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## EDITORIAL

### PRAYER: FORBIDDEN

Democracy is becoming, nowadays, a very strange word. It continues to be one of the high-sounding catchwords of the times, to uphold some of the great aspirations of men. At other times, to cover the meanest and lowest instincts of the animal which are within man.

It is in keeping with this contradictory use of the word that a recent decision of the Supreme Court of the United States, made in the name of democracy, has been widely commented on all over the world. For those who think that democracy is the universal panacea for all valid one, we might well ponder the case.

The decision of the Supreme Court involved a brief prayer which reads as follows: "Almighty God, we acknowledge our dependence upon Thee, and we beg Thy blessing upon us, our parents, our teachers, and our country".

A more democratic prayer could hardly have been thought of. Yet, in the name of democracy, and on the "dogmatic" principle of the American Constitution, it has been banned from the lips of the American school children. And there have been people who praised the ban on the grounds that the prayer contains four religious dogmas. Many, inside and outside of the United States, were astonished. They could not understand.

The decision was more bewildering on account of the actual circumstances. Five couples, parents of nine children studying in a school of the State of New York, protested against the prayer. Sixteen couples, parents of forty one students of the same school, protested against the protest. The parents of nearly five thousands students of the same school said nothing against the religious practice. The will of the majority is clear. It is also clear that the idea of God is deep in the hearts of the American people,

more than seventy per cent professedly Christian. Their national motto is: "In God we trust". The high ranking officials of the Government are sworn into office with their hands on the Bible.

American soldiers profess to die, if necessary, "for their country subject to God." The American Congress begins its activities with a prayer. Thanksgiving Day is cherished as the great opportunity to show their gratitude to God.

All that seems to be unconstitutional under the new ruling of the Supreme Court. Well, let them decide.

But it is going to be difficult to convince anybody that there is nothing wrong here.

The case, we think, should be a "point to ponder" by all of us especially by those who condemn as tyranny the proposition of dogmas in the name of God, and then pontificate on the human interpretation of a humanly devised idea. It should be a "point to ponder upon" for those newspapermen who, commenting on the recent trip of our President, showed such a narrow nationalism, such a shortsighted provincialism that one wonders if they are not yet out of the tribal mentality. And perhaps the incident of the American Supreme Court may enlighten them to find new arguments to scourge the visit of the President to the Roman Pontiff on the grounds of the separation of the Church and the State. For, we do not know by what logical reasoning, it seems that to protect the right of one per cent not to pray, we have to deprive ninety nine per cent of their right to pray. There are around us freethinkers and freedom loving gentlemen who will pontificate on anything from God down, in the name of all liberties, but "will tear their garments" if somebody thinks otherwise. Oddly enough, there are Catholics among them. In point is the forgotten warning of Our Lord (Mat. XVI, 4): **You know then how to read the face of the sky, but you cannot read the signs of the times."**

**R. M. Rojo, O.P.**

## ROMAN CURIA

# THE ROLE OF PRIESTS AND FAMILIES IN FOSTERING SACERDOTAL VOCATIONS

*(Address delivered by Pope John XXIII to the First International Congress on Priestly Vocations on May 26, 1962. Original latin text in "L'Osservatore Romano," May 27, 1962.)*

Venerable brothers and beloved sons:

You have gathered from all over the world at Rome, so that, by your combined efforts, you will be able to study questions which are a matter of sacred concern to pastors. We call them questions which concern adolescents who are divinely called to enter the priesthood and on which the prosperous growth of the Church peculiarly depends.

Therefore, we extend Our thanks to you, who have been concerning yourself with these meeting of great import. Moreover, We also thank the Sacred Congregation of Seminaries and Universities, since the initiation and the leadership given to the holding of this kind of gatherings, is primarily a result of its efforts. The Cardinal Prefect of this congregation has ably illustrated to Us, in concise and meaningful terms the essence of your labors.

### The Command of the Lord

Your congress has been gathered from all the nations of the world. We believe this to be most opportune, if, indeed, it

is rightful that a common effort be made in the accomplishment of a goal, vital to all, as the command of the Divine Redeemer clearly states:

“Go therefore, and teach all nations (Matt. 28:19), and, also: “The harvest indeed is great, but the laborers are few. Pray, therefore, the Lord of the Harvest to send forth laborers into the harvest. (Luke 10:2). “And other sheep I have that are not of this fold.” (John 10:16).

During these days, in which you continue your labors, we shall follow your efforts with great concern since the consummation of your labors fully gratifies Our expectation. When all this has been accomplished, having lifted Our eyes to Heaven, we shall pour forth prayers filled with faith: “O Lord, give holy priests to your Church; give it wise and industrious priests.” It is this prayer which we desire to make the essence of our talk.

### Holiness of life

Firstly, it is obvious to us why it is necessary to beseech God for holy priests.

We are not ignorant of the reason which you have given us to celebrate this meeting. Certainly you have not gathered together here to bewail things nor to make useless complaints. Truly, you have come together so that you might seize upon a salutary stimulus and incentive, and, moreover, so that you might yield common accomplishments, which will not be lacking of joyful and salutary fruits, and which you have come to know by experience.

We have been aware that your work has, quite frequently, been weighted down by more than just minor or a few occasional difficulties. Nevertheless, take heed lest your spirit be cast down or that you become unduly subjected to enfeebling fears, not justified by reality. These are matters which are neither helpful nor pertinent. Did not our Redeemer exhort us to pray to the Lord of the harvest to send laborers into His harvest? There-

fore, let us insistently pray the Lord and beseech Him to grant happy results to your labors.

Moreover, more recent necessities in the education of youth, have brought forth experiments which have been carried out for a long time, the testimonies of wise men, as well as the great living magisterium of the Church, with a view to fortifying their souls, for smooth sailing in their mission.

Also, in order to move souls to solicit the gratitude of Christian people or our cause, something is in our power which is in no way lacking in effect. We call this the holy mores by which the sacerdotal life ought to be illuminated.

It is, therefore, pertinent to note that we have already accomplished other things which are noteworthy.

From Our childhood, We had but one thought with regard to the direction Our life was to take, and that was to become a priest. No one spoke to Us about this before We had made Our decision, neither Our beloved mother nor Our saintly father.

Yet the fervent Christian life of Our family, and the example of saintly churchmen and laymen that we knew, led to acquire, from Our earliest childhood, the highest esteem for the priestly dignity.

In the course of the days that have just passed you have, among other things, discussed the family, the parish, as well as questions related to work concerned with the fostering of the development of ecclesiastical vocations. Of all these things, the most essential duty is that of setting a worthy example by the love of God.

We should, therefore, urge that all who work for vocations consider it their principal duty to emphasize, by personal example and veneration, the esteem in which the ministers of the altar should be held. This is the secret of success, for the greatness and beauty of the priestly ideal are a powerful inspiration to those young souls who see priests honored within the walls of their homes, and they are thereby led to respond generously to the call of the Lord.

## Wise and Industrious Priests

There is another thing which We ask of the Lord precisely that He should send holy laborers into the Church who are both wise and industrious.

It will help our discussion if We tell you what We feel about this. The ecclesiastical man should so conform to the holiness of both his life and manner, proper to his state, that he would become steeped in chastity, as well as in piety, poverty, docile zeal, and the pursuit of heavenly things.

With all these virtues present in the priest, they will attract young people, and, also, bring about in the soul a balance and constancy which neither the vicissitudes of age nor the changing conditions of the world will be able to offset.

Therefore, priests should be watchful against those inflated defects inherent in the dangers of the present world, which, in any way, defile innocence, and which are erroneously believed to be unimportant or harmless. We also urge priests to be on guard in less serious matters, which are, nevertheless, improper and soul-damaging.

Priests, therefore, should see to it that they do not give themselves over entirely to the managerial aspects of the sacred ministry or merely to external work. Unplanned efforts of this kind would lead gradually to the impoverishment of the soul and, thus, neither the good of the parish nor the multiple utility of the diocese are served.

This does not happen without, moreover, doing great harm to potential candidates for the priesthood. How can young people think of the dignity and gravity of the priestly office with sincere judgment if they are unable to see in their priest a perfect example to be emulated?

Priests should seriously consider what form of perfection should be expressed in their manner. These are the essential parts of their office: the worthy celebration of the Sacrifice of

the Mass, the preaching of the Word of God, the administration of the Sacraments, assisting the sick — especially those near death — catechetics and religious instruction. Everything that is not related to these duties must be set aside, or should, at best, only be tolerated.

### Exhortation of the Holy Father

It has pleased Us to transmit to you Our sentiments, venerable brethren and beloved sons. Strengthened with the exhortations of the humble Vicar of Christ, go forth diligently, so that you may accomplish the most holy works which you have entered upon.

Continue to propel with all your strength young men to the heights of the Catholic priesthood. They should come to know through you the harshness and arduousness of this journey. Let young men give themselves with a generous soul; let them follow in lively step.

To the end that these things may happily come about, We wish to strengthen your efforts by bestowing upon you Our apostolic blessing, which we impart upon each one of you with utmost benevolence.

— JOHN XXIII

## SACRA CONGREGATIO RITUUM

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### DECRETUM GENERALE

*Ordo Baptismi adultorum in varios gradus distribuitur, per quos catechumeni, progrediente instructione, usque ad Baptismum perducuntur.*

Ordo Baptismi adultorum, in *Rituali Romano*, tit. II, cap. IV, descriptus, ex variis ritibus atque caeremoniis succrevit, quibus olim catechumeni per diversos institutionis christianae gradus progredientes, ad sanctum Baptismum ducebantur.

Cum vero, maxime in territoriis Missionum, numerus catechumenorum qui per gradus institutionis catholicae ad Baptismum ducendi sunt, Deo opitulante, in dies augeatur, multi illorum regionum Ordinarii institerunt, ut varii ritus, nunc in unum Ordinem contracti, quadamtenus ad antiquum modum reducerentur, scilicet, ut secundum suam naturam, initio atque successivis institutionis christianae gradibus adhiberi possint.

Similem petitionem nonnulli quoque locorum Ordinarii regionum catholicarum obtulerunt, cum nostris temporibus numerus adultorum qui Ecclesiam ingredi desiderant, continuo augeatur, et opportunum esse videatur, eorum institutionem catechetica sacris quoque ritibus sanctificare.

His omnibus rite perpensis atque utilitate restitutionis variorum rituum qui ad institutionem catechumenorum pertinent, recognita, ne tamen usus diffformes inducantur, haec Sacra



Congregatio Ordinem Baptismi adultorum, quem supra memoravimus, per septem gradus disposuit, quibus, per opportuna temporis spatia, catechumeni adulti, secundum progressum institutionis catecheticae, ad suscipiendum Sacramentum Baptismatis tendant.

Quae omnia, comprobantibus, quantum eorum interest, SS. Congregationibus Supremae S. Officii, necnon Fidei Propagationis, cum pro suprema approbatione et concessione per infrascriptum Eminentissimum Cardinalem Praefectum, Sanctissimo Domino Nostro Ioanni Pp. XXIII submissa fuerint, Sanctitas Sua, in audientia die 11 mensis Aprilis anni 1962, libenti animo concedere dignata est, atque disposuit, ut infrascriptus «Ordo» in *Rituali romano*, loco indicato, inseratur, et ab omnibus quorum interest, iuxta normas ibidem statutas, adhibeatur.

Contrariis quibuslibet, etiam speciali mentione dignis, minime obstantibus.

Romae, ex aedibus S. Rituum Congregationis, die 16 Aprilis, an. 1962.

ARCADIUS Card. LARRAONA, *Praefectus*

L. ✝ S.

Henricus Dante, *a secretis*

ADDITIONES ET VARIATIONES  
IN RITUALI ROMANO  
CIRCA ORDINEM BAPTISMI ADULTORUM

Tit. II, cap. III: Praenotanda de Baptismo adultorum, n. 12: *In medio huius numeri, tractus: «sed prius errorum etc.», sic scribatur: «sed prius in Fide catholica diligenter instruuntur».*

*Inscriptio capitis IV sic mutetur:*

CAPUT IV

1

Ordo Baptismi adultorum uno tractu exsequendus

*Hoc loco ponatur Ordo Baptismi adultorum, qualiter nunc in Rituali exhibetur.*

*Post praedictum Ordinem ponatur novus Ordo per gradus Catechumenatus dispositus, qualiter hic sequitur:*

2

Ordo Baptismi adultorum per gradus Catechumenatus  
dispositus

*Normae pro usu huius Ordinis*

1. Omnes locorum Ordinarii concedere vel praescribere possunt, ut in Baptismo adultorum Ordo hic statutus servetur.

## 2. Totus ritus in septem gradus est divisus:

*Primus gradus* respicit praeparationem spiritualem a sacerdote peragendam, qui cursum institutionis catechumenorum moderatur, necnon fidelium, qui precationibus, graviores vitam christianam exhibendo, catechumenis auxilio spirituali esse debent (nn. 1-3); sequitur prima catechumenis nominis impositio, fundamentalis catechesis, actus aversionis ab errore et conversionis ad Deum, atque prima sollemnis cum Cruce signatio (nn. 4-12), quae simul est etiam actio fundamentalis exorcismi, seu diabolicarum potentiarum radicalis eversio.

*Secundus gradus* exhibet perantiquam caeremoniam gustationis salis, qua significatur crescens delectamentum catechumenorum in christiana institutione (nn. 13-17).

*Tertium, quartum, quintum gradum* constituunt solemnes ter repetiti exorcismi, quibus fortiter in pectus demittitur catechumenorum ad Deum totalis conversionis labor, cui humani generis adversarius summopere reluctatur (nn. 18-24; 25-31; 32-40).

*Sextus gradus* continet caeremonias proxime ad Baptismum recipiendum directas, ex perantiquo usu depromptas atque profunda significatione repletas.

Post solemnem catechumenorum in ecclesiam ingressum (nn. 41-42), sequitur redditio symboli et orationis dominicae, ultimus exorcismus et ritus aperitionis aurium; demum, iterata abrenuntiatione Satanae, catechumenus oblinitur cum oleo catechumenorum ac quasi puginator constituitur contra potestates Christo et Ecclesiae inimicas (nn. 47-49).

*Septimus atque ultimus gradus* proprie ducit ad Baptismum.

Renovatur nominis impositio, fit Fidei confessio, Baptismatis petitio (nn. 51-52), administratio Baptismatis (nn. 53-55), atque cum sacro chrismate unctio, qua innuitur Spiritus Sancti gratia Baptismate accepta (n. 55), vestis baptismalis et candelae accensae traditio (nn. 56-57), baptizatorum dimissio (n. 58).

3. Diversi gradus, quibus totus ritus dividitur, sequuntur progredientem catechumenorum christianam instructionem et catechesim. Proinde non licet gradus illos omittere, confundere, vel ab ordine statuto mutare. Hoc tantum permittitur, ut scilicet quidam gradus subsequenti uniatur, ubi ratio pastoralis id suadeat. Si quis vero catechumenus una simul cum ceteris, rationabili causa, ritum perficere nequivit, tenetur illum saltem privatim supplere.

Circa aliquos vero ritus peculiare qui, forsitan, in certis locis aut regionibus, vel apud quosdam populos, admirationem movere vel male accipi possunt, ad Conventus episcopales facultas defertur, opportune statuendi quae fieri debeant, iuxta normas sequentes:

a) Si constet, alicubi, iuxta communem populorum mentem, tactus manus sacerdotis, *signum Crucis* super catechumenos facientis, accipi uti signum actionis iuridicae cum certis consecrariis legalibus, vel uti significationem a sensu christiano prorsus alienam habentem, tunc, maxime si opus conversionis adhuc ad primordia sistitur, Episcopi determinent modum quo catechumeni signo Crucis muniri debeant, scilicet, prout a rubricis suis locis dicetur, vel ita ut patrini catechumenos signent, vel tandem ut ipsi catechumeni se signent, dum sacerdos super omnes simul signum Crucis producit.

b) Ubi *gustatio salis* per ipsum sacerdotem, qui sal imponat ori catechumenorum, fieri nequeat, Episcoporum erit determinare modum item a rubricis suo loco propositum adhibendum, scilicet num salis exhibitio fieri debeat a maiore vase sale pleno, ex quo ipsi catechumeni sal accipiant.

c) Circa *unctionem cum oleo catechumenorum* haec animadvertantur: ubique, maxima diligentia et perseveranti instructione, catechumenis significatio huiusmodi unctionis exponenda est. Ubi vero catechumenis, propter familiares ac inveteratas consuetudines, vera et profunda huius unctionis significatio nullo modo explicari possit, Episcopi ab illa unctione dispensare possunt, sed pro illis populis aut definitis locis *tantum*, et *tantummodo* pro temporis spatio, quo huiusmodi unctio finem suum

didascalicum attingere nequit. Omnibus tamen viribus adnendum est, ut sacra unctio, cum oleo huic proprio usui consecrato, progrediente christiana institutione populi, regulariter impertiri possit.

d) Quae de unctione cum oleo catechumenorum statuta sunt, pariter valent *de unctione cum sacro chrismate*, catechumeno facienda aqua Baptismatis iam abluto. Ceterum, quia Sacramentum Confirmationis conferri debet per manus impositionem cum unctione chrismatis in fronte (can. 780), necesse est catechumenos iam inde a prima institutione ad Baptismum ita praeparare, ut significationem unctionum sacrorum oleorum in Ordine Baptismatis exstantium, recte et bene intellegant.

Quae vero a Conventibus episcopalibus circa eas quas supra memoravimus quaestiones statuta fuerint, cum Sacris Congregationibus Fidei propagandae et Rituum tuendorum communicentur, atque, Sancta Sede annuente, ad praxim deducantur.

4. Ritus et caeremoniae, maiore qua possibile est, solemnitate fiant, adstante populo christiano: ritus bene praeparentur, ut catechumeni fructum spiritualem uberiores inde accipiant. Patrini vel matrinae ad omnes gradus, iuxta opportunitatem, praesto sint. Praecedat semper, antequam sacri ritus incipiant, plana et familiaris caeremoniarum interpretatio, fidelibus et catechumenis aequae utillima.

Sicubi vero singuli vel pauci tantum instituendi sint catechumeni, gradus catechumenatus liturgici seu sacri ritus hic descripti, etiam extra ecclesiam, sed *in loco sacro* et in forma simplici, peragi possunt, de qua tamen re, iuxta opportunitates peculiare locorum, decernant Ordinarii locorum, vel Conventus episcopales, ita ut in tota dioecesi vel regione uno eodemque modo procedatur.

5. Omnes formulae dici possunt lingua vernacula, versione tamen a Conferentiis episcopalibus cuiusque nationis vel regionis vel ab Ordinario loci approbata, exceptis exorcismis, formulis unctionum ac benedictionum, nec non ipsa Baptismi forma.

Si vero, ex statu psychologico catechumenorum deducitur, eos desiderare exorcismorum verba propria lingua clare audire, tunc exorcismo quoque lingua venacula proponi possunt.

6. Versiones in linguam vernaculam parari curent Conventus episcopales pro tota regione, a Commissione peculiariter ad hoc deputata, in qua viri propriae cuiusque linguae apprime periti, sive sint clerici sive laici, textum conficiant, non tantum ultra spatium decem annorum, ita ut versiones prædictae continuo linguarum progressui aptari possint.

## ORDO BAPTISMI ADULTORUM

### PER GRADUS CATECHUMENATUS DISPOSITUS

#### PRIMUS GRADUS

1. *Sacerdos, indutus superpelliceo et stola, vel etiam pluviali, violacei coloris, cum suis clericis, accedit ad gradus altaris, et, genibus flexis, pias mente ad Deum preces effundit ad implorandum divinum auxilium. Deinde surgens, se signat, dicens:*

*V. Deus, in adiutórium meum inténde.*

*Omnes respondent: Dómine, ad adiuvándum me festína.*

*V. Glória Patri.*

*Omnes: Sicut erat.*

2. *Postea incipit, prosequentibus clericis:*

*Ant. Effúndam \* super vos aquam mundam, et mundabimini ab ómnibus inquinaméntis vestris, dicit Dóminus.*

*Et, si fieri potest, alternatim cum omnibus aliis sequentes psalmos cantat vel recitat:*

#### *Psalmus 8*

*Dómine, Dómine noster, quam admirábile est nomen tuum in univérsa terra, \* qui extulísti maiestatem tuam super caelos.*

Ex ore infántium et lacténtium parásti laudem contra adversários tuos, \* ut compéscas inimicum et hostem.

Cum vídeo caelos tuos, opus digitórum tuórum, \* lunam et stellas quae tu fundásti:

Quid est homo, quod memor es eius? \* aut fílius hóminis, quod curas de eo? —

Et fecísti eum paulo minórem Angelis, \* glória et honóre coronásti eum;

Dedísti ei potestátem super ópera mánuum tuárum, \* ómnia subiecísti pédibus eius:

Oves et boves univérso, \* ínsuper et pécora campi,

Vólucres caeli et pisces maris: \* quidquid perámbulat sémitas márium.

Dómine, Dómine noster, \* quam admirábile est nomen tuum in univérso terra!

Glória Patri. Sicut erat.

### *Psalmus 28*

Tribúite Dómino, fílii Dei, \* tribúite Dómino glóriam et poténtiam!

Tribúite Dómino glóriam nóminis eius, \* adoráte Dóminum in ornátu sacro. —

Vox Dómini super aquas! Deus maiestátis intónuit: \* Dóminus super aquas multas!

Vox Dómini cum poténtia! \* vox Dómini cum magnificén-tia!

Vox Dómini confríngit cedros, \* Dóminus confríngit cedros Líbani,

Facit subsilíre, ut vítulum, Líbanum, \* et Sárion, ut pullum hubalórum.

Vox Dómini élicit flammam ignis, vox Dómini cóncutit desértum Cades.

Vox Dómini contórquet quercus et decórticat silvas: \* et in templo eius omnes dicunt: Glória! —

Dóminus super dilúvium sedit, \* et Dóminus sedébit rex in aetérnum.

Dóminus fortitúdinem pópulo suo dabit, \* Dóminus benedícet pópulo suo cum pace.

Glória Patri. Sicut erat.

*Psalmus 41*

Quemádmódum desíderat cerva rivos aquárum, \* ita desíderat ánima mea te, Deus.

Factae sunt mihi lácrimae meae panis die ac nocte, \* dum dicunt mihi cotidie: «Ubi est Deus tuus?»

Illud recórdor et effúndo ánimum meum intra me: quómodo incésserim in turba, \* praecésserim eos ad domum Dei,

Inter voces exsultatiónis et laudis, \* in coetu festívo.

Quare deprímeris, ánima mea, \* et tumultuáris in me?

Spera in Deum: quia rursus celebrábo eum, \* salútem vultus mei et Deum meum. —

In me ipso ánima meo deprímitur: \* ídeo recórdor tui ex terra Iordánis et Hermon, ex monte Misar.

Gurges gúrgitem vocat cum fragóre cataractárum tuárum: \* omnes fluctus et undae tuae super me transiérunt.

Per diem largiátur Dóminus grátiam suam, \* et nocte canam ei, laudábo Deum vitae meae.

Dico Deo: Petra mea, cur oblivísceris mei? \* quare tristis incédo, ad inimíco opprémus?

Ossa mea frangúntur, dum insúltant mihi adversáarii mei, \* dum dicunt mihi cotidie: «Ubi est Deus tuus?»

Quare deprímeris, ánima mea, \* et tumultuáris in me?

Spera in Deum: quia rursus celebrábo eum, \* salútem vultus mei et Deum meum.

Glória Patri. Sicut erat.



*Et repetitur antiphona:*

Effúdam super vos aquam mundam, et mundabímini ab omnibus inquinaméntis vestris, dicit Dóminus.

3. *Deinde dicitur:*

Kyrie, eléison, Christe, eléison. Kyrie, eléison.

Pater noster *secreto usque ad*

V. Et ne nos indúcas in tentatiónem.

*Omnes.* Sed libera nos a malo.

V. Dómine, exáudi oratióem meam.

*Omnes.* Et clamor meus ad te véniat.

V. Dóminus vobíscum.

*Omnes.* Et cum spírítu tuo.

Orémus.

*Oratio*

Omnípotens, sempitérne Deus, qui dedísti fámulis tuis in confessióne verae fidei, aetérnae Trinitátis glóriam agnóscere, et in poténtia maiestátis adoráre unitátem: quaéssumus; ut, eiúsdem fidei firmitáte, ab ómnibus semper muniámur advérsis.

Adésto supplicatió nibus nostris, omnípotens Deus: et quod humilitátis nostrae geréndum est ministério, tuae virtútis impleátur efféctu.

*Pro pluribus catechumenis:*

Da, quaésumus, Dómine, eléctis nostris, ut, sanctis edócti (-ae) mystériis, et renovéntur fonte Baptísmatis, et inter Ecclésiae tuae membra numeréntur. Per Christum Dóminum nostrum.

*Omnes:* Amen.

*Pro uno catechumeno:*

Da, quaésumus, Dómine, elécto (-ae) nostro (-ae), ut sanctis edóctus (-a) mystériis, et renovétur fonte Baptísmatis, et inter Ecclésiae tuae membra numerétur. Per Christum Dóminum nostrum.

*Omnes:* Amen.

4. *Tum sacerdos catechumenos vocat nominatim, per nomen et cognomen familiae, prius masculos, deinde feminas, et ille qui est appellatus respondet: Adsum. Postea sacerdos interrogat:*

Quid pétitis ab Ecclésia Dei?

*Omnes:* Fidem.

*Sacerdos:*

Si vultis habére vitam aetérnam, serváte mandáta. Diligite Dóminum Deum vestrum ex toto corde vestro, et ex tota ánima vestra, et ex tota mente vestra, et próximum vestrum sicut vos ipsos. In his duóbus mandátis tota Lex pendet, et Prophétae. Fides autem est, ut unum Deum in Trinitáte, et Trinitátem in unitáte venerémini neque confundéndo persónas, neque substántiam separándo. Alia est enim persóna Patris, ália Filii, alia Spíritus Sancti: sed horum trium una est substántia, et nónnisi una divínitas.

5. *Et rursus interrogat:*

Abrenuntiátis sátanae?

*Et omnes insimul respondent, numero singulari et nomine proprio:*

Abrenúntio.

*Interrogat:*

Et ómnibus opéribus eius?

*Omnes:* Abrenúntio.

*Interrogat:*

Et ómnibus pompis eius?

*Omnes:* Abrenúntio.

6. *Deinde sacerdos interrogat de symbolo Fidei, dicens:*

Créditis in Deum Patrem omnipoténtem, creatórem caeli et terrae?

*Omnes:* Credo.

*Interrogat:*

Créditis in Iesum Christum, Fílium eius únicum, Dóminum nostrum, natum, et passum?

*Omnes:* Credo.

*Interrogat:*

Créditis et in Spíritum Sanctum, sanctam Ecclesiám cathólicam, Sanctórum communióem, remissióem peccatórum, carnis resurrectionem, et vitam aetérnam?

*Omnes:* Credo.

*7. Tunc sacerdos ter exsufflat leniter versus faciem eorum et dicit semel:*

Exi ab eis, spíritus immúnde, et da locum Spíritui Sancto Paráclito.

*7a. Sicubi vero vel etiam lenis exsufflatio ex longinquo minus conveniens esse videtur, sacerdos supradictam formulam dicit, manu dextera versus catechumenos erecta.*

*8. Hic in modum crucis halat leniter super eos et dicit:*

Accípite Spíritum bonum per istam insufflatióem, et Dei bene ✝ dictionem.

*V. Pax vobis.*

*Omnes:* Et cum spíritu tuo.

*8 a. Sicubi vero vel etiam lenis insufflatio ex longinquo minus conveniens esse videtur, sacerdos, manu dextera versus catechumenos extensa, dicit:*

Accípite Spíritum bonum per istam manus impositionem et Dei bene ✝ dictionem.

*V. Pax vobis.*

*Omnes:* Et cum spíritu tuo.

*9. Deinde singuli praetereunt ante sacerdotem, qui pollice facit crucem in eorum fronte et in pectore, dicens:*

N., áccipe signum Crucis tam in fron ✝ te, quam, in cor ✝ de: sume fidem caeléstium praeceptórum. Talis esto móri-

bus, ut templum Dei iam esse possis: ingressúsque (ingressáque) ecclésiám Dei, evasísse te láqueos mortis, laetus(-a) agnósce.

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*Si vero numerus catechumenorum sat magnus sit, ipsi catechumeni, proprio loco manentes, pollice se signant in fronte, et in pectore, dum sacerdos manu duplex signum versus eos producit, dicens:*

Accípite signum Crucis tam in fron ✠ te, quam in cor ✠ de: súmite fidem caeléstium praeceptórum. Tales estóte móribus, ut templum Dei iam esse possís: ingressíque (ingressaéque) ecclésiám Dei, evassísse vos láqueos mortis, laeti (laetae) agnóscite.

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*Inde prosequitur:*

Cólite Deum Patrem omnipótentem, et Iesum Christum, Filium eius únicum, Dóminum nostrum, qui ventúrus est iudicáre vivos et mórtuos, et saéculum per ignem.

*Omnes: Amen.*

Orémus.

*(In singulari pro singulo)*

*Oratio*

Te déprecor, Dómine, sancte Pater, omnípotens aetérne Deus: ut his fámulis tuis, qui (fámulabus tuis, quae) in huius saéculi nocte vagántur incérti(-ae) ac dúbii(-ae), viam veritátis et agnitiónis tuae iúbeas demonstrári: quátenus, reserátis óculis cordis eorum, te unum Deum Patrem in Filio, et Fylium in Patre cum Spíritu Sancto recognóscant, atque huius confesiónis fructum, et hic, et in futúro saéculo percípere mereántur. Per Christum Dóminum nostrum.

*Omnes: Amen.*

9a. *Ubi vero, contra ritum signandi catechumenos signo Crucis ab ipso sacerdote, graviores surgunt difficultates, Conferentiae episcopales, iuxta normas pro usu huius ordinis, n. 3a, determinare debent, utrum catechumeni a patrinis Cruce signandi sint, an se ipsos Cruce signent, dum sacerdos idem*

*signum Crucis super omnes simul producit et formulam pronuntiat in plurali.*

10. *Postea denuo singuli ante sacerdotem praetereunt, et ipse pollice signat singulos signo Crucis in fronte dicens:*

Signo tibi fron ✝ tem, ut suscípias Crucem Dómini.

*In auribus:*

Signo tibi au ✝ res, ut áudias divína praecépta.

*In oculis:*

Signo tibi ócu ✝ los, ut vídeas claritátem Dei.

*In naribus:*

Signo tibi na ✝ res, ut odórem suavitátis Christi séntias.

*In ore:*

Signo tibi os ✝ , ut loquáris verba divína.

*In pectore:*

Signo tibi pec ✝ tus, ut credas in Deum.

*In scapulis:*

Signo tibi scá ✝ pulas, ut suscípias iugum servitútis eius.

*Si vero numerus catechumenorum sat magnus sit, nil prohibet quominus hae caeremoniae a pluribus sacerdotibus peragantur.*

*Denique erga electos sat magnum signum Crucis producit, dicens:*

Signo vos omnes in nómine Patris et Fílii, ✝ et Spíritus Sancti, ut habeátis vitam aetérnam et vivátis in saécula saeculórum.

*Omnes: Amen.*

Orémus.

*(In singulari pro singulo)*

*Oremus*

Preces nostras, quæsumus, Dómine, cleménter exáudi, et hos eléctos tuos (has eléctas tuas) N.N., Crucis dominicæ impressióne signátos (-as), perpétua virtúte custódi: ut, mag-

nitúdinis glóriæ tuæ rudiménta servántes, per custódiam mandatórum tuórum ad regeneratiónis glóriam pervenire mereántur. Per Christum Dóminum nostrum.

R. Amen.

Orémus.

*Oratio*

Deus, qui humáni géneri ita es cónditor, ut sis etiam reformátor, propitiáre pópulis adoptívis, et novo testaménto sóbolem novæ prolis adscribe: ut, filii promissiónis, quod non potuérunt ássequi per natúram, gáudeant se recepísse per grátiam. Per Christum Dóminum nostrum.

R. Amen.

10a. *Ubi vero, iuxta ea quae superius, ad n. 9a dicta sunt, signum Crucis ab ipso sacerdote super catechumenos effici non possit, ipsi catechumeni, proprio loco manentes, pollice se signant in respectivo corporis loco, dum sacerdos manu signa Crucis versus eos producit, dicens:*

Signo vobis frons ✠ tem, ut suscipiátis Crucem Dómini.

*In auribus:*

Signo vobis aures ✠ res, ut audiátis divína præcépta.

*In oculis:*

Signo vobis oculus ✠ los, ut videátis claritátem Dei.

*In naribus:*

Signo vobis nares ✠ res, ut odórem suavitátis Christi sentiátis.

*In ore:*

Signo vobis os ✠ tus, ut loquámini verba vitæ.

*In pectore:*

Signo vobis pectus ✠ tus, ut credátis in Deum.

*In scapulis:*

Signo vobis scapulae ✠ pulas, ut suscipiátis iugum servitútis eius.

11. *Tunc extendit manum super electos et dicit:*

Orémus. (In singulari pro singulo) Oremus

Omnípotens, sempitérne Deus, Pater Dómini nostri Iesu Christi, respícere dignáre super hos fámulos tuos, quos (has fámulas tuas, quas) ad rudiménta fídei vocáre dignátus es: omnem cæcitatém cordis ab eis expélle: disrúmpe omnes láqueos sá-tanæ, quibus fúerant colligáti(-æ): áperi eis, Dómine, iánuam pietátis tuæ, ut, signo sapiéntiæ imbúti(-æ), ómnium cupiditátum fœtóribus cáreant, et ad suávem odórem præceptórum tuórum læti(-æ) tibi in Ecclésia tua desérvant, et proficiant de die in diem, ut idónei(-æ) efficiántur accédere ad grátiam Baptísmi tui, percépta medicína. Per eúmdem Christum Dó-minum nostrum.

R. Amen.

12. *Tandem sacerdos dicit (in singulari pro singulo):*

Ite in pace et Dóminus sit vobíscum.

Omnes: Amen.

(Continuabitur)

## SACRA CONGREGATIO CONSISTORIALIS

BULLAE ELECTIONIS MONS. J. W. REGAN AD  
DIGNITATEM EPISCOPALEM

JOANNES EPISCOPUS, SERVUS SERVORUM DEI

dilecto filio JOSEPHO WILLELMO REGAN Sodali Societatis de Maryknoll pro missionibus exteris, electo Episcopo titulo Irindensi eidemque sacro renuntiato Praesuli praelaturae nullius Tagamnae, salutem et apostolicam benedictionem. Qui die tertiodecimo mensis ianuarii, hoc anno, per apostolicas sub plumbo litteras, quibus initium “quandoquidem studium”, praelaturam nullius dioecesis Tagamnam constituimus eamque metropolitanae Sedi Cagayanae suffraganeam fecimus, eidem Nos hodie sacrorum a quo regeretur Antistitem assignare censuimus. Cum ideo is Tu sis, dilecte fili, tuis scilicet animi et ingenii spectatis virtutibus, qui spem optimam facias christianorum creditum gregem Te esse custoditurum perque rectam aeternae salutis semitam directurum, de sententia venerabilium Fratrum Nostrorum S.R.E. Cardinalium, qui sacris praesunt Consistorialibus Negotiis deque summa et apostolica Nostra potestate, Praelatum Ordinarium Ecclesiae Tagamnae nominamus hisque litteris renuntiamus, simulque curam Tibi omnemque administrationem damus sive rerum religiosarum sive temporalium bonorum quae possidet cum iuribus et obligationibus ad munus ordinemque tuum pertinentibus. Ut vero, qua par est, digna apud fideles tuos dignitate polleas, episcopalis Sedis IRINDENSIS Te titulo insignimus, in praesens vacantis per translationem venerabilis Fratris Leonis Josephi Suenens ad Mechliniensem Archidioecesim. Huius item dignitatis privilegia omnia habebis congruisque obstringeris officiis, quibus ceteri per terrarum orbem titulares Episcopi. Maiori autem commoditati tuae studentes, sinimus ut episcopalem consecrationem extra urbem Romam accipias a quovis Episcopo, cui duo assint aequalis dignitatis viri, qui omnes sint Nobiscum et cum Apostolica Sede sinceris fidei vinculis coniuncti. Antequam tamen id fiat, tuum erit ritalem catholicae fidei professionem facere, teste quolibet sacro Praesule, et ipso sacratissimam Petri Cathedram colente, atque utrumque ius iurandum dare, fidelitatis erga Nos et Successores Nostros, et contra modernistarum haeresim. Quibus peractis, formularum exemplar iuxta quas iuraveris, rite subscriptas ad Sacram Congregationem Consistorialem quam primum mittenda curabis. Ceterum,



dilecte Fili, vota facimus ut propitius Tibi assit Christus laboresque tuos sanctificet.

Datum Romae, apud S. Petrum, Calendis Februariis anno Domini millesimo nongentesimo sexagesimo secundo, Pontificatus Nostri quarta. F—T.

JACOBUS A. CARD. COPELLO  
S.R.E. *Cancellarius*

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## NUNTIIUM PONTIFICIUM AD ARCHIEPISCOPUM CAGAYANUM

JOANNES EPISCOPUS, SERVUS SERVORUM DEI

venerabili Fratri Archiepiscopo Metropolitanae Cagayano, salutem et apostolicam benedictionem. Muneris Nostri esse censemus certiore Te facere, venerabilis Frater, hodie Nos rebus consuluisse praelaturae nullius Tagamnae, quam ut probe nosti, die tertio decimo mensis januarii, hoc anno, per apostolicas, sub plumbo Litteras "Quandoquidem studim" fundavimus tuaeque metropolitanae Sedi suffraganeam constituimus, eiusdem scilicet sacrorum electo renuntiatoque Antistite. Est ideo, quem post auditos venerabiles Fratres Nostros S.R.E. Cardinales sacrae Congregationi Consistoriali prepositos, de suprema potestate Nostra elegimus, dilectus Filius JOSEPHUS VILLELMUS REGAN, sodalis Societatis de Maryknoll pro missionibus exteris. Cui non modo curam, regimen et administrationem commissae Sedis dedimus, sed etiam titulum Ecclesiae Isindensis, vacantis postquam venerabilis Frater Leo Josephus Suenens factus est Archiepiscopus Mechliniensis, cum iuribus et officiis congruis. Quae postquam Tecum de more communicavimus, hortamus, venerabilis Frater, ut Tagamnum Praelatum suffraganeum tuum, et, qua est in Nos et Apostolicam Sedem reverentia et obsequio, benigne excipias, et ut eum adiuves quoties ad Te venerit, consilii auxiliivae quaerendi gratia. Ceterum Te valere iubemus, in quem omnipotentem Dei gratiam et opem amantissime precamur.

Datum Romae, apud S. Petrum, Calendis februariis, anno Domini millesimo nongentesimo sexagesimo secundo, Pontificatus Nostri quarto. —F.T.—

JACOBUS A. CARD. COPELLO  
S.R.E. *Cancellarius*

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NUNTIIUM AD CLERUM ET POPULUM  
PRAELATURAE TAGAMNAE

JOANNES EPISCOPUS, SERVUS SERVORUM DEI

dilectis Filiis e clero populoque universae praelaturae nullius TAGAMNAE, salutem et apostolicam benedictionem.

Sincero animo vobis has Litteras Nostras fore arbitramur, dilecti Filii, quibus, muneri Nostro satisfaciens, nuntiamus vestrae praelaturae nullius, quam per apostolicas sub plumbo Litteras "Quandoquidem studium" die tertio decimo mensis januarii, hoc anno, datas fundavimus, Pastorum dedisse. De sententia enim venerabilium Fratrum Nostrorum S.R.E. Cardinalium, qui sacro praesunt Consistoriali Consilio deque suprema Nostra potestate ad eam Praelatum Ordinarium misimus dilectum Filium JOSEPHUM WILLELMUM REGAN, sodalem Societatis de Mariknoll pro missionibus exteris, quem simul Episcopum titulo Isindensem creavimus, iustis datis iuribus, oneribus impositis. Vos igitur, dilecti Filii, paterno animo iubemus ut sacrum vestrum Antistitem excipiat eiusque monitis ac mandatis alacri obsequio pareatis, ut ex spectata Pastoris sollertia et ex filiorum concordia Ecclesia vestra sanctitate floreat uberiusque in dies proficiat. Volumus denique ut haec Litterae Nostrae publice in praelatio templo legantur clero ac populo, cum primum post eas acceptas eo convenerint, diem festum de praecepto celebraturi.

Datum Romae, apud Sanctum Petrum, Calendis Februariis, anno Domini millesimo nongentesimo sexagesimo secundo, Pontificatus Nostri quarto.  
—F.T.—

JACOBUS A. CARD. COPELLO  
S.R.E. *Cancellarius*

FRANCISCUS TINELLO, *Regens*

FRANCISCUS HANNIBAL FERRETTI, *Prot. Apost.*  
ALBERTUS SERAFINI, *Prot. Apost.*

Expedita die XXIII Febr. Pontf. IV

RODOMONS GAILICANI, *pro Plumbatore*

In Canc. Ap. tab. vol. CVIII N. 52

## Nuntiatura Apostolica

### TAGAMNAE

#### Praelaturae nullius Erectionis

#### DECRETUM EXSECUTORIUM

Litteris Apostolicis sub plumbo datis die tertio decimo mensis Januarii, anno millesimo nongentesimo sexagesimo secundo, quaeque QUANDO-QUIDEM STUDIUM inscribuntur, Sanctissimus Dominus Noster Joannes Divina Providentia Papa XXIII, praecunte consilio Exc.mi D.ni Salvatoris Siño, Achiepiscopi titulo Pergensis et in Insulis Philippinis Nuntii Apostolici, auditoque Exc.mo Praesule Praelato nullius Davaensi, a territorio Praelaturae nullius Davaensis partem separavit qua novam Praelaturam nullius, ab urbe Tagum TAGAMNAM appellandam, condidit.

Ut autem omnia rite perficiantur quae ad erectionem novae huius Praelaturae spectant et in memoratis Apostolicis Litteris decernuntur, idem Sanctissimus Dominus Noster necessarias facultates infrascripto Nuntio Apostolico tribuere dignatus est. Quibus usi facultatibus, ea quae infra ponuntur praesenti Decreto executioni mandamus:

- 1) Praelatura nullius erigitur Tagamna cuius confinis erit: ad septemtrionem, dioecesi Surigensi, seu civilibus provinciis Surigao et Agusan; ad orientem solem, Oceano Pacifico; ad occasum, Archidioecesi Cagayanae; ad meridiem, Praelaturae nullius et Sinui Davaensi: eadem Praelatura Tagamna metropolitanae Sedi Cagayanae tamquam suffraganea subiicitur, eiusque Praelatus Metropolitanus Cagayano obnoxius;
- 2) Novae Praelaturae caput urbs Tagum erit, in qua Praelatus domicilium collocabit; templumque ibidem extans, Jesu Christo Regi sacrum, ad dignitatem aedis praelaticiae cum iuribus et privilegiis extollitur;
- 3) Mensa, quam dicunt, fiet: Curiae emolumentis, fidelium collationibus, bonorum parte quae Praelaturae obvenient secundum canonis 1500 C.J.C. praescriptum;

4) Praelato Tagamno maximae curae erit ut Seminarium ad normam legum ecclesiasticarum quam primum aedificet, e quo iuvenes qui optimi fuerint Romam suo tempore mittantur, in Pontificium Collegium-Seminarium Philippinum;

5) Ad Ecclesiae Tagamnae regimen et administrationem quod attinet, cleri populiue iura et onera et huiusmodi, praescripta sacrorum Canonum adamussim servantur;

6) Praesenti Decreto promulgato, Sacerdotes saeculares, si adsint, ei Sedi addicantur in qua beneficium vel officium habeant; ceteri clerici et sacri Seminarii alumni ei in qua legitime degant.

Quae omnia hucusque disposita vim suam retinere iugiter volumus, cum omnibus effectibus qui ex Iuris Canonici praescriptionibus sequuntur, ita ut ab iis quorum res est fideliter servantur: contrariis quibuslibet minime obstantibus.

Praecipimus denique ut, cum primum fas erit, acta et documenta ad novam Praelaturam eiusve fideles respicientia a Curia Davaensi ad Curiam Tagamnam mittantur, ibidem religiose custodienda.

Datum Manilae, ex aedibus Nuntiaturae Apostolicae, die 14 mensis aprilis anno Domini 1962.

✠ SALVATOR SIINO

*Archiepiscopus Pergensis  
Nuntius Apostolicus*

AUGUSTINUS CACCIAVILLAN

*A Secretis*

## CATHOLIC HIERARCHY OF THE PHILIPPINES

RE: RESCRIPT (N. 72060/D, April 25, 1961)

TO: THEIR EXCELLENCIES, THE MOST REVEREND  
MEMBERS OF THE HIERARCHY

We are pleased to furnish Your Excellencies copy of the Rescript (N. 72060/D, April 25, 1962) from the Sacred Congregation of the Council concerning the transfer of the obligation of fast and abstinence from December 7th to August 14th:

Beatissime Pater,

"Archiepiscopus CAEBUANUS, in Insulis Philippinis, qua Praeses Consilii Administrativi, "Catholic Welfare Organization", expostulat nomine ceterorum Episcoporum Nationis ut obligatio abstinentiam et jejunium in pervigilio festi Immaculae Conceptionis Beatae Mariae Virginis servandi transferatur ad pervigilium festivitatis Beatae Mariae Virginis ad Coelum Assumptae.

Ratio est:

In postremo Coetu, mense februario habito, Episcopi pervenerunt ad praefatam decisionem eo quod multae paroeciae habeant titulum Immaculatam Conceptionem Beatae Mariae Virginis, qua occasione peraguntur sollemnitates sociales et familiares.

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SACRA CONGREGATIO CONCILII, attentis expositis, benigne concedit facultatem, per quinquennium, transferendi obligationem abstinentiam et jejunium

servandi in pervigilio festivitatis Immaculatae Conceptionis B. Mariae Virginis ad pervigilium solemnitatis B. Mariae Virginis ad Coelum Assumptae."

Datum Romae, die 25 Aprilis 1962.

(Sgd.) P. CARD. CIRIACI, *Prefectus*

(Seal of the S.  
C. of the Council)

Respectfully submitted:

REV. MARIANO G. GAVIOLA  
*Secretary General*

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## COMISARIA DE TIERRA SANTA

June 18, 1962

Dear friends of the Holy Land,

I would like to make known to you that not long ago, last April, I was appointed "Comisario de Tierra Santa en Filipinas". As Commissary, I gladly offer my services in any and everything concerning the Holy Places.

Respectfully I wish to remind you about the collection taken up on Good Friday for the Holy Land. It is my intention to publish in this "Boletin" the amount sent by the different Archdioceses, etc. in the Philippines. This will be done next year in February. To make this report possible, I beg you to send the money, given by the faithful for the Holy Land Places, during the current year as soon as possible.

Annually I must send this same report to Rome.

I wish to thank you for your generous cooperation and interest in these Holy Places, sanctified by the life of our Lord Jesus Christ.

Most gratefully yours in Christ,

FR. HONORATO IBAÑEZ, O.F.M.  
Santuario de San Antonio  
Forbes Park, Makati, Rizal

## DOCTRINAL SECTION

### REASONS AUTHORIZING OR JUSTIFYING CIVIL LEGAL SEPARATION

Under the present law, there are two grounds, in either of which legal separation may be decreed by a competent court, namely:

- (1) Adultery on the part of the wife and concubinage on the part of the husband as defined in the Revised Penal Code; or
- (2) An attempt by one spouse against the life of the other.<sup>1</sup>

These bases or grounds were taken under the *Las Siete Partidas* and also from the old civil code which provided six grounds or causes of separation. Under the present code which became effective on August 30, 1950, the grounds provided are the same except that it has added attempt against the life of the other spouse. Under the old Civil Code and Act No. 2710 previous criminal conviction is required. This has been done away by the new Civil Code because now a previous criminal conviction is no longer required. The act of adultery or concubinage may be proved at the hearing of petition for legal separation by a preponderance of evidence. As to whether adultery or concubinage exist the provisions of the Revised Penal Code should apply.

#### ADULTERY

The Revised Penal Code defines adultery as

Adultery is committed by any married woman who shall have sexual intercourse with a man not her husband and by the man who has carnal knowledge of her, knowing her to be married, even if the marriage be subsequently declared void.<sup>2</sup>

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<sup>1</sup> Art. 97 — *New Civil Code, Republic Act No. 386* (Manila: Bureau of Printing, 1956) (hereafter cited as *N.C.C.*).

<sup>2</sup> Art. 333. — *Revised Penal Code* (Manila: Bureau of Printing, 1953) (hereafter cited as *R.P.C.*).

The violation of the marital vow is the fundamental ground for the punishment of adultery. But while penalizing the woman's infidelity, the law also seeks to prevent the introduction of spurious heirs into the family through the unfaithful woman. The gist of the crime under Spanish law, is the danger of introducing spurious heirs into the family, whereby the rights of the real heirs may be impaired and a man may be charged with the maintenance of a family not his own.<sup>3</sup>

The persons who may be punished for the crime of adultery under Article 333 are: (1) the married woman who commits sexual intercourse with a man not her husband; and (2) the man who has carnal knowledge of her, knowing her to be married. If a person performs the acts of an accomplice by informing the accused of the absence of the husband of the married woman and by watching for his return, said person cannot be punished as an accomplice, although he may be one in fact. The reason for this exemption is based on the nature of the crime of adultery which is punished upon the complaint of the husband against his wife and the paramour in the restrictive sense and, therefore, cannot include any other person.<sup>4</sup>

**Elements of the Offense.** — To convict a woman of the crime of adultery, the following elements must be proved: (1) that she is a married woman; and (2) that she unites in sexual intercourse with a man not her husband.

To convict the man who has taken carnal knowledge of such married woman, the following elements must be proved: (1) that he had sexual intercourse with a married woman; and (2) that he committed the act with knowledge that said woman is married. It is immaterial for the conviction of the man, that he be married or single.

Adultery on the part of the husband is not a ground for legal separation, unless of course said act also constitutes concubinage. But concubinage on the part of the wife carries with it automatically adultery, for then a concubine, if she happens to be married, is also supposed to have had "carnal knowledge of a man other than her husband." If a wife has been convicted of concubinage, all that her husband would have to do in a civil case for legal separation would be to present the final judgment of conviction in the concubinage case and to use the same for conclusive proof of his wife's adultery.<sup>5</sup>

**Coition.** — The common physical constitutive element of the crime of adultery is sexual intercourse. Before examining the extrinsic elements

<sup>3</sup> U.S. vs. MATA, 18 Phil. 490, 494.

<sup>4</sup> GREGORIO, A., and FERIA, LUIS, *Comments on the Revised Penal Code* (2 vols., Manila: Central Book Supply, Inc., 1959), II, p. 526.

<sup>5</sup> PARAS, EDUARDO, L., *Civil Code of the Philippines, Annotated* (5 vols., Manila: Rex Book Store, 1959), I, p. 46.



that surround the offense, the physical act itself will have to be determined, if possible, down to its specific components.

Coition or sexual intercourse is the penetration of the woman's vagina by the male organ with or without seminal emission. There need not have been an emission.<sup>6</sup> Attempted or frustrated adultery is not contemplated by law. The law looks only to actual consummation.<sup>7</sup>

**Adultery is not a continuing offense.** — Adultery is a crime of result and not of tendency; it is instantaneous crime which is consummated and exhausted or completed at the moment of the carnal union. Each sexual intercourse constitutes a crime of adultery.<sup>8</sup> True, two or more adulterous acts committed by the same defendants are against the same person—offended husband, the same status—the union of the husband and wife by their marriage, and the same community represented by the state for its interest in maintaining and preserving such status. But this identity of the offended party, status and society does not argue against the commission of the crime of adultery as many times as there were carnal acts consummated. For as long as the status remains unchanged, the nexus undissolved and unbroken, any encroachment or trespass upon that status constitutes a crime. There is no constitutional or legal provision which bars the filing of as many complaints for adultery as there were adulterous acts committed, each constituting one crime.<sup>9</sup>

**Criminal Intent.** — It is very generally said that the existence of a criminal intent is an element of the crime of adultery—that is, where the defendant, knowing the existence of the facts which would constitute the sexual act a crime, nevertheless indulged in the act. As in the case of many other crimes, however, intent may be inferred from the act done. A married woman voluntarily having illicit relations with a man not her husband will be conclusively deemed to have the intent which her acts naturally and necessarily manifest. Nor is it necessary, to constitute adultery, that there is a joint criminal intent.<sup>10</sup> No criminal intent is required in the crime of adultery except that which necessarily springs from the voluntary commission of the sexual act.

But when a woman is coerced, as in the case of rape,<sup>11</sup> or when the spouse is bereft of intelligence as during insanity,<sup>12</sup> the sexual intercourse

<sup>6</sup> COM v. HUSSEY, 32 N. E. 362; 157 MASS. 415.

<sup>7</sup> GREGORIO AND FERIA, *Op. cit.*, II, p. 521.

<sup>8</sup> U. S. vs. VILLAFUERTE, 18 Phil. 490.

<sup>9</sup> KAPUNAN, F., *Revised Penal Code Annotated* (2 vols., Manila: Philaw Publishing Co., 1951), I, p. 1008.

<sup>10</sup> STATE v. GOODENOW, 65 ME 30; REYNOLDS v. U.S., 98 U.S., 145; FOX v. STATE, 3 Tex App. 324; 30 AM ST Rep. 144.

<sup>11</sup> PEOPLE v. CHAPMAN, 62 MICH 280; 28 N.W. 986; 4 AM ST Rep. 857; BARNEY v. BARNEY, 118 ALA 628.

<sup>12</sup> NICHOLS v. NICHOLS, 31 VT 328; 73 AM DEC. 352; BROADSTREET

is not adultery, because it is not voluntary. Mistake of fact may prevent an act of intercourse from being adultery; as where a woman has intercourse with a man under the belief that he is her husband, or where she has married the person with whom she has intercourse under the belief that her husband was dead.<sup>13</sup> Mistake of law, however, is no defense. Belief in the right to have more than one wife would not prevent the intercourse from being adulterous,<sup>14</sup> nor would a spouse's belief that, after desertion by the other spouse, he could remarry.<sup>15</sup>

**Proof of coition.** — The nature of the crime of adultery is such that it will not be often when it can be established by direct evidence. Nevertheless strong circumstantial and corroborative evidence such as will lead the guarded discretion of a reasonable and just man to the conclusion that the alleged act has been committed is sufficient to sustain a conviction of adultery. Thus, where a man and a woman are found in a hotel room, the woman sitting on the bed and the man in the act of dressing, such a situation would sufficiently show the commission of the adulterous act.

When a man and woman enter the privacy of such a room and a few hours after, the woman is seen sitting on the bed and the man standing near her in the act of dressing, one is inclined to believe that they had committed the act imputed to them. The appellant would not take a woman to a private room of a hotel if his intention was merely to advise her as to what action she would take with respect to her marital troubles.<sup>16</sup>

**Adultery on the Part of the Woman.** — The first and common constitutive element of the crime of adultery is coition as discussed in the foregoing paragraphs. However, coition between unmarried people is not adultery. The woman at least, must be legally married in order that the crime may exist. The legitimacy of the marriage relation between the offended party and the defendant is one of the circumstances which must necessarily attend the crime of adultery.<sup>17</sup> Thus, even if a man and a woman have been living as husband and wife for so many years, have several children and are considered by the community as married, if they have not been legally married, the woman cannot be held guilty of adultery. The marriage relation between the woman accused of adultery and the

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v. BROADSTREET, 7 MASS 474; WRAY v. WRAY, 19 ALA 522; 33 ALA 187; MIMS, 33 ALA 98; LAUDO v. LAUDO, 188 App. Div. 699; 177 N. Y. S. 396.

<sup>13</sup> VALLEAU, 6 Paige, 207. Of course, this does not apply if the intercourse under the second marriage is continued after knowledge that the first spouse is still living.—Cf. MATHEWSON v. MATHEWSON, 18 R. I. 456; 28 A. 801; 49 AM ST Rep. 782.

<sup>14</sup> REYNOLDS v. U. S., 98 U. S. 145.

<sup>15</sup> DUNN v. DUNN, 156 MISS 132; 125 SO 562.

<sup>16</sup> PEOPLE vs. PANGAN, et AL., CA-G.R. No. 5067 (Dec. 28, 1940).

<sup>17</sup> U. S. vs. VILLAFUERTE AND RABANO, 4 Phil. 476.

offended party, to be considered valid, must have been solemnized in accordance with the requirements of the law on marriages contained in the Civil Code.<sup>18</sup>

**Voidable Marriage Not a Defense.** — For adultery to exist, there must be marriage although it be subsequently annulled.<sup>19</sup> But the fact that the marriage be voidable, does not exempt a married woman from the crime of adultery, if she has carnal intercourse with another man not her husband. Until the marriage is dissolved by judicial pronouncement, her marriage is presumed to be valid.

... the lawmakers intended to declare adulterous the infidelity of a married woman to her marital vows, even though it should be made to appear that she is entitled to have her married contract declared null and void, until and unless she actually secures a formal juridical declaration to that effect.<sup>20</sup>

The marriage must be declared to be null and void in order that the bond may be severed. Until it is so declared, until by competent authority in a final judgment the marriage contract is set aside, the offense to the vows taken and the attack on the family exists—the adultery reunites the essential conditions required for its punishment.<sup>21</sup>

**Proof of Marriage.** — In a criminal complaint of adultery, the alleged marriage of the complaining witness with one of the defendants must be established beyond reasonable doubt. A judgment of conviction carries with it not merely the infliction of the prescribed penalties upon the offenders, but also the possibility of indirect consequences affecting the family relations and property interests of those connected with the married couple by ties of blood or affinity.

It follows that nothing short of the best available evidence should be accepted as satisfactory proof of the marriage. A judgment of conviction should not be based upon vague, indefinite or uncertain oral testimony. The positive testimony of manifestly hostile witnesses is naturally suspect. Official records or certificates of the celebration of marriage will ordinarily suffice. It should not be understood to mean that the proof of marriage must always be documentary.

If a man and a woman are married, the declaration of either of them is competent evidence to show the fact. No witness is more competent than they are. Whether the declaration of a husband alone is sufficient to prove that fact must depend upon each particular case. There might, perchance, be a case where

<sup>18</sup> Art. 53—N.C.C.

<sup>19</sup> U. S. vs. MATA, 18 Phil. 490.

<sup>20</sup> U. S. vs. MATA, 18, Phil. 492.

<sup>21</sup> U. S. vs. VERZOLA, 33 Phil. 285.

the judge would not believe the declaration of the husband or wife upon the question of the marriage. In such case the corroborative proof might become necessary. Corroboration of the fact is not absolutely necessary if the declaration of either the husband or wife is sufficient to satisfy the conscience of the court.<sup>22</sup>

**Presumption of Marriage.** — Although no certificate of marriage has been introduced in evidence to establish the marital relations between the offended party and the defendant, yet, if both parties have been living together and have been known as husband and wife, the presumption, no proof to the contrary having been adduced, is that they were legally united by the bonds of matrimony. Thus, the *Rules of Court* lay down the disputable presumption that "a man and woman deporting themselves as husband and wife have entered into a lawful contract of marriage."<sup>23</sup>

**Mitigating Circumstances.** — The fact that the husband abandoned his wife and left her in poverty without means of obtaining a livelihood does not justify her nor free her from criminal responsibility by any breach of the fidelity she owed her husband. She has means within the law to compel him to fulfill the duties imposed upon him by marriage.<sup>24</sup> However, it has the effect of reducing the penalty prescribed for the crime of adultery to that next lower in degree.<sup>25</sup>

A woman's belief that her husband is dead may constitute a mitigating circumstance. Motivated by sheer necessity and by her belief that the man to whom she owed faithfulness was no more, she might commit an indiscretion not so fully reprehensible, as one committed under ordinary circumstances.<sup>26</sup>

**Adultery on the Part of Man.** — In addition to actual coition, the *Revised Penal Code* requires a second formal element with respect to the man. Knowledge that the woman is married is an essential element that must be established if he is to be convicted of adultery. If he believes her single, or does not know whether she is married or single, the culpable intention is absent; the paramour designs no offense to the honor of any husband. He cannot be charged with intentionally cooperating in an act essential to the woman's violation of her marital vow. The mere fact, for instance, that the woman has a mother-in-law is not sufficient knowledge that she is married, for even widows have mother-in-laws. The necessity of this proof becomes more acute where the woman at the time of her

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<sup>22</sup> U. S. vs. NEBRIDA AND SAORDA, 32 Phil. 160.

<sup>23</sup> U. S. vs. VILLAFUERTE AND RABANO, 4 Phil. 476.

<sup>24</sup> U. S. vs. SERRANO, 28 Phil. 230, 232.

<sup>25</sup> Art. 333, par. 3—R.P.C.

<sup>26</sup> PEOPLE vs. ALBERTO, ET AL., 47 O. G. 2438, 2442.

indiscretion, was living and had for several years lived separately from her husband, because then her married status would not be known at all.<sup>27</sup>

**Knowledge on Part of Paramour.**— While the physical act cannot be committed except by the concurrence of two persons, their responsibility is not the same, for it is not essential for the existence of the crime that there must be a joint criminal intent. Two bodies may concur in the commission of the same physical act, but it may happen that one does not incur the criminal liability at all, while the other does. However a clear distinction must be maintained between criminal liability and moral culpability. No man who holds sexual relations with a woman not his wife can be said to be "innocent" whether he knows she is married or not. The law puts on the man the shield of ignorance that effects his criminal liability. His knowledge of married status of the woman must be proven before conviction can be had. The absence of conviction simply means failure to prove a "state of mind" required by law, not failure to prove moral guilt.<sup>28</sup> The law simply presumes that if he was unaware of a woman's married status, he designs no offense to the honour of the husband. Neither does he cooperate with the wilful violation of the married woman's marital vow.

On the other hand, where at the beginning, the man did not know of the woman's married status and continues his illicit relations with the woman after he had gained knowledge of such status, the man cannot escape liability on the ground that at the commencement of their relations, he did not know of the married status of the woman.<sup>29</sup>

**Effect of Acquittal of One of the Accused.**— The acquittal of one of the two defendants does not operate in the acquittal of the other. Thus where a woman has sexual intercourse with a man not her husband, she commits adultery, but it does not necessarily follow that the man is also guilty. If the co-accused proves convincingly that he did not know of the married status of his co-accused, he is entitled to acquittal.

If a man lies with a married woman, knowing her to be married, he commits the crime of adultery. If a married woman lies with a man who is not her husband, she likewise commits the crime of adultery. In order to constitute adultery in either instance, there must be a joint physical act. Both bodies—that of the man and the woman—must concur in the act. Must there also be in every case a joint criminal intent? We think not. While the criminal intent may exist in the mind of the one party to the physical act, there may be no such intent in the mind of

<sup>27</sup> PEOPLE vs. BUSTAMANTE, ET AL., CA—G. R. No. 44225 (March 3, 1937).

<sup>28</sup> U. S. vs. TOPINO AND GUZMAN, 35 Phil. 901, 909—910.

<sup>29</sup> U. S. vs. TOPINO AND GUZMAN, 35 Phil. 912.

the other party. One may be guilty of the criminal intent, the other innocent, and yet the physical act necessary to constitute adultery may be complete. So, if the man had no knowledge that the woman was married, he would be innocent, in so far as the crime of adultery is concerned, and the woman guilty. The one would have to be acquitted and the other found guilty although they were tried together<sup>30</sup>.

Hence where a man and woman are charged in the same complaint with the crime of adultery the acquittal of the man, although the offense is one which can only be committed by two persons, does not operate to the acquittal of the woman.

**Effect of the Death of Paramour.** — Would the death of one of the offenders bar the prosecution against the other culprit for the crime of adultery? At first blush, it would seem that the question admits of a negative answer, taking into consideration the theory of indivisibility of the crime. It will be noted however, that while the law requires that the complaint for adultery should be filed against both offenders, based precisely on the indivisibility of the felony, that requirement is absolute only when the two offenders are alive. The death of one of the offenders may be likened to the acquittal of one of the parties, and in the same way that such acquittal does not necessarily operate to the acquittal of the other, the death of one of the offenders should not be a bar to the prosecution of the other.<sup>31</sup>

**Effect of Death of Offended Spouse.** — The death of the offended husband or wife during the pendency of the case, that is after the commencement of the action or during appeal, will not extinguish the liability of the offenders. From the time, the offended spouse had filed the complaint, the case passes into the hands of the public prosecutor: the crime ceases to be a private crime and the intervention of the offended spouse is no longer necessary. Moreover, the honor of the offended spouse survives his death and what is sought in the prosecution of the offending spouse and his or her paramour is the vindication of that honor.

Por otro lado, no podemos asentir á la teoría de que el honor de una persona deja de existir desde el momento en que la misma muere. El artículo 353 del Código Penal Revisado incluye, dentro del concepto de la difamación, la imputación pública y maliciosa de un delito o de un vicio... que sea denigrante a la memoria de una persona difunta, lo cual indica que nuestras leyes protegen el honor y la reputación, no sólo de los que viven sino también de los que ya han pasado a mejor vida. De donde se

<sup>30</sup> U. S. vs. TOPINO AND GUZMAN, 35 Phil. 909—911.

<sup>31</sup> KAPUNAN, *op. cit.*, I, p. 1015.

infiere que el fallecimiento de la persona ofendida en un asunto de esta índole no debe ser motivo para que el mismo sea sobreseído<sup>32</sup>.

## CONCUBINAGE AND ELEMENTS OF THE OFFENSE

In accordance with article 334 of the Revised Penal Code, the crime of concubinage is committed in three different ways: (1) By keeping a mistress in the conjugal dwelling, or (2) By having sexual intercourse, under scandalous circumstances, with a woman who is not his wife, or (3) By cohabiting with her in any other place.

The most essential element of concubinage is that the man must be a married man, for the crime of concubinage like adultery, is a violation of the marital vow. To hold, therefore, a man guilty of the offense, it must be shown that he is a married person and that either he has kept a mistress in the conjugal dwelling or had sexual intercourse with a woman not his wife under scandalous circumstances, or cohabited with her elsewhere.

The act of concubinage of the husband with a woman other than his wife was anciently qualified as adultery by the laws of Titles 2, 9, and 10 of the *Fourth Partida*, a classification common to both crimes and so recognized in the decision of the Supreme Court of Spain of April 3, 1884<sup>33</sup>. Considering, however, that the infidelity of the husband does not bring into the family spurious offspring, as in cases of adultery of the woman, the lawmaker is not so severe and restraining with the violations of the marriage vows of the husband<sup>34</sup>.

**Keeping a Mistress in the Conjugal Dwelling.**— A married man who keeps a mistress in the conjugal dwelling is guilty of the crime of concubinage. It must be remembered that the act constituting the crime is that of keeping a concubine in the conjugal dwelling. Conjugal dwelling here means the place where the spouses habitually and maritally reside. Once a husband has been proved to be keeping a mistress in the conjugal dwelling, no positive proof of intercourse is necessary for conviction of the crime of concubinage. Thus in the case of *PEOPLE vs. BACON*, (CA) 44 O. G. 2760, it was held that "when the mistress lived in the dwelling of the spouses for two months, no positive proof of actual intercourse is necessary, it appearing that the mistress is pregnant not by any other man and that they were surprised in the same bed."

<sup>32</sup> PUEBLO contra DIEGO, CA—G. R. No. 1626 (Dec. 15, 1937).

<sup>33</sup> DE JESUS vs. PALMA, 34 Phil. 483.

<sup>34</sup> PEOPLE vs. SANTOS AND VERDEJO, 45 O. G. 2116.

Neither do scandalous circumstances make him guilty of the crime of concubinage. It is only when the mistress is kept elsewhere that "scandalous circumstances" become an element of the crime<sup>35</sup>.

**Sexual Intercourse Under Scandalous Circumstances.** — It needs scarcely be mentioned that due to the privacy in which the crime of concubinage ordinarily takes place, the law is at a disadvantage to prove the essential element for the accomplishment of the crime. Hence, it should readily be noted, that while the Code uses the words "Sexual intercourse under scandalous circumstances," those words should not be interpreted in their literal meaning. It is intended to mean "cohabiting under scandalous circumstances." This view is supported by the fact that the commission of sexual intercourse under scandalous circumstances could only take place if the carnal act is performed within public view and by the fact that in all cases on concubinage under the second case, the Supreme Court has always referred to cohabitation<sup>36</sup>.

In fact the old Penal Code provided the following:

Art. 437. El marido que tuviere manceba dentro de la casa conyugal ó fuera de ella con escándalo, será castigado con la pena de *prisión correccional* en sus grados mínimo y medio.

Evidently in the preparation of the draft of the *Revised Penal Code*, a mistake in the copying of the old Penal Code was committed.

*Scandalous circumstances.* — The law does not define what constitutes scandalous circumstances. Whether this element concurs in the commission of the act or acts of infidelity will have to be determined by the circumstances of each particular case.

Para apreciar que hay escándalo público será menester, según Viada, 'que se produzca por medio de hechos visibles que comúnmente causan en el ánimo de la persona que de moral se precia.' Donde no haya, pues, daño o publicidad de los actos inmorales, ni ofensa o publicidad de los actos inmorales, ni ofensa a la conciencia publica, no hay escándalo público<sup>37</sup>.

Scandal has been said to consist of any reprehensible word or deed that offends public conscience, redounds to the detriment of the feelings of honest persons, and gives occasion to the neighbor's spiritual damage or ruin. Said in other words, scandal is the effect that the knowledge of facts causes upon the sense of decorum and temperance inherent to cul-

<sup>35</sup> U. S. vs. MACABABBAG AND BALISI, 31 Phil. 257, 258.

<sup>36</sup> KAPUNAN, *op. cit.*, I, 1020.

<sup>37</sup> PUEBLO contra OCAMPO, O. G. No. 4930 (Agosto 31, 1940).



tured persons. So, for the existence of the crime of concubinage by having sexual intercourse under scandalous circumstances, the latter must be so imprudent and wanton as to offend modesty and that innate sense of morality and decency. It is an indispensable condition for convicting a married man of concubinage outside of his home, that his conduct produce scandal and set a bad example among his neighbors.

... The unlawful union of a married man with a woman not his wife, when the two live within a town and in the same house as lawful husband and wife, go together through the streets of the town, frequent places where large crowds gather, and commit acts in plain sight of the community without caution and with effrontery, is a procedure that gives rise to criticism and general protest among the neighbors and by its bad example offends the conscience and feelings of every moral person; and when these conditions attend the conduct of a married person it is indubitable that his concubinage with another woman, even though she does not live in his home, carried with it the circumstance of scandal required by the law to make his action criminal<sup>38</sup>.

The scandal produced by an immoral act is due to the bad example set and the offense against the virtuous sentiments of others.

**Cohabiting With a Woman Elsewhere Than the Conjugal Dwelling.**— The word “cohabit” has many different meanings, each depending upon the sense in which it is used. Here there is a law intended to prohibit a married man from keeping a mistress in his dwelling or anywhere else under scandalous circumstances. Hence the meaning of the word “cohabit” here must relate and be confined to the subject matter of the law itself. When used in that sense, it should be construed to mean to “dwell or live together as husband and wife although not legally married; to live together at bed and board<sup>39</sup>.

In another case, the Supreme Court also held that the term “cohabit” means to dwell together, in the manner of husband and wife for some period of time as distinguished from occasional, transient interviews for unlawful intercourse<sup>40</sup>.

Is a person who keeps a mistress in an apartment furnished by him guilty of concubinage even if he does not live or sleep with her at her place? The Court of appeals ruled thus:

Somos pues, de opinión que las relaciones ilícitas entre el marido y una mujer que no sea su esposa aunque no vivan bajo un mismo techo, y sostuvieran dichas relaciones con el mayor

<sup>38</sup> PEOPLE vs. SANTOS AND VERDEJO, 45 O. G., 2116.

<sup>39</sup> PEOPLE vs. PITOC, 43 Phil. 758, 761.

<sup>40</sup> PEOPLE vs. SANTOS AND VERDEJO, CA—G. R. No. 361 (Jan. 6, 1948).

sigilo, cae bajo la sanción penal del art. 334 de nuestro Código Penal Revisado<sup>41</sup>.

Under Philippine Jurisprudence, the Civil Code maintains a double standard i.e., the ground for the wife is adultery for the husband concubinage. For the husband, it is not mere sexual infidelity that constitutes a ground for legal separation. He must be found guilty of concubinage<sup>42</sup>. Explaining this difference, the *Las Siete Partidas* states:

Wherefore, the learned men declared that, although a married man might lie with another woman who had a husband, his own wife could not accuse him before the secular judge on this account. They consider this just for several reasons: First, because no injury or dishonor results to his own wife from adultery committed by a man with some other woman. Second, because from the adultery which his wife commits with another man, her husband becomes dishonored and injury may result to her husband, for if she becomes pregnant by the man with whom she committed adultery, the child of another would become an heir along with his own children, which could not happen to a wife from the adultery which her husband commits with another woman<sup>43</sup>.

The act of a wife in having sexual intercourse with any man not her husband will always constitute adultery, but the act of the husband in having sexual intercourse with a woman other than his wife will not always constitute concubinage.

REV. EMILIO STA. RITA, JR.

<sup>41</sup> PEOPLE vs. LUIS OCAMPO, CA—G. R. No. 4930 (August 31, 1940).

<sup>42</sup> Art. 97—N.C.C. A higher penalty is also imposed on the wife who has been convicted of adultery. The penalty for adultery on the part of a wife is 2 years, 4 months and 1 day to 6 years; while the husband guilty of concubinage is punished with a penalty of 6 months and 1 day to 2 years and 4 months. See Arts. 333-334—R.P.C.

<sup>43</sup> Law 1, Title 7, *Partidas* VII.

## PIEDAD MARIANA Y CONCILIO

En el curso de la 6 sesión de la Comisión Central Preparatoria del Concilio (1-10 de mayo), han sido examinados proyectos de constitución sobre la misión de los Obispos, la Iglesia, catequesis, los religiosos, el matrimonio, el calendario y el Oficio divino. La 7 sesión tendrá lugar en junio, siendo la última antes del Concilio.

Entre las cuestiones tratadas, la correspondiente a la Iglesia cobra un especial relieve en nuestra época de ecumenismo y de unión de los cristianos, en este Concilio ordenado a la renovación de la Iglesia y por tanto a la preparación de la unión. La cuestión de la Iglesia, tan pronto como se quiere situar el culto mariano en la vida cristiana, toma también una gran importancia.

Si la piedad mariana está extendida y se practica bajo sus múltiples formas en la Iglesia, y también, hasta un cierto punto, en las confesiones protestantes, el pensamiento mariano, las doctrinas marianas no son participadas igualmente por todos los cristianos, ni por todos los católicos. Unos afirman más, otros admiten menos. Las devociones marianas han conocido un amplio desarrollo en la Iglesia durante los últimos años, que continúa los grandes movimientos espirituales marianos del pasado, pero de una manera más universal, en todas las latitudes. Se reconoce a un católico por su rosario, y poco a poco la Iglesia ha venido a ser identificada con el culto mariano. Se nota que el culto y el pensamiento marianos son una dificultad que se manifiesta según dos corrientes; por una parte el entusiasmo sin medida, poco cuidadoso de los dogmas; por otra, un cierto desapego por temor de dificultar el ecumenismo.

Acaso no se ha nutrido el temor de que los fieles lleguen a estar ocupados de tal modo en los ejercicios del culto mariano que no lleguen a tener, prácticamente, tiempo para Nuestro Señor? Vieja objeción cuya carencia de fundamento conocemos bien, pues orando a la Virgen, es a Dios, es a Nuestro Señor a quién se ora; por la intercesión de María es a Dios a quién oramos dentro del cuadro del misterio de la salvación. La plegaria mariana va directamente a María, no como término sino como interesadora delante de Dios que no rehusa la mediación de María. Por tanto la

objección puede merecer la atención, porque subraya la necesidad de manifestar lo que parece consta por sí mismo, la verdadera finalidad de la plegaria y del culto, sin vaciar el culto mariano de lo que le es propio, y sin menoscabo del dogma de la comunión de los santos, y de la doctrina de la mediación y de la maternidad espiritual. Lo que puede resultar difícil a un teólogo (cf. el Congreso de Lourdes, 1958), el fiel lo comprende intuitivamente, y su oración mariana cuando se hace más intensa, le inspira más la frecuencia de los sacramentos, el culto eucarístico y la renovación de la vida moral.

No es uno de los menores servicios rendidos por Juan XXIII a la Iglesia, el de recordar, como repetidamente ha hecho, la Tradición en lo que concierne al culto mariano. Después del Sínodo de Roma, el Santo Padre insistió sobre la jerarquía de deberes: obedecer a los tres primeros mandamientos es un deber imperioso; las devociones particulares, incluso las marianas, no deben prácticamente desviarlo o incluso ponerle obstáculos, como de hecho puede ocurrir (p.e., cuando se debe elegir entre la misa dominical y una función mariana...). Más tarde, al Congreso mariano de Lisieux, 1961, hizo otra llamada a una mayor autenticidad: descartar todo lo que no responde a la tradición, permanecer fieles al sentido y al contenido del culto mariano tradicional de la Iglesia. Nuestro culto mariano debe ser "católico". El Papa ha puesto freno a la irresponsabilidad en las devociones, ha mostrado el ejemplo positivo de sus meditaciones del Rosario, llenas de Evangelio y de vida de la Iglesia. Ha hecho una llamada recientemente, en la exhortación del mes de mayo, a la invocación de María para la preparación de las almas al Concilio. Se equivocaría, pues, el que quisiese ver en esas llamadas al orden datos para minimizar las cuestiones marianas.

Sin embargo, una reserva y una discreción exageradas, podrían parecer oportunas, ante el diálogo con nuestros hermanos separados los protestantes. Igualmente, al centrar la piedad mariana en Cristo, se la podría vaciar de su contenido, por ejemplo en las meditaciones del Rosario, donde la parte que corresponde a la Santísima Virgen quedaría realmente disminuida. Se espera, pues, poner las cosas en su sitio y facilitar el diálogo. Pero se puede uno preguntar si la unión de los cristianos debe hacerse a costa de la Virgen o si es mas bien la Iglesia quien debe exponer, de manera mas explícitamente evangélica, la doctrina cristiana en su aspecto mariano. Entonces, todos los verdaderos discípulos de Cristo no podrán sino reconocer la voz auténtica del cristianismo.

Los católicos tienen la seguridad de que yendo a María serán conducidos a Cristo; el Avemaría llama al Padrenuestro. Por eso no se preocupan mucho en subrayar lo que para ellos es evidente: la subordinación de María a su Hijo. Para nuestros hermanos separados, alimentados sobre todo en la Biblia y adheridos al principio del culto al Dios único,

no hay sitio para el culto mariano. Nuestra caridad deberá inspirarnos los medios de manifestar cómo la plenitud del culto mariano no tiene nada de idolátrico, sino que al contrario, manifiesta la realidad de la especial intercesión de María. El problema de la unión es mucho más amplio; aquí sólo nos importaba destacar el aspecto de la cuestión mariana en la Iglesia. La unión de los cristianos no exige la disminución del culto mariano. Pero la renovación de la Iglesia querida por el Concilio, no exigirá que la jerarquía de valores quede mejor, estudiada, y que de hecho las devociones y la devoción mariana, inciten al cumplimiento de los deberes cristianos, tanto en el plano de la jerarquía de los ejercicios de culto, como en el plano de las ideas? Este esfuerzo no pretende vaciar a la piedad mariana de su contenido mariano, lo cual supondría un peligroso debilitamiento de la tradición, y el exceso contrario de aquél que el Papa ha querido indicar.

Deberá intentarse conocer mejor los sublimes privilegios de la Santísima Virgen, su papel corredentor en la obra de la salvación. De este modo, la fe en Cristo recibirá nuevas aportaciones. Además, el fin de la piedad mariana es el de entrar de un modo privilegiado en la vida de la gracia, bajo la guía de María, providencialmente elegida como "Madre de Cristo y Madre nuestra" (expresión muy usada por Juan XXIII). Nuestras meditaciones deberán inspirarse en la más amplia y profunda teología y espiritualidad marianas. Así, incluso los cristianos separados podrán constatar que: 1) la Virgen María depende totalmente de su Hijo; que su culto no es en modo alguno idolátrico; 2) la Virgen María ocupa un puesto elevadísimo, lo cual pone de relieve también la grandeza de la obra redentora.

El Concilio quiere poner de manifiesto la verdadera naturaleza del cristianismo. En el marco de esta preocupación de la Iglesia, la devoción mariana, tan universalizada, debe ejercer su propia misión, misión privilegiada como la de María, que no es la de fundar la religión cristiana sino la de promoverla intensamente.

P. R. MASSON, O.P.

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## PERSONAL CONTACT IN PREACHING THE GOSPEL

Apostolic in the fullest sense of the term, a model and an inspiration for all future ages was Our Lord's public life on earth. For His public ministry He journeyed untiringly through the towns and villages of His native land, announcing on all sides the glad tidings, doing good everywhere. He taught and preached wherever the occasion presented itself, in the open to the multitudes who gathered round Him, in the Temple, in the Synagogue, on the mountain at the lakeshore. He also taught in the intimacy of private conversation, as in the case of Nicodemus and of the Samaritan woman at Jacob's well. He considered no time or place unsuitable<sup>1</sup>. As we see from the example of Our Lord, we can preach God's word in different ways. We can address individuals, small groups, large gatherings, the masses. We can speak to them directly, at present by radio and T.V. or by having recourse to the written word. We can make Christ known through pictures, posters, films.

Yet, this time, we should like to stress that in order to reach the masses *effectively*, collective preaching to many people at the same time is not enough. Such preaching is necessarily impersonal, being addressed to a large number. It does not permit an exchange of views with each listener, nor any application to his particular needs and tendencies. In order to really enlighten and persuade intelligences, to touch hearts and bring them to the Lord, group preaching must be completed *by individual contacts, as experience proves*.

"This seems to have been suggested by the Savior Himself both by the forms of His mandate and by the example He set us. He send His apostles and his priests: "Ite." Therefore we, the priests, we must go to them in person. Does this "Ite" not condemn those who stay at home *waiting for the lukewarm. Christians until they come themselves to their residence?* It seems we must go ourselves to them, get in touch with them, get to know them personally, win their trust and speak to them. Is that

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<sup>1</sup> Cfr. *Spirituality in the priesthood*, William Stockunes, D.D.

not what the Lord did in Palestine? He who was always on the roads, mingling with the crowds, going into houses, speaking to those He met<sup>2</sup>. Canon 467 commenting on the "obligations of the parish priests tells us: "Debet parochus... suas oves *cognoscere* et errantes prudenter corrigere ..."; and can. 478: "Sedula cura et effusa caritate debet parochus aegrotos in sua paroecia, maxime vero morti proximos, adjuvare eos sacramentis reficiendo, eorumque animas Deo commendando."

All these grave obligations cannot be fulfilled unless the parish priest visits his people and comes in personal contact with them at home. Moreover can. 1350 states: "Pastors shall regard non-catholics residing in their parish as recommended to their care in the Lord." But how can they know their needs if they never call on them?

### VISITS IN HONGKONG

Father Howard D. Trube wrote about his apostolate among refugees in Hongkong: "Visits to the homes of all the people living in the camp are made periodically. The sisters, catechists, members of the Legion of Mary and teachers in our school, as well as the priests take part in these visits. From these visits many families have gained an occasion to talk about the Church and ... to undergo instructions"<sup>3</sup>. In China (and also in the Philippines) the priest should ordinarily pay his visits when the whole family is usually at home. It is certain that personal contact is one of the principal means of bringing souls to God, but it must be inspired by real charity and great apostolic zeal.

Unfortunately, however, personal contact as a means of leading souls to God is used too seldom by the priests. Not only natural timidity, but a superiority or inferiority complex, lack of experience, of directives, of encouragement and of apostolic zeal and certain prejudices often cause us to draw back within ourselves and keep aloof from those whom it is our mission to bring to God. Therefore the parish priests should stimulate, encourage and guide their young assistants in this difficult and so much needed apostolate.

It is well known that visits to homes are the favorite method of the Jehovah Witnesses and other sects. It largely explains the astonishing results they have obtained in the world<sup>4</sup>. The children of darkness, said Our Lord, are frequently more prudent in their business than we are for our spiritual good and that of the souls entrusted to us<sup>5</sup>.

<sup>2</sup> Sic "Christ to the World", 1961, p. 444 ss.

<sup>3</sup> "Christ to the World", 1957, p. 485.

<sup>4</sup> See their manual: "qualified to be a minister", p. 360.

<sup>5</sup> Luke, 15, 8.

VISITS OF THE CHINESE FAMILIES IN CEBU<sup>6</sup>

Father Arthur Bour, S.J., a former missionary in China, is charged with the Chinese parish in the City of Cebu. He tells us how he and his companion, Father Eugene Lanzon, S.J., systematically visited all the Chinese families in this large city of the Philippines. He wrote: "We have had contact with nearly all the Chinese families in our care. They know now that there is a Chinese parish, and that it is interested in them. We know nearly everyone and we are greeted everywhere. We ourselves make it a point to greet everyone, forgetting no one. However at the beginning of the apostolate their work was not so easy. The father wrote: "The information we sought in our home visitations was reduced to the essentials; but how long it took to obtain it from someone who did not wish to speak. We asked the names of the parents; if they themselves were baptized; if they go to Mass on Sunday; if their marriage was religious or civil; the number of their children and their names; if their children were baptized; what school they attended.

"Elsewhere we would receive the traditional Chinese welcome as they politely offered us tea and cakes. They invited us to be seated, but this was rather the exception, the children seemed to have better understanding of the purpose of the census and did not hesitate to speak out while the parents eyed with suspicion all the information given.

"On the whole, we might say we found one or two closed doors on every street. The neighbor gave us the needed information in most cases. There might be one or two families on every street who received us coldly, but on the whole the reception was good. Once the ice was broken, we talked as friends.

"After having visited 500 families, everything became easier and we often found ourselves among friends or relatives of the families we had visited. For the pastor to have seen his sheep is an inestimable advantage; he can retrace all the streets mentally and recall how he had been received, and the problems he discovered. From an intellectual knowledge of the parish he has come to have an experimental and practical knowledge which is indispensable in his ministry."

Is it again not worthwhile to recall here the saying of St. Augustine "quod isti et istae potuerunt, cur non ego?" What two priests could do at that time for the Chinese parish, can it not be done by other fervent parish priests of the Philippines?

But what about the objection: "The people will talk maliciously against the priest who visits the homes?" "This is true as long as He calls only on three or four houses of wealthy families. But let him make his regular

<sup>6</sup> Cfr. "Christ to the World", 1960, p. 205 ss.



rounds among his poor parishioners, where he discovers their pitiful conditions in life, and all malign talks or feelings will vanish as a fog at sunshine. Visiting the families in this way will minimize the danger for the priest, even more than staying idle at home.

## VISITS ELSEWHERE

I remember an alumnus of San Carlos Seminary to whom I had said, when he was appointed a parish priest; "Try now to visit your people." After a few months he came back and confessed that he had not done it because it was too hard. Yet three years later he came to me elated to announce his victory: "Father, he said, "now I am visiting my people, and I enjoy it, because they also feel happy and grateful for it."

"Everyday for many years," wrote a parish priest of the United States, "I have been spending at least an hour a day, in calling at all the homes of my parish." The first visits are chiefly to break the ice, the succeeding visits yield more. Most non-Catholics or non-practising Catholics have home strange ideas about priests (also in the Philippines), but when a priest wins their esteem and confidence, the door is opened to many conversions." He added "I would no more think of missing that hour of home visitations that I would of omitting my holy office."

In America many priests are glad that they have taken the census themselves, convinced that they have accomplished much more than parishioners could possibly have achieved. The number of those priests is constantly increasing because all who try it are more than gratified with the results. It gives them a knowledge of their parish which they could never otherwise have secured and enables them to double or triple the number of converts and reclaimed fallen-aways. Those priests, said a periodical, are proclaiming the results "from housetops." May they be heard also in our Catholic Philippines. In large parishes the assistant can do the biggest job under the guidance of the older and more experienced parish priest. If no assistant is at hand, the members of the Legion of Mary or other zealous lay persons will gladly lend their help in the excessive work of their beloved pastor.

Let us always be mindful that because of modern freedom and a new spirit that has pervaded the ranks of Christians, we are compelled to adapt and modernise also our methods of apostolate. The motto stands: "a home-going priest makes a church-going people."

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San Carlos Seminary

## PASTORAL SECTION

### HOMILETICS

TWELFTH SUNDAY AFTER PENTECOST (Sept. 2)

#### THE GOOD SAMARITAN

"A certain Samaritan, being on his journey, came near him: and seeing him, was moved with compassion. And going up to him, bound up his wounds, pouring in oil and wine. And setting him upon his own beast, brought him to an inn and took care of him. (Luke X, 33)

##### *Introduction:*

The Parish Priest caught twelve year old Rafael, a boisterous and talkative acolyte, chattering in the sacristy; "Next time, I will cut your tongue with a pair of scissors."

At home, Rafael gets the most spanking, for teasing his sisters; at school, he fights with others, big and small.

But inspite of his naughtiness, Rafael was quite an angel. He was a good Samaritan. He prepared a twelve year old playmate for confession. He brought him to the priest in church; they went to confession and received Holy Communion.

How about you? How good a Samaritan are you?

##### A. THE GOOD SAMARITAN:

Christ was the first good Samaritan, who journeyed to earth in order to heal a sick humanity. He came to give life to the dead, by dying on the Cross.

And so when He said, "Go, and do thou in like manner," it means not only to help our neighbors in their material needs; but above all, in their spiritual needs also.

Everyone of you can be a good Samaritan. Yes, a good Samaritan to Catholics who seldom go to Mass, to those who have never gone to confession, to those who are not married in church or to those who were not baptized.

If twelve year old Rafael could do it, why can't you?

#### B. *THE INN*:

Certainly that boy Rafael brought his friend into the inn; into the inn of God, the Church, when he guided him to confession.

He did in like manner what Christ had done. For the moment, the wounded of soul was anointed and bandaged with Baptism or Penance, he is brought into the Inn of God, the Church, founded on St. Peter.

This is the Inn where we drink unto life everlasting; a drink that becomes in us a spring of Life for others; for others whom we should guide back to the Inn of God.

#### C. *INNKEEPER*:

Now, Christ not only brings sinners back to the fold by means of the Sacraments, but He also takes care of everyone who cooperates with Him.

And He instituted men with powers to take care of souls in His stead. And to these innkeepers, we should bring the wounded of soul.

Look around you; perhaps within your home; a brother, a sister, a cousin or an uncle or an aunt is remiss in his or her religious duties. Perhaps in your neighborhood, there is a sick soul just waiting for your approach.

Again, if twelve year old Rafael could do it, why can't you?

THIRTEENTH SUNDAY AFTER PENTECOST (Sept. 9)

#### *FREQUENT CONFESSION*

"Go, show yourselves to the priests. And it came to pass, that as they went, they were made clean." (Luke XVII, 14).

*Introduction:*

A group of high school girls around the assistant Parish Priest's table were all ears to his talk on Confession, when a chubby lass asked: "Father, the Sisters don't hear confession?"

"No child; only validly ordained priests duly authorized may hear confession."

"Then, I don't like to be a Sister, Father."

Then another girl said: "You say, Priests and Sisters ordinarily go to confession once a week. They don't really have mortal sins every week, do they?"

"Not really." Ah, there's the rub. But why the frequent confession?

**A. CONFESSION:**

First of all, confession as instituted by Christ, is a declaration of personal sins to an authorized priest for the purpose of obtaining sacramental absolution. It is necessary to regain sanctifying grace and restore us to our divine filiation.

Nay, it is obligatory, when a person reaches the age of reason or is in mortal sin, or in danger of death.

But there is one point in confession that people often miss to consider; that confession is a strong force against sin; it does not only take away sin, but it prevents sin as well. It does not only give or increase sanctifying grace but it also confers sacramental graces.

Hence, it helps develop holiness and piety; it gives peace to the individual and promotes peace with others.

**B. FREQUENT CONFESSION:**

If confession can do such wonders to a soul, then why not frequent confession?

A priest was heard to say, that there are priests who would like to make monks and nuns of lay people by frequent confession.

But were not the Sacraments instituted for our sanctification? If frequent confession does good to priests and nuns; why not frequent confession for the ordinary faithful?

Moreover, every one has a right to obtain wise counsels and guidance to a right Christian living. Where could a layman get these in a most secret and competent way? The confessional box, by frequent confession.

### C. HOW CONFESS FREQUENTLY:

And talking about this matter, another girl asked: "Do you mean to say, Father, that I can go to confession even if I have no sin, say during the week?"

"Yes," answered the priest.

"How?"

"Just tell the Father any fault that you can remember, then mention a grievous sin or a certain venial sin of the past already confessed. Be sure to mention that this particular sin was already confessed before." This provides a sufficient matter for absolution.

"Then you can ask for counsels on how to improve yourself spiritually or how to avoid a particular evil tendency."

To obtain a good result from frequent confession, one must have a permanent confessor who is a true lover of souls.

## FOURTEENTH SUNDAY AFTER PENTECOST (Sept. 16)

### EVERYONE, A SLAVE

"No man can serve two masters; for either he will hate the one and love the other, or he will sustain the one and despise the other." (Matt. VI, 24)

#### *Introduction:*

The silence of the cloister of Sto. Domingo Church was broken one late afternoon by the spontaneous laughter of small children. There was an impromptu program; and Nonoy, a five year old boy was gyrating his pelvis the Elvis way amidst the clapping of hands by his brothers and sisters, while he sang: "*Everybody has a Lover*," for a priest.

And, indeed, is it not true that everybody has a lover in God? Not only that; everybody is a lover. But is everybody a lover of God?

#### A. A LOVER IS A SLAVE:

Everyone is a lover; and every lover is an adorer; and every adorer is a slave. Whether one's love or deity is something or somebody or SOMEONE.

One is always a slave of something or somebody or **SOMEONE**; but not of the three at the same time. For no one can serve two masters at the same time. For either he will hate the one and love the other. The true passionate slave of something can not be a true lover of **SOMEONE**, of God.

It happens that one who is a slave of something, realizes his mistakes, and turns his love to God. And it can happen also that one who is a slave of God, may weaken and turn his affection to something or somebody to such extent as to lose his soul.

#### B. SLAVES OF PASSION AND FASHION:

But how do lovers of God become slaves of inordinate passion? Simple. It is contained in the words of our Lord: "Be not solicitous for your life." Solicitude for things that do not count. Solicitude for worldly life. Because this is followed by negligence and weakening of spiritual life.

What happens when the flesh triumphs over the spirit? Go to every Balcony of air-conditioned theatres. Go to night spots; or Luneta. You will see the triumph of the flesh over the spirit. Downtown, this triumph is pictured in extreme mascaras, chemise, backless dresses, and Buckingham "tease", likewise in some bridal showers and debuts.

"Now the works of the flesh are manifest, which are, fornication, uncleanness, immodesty, luxury, idolatry, witchcrafts, enmities, contentions, emulations, wraths, quarrels, dissensions, sects, envies, murders, drunkenness, revellings."

#### C. SLAVES OF TRUE LOVE:

To avoid the triumph of the flesh over the spirit in us, we must strive every day to be faithful to Him; to seek every day the reign of divine love within us. How?

Not only by frequent confession and Communion, but most of all, by practising the presence of God within us. For if we are always conscious that God is within us; and we know, He is Divine love, an omnipotent Love, then who can overcome us? "O Pagibig, kapag ikaw ang nasok sa puso nino man, hahamakin ang lahat masunod ka lamang," says Balagtas. Which expression is just a shade of St. Augustine's "*Amor meus, Pondus meum, eo feror quocumque feror.*"

When you are in constant union with divine love, you will feel spiritual joy and peace; so different from the joy and peace of the

worldly. Nay, not only spiritual joy and peace, but patience, kindness, mildness and goodness also towards others.

If love begets love, one's peace of soul can produce peace in others, too. So, let God dominate your being. And you will feel good inside; yes, a goodness that will shine in your thoughts, words and actions.

## FIFTEENTH SUNDAY AFTER PENTECOST (Sept. 23)

### THE REALITY OF DEATH

"Young man, I say to thee, Arise." (Luke VII, 14)

#### *Introduction:*

"What if you die now?" queried a priest to a young lady.

"Nonsense, Father, I am young. I want to enjoy life." This answer echoed in the hospital bed of a 21 year old medical student, a young man, dying of cancer, he was not aware of: "I am young, I want to live. I like to finish my studies."

But the reality of death tells us, that it is no respecter of age. And the facts in every Pediatrics ward are too heart rending to elaborate. Now the question is: How does one live?

#### A. THE FOLLY OF YOUTH?

The folly of youth about living and enjoying life forever is not unfounded. It is based on the very nature of the spirituality of our soul. For the soul naturally tends to what is eternally good.

But this inclination of the soul to enjoy the supernatural good can be misdirected, even deep down into the quagmire of sins of sensuality. But is this enjoying life?

No! Life without God is not real life. It is not enjoying life. It is death; the death of the soul; the death which should be feared more than the death of the body.

#### B. THE REALITY OF DEATH:

Death! It is too real to be ignored. The daily newspapers tell the tales of death. Death in the highway by collision. Death in the alley by brutal stabbing. Death in the lobby by criminal gunning.

Death by duel and other natural death which man is heir to. For "it is appointed to man once to die."

But one thing we must never forget: Death is but a herald of a future everlasting life; a life of bliss which our soul craves; or an everlasting life of torment.

The future then that death will herald for us depends on the kind of life we live now. "For what things a man shall sow, those also shall he reap. For he that soweth in his flesh, of the flesh also shall reap corruption; but he that soweth in the spirit, of the spirit shall reap life everlasting."

### C. AFTER DEATH:

Therefore, a man who walks in spirit, does not fear death. He welcomes it; for he knows what death would bring. Not only life everlasting, not only joy of seeing God and all his dear ones in God, but he will behold the glory of resurrected bodies in Christ.

"How should we look after the final Resurrection?" ask some people. "Father, will my daddy be white haired, and Tito Jesse, bald headed still?" asked a young girl.

No. No more distortions, no more physical defects. "The dead will rise again with the same bodies they had, but the just will be re-modelled and transfigured according to the pattern of the risen Christ." One will "rise again in the greatest possible natural perfection"; in complete and perfect physical integrity.

The body of the just will be incapable of suffering, spiritualized, agile and radiant with the glory of the transfigured Christ.

## SIXTEENTH SUNDAY AFTER PENTECOST (Sept. 30)

### SUNDAY OBLIGATION AT HOME?

"Is it lawful to heal on the Sabbath day?" (Luke XVI, 3)

#### *Introduction:*

A fourteen year old girl complained to a priest: "Father, my father does not allow me to hear Mass on Sundays. He insists that I can just pray at home."

Aside from abstaining from unnecessary servile work on Sundays and Holydays of Obligation, we are bound to hear Mass. But,



does praying at home substitute for our Sunday obligation to hear Mass? Is it right for one to pray at home only, when one can hear Mass in church? No.

#### A. RELIGION AND SACRIFICE:

From time immemorial, man has always worshipped God. And this worship was manifested not only by adoration but also by oblation or offering of a sacrifice, a lamb or a dove.

During the times of Moses, the Holy Prophets, Judges and Kings, the Sabbath, Pasch, Pentecost and tabernacles were observed with offering of sacrifices.

The Catholic Church likewise, substituting Sunday for the Sabbath as the Lord's Day, from the time of the Apostles yet, has commanded all faithful who have reached the use of reason, to hear Mass, to offer the sacrifice of the Mass.

#### B. SACRIFICE AND ALTAR:

Yes, the Mass is a sacrifice; the sacrifice of Christ on the Cross. But a sacrifice demands an altar. And an altar requires a temple.

Though we can adore and pray to God anywhere, yet the most proper place of adoration and prayer is the temple, the church. But for sacrifice, it must always be in a temple, or a sacred part of a temple.

Therefore, on Sundays and Holydays of Obligation, we must go to church not just to pray, but mainly to offer the sacrifice of the Mass to God; the sacrifice of Christ to God the Father.

#### C. TEMPLE AND HOME:

Praying at home, nay even praying in church on Sundays without hearing Mass, without participating in the sacrifice of Christ does not fulfil the Sunday obligation.

We should, indeed, make our home a temple wherein Christ may reign over all members of the family. But it must only be an extension of the real temple of God. It should not be and could not be a substitute for the Altar of Sacrifice on Sundays and Holydays of Obligation.

The offering and consummation of the sacrifice must take place in the temple of God, in church; but bringing Christ into the world must begin at home.

## CASES AND QUERIES

### BINATION ON ORDINARY DAYS BY A NON-FASTING PRIEST

*A barrio lieutenant came to the rectory to make arrangements for the celebration of the fiesta of the place which falls on a weekday.*

*It was agreed upon that a priest of the parish would go to the barrio to celebrate Mass on that day. Unfortunately though, all the priests of the parish had forgotten the appointment made the week before. So when the lieutenant came to fetch the father who was supposed to say the Mass, all the priests in the rectory had finished already the Mass and even had had their breakfast. The pastor seeing no way out of this conflict, since there was no priest available, nor there was time to reach the Ordinary, decided to go personally and celebrated a second Mass even though he had broken his fast, just to avoid the possibility of scandal among the people of the barrio already waiting for the solemn Mass, and perhaps also the defamation of the Church and its ministers.*

- 1. Is the parish priest to be blamed for this conduct?*
- 2. Has he incurred in any penalties by so doing?*

In this query two different though well definite questions are actually involved: one is the possibility of bination on ordinary days; the other the licitness of breaking the eucharistic fast under extraordinary circumstances.

a) The law of the Church categorically forbids any priest to celebrate Mass more than once a day, except with an Apostolic indult or when duly authorized by the local ordinary, (c. 806). Only the necessity of the people to hear Mass on a precept day can justify the celebration of a second Mass. Obviously that is the motive behind the reluctance heretofore shown by the Holy See in granting faculties to binate on suppressed precept days, though on certain occasions such license could have been easily justified attending to the solemnity of the day and the extraordinary attendance of people.

Nowadays, however, the Holy See has shown a marked tendency toward greater leniency in this regard. In fact the privilege to binate on ordinary days, though not common, has been granted in special occasions, as for instance, on first Fridays and in any other weekdays whenever so required by the spiritual welfare of the people. (Cfr. *Boletín Eclesiástico*, 1960, p. 759).

The possibility therefore of a privilege, though unlikely, can not be completely discarded in this case. If the Ordinary, for instance, can authorize the bination on ordinary days by virtue of an indult granted to him, the pastor could have justified easily his behavior thru a legal presumption in accordance with the aggravating circumstances of the moment. On the contrary, a priest certain of the non-existence of such faculty should never have binated, conscious of the fact that only the necessity of hearing Mass on a precept day can warrant such attitude, no matter how great the danger of scandal could be, and aware that there is no place for presumption since the ordinary lacks the power and "*nemo potest plus iuris transferre in alium, quam sibi competere dignoscatur*", (Reg. Iuris, 79).

b) There is no mention made in the Code of Canon Law of any reason which may authorize a priest to celebrate Mass without observing the eucharistic fast. Nonetheless, lawyers and theologians alike will excuse the celebrant from this law on certain extraordinary occasions. Let it be mentioned, for instance, the case of grave scandal or defamation of the Church and its ministers which can not be avoided. It is worth noting, of course, that in such case, the existence of true and grave scandal is necessary. However, wonderment or mere surprise among the people will in no way justify the violation of the law.

c) Any priest who, contrary to the provisions of cc. 806,1; 808, presumes to celebrate the Holy Mass twice a day or without fasting is to be suspended temporarily from the celebration of the Mass, (c. 2321). This penalty is "*ferendae sententiae*" and must be imposed by the local ordinary in accordance with the circumstances of each case.

*Answers:*

1. The parish priest is certainly to be blamed for having celebrated a second Mass without due authority. Despite the seemingly hard circumstances of the moment he should have abstained from saying Mass since it was not needed to fulfill the precept of hearing Mass.

The attitude of the pastor regarding the breaking of fast could only be justified in the event that a true and serious scandal would follow. The inquiry mentions the possibility, not the fact, of scandal, what may give ground to assume that there was no serious reason to do so.

2. The parish priest did not incur in the suspension provided for in c. 2321. It seems the celebrant acted in good faith, forced rather by the circumstances and fear of a possible scandal but always unwillingly and without full consent what runs counter to the condition required by the law as implied in the word "*praesumpserit*."

It is our opinion that in similar cases the priest should spare no effort, and even use all his skill to make the faithful realize this otherwise unusual attitude. After all they will be more scandalized upon knowing that a non-fasting priest still dares to celebrate Mass than by the mere fact of being deprived of a solemn Mass during the town fiesta.

The priest can resort to many other means to solve the conflict and at the same time to satisfy the devotion of the faithful, as for instance, gather the multitude in the church, give them a talk and organize a procession with the image of the patron saint. . . . Any other religious ceremony would perhaps make it.

FR. F. TESTERA, O.P.

## THE QUESTION OF ST. PHILOMENA<sup>1</sup>

"G.A.W.", of Armadale, has forwarded a splendid letter seeking answers to questions about the recent Papal decision to stop the cult of St. Philomena —" a decision [says "G.A.W."] that is causing concern to myself and to others."

"G.A.W." begins by saying: "In his 'Radio Replies' Dr. Rumble states that 'a decree of canonization does given person... is a saint. The infallibility of the Church in such decisions [says Dr. Rumble] is but an application of ordinary infallibility in matters of faith and morals, in so far as the Church could not err in proposing a given life as an exemplification of perfect Christian virtue.' Now, this statement [says "G.A.W."] leads to my first question:

"Am I correct in believing that a decree of canonization is an *ex cathedra* pronouncement which is binding on all the faithful and is irreversible?"

REPLY: You are right in thinking that an official decree of canonization, given in the full official form, i.e. when the Pope says "We define and decide," is a final pronouncement of the Church and such a decree would never be reversed.

I use the term "final pronouncement" in preference to "*ex cathedra*" because the Church's canonization of a particular saint does not appear to make it a point of publicly revealed doctrine except in an indirect way. Then when we say that a decree is made *ex cathedra* we are usually thinking of a truth publicly revealed by God and therefore defined by the Church.

A decree of canonization is surely a final pronouncement of the Church and it would be entirely foolish for a Catholic not to accept it.

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<sup>1</sup> Taken from "The Advocate", Melbourne, Australia, issue of May 25, 1961, page 18.

*"It is true," asks "G.A.W.", that St. Philomena was formally canonized by Pope Gregory XVI after long and mature deliberation and after the attested and proved cure of the Venerable Pauline Jaricot?*

REPLY: As far as I can judge the case, Pope Gregory XVI (1837) allowed public devotions to be performed in honour of St. Philomena, or rather in honour of relics taken from the Catacomb of St. Priscilla in 1802 and presumed to be those of a girl-martyr called Philomena. The Pope gave this permission firstly to the diocese of Nola in Italy, and later to other places that requested permission.

Gregory XVI made his decision "after mature deliberation" and following the quite remarkable cure from illness of the Venerable Pauline Jaricot, but again, and as far as I can discover, Pope Gregory did not formally and officially declare that the person whose relics came from the Catacomb of St. Priscilla was a Saint. In short, he allowed veneration to be given to this young girl, and that even in public, on what seemed to him be persuasive evidence of her great intercessory power with God, but on a limited scale. And this means that he did not take the final step of officially deciding and defining that she was to be paid the honours of sainthood, and officially included in the Catalogue of the Saints of the Church. In proof of what I say you will find that the supposed St. Philomena, of whom we are speaking, was never listed among the saints of the Roman Martyrology.

*"G.A.W." goes on: "I've been greatly impressed by the devotion of the Curé d'Ars (St. John Vianney) to St. Philomena. He called her his 'dear little saint', his 'consul', his 'chargé d'affaires' at the court of God. Hardly a day passed without his talking of her. 'You ask her,' he would say when someone asked him to perform a miracle (cf. Trochu, 'The Curé of Ars,' 1955, p. 88). What am I now to think of all this? Was this holy man of God deluded?"*

REPLY: As you say, the Curé of Ars had a wonderful personal devotion to the presumed St. Philomena enshrined at Mugnano, Italy. He sincerely believed that this little person had appeared to him in visions; he confided all sorts of requests to her. Hence your good question: Did the Curé suffer from delusions?

It seems to me that God rewarded the Curé's personal piety and faith by miracles; it has been said that Curé spoke so much of Philomena in order to distract attention from himself. And, of course, the future may reveal that the little girl of Mugnano whose intercession he invoked was, at least partly, responsible for the miracles. A mistaken name would then be seen to be only accessory to the main fact of holiness.

*"In 'Radio Replies,'" says "G.A.W.", "Dr. Rumble says that 'before the Pope defines that a given soul is indeed a saint... God's own testimony by proven miracles wrought through the person's intercession is required' (p. 378).*

*"Now the cure of the Venerable Pauline Jaricot was accepted by the Holy See as 'God's own testimony' of the sanctity of St. Philomena. But we are now told that Philomena probably did not exist. Must we not therefore conclude from this that the performance of miracles by candidates for canonization is no indication that such persons are saints?"*

REPLY: I have already explained, "G.A.W.", that the famous cure of Pauline Jaricot, which happened at the shrine of Mugnano, August 1835, in presence of the relics of the presumed St. Philomena, did not lead to a formal canonization of the supposed Philomena by Pope Gregory XVI, but to a decree allowing public veneration to be paid to the person on a limited scale.

That the famous miracle happened at Mugnano, and in presence of the relics kept there, is an undisputed fact. That St. Philomena worked this cure is now placed in grave doubt.

I suppose nobody doubts that the person enshrined at Mugnano had some hand in the cure. There is, according to archaeologists, insufficient evidence to say that this person is Philomena.

REV. AMBROSE RYAN, O.F.M.

## FOREIGN

**Men's Religious Orders gained close to 5,000 new members during 1961.** — Male religious orders and congregations increased their membership by almost 5,000 in 1961, according to statistics in the Vatican's yearbook for 1962.

The *Annuario Pontificio*, which publishes membership figures for all pontifically approved men's orders and congregations each year, shows that the greatest increase has been registered by congregations in which solemn vows are not taken.

The total increase in this category amounts to 2,413. The largest single increase, 503, was made by the Salesians (Society of St. Francis de Sales). Gains by other such congregations include the Congregation of the Holy Cross, 290; the Claretians and the Oblates of Mary Immaculate, 198 each; the African Missionaries of Verona, 130; the Turin Consolata Missions, 128; the Priests of the Sacred Heart of Jesus, 120, and the Pious Society of St. Paul, 101.

The older mendicant orders also showed gains. Of a total increase

of 1,171 new members, the Franciscans counted 725, the Dominicans 104, and the Hermits of St. Augustine, 110.

**Urge Intense Study of Council Agenda.** — All the bishops of the world have been asked to make an intense study of the proposals for the agenda of the coming ecumenical council and to make necessary last-minute suggestions by means of a private letter.

Pope John XXIII, in a talk to the seventh and final session of the Central Preparatory Commission, said that "the particular cooperation of the individual Fathers of the Council... will be even more intense and lively." He added:

"They will have time to form their minds, reading and meditating and annotating the agenda which will be sent to each one of them shortly."

He also asked them to "admonish everyone to say prayers in union with Us," suggesting again the special value of the Mass, the Rosary and the breviary.



**Fixed Date for Easter?** — A reform of the Gregorian Calendar, submitted to the Central Preparatory Commission for the agenda of the coming Ecumenical Council, may bring East and West together for the first time in centuries in their celebration of many Christian feasts.

This reform, if adopted, would mean that Easter would fall on a fixed date every year. It would also mean that every date of the year would fall on the same day of the week every year.

The proposal has been made to the Central Commission by the Preparatory Commission for the Oriental Churches because of differences that exist between East and West in the liturgical calendar. It is felt that union in the celebration of the liturgical calendar would be a point for mutual understanding between the Catholic Church in the East and the separated Eastern Churches.

**Schools Must Teach Social Doctrine.** — Archbishop Tulio Botero Salazar of Medellin has ordered all Catholic schools in his See to teach the social doctrine of the Church.

"The Catholic Church," the Archbishop said, "has a complete social doctrine of its own, taken from the Gospel, amplified by the writings of the Apostles and shiningly expounded by the sovereign pontiffs, particularly in the last seventy years.

"It is the duty of every Catholic to know, study and apply this

doctrine based on justice and charity."

**Vocations Crisis in France.** — The proportion of young Frenchmen who become priests has fallen by more than half since World War II.

In 1951 there were 1028 ordinations to the priesthood. In 1959 there were 567.

It is estimated that France has never known so few ordinations in proportion to its population since the French Revolution, when seminaries were closed down by the revolutionary authorities.

**Film Censorship in Italy.** — Italy's Chamber of Deputies has passed a bill to set up a national censorship commission for movies and plays judged "detrimental to public morals."

According to the Chamber of Deputies bill, the censorship commission will be made up of government officials, judges and representatives of the movies and stage. The commission will review movies and certain types of stage productions and issue a certificate of approval if they are considered to contain nothing harmful to public morals.

The commission will also have the power to say if a movie is not fit for children under fourteen or for youths under eighteen. Movies placed in either classification may not be shown on TV.

**Swiss Bishop Opposes Atomic-Weapon Ban.** — Bishop Francois Charrie of Lausanne, Geneva, and Fribourg, has issued a statement urging Catholics to vote against a Leftist-sponsored constitutional amendment that would prevent the Swiss armed forces from using atomic weapons. The voting took place on Sunday, April 1, in a national referendum.

Not all military uses of atomic weapons, the Bishop wrote, are intrinsically evil.

"A fallacious interpretation of Christian teaching on the use of atomic weapons may mislead the judgment of the faithful.

"Christian doctrine condemns a war of aggression and anything leading directly or indirectly to it, particularly a war of aggression threatening the extermination of a nation's whole population and massive destruction would be a mad enterprise with terrible consequences for all humanity."

But, "it is a dangerous mistake to ask the Swiss in the name of Christian principles to give up blindly and unilaterally the means to resist an aggressor effectively.

"It is altogether exaggerated to condemn all uses of atomic energy for military purposes as intrinsically evil." The possession of atomic weapons, moreover, is not likely to deprive Switzerland of prestige and influence.

Nobody, in the name of Christian principles, may forbid the na-

tion to use defensive means which are not fundamentally evil, his statement concluded.

**Indian Prelate Decries Fear of Over-population.** — Nature's vast resources and man's intelligence are God's guarantee that the world will not be peopled into starvation, an audience of Indian Catholics was told here by Archbishop Joseph Attipetty of Verapoly, who made this point as he spoke at the centenary celebration of St. Mary's Church. His talk was another example of the widespread campaign by Catholic authorities to bring home their position in the birth-control struggle at every opportunity.

Despite explanations from pulpit and public platform and repeated articles in Catholic periodicals, it is apparent that the Church's stand is not registering with public opinion. The Indian birth-control programme, centering in clinics where contraceptives are distributed and sterilizations are performed, is moving steadily ahead.

Archbishop Attipetty maintained that population growth is not a contradiction of the plans of Almighty God and asserted that artificial birth-control "destroys the sanctity of marriage and undermines the felicity of conjugal life."

"God in His wisdom and goodness," he said further, "has enriched nature with unending resources and He has bestowed upon

man the intelligence and ingenuity to utilize them in the best possible ways. In such circumstances man

can face the problems of the universe without cause for uncontrollable anxiety."

## LOCAL

**Bishop de Wit Consecrated, Installed as First Prelate of Antique.** — Msgr. Salvatore Siino, D.D., Apostolic Nuncio to the Philippines, officiated at the consecration and installation of Antique's first Prelate Ordinary, H. E. Bishop Cornelius de Wit, MHM, Titular Bishop of Amiso.

The solemn rites were witnessed by the largest crowd ever gathered in the history of this province. Delegations from neighboring provinces came in chartered busses and some came by ship, others by plane.

Leading the ecclesiastical dignitaries were the Apostolic Nuncio, Archbishop Jose Ma. Cuenco, Bishop Juan Velasco, Bishop Anthony Galvin, Bishop Charles van den Owellant and Bishop Juan Nilmar.

His Excellency Ambassador Dr. J. Van der Zwaal of the Netherlands also arrived in a specially chartered army plane with the Apostolic Nuncio. Civil authorities were led by Governor Josue Cadio, Congressman Tobias Fornier and San Jose Mayor Severa Banusing and members of the municipal council.

Some 10 Monsignoris and about 200 priests of the various religious orders and congregations and the secular clergy were also in attendance.

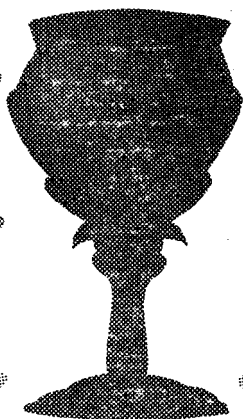
The following day Bishop de Wit was consecrated Bishop in a two-hour long ceremony witnessed by a jam-packed cathedral. Archbishop Jose Ma. Cuenco of Jaro preached the sermon. He recalled the missionary endeavors of the Mill Hill Fathers in the province. He said the Mill Hill Missionaries came to the island of Panay at the instance of Bishop Rooker on February 17, 1906. He related some of the sacrifices and difficulties the new missionaries faced in the province.

Archbishop Cuenco said that the consecration of Bishop de Wit is "harvest day" in a field faithfully tilled by the Mill Hill Fathers.

In a message to his flock, the new Bishop stated that "the erection of the Prelature of Antique is an event of great importance for all Antiquenos." "The province of Antique is now a full grown unit in the Kingdom of God upon earth—the Church," he said.

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