates the militant church is that nothing will enter heaven unless it is perfectly purified from the effects of sin. They can not help themselves; it is we alone who can help them; shall we fail them? "It is a holy and wholesome thought to pray for the dead, that they may be loosed from sins". (II Mach. c. XII, v. 46)

FR. MARTIN DIEZ, O.P.

## THE COUNCIL'S EXPECTATIONS

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"MOTU PROPRIO" OF HIS HOLINESS JOHN XXIII "APROPPINQUANTE CONCILIO OECUMENICO."—*"L'Osservatore Romano,"* sept., 16, 1962.

With the advent of the Second Vatican Ecumenical Council, Our soul is filled with a great joy thinking of the now close and marvelous spectacle which will be offered by the multitude of bishops gathered together in the beloved city of Rome, coming from all parts of the world to study, together with Us, near the tomb of St. Peter, the most grave problems of the Church.

Therefore, We give deep thanks to God, not only because He has benevolently given Us the inspiration to initiate such important work but also because He has continually guided with His help the preparatory labors of the council. This confirms Us constantly more in the confidence that the abundance of divine blessings will not be wanting for the completion of the work begun, just as they were abundant at the happy beginning.

### Multiple Fruits Expected

The Catholic expects multiple fruits from this great gathering. And she, who is the most holy spouse of Christ and the mother and teacher of all peoples, desires above all else that the light of truth reaches all her sons, including those who live far distant from her, so that they may always be more fired by the ardor of charity. It is, in fact, the heavenly values of truth and charity which help to the greatest extent in achieving peace and unity. That which the coming council proposes to achieve is found in that mandate which Jesus Christ entrusted to the Apostles and which echoes in all places and at all times: "Go

*and make disciples of all nations baptizing them and teaching them to observe all that I have commanded you*" (Mathew 28, 10). There are, therefore, three tasks which are expected of the Bishops, the successors of the Apostles, that is, teaching, sanctifying and governing. So that they might carry out this mandate in a worthy manner, Jesus Christ has benignly promised to be with them until the end of time.

Men must be taught that which concerns the true Faith and good morals, and there must always be remembered more what the intimate nature of the Church is and what are her tasks and her ends. In fact, the more radiantly the face of Mother Church shines, with so much more intense ardor will men love her, and with all the more docility of mind will they use the means of salvation offered by her and be obedient to her laws.

Moreover, new inventions have enlarged the dominion of men over nature, and since there is also in this, a similarity to the appearance of divine wisdom which "*is the brightness... of eternal light and the unspotted mirror of God's majesty and image of His goodness*" (Wisdom 7, 26), it is to be hoped that men may draw encouragement from this to improve with more attentive study their morals and to achieve that intimate perfection of life toward which the human mind tends by its nature.

### The Greatest of the Councils

The approaching ecumenical council, by virtue of the number of those who will participate in its meetings, evidently will be the greatest of the councils held by the Church thus far. And this fact, while a reason of comfort, engenders also in the mind worries and concern, since, as it is clear, it will not be an easy thing to store up wisely for use the counsels of an assembly so numerous, to follow the voices of so many speakers, to examine in depth the wishes and desires of all and to put into effect all that has been established.

What inspires confidence in Our mind is the certainty that the Fathers of the council, though they differ according to nation, race and language, are all Our brothers in Christ and all act in one single and similar spirit, so that truly according to the words of Jesus Christ they will be able to shine as the light of the word and will be able to produce fruits "*in all goodness and justice and truth*" (Ephesians 5, 8-9).

### Prayers For Its Success

In order that these fruits may be abundant, We will be helped above all by Almighty God, whom We have invoked with all Our prayers through Jesus Christ, the one and only Mediator between God and men, and through the Most Blessed Virgin Mary and her spouse, St. Joseph, under whose special patronage We have wished to place the council. The common work of all those who take part in the council will also help, so long as it is in harmony and proceeds according to the prescribed order. This is why We have deemed it opportune to establish certain norms which, taking into account the special nature and circumstances of this council, favor the beginning and the honest progress of the work of such a vast assembly and consequently "*let all things be done properly and in order*" (Corinthians 14, 40).

Therefore, after mature reflection, through this "*motu proprio*" and on Our Apostolic authority, We decree and promulgate the following provisions and We order that they be observed faithfully by all at the Second Vatican Ecumenical Council.

We prescribed therefore that all that which is established in this Our "*motu proprio*" remain definitely established and be observed irrespective of any other provisions to the contrary, however worthy of special attention.

Given in Rome, at St. Peter's the 6th of August, the feast of the Transfiguration of Our Lord, of the year 1962, the fourth of Our pontificate.

JOHN XXIII

## COUNCIL RULES LAID DOWN

**(Resume of the Regulations for the Council prepared and distributed by the Press Office of the Second Vatican Ecumenical Council:)**

The regulations which establish the norms for the Second Vatican Ecumenical Council consist of three parts: the first concerns the people who will participate in the council or who are engaged in work pertaining to its progress; the second establishes the rules which must be observed during the council; the third indicates the procedure for the meetings.

### PART ONE: The Participants

The first part is divided into nine chapters which are subdivided into 18 articles, including an introduction in which it is stated who are the council Fathers and their obligation, according to the Code of Canon Law, to have themselves represented by a deputy should it be impossible for them to attend personally. In the introduction there are also listed the people who perform tasks during the council: theologians, canonists, experts on different disciplines, the Secretary General, the under secretaries, the master of ceremonies, those who assign the seats, the notaries, the promoters, the ballot examiners, the scribes-archivists, the readers, the interpreters, the translators, the stenographers, the technicians.

The first three chapters define the essential structural outline and duties of the public sessions, of the general congregations and of the council commissions.

The public sessions are presided over by the Pope and in his presence the council Fathers express their vote on the decrees and canons previously discussed and prepared at the general congregations.

The general congregation is presided over, in the name and with the authority of the Pope himself, by one of the 10 cardinals chosen and named by the Holy Father to form the Council of the Presidency.

The council commissions amend, and eventually prepare, according to the opinion expressed by the Fathers during the general congregations, the projects of the decrees and canons.

There are 10 council commissions and they are composed as follows:

— One cardinal president named by the Pope;

— One or two vice presidents elected by the president from among the members of the commission;

— One secretary chosen by the president from among the theologians or canonists or experts of the council;

— Twenty-four members, of whom 16 will be elected by the Fathers of the Council and eight named by the Pope.

— The 10 council commissions are named according to the subjects they must examine:

- 1) The Doctrinal Commission for Faith and Morals;
- 2) Commission for Bishops and the government of dioceses;
- 3) Commission for the Oriental Churches;
- 4) Commission for the Discipline of the Sacraments;
- 5) Commission for the Discipline of the Clergy and the Christian people;
- 6) Commission for the Religious;
- 7) Commission for the Missions;
- 8) Commission for Sacred Liturgy;
- 9) Commission for Seminaries, Studies and Catholic schools;
- 10) Commission for the Apostolate of the Laity, for the Press and Entertainment.

As one can see, the council commissions follow almost the same outline as the preparatory commissions, with the exception of the 10th, which combines the preparatory Commission for the Lay Apostolate with the preparatory Secretariat for Press and Entertainment.

To these 10 commissions there are added moreover: a) a Secretariat for Extraordinary Questions of the Council. The duty of this secretariat will be to examine possible new problems of special importance proposed by the Fathers and, if need be, to refer them to the Holy Father. This secretariat is presided over by the Cardinal Secretary of State and its secretary is the secretary general of the council.

b) The Secretariat for the Union of Christians, c) the Technical-Organizational Commission and d) the Administrative Secretariat. The last three bodies continue to exist because they have not finished their task and they keep their characteristic nature and structure of the preparatory period.

The fourth chapter establishes the composition and the duties of the Administrative Tribunal. This was constituted with the duty of defining possible disciplinary questions. It consists of 10 members and is presided over by a cardinal. Both members and cardinal are named by the Pope.

The fifth chapter illustrates the qualifications and the duties of the council experts, that is, of the theologians, canonists and others. They are designated by the Pope. They take part in the general congregations but without right to speak or to be interrogated. They collaborate with the members of the council commissions, on the invitation of the individual presidents of these commissions, for the purpose of compiling and correcting the texts and of preparing reports.

The council Fathers can moreover make use not only of the official council experts but also of theologians, canonists and private experts who, though bound by secrecy regarding the questions discussed in the council of which they are informed, cannot however take part in the general congregations or in the meetings of the council commissions.

The sixth chapter, subdivided into four long articles, deals with the General Secretariat, directed by the Secretary General who is assisted by two under-secretaries. The secretariat is subdivided into four different offices:

- 1) The Office of Sacred Ceremonies, to which belong the prefect of ceremonies, the masters of ceremonies and the people in charge of assigning the seats;

- 2) The Office of Juridic Acts, consisting of notaries, promoters and ballot examiners;

- 3) The Office for recording and preserving of the council acts, in which work the scribe-archivists, the readers, the interpreters, translators and stenographers;

- 4) The Office formed by all the people responsible for the technical equipment used for recordings, voting, etc.

All the members of these different offices depend on the secretary general and are named by the Holy Father. Their in-



dividual duties which are easily identified by the definition of their appointments, are subsequently clearly defined in the regulations.

The seventh chapter outlines the duties of the two custodians of the council, who are also named by the Holy Father.

The eighth chapter of the first part deals with the observers who are sent by the Christian churches separated from the Catholic Church.

They can attend the public sessions and the general congregations, with the exception of special cases indicated by the Council of the Presidency; they cannot, however, intervene in the discussions or vote. They cannot take part in the meetings of the council commissions without the permission of the lawful authority. They can report to their communities on the council meetings, but they are bound by secrecy regarding any other person. The Secretariat for Union is the official body of the council for the necessary contacts with the observers and it is the duty of the secretariat to make the necessary provisions enabling them to follow the work of the council.

## **PART TWO: The Norms Which Must Be Observed at the Council**

The second part consists of 12 chapters subdivided into 25 articles.

They contain first of all indications regarding the procedure for convoking council meetings, and establish that the public session and the general congregations will be held in St. Peter's, whereas the commissions will meet in premises as close as possible to the basilica.

At the public sessions all the Fathers having episcopal rank, as well as abbots and prelates, will wear a white cope and miter. But at the general congregations the cardinals will wear red or violet cassocks, according to the liturgical seasons, with rochet, short cape and mozetta; patriarchs will dress in violet rochet, short cape and mozetta; archbishops and bishops will wear violet cassock with only the rochet and short cape; abbots, prelates nullius and the superiors of religious orders will wear their own choir dress.

Precedence is established as follows: cardinals, patriarchs, primates, archbishops, bishops, abbots and prelates nullius, abbots primate, abbots superior of monastic congregations, the superiors general of orders and of the exempted religious clerical congregations. Procurators also have their special place according to order of precedence; a special place is also reserved to the council experts.

The fourth and fifth chapters establish the norms for the profession of faith and for the oath of secrecy.

The sixth and seventh chapters prescribe that Latin is the only language which can be used at public sessions, at the general congregations, at the meetings of the Administrative Tribunal and for the compiling of the acts. The readers, interpreters, and translators are held at the disposal of the Fathers to make the use of Latin easier for them.

At the meetings of the council commissions modern languages can also be used in addition to Latin, but subject to immediate translation into Latin.

The eight chapter provides indication of how the discussions in the council hall must proceed.

a) Every question which is to be discussed must be presented and illustrated at the general congregation by a relator who is designated by the president of the commission involved;

b) Every Father who intends to intervene in order to approve, reject or amend the text, must present a request to the presidency, through the general secretary, and, when this turn comes, he must clearly outline the reasons for his intervention, subsequently handing in writing the possible amendments he proposes. The Fathers are requested not to exceed, if possible, 10 minutes when they speak to illustrate their thought.

c) The general congregation, after hearing the reply of the relator, will vote on the individual proposals and amendments, deciding on whether they are to be rejected or included in the project.

d) If the amendments are accepted, the relator — once the text has been returned to the council commission for correction— will have to submit again the new formula for the examination of the general congregation.

e) If the amended project is not approved in all its parts by the general congregation, the same routine will have to be followed again for its ultimate perfection.

Chapter nine indicates the formulae and the methods which must govern the ballots: *placet* (yes), *non placet* (no), at public sessions in the presence of the Holy Father; *placet, non placet, or placet iusta modum* (yes, but with changes), at the general congregations and at the commissions. Whoever casts a ballot *placet iusta modum* must explain in writing the reasons for his reservations.

Ballots are cast with special cards, which will be examined by a new mechanical system unless the president of the assembly decides otherwise case by case.

There must be a two-thirds majority in the ballots taken at public sessions, general congregations and at meetings of the council commissions, unless special provisions to the contrary are decided by the Supreme Pontiff.

The 10th chapter deals with the possibility of new questions being presented for discussion by the council. In order that these may be examined by the Council of the Presidency, the person submitting them must present them in writing together with the reasons which justify his act. But there must always be questions concerning problems pertaining to public welfare and of such importance that they demand the attention of the council.

The last chapters of the second part forbid the Fathers explicitly — referring to Canon 225 of canon law — from leaving the council before it has ended. In the event that any one of them has to leave Rome for urgent reasons while the council is still meeting, the permission of the president will have to be requested; when one has to be absent from a meeting of the public sessions or of the general congregations, the Council of the Presidency in this case too must be warned through the secretary general.

### **PART THREE: Procedure of the Meetings**

The third part consists of only three chapters which are divided into 27 articles. This part envisages in all its details the procedure of the meetings of the public sessions, the general congregations and the council commissions.

Preceded and accompanied by special liturgical ceremonies, the public sessions are presided over by the Holy Father. After reading from a special pulpit the prepared decrees and canons, the secretary general asks for the vote of the Fathers, the result of which is immediately communicated to the Pope.

If the Supreme Pontiff approves in his turn these decrees and canons, he pronounces the solemn formula: "The decrees and canons just read are pleasing to the Father (without exception, or with the exception of — votes to the contrary). And We also, with the approval of the sacred council, decree, establish and promulgate them as they have been read."

The general congregations are held on the basis of a precise calendar, which is communicated beforehand to the Fathers. Every day work begins with the Holy Mass which is celebrated by a council Father who is designated by the President and with the prayer of the "*Adsumus*"; it ends with the prayer of the "*Agimus*". According to the procedure outlined in the second part, every project is examined and perfected. When the time of its final compilation is reached, the president submits it to the Holy Father, to permit him, if he deems it opportune, to accept it for approval at the public session.

In their turn, the council commissions base the procedure of their meetings on the general congregations, with the exception of the special and individual needs of the task entrusted to them: that of preparing the projects which are to be discussed, presenting them to the general congregations, amending them according to the proposals expressed by the Fathers during the joint meeting in the council hall.

## SACRA CONGREGATIO DE SEMINARIIS ET STUDIORUM UNIVERSITATIBUS

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### ORDINATIONES AD CONSTITUTIONEM APOSTOLICAM «VETERUM SAPIENTIA» RITE EXSEQUENDAM

SACRUM LATINAE LINGUAE DEPOSITUM, quod Petri Cathedra a primis saeculis sancte semper custodiit habuitque perspicuum venustumque unitatis signum ac veritatis christianae integre tuendae propagandaeque ac rituum sacrorum validissimum instrumentum, SSmus Dominus noster Ioannes Pp. XXIII a neglectu et impugnationibus firmiter vindicavit, ac ratum in Ecclesia confirmatumque edixit. Apostolica enim Constitutione «Veterum sapientia»,<sup>1</sup> quam sollemni ritu die 22 Februarii sua ipsius manu subsignavit in Petriana Basilica, fundamenta iacit traditque praecepta, quibus haec lingua Ecclesiae propria et cum Ecclesiae vita perpetuo coniuncta, in antiquum gloriae et honoris locum restituatur.

Quantum vero difficultatis et laboris instauratio haec praestantissima et necessaria habeat, cum ex praesenti studii ususque latinae linguae infelici condicione, tum ex locorum, temporum hominumque adiunctis, nemo equidem ignorat, eoque minus hoc Sacrum Studiorum Consilium, ut iam in Epistola ad Excellentissimos locorum Ordinarios die 27 Oct. 1957 data,<sup>2</sup> animadvertit.

At vero non difficultatibus vinci, sed eas vincere nos docet vita fidesque christiana, ubi ardui aliquid, sed nobile et necessarium, est assequendum. Si quid igitur adsidui operis et laboris hac instauratione efficiendum proponitur, id erit nostris conatibus incitamentum ad eos percipiendos fructus, quos merito Ecclesia a prompto et alacri

<sup>1</sup> Ioannes XXIII, Const. Apost. *Veterum Sapientia*, 22 Feb. 1962: A. A. S. LIV (1962), pp. 129-135.

<sup>2</sup> S. Congr. de Seminariis et Studiorum Universitatibus, Epist. *Latinam excolere linguam*, 27 Oct. 1957: A.A.S., L (1958), pp. 292-296.

singulorum animo — et eorum potissimum, qui ad haec suo tenentur officio — exspectat, his praesertim gravissimis vitae temporibus, quibus per universale Concilium Vaticanum II ad christiani unitatem assequendam confirmandamque tota adlaborat. «Nunc maxime meminisse iuvat — aiebat Summus Pontifex in sermone quo et Constitutionem de lingua latina promulgabat<sup>3</sup> — huius linguae momentum et praestantiam, cum ea decurrant tempora, quibus unitatis mutuaeque populorum coniunctionis necessitas acrius sentitur, nec desunt tamen imprudentes ad eam infringendam conatus. Etenim latina lingua, a Latina Ecclesia adhibita, etiamnunc potest, praesertim vero inter eius sacros diversarum gentium administros, magno esse usui ad animos, extinctis dissensionibus, reconciliandos. Magno et novis populis esse potest usui, qui civilem gentium consortionem fidentes ingrediuntur, cum nullius gentis commodis bonisve sit peculiariter adstricta vel fa-veat, fons omnibus extet perspicuae tuaeque doctrinae, sit iis ad intellegendum facilis, qui humanitatis studia peregerint, sit praecipue mutuae intellegentiae instrumentum atque *magni pretii vinculum*».

Edocet nos Ecclesiae historia nullis difficultatibus non praesto esse remedium, dummodo eius necessitatis habeatur persuasio et omnium, sacrorumque praesertim ministrorum, prompta docilisque accedat voluntas ad illud adhibendum. Quod idem ipsa latinae linguae vita probat luculentissime. Iacuit enim pluries latina lingua, temporum iniquitate veluti oppressa, at rursus floruit renovata semper, cum eam tota ipsa Ecclesia quasi commune patrimonium, sanctum ac venerandum, sollicitè defenderet ac strenue sustentaret.

Instaurari potuit pluries, cum magis etiam quam nostra aetate iacebat, ut, post merovingiam barbariem, potuit in Gallia per Pipinum et Carolum Magnum albescente saeculo IX; potuit iterum saeculo XII altius insurgere ac fieri mirabile Philosophiae ac Theologiae vehiculum; potuit praecipue saeculis XV-XVI ita renasci et extolli perfectissima, ut Ciceronis Augustique aetas reddita nobis fuisse videretur.

Potest igitur etiamnunc instaurari, si debitum huic studio tempus ac potiores partes tribuantur nec tot aliis obruatur ac paene suffocetur disciplinis, quae in publicis scholis succrevire; si ratio docendi magis ad illam antiquitus traditam accedat, ita ut usus loquendi scribendique latine comparetur; si praeceptores bene parati, latinae linguae cognitione et usu experti et paedagogicis dotibus instructi, ex dissitis etiam locis — ut a latinitatis instauratoribus saepe factum esse constat — accersiti, ad hoc munus designentur; si latinae linguae exercitatio privatim et in peculiaribus scholis continuetur etiam inter altiora studia ecclesiastica, et in his praescriptus huius linguae usus

<sup>3</sup> Cfr. A. A. S. LIV (1962), pp. 173-175.

religiose servetur; si omnis in ea docenda discendaque ponatur cura, industria, alacritas, quales in rebus maximi momenti et pretii solent ac debent adhiberi; si, denique ac praecipue, summum Ecclesiae bonum spectetur et certa ac firma Summorum Pontificum voluntas attendatur eique prompta oboedientia ac debito obsequio obtemperetur.

Hoc Sacrum Consilium Seminariis et Studiorum Universitatibus praepositum, prompto animo obtemperans mandato Constitutionis Apostolicae «Veterum sapientia», omni sedulitate accuravit huius linguae docendae discendaeque rationem, idoneam sane ad eius instaurationem plene et efficaciter consequendam.

Has igitur Ordinationes Seminariis, Universitatibus et Facultatibus studiorum ecclesiasticorum tradit easdemque religiose servandas praescribit.

## CAPUT I

### Normae Generales

ART. I — *De rationibus studiorum singularum gentium ad normas «Ordinationum» accommodandis.*<sup>4</sup>

§ 1. Cum variae studiorum rationes in singulis gentibus earumque ecclesiasticis scholis vigentes, interdum, quod ad latinae linguae studium attinet, impares sint ad plenam huius linguae scientiam et usum consequendum, vario modo erunt, ad normas ab his Ordinationibus constitutas, accommodandae, ut plene finem assequi possint neque ulla detur excusatio de non obtento proposito.

Partim igitur cedat oportet publica studiorum ratio, si componi nequeat cum plena et propria studiorum ecclesiastici viri institutione et cum ea in latina lingua formatione quae a Constitutione Apostolica et Ordinationibus in omnibus sacris administris requiritur et praecipitur.

§ 2. Ut hae Ordinationes fideliter servantur, atque ut vigentes in singulis gentibus studiorum rationes ad easdem rite accommodentur, uniuscuiusque Nationis Episcopi quibusdam peritis viris hoc munus committant, ut, pro locorum adiunctis, una eademque sit, in eadem Natione, huius studii ratio, utique Sacrae Congregationi recognoscenda et probanda.

<sup>4</sup> Const. Apost. n. 8 (p. 135 iuxta edit. A. A. S.).

§ 3. Cum vero in fideli Apostolicae Constitutionis et harum Ordinationum executione, primis praesertim temporibus, variae pro locorum temporumque condicionibus oriri possint difficultates, Sacra Studiorum Congregatio peritorum Coetum constituet, cuius auxilio eas ad mentem Constitutionis et Ordinationum solvet, dubia definiet, responsa et consilia dabit, totamque huius rei executionem prosequendam curabit.

## ART. II — *De Latinae linguae magistris.*<sup>5</sup>

§ 1. Quod attinet ad linguae Latinae professores in scholis inferioribus et mediis seu humanitatis quas vocant (atque in scholis celsioris ordinis — Seminariis Maioribus et Facultatibus Ecclesiasticis — peculiaribus cursibus de interpretatione SS. Patrum, Theologorum, Documentorum Ecclesiae), primum et omnino requirendum est, ut hi apti ac periti in hac lingua sint debitisque praediti paedagogicis dotibus, cum ex ipsis procul dubio pendeat pars maxima felicitis exitus huius institutionis.

§ 2. Antistitum igitur Moderatorumque cura sit eos clericos tempestive deligere, qui ad hoc munus aptiores propensioresque videantur, ac de iis probe formandis parandisque sint solliciti, ut sunt de ceterarum disciplinarum professibus.

§ 3. Semper in magistris designandis non quantulumcumque, sed peculiaris huius linguae scientia in eiusque usu peritia requiratur.

Quam ob rem antequam docere incipiant, debitam doctoris lauream in litteris classicis consecuti sint in aliqua studiorum Universitate, et aptam linguae ac litterarum Latinarum scientiam acquisierint sintque in eisdem sermonis usu probe exercitati. Quod si in propria natione huiusmodi Facultates non dentur vel minus aptae sint, ad optimas studiorum Universitates in exteras gentes mittantur.

§ 4. Cum autem in plerisque civilibus studiorum Universitatibus fere una philologica eruditio, parum vero usus Latinae linguae spectetur, curent sacrorum Antistites, ut iuvenes professores, etiam publica laurea donatos, et laudabiliter eos etiam qui in altioribus disciplinis fontes commentari debebunt,<sup>6</sup> mittant ad aliquod ex Institutis ab hac Sacra Congregatione iam probatis vel constituendis, praesertim vero ad ACADEMICUM LATINITATIS INSTITUTUM ex Constitutione Apostolica «Veterum sapientia» Romae condendum,<sup>7</sup> ut comparare sibi possint non modo

<sup>5</sup> *Const. Apost.* nn. 3-6 (p. 133-134). — Cfr. S. C. de Sem. *Epist.* 27 Oct. 1957, n. I

<sup>6</sup> Cfr. Cap. III, Art. I, § 3; Cap. IV, Art. I, § 3.

<sup>7</sup> *Const. Apost.* n. 6 (p. 134).



vivum huius linguae usum in loquendo et scribendo, sed pleniorē etiam Latinitatis Christianae et Medii Aevi cognitionem.

§ 5. Professores latinae linguae a suo munere ne amoveantur sine gravi causa, at in eo stabiles sint, ut docendo se perficere et excellentiores fieri in dies possint.

§ 6. Idem ne nimis horis docendi onerentur, quare complures numero sint; neque aliis cuiusvis generis occupationibus distineantur.

§ 7. Qui inepti quavis de causa agnoscantur, quique praesertim huic linguae adversentur, tempestive amoveantur, ne, ex falsa indulgentia vel negligentia improbanda, prima adolescentium institutio detrimentum, forte sine remedio, capiat.

§ 8. Ubi periti latinae linguae professores pauciores in quibusdam locis sint, curent Antistites, donec illorum numerus aequē augeatur, ut eos etiam ab aliis Dioecesebus vel a Religiosis petant. Quod mutuum auxilium inter varias, etiam diversae nationis, Dioeceses et inter utrumque Clerum, plurimum conferet et ad instaurationem latinae linguae iuvandam et ad vinculum solidandum caritatis.

### ART. III — *De examinibus.*

§ 1. Examina — quibus et alumnorum debita huius linguae scientia et docentium in suo munere industria ac peritia comprobatur — summa cum diligentia momentique conscientia habenda sunt. Quaevis igitur indulgentia omnino vitetur in admittendis ad superiores scholas vel ad gradus academicos vel ad ipsum magisterium qui imparati sint vel non satis probati: quaevis enim hac in re facilitas vel remissio detrimentum et illis ipsis affert, cum postea maiores inveniant difficultates claudicantesque semper sint, et ipsi Ecclesiae, cum eius linguam minus intellegant et ament, vel etiam spernant.

§ 2. Propria igitur examina habeantur post singulos annos scholares, iteranda si non fuerint superata, antequam ad superiorem classem fiat accessus; in iis autem habeatur semper oportet (praeter exercitationem componendi, postremis annis) *translatio* ex latina in vernaculam et ex vernacula in latinam linguam, ad verbum primis annis, dein usque expolitius secundum utriusque linguae proprietates generis dicendi.

§ 3. Pariter examen habeatur post absolutum curriculum studiorum mediorum, idque eiusmodi sit, ut praeter debitam latinae linguae scientiam, comparatum etiam eius sufficientem usum comprobent, ut alumni reapse parati accedant ad superiores disciplinas discendas, easque latine intellegere et proponere valeant.

§ 4. Qui ad Seminarium Maius vel ad Facultates ecclesiasticas admitti cupiunt, neque studia classica peregerint in aliquo Seminario Minore, sed vel in civili aliqua schola vel in aliquo alio collegio, in quo alumni non ad sacerdotium, sed ad publica munia parantur, severius in scientia et usu linguae latinae examinentur, ut non minus parati, quam qui in Seminario Minore studia peregerint, admittantur. Quod si requisitam latinae linguae scientiam non habeant, per conveniens tempus studia classica resumant atque rite perficiant.

§ 5. Ab alumni, qui ex aliis Institutis vel Seminariis admittuntur in Seminaria interdioecesana et regionalia ad maiores disciplinas discendas, peculiare examen, ad modum colloqui latini vel per aptam scriptiunculam, a Moderatoribus Seminariorum Maiorum exquiratur. Qui haud satis parati inveniantur, non ante admittantur, quam per congruum tempus suppleverint quae non perfecerint.

§ 6. Peculiaris adhibenda est cura atque muneris conscientia in iis rite in latina lingua instituendis, qui *natu maiores* ad sacerdotium vocati sunt et nihil vel parum admodum latine didicerunt. Vix enim credi potest quantum haec studia ad maturiorum etiam animos atque ingenia informanda conferant; quantum, contra, tota eorum sacra institutio lacunosa sit, et quantae dein sollicitudini sint moderatoribus, si cursim ac leviter ea peregerint. Ceterum, ut aperte praescribit Constitutio: «Nemini . . . faciendus est aditus ad philosophicas vel theologicas disciplinas tractandas, nisi plane perfecteque hac lingua eruditus sit, eiusque sit usu praeditus».<sup>8</sup> — Hi igitur alumni:

1° In scholis peculiaribus ad eos recipiendos destinatis ita integram huius studii rationem — etsi citatiore gressu, non tamen perfunctorie ac prope summis labiis — absolvant, ut nihil ex ea, aetatis causa, praetermittant.

2° Huiusmodi studium latinae linguae, antequam studio Philosophiae Scholasticae initientur, saltem per biennium protrahant.

3° Examen subeant ac superent, antequam in Seminarium Maius mittantur; huius autem erit comprobare utrum sufficienti scientia et usu instructi sint.

#### ART. IV — *De latinae linguae pronuntiatione.*

Quod ad pronuntiandi rationem attinet, quamvis nihil detrahendum sit ei, quam «classicam» vocant, quaeque, cum sit in pluribus celsioribus praesertim scholis recenter restituta, utique cognoscenda

<sup>8</sup> *Const. Apost.* n. 3 (D. 133).

est, attamen, ut iam S. Pius X<sup>9</sup> et Pius XI<sup>10</sup> monuere, ea pronuntiatio, uniformitatis causa, in usu retineatur, quae «romana» dicitur, quippe quae non modo «intime conexas sit cum instauratione cantus gregoriani, ad cuius numeros modosque formandos multum valuit usitata eo tempore ratio accentuum et pronuntiationis linguae latinae», et maxime apta «ad unitatem liturgicam in dies solidandam»,<sup>11</sup> sed etiam sit in usu numquam intermisso in Ecclesia et in plurium gentium scholis a saeculo circiter quarto, ita ut fere internationalis seu communis evaserit; sitque insuper pronuntiatio, qua legebantur ecclesiastica documenta cum exarata sunt, qua igitur legi etiam nunc debent.

## CAPUT II

### De communi ratione studii linguae latinae in scholis Humanitatis

ART. I — *De fine huius studii et ratione eum assequendi.*<sup>12</sup>

§ 1. Nemo ignorat latinae linguae et humaniorum litterarum vim propriam ad insurgentia ingenia conformanda. His enim potiores mentis animique dotes exercentur, explicantur, perficiuntur; acuitur ingenii acies et iudicandi vis; mens ad omnia recte amplectenda et aestimanda redditur aptior; lucidior comparatur ordo in cogitando et loquendo verborum dicendique proprietas et elegantia suppeditatur; animus non ad unam utilitatis conquisitionem, sed ad altiorem cultum veramque humanitatem efficaciter excolitur; plenior solidiorque acquiritur scientia non romanicarum modo linguarum, sed aliarum etiam cultiorum.

Haec tamen formandae mentis bona, quae una fere a studio latinitatis exspectantur in publicis scholis, non eadem una sunt, quae in clericorum institutione attenduntur, quippe in his praecipua ratione spectetur peculiaris illa mens informanda, quae requiritur ad futura munia ecclesiastica rite obeunda.

§ 2. Latinae linguae studium in scholis Humanitatis clericorum eo pariter praecipue tendit, ut sacri ordinis tirones adire possint sacrae Traditionis fontes, ipsa intellegere Pontificum, Conciliorum, Liturgiae monumenta; denique, ut hac lingua uti valeant in maioribus discendis disciplinis, in conscribendis ecclesiasticis documentis et epistolis, in

<sup>9</sup> S. Pius X. *Epist. Votre Lettre*, ad Ludovicum Ernestum Dubois, Archiep. Bituricensem. 10 Iul. 1912: A. A. S. IV (1912) p. 578.

<sup>10</sup> Pius XI, *Epist.* ad Ludovicum Card. Dubois, Archiep. Parisien., 28 Nov. 1928.

<sup>11</sup> S. Pius X. *l. c.* (*Epist. Votre Lettre*).

<sup>12</sup> *Const. Apost.* § «neque vero» (p. 132).

epistolarum commercio habendo cum fratribus ex clero aliarum gentium, denique in disceptationibus ecclesiasticis circa fidei et disciplinae catholicae capita, quae fiunt in conciliis et conventibus ecclesiasticis ex omni gente habendis.

§ 3. Ut autem hunc finem, seu debitam huius linguae scientiam et usum sacri tirores consequantur, huiusmodi studium accommodatum esse debet tum quod ad temporis spatium insumendum attinet, tum ad Auctorum explicandorum quantitatem qualitatemque, tum ad rationem docendi discendique.

## ART. II — *De temporis spatio huic studio tribuendo.*<sup>13</sup>

§ 1. Cum tempus huic studio assignatum in variis gentibus, multis de causis tantopere variet, sive anni spectentur, sive horae singulis hebdomadis ei tributae, tantum temporis in ecclesiasticis scholis erit huic disciplinae dandum, quantum in praesentibus adiunctis necessarium ac sufficiens ad finem eius consequendum censetur. — Hac igitur in re statuitur:

1° Huius studii tempus per annos saltem *septem* est protrahendum pro adolescentibus qui latinitatis scholas in Seminariis incohant, horas vero non minus *sex* primis quinque annis, non minus *quinque* reliquis duobus.

2° Ubi laudabiliter vigeat ratio dandi *octo* vel plures annos litteris latinis, haec ibi omnino retineatur. Quo tempore Auctores deligantur vel secundum propriam loci rationem studiorum, vel secundum schema infra propositum (Art. III, § 3).

Neque praescriptum tempus putetur inutiliter insumptum: si enim alte nunc adolescentes non egerint in his disciplinis radices, nunquam imbuentur solidioribus, quae sequentur, doctrinis, neque ecclesiasticae institutionis fructus plene percipient.

§ 2. Sic igitur variae disciplinae disponendae contrahendaeque sunt (nisi etiam aliqua vel omnino relinquenda vel ad aliud tempus differenda sit), ut hoc praescriptum temporis spatium Latinae linguae tribuendum omnino servetur.

§ 3. Qui Seminarium vel scholam ecclesiasticam ingrediuntur post unum pluresve annos in hoc studio impensos in publicis scholis, ei cursui assignentur, qui cum eorum vero scientiae gradu conveniat, non autem simpliciter cum numero annorum.

<sup>13</sup> *Const. Apost. n. 3-2* (pp. 133-134).—Cfr. *S. C. de Sem. Epist.* 27 Oct. 1957, n. III (p. 295).

§ 4. In iis denique gentibus, apud quas Seminaria ex peculiaribus historiae adiunctis habentur quoque pro Collegiis, in quibus et sacri tirones et alii alumni eadem ratione studiorum instituuntur, omnino curandum erit ut haec communis studiorum ratio compleatur rite pro iis, qui ad sacerdotium contendunt, ita ut quae Ordinationes praescribunt circa spatium temporis studio latinae linguaetribuendum et circa explanandorum Auctorum quantitatem, prorsus serventur et eo, quo ecclesiastica haec institutio spectat, perveniatur.

### ART. III — *Auctores explicandi.*<sup>14</sup>

§ 1. In deligendis explicandisque auctoribus, haec fere attendenda sunt: ut gressus fiat a facilioribus ad difficiliore; ut ii seligantur qui probatiore sint latinitate, qui nihil, saltem in delectis ad interpretandum locis, contineant quod adulescentium aures animosque offendat, qui, contra, aliquid contineant, quod et elegantia dictionis et rebus contentis plus conferat ad veram animi iudicique formationem; ut ea varietate sumantur, qua possit veluti prospectus aliquis sat amplius haberi in praecipua Romanorum documenta atque adeo in totas latinas litteras; ut ea quantitate explanentur, quae sufficiat ad veram latinae linguae scientiam suppeditandam; denique, ut cum recentioribus Ecclesiae Scriptorumque documentis gradatim coniungantur, quo melius possint alumni puram latinam linguam discere eandemque ad res novas exprimendas optime accommodatam.

§ 2. His ducti principiis, delectum quemdam Auctorum exhibemus eosque ordine plus minus in scholis recepto disponimus per singulos annos, ita tamen, ut cum Auctorum delectus, tum eorum per annos distributio possit, iustis de causis (ut ex diu inducta consuetudine, ex accommodatione ad publicam huius studii rationem, etc.), aliquantulum mutari, dummodo definita haec *quantitas*, minima et sufficiens, nihil immutetur.

§ 3. Hi Auctores, igitur, et hac mensura fere deligantur pro singulis annis:

*I anno:* primum, sententiae integrae et elegantes, ex Auctoribus decerptae; quaedam proverbialia et effata memoriter retinenda; altera anni parte, sumi poterunt quaedam ex Veteri et Novo Testamento (ut creatio mundi, narratio de septem fratribus Machabaeis, parabola filii prodigi, ovis perditae, etc.), saltem 100 versiculi, quorum nonnulli etiam memoriae mandandi sunt; forte addi poterit aliqua Phaedri brevior fabella vel brevissima Ciceronis epistula;

<sup>14</sup> Cfr. S. C. Sem., *Epist.* 27 Oct. 1957, n. II (p. 295).

*II anno*: saltem 10 Phaedri fabulae, una alterave Nepotis vita, circiter 20 Ciceronis epistulae, nonnulli breviores dialogi latini (ex Erasmo, Vives, Jac. Pontano, etc.);

*III anno*: saltem liber ex Caesare, quaedam Ciceronis epistulae, 300 versus ex Ovidio, aliquot hymni Breviarii Romani, quaedam capita ex Catechismo ad Parochos;

*IV anno*: 3 eclogae Vergilii, 5 elegiae ex Tibullo et Propertio, saltem liber ex Livio, aliquot Ciceronis epistulae et aliquot capita ex Catechismo ad Parochos;

*V anno*: aliqua oratio Ciceronis, 30 capita ex Sallustio, liber unus ex Aeneide, et alius ex Georgicis; quaedam capita Catechismi ad Parochos;

*VI anno*: aliquis liber philosophicus Ciceronis (vg. De Amicitia, De Senectute, ex Tusculanis, etc.); 10 carmina Horatii, 5 ex Catullo, liber unus ex Annalibus vel monographicus Taciti; quaedam capita Catechismi ad Parochos.

*VII anno*: Ars Poetica Horatii; comoedia aliqua Plauti vel Terentii; excerpta ex Lucretio (saltem 300 versus; liber aliquis ex De Officiis Ciceronis, vel rhetoricus Ciceronis aut Quintiliani.

[*VIII-IX anno*: Praeter opera quae vel ex superius tradita distributione restant interpretanda (quod amplius tempus suppetat), vel ex propria loci ratione studiorum explananda sunt, addantur selectae quaedam epistulae ex Plinio et Seneca; selecta ex Christianis latinis Scriptoribus et SS. Patribus (Minucio, Lactantio, Ambrosio, Augustino etc.); ex Documentis Romanorum Pontificum; ex optimis Scriptoribus latinis recentioribus].

§ 4. *Catechismum ad Parochos*, qui saepissime a Summis Pontificibus et Conciliis Provincialibus commendatus, in scholis, ad saeculum usque elapsum, adhibitus est ut liber aureae latinitatis idemque optimus discendae christianae doctrinae textus, semper in manibus habeant alumni a tertio latinitatis anno, quo fiet ut sensim discant aureum latinum sermonem coniungere cum propria et perspicua lingua documentorum disciplinarumque Ecclesiae.

§ 5. Etsi de vita et scriptis singulorum Auctorum, qui in scholis interpretandi explicandique sunt, iam aliqua notitia exhibita est a Professore antequam opus explicandum aggredieretur, hic tamen debet totum latinae rei litterariae contextum dare, a quinto anno. Recenseantur praecipuorum scriptorum vita, opera, argumenta, momentum historicum vel philosophicum vel poeticum, genus dicendi proprium, imitationes mutationesque ex antiquioribus, alia huiusmodi.

Haec autem omnia latine explicentur et librum auditores possideant, qui si latine conscriptus desit, professor poterit vel aliquid dictare vel scripta folia distribuere.

Caveant hac in re ne nimis indulgeant eruditioni, sed ea modo exquirant, quae reapse ad Auctoris vitam, artem, linguam, momentum proprium et ad formationem iudicii animique spectent.

ART. IV—*De ratione docendi discendique linguam latinam.*<sup>15</sup>

§ 1. Cum latinae linguae studium postulet praevidiam partium orationis seu, quam vocant, «*analysis grammaticalis vel logicae*» cognitionem, alumni rudimenta huiusmodi, omnino necessaria, per congruum tempus ante doceantur, quam ipsum huius linguae studium incipiant.

§ 2. Ratio docendi latinam linguam sit oportet *ad eius usum assequendum* accommodata. Quare nimia illa philologica farrago, quae in scholis litterariis, altioribus praesertim, prope una viget neque optatos fert huius studii fructus, amputanda erit atque ad veterem docendi rationem redeundum, cuius praecipua capita in memoriam infra revocabimus (§§ 8-10).

§ 3. Cum in latina sacrorum tironum institutione, huius linguae plena scientia et usus spectanda et assequenda sint, *grammatica institutio* non perfunctorie ac leviter tradenda est, sed plene et recte; gradatim quidem pro auditorum captu, et semper cum ipsa textuum comparatione et lectione coniuncta.

§ 4. *Pars igitur theoria* ita fere dividi potest, ut 1° anno tradatur phonetica et morphologia integra, etsi summario modo; accedat 2° anno repetitio generalis morphologiae, quae complenda erit in sua parte magis anomala, et praeterea pars syntaxis, quae concordantiam casuum spectat; 3° anno absolvatur syntaxis temporum et modorum; 4° anno syntaxis resumatur et perficiatur in partibus etiam difficilioribus; 5° anno prosodia et metrica plene, etsi summario modo, doceatur, neque interim syntaxis repetitio neglegatur; 6° et 7° anno, non modo stili praecepta tradantur breviter, sed etiam grammatica, syntaxis et metrica (hexametrica, horatiana et hymnica) in Auctoribus ipsis legendis, commentandis, vertendis detegatur et resumatur.

§ 5. Praecepta grammaticae (quae omnia, praeter ea quae interim prudenter praetereunda sunt, memoria sunt bene tenenda) facili ac perspicua ratione magister explicet, sine quaestionibus de nugis, at crebris earundem rerum repetitionibus. In exemplis, quibus pueri

<sup>15</sup> *Const. Apost.* n. 3 (p. 133). — Cfr. S. C. de Sem., *Epist.* 27 Oct. 1957, n. II (p. 294).

docentur quemadmodum illa sint ad loquendi scribendique usum accommodanda, magister occupetur, potius quam in omnibus, utilibus, inutilibus, hic inde magno studio congerendis; quare summo studio seligat quae admodum significantia et utilia sint, ita ut eius schola sapientia eluceat.

§ 6. *In deligendis grammaticis magna adhibeatur cura*, ut cum certam et perspicuam, tum plenam etiam contineant doctrinae tractationem. Non igitur, praesertim in primis scholis, sint nimis eruditione minutiisque refertae; neque tamen simpliciores levioresque, cum usus linguae, in scribendo et loquendo, perspectam admodum requirat eius doctrinam atque naturam. Perutile autem erit unam tantum sequi pro integro curriculo, ut discipuli eam perspectam et deinde semper comitem fidelem habeant, quam consulant cum dubium aliquod oria-

tur.

§ 7. Secundum antiquitus traditam rationem docendi, iam diu fere ubique non sine detrimento intermissam (quae tamen nostris diebus magis magisque aestimatur atque, ad recentiora scientiae paedagogicae praecepta scite accommodata, apte excolitur), *usus latine loquendi in ipsas praelectiones, interrogationes, repetitiones inducatur*.

Textus ipse syntaxis latine conscriptus sit, vel ipse magister breviter praecepta latine tradat, quae ut memoriter a discipulis retineantur ac recitentur curabit.

§ 8. Magni igitur facienda est *exercitatio*, quae varia ratione in scholis latinitatis haberi potest, graduatim tamen et congruenter ad doctrinae gradum uniuscuiusque scholae.

1) Discipuli exerceantur in *declinandis* primum formis regularibus, dein formis etiam anomalis usitatissimis, quas memoriae omnes mandent; in eisque diligentissime, diversorum et nominibus et verbis ad declinandum propositis, insistant.

2) Altera exercitatio erit *memoriae*, ita ut non modo grammaticae praecipua saltem praecepta ad verbum (ut clare et firmiter retineantur, quasi artis cuiusdam formulae), sed etiam selectae sententiae et dicta, lectissimi tum poetarum tum oratorum loci memoriae mandentur ac recitentur.

3) Pariter exerceantur *interrogationibus* de praeceptis grammaticae, etc., de argumento Auctorum, de explanatione significationum verborum: in primis autem scholis vernacula lingua, dein latine; primum, eorum quae explicata et adnotata sunt, iisdem prope verbis, dein propriis.

4) Plurimi fiat *exercitatio loquendi*, bene tamen et polite, ita ut,



si in aliqua re peccarint alumni, statim a magistro corrigantur; qui et selecta de rebus communioribus verba suppeditabit.

5) *Scriptio*, quae praecipua ratio est perveniendi ad plenam linguae scientiam et usum, fiat nunc inter scholas extemporaliter, nunc inter privatum studium; in superioribus autem scholis, alternis soluta et ligata oratione his saltem in hebdomada; argumentum proponatur vel iam explicatum vel simpliciter enuntiatur; in carminibus metricè pangendis (qui maximus labor maximos etiam, si non ipsius poëseos, certe saltem scientiae linguae et metricae latinae fructus afferre solet), primum magister versus aliquos, dissoluto ordine verborum proponat, quos discipuli adstringant rursus; dein ipsi, suis viribus, et certo aliquo metro pangant.

6) *Numquam desit conversio ex vernacula lingua in latinam et ex latina in vernaculam*, quae si fiat proprie et secundum utriusque genus dicendi, plurimum confert ad utriusque linguae pleniorē scientiam acquirendam, indolem detegendam, et ad mentes reapse informandas.

7) *Auctorum explicatio*, ad modum praelectionis professoris, ab uno, ceteris audientibus, facienda.

§ 9. *Praelectio*, in qua professoris eruditio, peritia, industria, efficitas maxime elucent, instrumentum est praecipuum ad felicem huius institutionis exitum assequendum. Ea sit in primis scholis simplex et vulgari tantum sermone; post, ad vulgarem accedat interserta latina explicatio; a quarto anno sit tantum latina et uberior.

Sic autem magister procedere fere potest, ut primum praecedat *argumentum* libri vel orationis vel loci in singulis scholis explicandi vel breviter resumendi; dein sequatur *explanatio*, quae, in scholis grammaticae, exponet verborum ordinem, orationis structuram et vocabula obscuriora; in superioribus scholis, latine idem exponet, sed ornati⁹ et uberius; tum accedat *grammatica*, pro scholis inferioribus, in qua perpenduntur singula verba et uniuscuiusque genus, declinatio, coniugatio, modi, tempora, etc., vel *rhetorica*, pro scholis superioribus, seu observatio earum rerum, quae, prout Auctor explicandus erit orator vel poëta, ad eloquentiam, ad poësim, ad grammaticam, syntaxim et orationis structuram pertinent; tum *eruditio*, quae in scholis inferioribus erit plenior explicatio (per exempla, similitudines, descriptiones, etc.), quam suggerunt quaedam vocabula, narrationes, etc.; in scholis superioribus, eodem modo procedet, sed uberius et adductis notionibus historicis, mythologicis, poëticis, etc.; denique *latinitas*, quae in scholis inferioribus pueros docebit quomodo verborum ordo mutetur, alia aliis praeponantur, haec et non illa vocabula usurpentur,

etc.; in superioribus scholis explicabit metaphoras proprias, vim verborum et significantiam, diversam vim ex diverso ordine et artificio, proprietates utriusque linguae in eadem re exprimenda, denique omnia, quae ad eloquentiam, poësim, genus dicendi pertinent.

§ 10. *Interpretatio Auctorum* fiat primum, saltem ex parte, ab alumnis in cotidianis pensis (eiusque rationem petat professor in scholis et interdum corrigat in proprio cubiculo, ut melius certior fiat de uniuscuiusque profectu); dein a professore in scholis, qui vocabula, modos dicendi, constructiones difficiliore, notitias historicas et geographicas, etc. explicabit variis modis latine vel vernacula lingua, sed quam lectissimis verbis et ratione dicendi propria, ut utriusque linguae color proprius eluceat. Iuvat autem alternis scholis poëtam et oratorem interpretari, ne, deficiente varietate, fastidio auditores afficiantur.

(*Continuabitur*)

## SACRA CONGREGATIO DE PROPAGANDA FIDE

### APPEAL FOR MISSION SUNDAY

World Mission Sunday, which is celebrated with the aim of stimulating the fervor and zeal of Catholics so that they will aid in the work of Missionaries in every possible way, this year, coincides with the II Vatican Ecumenical Council, an event of historical importance that has aroused universal attention and interest.

During this year, on the third of May, we celebrated the fortieth anniversary of the promulgation of the *Motu Proprio* "Romanorum Pontificum" of Pius XI which is as it were, the Magna Charta of Missionary Cooperation organized and centred in the Pontifical Societies of the Propagation of the Faith and of St. Peter Apostle for the Native Clergy, of the Holy Childhood Association, and of the Missionary Union of the Clergy.

The past forty years have been truly fruitful and rich in accomplishments. They have been years during which Popes and bishops, the clergy and Catholic organizations have worked earnestly to implant in the mind and heart of the Christian community the conviction that the duty of helping the mission rests upon all.

The Apostolic Letter addressed to His Eminence Cardinal Gregory Peter Agagianian, Prefect of the Sacred Congregation "de Propaganda Fide," which commemorates, confirms and brings up-to-date the above mentioned *Motu Proprio*, His Holiness Pope John XXIII said: "The spread of the Faith throughout the world is a question of utmost importance both from the point of view of its cause and from that of its purpose: its purpose is the spread of the Kingdom of God and the propagation of the Holy Gospel so that absolutely all nations may enjoy the fruits of the Redemption and share the inexhaustible riches of grace of which Christ's Blood is the divine and eternal source.

"This activity calls for the generous and united missionary co-operation of the whole Church, priests and faithful."

From May 8th to 15th of this year, the fortieth anniversary of the *Motu Proprio* "Romanorum Pontificum" and the centenary of the death of Pauline Jaricot, the great foundress of the Society of the Propagation of the Faith, were commemorated simultaneously in Lyons by the holding of the First International Missionary Congress.

In the course of that truly fervent congress the many serious problems of missionary cooperation were fruitfully discussed in the light of the enduring principles and the increasing requirements and needs of the missionary apostolate.

How would it be possible to fail to mention here the blessing by the Holy Father of the first stone of the "Philosophical College" of Propaganda Fide, a new milestone of missionary progress, on May 17th of this year in the course of the audience which he granted to the National Directors of the Pontifical Mission Societies of five continents? "The home is being enlarged to receive the growing family," said His Holiness on the occasion. "It is the heart that is dilated. It is Rome that prepares herself to meet the requirements of her children who wish to receive here, in the place made sacred by the memorials of the Apostles, the consecration to the divine call that will make them Heralds of the Gospel in the individual countries from which they come . . . This stone which will be united to innumerable other ones to form the solid structure of a new building is an image of all the spiritual stones, the souls redeemed by the Precious Blood, which together make up the Holy Church of God. The blows of the chisel of the Divine Artificer are not lacking: the bruises of trials and persecutions, the obstacles of various kinds encountered in past centuries and also today in some regions. But the word of the Lord stands firm in the certainty that the pavilions of Holy Church will be spread over the whole face of the earth."

To strengthen and encourage us to be ever more generous and efficacious in our noble and holy missionary activity — a mark of the highest and most genuine Catholic spirit — it will be of help to place in relief what has been accomplished, from July 31st 1961 to August 1st 1962, in order to render the organization of the Missionary Church more stable and efficacious.

On March 10, 1962 the Sacred Ecclesiastical Hierarchy was established in Korea with three Metropolitan Sees of which two were confided to the Korean clergy and eight Suffragan Sees of which three were confided to the Korean Clergy.

Forty-four bishops were nominated:

In Africa 27 of whom thirteen are Africans;

In Asia eleven of whom six are Asiatics;

In Australia and Oceania four;

In Europe one and in South America one.

Sixteen new dioceses were erected:

In Africa eleven plus one mission *Sui Juris*;

In Asia five.

In the anxious and spirited and, now very brief interval before the ecumenical council the missionary horizon is taking on colors of new hope. There is question, in fact, as His Holiness has said, of an event the luminous rays of which as they spread through the world are full of pleasant promise for the apostolate in the Missions. It is permitted to hope that the faithful will, in the coming solemn ecumenical sessions, find a greater impulse and stimulus for the dedication of themselves to the spread of the Catholic faith. The many countries of the earth will be represented by the Fathers of the Council in the greater numerical strength than ever before.

Bishops from all parts of the globe, men of all colors—white, black and yellow—speaking all languages but made one by the universal Latin language, brothers in Christ and in the Episcopate and forming one single body under the infallible guidance of the Successor of Peter will be united in Rome—Father and Teacher of all in the principal church of all Christianity and they will present the grand and impressive picture of the catholicity and the unity of the Church. At the same time, on Mission Sunday, all over the world the faithful—filled with unbounded joy, enthusiasm, admiration and generosity and inspired by renewed apostolic zeal—will direct suppliant prayer to the Lord of the Harvest. They will at the same time make their charitable offerings in filial response to what the Holy Father wrote recently to the Cardinal Prefect of Propaganda Fide: “Spiritual needs call above all for assiduous prayer, accompanied by sacrifices pleasing to the Lord, for the sanctification of our missionaries, their helpers and their faithful, for the growth of the Missions which, though they present great hope, are likewise beset by difficulties of every sort. Material needs, as can be easily understood are so many and so great that they call for an ever more notable and generous dedication on the part of the faithful.”

It is indeed consoling and heart warming to read the letters that bishops of Catholic countries have sent to Propaganda after they had received a pamphlet containing the pontifical document commemorating the *Motu Proprio Romanorum Pontificum*. In full compliance to the sovereign directives of His Holiness Pope John XXIII, they reaffirm their determination to intensify the missionary apostolate in their respective dioceses through the organs of the Pontifical Mission Societies. This is indeed a happy pledge and certain guarantee of the fruitfulness and the lasting nature of this holy week.

✠ PETER SIGISMONDI

Secretary of the Sacred Congregation  
“de Propaganda Fide”

# **DIOCESAN CURIAE**

## **ZAMBOANGA**

### **DECRETO**

Habiendo de salir para Roma con el fin de asistir al Concilio Ecuménico Vaticano Segundo, por las presentes letras y de acuerdo con el decr. 121 del Concilio Plenario, durante mi ausencia quedará encargado de toda la Archidiócesis el Muy Rdo. P. Alfredo E. I. Paguía, S. J.; el cual, además de las Facultades que ya le competen como Vicario General, gozará de las siguientes:

1) Deputación para administrar el Sacramento de la Confirmación en cualquier parte de este Arzobispado, en conformidad con el núm. 3) de las Facultades decenales concedidas por Su Santidad Juan XXIII el día 8 de Agosto de 1959.

2) Facultad para bendecir los lienzos de lino llamados Antimensium.

3) Facultad para consagrar altares fijos o portátiles, además de cálices y patenas, observando las ceremonias indicadas en el Manuale Parochorum y en el Misal Romano.

4) Autorización para ejecutar aquellos actos que no requieren carácter episcopal, pero que (según el derecho común) presuponen previo mandato especial, v. gr. la erección o aprobación de asociaciones, dar permiso para el matrimonio de conciencia, etc. Se exceptúan las enajenaciones de bienes temporales eclesiásticos.

Estas Facultades son valederas durante mi ausencia, aun en el supuesto de que el Excmo. Sr. Obispo Auxiliar haya regresado ya y esté presente en el Arzobispado.

Dado en la Ciudad de Zamboanga el 29 de Agosto de 1962.

✠ **LUIS DEL ROSARIO, SJ**  
*Arzobispo de Zamboanga*

## LEGAZPI

Circular No. 12, s. 1962

Re: *Novena to the Holy Ghost for the Ecumenical Council*

To: OUR PARISH PRIESTS & HEADS OF INSTITUTIONS WITH CHAPEL

Barely four weeks from now the most solemn opening of the II Vatican Ecumenical Council will take place. No other gathering of the Bishops of Mother Church has faced graver problems than those which will be proposed to the Fathers of this Council. From this Council the Church expects to receive new directives and decrees to enable Her to face with courage and certainty the most difficult and varied problems all over the world.

It is our solemn duty, therefore, to appeal incessantly to the Holy Spirit to enlighten our Bishops as in a new Pentecost so that their decisions may carry the mark of divine wisdom for the good of all humanity and the greater glory of God.

We, therefore, order the celebration of a solemn NOVENA to the Holy Ghost to be distributed as follows:

From Oct. 3—11: Vicariate of the Cathedral

From Oct. 12—20: Vicariate of Tabaco

From Oct. 21—29: Vicariate of Polangui

From Nov. 3—11: Vicariate of Virac

From Nov. 12—20: Vicariate of Pandan

We wish, moreover, that on October 11 the bells of all churches in the whole Diocese be solemnly rung for ten minutes from 9:00 to 9:10 a.m. This will coincide more or less with the solemn opening of the Council in Rome and thus remind our people of it.

We wish to carry with us the thought that you will be present in that Council through this spiritual union in the Mystical Body of Christ. Assured of your prayers for the Council and for the Humble Pastor of this Diocese, Our sojourn in Rome will be a most memorable and spiritually rich one.

With our sincerest wishes that you will receive Our Lord's abundant blessings.

Legazpi City, September 13, 1962.

✠ FLAVIANO B. ARIOLA  
Bishop of Legaspi

To be copied in the Bk. of Cir.

## PRELATURE NULLIUS OF INFANTA

### ERECTION OF THE PARISH OF ST. VINCENT FERRER

Since the spiritual needs of the municipalities of Maria Aurora and Dipaculao cannot be properly attended to by the Pastor of San Luis Parish in Baler because of the great number of parishioners, the large area, the great distances and difficulties of transportation, with the consent of the Diocesan Consultors and of the pastor the Parish of Baler, by virtue of this decree I erect the Parish of San Vicente Ferrer with its see in Maria Aurora, Sub Province of Aurora.

The boundaries of the new Parish shall be the same as those of the municipalities of Maria Aurora and Dipaculao combined, including the barrio of Bagtu, and the parishioners of the new Parish shall be all the inhabitants of these places.

The endowment of the Church of Maria Aurora and the benefice of the new Parish shall consist of the voluntary offerings of the faithful, stole fees, to be paid according to the metropolitan arancel and lawful customs, and any property the new Parish may acquire in the future.

I also appoint you, dear Father Giles Dzuban, O.C.D., as the first Pastor of this Parish of San Vicente Ferrer in Maria Aurora with all the rights and duties given to the Pastor by the Code and by the customs and privileges of our Prelatura.

The church in Maria Aurora has the privilege to keep habitually the Blessed Sacrament under the usual conditions, to possess a baptismal font, and all the other rights and privileges which belong to a parish church.

I also hereby erect the Stations of the Cross so that the people can gain those indulgences under the usual conditions.

Given at Infanta on the 16th day of August, 1962, to be executed in Maria Aurora, Sub Province of Aurora on the 22nd day of August in the year 1962.

(SGD.) RT. REV. XAVIER LABAYEN, O.C.D.  
*Apostolic Administrator of Infanta*

(SGD.) REV. HERMAN J. ESSELMAN, O.C.D.  
*Secretary*



## THE EVOLUTION OF THE DIVINE REVELATION AND THE BIBLE

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### THE BIBLE AS THE RECORD OF THE DIVINE REVELATION

For the catholic Doctor the Bible is the written record of the divine revelation. Now, when he wants to approach such a record intelligently, he must bear in mind three realities, that constitute the mastery-key for the intelligence of the Holy Writ: the nature of the biblical inspiration; the man who writes the Bible under the impulse of God; and the very nature of the "charismatic action" which is the writing of the Bible.

Be the biblical inspiration some sort of dictation, or a suggestion more or less internal of expressions, the record of the divine revelation obtained through it could be a series of dead formulae inviolably transmitted or recopied. But according to the catholic teaching, so well formulated by Leo XIII:

Nam supernaturali ipse virtute ita eos excitavit et movit, ita scribentibus adstitit, ut ea omnia, eaque sola, quae ipse juberet, et recte mente conciperent, et fideliter conscribere velent, et apte infallibili veritate exprimerent" (Providentissimus Deus. — *Ench. Bibl.* (1956) no. 127),

the biblical inspiration is a charisma, a supernatural motion of the Holy Ghost. This supernatural motion makes first the divine truth intended to be revealed present in the mind of the agiographer by enlightening his mind, and by making it see the divine certainty of such truth. Then the same motion brings the will to want the transmission of that truth to other men. Lastly the faculties of human expression are put into work by the same motion, either indirectly through the leading impulse of the inspired mind and will, or directly through a further supernatural motion of said faculties, if this be needed so that the conveyance be divinely exact.

In consequence of this mechanism the supernatural phenomenon of the biblical inspiration translates the simple, transcendental, infinitely rich divine idea to be revealed, into a divinely built human idea of the divine; which becomes, as a result, an organically articulated rational concept, lived by a man in consequence of the divine charisma acting in him, when he understands, and when he thinks, and when he teaches in the

person and with the power and with the authority of God, the supreme master, who is really teaching through himself a human master. That translation of the divine message, nay of the divine teaching activity, is in itself a real evolution of the divine revelation from the simple into the composite, from the uniform into the organic, from the purely divine into the divine rational. Here we have the seed and the origin of the evolution of the divine revelation, as it appears in the Bible.

The man inspired by God lives the divine inspiration. Even if he were the flute, or the lyre, which reproduced mechanically the divine music, the tonality, the quality, the force of it would be dressed with the tonality, the quality, and the force of sound proper to the instrument. Now, the agiographer is a conscious and a free teacher under the divine inspiration. That is why the record of the divine revelation we find in the Bible is not the impassible pronouncement of an eternal utterance. It is on the contrary an outburst of the affectionate and fiery nature of Moses, of the wit of the author of Judges, of the elegant diligence of the writer of Samuel, of the sublime genius of Isaias, of the bleeding tenderness of Jeremias, of the appealing spontaneity of St. Peter and St. Mark, of the sweet elegance of St. Luke, of the sparkling fire of St. Paul, of the alive, sublime perfection and harmony of Our Lord Jesus Christ. The education, the occupation, the character, and the way of living, and the very country and time of each author is a new twist of the divine revelation transmitted to us in the Bible. The eternal truth has evolved in the biblical record into the incarnation of a divinely built human teaching, multiplied by the multitude of inspired authors, and by the incidents of their usually very rough lives

The charismatic action that is the biblical inspiration at work is life: the life of God and of man united into as many written lectures as writing sessions were held to compose the Bible. To write a literary work, no matter how short and easy it be, is not a simple task. There is the thinking, the grammar, the style, the literary form and genders, the literary inspiration and the esthetical or passionnal emotion of the moment, the adaption to the addresses, the awareness of the opposition, the cleaving to answer to the expectations, the harmonization to the surroundings, even the mood brought about by the very weather or by the moral and psychological ambient. In the record of the divine revelation that is the Bible, it is exceptional to find a literary work that is the product of a writer's leisure; might be the Apocalypse, both books of the Macchabees, Tobias, Judith, Esther, the Ecclesiasticus, the Ecclesiastes, Samuel and the Judges exhaust the list; all the rest of the so called books of the Bible are either products of a restless ministry of salvation, or collections of many occasional pieces recorded in the aftermath of prophetic and apostolic missions, sermons and fights. The liveliness of the biblical record of the divine

revelation, the "Sitz im Lebem", is no invention of Gunkel<sup>1</sup> or of our times at large; the Fathers of the Church were constantly looking into the living surroundings of the scriptural saying in order to estimate aright the divine intention of the message. From the time the Antiochene school formulated the system of the "theory" till our own "critical, historical and practical studies of the Holy Scriptures" the sense of the evolution of the divine truth into the most contingent, and most passionate, and most concrete events of the life of the divine writers and of their contemporaries is a constant tendency in the Church of God. This is no wonder when we see the very Master appealing to that sense of proportion. One day the Pharisees tried to justify their liberty in matters of divorce with the "written notice of dismissal" allowed in Deuteronomy XXXIV 1; but the Lord rejected their claim with the really critical observation: "*Ad duritiam cordis vestri scripsit vobis praeceptum istud* (Mark X 5). No better sample could be found of an occasional adaptation of the divine truth to the needs of a human weakness made by a divinely inspired understanding.

The Bible as a record of the divine inspiration was never a dead instrument; it was a living work of the living God instructing us through inspired writers. We will never understand, or at least we will always misunderstand, the written word of God, if we take it as a static, dead, magical formula.

## THE DIVINE REVELATION AS RECORDED IN THE BIBLE

The divine revelation does not tally completely with the Bible. For us catholics such assertion does not imply any difficulty. We do profess that the revelation is contained in the Holy Scripture and in the Holy Tradition as in two treasure houses of divine truth entrusted to the Church of God.<sup>2</sup>

Although the living tradition in its definitive form is to be found in the Church of Our Lord Jesus Christ, we must admit that Israel had a divine living Tradition too. After all, the Legislator, the Prophets, the Patriarchs and the inspired wisemen of the Old Testament were not mere pens or typewriters; they had from God, and did exercise among their contemporaries a mission doctrinal and saving; they were followed by many; God lead men through them towards living the sanctifying truths.

<sup>1</sup> Cf. GUNKEL, Hermann. *Genesis übersetzt und erklärt*. 4e Auflage—Göttingen 1917. Einleitung pp. vii-cii.—The very strong influence of Gunkel in modern exegesis is due to Gunkel's having struck the right chord although unhappily in the wrong way and to a mistaken extent, as if the real life of man, in particular the most sacred and tenacious religious life did not need to be rooted on real facts. These can become coloured by subsequent remembrance; but they must be facts to satisfy the good common sense.

<sup>2</sup> Concilium Tridentinum—Sess. IV Decretum de Canonicis Scripturis, n° 783.—Cf. *Enchiridion Biblicum* (1956) n° 57.

In the very nations outside the chosen people there are fragments of a divine revelation. During the long life of humanity errors had crept in; men and nations had departed from the guidance of the saving God; yet the Almighty has never failed man. He has kept going on calling men towards salvation, and the wayward humanity has been feeding along the ages on the scraps of a divine truth learned and beloved once upon a time.

In the Bible we possess the divine revelation recorded in its integrity, because the substantial truths are preserved for us in their native form and ambient through the literary works which integrate the Bible.

Our Lord Jesus Christ said in one phrase the kernel of the divine revelation: *Haec est autem vita aeterna ut cognoscant Te verum Deum et quem misisti Jesum Christum* (Joan. XVII 3). Let us open our Bible and see how this simple truth, though persevering the same always, develops into succeeding worlds of divinely communicated knowledge.

The Primitive Revelation is best recorded in the first six chapters of Genesis. Therein, away from the phantastic catastrophies and metamorphosies of the myths common to all the religions of the ancients, be they primitive, natural or philosophical, we find the fundamental truths and practices of religion: Who is God, the Creator and the Father of man; who is man, the masterpiece of God and His beloved image; how man is broken down and exiled into a journey in search for enlightenment and redemption; in what consists the value of sacrifice and the institution that is called religion. The idyllic presentation of the daily promenades of God and Adam in the Paradise (Gen. III) is the soundest indication of the real source of the fundamental knowledge that forms the background of every religion.

The Genesis again tells us how after long centuries of sin came the punishment of the Deluge. The restoration of the friendship between God and man that followed, brought forth a further step in the divine revelation: The first covenant, and the first divine code of morality in which the first positive commandment is imposed on humanity (Gen. IX 4), and the first conventional religious symbol of the divine will is divinely established in the rainbow.

The Bible sketches in a systematic genealogical chronology the number of centuries during which humanity went wild into polytheism. Then God selected a man and his family to be His own confidant, the depositary of His truths, the transmitter of His blessings to the whole world. The revelation raises up the idea of the godhead unto the truth of the Only-One-God, father and loving owner of the seed of Abraham. The religion becomes a family affair with the sign of the circumcision, with the promises of the heirloom in a sacred fatherland, and with the covenant of a great destiny: that of becoming the blessing of all nations. The great family of

the believers, the fatherhood of God and of Abraham, notions that will be the key of the theology of Israel are then born (Gen. XII, XV, XVII, XXII). The seed of the woman, who shall crush the head of Satan, becomes somewhat to the foreground as the seed of Abraham in which all the nations shall be blessed (Gen. XXII).

After four hundred and forty years, according to the reckoning of St. Paul (Gal. III 17), the Law was given, and the divine revelation was brought by God to a complete theocratical organization of the chosen people, to a perfect institutional religion. With it came into being an established hierarchy of ministerial and doctrinal functions; and above all the setting of a chain of inspired men, who would continue the work of the Legislator, and would show the Israelites the dictates of God (Deut. XVIII). Following a revelation of the transcendental nature of the Deity (Exod. III 14), a whole theology of the unity of God, and of the friendship between Him and man was built up (Deut. I-IX). Lastly the sacred literature was initiated then with the writing down of the Legislation, the Supplements, the Ancient Traditions, or Generations, of Israel, and the personal religious works of Moses including a Popular Catechism of the Covenant, the set of writings that we call the Five Books of the Law.<sup>3</sup>

During the following two hundred years the life of the chosen people acclimatized religiously as well as socially within the Land of the Promises into which they have come to live. Suddenly a divinely created team formed by Samuel, King David,<sup>4</sup> Nathan and other Prophet-ministers brought about the constitution of the People of God and the world of the divine revelation to a higher level: that of the Kingdom of God in Israel. The temple was built; the people felt united into one nation around the altar; a solemn liturgy was fixed; the great figure of the ancient Redeemer, blessing of all nations, became more and more evident as the Son of David, and as the future King of the hopes of Israel. God besides inspired a remarkable literature: The histories of Judges and Samuel, the collections of the main Psalms, and the educational collections of Proverbs.

A deep crisis shook a century later the very foundations of the theocratic kingdom when, under Akab and Jezabel in Israel, and under

<sup>3</sup> The biblical scholar will sense indicated here a new approach to the critical problem of the literary composition of the Pentateuch. We expect to present it and to justify it in a near future. We beg to hint it here, as we think that our presentation of this particular degree of the evolution of the divine revelation would not have been accurate without such hint.

<sup>4</sup> We do admit the decisive influence of King David in the evolution of the religion of Israel, and therefore, in that of the divine revelation as well. Pedersen, Mowinckel and Grönbech had stressed it too. (cf. ROWLEY H.H. *The Old Testament and Modern Study*.—Oxford 1952. pp. 294-205); yet, we do insist upon the divine supernatural inspiration of the King-Poet, and of his

Athalia in Juda, the monarchs tried to mould the People of God into the pattern of the surrounding nations. The answer given by the God of Revelation was the Prophetism in all its ministerial and literary splendour: Elias, Eliseus, Oseas, Joel, Amos, Abdias, Micheas, and on top of them all the greatest of all the biblical writers Isaïas. The vocation of Israel as the chosen instrument of the salvation of the world; the holiness of the saving God; the Messiah doctor, king, leader, redeemer of Israel and of the whole world, Emmanuel, were advanced by God and by His prophets as the key thoughts of a theology that surpasses infinitely the highest speculations ever reached by any human religion. Job, some Psalms, the collections of the works of the Prophets mentioned above, including the holiest book of the Old Testament, the Song of Songs, are the exponents of the great development of the divine revelation that is the Messianism.

A second crisis came with the triumph of the pagan conquerors that culminated in the destruction of the temple and of the nation as such, and in the scandal of the Captivity. A second line of Prophets, topped by Jeremias, the prophet who saw the Israelite people and the Israelite soul broken to pieces, was set by God to bring the revelation both to the rescue of the sacred nation and to higher levels of the moral and spiritual nationhood, which is the main idea of what we could call the Prophetism. While the institutions were forgotten, or were rendered useless, or destroyed, the certainty of the faith in the truthfulness of God's election became more and more alive. Habacuc, Sophonias, Jeremias, the books of the Kings, more Psalms, are the literary products of those days of blind faith and hope.

Judaism — and we mean by this name the intimate consciousness of the personal relationship between God and each individual of His chosen people, made into prayer, and faith, and daily life, and the substance of all promises, and the reason of all glories, and the spirit of all services — is the purified doctrine which was revealed as fruit of the experiences of Captivity, and as guiding light for the restoration, and as comfort during the persecutions to follow. Ezechiel, Daniel, Zacharias, Malachias, Ageus, the Chronicles, Tobias, Esther, Judith, Esdras, Nehemias, the redaction of Josue, the touching Psalms of the Exile, the Histories of the Macchabees and the Psalms connected with them, the educational sets of the Ecclesiastes, Wisdom and Ecclesiasticus form a rich mine of divine written revelation. The Israel of our own days is still living on the bounty of this knowledge of the divine, that, although distorted by rabbinism, is, after Christianity, the deepest and the finest way of living in communion with God.<sup>5</sup>

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associates, leading them to, and directing them in bringing about the theocratical national organization of Israel.

<sup>5</sup> Some of our interrogators rose up the question of the chronological order of the literary works of the Old Testament. The reader must have noticed

When the fullness of time came the Word of God was made flesh and dwelt amongst us; and He, who is in the bosom of the Father, made the mysteries of the divine life, the mysteries of redemption, the mysteries of human deification, the mysteries of the everlasting life in the bliss of God known to us. He took up every pronouncement of the divine revelation and completed it with His own gospel of love, and grace, and life. The divine teaching is consummated in His sayings, because, as He said: *Ego sum via, et veritas, et vita. Et nemo venit ad Patrem nisi per Me.* (Joan. XIV 6). The four Gospels, although a product of the following epoch, are the literary form of His doctrine.

The divine doctrine of Jesus Christ became rounded up, explained, applied, and closed definitely in the work of His Apostles, who are nothing else than His witnesses and His interpreters. First of all they wrote the Gospels for keeping in writing the main parts of the Message of Jesus and the memory of His most vital actions. The epistolary of Peter, the epistolary of Paul, the letters of James, of Jude and of John are just a little part of their ministerial activity in translating into saving realities the doctrines and the institutions entrusted to them by Jesus Christ. The Acts of the Apostles offer some coordinated samples of the organization of the social, universal and everlasting Kingdom of God and of Christ that is the Church. The Apocalypse is the last pronouncement of Jesus summing up all the prophecies of the Old and the New Testaments and revealing to the faith and the hope of His faithful the meaning and the real bearing of them all.

At last, in the writings and in the divine Tradition transmitted by the Apostles of Jesus Christ the spirit of man is fully enlightened as to the truth. St. Paul expresses this comforting principle wonderfully: *Mihi omnium sanctorum minimo data est gratia haec, in gentibus evangelizare investigabiles divitias Christi, et illuminare omnes, quae sit dispensatio sacramenti absconditi a saeculis in Deo, qui omnia creavit, ut innotescat principatibus et potestatibus in caelestibus per Ecclesiam multiformis sapientia Dei; secundum praefinitionem saeculorum, quam fecit in Christo Jesu Domino nostro, in quo habemus fiduciam, et accessum in confidentia per fidem ejus.* (Ephes. III 8-12)

Jesus Christ, the seed of the woman crushing the head of Satan, the rainbow sign of divine mercy, the star guiding the hope of the Patriarchs, the Mediator required by the Law, the King Son of David, the Emmanuel of salvation, the Liberator from the Captivity, the Angel of the Testa-

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by now that we follow a chronological sequence that in general retains the traditional attribution, and diverts from the position of modern critics. Our position is the result of long research on the subject, which we are planning to make available to the public very soon.

ment who was expected, the Son of God incarnated and crucified, our immaculate Pontiff who "*always lives to make intercessions for us*" (Heb. VII 25), is the key to the understanding of the evolution of the divine revelation as it is recorded in the Bible. *Ego sum Alpha et Omega, primus et novissimus, principium et finis* (Apoc. XXII 13)

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Allow me a pious remembrance before concluding. Just a month ago Fr. Alberto Colunga, O.P., one of the active masters of modern catholic exegesis, died at Caleruega in Spain. Now, one afternoon at Salamanca we were conversing on some biblical matters when I mentioned to him my determination to make a detailed study of the evolution of the divine revelation. "Please do, the venerable master urged me, and added: — Every day I see more urgent the need of seeing clear in this point. The Theology at large, and the Bible in particular will be forever a close book for whomsoever does not approach them with the understanding of the organic development God has imprinted to His own teaching that is the divine revelation".

The great old man was right. The two main keys of scientific, theological biblical interpretation: The biblical context, and the analogy of faith, are empty words when the evolution of the divine revelation is ignored or misunderstood.

We all know that the *biblical context* is not a collection of texts accumulated just because a word appears in them. The context is in reality the chain of utterances by the same human author, or by the same inspiring Holy Spirit on the same doctrinal subject though in different occasions or in different aspects. Only when we follow the growing precision in the divine teaching, we will be able to appreciate the whole extension and the whole intensity of the divine doctrine proposed to our faith.

The *analogy of faith*, that is the understanding of a text by the light of the integration of the particular truth asserted in it into the perfect knowledge we have of the mystery in the complete doctrine of faith as proposed by the Church, could be a guiding star for the interpreter only when the individuality of the particular assertion is retained in its proper surroundings. Now an exeget who does not locate his texts in the proper ambientation, and who has not in mind the levels and the ways of the divine teaching, will blurr the divine sayings into a formula materially sounding right; but in fact of serious consideration deprived of good common sense.



We all are very aware of, and feel deeply the shame of some dislocated quotations very much used by a number of pious authors, or theologians, and that are being pointed out again and again by the enemies of the Catholic Church as a demonstration of the appalling ignorance of our masters in Theology in matters of divine revelation.

Today there is still another pressing motive for keeping clear in our mind the true nature and process of the evolution of the divine revelation. In some quarters of the catholic biblical and theological field of investigation the non-catholic critical approach to revelation is being accepted; and together with it there is a strong tendency to take for granted a false system of evolution of the religious ideas in Israel and in the Church that is purely naturalistic in character, historically wrong, scientifically inaccurate, and most poisonous to the supernatural faith. The pervading error can be conquered only with the clear sight and understanding of the real truth.

I would feel deeply gratified if I have succeeded in helping the readers to reflect upon that key to the understanding of the word of God; and if I have brought them to see the wisdom of researching into the meaning of the Scriptures in the same spirit and with the same methods of Our Divine Master, who on the evening of His own resurrection was walking along a road of the Holy Land together with two of His disciples *And beginning with Moses and the Prophets he interpreted to them in all the Scriptures the things referring to Himself* (Luk. XXIV 27); who as a last instruction gave to His disciple the following advice: *Haec sunt verba quae locutus sum ad vos cum adhuc essem vobiscum, quoniam necesse est impleri omnia quae scripta sunt in Lege Moysi, et prophetis et psalmis de Me.* (Luk. XXIV 44). And the evangelist attaches immediately the notice: *"Then He opened their minds that they might understand the Scriptures."* (Luk. XXIV 45). He also had said once: *Ideo omnis scriba doctus in regno coelorum similis est patrifamilias qui profert de thesauro suo nova et vetera.* (Matt. XIII, 52)<sup>6</sup>.

FR. JESUS MA. MERINO, O.P.  
U.S.T. Prof.

<sup>6</sup> Those who have read the most recent interpretation given to this text by LEGASSE, S., O.F.M. Cap. (*Scribes and Disciples of Jesus* — in *Revue Biblique*, Oct. 1961, pp. 489-496) will wonder at our inference. We retain the spontaneous common sense meaning of the expressions, because the too critical elaborations of Fr. LEGASSE can not eliminate the fact that Jesus was addressing Himself to the common man, for whom the "scribe" was the person that he saw busying himself on the Scriptures and teaching them, and then he supposed that in the future "Kingdom of God" some similar people should exist.

## UNION, UNIDAD, UNICIDAD, UNIFORMISMO

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En la última parte de la Oración Sacerdotal, en aquel discurso de despedida, Jesús descubre a los suyos el *Sacramentum Unitatis*, que vivificará a su Iglesia, con estas maravillosas palabras: *Pero no ruego sólo por estos, sino por cuantos crean en mí por su palabra, para que todos sean uno, como tu, Padre, estás en mí y yo en tí, para que también ellos sean en nosotros, y el mundo crea que tu me has enviado. Y yo les he dado a ellos la gloria que tu me diste, a fin de que sean uno como nosotros somos uno. Yo en ellos y tu en mí, para que sean consumados en la unidad* (Io., 17,20-23). Sin el sello de la *unidad*, pues, no se concibe el Reino de Jesucristo, su Iglesia. Para entender bien esa *Unidad* es preciso explicar el significado de estas cuatro palabras: *Unión, Unidad, Unicidad, Uniformismo*.

**I. Unión.** — El concepto de *unión* expresa asociación de partes disgregadas para ser reintegradas al todo compacto de suerte que las partes discociadas lleguen a compenetrarse con el todo participando de su influjo y de su misma vitalidad.

Aplicada esta idea al “movimiento unionista”, significaría que las “Iglesias disidentes” vengan a asociarse a la Iglesia Católica; pero no con intercambio de la propia ideología, sino mediante la incorporación de aquellos elementos “enfermos e inferiores” (que comprenda a todas las Iglesias separadas) a la Iglesia de Roma que conserva su *indefectibilidad* y estructura primitivas tanto internas como externas. Porque precisamente esa *indefectibilidad* reclama para sí las otras ramas desgajadas y que por sí solas no pueden mantener compactibilidad, estabilidad e indivisibilidad.

Para Roma, *unir es volver*. Roma no rechaza la unión ni prohíbe trabajar por ella. La quiere, y manda a todos los Obispos y fieles trabajar por todos los medios adecuados para conseguirla. La Iglesia quiere que los que se separaron del único redil de Cristo vuelvan a reintegrarse en él por la profesión de una misma fe y la aceptación de una misma autoridad: la fe católica, apostólica, romana, y la autoridad del Primado de Pedro, del que son legítimos sucesores los Pontífices de Roma.

**II. Unidad.** — El actual Pontífice Juan XXIII se nos antoja que pasará a la historia como “el Papa de la unidad” no porque él sea el

fundador de la unidad en la Iglesia católica—nota con que el mismo Jesucristo, su autor, ya la bautizó—sino por los esfuerzos sobrehumanos que está desplegando para realizar la *re-unión* de los “hermanos disidentes” con la Iglesia de Roma.

*Unidad* en la Iglesia Católica quiere decir: que todos sus miembros deben estar unidos entre sí con los lazos de una misma doctrina (profesando una misma fe), de un mismo culto (participando de unos mismos sacramentos) y de un mismo régimen (que implica plena sumisión a un mismo jerarca supremo, llamado el Romano Pontífice).

La Unidad se opone a la división: y así la Iglesia Católica por su Unidad excluye cualquier especie de división, cual si la Iglesia hubiera de ser parte de un todo distinto de ella misma. *Uno* se dice el ser que en sí es indivisible y que ya está separado de los demás para formar un todo distinto e individual, pero completo.

La *Unidad* es una propiedad esencial de la Iglesia. La Iglesia Católica es una socialmente porque todos sus miembros conspiran al mismo fin bajo el gobierno de una suprema autoridad que ejerce las funciones de enseñar, regir y santificar. Dicha unidad reviste dos aspectos: *unidad de derecho*, o sea la potestad recibida del mismo Jesucristo por la cual la Iglesia con plena autoridad puede exigir de los hombres, sus miembros, la unidad de doctrina, culto y régimen; *unidad de hecho*, esto es: aquella misma unidad triple (obligatoria para todos los mortales) que la iglesia confiere a todos sus miembros. Verdad que la Iglesia Romana no puede secundar las orientaciones del movimiento ecumenista tal como las enfocan los “hermanos disidentes”. Pero sería falso sacar de ahí la consecuencia de que la *unidad* de la Iglesia no la preocupa. En toda su historia la Iglesia Romana ha acumulado incesantes esfuerzos para curar las trágicas divisiones en el seno del Cristianismo, hasta poder decir que luchó y sigue luchando por una ecumenicidad de tipo peculiar: una ecumenicidad “que brota de la convicción dogmática de que la Iglesia Romana es la *Una, Sancta*, y que define el problema ecuménico, no en términos de un arrepentimiento común y una renovación de todas las Iglesias, sino en términos de una vuelta al verdadero redil”.

**II. Unicidad.** — Este vocablo se opone a lo “múltiple” y nos indica que un ser ya constituye un individuo, o que numericamente es uno, no múltiple y por lo tanto que excluye de su especie a otro ser cualquiera.

Aún cuando la Iglesia sea una entidad moral, no carece de *unicidad* ya que forma un reino individual, un rebaño único bajo un solo Pastor, Jesucristo (representado en la tierra por su Vicario el Pontífice Romano), un Cuerpo Místico al mando de única Cabeza, Cristo Jesús, y una sociedad monárquica, obligatoria para todos los mortales.

Más aún: la Iglesia Católica es *única* porque ninguna otra Iglesia participa de sus prerrogativas, o está a ella asociada en la fe, culto o régimen cual si fueran dos sociedades de la misma especie. La Unicidad de la Iglesia significa también que ella *sola*, en singular, posee, sin compartirlos con las demás, los elementos de la Iglesia verdadera fundada por Jesucristo. El Divino Maestro no mencionó más que una iglesia, a la cual llama *suya*. De ahí que, en palabras de Leon XIII, "*Quaecumque praeter hanc, cogitetur alia, cum non sit per Iesum Christum condita, Ecclesia Christi vera esse non potest*" (Enc. *Satis Cognitum*). No hay pues otra Iglesia que con justo título pueda preciarse de ser la verdadera Iglesia, la iglesia *única*, organizada y fundada por el Mesías Redentor.

**IV. Uniformismo.** — En 1952 afirmaba un eclesiólogo español, D. MARIANO LOPEZ, Pbro, en su conferencia "El Ecumenismo": "El reconocimiento de que la Iglesia de Jesucristo no existe donde falta la comunión con Pedro y su sucesor, el Romano Pontífice, es sin duda alguna el punto dogmático más difícil de aceptar por los disidentes, pero esta dificultad deriva en grandísima parte de la convicción o del temor de que incorporarse a la Iglesia Católica lleva consigo el deber de *latinizarse*, de renunciar a todas las tradiciones y de uniformarse según el tipo de la Iglesia Romana". Por eso cabe preguntar: ¿La reintegración de las Iglesias exigiría un total y completo *uniformismo*?"

"La intención de Juan XXIII de convocar un Concilio Ecuménico ha tenido la virtud de crear un clima ecuménico en la masa católica. La inquietud por la unión de los cristianos ha dejado de ser patrimonio de una selecta avanzadilla para convertirse en la santa ambición de la Iglesia universal con la jerarquía al frente. El problema ha penetrado lacerante en la vida cristiana, incluso en países puramente católicos. En consecuencia, se está sintiendo cada vez más vivamente la necesidad de dar una orientación ecuménica a la teología y al ministerio pastoral en nuestras grandes catedrales y bajo trucas espadañas de aldea", (OLAECHEA, J. "El próximo Concilio, 1961, p. 173).

Indudablemente los afanes de la Iglesia Católica se orientan hacia "el retorno de los hermanos separados. ¿Significa esto que la Iglesia Católica será intransigente en absoluto, sin respetar ninguna de las prácticas pastorales divulgadas fuera de su campo y sin acoger ciertas demandas justificadas de protestantes u ortodoxos de buena voluntad? Ni mucho menos.

La *unidad* no se identifica con el *uniformismo*. Sin la primera no se salva la naturaleza de la Iglesia Católica visible en este mundo; pero sin el segundo muy bien puede resplandecer la belleza del reino mesiánico como ha brillado siempre con la variedad de ritos, con la diversa y exuberante manifestación de prácticas pastorales y litúrgicas. La vuelta de

las ovejas descarriadas no exige que en los elementos accidentales de la Iglesia Católica haya tan sólo un modelo o patrón a seguir, ni tampoco la supresión de aquellos adornos exteriores que se acomodan a los diversos tiempos y lugares

Muy dignas de recordarse son las siguientes palabras de Juan XXIII: "Hay sin embargo, no pocos puntos en los que la Iglesia Católica deja que libremente disputen entre sí los teólogos, en cuanto se trata de cosas no del todo ciertas y en cuanto (como notaba el celeberrimo escritor inglés, el Cardenal Newman) tales disputas no rompen la unidad de la Iglesia, sino más bien sirven para una mejor y más profunda inteligencia de los dogmas... Sin embargo hay que retener el dicho que, expresado unas veces de un modo y otras, de otro, se atribuye a autores diversos: en las cosas necesarias, unidad, en las dudosas, libertad; en todas, caridad", (Enc. *Ad Petri Cathedram*, 29 de Junio de 1959).

A este propósito comentaba un conferencista: "Las concesiones a esta re-unión (de las Iglesias disidentes) son siempre de orden disciplinar, litúrgico o administrativo conforme a las costumbres de las varias Iglesias y siempre que sean compatibles con la unidad y naturaleza de la constitución divina de la Iglesia de Jesucristo... En esta proyección de iniciativas propias de Roma hacia la reunión de los disidentes, podremos afirmar que ella ha sido siempre y con más motivo que nadie, la primera ecumenista en el sentido propio de la palabra. Trabajar por la reunión siguiendo las normas de Roma, no sólo no está prohibido, sino que forma parte de uno de los apostolados modernos que más llevan en el corazón los Romanos Pontífices" (ESTEBAN ROMERO A., Pbro, *La actitud del Magisterio frente al Ecumenismo*; conf. en Sem. España, 1952; pag. 154)

Para cerrar nuestro artículo no encontramos mejor idea que la siguiente: "No sólo se ha ido abandonando el lastre de viejos prejuicios, sino que se ha desarrollado en los últimos tiempos una conciencia unitaria que jamás ha alcanzado un grado tan elevado de buena voluntad... Por eso la próxima asamblea del Vaticano no será un "Concilio de unión" al estilo de Lyon y Florencia, "sino más bien el Concilio de la Unidad", (OLAECHEA, p. 66 y 67).

FR. V. VICENTE, O.P.

## COURT INTERVENTION IN LEGAL SEPARATION

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The extreme reluctance with which the Court views separation suits must be traced back to its concept of marriage, of family relations and its very Christian foundation.

Marriage to the Code is not "a mere contract but an inviolable social institution. Its nature, consequences and incidents are governed by law and not subject to stipulation<sup>1</sup>." This codal provision re-states the nature of marriage—something more than a contract. It is a new relation, the rights, duties and obligation of which rest not upon the agreement of the parties but upon the general law which defines and prescribes those rights, duties and obligations. Marriage is an institution, in the maintenance of which in its purity the public is deeply interested. It is a relation for life and the parties cannot terminate it at any shorter period by virtue of any contract they may make. The reciprocal rights arising from this relation, so long as it continues, are such as the law determines from time to time, and none other. When the legal existence of the parties is merged into one marriage, the new relation is regulated and controlled by the state or government upon principles of public policy for the benefit of society as well as the parties<sup>2</sup>.

The Code continues: "The husband and wife are obliged to live together, observe mutual respect and fidelity, and render mutual help and support<sup>3</sup>." The wife has the duty, among others, of living in her husband's company and of following him wherever he transfers his domicile or residence<sup>4</sup>. The husband may even object to the wife exercising her profession if

(1) his income is sufficient for the family, according to its social standing; and

(2) his opposition is founded on serious valid grounds.

In case of disagreement on this question, the parents and grandparents as well as the family council, if any, shall be consulted. If no agreement

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<sup>1</sup> Art. 52—N.C.C.

<sup>2</sup> GOTIA vs. CAMPOS RUEDA, 35 Phil. 252.

<sup>3</sup> Art. 109—N.C.C.

<sup>4</sup> Art. 110.—N.C.C.

is still arrived at, the court will decide whatever may be proper and in the best interest of the family<sup>5</sup>.

The present Civil Code contains no declaration upon the policy and attitude of the law toward the family. It would seem to be wise to lay down certain general principles that sustain the solidarity of the family, not only for the guidance of the courts and of administrative officials, but also for their wholesome influence upon the members of every family<sup>6</sup>.

Art. 216. The family is a basic social institution which public policy cherishes and protects. This article re-states the fundamental truth that the family is the basic unit of society.

Art. 218. The law governs family relations. No custom, practice or agreement which is destructive of the family shall be recognized or given any effect.

Art. 219. Mutual aid, both moral and material, shall be rendered among members of the same family. Judicial and administrative officials shall foster this mutual assistance.

Art. 220. In case of a doubt, all presumptions favor the solidarity of the family. Thus every intendment of law or fact leans toward the validity of marriage, the indissolubility of the marriage bond, the legitimacy of children, the community of property during marriage, the authority of parents over their children, and the validity of defense for any member of the family in case of unlawful aggression.

Any acts or agreements that tend to undermine the foundations of the family should not be tolerated, under this legislation that considers the family as one of the vital institutions of society<sup>7</sup>.

Art. 222. No suit shall be filed or maintained between members of the same family unless it should appear that earnest efforts toward a compromise have been made, but that the same have failed, subject to the limitations in article 2035.

Art. 2268. Suits between members of the family are discouraged and earnest efforts towards a compromise or settlement are enjoined to be first exhausted. Pending suits between members of the same family shall be suspended.

<sup>5</sup> Art. 117.—N.C.C.

<sup>6</sup> *Report of the Code Commission on the Proposed Civil Code of the Philippines* (Manila: Bureau of Printing, 1947), p. 17 (Hereafter cited as *Report of the Code Commission*).

<sup>7</sup> *Report of the Code Commission*, p. 18.

The Code commission continues:

It is difficult to imagine a sadder and more tragic spectacle than a litigation between members of the same family. It is necessary that every effort should be made toward a compromise before a litigation is allowed to breed hate and passion in the family. It is known that a lawsuit between close relatives generated deeper bitterness than between strangers<sup>8</sup>.

Hence the Code also provides for a kind of family council whose function is to advise the court, the spouses and the family on important questions.

A kind of a family council, more or less informal and extra-legal in character, has existed in the Philippines from time immemorial. The family council under the Civil Code is concerned mostly with guardianship. There is need of giving legal recognition to the historic and customary functions of the family council in the Philippines. The family council will be appointed by the court and the powers of such council will be advisory. Notwithstanding its merely advisory powers, its influence for good should be incalculable in case dissension should arise to confuse and torment a family<sup>9</sup>.

### ATTITUDE OF COURT TOWARDS SEPARATION

In every case the court must take steps, before granting the legal separation, toward reconciliation of the spouses, and must be fully satisfied that reconciliation is highly improbable<sup>10</sup>.

The Code Commission felt that where reconciliation of the spouses is probable, it is the duty of the judge to effect such reconciliation, "in chambers," and that the Judge by virtue of the respect due him because of his high office and learning is in the best position to advise the spouses and compose their differences.

The judge is to be in legal separation proceedings the exponent of the policy of the law that the family should be kept intact. He is to make use of the prestige of his office as well as his persuasive powers. Perhaps he will call upon the family council to aid him in this delicate task<sup>11</sup>.

The interest of both spouses as well as of society at large require that the courts should move with caution in recognizing separation suits,

<sup>8</sup> *Report of the Code Commission*, pp. 18-19.

<sup>9</sup> *Report of the Code Commission*, pp. 23-24.

<sup>10</sup> *Report of the Code Commission*, p. 36.

<sup>11</sup> *ARROYO vs. VASQUEZ*, 42, Phil. 56, 57.



unless it appears that the continued cohabitation of the pair has become impossible and separation necessary. Though in particular cases the repugnance of the law to dissolve the obligations of matrimonial cohabitation may operate with great severity upon individual, yet it must be carefully remembered that the general happiness of the married life is secured by its indissolubility.

When people understand that they must live together, except for a very few reasons known to the law, they learn to soften by mutual accommodation that yoke which they know they cannot shake off; they become good husbands and wives; for necessity is a powerful master in teaching the duties which it imposes. In this case, as in many others, the happiness of some individuals must be sacrificed to the greater and more general good<sup>12</sup>.

Mere austerity of temper, petulance of manners, rudeness of language, even occasional sallies of temper may be high moral offenses to the marriage state, and in particular to the offended party. But each must bear the consequences of an injudicious connection and try to subdue by decent submission and prudent reconciliation and if this cannot be done, both must suffer in silence. Many have decried the apparent inhumanity of the court's stern unrelenting attitude. But as the court has eloquently and beautifully put it:

If it were a question of humanity simply, and of humanity which confines its views merely to the happiness of the present parties, it would be a question easily decided upon first impressions. Everybody must feel a wish to sever those who wish to live separate from each other, who cannot live together with any degree of harmony, and consequently with any degree of happiness; but the situation does not allow one to indulge the feelings, much less the first feelings of the individual. The law has said that married persons shall not be legally separated upon the mere disinclination of one or both to cohabit together<sup>13</sup>.

**Cooling Off Period.** — An action for legal separation shall in no case be tried before six months shall have elapsed since the filing of the petition<sup>14</sup>. The evident purpose of this article is to provide a cooling off period in order to give the spouses sufficient time for reconciliation. The law does not look with favor on anything that destroys

<sup>12</sup> ARROYO vs. VASQUEZ, 42 Phil. 58, 59.

<sup>13</sup> ARROYO vs. VASQUEZ, 42 Phil. 60.

<sup>14</sup> Art. 103 N.C.C.

the family unity; hence, as much as possible it seeks to prevent any action for legal separation<sup>15</sup>.

The article above is intended to give the spouses the chance to reconcile. After the petition has been filed, a waiting period of six months is provided before the case is tried. During this period, the passion of the parties may subside, there may be forgiveness by the offended spouse<sup>16</sup>.

This provision of the Code is mandatory. This case cannot be tried within the period of six months from the filing of the complaint. The court understand that the introduction of any evidence, be it on the merits of the case or on any incident, is prohibited. The law, up to the last, exerts efforts at preserving the family and the home from utter ruin. Interpreting the intent of said article, the court understand that every step it should take within the period of six months above stated should be taken toward reconciling the parties. Admitting evidence before that period will make reconciliation difficult if not impossible. In this case, the court should act as if nothing yet had happened. The children must be given in custody to him or her who by family custom and tradition is the custodian of the children. The court should ignore that defendant had committed any act of adultery or the plaintiff, any act of cruelty to his wife. The *status quo* of the family must be restored as much as possible. In this country, unlike perhaps in any other country of the globe, a family or a home is a *petit* corporation. The father is the administrator who earns the family funds, dictates rules in the home for all to follow, and protects all members of his family. The mother keeps children in her company and custody, and keeps the treasure of that family. In a typical Filipino family, the wife prepares home budget and makes little investment without the knowledge of her husband. A husband who holds the purse is un-Filipino. He is shunned in the Filipino community<sup>17</sup>.

It is conceded that the period of six months fixed therein Art. 103 is evidently intended as a cooling off period to make possible, a reconciliation of the spouses. The recital of their grievances against each other may only fan their already inflamed passions against one another, and the lawmaker has imposed the period to give them opportunity for dispassionate reflection. But this practical expedient, necessary to carry out

<sup>15</sup> TOLENTINO, ARTURO, M., *Commentaries and Jurisprudence on the Civil Code, with Special Laws* (2 vols., Manila: Acme Publishing Co., 1947), I, 288; PADILLA, AMBROSIO, *Civil Code Annotated* (4 vols., Manila: PCF Publications, 1956), I, 57.

<sup>16</sup> TOLENTINO, *op. cit.*, I, 290; PADILLA, *op. cit.* I, 61.

<sup>17</sup> DIVINA, AMBROSIO M., "A Critical Study of the Law on Legal Separation as Compared to the Customs and Practices of the Filipinos." (Unpublished Thesis for the Degree of Bachelor of Civil Laws, University of Santo Tomas, Manila, 1960), p. 32.

legislative policy, does not have the effect of overriding other provisions such as the determination of the custody of the children and alimony and support *pendente lite* according to circumstances<sup>18</sup>. The law expressly enjoins that these should be determined by the court according to the circumstances. If these are ignored or if the courts close their eyes to actual facts, rank injustice may be caused. Thus the determination of the custody and alimony should be given effect and force provided it does not go to the extent of violating the policy of the cooling off period. That is, evidence not affecting the causes of separation, like the actual custody of the children, the means conducive to their welfare and convenience during the pendency of the case, these should be allowed that the court may determine which is best for their custody.

## CONCEPT OF RECONCILIATION

Reconciliation as provided in this article is not the same as pardon. It is a bilateral act where the consent of both spouses is essential. But the reconciliation may be expressed or implied. It is expressed when it is so stated in words or in writing; implied when the parties resume cohabitation. If reconciliation takes place before the grant of the decree of legal separation the proceeding will stop, and if it takes place after the final decree of legal separation then the decree is rescinded and without any effect.

**Effects of Reconciliation.** — The moment there is reconciliation between the parties the regime of property which governed them prior to the legal separation is *ipso facto* revived and the parties must state in a public document the property which they shall bring anew to the marriage relation and said property shall be considered as newly brought even though they existed prior to the legal separation. It is noteworthy that the parties may not choose another regime different from that which governed them prior to the legal separation. It is a mere revival of that regime which governed them prior to the legal separation and the revival takes place *ipso iure*. This revival refers only to the partnership and does not have effect of rendering ineffective the donations *propter nuptias* which were revoked by the previous article. Nor does it affect the validity of alienations and encumbrances made by the spouses before the reconciliation<sup>19</sup>.

REV. E. STA. RITA, JR.

<sup>18</sup> Art. 105—N.C.C.

<sup>19</sup> Art. 100—N.C.C.

## PASTORAL SECTION

### HOMILETICS

#### FIRST SUNDAY OF ADVENT (Dec. 2)

##### THE END OF THE WORLD

“For the powers of heaven shall be moved; and then they shall see the son of man coming in a cloud with great power and majesty.” (Luke xxi, 27)

##### *Introduction:*

“The world will end on July 14,” declared an Italian scientist last 1960. Came the eve and July 14 itself, the confessional boxes were surrounded with countless penitents. Many great sinners came back to be reconciled with God. The clock struck twelve midnight; the world did not end.

In 1914 the Jehovah's Witnesses predicted the end of the world; but the world did not end. In 1941, they predicted the end of the world, but in vain.

##### A. THE END:

Indeed, the world will end. Our Lord predicted the end of the world. “And immediately after the tribulation of those days, the sun shall be darkened and the moon shall not give her light and the stars shall fall from Heaven and the powers of heaven shall be moved.”

Like St. Paul, St. Peter attested to the passing of the world; “the day of the Lord shall come as a thief... and the earth and the works which are in it shall be burned up.”

But is it really the end of the world that matters, or the last judgment that follows?

## B. WHEN?

The world will end indeed; but when shall this come to pass? Predictions were made. Dramatic promotions and sensational publications created and ended in vain frustration. Indirectly though, it was of much spiritual good to many Catholics who reconciled themselves with God.

But when? What year? What month and what day? Who knows the mind of God? "The time is uncertain, for the day and the hour no man knoweth."

But like a thief in the middle of the night, the world will end and will be renewed again.

But why the extreme fear of the end of the world?

## C. GUILTY OR NOT GUILTY?

Imagination may be funny, but it plays a big role in the multi-faced fears of man.

But who is really afraid? Who really feared the rolling of heads in the moral regeneration program of Macapagal? Are we guilty or not? Those who are guilty are afraid; but those who are not guilty can always defend themselves in court.

Likewise, why should I be afraid of the end of the world, if I am not guilty? For I know perfectly that God will be my Judge and my reward.

One who loves God, knows no fear; for love is stronger than death.

## FEAST OF THE IMMACULATE CONCEPTION (Dec. 8)

### THE IMMACULATE CONCEPTION AND REDEMPTION OF MARY

#### *Introduction:*

He was a gray-haired thick-nosed stoutish man in his late fifties, who walked along side a Dominican Father at UST campus: "Father, I have been reading a lot of books about our Faith, and there is one thing I cannot fully grasp. You see, Redemption was universal; Christ redeemed us all from original sin. But we believe that our Blessed Mother was conceived without original sin. Now was she redeemed?"

"Yes, she was redeemed," was the Priest's reply.

"How, Father?"

#### A. ORIGINAL SIN:

But first of all, what is original sin? Simply this: the absence of sanctifying grace and other privileges granted by God to our first parents from their creation. Our first parents lost sanctifying grace and other privileges when they fell into sin by disobedience. And this absence of sanctifying grace is transmitted to posterity except Christ and Mary.

And so when we say that we are born with original sin; it means simply that we are born without sanctifying grace. We are born without a divine heritage; with paradise lost.

But it was a heritage restored by Christ to all mankind: "paradise gained"; but restored to each individual through Baptism only, whether baptism by blood, by water or by desire.

#### B. IMMACULATE CONCEPTION:

On the other hand, the dogma of the Immaculate Conception states that: "by a singular favor and privilege of God and through the foreseen merits of her Son, our Blessed Mother, Virgin Mary, from the first instant of her conception in the womb of her mother was preserved free from original sin."

What does it mean? This: that our Blessed Mother was conceived without original sin; that she was conceived in sanctifying grace.

How then was our Blessed Mother redeemed from original sin, since she did not actually inherit it?

#### C. MARY'S REDEMPTION:

Mary, like any of us by reason of our natural origin, should have been conceived without sanctifying grace, in original sin; there was a necessity of contracting original sin. But she did not contract any, by a special or singular favor and privilege of God.

While we actually contracted original sin; meaning to say, we were actually conceived without sanctifying grace. Our redemption then consists in that what actually was lacking or absent, was made present through Baptism as explained.

But the redemption of our Blessed Mother consists in this that she was preserved from actually contracting original sin. She was conceived with sanctifying grace. And we could say, that she was conceived with paradise gained.

## SECOND SUNDAY OF ADVENT (Dec. 9)

### CHRIST: EVER OLD AND EVER NEW

"Art thou he that art to come..." (Mtt. xi, 3)

#### *Introduction:*

One of the most misunderstood persons if ever during a life time, was our Lord Jesus Christ Himself.

Was it because He would not conform? Or was it because He would not compromise?

He was hailed and He was stoned; He was adored and He was spitted on; He was annointed and He was flogged and crucified. "His blood be upon us." He was rejected by His own people. Why?

#### A. THE MESSIAH OF OLD:

The answer lies in the question of our Lord: "What think ye of Christ?"

The Jews have heard and read in the Books of the Prophets about the Messiah Who will come to redeem the people of Israel.

The Messiah will come as a great prophet to teach to people, a priest who will atone for sins, who will suffer in the hand of His enemies and die nailed on the cross.

He will be King and Lord; He will reign and defend the people of Israel. He will call Himself the Son of God.

#### B. POLITICAL MESSIAH:

Indeed, the people of Israel knew about the coming Messiah. But oppression of their native land had greatly influenced their interpretation about the Messiah.

The high priests had become extremely nationalistic and materialistic in their interpretation of the prophecies.

The Messiah would indeed be their saviour, redeemer and defender; but only against their political oppressors. He would lead them in arms to defeat the invaders of Israel. He would be their King and Lord who would provide them, bread and fishes by the hundreds of baskets.

Hence, our Lord asked: "What think ye of Christ?"

### **C. THE MESSIAH OF THE NEW TESTAMENT:**

"Behold the Lamb of God who taketh away the sins of the world." Here St. John the Baptist recognized Christ as the promised seed who will destroy the seed of Satan; the Lamb of God who will be offered for the redemption of mankind.

"Do we look for another?" No more. It is He the beloved Son of God. "This is my beloved Son in whom I am well pleased."

"What think ye of Christ?" asked our Lord; and St. Peter answered: "Thou art the Son of the living God." And St. Paul added: . . . Christ Jesus was the minister of the circumcision (baptism) for the truth of God, to confirm the promises made into the fathers' to the patriarchs and prophets.

## **THIRD SUNDAY OF ADVENT (Dec. 16)**

### **CHRIST: IN TIME AND ETERNITY**

"There hath stood one in the midst of you, whom you know not. The same is he that shall come after me who is preferred before me." (John i, 26-27)

#### **Introduction:**

Christ was not only misunderstood in His time, but also in our own time. As it is sad to know that Christians believe in Christ in more than two hundred ways according to the different existing sects; it is sadder still to hear these words: "Look at it this way," one non-catholic said; "God is a spirit, infinite and supernatural being. But Christ was a man. He lived among men. How can He be God?"



### A. BIRTH UNBORN:

Did not our Lord Jesus Christ say: "Before Abraham was, I am." To prove what? To prove that He existed before time. He had no beginning as a Divine Person; "I am."

As one poet puts it:

There was a Birth when birth was not,  
When time was but a timeless plot,  
When no womb was fecund beneath,  
The Sun enlivened not a heath  
But shed a Ray forever to shine,  
An Image of a Mind Divine.

Christ had a birth in eternity as the Word of God. "In the beginning was the Word, and the Word was with God, and the Word was God." The Son of God was born in eternity, in God without a mother, before He was born in time on earth without a father.

### B. IN TIME:

He was a man? Yes, but true God and true Man. He lived among men? Naturally; for He was born of a woman, a Virgin Mother. He had a human nature as well as a Divine Nature.

Do you see that sunlight streaking through the stain glass window pane? If you catch it with a magnifying glass with a paper underneath, the paper will burn. But the sunlight does not burn or break the window pane.

That was how Christ was conceived and born in time of a Virgin Mother without a father. He was Man indeed, but God also in only one Divine Person. He proved His divinity by miracles, fulfillment of prophecies, and His own divine life.

### C. IN ETERNITY:

But He most convincingly proved His divinity by His resurrection and ascension to heaven.

Christ prophesied His death and resurrection not only in parables but also in plain words. He was crucified and put to death. The third day, He rose from the tomb. For forty days, He showed Himself to people. Many people saw Him rise up to heaven. He fulfilled His words: "I go to the Father." He belongs to the Father. "The Father and I are one."

He is one God with the Father and Holy Spirit; Unity in the Blessed Trinity. Hence, he who confesses the divinity of Christ, confesses the divinity of the Blessed Trinity in a Unity.

And "everyone that shall confess me before men, I will also confess him before My Father who is in heaven."

#### FOURTH SUNDAY OF ADVENT (Dec. 23)

#### "PREPARE YE THE WAY OF THE LORD."

"Prepare ye the way of the Lord, make straight his path."  
(Luke iii, 4)

##### *Introduction:*

It is a wonder, how much some girls would go through just to attend a Christmas Eve party. They really prepare themselves from head to toe.

"Daddy," purred an eighteen year old lass, "leave me some beer." Do you think she drank to forget a smashed-up love affair? No. She poured the beer on her hair. In short, she teased her hair. Then the pencil eye brow; should it be thick or thin? The matching color of the lipstick, dress, shoes and bag.

Yes, people are very particular in going to parties or concerts, but how particular are we in preparing for our Lord? From the party, straight to the Communion rail? Prepare ye the way of the Lord."

##### A. PREPARE YE:

Indeed, we must prepare the way of the Lord, by making straight His path. How? By cleansing our soul of stains of sins.

How many sins, mortal and venial should be repented, confessed, and atoned for! How many unjust and uncharitable actions and words to be rectified. And how about restitutions to be made?

Yes, for "... every mountain and hill shall be brought low; and the crooked shall be made straight and the rough ways plain.

##### B. THE WAY:

We must prepare the way of the Lord; and the real way to smooth the entrance of Jesus Christ within our soul is Charity. Mean-

ing to say; that our soul must have a disposition which is attained to God, Who is Love, Divine Love, Charity.

It is not enough to confess our sins. It is not enough to make a yearly restitution of reparation of unjust actions or words.

The most essential part is to maintain righteousness, good will and holiness. How? Only if we maintain Charity in our soul. We must practice charity everyday. "Love one another." This was the oft repeated counsel of St. John the Evangelist. It is necessary for peace of soul; it is essential for everlasting joy.

### C. THE LORD IS COME:

Yes, prepare ye the way of the Lord. Christ is indeed Lord. Lord of lords; King of kings.

Remember that Christ is true God and true Man. God is the lord of all things and us all. He is our Creator, and Preserver. Hence, as God, Christ is our Lord.

But the Word was made flesh. God became Man. He came to redeem us. And He paid with His own precious Blood. We were bought by Him. We belong to Him. He is our Lord.

Brethren, let us prepare the way of the Lord. Clean our soul; and keep clean by practicing Charity.

## CHRISTMAS DAY (Dec. 25)

### CHRISTMAS SPIRIT

"And the Word was made flesh and dwelt among us."  
(Jn. i, 14)

#### *Introduction:*

I wish you all a holy and merry Christmas.

The greetings "Merry Christmas" will resound in our ears during this week; a sound with diverse notes, either of sincerity or emptiness.

But the most hateful expression during Christmas season is this: "Mayroon ba tayo riyan?" The delivery boy handing a package; the messenger boy handing a telegram; a policeman making a round. A

beggar who will not receive ten centavos; it is a small amount for him on Christmas. They do it as if it were their natural right; and as if we were bound under pain of sin to give on Christmas season. Was Christ born for this?

#### A. REDEMPTION; HIS MISSION:

"For God so loved the world, as to give his only begotten Son; that whosoever believeth in him, may not perish, but may have life everlasting."

Christ was born in order to redeem us; to restore us to our divine heritage; that through Him we may be made children of God, and heirs of heaven. But why a sublime humility to redeem a bonded humanity? Why should God become Man to redeem us?

Because, humanity could not redeem itself. The infinity of man's guilt and the supernaturality of grace are beyond human powers. Only a God-Man could offer an atonement of infinite value. And Christ was born.

#### B. HIS MISSION CONTINUED:

Christ indeed acquired for us the fruits of redemption. But how would each one benefit of the fruits of redemption? Just because Christ died on the cross for us all, does not mean that each one is already saved; it does not mean that one can go on committing sins.

Christ founded the Church precisely to continue His work of redemption for all time. It is the Church then that applies the fruits of redemption to each individual.

It is the Church then that sanctifies each man by the valid teaching of Truth, communication of graces through the sacraments. Personal sanctification then is under the guidance of the Church.

#### C. SPIRITUALITY OR MATERIALISM:

If Sanctity or Salvation of man is the purpose of Christ's birth, then Christmas season should be one of renewal of man's spirit.

And Christmas spirit should not be in doling out pesos or centavos, nor be in pushing out one's mitt for some gifts. Not so, my dear friends.

Rather the spirit of Christmas should be in a renewal of Christ, in the intense indwelling of God in our soul. But no, not only in re-

newing Christ in us, not only intensifying Christ in our soul by reading more about our Faith; but also most of all by restoring Christ in others who have lost Him.

If we must ask for gifts, let it be Christ; if we must give, let us give Christ.

## SUNDAY WITHIN THE OCTAVE OF CHRISTMAS (Dec. 30)

### *DUTIES OF PARENTS*

"... They had performed all things according to the law of the Lord." (Luke ii, 39)

#### *Introduction:*

He was reeling, when he entered the office. His eyes were glassy; his face sweaty; he smelt of liquor. And he was barely fourteen years old.

"Father, I'd like to confess." I motioned him to sit down on one of the chair. Then he opened up; told me, he had gone with bad companions. He stole with them. He drank with them. Then he added; "You know why I am a delinquent? My parents are always quarreling. I can't stand it; so I blow. My brother had always been tops in class; so they expect me to be tops too. They spend much for my brother; but nothing for me. My brother spends all the money; and I have to quit school. I destroyed my things at home. My parents drove me away, telling me never to come back." As he talked haltingly, tears were rolling down his cheeks.

Now, parents, how do you treat your children? Do you try to understand your children.

#### *A. HAPPINESS OF CHILDREN:*

Do you really seek the happiness of your children? Or you would rather sacrifice your children for the sake of your own personal satisfaction?

When you got married, you accepted the obligation to pursue the happiness of the whole family; not only your happiness but also the happiness of your children.

It is not enough to provide for their physical and spiritual well being; the parents should try to provide a happy atmosphere at home. The parents should set a good example in all things.

"You know, Father," that boy said, "my father drinks; and my brother drinks, too. So I drink."

#### **B. DELINQUENT PARENTS:**

You, parents! You expect the children to respect you. But are you respectable? Do you believe that you have a right to be respected by your children?

"Father," says a sixteen year old girl, "I love my father. But he is so delinquent. He does not give money to mother. He is already fifty years old; but he still goes with barcadas. He spends his salary drinking with them. He is drunk four times a week. How can I respect him?"

"Father," says an eighteen year old young man, "I hate my father. But I cannot help it. I can kill him. It is a great insult to my mother. He goes with another woman. He is fifty years old. How can I respect him? How can you expect me to love him?"

#### **C. PARENTS, GROW UP:**

Parents, are you not the cause of the waywardness of some young people now? Have you not contributed to it by negligence of your duties? Yes, your duty to train your children in religious duties and in piety; your duty to jealously guard your children from bad books, companions, places, amusements like bad TV, and Radio programs and films.

Your children reflects you and your home. If they are bad and ill-trained, it is because you are the same, one way or another.

Your salvation and that of your children depends on how you fulfill your duties as parents, at home. Parents, grow up. Perform all things according to the law of the Lord.

FR. JEPHTE M. LUCENA, O.P.

## CASES AND QUERIES

### DE NULLITATE MATRIMONII EX DEFECTU FORMAE CANONICAE

*Sergius, ex parentibus catholicis tempore ultimi belli natus et catholice baptizatus, adhuc infans una simul cum sua familia in Status Foederatos Americae Septemtrionalis migravit, ubi eius parentes sectae haereticae adhaeserunt. Sergius, proinde, in praedicta secta ab infantia adolevit et postea Marthae, etiam hae-Sergius et Martha divortium civile obtinuerunt. Nunc autem, Sergius in patriam reversus et ad catholicam fidem conversus, intendit denuo contrahere matrimonium cum femina catholica, sed obstat primum matrimonium cum Martha. Fuitne validum primum matrimonium Sergii? Adestne aliquod medium legitimum subveniendi spirituali saluti Sergii?*

\* \* \*

Duabus in casu propositis quaestionibus per ordinem respondendo, videamus:

1) *Fuitne matrimonium Sergii et Marthae validum? — Resp. Negative* seu matrimonium fuit *invalidum*. De legitimitate, etenim, matrimonii Sergii-Marthae dubium oriri potest ex triplici capite, an nempe obstaret impedimentum sive prohibens *mixtae religionis*, sive dirimens *disparitatis cultus*, sive *defectus formae canonicae*.

a) Ex primo capite seu ex impedimento *mixtae religionis*, circa validitatem matrimonii, de quo in casu, nullum dubium moveri potest, quia, *etsi adfuerit*, matrimonium non invalidaret, cum *mixta religio* non sit impedimentum dirimens, sed *tantum prohibens*, ad normam can. 1060: “Severissime Ecclesia ubique *prohibet* ne matrimonium ineatur *inter duas personas baptizatas*, quarum altera sit catholica, altera vero sectae haereticae seu schismatica adscripta.” In casu autem, uterque contrahens est baptizatus, Sergius quidem in Ecclesia catholica, Martha vero in secta acatholica. Ex hoc ergo capite, nihil aliud deduci pote-

rit, nisi quod eorum matrimonium fuerit illicitum. Attamen, videtur quod nec quidem impedimentum mixtae religionis existeret in casu, quia tum Sergius tum Martha, *tempore celebrationis matrimonii*, uterque sectae acatholicae adscriptus erat, nullusque proinde, dici poterat catholicus; sed can. 1060 loquitur de matrimonio, cuius una pars "*sit catholica*." Sergius autem ab infantia in secta acatholica adolevit, et tempore matrimonii, ipse, sicut et Martha, haereticus erat. Deest, propterea, impedimenti mixtae religionis ratio, id est, periculum perversionis.

b) Nec de validitate vel nullitate matrimonii Sergii et Marthae ex secundo capite seu ex impedimento *disparitatis cultus* loqui possumus, quia non adest, in casu, huiusmodi impedimentum. Can. 1070, quo inducitur, statuit: "Nullum est matrimonium contractum a persona *non baptizata* cum persona baptizata in Ecclesia catholica..." (§ 1). "Si pars, *tempore contracti matrimonii*, tamquam baptizata communiter habebatur aut eius baptismus erat dubius, standum est, ad normam c. 1014, pro valore matrimonii..." (§ 2), id est, relate ad matrimonium, dubius baptismus censetur validus, donec contrarium probetur. In casu vero, Martha vel revera est vel saltem baptizata censetur. Unde, etsi Sergius baptizatus sit in Ecclesia catholica, impedimentum disparitatis cultus non adest, quia uterque contrahens, tempore contracti matrimonii, baptizatus est.

c) *Aliter asserendum de validitate matrimonii Sergii-Marthae ex tertio capite seu ex defectu formae canonicae*, de quo cc. 1094, 1098 et 1099. — Cum expresse dicatur contrahentes, utrumque sectae haereticae tunc adscriptum, inisse matrimonium "*more haeticorum*," nulla adest ratio cur de casu exceptionalis can. 1098 hic loquamur. Supponimus igitur ipsos nec quidem cogitasse de absentia vel praesentia ministri catholici competentis ad assistendum tali matrimonio aut in mortis periculo inveniri, maxime cum Sergius ab infantia in secta haeretica adolevisset et fortassis bona fide. Quaestio ergo coarctatur ad can. 1094, circa formam ad matrimonii validitatem requisitam, et ad can. 1099, circa eos, qui praedictam formam servare tenentur.

Regula enim generalis statuit quod "*ea tantum* matrimonia *valida* sunt, quae contrahuntur coram parocho, vel loci Ordinario, vel sacerdote ab alterutro delegato et duobus testibus" (c. 1094). Ad hanc formam servandam, sub poena *nullitatis* matrimonii, tenentur "*omnes in catholica Ecclesia baptizati...*, *licet ab eadem postea defecerint*, quoties inter se..." vel "*si cum acatholicis...* matrimonium contrahant" (c. 1099). Iam vero, Sergius, ut clare in casu exprimitur, ex parentibus catholicis, tempore ultimi belli, natus et catholice baptizatus, id est, "*in*



*catholica Ecclesia,*" ad valide contrahendum cum Martha praefatam formam canonicam servare certo tenebatur, licet postea una simul cum sua familia defecerit a catholica Ecclesia et ab infantia in haeresi adoleverit. Hac in re, neque error vel ignorantia, etiamsi inculpabilis omnino, oblivio aut inadvertentia vel alia huiusmodi a lege dirimente eximunt (cf. c. 16).

Necessarium forsitan non est animadvertere alterum comma c. 1099, § 2, in quo legebatur: "Item ab acatholicis nati, etsi in Ecclesia catholica baptizati, qui ab infantili aetate in haeresi... adoleverunt, quoties cum parte acatholica contraxerint," non teneri ad canonicam formam servandam, abrogatum fuisse a Pio XII *Motu Proprio* 1 Aug. 1948, quia experientia 30 annorum docuit talem exemptionem a forma celebrationis matrimonii esse bono animarum nocivam (AAS, 1948, p. 305). In casu, cum expresse dicatur Sergium "ex parentibus catholicis natum tempore ultimi belli," patet ipsum cum Martha non contraxisse ante abrogationem praefatam nec ab acatholicis natum fuisse, ut in abrogato commate dicebatur; ideo, nihil refert an "ab infantili aetate in haeresi adoleverit" necne. Proinde, matrimonium Sergii et Marthae fuit *invalidum ex defectu formae canonicae celebrationis*.

2) Praesto igitur adest "*medium legitimum subveniendi spirituali saluti Sergii*" per eius novum matrimonium cum persona catholica. Hoc tamen licite fieri nequit antequam de prioris eius matrimonii nullitate legitime et certo constiterit (c. 1069). Secundum Instructionem S. Cong. de disciplina Sacramentorum, 15 aug. 1936, pro causis matrimonialibus circa nullitatem matrimonii servandam, loquendo de modo procedendi in casibus exceptis (Tit. XV), legitur sequens:

"Art. 231, § 1. Si quis certo tenebatur ad canonicam formam celebrationis matrimonii, et tantum civile matrimonium contraxit, vel coram ministro acatholico matrimonium inivit, aut si apostatae a fide catholica in apostasia civiliter vel ritu alieno se iunxerunt, ad hoc ut constet de horum statu libero, neque iudiciales sollemnitates requiruntur, neque interventus defensoris vinculi; sed hi casus solvendi sunt ab Ordinario ipso, vel a parrocho, consulto Ordinario, in praevia investigatione ad matrimonii celebrationem, de qua in can. 1019 seqq. — § 2. Si quod dubium supersit de recensitis conditionibus in § 1, quaestio ordinarii processus tramite definienda est" (AAS, 1936, p. 359). Hoc igitur praescriptum servandum est antequam per novum matrimonium spirituali saluti Sergii legitime subveniatur.

## ADMINISTERING THE HOLY COMMUNION TO THE EXCOMMUNICATED

*Mr. X has his daughters studying in the Silliman University—a protestant School. It is a known fact that parents or guardians sending their children to the Silliman University are ipso facto excommunicated whose absolution is reserved to the ordinary of the place. Mr. X who is supposed to be in good faith, keeps on approaching the sacramental confession whenever there is and receives the Holy Communion every Sunday. Now what obligation does the chaplain have, refuse the sacramental or leave Mr. X in his good faith?*

\* \* \*

A person is in good faith or bona fide if he does something that is gravely forbidden without knowing inculpably the existence of the law and the penalty attached to the law. Otherwise, if he does something that is gravely forbidden without knowing the law and the penalty because he doesn't want to know it or does not exert any effort according to his capacity to know the law and the penalty, then he is not in good faith.

In our present case does Mr. X know the regulation prohibiting the parents and guardians to send their children to Silliman University and the incurrance of the excommunication as well upon violating this regulation? If he does not know, that is if his ignorance of the said prohibition and penalty is inculpable or invincible, then he is in good faith. However, if he knows the law and tries to ignore it then he is in bad faith. Hence, the chaplain should refuse him the sacrament, if he is in bad faith.

Yet granted that Mr. X is in good faith, the chaplain is still duty bound to admonish Mr. X to take out his daughters from the Silliman University, if he were to continue receiving the sacraments. If after the admonition of the chaplain, Mr. X refuses to follow the regulation, then he should not be admitted to receive the sacraments, *nisi in periculo mortis* if he is disposed to (c. 2252). Cfr. LYDON, "*Ready Answers in Canon Law*", p. 124

Suppose the admonition of the chaplain reached the ears of Mr. X at the middle of the school year or at the time of the year when it is quite impossible for Mr. X to transfer his

daughters to a catholic school. In this case Mr. X may continue to receive the sacraments provided that there is a sincere promise on his part to take out his daughters from the Silliman University at the end of the School year and should not send them anymore to any protestant school or institution where their catholic faith will be endangered.

Meanwhile the chaplain should explain to the faithful in one way or another, why he allows Mr. X to receive the sacraments in order to avoid scandal or to blot it out if there is any.

REV. B. ARCENAS, J.C.L.

## NOISY CHILDREN ON SUNDAY MASSES

*As have been observed many times in many churches, there are people who bring along their little children to Sunday Masses. Now, if these children usually cry aloud or walk around thus distracting the praying faithful, can we tolerate this custom of bringing little children to Sunday Mass?*

\* \* \*

It is our opinion that such custom cannot be tolerated under the circumstances referred to. First of all children under seven years of age are not obliged to fulfill the precept of hearing Mass on Sundays.

Besides, it is required that Mass be heard at least with external attention and internal devotion what cannot be easily accomplished while these noisy children keep moving around disturbing the congregation. The church is not a playground but a sacred place which demands respect and strict order.

If the mothers find no means to care of their little noisy ones but by taking them along to the church, then, let both, the mothers stay at home, and the children play in the courtyard while the Mass goes on quietly. In this way everybody will be better off, the children, the mothers and undoubtedly the faithful and the priest.

FR. V. VICENTE, O.P.

## FOREIGN

**Six Sacred Congregation Officials Nominated Archbishops.** — His Holiness the Pope has nominated six assessors or secretaries of sacred congregations to titular archiepiscopal Sees and himself imparted episcopal consecration to all six in the Lateran Basilica on September 21.

Their elevation to the episcopate will enable these important officials to take full part in Vatican Council II.

The new archbishops-elect are:

Mgr. Enrico Dante, secretary of the Sacred Congregation of Rites.

Mgr. Giovanni Battista Scarpinelli di Leguigno, assessor of the Sacred Congregation of the Oriental Church.

Mgr. Cesare Zerba, secretary of the Sacred Congregation of Sacramental Discipline.

Mgr. Pietro Palazzini, secretary of the Sacred Congregation of the Council.

Father Paul Philippe, O.P., secretary of the Sacred Congregation of Religious.

Mgr. Beniamino Nardone, secretary of the Sacred Congregation of Ceremonial.

**Polish Bishops' Protest.**—According to reports reaching here, the Bishops of Poland have sent a joint note to the Red government, protesting against the government's attempts to crush the Church by closing all Catholic schools, hospitals and religious institutions.

The protest, stated that the government campaign against the Church has included efforts to make Sisters take jobs outside their convents. The Sisters have also been forced to move from one convent to another, the Bishops said.

Since then, Cardinal Wyszynski, Primate of Poland, has warned that the programmes of Poland's Red rulers are spoiled by a "religious war" and "hatred of God." The Cardinal's protest was made before a crowd of 500,000 pilgrims gathered at the national shrine to celebrate the feast of Our Lady of Czestochowa.

**Vatican and Austria Ratify School Pact.** — The Holy See and the Austrian government have exchanged documents ratifying their agreement on Catholic schools in Austria.

The pact is expected to bring re-

lief to 380 Austrian Church schools, many of which have been on the brink of financial ruin. The exchange of papers took place between the Austrian Ambassador to the Holy See, Johannes Coreth, and officials of the Vatican Secretariat of State.

**Cardinal Gracias Backs Catholic Housing Plan.** — Cardinal Gracias, Archbishop of Bombay, has put archdiocesan housing sites at the disposal of the Catholic Association of Bombay. The housing programme of this 10,000-member association includes a survey of Catholic-owned sites available for development.

**U.S.A. Catholic Education in 1962-63.** — The 13,000 Catholic schools and colleges in the U.S.A. are expected to enroll about 5,917,000 students this year, a record total.

As in past years, the greatest increase, about 115,000, is expected in the grade (primary) schools. High school enrolment is expected to go up by about 64,000 and college enrolment by nearly 29,000.

These estimates have been prepared by the Department of Education, National Catholic Welfare Conference. The Department gives total actual enrolment last year as 5,709,119.

The enrolment estimates for the coming school year break down as follows:

- Elementary schools: 4,560,000
- Secondary schools: 1,002,000
- Colleges and universities: 355,000

Catholic high schools this school year should thus pass the million mark for the first time.

Grade and high schools have increased their enrolments by more than 100 per cent since 1945, the year regarded unofficially by most educators as the beginning of the pupil boom.

How many students have been turned away from Catholic schools because of a lack of desk space is unknown. It is estimated by officials that care for about 55 per cent of the Catholic children of elementary school age. Catholic high schools are said to enrol about 45 per cent of the Catholics of high school age.

In 1961, the American Catholic educational system — the largest private school system in the world — had 238 colleges and universities, 92 for men and 146 for women. They enrolled 326,160 students taught by a faculty of 25,533.

There were 2,376 secondary schools, enrolling 937,671 students. The faculty totalled 46,623.

The 10,631 Catholic grade schools — enrolled 4,445,288 children and were staffed by 110,911 teachers.

**Unity Statement by World Council of Churches' Secretary.** — Dr. Willem Visser't Hooft, Secretary General of the World Council of Churches declared here during the meeting of the central committee of the Council that the friendlier Catholic-Protestant climate will probably have no enduring effect unless it leads to "a dialogue at the level of the Church itself."

Dialogue, a term used frequently

in church unity movements, refers to discussions in which two participants express sincere mutual interest in each other.

Dr. Visser't Hooft hopes earnestly "that a genuine conversation between the Roman Catholic Church on one hand and the World Council and its member Churches on the other comes to pass." It is still possible, he said, that the Second Vatican Council "will itself speak the language of the dialogue."

The sending of Protestant observers to the Council sessions is only a small step towards this goal, he said.

He made four points about the ecumenical council:

1) The World Council of Churches should follow it with close interest and prayers, and do nothing to hinder its work.

2) The World Council should keep its members fully informed of the latest developments in the changing Catholic-Protestant relations.

3) A genuine dialogue between the Churches should be initiated. "Individual talks are one thing; a dialogue between Churches is another."

**30 Spanish Priests for Latin America.** — Thirty Spanish priests will soon leave for Latin America, sent by the Catholic Society for Latin American Priestly Aid. This society has sent help to 21 Latin American countries.

**Improved Relations in Latin America.** — At the recent meeting in Paris of the Central Committee of the World Council of Churches, the Rev. Rudolf Obermueller of Buenos Aires reported improved relations in Latin America. Protestant and Catholic theological professors in Buenos Aires, have been meeting in a quiet unofficial way to exchange ideas and for common Bible study; in Sao Leopoldo, Brazil, the professors of the Jesuit college and of the Lutheran theological college are inviting one another to lectures; a Catholic archbishop in Peru invited some Protestant pastors to his cathedral during a special week of prayer. "There are indeed hopeful signs that the enmity which was so bitter in quite recent years in Colombia and Mexico will be overcome ecumenically," he said. However, Protestants in Latin America will be able to witness to Christian unity only when they have found it among themselves.

## LOCAL

**New Baguio Seminary Bldg.** — Hundreds of students, teachers, entire families plus scores of bishops, priests, nuns and government offi-

cials attended the blessing of the new St. Francis Xavier Seminary building for the diocesan clergy of Mountain Province.

The ceremonies started at 9:30 a.m. with the blessing officiated by his Excellency, Archbishop Salvatore Siino, Apostolic Nuncio to the Philippines. This was preceded by a welcome address by the Very Rev. Fr. Francis Lambrecht, seminary rector, and the cutting of the ceremonial ribbon by Mrs. Luis Lardizabal, assisted by Mrs. H. Estopa.

In his address the Apostolic Nuncio envisioned a new era that may blossom in the Mountain Province, "an era of renewed strength and functions" that could bring about more abundant blessings in the Vicariate.

The Nuncio concluded by reading the message of the Holy Father for the occasion signed by His Eminence Cardinal Cicognani, Secretary of State for His Holiness.

Preceding the Nuncio, Bishop Brasseur spoke of the steps that led to the realization of the seminary building which he could only attribute to Divine Providence.

Bishop Brasseur urged the faithful to give their best sons for the seminary. "Our greatest ingratitude to God for all these blessings will be if the seminary will be wanting of seminarians."

**Philippines Moslems Donate Land to Catholic College.** — The mayor

of Jolo and the governor of the province of Sulu, both Moslems, have agreed to give land to Notre Dame College, started in 1955 by Bishop Francis J. McSorley, O.M.I., Vicar Apostolic of Jolo.

The gift will enable the college to expand. It has been given as a mark of gratitude for the work done by the college for Moslems, who make up 98 per cent of the province's population.

**CEAP 2nd Regional Meet Held In Baguio.** — Some 2,000 teachers and administrators of Catholic schools are expected to attend the second regional convention of the Catholic Educational Association of the Philippines scheduled in Baguio from October 22 to 24.

Theme of the Convention to which regional superintendents and supervisors of the Bureau of Private Schools have also been invited is "UPGRADING CLASSROOM INSTRUCTION."

A third CEAP regional convention for Southern Philippines is also scheduled to be held in Davao early in January next year.

Senator Maria Kalaw Katigbak is scheduled to address the opening session of the Baguio Conference at St. Louis College.

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