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EDITORIAL

HE CALLS...

The eyes of the Holy Father are fixed on the Philippines.

In a letter addressed to Cardinal Santos and to all our Bishops He tells us that He finds deep comfort for the worries and the sorrows of His apostolic ministry in the news He receives about our seminaries. He rejoices because our seminarians increase in number; He rejoices because the buildings and the facilities for a proper training become more up to date; He rejoices because the academic instruction and the spiritual formation of the "future Christs", the seminarians of today, come closer and closer to the ideals of the Church. Truly He loves us, the priests and the seminarians of the Philippines.

And He is not alone. His Secretary of State, Cardinal Cicognani, and the Prefect of the Sacred Congregation for Seminaries and Universities, Cardinal Pizzardo, expressed the same feelings and similar interest towards our clergy in letters addressed to the National Director of Vocations.

While we celebrate the "Vocation Week", we feel that the eyes of the Church of God are fixed on us. She loves us. She is calling us.

A living love is always an uneasy love. It calls for greater generosity, not in things material, but in devotion, in self-sacrifice, in betterment. So the Holy Father asks the young men of the Philippines to offer themselves and their lives to the work of God: He begs the families and the faithful at large to encourage and to help by every means the dedication and the perseverance of the chosen ones: He demands from the priests and from the Bishops, particularly from those attached to the education of the young levites, the most loving, most efficient, most self-effacing generosity in order to build up an abundant crop of true men of God in the Philippines.

One day, while travelling along the roads of the Holy Land, the Redeemer was stopped by a young man, who had been good from his early childhood, who had fulfilled the law of God, and who wanted to be perfect. "And Jesus LOOKING UPON HIM, LOVED HIM, and said to him: One thing is lacking; go, sell whatever thou hast, and give to the poor, and thou shall have a treasure in heaven; and come and follow Me" (**Mark, X, 21**).

At a distance of twenty centuries it is the same voice: That of Jesus begging for love, renunciation, consecration to Himself and to His divine work.

Families, seminarians, priests of the Philippines, which will our answer be? Because, He calls. . . !

FR. JESUS MERINO, O.P.

CURA ORDINARIORUM PRO SEMINARIIS LAUDATUR

EPISTULA

Ad Em.mum P.D. Rufinum tit. S. Mariae ad Montes S.R.E. Presbyterum Cardinalem Santos, Archiepiscopum Manilensem, ceterosque Ordinarios Insularum Philippinarum, quibus gratulatur de impensa eorum pro Seminariis cura.

IOANNES PP. XXIII

Dilecte Fili Noster et Venerabiles Fratres, salutem et Apostolicam Benedictionem.—Pater misericordiarum, et Deus totius consolationis,¹ qui Apostolici ministerii tot aspera et ardua crebris supernae gratiae donis lenit et allevat, causam praebet, cur animum singulari delectatione et spe erigamus, ubi de catholicae fidei progredientibus itineribus et, quod arcte cum iis cohaeret, de Sacrorum Seminariorum accommoda felicique condicione certiores efficimur.

Hanc ob rem admodum gavisi sumus, cum a Sacro Consilio Seminariis et Studiorum Universitatibus praeposito enucleate declaratus est Nobis exitus Apostolicae visitationis, quae in ista inclita Natione recens peracta est. Quibus acceptis nuntiis, pro explorato habemus Seminaria piaque Instituta prosperis istis florere incrementis vosque, dilecte Fili Noster et Venerabiles Fratres, neque magnis laboribus neque expensis parcere, ut, postremi belli, quod toto terrarum orbe exarsit, reparatis damnis, quidquid ad ecclesiasticam iuventutem rite formandam pertinet, cotidie firmitus invalescat.

Memoriam repetentes paternarum sollicitudinum praesertim Decessoris Nostri Pii XI, qui usque ad extremum ferme vitae halitum de nobilissima Philippina gente se urgeri sensit,—eodem

¹ II Cor. 1, 3.

ipsius obitus die diarium "*L'Osservatore Romano*" Apostolicas Litteras vestra spectantes edidit—² eadem caritate incensi, haec scribimus, ut sincerum vobis pateat gaudium, quo penitus afficimur, cum super magni momenti rebus ad audiendum pergrata percepimus.

Ante omnia sollertiam et diligentiam laudamus, quibus moti apta domicilia Seminariis vestris comparastis: ex iis pleraque amplia, salubria, loco edita ac ne numero quidem aedium imparia. Ferme omnes ecclesiasticae dictiones apud vos de suo Seminario gloriari merito possunt, quod quidem aemula certatione unusquisque vestrum in oculis fert, ne congruentibus suae vitae praesidiis unquam careat. Procul dubio si ea quae ad corpora attinent attente proseguenda sunt, ad ea tamen quae mentium animorumque cultum foveant, sacrorum alumnis congruentem, maxime conferendae sunt curae. Etenim Christi sensus, pietas disciplinae sanctitas, doctrinae studium, christianae humanitatis nitor veri nominis decora Seminariorum sunt, quae ita veluti sacra cenacula constituuntur, ubi spes et flos Ecclesiae abscondito maturescunt aevo. Talia ista esse pro certo habemus itemque hortamur, ut praeclara id genus ornamenta et solidiora usque fiant et sui amplificatione nobiliora, vigilantibus moderatioribus et exemplo vitae suae praelucentibus. Potissimum enim expedit et decet, ut hi adulescentibus animatum fiant exemplar virtutum. Quapropter annitendum vobis summopere est, ut Seminariorum vestrorum rectores dotibus animi eximii, moribus honorabiles, delectu spectabiles sint.

Haud parum solatii cepimus, cum novissemus numerum eorum qui divina voce ad sacerdotium capessendum vocantur, istic notabiliter crescere. Eorum numerus magis magisque augescet, si nonnulla impedimenta amota erunt, quae a familiarum inopia et angustiis profisciscuntur. Facite, dilecte Fili Noster et Venerabiles Fratres, quantum fieri potest, sollicitudine sapientiae plene ducti, ut necessitatibus, quas nuper leviter tetigimus, obviam eatur. Ad id prospiciendum valde conferre poterit "*Opus ecclesiasticarum vocationum*". In qualibet paroecia constitutum, hoc providam erga sacerdotium et Seminarium amoris

² Cfr. A.A.S. v. 34 (1942) pp. 252-264.

alet flammam atque christifidelium liberalitates, quae ita dispositu provisuque collocabuntur optimo, excitabit. Uterque clerus, diocesanus scilicet et religiosus, aemulo studio curam agat, de re catholica insigniter meriturus, ut uniuscuiusque dioecesis Seminario lectos adulescentes destinet, qui egregiam sui spem communi expectationi afferant. De horum delectu sitis, quaesumus, ut soletis, in exemplum solliciti; prudenti tantum cum severitate in Seminariis educandos excipite, et episcopales manus sacro ordine honestandis caute imponite. Poscit enim, exquirat, flagitat sacerdotalis vita congruentem dignitati tenorem, integram morum sanctitatem, consummatam sapientiam.

Ob id minime necesse est, fusius vos commoneamus, quantum operae pretium sit, ut quolibet Seminario spiritualis, quem nuncupant, pater viis Domini expertissimus, doctus et navus sit, qui adolescentes sibi commissos in sacerdotii ascensum quasi manu porrecta perducatur et in conscientiae foro de eorum ecclesiastica vocatione iudicium ferat. Suum ceterorumque moderatorum munus erit surgentia ingenia tenerasque mentes ab illecebris novitatum, a saeculo in voluptates verso amovere, priscis virtutibus, christiana sanitate fulgentibus, eadem imbuere, scilicet dovovendi se studio, voluntaria corporis castigatione, firma oboedientia, scientia Crucis, adsidua cum Deo familiaritate.

Numquam ex animo decidat evangelico sapore insignia sententia, sacerdotes vitae sanctimonia salem terrae, doctrina autem lucem esse mundi, cum praesertim veritatis a Deo revelatae magistri sint oporteat. Qua de causa libentissime percepimus postremis hisce annis istic haud exiguas progressionem in studiorum provincia contigisse ob id potissimum, quod studiorum curriculum generatim in unum coactum est ordinem. Quod autem ad humanas litteras attinet, expedit in memoriam revocare ea quae proximus fel. rec. Decessor Noster Pius XII in Apostolica Adhortatione "*Menti nostrae*" edixit: "Cupimus cumprimis ne litterarum doctrinarumque studiis ii qui futuri sint sacerdotes iis nihil saltem cedant qui e laicis iuvenibus pariter sint disciplinae auditores".³ Sollicitudo tamen impensior adhibenda est, ut, studiorum ratione quae in publicis adhibetur scholis ob oculos habita,

³ A.A.S. v. 42 (1950) p. 687.

maiore honore et pondere putentur eae disciplinae—praesertim Latinae linguae cultus—quae ecclesiasticae institutioni singulari modo congruant et eius magisterio natura sua proprio sint.

Post haec in peculiari laude vestra ponimus, quod sollertes cogitationes ad Praeseminaria et Postseminaria, ut aiunt, pressim constituenda confertis. Quidnam utilitatis praebeant huiusmodi ad rem deducta incepta, diuturno rerum usu comprobata, commonere, fusius minime nunc attinet: ita procul dubio tutior delectus adulescentium, qui in Seminariis hospitio excipiendi sunt, et novensilium sacerdotum conformatio in re morali, ascetica, sociali absolutior et sacro ministerio, gradatim obeundo, accommodatior fieri solet.

Aliud meminisse Nos iuvat, unde solatium perquam suave hausimus. Hac alma in Urbe sumptu magno, tenaci proposito, fide solidissima Seminarium Collegium Philippinarum Insularum condendum curastis. Deo hac de re summas agentes gratias, Litteris Apostolicis in forma brevi datis, quibus inscriptio "*Sancta Mater Ecclesia*", id canonice ereximus, ac rite probatum Pontificio honore ac titulo statim decoravimus. Quod quidem feliciter iam inceptum est, felicius prosequatur et inclitae genti vestrae fructus pariat opimos: quidquid enim in maius eius emolumentum et decus cedit, pro explorato esto Nobis esse gratissimum, eo vel magis quod persuassum habemus in posterum istic Regnum Dei valida incrementa acceptura esse, quae etiam finitimis populis proderunt.

Haec omnia imo a pectore ominati, caelestia deprecamur auxilia, ut impensa et impendenda istic Sacris Seminariis opera pares exspectationi eignat exitus et ditissimam spiritualis fecunditatis edat coronam; atque huius spei confirmandae causa vobis, Dilecte Fili Noster et Venerabiles Fratres, Apostolicam Benedictionem, caritatis Nostrae testem, peramanter imperimus.

Datum Romae, apud Sanctum Petrum, die XXII mensis Augusti anno MCMLXI, Pontificatus Nostri tertio.

IOANNES PP. XXIII

(AAS., 1961, p. 675)

PEACE MESSAGE OF HIS HOLINESS THE POPE

to the Whole World on Sunday, September 10.

Venerable brethren, beloved sons:

The Apostle Peter in his speech to those who were come together in the house of the Roman centurion Cornelius declares that all the nations of the earth without distinction are henceforth invited to consider the universal fatherhood of God; and he sums up this heavenly doctrine in the message of peace: "*preaching peace by Jesus Christ*" (Acts X, 36).

This same message is the very pulsation of Our heart, the heart of a Father and of a Bishop of Holy Church; it comes more eagerly to Our lips whenever the clouds seem to gather darkly on the horizon.

Appeals of His Predecessors

We have before Us the memory of the Popes who most closely preceded Us, whose outspoken manifestations of solicitude and anxious appeals have passed into history.

From the exhortation of Pius X when the first European conflagration was imminent—a few days before his saintly death—(cf. A.A.S. VI, 1914, p. 373), to the Encyclical of Benedict XV, "*Pacem, Dei munus pulcherrimum*" (cf. A.A.S. XII, 1920, pp. 209 ss.); from the warning call of Pius XI which looked to true peace "not as written into treaties but rather as sealed in the hearts of men" (cf. the bull "*Infinita Dei*", May 29, 1924; cf. A.A.S. XVI, 1924, p. 213), to that fervent last appeal of Pius XII on August 24, 1939: "It is by the power of

sound reason, not by force of arms, that justice makes its way" (cf. Pius XII, *Discorsi e Radiomessaggi*, I, 1939, p. 306), we have a whole series of pleadings, sometimes deeply sorrowful and moving but always paternal, calling upon the whole world to guard against the danger while there is yet time, and assuring the nations that whereas everything is lost, and lost to everyone, through war, nothing will be lost through peace.

The Pope's Own Appeal

We make this appeal Our own, extending it once more to those who bear on their conscience the gravest weight of public and acknowledged responsibilities. The Church by her very nature cannot remain indifferent to human suffering, even were it no more than anxiety and anguish. And this is the reason why We call upon the rulers of nations to face squarely the tremendous responsibilities they bear before the tribunal of history and, what is more, before the judgment seat of God, and We entreat them not to fall victims to false and deceiving provocations.

It is truly upon wise men that the issue depends: that force shall not prevail, but right, through free and sincere negotiations; that truth and justice shall be vindicated by safeguarding the essential liberties and the insuppressible values of every nation and of every human person.

Though We are far from exaggerating the importance of what has, up to now, only the appearance—but We must say the too irresponsible and tragically deplorable appearance—of a threat of war, as reported in the sources of daily public information, it is quite natural that We should make Our own the anxious solicitude of Our Predecessors and present it as a sacred warning to all Our children, as We feel it Our right and Our duty to call them, to all who believe in God and in His Christ, and even to unbelievers since all men belong to God and to Christ by right of origin and of redemption.

Those two pillars of the Church, Saints Peter and Paul, give us the warning.

Appeals of the Apostles

The former does this in his affirmation, several times repeated, of peace in Christ the Son of God; and the latter, the Doctor of the Gentiles, in a very detailed indication of counsels and instructions which are for that matter timely and appropriate for all who hold or will hold any post of responsibility in the course of human generations.

"I have no more to say, brethren, except this; draw your strength from the Lord, from that mastery which his power supplies. . . It is not against flesh and blood that we enter the lists; we have to do with principedoms and powers, with those who have mastery of the world in these dark days, with malign influences in an order higher than ours."

Possessing the wisdom and the fullness of fatherhood as the humble successor of St. Peter and custodian of the Deposit of Faith—which remains always the great Divine Book open to all men of all nations—and consequently also the keeper of Christ's Gospel, We deem it opportune to offer some personal concrete reflections on the present world situation insofar as it gives rise to uncertainty and fear.

Following the counsel of St. Paul in regard to the attitude to be taken towards the evil spirits in an order higher than ours, we should note the interesting description he makes of the good fighter poised to meet the assault of his adversary. "Stand fast, your loins girt with truth, the breastplate of justice fitted on, and your feet shod in readiness to publish the gospel of peace, the 'Evangelium pacis'. With all this, take up the shield of faith, with which you will be able to quench all the fire-tipped arrows of your wicked enemy; make the helmet of salvation your own, and the sword of the spirit, God's word."

All these are spiritual weapons described in figures of speech by means of which, beloved brethren and children, you can discern indications of what can be and what ought to be the attitude of a good Christian in the face of any event, at any time and under any circumstances. That which comes from the

Evil One and from unbridled natural inclinations is a war of the spirit—a continuous warfare—and always the hideous fire that can penetrate and destroy everything.

Therefore, it is through the guidance of the Apostle of the Gentiles that We are led to the clearest and most solid foundation upon which must be based the attitude of the Christian spirit in the face of whatever Providence may dispose or permit. Between two words, war or peace, are entwined the anguish and the hopes of the world, the anxieties and the joy of individual and social life.

Appeal of History

He who cannot forget the history of the more or less distant past, years filled with afflictions and now recorded in old books, and still has a vivid recollection of the bloodstained half century between 1914 and the present, and remembers the sufferings of our peoples and our lands—even if there were peaceful interludes between one tribulation and the next—trembles at the thought of what could happen to each one of us and to the whole world. Every war brings upheaval and destruction to persons, regions and the entire world. What could happen specially now with frightful effects of new weapons of destruction and ruin which human ingenuity continues to multiply to everyone's loss.

In Our youth We were always deeply moved by that ancient cry of despair which, when the army of Charlemagne first appeared on the Alps, Desiderius, the king of the Lombards, gave out while rending his hair: "The sword, alas, the sword". What should be said of the modern implements of war derived from the secrets of nature and capable of unleashing unheard of energy to wreak havoc and destruction?

Appeal to Wise Rulers

By the mercy of God, We are persuaded that up until the present time there is no serious threat of either immediate or remote war. In making this reference of Our own to a subject that the press of all nations is discussing, We mean nothing more

than to take still another opportunity of appealing with confidence to the serene and sure wisdom of all men who guide the nations of the world.

While it is true that at the end of his letter to the Ephesians written in a prison in Rome where he was chained to a Roman soldier guarding him, the Apostle Paul was inspired by military weapons to teach Christians the arms necessary to defend themselves against, and to gain victory over, spiritual enemies, still it is not surprising that at the end of the list of weapons, he stresses prayer as the most effective of them all.

Listen to his words: "*galeam salutis adsumite et gladium spiritus, quod est verbum Dei; per omnem orationem et obsecrationem orantes omni tempore in spiritu et in ipso vigilantes in omni instantia et obsecratione pro omnibus sanctis*": "Use every kind of prayer and supplication; pray at all times in the Holy Spirit; keep awake to that end with all perseverance; offer your supplication for all the saints." (Eph. 6, 17-18).

With this earnest invitation the Doctor of the Gentiles brings us to the particular purpose of our being united here today in spirit in a gathering that a mere hint has been sufficient to bring about and which has resulted in a great uplifting of spirit towards order and peace. The children of the Catholic Church well know this aspiration and this invocation. In days of sorrow the worldwide prayer to Almighty God, Creator of the Universe, to His Son Jesus Christ, made man for man's salvation, and to the Holy Spirit, Lord and Lifegiver, has received from heaven and upon earth wonderful answers, which are recorded as happy and glorious pages in the history of mankind and of individual nations. We must open our hearts and empty them of the malice with which at times the spirit of error and evil seeks to infect them, and thus purified, we must lift them up, confident of receiving heaven's blessings as also prosperity in the things of earth.

Venerable brothers and beloved children, our simple and spontaneous meeting together in spirit today could well be—who knows?—the first of a series of assemblies of peace, not marred

by pointless clamouring, but gladdened by a heartfelt sentiment of elevation and peace, an assurance of the tranquility and nobility of life in the happiness of Christian society, which is, in Christ, divine brotherhood and a foretaste of the joys of heaven.

Reflect that the Catholic Church scattered through a world that is today, alas, troubled and divided, is preparing for a universal gathering—the Ecumenical Council—which is aimed at the promotion of that true brotherhood of the nations which exalts Christ Jesus, the glorious and immortal King of ages and of peoples; light of the world, and way, truth and life. (cf. I Tim. 1, 17; John 8, 12; 14, 6).

Pray!

This afternoon, during the Holy Sacrifice of the Mass, the Blood of Jesus Christ has come down upon us, upon our lives, upon our souls. By it we are sanctified and redeemed and lifted up with joy.

We have prayed together and in so doing we have felt great joy in our hearts. Let us continue to pray in this way, as Saint Paul invites us to do at the end of his touching letter. Let us pray with one another and for one another, and for all the scattered creatures of God who make up the Holy Church and the human family, which is also all his own.

We would extend Our most urgent invitation to prayer to priests, to consecrated souls, to the innocent and to the suffering. Let us all together beg the Father of light and of grace to enlighten the minds and move the wills of those who hold the chief responsibility for the life or death of the peoples; let us pray for the peoples themselves that they may not allow themselves to be dazzled by exacerbated nationalism and destructive rivalry, and that, as We so earnestly exhorted in Our Encyclical "*Mater et Magistra*", the relationships in the life of human society may be reintegrated in truth, in justice and in love. Let us all pray that by means of the penetration of the christian spirit morality may grow strong: the vigorous strength of chris-

tian families, the source of noble power and dignity and of blessed and joyful prosperity.

Ever and always let us pray for the peace of Christ here below, between all men of good will: "that all the families of the nations, rent asunder by the wound of sin, may be subjected to the most gentle rule of Christ".

And finally we turn to you, O blessed Virgin Mary, Mother of Jesus and our Mother also. How can we, with trembling hearts, apply ourselves to this greatest problem of life or death, which overshadows all mankind, without relying on your intercession to keep us safe from all dangers? This is your hour, Mary. To you Jesus entrusted us in the final moment of His sacrifice of blood. We are confident in your intercession.

On the eighth of September Holy Church kept the feast of your most happy birthday, hailing it as the first beginning of the world's salvation and the growth of peace. This indeed, is what we beg of you, most loving Mother and Queen of all the world. The world has no need of victorious wars and defeated peoples, but of the renewed strength of salvation and of the fruitfulness and calm of peace: this is its need and this it is for which it cries aloud: "*salutis exordium; et pacis incrementum*"; "the dawn of salvation and the growth of peace. Amen. Amen."

THE ROSARY A PRAYER FOR THE PEACE

APOSTOLIC LETTER

OF HIS HOLINESS THE POPE JOHN XXIII

To All Ordinaries and Faithful of the Catholic World on the Rosary Prayer for Peace among Nations.

Venerable Brethren and beloved children: Health and Apostolic Benediction.

The religious gathering which took place at Castel Gandolfo on Sunday, September 10th, and which was made up of a distinguished company of Cardinals, Prelates and members of the Diplomatic Corps as well as of a great number of the faithful from all parts of the world, was penetrated by a deep sense of concern about the problem of peace.

The presence of Our humble person and Our earnest voice was the focal point of that meeting. By Our consecrated hands was offered up the Eucharistic Sacrifice of Jesus, Saviour and Redeemer, "Salvator et Redemptor mundi", Pacific King of ages and of peoples.

All the nations there represented gave ample proof of universality. Among others, the students of the College of Propaganda formed a notable group, drawn from every nation, even from those which are not Christian, and all of them invoking peace.

Moved and at the same time full of confidence, We announced on that symbolic evening Our intention of encouraging successive gatherings, according as suitable occasions should

offer, in which We should speak in prayer on this fundamental duty of preserving peace throughout the world and of saving civilization.

It was for this reason, and to provide a first example, that a few days afterwards We made Our visit to the Catacombs of Saint Callixtus, the nearest to Our summer residence, in order to implore there amid the trophies of so many of Our predecessors, (at least 14 Popes, along with their Bishops, are there, illustrious martyrs of history), the cooperation of their intercession in heaven in the work of securing for all nations—and all of them belong in some way to Christ—the inestimable treasure of peace: “ut cuncto populo christiano pacem et unitatem Dominus largiri dignetur” (“that the Lord may deign to grant to all the Christian people unity and peace”).

Now as we stand on the threshold of October, which from a well-established tradition of piety and Christian love has been dedicated to the veneration of Our Lady of the Rosary, we are presented with a further opportunity most appropriate for universal prayer to Our Lord for the same great intention in which all, individuals, families and nations have a stake.

Last May, inspired by the gesture of Pope Leo XIII, We called to mind the teaching of *Rerum Novarum* and developed it with Our Encyclical Letter, *Mater et Magistra*, with the intention of making a greater adaptation of Catholic doctrine to the needs of modern life. We remember that that great Pontiff—who was the light and guide of Our spirit, leading Us through Our boyhood to the splendour of the priesthood—often invited the Christian world, in the beginning of October, to recite the Rosary, proposed to all the children of the Church as a subject of pious meditation, for the nourishment of their spiritual life and for the obtaining of heavenly graces for the entire Church.

His successors continued to honour this pious and moving tradition and We Ourselves humbly intend to follow the example of these great and venerable Pastors of the Church, not only in their increasing solicitude for the cause of justice and of brotherhood here on earth, but also in their search for means to

achieve the sanctification of souls, which is the true force and guarantee of all success—the answer from above to the voices here below crying out from sincere hearts that are hungry for truth and love.

In the beginning of October 1950 We addressed to the Catholic world the Encyclical *Grata Recordatio* (AAS LI (1959) 673-678) and in the following year, with the same end in view, We wrote a letter to the Cardinal Vicar of Our diocese of Rome (Letter *L'Ottobre che Ci sta innanzi*, AAS LII (1960) 814-817).

Venerable Brothers and beloved children in every part of the world, We are pleased also this year to propose to your thoughts and prayers certain simple and practical considerations suggested by the devotion to the rosary, for the nourishment and health of the soul. All of this in order to give a perfect and happy expression of Christian piety, and always in the light of a universal prayer, that peace may reign among all peoples and among all nations.

As an exercise of Christian devotion of the faithful of the Latin Rite which constitutes the greater part of the Catholic family, the Rosary follows in importance the Holy Sacrifice of the Mass and the Divine Office for the clergy. For the laity it is the most important form of devotion after the participation of the Sacraments. It is a form of devotion that unites one to God and lifts the soul to a high supernatural plane.

It is true that among less cultivated souls, over and above the homage paid by the lips, the Rosary could become a mere monotonous succession of the three prayers, the *Our Father*, the *Hail Mary* and the *Gloria*, arranged in the traditional order of fifteen decades. Without doubt, this is not to be despised, but —We have to repeat—this is merely an exterior echoing of confident prayer, rather than a vibrant elevation of the soul to a communication with the Lord, produced by the consideration of the sublime tenderness of the mystery of His merciful love of all humanity.

The true nature of the Rosary, if it is well meditated upon, consists in a triple element which gives unity and cohesion to

the vocal expression. It unveils in vivid succession the episodes that join together the life of Christ and Mary, in reference to the dispositions of the person praying and to the aspirations of the universal Church.

Every 10 Hail Marys make up a section and through each section runs a triple theme which is at the same time *mystic contemplation*, *intimate reflection*, and *pious intention*.

It is in the first place pure, luminous and rapid *contemplation* of those mysteries of the faith that concern the redemptive mission of Jesus. By contemplating these truths one attains to an intimate communication of mind and heart with the doctrine and life of Jesus, the Son of God and Mary, Who lived on earth to redeem, to teach, to sanctify—in the silence of His hidden life of prayer and work—in the sufferings of His Passion—in the triumph of His Resurrection, as well as in the glory of heaven where He sits at the right hand of the Father ever, through the course of the centuries, sustaining His Church by the life-giving force of the Holy Spirit.

The second element is *reflection*, the clear light that flows over from the fulness of Christ's mysteries upon the spirit of him who prays. Each one as he ponders the mysteries perceives in them some lesson for himself, something making for his own sanctification and adapted to the particular circumstances of his life. Each one under the continued inspiration of the Holy Spirit, who from the depths of the soul in grace 'asks for us with unutterable groanings' (Rom. 8, 26), contemplates his life in the light of this illumination which the mysteries supply and finds therein inexhaustible applications for the needs of his spirit as well as for those of his ordinary daily life.

Finally there is *intention*, that is, the singling out of those persons or institutions or personal and social needs which for a devout and truly active Catholic constitute the objects of his brotherly love; a love which fills the heart as a living expression of our common membership of the Mystical Body of Christ.

In this way the Rosary becomes a universal prayer, a prayer alike for individuals and for the vast community of all

the redeemed, who, in a single prayer, meet together from every quarter of the earth, begging grace for their individual needs and combining together to form the one great voice of the whole Church lifted up in intercession for all mankind.

The Church, according to the will of the Divine Redeemer, lives in the midst of calamity and adversity, threatened by the storms of a disordered society, but she sets her gaze upon, and reaches out with all the strength of nature and of grace towards, the supreme end of life eternal.

This is the Rosary of Our Lady seen with its different elements united and borne up by the wings of vocal prayer and so interwoven with it as to form, as it were, a fabric delicate yet strong, full of the warmth and attractive beauty of the spirit.

The vocal prayers themselves receive in this way their full value; in the first place the "*Our Father*", the keynote of the Rosary, imparting to it life and solidity, and, coming after the announcement of each mystery, serving to mark the passage from one decade to another; then the "*Hail Mary*" with its overtones of heaven's exultation and of earth's at the contemplation of the different mysteries of the life of Jesus and Mary; and lastly the threefold "*Gloria*" repeated in profound adoration of the Blessed Trinity.

How full of beauty is the Rosary of the innocent child and of those who are sick; of the consecrated virgin in the retirement of the cloister or in the humble, self-sacrificing apostolate of charity; of fathers and mothers of families imbued with a deep sense of noble, Christian responsibility; of humble families faithful to the ancient traditions of the home; of souls recollected in silence and withdrawn from the world which they have renounced and in which they must yet live as hermits in the midst of uncertainty and temptation.

This is the Rosary of those devout souls who are earnestly concerned for the details of their life and for the environment in which they live.

As We dwell upon this time-honoured and moving form of devotion to Our Lady as applied to each one's particular circumstances, We feel justified in noting that the transformations which have taken place in every department of modern society—the inventions of science, the very completeness with which labour is today organized—by enabling us to understand with greater depth and penetration the nature of the world in which we live, have produced also a new awareness of the purpose and forms of Christian prayer. Today a man at prayer no longer feels that he prays alone, concerned exclusively with his own private spiritual and temporal interests, but he realizes more clearly than in the past that he belongs entirely to a social body, the responsibility for which he shares, the benefits of which he enjoys, the dangers and uncertainties of which are his own. This, moreover, is characteristic of the liturgical prayer of the Missal and the Breviary, punctuated as they are by the "*Oremus*" which supposes a plurality, a multitude, not only of those who are praying but also of those who hope for an answer to prayer, those for whom the prayer is offered. It is the group praying together for the whole human, religious and social brotherhood.

The Rosary of Our Lady has therefore the exalted character of a great and universal public prayer for all the ordinary and extraordinary needs of Holy Church, of the nations and of the whole world.

In the history of nations there have been difficult, very difficult periods, through the succession of events which marked in tears and blood the vicissitudes of the most powerful States of Europe.

Whoever has followed the history of political changes and transformations well knows the influence which devotion to Mary has had for protection from threatened disaster and for the restoration of prosperity and social order.

Remembering always as We do Our beloved city of Venice, which for six years gave Us so many cherished opportunities for good pastoral service. We note with keen and heartfelt pleasure the restoration, completed at last, of the splendid Chapel of

the Rosary, that magnificent ornament of the Basilica of Saints John and Paul of the Dominican Fathers of that city.

It is a monument of notable distinction among the many in Venice which proclaim through the centuries the victories of the Faith, and it belongs precisely to the years following the Council of Trent signaling—from 1563 to 1575—the characteristic fervour spreading throughout all Christendom in honour of the Rosary of Our Lady, who thenceforth is invoked in the Litanies under the title of “Help of Christians”.

O blessed Rosary of Mary, how sweetly consoling it is to see you held in the hands of innocent persons, of holy priests, of pure souls, of young and old, of all who appreciate the value and efficacy of prayer, lifted as an emblem and standard, a presage of peace in the hearts of men and peace for all the nations of humanity!

Peace in the human and Christian sense means the penetration of souls by that sense of truth, of justice, of perfect brotherhood among nations, which banishes all danger of discord and confusion, which places the will of all and of each one on the path of the Gospel message, on the contemplation of the mysteries and example of Jesus and Mary now become familiar objects of universal devotion, on the striving of each soul and of all towards the perfect practice of the law of God which, by regulating the secret movements of the heart, corrects the course of individual action and guides it towards the fulfillment of Christian peace, the delight of human life and the foretaste of unfailing and eternal joys.

Beloved brethren and sons; on this subject of the Rosary of Our Lady as a worldwide prayer for the peace of Christ and for the happiness even here below of individuals and peoples, Our heart would inspire Us with other simple and moving thoughts. We choose, however, rather to offer to your attention as a complement to this Apostolic Letter a little taste of the devout thoughts which are to be found in every decade of the Rosary, with special reference to the three aspects—the mystery, the reflection and the intention—of which We spoke before.

These simple and spontaneous points may well suit the spirit of one who especially wishes to overcome the monotony of simple recitation. They are useful and appropriate helps toward a more lively personal devotion, a more ardent fervour of prayer for the safety and peace of all nations.

And finally We turn our thoughts to Saint Joseph whose well-loved figure enters into many of the Joyful mysteries of the Rosary. We recall that the great Pontiff, Leo XIII, earnestly recommended him, and on at least three occasions—in 1885 and 1886 and again in 1889—presented him to the veneration of the faithful of the whole world, proposing the prayer “*To thee, O blessed Joseph*”, which is specially dear to Us who learned it in the happy fervour of Our childhood. We recommend it once more, asking the Guardian of Jesus and the most pure Spouse of Mary to strengthen our prayers and our hopes by his intercession.

With all Our heart We pray that this month of October will prove to be, as it should be for pious souls, a continuous and delightful progress of mystic elevation towards universal peace and consolation in the company of Her who at the conclusion of the Office of the Most Holy Rosary is hailed as being now and always “*Beata Mater, et intacta Virgo, gloriosa Regina mundi*” (Blessed Mother, spotless Virgin, glorious Queen of the world”).

Castel Gandolfo, 29 September 1961,

Feast of Saint Michael.

Ecclesiastical Vocations

SACRA CONGREGATIO DE SEMINARIIS
ET DE STUDIORUM UNIVERSITATIBUS
1313/60

Rome, December 1st, 1961

His Excellency Most Rev. ANTONIO FRONDOSA
Bishop of Capiz
National Director of Vocations

Your Excellency,

We have learned with deep satisfaction from His Excellency the Apostolic Nuncio, that in the next few days a Vocation Convention will be held in Manila with the participation of the Delegates from all Dioceses and Apostolic Prelatures of the Nation.

I have much pleasure, Your Excellency, in expressing to you, in your capacity of National Director of the Society for Ecclesiastical Vocations, the warmest congratulations of this Sacred Congregation for the initiative so timely taken in order to promote ever more numerous and excellent Ecclesiastical Vocations for the Church of your country, in keeping with its noble and catholic traditions.

We are glad that this occasion affords us the opportunity of conveying to Your Excellency some of our thoughts, trusting

you will be so good as to communicate them to all the Delegates of the Convention especially to the Priests.

First of all, allow us to extend to the Most Excellent Bishops of the Dioceses and Prelatures, the expression of sincere gratitude of this Sacred Congregation for all they have been doing, not only in recent years toward promoting Ecclesiastical Vocations, in spite of the many difficulties well known to us, caused by recent and complex historical events. The good seed so generously sown, even during an unfavourable season, will no doubt yield a consoling harvest.

In the past year we have learned from the Most Excellent Bishops all that is being done everywhere in the country to promote new Vocations. We have noted with deep satisfaction that a Diocesan Centre of the Society for Priestly Vocations has been established practically in every Diocese and Prelature. These Diocesan Centres have been entrusted to the care of priests of outstanding devotion, faithful interpreters of the wishes of their Bishops, according to the Statutes of the Pontifical Society for Priestly Vocations established by His Holiness Pope Pius XII with the *Motu Proprio* "*Cum Nobis*" of November 4th, 1941.

To crown all this vast organization, by recent decision of the Episcopal Conference, a National Centre for Ecclesiastical Vocations, so worthily and zealously presided by Your Excellency, has been established.

It seems therefore to us highly providential the celebration of the present National Convention for Vocations, which taking advantage of the organization so largely established, will be able to reach, with its decisions, even the farthest communities of the faithful.

The Vocation Convention will not fail to put in its proper light the prominent position of the Clergy in the choice of and care for Ecclesiastical Vocations in keeping with the fundamental provisions of Can. 1352 C.J.C.: "*Dent operam sacerdotes, praesertim parochi, ut pueros, qui indicia praebeant ecclesiasticae vocationis, peculiaribus curis a saeculi contagiis*

arceant, ad pietatem informant, primis litterarum studiis imbuant divinaeque in eis vocationis germen foveant."

This wise provision of the Church lends itself to a particular consideration by the Clergy of the present age, so that from their meditation and from their best experiences, pastoral directives, so useful to everybody, could be gathered. More than from personal initiatives, so often not efficacious, it is from the collective efforts of the whole Clergy, under the guidance of their Bishops, that the most consoling fruits will be eventually achieved.

The Priests will strive above all to enhance their zeal to create among the faithful, entrusted to their care, that spiritual climate so conducive to the blossoming of new Vocations. This climate will be gradually established in the following way: the edifying life of the priests themselves, living amongst their people, and particularly the young ones, as a visible ideal of the holy priestly mission; the adequate and indefatigable teaching of the faithful, old and young, on the true nature and dignity of the Catholic Priesthood and of the Ecclesiastical Vocation; the fervent prayer to the Lord of the Harvest to send more Labourers to the harvest. It seems convenient at this point to mention that the Holy Father John XXIII donated to the Church two new Votive Masses: "*Ad petendas Vocationes Ecclesiasticas*" and "*Pro Vocationibus Ecclesiasticis servandis*." Blessed will be therefore those communities of the faithful who, gathered around their pastors, will offer to God the Holy Sacrifice with these very special intentions.

It will not suffice, however, to create that supernatural climate so conducive to new Vocations, so that these might reveal themselves almost spontaneously. In the ordinary way followed by Divine Providence, the Priest will have to take the initiative and present the priestly ideal to those young boys who seem to have those human and spiritual qualities which will make them more receptive to the Divine Call. Only recently the Holy Father had this to say on the subject: "It is principally the duty of the priest who is in contact with the whole-

some and open section of the christian flock to see that this sublime beauty of the priestly state shines before the eyes of boys and youths as an attraction which is above all others, no matter how noble and arduous these may be. . . . Instead of lamenting the scarcity and insufficiency of vocations in so many parts of the world, the priests should show the youths the vastness of the fields awaiting the harvesters, the beauty of the priestly ideal, thus paving the way for numerous priestly vocations to blossom in christian families."

The luminous words of the Holy Father provide the best comment of the above mentioned Canon, setting out the duties of the priests with regard to Vocations, and express in a touching way a new cogent invitation to the priests themselves to strive to perfect that sublime science of guiding the youthful souls.

This Sacred Congregation, especially with the Letter to the Episcopate in the Third Centenary of the death of St. Vincent de Paul had presented to the Clergy opportune suggestions on certain important problems of ecclesiastical formation.

If all Priests, in the true light of the best catholic pedagogy, will be able to implement their personal experiences on educational problems with the wise directives of the Church, they will soon become ever more experts in contacting the youths of the present age to enlighten them on their future.

The Priests, so adequately trained, will ripen wonderful fruits in their apostolate amongst the faithful. The Catholic Priesthood will thus be better known and loved. The Laity will generously offer themselves to the Clergy to collaborate with them on the work for Vocations. The christian families, and especially the newly-wed, will more readily accept with an open mind and with generous heart counsel and advise on the Vocation of their children. Boys and youths, thus wisely guided, will not neglect the problem of their Vocation, as if this were only peripheral to their existence, but will consider it in all its value for their lives.

Meanwhile, the complex apostolic work for Vocations, animated by prayer and based upon the pastoral activity of the Clergy, by the wise guidance of the souls, by the zealous cooperation of the Laity, will spread in an ordinate fashion from each Diocesan Centre to all Parishes, even the smallest and farthest ones. This very work will develop itself gradually in time, without yieldings or discouragements, until all Dioceses will rejoice in positive results; nay, they will look farther afield, beyond the diocesan boundaries, as the needs of the Church are immense, in every part of the world.

The National Centre for Ecclesiastical Vocations, on its part, will give new impetus to the good work, whenever the need may arise; will gather suggestions and coordinate experiences which have proved most efficacious, to make them known everywhere; will have a word of encouragement in all difficult instances.

Let us look, Your Excellency, with great confidence to the religious future of this noble Nation, which will only be based on the presence of a Clergy ever more numerous and well trained.

Expressing our warmest wishes of every success for the National Convention, we invoke God's choicest blessings on all those who will take part in it.

With sentiments of our deep veneration and regard, we are,
Your Excellency

Yours devotedly in Jesus Christ,

(Sgd.) CARDINAL PIZZARDO

Sacerdotal and Religious Vocations

His Excellency Most Rev. ANTONIO FRONDOSA
Bishop of Capiz
National Director
Pontifical Society for Priestly Vocations

Your Excellency:

With great pleasure I am addressing Your Excellency in order to transmit through you the message of heartfelt gratitude, of congratulation and encouragement that the Holy Father wants to convey to the participants in the National Congress of Ecclesiastical Vocations in the Philippines, convoked in Manila as a tribute to the Vicar of Christ to prepare more fittingly his feastday.

The joy the Holy Father experienced at personally inaugurating the Colegio-Seminario built by the Hierarchy of that nation in the Eternal City, returns these days with renewed hope, in view of the promising results expected from that assembly, which, under the presidency of His Eminence the Cardinal Archbishop of Manila, of His Excellency the Apostolic Nuncio, and under Your Excellency's direction will bring together, in a fraternal spirit of collaboration, the Most Reverend Bishops, the Directors and Diocesan Delegates of the Pontifical Work for Ecclesiastical Vocations.

The Holy Father also knows well the praiseworthy efforts which the Hierarchy, assisted by the Catholic people of those beautiful Islands, have made in these last years when new and modern Seminaries have opened their doors to the aspirants to the priesthood. Would that these conferences and workshops, by their efficiency and their fruits, succeed in placing a milestone in the history of the Church in the Philippines.

There is no doubt that the Catholic life of the faithful receives a decisive impulse and continuous vigor from the assistance of well trained priests, as desired by the Divine Master whose mission they continue on earth, and as the Church and the society of modern times want them.

Christian parents who know the greatness of priesthood, inspired by the "consoling vision of youthful souls that look with marvellous eagerness to the Highest ideal that can be found on earth" (H.H. John XXIII, Address to the Seminarians, Nov. 22, 1959) will in no way oppose that the vocation to the clerical state will flourish in their homes, but, on the contrary, they will consider the divine call as the best blessing of God, as the most spontaneous fruit of a sincerely religious atmosphere and as the most precious jewel that bring joy to the family and to society.

How great will be the merit of those who, with all the generosity of which they are capable, offer their own children, or at least give economic help to defray the expenses of poor seminarians! And, how much the Church appreciates the work of the directors of Colleges and of educators in general who sincerely and with spirit of freedom show to their pupils, especially to those outstanding in piety, talent and good character, the way of the Sanctuary, preparing their hearts for the touch of grace.

His Holiness formulates his heartfelt wishes so that the works of these days contribute to the best appreciation of vocation, sacerdotal as well as religious, and thus the Pontifical Work for Ecclesiastical Vocations rightly organized will be a secure and efficient channel by means of which the zeal demonstrated by the Most Reverend Bishops will be rewarded with an abundance of helpers well trained for the most high mission to which the Church destines them.

With these wishes, the Holy Father implores from heaven the abundance of the divine light upon the participants of the Congress, while wholeheartedly imparts to them a special Apostolic Blessing.

On this occasion, I am pleased to offer to Your Excellency the testimony of my most distinguished consideration, remaining

Your Excellency's devotedly in Christ,
(Sgd.) AMLETO J. CARDINAL CICOGNANI
Secretary of State
Vatican City

SACRA PAENITENTIARIA APOSTOLICA

Sectio de Indulgentiis

D E C R E T U M

PIA OBLATIO QUOTIDIANI LABORIS INDULGENTIIS
DITATUR

SS:mus D.N. Joannes Div. Prov. Pp. XXIII, exoptans ut labor humanus, per oblationem Deo factam, magis nobilitetur atque ad superna evehatur, in Audientia infra scripto Cardinali Paenitentiario Maiori die 7 Octobris vertentis anni concessa, benigne dilargiri dignatus est Indulgentias quae sequuntur: 1. *plenariam*, suetis conditionibus, a christifidelibus lucrandam, qui sive manuum sive animi labores totius diei, quavis adhibita formula, mane Deo obtulerint; 2. *partialem quingentorum dierum*, saltem corde contrito a christifidelibus acquirendam, quoties praesentem huiusmodi laborem qualibet pia invocatione, pariter devote offerant. Praesenti *in perpetuum valituro*. Contrariis quibuslibet minime obstantibus.

Datum Roma, e Sacra Paenitentiaria Apostolica, die 25 novembris 1961.

ARCADIUS MA., Card. LARRAONA, C.M.F.
Paenitentiarius Maior

L. ✝ S.

I. ROSSI, *Regens*

(L'OSSERVATORE ROMANO, November 25, 1961)

DIOCESAN CURIAE

ARZOBISPADO DE MANILA

P. O. Box 132, Manila

TO ALL REVEREND PARISH PRIESTS AND RECTORS
OF CHURCHES AND CHAPELS

In order to clarify some matters affecting ecclesiastical discipline in our Churches and Chapels of this Archdiocese of Manila, we have deemed it wise to publish anew the contents of Circular Letters of November 10, 1943, and September 27, 1946, which run as follow:

"1) No Secular Priest in good standing in the Archdiocese of Manila is allowed to say Mass in your church for more than *three consecutive days* without Our permission;

"2) No Secular Priest from an outside Diocese is allowed to say Mass *more than once* in your church without Our permission. He should first present to us his "Celebret"; and

"3) We require you to send in immediately, the name and address of any Priest, whether from Manila Archdiocese or another, who happens to live in your parish, whether as the head of a house, or the guest of a particular family."

Needless to state here, all these three (3) directives are still binding and enforced:

The above should be copied in full in the Parish Book of "Ordenes y Providencias."

Manila, December 6, 1961

✠ RUFINO J. CARD. SANTOS
Archbishop of Manila

DOCTRINAL SECTION

THE CONFESSOR AND CHILDBEARING

One of the most important causes of dechristianization nowadays is the violation of the laws of marriage. For many young people the determination to violate the Divine law in the regulation of births causes them to live their life in rebellion against God and in a state of mortal sin. The consequence is that Christian families gradually abandon the sacraments, attendance at Mass, night and morning prayers, as well as all religious life. Many non-Catholics, about to enter the Church, give up the idea when they realize their obligations in this regard. So it can be said that unnatural birth control is one of the biggest obstacles to the priest's apostolate. It is to this really crucial problem that Bishop L. J. Suenens, auxiliary bishop of Malines, Belgium, has dedicated his recent work¹, which has been welcomed in many countries, and is being translated into English, Portuguese, Spanish, Japanese, Italian, and German.

When there is sin at the heart of conjugal life, it acts as a corrosive that slowly wears away conjugal fidelity itself. Is there anything astonishing then in the unprecedented increase of the social evil of divorce? How often is reference made to divorce in the legislative halls of the Philippines, a country with a long-standing Catholic tradition?

This is also a reason why the apostolic expansion of the Church through the recruitment of new vocations is gradually being jeopardized. For all conjugal fraud is a barrier put up against the internal growth of the Church. How can it recruit the priestly or religious vocations it needs so badly in the Philippines, if the family, which is the natural soil in which they germinate, is undermined by this secret opposition to God's law. Everything that causes a drop in the moral level of the family strikes at the heart of religious and sacerdotal recruitment.

Everyday there are more and more households that question the authority of the priest in conflicts that are something very painful. In confession, the priest is very often called upon to judge cases of conscience

¹ *Amour et Maitrise de Soi (Love and Self-Control)*, Desclée de Brouwer, Paris and Bruges, 1960, 232 pages.

in the sexual field. The faithful sometimes might complain of the divergent answers given them on these occasions, and this lack of agreement between the different confessors might create uneasiness. Certainly a principle is one thing and its application to a particular case is another (*praxis differt a speculatione*). But the fact remains that the same classic cases should everywhere be given the same answer on the basis of a common doctrine (Cfr. *Christ to the World*, 1960, vol. 5, n. 3, p. 335 ss.) In this connection, "theological conferences" on the occasion of the monthly recollections would be useful, putting questions to compare the answers given by each priest and to reach a common practical solution, valid for the generality of cases.

Some Practical Solutions:

1. It is frequently ignored that the Creator Himself has granted a period of natural rest to regain physical strength and to recover from the hardships of childbirth, namely the period of normal lactation. As long as the mother is suckling the babe, not only twice, but six or seven times a day, i.e., almost every three hours, a new conception will normally not take place. Therefore let a healthy mother never refrain from this burden of normal lactation as long as she can do it. She will love her offspring all the more and the joy and happiness which she derives from her maternity will be all the greater. In this way childbirth will ordinarily take place about every two years, assuring the mother of adequate rest.

2. *Unnatural or artificial birth-control* is of its very nature evil. It is the attempt by use of unnatural means to prevent conception. The means employed to achieve this sinful end are either the voluntary interruption of the act, or the use of contraceptive jellies, tablets, powders, etc., or of mechanical devices such as condoms, diaphragms and cervical caps, ligature and cutting of the Fallopian tubes, or other similar contrivances.

Pope Pius XI, on December 31, 1930, in his encyclical on Christian marriage, solemnly taught that "any use whatsoever of matrimony in such a way that the act is deliberately frustrated in its natural power to generate life is an offense against the law of God and of nature, and those who indulge in such are branded with the guilt of grave sin." Whatsoever, therefore, is done, and howsoever it is done, as long as Nature is purposely defeated in its design in marriage, while the privileges of matrimony are being enjoyed, the parties concerned are guilty of mortal sin each time they thus wantonly waste the God-given powers of nature. No stress of poverty, no delicacy of constitution on the part of the woman, no prediction of the doctor as to her certain death if she should attempt to bring another child into the world, in a word, no reason whatsoever is, or can be, a just cause for this unnatural practice.

3. *The Rhythm Method* (Ogino-Knaus) consists in the limitation of sexual intercourse to those days of each monthly cycle in which the woman is unlikely to be fertile. This method can be tolerated under three conditions: first, that there is a sufficiently serious reason; second, that, at least ordinarily, it is with the consent of both husband and wife; and third, that there is an assurance that this degree of continence does not lead to sins against chastity. In case of emergency when, for instance, a new pregnancy or childbirth would definitely endanger the life of a mother, the rhythm method could be practiced, not merely for the sake of selfish indulgence, but as an expression of natural love and a means of quieting concupiscence.

If this method is practiced only for the sake of pleasure, it would not by itself be a mortal sin but only a venial sin. Yet, it would cause marital love bereft of its normal fruit — the child — to grow cold and indifferent. Besides, it would deprive the husband and wife of that training in self-control, which is necessary in order to be able to refrain from marital intercourse and to observe perfect chastity during the fertile period of the woman; all the more so as it is during these days that they will experience a stronger inclination to the marital act. In this way, rhythm method could become a cause of mortal sin. It is obvious, therefore, that only those couples who sincerely regret the circumstances preventing them from giving life more abundantly, can make use of the rhythm method without doing harm to their soul. Let married people remember to receive frequently the sacraments during the "hard" times.

As to the use of the rhythm method, the priest or confessor shall only judge the moral side, sending the penitent for the personal application to a prudent Catholic doctor.

3. *The great remedy*, however, is for both husband and wife to be moderate in the use of their marital privileges from the very beginning of their married life.

The pious parents of Saint Therese of the Child Jesus inaugurated marriage life with a heroic act of mortification and self-denial; by mutual consent, they observed during the first year marital continency and perfect chastity. God therefore showered upon them His choicest blessings. He granted the young couple nine children, the youngest being Saint Therese of the Child Jesus, the joy and pride of her parents on earth and the most precious gem of their everlasting crown in heaven. The young couple should, from the very beginning of their marriage, exercise by mutual consent a judicious moderation and avoid all excessive indulgence. Their marital happiness will thereby be enhanced and idealized. Unnatural birth-control then will find no entrance into such marriage.

Cardinal Montini, Archbishop of Milan, said recently: "We may wonder if, nowadays, too much interest is not shown in this question (the regulation of births by the Ogino-Knaus method) and if, in this way, we are not seeking rather to encourage the limitation of births than their natural coming to light. We should speak a little more about their blossoming and less about their limitation. Selfishness, too often, tries to justify the reasons for limitation. But it is selfishness that extinguishes life, fertility, and love. We should like to see the Catholic family do its utmost to preserve its nobility, source of fertility, and a fine crown of children testify to the specific virtue of the parents, the ministers of life. A large number of children will proclaim their fidelity, their love, their faith in Providence, their affection for children." (*Christ to the World*, 1960, vol. V, n. 3, p. 351).

4. *After multiple cesarean section* when the uterus is so badly damaged that competent and conscientious obstetricians judge that it has been traumatized beyond a stage when it can be repaired to function safely. it is a probable sentence that the uterus may be removed with the consent of the patient. However any rude measurement or calculation—the rule of the thumb—cannot be adopted here. In view of the history of cesarean sections it would be impossible to say that the uterus may always be considered dangerously pathological after any previously specified number of sections.

The uterus can never be removed only to prevent a next cesarean section, but only when it cannot function safely without serious danger for the pregnant mother (Cfr. Father Gerard Kelly, *Theological Studies*, 1951, March, pp. 70-71).

Conclusion.

The infallible recipe of happiness for a married person, even in the hardest trials of life, is a filial fear of the Lord. If God has called one to the married state, He will supply him with the spiritual strength he needs. For this reason God has raised marriage to the dignity of a sacrament. No fire or chains are required to gain the martyr's crown, but loving acceptance of the sacrifices the heavenly Father may require of a married person.

GEORGE VROMANT, C.I.C.M.
San Carlos Seminary

CONJUGAL SEPARATION

The universal law of the Church recognizes the competency of the State over the civil effects of the marriage contract¹, but at the same time adamantly declares the Church's exclusive competence over the marriages of baptized persons². These unions are not subject to the State whether it is a matter of separation or of dissolution, for these aspects of marriage are by no means limited to the mere civil effects of the sacrament³. Yet, despite these assertions in the ecclesiastical law, it is common knowledge that Ordinaries in most countries of the world find themselves in an anomalous and oftentimes embarrassing position after rendering a decree of canonical separation. What they have directed to be binding in the ecclesiastical forum has no force whatever before the civil law.

Although there are a few exceptions, the general state of the question is a universal problem throughout the world⁴, a problem becoming increasingly complex as one examines the various civil statutes, in view of the formidable array of divergent legal provisions and their consequent difficult inconsistencies.

In addition to this lack of uniformity other difficulties arise from a consideration of the grounds recognized in civil law as permitting these actions. There are almost as many and varied, and even troublesome, as they run counter in very many instances, to the cause given as sufficient for marital separation in the ecclesiastical law.

In view of the many inconsistencies and variations, and these even in the Civil Code of the Philippine Republic, there is undoubtedly a compelling and crying need for a comparative study of the ecclesiastical and civil law provisions on the juridical institute of conjugal separation. It is sad to note, though, that up to now no systematic and detailed study, has been made, by way of an attempt, to meet this pressing problem.

A comparative inquiry of this kind will stimulate a kind of inter-jurisdictional dialogue on the similarities and dissimilarities of canon and civil law provisions on conjugal separation. This will be the best method.

¹ Canons 1016; 1961.

² Canons 1016; 1038; 1960.

³ Canons 1016; 1038; 1960.

⁴ OTTAVIANI, A., *Institutiones Iuris Publici Ecclesiastici* (2 vols., 2. ed., *Ius Publicum Externum*, Romae: Typis Polyglottis Vaticanis, 1936), II, 103.

of promoting understanding, resolving tensions, and agreeing on appropriate action in such a matter of shared concern.

In these words: "Coniuges servare debent vitae coniugalis communicationem, nisi iusta causa eos excuset"⁵, the Code of Canon Law adverts to the obligation of the married partners to live together a common life, but at the same time signalizes the realization that because of human weakness they may at times, unfortunately, find this impossible. In the latter instance, the provision is made for a separation from this community of life, with the marriage bond, nevertheless, remaining intact.

I. CANONICAL SEPARATION

The community of conjugal life is the community of bed, board, and habitation or dwelling. This does not appertain to the essence of marriage in *facto esse*. It does appertain to the integrity of marriage in *facto esse*, since it is at least necessary for the suitable and perfect accomplishment of the three ends of marriage⁶.

This is evident from the fact that the education of children demands the constant and mutual teaching of both parents by word and especially by example. The purpose of mutual aid requires that the wife have the protection and direction of the husband, that the husband be able to depend on the wife for the care of domestic matters, and that each depend on the other for solace, comfort, and strength. The allaying of concupiscence demands that the conjugal act be readily attainable.

Separation from community of Board and Bed. These are private and secret matters that appertain to the internal forum of conscience. By the *community of board*, the husband is *per se* obliged to support his wife and to eat with his wife at the same table and at the same time, since she is not a servant but a companion. By the *community of bed*, the conjugal act is rendered readily attainable when desired by either party. The parties are thus to be counselled to sleep in the same room. The com-

⁵ Canon 1128.

⁶ CAPELLO, F., *Tractatus Canonico-Moralis De Sacramentis* (5 vols., 5. ed., Romae: Marietti, 1947), V, nn. 827-828 (hereafter referred to as *De Sacramentis*); GASPARRI, P., *Tractatus Canonicus de Matrimonio* (ed. nova ad mentem Codicis Iuris Canonici, 2 vols., Romae: Typis Polyglottis Vaticanis, 1932), II, n. 1102 (hereafter referred to as *De Matrimonio*); S.R.R., *Separationis*, 3 jan. 1929, coram R.P.D. Henrico Quattrocchio, dec. I, n. 2-S. *Romanae Rotae Decisiones seu Sententiae quae... prodierunt ab anno 1909* (Romae: Typis Polyglottis Vaticanis, 1912—), XXI (1929), 3 (hereafter referred to as *Decisiones*).

munity of bed is not sufficiently verified if the partners live in two rooms far distant from each other in the same house⁷.

As it can readily be construed, separation in this particular instance, is no more than an interruption on the one hand, in the usual maintenance and support of the wife and a withdrawal of the exchange of pleasantries between the husband and wife; and on the other hand, access to the conjugal act is denied.

Separation from community of habitation. Cohabitation is the community of life within the same house. However this obligation embraces more than mere cohabitation under the same roof. It is a mutual sharing in each other's whole life and possessions, a union of wills by mutual love. This communion of conjugal life is the basis of a stable home and happy family life.

The obligation of community of habitation is mutual but of greater seriousness in the wife, since the husband is the head of the family. The husband has the right of choosing the place of residence, and the wife is regularly obliged to follow him. She is excused if a prenuptial pact has been made to reside in a determined place, unless an unforeseen and serious reason demands a change; if the husband changes the residence for an evil end; if the change implies at least a probable and serious danger to soul and body, unless the reason for the change predominate over such a danger⁸. Temporary absence of either parties does not constitute separation in the proper sense.

Separation properly understood is the interruption of the family life for always or for an indefinite time without the intention of reuniting in common life. This non-observance of communal life effects the common good because of the impossibility relative to the fulfilling of the primary end of marriage as resulting from this disruption of the common life. It is for this reason that the public authority of the Church must be invoked whether it be through its procedural norms or through a permission granted in the Church's law itself.

⁷ GENICOT-SALSMANS-GOETERBECKE, *Institutiones Theologiae Moralis* (2 vols., 17 ed., Bruxellis: 1951), II, n. 671; PAYEN, G., *De Matrimonio in Missionibus ac potissimum in Sinis, Tractatus Practicus et Casus* (3 vols., 2. ed., Zi-kawei: in Typographia T'ou-Se-We, 1935-1936), II, n. 2453; DE SMET, A., *Tractatus Theologico-Canonice de Sponsalibus et Matrimonio* (4 ed., Brugis. Car. Boyaert, 1927), n. 249.

⁸ NOLDIN, H.,—SCHMITT, A., *Summa Theologiae Moralis* (3 vols., 26 ed., 3, Oeniponte-Lipsae: Rauch, 1940), III, nn. 664-667; VERMEERSCH, A., *Theologiae Moralis Principia, Responsa, Consilia* (4 vols., Romae: Apud Aedes Universitatis Gregorianae, 1933-1937), III, n. 285; LEHMKUHL, A., *Theologia Moralis* (2 vols., 12 ed., Friburgi, 1914), II, nn. 710-712; MERKELBACH, B., *Summa Theologiae Moralis* (3 vols., 5 ed., De Bruewer: Desclee, 1947), III, nn. 963-974.

Perpetual and Temporary Separation. — The first distinction to note is that between a permanent and temporary separation. The Church has ever recognized the sin of marital infidelity to be a just cause for a permanent separation on the part of the innocent spouse. It repeats this cause founded in divine law⁹, and presents it as the only legitimate reason for a perpetual separation provided it was not caused or condoned in any way by the aggrieved consort¹⁰.

Permanent separation is a complete cessation of the common life and a violent rupture of the integrity of marriage. In this type of separation, the innocent party has no obligation in justice to admit the guilty consort to the conjugal life. The erring spouse lost all rights by his or her breach of marital fidelity. The innocent party may permit a reunion or may even recall the guilty consort to conjugal life. In such a case the guilty consort has the obligation of returning to conjugal life unless he has, with the consent of the innocent party, embraced a state of life contrary to marriage, such as either the religious life or the sacred orders¹¹.

The Church recognizes other reasons for the discontinuance of the common life, but only as a temporary measure¹². Notwithstanding the fact that this temporary parting may be for a determinate or indeterminate time, it is of a temporary nature and never to be considered permanent, despite the possibility of the latter resulting in such.

Temporary separation does not have the quality of finality. The general principle is that conjugal life must be resumed as soon as the motive cause for the temporary severance has certainly ceased. Here the Ordinary can issue a decree allowing a temporary separation, for a definite or indefinite time. When the determined interval expires communal life must be resumed. If on the other hand, the decree extends over an indefinite period, a new, subsequent decree of the Ordinary demanding a resumption of marital life, must be awaited. In issuing the second decree, the Ordinary has assumed in a prudent judgment that the rupturing cause has ceased¹³.

In the permanent and temporary type of separation, there is no legal compulsion for the injured spouse to dismiss or to leave the guilty one unless an obligation arise from some other title. In this category would be the obligation to safeguard one's physical or moral well-being, to secure the welfare of the children, to forestall the emergence of scandal and to

⁹ Matt., V: 32.

¹⁰ Canon 1129.

¹¹ GASPARRI, P., *De Matrimonio*, II, n. 1371; CAPELLO, F., *De Sacramentis*, V., nn. 827-828.

¹² Canon 1131.

¹³ DOHENY, WILLIAM, *Canonical Procedure in Matrimonial Cases* (2 vols., 2 ed., Milwaukee: The Bruce Publishing Company, 1947), II, p. 651.

achieve the fulfillment of fraternal correction. These obligations would naturally be apparent from each particular case wherein the danger might be present. The moral force of such obligations again depends upon the relative gravity of the existing evils, and is solved through the application of the principles of moral theology concerned with each type of obligation¹⁴.

Separation *Propria Auctoritate*.— The Code of Canon Law envisages another two distinct classes of cases wherein an innocent consort may separate from his guilty partner on his or her own initiative. It states that adultery on the part of one consort grants to the innocent spouse the right to dissolve the community of life, even perpetually, although the bond of marriage remains intact. The adultery must however, be certainly proven, not caused, nor condoned, certainly formal, consummated¹⁵. In this case, the aggrieved spouse is not hindered from leaving the unfaithful partner. Further authoritative decree is considered superfluous inasmuch as the right is considered granted in the evangelical provision permitting separation for adultery, in a similar situation¹⁶.

A temporary separation is the subject of canon 1131. Here again the same term, "*propria auctoritate*", is found, but with a qualification. The law permits a temporary separation at the behest of the innocent consort, provided that the grounds outlined in this canon are certainly present, but a condition is added: There must be a state of emergency or some danger in delay, whether physical or moral. There is no necessity of imposing and prolonging an unbearable condition under such an imminent threat of physical or spiritual harm. However, only a real, and not imaginary, threat, operates to effect such an emergency situation¹⁷.

Separation by Mutual Consent.— Separation sometimes takes place, without the operation of law, without the causes recognized by law but simply by the consent of both parties. This separation may be of a temporary or perpetual duration. Though not contemplated in the canon, its consideration will help clarify and throw into sharp relief the classes of canonical separation treated in the paragraphs above.

¹⁴ CAPELLO, *De Sacramentis*, V, n. 827; IORIO, *Theologia Moralis* (3 vols., 3 ed., Neapoli: D'Auria, 1947), II, n. 993.

¹⁵ Canons 1129; 1131.

¹⁶ GASPARRI, P., *De Matrimonio*, II, n. 1368; PIRHING, E., *Ius Canonicum in V Libros Decretalium* (5 vols., Dilingae, 1674-1678), IV, n. 16, not. 2; SCHMALZGRUEBER, F., *Ius Ecclesiasticum Universum* (5 vols., Romae, 1843-1845), IV, tit. XIX, n. 111; REIFFENSTUEL, A., *Ius Canonicum Universum* (5 vols., in 6., Romae, 1831-1834), IV, tit. XIX, n. 89.

¹⁷ DE BECKER, J., *De Matrimonio-Praelectiones Canonicae* (Louvain: Ceuterick, 1931), p. 399; WERNZ, F. X., *Ius Decretalium* (Vol. IV, 2 ed., Romae et Prati, 1911), n. 714; GASPARRI, *De Matrimonio*, II, n. 1371.

Permanent separation by mutual consent is licit in a very rare case, only for a good of a higher order, e.g., the desire for spiritual perfection and the eternal good of the neighbor. However, the danger of incontinence in both parties must certainly be remote. Sufficient provision must have been made for the education of the children and there is no danger of scandal. This separation may also take place in cases where the consorts wish to enter upon the religious state for which they need dispensation¹⁸.

Temporary separation by mutual consent may also be made for a natural or temporal but proportionate reason, e.g. studies, business, war, a long and dangerous journey. If at all possible the wife should accompany the husband or the latter should at least frequently visit her. In this class of separation, be it temporary or permanent, both parties always retain the right to demand the resumption of common life and, if this demand is made, the other party is obliged to resume cohabitation unless he has undertaken a state of life incompatible with the married state¹⁹.

II. CIVIL LEGAL SEPARATION

Marriage in Civil law is an institution in the maintenance of which is 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 make²⁰. But when the object of the marriage is defeated by rendering its continuance intolerable to one of the parties and productive of no possible good to the community, relief in some way should be obtainable.

Marriage entitles the husband and wife to each other's society; that is they are mutually entitled to cohabitation and "consortium". The right is essential to the marriage state and is the basis of many of the personal rights of the spouses. It is recognized by the law in many ways.

Actually, living together and observing fidelity are not enough to fulfill the essential conditions of matrimony and to signify in a complete manner the intimate union which is brought about by it. For that purpose, it is necessary that another of the common duties of the spouses be complied with, without which duty, union and mutual help would be vain concepts. Hence article 109 declares expressly and specifically that

¹⁸ GASPARRI, *op. cit.*, II, n. 1178; NOLDIN-SCHMITT, *Summa Theologiae Moralis*, III, n. 704; LEHMKUHL, A., *Theologia Moralis*, II, n. 801.

¹⁹ MERKELBACH, B., *Summa Theologiae Moralis*, III, nn. 956-957; GENICOT-SALMANS—GOTERBECKE, *Institutiones Theologiae Moralis*, II, n. 669; DE SMET, A., *Tractatus Theologico-Canonicus de Sponsalibus et Matrimonio*, n. 251.

²⁰ GOITIA vs. CAMPOS RUEDA, 35 Phil. 252.

the spouses besides living together and observing mutual respect and fidelity, are bound to render mutual help and support. Article 111 complements the provision above by stating that the husband is responsible for the support of the wife and the rest of the family. Mutual help also includes the right to defend the life and honor of the other spouse. It also includes the rendering of moral assistance²¹.

As a necessary incident of the marital union, the husband is entitled to sexual intercourse, but not when this act will endanger her health or when the demand offends the natural modesty of the woman or when the demand exceeds the limits of human decency²².

The husband is given the right to establish the family domicile, and the wife, as a general rule, must follow the husband wherever that domicile has been fixed by the latter²³. The right, however, is not an arbitrary one but one that must be exercised with discretion, according to the exigencies and conditions of the case. The fundamental reason for such an absolute community is that by marriage the husband and wife are one person in law.

Divorce and Legal Separation. — Divorce is the legal separation of husband and wife by virtue of judgment rendered by a competent court. There are two kinds of divorce: Absolute divorce or "*a vinculo matrimonii*", which is the separation of the spouses for a cause authorized by a judgment of a competent court whereby the marriage tie is dissolved leaving the parties free to marry; secondly, relative divorce or "*a mensa et thoro*", which is the separation from bed and board but the marriage tie subsists and the parties are not allowed to marry again²⁴. Absolute divorce dissolves the marriage bond changing the status of the parties while the divorce a *mensa et thoro*, sometimes called a decree of separation from bed and board does not affect the status or dissolve the marriage but merely relieves the parties from their obligations and rights as to cohabitation, support and proper interests²⁵.

A divorce a *mensa et thoro* operates as quasi-temporary separation, leaving all the other marital rights and obligations in full force during the life of the parties, and is subject to the complete restoration of the marital status by reconciliation. In other words, such a decree is terminated at

²¹ PELAYO vs. LAURON, 12 Phil. 453.

²² CURTISS vs. CURTISS, 243 Massachusetts State Reports 21; 136 Northeastern Reporter 389; HOLMES v. HOLMES, 186 Ohio State Reports 336, 8 American Law Reports Annotated 1534.

²³ POWELL v. POWELL, 29 Vermont State Reports 128.

²⁴ KEEZER, F. H., *A treatise on the Law of Marriage and Divorce* (3 ed., Indianapolis, 1946), p. 246.

²⁵ WILLIAMS v. WILLIAMS, 33 Arizona State Reports 367.

the will of the parties, the marriage continuing in regard to everything not necessarily withdrawn from its operation.

Absolute divorce is also defined as the absolute dissolution of a valid marriage made by the decree of court for a lawful cause that arose subsequent to the establishment of the marriage relation. Relative divorce is the legal separation of a man and woman, effected, for a cause, by the judgment of a court, and either totally dissolving the marriage relation by suspending in effect so far as concerns the cohabitation of the parties.²⁶

In modern usage an absolute divorce, also called *a vinculo matrimonii* is a judicial dissolution or termination of the bonds of matrimony because of the marital or other statutory cause arising after the marriage celebration with the result that the status of the parties is changed from *coverture* to that of single persons. Relative divorce, on the other hand is a judicial decree which terminates the obligation and right of cohabitation but does not effect the status of the parties as married persons or dissolve the marriage.²⁷

Legitimate Departure. — Separation “in fact” may take place when for valid reasons, the wife is living apart from her husband; or the husband has abandoned his wife and his whereabouts are unknown. Separation “in fact” may be justified in the following cases: 1) A wife is entitled to abandon her husband when he spends his time in gambling, giving no money for the support of the family and at the same time laying hands upon her²⁸; 2) Likewise, maltreatment and the infliction by the husband of physical injuries during their quarrels is a valid ground for the wife to abandon the conjugal abode²⁹; 3) So also where the husband has continually carried on illicit relations for ten years with different woman and treated his wife without consideration, the woman is justified in leaving the conjugal dwelling³⁰; 4) If the husband is immoderate and barbaric in his demands for sexual intercourse, the wife can seek relief by departure³¹; 5) If the husband grossly insults and maltreats her, the wife may establish a separate abode³²; 6) So she may also depart, if she was virtually driven out of their home by her husband and threatened with violence if she should return³³; 7) If the husband live as a vagabond hav-

²⁶ MILLER v. MILLER, 175 California State Reports 797.

²⁷ ATKESON v. ATKESON, 90 Oklahoma State Reports 154.

²⁸ PANUNCIO vs. SULA, Court of Appeals Decision 34 Official Gazette 1291.

²⁹ TALANA vs. WILLIS, 35 Official Gazette 1369; GARCIA vs. SANTIAGO, 53 Phil. 952.

³⁰ DADIVAS vs. VILLANUEVA, 54 Phil. 92.

³¹ GOITIA vs. CAMPOS RUEDA, 35 Phil. 252.

³² TALANA vs. WILLIS, 35 Official Gazette 1369.

³³ GARCIA vs. SANTIAGO, 53 Phil. 952.

ing no fixed home, the wife may use this as a valid ground for departure³⁴. 8) Since marital vows do not include making sacrifices for the other spouse's parents, a wife is legally justified in her refusal to live with her husband where it appears that a traditional hatred exist between her and her mother-in-law³⁵.

Separation "in fact" is simply a legitimate departure, a suspension of the common life for reasons which demand such a temporary relief. The marital status remains the same, the bond intact. Unlike legal separation, the reasons justifying legitimate departure are varied and multiple. In separation in fact, there is no legal action involved, no petition in court for a disruption of the conjugal life. The law simply sanctions the departure, putting no effects on properties, and making no further dispositions in the custody of the children.

Separate Maintenance.—The legal institute of "separate maintenance", sometimes called "alimony without divorce," is an action which seeks independent subsidy for a wife separated from her husband without a petition for divorce or even separation³⁶. Its basis lies in the obligations of the husband deriving from the fact that while the marriage lasts the wife must be supported. Separate maintenance is "legitimate departure" except that it involves a court petition for support and maintenance. That is a wife who "legitimately departs" and petitions the court for legal support is asking for "separate maintenance". The reasons justifying separate maintenance are identical with those of legitimate departure. Unlike legal separation, the reasons for separate maintenance are manifold. The court intervenes only in the matter of the wife's independent subsidy. The court abstains from setting to operate the other civil effects on property and custody of children.

Annulment of Marriage.—Legal separation differs from annulment of marriage from real and valid standpoints. 1) In legal separation, the marriage is perfectly valid and therefore there is no defect, whereas, in annulment there is a defective marriage; 2) In legal separation the ground exist after the celebration of the marriage, whereas in annulment the ground exist at the time of the celebration of the marriage; 3) In legal separation the marriage tie is not dissolved, and hence, the parties are not free to marry, but in annulment the marriage tie is dissolved, hence the parties are free to marry again; and finally, 4) the grounds for legal separation are different from those of annulment³⁷.

³⁴ MANRESA, J., *Comentarios al Código Civil Español* (Madrid: Instituto Editorial Réus, 1943), p. 329

³⁵ DEL ROSARIO vs. DEL ROSARIO, Court of Appeals Decision 46 Official Gazette, 2162.

³⁶ FRANCISCO, *op. cit.*, I, 106.

³⁷ PADILLA, AMBROSIO, *Criminal Law, Annotated* (2 vols., Manila: P. C. F. Publications, 1955, I, p. 122.

Separation of Property. — Separation of property of the spouses is an economic system governing the property relations of husband and wife during their marriage. It will help to distinguish it from legal separation: 1) Legal separation must be done through the courts, separation of property, if done before the marriage, can be established by mere contractual settlement; after the marriage, court intervention settles that separation of property; 2) Legal separation always involves a separation of property while separation of property may exist with or without legal separation; 3) Legal separation may be considered, in a sense, as a *cause* of separation of property, whereas separation of property may be considered, in a sense, as one of the *effects* of legal separation, although it may exist without legal separation); 4) Finally in legal separation, the spouses' persons are necessarily separated; while in separation of property, the spouses' persons are not necessarily separated³⁸.

It will be helpful to recall that conjugal separation in Canon and Civil Law constitutes a mere discontinuance of the *consortium of marriage*. The marriage bond remains intact. Conjugal separation is viewed in Canon Law and Philippine Civil Law with deep regret and is granted as a last concession, a relief from an otherwise intolerable human situation.

REV. EMILIO STA. RITA, JR., J.C.L.

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REMINDER TO OUR SUBSCRIBERS

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³⁸ PARAS, EDGARDO, *Civil Code of the Philippines, Annotated* (5 vols., Manila: Rex Book Store Printing, 1959), I, 546.

“MATER ET MAGISTRA” AND PHILIPPINE LABOR *

Ladies and Gentlemen:

When Mr. Gungon invited me to address you during this occasion, and suggested the topic of my address, I was reminded of an incident I had in the course of the practice of my profession.

One morning while I was in my office I received a telephone call from a certain employer whose name I'll not mention. He requested me to come to his office if possible that very morning to discuss an urgent matter. Since I happened to have no other engagement that morning I went to his office and found him in a somewhat nervous condition. After the usual greetings, I asked him what it was all about.

“You know, attorney”, he said in a tone, half mysterious and half angry, “I just found out that my employees are organizing a labor union, and I don't like it. I tell you I don't like it.”

“Is there anything wrong in organizing a union?” I asked him. “It's all wrong, attorney,” he said.

“Don't you know that the right of association is a constitutional right?”, I asked. “Never mind the constitution; these labor unions are a nuisance, they should never be tolerated,” he said.

“Don't you know that the right to form organizations is also protected by the Civil Code and the Magna Charta of Labor?”, I again asked.

He kept silent for a while, and was apparently in deep thought. After a few minutes, he said: “You know, attorney, I may tolerate them to form a union, but the trouble is, after organizing a union, they will ask for an increase of wages, and that means more expense for my company and less income for me.”

And I asked him jokingly, “Don't you want them to have a little more income so they can cope with the ever increasing prices of goods?”

“Well, if they want to buy the goods, let them buy,” he said. “but why ask for increase of wages? Are they not satisfied with ₱4.00 a day?...”

*Address on the New Encyclical, delivered in the Conferences sponsored by Catholic Charities on December 8, 1961.

If they are not satisfied with the conditions here, they can look for another employer”...

I looked at him intently and again asked him in a joking manner: “Suppose they ask you to allow them to have a share in the management of your business what will you do?...”

“That’s impossible”, he almost shouted.

“And suppose they ask you to allow them to share in the ownership of the business and to share in the profits, what will you do?...” I again asked.

“Tha’s communistic”, he thundered.

Ladies and gentlemen, the reaction of this Employer I am talking to you about reflects the attitude of 97% of the Employers in the Philippines, regardless of religious affiliation. They are reluctant, very reluctant to recognize in practice the fundamental rights of the workingmen.

The right of association by the workers is not only a constitutional right; it is not a statutory right provided for in our Civil Code and in the Magna Charta of Labor; it is also a natural right, according to the Holy Father. In the same manner, the right to choose the organizational structure which the workers consider most suitable to attain their interests; likewise the right to act autonomously and by personal initiative within the associations for the achievement of their objectives.

The Holy Father goes beyond the right of association. He advocates that the workers be allowed to share in the ownership of the business enterprise, to share in the management, to share in the profits.

He doesn’t stop there.

He advocates for allowing the workers to have a say at all levels—at the factory level, at the management level, at the community level, at the governmental level and even at the international level.

With respect to wages, the Holy Father says—

“...the workers should be paid a wage which allows them to live a truly human life and to face up with dignity to their family responsibilities;...”

How, may I ask, ladies and gentlemen, what have we, Catholics in the Philippines, done to promote the interests and welfare of the workingmen?... What have we done to support the legitimate aspirations of labor?...

I invite you to analyze the situation.

We oftentimes say proudly that the majority of the inhabitants of the Philippines are Catholics. Our latest census shows that there are at

present 27 million inhabitants in our country, 83% of which, or about 22 millions belong to the Catholic faith.

Of the 27 million inhabitants of our country, 9.1 millions constitute the entire labor force. This is more than 1/3 of the entire population of our country. In other words, there are more than 9 million workingmen in our country. Of this number, 5.2 millions are employed in agricultural enterprises; 3.3 millions in non-agricultural industries; the rest are unemployed.

On account of the industrialization of our country and the consequent establishment of factories and industries in many provinces, our labor force is increasing from year to year not by mathematical but by geometrical progression.

In five or ten years it is estimated more or less conservatively that we shall have about 12 to 13 million workers and laborers all over the country

A great portion of the 9 million workingmen have reached the age of majority and are qualified electors. You are well acquainted with the fact that there are at present about 7-1/2 million registered voters in our country. Hence you can just imagine the tremendous force, the tremendous influence that the laboring class can wield in any political or social movement under a united leadership.

This is the main reason why organized communism, according to reliable sources, has made a blue print of how to infiltrate labor organizations all over the country and to win the laboring class to its side. Silently and surreptitiously it has sown discontent among the ranks of labor, and, little by little it is gaining adherents not only among the rank and file but also among the labor leaders who belong to the intelligentsia.

The labor movement in our country dates back to 1902. It has grown very slowly at the start. Through the enactment of various social and labor legislations, more particularly the Industrial Peace Act, otherwise known as the Magna Charta of Labor, it has gained a firm foothold among the laboring class. It has attracted attention, it has compelled recognition from all sectors of the country including the government.

Workers all over the country, private and government employees are organizing themselves and forming labor unions. Their strength is increasing day by day.

Sooner or later the workers or employees will band themselves together and form a united front or a solid phalanx.

No one under the present circumstances can stem the tide of the labor movement. No one can stem the tide of unionism.

It is surprising and sad to note that, in the history of the labor

movement in the Philippines, we do not find a concrete, positive social and labor program formulated and adopted by the Catholics in our country by way of guidance or leadership of the great mass of our workingmen notwithstanding the fact that many employers are Catholics and notwithstanding the existence of the great encyclicals on labor. I have scanned the different writings of the history of the labor movement in the Philippines searching for some facts which would show a concrete program, a positive plan of social and labor action, national in scope, to give proper orientation and guidance, Christian direction and impulse to the labor movement in the Philippines. Unfortunately, I have not found any.

I have interviewed many workers regarding this matter; I have interviewed several labor leaders regarding the role that the Catholic Church has played or is expected to play in our labor movement in the Philippines. I found out that most of them have nothing to say; most of them simply shrug their shoulders; most of them do not care what role the Catholic Church has played or will play in the labor movement in the Philippines.

I likewise found out that in some sectors there is a growing belief that the Catholic Church is on the side of vested interests, on the side of the wealthy, on the side of the Employer. Whether this belief is justified or not, it reflects a line of thinking running through some sectors of our labor force, and we cannot ostrichlike disregard it.

Ladies and gentlemen, I have portrayed to you in broad outline the entire labor force in the Philippines; I have likewise drawn a rough picture of the labor movement in our country.

There you find 9 million workers, the majority of whom are Catholics; 9 million workers who constitute a fertile field for any social or labor doctrine; 9 million workers who may embrace socialism or fall into the lap of communism should they find no other doctrine which can offer a better solution to their problems.

What institution in the Philippines can offer these 9 million workers a positive social program that can best protect their rights and interests, a social program that enhances the dignity of labor, a social program that upholds and protects the human personality, a social program that emphasizes the human element of work rather than the strictly monetary consideration? . . . What institution in the Philippines can bring about most effectively cordial and harmonious relations between employers and employees on the basis of justice and charity? . . . What institution in the Philippines can temper the demands of labor and give proper direction to them? . . . What institution in the Philippines can best persuade the employers to recognize the rights of the workingmen, to treat them as partners in industry and to award them the wages that will enable them and their families to lead decent human lives? . . . What institution in the Phi-

lippines can better advocate for making the workers sharers in the ownership of the business enterprises, sharers in the management and sharers in the profits?... And lastly, what institution in the Philippines can bring about true and lasting industrial peace?...

There is no other institution in the Philippines that can effectively bring about all these things than the Catholic Church.

Being the oldest and the most respected institution in our country, its counsel is listened to and followed by employers and employees alike. Having the greatest number of adherents, it can easily bring employers and employees together in an atmosphere of religious cordiality to settle their differences amicably instead of by strikes or lock-outs. Possessing the greatest number of schools, it can also make each of them a labor center where the great social principles embodied in the encyclicals may be taught, discussed, imbibed and translated into action. Owning the greatest number of Churches where people congregate day by day, more particularly during Sundays and holidays, it can readily propagate among its adherents our social and labor principles. Having in its fold some of the most active social workers in the country, and being close to the people through the parish priests in each and every town, it can conduct a thorough study on the social and working conditions of the people, and the relations between employers and employees. Having in its fold some of the best legal minds in the country, it can draft and recommend to Congress from time to time labor and social legislation which best answers the needs and conditions of our people.

The 9 million workers in the Philippines *need* a sound leadership; the 9 million workers *look for* sound leadership; the 9 million workers *are anxious* to follow the leadership of an institution upon which they can repose absolute trust, an institution which is ready to extend a helping hand without strings attached, an institution which they are sure will not betray their interests.

In my humble opinion, no other institution can answer that need, no other institution can afford that kind of leadership than the Catholic Church.

The Catholic Church possesses a complete body of social and labor principles which are intrinsically sound; the Catholic Church has the manpower; the Catholic Church has the talents; the Catholic Church, by its divine mission, is called upon to teach and to lead the employers and employees alike.

Should the Catholic Church in the Philippines fail to answer this need and this call, other institutions will take over. Should the Catholic Church in the Philippines fail to assume leadership, the 9 million workers will sooner or later be lost to the Church. What happened in some

Catholic Countries may likewise happen in the Philippines. Where the workers felt they were abandoned by the Church they jumped to the other side of the fence.

In assuming leadership, however, let it be known that the workingmen in the Philippines at present are not the workingmen of 25 or 50 years ago. The workingmen have grown conscious of their rights and their tremendous force and influence. The Philippine workingmen do not ask for charity. They refuse to be the objects of charity. They ask for justice, social justice. Any attempt, therefore, to instill into their minds our social program, any appeal to win them to our side, must be made first and foremost on the basis of justice, and second on the basis of charity.

I suggest that the Catholic Church in the Philippines draw a concrete positive labor and social program, national in scope, on the basis of the principles embodied in the encyclicals of the Holy Fathers; a labor and social program which is adapted to the social and working conditions of the people. And, after this is done, the Catholic Church should take definite and concrete steps to carry out such labor and social program. I am sure the outstanding Catholics among the Employers and the labor leaders will readily cooperate along this line.

This, I believe, is the most adequate way by which the Catholic Church in the Philippines can implement the social and labor principles embodied in the Encyclical "Mater et Magistra". This, I believe, is the most effective way by which the Catholic Church in the Philippines can retain the loyalty and adherence of the 9 million Filipino workers. This, I believe, is the best way by which the Catholic Church in the Philippines can save our workingmen from the clutches of Communism.

I thank you.

BY: MARCOS HERRAS

PASTORAL SECTION

HOMILETICS

FIFTH SUNDAY AFTER EPIPHANY (February 4)

SANCTITY OF THE CHURCH

"The Kingdom of heaven is likened to a man that sowed good seed in his field. But while men were asleep, his enemy came and oversowed cockle among the wheat, and went his way." (Mt. XIII 24)

Introduction:

Catholics? Drunkards, gamblers, idolaters. Yes, this is what some non-catholics think of us. But, if there are two or more black-sheeps in the family, does that make all members of that same family bad? In the parable of today's gospel, Christ acknowledged the presence of bad elements in His fold.

A. HOLINESS OF THE CHURCH

We believe that Christ is God. We believe that God is most holy, the source of all holiness. We believe that the Church, the Catholic Church was founded by Christ Himself. "Thou art Peter, and upon this rock I will build MY CHURCH." "And the powers of hell shall not prevail against her." "I will be with you unto the consummation of the World." Can there be doubt of her holiness from God?

Nay, Christ said: "Receive ye the Holy Spirit; whose sins you shall forgive, they are forgiven them; and whose sins you shall retain, they are retained." The Church is holy in her inner life principle, the Holy Ghost Whom the Father sent to be our sanctifier.

B. HOLINESS OF PURPOSE AND MEANS

The Church was founded to sanctify men and give glory to God. To this mission, our Mother Church never faltered. She never deviated from the teachings of the Gospel. She has been a faithful guardian of the Gospel, teaching with the authority of Christ; a unique contrast to individual conflicting interpretations of different sects.

She preferred to suffer persecution rather than submit to dictates of tyrants. She died thousands of deaths in her children rather than sacrifice God's Laws to the altar of carnal whims and tyranny of men.

Henry the VIIIth brought England away from the Church just because the Church would not compromise God's law on Marriage.

Not only is she holy in the teachings of Christ with propositions of faith; but also in her precepts, good moral counsels, the sacraments and sacramentals, liturgy prayers, and graces and gifts of the Holy Ghost.

C. HOLINESS OF MEMBERS

In spite of all spiritual means proffered by God in His Church still there are sinners among Catholics. Not because they were born sinners in the Church, but because they were brought up without or they neglected the teachings and counsels of our Mother Church.

Though cockles grew together with the wheat, yet there are more wheat than cockles.

There are more good people than bad ones. There are many saints living in this world. Saints in the sense that one who is in the state of grace is holy; and grace is our passport to heaven.

The sins of Catholics do not disprove the sanctity of the Church; it only proves some members of the Church do not live up to the standard and doctrines of our Mother Church.

Let us all Catholics live up to our faith; and give good example to others for action speaks louder than words, that all may be one in the true fold of Christ.

SIXTH SUNDAY AFTER EPIPHANY (February 11)

EVERY CATHOLIC AN APOSTLE

"The kingdom of heaven is like a grain of mustard seed, which a man took and sowed in his field, but when it is grown up, . . . becometh a tree, so that the birds of the air come and dwell in the branches thereof." (Mt. XIII, 31)

Introduction:

Today's parable shows the Catholic Church as a grain of mustard seed. Planted by Christ, she grew and still grows. She spread and still spreads; but there are still millions and millions of birds of the air who had not come nor sought dwelling in her branches.

A. THE MUSTARD SEED: FAITH

The Faith, the Church founded by Christ is Catholic; it is universal. It belongs to all people, and stands above all classes, nations and races. "There is neither gentile nor Jew, . . . bond nor free, but Christ is all and in all." (Col. III, 11)

"Going therefore teach ye all nations." At the time of the apostles, the Faith was brought to all nations known throughout the Roman Empire.

The Catholic Church is found in all nations, in all corners of the world. The principle of the Church excludes segregation in the fold. No separate churches for black, brown or white. No independent churches separated from Rome; no independent churches for England, China or the Philippines. "The Church belongs to all nations, not to one nation exclusively." (P. C. Phil. p. 5)

B. GROWTH

We believe that ours is the only true Church founded by Christ. And therefore everyone must belong to this Church. But are we deeply convinced in our words and actions and thoughts that ours is the only Faith to live; that ours is the only good to keep?

If not, then our Faith not deep; it is not profoundly imbedded in our individual soul. If we cannot give what we do not possess, how can we expect others to accept profoundly what is superficially coated in our soul?

Let us inflame our hearts with fire of love for our Faith. Let us engrave in our hearts true conviction, because the Truth is ours. But we must work first in ourselves; and from the fullness of our conviction, we can work in others.

C. *SHELTERS THE BIRDS*

With this fire of true conviction, we can burn the world of wrong belief; and amid its ashes will blossom and spread the tree of our Faith. Then in the branches of the Tree; in the shade of peace, contentment, security and happiness of the soul, the birds, the people of other beliefs will come and dwell.

And Christ will be all and in all; and all will walk the Way, hold the Truth, and live the Life in Christ.

SEPTUAGESIMA SUNDAY (February 18)

THE VOICE OF LOVE

"Go you also into my vineyard, and I will give you what shall be just." (Mt. XX, 3)

Introduction:

The Gospel of today has always been commonly interpreted as the Call of God for all men to enter into His Fold.

From the moment of the first fall, God through Moses, the Prophets, and Apostles sounded the clarion of divine calling. Nay, Christ Himself said: "Seek ye therefore first the kingdom of God."

A. *THE CALL*

But there is another call of God, the voice of Love that comes and will always come to us; the call to Grace.

It is not the seeking of the Kingdom of heaven now; but a "Come, take up thy cross daily and follow me." It is a call to an intimate union of our soul with God; "Abide with me."

Just as all men are called to enter into the kingdom of God, so also all men are called to abide in the state of Grace. Grace is necessary to begin, to continue and to complete every supernatural

life; this abiding sanctifying grace and actual graces to continue and to complete that supernatural life unto life everlasting.

What greater token of love from God can we expect? And he who abides in love, abides in God, and God in him.

B. THE HOURS

At all places, in all our waking hours, not only on the third, sixth, ninth or eleventh hour, but always every moment God is calling us. "Abide with me." "Come to me all ye who labor and are burdened and I shall refresh you."

From the moment, we open our eyes in the morning, while we work or study, at resting time, and at the eleventh hour of our life, God calls; God knocks at the door of our soul: "Abide with Me, Come to Me," for "Peace I give to you."

C. THE REWARD

If the call to His fold has heaven for its reward, the call to Grace gives us heaven here on earth.

Is it not heavenly to know and feel that God dwells in one's heart, that one is united with God?

Is it not heavenly to feel an ecstatic love that fills the heart with satisfaction? A satisfaction that gives peace, lightness of soul and warmth of love for other creatures of God.

Hearken then to the Voice of Love, the call of God to grace. Lift up your heart constantly to God and drink every droplet of grace that trickle down to you. For in the overflow of grace you will find your Heaven here on earth.

SEXAGESIMA SUNDAY (February 25)

THE SEED OF GRACE

"The sower went out to sow his seed.... some fell by the wayside,...some fell upon a rock,...some fell among thorns,...some fell upon good ground." (Luke VIII 4)

Introduction:

The most loving divine Householder who went out to hire laborers, was the same Sower who went out to sow his seed, His Word

of Grace by means of divine inspiration, his ministers, and holy books. The seed is the word of God which enshrines within itself all mysteries of the kingdom of God and the power to enliven and transform man to holiness, to a man of God, to another Christ.

A. BY THE WAYSIDE

But sometimes the word of God fell by the wayside; by the wayside of proud hearts who deem themselves learned and need no more instructions on faith and morals. They consider themselves wiser than God's ordained priests.

Instead of conforming their lives to the teachings of the Gospel, as explained by priests, they would rather that doctrines on Faith and Morals should be conformed to their whims. They listen but they do not hear. The seed falls by the wayside.

B. AMONG THORNS

Sometimes the seed falls on rocks or among thorns, but lacking spiritual moisture or tangled among thorns, it withers and dies.

By this, we understand those who rejoice and even delight in hearing the word of God. With good intention they plant the seed within their hearts, but entangled in vines and thorns of vanities, human affairs and deep rooted sins, the seed grows to naught. It is choked up and it withers.

The more a man is entangled in thorns of vices, the less he can breathe the free air of spirituality; the more he cleaves to earthly pleasures, the less he can soar up to divine union with God.

Hence, one must untangle himself from the maze of cleaving vines and thorns that suffocate the heart. He must prepare a good ground, a fertile ground for the seed of God.

C. ON GOOD GROUND

Yes, a good ground for the seed of God. And what is this good ground? "They who hear and understand and retain the word of God in a good and generous heart; thus bearing fruits with patience."

A good and generous heart. How can we have a good and generous heart? If we learn to speak by speaking, to write by writing, and to love by loving, so we can have a good and generous heart, by doing good and being generous to others.

Be good and generous to your own soul by remaining always in the state of grace. Be good and generous to others by leading them to good and away from evil.

If you have sinned against God, break your ground with the plow of penance, up-root the weeds and thorns of habitual sins, and evil inclinations, sprinkle it with tears of compunction. And it will yield fruits a hundred fold, the fruit of divine joy even here on earth.

FR. JEPHTE M. LUCENA, O.P.

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CASES AND QUERIES

ASSISTANCE AT THE MARRIAGE OF ELOPING COUPLES

Nowadays it has prevailed among our youngsters the practice of eloping to force consent from their parents who otherwise would oppose to their marriage on several specific grounds.

This condemnable practice aside from inciting a downright disregard for parental authority, has posed a serious problem to the parish priests who oftentimes are requested to solemnize their marriages in the church, either to avoid an impending civil marriage, or to avert a detestable concubinage.

As long as this practice prevails it becomes imperative to know:

- 1. Can a parish priest assist indiscriminately at the marriage of minors at least in order to avoid greater evils?*
- 2. What is to be said of the civil law provision on this matter?*
- 3. What should be then the logical procedure to be followed by the pastor in similar cases?*

A PARISH PRIEST

The right of persons to marry is a natural and sacred right which can be denied to no one unless prevented by law from doing so. (c. 1035)

Children, specially those who are under age, are bound to secure their parents consent or to ask for their advice whenever plans for a future marriage are being set. Although it is a precept of natural law to render honor and reverence to parents, neither the advice nor the consent of the elders is required for the validity of marriage, because children, independently from

their parents' wishes enjoy a right to their own bodies. And the essence of the matrimonial contract lies precisely in the mutual giving and acceptance of this right.

Therefore the minor who contracts marriage against his parents' wishes is bound by the same obligations and he enjoys the rights of all truly married persons. In fact neither the ecclesiastical nor the divine law bans such marriages, once the free status of the parties has been otherwise determined, (c. 1019, 1).

1. Therefore it is obvious that the want of parental consent constitutes no objection to the validity of the sacrament, and the pastor needs no other reason to solemnize validly such marriages. The issue centers exclusively on the licitness of the act knowingly performed by the pastor when the parents either reasonably oppose the marriage or ignore it. The law plainly rules that the pastor can not and must not assist at the marriage of minors without first consulting the Ordinary of the place: *"The pastor shall earnestly admonish minors not to marry against the reasonable wishes of their parents or without their knowledge. If they refuse to obey, he shall not assist at the marriage without previous consultation with the Ordinary of the diocese"* (c. 1034).

It is the pastor himself who must determine the reasonableness or unreasonableness of the parents' objections. But if he learns that the parents had not been previously informed, or that they reasonably refused to give their consent, then he must consult the local Ordinary and await for his decision. Meanwhile he is forbidden to assist at the marriage.

The pastor in formulating his judgment can not dissociate the reasons offered by the contracting parties for entering into marriage, from the dissenting arguments presented by the parents in opposing it. The gravity of the reasons brought forth by the parents can not be justly estimated but in the light of those offered by the minor. Not only the honor and name of the family are at stake, but also the spiritual welfare of the child. The obligations he might have contracted, should be considered, too. Economical and social differences seldom constitute a cause for reasonable opposition.

The avoidance of greater evils, as in the case of civil marriage or danger of a sinful concubinage, does not justify the assistance at the marriage of minors without the approval of the Ordinary. It is the Ordinary, not the pastor, who shall determine when, despite the reasonable opposition of the pa-

rents, the marriage can be permitted to avoid graver evils. In so doing the Ordinary is forced to choose the lesser of two impending evils; the graver sin of civil marriage and concubinage over the lesser sin of disrespect toward parents. Since the natural law demands that the lesser of two evils be permitted, the Ordinary must authorize the pastor to go ahead with the marriage notwithstanding the reasonable opposition of the parents.

At times however the local Ordinary may deem the parental dissent logical, thus he may prohibit the marriage temporarily and, as long as the parents, aware of the fact, refuse to yield to the youngsters demands. This would be necessary in places where the civil law upholds the parental right to oppose the marriage of the children. In this case the prohibition of the Ordinary is a grave prohibition, and the pastor and the parties who act against it, perform an action gravely illicit although the validity of the marriage is in no way affected.

2. Obviously the civil law of the country oversteps the limits of its power when it declares voidable the marriage of minors solemnized without the consent of the parent, guardian or person having authority over the party, (*Code of Civil Law, Art. 85*). Dealing with catholics the possibility of a future annulment constitutes a true impediment to the reception of the sacrament, what is clearly above the power of the state. The state's function in this regard should be merely limited to the civil effects of marriage, whenever the opposition of the parents appears reasonable, it is within the limits of the state to punish the contracting parties, as for instance, depriving them of the right of inheritance.

This legal provision, moreover, can not be disregarded if only to avoid possible conflicts with the civil authorities in the future, as might happen in the case that the marriage of minors, otherwise valid in the eyes of the Church, is annulled by the courts for want of parental consent and the parties prosecuted and punished by the competent authorities.

3. The pastor upon learning that the contracting parties are minors wishing to marry without their parents consent should act thus:

a) He shall earnestly admonish the minors not to marry without the knowledge of their parents or against the reasonable wishes of the latter.

b) If the warning turns fruitless, the pastor shall not assist at the marriage without first notifying the parents of their

children's wishes. If the parents simply object to the marriage, it is the pastor's duty to evaluate the weight of their reasons.

c) If the parents oppose reasonably to the marriage, the pastor shall not yield to the minor's demand and assist licitly at the marriage without first having consulted the ordinary of the diocese.

d) Henceforth the pastor's duty shall be no other than to carry out the decision of the Ordinary, notwithstanding any other economical or sentimental considerations.

e) The civil laws of the country regarding parental consent ought to be given due respect and honor.

FR. FLORENCIO TESTERA, O.P.

MASS FACING THE PEOPLE

May I submit some questions on the rubrics of celebrating Mass "facing the people"?

- 1) *Is special permission needed to celebrate Mass facing the congregation?*
- 2) *In the event that Mass is being celebrated at an altar facing the congregation, where should the celebrant stand for the "prayers at the foot of the altar" (Psalm Judica, Confiteor, etc.)?*
- 3) *Is there any special regulation about the "prayers at the foot of the altar" when Mass facing the people is broadcast on television?*

I should be very appreciative if you would state the rubrics on these questions.

PERPLEXUS.

1.—Let us begin our answer to the first question by stating that we do not know of any specific law excluding the celebration of Mass facing the people. The decree of the Sacred Congregation of Rites, dated June 1, 1957, *De Forma et Usu Tabernaculi*, number 4, quoted by some authors as a positive prohibition, regards only the churches where there is only one altar. It reads as follows: "In ecclesiis, ubi unicum exstat altare, hoc

nequit ita edificari, ut sacerdos celebret populum versus..." The churches where there are two or more altars are not, therefore, to be included in this prohibition.

The celebration of the Mass facing the people was common in the old times of the Church, but it has become generally obsolete, though in some places it has survived to the present. Nowadays with the liturgical revival in full swing, that way of celebrating Mass is considered by many as a good means to make easier the participation of the faithful in the Holy Sacrifice. Thus some efforts and attempts are being made at present to revive it.

Now, the question that arises is whether such revival (i.e. the offering of Mass facing the people) may be re-established by the individuals without any intervention of the Hierarchy, or rather, as the consultant says, whether a special permission is needed to celebrate Mass facing the people. To give a correct answer, we have reviewed the well known Encyclical Letter, "*Mediator Dei*" of Pius XII, dated November 20, 1947. And after reading it, it seems to us that an intervention of the Hierarchy is necessary, at least for the places where such way of celebrating Mass has become obsolete. In this Encyclical Letter there are, in our humble opinion, some passages very much to the point. We quote some of them:

"Haud igitur fas est privatorum arbitrio, etsi iidem ex Cleri ordine sint, sacras atque venerandas res illas permittere, quae... ad divinum cultum... attineant; eademque ratione privato nemini ulla facultas est externa hoc in genere actiones moderari quae cum Ecclesiastica disciplina... coniunguntur quam maxime" (AAS., 1947, p. 544).

"Verumtamen temerarius eorum ausus omnino reprobatus est, qui novas deliberato consilio liturgicas consuetudines invehant, vel obsoletos iam ritus reviviscere iubeant, qui cum vigentibus legibus ac rubricis non concordent" (AAS., 1947, p. 544).

"Haec eadem iudicandi ratio tenenda est, cum de conatibus agitur, quibus nonnulli enituntur quoslibet antiquos ritus ac caerimonias in usum revocare. Utique vetustae aetatis Liturgia veneratione procul dubio digna est; verumtamen vetus usus, non idcirco dumtaxat quod antiquitatem sapit ac redolet, aptior ac melior existimandus est vel in semet ipso, vel ad consequentia tempora novasque rerum condiciones quod attinet" (AAA., 1947, p. 545).

"...non sapiens tamen, non laudabile est omnia ad antiquitatem quovis modo reducere" (AAS., 1947, p. 545).

"Nemo sibi arbitrium sumat normas sibimet ipsi decernendi easdemque ex voluntate sua ceteris imperandi. Summus dumtaxat Pontifex..., unaque simul Episcopi... iure officioque pollent christianum gubernandi populum" (AAS., 1947, p. 546).

"Quamobrem vos adhortamur, Venerabiles Fratres, ut in Diocesi vel ecclesiastica dicione cuiusque vestra modum rationemque, quibus populus liturgicam actionem participet, moderari atque ordinare velitis secundum normas, quas, "Missale" statuit, et secundum praecepta, quae Sacrum Consilium ritibus praepositum et Codex Iuris Canonici edidit; ita quidem ut debito omnia ordine et decore fiant, neve cuilibet, etsi sacerdoti, liceat arbitrio suo sacris aedibus quasi experimenti causa uti" (AAS., 1947, p. 561-562).

The opinion that the permission of the Ordinary of the place is needed to celebrate Mass facing the people is held by some authors. The following magazines can be cited for the purpose: *Ephemerides Liturgicae*, vol. LXXI, 1957, fasc. VI, p. 443; *The Homiletic and Pastoral Review*, May, 1958, p. 769; *The American Ecclesiastical Review*, January, 1959, p. 34.

However, here in the Philippines we have now a concrete ruling regarding this matter, and we must stand to it. We are referring to the statement contained in the very recently published booklet on Liturgy prepared by Rev. Fr. Camilo Marivoet, C.I.C.M., at the instance of and approved by the Catholic Hierarchy. In this booklet, page 22, it is clearly stated:

"A priest may celebrate Mass while facing the people at special occasions, if the local Ordinary does not oppose this practice. This always presupposes that there is no tabernacle on the altar on which the priest celebrates facing the people."

So, unless the local Ordinary does not oppose this practice, the celebration of Mass facing the people at special occasions is allowed. The only problem now needing a clear solution is to determine the real meaning of the words "*special occasions*".

2.—Regarding the second question as to where should the celebrant stand for the "prayers at the foot of the altar" (Psalm *Judica*, *Confiteor*, etc.) when Mass is celebrated facing the people, we think that the rubric of the Missal should be follow-

ed in the case, unless there be a particular disposition given by the competent authority stating otherwise. We do not know of any specific norm issued for the case contemplated by the consultant. So the right thing to do is to follow the rubric of the Missal, which states: "*Stans igitur celebrans ante infimum gradum altaris... dicit intelligibili voce: In nomine Patris..., Introibo..., Judica me, Deus... etc.*" (III, nn. 4-6). The new code of rubrics issued on July, 1960, states in number 424: "*Psalmus Judica me, Deus cum sua antiphona, et confessio cum absolutione dicuntur ante gradum altaris, in qualibet Missa sive in cantu sive lecta*".

3.—The answer to the third question is already given in number 2.

FR. EXCELSO GARCIA, O.P.

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FOREIGN

His Holiness Grateful for Birthday Greetings.—His Holiness Pope John XXIII told the world he was grateful for the honour paid him on the twin occasion of his birthday and his coronation anniversary.

More than fifty nations sent delegations of high dignitaries to celebrations in honour of the Pope. Among the nations who honoured the Pope with delegations were some who have no diplomatic representatives at the Holy See, such as Jordan, the Republic of Senegal, Gabon and the Republic of the Congo (former French Congo).

His Holiness used the occasion to make what he termed, an 'anguished appeal' for world peace. "This is an entirely peaceful meeting... here everything is peace, serenity, confidence," he said. "What a fine example to a world which is always troubled, always restless, always under threat of some fresh catastrophe. You are giving here a lesson of true and genuine concord, a sample of what understanding among nations could be."

He asked the representatives of many lands: "Pray to God that men and nations, overcoming the questions of material interests which divide them, may know how to raise themselves ever more to those supreme values of the spirit which bring them closer and which alone can lead them toward solid and lasting peace. We are joining this anguished appeal with a fatherly heart and we beseech the Almighty with great fervor that he may enlighten the mind, protect your nations and of the human race, uniting them ever more in concord and peace."

Pope's New Encyclical.—A new Encyclical was promised by His Holiness Pope John XXIII at the celebration of his 80th birthday and the third anniversary of his coronation. The Encyclical that marks the 15th centenary of the death of Pope Leo I, the Great, was issued on December 9.

In it, Pope John made his most powerful plea for Christian unity in the modern world.

Appealing for the unity of all

Christians, Pope John expressed the hope that the day bringing "the dawn of universal reconciliation" would come soon.

Pope Leo I who became a saint of the Roman Catholic Church, stood up to Attila, the Hun, dissuading him from attacking Rome.

But the great Pontiff was especially noted for his fight for Church unity at a time when the Church faced heresy both in the east and in the west, and the declining power of the Roman empire faced the assaults of barbarian hordes.

Vatican sources said Pope John XXIII obviously intended his Encyclical on the great Pope Leo I as a call to the world's Christian forces to band together against the threat of Atheistic Communism today.

The encyclical from its opening words in Latin is named "**Eterna Dei Sapientia**"—The Eternal Wisdom of God.

Its issuance in advance of the Roman Catholic Church's first Ecumenical Council in nearly 100 years emphasized Pope John's deep concern with Christian unity, a subject upon which he has frequently touched in the three years of his reign.

The encyclical was dated Nov. 11, in commendation of the 15th centenary of the death of the great Pope Leo in the year 1461. Its issuance, expected for several weeks, also coincided with the

conclusion of the birth assembly of the world council of churches in Delhi, to which the Roman Catholic Church sent five observers.

Apostleship of the Sea Providential Means for Preserving Sailors' Faith.—Pope John XXIII, at a special audience granted to the members of the international secretariat of the Apostleship of the Sea, laid down the aims to be pursued in work for sailors. The ideal sailor, he remarked, would be to have a priest aboard every ship afloat. "We are well aware that this is not always possible. But help must be given to seamen to enable them to lead truly Catholic lives in their own environment."

The work, he said, should be carried out through such valuable activities of the Apostleship of the Sea as sailors' clubs, family assistance, and youth's programmes, and also by seamen themselves "through common prayer and constant charity which makes them apostles of the Gospel.

"Who does not recognize," he went on, "that for this task there is an indispensable need," for laymen of good will who are strong and proud of their own Faith and live moral lives and who have had a sound human and religious training?

"It is the vital task of specialized Catholic Action to train such militant individuals, to direct them and keep alive their

Christian conscience, so that their Faith may overcome all difficulties and also triumph in those circles which are still to be won over to Jesus Christ. There is no doubt that the Apostleship of the Sea is a providential means of achieving this goal."

Three New Votive Masses.—The Holy See has published the texts of three new Votive Masses: one to be offered at the profession of men Religious, one at the profession of Sisters, and one

for the increase of religious vocations.

The Congregation said that new Masses may be offered anywhere whenever the rubrics permit a Mass of the fourth class.

According to authorities at the Congregation of Rites, the establishment of a special world religious vocations' day is being considered. If such a day were to be designated, the new Mass for religious vocations would ordinarily be permitted for that observance.

LOCAL

New Dioceses for Mons. Casas and Mons. Del Rosario.—The Apostolic Nuncio to the Philippines announced that Pope John XXIII had designated Mons. Manuel P. del Rosario, Bishop of Calbayog, as Bishop of the newly created Diocese of Malolos, Bulacan, and Mons. Artemio G. Casas, Vicar General of Manila, as Bishop of the newly created Diocese of Imus, Cavite.

Mons. del Rosario was born in Baao, Camarines Sur, on July 1, 1915. After studying in the Diocesan Seminary of Caceres, he went to the Central Seminary of the University of Santo Tomas, where he won academic degrees in philosophy and theology. He was ordained priest on March 25, 1939.

Having served in various capacities as priest in his Diocese for 16 years, on May 28 1955, Mons. del Rosario was nominated Titular Bishop of Zerta, and Co-adjutor Bishop, with the right of succession, to Mons. Miguel Acebedo, Bishop of Calbayog.

When Mons. Acebedo died in 1958, Mons. del Rosario became Bishop of Calbayog, and has remained in that capacity until his present transfer to the Diocese of Malolos.

Mons. Casas was born on Oct. 20, 1911, in Meycauayan, Bulacan. He studied in Letran College and then in the University of Santo Tomas, where he obtained the degree of Doctor of Sacred Theology.

Ordained priest on March 20,

1938, Mons. Casas spent some years in the pastoral ministry as assistant and as parish-priest before being assigned to the arch-diocesan curia of Manila where he now serves as Vicar General and Chancellor. At this time of his appointment as Bishop of the Diocese of Imus, Mons. Casas is also Rector of the Metropolitan Cathedral of Manila.

Boletín Eclesiástico extends to both Mons. Del Rosario and Mons. Casas its heartfelt congratulations and best wishes. *Ad multos annos!*

Nationwide Drive for Vocations Held Dec. 3-8. — The first national congress for attracting more vocations to the priesthood was held last 3th - 8th December, in Manila which was attended by 18 Bishops, led by Cardinal Santos and the Apostolic Nuncio; diocesan directors for vocations representing every diocese in the country; the major religious superiors and over 100 delegates from all over the Philippines.

At the opening of the plenary session on the first day, His Excellency Most Rev. Salvatore Siino, D.D., Apostolic Nuncio to the Philippines made the address, stressing the indispensable role of the family in encouraging priestly vocations. A speech was delivered by His Excellency Most Rev. Antonio Frondoza, D.D., Bishop of Capiz, dealing on "The Organization of the Pontifical Society for Priestly Voca-

tions". On the third day of the council His Excellency Most Rev. Juan N. Nilmar, D.D., Auxiliary Bishop of Jaro, dealt on "The Ways and Means to make our People aware of the great need for Priests in the Philippines".

Resolutions approved by the meeting of directors are: the formation of a Diocesan Council for Priestly Vocations in every diocese; stepping up the organization of parochial centers prior to the holding of a diocesan convention on vocations; promoting closed retreats for graduating students of Catholic schools; honoring families who have given several priests and nuns to the Church during celebration of Vocation Week; the opening of a national seminary for late vocations, either as a separate seminary or as a unit attached to an already established seminary.

Adopted resolutions from the men's group asked that vocation work be made part of the constitutions of Catholic Action organizations; that the laity be encouraged to join the Society for Priestly Vocations in each parish; that mass media be used to foster vocations; that a 5-year fund-raising program be undertaken for the aid of poor and deserving seminarians.

The women's group endorsed the need for intensifying spiritual formation in schools, parish and other Catholic organizations; asked for the celebration of a

national vocation week; sought greater attention for the fostering of vocations in non-sectarian and public schools, and for the wide use of mass media of communications for promoting vocations.

Bishop Frondoza who heads the national directorate of the Pontifical Society for priestly vocations will collate these recommendations adopted during the congress and will refer them to Bishops to act upon as they deem fit.

The Pontifical Society, instituted by Pope Pius XII in his *motu proprio* "Cum Nobis," aims at fostering vocations to the priestly state.

Conference on "Mater et Magistra"—The Catholic Charities sponsored conferences on the encyclical *Mater et Magistra* and its applications to the socio-economic problems of this country, from Dec. 8-9, 1961 at Sta. Isabel College.

The first plenary session started at 9:15 AM in the College auditorium. The main speakers were Atty. Marcos Herras who spoke on *Mater et Magistra and Philippine Labor*, and Rev. Fr. F. Senden CICM who spoke on *Mater et Magistra and Philippine Agriculture and Rural Life*. Both topics were masterfully discussed, and were followed by an open forum. Resolutions were formulated and passed on the same topics in separate workshops carried out in the after-

noon. A Literary Musical Program followed in honor of His Holiness Pope John XXIII, at Sta. Scholastica College.

The following day Mrs. Felicidad Silva discussed the topic *Mater et Magistra and the Relationship of the Privileged and the Less Fortunate in the Philippines*. This was followed by the address of Dr. Jesus Tan on *Mater et Magistra and the Philippine Birth Rate*, which elicited much praise. After the Open forum a workshop on *the Role of the Church in Increased Population*, was conducted and resolutions were passed.

In the afternoon, another workshop was conducted on *the Role of the Church in the Philippines with regards to the Relation between the Privileged and the Less Fortunate*, and resolution were also carried. The session was closed with an address by His Eminence Cardinal Santos, followed by His blessing.

The sessions were well attended by delegates and representatives from the different religious orders, parish councils, and school groups, and the enthusiasm elicited was great. These conferences were a preparation for the celebration of the Silver Jubilee or the 25th anniversary of the XXXIII International Eucharistic Congress which was held in Manila from Feb. 3-7, 1937.

Archdiocesan Eucharistic Congress slated February.—An Archdiocesan

san Eucharistic Congress will be held next February to commemorate the 25th anniversary of the XXXIII International Eucharistic Congress held in Manila in 1937. The congress will open on Thursday, February 8, and will close on Sunday, February 11.

The theme will be "The social aspects of the Holy Eucharist in the light of the papal encyclical *Mater et Magistra*". Highlights of the Congress include: Women's Day, Youth's Day, Men's Night, and 40-hour vigils in seven churches of Manila for the faithful. Three sets of Holy Hours are also slated for Priests and Brothers at the De la Salle College chapel, for Religious Sisters at the Manila Cathedral, and for men of all walks of life at the Luneta previous to the midnight Mass.

Daily conferences for special groups will be conducted throughout the duration of the congress. Pontifical low masses will be said on Youth's Day by Rev. Hernando Antiporda, Auxiliary Bishop of Manila, and on Men's Night by Rev. Juan B. Velasco, O.P., Bishop of Amoy and Vicar General for the Chinese Catholics in the Archdiocese of Manila.

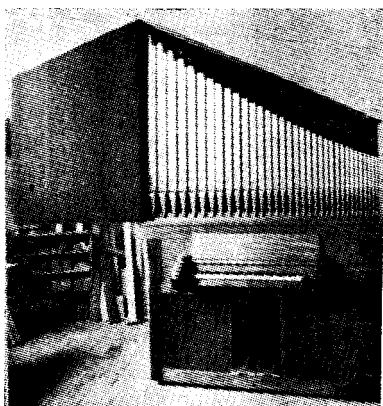
Two pontifical high Masses will be celebrated, one on Women's Day by His Excellency Mons. Salvatore Siino, Apostolic Nuncio to the Philippines, and the other on the closing day by

His Eminence Rufino Cardinal Santos, Archbishop of Manila.

The congress will be opened by the Cardinal, who will also give the first address of the Archdiocesan congress.

The Organ of the Cathedral of Calapan. — Some months ago a "Positiv" was assembled in the Cathedral of Calapan, Mindoro. This small organ is a real pipe organ. As usual the positiv has no pedal key board and only one manual.

The compass or the range of the manual is from C to g³, 4-1 2



octaves and 56 keys. This small positiv has only 5 speaking stops, but any speaking stop can be drawn with any of the 4 other stops and the combination and the resulting sound is beautiful and useful.

Foremost the positiv produces the genuine organ tone, which can not be produced by any

other instrument even by the best of electronic organs.

The positiv is inclosed in a cabinet, the doors of which can be opened and closed, thus giving the possibility of playing forte and piano.

The positiv has an electric blower and also two feeder-bellows to pump air in case the electrical current is failing.



The new Cathedral of Calapan is not a small church, its measurements are 63 meters long, 18 meters wide and 14 meters high,

but it is astonishing how this small instrument fills the church.

Here is the stoplist for your information:

1 manual, Compass C-g ³ ,	56 keys
Singend Gedackt	8'
Principal	4'
Rohrfloete	4'
Mixture, 4 ranks	1-1/3', or 19-22-26-29.
Dulciana	16' (reeds)

The action is a "Mechanical action", the windchest is a "Slider Chest". The console or key board is "attached" or solidly connected with the frame or case of the organ.

The builder is the organ company Johannes Klais, Bonn/Rhein, Germany, the price approximately 3000.-US-\$, best workmanship and material A-1. The positiv has 56 reeds and 392 flues, together 448 organ pipes in 8 complete ranks. Each stop has one rank, the Mixture has four ranks.

Musically this small instrument is a really artistic instrument and by all means preferable to any harmonium or electronic organ. It is a small but "straight" organ far better than the artistic lie of any kind and size of "Unit" or "Multiplex" organ. P.H.S., S.V.D.

NECROLOGY

FR. ANGEL DE BLAS PASSES AWAY

The Order of Preachers, alumni and students of colleges under the direction of the Dominican Fathers in Manila as well as friends of the deceased mourned the passing of Fr. Angel de Blas, O.P., former Rector of the University of Santo Tomas and San Juan de Letran College.

Fr. Blas succumbed to a heart attack on November 10, 1961, after receiving the last Sacraments, at the U.S.T. Hospital where he has been confined for about two months before his death.

A Requiem Mass was said the next day at the Santo Domingo Church in Quezon City, after which interment took place at the Holy Cross Sanctuary in San Juan del Monte, Rizal.

Fr. Blas' keenness of mind was tremendous. In fact he was renowned in the field of philosophy and psychology. He was consultant to many a group devoted to studies on psychology.

The late Dominican priest was born on March 1, 1896 in Bocigas, province of Soria, Spain. He entered the Order of Preachers on September 13, 1913, and from then on until 1916 devoted his efforts to the study of Philosophy in the convent of Santo Tomas in Avila, Spain. Later he was sent to Louisiana, U.S.A., to pursue his theological studies, and was ordained to the priesthood in Washington, D.C., on May 25, 1920.

Two years later, he came to the Philippines and was assigned professor at the Letran College where in 1927 he was made Vice-Rector. Eight years after he joined the profesorial staff of the University of Santo Tomas and taught Philosophy and Psychology. He obtained the degrees of Licentiate in Philosophy and Doctor of Philosophy from the University on March 18, 1931 and March 24, 1934, respectively. At that time, he was appointed Rector of Letran College, which post he held from January 7, 1934 until May 1936. He then returned to the U.S.T. and assumed the position of head in the departments of Zoology and Psychology.

On March 14, 1940 he was designated acting Dean of the College of Liberal Arts of which he later became the Dean until his elevation to the Rectorship of the University. Assumed this office from 1948 until 1952. Thenceforth, he was elected again Rector of Letran College which position he held for two consecutive terms. — R.I.P.