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In this Issue

Honorato Castigador, O.P.

This year, two gatherings have taken place, the results of which we are privileged to publish in this issue of the *Boletin*. Under the auspices of the Office for Human Development of the Federation of Asian Bishops' Conference (FABC), some thirty-five delegates of diverse faiths and coming from the different countries of Asia, gathered together to share their faith experiences. They came out with a statement affirming "that interreligious dialogue is the only way for all believers of the 'Lord of Creation' to ensure the continuity of the 'Reign of God.'"

The Canon Law Society of the Philippines held its annual convention last April. We are publishing the statutes of the Society as well as the topics presented in the convention. Those working in the matrimonial tribunals and in the diocesan curia will certainly find the topics discussed greatly helpful.

With the coming of the Pope this January, on the occasion of World Youth Day, the world of the youth is teeming with activities: workshops, seminars, meetings, vigils, prayer-meetings, etc. Preparations for such a memorable event is indeed in full swing. As streamers and posters express it: "We are ready for your coming Pope John Paul II."

The Staff of the *Boletin* joins the Filipino youth in welcoming the Holy Father.

Words for today

“Contemplation and Compassion” Integral Spirituality for Faith Encounters in Asia*

Office for Human Development, FABC

I. BACKGROUND AND INTRODUCTION TO FEISA

1. Journey that began with our New Identity as the Church in Asia

1.1. The Bishops' Institute for Social Action (BISA) Series was introduced by the Office for Human Development of the Federation of Asian Bishops' Conferences (FABC) with the purpose of facilitating the on-going formation of the Bishops of Asia. It was the First Meeting of the Asian Bishops in 1970 that served as the inspiration to continue "to help bind together the new world of Asia, as a true family of nations in this part of the world, linked not only by lines of geography, but by mutual understanding and respect, by the nobler bonds of brotherhood and of love." This unity among the Bishops was to enable them to bring new and more humanizing dimensions to the face of Asia. The implementation of the seven BISA Seminars from 1972 to 1987 with the focus on Exposure-Immersion, Social Analysis, Theological Reflections and Pastoral Planning has been over the years an attempt to be at the service of the Church in Asia. Our focus was to forge to new solidarity with the poor of Asia and for the Church to become the voice of the many unable to live in dignity.

**Courtesy of the Office of Education and Student Chaplaincy - Federation of Asian Bishops' Conferences.*

2. Faith Encounters... An Encounter of Living Faiths — Alive among Our People

2.1. The First Programme of the Faith Encounters in Social Action (FEISA), held at the Redemptorist Center, Pattaya, Thailand, at which Bishops, Priests, Religious, Laity — making up a total of 35 participants experienced an encounter with people of other faiths in Asia. It was not intended as merely the meeting of minds but a sincere encounter of all people of goodwill attempting to make God alive in a world of increasing materialism, secularization, individualism and religious fundamentalism and fanaticism in the context of Asia in danger of losing its deep religiosity. There is an urgent call to all believers to be the new *counter force* to fight new forms of *godliness* and *idolatry*. It is our realization that interreligious dialogue is the only way for all believers of the "Lord of Creation" to ensure the continuity of the "Reign of God."

3. Towards a Deeper God Experience through Exposure — Immersion

3.1. Our exposure and immersion experiences in Bangladesh, Sri Lanka, Thailand and Indonesia enabled us to gain new insights, not only about the way of life of the people of other faiths but also about their deep religiosity and struggles to live life more meaningfully. Amidst their poverty and suffering, we saw signs of Hope both among the people and the religious leaders. We were able to experience with sincere commitment and search to realize their aspirations which are based on a spirituality arising out of their lives of "*contemplation and compassion*."

3.2. Some experienced the "*stirrings of the Spirit*" in the total dedication to a simple life with a non-acquisitive mentality that fostered a deep respect and appreciation for the Creator, the neighbor and nature. Social involvement and ecological concerns were intimately linked to lives of self-giving, sharing and fellowship. There was an integration of their religious life and their commitment to resolving the social and economic problems of the people. The poverty and faith in the people raised many questions about our own priorities in life. Many of us also pointed to the warmth of their hospitality, the authenticity of their willingness to share and enter into dialogue.

Others experienced a village community where religious rituals formed the rhythm of their lives as intoned by the local religious leaders.

3.3. We also noticed that the Church that had already been actively involved in numerous interfaith and social development programmes in some countries was becoming a credible witness to the Gospel of Jesus Christ.

4. Our continued Search for the Lord's Message for us as Church

4.1. It was these experiences that served as the binding force for all of us to continue our reflections and our journey of deepening our own understanding of the theology of interreligious dialogue and also to broaden our own understanding of other religions.

4.2. The numerous resource persons from other religions as well as from our own Church used our experiences to heighten our awareness and to continue our search to live the Gospel of Jesus more authentically in our lives, in our relationships and in our various ministries and apostolates. These exposés helped to remove some of our ignorance about other religions and also brought new insights that enabled us to discern and distinguish the “brokenness” within ourselves and our own institutions.

5. A Participative Methodology

5.1. We were touched by each other's openness to the Spirit — it was indeed an experience of “*A New Way of Being Church*”... on its journey to make interreligious dialogue an integral and constitutive aspect of living out the Gospel mandate. We attempted to promote a participative methodology, one that is sensitive to the workings of the Spirit in our hearts and fully alive among us. Our openness and lively fellowship, was truly an experience of Church as Communion. The presence of Bishops, Priests, Religious Sisters and Brothers, Lay Men and Women, was indeed a joyful expression of the diversity as Church with a meaningful celebration of our unity.

6. A Journey to the Recesses of our Hearts

6.1. We would like to note that this journeying with our sisters and brothers of other faiths and this process of discovery among ourselves was not just an intellectual exercise. We were conscious that a return to the Lord and His ways calls for a new consciousness of the contemplative aspects of our lives. Our daily meditation, our liturgical celebrations and periods of time for personal reflection and prayer were our sincere attempts to make an "integral spirituality" the core of our evangelizing mission of bringing the Kingdom of God to reality in the milieu in which we live and minister. The many opportunities for sharing our thoughts and reflections helped us to appreciate the wisdom that flows from our meaningful encounter with the Lord and His Word and through silence and contemplation.

II. OUR REFLECTIONS

7. Inter-Faith Dialogue: A Journey to God's Dwelling Place

7.1. *Life as an On-Going Journey*

7.1.1. Life is perceived in Asia as an on-going journey. What gives ultimate meaning to life is the spiritual pilgrimage in pursuit of Truth, Harmony, the Divine. Journeying with one another in quest of integral liberation and salvation is the basic dynamics of Asian religions.

7.1.2. The Hindu sages describe this as the process of transition from non-being to Being, from darkness to Light, from death to Immortality. The Buddhist seekers experience life as a relentless journey of taking refuge in the *Buddha*, *Dharma* and *Shangha*.

7.1.3. Islam understands human life as a following of the Straight Path of God's will, leading from the prescriptions of Islam, through *iman* (faith) to the fullness of *ihsan* (goodness) and *islah* (righteousness).

7.2. *Our Journeying in the Way of Jesus*

7.2.1. Jesus in whom we experience the Way, the Truth and the Life invites us to follow him so that we may have life, life unto fullness.

Our journey in the footsteps of Jesus motivates us to join the spiritual pilgrimage of brothers and sisters of Asian religions in pursuit of being one in Divine Life.

7.2.2. This journey has a two-fold dimension:

It is primarily a journey into the deeper levels of consciousness, where we experience the "Divine Centre" of our being, the Light within, the inner Fountain.

7.2.3. A *contemplative awakening* to the all-pervading and all-transcending mystery of the Divine is a hallmark Of Asian spirituality. Journeying with the seekers of other religions in contemplative pursuits is a challenge to us Christians to revitalize the mystical dimension of our spirituality, theology and pastoral praxis as well. Creative interreligious dialogue in Asia, evolves only out of a contemplative experience that constantly reminds us that the Divine is the Ever-Beyond: *Deus semper major*.

7.2.4. *Journeying with the Spirit into fuller life* means also a relentless search for the realms of the unfolding of the Spirit in the existential struggles of life. Asian religions always perceived in cosmos and history a process towards greater integration. Working with brothers and sisters of other religions in bringing about freedom and justice, peace and harmony means ultimately participating in the divine work of recreating the world, establishing the Kingdom of God in all spheres of life.

7.3. *Meaning of Transformative Interreligious Dialogue*

7.3.1. Transformative interreligious dialogue evolves out of a lived experience of commitment to the promotion of justice, particularly through an option for the poor and marginalized. Creative collaboration with believers of other religions helps us to discover the "*face of God turned towards humanity in the crucified Christ*" today in the faces of the broken people and in the wounds of the exploited earth.

7.3.2. In this twofold dynamics of our journeying with brothers and sisters of other religions we find ourselves in a process of sharing our experience with the co-pilgrims, and being enriched by them in return. In this Spirit-generated process of give-and-take, we as Asian Christians find the integration of evangelization, proclamation and dialogue.

7.4. *Evangelization: Bearing Credible Witness*

7.4.1. Evangelization is communicating our experience of the Divine in Christ Jesus' deep intimacy with the Father and the resultant commitment in compassion to the poor would readily evoke a positive response in the Asian sensitivity to the Divine. Hence credible evangelization demands from us Christians in Asia a life of authentic contemplation and genuine compassion.

7.4.2. Articulation of our Christ experience in the process of the common pilgrimage would take forms — words and symbols — which would resonate with the Asian psyche. Hence we should avoid all sorts of exclusive claims and cultural superiority, both of which would betray the message of the divine kenosis. Only an ego-emptying, and consequently powerless, Christian community has the credibility to proclaim the folly of the message of the cross. Such a process of evangelization fosters a culture of dialogue in Asia. In so far as 'the breadth and the length, the height and the depth' of the mystery of God's love revealed in Christ continues to be a mystery for us, we have to journey in quest of the light and truth of the Divine.

7.5. *Lives of Sharing: at the Fellowship Table*

7.5.1. This common spiritual pilgrimage demands that we take inspiration from the praxis of Jesus, especially his Table Fellowship with publicans and sinners, wherein we discover the primal form of the Church of Christ. Before Christianity got established as a structured religion, it was a spiritual movement: Jesus' journey with the poor towards the Kingdom of God. In close dialogue with the poor and the religious cultures of Asia, the Church would be able to rediscover its pristine dynamism which demands a radical emptying (kenosis) in its thought patterns, ritual forms and community structures. This age of journeying with brothers and sisters of Asian religions is a privileged moment (kairos) for the Church to return to its original call.

7.5.2. Many from other parts of the world today seem to look up to Asian countries for spiritual inspiration and ethical guidance. Only through inner kenosis and contemplative openness to the divine Spirit beyond all religions, can the Church in Asia respond to this spiritual quest of the world. Interreligious dialogue in Asia is therefore an epochal need of the universal Church. This for us is the meaning of "Journeying with the Spirit into Fuller Life."

III. RECOMMENDATIONS AND PLAN OF ACTION

8. Pastoral Recommendations and Plan of Action

8.1. Aware of the obstacles which we experience in ourselves and among one another, conscious of historical wounds that are in need of healing, humbled by the immensity of the task and our feelings of inadequacy, we nevertheless refuse to be overwhelmed.

8.2. We take fresh courage from the Spirit of Jesus at work in the world and in our own hearts. We draw strength from the kinship we have experienced with our brothers and sisters of other religions who have touched our lives. We are encouraged by the bonds of fellowship forged among us as we journeyed together during these days.

8.3. Individually, we shall communicate our experiences with those we live and work with as we return to our homes and countries.

8.4. As Christians we shall take the means to increase our knowledge and understanding of other faiths even as we endeavour to grow deeper in our own faith: readings, books, seminars, studies, prayer, contemplation.

8.5. We shall seek and nourish bonds of friendship with brothers and sisters of other religions. "Each member of the faithful and all Christian communities are called to practice dialogue, although not always to the same degree or in the same way" (*Redemptoris Missio*, no. 57).

8.6. We recognize the need to promote the spirit of "dialogue" among ourselves even before we can dialogue with others, a spirit that moves us to enter the world of the other and to discover the "sacred."

8.7. As leaders of our people, we shall encourage, support and collaborate with people or groups who are engaged in the task of interfaith dialogue: institutes, ecumenical and interreligious groups, religious and grassroots communities.

8.8. We urge a more effective use and revitalization of the structures we already have (*e.g.* Federation of Asian Bishops' Conferences, National Episcopal Conferences, the National Conferences of

Major Religious Superiors, Commissions, Committees, Offices). We seek to share and disseminate information and to communicate to the people of God in our schools, parishes and communities the results of the processes undertaken and decisions made. This is especially necessary when such decisions affect their lives and growth as believers in Jesus and members of the Church.

8.9. For this, we see the need to make more effective use of the technology available in our times including Radio Veritas, publication centers and other mass media and to collaborate with the international Catholic organizations of mass media.

8.10. We are convinced that basic to interreligious dialogue will be the following:

1. expanding our objective knowledge and understanding of other religions which includes a more systematic analysis and understanding of the causes of increasing religious fundamentalism in Asia today.

2. catechesis and integral faith formation of all in the Church has to incorporate interfaith dialogue as a constitutive aspect of evangelization.

3. deepening our spiritual journey and our contemplative experience which ensures a continuous openness to the promptings of His Spirit. We need to urgently make use of all available resources to search together for a genuine Asian Christian Spirituality that will be the starting point for our "total docility to the Spirit" and for a new missionary zeal in the context of Asia.

4. discernment and courage to take risks as we participate in the work for integral human development, justice and peace — our share in the task of transforming society and hastening the coming of God's Reign.

9. CONCLUSION

9.1. As a result of our journeying together as Church over the past week and in our lively and meaningful encounters with the people of other faiths, we feel called upon by the Lord of History to participate more fully in taking up the challenges posed today.

9.2. We realize that Mary the Model of the Church, journeyed with her Son, through His life. Her prophetic allegiance to "*Do whatever He tells you*" has to be the hallmark of the Church in Asia to forge ahead with a spirit of prayerful discernment in new creative ways, with the sole belief that through this and this alone will the prayer of Jesus... "*Your Kingdom Come, Your Will be Done*" find fulfillment in and through our lives as individuals and as community.

Philosophy in Seminaries and Ministry

Ranhilia C. Aquino

Is the philosopher within the Church bane or boon? Karol Wojtyla, who now serves the Church through the Petrine office, is a philosopher of no mean calibre. With the translation of his major works into English, they now have a wider audience than their original Polish readers. The *Acta* of the Second Vatican Council record his contribution to the discussion on seminary studies, particularly philosophy. Magisterial documents on priestly formation have always dealt, in some way, with philosophy in the seminary curriculum. I wish to propose the view, in large measure formed by the conciliar as well as post-conciliar statements of the Church's Teaching Office, that philosophy has an eminently pastoral dimension. It allows the seminary student to understand reality in a manner unrivalled by other disciplines and so to minister more intelligently and more understandingly to the people entrusted to his care and his love.

Ten of my twelve years in the priesthood have been given to the teaching of philosophy to seminarians. I have always been most grateful to God for this privilege, and I have never doubted that helping seminarians make heads and tails out of the often involved arguments of contemporary philosophers was an integral part of the preparation of future priests of the Church and of Jesus Christ. There is a difference between teaching a graduate school class in philosophy and a class of seminary students, usually prior to their theological studies. The goal in M.A. and Ph.D. programs of philosophy is obviously to make professional philosophers and professors out of the students one meets in class. There will, of course, be some of the more capable and articulate seminarians who will be marked out for professorship, but the seminary professor should have different aims.

Among these aims should be:

1. Acquainting seminarians with the philosophies of contemporary times so that they understand in a more mature and integral manner the temperament and intellectual climate within which they are to minister.

2. Providing seminarians with the academic preparation necessary for fruitful and enriching dialogue with people of differing persuasions in increasingly pluralistic societies.

3. Familiarizing seminarians with the Thomistic patrimony of the Church — the language and the conceptual schemes within which most of the Church's doctrines are expressed and formulated.

If these are the aims of the philosophy professor — and not only his, but of the entire faculty of philosophy and the students themselves as well — then students and professor alike should rest in the assurance that in struggling with philosophers and their texts, they are not alienated from the pastoral concerns of the Church. Pastoral is a modifier that was never meant to be the antonym of academic. This, unfortunately, is how it has been distorted by some — in the ministry — eager to excuse their own intellectual sloth and academic lethargy! Sophomoric sermons spiced most generously with clowns' antics, replete with platitudes are the output of those antipathetic to thoughtful reflection. In matters of great importance, it has been well remarked, there is hardly anything more practical than a good theory. Simplistic solutions that visit more disaster than do good result from myopic visions. I have never tired of reminding my students that the world is in no wise growing more simple. Things and thoughts complexify — any observant preacher will agree that the people who listen to our homilies are increasingly more educated. That the *balut*-vendor and the farmer cannot understand Heidegger and Ricoeur is no argument against philosophy at all. What the fact signals for the sensitive and truly pastorally-oriented seminarian is the challenge of using Heidegger and Ricoeur in such wise as to be able to bring Jesus' liberating message to the *balut*-vendor or to the farmer who attempts to make sense of his "having-to-be", of the varied "texts" life confronts him with!

There is no way to popularize philosophy. Plato and Kong-zi alike realized that there would always be something "aristocratic" about the philosophical venture. The late Chief Justice Fred Ruiz

Castro once remarked that the only legitimate aristocracy is that of the mind. There can be nothing morally wrong in developing one's ability to think and to setting one's thoughts on the questions with which thoughtful men and women down the centuries have concerned themselves. But the Dominican ideal provides good guidance here, for while the seminarian must really ascend the ivory tower in order to think as Socrates did — and as Derrida, despite his deconstruction (or precisely BECAUSE of it) does — and there to contemplate, he must then move from the *Contemplare* to *Contemplata aliis tradere*. But there can be nothing of significance to hand over to others in fidelity to one's priestly ministry unless one has first "sat at the feet of the Masters."

Finally, a note on Thomism. There are two positions I cannot side with because I hold them to be in error: the first, that of maintaining that seminarians should no longer bother with Thomism; the second, its opposite: that seminarians should not bother with anything other than Thomism. Thomism influenced the thinking of the Church in a way no other persuasion did before it. The Thomism has much to say to contemporary man — and what it has to say — has been the insistent content of the works of Maritain, Gilson, Rahner, Lonergan, Schillebeeckx and Davies, certainly thoughtful and by no means outdated writers. The second position, on the other hand, is definitely bigoted, for it was impossible for philosophy to have ended in the thirteenth century. It was, furthermore, bigotry that Thomas of Aquino repeatedly had to do battle against in his own days. There is no excuse for keeping seminarians out of touch with philosophy as it is done today; neither can there be any excuse for keeping them from familiarity with the wisdom of St. Thomas.

The Magisterium has repeatedly exhorted philosophy professors in the Church to pursue their discipline *ad mentem Sancti Thomae*. Surely this does not mean repeating the corollaries and scholia of the Thomistic thesis. It does refer to the intrepid spirit, the sensitivity to the *sensus fidelium*, the attitude of *sentire cum ecclesia*, the boldness of vision and the ardent pastoral concern of the Angelic Doctor who did not mind breaking with the past in order to deal with the future. After all, the Gospel has to be preached "*usque ad consummationem saeculi*"!

The Priest, A Living Instrument of Christ

Pedro G. Tejero, O.P.

Vatican II, in the Decree on the Ministry and Life of the Priests, chapter III, points out clearly that priests are called to perfection. Priests, like all Christians, ought to be faithful to their baptismal consecration. The life of grace with the virtues of faith, hope and charity, together with the sevenfold gifts of the Holy Spirit given at baptism, should come to full bloom and fructification in their lives. And when this is attained it can be truly said that perfection has been achieved.

Vatican II mentions also a second reason (*peculiari ratione*) why priests are especially bound to the acquisition of Christian perfection. The reason given is based on the fact that priests have been consecrated in a new way by the sacrament of Holy Orders. By the power of such consecration the person of the priest cannot be used or applied for profane or worldly purposes incompatible with the nature of such consecration. The mission of the priest is, therefore, to give himself, body and soul, to the divine service which in the New Law stands for the celebration of the Holy Eucharist and the other sacraments so that the people of God may offer this service as a worthy cult to God, the Father and Lord of all.

As the sacrament of Holy Orders consecrates and configures the person of the priest to Christ, the Supreme Priest, he becomes a living instrument of Christ, the Eternal Priest. This statement needs careful attention and explanation.

In the order of nature, to be an instrument presupposes reasonably the existence of a principal cause or agent. Applying this

principle to the configuration of the priest with Christ, we can conclude that Christ is the source, the reason, the head from whom all spiritual sanctifying powers and graces flow. He is the one who saves, who gives grace, who calls, who sanctifies. Christ could have saved man in many different ways. But in the present providence he has established this order, that priests should be his collaborators and associates in the work of salvation. It is important, therefore, that priests should be fully aware of the role they have been called to play. They are the instruments of salvation in the hands of Christ, the very source and root of their being and actions.

In view of this the priest should look upon himself as being lifted up and dignified by this ministry. By means of a special grace he can perform actions and do things beyond his natural capacities and powers. It can be truly said that both Christ and the priest are performing the work of salvation, Christ as the High Priest, the ministerial priest, as his faithful instrument. A great mystery to ponder on!

A question could be asked as to whether the priest loses his freedom and personal identity whenever he acts in the name of Christ. The truth is that his freedom is greatly enhanced and fortified to the extent of doing what Christ wants him to do. There is no better way to express liberty than this.

The very core and reason of priestly spirituality lies in the intimate union with Christ, the source of all graces. Thus when he celebrates the Eucharist, preaches God's word, hears confessions and consoles the afflicted, he performs all these actions in partnership with Christ; as docile instrument, he has accomplished his mission as faithful minister of Christ.

But sometimes something unfortunate and lamentable occurs, that the priest loses his contact with the Lord and his friendship becomes unfaithful, disfigured, broken. This is the dark moment in the life of the priest, the time for routine, lack of enthusiasm, sterility and rational and cold humanism. As the story goes: the branch is cut off and withers.

True, the grace of God, says Vatican II, can complete the work of salvation even through unworthy ministers. But the plan of God is that salvation should come to the people through those who have been

made particularly docile and obedient to the impulse and guidance of the Holy Spirit. The priest, therefore, as living minister of Christ, should truly say with the Apostle St. Paul: "It is now no longer I that live, but Christ lives in me" (*Ga* 2:20).

On the Management of Matrimonial Tribunals

Wilfredo S. Ipapo

Introduction

For the government of itself and of its members, to the Church was conferred by our Lord the legislative, executive and judicial powers (2 Co 10:8). Thus the power to govern has been invested by divine positive law upon the Supreme Pontiff and the Bishops. But while there is indeed a distinction of powers in the Church, there is not however a separation of them in three distinct authorities, for the Supreme Pontiff and the Bishops, who hold the power of government enjoy the three powers in the exercise of their own particular office: they are at the same time legislators, executives and judges.

For our purposes, we will confine ourselves to the judicial power or that particular aspect of power to govern consisting of the declaration of the law — “*iuris dictio*” — over controverted matters.

Book VII of the 1983 Code, entitled *Processes*, provides the legal framework for the exercise of this judicial power. Thus the Church has the Tribunals or Courts of Justice or judicial institutions established pursuant to law precisely “to provide every person the possession and secure enjoyment of all that is rightfully his” and “to uphold the demands of the common good and at the same time protect the rights of individual persons.”

The tribunals therefore fulfill an important balancing role in the legal life of the Church: to settle cases brought to her attention in accordance with the best and wisest insight of the law, and to heal some, if not all, the hurts which flow from those cases.

We are going to limit ourselves to "Marriage Tribunals: their establishment, organizational set-up and management." The tribunals, though in general are courts of justice, in fact have become Marriage Tribunals for apart from rare exceptions they have become highly specialized institutions to handle marriage cases.

The Tribunals of the Catholic Church

A. For the whole Catholic World:

The Holy Father enjoys complete jurisdiction and therefore, judicial power over the universal Church. He is the supreme judge by reason of his primacy. He judges by himself, through the Courts of the Holy See, or through other judges he may designate (c.1442). The Courts of the Holy See are: (1) the Roman Rota, which is the ordinary court of the Pope to receive appeals to his supreme judicial authority (cc.1443-1444) and (2) the Supreme Tribunal of the Apostolic Signature, which is the last court of appeals in both judicial and administrative processes (c.1445), and has jurisdiction to act on behalf of the Holy Father within the sphere of competence committed to it.

The Courts of the Holy See are constituted and ruled by special laws and they are organized along the same line as the Diocesan Tribunals. Both share in common many canonical principles.

It must be remembered that the Holy Father is subject to no inferior court; and that matters of most serious nature and consequences ("*causae maiores*"), *v.gr.* the marriage cases of heads of States, are reserved exclusively to his competence.

B. In Each Diocese

In each diocese, the Bishop holds ordinary judicial power. He is the local ecclesiastical judge who can decide controversies either by himself or by others (c.1419). For all cases that are not expressly reserved to the Holy See, the judge of the First Instance is the Diocesan Bishop.

By the common law of the Church in every diocese there should be established a Court to which the faithful may have easy access for judicial decisions affecting their marital status (c.1419).

According to the 1992 *Catholic Directory of the Philippines*, there are around 78 Archdioceses and Dioceses in the country. As to how many of them have established operational tribunals, I do not really know. Pursuant to the same Directory some are duly established, but in fact not functioning or operating. Why? The reasons are many: paucity of cases to be processed; inadequate staffing due to lack of qualified and trained personnel; lack of resources to sustain an efficient functional diocesan tribunal; and the posture of some bishops who, having failed to realize the pastoral relevance of marriage tribunals, failed also to have priests trained for that purpose and to assign to tribunal work professionally competent people in sufficient number to cope with the marriage problems of their dioceses.

The Establishment, Organization of Diocesan Tribunals

It is the responsibility of the diocesan bishop to establish a tribunal, adopt an adequate tribunal structure, and make provisions for its staff and funding. It is a clear mandate of the universal Code of Canon Law; it addresses a particular need in the Church — that of rendering justice — and a clear exigency of a bishop's pastoral concern for his flock. In relation to the latter, the Good Lord has this word for him: "Be compassionate as your Father is compassionate," (Lk 6:3) and thus a bishop is being asked to stand alongside the troubled and distressed, to take some of the weight of his faithful's burden and to help them again lift up their heads and their hearts.

"Prius est esse quam agere." Existence is prior to anything's operations or activities. A Diocesan Tribunal must be established first, before it can be efficiently operational or ably managed.

Decree of Establishment

A Decree of Establishment constituting the Diocesan Tribunal becomes imperative. In the same Decree, the afore-mentioned imperatives must be stated together with the following elements: that it is by the authority in him vested that he is establishing the Tribunal of First Instance in his territorial circumscription for the purpose of adjudicating, processing and resolving cases "*qua*" matrimonial or of all cases not expressly withdrawn by law. Needless to say, the same Decree must indicate its main office. It must be duly dated and signed by the diocesan bishop or his equivalent in law (cc.1417 *et sq.*).

Grades of Ecclesiastical Tribunals

There are various grades of ecclesiastical courts. A case tried for the first time is said to be in the Court of First Instance. If it is appealed to the appellate court, it is said to be in the Court of Second Instance. Normally the Court of Second Instance for diocesan tribunals is the Tribunal of the Metropolitan See. This Court in turn, must choose another court, which after approval of the Holy See will function permanently as its Court of Second Instance. If a case is accepted at the Holy See — to break the deadlock of the discordant decisions of the First and Second Instances — it is said to be in the Court of Third Instance. Many times it is simply referred to as case to Roman Rota, which suggests and frequently implies, that it is being tried for the third time. Yet the Court of Second Instance or even that of Third Instance, although each is of a different grade, is not superior to that of the First Instance in so far as either one of them is empowered to sit in review of the activity and judgement of the Court of First Instance. Courts of Second and Third Instances are in reality courts for a second or third hearing of the same case (cc. 1438 §§ 1,2; 1439).

It must be noted that all affirmative formal decisions of nullity made by Court of First Instance are required to be appealed by the Tribunal of Second Instance. A petitioner or any one who feels aggrieved has also the right of appeal against a negative decision of First Instance. However, once a negative decision about the nullity of marriage has been given by a Tribunal of First Instance, another Tribunal of First Instance cannot submit the same case to a new examination. (Cf. Declaration of the Supreme Tribunal of the Apostolic Signature, given in Rome, on 3 June 1989, signed by Achilles Card. Silvestrini, Prefect, and by Zenon Grocholewski, Secretary Ap. Sign. Prot. No. 20598/88).

A more detailed declaration follows:

(a) The same case of nullity of marriage, once a definitive decision, even negative, is given, cannot be considered again in the same instance, unless a plight of nullity is lodged;

(b) If the same tribunal or another tribunal nonetheless, attempts this, its incompetence is absolute and either an exception is to be lodged by those interested, or this is to be declared *ex officio* by the

judge, and a new sentence which may have been given is to be regarded as incurably null, and can never be put into execution;

(c) To consider the merit of a marriage nullity case of this kind, whether in the case of an appeal or in a new proposition of the same case, belongs solely to the appeal tribunal of the tribunal which has given a first instance decision.

It must be noted that for the Philippines a single appellate court — known as the National Appellate Matrimonial Tribunal of the CBCP — is established for all judicial cases for the whole territory of the Episcopal Conference of the Philippines; the seat of which is Manila. And to the Archbishop of Manila are attributed the powers and jurisdiction over this appellate court that belongs to the bishop of the diocese over his tribunal (c.1423,1). Cf. CLD, Vo.XII, pp. 343-344.

It must be noted that the CBCP can, with the approval of the Apostolic See, constitute more tribunals of Second Instance (c.1423,2).

Pursuant to c.1444,1,1^o, a case generally goes to the Roman Rota for the Third Instance when the two lower courts are not in agreement.

Other episcopal conferences of the world have periodically shown an interest in obtaining an indult to establish a third instance court in their own countries, but Rome has generally taken a dim view of such efforts partly perhaps because of a concern that a proliferation of third instance courts might give rise to national inbreeding and so result in a loss of jurisprudential catholicity, and partly because of a concern that the individual conferences would not be able to staff these courts with the kind of Solomonic judges that would be necessary at that level (CIC, Comm. & Text, p. 959).

In consideration of the tribunal's jurisdiction, there are:

a. *Diocesan Tribunal*: The Tribunal of First Instance duly established by the diocesan bishop or his equivalent in law intended for the adjudication and resolution of marriage cases in his territorial jurisdiction or diocese (c.1419);

b. *Metropolitan Tribunal*: This is the tribunal established by the Metropolitan of an Ecclesiastical Province to resolve or decide on

cases in the archdiocese and those of the suffragan dioceses. It decides in the first instance those cases from the archdiocese itself but decides in the second instance those cases already decided in the first instance by the diocesan tribunals of the suffragan bishops and thereto appealed (c.1438,1). The cases heard and decided in first instance by the archdiocesan tribunal is appealed to the archdiocesan tribunal permanently designated as the second instance court, with the approval of the Apostolic See (c.1438,§2);

c. *Inter-diocesan Tribunal or Regional Tribunal*: With the approval of the Apostolic See, several diocesan bishops from different territorial jurisdictions may establish for their dioceses a single tribunal of First Instance to resolve any marriage case or some types of cases. In this tribunal, the group of bishops or a bishop designated by them has all the powers which a diocesan bishop has over his own tribunal (c.1423,§§1-2).

It must be noted that the "Grade" of a tribunal is the place it holds in the judicial hierarchy, and, likewise, that the grade of tribunal does not always coincide with the grade of hearing or instance ("*gradus iudicii*"). A tribunal of the third grade, for example, may hear the case in a first instance (c.1417). The kind of a tribunal ("species") is the particular type or class to which it belongs, depending on a variety of factors, even within the same grade. A tribunal may, for instance, be a sole-judge, a three-judge or a five-judge tribunal, an ordinary or administrative tribunal, a diocesan or religious tribunal, etc. (Cf. CIC, Text & Commentary, p.353).

Personnel of the Marriage Tribunals

There is no question that Matrimonial Tribunals, like their civil counterparts, should be run professionally. We want our tribunals to be sources of legitimate pride and worthy of winning the respect of all who are acquainted with them. This means, at the very least, that key tribunal personnel, should not only be endowed with personal attributes, but also that they be truly experts in their knowledge of law, procedures and jurisprudence that bear on the settling of marriage cases.

a. *Judicial Vicar*. He is the "alter ego" of the diocesan bishop in the administration of justice. He presides over it in the name of the

diocesan bishop. With the power to judge he constitutes one and the same tribunal with the bishop. He must be a priest of good reputation, at least thirty years of age, with a doctorate or at least a licentiate in Canon Law, and should be appointed by the bishop with tenure (c.1420). Since the judicial vicar forms one court with the bishop in all judicial matters, from his decisions there is no recourse to the bishop himself but to a superior court.

b. *Associate Judicial Vicar*. He is an assistant of the judicial vicar in the administration of justice. He must also be a priest of good reputation, of at least thirty years of age, with a doctorate or at least a licentiate in Canon Law, appointed by the bishop for a definite period of time (c.1420,§3).

c. *Diocesan Judges*. Aside from the “*de officio Judges*” (i.e. the diocesan bishop, judicial vicar and associate judicial vicar) a cleric — even a lay person with the expressed permission of the Episcopal Conference — with unimpaired reputation and a holder of a doctoral or at least a licentiate degree in Canon Law may be appointed by the bishop as a Diocesan Judge for a definite period of time. When needed, one lay person judge may be a member of a collegial tribunal that as a rule should be presided by the judicial vicar (cc.1424-1425).

d. *Auditor*. With the approval of the bishop, the presiding judge of a collegial tribunal may designate an “Auditor” whose function is to gather evidence, in accordance with the mandate received from the court. His function is only to “instruct” or prepare the evidence of the case for the court (c.1428). The diocesan bishop may approve for this function a cleric or lay person with unimpaired reputation, prudence and learning. The judge in a sole tribunal may designate the “Auditor” for a given case.

e. *Assessor*. A cleric or lay person with an unimpaired reputation may be designated as assessor by a sole tribunal in order to serve as consultor in a given case or to advise the sole judge on the merits of the case. The function of assessor may be assigned preferably to a judge not assigned to the case whose personal attributes and scholastic attainment favor sound counsel.

f. *Promoter of Justice*. This person is appointed in a stable manner by the bishop to safeguard the public good (cc. 1430,1433, 1434). He can either be a cleric or a lay person with unimpaired

reputation, prudence and a keen sense of justice, and a holder of a doctorate or a licentiate degree in Canon Law (cc.1430, 1435, 1436).

The Promoter of Justice is the equivalent of the Public Prosecutor who can bring a case before a tribunal in the interest of the common good. He is rarely active in our tribunal organization.

g. Defender of the Bond. For cases of nullity of marriages and dissolution of the bond of marriage (cc.1141-1150), a Defender of the Bond must be appointed in each diocese to argue against nullity or dissolution (c.1432). The Defender of the Bond who is either a cleric or a lay person with good reputation, prudence and a keen sense of justice, and a holder of a doctorate or licentiate degree in Canon Law, may be appointed by the diocesan bishop.

He is in effect a co-respondent in every marriage case. He is bound by office to prevent and expound all that can be reasonably argued against the nullity or dissolution. He may observe in the appropriate cases that there appears to be no case to defend, but it would be an abuse of his office to argue for nullity.

h. Notary(s). This non-judicial court official draws up all court-proceedings, citations and notifications and certifies for their accuracy. The notary is an official witness of all documents and records which make up the process. Consequently all records certified by the notary constitute public proof (cc.1437;483-485). Any adult with a good reputation and above suspicion may be appointed Notary (c.484,§2). The notary can be removed freely by the diocesan bishop (c.485), or by a diocesan administrator with the consent of the board of consultors (c.485).

Personnel who are Non-Members of the Tribunal

a. Advocates. They are persons, preferably Catholics with a doctoral degree in Canon Law or well knowledgeable thereof (vere periti), approved by the Diocesan Bishop to appear before the Tribunal on behalf of a party for the purpose of safeguarding his/her rights by arguments in law or in fact. Marriage cases, however, do not necessarily require advocacy under the principle that it is the Tribunal that automatically pursues justice and truth in every case (cc.1481;1483).

b. Procurator. A Party in the case may appoint a Procurator at

his own judgment for the purpose of transacting judicial matter before the tribunal in his or her name. A Party may have only one Procurator. Procuratorship is neither necessarily required in marriage cases. In a marriage case, however, the Petitioner generally performs personally and not a Procurator, any judicial act that need be done. (A special Procurator/Curator is constituted for a Party who cannot stand trial and does not have the free and deliberate exercise of his/her rights [c.1483]). A Procurator must have attained the age of majority and be of good reputation. (A person may act as procurator/advocate of a Party at the same time).

c. *Experts*. Experts are specialists in their chosen field or chosen profession. When required by law as in marriage cases accused of nullity on the ground of impotence or mental illness (c.1680) and the like, their services are necessary both to establish a fact or to clarify the nature of something. "*Judex est peritus peritorum.*"

d. *Relator-Ponens*. The presiding judge in a collegial court should designate one of the judges of the tribunal to be a relator whose function is to report at the meeting of the court and write the decision (as ponens) (c.1429). Evidently this function is irrelevant to a Sole Judge Tribunal, because the decision is made and written by one and the same Sole Judge. In a collegial tribunal, this function is necessary, and this assignment is given by the presiding judge to one of his associate judges.

It must be noted that a Matrimonial Tribunal may be established and may operate with the appointment and functions of the following personnel: Judicial Vicar acting as a Sole Judge, assisted by an Auditor and an Assessor in the instructive phase of the case; Defender of the Bond and Notary. A concrete matrimonial case does not need all the aforementioned personnel. Besides, two or more compatible functions can be assumed by one and the same person, *v.gr.* Procurator/Advocate; A defender of the Bond/Promoter of Justice. (In order that the process may in truth pursue justice and avoid arbitrariness, more court officials should intervene in the process. They exercise their offices without interference from the judicial officer mentioned above.)

Even a Matrimonial Tribunal of Second Instance or an Appellate Matrimonial Tribunal should be collegial in constitution and adjudication when a Decision pronounced by a Sole Judge Tribunal

is thereto appealed pursuant to law or appealed by the Party who feels aggrieved by the said decision. It may then be established and operate with the following personnel: Judicial Vicar acting as a Presiding Judge together with two other Associate Judges, Defender of the Bond and Notary.

Cases in Matrimonial Tribunals

Matrimonial Tribunals, as already stated above, are juridical institutions duly established pursuant to the legal system of the Church for the adjudication and definitive resolution of marriage cases in accordance with given procedures. "Procedures, subjectively understood mean the ordained series of Acts and Formalities duly prescribed by law to accordingly resolve doubts, settle issues, decide conflicts through the intervention of competent public authority. Objectively considered, Procedures refer to the composite body of laws that regulate, determine and direct the said Acts and Formalities." (Cf. Della Rocca, Fernando, *Manual of Canon Law*, Bruce Publishing Co., Milwaukee, 1958, p. 331).

Said Matrimonial Tribunals resolve the following marriage cases:

a. *Marriage Nullity*. The Church's law clearly points out three sources of marriage nullity: (1) The existence of a diriment impediment in at least one of the contracting parties and/or lack of legal capacity to marry (cc. 1083-1094); (2) Defective matrimonial consent in at least one of the parties (cc. 1095-1107); (3) Non-observance of or defective canonical form (cc. 1108-1123). We have a nullity case when the validity of a particular marriage is challenged on the ground of any of the aforementioned (cc. 1671-1691).

b. *Canonical Separation of Spouses*: Spouses have the obligation and the right to live together in conjugal life unless excused by legitimate cause (c. 1151). This life together is a particular but very important aspect of the partnership or community of life which the spouses contract in marriage. If indeed a formal action is undertaken by one of the spouses on the ground of qualified adultery, serious physical and/or spiritual danger or serious difficulty in maintaining the community of life and love, then there is a case of canonical

separation with the marital bond remaining intact i.e. "*vinculo manente*" (cc.1692-1696). The authorization to separate is an act of jurisdiction reserved to the diocesan bishop, and those acting in his name. He may hear the case administratively by himself or by his delegate. The bishop may decide that the case be heard judicially by the judicial vicar or a judge of the tribunal, in this case the matter is to be resolved according to the Procedures of the Oral Process (cc. 1656-1670).

c. *Presumption of Death of a Spouse*: When the death of a spouse cannot be established either by the presence of an identifiable physical remains or by authentic civil or ecclesiastical documents and the surviving spouse formally petitions the competent ecclesiastical authority to declare the death of the spouse pursuant to presumed evidence (c.1707) the process is administrative but it has some judicial tone.¹

Discipline to be Observed in Matrimonial Tribunals

Matrimonial Tribunals are dedicated to the pursuit of justice. Hence all persons involved in the tribunals must excel in Christian virtues like integrity, prudence, learning and a keen sense of justice. The bishop, the judicial vicar and the diocesan judges should see to it that these qualities prevail among the members of the court.

1. *Pastoral mediation*. The judge "is not to neglect to encourage and assist the parties to collaborate in working out an equitable solution to the controversy" (c.1446,§2). The very nature of the office

¹ The Juridical Procedure is to be followed when two parties submit their legal controversy to the decision of an ecclesiastical court of law. The Administrative Procedure is to be followed when a party requests from the competent ecclesiastical superior a particular ruling declaring a right or granting a grace/favor.

Three more kinds of marriage cases are being handled by the Local Tribunals: namely, *Dispensation from a ratified but non-consummated marriage* (at least its instructive phase or procedural inquiry). But the Holy See alone adjudicates on the fact of non-consummation, and determines the presence of a just cause. The *Privilege of the Faith* cases or the right to act in a way that is favorable to the acquiring or preserving of the faith. *Pauline Privilege*: this applies to the marriage of two unbaptized persons, even if consummated, when one of the spouses later is baptized, and the other spouse is unwilling to live with the former "without the contumely of the Creator." The *Petrine Privilege*: the dissolution of a legitimate marriage of a baptized party with an unbaptized person granted by the Pope in favor of the faith.

of a judge is to administer justice, but justice which embraces both the common good and the individual good of the parties. The same canon 1446,§1 admonishes the faithful and the bishop in particular, to avoid controversies, and places on the judge the responsibility to seek conciliation. A similar admonition is contained in c. 1676 concerning marriage cases in which reconciliation is to be sought if at all possible. In short, those who are working in the tribunal particularly the judicial vicar and the judges must exhaust all means to mediate, reconcile, pacify the parties in conflict. All pastoral and prudential measures must be resorted to avoid painful litigations and painful trials.

However, when the public interest is involved, the parties do not have the free disposition of the controverted matter; consequently compromise and arbitration are not possible and the canonical process must be resolved in a court of law. But even then, the laws that rule this process seek above all, the good of souls and the "adversary" form of the proceedings should not be carried beyond its procedural limits.

2. The Judge and all those connected with the process must excel in pastoral concern duly enlightened by the principle of law.

The 1983 Code is eminently pastoral. And the Code is not limited to the resolution of controversies. For this reason, there cannot really exist a conflict between "pastoral" practice and "legal" precepts for both are complimentary. Pastoral practice consists of an act of guiding the faithful to the knowledge and practice of the principles of Christian life, and since legal precepts are norms of conduct given for the welfare of souls, pastoral efforts should be directed to guiding the faithful to understand and willingly adhere to these precepts. An impersonal declaration of the law without regard for the circumstances of the persons to whom the law applies, is indeed unpastoral, and so is the disregard for the legal precept when adherence to it may be more difficult because of particular circumstances. Since the law is a "command of right reason" and a guide to right conduct, it is unpastoral to disregard the precept or to bend it, often through legalistic casuistry, to attempt to legalize a wrong conduct. Since the canonical process consists of the administration of justice to particular cases, the judge and all those connected with the process must excel in pastoral concern duly enlightened by the principles of law.

3. Judges and all court officials must take an oath to fulfill their duties properly and faithfully (c.1454); they should act with integrity and above suspicion (c.1456); they should disqualify themselves in cases where they may be involved in a conflict of interest (cc. 1449-1451) and be zealous for the public interest and for the requirements of justice, including the duty to observe secrecy in those matters known by the exercise of their office which may endanger the reputation of others (c.1455).

4. The canonical process can be initiated by a petitioner only or by the promoter of justice, but once initiated it progresses towards its conclusion by the combined initiative of the parties and of the judge acting *ex officio*: (a) In matters that are not of the exclusive interest of the parties, the judge acts only upon petition of the litigants, but even then he must examine their petitions diligently, set or extend deadlines, and issue decisions and decrees, as required by law, to move the process towards a just conclusion. (b) When public interest is involved, as in matrimonial cases, the judge may act *ex officio* to exercise actions and exceptions, to ask for and present proofs, and to supply for the deficiencies of the parties, the promoter of justice, or the defender of the bond, or of the notary (cc.1452-1453).

The *ex officio* initiative of the judge however, should not interfere with the rights of others; he can never judge without a petitioner or beyond what is being petitioned; he cannot decide for or against persons other than the petitioner and respondent; he cannot have his decision on facts other than those alleged and proved.

5. Each case must be heard by observing certain Procedures mandated by the law to assure that individual rights are respected and that a just decision is reached. Consequently, all cases are to be tried in the order in which they are entered (c.1459); exceptions concerning the procedure mandated by law and the competency of the court must be proposed before the terms of trials are established *i.e.* before the formulation of doubt (cc.1459-1464) to avoid confusion of the issue and delays in reaching a decision. As order in the procedures is required for a just trial, so is speed in the resolution of the case: time for deliberation must be harmoniously combined with diligence; as the process must steadily progress towards its conclusion, deadlines must be established and observed (cc.1465-1476).

Management of Matrimonial Tribunals

After a marriage tribunal has been established, duly organized and set to operations, its efficient management will depend so much on the following factors:

1. Diocesan Bishop's and Judicial Vicar's ability to inspire other Tribunal Officers and Members

The diocesan bishop and his judicial vicar are the principal key figures of the tribunal. In fact they constitute one and the same tribunal. Their personal as well as scholastic attributes, their prudence, integrity, keen sense of justice, aptitude and commitment do make a vital and proficient tribunal. But the tribunal will be more dynamic in the administration of justice and effective agency of pastoral solicitude, if they have the ability to inspire the other officers and members of the tribunal; the ability to make them feel that they are co-responsible, co-sharers and co-participants in the common task of "providing every person the possession and secure enjoyment of all that is rightfully his" in the diocese. They — that is, the other officers and the supporting staff — are not mere pawns in the chess-board of tribunal ministry.

2. Continuous study and on-going research of those appointed to a Tribunal in any judicial capacity.

It is important that key personnel in Church's marriage tribunals not be professionally underqualified. For this reason they are required to be holders of doctoral or at least licentiate degrees in Canon Law. But this is not enough. If possible, they must be able to master Matrimonial Law, Matrimonial Procedures and Matrimonial Jurisprudence. For their personal growth and professional efficiency they must continuously acquaint themselves with the best and wisest insights in Law; well-versed in the complexities and intricacies of Matrimonial Procedures and above all updated with the latest development in Matrimonial Jurisprudence or "the science and art of applying, interpreting and supplying for the codified law by rescript and judicial sentence."

It must be noted by those assigned in Tribunal Ministry that in the ecclesiastical system, the Apostolic Signature safeguards and moderates the development of jurisprudence. Since jurisprudence

plays an important role in the administration of justice in the Church, it is necessary to unify it and make it uniform. Canon 19 states that one of the principles for providing for a "*lacuna legis*," or gap in what the law has provided for, is to take into account the jurisprudence and practice of the Roman Curia. The Apostolic Signature and the Roman Rota, therefore, are the sources of creative canonical jurisprudence.

It may be for our own encouragement to know that there are people who are "truly expert" (pursuant to c. 1483), even though they have not earned a Licentiate in Canon Law. Some dioceses have at least a few of such people, people who have perhaps never studied *De Legibus Matrimonialibus*, *De Processibus Matrimonialibus*, but who know in great depth the Church's Jurisprudence on marriage and who have the intelligence and wisdom to apply that jurisprudence to individual cases. Some of them assist the parties in cases as their advocates. (Cf. Mr. Deogracias C. Felizardo, Regional Trial Court, National Capital Judicial Region, Branch CLI (151), Pasig, Metro Manila, Case: Wilfrida R. Dominguez vs. Jose Ma. N. Dominguez, JDRC Case No. 2326).

3. Special breed-of-people for Specialized Ministry

Tribunal Ministry is admittedly a specialized judicial apostolate in the sense that it is a difficult work and an uncommon undertaking even among those in the clerical state. Aside from the requirement that those engaged in the same ministry must be equipped with sterling personal virtues (of prudence, integrity, probity and keen sense of justice, etc.) and degree holders: at least with a licentiate in Canon Law, they are expected too to study continuously and update themselves with the latest development in ecclesiastical disciplines and related profane sciences like behavioral sciences, psychology, psychiatry, etc... or else they will stagnate. The work is time-consuming and admittedly very exhausting... and away from the approving eyes of people (i.e. barely appreciated) and most oftentimes very meagerly remunerated. If they want to grow professionally and be efficient in their ministry they must have their own private canonical library stocked with canonical literature, publications of selected Rotal Sentences in the various Roman periodicals, canonical books and reviews, Canon Law digest publications, canonical newsletters, etc. By their own initiative and expense, they attend workshops, courses, seminars for purposes of renewing and updating

themselves. Sometimes they have to inch themselves for space, and rooms in the tribunal offices or be in waiting line for the use of office equipment.

Verily the task of those people in Tribunal Ministry is most taxing. It is difficult to listen daily to the tales of broken marriages, misspent energy and shattered dreams. The tears and anxiety, so characteristic of many cases, only go to point out the frailty of human life and the need for Christian empathy. Many are the marriage cases presented which require painful, tedious inquiry and precise responses. Tribunal ministry is pastoral ministry — it moves to bring failing human nature to an essential wholeness. It provides faith and hope in the lives of those seeking to be reconciled with God and the Church.

But this much we can say: Tribunal work can be tremendously rewarding. As with any form of ministry, it can be very much a two-way process and most people who have worked in the tribunal would acknowledge that they have learned a great deal from the people they have served. They witness at times heroism, a great effort to be faithful to God and to the Church even in most difficult circumstances; they see in many people tremendous growth which has come about through accepting their suffering in union with Jesus. It can all be a very humbling experience to have people share with us the deepest secrets of their lives.

Conclusion

We have talked about tribunal structures and they are essentially about people whose task is to render justice, to respond to an important issue of personal and public interest. The petitioner's and the respondent's rights are at stake, to be protected and advanced by the tribunal. The components of the tribunal structure are persons who bring an informed skilled contribution to the interaction and tension of parties to a broken marriage seeking redress from the tribunal. The Church has delicately balanced the rightful recourse of its people to a consideration of the nullity of a marriage, with the general principle of the indissolubility of marriage. The structures are in place to protect and realize this balance. On the one hand to resist the all too easy prospect of the annulment and/or declaration of

nullity, on the other hand to give ready access to a decree of nullity where nullity can be proved.

It is people who can make the structure effective. It is people who work through the issue and provide the facility and energy to see that a decision is made. While the decision on the issue is finally the responsibility of the judge, the decision is not solely his own but is the end product of a participatory judicial process involving many people who have addressed the issue throughout its course. The moral certainty or the lack of it which becomes personified in the judge or judges has its substance in the work done by people like ourselves. As in all ministries of the Church, we do not work alone in this ministry of justice and reconciliation, but God being with us, we are called to make this ministry possible.

The Diocesan Curia

Wilfredo C. Paguio

I. Introduction

1. *Definition.* The diocesan curia consists of those institutions and persons appointed by the bishop to furnish him assistance in the governance of the entire diocese *i.e.*, in directing the pastoral activity, in providing for the administration of the diocese, and in exercising judicial power (cc. 469, 470).

2. *Common Obligation.* All persons who are admitted to offices within the curia must:

- a. promise to fulfill their duty faithfully in accord with the manner determined by law or by the bishop;
- b. observe secrecy within the limits and according to the manner determined by law or by the bishop (c. 471).

3. *Subject Matter.* We shall here deal only on those persons and institutions which help the bishop in the administration of the diocese.

II. Persons in the Diocesan Curia

1. *Bishop* - The diocesan bishop must see to it that all the matters which concern the administration of the entire diocese are duly coordinated and that they are arranged in a manner that the good of the portion of God's people committed to him is suitably obtained (c. 473,1).

It is also the responsibility of the diocesan bishop to co-ordinate the pastoral activity of his vicars general or episcopal vicars (c. 473,2). This coordination is emphasized by the Code even when the bishop has an auxiliary or co-adjutor. Canon 406,2 says that the diocesan bishop should appoint his auxiliary or co-adjutor as vicars general or at least episcopal vicars. Such an appointment, moreover, still leaves them dependent upon his authority.

2. *Curia Moderator* - The appointment of the curia moderator by the bishop is facultative. However, if such an office is judged advantageous, this moderator ought to be a priest. His responsibility is to coordinate, under the authority of the bishop, those tasks which concerns administrative matters. This moderator likewise sees to it that the other members of the curia duly fulfill the office committed to them (c.473,2).

Unless in the judgment of the bishop local circumstances warrant otherwise, the vicar general or, if there are several, one of the vicars general should be appointed moderator of the curia (c. 473,3).

Furthermore, the chancellor is obliged to inform the moderator of the curia about all those acts which give rise to a juridic effect duly signed by the bishop and by himself or by any other notary (c.474).

3. *Vicar General and Episcopal Vicar* —

a. *Difference:*

Both are equipped with ordinary power. However, the vicar general is appointed by the bishop to assist him in the governance of the entire diocese (c.475,1). The episcopal vicar, on the other hand, is appointed to assist him over a determined section of the diocese, over a certain type of business, or over the faithful of a determined rite or of a certain group of persons (c.746).

b. *Number:*

Unless the size of the diocese, the number of its inhabitants, or other pastoral reasons warrant otherwise, as a rule, there should be appointed but one vicar general (c.475,2). Also, as often as the correct governance of the diocese requires it, the diocesan bishop can appoint one or several episcopal vicars (c.476).

c. *Appointment, Removal, Tenure:*

Without prejudice to the prescription of canon 406 (on auxiliary bishops and co-adjutor bishops), the diocesan bishop can freely appoint and can freely remove a vicar general and an episcopal vicar. An episcopal vicar who is not auxiliary bishop can be appointed only for a period to be determined in the act of the appointment (c.477,1).

d. *Substitute:*

When a vicar general or an episcopal vicar is absent or legitimately impeded, the diocesan bishop can appoint another who acts as substitute for such a vicar (c.477,2).

e. *Qualifications:*

A vicar general and an episcopal vicar should — (c.478,1-2)

- 1) be a priest (for validity);
- 2) be not less than thirty years of age;
- 3) hold a doctorate or licentiate in Canon Law or in Theology, or at least *be truly expert in these disciplines*;
- 4) have sound doctrine, integrity, prudence, and experience in handling matters;
- 5) not be canon penitentiaries;
- 6) not be related to the bishop within the *fourth degree* by blood (nephew, uncle, first cousins/grand nephew/grand-uncle).

f. *Powers:*

By virtue of his office, the vicar general possesses that executive power over the entire diocese which in law belongs to the diocesan bishop, *i.e.*, he possesses the power to do all administrative acts with the exception of those which the bishop has reserved to himself or which in law require the mandate of the bishop (c.479,1).

The episcopal vicar possesses also *ipso iure* the same power we mentioned but only over that determined section of territory, over that type of business, or over those faithful of a determined rite or group for which he was appointed. Excepted from this general rule

are those cases which the bishop or vicar general has reserved to himself or which in law require the special mandate of the bishop (c.479,2).

Within the limits of their competency, a vicar general and an episcopal vicar also possess the habitual faculties granted to the bishop by the Apostolic See as well as *the power to execute rescripts*. This is the case unless other provision had been expressly made or unless the intervention of the diocesan bishop had been chosen due to some personal characteristics involving the matter at hand (c.479,3).

g. Special Obligation:

The vicar general and the episcopal vicar must refer to the diocesan bishop the principal matters which are to be handled and which have been handled, and they *should never act contrary to the will and mind of the diocesan bishop* (c.480).

h. Termination of the Tenure:

The power of the vicar general ceases —

- 1) when the time of their mandate is fulfilled;
- 2) when they resigned;
- 3) when they are informed of their removal (respecting cc.406 & 409);
- 4) when the episcopal see is vacant (respecting cc.406 & 409).

i. Suspension:

Unless they possess the episcopal dignity, the power of the vicar general and of the episcopal vicar is suspended with the suspension from the office of the diocesan bishop (c.481,2).

4. The Chancellor and the Notaries —

a. Chancellor

In every curia, a chancellor is to be established, whose principal task is to be sure that *the acts of the curia are gathered and arranged*, in order that they may be guarded in the archive of the curia, arranged in chronological order or an index made (c.482,1).

b. *Vice-Chancellor*

If it seems necessary, the chancellor can be given an assistant, whose title would be vice-chancellor (482,2).

c. *Notaries*

Notaries are those *whose signatures establish the authority* of any acts whatsoever, whether only of judicial acts, or only for acts of certain causes or transaction (c.483,1). The chancellor and the vice-chancellor are automatically notaries or secretaries of the curia (c.482,3).

d. *Qualification* - (c. 483,2)

- 1) The chancellor and the notaries ought to be of good character and above reproach.
- 2) A priest ought to be the notary in cases in which the reputation of a priest can be called into question. (This means that *ordinarily a lay person*, whether man or woman can act as a chancellor or notary.)

e. *Duties of Notaries*

- 1) to write the acts and instrument relating to decrees, dispositions, obligations, and other tasks required of them;
- 2) to record faithfully in writing what has taken place and sign the record with notation of place, day, month, year;
- 3) to furnish the acts or instrument to one legitimately requesting them, all else being equal, and to declare copies of them in conformity with the original (c. 484).

f. *Removal from Office*

The chancellors and notaries can be removed from the office at the will of the diocesan bishop, but not by the diocesan administrator, except with the consent of the college of consultors (c. 485).

g. *Archives*

The curia shall have *three* archives: the *diocesan* archive, the *secret* archive and the *historical* archive.

5. *Financial Officer* —

a. *Appointment*

In each diocese, having listened to the College of Consultors and also to the Finance Council the bishop shall name a Financial Officer who is to be truly skilled in economic affairs and absolutely distinguished for honesty (c. 494,2).

b. *Term of Office*

The Financial Officer shall be appointed for a five year term, renewable (c. 494,2).

c. *Removal from Office*

During his term he must not be removed except from grave cause, judged by the bishop after listening to the College of Consultors and to the Finance Council (c. 494,2).

d. *Duties*

- 1) It is the role of the Financial Officer to administer the goods of the diocese under the authority of the bishop, in accordance with the policy established by the Finance Council;
- 2) From the income of the diocese he shall meet the expenses which the bishop or others deputized by him shall have legitimately authorized;
- 3) At the end of the year, the Financial Officer must give to the Finance Council a statement of receipts and expenses (c. 494,4).
- 4) Budget
- 5) To do other jobs according to the diocesan legislation.

6. *Canon Penitentiary* —

a. *Appointment*

Where there is no chapter of canons, the diocesan bishop shall appoint a priest to fulfill the job of the canon penitentiary (c. 508,2).

b. *Qualifications*

The diocesan bishop is to confer the canonry only upon priests outstanding in the integrity of their doctrine and life, and who have performed the ministry in a praiseworthy manner (c. 509,2).

c. *Duty*

The canon penitentiary receives from the law the ordinary faculty — which nevertheless cannot be delegated to another — of absolving in the sacrament forum from undeclared censured *latae sententiae* not reserved to the Apostolic See, even outsiders within the diocese and members of the diocese outside it (c. 508,1).

III. Institutions

1. *Episcopal Council* - The establishment of this council is facultative. If the bishop should judge it beneficial in fostering more suitable pastoral activity, the bishop can establish an episcopal council which would consist of the vicars general and the episcopal vicar (c.473,4).

2. *Presbyteral Council* - This is a body of priests who are to be like the senate of the bishops, representing the entire presbyterate. It belongs to this council to aid *the bishop in the governance of the diocese* according to the norm of the law, in order that the pastoral welfare of the portion of the people of God committed to him may be carried forward as effectively as possible (c. 495,1). In apostolic vicariates and prefectures, the vicar or the prefect is to constitute a council of at least *three* priests whose opinion is to be heard in more serious matters, even *by way of letters* (c. 495,2).

a. *Establishment*

The establishment or constitution of a presbyteral council by the bishop is obligatory (c. 495,1). When there is a new bishop in a diocese, he must continue the presbyteral council within a year after taking possession (c. 501,2). If presbyteral council is dissolved for grave causes as stated by law, the bishop shall constitute it anew also within a year (c. 501,3).

b. *Nature*

- 1) The presbyteral council enjoys only a consultative vote. The bishop must listen to it or even seek its consent only in cases expressly defined by law (c. 500,2). What transpired in these consultations can only be divulged by the bishop and by no other (c. 500,3).
 - a) The Code does not state any case where the bishop should see the *consent of the presbyteral council*.
 - b) The cases where the bishop *must hear* the council are the following: c. 461,1 - in convoking a diocesan synod; c. 515,2 - in erecting, suppressing or altering parishes; c. 1215,2 - in permitting the erection of a new church; c. 1222,2 - in permitting the relegation of the use of an old unrepairable church to profane but not sordid use; c. 1263 - in imposing moderate taxes to public juridical persons.
 - c) In general, the council must be heard according to the Code "in more serious matters" (c. 495,2).
 - d) Moreover, there is one case where the bishop proposes candidates and the council elects (c. 1742 - the parish priest consultors for the process on the removal of parish priest).
- 2) It pertains to the diocesan bishop to convoke the presbyteral council, to preside at it, to determine the questions to be treated by it or to receive proposals from its members (c. 500,1).
- 3) The presbyteral council is never able to act without the diocesan bishop (c. 500,3). Hence, when the diocese is vacant, the presbyteral council ceases (c. 501,2). Its functions are fulfilled by the College of Consultors.

c. *Statutes*

- 1) The presbyteral Council is *to have its own statutes*. These are to be approved by the diocesan bishop, and are to respect the norms which may be issued by the Conference of Bishops (c. 496).

- 2) The manner of electing members of the presbyteral council is to be determined in the statutes. This is to be done in such a way that in so far as it is possible, priests will represent the presbyterate taking into account the fullest diversity of ministries and various regions of the diocese (c. 499).
- 3) Members of the presbyteral council are to be designated for a term to be determined in the statutes. This is to be set in such a way that the full council or some parts of it are renovated within five year period. (c. 501,1).

d. *Membership* (c. 497)

- 1) About half the members are to be *elected* by the priests themselves in keeping with the norms of the canons as well as the Council's statutes;
- 2) some priests, in keeping with the Council's statutes, ought to be *ex-officio* members, *i.e.*, members who belong to the council in virtue of the office they hold;
- 3) the diocesan bishop is at liberty freely to *name* some others.

e. *Active and Passive Voice*

The following have the right to both active and passive votes in constituting the presbyteral council:

- 1) all secular priests incardinated in the diocese;
- 2) secular priests not incardinated in the diocese who live in the diocese or exercise some office for the good of the diocese;
- 3) priests who are members of an Institute of Consecrated Life or a Society of Apostolic Life who live in the diocese;
- 4) other priests who have a domicile or quasi-domicile in the diocese, if the statutes provides for it.

f. *Dissolution*

If the Presbyteral Council is no longer fulfilling the function committed to it for the good of the diocese, or is gravely abusing it, the

diocesan bishop can dissolve it after consulting with the metropolitan or, if it is the metropolitan see, after consulting with one who is senior by promotion (c. 501,3).

3. *College of Consultors* (cc. 502) —

a. *Appointment*

Some priests are to be freely selected by the diocesan bishop from among the members of the presbyteral council to constitute a college of consultors.

b. *Number*

Their number is not be less than six or more than twelve.

c. *Term of Office*

They are constituted for a five year term. When the five year term is up, the college exercises its proper functions until a new college is constituted.

d. *President*

The diocesan bishop presides at the college of consultors. If the see is impeded or vacant, the one who takes the place of the bishop in the interim presides. If such a person has not yet been constituted, the priest who is the oldest in the ordination in the college of consultors presides.

e. *Transfer of Functions*

The Conference of Bishops can determine that the functions of the college of consultors be committed to the Cathedral Chapter.

f. *Apostolic Vicariates and Prefectures*

The same mission council which takes the place of the presbyteral council takes the place of the college of consultors.

g. *Some Duties of the College of Consultors*

- 1) c. 272 - consent for Administrator to grant excommunication or incardination;
- 2) c. 404 - in the absence of the diocesan bishop, auxiliary or

coadjutor bishops may just present their appointment to the college in taking possession of his office;

- 3) c. 413 - in the case of an impeded see;
- 4) cc. 419, 421, 422, 430 - in case of a vacant see;
- 5) c. 485 - in removing from office chancellors and notaries by an Administrator (consent);
- 6) c. 1018 - for an Administrator to grant dimissorials (consent);
- 7) c. 494 - for a bishop to name a financial officer (consultation);
- 8) c. 1277 - on the administrator of the goods of Church (consultation/consent);
- 9) c. 1292 - in case of alienation of goods (consent).

4. Finance Council

a. Establishment

In each diocese, a finance council is to be constituted by the bishop (c. 492,1).

b. President

The bishop himself or his delegates is to preside over the finance council (c. 492,1).

c. Membership

These is to composed of at least three members of the Christian faithful truly skilled in economic affairs as well as the civil law and of outstanding integrity (c. 492,1).

d. Term of Office

Members of the finance council are to be named for a five year term, renewable (c. 492,2).

e. Exclusion

Excluded form the finance council are those related to the bishop up to the fourth degree of consanguinity and affinity (c. 492,3).

f. Duties (c. 493)

- 1) to prepare a yearly budget of the diocese;
- 2) to approve the report of receipts and expenses.

g. Consent Needed

- 1) c. 1277 - in order to issue the more important acts of administration of goods;
- 2) c. 1292, 1 - in cases of alienation of goods.

h. Audition Needed

- 1) c. 1263 - in imposing moderate taxes to public juridical persons;
- 2) c. 1277 - in more important matters on Church goods;
- 3) c. 1281 - on acts which go beyond the ordinary procedures of administration not mentioned in statutes;
- 4) c. 1305 - investment of money and other movable goods;
- 5) c. 1310 - in reducing obligations for pious causes.

5. Pastoral Council

a. Establishment

This is facultative. In each diocese to the extent that pastoral circumstances recommend it, a pastoral council is to be constituted whose responsibility is to investigate under the authority of the bishop all those things which pertain to pastoral works, to ponder them, and to propose practical conclusions about them (c. 511).

b. Nature - It enjoys only a consultative vote (c. 514,1).

c. President - The bishop shall preside over it (c. 514,1).

d. Convocation

It pertains exclusively to the diocesan bishop to convoke the pastoral council according to the necessities of the apostolate (c. 514,1). It shall be called together at least once a year (c. 514,2). It pertains to the bishop alone to make public what has been discussed in the council.

e. Membership

The pastoral council shall consist of the Christian faithful who are in full communion with the Catholic Church, clerics, members of the Institutes of the Consecrated Life, and lay persons especially, who are to designate in a manner to be determined by the diocesan bishop (c. 512,1).

f. Representation

The Christian faithful who are appointed to the pastoral council are to be so selected that the entire portion of the people of God which constitutes the diocese shall be truly reflected, with due regard to the diverse regions of the diocese, its social condition and professions, as well as the role which they have in the apostolate, either as individual or in conjunction with others (c. 512,2).

g. Qualification

No one except Christians of proven faith, good moral and outstanding prudence are to be appointed to the Pastoral Council(c. 512,3)

h. Tenure

The pastoral council is to be constituted for a time period according to the prescriptions of the statutes which are issued by the bishop (c. 513,1)

i. Termination

When the see is vacant, the pastoral council ceases to exist (c. 513,2).

Procedures for Dispensation from Priestly Obligations and the Vow of Celibacy

Higinio Velarde

INTRODUCTION

Dispensation from priestly obligations and the vow of celibacy is a subject matter which canonists would rather avoid. I mean, we would rather talk about it, discuss the merits of one particular case or express our opinions on whether the Holy Father should grant more dispensations or not. But when it comes to getting down into the business of processing a case of petition for dispensation from priestly obligations and the vow of celibacy, most of us will shy away from the task. There is a general consensus that the job is difficult, the procedures are lengthy and complicated, and the prospects of getting the dispensation are not good, to say the least.

As a matter of fact, because of a lack of competent people to handle these cases, the Catholic Bishops' Conference of the Philippines, through the initiative of Archbishop Oscar V. Cruz, J.C.D., D.D., has a "Procedural and Instructorial Desk," precisely to process petitions for priestly dispensation. Archbishops and bishops welcome this development because they now have an office to whom to send petitions for dispensation. This is not to say that there is no diocese in the country which processes its own dispensation cases. I am sure that there are some bishops who, either personally or through their chancery, prepare and instruct petitions for dispensation of their own priests. However, considering the number of dioceses in the country, I would say that only few actually process their own dispensation cases.

The purpose of this paper is to acquaint ourselves with the present legislation on this matter and the procedural norms to be followed. In this way, we hope to accomplish two things:

1) If we know how to handle petitions for priestly dispensation, we will be able to assist the said CBCP "Procedural and Instructorial Desk." When the bishops and archbishops ask this desk to process petitions of their priests, chances are some of the instructorial tasks will be sent back to the dioceses of the priest-petitioner. The petitioner himself, his family, his former professors and classmates in the seminary, the people who knew him in his former assignments: most of these will be found in the home diocese. If we are familiar with the procedures, our bishops can assign to us the task of interviewing these people and documenting the entire proceedings for eventual remittance to the CBCP Desk.

2) If we already know how to handle such petitions, our bishops can assign the task to us, instead of asking the CBCP Desk to do it for them. This will save everybody a lot of time and money and a lot more unnecessary bother.

PRESENT LEGISLATION

A. Principles

The present legislation governing procedures for dispensation from priestly obligations and the vow of celibacy is contained in the document issued by the Sacred Congregation for Divine Worship and the Discipline of the Sacraments, entitled "Documents Necessary for the Instruction of a Case for Dispensation from the Obligations of Priestly Ordination." This means that it is this Sacred Dicastery which is competent to evaluate petitions for dispensation. Basically, this document has kept intact the Substantial and Procedural Norms found in the Circular Letter, *Per Litteras ad Universos*, issued by the Sacred Congregation for the Doctrine of Faith, Prot. No. 128/61s, dated 14 October 1980, dealing with the matter. Obviously, when this Circular Letter was issued by the Sacred Congregation for the Doctrine of the Faith, it was this Sacred Dicastery which has competence over cases of priestly dispensation. With the reorganization of the Roman Curia by the Apostolic Constitution, *Pastor Bonus*, of Pope John Paul II, dated 28 June 1988, (cf. AAS, vol. LXXX, n. 7),

this competence was transferred to the Sacred Congregation for the Divine Worship and the Discipline of the Sacraments (art. 63). This Sacred Congregation, however, decided to keep the norms that were laid down by that Circular Letter and were already in effect.

The first part of the letter contains several principles which should guide those concerned, especially the bishops and those whom they will entrust the task of handling petitions for dispensation:

1. Sacerdotal celibacy is exalted and highly esteemed in the Latin Church. Celibacy is an obligation which is imposed not only by the Church law, but by virtue of one's personal responsibility (n. 1).

2. A good number of priestly defections during the past years has inflicted a painful wound in the Church who is struck in the very source of her life, causing a lot of pain to her pastors and to the entire Christian community (n. 2).

3. Dispensation from celibacy should not be considered as a right which should be indiscriminately recognized by the Church for all her priests. Nor should it be considered as an almost automatic result of a summary administrative process (n. 3)

4. In this process, the good of many, each one of them very precious, is at stake. Thus every aspect should be considered carefully, but always safeguarding justice and charity:

a. First, the good of the priest who asks for dispensation, convinced that this is the only way to solve his present concrete problem, whose burden he could no longer bear;

b. Second, the good of the entire Church who could not allow the dissolution, every now and then, of the very organic structure of the priesthood, which is absolutely necessary to fulfill her mission;

c. Third, the particular good of the local Church, that is, of the bishops and the presbyterium, who are concerned with the preservation, as much as possible, of the needed apostolic personnel, as well as that of all the faithful, for whom the priestly ministry is both a right and a necessity (n. 3).

5. In the evaluation of the petitions, the following cases should be considered:

a. that of priest who have already abandoned the priestly

ministry for a long period of time and would like to regularize a situation from which they could no longer extricate themselves;

b. that of priest who should not have been ordained in the first place, because they lacked either the freedom or the necessary attention to responsibility, or because the competent superiors were not able to prudently and sufficiently evaluate the capacity of the candidate to live a celibate life consecrated to God (n. 5).

6. In the evaluation of the petition, all superficiality should be avoided. The causes for granting of the dispensation should be established by numerous, convincing, and solid arguments (n. 5).

7. In order to proceed with seriousness and in order to safeguard the welfare of the faithful, no petition which is devoid of humility will be accepted (n. 5).

Needless to say, in discerning whether to accept a petition for instruction or not, and in evaluating whether to endorse it favorably or unfavorably, the bishop or his delegate should always have these principles in mind. It goes without saying that the competent Dicastery in Rome bases its own evaluation on these same principles.

3. Procedural Norms

In the second part of that Circular Letter are the various procedural norms to be followed. Taken together with the document coming from the Sacred Congregation for Divine Worship and the Discipline of the Sacraments, we come out with the following procedures:

1. *Competent Authority*

a. The competent authority to accept the petition and to instruct the case is the Ordinary of the of ordination of the priest-petitioner, or the Major Superior of the priest if he belongs to a clerical institute of consecrated life of pontifical right (art. 1).

b. If it is impossible for the proper Ordinary to instruct the case, the Ordinary of the place where the priest-petitioner habitually resides, may be requested to instruct the case (art. 2).

c. The Sacred Congregation can also delegate another Ordinary for any other proportionate reason.

2. Letter of Petition (*Libellus*)

a. The priest-petitioner should write a letter, addressed to the Holy Father in a spirit of penitence and humility, summarizing the principal reasons that have led him to leave priesthood, and any others for which he considers it impossible to return to the sacred ministry. The request should be personally signed by the priest making the petition and submitted to the Ordinary together with a *Curriculum Vitae* (art. 3).

b. The *Curriculum Vitae* should contain a detailed description of the reasons of the defection, and, if pertinent, why the situation is irreversible. Also included should be significant dates, *i.e.*, of birth, progress in the steps of formation and ordination, and the years and places where ministry was carried out (art. 3).

c. Once the Ordinary receives the petition, he should decide whether to proceed with the instruction of the case or not. Following the principles mentioned above, he should first try to dissuade the Petitioner from making the request, and should take measures to assist him in overcoming the crisis and taking up the ministry again. If all his attempts fail and he decides to proceed, he should first suspend *ad cautelam* the petitioner from the exercise of sacred orders, unless he thinks that doing so is not absolutely necessary to protect the good name of the priest or to safeguard the welfare of the community (art. 4). It must be noted that statements on both actions of the Ordinary, *i.e.*, the pastoral attempts to dissuade the petitioner and the suspension *ad cautelam*, if any, are to be included among the documents to be sent to the competent Sacred Congregation.

3. Instruction of the Case

a. The Ordinary may proceed with the Instruction of the Case either personally or through an Instructor-delegate (art. 4).

b. In case of the latter, the Ordinary should issue a decree nominating the Instructor of the case and an ecclesiastical Notary, (art. 4) with the explicit statement of the obligation to proceed according to the "Substantial and Procedural Norms" promulgated by the Sacred Congregation for the Doctrine of the Faith on October 14, 1980.

c. *Interrogation of the Petitioner.* The Ordinary or his delegate should interrogate the Petitioner, under oath, in the presence of the

Notary, with prepared and pertinent questions concerning, above all the time of formation prior to Ordination, with a deeper inquiry into the reasons given by the Petitioner in the *Curriculum* for the crisis, the defection, and the irreversibility of his choice.

d. Interrogation or deposition of witnesses, either those indicated by the Petitioner or chosen by the Instructor: *i.e.*, parents and relatives of the Petitioner; Superiors and companions from the time of formation, present Superiors and priest confreres.

e. Any other testimony that might be obtained from physicians, psychologists, psychiatrists who were visited during the time of formation or later will be very helpful.

f. A copy of the *Scrutinia*, *i.e.* all documents specified in canon 1051, of those responsible for his admission to Holy Orders, as well as other documents from the archives of the house of formation, should be obtained and included in the Acts. (Canon 1051 states: *In the investigation of the requisite qualities of one who is to be ordained, the following provisions are to be observed: 1. there is to be a certificate from the rector of the seminary or of the house of formation, concerning the qualities required in the candidate for the reception of the order, namely sound doctrine, genuine piety, good moral behavior, fitness for the exercise of the ministry; likewise, after proper investigation, a certificate of the candidate's state of physical and psychological health; 2. the diocesan Bishop or the major Superior may, in order properly to complete the investigation, use other means which, taking into account the circumstances of time and place, may seem useful, such as testimonial letters, public notices or other sources of information.*)

4. Post-Instructorial Phase

a. After the instruction of the case, the Instructor should prepare the Acts, every page of which should be authenticated by the Notary. In preparing the Acts, care should be taken that, for the legibility of the entire documentation, photocopies are well made and pages which have been handwritten in an illegible way are accompanied by typewritten transcription. Depositions that are given in local dialect should be translated into English, together with the certification by the Instructor that the translation is correct and reliable.

b. The Instructor should give his own personal vote about the merit of the case as a whole, explaining whether it is recommended

or it is deemed undesirable that a dispensation be granted and why this is the case. To be taken into consideration are: not only the reasons set forth in the Instruction, as well as the personal well being of the Petitioner, but also the universal good of the Church, of the Diocese or Religious Institute as a whole, and of the souls formerly entrusted to the ministry of the Petitioner. It is suggested that the Instructor should affix his signature in every page.

c. The bishop or the religious superior who arranged that the case be instructed should likewise give his own personal vote, to be formulated upon the merit of the case as presented in the Acts prepared by the Instructor, stating whether or not it is deemed opportune to grant the dispensation. In the vote, he should confirm that the Acts have proven without doubt either of the two situations mentioned in the principles: that the petitioner has left the ministry for a long period of time and there is no more possibility of his ever coming back, or that during ordination, the said petitioner was not in a position to evaluate carefully the commitment he was making or that his superiors did not, in fact, sufficiently and prudently evaluate his worthiness for Orders. An explicit statement must be included regarding the assurance that no scandal will be taken if the dispensation is given. It is likewise suggested the bishop should affix his signature in every page.

d. If the Petitioner is residing in another diocese, other than his own, a personal vote from the bishop of that diocese should be obtained, regarding the assurance that no scandal will be taken if the dispensation is given.

e. To be obtained also is an official copy of: certificates of attempted civil marriage or declarations of nullity of Matrimony, or civil divorce for the Petitioner and the woman.

f. Three copies of the Acts of the case, should be sent to the Congregation for Divine Worship and the Discipline of the Sacraments. They are to be bound together in an orderly manner, with all the pages numbered in sequence and authenticated by the Notary.

g. The Sacred Congregation for Divine Worship and the Discipline of the Sacraments will discuss the case and decide whether the petition should be endorsed for approval by the Holy Father, or whether it should be sent back for supplementary instruction, or whether it should be denied for lack of sufficient reason.

PRACTICAL QUESTIONS

Just going over the preceding norms, it is easy to imagine that if we follow the procedures, step by step, we will not have any trouble with the handling of dispensation cases. As long as we have a checklist of the documents that we have to prepare and to send to the competent Sacred Congregation, we are doing all right. The problem starts when some required documents are not available and we are almost tempted to “produce” them, by any means, just so we can comply with the requirements. This is especially the case when dealing with petitions by priests who have left the ministry a very long time ago or with petitions which have been processed and, for some reason, have been rejected or returned. What are we to do in such cases?

Question No. 1:

There is already an existing file. The instruction of the case is either half-way through and was not continued, or has been finished but was returned for supplementary instruction, and later abandoned altogether.

Suggested solution:

Make an entirely new file, following the procedural norms that are in effect. Incorporate the existing file to the new file by means of either a Certification of Incorporation by the Instructor or by the Ordinary, certifying that the existing file is authentic and is being incorporated into the new file, or by an Act of Recognition (*Recognitio*), in which the Petitioner acknowledges and accepts that the documents contained in the old file are authentic and nothing in them has been changed or altered.

Question No. 2:

There is no existing document attesting to the fact of any pastoral attempt on the part of the Ordinary to dissuade the priest from asking for dispensation, nor of any help to assist him in his crisis and difficulty.

Suggested solution:

The Ordinary concerned should make a report, to be signed by

him, stating the facts and the reasons why no such attempts and assistance were given, *v.gr.*, the priest disappeared and his whereabouts were unknown and attempts to contact him were useless.

Question No. 3:

When the priest filed his petition, there was no suspension *ad cautelam*.

Suggested solution:

The Ordinary should include in his report the reasons why he thought it was not necessary to suspend the priest, *v.gr.*, the priest, of his own accord, stopped to exercise the ministry, etc.

Question No. 4:

The priest-petitioner belongs to a clerical institute of consecrated life but wants to course his petition through the local Ordinary.

Suggested solution:

The procedural norms say that the Ordinary of the place where the petitioner resides is also competent to start the instruction of the case. Needless to say, the superior of the priest-petitioner will have to be informed, if only to obtain whatever documents and information are required.

Question No. 5:

The copy of the *Scrutinia*, the seminary records and other ordination records are not available.

Suggested solution:

After having made sure that there are no such documents, either in the house of formation or in the chancery, substitute testimonies may be utilized, such as statements from the bishop, the chancellor, the seminary professors and others who are in the position to offer such testimony. An explanation as to why the records are not available should be included in the report.

Question No. 6:

The procedural norms mention three people who should submit

their individual votes. What should be the structure of the vote of the Ordinary who started the Instruction? What about that of the Instructor? And that of the Ordinary of the place of residence?

Suggested solution:

The vote of Ordinary who started the instruction of the case is the one which carries a lot of weight. Therefore, it should be as complete and convincing as possible. The structure of a judge's decision in a matrimonial case is the best way to do this, i.e., it should have three main parts: the exposition of the facts of the case; summary of the Acts, citing the pertinent parts which support the reasons of the petitioner as explained in his *Curriculum vitae*; and the conclusion. As mentioned earlier, his vote should confirm the existence of either situation stated in the principles (n. 5, above). The conclusion is the place for this. To be included also in this vote is the assurance that there will be no scandal taken if the dispensation is given.

The vote of the Instructor consists mainly in a narration of the steps he took from the start of the instruction until it is finished. He ends with a recommendation in favor of endorsing the petition to the Holy Father.

The vote of the Ordinary of the place where the petitioner is habitually residing has the purpose only of assuring that there will be no scandal taken in case the dispensation is granted.

Question No. 7:

How are the copies of the Acts to be sent to the Sacred Congregation for Divine Worship and the Discipline of the Sacraments?

Suggested solution:

It is good Chancery practice to request the Apostolic Nunciature to facilitate the remittance of matters like this.

Question No. 8:

How long does it usually take for the Sacred Congregation to evaluate the case and to send its answer?

Suggested solution:

A period of two to three months is reasonable time enough to wait for Rome's answer.

Question No. 9:

To whom does the Sacred Congregation send its answer?

Suggested solution:

The Sacred Congregation usually sends the receipt or any other answer regarding the case to the Ordinary of the place of incardination, regardless of who instructed the case.

Question No. 10:

The Acts of the Case were returned by the Sacred Congregation without acting on it. What to do?

Suggested solution:

Usually the reason for inaction are given by the Sacred Congregation. In most cases, the instruction of the case is insufficient. There is nothing one can do but to undertake supplementary instruction. If the reason is insufficient ground for granting dispensation, this means the petition has been rejected. But we can always try again. Perhaps, the reasons that are insufficient at the moment, will be sufficient later on.

These are only some questions that we may encounter. There may be some others but we have not yet come across them. What is important is that we understand and are applying the substantial norms and the principles underlined by the Circular Letter, *Per Litteras ad Universos*. As long as we understand the spirit behind the Church's stand on the matter, and we are faithfully implementing the procedural norms, we will know how to proceed even when we encounter some difficulties.

CHECKLIST

The document issued by the Sacred Congregation for Divine Worship and the Discipline of the Sacraments entitled, "Documents

Necessary for the Instruction of a Case for Dispensation from the Obligations of Priestly Ordination" is practically similar to a checklist. Here it is:

1. Petition letter of the priest addressed to the Holy Father. This should be accompanied by a cover letter addressed to the Ordinary together with the *Curriculum Vitae*.

2. The *Curriculum Vitae*.

3. A statement of every pastoral attempt made by the Ordinary to dissuade the petitioner, along with all the measures taken to assist him in overcoming the crisis.

4. A document that demonstrate that the Petitioner has been suspended *ad cautelam*, once the petition has been accepted for instruction.

5. A Decree nominating the Instructor and the ecclesiastical Notary.

6. The interrogation of the Petitioner, together with a prepared and pertinent questionnaire.

7. The interrogations or depositions of witnesses.

8. Testimonies obtained from physicians, psychologists, psychiatrists.

9. A copy of the *Scrutinia*, as well as other documents from the archives of the house of formation.

10. The personal vote of the Instructor.

11. The personal vote of the Bishop or the Religious Superior.

12. The personal vote of the Bishop of the place where the petitioner lives regarding assurance that no scandal will be taken if the dispensation is given.

13. The official copy of certificates of civil marriage, and similar documents.

CONCLUSION

It can be gathered from what has been said that one need not be a canonist to be able to instruct dispensation cases. As long as the

procedural norms are followed in the spirit of what the Church affirms about celibacy and at the same time, taking into consideration the good of the individual priest, that of the whole Church and that of the local Church, anybody nominated by the Bishop for the task can be Instructor. This being so, more reasons have we, as canonists, to be familiar with these norms and to be able to handle cases that may come our way.

The task should not intimidate us. The steps are clear-cut and well defined. Initial setbacks should not discourage us. If, at first, our work is sent back to us or rejected for some reason or the other, let us try again.

We will be doing a big service not only to our Bishops and to our own dioceses, but also and above all, to a fellow priest who has the misfortune of finding himself in an almost hopeless situation. Believe me, it feels so good to see his eyes light up and his face shine as you hold the Rescript in your hands and show it to him, as you smile and say, "You must invite me to your wedding!"

DOCUMENTATION 1

(Sample Letter Addressed to the Bishop)

(Date)

(Address of the Bishop)

Your Excellency:

Having been away from the ministerial priesthood for more than ____ years now, and having contracted civil marriage with my present wife, and after prayerfully reflecting on the matter, I have decided to ask for a dispensation from the obligations of priestly ordination and the vow of celibacy.

May I, therefore, request Your Excellency to start the instruction of my case?

I am herewith enclosing my Letter of Petition, addressed to the Holy Father, together with my *Curriculum Vitae*, and the list of witnesses who may be interviewed to shed more light on my case.

Thank you very much for your help and support.

Respectfully yours,

PETITIONER

encl. a/s

DOCUMENTATION 2

(Sample Letter Addressed to the Holy Father)

(Date)

His Holiness POPE JOHN PAUL II
Vatican City
Rome, Italy

Your Holiness:

My name is (N.N.). I was ordained to the priesthood on (Date). I belong to the diocese of (N.N), Philippines.

In all humility and sincerity, I write you this letter requesting for dispensation from my priestly obligations and the vow of celibacy. It has been a long and painful struggle for me trying to live the vow, and the longer I stay in the priesthood, the guiltier and more miserable I would feel and the less happy I become with my life.

(Here narrate briefly the case history, starting from the time of entrance into the seminary until the present moment. Only the salient points should be included, because the details will figure in the Curriculum Vitae.)

After humbly presenting my case, I very humbly and earnestly ask Your Holiness for dispensation from my priestly obligation and the vow of celibacy for the following reasons:

1. I had left the active ministry since (Date) and I am now living happily with my wife and family. I have no intention of going back to the active ministry;

2. I would like to straighten my situation before God and the Church, and to free myself from this burden in my conscience which I find too hard to live with;

3. I would like to return to a life of communion with the Church and to help in the apostolate as a good Catholic layman.

Most humbly awaiting Your Holiness' kind consideration of this petition, I remain

Your son in Jesus Christ,

PETITIONER

DOCUMENTATION 3

(Sample Curriculum Vitae)*

1. Generalities
 - a. Name, date of birth, parents' name, brothers and sisters, etc.)
2. Family background
 - a. Childhood and upbringing; relationship with parents, with siblings, etc.
 - b. Education: elementary, high school, college, post graduate; grades, degrees earned, etc.
 - c. Religious upbringing, influences, problems, if any, etc.
3. Seminary training
 - a. Year entered the seminary, factors which influenced entrance into the seminary.
 - b. Describe entire course of seminary studies, academic performance, problems, if any.
 - c. Spiritual formation, attitudes with regards to discipline, seminary rules; relationship with superiors, colleagues in the seminary; relationship with girls, attitudes and values regarding celibacy; problems in chastity, if any, consultations with spiritual directors, etc.
 - d. Doubts and fears as day of ordination approaches; factors which led to decision to ask for ordination, etc.
4. Priestly ordination and ministry
 - a. Ordination date, ordaining prelate, description of the event, description of feelings, etc.
 - b. Chronology of assignments, how the assignments were accepted and fulfilled; problems encountered; efforts to solve these problems, etc.
 - c. Relationship with superiors, colleagues, lay people and problems, if any.
 - d. When did the serious crisis in vocation start, its causes, measure taken, consultations made, etc. to solve the crisis.

*Preferably in prose form; detailed and objective.

- e. Factors which led to defection, how it happened, efforts made by superiors and friends to help, etc.
- 5. Present situation
 - a. Exact nature of the defection and present status of the Petitioner; explanation why there is no more possibility of returning to the ministry.
- 6. List of witnesses
 - a. Names and addresses of people who can be interviewed: parents, brothers and sisters, former professors and classmates in the seminary, confreres in the priesthood; former parishioners, etc.
 - b. Names and addresses of counsellors, directors, psychologists, psychiatrists, doctors, who were consulted by the Petitioner in the course of his crisis.
- 7. Documents
 - a. Baptismal and birth records, confirmation and ordination records of the Petitioner;
 - b. Copies of various appointments, assignments, school and seminary records, etc.
 - c. Copy of civil marriage certificate, if any; baptismal and birth records of children, if any; etc.

DOCUMENTATION 4

(Sample Response of the Ordinary)

(Date)

(Address of Petitioner)

Dear Father (N.N.),

I would like to acknowledge receipt of your letter, dated (Date) in which you are asking the Holy Father for dispensation from your priestly obligations and the vow of celibacy.

I am very much saddened by your decision to permanently leave the ministry and I would ask you to please deeply reflect on this further. You are very much welcome to come and see me and we can talk about your problem. I am very willing to help you so that you can get over this.

(Here the bishop may elaborate or suggest other means which he thinks might persuade the Petitioner from going ahead and instead seek to return to the ministry.)

I am hoping and praying that you will be guided correctly and will have the courage to do what is best for your priesthood, for the Church and for the people who badly need your pastoral services.

Sincerely yours,

Ordinary

DOCUMENTATION 5

(Sample Response of the Ordinary)

(Date)

(Address of the Petitioner)

Dear Father (N.N.):

I wish to acknowledge receipt of your letter dated (Date) in which you are asking the Holy Father for dispensation from your priestly obligations and the vow of celibacy.

After carefully evaluating your petition and with much sorrow, I have decided to start the instruction of your case. Please be informed that I am nominating Rev. Fr. (N.N.) as my Instructor-Delegate to process your petition. Please make yourself available to him for the required interrogation.

Also, in order to protect your good name and to safeguard the spiritual well-being of the faithful, I am asking you to stop exercising the priestly ministry effective right away. Please consider this letter as your official *SUSPENSION AD CAUTELAM*.

I would like to take this opportunity to assure you of my continued support and prayers for your peace and happiness.

With very best wish, I am

Sincerely yours,

ORDINARY

DOCUMENTATION 6

(Sample Appointment of the Instructor)

APPOINTMENT

In coordinance with Art. 4, Section II of the Circular Letter *Per Litteras ad Universos* of the Sacred Congregation for the Doctrine of the Faith, dated 14 October 1980, as well as the instructions emanating from the Sacred Congregation for Divine Worship and the Discipline of the Sacraments on the "Documents Necessary for the Instruction of the Case for Dispensation from the Obligations of Priestly Ordination";

And in accordance with the Petition of (N.N.) for dispensation from priestly obligations and celibacy;

I hereby appoint (N.N.) as my delegate to instruct the case.

I also appoint (N.N.) as notary for this case.

They shall conduct the instruction of this case according to the "Substantial and Procedural Norms" promulgated in the above-mentioned Circular Letter of the Sacred Congregation for the Doctrine of the Faith.

Given in (N. of place/diocese) this (Date).

ORDINARY

DOCUMENTATION 7

*(Sample Certification of Incorporation of the old file
to the new file of the Case)*

CERTIFICATION

This is to certify that the following documents have been received from (N. of place/chancery/diocese) as the complete file in connection with the Petition of (N.N.) for dispensation from priestly obligations and the vow of celibacy:

(Here enumerate the documents, including Prot. No., Case-Name, the individual documents, etc.)

These documents are hereby incorporated into the Acts of the Instruction of the said petition which is being refiled in (N. of place/diocese).

Given in (N. of place/diocese) this (Date).

ORDINARY or INSTRUCTOR-DELEGATE

DOCUMENTATION 8

(Sample minutes of the Recognitio)

RECOGNITIO

On the (Date), at (Time), in front of (N.N. of Instructor-Delegate) and of (N.N. of Notary), (N.N. of Petitioner) has appeared and has given the following answers:

1. Surname and Christian Name:

2. Date and place of birth:

3. Address:

4. Do you recognize as yours the following documents as part of (Prot. No. or Case-Name, etc.):

Enumerate each one of the documents.

5. Do you like to add, change or correct anything from these documents?

SIGNATURES:

PETITIONER

INSTRUCTOR-DELEGATE

NOTARY

DOCUMENTATION 9

(Sample Questionnaire* for the Petitioner)

After having made the oath to tell the truth:

1. Full name: Family name, Last name, Baptismal name, etc.
2. Date of birth
3. Place of birth
4. Parents - living or deceased
5. Date of first membership in the Society (for religious)
6. Date of Priestly ordination
7. What secondary studies have you done? For how long?
8. What studies of Philosophy and Theology did you attend before ordination? Where? For how long?
9. Did you proceed to higher studies after ordination?
10. What apostolate have you exercised since ordination?
11. Did you make a sincere commitment to observe celibacy when you received the Orders?
12. From what reasons did you choose priesthood?
13. Was the relationship between your parents and your relationship with them a happy one?
14. Was there any undue influence exercised upon you to enter the seminary?
15. Have you anything to say concerning the competence and practice of the superiors and those in charge of formation, especially as regards formation for celibacy?
16. Did you understand what was involved in your commitment to a life of celibacy dedicated to God?
17. Before ordination to the priesthood, had you failed to establish a celibate lifestyle?
18. If not, did you manifest your difficulties to superiors or others? What advice did they give?

*This may be used also for the other witnesses, *mutatis mutandis*.

19. Since ordination, how have you lived out your commitment to priesthood and to celibacy?
20. Have you had any physical or nervous illness? Were doctors consulted? What opinions did they give? What was done? Supporting documents?
21. Since when have you considered leaving the priesthood?
22. Did you receive counseling or spiritual direction? From whom?
23. Could you suggest any priest who know you well and who might be willing to respond to questions concerning your application for a dispensation?
24. When did you actually leave your appointed work?
25. Did you have permission to leave? Whose permission?
26. Where are you living at present? With your family or others?
27. Have you a civil profession or trade?
28. Have you attempted marriage? Or are you living in a marital relationship?
29. Have you any children?
30. What do you now seek, in regard to the priesthood?
31. What reasons do you present?
32. Has this reason been given careful consideration and is it final?
33. Do you understand that if a dispensation is granted you may no longer exercise priestly functions?
34. Do you wish to add anything to the information above?

Note:

Follow-up questions are very important because they dig out details that may otherwise be omitted. The questions should be formulated in such a way that the facts narrated in the Petitioner's *curriculum vitae* are given further explanation and clarification. It is therefore imperative that the Instructor be familiar with the *curriculum vitae*.

If the reasons adduced are related with the fact that there was no complete freedom or deliberation prior to Ordination, or that the superiors were hindered from prudently and sufficiently evaluating the Petitioner's capability for the priestly and celibate life, the questions should pursue this line.

DOCUMENTATION 10

(Sample Letter to Witnesses)

(Date)

(Address)

Dear N.N.:

This is in connection with the (Petitioner's N.N.) petition for dispensation from his priestly vows. He has submitted your name as one of those who could furnish us with some facts regarding his seminary background, his priestly ministry and the circumstances which led him to ask for said dispensation.

We would be very grateful for any information which you could give us from your own personal experiences with and knowledge about (Petitioner's N.N.), to help us expedite his petition. In particular, we are interested in getting information about his family background, his studies in the seminary, the circumstances of his ordination, how he exercised his pastoral ministry, and his present situation.

Needless to say, all the information you would furnish us will be treated with the utmost confidentiality.

Thank you very much for your kind attention.

Sincerely yours,

INSTRUCTOR-DELEGATE

DOCUMENTATION 11

(Sample Vote of the Instructor)

(Date)

(Address of the Ordinary)

Re: Petitioner's N.N.

Laicization

Prot. No.

Your Excellency:

I am herewith respectfully submitting all the Acts relative to the Petition of N.N. for Laicization and Dispensation from Priestly Celibacy.

In accordance with my appointment as your Delegate-Instructor to instruct this case and in conformity with the "Substantial and Procedural Norms" promulgated by the Congregation for Doctrine of the Faith on October 14, 1980, as well as the Instructions emanating from the Congregation for Divine Worship and the Discipline of the Sacraments on the "Documents Necessary for Instruction of a Case for Dispensation from the Obligations of Priestly Ordination," I proceeded with the instruction of the case.

I have interviewed the parties concerned and the witnesses who were presented. I likewise obtained written testimonies of some of his friends in the ministry, as well as members of his family. I was also furnished with all the available documents found in his dossier in the Diocesan Curia. All these instruments have been incorporated with the rest of the Acts.

From the Acts, it is clear that his reasons for leaving the priesthood is rooted in the fact that he is incapable of living a life of priestly celibacy, a problem that has been bothering him even during his early years in the seminary. Family and social pressure and his own weakness in personality and character made him decide to go ahead with the priestly ordination despite his doubts. No matter how much he tried to live up to his priestly vows his longing for family and

adequate feminine relationship made his life miserable, resulting in severe psychological sickness. Through the help of priest-counsellors and psychologists, he finally made a definitive decision to leave the priestly ministry. Not long after, he married the woman he loves in a civil ceremony.

I have also established that he and his wife have been living happily after their civil marriage. He is now enjoying a stable professional job. Hence, there is no more possibility of his every going back to the ministry.

In view of the above, I hereby close my investigations on the case and respectfully submit my PERSONAL VOTE:

I have established that the Petitioner and his wife are anxious to go back to the sacramental life of the Church and would be very happy to become again active members of the parish community. It will be for their own spiritual benefit and that of their children, as well as of the whole local Church community should the dispensation be granted. Since N.N. is holding a respectable job, his return to the active life of the Church will be a source of edification to those who are his colleagues. Furthermore, it has been a long time that the Petitioner has left his native place and there are no indications of his ever going back there. On the other hand, he is not well known here and only a few people are aware of his real status.

In view of the above, it is my opinion that N.N.'s petition merits your favorable consideration and should be recommended to the Holy Father for the granting of dispensation.

Hoping that I have been of assistance to Your Excellency, I remain

Respectfully yours,

INSTRUCTOR-DELEGATE

DOCUMENTATION 12

(Sample Votum de non Timendo Scandalo)

VOTUM DE NON TIMENDO SCANDALO

After careful and prudent inquiry on the matter, I hereby certify that the granting of Laicization and Dispensation from Priestly Celibacy to the Petitioner, N.N., will not be a cause of Scandal among the people in his community and in the Diocese of N.

Petitioner, N.N., is not from this place and only a few people are aware of his former status. Furthermore, the faithful of the Diocese of N. are used to live with and know of priest who have granted such dispensation.

Given in (place/Diocese) this (date).

BISHOP OF PLACE/DIOCESE

DOCUMENTATION 13

(Sample Structure of the Personal Vote of the Ordinary)

Re: Petitioner's N.N.

Prot. No.

Laicization and Dispensation

VOTUM PRO REI VERITATE

A. Historical Background

1. A brief but complete narration of the Petitioner's Case history, starting from his early childhood, his seminary studies, his ordination, his ministry, his defection and present status;

2. A brief but complete narration of the steps taken from the time the Petitioner made his petition up to the time the Instructor submitted his report.

B. Evaluation

1. Citing the various relevant parts of the Acts, the Ordinary evaluates the reasons adduced by the Petitioner for deciding to ask for the dispensation.

C. Conclusion

Based on the above-mentioned, and from my personal reflection, based on my knowledge of the Petitioner and his case, it is my considered and sincere opinion that the Petitioner, N.N., be granted the dispensation he is asking for. I am convinced that N.N. is sincere in his convictions and he earnestly longs for the blessings of the Church. He and his wife are anxious to return to the sacraments. For their spiritual well-being and for their peace of conscience, I favorably and earnestly endorse N.N.'s petition for laicization and dispensation from priestly celibacy.

Given in (place/diocese) this (date).

ORDINARY

DOCUMENTATION 14

(Rescript Dispensation)

CONGREGATIO DE CULTU DIVINO ET DISCIPLINA SACRAMENTORUM

Prot. N.

D.nus N.N., sacerdos, Arch/dioecesis N., petiit dispensationem a sacerdotali coelibatu.

SS.mus D.N. IOANNES PAULUS, Divina Providentia Papa II, die (datum) habita relatione de casu a Congregatione de Cultu Divino et Disciplina Sacramentorum, precibus annuit iuxta sequentes rationes:

1. Rescriptum vim suam exerit a momento notificationis a competenti Auctoritate ecclesiastica oratori factae, et amplectitur inseparabiliter dispensationem a sacerdotali coelibatu et simul amissionem status clericalis. Numquam oratori fas est duo illa elementa seiungere, seu prius accipere et alterum recusare. Si vero orator est religiosus, Rescriptum continet etiam dispensationem a votis; idemque insuper secum fert absolutionem a censuris, quatenus opus sit.

2. Notitia concessionis dispensationis adnotetur in Libris baptizatorum paroeciae oratoris.

3. Quod attinet ad celebrationem canonici matrimonii, applicandae sunt normae quae in Codice Iuris Canonici stauuntur. Ordinarius vero curet ut res caute peragantur sine pompa vel exteriore apparatu.

4. Auctoritas ecclesiastica, ad quam spectat Rescriptum cum oratore communicare, hunc enixe hortetur, ut vitam Populi Dei, ratione congruendi cum nova eius vivendi condicione, participet, aedificationem praestet et ita amantissimum Ecclesiae filium se exhibeat. Simul autem eidem notum faciat ea quae sequuntur:

- a) sacerdos dispensatus eo ipso amittit iura statui clericali propria, dignitates et officia ecclesiastica; ceteris obligationibus cum statu clericali conexis non amplius adstringitur;
- b) exclusus manet ab exercitio sacri ministerii, iis exceptis de quibus in cann. 976, 986,2 ac propterea nequit homiliam habere. Insuper nequit fungi ministerio extraordinario sacae

Communione distribuendae nec potest officium gerere directivum in ambitu pastoralis;

- c) item nullum munus absolvere potest in Seminariis et in Institutis aequiparatis. In aliis Institutis studiorum gradus superioris, qui quocumque modo dependent ab Auctoritate ecclesiastica, munere directivo vel officio docendi fungi nequit;
- d) in iisdem vero Institutis studiorum gradus superioris ab Auctoritate ecclesiastica non dependentibus nullam disciplinam proprie theologicam vel cum ipsa intime connexam tradere potest;
- e) in Institutis autem studiorum gradus inferioris dependentibus ab Auctoritate ecclesiastica munere directivo vel officio docendi fungi nequit nisi Ordinarius, pro suo prudenti iudicio et remoto scandalo, ad munus docendi quod attinet, aliter decernere aestimaverit. Eadem lege tenetur sacerdos dispensatus in tradenda Religione in Institutis eiusdem generis non dependentibus ab Auctoritate ecclesiastica.

5. Per se sacerdos a sacerdotali coelibatu dispensatus, et a fortiori sacerdos matrimonio iunctus, abesse debet a locis in quibus eius antecedens condicio nota est. Ordinarius loci commorationis oratoris tamen, audito quatenus opus erit, Ordinario incardinationis vel Superiore maiori religioso, dispensare poterit ab ista clausula Rescriptum afficienti, si oratoris praesentia scandalum paritura non praevideatur.

6. Denique ei aliquod opus pietatis vel caritatis imponatur. Tempore autem opportuno breviter ad Congregationem de peracta executione referatur, et si qua tandem fidelium admiratio sit, prudenti explicatione provideatur.

Contrariis quibuscumque minime obstantibus.

Ex Aedibus Congregationis, die (datum).

Sign.: PRAEFECTUS

Sign.: SECRETARIUS

Statutes of the Canon Law Society of the Philippines

CLSP

Article I. Name and Nature

Section 1. - The name of this association shall henceforth be the Canon Law Society of the Philippines (CLSP).

Section 2. - The CLSP is a non-stock and non-profit, national, public juridical person in the Church, established with the approval of the Catholic Bishops' Conference of the Philippines.

Article II. Objectives

This Association has the following purposes, to wit:

Section 1. - To render pastoral service to the Christian Faithful through Canon Law.

Section 2. - To promote the on-going study of, and research in, canonical science and allied sciences towards fostering the knowledge and practice Canon Law.

Section 3. - To facilitate the interchange of canonical findings and opinions, observation and proposals among the members and with the other Canon Law Societies.

Article III. Office and Meetings

Section 1. - The office of the CLSP shall be at the Metropolitan Tribunal of Manila, 121 Arzobispo St., Intramuros, Manila.

Section 2. - The regular General Meeting of all the members shall be once every other year. Special General Meetings may be called anytime by the President with the concurrence of the Board of Directors for any urgent reason.

Section 3. - The regular meeting of the Board of Directors shall be once a year. Special meetings thereof may be called anytime by the Chairman for any urgent reason in his judgement.

Section 4. - The regular meeting of the Executive Council shall be twice a year. Special meetings thereof may be called anytime by the President for any urgent reason in his judgement.

Section 5. - The regular meeting of the Standing Committees shall be twice a year. Special meetings thereof may be called anytime by the Chairperson for any urgent reason in his judgement.

Section 6. - All regular meetings of the general membership, the Board of Directors, the Executive Council and the Standing Committees shall be held preferably in the month of January of the year concerned, on the dates and places determined by the competent authorities, taking into account the administrative interrelationship among these entities.

Article IV. Membership

Section 1. - Membership in the CLSP shall either be Principal, Associate or Honorary as determined and approved by the Committee on Membership:

a) Principal Members: Those who have Doctorate or Licenciante in Canon Law.

b) Associate Members: Those who have Baccalaureate or practical expertise in Canon Law.

c) Honorary Members: Those who have outstanding interest in the advancement of canonical learning and practice.

Article V. Rights, Duties and Benefits

Section 1. - Only the Principal and Associate members have the same deliberative voting rights in any and in all matters submitted for decision in the General Meetings.

Section 2. - All the members have the same dues, fees and/or subscriptions for any and all purposes and/or occasions.

Section 3. - All the members have the same beneficial access to any and to all the services of the Society particularly in matters of communications and publications.

Section 4. - Only the Principal members may be elected as Officers and as Board Members of the Society.

Section 5. - Only the Principal and Associate members may be elected as Chairpersons of the Standing Committees.

Article VI. Board of Directors

Section 1. - This is composed of five members elected one by one through a simple majority of all the members present and voting during a regular General Meeting, for a term of four (4) years.

Section 2. - It has a Chairman and a Recorder who are designated by the Board members through a consensus process, who may be changed anytime by the same through the said process for whatever reasonable cause according to its discretion, and who, in this case, however, would retain this term as Board members.

Section 3. - It sets policy decisions for the Society based on the provisions of these Statutes and the deliberations of the general membership.

Section 4. - Only one re-election for the Board members good for two (2) years - is allowed after which a new election is made in a staggered way.

Section 5. - Vacancy in the Board occurs upon death, resignation, incapacity, absence of two consecutive years and cessation from office. The said vacancy shall be filled by way of new election in the next general assembly. The newly elected members shall only serve for the unexpired term.

Article VII. Officers

Section 1. - PRESIDENT:

a) He is elected through an absolute majority by all the members present and voting during a regular General meeting for a term of two (2) years, limited to only one subsequent re-election. After a break of one (1) Presidential term, he is eligible again for election into the same office.

b) He acts as the principal executive in the Society and presides over all the regular and/or special meetings of the general membership and of the Executive Council.

c) He supervises the business and affairs of the Society and performs all his duties inherent in his office and exercises all the rights generally attributed to the office of the President.

d) He acts as liaison officer of the Society *vis-a-vis* the Catholic Bishops' Conference of the Philippines (CBCP) and all Canon Law Societies in the world.

Section 2. - VICE PRESIDENTS:

a) They are elected through a simple majority by all the members residing in their respective Regions present and voting during a regular General Meeting, one from Luzon, another from the Visayas and the third from Mindanao, for a term of two (2) years, open to any number of consecutive re-election into the same office.

b) The three elected Vice-Presidents shall likewise be subjected to a new election by all the members of the general assembly as to who will become the 1st Vice-President, the 2nd Vice-President and the 3rd Vice-President, since this will determine who will succeed the President in the event of the latter's resignation, incapacity, etc...for the rest of his term, following the order as specified.

c) The Vice-President shall act as auxiliary executives in the Society, attending to the task given them by the President, representing the concerns of their respective constituencies, performing all their duties and exercising all their rights generally attributed to the Office of the Vice-President.

Section 3. - TREASURER:

a) He is elected through a simple majority by all the members present and voting during a General Meeting for a term of two (2) years, open to any number of consecutive re-election into the same Office.

b) He acts as the financial administrator of the assets of the Society in cash and in kind under the supervision and direction of the President.

c) He performs the duties and exercises the rights generally attributed to the Office of the Treasurer.

Section 4. - SECRETARY:

a) He is elected through a simple majority by all the members present and voting during a regular General Meeting for a term of two (2) years, open to any number of consecutive re-election into the same office.

b) He acts as the recorder of all the deliberations of the Executive Council and of the General Meeting, as the custodian of all the instrument of the Society, and as the Press Officer thereof.

c) He performs the duties and exercises the rights generally attributed to the Office of the Secretary.

Article VIII. Executive Council

Section 1. - This is an ex-officio group composed of the President, the Vice Presidents, the Treasurer, and the Secretary of the Society acting as a decisive corporate entity through the consensus process.

Section 2. - It conducts the business and affairs of the Society and acts in its name between regular and/or special General Meetings.

Section 3. - It attends to the general implementation and/or observance of the options of the general membership and the policy decisions of the Board of Directors.

Article IX. Committees

Section 1. - STANDING COMMITTEES:

The Society has the following three Standing Committees each headed by a Chairperson who is elected through a simple majority by all the members present and voting during a regular General Meeting for a term of two (2) years, and who in turn appoints two (2) members at least without term from the general membership.

a) Committee on Membership:

In coordination and collaboration with the Executive Council, it receives and screens applications for membership into the Society, determines and approves actual membership therein, evaluates and decides on its effective termination for cause, open to appeal and review by the Board of Directors.

b) Committee on Development:

In coordination and collaboration with the Executive Council, it attends to and promotes canonical studies and allied sciences, searches and publications — in particular, the official publication of the Society — prepares and programs canonical projects, conferences and exchanges.

c) Committee on Ways and Means:

In coordination and collaboration with the Executive Council, it studies and determines dues/fees/subscriptions, conceives and pursues modes of raising funds for the needs of the Society.

Section 2. - AD HOC COMMITTEES:

The Society may have as many Ad Hoc Committees as may be considered necessary or convenient by the President who, with the concurrence of the Vice-President, may establish them for a determined period, and appoint their Heads and Members from among and/or even outside of the general membership.

Article X. Special Provision

Section 1. - FISCAL YEAR:

In the Society, the Fiscal Year begins from 1 February and ends on 31 January the following year.

Section 2. - FUNCTIONS:

No one and the same member may have two (2) elective official positions in the Society.

Section 3. - FUNDINGS:

Any and all financing by the Society in part or in full that may be determined by the Board of Directors is applicable strictly and exclusively to the official and direct expenses specifically in favor of

the Society, incurred by any officer and/or member thereof in the performance of duties and/or tasks for the Society. Personal time, talent and labor spent, shared and done respectively for the Society are considered in principle as voluntary donations thereto.

Section 4. - COMMITMENT:

Personal Commitment to, and interest in, the welfare and development of the general membership of the Society are the moral premises for the fruition of benefits from and the exercise of rights in the Society. Said lack in a member is an indirect statement of the two option to be separated therefrom. Two (2) consecutive non-attendance in the general membership meetings by any member and non-payment of his dues in the Society shall be considered lack of personal commitment to the Society.

Section 5. - BOOK OF ORDINANCES:

These norms shall be rendered more definite and defined by the Book of Ordinances of the Society that will contain more specific and concrete norms and observances, and that will be gradually composed in the course of the life and experience of the Society.

Section 6. - COMPETENCE OF THE CBCP:

The CBCP, which has the authority to give the decree to erect the CLSP, has also the competence to approve these norms and any revision or modification thereof.

Section 7. - All these norms shall be subjected to the general law of the Church.

Article XI. Quorum

Section 1.- Quorum for a meeting is constituted by fifty percent (50%) + one (1) of all registered members with deliberative votes. This includes proxy votes, on the understanding however that a member is entitled to be proxy for only one vote.

Article XII. Amendments

Section 1.- These norms may be amended by a two-third majority of the members present and voting during a regular General Meeting.

Article XIII. Effectivity

Section 1. - These norms shall be effective from the moment of its approval by two-third majority of the members present and voting during the first regular General Meeting. During the first four (4) years of its effectivity, no amendments thereof shall be made.

Approved by the CLSP, April 14, 1993.

Ratified by the CBCP, July 11, 1993.

Cases and Inquiries

Excelso Garcia, O.P.

GENERAL ABSOLUTION

I have read your cases for many years. I remember your great interest in observing the laws of the Church regarding General Absolution. I was shocked a few days ago when, reading one of the local newspaper, The Philippine Star, I came across a report of a well-known columnist. Let me quote him, without mentioning names. "We can never forget that Christmas...when (the association) members had a Christmas reunion. First Father N. during the reunion Mass, said just before distributing the sacred hosts: 'I now give you mass absolution.' Then he instructed each communicant to hold the sacred host on their right hand, bring it to their seats and talk to the Lord for a few seconds. It was the most unforgettable Christmas we've ever had."

Are priests to decide when General Absolution can be given, thus breaking the Church's law according to their own plans? I think that what was published by The Philippine Star is against the ecclesiastical law. Can you comment on it?

A Priest

In answering the foregoing case we assume that what our consultor has related in the paragraph quoted is true. We say this because we do not rely on mere reports published in daily newspapers. We all know that journalists quite often present public events in an exaggerated manner and describe them with colorful details in order to attract readers. This should make us cautious in giving

judgment on concrete facts. We assume therefore, that the details quoted by our consultant are objective and real.

The quoted paragraph reads: "Father N. during the reunion Mass..." Literally, it means *during the Mass*, not during the reunion before the Mass. This is confirmed by what follows: (He) "said just before distributing the sacred host..." What happened during the Mass "just before distributing the sacred host?" Fr. N. said: "I now give you mass absolution." These two words *mass absolution* may have a two-fold meaning, namely: The *General Absolution* usually granted in extraordinary circumstances to all present, or the *absolution* given during the penitential rite at the beginning of the Mass. The former remits both venial and mortal sins to those who are well disposed, while the latter ordinarily remits only venial sins. In our case, we assume, that "mass absolution" means *General Absolution* for the remission of both venial and mortal sins which is given only in extraordinary circumstances, when there are not enough confessors to hear the individual confession of all present. The quoted paragraph itself shows that it is not absolution given ordinarily during the Mass, this is always imparted at the beginning of the Holy Sacrifice during the penitential rite. The paragraph quoted reads: "I now give you mass absolution." Then he instructed each communicant to hold the sacred host on their right hand..." Obviously, therefore, the "mass absolution" given by the priest "just before distributing the sacred host" was the *General Absolution* used in the sacrament of Penance.

Assuming, therefore, that the "mass absolution" granted by the celebrating priest in our case, was the *General Absolution* proper to the sacrament of Penance, we have to say that the celebrating priest has violated the Church's Law.

In 1992, the *Boletin Ecclesiastico* published the conditions to be fulfilled in order to impart General Absolution. One of those conditions was taken from the Instruction issued by the Sacred Congregation for the Doctrine of the Faith on June 16, 1972, namely: "In case sacramental absolution be given collectively, it should be done according to the special rite established by the Sacred Congregation for Divine Worship. This kind of celebration must be performed *outside the Mass*" (See *Boletin Ecclesiastico*, 1992, p. 348, n.X). Likewise, the local Hierarchy adopted in the meeting of January 29-February 3 among the guidelines for general absolution the follow-

ing: "General absolution is not to be integrated with the Eucharistic celebration, nor take the place of the penitential act of the Mass, but it can come immediately before the Mass. If general absolution immediately precedes the Mass, the penitential rite of the Mass may be omitted on the basis of the general principle of avoiding duplication." It is clear, therefore, that the "mass absolution" (General Absolution) given by the celebrating priest, as mentioned in the case, was not granted in conformity with the norm contained in the Instruction issued by the Sacred Congregation for the Doctrine of the Faith on June 16, 1972.

Our consultor was shocked in reading that the priest in question imparted General Absolution during the Mass "just before distributing the sacred host." Apparently, he was not impressed by another violation committed by the same priest on that occasion. The paragraph quoted from *The Philippine Star* states: "Then he instructed each communicant to hold the sacred host on the right hand, bring it to their seats and talk to the Lord for a few seconds." These words contain two different things which should not be overlooked. We all know that the Church has allowed Holy Communion on the hand only recently. Moreover, we should bear in mind that this practice has been allowed not to the universal Church, but to some local Churches only, and under certain conditions. Our local Hierarchy tried in four different occasions to introduce this practice of distributing Holy Communion on the hand and four times it failed. The CBCP succeeded in obtaining the two thirds majority vote required by laws only last January, 1989. Its petition to the Holy See was approved with some observations (cf. *Boletin Ecclesiastico*, 1990. p.208). The first two observations read as follows:

"1. The faithful are not to be obliged to adopt the practice of taking Holy Communion by placing the Sacred Host on the hand. Each one is free to communicate in one way or the other;

2. The communicant who has received the Eucharist on the hand is to consume it before returning to his place, moving aside yet facing the altar to allow the person following to approach the minister."

Going back to our case, the communicants in the Christmas reunion were not expressly obliged to receive the Holy Eucharist on the hand, but they were clearly and implicitly invited to do so. The

paragraph quoted reads: "Then he instructed each communicant to hold the sacred host on their right hand and bring it to their seats and talk to the Lord for a few seconds." With this artful and implicit invitation to take the Holy Communion by placing the Holy Eucharist on the hand, the celebrating priest did not leave "each one free to communicate in one way or the other," as the Instruction says.

But the most serious violation committed by the priest was that he did not only remind the communicants receiving the sacred host on the hand to consume it in his presence, as intended by the Church, but he did the contrary. "He instructed each communicant to hold the sacred host on their right hand, bring it to their seats and talk to the Lord for a few seconds," which is expressly prohibited by the Church: "The communicant who has received the Eucharist on the hand is to consume it before returning to his place, moving aside yet facing the altar to allow the person following to approach the minister."

Our answer, therefore, to the question of the consultant is clear. Priests are not free to decide whether the conditions necessary to give General Absolution are present or not. According to canon 961 it belongs to the Bishop to judge whether these conditions are present. Besides, what the priest who celebrated the Christmas Mass for the members of the association, did during the Mass regarding the distribution of the Holy Communion on the hand was obviously against the Church's law.

ANOINTING OF THE SICK

I have been in Europe recently and I was surprised to see that in some countries the Sacrament of the Anointing of the Sick was administered to a group of elderly faithful gathered in the church together. Some of the anointed seemed to be still very strong, so much so that, when leaving the church, they were walking without difficulty. I asked the priest and some of the faithful why those persons, still strong, were anointed. They told me that it was already a custom, so it must be legal. What do you say about it? Who are to be anointed or given the Sacrament of Anointing of the Sick?

A Religious Priest

The Church's norm concerning this matter is clear. It is contained in Canon 1004, § 1, which reads as follows: "The Anointing of the Sick can be administered to any member of the faithful who, having reached the use of reason, begins to be in danger of death by reason of illness or old age." The new *Ordo Unctionis Infirmorum*, n.8 says: "*Sacra unctio conferenda est fidelibus qui propter infirmitatem vel senium periculose aegrotant.*" Both Canon 1004 and the norm of the new *Ordo Unctionis Infirmorum* reflect the desire of the Vatican II in its Constitution on the Sacred Liturgy, n.73, which reads: "Extreme Unction which may also and more fittingly be called Anointing of the Sick, is a sacrament not only for those who are at the point of death. Hence, as soon as one of the faithful begins to be in danger of death from sickness or old age, the fitting time for him to receive this sacrament has certainly already arrived."

Three requirements, therefore, are necessary in the person to be administered the sacrament of Anointing of the Sick, namely:

a) to be validly baptized, since baptism is the door to the reception of all others sacraments; hence Anointing cannot be administered to a catechumen;

b) the person baptized should have reached the use of reason in order to receive this sacrament. Infants, therefore, and persons who from their birth are deprived of the use of reason (cc.7 and 99) cannot be administered the Sacrament of Anointing of the Sick. Persons, however, who have attained but later lost the use of reason can be given this sacrament;

c) The sacrament of Anointing of the Sick is conferred only to persons who are in danger of death, due to an illness or to old age. This third requirement is what interests us now and should be carefully explained.

Only persons who are seriously ill, i.e. *have begun to be in danger of death* can be given the sacrament of Anointing of the Sick. The words used by the Church are accurate and precise: "in danger of death by reason of illness or old age" (c. 1004, § 1) "*qui propter infirmitatem vel senium periculose aegrotant*" (n.8 of the *Ordo Unctionis Infirmorum*), "who begins to be in danger of death from sickness or old age" (n.73 of *Constitution on Sacred Liturgy*). It should be noted that the circumstance of being in *danger of death* is sickness or infirmity and old age." The sacrament of the Anointing of the Sick,

therefore, cannot be administered to persons punished with capital penalty nor soldiers who are about to participate in a very dangerous battle, nor to persons who during the war live under continuous air raids of the enemy. All foregoing persons are undoubtedly in danger of death, but they are not in danger of death due to sickness or old age. Since the kind of danger of death threatening them is extrinsic to the conditions of their personal health or weak conditions, they cannot be given the Anointing of the Sick. The danger of death should be intrinsic to their own unhealthy condition in order for them to be capable of receiving the sacrament. Moreover, the person who are about to undergo dangerous operations cannot be anointed merely because of the seriousness of the operation. If, however, due to the operation itself, their health becomes seriously deteriorated, they should be anointed. In short, the capacity to receive the sacrament is present only when the danger of death is intrinsically serious due to the deteriorations of the persons elements. Old age is in itself an illness or disease, implying a weakening or exhaustion of personal energies. Cicero said that "old age is in itself a sickness." It is not however, the number of years that should be considered to determine whether an old person is capable or not of receiving the Sacrament of Anointing of the Sick. There are some ninety year-old persons who enjoy a sound and strong healthy condition, while others of eighty years of age have very feeble and weak health. Each person should be considered according to his own state of health rather than according to his age alone.

With regard to holding a common celebration for a number of sick persons together, the Church's law states: "The communal celebration of Anointing of the Sick for a number of sick persons together, who have been appropriately prepared and are rightly disposed may be held in accordance with the regulations of the diocesan Bishop" (can. 1002). And the *Ordo Unctionis Infirmorum* has a similar norm: "*(Ministorum) est tum infirmos et circumstantes ad sacramentum apta preparatione disponere, auxiliantibus religiosis et laicis, tum etiam infirmis sacramentum conferre. Ad loci Ordinarium pertinet moderatio illarum celebrationum in quibus forte infirmi diversarum paroeciarum vel valetudinariorum ad accipiendam sacram Unctionem adunantur*" (n. 17).

It is lawful, therefore, to have this kind of communal administration of the Sacrament of Anointing of the Sick, as long as the

requirements specified by the Church in the two foregoing norms are fulfilled. It is up to the Diocesan Bishop to keep a close watch lest possible abuses should arise from fulfilling the conditions established by law for this sacrament's administration.

Philippine Statement at the International Conference on Population and Development

During the eleven days of our stay in Cairo, two hundred eighty-five thousand (285,000) new babies will be born. This conference will discuss how to improve the quality of life of these babies and their families, many of whom are now living in unacceptable conditions without even the basic necessities of food, water and shelter. Our capability to provide for their needs is further aggravated by the worsening poverty situation, environmental pollution and depletion of our natural resources.

There is global agreement on the importance of the population policy and programs for sustainable development and the need for the global cooperation. Understandably, the 184 member-states differ in the formulation of these policies and programs, taking into account their own unique political, economic, legal and socio-cultural situation as well as the plurality of societies and communities within each state. The Cairo Conference is an opportunity to draft the program of action for global cooperation recognizing the concerns and sovereignty of each of the member-states.

The next few days will be filled with debates on the program of action. We hope that in the course of these debates, we will not lose sight of the conference objectives — to discuss how we can improve the quality of life of all people.

The Philippine position on the issues to be addressed at this Conference is given by fundamental principles which underlie our constitution, laws and jurisprudence. Allow me to enumerate this:

1. Human life is sacred. Our respect for human life is paramount and non-negotiable. We are emphatically against abortion as a method for family planning. We are mandated by our Constitution to equally protect the life of the mother and the life of the unborn from the moment of conception. We also recognize the primary responsibility of parents to educate and care for their children and the duty of the State to help them so.

2. The family as the basic unit of the society is anchored on the permanent and exclusive marriage between a man and a woman for the purpose of procreation and education of children and a communion of life. Marriage is the foundation of the family and shall be protected by the State. Marital sex has both a procreative and unitive purpose with the interpersonal, biological and developmental dimension.

3. The family remains the foundation of the nation and of all striving for development. While the family is valuable resource by which we can achieve our development, goals, beyond and above all that, the family is the primary reason for government initiatives in human development. Socio-economic development efforts are directed toward human development.

4. The state recognizes the role of women in nation building and shall ensure the fundamental equality before the law of women and men. The state shall uphold women's rights and provide them opportunities equal to those of men.

5. The state recognizes freedom of conscience in accordance with religious and moral convictions consistent with the common good. The government policy to provide information to the family as a basis in planning how to live and grow springs from our respect for this freedom and for human life.

6. As mandated by the Constitution, the State shall defend the right of spouses to found a family in accordance with their moral or religious convictions and the demands of responsible parenthood.

7. The state recognizes that human development should be viewed holistically, addressing all needs and aspirations of human person including politics, economics, culture, technology, morality and religion.

In the Philippines, almost half of the population live below the poverty line. This situation, has been brought about by global and societal inequities and by the present state of interrelationships among our human population, economic development and the natural environment.

Our policy and program response adopts a population and sustainable development framework which seeks to balance the interrelationships between and among population, environment and resources in the quest for sustained growth and development.

The Philippine Population Management Program is undertaken at all levels by government and private agencies, groups, communities and individuals working together for the common good.

It involves the broadening of population concerns which affect this balance. These include the family, the status of women, maternal and child health, child survival, morbidity and mortality, population distribution and urbanization, internal and international migration, and population structure.

At the core of our program is the role and the responsibility of the family in the planned harnessing of human and physical resources for sustained development.

Our path to the future is anchored on our governments overall strategy to establish effective government and modernize the economy and to set our country on the road toward newly industrializing country (NIC) status by the turn of the century.

Our population program, therefore, shall contribute to the national effort by addressing issues that empower families and their individual members to enable them to participate productively and responsibly in the task of development.

Family planning and responsible parenthood will continue to be component of our population management program. We shall place new emphasis on a demographic phenomenon that is an important factor in our current economic effort.

The Philippines is a major contributor of skilled labor to almost all parts of the world. We shall see to it that this contribution shall not

jeopardize our social and cultural systems — as they impact on our family life. We shall also see to it that the rights of our overseas workers are respected and protected in the countries where they work. We request our fellow participants to consider this concern of ours.

In pursuing our objectives, we shall be concerned with the real widening of the participatory process of all sectors. The key to this process is the role of the local government units which are now mandated by our laws to assume full responsibility and authority in managing their respective population programs in accordance with the fundamental principles herein enunciated.

We shall also see to it that government at national and sub-national levels shall continue to collaborate with and enhance the potential of non-government organizations in strengthening grass-roots network and community participation strategies.

In these action plans for the future, we reiterate our paramount consideration for the improvement of the welfare of our families, so that they shall serve as the authentic foundation of our national society.

Cairo, Egypt - September 5-13, 1994.

The Papal Visit '95*

In the 69th Plenary Assembly of the CBCP at Tagaytay, His Eminence Jaime Cardinal Sin gave an excellent report on the preparations for the World Youth Day and the Papal Visit in January 1995.

— It will be both a pastoral and official visit.

— The report on World Youth Day was presented on video by Fr. Ariston Sison, head of the Media Ministry of the Archdiocese of Manila.

— Henrietta Tambunting de Villa, Secretary of the Central Committee for the Papal Visit, gave a brilliant report on the preparations that are being made for the visit of John Paul II to the Philippines from January 12 through January 16, 1995.

— *Pres. Fidel Ramos will welcome John Paul II at the airport, when he arrives on Thursday, January 12, 1995. On Friday, January 13, 1995, the Holy Father will visit Malacañang, and will confer with President Ramos, one on one. The President of the Philippines will see the Holy Father off, on the morning of Monday January 16, 1995.*

— The Holy Father will touch down at the Ninoy Aquino International Airport at 3:00 p.m. on Thursday, January 12. After the official welcome at the airport, he will go by Popemobile to the Luneta.

— **In the Luneta, he will be welcomed by the Youth of the World. A million people are expected to be there — from Manila, from the provinces of the Philippines, and from abroad.**

— On the morning of Friday, January 13, he visits Malacañang. Then he says Mass and holds an open forum with the 360 official World Youth Delegates, at the Seminary Chapel of the University of Santo Tomas.

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— On the afternoon of Friday, January 13, it is possible that John Paul will visit the victims of Mount Pinatubo. This awaits confirmation.

— On the morning of Saturday, January 14, he says Mass at the reclamation area of the Cultural Center Complex, for the Quadricentennial Celebration of Vigan, Manila, Naga and Cebu.

— On Saturday afternoon, January 14, Radio Veritas will celebrate its silver jubilee, and the Catholic Mass Media Awards will be announced at the Philippine International Convention Center.

— Pope John Paul will grace this occasion. He will talk to the professional men and women of media, and give out some special awards to the benefactors of Radio Veritas.

— On Sunday morning, January 15, he will say Mass in the Luneta, for World Youth Day. This will be on satellite television, for all the world.

— *That afternoon, he will address the Federation of Asian Bishops' Conferences at San Carlos Seminary, in Makati. F.A.B.C. was founded in Manila, in 1970. It is celebrating its 25th anniversary, in Manila, at this time.*

— On the morning of Monday, January 16, he goes to Malacañang. President Ramos accompanies him to the airport. He takes off at 10:00 a.m.

— After he leaves the Philippines, it is possible that he will pay brief visits to Papua New Guinea, to Sri Lanka, and to Austria.

— The official carrier of the Papal Visit, on radio, will be the Philippine Federation of Catholic Broadcasters' 43 stations, all over the country.

— The official carrier of the Papal Visit, on television, will be GMA Channel 7.

— *Neither radio nor television coverage will be exclusive. The Papal Visit is open to all radio stations, and to all TV channels.*

— The Holy Father, during his visit, will reside at the Apostolic Nunciature in the Philippines, on Taft Avenue. The Apostolic Nuncio is Archbishop Gian Vincenzo Moreni.

— The official host of the Holy Father, during this visit is the Catholic Bishops' Conference of the Philippines.

Festal Homilies for November and December 1994

Regino Cortes, O.P.

THIRTY-SECOND SUNDAY IN ORDINARY TIME November 6, 1994

FIRST READING: *1 Kings 17:1-16*

In chapter 17 of 1 Kings (3rd Kingdom in the Septuagint [LXX]; 3 "of Kings" in the Vulgate) the so-called "Elijah cycle" begins which will continue until 2 Kings 1 to be followed by the "Elisha Cycle" (2 K 2-13). The beginning of the document is quite abrupt which already narrates the famine predicted by the prophet during the time of Ahab (874-853 B.C.). There could have been an introduction of the personality of the prophet in the original text or tradition which is now cut off in the canonical text.

The name Elijah (Heb. *Eli-yahu*) means "Yahweh is my God," who, true to his name, championed the cause of Yahwism during Ahab's reign against the prophets of Baal who enjoyed royal favors because of Jezebel, the wife of Ahab, a Canaanite by birth.

Four miracles of Elijah are mentioned in the New Testament: (1) The three year drought in *1 K 17:1-19* cited in *Lk 4:25*; *Jm 5:17* and *Rv 11:6*; (2) Multiplication of food for the widow of Zarephath: *1 K 17:8-16* (our liturgical reading) quoted in *Lk 4:26*; (3) Flight from persecution: *1 K 19:10,14*, mentioned in *Rm 11:2-4*; (4) Calling of fire from heaven against his enemies: *2 K 1:10.12*, found in *Lk 9:54*.

Zarephath is a Phoenician town in between Tyre and Sidon. It is about fourteen kilometers south of the latter. The Greek variant is Zareptah as found in some versions. Since this is in Phoenician territory Baal was supposed to hold sway here. Yet the drought sent

by Yahweh also ravaged this place which shows Yahweh's influence even outside Israel.

SECOND READING: *Hebrews 9:24-28*

The profession of faith in the Mass: "Christ has died, Christ is risen, Christ will come again," is well expressed in today's reading. The main focus however, following the theme in this chapter of Hebrews, is Christ's pre-eminence over the Jewish priesthood and even over the Jewish high priest. The pre-eminence of the priesthood of Christ compared with that of the Jewish high priest is given in a threefold manner: (1) Christ entered the sanctuary not made by human hands — heaven; (2) the blood offered by the high priest was not his own but of animals; (3) Christ offered his own blood once and for all "at the end of the ages" to take away the sins of all men.

Verse 27 is considered by some as a clear support of the Church's doctrine on personal judgment after death and against the tenet of reincarnation common in Hinduism and Buddhism: "Just as it is appointed that men die once, and after death be judged, so Christ was offered up once to take away the sins of many."

The Mass, therefore, which is the same sacrifice of Christ does not make him die again but makes his one perfect and eternal sacrifice be present day after day in every generation. This is in consonance with *1 Co 11:26*: "Until the Lord comes, therefore, every time you eat this bread and drink this cup, you are proclaiming his death..."

GOSPEL READING: *Mark 12:38-44*

The two sections of this gospel reading are contrastingly related to each other: the hypocrisy and greed of the scribes and the magnanimity of a widow. The mention of "widows" in the first part connects it with the episode in the second part.

A scribe is a person who dedicates himself to the study of the Mosaic law. It is an occupation and not a membership to a social or a political party. However many scribes were members of the Pharisee party so that the evangelists usually group them together. Hence the expression, "the scribes and the pharisees."

Oftentimes the scribes, because of their knowledge of law, are made trustees of the properties of widows which presents occasions for committing injustice and corruption. The remuneration, not so seldom, for such a charge, would be a big cut of the widow's property. They indeed "devour the savings of widows."

They also used to appear pious externally observing the precepts of the law, but because of their hypocritical attitude they received the most severe condemnation from the Lord.

Widows (*cherai*) since Old Testament times had been the object of concern and mercy together with the orphans. Having lost their husbands who were usually the bread winner in the family many widows became poor.

The *lepton* (pl. *lepta*), here translated as "copper coins," is the smallest monetary unit among the Greeks. Two *lepta* are explained by St. Mark as equivalent to one *quadrans* ("about a cent") of the Romans which gives credence to the hypothesis that this gospel was written in Rome.

Homily

Just like the widows and orphans in Scripture who oftentimes were victims of injustice many of our brothers and sisters in underprivileged social levels fall hapless victims to the privileged few. The urban poor are summarily evicted from their homes without first providing decent relocations, many times in the name of progress. Minority tribal communities suffer the same fate also in the name of progress. Yet these are the people who are very generous with what they have, whose homes, however small they are, are always open to their neighbors in need.

The workers are also very often prey to oppressions. News items abound of workers on strike having been beaten, unjustly accused killed by hired goons and even by the military at the instance of owners and managers of factories. Filipino workers have harrowing tales to tell about their plight abroad, cheated by labor recruiters abused by employers, women raped, maimed and even murdered.

What is alarming in our modern situations is that some of these perpetrators of injustices are fellow Christians. They are no better

than the scribes of the gospel who victimize the widows. They, who are supposed to give a helping and merciful hand to their needy brothers and sisters in Christ, are those who cause their oppression.

Yet in spite of this negative scenario there is a liberating factor on the part of the oppressed and the poor exemplified by the magnanimity of the widow in the gospel. The poor's generosity and openness of heart will not be bypassed by the Lord.

THIRTY-THIRD SUNDAY IN ORDINARY TIME November 13, 1994

FIRST READING: *Daniel 12:1-3*

Our liturgical text is the ending in poetic form of the fourth apocalyptic vision in Daniel. It tells of the appearance of Michael, an archangel according to Jude 9. Here he is given the title "the great prince, guardian of your people" (v. 1). This is one of the verses in the Old Testament where St. Michael is mentioned, the other two being 10:13 and 10:21, all in the book of Daniel. He is also mentioned in *Rv* 12:7ff.

The time "unsurpassed in distress" is an apocalyptic phrase which means very difficult times, also expressed in *Mt* 24:21 and *Rv* 7:14 which however have been influenced by this verse from Daniel. But the chosen ones, those whose names are contained in the "Book of Life" are consoled because they would be spared.

"Those who sleep" are those who have already died. Verse 2 gives a clear affirmation of the resurrection of the body and the reward of the good and condemnation of the bad. Before the Babylonian exile (587 B.C.) and even immediately after the exile (538 B.C.) there is no clear enunciation in the Old Testament about this truth of the bodily resurrection. This will however be made plain in the New Testament.

SECOND READING: *Hebrews 10:11-14, 18*

Again Hebrews contrasts the sacrifices offered by the priests of the Old Testament "day by day" which cannot take sins away to the one sacrifice of Christ on calvary which erased sins. The comparison is based not anymore on the sacrifice of the Day of Atonement, the

only day in the year when the High Priest used to enter the Holy of Holies (cf. *Heb* 9:7), but on all the sacrifices of the Old Testament taken collectively.

Various conclusions nevertheless have been drawn from verse 12 where it is affirmed that "Jesus offered one sacrifice for sins and took his seat forever at the right hand of God." W. Loader, for example in *Sohn und Hoherpriester, (Wissenschaftliche Monographien zum Alten und Neuen Testament [WMANT] 53, 1981, pp. 182-222),* "locates Jesus' expiatory sacrifice only in the cross and sees his heavenly priesthood solely as intercession for his people" (NJBC, p. 939). The sitting of Jesus at the right hand of God is contrasted with the priests of the Old Testament's standing position while offering sacrifice. But verse 12 does not warrant at all the interpretation that the glorified Lord does not offer that one perfect sacrifice in heaven. This verse has to be supplemented with what were said in other passages of Hebrews like 8:3 and 9:24-28. "Jesus' sacrifice is completed in the heavenly sanctuary; it perdures in its moment of completion because eternity is a quality of the heavenly sphere" (NJBC, p. 934).

Verse 13 expresses the period of time between the glorification of Christ after his ascension and his second coming. This is definitely a citation of *Ps* 110:1 but now taken in its "fuller sense." The "enemies" are not specified but undoubtedly they are all the evil forces against God as mentioned by St. Paul in *1 Co* 15:24-25 quoting this same verse, "and the last of the enemies to be destroyed is death, for everything is to be put under his feet."

GOSPEL READING: *Mark* 13:24-32

Our gospel pericope is part of St. Mark's version of the "Eschatological Discourse," or "Sermon On the Last Days" by Jesus which has parallels in St. Matthew (ch. 24) and St. Luke (ch. 21).

It is now commonly accepted that this discourse expresses two important truths: the destruction of the Jerusalem temple and the second coming of Christ. Verses 24-32 is generally understood to refer to his second coming but verse 30 puts an obstacle to this exclusivistic interpretation. If Jesus was speaking about the final judgment in these verses why did he say that "before this generation (apostolic times) has passed away all these things will have taken place"? Some

commentators therefore include in the "Day of the Lord" the messianic age which will only be climaxed by the *parousia* or Christ's final manifestation to the world. The generation who witnessed the destruction of the Jerusalem temple also witnessed the inauguration of the messianic era.

It is in fact commonly admitted that the eschatological age has already begun. The cosmic signs given in verses 24-25 must then be interpreted according to their prophetic and apocalyptic context. These cosmic phenomena usually accompany the "Day of Yahweh" first expressed in Amos 5:18ff. Isaiah 13:9 ff. is a good representative of this prophetic theme: "The day of Yahweh is coming, merciless, with wrath and fierce anger, to reduce the earth to desert and root out the sinners from it. For the stars of the sky and Orion shall not let their light shine; the sun shall be dark when it rises, and the moon not shed her light. I will punish the world for its evil-doing, and the wicked for their crimes" (See also *Jr* 4:24; *Ezk* 32:7-8; *Zp* 1:14-18; *Jl* 2:10-11; 3:3-4; 4:15-16).

The "Day of the Lord" in the New Testament is explicitly called in some passages the "Day of our Lord Jesus Christ" (*1 Co* 1:8; *2 Co* 1:14). This is identified as the *parousia* or the second coming of Christ in *1 Th* 5:2; *2 Th* 2:2; *2 P* 3:3ff. There is however an ambiguity in the expectation of the "Day of the Lord." In Joel 1:15, for instance, "the day of Yahweh is near." But in 3:1-5 (LXX 2:28-32) it inaugurates a new world order and can easily be understood to refer to the last judgment: "The sun will be turned into darkness, and the moon into blood, before the day of Yahweh dawns, that great and terrible day." But since this text was cited by St. Peter to have been fulfilled on the day of Pentecost (*Ac* 2:16-21) the understanding of the phrase "Day of the Lord" has to include the inauguration of the messianic age only to be climaxed by the *parousia* (second coming) of Christ.

Assuming that Second Peter was one of the latest texts of the New Testament or at least some parts of it, the expectation of the *parousia* is here distinctly attenuated: "But there is one thing, my friends, that you must never forget: that with the Lord, 'a day' can mean a thousand years, and a thousand years is like a day (*Ps* 90:4)." Yet, "the Day of the Lord will come like a thief, and then with a roar the sky will vanish, the elements will catch fire and fall apart, the earth and all that it contains will be burnt up" (*2 P* 3:8-10). Hence the

Lord concludes in today's gospel that "as to the exact day or hour, no one knows it, neither the angels in heaven nor even the Son, but only the Father (*Mk* 13:32).

Homily

It has become a cause for wonder why some people are afraid of the end of the world while they do not care at all for the end of their own private world. These two are sure to come as the setting and the rising of the sun, the waning and rounding of the moon, the twinkling of the stars by night and their invisibility by day — cosmic bodies which are also destined to bow out of existence on a day appointed by God. Every year groups or even individuals predict the end of the world even telling the very day of the hour when it would happen. Some are unfortunately convinced by these charlatans. Yet our Lord is clear that nobody knows the time of his coming except the Father.

What we should be seriously concerned about is the end of our own private world. It can come any time, any day, any hour. Death is no respecter of persons. I have a friend who was diagnosed to have cancer some years back and predicted by the physician to have only a few months to live. The physician who diagnosed her sickness and treated her already died. My friend is still alive and well. A six year old child so healthy and vibrant with life was suddenly killed by a stray bullet. Another was raped and murdered. A promising actor still in his early twenties died in a fatal car accident.

Let us always then be prepared that the end of our own world would not catch us off-guard like a thief in the night. Before we retire for the night it pays off to have a clear conscience, hence we should make it a point to examine ourselves and be always reconciled with God for He will be the one to judge us. As it is said in Hebrews 9:27, "men only die once, and after that comes judgment."

SOLEMNITY OF CHRIST, THE KING OF THE UNIVERSE **November 20, 1994**

FIRST READING: *Daniel* 7:13-14

The two verses in our reading come from the first apocalyptic vision of Daniel in the second part of the book. This is the vision of the

four beasts and an individual the author calls "One like a son of man." The original and canonical language of chapter 7 is Aramaic.

The four beasts are interpreted in verse 17 as "four kings" or kingdoms: Babylonians, Medes, Persians, Greeks. The figure of "One like a son of man (Aramaic: *Bar Nasha*)" is commonly interpreted as the Messiah who would establish an eschatological kingdom. "His dominion is an everlasting dominion that shall not be taken away, his kingship shall not be destroyed." This is supported by Christ who applies the title "son of Man" to himself.

However in verses 18 and 22 of this same chapter in Daniel the phrase "son of man" is identified with the "saints of God" and hence understood in a collective sense. The *Jerusalem Bible* makes this remark in its footnote to this verse: "That it has a collective sense also is deduced from verse 18 (and v. 22) where the 'son of man' and 'the saints of the Most High' seem more or less identified. But the collective (and equally messianic) sense is an extension of the individual sense: the 'son of man' being leader, representative and exemplar of the 'saints of the Most High.' It was with this in mind that St. Ephraim believed that the prophecy applied first to the Jews (the Maccabees), but beyond this, and perfectly, to Jesus."

The book of the Apocalypse or Revelation has definitely borrowed many of its symbolisms from Daniel. One of the beasts in the Apocalypse which later on was given the name 666 refers either to the Roman Empire or one of the Roman emperors (perhaps Nero). The "one coming on the clouds" in *Rv* 1:7 is the "son of man" of this chapter whom the author of Revelation identified with Christ.

SECOND READING: *Revelation* 1:5-8

Our liturgical reading starts with verse 5 which, in the context must be connected with verse 4, and which, according to its literary form, is a salutation imitating the style of an epistle with a greeting from John (sender) to the seven churches of Asia (recipient) and the blissful wishes of "grace and peace," an expression also common in the Paulinian letters. St. John adds a doxology citing that the blessing of "grace and peace" comes from the Father, the Holy Spirit and Jesus Christ. We interpret here the phrase "seven spirits" as referring to the Holy Spirit in His seven manifold gifts to complete the Trinitarian image of this doxology.

Three titles are given to Christ: 1) the faithful witness; 2) the first-born from the dead, i.e. the first one who resurrected and was glorified so that we may also resurrect and be glorified; 3) the Ruler of the kings of the earth.

This last title is *a propos* the theme of Revelation that Christians should not fear the emperors, "kings of this world," in spite of persecutions since Christ is the great king over all who would place everyone and everything under His dominion.

Three actuations of Christ are mentioned directed towards us: 1) He loves us; 2) He freed us from our sins by his own blood; 3) He made us a royal nation of priests in the service of his God and Father.

The phrase "freed us" (*lysanti*) is read in other versions as *lousanti* (washed) which is the variant preferred by the Vulgate (*lavit now*), the JB, KJV and some others. Hence JB has: "He loves us and washed away our sins..." The NAB, NIV, GNB and our liturgical text has "freed us." Still the sacrificial death of Christ on the cross is clearly implied.

Verse 7 is a combination of texts from Daniel 7:13 and Zechariah 12:10 which are now confirmed in this text from Revelation as messianic passages. This text ends with a double conclusion, one in Greek (*nai*) and the other in Hebrew (*amen*). This is a rare case. This lends credence to the opinion that this text could have been taken from a liturgical hymn.

The final verse of our liturgical reading (8) is only one of the two instances in Revelation where God is presented as directly speaking (another is in 21:5-8). The phrase "Alpha and Omega" is in fact interpreted in this latter passage (v. 6) as the "Beginning and the End," that is to say, the cause and final destiny of all creation. This same title is also applied to Christ in 22:13 which leaves no doubt that in the mind of the author of Revelation Christ is equal to the Father.

GOSPEL READING: *John* 18:33-37

St. John conspicuously omits the trial of Jesus by the Sanhedrin which is given by the Synoptics. In verse 28 of this chapter it is said that the Jews "led Jesus from the house of Caiaphas to the Praetorium." The "praetorium" must be understood here not in its military conno-

tation as the headquarters of a *praetor* but in its civilian sense as the official residence of the governor whether proconsul, procurator or prefect of a Roman province. Definitely in this chapter the latter sense is meant referring to the residence of Pilate in Jerusalem. Although Pilate habitually resides at Caesarea Maritima he goes to Jerusalem during important Jewish feasts to supervise the city. The place, however, of his residence in Jerusalem is still contested, a question which is also connected with the exact place of Jesus' trial and condemnation and consequently with the real direction of the *via dolorosa*.

The traditional place, which was boosted by the excavations of Fr. Vincent, O.P., is at the Fort Antonia north of the temple now occupied by the convent of the Sisters of Sion. But this tradition only goes back to the twelfth century during the time of the crusaders. Another opinion situates Pilate's praetorium at the palace of Herod the Great near the Jaffa gate. This is favored today by archaeologists of no mean competence.

Pilate started his interrogation of Jesus by asking whether he was king of the Jews. We read in *Lk* 23:3 that he was accused before Pilate by the Jews because they found him "inciting people to revolt, opposing payment of tribute to Caesar, and claiming to be Christ, a king." These are all political crimes. But Jesus never claimed to be a political king in the manner of Caesar. His kingdom "does not belong to this world."

Homily

It is wisely said that if the Church marries a political regime in this present time she would be a widow in the next generation. It is true that the kingdom of God is found in the Church but, as the Mystical Body of Christ, it is a kingdom not of this world, although it is in this world. She is not to be identified with any earthly kingdom nor should she adopt any political system. Christ is the ever reigning king of this kingdom as the angel Gabriel proclaimed at the annunciation: "The Lord God will give him the throne of his ancestor David; he will rule over the House of Jacob for ever and his reign will have no end" (*Lk* 1:32-33). All the baptized and hence those who have become children of God are heirs to this kingdom.

A Christian has an immense value to share in any human community, in every political regime, in all temporal societies existing in the world. Having been imbued by the permanent values of the kingdom of Christ founded on justice, charity and truth, a Christian faithful can be the light of any worldly kingdom, state or government so that temporal peace and happiness can be achieved even here on earth. In the midst of hatred and violence, he can be the harbinger of love and peace; in a society where lies and deceit are propagated he can always be the beacon light of truth.

It is true that not all regimes are god-like and god-fearing. The history of the Church attests to the many struggles and persecutions the Christians have undergone since the Church's inception preserving God's kingdom on earth. But the more the Christians are persecuted the more they grow for indeed the "seed of Christianity is the blood of martyrs." That seed is now sprouting in Korea where our present Holy Father has canonized so many Korean martyrs; so it is in Vietnam when in 1988 Pope John Paul II raised to the altars a hundred or so martyrs of Vietnam; so will it be hopefully in Japan and in China. Pagan Rome is gone but from its ashes rose Christian Rome where from the Vatican hill the voice of divine authority and truth has been guiding the course of world events which can never be stifled as it is supported by the One who said that he is the Way, the Truth, and the Life.

FIRST SUNDAY OF ADVENT

November 27, 1994

We start today the liturgical year, Cycle C, using predominantly the Gospel according to St. Luke.

FIRST READING: *Jeremiah 33:14-16*

Chapters 32 to 33 of Jeremiah, in which our liturgical reading forms a part, constitutes a literary block the main theme of which is Yahweh's promise to restore the fortunes of Judah and Jerusalem. *The messianic overtones of this text are very well pronounced which justify its selection for the liturgy of Advent.*

A textual difficulty is observed in chapter 33 since verses 12-26 are not found in the Septuagint (LXX). They are however present in the Masoretic Text (Hebrew) and in the Vulgate (Latin). The Church accepts them as canonical. Verses 15-16 are exactly a repetition of 23:5-6 in the same book of Jeremiah. However in 23:6 the name "Lord-our-justice" (JB: "Yahweh-our-integrity") is given to Israel while in 33:6 it is narrowed down to the city, Jerusalem. A contrast to the name of Zedekiah which literally means "Yahweh-is-my-justice" is also seen in this new name given to Jerusalem.

According to 32:1, this consoling oracle was pronounced by Jeremiah "in the tenth year of Zedekiah king of Judah," since Zedekiah, whose previous name was Mattaniah (cf. 2 K 24:17), became king in 598 B.C. after Jehoiachin (Jechoniah) was exiled to Babylon by Nebuchadnezzar (1 K 24:12). In spite of this crisis in the Davidic dynasty there will be a future restoration in view of the Messiah, the "shoot" from the branch of David who will be raised up.

SECOND READING: 1 *Thessalonians* 3:12 - 4:2

The First Letter of St. Paul to the Thessalonians is considered to be the oldest canonical literature of the New Testament. It was written about the year 50/51 A.D. when St. Paul was in Corinth for the first time.

Thessalonika was one of the important cities of Macedonia because of its port at the Gulf of Thermae. It was founded by Cassander in 315 B.C. and named after his wife, Thessalonika, half-sister of Alexander the Great. It was conquered by the Romans in 168 B.C. and made it the capital of the Roman province of Macedonia in 146 B.C. The city has a Jewish synagogue and as customary with St. Paul he preached there for three consecutive sabbaths (Ac 17:2) but he only converted a few Jews while the majority of his converts were pagans (Ac 17:4).

Our liturgical text has a prayer part and an exhortatory part. The prayer part starts with verse 11 up to 13. Verse 11 however is left out in the liturgical reading. Verse 12 is differently translated. It depends on the objects of the verbs *pleonasai* (increase, have more) and *perisseusai* (abound, overflow). Actually these two verbs are synonymous. Our reading diversified the objects of the verbs which gives a different meaning. It says: "May the Lord increase you and

make you overflow with love for one another..." This is also the meaning in the *Vulgate*: "*Vos autem Dominus multiplicet, et abundare faciat charitatem vestram in invicem,...*" The King James Version on the other hand gives a common object to the two verbs: "And the Lord make you to increase and abound in love one toward another..." The Jerusalem Bible goes even further and unites the two verbs taking them in a pleonastic sense or, seemingly, a hendiadys of the verbs: "May the Lord be generous in increasing your love and make you love one another..." A hendiadys (Greek: *hen dia dyoin*, "one through two") is a literary structure expressing an idea with two words, usually nouns, connected by *and* instead of the word *and* and a modifier.

Taking the translation of the *Vulgate* and our liturgical text it can be discerned that one of the expressed intentions in the prayer is the increase of members of the church of Thessalonika. This is not clear in the JB and KJV. What is clear in all is that God is the source of love and the growth of that love not only for fellow Christians but for all men or, as the JB puts it, for "the whole human race." St. Paul also adds the prayer that the Lord strengthen the hearts of the faithful and make their hearts *blameless and holy* at the coming of the Lord Jesus. The Greek word used here for word "coming" is *parousia* which literally means "appearance." This definitely refers to the second coming of Christ.

GOSPEL READING: *Luke 21:25-28, 34-36*

Parallel texts of this eschatological sermon of Jesus is found in St. Matthew (ch. 24) and St. Mark (ch. 13) but with significant variations. The text of St. Luke is closer to that of St. Mark. However, while St. Mark speaks of distinct cosmic disturbances in the sun, moon, stars and the powers in the heavens (13:24-25), St. Luke mentions only in a general way signs in these heavenly bodies and adds agitations on earth and on the sea. The universal nature of these warnings is clear in the context. These cosmic signs however are too general to determine the time of the *parousia*. In fact it is distinctly stated in *Mt 24:36* and *Mk 13:32* that "nobody knows that day or the hour, neither the angels of heaven, nor the Son."

The coming of the Son of Man is expressed in formulas taken from Daniel 7:13-14. St. Matthew (24:30), on the other hand, envisions the appearance of the "sign of the Son of Man," absent in Sts. Mark and Luke, before the appearance of the Son of Man himself.

Some Fathers of the Church interpret this Matthaean sign to be the cross. In contrast however with St. Luke, Sts. Matthew and Mark mention the sending of the angels to gather the chosen from the four winds. St. Luke has a more consoling phrase: "stand up straight and raise your heads, for your ransom (JB has 'liberation') is near at hand."

The three synoptic evangelists follow this pericope of the cosmic signs with the parable of the budding fig tree as indication of the coming summer to make the Christians aware "that the kingdom of God is near" when "they see these things happening." This passage (*Lk* 24:29-33) is omitted in our liturgical text. But this same sequence of pericopes shows a certain dependence among the synoptics. This parable does not only refer to the end of the world but the triumphant growth of the kingdom, which has already come (*Lk* 17:21). In fact Jesus made it clear that "before that generation has passed away all will have taken place" (v. 32).

This pericope of watchfulness in *Lk* 21:34-36, which is also found in *Mt* 24:37-44 and *Mk* 13:33-37 but differently formulated, is to be supplemented by St. Paul's exhortation in 1 Thessalonians 5:1-11. St. Luke, in all probability, was influenced by St. Paul in this passage. There is no indication of an imminent *parousia*.

Homily

As we start today the First Sunday of Advent the liturgy admonishes us to be watchful and vigilant. This is consonant with the theme of preparation, the dominant focus during the days of Advent in preparation for the most joyful celebration of Christmas. But unlike the pagan feasts and feasts of other religions our celebration of the Nativity of the Lord does not follow a closed cyclical pattern which occurs year after year without any progress. It is more like a spiral going heavenwards. As we celebrate a past event, there is the experience of the present and the expectation of the future. We commemorate the first coming of the Lord, his birth in Bethlehem, but we should also experience his present coming into our lives, being born and growing in us, and finally await his second coming which will usher in his final victory.

To be watchful and vigilant in the present is to see to it that what we have already achieved for our spiritual life should not be lost. It

also signifies that we be prudent and wise in availing of all the means at the Church's disposal to make the Lord now born in us grow day by day in wisdom and grace. It is easy to romanticize Christmas, to celebrate it with all the fire-works, lights, and festive decorations. But after the glow and sound of the fire-works what remain are the charred sticks and poles.

The "day of the Lord" has been described in Scripture to be accompanied by cosmic signs. This day of the Lord may be understood as any event in the world, any time and any place, in which God makes a personal intervention. It is easy to focus on the cosmic manifestations but reduce the divine meaning of the event. Oftentimes we fall more for the externals than for the reality which for the "day of the Lord" is a divine reality. The presence, for instance, of Christ in the Mass and in the soul of each faithful in sanctifying grace is a divine reality. But its awareness is subdued for lack of sensational signs. Here, too, we must be watchful and vigilant.

SECOND SUNDAY OF ADVENT

December 4, 1994

FIRST READING: *Baruch 5:1-9*

It is now commonly admitted that the Book of Baruch is pseudonymous, attributed to this secretary of Jeremiah by an author immersed in the wisdom tradition but living during the Greek period (end of the 4th cent. B.C.). The historical allusions in the book are highly questionable. The book is not admitted by Protestants as canonical since it is not in the Hebrew Bible. Although the original language seems to be Hebrew, the canonical text as found in the Septuagint is Greek.

Our liturgical text speaks of the return of the exiles, an event which has been considered as the second exodus. The wordings have been obviously influenced by the second Isaiah especially verse 7 taken from Isaiah 40:3ff. The prophet Baruch is supposedly addressing Jerusalem personified here as the lady in exile whose return to the Promised Land with her children is imminent and should now shed her "robe of mourning and misery."

She will bear on her head "the mitre that displays the glory of the eternal name" (v. 2). If this mitre or diadem is related to Exodus 24:36 then it is the diadem of Aaron the high priest engraved with the title "holy to Yahweh." Yet Lady Jerusalem dressed with the turban of the high priest does not necessarily mean she would function as one.

The fancied way of the returnees to the Promised Land would not be the roundabout way of the fertile crescent but through the direct way of the Arabian desert whose mountains would be levelled and its valleys filled up. It would be irrigated and the desert turned into lush vegetation so that "the forests and every fragrant kind of tree would overshadow Israel at God's command" (v. 7). The messianic perspective of this passage is recognized by our liturgy.

SECOND READING: *Philippians 1:4-6, 8-11*

The traditional thinking that the letter to the Ephesians was written in Rome during Paul's confinement there in about 60-62 A.D. is now abandoned by many commentators. The unity of this letter is still a subject of discussion. The New Jerome Biblical Commentary has found three letters in our canonical text and names them letters A (4:10-20), B (1:1 - 3:1a; 4:4-7, 21-23) and C (4:3b, 8-9). According to this division then our liturgical text would be part of the introduction of the second letter.

It is usual for St. Paul to make an act of thanksgiving and to pray for the recipients of his letters. His relationship with the Philippians has been very cordial and a source of joy. They have been very helpful in the spread of the gospel not only by assisting him financially but by their way of life. He prays that God would perfect their good works "until the day of Christ Jesus." By the "day of Christ" is meant the *parousia*. St. Paul does in fact speak of Christ still as the awaited savior, not in the sense of his first coming when he redeemed the world, but in his second coming when salvation would be perfectly completed (cf. *Ph* 3:20).

His other prayer is that "their love may more and more abound, both in understanding (*epignosis*) and wealth of experience (*aisthesis*, JB translates as 'perception,' perhaps also 'spiritual discernment')." Some commentators take the preposition "in" with a causal sense giving it the meaning of "in order to." This is the basis of the

Jerusalem Bible's translation: "My prayer is that your love for each other may increase more and more and never stop improving your knowledge and deepening your perception so that you can always recognise what is best."

Employing an agricultural image St. Paul concludes his prayers by wishing the Philippians to be filled up with the "fruits of justice or righteousness" (*karpos dikaiosynes*) also coming from Christ which are all for the "glory and praise of God." Justice here definitely does not mean of the forensic kind or justice of the courts, neither of imputed justice, but an attribute of God which makes men holy. The Jerusalem Bible translates it as "goodness" which is to be perfected until the *parousia*.

GOSPEL READING: *Luke 3:1-6*

St. Luke commences his presentation of the ministry of John the Baptist, the precursor of the Messiah, with a historical prologue in the manner of Greek historians and citing historical personages: Tiberius Caesar, Pontius Pilate, Herod (Antipas), Philip (brother of Herod Antipas), Lysanias, the high priests Annas and Caiaphas. As a matter of fact it was Josephus Caiaphas (18-36 A.D.) who was the high priest in office. Annas was high priest from 6-15 A.D. but his prestige was so great that the title "high priest" was still appended to his name just as we do to some people calling them still "dean," "senator," or "president" even though they are not anymore in office. Five of his sons became high priests including one grandson and Caiaphas was his son-in-law.

Two of the personages mentioned were the sons of Herod the Great: Herod Antipas by Malthake and Philip by Cleopatra of Jerusalem (this is not the Cleopatra who was the wife of Ptolemy XIV of Egypt [51-47 B.C.] and who became notorious first as consort of Julius Caesar and then of Mark Anthony). Herod Antipas, tetrach of Galilee, had a full brother, Archelaus who became ruler of Judaea (4 B.C. - 6 A.D.). Philip, tetrach of Ituraea and Trachonitis, later on married his niece, Salome, daughter of his half-brother Herod Philip (son of Herod the Great and Mariamne II) and Herodias. This Herodias became notorious by leaving Herod Philip and consorting with Herod Antipas, an act which was severely censured by John the Baptist.

"The word of God was spoken (*egeneto*: lit. 'happened') to John son of Zechariah in the desert" (v. 2). This desert is the desert of Judah near the Dead Sea north of ather desert called the Negev. Since the Qumran area is in this desert where an Essene monastery was discovered there is legitimate speculation that John the Baptist might have been a member of this community or at least influenced by the ideologies of this community. The "entire region of the Jordan" does not necessarily mean from Galilee where the Jordan river starts to Jericho, which is an oasis in the desert of Judah, and the Dead Sea. Probably what St. Luke meant was only the southernmost area of the Jordan river and its environs.

John was preaching "a baptism of repentance which led to the forgiveness of sins." This is, of course, not yet our sacramental baptism to be established by Christ. John's baptism did not give the Holy Spirit (Ac 19:2ff.).

Verses 4-6 are excerpts from Isaiah 40:3-5. St. Luke quotes a longer passage than St. Mark who dissimilarly introduces the Isaian verse with a text from Malachi 3:1. St. Luke could have been influenced to cite the longer text because of the concluding phrase: "And all mankind shall see the salvation of God." This is very much in consonance with his universal perspective of salvation.

Homily

Historically the Messiah was born only once in the world and exercised his public ministry in Galilee and Judaea heralded by John the Baptist. Yet these events of salvation can be re-lived and must be re-lived by every generation, by every community, by every individual. Every heart must long for the coming of the Messiah — those who have not yet received him that they may be the manger to receive his birth; those who have received his birth that they may be the home in Nazareth where he grew in age, wisdom, and grace; those who are walking towards God's kingdom that they be the mount of beatitudes where Jesus preached the law of life of this kingdom; those who suffer that they be the cross where Christ suffered and died for salvation; all the children of God that they be the cenacle where the resurrected Lord appeared in his glorious form and where the Holy Spirit descended to animate perpetually the Church. Jesus' first coming is already realized, his second coming yet to be fulfilled, but his coming into our hearts remains a continuous process.

Heed the call of John the Baptist: "Make ready the way of the Lord." Let us level the mountains of our pride, fill up the ditches of our shortcomings, straighten our path renouncing the winding lanes of worldly allurements, polish the rough edges of our imperfections.

In order to build we must in a way destroy. When this big church of Santo Domingo in Quezon City was built in 1954 the ground had first to be prepared removing obstacles felling some old trees in the process, levelling the terrain. When the church was finally finished there was the plan of the government to open a street on the northern side of the building but took many years to realize because of a house obstructing the construction. After a lawsuit in which the government lost the house and lot was finally bought and then altogether demolished to finish the road. This street is now called Santo Domingo Avenue.

Jeremiah has tersely summed up the role of the prophet: "Yahweh put out his hand and touched my mouth and said to me: 'There! I am putting my words into your mouth. Look, today I am setting you over nations and over kingdoms, to tear up and to knock down, to destroy and to overthrow, to build and to plant' (1:9-10).

IMMACULATE CONCEPTION

December 8, 1994

FIRST READING: *Genesis 3:9-15,20*

Affirming the traditional interpretation of the Church, *Gn 3:15* is termed by the new *Catechism of the Catholic Church* as the *Protoevangelium* ("first gospel"): "the first announcement of the Messiah and Redeemer, of a battle between the serpent and the Woman, and of the final victory of a descendant of hers" (no. 410). In addition the Catechism continues in no. 411: "The Christian tradition sees in this passage an announcement of the 'New Adam' who, because he 'became obedient unto death, even death on a cross,' makes amends superabundantly for the disobedience of Adam. Furthermore many Fathers and Doctors of the Church have seen the woman announced in the "Protoevangelium" as Mary, the mother of Christ, the 'new Eve.' Mary benefited first of all and uniquely from Christ's victory over sin: she was preserved from all stain of original

sin and by a special grace of God committed no sin of any kind during her whole earthly life."

The pronoun used in verse 15 is specifically to be noted. The Masoretic Text (Hebrew) has definitely a masculine (*hu'*) which is also found in the Septuagint (LXX: *autos*) in spite of the fact that *sperma* ("seed" or "offspring") is in the neuter. This is followed in our liturgical text: "He will strike at your head,..." (underlining ours). But some manuscripts of the Old Latin versions and the Vulgate has a feminine (*ipsa*) which is reflected in the Douay-Rheims version (1582-1610) and the Confraternity of Christian Doctrine version (1952-1959). The Jerusalem Bible (1966) has a neuter: "It will crush your head..." But this is due to the English peculiarity of taking the term "offspring" in the neuter. In fact other English translations (NAB, NIV) have the masculine.

The use of the masculine instead of the neuter has more weight in Greek since in this version the collective meaning of the pronoun has lost its force and the individual sense seems to be the one propounded. An individual offspring, the promised Messiah, will crush the head of the serpent. However the feminine reading of the Vulgate has been taken by the Church to refer to the Blessed Virgin who, together with the Messiah, defeated Satan as this serpent in Paradise later on would be identified in Wisdom 2:24 and John 8:44.

SECOND READING: *Ephesians 1:3-6*

Many biblical scholars now believe that the Epistle to the Ephesians is not authentically from St. Paul. Of course it is canonical and part of Sacred Scripture although written probably by a disciple of St. Paul. As opined by the New Jerome Biblical Commentary: "the author of Eph may have belonged to a Pauline school (in Ephesus?) that was imbued with the thinking of Paul and was conversant with the liturgical, parenetic, and catechetical traditions that had developed in Pauline mission areas in the post-Pauline period" (p. 884). Yet the tradition that this letter came from St. Paul can be traced from the second century of our era and expressed in the Muratorian Canon, the oldest list of New Testament books composed in Greek about 180-190 A.D. presumably by St. Hippolytus of Rome, a Latin translation of which was discovered at the Ambrosian Library of Milan by L. A. Muratori (hence the name) and published in 1740.

Even the recipient of this letter is disputed. The phrase *en Epheso* ("in Ephesus") in 1:1 is absent in important manuscripts like the P⁴⁶ (the oldest extant text of this letter dating from the 3rd cent. A.D. also called the Chester Beatty papyrus), the Vatican and Sinaitic codices. But the Greek phrase *en tois* ("to those at") requires the mention of the recipient of this letter which would be awkward if it is missing. According to Tertullian this letter was recognized by Marcion, a second century heretic, to be the letter to the Laodiceans mentioned by St. Paul in *Col* 4:16. This opinion is considered improbable but it led to another speculation in the 17th century by Archbishop J. Ussher that there was a blank space after *en tois* making it a letter to many churches. But no parallel letter of this sort in the ancient world has yet been discovered to support this view.

Our liturgical reading is a portion of the blessings expressed in verses 3-14. The literary form of these blessings may be compared with the *Hodayoth* (hymns of thanksgiving) copies of which were discovered among the Qumran (Dead Sea) scrolls. The passage begins with *eulogetos* ("blessed" as in JB or "praised" as in the liturgical text) not *makarios* ("happy") which is the starting word of the "beatitudes" (cf. *Mt* 5:2ff.).

GOSPEL READING: *Luke* 1:26-38

Biblical scholars have perceived a parallel structure between the annunciation narratives of the birth of John the Baptist to Zachary (*Lk* 1:3-25) and that of the birth of Jesus to the Blessed Virgin Mary (26-38 - our liturgical reading). But there are also many contrasts especially in the theological overtones of the narratives.

There was no greeting to Zachary but Mary was greeted in a very special manner: *Chaire kecharitomene* ("Rejoice, O highly favored daughter!" - *liturgical text*). The absence of the name is more significant since the quality being used in the greeting is now substituted for the name as when people say, "hi Beautiful!" or "hello, Handsome!" Mary is the *Kecharetomene*, the "one highly favored," or in the traditional translation taken from the Latin Vulgate: *gratia plena*, "full of grace."

The influence of 2 Samuel 7:9-16 is clearly discernible in verses 32-33 of the Lucan text. An antecedent of this was discovered among the scrolls at Qumran with the siglum 4QFlorilegium with a *pesher*

or interpretation. *The Lord declares that He will build you a House. I shall raise up your lineage after you. shall establish the throne of his kingdom forever. I shall be his father, and he will be my son* (2 Samuel 7:11-14). The "he" is the Shoot of David who will arise with the Interpreter of the Law who [will rule] on Zion in the last days. As it is written, "I shall raise up the fallen hut of David" [Amos 9:11] - the "fallen hut of David" is he who shall arise to save Israel" (4QFlor, lines 10-13).

But Luke 1:33 has no Jewish antecedent: "*The Holy Spirit will come upon you and the power of the Most High will overshadow you, hence, the holy offspring to be born will be called Son of God.*" It is significant to note that in this passage the action of the Holy Spirit is on the mother overshadowing her so that "the holy offspring to be born will be called Son of God." This is totally different from the Jewish expectation of the Messiah who, from David's line, would be the *adopted* son of God. Here it is clear that even from the womb of the mother he is the Son of God.

Homily

When our Blessed Mother appeared to a young peasant girl, Bernadette Soubirous, in 1858 in Lourdes, France, many did not realize that the event would be intimately related with the solemn papal pronouncement made four years before on December 8, 1854. Pope Pius IX had proclaimed *ex cathedra* that Mary from the first moment of her conception was freed from any stain of original sin. When the girl was asked by the bishop who the name of the Lady was she answered that she was the "Immaculate Conception." This was the heavenly confirmation of the truth proclaimed by the pope four years earlier which the liberals had been scoffing at.

All of us without exception inherited the sin of our first parents and hence needed the redemption of Jesus. Even our Blessed Mother needed redemption but the merits of our Lord's redemptive suffering on the cross was applied in a preventive manner to our Blessed Mother so that from the first moment of her conception no evil was able to touch her. She remained the ever pure vessel in which the Incarnate Word would be conceived. Aside from the incarnation of the divinity the conception of Mary is one of the greatest events which happened in the history of the world.

We usually celebrate our birthdays when we were born into this world. Nobody celebrates his or her conception day. Still in the liturgy of the Church we commemorate two conception days: the conception of Jesus (feast of the Annunciation on March 25) and the conception of Mary, today's feast. These were the only persons who were immaculately conceived. But their conceptions have given a sign of hope to all who would be conceived and born in the world. As they defeated evil even from the moment of their first confrontation still in the womb so also everyone is given the chance and surely will defeat evil through the grace of Jesus and through the patronage of Mary the Immaculate Conception.

THIRD SUNDAY OF ADVENT December 11, 1994

FIRST READING: *Zephaniah, 3:14-18*

According to the introductory verse of this prophetic book the prophet Zephaniah (Greek: Sophonias) exercised his ministry during the time of king Josiah of Judah (640-609 B.C.) during the declining years of the Assyrian Empire whose capital, Nineveh, was actually destroyed in 612 B.C. Still the majority of the prophecies were probably uttered before the religious reform of Josiah in 622 B.C. (cf. 2 K 22-23).

Chapter 3 of Zephaniah may be observed as an example of a balanced presentation of prophetic themes. After oracles of woes against Jerusalem (3:1-8) oracles of restoration and consolation are appended as a conclusion (vv. 9-20). Verse 12 is especially important as it speaks of one of the major prophetic themes: the "remnant." Here they are identified as the "humble and the lowly," the *'anawim* (cf. 2:3).

The prophet urges Jerusalem to rejoice because "Yahweh has repealed her sentence" (JB; our liturgical text has "the Lord has removed the judgment against you"). But more so because "the Lord is in your midst" (vv. 15 and 17).

Some textual difficulties are present as the Hebrew (Masoretic Text) is compared with other versions but it does not substantially

change the tenor of the passage. "He will renew (*yechadesh*) you in his love" in verse 17 is the text in the Septuagint and Syriac while the Hebrew has: "he will be silent (*yecharish*) in his love." Greek and Syriac is much clearer.

SECOND READING: *Philippians 4:4-7*

The third Sunday of Advent has been known in the liturgy as "Gaudete Sunday," the tone being set by this passage from Philippians: "Rejoice in the Lord always!" And the best reason for rejoicing is that the "Lord himself is near." Although historically this phrase in the mind of St. Paul may refer to the promised second coming of the Lord or the *parousia* it can always be applied to the greater intensity of nearness of the Lord in the Church and in every faithful. Hence when the celebrant and the faithful greet each other with the words "the Lord be with you," during the celebration of the liturgy it does not imply the previous absence of the Lord but a prayer for a more intense presence of the Lord in the assembly and in each individual Christian.

The life of a Christian being close to the Lord, the intimacy of which grows day by day, should dispel any anxiety or worry from their minds (v. 6). The Mass has a portion of prayer of liberation from all kinds of evil, especially from anxiety or the *angst* of existential philosophers, after the recitation of the "Our Father." Then the faithful will receive the "peace of God" which is "beyond all understanding." The greatness of this peace, the source of which is God, does not only lie in its being a transcendental concept but in its greater efficaciousness to destroy all the anxieties and worries that disturb the human soul. Appropriately in the Mass, after the prayer of liberation from evil, we extend to each other the peace of Christ.

GOSPEL READING: *Luke 3:10-16*

The pericope of the ministry of St. John the Baptist in St. Luke has four sections: (1) John's vocation to prepare the way of the Lord (1-6); (2) Ordinary people and the marginalized represented by tax-collectors and soldiers approach John (7-14); (3) John declares that he is not the Messiah (15-18); (4) Conclusion (19-20). Our gospel reading is the second and third of these sections.

St. Luke is closer in this pericope to St. Matthew in many ways than to that of St. Mark. However, while in St. Matthew the group to

whom the Baptist was addressing was composed of "pharisees and sadducees," in St. Luke they were just called "the crowds" (*hoi ochloi*). Furthermore St. Luke was the only one who mentions specifically the tax-collectors and the soldiers besides the crowds who approached John to ask what they ought to do. The response of John was not the usual emphasis on the fulfilment of the Mosaic Law so dear to the scribes and pharisees but on the practice of justice and charity, reminiscent of the exhortations of the prophets of old: clothe the naked, feed the hungry. To the tax collectors: "exact nothing over and above your fixed amount"; to the soldiers: "do not bully anyone, denounce no one falsely (Greek: *sykophantesete*, from *syko* ["figs"] and *phantes* ["those who manifest"], lit. then "manifestors of figs" originating from those who denounced illegitimate exporters of figs from Athens, which later on came to mean "false denunciation").

The messianic expectation was already very high during this time and it was but natural for the people to wonder whether John was the Messiah. But he denied being the Messiah and even claimed to be at par with the slave of the Messiah since he himself "is not fit to loosen his (the Messiah's) sandal strap."

"In the Holy Spirit and in fire," is syntactically understood as a *hendiadys* by some commentators which could then mean: "in fire of the Holy Spirit" reminiscent of the fire which appeared on Pentecost.

It is interesting to note in verse 18 that St. Luke presents St. John the Baptist as also an "evangelist": "he preached the good news to the people." This is, of course, legitimate since the imminent coming of the Messiah is already part of the Good News of salvation.

Homily

The military and the police force in our country have not yet recovered its lost prestige as guardians of law and order. It is a standing joke that before, especially during the Commonwealth period, the years preceding the second World War, when people saw a policeman or a soldier they felt secure and sure that crimes would be averted; now they feel terrified and anticipate that crimes would be committed. It seems it might still take quite a time before the military and police prestige could gain their lost ground. It was only recently when two high ranking police officials quarreled over a parking space and one was gunned down by the other. The exhorta-

tion of John the Baptist to the military is still very relevant today: "Do not bully anyone. Denounce no one falsely. Be content with your pay."

The coming of the Messiah is now a reality. Christ has already given us the Holy Spirit as promised by John the Baptist. At Pentecost the Holy Spirit descended in the form of fire upon the apostles together with our Blessed Mother who as a group represented the Church. But Christ's presence in the Church is not static. It grows as the members of the Church increase and grow in holiness.

Christmas then should not only be a commemoration of a past event, the birthday of Christ, but also an expectation of his greater presence in the Church. The preparation that we must achieve during Advent must be intended for a more intimate union with Christ. As our Lord grew in age, wisdom and grace, so also the Church should grow in a more in-depth understanding of the divine mysteries and live the supernatural life for all the peoples of the world to see and be attracted to its fold.

FOURTH SUNDAY OF ADVENT **December 18, 1994**

FIRST READING: *Micah 5:1-4*

Micah was one of the four great prophets of the 8th century B.C. together with Amos, Hosea and Isaiah. He was contemporary of Isaiah but exercised his prophetic ministry in the rural setting of Moresheth-gath (modern Tell el-Judeideh), a village southwest of Jerusalem. His reputation was well established to have been cited by Jeremiah a hundred years later (*Jr* 26:18). It is not however certain whether Isaiah and Micah had met if ever they knew each other at all. The passage of Isaiah 2:2-4 which is exactly the same as Micah 4:1-3 cannot be adduced that Micah copied the oracle of Isaiah. This may have come from a common source.

This passage from Micah is accepted as a messianic text, proof of which is its citation by St. Matthew in the episode of the visit of the Magi (*Mt* 2:6) although the evangelist only quoted 5:1 (LXX: 5:2) and not even *verbatim*. Many differences exist between the Old Testament even in its Greek version and that of St. Matthew. The word

"Ephrathah" is absent in the Matthaean version and while Micah says: "the least of the clans of Judah," St. Matthew has: "you are by no means least among the leaders of Judah." The evangelist concludes his citation with 2 Samuel 5:2.

The Ephrathah mentioned here which is located in Judah and identified with Bethlehem is different from the Ephrathah of Gn 35:16 where Rachel died while giving birth to Benjamin. This is in the territory of Benjamin south of Bethel and whose site remains unknown. However in the medieval period a "tomb of Rachel" was located near Bethlehem which merged the two localities. It is in Bethlehem (Ephrathah) where David was born and prophetically named also as the birthplace of the Messiah. Verse 2: "until the time when she who is to give birth has borne,..." is considered a reference to the mother of the Messiah and probably related to the *'almah* (maiden, which was translated by the Septuagint as *parthenos* = virgin) in Isaiah 7:14 and quoted in Matthew 1:23.

SECOND READING: *Hebrews 10:5-10*

Verses 5-7 is a quotation of Psalm 40:6-8 (LXX and Vulgate: 39:6-8) but according to the Septuagint (LXX) version. The important variant is the phrase in verse 5: "but a body you have prepared for me." The Masoretic Text in Hebrew has "opened my ear." The variant quotation in the letter to the Hebrews is significant since it alludes to the incarnation of Christ. However, according to the style of Hebrew poetry the Masoretic version has an edge over the Septuagint. In any case it does not default the conclusion made by the author contrasting anew the sacrifices of the Old Testament and the sacrifice of Christ which was achieved in fulfilment of the will of the Father. Christ's sacrifice is most perfect because, aside from offering himself as victim, already a more perfect offering than animals and fruits of the Old Covenant, he furthermore obeyed the will of his Father.

The text of the psalm: "Sacrifice and offering you did not desire,... Holocausts and sin offerings you took no delight in" does not necessarily imply a rejection of sacrificial rituals which after all were established in the Pentateuch according to God's will (cf. Leviticus chapters 1 to 7). Hebrews wants to express the inferior quality of these sacrifices. Compared further with obedience and doing the will of God they are less meritorious. By "taking away the first covenant

and establishing the second," the Lord has sanctified us through the offering of his body in obedience to God's will.

GOSPEL READING: *Luke 1:39-45*

This is the episode of the visitation which St. Luke narrates immediately after the annunciation. Having been told by the angel that her kinswoman Elizabeth was already sixth month with child, Mary "set out, proceeding in haste into the hill country to a town of Judah." Mary was prompt in answering the information given by the angel to assist in any way she could her relative on the family way. But actually the visitation gives the backdrop of the meeting between the Messiah and his precursor, John the Baptist, both still in the womb of their mothers. Traditionally the place where Zechariah and Elizabeth lived is located in modern Ain Karim about 7 kilometers west of Jerusalem but this tradition can only be traced up to the 6th century A.D. Some ancient authors placed it as far as Hebron.

"Blessed are you among women and blessed is the fruit of your womb" (v. 42). The term "blessed" which the liturgical text employs three times (one in v. 45) is the translation of two different Greek words: *eulogemene* (fem.) and *eulogemenos* (masc.) in verse 42 and *makaria* in verse 45. The first two are passive participles also equivalent to *eulogetos* while the last one is an adjective with its verb form used in verse 48. Properly speaking *eulogemenos* or *eulogetos* (Heb. *baruch*) is addressed to God which introduces a formula of praise as the source of blessings and favors. It is also applied to human persons who have been favored so by God or a wish in the future that they would receive such favors. *Makarios* (Heb. '*asher*') on the other hand introduces a phrase recognizing a present state of happiness. This is the term used in the "beatitudes" (*Mt* 5:3-10; *Lk* 6:20-23). "Fruit of the womb," is a semitism just like in Genesis 30:2: *peri-beten*.

Elizabeth, filled with the Holy Spirit, recognized the child in Mary's womb as her Lord and her own child, John the Baptist stirred in her's. According to theologians it was during this meeting that John the Baptist was sanctified in his mother's womb.

Homily

The visit of the Holy Father to the Philippines in January 1994 on the occasion of the World Youth Day is a much awaited event.

Although much shorter and not as imposing as his first visit in 1981 yet for many youth delegates who were just mere toddlers during that time this second visit could still be soul-stirring and once-in-a-lifetime experience. Many dignitaries from many countries have visited the Philippines but none as inspiring as the visit of a pope.

The visit of our Blessed Mother to St. Elizabeth is a great event in the history of salvation. It was not just a meeting of two great women. It was a dramatic encounter between two eminent personalities in the story of human redemption still in the womb of their mothers. Remarked St. Elizabeth: "Who am I that the mother of my Lord should come to me? The moment your greeting sounded in my ears, the baby stirred in my womb for joy." It was the greater who visited the lesser, the master going to his servant, the Word meets the Voice, the Messiah his herald. From that moment on John the Baptist was sanctified even when he was still in his mother's womb.

If such a short visit of the Lord with his Blessed Mother could mean a lot for the salvific state of mankind what could his continuous presence be but cause the greatest hope if not the firmest assurance for one's salvation. But something is needed on our part. The door of our hearts may be closed or what could be worse, we turn our backs on him. The Lord is with us not anymore on a simple visitation. He is here with us to stay. But we have to recognize his presence, pray to the Holy Spirit to stir our souls and be sanctified to receive the King of kings and Lord of lords.

CHRISTMAS: MIDNIGHT MASS

December 25, 1994

FIRST READING: *Isaiah 9:1-6*

The historical context of this oracle was believed by some scholars to have been the ceremony of enthronement of a Davidic king. Everytime a new king, descended from David, is enthroned, the hope for an ideal king who would fully and perfectly realize the ideal kingdom is reaffirmed. This king whose name and therefore whose person would be "Wonder-Counselor, God-Hero, Father-Forever,

Prince of Peace" could not have been realized by mere earthly descendants of David. The messianic connotation is very clear.

This oracle is authentically from Isaiah now forming a part of the "Book of the Immanuel." Some commentators date this prophecy in 701 B.C. during the invasion of Sennacherib, others even after the exile. These are minority opinions. The best probable date is still, as the oracle of Isaiah 7:10-17, during the Syro-Ephraimite war or immediately after this war (734-733 B.C.).

In verse 2 (v. 1 in the Masoretic Text) the reference is not only to the semi-gentile territories of Zebulun and Naphthali, but to all the "people that walked in darkness." The transition from darkness to light results in great rejoicing as experienced during harvest time or time of victory. The "day of Midian" goes back to Gideon's days when the Israelites, oppressed by these invaders, broke their yoke led by Gideon.

The historical context of this passage, the symbolic titles given to the child which depicts his personality, the solemnity of the oracle, preclude any other descendant of David who were mere mortals and clearly leads to the identification of the Child as the Messiah.

SECOND READING: *Titus 2:11-14*

In the preceding verses of this same letter (1-10) the writer, whether it was St. Paul or a pseudonymous author according to the NJBC (p. 892), has imparted specific moral instructions to various groups of people: older men, older women, younger men, slaves, according to the Christian ideal. He now gives the motivation for living this Christian life since "the grace of God has appeared, offering salvation to all men."

Christ redeemed all men and is "offering salvation to all men." This is, in effect, what the dogma of universal redemption entails. The expression "the grace of God has appeared" is surprisingly a personification of Jesus effecting salvation to all men. But this salvation is not automatic making man a passive recipient of it. Man has to do his part "to reject godless ways and worldly desires, and live temperately, justly, and devoutly in this age..." (v. 12).

Verse 13 is one of the clearest expression of the belief in the divinity of Jesus Christ. The Greek phrase has only one article which modifies both the "great God" and "Savior Christ." The present expectation is for Christ's glory to appear which is at the moment "our blessed hope. This is the counter point of the appearance of his grace during his life time continuing to our present time.

The sacrificial aspect of Christ's redemption is formulated in verse 14: "It was he who sacrificed himself for us, to redeem us from all unrighteousness (cf. *Ps* 130:8) and to cleanse for himself a people of his own (*laon periousion* - a covenantal phrase taken from Exodus 19:5)."

GOSPEL READING: *Luke 2:1-14*

The perspective of Luke's chapter 2 narrating the birth of the Messiah is more universal in scope than the first chapter which is viewed within the Israelite world. The census by the Roman Emperor Augustus offered the providential motivation for both to go to the place of origin of Joseph. Although the usual Roman way of making the census did not oblige the wife to register, there were cases mentioned in an Egyptian papyrus when married women also had to register. There are however many historical difficulties about this census since a universal census during the time of Caesar Augustus "while Quirinius was governor of Syria" is unknown in history. An inaccuracy of this sort is seen in the perspective of the writer subordinating historical allusions to a theological message. An Old Testament influence is observed in the theological framework of Luke from Psalm 87:6 but according to the *Quinta* (the fifth additional Greek column for the psalms in Origen's *Hexapla* cited by Eusebius of Caesarea in *Commentarium in Psalmis* [MG 23, col. 1052]) which reads: "In the census of the peoples, this one will be born there." But whether St. Luke had in hand this version of Psalm 87 is still a matter of conjecture.

It is not necessary to suppose that the holy couple took the journey just at the time when Mary was about to give birth, arriving in Bethlehem on the very night of her maternal labor, then knocking from door to door looking for lodging. The gospel narrative could mean that they were already in Bethlehem for some time before the time of her delivery came to pass but, because of the influx of so many people on account of the census (another Lucan subordination of

history to theology?), they were able to get the much needed privacy only in a stable.

The news was first given to shepherds which could represent the poor and the humble. The angel's words were "news of great joy," a gospel. The savior (*soter*, used only once by St. Luke) is "Christ the Lord." "Lord" or *Kyrios* is a title given to God and thus hints at St. Luke's firm belief in the divinity of Christ.

Eudokias (genitive in Greek), rendered by the Vulgate as "*bonae voluntatis*" ("of good will") should rather be translated "Of those who enjoy God's favor." Peace is possessed not only by men "of good will" which is still a human characteristic, but men "who enjoy God's favor" or "men loved by God."

Homily

Every year we celebrate Christmas. How many Christmas carols have we heard and sung? How many gifts have we wrapped and received? How many children, god-children or otherwise, have we made happy? How many *Misas de Aguinaldo* or "dawn Masses" have we attended? Yet, how deeply have Christ really "christmas-ed" in us? Is he still the Christ born in far-away Bethlehem but not in our own intimate being? Is he the babe wrapped in swaddling clothes but not made warm in the inner recesses of our hearts? Is he food offered in a manger to be later on offered in our altars in the form of bread and wine but would have only few takers because many would be unworthy to enter the banquet of life?

Historically Christ was born a little less than two thousand years ago. Peace came to men who enjoy God's favor. To be favored by God is a grace. By definition a Christian is the one who enjoys God's favor since he was chosen to be a member of God's people through baptism. To a Christian, then, belongs true peace.

Unfortunately a Christian may turn back against this favor by renouncing God. Yet he remains capable of turning back to God; to have again Christ "christmas" in him, and thus recapture that true Christian peace.

CHRISTMAS - DAWN MASS

FIRST READING: *Isaiah 62:11-12*

This passage taken from "Trito-Isaiah" (chapters 56-66) is the conclusion of the second poem on the glorious restoration of Jerusalem after the exile. In its messianic context it is a proclamation of the good news of salvation. The "savior" (Greek) or "salvation" (Hebrew) has come. The prophet calls his people with symbolic names just as in 61:6 and 62:4.

The use of the pronouns creates a bit of difficulty. *Bath Tsiyon* ("Daughter Zion") is definitely feminine. But the next line employs the masculine which can easily refer to the "holy people" (*am haqqodesh*), singular, masculine but in the collective sense as proven by the plural verb: "they shall be called."

It has been suggested that our liturgical text is the concluding part of a hymn sung during the feast of Tabernacles where a joyful mood predominates during the celebration relishing the happiness of Jerusalem restored and the messianic proclamation that "the Savior comes."

SECOND READING: *Titus 3:4-7*

Our liturgical text is only a few verses away from the second reading of Midnight Mass also from the letter to Titus. The preceding verses, still within the context of what true Christian teachers should teach, delineated the duties of a Christian as an individual and in the household. In the process the foundations of these moral duties are affirmed which are the "grace of God" which has appeared, Christ's sacrificial offering and redemption and the hope of the *parousia*. This passage is followed by a depiction of the duties of Christians towards society putting similarly the bases of these social duties in the Christological context.

The Trinitarian connotation is clearly present in this short text but the main focus is on Christ. Two divine attributes are here personified: *chrestotes* ("kindness") and *philantrophia* ("love of men") which unmistakably refer to Christ. The Paulinian teaching on justification or righteousness is also here present: "he saved us, not because of any righteous deeds we had done, but because of his mercy"

(v. 5). What is also significant is the reaffirmation of Christ's work and that of the Holy Spirit in baptism which is termed in the passage *loutros palingenesias* ("bath of rebirth").

GOSPEL READING: *Luke 2:15-20*.

When the angels left the reaction of the shepherds was to be expected, to go to Bethlehem and see the event which the Lord through his angels has proclaimed. They went and saw the event first hand to become a veritable witness. However the translation in verse 17 by our liturgical text of the Greek word *egnorisan* as "they understood" which is supported by the Vulgate (*cognoverunt*) is a minority translation. The same verb is found in verse 15 which is here translated "to make known." Hence the KJV translates it in this fashion: "they made known abroad the saying which was told them concerning this child"; the JB has: "they repeated what they had been told about him,..." The translation of our liturgical text makes the connection with the next verse difficult. "Those who heard" in fact were the ones to whom the shepherd "made known" the wonderful event and the reaction of these people was one of astonishment.

The reaction of the Blessed Mother is given in verse 19: "she treasured (*syneterei*, in the imperfect indicative which the Vulgate translates as "*conservabat*") all these things and reflected (*symballousa*, fem. participle) on them in her heart. A parallel reaction was given by St. Luke to those who heard the news of the birth of John the Baptist in 1:66. But here the verb used is different (*ethento* the aorist of *tithemi* which means "to place") while the reflection part is absent. Although the same reaction of the Blessed Mother is mentioned in 2:51 the same basic verb of conserving, in the imperfect tense, is employed: *dieterai*. This greatly suggests that the Blessed Mother was not merely a depository of reminiscences but the first disciple of the Lord who heard the word of God and kept it.

Homily

We come to the knowledge of God and divine realities either through direct revelation by Him or through His trusted messengers like the angels or the prophets, or we may know him through the proper use of our God-given power of reasoning. We must consider ourselves very fortunate indeed that in spite of our condition of being separated from God for many centuries after the fall of our first

parents God did not cut the line of communication between him and us.

After many centuries of waiting the headline finally appeared in the heavens, read by simple shepherds, pondered in the heart by the Blessed Mother of God, proclaimed on the house tops by the evangelists, the apostles and the ministers of Christ throughout the ages. "The Son of God is born to us." "The Savior of mankind has come." Another group, the "magi" or wise men of the east, would know through their own study of the heavens, seeing the sign in the form of a star.

Would that we be sincere in searching for God's true revelation. He may not manifest himself personally to us now but certainly he has his messengers, his ministers, and most of all the Mystical Body of His Son, the Church, who would lead us to him. And if we are sincere in the use of our reason and scientific research we will also find him in the wonders of his creation.

CHRISTMAS - MASS FOR THE DAY

FIRST READING: *Isaiah 52:7-10*

These verses from Deutero-Isaiah celebrates the return of the exiles brought about by the saving action of God. As the bearer of the good news runs on the mountains he shouts "peace," "salvation," "your God is King" (v. 7). The watchmen hears his shout and echoes the joy at the restoration of Jerusalem which is described as Yahweh's return to Zion. We note in this description of the return of the chosen community to their homeland the insistence upon the message of "peace," "salvation," "redemption": themes which show on the part of the author a deeper awareness of the "history of salvation."

SECOND READING: *Hebrews 1:1-6*

Compared with the other letters of St. Paul, the Letter to the Hebrews lacks the normal epistolary greeting. It immediately begins with an introduction announcing the following themes: (1) contrast between two revelations, the Old and the New (vv. 1-2a); (2) it praises the excellence of the Mediator of the New (vv. 2b-4). For the old

revelation which was done in a fragmentary manner (*polymeros*) and in various ways (*polytropos*), God made use of the prophets, his simple servants; for the new he sent his very own Son in person (cf. *Mk* 12:2-6) and, therefore, superior to the angels.

GOSPEL READING: *John 1:1-18 (or 1:1-5.9-14)*

This Prologue of St. John's gospel is a most sublime to the *Logos*, the Word of God. Starting with a description of the pre-existence of the Word with God (the Father), and that the Word *is* God, it passes on to the Word's creation of all things (v. 3), then it tells of His coming into the world giving life and light to all mankind (vv. 4,5), and to his own people. To all those who receive him he granted them grace to become sons of God (vv 9-12). Finally, the word was made flesh and dwelt among us. After he has shown his glory as Son and his gifts of truth and grace forming us into a new creation (vv. 14,16 ff.), he brings us back to the bosom of the Father.

The *Logos* theme seemed to have been developed by St. John from the Wisdom theme in the Old Testament. Wisdom existed with God coming forth from God, sent to dwell among His people and bringing graces to all who seek her.

Homily

A story is told of a blacksmith who was a devout Catholic. He had a firm faith in the divinity of Christ. One day an atheist entered his shop and watched him weld over the fire two pieces of iron. The atheist remarked: "Looking at those two rods of red-hot iron I could explain that Christ is not God. You weld those two pieces over the flames and they become one. That is same with Christ. He has only a human nature."

Answers the blacksmith: "Supposing I take a piece of gold and a rod of iron and join them together over the fire to make one piece. Would I have all gold or all iron? No! The gold and the iron will remain different but make one piece. Christ with the nature of God and the nature of man is one person."

The greatest news the world has ever received is the news that the Word was made flesh. The eternal God, the second Person of the Blessed Trinity took our human nature without losing the divine

nature and was born in a definite time in history. Jesus was a historical person and we firmly believe that he is the Word made flesh taking our cue from St. John who was himself an eyewitness of Christ's earthly life.

We can readily imagine the person of the God-made-man, we can easily represent his figure, we can imagine hearing his voice as his disciples really did. We can draw his figure and even make a movie of him. But most of all we can love him much easier since he became a man like us.