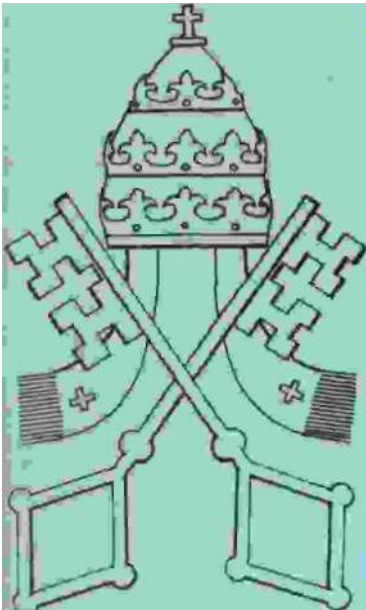


BOLETIN ECLESIASTICO % * » * de FILIPINAS

THE OFFICIAL INTERDIOCESAN BULLETIN

Vol. LXXV, No. 810

January - February 1999



PROFILE OF A CATECHIST

Salvatorre Pulzu

THE TEN-YEAR HISTORY OF ST. JOHN THE EVANGELIST SCHOOL OF THEOLOGY

Ram&tt SiepJwn Aguilos

THE DEATH PENALTY IN HUMAN AND CHRISTIAN" PERSPECTIVE

Fausto Gomei. OP

STATUS OF GLOBAL MISSION. 1998;
IN CONTEXT OF 20TH AND 21 ST CENTURIES
Overseas Ministries Study Center

BOLETIN ECLESIASTICO DE FILIPINAS

The Official Interdiocesan Bulletin

EDITOR	FR. VICENTE CAJILIG, OP.
ASSOCIATE EDITOR	FR. HONORATO CASTIGADOR, O.P.
EDITORIAL CONSULTANTS	FR. FAUSTO GOMEZ, O.P. FR. JOSE MA. TINOKO, O.P.
BUSINESS MANAGER	FR. ROBERTO PINTO, O.P.
PUBLICATION ASSISTANTS	ANGEUTA R. GUINTO ARNOLD S. MANALASTAS
COVER DESIGN	RODOLFO ATIENZA, O.P.

BOLETIN ECLESIASTICO DE FILIPINAS, the Official Interdiocesan Organ, is published by-monthly by the University of Santo Tomas and is printed at Lucky Preaa, Inc., Manila, Philippines. Entered as Second Class Matter at the Manila Post Office on June 31, 1946.

Unsolicited manuscripts will not be returned. They will, however, be given courteous and scholarly attention. Writers are reminded that the scope of this review is ecclesiastical and broadly archival. While we wish to inform the whole Church, our readership is largely clerical and this should be borne in mind by prospective contributors. Articles herein published do not necessarily reflect the opinion of the Editorial Staff. Communications of an editorial nature concerning articles, cases and reviews should be addressed to the Editor.

Advertising and subscription inquiries should be addressed to the Business Manager.

Subscription Rates

	One Year	Per copy
Philippines:	P 370.00	P 65.00
Foreign: (Via Air Mail)	US\$ 40.00	\$ 8.00

Subscriptions are paid in advance. In the Philippines, payments should be made by postal order, telegraphic transfer or check with regional bank clearing only. Orders for renewal or change of address should include both old and new addresses, and go into effect fifteen days after notification.

Address all communications to:

BOLETIN ECLESIASTICO DE FILIPINAS

Ecclesiastical Publications Office

University of Santo Tomas

España, Manila, Philippines

Tel. No. 731-31-01 local 361 Telefax: 740-97-10

E-mail: boletin@ustee.ust.edu.ph or ecclesia@nstoc.ust.edu.ph

Table of Contents

EDITOR'S NOTE	2	YEAR OF GOD THE FATHER: 1999
PASTORAL WORDS		
<i>Jaime Card. Sin, DD</i>	5	PARING PBLIPINO, BIYAYA SA BAYAN
<i>Salvatorre Putzu</i>	9	PROFILE OF A CATECHIST
<i>Luciano P.R. Santiago</i>	11	THE PASTORAL COVENANT: THEOLOGICAL AND PRACTICAL ASPECTS
<i>Ramdn Stephen Aguilos</i>	19	THE TEN-YEAR HISTORY OF ST. JOHN THE EVANGELIST SCHOOL OF THEOLOGY
<i>Javier Gonzalez, OP</i>	31	CONTRACTING MARRIAGE IN THE CHURCH
<i>Joseph de Torre</i>	50	NATURAL LAW AND HUMAN RIGHTS IN THE TRADITION OF FRANCISCO DE VITORIA (1486-1546)
<i>Fausto Gomez, OP</i>	73	THE DEATH PENALTY IN HUMAN AND CHRISTIAN PERSPECTIVE
DOCUMENTATION		
<i>Overseas Ministries Study Center</i>		STATUS OF GLOBAL MISSION, 1998: IN CONTEXT OF 20TH AND 21ST CENTURIES
<i>Marian Missionaries of The Holy Cross</i>	91	DECREE OF CANONICAL ERECTION/ HISTORY/LIST OF MEMBERS
CONSULTATIVE WORDS		
<i>Excelso Garcia, OP</i>	96	WHEN BINATION IS ALLOWED
GOD'S WORD FOR TOMORROW		
<i>Efren Rivera, OP</i>	104	HOMILETIC AND BIBLIARASAL POINTERS FOR MARCH-APRIL 1999

Year of God the Father: 1999

VICENTE CAJILIG, OP

On November 10, 1994 Pope John Paul II published his Apostolic Letter *Tertio Millenio Adveniente* (On the Coming of the Third Millennium) discussing in particular a three-year preparation for the celebration of the "Great Jubilee 2000." Exhorting and inviting us people to focus on the Holy Trinity, presenting a Triune God: Father, Son and Holy Spirit.

The first year, 1997, will thus be devoted to reflection on Christ, the Word of God, made man by the power of the Holy Spirit. (TMA, n. 40) Jesus Christ being the center of our Christian Faith can lead us to the love of the Father in the Spirit and make us share in the life of the Holy Trinity (CFC, n. 464). This is a time for us to catch a new glimpse of the bigness of the plan of God carried out by Christ (Eph 1:1-10).

1998, the second year of the preparatory phase, will be dedicated in a particular way to the Holy Spirit and to his sanctifying presence within the Community of Christ's disciples. The Holy Spirit is the principal agent of the new evangelization. Hence it will be important to gain a renewed appreciation of the Spirit as the One who builds the Kingdom of God... (TMA, n. 44-45)

1999 is the third and final year of preparation for the celebration of the Great Jubilee (TMA, n. 49). The main focus of which is God — the Father, the Almighty, and the Creator of heaven and earth.

For the Philippines, the celebration is integrated in the national plan for evangelization as envisioned by PCP U:

After the promulgation by publication of the decrees of the Plenary Council, the Church in the Philippines, through the Catholic Bishops' Conference shall put itself in a more active state of mission to inculcate the spirit of this Plenary Council in all the Faithful. This will be done by forging and implementing a five-to ten-year National Pastoral Plan. The plan itself will be a process of a new evangelization and conversion according to the image of Christian life and Church model (as Community of Disciples) sanctioned by the council. (*PCP-II Decrees*, Art. 1 #1).

The specific plan is hereby given:

FOCUS	GOD THE FATHER (PJP II's <i>DIVES IN MISERICORDIA</i>)
Theological Virtue	CHARITY
Sacrament	RECONCILIATION
Mary, as Model	Obedient to the Father Model of Love
Thrust of Evangelization	Catechesis Worship SOCIAL APOSTOLATE (Vatican II's <i>GAUDIUM ET SPES</i> & <i>NOSTRA AETATE</i>)
Vision	Community of Disciples Church of the Home Becoming the Church of the Poor (PCP II NOS. 122-136)
Mission: Renewed Integral Evangelization	Renewal of the Social and Economic Order

We Filipino Catholics, need to become more aware of the Father in our daily lives. This is an important step in maturing in our Christian Faith.

In this year, we shall more intensely pray to the Father: "May your Kingdom come! May your will be done!" We shall endeavor to become "communicators of Love" in the midst of so much suffering and unbridled egoism.

"We shall strive to be like Mary, faithful daughter of the Father, giving witness to the transforming work of justice and holiness. Mary — Handmaid of the Lord — revealing to us that God is Love."

Paring Pilipino, Biyaya sa Bayan*

JAIME CARD. SIN, DD

My dear Brothers and Sisters,

On August 4 we in the Archdiocese of Manila will launch the celebration of the 300th anniversary of the ordination of the first "Filipino" [indio] by Archbishop Diego de Camacho y Avila. (The actual celebration will take place in December of this year.) The first *ordinatus* Francisco Baluyot from Guagua, Pampanga, and after him two Chinese *mestizos* were also ordained in our city by the same archbishop, to be followed by two more *indios*, Alfonso Baluio (probably related to Francisco Baluyot) and Bias de Santa Rosa. As far as reliable historical research tells, us, these were the first "Filipino secular priests" admitted to the presbyterate in the archdiocese and in our country. Surely the commemoration of these first ordinations will be a joyous and significant occasion, fittingly recalled in this centennial year of the declaration of independence in 1898 and the launching of the short-lived first Filipino republic.

* Pastoral Letter to our beloved faithful in the Archdiocese of Manila on the occasion of the launching of the 300th anniversary celebration of the first ordinations of Filipino native clergy.

As we remember our first "Filipino native secular priests", our beloved laypeople will surely want to join our *presbyterium* in thanking God for Archbishop Camacho's confidence and courage in deciding to ordain young *indios*, against the opposition, prejudice and racism of the time. We will join together in thanking God also that despite difficult times and some unhappy chapters in its history, the Filipino native clergy has served well our Catholic people for three hundred years, and that now we have thousands of Filipino priests, secular and regular, ministering to the faithful not only in our country, but literally all over the world. For this gift of the Lord to his Church we raise our hearts with overflowing gratitude. *Deo gratias!*

The story of our native clergy in the Philippines is a long and complex one, with glorious chapters and the names and lives of many outstanding men, outstanding in talent and in virtue, in solid learning, in dedication, competence and apostolic zeal. But especially due to decades of deplorably inadequate formation in some periods, we also had many native priests, who notably lacked the qualities that the priesthood demands, and not a few who were a disgrace to their calling. But nonetheless we know there were very many exemplary secular priests during the last two centuries of Spanish rule, men like Pedro Pelaez, Jose Burgos and Mariano Sevilla, who loved and served the Church faithfully and well, and who loved and served their country as true patriots and nationalists.

We want to remember them with grateful prayers to the Lord. And we want to thank God also for the secular (and 'regular') Filipino priests who now number in thousands. We have a wonderful *presbyterium*, the brotherhood of priests, in our archdiocese. You yourselves know many of our priests, old and young; dedicated, talented and competent; serious or funny; handsome or homely; most of them hardworking and much overworked; generous, zealous and creative; servants of the Lord

and servant-leaders of our communities. *Your* priests, *your* sons and brothers and relatives, *your* friends!

On the Feast of the Sacred Heart in June this year, I asked you to offer Masses, sacrifices and prayers that they might be faithful in every way to their vocation, in a time of much difficulty and many temptations, as well as many opportunities and challenges. With this letter I renew my petition for your prayers. But I also ask you to help them and support them by your encouragement (to encourage means to "give heart"!) and your sincere affection and "accompaniment". You know as well as I do that in our "age of the laity" we place more demands on our priests. We require more of them: in time, in knowledge and wisdom, in energies, in patience and good humour, in collaborative leadership, in goodness and compassion. In turn, we should also be more supportive of them, more understanding, more truly "brothers and sisters" to them.

In preparation for this coming anniversary I want to ask you, my dear faithful people in the Lord, to pray for more vocations to the priesthood from our families and homes and parishes, - from *your* families, *your* homes, *your* parishes. (Yes, dear brothers and sisters, I address these words to *you!*) We need more priests, not only for our archdiocese, but for other parts of our country, and for missionary labors all over the world. With the renewal of consciousness that Christ's redeeming work and grace are not just "for souls", but for complete human persons in all aspects of their lives; not just for the transformation of individual's lives but for the renewal of human society, its relationships and structures, the ministry of our priests has become much more diverse and difficult, demanding more competencies and skills, asking so much more of aU of them!

We need many more young men for the manifold priestly tasks of today, in our Church and throughout our land and (as

I have already said) in other lands and labors, all over the world. Where will they come from, except from your midst? Dear fathers and mothers, pray that God may call a son or two from your family! And to Filipino young men I say, "Never have we needed more, and better priests than we do now! Never have we needed *the best young Filipinos* for the priesthood than we do now! The Lord must be calling many of you, only you may not be listening. Open the ears of your heart, and you might hear the Lord knocking at its door! Listen, for Jesus is offering you a life with him, a life like his, a life of bringing his redeeming work to men and women and to the world of our time!"

In closing, dear brothers and sister, let us all turn to Mary, Mother of Jesus and in a special way Mother of priests. She brings her Son into our lives, and she leads us all - and priests according to their calling - to her Son Jesus. We beg her to pray for our Filipino priests, that they may truly be faithful and holy, truly at the service of their people and the holy Church. We ask her to intercede for the grace of many more priestly vocations in our country, for many more young men, *the best of our land can offer*, who will give their lives to Our Lord, Shepherd and Priest, for the glory of the Father, by the grace of the Spirit. Amen! Amen!

I bless each and all of you with much affection and much earnest prayer. Pray for me also, that I may always love and serve the Lord - and you - as Jesus' faithful priest and bishop. God love you always!

Profile of a Catechist

SALVATORRE PUTZU

Conscious of having been called and sent to the catechetical ministry, the catechist is a person with a deep personal knowledge and love of Christ, committed to the spread of the Kingdom and the building of Christian communities through the instruction of the faith and the service to the communities, especially the poor.

Knowledge Dimension

The Catechist must have:

- a) a deep and growing understanding of Christ's person and message;
- b) a basic knowledge of himself/herself as a person and as a catechist;
- c) a fundamental understanding of the level of development and maturity of the catechized;
- d) a critical awareness of the concrete context of the Filipino culture and society as influencing the actual work of catechizing.

Attitudes Dimension

The Catechist must have grown in:

- a) a personal relationship with Christ as expressed in a spirit of prayer and sacrifice;
- b) self-acceptance and sincere respect for the dignity and freedom of every person;
- c) pastoral love expressed in:
 - commitment to the gospel values of truth, justice, peace and love;
 - solidarity with the poor;
 - practical concern for the creation of a society that reflects the features of the Kingdom;
 - optimism and enthusiasm;
- d) missionary zeal and openness to dialogue with other faiths;
- e) readiness to cooperate and work together with other pastoral workers in the service of the local community.

Skills Dimension

The Catechist must have:

- a) the capacity for reflection, discernment and interiorization;
- b) the ability to apply effective pedagogical methods in communicating the faith:
 - in an inculturated manner,
 - with creativity in using all resources available, including the modern means of social communication;
- c) the necessary pastoral skills to promote the building of Christian communities and effect the integration of faith and life, as well as the enabling leadership that inspires participation and co-responsibility.

The Pastoral Covenant: Theological and Practical Aspects

LUCIANO P.R. SANTIAGO

Understanding the nature of the relationship between the pastor and his parishioners is of paramount importance in the life of the church. Occasional conflicts may arise between the two parties and a clear concept of their relationship should help solve the problem both at the spiritual and practical levels. Philippine church archives are replete with cases, during the colonial period, of parishioners courageously filing various complaints against their pastors, whether Spaniards or Filipinos, and vice versa. Though the term and the notion are not in current use, pastoral covenant appears to be a very critical concept for the church today.

The Old and the New Covenants

The Divine Covenant, needless to say, is not a political pact but a covenant of the heart. "God so loved the world that He gave His only begotten Son, that those who believe in Him may not perish but may have life everlasting. For God did not send His Son into the world in order to judge the world but that the world might be saved through Him." (John 3:16-17)

The Old Testament is the story of the Old Covenant, covenant and testament being synonymous. In Filipino, we call it *tipdn*

which sounds more personal; the Old Testament, *Lumang Tipdn* and the New Testament, *Bagong Tipdn*. The new agreement between God and mankind had replaced the old pact between Him and the Jews. He had promised to send the Messiah to His chosen people. Thus, Christ, the Redeemer appeared on earth and by His passion and death on the Cross, He fulfilled the Old and initiated the New Covenant now enshrined in the Church he founded.

The Pastoral Covenant

The covenant between the parish priest and his parishioners reflects the Christian Covenant since the priest is the representative of Christ. The pastoral covenant is the extension of the Christian Pact at the parish level; it is the New Testament in action. The pastor is entrusted with the care of souls so that, together with him, they may attain eternal salvation. Towards this end, he performs the divine services, especially the Holy Sacrifice of the Mass, and administers the Sacraments which give grace. The pastoral relationship in itself imparts grace and thus, approaches the level of a Sacrament.

The pastor shows preferential option for the poor and he instructs the young in Christian precepts and by personal example. He observes his priestly vows especially that of chastity and celibacy. He tries to get to know as many parishioners as possible, of different persuasions - not only those who tend to be "yes-men" or those involved in "agree business," as Cardinal Sin puts it.

He familiarizes himself with and respects their local history and historical structures as well as their particular traditions and age-old customs especially in the religious sphere which, in fact, constitute yet a "Third Testament." Canon law states that "Custom is the best interpreter of laws. A custom acquires the force of law only when it has been lawfully observed for a period of thirty

continuous and complete years. Only a centennial or immemorial custom can prevail over a canon law which carries a clause forbidding future customs." (Can. 5, 26 & 27).

Financial Accountability

Money is the root of all evils. Unfortunately, it is a necessary evil. Thus, it is understandable if the pastor embarks on raising funds and building edifices when necessary. Financial matters, however, should not be his main preoccupation and they should not take precedence over his spiritual functions. The priest-sociologist, Fr. Andrew Greely expresses the general opinion of the faithful regarding the financial accountability of the clergy: "We need such accountability not because there is great wealth or great abuse but because in the absence of accountability, wealth and abuse will always be suspected." The parishioners have the right to know how the parish funds are spent because they are the main sources and solicitors of these funds.

The Importance of Dialogue

The foregoing tasks of the priest are achieved chiefly through dialogue which is both the pastor's right and obligation as well as the right and obligation of his parishioners. He may at times employ mediators or "go-betweens" to facilitate and pave the way for - but not to dispense with - the dialogue. It is impossible to run a parish or for that matter any group of people, whether ecclesiastical or secular, without dialogue. As in the family unit, there is no substitute for direct communication between the father and his children.

Peace and harmony in the parish - including the ability to work out conflicts together when they arise - may very well be the special sign as well as the effect of the pastoral alliance. True Peace is the work of justice and love as reflected in the open and respectful communication between the pastor and his parish-

ioners. True Peace should be distinguished from the cold silence of indifference and the simmering quiescence which results from pastoral repression and the abuse of the "kingly function" of priesthood. In his travels around the world, the pope proclaims himself as the "servant of the servants of God," not the chief of state of the Vatican.

The Good Shepherd

"I am the Good Shepherd," Christ declares, "and I know mine and mine know me, even as the Father knows me and I know the Father; and I lay down my life for my sheep. And other sheep I have that are not of this fold. Them also I must bring, and they shall hear my voice, and there shall be one fold and one shepherd... (John 10:1 - 21).

The Second Plenary Council of the Philippines (PCP II) has also emphasized the importance of pastoral service and dialogue: "A ministerial spirituality means cultivating relationships in the spirit of service. A priest with a ministerial attitude will not be authoritarian or paternalistic. He will not seek to dominate but will be paternal and fraternal. He will not seek to be served but be in the midst of the Christian community as he who serves. Respecting the Christian freedom and fostering the initiative of those he serves, he will not presume merely to demand obedience. He will rather seek consensus through dialogue." (Art. 539)

The Parishioner's Part

Although the New Covenant is unilateral in favor of the human race, the pastoral agreement is, to a significant extent, bilateral and mutual though its cornerstone remains to be the pastoral obligations and responsibilities. Individually and collectively, the parishioners are expected to accept, assist, affirm, respect, trust, obey and support their pastor spiritually and materially as well as facilitate, cooperate and participate in his

work for the salvation of souls. The parish council and organizations are forums for lay participation in the church.

It helps to keep in mind that while the pastor works full time in his ecclesiastical assignment, the parishioners have their own families and careers to attend to. Thus, oftentimes, they have to go out of their way and spend extra time, energy and resources to be able to fulfill their part of the covenant. Some parishioners in the field of business, education, politics or even "status-seeking" may have the additional incentive of deriving a good part of their income or public "exposure" through their association with the church. The pastor should guard against the formation of cliques among those who may have a "hidden agenda" to do so. It will not boost the pastor's credibility if in times of controversy, only a "captive audience" would side with him.

Psychological Insight

The insights of modern psychology are quite useful in understanding the pastoral relationship. Basic courses in individual and group psychology should be taught more extensively in the seminary. Aspirants for the priesthood should be screened carefully in terms of their personality and psychological maturity. When the parish priest tries his best to serve and foster basic trust in his relationship with the faithful, the latter will most likely gloss over his honest mistakes and minor shortcomings. They know that he is not "superman" and nobody is perfect. But when, for whatever reason, the pastor fails to develop rapport with them, his deficiencies and imperfections will tend to be readily detected or magnified by them.

When the problem in the parish is psychological or practical in nature, attempts to "spiritualize" it, that is, offering religious explanations for it, may just becloud the issues at hand. For example, invoking the ideal concepts of priesthood in homilies and sermons as a defensive measure on the part of the pastor will not

work if what the parishioners observe in reality is so different or distant from the idea level. In effect, what the parishioners may be protesting is the disparity between the ideal and the real precisely in the hope of closing or at least lessening the painful gap which the pastor should have been sensitive to. Conflicts may also arise from a "personality mismatching" between the pastor and his parish since it seems that even a parish develops a collective personality." An introverted pastor may not feel comfortable in an extroverted parish and conversely, an extroverted pastor may feel misplaced in an introverted parish. Priests and parishioners in mid-life crisis (from which no human being is exempt) may be particularly difficult to get along with. The first six months to one year of working together should probably be viewed as a "trial period" by both parties.

Since a priest vows to lead a celibate life, he may unconsciously equate this vow with a major repression of feelings which, in turn, may lead him to discourage or reject the legitimate expressions of sentiments by the parishioners too during dialogues and meetings, especially the unpleasant emotions like anger, frustration, and doubt. But it should be remembered that feelings are morally neutral. Anger, as a capital sin, refers to the unjust or inappropriate expression of anger and not to the feeling *per se*. When unexpressed, feelings do accumulate inside a person until they are transformed into various degrees of depression or to an unbending rigidity with regards to rules and regulations untempered with the spirit of charity. Or they may burst out into more serious forms like rage, adversarial attitude, inconsistent approach, and passive-aggressive behavior towards others (such as gentle facade which tries to cover up the hostility within). Some tend to over-emphasize "reason over emotion" whereas in a healthy relationship, both reason and emotion can and should be expressed in a balanced way without one stifling the other.

Conflict and Resolution

If the parishioners fail to do their part in the perception of the pastor, the latter has the right and obligation to seek dialogue with them so that the situation can be straightened out and remedied as best and as soon as possible. This venerable approach, in our experience, usually suffices. If it does not, the pastor may appeal for help from his colleagues and superiors, or he may resign to avert further problems in the parish. "When the ministry of any parish priest has for some reason become harmful or at least ineffective, even though this occurs without any serious fault on his part, he can be removed from the parish by the diocesan bishop." (Can. 1740.)

If the pastor fails to do his work or abuses his authority in the eyes of the parishioners, then the latter also have the right and obligation to seek dialogue with him regarding the problem. If this too fails, they can beseech the help of his brother priests and his hierarchy of superiors including the vicar forane and the bishop who assigned him to the parish in the first place without having to consult the parishioners, who, in turn, accepted him out of obedience. If this still fails, then the parishioners have a right to protest and withhold their part of the agreement. For in effect, the pastor has violated the pastoral covenant which then becomes null and void. Authority without responsibility has no moral basis.

The bishop of the diocese usually solves the pastoral problem satisfactorily, sooner or later, in the spirit of justice and reconciliation. In order to achieve this, he listens to both sides with impartiality and investigate, identify and address the basic issues involved in the conflict, distinguish its root causes from its effects and refrain from a scapegoating course of action. If indicated, he may have to replace the incumbent pastor or the latter may have to resign voluntarily to prevent further disruption of the Christian Covenant.

Canon law enumerates five principal reasons for which a pastor can be removed lawfully from his parish: "(1) a manner of acting which causes grave harm or disturbance to ecclesiastical communion; (2) ineptitude or permanent illness of mind or body, which makes the parish priest unequal to the task of fulfilling his duties satisfactorily; (3) the loss of the parish priest's good name among upright and serious-minded parishioners, or aversion to him, when it can be foreseen that these factors will not quickly come to an end; (4) grave neglect or violation of parochial duties, which persists after a warning; and (5) bad administration of temporal goods with grave harm to the church, when no other remedy can be found to eliminate this harm." (Can, 1741.)

The satisfactory and speedy resolution of the pastoral crisis reflects the vigor, maturity and spirituality of the local church. In the very rare event of a stalemate, the parishioners may implore the intervention of the papal nuncio or the apostolic delegate to their country as the case may be. The penultimate level of entreaty will be the prefect of the Congregation of the Clergy. (Its previous head was a Filipino prelate, Jose Cardinal Sanchez.) The pope himself as the head of the Roman Catholic and Apostolic Church is, of course, the ultimate authority in pastoral cases. As mentioned already, the last three steps are very rarely necessary.

[The author is a physician in private practice at the Medical City Hospital. He is the author of the Hidden Light: The First Filipino Priests (1987). He has received the Catholic Press Award (1988) and the Catholic Author Award (1990).]

The Ten-Year History of St. John The Evangelist School of Theology*

RAM6N STEPHEN AGUILOS

Introduction

Last August 5, 1998, St. John the Evangelist School of Theology, the theological seminary of the Archdiocese of Palo, turned ten years old. It was on that very same day and month back in 1988 when the Archbishop of Palo, the Most Reverend Pedro R. Dean, DD, in a solemn but simple ceremony, installed three priests as pioneer-formators of the yet-fledgling theologate for the Palo archdiocese. Msgr. Benjamin Bacierra, until then parish priest of the parish of St. Jude Thaddeus, was appointed rector; Father Romeo Murillo, at the time pastor of the St. Michael Archangel Parish of Maripipi, an islet off the coast of the then sub-province of Biliran, was to become the spiritual director; Father Joseph Caesar Diamante, a newly-ordained priest, was to serve as its bursar. These priests formed the three-men team that

* This article is a revised version of the one published in the seminary annual, "LOGOS"; see R.S.B. AGUILOS, "St. John the Evangelist School of Theology, History and Future," in *Logos* (1998) pp. 43-48. Several paragraphs have been deleted, even as several data have been added to make the article suited to a wider readership.

assumed the herculean task of plotting the theological formation of twenty-eight young men coming from the four, later five, dioceses of the Metropolitan Province of Palo. Mostly in their twenties and a few in their early thirties, these young men were the first batch of seminarians to undergo formation in this theological seminary. It was they who had the privilege in seeing the first episodes of the seminary's history unfold right before their very eyes.

This narrative is nothing more than a recollection of those first ten years. We are aware that the ten-year period does not yet belong to a deeply buried past. Yet, in more ways than one, those were the institution's defining years, and we are here to share these memories with those who have become part of the theologate's life history.

The Crisis in 1987

The theological seminary actually began with a crisis. The archbishop, along with the administration of Sacred Heart Seminary, the seminary which houses Palo's high school and college students, received the disturbing news that starting the academic year 1987-1988, the Seminario Mayor de San Carlos of Cebu was finally closing its doors to Palo seminarians. For decades, Palo had been dispatching most of her seminarians to this seminary for theological studies. However, due to lack of space, the administration had decided to admit only those belonging to the Cebu metropolitan province.

Seminario Mayor de San Carlos was not alone in sending Palo these bad signals. The Franciscan formation house, Our Lady of Angels Seminary - OLAS - in Novaliches, which had been accepting seminarians from Palo since 1981, informed the archbishop that it was granting entrance only to Franciscan religious formands. There, too, was the St. Augustine Major Seminary (SASMA) in Tagaytay which, at the time, had stopped admitting Palo seminarians

due to lack of space. There remained only two houses to pin hopes for: UST Central Seminary and San Jose Seminary. But then again, these seminaries had long been accepting a very limited number from their sending dioceses.

The situation caught the archdiocese flat-footed. By 1987 there were 18 seminarian-alumni of Sacred Heart Seminary ready for theological studies. Eight of them came from the archdiocese, while the rest were from the suffragan dioceses of Samar (Calbayog, Catarman and Borongan). It, then, became a problem in finding a way to make the incoming school year fruitful to these theologate-bound students and not put their time to waste. So for a "filler," these eight seminarians were dispatched to places within the archdiocese. At the start of the academic year 1987-1988 they were made to take up related subjects in St. Peter's College in Ormoc City, and were placed under the supervision of Msgr. Pastor Cotiangco, the parish priest of Sts. Peter and Paul Parish. For five months, while they were taking up courses in the said college, they were helping out in the neighboring parishes of the Ormoc vicariate. At the end of the first semester, four of these seminarians were sent to the Focolare community in Tagaytay, and the remaining four were assigned to the Blessed Sacrament Shrine at Tigbao, Tacloban City, under the supervision of a priest trained in the Focolare spirituality. Msgr. Ben Bacierra later wrote:

"...the archdiocese was well aware of the growing problem if a solution could not be drawn up. Imagine the [seminarians who] would finish the college formation from our two college seminaries in the region. [Their numbers] would triple in a matter of three years as the upcoming classes were quite big."¹

¹ B. BACIERRA, "A Short History of the St. John the Evangelist School of Theology," in *Burabod*, 1/2 (1992) p. 3. The author acknowledges this brief historical account of the same institution written by its rector and published in the now-defunct newsletter. It became the main source for the important details related in this article.

It was under these circumstances that the Archbishop Dean decided to establish a theologate. As there was not a single centavo to start such a gigantic task, the archbishop had to borrow from the bank a substantial amount, along with a plan to leave for Europe to beg for necessary aid from funding institutions.

First Few Paces

On March 22, 1988² a modest crowd gathered at the easternmost side of Sacred Heart Seminary's play courts. The occasion was the laying of the cornerstone for the future theologate. The 1988 issue of the *Stella Maris*³ described how the future theology building would look like:

"The sprawling structure is E-shaped, with the main entrance situated at the middle. Directly opposite the middle protrusion is the chapel. Its overall length of 202 meters includes a chapel, seminarians' refectory, the dormitories, three classrooms, an office, a recreation room, a kitchen, and several other rooms."⁴

On that occasion the archbishop — right before the clergy and the faithful — sounded the clarion call for a massive fund-raising activity in support of the project. That summer, he fulfilled his plan to leave for Germany and Italy while the Archdiocesan Oeconomus, Father Cesar Petilla, was sent on a Mission Appeal tour to the US. In the meantime, the seminarians went on their own fund campaign trail under the auspices of Msgr. Pastor Cotiangco. Soon everyone in the archdiocese was in quest for the "Holy Grail" — funds for the completion of the new major seminary.

² Based on the program later retrieved by this author, this is the correct date of the Laying of the Cornerstone, and not the one indicated in the "Logos" article, which was February 22, 1988.

³ The yearbook of Sacred Heart Seminary.

⁴ "The Palo Archdiocesan Major Seminary; On the Rise," in *Stella Maris*, (1988) pp. 56-57.

The construction project was first pegged at five million pesos. Soon, due to the price increase of construction materials, coupled with the realization that the original size of the building needed readjustments, the cost was estimated at a whopping twelve million! Lucky enough, some modest funds started pouring in and soon, the theologate began to take shape. By the end of July of 1988 the first half of the necessary structure was finished and was ready to welcome the first group of theology students. Twenty-eight young men, all eager and bubbling, from the four dioceses of the metropolitan province began to fill the yet-half-finished edifice. Moving into the new building was not without the usual pioneering ventures and hazards. The first residents had to take upon themselves the task of rendering the place a bit more habitable and homely. There were the constant floor-scrubbing, ground-digging, cogon-wrestling, not to mention the always-on-the-alert stance for possible encounters with snakes and other creatures of the horrifying kind in that still campestrial setting.

On August 5, 1988, the still half-finished structure was blessed by the archbishop. It was on this date that the three pioneer formators, Msgr. Ben Bacierra, Fathers Romeo Murillo and Joseph Caesar Diamante, were installed into office. Later it was decided that this date be the seminary's foundation day.

By the early part of January 1990, the construction of the octagon-shaped two-storey edifice (the second floor serving as the chapel) was completed, and on February 21, 1990, Archbishop Dean presided over the rites of blessing and the pontifical mass. Also present were the suffragan bishops of the metropolitan province: Bishop Maximiano Cruz of Calbayog, Bishop Leonardo Medroso of Borongan, Bishop Angel Hobayan of Catarman, and Bishop Filomeno Bactol of the newly-created diocese of Naval. The day happened to be Archbishop Dean's 60th birthday. What then was more fitting a gift to him than a seminary he founded with faith and foresight now brought to completion.

The Name

Earlier, on December 28, 1989, a joint Christmas party for the clergy both from the Archdiocese of Palo and the Diocese of Naval was held at the VIP Room of the Tacloban Domestic Airport. There, Archbishop Dean threw as a subject for discussion whether to keep the name, "Sacred Heart Seminary," for the theologate, or grant it a new one. After threshing out the pros and cons, the priests arrived at the decision to retain the old name, "Sacred Heart Seminary," thus making theologate a new department for the mother seminary. However, in due time, the archbishop realized that keeping the old name had more drawbacks than gains. Certain kinks came in the way in communication and securing funds. Financial contributions, for instance, intended for the theologate, would reach the desk of the college seminary rector, in turn, checks meant for the college seminary would be received at the theologate. Incidentally, when the seminary chapel was still under construction, the principal sponsor — a family from Austria — had requested that the chapel be named after the fourth Gospel writer, St. John, and that this evangelist be chosen as the chapel's patron. Acquiescing to the request, the archbishop deemed it to make St. John the Evangelist not only the patron of the chapel, but the entire theological seminary as well. By the summer of 1990, the theology department was Officially christened, **St. John the Evangelist School of Theology**, making it an institution apart from the college seminary.

The Faculty

The three priests, aside from their administrative tasks, each had classes to handle. Msgr. Bacierra taught Dogma and Methods of Research, while Father Diamante, Introduction to Sacred Scriptures. Father Murillo started teaching Salvation History, but towards the middle part of the school year, he opted to concentrate on his job as spiritual director. Three other priests formed part

of the teaching staff: Msgr. Benjamin Sabillo (Spiritual Theology), Fathers Alex Opiniano (Morals), Vicente Purgatorio (Homiletics) and Abraham Palana (Canon Law).

In the next school year (1989-1990), Father Gaspar Balerite of the diocese of Catarman, fresh from his doctoral studies in Biblical Theology at the Pontifical Angelicum University in Rome, became the dean of studies and vice-rector, at the same time professor in Sacred Scriptures. The other members of the teaching force included the following: Fathers Bart Pastor (Christology and Pneumatology), Wilfredo Villegas, SVD (who handled a modular course in Johannine Writings); Martin Mandin, SVD (Morals), Gilbert Urbina (at the time taking a break from his studies in Rome; Liturgy), Bienvenido Ebcas (Church History), Ramon Aguilos (Research Methods), Cesar Petilla (Morals) and Msgr. Estanislao Abarca (Liturgy).

In the following years, more priests joined the faculty roster, even as some others were designated to other posts in the archdiocese. Those who came in at later dates are listed as follows: Benedicto Catilogo (he functioned as procurator, pastoral director and spiritual director at one time or the other; taught Pastoral Theology), Manuel Damayo (spiritual director; Church History); Harold Geers, OFM (Sacramentology), Bernardo Pantin (Canon Law), Hector Villamil (Canon Law), Manuel Ocana (Liturgy), Wilfredo Alejan (Mariology; Research Methods; Philippine Church History), Isagani Petilos (Sacred Music), Romeo Salazar (spiritual director; Church Documents; Spiritual Theology), Danilo Pongos (Sacred Scriptures),

The seminary also saw the coming of priests, who, like Father Balerite, were on loan from dioceses belonging to the Metropolitan Province of Palo. Victorino Japson of the diocese of Naval taught Morals while serving as pastor of the Parish of the Immaculate Conception, Leyte, Leyte. Borongan priest, Lope Robredillo,

shortly after completing his studies in Biblical Theology in Pontifical Angelicum University in Rome, flew in to become the seminary's prefect of library and professor of New Testament Exegesis. Another doctor of theology, Eutiquio Belizar, also of Borongan, on the other hand, has been teaching Ecclesiology as well as Research Methods since 1996.

Ramon Aguilos, who **in** 1993 **went** to the University of Navarre, Pamplona, Spain, for doctoral studies, rejoined the faculty in 1996 to teach Patrology and Church History. Close to his heels were priests on their "come-back-trail" and who finished their doctorates at the Roman Athenaeum (now Pontifical University) of the Holy Cross in the Eternal City: Joseph Cesar Diamante (Morals) and Hector Villamil (Canon Law).

It is now ten years since the foundation of SJEST, and Msgr. Ben Bacierra still holds the rectorship. He is assisted by two vice-rectors: Msgrs. Gaspar Balerite (Academics) and Ramon Aguilos (Administration). Father Romeo Salazar is the spiritual director, while Father Eutiquio Belizar, prefect of library. Due to the recent transfer of Father Gilbert Urbina to the parish, Msgr. Bacierra has taken over the office of the pastoral director until a new priest comes along to work in the seminary on a full time basis. A Franciscan sister, Sr. M. Josephine Villacampa, is the seminary's new procurator.

Two young clerics — both doctorate-bound — have been included in the faculty roster in the first semester of the academic year 1998-1999: Rev. Nicolito Gianan (Theological Methods; Sacramentology) and Father Erwin Balagapo (Canon Law).

Fruits of the Harvest

September 22, 1991 saw the ordination of twenty-two young men to the order of deacons at the Palo Metropolitan Cathedral

through the hands of Archbishop Dean. Of this number, twenty were alumni of the four-year old theologate.

On April 10, 1992, the first commencement exercises were held at the SJEST Chapel. The first batch to complete the theological formation in this seminary consisted of thirteen freshly ordained priests, seven deacons awaiting their priestly ordination, one with his diaconal ordination still pending, and another who would have to wait a few more years before joining the priestly ranks.

Beginning 1992 a roll of ordinations would follow year after year, and, as it would turn out, many more young men nurtured in SJEST followed this first batch of graduates. At present SJEST boasts of around 105 ordained priests-alumni ministering in the dioceses comprising the metropolitan province of Palo, as well as the dioceses of Davao, Maasin, Mati, Surigao and Tagum.

Spiritual Integration Year

Recently, SJEST has been seeing developments formationwise. While other seminaries have spiritual formation years placed anywhere before, between or after the four-year academic period, SJEST had been following the traditional four-year course of studies. Each diocese, then, was given the discretion in seeing to it that graduates from SJEST were provided a period of "pre" or "post" diaconal formation prior to their ordination to their priesthood. But seeing the wisdom of having a one year of intensive spiritual training, as well as the fruitful benefits that other seminaries have been experiencing along this line, the bishops of the region, along with the seminary formators, finally decided to establish this program for the metropolitan province. The formation period was given the name, "Spiritual Integration Year." The agreement reached was that such period be given way between the student's second and third academic year. Soon, Archbishop Dean lost no time in looking for a possible site to house the

incoming batch of formands. The old seminary building in Tanauan⁵ was suggested, until the archbishop saw that it would cost millions to repair the whole dilapidated structure. Meantime, the twenty-three young men who compose this first batch of *SIYers* are housed at the Archbishop's Residence, and are occupying the first floor and the basement. Father Sammy Alvero has been appointed formation director, and Father Pedro Tiguelo, spiritual director.

Civil and Ecclesiastical Degrees (?)

While the aim of SJEST is to form seminarians who will eventually serve as priests of the archdiocese and its suffragans, it has also been accepting seminarians from other dioceses, depending upon the availability of space and slot. Lay people and religious who desire to pursue their theological formation with seminarians are also welcome. The program of studies of SJEST, however, does not enjoy civil nor ecclesiastical effects. It does not grant a master's nor ecclesiastical (bachelor's) degree to its graduates, other than being able to fulfil the basic academic requirements of a theological education.

The seminary administration has actually been toying with the idea to work for means possible to be able to confer the degree of Bachelor in Sacred Theology to its students. In 1994 a *conventio* was made between the bishops of the ecclesiastical province of Palo and the rector magnificus of the University of Sto. Tomas in Manila. In that document, SJEST hoped to be affiliated to the Faculty of Theology of the said university. This plan, however, has virtually come to a standstill. Although SJEST has complied with various paper requirements, it seems that, given the present limited conditions, a number of stipulations are still

⁵ This is a town six kilometers away from town of Palo. This was the site of Sacred Heart Seminary from 1945 till 1956.

difficult to meet. Meanwhile the seminary has initiated moves for a possibility to offer a graduate program in Theology recognized by the Commission on Higher Education.

Administrative Concerns

The fact that St. John the Evangelist School of Theology has been existing for a decade is a modest accomplishment in itself. Yet, needless to say, there are administrative concerns and problems that need to be addressed.

First, the quality of its library still leaves much to be desired. It is wanting of books, periodicals, atlases, and others, and the system of acquiring materials is exceedingly far from ideal.

Secondly, our physical plant and facilities have seen better times, and are crying out for repair and refurbishing. The present population trend in the seminary offers ominous understones: in a couple of years there will be three college seminaries (Sacred Heart Seminary of Palo, St. Vincent de Paul Seminary of Calbayog, and The Nativity of Our Lady College Seminary, of Borongan), instead of the usual two, that shall be "feeding" the theologate with their students. This is enough signal to the present administration that there is an urgent need to provide bigger and more sufficient quarters for its incoming seminarians.

There is one thing that has been giving the archbishop a cause for joy and inspiration. SJEST is staffed by a faculty with sufficient academic preparation. This is explained by the encouragement he has been giving to some of his priests to go on study leave and come back armed with licentiate and doctoral degrees. Since 1985, Archbishop Dean has not ceased sending people abroad for further theological training, and with the view of assigning them a teaching job in the theologate he founded. There are, by far, seven priests from the archdiocese holding doctoral degrees in either Theology or Canon Law. Not to

mention, too, of the priest-doctors from the suffragan dioceses working in the seminary as formators and professors. And even at the risk of "counting the eggs before they are hatched," the archbishop hopes to see two more of his priests finish their doctorates in theology: one in 1998, and another in 1999. This is a cause for joy, indeed, but the concern is: "Who shall fill up their shoes in the future?". With doctorate-armed-priests still not exempt from being given parish assignments or curial positions, the seminary realizes that there is a dearth of professors, nonetheless. In other words, a continued and sustained system of faculty development is in order.

Not only must there be sufficient professors, but formators as well. The seminary is also in search for more priests to devote their time in the spiritual and pastoral formation of these seminarians. And with study programs for priests and religious on these twin aspects of seminary formation, we hope to see priests — even laymen if need be — willing to undergo further training along this line, and upon return, design a more relevant and effective spiritual and pastoral formation programs for our future priests.

Yes, we can make a list — nay, a litany — of more concerns, but we need to stop here.

Conclusion

We have just made some backward glances of these past ten years of SJEST, and recounted the various ways in which the Lord of history has been making His Spirit present in this humble section of His vineyard. There are achievements as well as shortcomings. It had humble beginnings: it began with a crisis, overcame it, and at present still faces a broad array of challenges and concerns. SJEST is barely ten years old. If there are indicators of success, well, admittedly, there are few in number, though definitely not inconsiderable. The important thing is, the tests and travails notwithstanding, by the grace of God, SJEST has woven its way into where it is now and looks forward to a bright future.

Contracting Marriage in the Church

JAVIER GONZALEZ, OP

Marriage is a complex reality; it is a public, sacred, social, juridical and religious affair. In other words, marriage has something to do not only with white gowns, sponsors, receptions, rings and flowers, but also -and mainly- with love, children, a home, happiness, heroism and ... faith.

Of faith, too? Is faith necessary to get married? It is certainly for Christians, since "a valid marriage contract cannot exist between baptized persons without its being by that very fact a sacrament" (can. 1055). And it is unthinkable that people would receive a sacrament without faith! Besides, only in faith one can fully understand and live the meaning of marriage as a vocation, with mutual fidelity, responsible parenthood and Christian maturity as some of its ingredients.

In the following pages, I will point out the main elements that integrate the celebration of a valid canonical marriage. They include necessarily also some theological and liturgical elements, whose right understanding manifest the real nature and beauty of Christian marriage.

NATURE OF CHRISTIAN MARRIAGE

Marriage cannot be defined once and for all without taking the risk of confusion and misunderstanding. Only in its juridical dimension, the term has already a twofold acceptance depending on whether it refers to the moment in which marriage is contracted, that is, to the act by which a permanent partnership is born, or, if considered as a permanent institution, to the reality resulting from that act. Thus, being marriage an analogical reality, the term must be understood in each concrete case and according to the context in which it is found.

To this initial difficulty, another one has to be added: the absolute inseparability in Christian marriage between its juridical and theological aspects. Only theoretically such a separation is possible. And that is what partially we will do in the following pages.

Not just a Contract, but a Covenant

For centuries the term "contract" has been used to describe the nature of marital consent. In recent years, however, specifically since 1965, that term has been replaced by a better one: "covenant." Indeed a very appropriate change because the notion of covenant best describes the nature of marriage as a life status, namely, an interpersonal relationship which is fully human, total, exclusive and permanent (until death).

Total, because it involves the gift of the whole person to one another. In the old canon law, it was taught that the essential giving in marriage was "the right to those acts apt for the generation of spring." In the present understanding of marriage as a covenanted reality, the emphasis is placed rather on the "partnership of the whole life" established by a man and a woman when getting married.

Exclusive and *permanent*, corresponding to the essential matrimonial properties of unity and indissolubility, which "in the Christian marriage acquire a distinctive firmness by reason of the sacrament" (can. 1056). Precisely one characteristic element of any covenant is its permanency: In the Jewish tradition, a covenant was an agreement which formed a relationship that was equal in binding force to a blood relationship. Consequently, the relationship does not cease even if the consent to the covenant is withdrawn by one or both of the parties.

In this perspective, marriage becomes the interpersonal human relationship most closely mirroring the covenant of God with His people.

The Firmness of a Sacrament

As a celebration of love, marriage is first and foremost a gift of God to mankind from the beginning of human history. In a special and qualified sense, as a sacrament bearing special graces and symbolisms, marriage came into the Christian era. Since then, the language of marriage has remained the language of life with this added meaning: it is the *sign* of Christ's love for mankind.

Indeed, marriage, in a Christian perspective, is properly and truly a sacrament. Like any sacrament, it is a sign that contains and brings about what it signifies. Marriage *images* Christ's union with the Church and is a means for bringing about the indissoluble union of husband and wife through the growth of unselfish love, which in turn transcends the couple and reaches out to the community.

This means that getting married in the Catholic Church is not merely the signing of a contract in accordance with social customs, or just the "exchange of vows" as it takes place at the City Hall in a civil ceremony. The fruitfulness of a Christian

marriage, built on an exchanged valid consent of the parties, extends beyond the legal and social boundaries of its existence and, as a supernatural reality, implies a certain degree of faith.

PREREQUISITES FOR THE CELEBRATION OF MARRIAGE

Catechesis and Preparation

On the wedding day, everybody wishes the couple lots of happiness. Now, to ensure a happy and successful married life, preparation is needed. Such preparation, for a Catholic in particular, focuses on an understanding of the real meaning of Christian marriage, as well as sufficient knowledge of its requirements and consequences.

Preparation for marriage, for married and family life, is of great importance. The Code of Canon Law states that there should be "personal preparation for entering marriage, so that the spouses are disposed to the holiness and the obligations of their new state" (can. 1063).

Specialized programs speak of *remote*, *proximate* and *immediate* preparation. The *remote* preparation includes infancy, childhood and adolescence and takes place first of all in the family and also in the school, being authentic human values and catechetical formation its main content. The *proximate* preparation takes place during the period of engagement, and consists of specific courses containing instruction regarding the natural requirements of the interpersonal relationship between a man and a woman in God's plan for marriage and the family. The *immediate* preparation provides a synthesis of the previous preparation and, through special meetings of a more intensive nature, the engaged

couple is introduced to the rite of marriage in its theological, canonical, liturgical and pastoral aspects. (Cf. Pontifical Council for the Family, *Preparation for the Sacrament of Marriage*, 1996)

Reception of Baptism and Confirmation

The reception of baptism is necessary for the valid reception of the sacrament of marriage. Confirmation, Penance and Eucharist are strongly recommended especially for Catholic parties.

On this regard, one of the documents needed before the wedding celebration is a *Baptismal Certificate* of both parties. It is normally the parish office of the place where the wedding is about to be celebrated the one requesting those certificates directly from the original respective parishes where the parties were baptized

The baptismal certificate does not only prove that the contracting parties are validly baptized, but also indicates whether the parties are free to marry, since it likewise shows their present status (for instance, if he or she is married, has received Holy Orders or has made profession in a religious institute). This explains why the certificate must be recent (issued within a period of six months before the date of marriage) and obtained "for marriage purposes."

In case such a certificate is impossible to secure, an affidavit made before the priest by an actual witness of the baptism would be sufficient.

Pre-Nuptial Interview

Commonly known as "pre-marital investigation," the purpose the pre-nuptial interview is threefold: 1) to verify whether the

contracting parties are sufficiently instructed in the Christian doctrine, particularly on the nature and implications of marriage; 2) to determine whether the parties' consent is free; and 3) to find out the existence of any possible legal impediment that may render the marriage invalid.

When one or both parties lack knowledge on the basics of the Christian faith, religious instruction should be given to them so that they can comply with their duty as first catechists of their children. Most parishes include in their pastoral programs special seminars or "short courses on marriage," compulsory to those getting married.

The ultimate responsibility for conducting the pre-nuptial interview belongs to the parish priest or, by delegation, to the ministers who have the canonical right to assist at marriages in his parish. But inasmuch as the obligation to conduct the investigation is a grave one, it cannot be done away with it.

The interview shall always precede the publication of the banns, in order to avoid future embarrassment should an impediment to the wedding celebration surface during the publication of the banns.

The Banns

Banns of marriage are announced orally or in print to the faithful normally for three (3) consecutive Sundays, or Holy Days of Obligation. They announce the forthcoming marriage and give anyone who may have a valid objection against it enough time to come forward and reveal it

The obligation to reveal impediments, being related to a concern for the common good, binds all the faithful, most

especially family members and close acquaintances. That is why the publication of the banns is also done in the parish of each of the contracting parties where they are better known, according to the judgment of the priest who conducted the investigation.

Documents needed

Besides the papers containing information data about the names and present home address of the parties as well as those of the sponsors, there are some documents required by any parish office before the wedding takes place. Referring to Catholics and in the particular context of the Philippines, they are the following:

- a) *Baptismal (and Confirmation) certificate* of both parties, newly issued and "for marriage purposes."
- b) *Marriage license*. Actually this is not a requirement of canon law, but of the civil law of the Philippines. No marriage will be solemnized in the Church without it or, if the couple is already civilly married, without a notarized copy of their marriage contract. Reason: The liabilities that the solemnizing priest may incur.
- c) *Permission of the bride's parish priest*. Though without apparent meological background, this is a customary practice required only when the celebration of marriage does not take place in the parish of the bride.
- d) *Parental consent for minors*. The Family Code of the Philippines requires not only a minimum of eighteen years of age in the contracting parties, but also the consent of their parents (or their substitutes) if they have not attained the age of twenty-one.

ELEMENTS OF A VALID MARRIAGE

Claiming authority over the marriages of Catholics, even over die marriages where only one party is a Catholic, the Church

requires three essential elements for the validity of marriage: a) Legal capacity of the contracting parties, b) the exchange of valid consent, and c) the canonical form.

Legal capacity

"All can contract marriage who are not prohibited by law," reads an almost lapidary statement of Church's legislation (can. 1058). This means that law —whether natural or positive— can prohibit marriage in some particular cases and to some particular persons. Thus besides the *natural* capacity of understanding and will, the contracting parties must have also the *juridical* capacity to get married; in other words, they must be free from legal matrimonial impediments.

Matrimonial impediments are incapacitating laws, which, based on determined objective circumstances, render a person incapable of contracting marriage. They actually restrict the free exercise of one of the fundamental rights of any person: the right to marriage. This is done only with the character of exception, and alleging the great social relevance marriage has, being a public affair.

Some impediments are derived from natural law (for instance, those of impotency or consanguinity); others are established by the Church herself (for instance, those of orders or public vow of chastity). Some impediments cannot be dispensed with, while others admit dispensation.

The impediments are not presumed, that is, to be such they have to be expressly enumerated in the Code of Canon Law, being their limits those established by the legislator. Twelve are the present impediments enumerated, namely:

- 1) *Age*. A man cannot validly enter marriage before the completion of his sixteenth year of age, not a woman before the completion of her fourteenth year;
- 2) *Impotence*. Antecedent and perpetual impotence by its very nature invalidates marriage;
- 3) *Previous marriage*. A person bound by a previous marriage cannot contract marriage;
- 4) *Disparity of worship*. A marriage between a Catholic and a non-baptized person is invalid;
- 5) *Sacred Orders*. Marriage is invalidly attempted by those in sacred orders;
- 6) *Public perpetual vow of chastity*. Those who are bound by a public perpetual vow of chastity in a religious institute invalidly attempt marriage;
- 7) *Abduction*. No marriage can exist between a man and a woman who has been abducted, or at least detained, with a view to contracting a marriage with her.
- 8) *Crime*. The impediment arises when someone, with a view of entering marriage with a particular person, has killed that person's spouse, or his or her own spouse;
- 9) *Consanguinity*. Marriage is invalid between those related by consanguinity in all degrees of the direct line, and up to the fourth degree inclusive, in the collateral line;
- 10) *Affinity*. Affinity is the relationship existing between one spouse and the blood relatives of the other spouse. The impediment extends to any degree of the direct line;
- 11) *Public propriety*. This impediment arises when a couple live together after an invalid marriage, or from a notorious or public concubinage. It invalidates marriage in the first degree of the direct line between the man and those related by consanguinity to the woman, and vice versa;
- 12) *Legal relationship*. Those who are legally related because of adoption cannot validly marry each other if their relationship is in the direct line or in the second degree of the collateral line.

Valid Consent

"A marriage is brought into being by the lawfully manifested consent of persons who are legally capable" (can. 1057). This sentence speaks of the unique role the consent has in the constitution of marriage. Certainly the consent has to be accompanied by the capacity of the parties and by a certain form in its manifestation; but marriage is *brought into being* by the consent. The former two elements are required for external reasons (in fact they can be dispensed with in some cases), while the mutual consent is required by the nature itself of marriage; that is why no substitution can be made for it.

Technically speaking, matrimonial consent is an act of the will by which a man and a woman by an irrevocable covenant mutually give and accept one another for the purpose of establishing a marriage.

The validity of marital consent depends on a minimal degree of knowledge of what marriage is and the free acceptance of its responsibilities. It also depends on the psychological capacity to evaluate the personal choice and to fulfill the obligations involved. Understandably, then, the human act of consenting may in some instances be defective, either from the part of the intellect or from the part of the will. Thus lack of sufficient use of reason, lack of due discretion, incapacity to assume the essential obligations of marriage, ignorance, error, deceit, exclusion or simulation, conditions, force and fear are the corresponding *defects* of the matrimonial consent listed in the ecclesiastical legislation. If present at the moment of contracting marriage, the latter is rendered invalid, constituting henceforth as many eventual grounds for the declaration of nullity.

The irony of these anomalies is that very often they only come to the light after the wedding has taken place...!

Much could be elaborated on this regard, but obviously this is not the place.

The Canonical Form

The matrimonial consent has to be *lawfully* manifested, that is, "in accordance with the law." This implies that there are some juridical formalities that regulate the consent and give to it the element of legitimacy. In Church's law such formalities are called "canonical form."

Catholics are bound to observe the canonical form of marriage. (By "catholic" we mean those baptized in the Catholic Church or received into it and that have not by a formal act defected from the Church). Only in exceptional cases, like in danger of death or in some mixed marriages, dispensation may be granted.

What is the structure of the canonical form? The ordinary canonical form can synthetically be described as follows: *The marriage contracted in the presence of the local Ordinary or parish priest or of a duly delegated person by either of them, who, in the presence of two witnesses, assists in accordance with the prescribed rules.*

Authors call it the "ordinary" canonical form to distinguish it from the "extraordinary" form, which is actually a canonical form in extraordinary cases. Which are the extraordinary cases? Those specifically in which the one competent to assist cannot be present or be approached without grave inconvenience: in such circumstances those who intend to enter a true marriage can validly

and lawfully contract in the presence of witnesses only. But the situation is applicable in two instances: 1^o) in danger of death; 2^o) apart from danger of death, provided it is prudently foreseen that this state of affairs will continue for a month (can. 1116).

THE LITURGICAL CELEBRATION OF MARRIAGE

The wedding ceremony in die church is very often the occasion for a colorful display of both social customs and religious symbols. Thinking before hand of the red carpet, bridal procession, sponsors, flowers, pictures... brings home usually a lot of excitement, not free of some nervousness, in the couple. Occasionally, the mere thought of the expenses (reception included) becomes a nightmare for Catholic couples with limited financial resources, to the point that some of them opt for a merely civil ceremony. It is evident that a clear distinction between what is essential and what is accessory should be in place.

There are beautiful and meaningful symbols used by die Church on the liturgical celebration of marriage. Symbols whose meaning the couple and all participants should understand. I would like to highlight here the salient moments and features of this momentous occasion:

Bridal Procession and Opening Prayer

The bride, traditionally wearing a white gown and veil — symbols of inner beauty and purity— makes a solemn entrance the left arm of her father, until they reach the sanctuary, where the father "gives her away" to the Groom, who was waiting. The Bridal Entourage has preceded them: first, the ring and coin bearers; then the flower girls, followed by the bridesmaids and, finally, the sponsors. Once each of them have taken the places previously assigned to them, the initial greeting and opening prayer takes place.

The Proclamation of the Word of God

Some Scriptural readings provide an in-depth explanation of the great mystery marriage is, as a symbol of the love of Christ for his Church. "For this reason shall a man leave his father and mother, and shall cling to his wife, and the two shall become one flesh" (Eph 5:22-23). "Christian love" constitutes normally the main theme of the New Testament readings.

The Rite of Marriage

It marks the moment when the matrimonial covenant is sealed, and comprises the following important features:

- a) *The Scrutiny*: Bride and Groom are asked if they have come of their free will to bind themselves for ever in the love and service of each other. Also if they are ready to raise as good Christians their children whom God will give them.
- b) *The exchange of consent*, After the well-known individual "Yes, I do" answers, the couple, with their right hands joined (symbol of mutual self-donation) say together the Prayer of Commitment: "Grant us, O Lord, to be one heart and one soul, from this day forward, for better, for worse, for richer, for poorer, in sickness and in health, until death do us part."
- c) *Confirmation of the marriage bond*. The minister "by the authority of the Church," calling on all those present as witnesses, confirms and blesses the bond of marriage which the couple have just contracted.
- d) *Blessing of the arras and rings*. The arras or covers symbolize the sufficiency of material possessions that a family should have for its temporal needs. The rings, symbols of love and unity, are blessed so those who wear them "may ever live in mutual love and in unbroken loyalty."
- e) *Giving of the rings and the arras*. They are interchanged "as a sign of love and loyalty" for each other and as pledge of dedication to their mutual welfare.

The Offertory

The sacrament of marriage is related to the Eucharist in a very special way, because ordinarily it is administered within the Mass, and because as a general rule the newly-weds receive Communion, usually under both species. Although with some variations, depending on places and customs, at the offertory several actions take place, namely,

- a) *The offering of bread and wine.* When the time comes, the male sponsor takes the cruets and gives them to the groom; likewise, the lady sponsor gives the chalice and the ciborium to the bride; then the bride and the groom present them to the priest
- b) *The lighting of the Bridal Candles.* The candles symbolize the love of Christ. Like the candle Christ's love and that of the married couple are unselfish in the sense that in the process of extending love, the giver consumes itself.
- c) *The Veil.* Placed in the traditional manner (covering the shoulder of the groom but the head of the bride), the veil shows that as Christ is the head of the Church, so the husband is the head of the wife. By covering her head, the bride means also to preserve her beauty exclusively for her husband.
- d) *The Cord.* The cord stresses the unity and binding power of marriage which requires that man and wife help in each other's burden. It signifies that they have to go through life bound together in the tasks that their marriage requires of them - unity and indissolubility.

The Eucharistic Prayer

The celebration continues with the liturgy of the Eucharist in the usual way it takes place in the Mass, with the Eucharistic

The Nuptial Blessing

The Nuptial Blessing is given before Holy Communion. The blessing is a reminder to the newly-weds of their duties, and a prayer for help from the Lord so that they may keep them. "Bless them with children and help them to be good parents," the prayer ends. Although the blessing is for both, the Church however prays in a special way for the Bride, perhaps because she, as a mother who bears and nurses children, carries in a special sense the burden or "yoke" of marriage.

Holy Communion

When the celebration takes place within the Mass, the newly-weds receive Holy Communion under both species, being this communion "in the one bread and the one cup" the most profound expression of the union with God and with one another.

Admonitions and Final Blessing

Before the end of the celebration, the priest admonishes the couple to remain faithful to one another, to love each other "as Christ loves his Church" and to persevere in faith and holiness. A final blessing puts an end to the wedding celebration.

SOME RELATED QUESTIONS

Celebration of Church's marriage with or without Mass?

This is a liturgical question rather than canonical. Actually, the *Rite of Marriage* offers a free choice on this regard, since it contains the texts for the two different celebrations: "Marriage within the Mass" and "Marriage without Mass." The format of both celebrations is quite similar (to the point that at times couples do not notice the difference!), since they both keep the common reference to the Word of God and to the Eucharist. Of course the

"Wedding Mass" is pastorally more meaningful (and therefore advisable), not only because of the additional ceremonies, but also, among other things, because the congregation better represents the People of God, considered by the Church as witnesses on this occasion.

What about betrothal or engagement: Are there conditions for its validity?

The betrothal or formal engagement is a bilateral promise between a man and a woman to enter into the sacramental covenant of marriage, within the time specified by them. An appropriate ceremony may be observed, taking into account the local customs and laws of the land.

The canonical formalities to be followed for the betrothal are now left to the determination of the respective Episcopal Conferences. In the Philippines, the CBCP has prescribed the following conditions for its validity:

- the parties should have the canonical capacity to marry;
- the promise has to be in writing before a priest or a deacon, or two witnesses. In case of minors, the parents should be previously informed,

(The obligation to fulfill the promise ceases upon the option of both parties. What about if the engagement is unilaterally or unjustly broken? Is there obligation to marry? No, even in such cases, neither party may institute an action or suit to compel the other to marry. But if there was an exchange of money or gifts in view of the wedding, suits for reparation of damages may be lodged before ecclesiastical or civil courts).

This custom has been so far seldom used, to the point that priests are not acquainted with its ritual. Yet, it is a laudable

ceremony sanctioned by the Church. The betrothal contract is a safety measure that may serve to reduce the number of future divorces, and provides an excellent opportunity for couples contemplating future marriage to prepare properly.

What is the age required for the celebration of marriage?

We saw that the minimum age required by the Code of Canon Law for the validity of marriage is 16 for men and 14 for women. However, for pastoral and juridical reasons, the Catholic Bishops Conference of the Philippines (CBCP) has established that the age for the licit celebration of marriage shall be 18 years for both the bridegroom and the bride. Below the foregoing ages, marriage may be solemnized only with the permission of the local ordinary.

Can lay persons solemnize marriages?

Yes. The norm is that "where there are no priests and deacons, the diocesan Bishop can delegate lay persons to assist at marriages, if the Episcopal Conference has given its prior approval and the permission of the Holy See has been obtained."

Why is it that the Church does not consider as canonically valid the civil marriage of Catholics?

Although the Church acknowledges the "natural obligations toward a third party or towards children" derived from a civil union, she does not consider as canonically valid the civil marriage of Catholics. Why? Basically because it lacks one of the required elements for the validity of Church's marriage: the canonical form Catholics are bound to observe. Only in extraordinary circumstances (urgent danger of death), the diocesan bishop can dispense from the canonical form for the marriage of two Catholics. In cases of mixed marriages, the reasons for dispensation are easier. But in any case, dispensation is needed for those bound to it.

Is the Church right in requiring the observance of the "canonical form" for the validity of marriage?

The question is closely related to the previous one and is particularly relevant to understand the "non-validity" on the part of the Church of the mere civil marriage contracted by Catholics. Such "non-validity" has, as we already said, its main legal foundation in the lack of canonical form of such marriages.

To answer to this question we have to say that the prescription of some juridical formalities to give legitimacy to the matrimonial consent is not exclusive of the Church's law, but it is something existing also in the different civil legislations. Most of them - if not all — expressly require in fact the intervention of the public authority in the celebration of marriage and that it be carried out through some kind of "public" form. Such obligation is, in the common opinion of experts, of *natural law*. After all, marriage is a public affair that by its nature demands some "publicity." All this speaks in favor of the legitimacy of the Church's requirement.

Can a marriage be solemnized by the Church when there are discrepancies between Canon Law and the Family Code?

Strictly speaking, it can be solemnized, since both Societies (Church and State) are autonomous and competent to have their own legislation on the marriage of their subjects. (For example, someone at the age of seventeen could be validly married in the Church, while not so according to the Family Code of the Philippines). But precisely because of the civil effects of marriage and in order to avoid possible legal sanctions, the policy adopted by the Church is that "except in a case of necessity, no one is to assist without the permission of the local Ordinary at [...] 2° a marriage which cannot be recognized by the civil law or celebrated in accordance with it" (can. 1071).

A FINAL WORD

It has been poetically said that Christian marriage starts at the foot of the altar and ends up in heaven. Yes, with a long way in between. Contracting marriage in the Church does not mark the end of the road, but it is rather a starting point.

A fact that cannot be overlooked: people have the right to expect maturity and true Christian commitment from those who get married in the Church. Experience teaches that such maturity can hardly be a reality without conscientious preparation.

That is why the final words of these pages cannot be but an appeal to Christian couples for a serious preparation for marriage, followed by a continuous renewal of their initial commitment. Marriage has indeed to be prepared, made and re-made everyday, if its beauty is to be preserved. A hidden beauty that may hopefully help married Christian couples to overcome the shadows which nowadays threaten to destroy the authentic face of marriage by ruining its brilliance and tenderness.

Natural Law and Human Rights in the Tradition of Francisco de Vitoria (1486-1546)

JOSEPH DE TORRE

The Tradition of Natural Law philosophy, as reflected in the opening lines of the American Declaration of Independence, goes back to the most primitive peoples of mankind, as the anthropologist Wilhelm Schmidt amply demonstrated in his classic 12-volume work *Der Ursprung der Gottesidee* (Münster, 1910-1952). The astonishing findings of Edward Horace Man, culled during over twenty years of living among the primitive peoples of the Andaman Islands, off the coast of Burma, and published in his carefully documented and illustrated work *The Aboriginal Inhabitants of the Andaman Islands* (London, The Royal Anthropological Institute, 1885), revealed how these primitive peoples, from time immemorial, without any contact with missionaries or any invaders, had kept a natural religion (natural law), which made them believe a) that God exists; b) that He is only one; c) that He is personal; d) that He has created heaven and earth; e) that He is a benevolent and provident Father of all mankind; f) that He has endowed man with a spiritual and immortal soul, with which he can know all the precepts of the moral law and fulfill them with self-determination; g) that God is the judge of all human acts and intentions, in this life and in the next; h) that our total dependence on him must be expressed by our worship; i) that we must be just to one another.

Andrew Lang carried forward the work of E. H. Man with his own *The Meaning of Religion* (Edinburgh, 1900), and twenty further books of anthropological research on the primitive peoples of Europe. Finally Wilhelm Schmidt, in the aforesaid work, extended this empirical research to the peoples of Africa and Polinesia, with which he was most directly acquainted.

These anthropologists provided the scientific evidence to show that there was no empirical basis for the early anthropological theory of the evolutionary nature of religion (Frazer, Tylor, Durkheim et al), according to which religion had evolved from pantheism and magic, through fatalism, astrology, superstition, totemism and polytheism, into monotheism and a belief in human freedom and moral responsibility. Their empirical findings showed, on the contrary, that the primitive beliefs in natural law and religion had been gradually smothered and almost lost in the ancient civilizations of Sumeria, Egypt, Mesopotamia, India, China, Persia and Greece. Only Israel, in defiance of all the surrounding civilizations, had kept basically intact those precepts of the natural law. This explains the growing and blossoming tradition of natural law philosophy, first in a Judeo-Christian culture, well prepared by a Greco-Roman philosophy more open to the natural law (though still laden with the degenerations of pantheism, fatalism and polytheism), and later in a widely expanding Islamic culture,

All men are equal by nature

The fundamental equality of all men before God is affirmed as "self-evident" (this exhilarating audacity has always baffled me) by the American Declaration of Independence. Can anything be called self-evident (i.e. without any need of proof) when it has been practically denied everywhere by the ubiquitous and iniquitous institution of slavery in practice and in law? Why was slavery accepted and established by custom and law for so many centuries and everywhere, as part of *ius gentium*, if not of *ius naturale*?

The sacred scriptures and traditions of Judeo-Christianity and Islam did affirm that all men and women are fundamentally equal before God, but that in practice, due to economic needs and the division of labor, there is a painful need for some men and women to do the work of providing for all. Thus, slavery becomes a regrettable though unavoidable requirement for the exploitation of the natural resources and the production of material goods. This "requirement" is accepted by the *ius gentium*, though not by *ius naturale*, and "justifies" and legalizes the institution of slavery and makes it acceptable that some men are born slaves and some are born free. A well-known example is the caste system of Indian culture. The institution of private ownership in the *ius gentium* above the *ius naturale* of all men to all goods is also related to this "requirement".

The economic fallacy

Judaism also accepted such alleged economic necessity and so recognized the institution of slavery, although it also acknowledged the more basic (natural law) fundamental equality of all men by introducing the sabbatical and Jubilee years wherein all slaves were freed.

«On this occasion,» John Paul II has written in his Apostolic Letter in preparation for the Jubilee Year 2000, «every Israelite regained possession of his ancestral land, if he happened to have sold it or lost it because it belonged to God; nor could the Israelites remain forever in a state of slavery, since God had "redeemed" them for himself as his exclusive possession by freeing them from slavery in Egypt». The Pope refers to Ex 23: 10-II, Lev 25: 1-28, and Deut 15: 1-6¹.

¹*U Osservatore Romano*, English ed., 10 November 1994.

The advent of Christianity with its radical natural law affirmation of the fundamental equality and dignity of all men introduced a ferment in a Roman Empire which had fully established and legalized the institution of slavery, just as Greece had done, based always on the economic fallacy, rationalized by Aristotle, that natural resources and forced labor were the sole sources of wealth, in other words, land (soil and sub-soil) and labor (slaves). This had made war also an economic necessity: the conquest of new lands and enslavement of vanquished peoples. It had also made mercantilism or the practice of the balance of trade and a static economy the prevailing economic doctrine, allied to the absolutism of rulers and the endemic recurrence of tyrannies, together with the chronic poverty and epidemics of the majority of the population.

The birth of economic science

This Aristotelian economic fallacy was not refuted until the economic analysis of some Spanish 16th century theologians, such as Tomas de Mercado, Martin de Alpizcueta and Luis de Mariana, as Schumpeter illustrated in his classic *History of Economic Analysis*², and, more recently, Alejandro Chafuen in *Christians for Freedom*³, traced the decline of the Spanish Empire to the failure to realize that the real sources of wealth are not land and labor, but the *free* creativity of the human mind in agriculture, industry, commerce and finance, minimizing government control and stimulating private enterprise, and so creating a dynamic or growing economy and wealth. These ideas were, two centuries later, fully developed and systematized in Adam Smith's *Wealth of Nations*, not only to explain the decline of the Spanish Empire (a static economy) but also — by contrast — the rise of the British

¹ Oxford University Press, 1954.

³ Ignatius Press, San Francisco, 1986.

Empire. Smith's work appeared in 1776, the year of the American Declaration of Independence, with its affirmation of the universal equality and freedom of all men under God⁴.

At the advent of Christianity this cultural, economic, social and political peaceful revolution would not have taken place right away due to the universal acceptance of the Aristotelian fallacy. What Christianity did was to initiate a process of cultural transformation by gradually humanizing the excesses of slavery, war, poverty, disease and political absolutism, favoring the introduction of practices and laws to this effect, and defending and protecting the dignity of man and of his labor⁵.

But once the new science of economics emerged after the European colonization of the Americas, together with the new consciousness of universal equality and freedom, there was no excuse any longer to maintain the aberrations tolerated for so many centuries. But where was the origin of these truly revolutionary economic ideas that were to provide the basis, or rather, the reciprocal cause of a democratic order of freedom and equality under the law? Was it Locke's liberalism against Hobbes's absolutism? This is, I submit, a flagrant oversimplification, which is quite widespread. I have already recalled the work of the 16th century Spanish economists cited by Schumpeter. But there is some more to it.

⁴ See the author's *Freedom, Truth and Love*, SEASFI. Manila, 1992, Appendix **m**.

See also Marjorie Grice-Hutchinson, *The School of Salamanca: Readings in Spanish Monetary History, 1544-1605*. Clarendon Press, Oxford, 1952; and *Early Economic Thought in Spain, 1177-1740*, Allen & Unwin, London, 1975.

⁵ See the author's *Generation and Degeneration. A Survey of Ideologies*. SEASFI, Manila, 1995, ch. 18.

The work of Francisco de Vitoria

As I brought up recently⁶, in 1992, as part of the celebrations for the 5th centenary of the arrival of Columbus in the New World, the University of Salamanca, in conjunction with the Catholic University of America, published a bilingual booklet entitled "The Rights and Obligations of Indians and Spaniards in the New World", reconstructing and editing, from primary sources, all the relevant statements of Francisco de Vitoria, O.P. (1486-1546) on this issue.

Thoroughly informed and deeply stirred by the briefings from Bartolome de Las Casas, who had started his crusade in favor of the *Indios* after listening to Antonio Montesinos at Santo Domingo in 1511 preach about the violations of the rights of the natives of the newly-discovered lands across the Atlantic. Francisco de Vitoria gave a long series of lectures for jam-packed audiences at the University of Salamanca throughout the 1530's. In them he clearly and courageously stated the fundamental equality of all human beings and the sovereignty of the people given to it by God. He spelled out the inviolable rights to life, to liberty and to self-rule, including the right to private economic initiative and to participation in public life.

The first enumeration of human rights

As drawn from the primary source of the *Corpus Hispanorum de Pace*, the aforementioned booklet edited by CUA and the University of Salamanca lists (among many others) the following statements of Francisco de Vitoria:

⁶ "Human Rights: A Philosophy of Order vs. a Philosophy of Power", a paper presented at the American Maritain Association Conference in N.Y.U., Nov. 9-12, 1994

1. Every Indian is a man and thus is capable of attaining salvation or damnation, (This statement found its way into the Council of Trent, twenty years later, against both the elitism of the Protestant Reformers with their predestination of the righteous, and the claim of racial superiority of the European colonizers of the New World.)

2. Every man is a person and is master of his body and possessions.

3. Inasmuch as he is a person, every Indian has free will and, consequently, is the master of his actions.

4. By natural law, all men are born equal⁷. Legal slavery is a product of the law of nations and thus can be abolished, when nations so will, in favor of peace and human progress. (Here is a neat differentiation between *ius naturale* and *ius gentium*, so appealing to the pre-Civil War American abolitionists.)

5. Consequently, the position of those theologians (Juan Gines de Sepulveda and his followers) who maintain in the *Consejo de Indias* that the king can enslave the newly discovered Indians, is iniquitous.

6. By natural law, all men are free⁸. In the exercise of this fundamental freedom, the Indians freely organize themselves in communities and freely elect and establish their own rulers.

7. On account of this political freedom, the Indian rulers elected by their people may legitimately impose taxes and new economic duties.

⁷ Cf. the American Declaration of Independence, Aquinas had stated this many times: «no one is a slave by nature» (cf. for instance *Summa Theologiae*, I-II, 1. 1, and 57, 3; and H-II, 66, 2). Aristotle, on the contrary, had affirmed that some are "born-slaves".

* Cf. the American Declaration of Independence.

8. The power to rule, or political superiority, was given to certain men by the consent or free election of the community or by the majority of its members. (Here is the sovereignty of the people and the guidelines for democratic government, long before the American and French Revolutions.)

9. The right that a man has to his possessions derives from the fact that he is the image of God; he cannot lose his dominion due to his infidelity or to sins of idolatry. (This is what the Sepulveda faction was maintaining.) (Incidentally, this inability to "lose his dominion" is what is meant by the term "unalienable" or "inalienable".)

10. The Indians may not be deprived of their goods or powers on account of their social backwardness, nor on account of their cultural inferiority or political disorganization. (Another claim of the Sepulveda party.)

11. Every man has the right to truth, to education, and to all that forms part of his cultural development and advancement.

12. By natural law, Indian children are subject to their parents and, subsidiarily, to the State for their education and sustenance. (Here is the seed for all the specifications of the rights of the family vis-a-vis the State.)

13. By natural law, every man has the right to his own life and to physical and mental integrity.

14. Every man has the right to his personal reputation, honor and dignity. (Here is the ethical foundation for the modern emphasis on the subjectivity, responsibility and sense of personal dignity, and for the consequent principle of subsidiarity.)

15. The Indians have the right not to be baptized and not to be forced to convert to Christianity against their will. (This was also the contention of the Sepulveda party, but the Church

has always upheld this religious freedom or freedom of the individual conscience from the time of the Apostles to the Declaration *Dignitatis Humanae* of the II Vatican Council. As John Paul II keeps repeating, the truth can never be imposed, but proposed and freely accepted.)

16. No one may be condemned without having been heard by the competent public authority in accordance with the law. (This is the democratic "due process".)

17. All things were created for the service of man. (Or, as the Church puts it now, as for example in the Constitution *Gaudium et Spes* of Vatican II and in the Encyclical *Centesimus Annus*, the individual right to private ownership — which is part of *ius gentium* — is subordinated to the universal right of all men to all the goods of the universe — which is part of *ius naturale*.)

18. The Indian peoples are sovereign republics, and, thus, are not properly subordinate to Spain nor do they form part of Spain. (Here are the seeds of the eventual independence of all American Colonies. North, Central and South, as well as the Philippines.)

19. The emperor or king of Spain would act unjustly if he were to permit the exploitation of the Indians' sources of wealth or the removal of gold from the Indian territories to the detriment of the development and progress of the natives. (The "thirst" for gold of the colonizers was a notorious fact, as Hugh Thomas has documented in his monumental *The Conquest of Mexico*.)

20. The Indian rulers, whether natural or elected, enjoy the same fundamental rights as any Christian or European prince. (The basic principle of International Law.)

21. The Indian peoples may freely change their political regime and subject themselves to a different sovereign in order

to defend themselves from oppression and to rid themselves of a tyrant.

22. According to natural law, a non-Christian cacique or king does not lose his dominion or jurisdiction due to his infidelity or idolatrous practices, and even Christian subjects are obligated to obey him. (A clear statement of separation of Church and State, Naturally, it is understood that no subject, whether Christian or non-Christian is obligated to obey unjust laws.)

23. By natural law and the law of nations, all the goods of the earth exist principally for the common good of humanity, to which end the natural resources of every nation should also serve. (See no. 17 above.)

24. In principle, all peoples, Indians as well as Spaniards, have the right to defend themselves by force of arms against the unjust aggression of infidels or Christians, and they have the right to resort to war in order to dissuade aggressors from endangering their integrity or security. (No trace of pacifism here: always consistent with the right to self-defense;)

25. God made all things in common for the service of all humanity, and by natural law, man is the primary holder and recipient of these things. Thus, the division of goods and territories was introduced solely by the law of nations, which is positive and revocable, on behalf of the exigencies of peace and human progress. (Another neat distinction between what is of *ius naturale* and of *ius gentium* regarding the holding of property: see no. 17 above.)

26. By natural law, dominion or ownership over all goods belongs principally to the entire human community, wherefore any individual man may use these goods when necessary so long as he does not harm others in so doing. (Ditto.)

27. The Indian peoples, who have spontaneously and freely subjected themselves to Christian princes on the condition that they not be obligated to believe in the Christian religion, may not be forced to convert by the emperor or king of Spain, and religious liberty, which has been agreed upon, should be respected. (See no. 15 above.)

28. On account of natural human solidarity and by the law of nations, all men, Indians and Spaniards, have equal right to the communication or exchange of persons, goods, and services, with the sole provision that justice and the natives' rights be respected.

29. The Spaniards have the right to trade with the Indians just as the Indians have with the Spaniards. The Spaniards may export the goods that the Indians need and may import gold and silver in which the Indians abound, provided, however, that this is not prejudicial to the Indians and that this exchange is conducive to the advancement of the natives.

30. In defense of these natural and common rights, which by natural law and the law of nations belong to all men, the Spaniards might have recourse to war and might take all the necessary security precautions after having tried to show the Indians with words and deeds that they wanted to live with them in peace and after the Indians had attacked them violently, prohibiting them from exercising their rights as foreigners established in the Indies. (More stringent conditions for a just war: see no. 24 above.)

Many other statements follow regarding the extremely demanding conditions morally required for a just war and for a colonization of the Indians, such as, for instance:

31. The kings of Spain should feel themselves obligated, albeit reluctant, to resort to war, but should not seek occasions

or pretexts to seize the Indians' territories or to subjugate then-populations. For wars are not waged to exterminate people, even though they might have been the aggressors in the war, but rather for the defense of law and the establishment of peace. It will be possible to guarantee the peace and security of the Indians only through relations marked by moderation, understanding, and tolerance. The controversy regarding the Indies should thus be guided by these principles of moderation and desire for peace.

32. On the sole basis of the law of war, it would be difficult to justify the conquest and occupation of the Indies, if said conquest and occupation did not occur as a means of just compensation, in order to punish war criminals or out of a grave necessity of peace and security. Moreover, the conquest and occupation must always conform to the principles of proportionality and equity, and there is always an obligation to *return the conquered territory* when peace is established and the reasons for occupation no longer exist. (Emphasis added.)

33. It is not sufficient for the king of Spain to promulgate good laws, appropriate to the capacity and development of the Indians; he is also obligated to install competent governors who are willing to enforce such laws against those who exploit the Indians or attempt to plunder them and seize their goods.

34. Political prudence and conscience require that the emperor or king of Spain promulgate progressive laws in favor of Christianity, which shall provide the opportunity and the means for the Indians to be educated and sufficiently instructed about the errors of their religion and pagan rites, with the aim of convincing them and attracting them to listen to the Christian truth so that they might *willingly and freely* decide to convert. (Emphasis added: see no. 15 above.)

35. The king of Spain can licitly employ a certain *moderate and gradual* political coercion, including even the legal prohibition

of idolatry and the destruction of idols, in order to get the Indians to abandon their religious rites. However, a policy of coercion and force, which requires the Indians to abandon their ancestral religion by violent means rather than by persuasion *would be intolerable and morally unacceptable*. (Ditto).

36. In the current controversy over the conquest of the Indies, it is not sufficient for me king of Spain to believe that justice is on his side; rather, he is obligated in conscience to examine diligently and to make his counsellors examine diligently the grounds for war that are advanced by the parties in litigation, and he has the duty to pursue the debate in accordance with the criteria of justice and law.

37. Restitution must be made to the Indians for all the goods and territories that have been taken from them as the result of unjust wars, and the amount of restitution for goods so confiscated should exceed the necessary compensation due for injuries caused by the losers in a just war.

Consequences of Vitoria's teachings

In all the above statements of Francisco de Vitoria we find the first virtually complete enumeration of all human rights and all the principles of democratic government and law both on a national and on an international level⁹, long before the American Declaration of Independence and Thomas Paine's *The Rights of Man*.

When the reverberation of Vitoria's lectures at Salamanca reached the ears of Pope Paul HI, this Pontiff's concurrence to his ideas prompted him to issue two Briefs in 1537 authorizing the excommunication of those colonists in die new lands who

⁹ Cf. Ramón Hernández, O.P., *Derechos Humanos en Francisco de Vitoria, OF.*, Biblioteca Dominicana, Salamanca, 1984.

would dare to deprive the natives of their life, liberty or property, proclaiming the fundamental equality of all human beings, regardless of their race, religion or culture. Emperor Charles V's reaction was to request the Pope to withdraw those briefs of excommunication, pledging that he would as soon as possible promulgate the New Laws of the Indies, which would guarantee those rights formulated by Francisco de Vitoria.

The New Laws of the Indies did come out in 1542, four years before Vitoria's death, which occurred when the Council of Trent was already in session. This Ecumenical Council, attended by many of Vitoria's followers, such as Domingo de Soto and Melchor Cano, proclaimed the universality of the Christian religion and of human nature, against both the elitism of the Protestant Reformers and the claims of moral and racial superiority of the Iberian *conquistadores*.

The Valladolid Debates

But controversy raged in Spain between Vitoria's followers, led by Bartolome de Las Casas, and those in favor of the conquest, led by Juan Gines de Sepulveda, until a formal session of debates was arranged by Emperor Charles V between these two leaders¹⁰. The debates were held at the royal court of Valladolid in 1550 and 1551. The rebuttals of Las Casas to Sepulveda's theses were all taken from Vitoria's ideas, which the latter always proved to

¹⁰ Cf. J. Brown Scott, *The Catholic Conception of International Law*, Georgetown U.P., Washington, 1934; *The Spanish Origin of International Law*, Clarendon, Oxford, 1934; Luciano Perefia, *Misidn de Esparto en America*, Madrid, 1956; J. Hoffrier, *La Etica colonial espahola del siglo de oro, Cristianismo y dignidad humana*, Madrid, 1957; V. Cairo, O.P., *Bartolome de Las Casas y las controversion teoldgico-jurldicas de Indias*, Madrid, 1953; V. Beltran de Heredia, O.P., "El maestro Domingo de Soto en la controversia de Las Casas con Sepulveda", in *Ciencia Tomista*, 45 (1932); J. Laregui, S.J., "El derecho internacional en Espana durante los siglos XVI y XVH", in *Razdn y Fe*, 81 (1927).

have been taken from Aquinas¹¹. Here is a brief summary of the points of debate, which was eventually considered as won by Las Casas¹².

1. The Emperor as heir of the Sacred Roman Empire has the right to subjugate those peoples, thus incorporating them into his universal Empire or so-called Christendom.

Answer (from Las Casas): The idea or project of a universal political community under a single ruler was never affirmed by Christ, who, on the contrary, instructed to give Caesar what is Caesar's and to God what is God's, thus distinguishing the political from the religious or transcendent dimension of every human person in the community.

2. The supremacy of the Roman Pontiff has actually authorized the conquest by giving a free hand to Spain and Portugal in the colonization of the new lands.

Answer: The powers given by Christ to Peter and his successors are purely spiritual and moral, not political or temporal, and therefore papal authorization in this case refers only to the evangelization of those peoples, not to their political subjugation.

3. The right to claim ownership of discoveries and inventions justifies the conquest: the conquerors have taken possession of the lands they discovered.

Answer: Those lands belong to the original inhabitants, who are therefore the rightful owners.

¹¹ Cf. Ernest Nys (ed.), *Francisco de Vitoria's De Indis et de Jure Belli Relectiones, being part of Relectiones Theologae XII*, Carnegie Institution of Washington, 1917.

¹² Spain did not withdraw from the new lands, but Philip II prohibited any offensive war for religious motives, and the new peaceful procedures were applied to the evangelization of the Philippines.

4. Truth has the upper hand over error, and so, the true religion and the culture and civilization built upon it should, if necessary, be imposed by force.

Answer: This is contrary to the right to religious freedom. The truth should indeed be *proposed* and thus freely accepted, but never *imposed* by force. The Church has always opposed forced conversions.

5. Those peoples have fallen into sins against nature, such as human sacrifices and cannibalism, and so, in the name of humanity they should be subjugated and forcefully civilized.

Answer: No nation can claim moral superiority over another: «Whoever among you is without sin, let him cast the first stone...» And besides, no amount of sins can forfeit the fundamental equality of all persons and their inviolable rights to life, liberty and property. As St. Thomas says, «the good of nature is neither taken away nor diminished through sin»¹³; and «those things that are natural to man, are neither subtracted from, nor added to man through sin»^M.

6. Realizing the superiority of our culture, those peoples have spontaneously asked us to take them under our sovereignty.

Answer: Have they *actually* done so? Can you supply the evidence for this claim?

What after Vitoria

It was Vitoria, therefore, who set in motion the appropriately called revolution of human rights, which has crystallized in modern democracies and in the contemporary international organizations.

" *Summa Theologia*, II, 85, 1.

^A/fcW., I, 98. 2.

His doctrine on the fundamental equality of all persons and peoples, and on their right to self-rule rooted in their subjectivity, was based on a Christian theology confirming and illuminating the natural law witnessed to by human reason, and most thoroughly analysed by St Thomas Aquinas¹⁵.

Vitoria's was a philosophy of the human person and of human society which can be called & *philosophy of order*, where authority and law (an "ordering of reason", i.e. not arbitrary or voluntaristic) are the basis and justification for the power to govern. This power is bestowed on the rulers by the people, though not by the people as "numbers", as Maritain and Ives Simon have explained so well¹⁶, but by the people as a community of *persons* (not just of "individuals"), of persons aware of their subjective responsibility, and of their dignity as beings open to infinite transcendence and to objective values (natural law). This philosophy of order, which builds up a "democracy of the person", is in contrast with the *philosophy of power*, started by Ockham, and leading through Marsilius of Padua, Machiavelli, Luther, Hobbes, Rousseau and the French Revolution to modern liberal individualism (die "democracy of the individual") and totalitarian socialism, while the more moderate individualism of Locke, influenced by the Scholastics, especially the Dominicans, was more influential in the thought of Thomas Jefferson, as the drafter of the American Declaration of Independence, with its astonishing statement of

¹⁵ Cf. the author's *Person, Family and State. An Outline of Social Ethics*, SEASH, Manila, 1991, ch. III.

" Cf. the author's *Generation end Degeneration. A Survey of Ideologies*, SEASFI, Manila, 1995, ch. 34, See Ives Simon, *The Nature and Function of Authority*, Marquette U.R., Milwaukee, 1940.

self-evidence of natural law, and on the framers of the 1787 American Constitution".

Vitoria's philosophy of order, based on the natural law, was continued by a long chain of theologians and philosophers, all of them acknowledging their debt to him, as noted below.

In his acclaimed lectures at Salamanca, Vitoria put the dignity of the human person regardless of race, culture or religion, on center stage, together with the need for a juridical order to safeguard it, as the offshoot of a gradual awareness of this dignity growing up from the grass-roots of society. «No one is a slave by nature», Aquinas had said".

All men and women are equal by nature, in spite of their existential inequalities, and they can never lose their fundamental rights even if they fall into sin. He rejected the Roman *ius belli* (no such thing as "right to war": only a right to self-defense). He demolished the then current "divine right of kings" claimed by absolutist monarchs, asserting the right of peoples to depose tyrants when reasonable. He rejected theocratic imperialism, advocating instead a universal community of nations ruled by natural law, common to all cultures (a *ius gentium* or "law of nations") and spelt out in a *declaration* of human rights. This is why the United Nations Organization considers him as its precursor, and international jurists generally regard him as their "father". The bust erected in his memory at the UN headquarters in New York calls him "Founder of the Law of Nations".

¹⁷ Cf. Editors of American Heritage, *Thomas Jefferson and his World*, Golden Press, American Heritage, New York, 1960; William A. Hinnebusch, O.P., *The History of the Dominican Order*, Alba House, Society of St. Paul, Staten Island, N.Y., 1964; Adrienne Koch, *Philosophy of Thomas Jefferson*, Columbia U.P., Washington, D.C., 1943; Belen Lorezca-Tangco, "Contemporary Philippine Democracy (1986-1989) in the Light of the Political Thought of St Thomas Aquinas", a doctoral dissertation approved with the grade of *Meritissimus* by the Pontifical University of Santo Tomas, Manila.

" See note 7 above.

The Father of International Law

The title of "father of international law" has been given by some authors to Hugo Grotius (1583-1645) instead, but this flies in the face of Grotius's own explicit acknowledgement of Vitoria's thesis on the just war, found in Grotius's capital work *De iure belli ac pacis* of 1625: «I also consulted the special books written by theologians such as Francisco Vitoria» (Prologue, no. 37)¹⁹. And likewise following Vitoria, Grotius roots the natural law clearly on God as the author of human nature and natural sociability, notwithstanding his misunderstood hyperbolic remark that the natural law would be valid «even if we were to admit, which would be most criminal, that God does not exist or does not care about human affairs»²⁰. On the evidence of his writings, Grotius cannot be said to have started the process of "secularization" of the natural law tradition, but neither can he be considered as the "father" of international law. He followed Vitoria and further elaborated on him.

Another claimant to the title of father of modern human rights and democracy rooted in natural law tradition is Samuel Pufendorf (1632-1694), together with his contemporary John Locke. We have already seen how the latter was indebted to the Dominican theologians, and subsequently influenced the thought of Thomas Jefferson. And as for Pufendorf, a candid reading of his capital works *De iure naturae et gentium libri octo* (1672) and *De officio hominis et civis secundum legem naturalem libri duo* (1673)

"See also Grotius's previous work (1609) *Mare liberum seu de iure quod Batavici compellit ad Indica commercia*, ch. 1 and 2. Cf. George Weigel, *Tranquillitas Ordinis*, Oxford U.P., 1987, on the whole issue of peace and war.

^M "...etiamsi daremus, quod sine summo scire dari nequit, non esse Deum, aut non curari ab eo negotia humana." (*De iure belli*, Prol., no. 11.) Cf. James St Leger, The "Etiamsi Daremus" of Hugo Grotius, Doctoral Dissertation, Pontifical Athenaeum Angelicum, Rome, 1962, 1962. Cf. also J.J.M. Littlejohn, *The Political Theory of the Schoolmen and Grotius* (New York, 1896).

reveals his almost total dependence on Grotius, and thereby on the Vitoria tradition. Admittedly, he is also somewhat affected by the more individualistic outlook of Hobbes, but only in some empirical observations, which do not modify the substance of his doctrine, and in a greater emphasis on the will, rather than on reason, regarding the nature of positive law. But he definitely roots natural law in man's rationality and sociability. Thus, following Suarez, Grotius and Vitoria, he defines natural law as that «which fits the rational and social nature of man so necessarily that without its observance there could be no honest and peaceful society in mankind»²¹. On the other hand, positive law is that «which is not founded on the general constitution of human nature, but purely and simply on the will of the lawgiver»²². Thus, he does not distinguish so neatly between *ius gentium* and positive law, as Suarez does²³. But where Pufendorf shows most clearly his belonging to the Vitoria tradition is in the enumeration he makes of the "natural duties of man"²⁴, namely:

1. As regards his soul, to know God as the Supreme Being, Intelligent, Free, Ruler of the Universe, and worship Him. (This is clearly not the Supreme Being — the "Great Architect" — of the Deists and of the French Revolution, but the Provident God of Locke, Montesquieu, Jefferson and the American Revolution.)

2. To know himself and his own nature well. To acknowledge his dependence on God, his duties toward Him and toward other men; to act with prudence, equity and moderation. To use well what depends on us.

²¹ *De iure naturae*, I, 6* 8.

²² *Ibid.*, cf. *De officio*, no. 1.

^M Cf. *De legibus*, 3, 2, 6.

** Cf. *De iure naturae*, II, 4, 23.

3. To seek one's esteem and honor. (In other words, to be aware of one's human dignity.)

4. To seek wealth with moderation. (This is a new way of expressing Vitoria's right of all men to engage in business enterprise and acquire private property, always taking into account the common good, or "with moderation".)

5. To subject the passions to reason. (That is to say, to be fully human in accord with natural law.)

6. To exercise just self-defense. (As we have seen, how follows Vitoria in the application of his general duty to the issue of "right to war".)

The Vitoria Tradition vs. the Secularist Tradition

Together with Locke, Montesquieu, Jefferson, Grotius and Pufendorf, we can mention many other theologians and philosophers who more or less followed Vitoria's natural law doctrine, such as Domingo de Soto, Melchor Cano, Francisco Suarez, Luis de Molina, Robert Bellarmine, Jean Bodin, Richard Hooker²⁵, Alberico Gentilis, Johann Althus and, generally all Scholastics. But with the rise of Deism in England and the German Enlightenment, the interest was shifted to man's happiness regardless of God. This can be seen in a number of Pufendorf's followers in Germany, such as Christian Thomasius, N.J. Gundling and J.T. Heinecke, as well as in the rise of utilitarian ethics in England, with Hutcheson, Hume and Bentham, prone to interpret the Jefferson "pursuit of happiness" in hedonistic terms, and tending to obscure or secularize the natural law tradition.

²⁵ On Bodin and Hooker, a good source, is J. W. Allen. *A History of Political Thought in the Sixteenth Century*, Methuen, London, 1960.

The natural law enshrined in the American Declaration of Independence and the American Constitution, and firmly reaffirmed by George Washington and Abraham Lincoln, as well as the Whig Tradition of England and Continental thinkers such as Montalembert, Juan Donoso Cortes and Frederic Bastiat, and more recently Lord Acton and Jacques Maritain, among many others, is definitely God-centered and liberty-centered in the tradition of Francisco de Vitoria. It is a philosophy of order, of ordered liberty, the cultural core of a republic (or a constitutional monarchy) organically composed of free persons under God, as the transcendent common good of society^{2*}. This is the "democracy of liberty", noted by Tocqueville.

On the other hand, the philosophy of power, of the self-affirmation of the individual and autonomous will, whether singly or collectively, found a political expression in the French Revolution of 1789, in whose Declaration of the Rights of Man and the Citizen, Article VI, it is stated that «the law is an expression of *the will* of the community», i.e. not a *rational* ordering. This is what leads to the "democracy of tyranny", as also noted by Tocqueville. The God of the Deists and of the Jacobins is the Great Architect who has left the world *entirely* in the hands of man. Thus deprived of a point of reference beyond and above themselves, men now turn to one another as wolves (Hobbes) and will try either to create a Leviathan, an absolute State to impose order on all, or to seek power-mechanisms in a free-for-all society to secure the "survival of the strongest". Thus, the "general will" of Rousseau will first be claimed by the French Revolution, and later by Bolchevism, Fascism and Nazism: this is the collectivist or socialist form of the philosophy of power. And at the other end of the secularist spectrum, utilitarian and pragmatic trends will

^M Cf. the author's *Person, Family and State. An Outline of Social Ethics*, SEASFI. Manila, 1991. ch. II and XL

favor its individualist form, which has historically outlived the collectivist, and plunged humanity into the colossal global crisis we are now witnessing and experiencing in the awesome confrontation of a culture of life and a culture of death, a philosophy of love and a philosophy of egotism and hate.

It is therefore expedient at this moment to trace the tradition of a natural law philosophy that fully explains and supports human dignity, hopeful progress and viable peace.

The Death Penalty In Human And Christian Perspective

FAUSTO GOMEZ, OP

There are over 500 death row inmates in the Philippines. Leo Echegaray is the first prisoner sentenced to die under Republic Act 7659 (1994) by lethal injection. His execution might take place any day between March and August 1998. Hopefully, Philippine President Fidel Ramos, or the new President to be elected in May, 1998, will give executive clemency to Echegaray.

In the following pages, I would like to meditate aloud, as a human being and a Christian, on these two significant questions: First, *Is the death penalty human or inhuman?* Second, *Is capital punishment Christian?*

IS THE DEATH PENALTY HUMAN OR INHUMAN?

The number of countries throughout the world opposing the death penalty is, in general, steadily growing. In the West, with the exception of the United States, most countries have abolished capital punishment, in particular the members of the European Community, Australia and New Zealand. John Paul II has said that the movement towards the abolition of capital punishment is a sign of hope for the culture of life. In Asia, however, including

all the countries of the ASEAN, many still have the death penalty in their penal codes.¹

Three arguments are put forward by those who are still in favor of the death penalty: first, capital punishment may be a requirement of justice; second, it is a deterrent to crime; and third, it may be a legitimate defense of the State. *Do these arguments justify the death penalty today?*¹

May capital punishment be a human, humane and just punishment? I think it cannot be so. Traditionally, three ends have been assigned to social punishment, namely, vindictive or retributive, exemplary and medicinal. Certainly, social justice demands that punishment should not be *vindictive*-. "An eye for an eye and a tooth for a tooth will leave the whole world blind and toodiless" (Gandhi).

Humane and just punishment ought to be medicinal, restorative, rehabilitative and healing: to give a chance to the offenders to change. As John Paul II writes: "Modern society in fact has the means of effectively suppressing crime by rendering criminals harmless without definitively denying them the chance to reform."³ At the end of his career as a magistrate, judge Fulco wrote: "Like everyone else, I served in the war and saw an innocent generation die; but I can state that nothing gave me the sort of bad conscience I felt in the face of the kind of administrative murder that is called capital punishment."

¹ Cf. Amnesty International, *When the State Kills... The Death Penalty Vs. Human Rights*, London; AI Publ., 1989; "Crime and Punishment," *Asiaweek*, March 16, 1994. p. 28.

² For a more extensive presentation, see Fausto Gomez, O.P., *The Praxis of Justice and Solidarity*, Manila: UST-SRC Publ., 1988. pp. 221-243, and "Una vez mas la pena de muerte en el banquillo," *Studium*, vol. XXXV, 1995/1, pp. 11-27.

³ John Paul II, *Evangelium Vitae* (EV). no. 27; cf. EV, no. 56; *Catechism of the Catholic Church*, Vatican City, 1992, no. 2266; St. Thomas Aquinas, *Summa Theohgica*, IHI, 108.

Is the death penalty a deterrent to crime? Can it be used for exemplary reasons to dissuade others from committing similar crimes? Those persons in favor of capital punishment answer this question in the affirmative while those opposing it, in the negative. This much may be prudently said: there is no perceptively higher rate of crime in countries which have abolished the death penalty than in those which maintain it — and apply it. For example, since the reimposition of the death penalty for heinous crimes in the Philippines in 1994, has the number of these crimes diminished? Statistically, the opposite seems to be true. Capital punishment, therefore, does not seem to have a significant impact on the commission of crimes. Albert Camus wrote: "Murder has been punished with execution for centuries, and yet the race of Cain has not disappeared. The power of intimidation reaches the quiet individuals who are not drawn toward crime, and has no effect on the hardened ones who need to be softened."⁴

Granting for the sake of argument that capital punishment could be a deterrent to crime, it would still be against human dignity when it involves killing the offender: the human person. No human person can be made an object of exemplariness for others without thingifying him/her. As E. Kant's categorical imperative put it: "in such a way that you always take humanity, in yourself as well as in every other person, as end and never as means."

Moreover, violence is not humane and just way to solve social problems, non-violence is. Legal execution of human beings is not a natural but a violent end to life, and violence generates more violence. Mario Cuomo, the former New York Governor, has said repeatedly: "The death penalty demeans and debases us. It tells our children that it is all right to meet violence with violence."

* Cf. Albert Camus. *Resistance, Rebellion, and Death*, trans, by J. O'Brian, New York: A. Knopf, 1961, pp. 175-234.

Is the death penalty a legitimate form of social defense through the State? I think not. The State has huge powers at its disposal to defend itself and the common good against social offenders properly — and justly: "No one will ever be able to prove that the mere existence of a man can disturb the public order; what disturbs it is his activity."⁵

The moral principle of self-defense may not be applied to capital punishment, for this is a punishment and not an act of self-defense. As the French Bishops said in 1978: "In this situation, it is not a question of legitimate defense. Besides, legitimate defense cannot justify the death of an unjust aggressor, except in case of an emergency and when there is no other way to prevent him from killing his victim."⁶ The moral principle of collective social defense may be applicable only in case of a defensive war.

Why is the death penalty inhuman and unjust? Mainly because it is against *the right to life*. We read in the United Nations' *Universal Declaration of Human Rights (1948)*: "Everyone has a right to life, to liberty, and to security of his person" (Art. 3). Furthermore, the UN's *International Covenant of Civil and Political Rights (1966)* states: "The right to life is inherent to the human person. This right shall be protected by law. No one will be deprived of it arbitrarily" (Art. 6). "No disposition of this article may be invoked by any State to postpone or impede the abolition of capital punishment" (Art. 6, no. 6). The *European Convention of the Rights of Man (1985)* affirms: "The death penalty shall

⁵ L. Rossi, "Pena de muerte," in *Diccionario Enciclopédico de Teología Moral*, Madrid- Ed. Paulinas. 1981, p. 794.

* French Episcopal Conference, "Debe mantenerse la pena de muerte?" Spanish Version, *Ecclesia*, No. 1.872, 1978, p. 137.

be abolished. No one shall be condemned to this punishment nor executed" (Protocol, no. 6).⁷

In this context, *how may one say that to defend human life we have to reimpose the death penalty for heinous crimes?* As Joaquin Ruiz-Jimenez, who was for a time the Defender of the People in Spain, said: "To proclaim the right to life and to maintain at the same time the death penalty is an essential contradiction." And he added: "If you want life, promote life and not death."

A *consistent life-ethics* considers human life like "a seamless garment" which may only be fully protected if respected from its beginning (against abortion) to its natural end (against euthanasia, and also capital punishment). *How may one be pro-life and pro-death penalty?* "It must be a very fruitful field of enquiry to examine why there is often a close concurrence between pro-life views and support for capital punishment."⁸ Fortunately, Pro-Life Philippines is a member of the Philippine Coalition Against the Death Penalty (spearheaded by the Catholic Bishops' Conference of the Philippines' Episcopal Commission on Prisoners' Welfare, or CBCP ECO-PRIW).

The right to life is an inalienable and indivisible right, and, therefore, no one can lose this right. Hence, the distinction often used by some Christians between an innocent and a guilty person to say that the right to life and the commandment "Thou shall not kill" applies to the innocent only, is not appropriate: "As far

⁷ Within the Bill of Rights of the Philippine Constitution (1987), Art. 3, Section 19, 7, we read: "Excessive fines shall not be imposed, nor cruel, degrading or inhuman punishment inflicted. Neither shall the death penalty be imposed unless for compelling reasons involving heinous crimes, the Congress hereafter provides for it." The Congress did pass a law in 1994 promulgated by Republic Act 7659, and now there are over 15 heinous crimes punishable by capital punishment.

⁸ Richard H. Nicholson, "Is Capital Punishment Ever Ethical?" *Hastings Center Report* Vol. 25, No. 4, July-August, 1995, p. 5.

as the right to life is concerned, every innocent human being is absolutely equal to all others."⁹

Besides being a violation of the inalienable right to life, *is not capital punishment the cruelest land of torture, physically and psychobgically?* We read in the Universal Declaration of Human Rights: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment" (Art. 5).

How about the victims of the perpetrators of heinous crimes? Some of those who are for the death penalty continue accusing the capital punishment abolitionists of defending the "criminals" and not the innocent victims. This accusation is, of course, unfair. We are in solidarity with the victims of those in death row. And we are for a just medicinal punishment, and for effective law enforcement, and even for life imprisonment. But, *should we not all also be in solidarity with the families of the perpetrators of heinous crimes?* When a death sentence is carried out on a member of the family, a human being is legally killed, and his/her family is made to suffer unjustly. Victor Hugo wrote in *The Last Days of the Condemned*: "Do you think that the fatal stroke wounds him alone? That his father, his mother, or his children will not suffer by it? In killing him, you vitally injure all his family and thus again you punish the innocent." Kerry Kennedy, daughter of Robert Kennedy and niece of the late American President John F. Kennedy says: "I understand that the families of victims want the death penalty; but it is not a good solution."

With due respect, may I ask those among us who continue favoring capital punishment: *Will the poor and marginalized of our society be discriminate^ affected by the application of the death penalty?* With the French Bishops I ask: *Does not society*

» John Paul II, EV, no. 57.

have a responsibility for the crime committed by this man who was often made, to a certain degree, marginalized?

IS CAPITAL PUNISHMENT CHRISTIAN?

There are Christians on both sides of the question: many, in favor and many, against the death penalty. Let us look at the Sacred Scriptures, then reflect on the meaning of God, Jesus Christ and the human person.

For many centuries, traditional theology and the teaching of the Church have accepted the death penalty as a possibly just — and Christian — punishment. St. Thomas Aquinas — and, after him, traditional theology and the teaching of the Church until Pius XII — extended the application of the *principle of totality* not only to the human body (in cases of mutilation of its sick organs), but also to the social whole (society): as a gangrenous limb must be amputated, likewise a criminal who is really dangerous to the community ought to be executed in order to preserve the common good.¹⁰ In his teaching on the death penalty, the great Angelic Doctor depends more on Aristotle than on the Bible and the Fathers of the Church, including St. Augustine, who was practically against all human executions.¹¹

Today, a growing number of believers in Christ question and oppose this tradition and propose a return to our roots, to the first centuries of Christianity, when Christians, on one hand, were forbidden to be gladiators, soldiers and judges so that they would not be in a situation of killing a human being or sentencing one to die. On the other hand, many of them faced capital punishment as victims, like Christ and the martyrs. St. Cyprian wrote with

¹⁰ cf. n-n. 64, 2.

¹¹ Cf. Niceto Blazquez, O.R., *Pern de muerte*, Madrid: San Pablo. 1994, pp. 57-76.

irony: "A murder committed by an individual is a crime; but when carried out by the State is a virtue." Ecclesiastical writer Lactantius wrote: "The precept 'Thou shall not kill' is absolute and does not admit any exception." Indeed, "God's glory is," St. Irenaeus wrote, "the person fully alive."¹²

In today's context of human dignity and rights, and of the common good, St. Thomas' teachings appear to be not applicable. The common good, in particular, is understood as the promotion of the rights and duties of the individuals as social beings. Vatican II put it this way: "According to the almost unanimous opinion of believers and unbelievers alike, all things on earth should be related to man as their center and crown." As the new Catechism of the Catholic Church states: "The person represents the ultimate end of society, which is ordered to man; the common good is ordered always towards the development of persons."¹³

The Pontifical Commission for Justice and Peace (1976) wrote: "The existence of capital punishment in the Old Testament does not of itself justify it for today. None of the passages (Ex 21:12 and ff.; Ex 22:19; Lev 20:10) usually cited demand the capital punishment be used today. A fortiori the New Testament does not prescribe it."¹⁴ Certainly, both Testaments have to be read contextually; and the Old Testament, the Catechism tells us, must be read from the New, for the Old Testament is a preparation for the Gospel; and John Paul II adds: "We must recognize that in the Old Testament this sense of the value of life, although already quite marked, does not yet reach the refinement found in the Sermon on the Mount."¹⁵

¹² St. Irenaeus, *Adversus Haereses*, IV, 20, 7: PG 7/1, 1037; cited in *Lineamenta*, Synod of Bishops for Asia (1996), HI, 16; also in EV, no. 34. Lactantius, *Divn. Inst.*, Lib. VI. 20: PL 6, 707-708. See Niceto Blazquez, O.P., o.x., p. 20.

¹¹ *Gaudium et Spes*, no. 12; CCC, nos. 1929, 1912.

^M Pontifical Commission for Justice and Peace, "The Church and the Death Penalty," *Origins*, Vol. 6, No. 25, December 9, 1976, pp. 390-391.

¹⁵ John Paul II, EV, no. 40; cf. CCC, no. 1964.

The last Pope to use St. Thomas' arguments in favor of capital punishment (also used by the Church's new Catechism) was Pius XII. The first one to oppose the death penalty explicitly is John Paul II, particularly in his powerful Encyclical (1995) *Evangelium Vitae*, where he tells us that: "we have to be unconditionally pro-life"; to revere and love "every human life," because human life is "sacred and inviolable at every moment of existence." For every Christian, the Pope adds, the new Law involves "an absolute imperative to respect, love and promote the life of every brother and sister."¹⁶

Moreover, many episcopal conferences throughout the world, including the Episcopal Conferences of the United States of America, Canada, France, Spain, and the Catholic Bishops' Conference of the Philippines, are absolutely against capital punishment as inhuman, unjust and unchristian. (The *Catechism for Filipino Catholics*, 1997, might have to complement its teaching on capital punishment with the teaching of John Paul II, *Evangelium Vitae*, no. 56, which is included in the "editio typica" 1997, of the *Catechism of the Catholic Church*.)

To shed light on the stand of a Christian on the issue of the death penalty, it is imperative to meditate on the meaning of God, Jesus Christ, the human person. A Christian ought to ask: *Who is God for me?* God is love, and "lover of life" (Ws 11:26), who takes pleasure "not in the death of the wicked man, but in the turning back of a wicked man who changes his ways to win life" (Ez 33:11). God is one and triune: Father, Son and Holy Spirit. He is the Creator, the Lord and the Giver of Life. Thus, "Life, especially human life, belongs only to God: for this reason whoever attacks human life in some way attacks God himself."¹⁷ God is the Father of the prodigal son. He is merciful and forgiving;

¹⁶ John Paul II, EV. nos. 28, 39, 61, 77.

¹⁷ EV. no. 9.

according to St. Thomas, more inclined to forgive than to punish. He is our Father. Jose Luis Martin Descalzo wrote: "Is it possible that someone may come to believe that he can serve God the Father by killing one of his children?" Sister Helen Prejean, CSJ, author of *Dead Man Walking*, writes: "I cannot believe in a God who meets hurt for hurt, pain for pain, torture for torture. Nor do I believe that God invests human representatives with such power to torture and kill."¹⁸

Who is Jesus Christ? He is the Son of God and a-Man-for-others. He is the Prophet who preached love of neighbor, including love of enemies, and forgiveness. He is the peacemaker, the non-violent loving person: "All who draw the sword will die by the sword" (Mt 26:52). The great writer Origen commented: "With these words, the Lord disarmed all Christians."

Jesus, dying on the cross, asked that his executioners be forgiven: "Father, forgive them" (Lk 23:34). Can Jesus therefore favor the death penalty? How can a Christian be in favor of capital punishment, after proclaiming the *Sermon on the Mount*? Jesus continues proclaiming today: "You have learnt how it was said to our ancestors: *You must not kill...* But I say to you: anyone who is angry with his brother will answer for it before the court... You have learned how it was said: *Eye for eye and tooth for tooth.* But I say this to you: offer the wicked man no resistance... You have learnt how it was said: *You must love your neighbor and hate your enemy.* But I say this to you: love your enemies, and pray for those who persecute you" (Mt 5:21-22, 38-39, 43-44).

¹⁸ Helen Prejean, C.S.J., *Dead Man Walking*, New York: Vintage Books, Random House, Inc., 1994, p. 21. Jose Luis Martin Descalzo continues: "How many centuries of aberrations, of falsifications of the image of God have led human groups — even followers of Christ — to the monstrous idea that God the Father may have anything to do with God the Hangman." *Razones desde la otra orilla*, Madrid: Sociedad de Educación Atenas, 1992, pp. 220-222. See St. Thomas Aquinas, II-2, 21, 2.

"Since Cain killed Abel, the blood, that is shed, of any brother cries to heaven, to the Father of all. Including the blood of Christ, who with his forgiveness, calls for a love that conquers hatred — even for the love of the enemies."¹⁹

Jesus Christ is our Good Shepherd, who is always in search of the astray (cf. Mt 18:12-14), the Good Samaritan, who helps the wounded on the roads of life (cf. Lk 10:29-37), the author of life (Ac 3:15), who out of love gave his life for the salvation of all, so that we all could have true life (Jn 10:10). Truly, as John Paul II tells us, to reject life is to reject Christ: "It is precisely in the 'flesh' of every person that Christ continues to reveal himself and to enter into fellowship with us, so that rejection of human life, in whatever form that rejection takes, is really a rejection of Christ."²⁰

Who is the human person? Every human person possesses a unique and sacred dignity and inalienable human rights, beginning with the right to life. For a Christian, the human person is "the only creature God has wanted for its own sake."²¹ He/she is the image of God, the icon of Christ, who deserves, therefore, profound respect and reverence. "As the visible image of the invisible God, the subject of rights which no one can violate — no individual, group, class, nation or State."²² "The Church recognizes in all human beings the same dignity and the same fundamental value, independent of any other consideration derived from circumstances."²³

"Elias Alcalde, "Los diez mandamientos," *Yida Nueva*, No. 2.056, September 14, 1996, p. 27. See St. Thomas Aquinas, I-II, 107, 2 ad 2.

²⁰ John Paul U. EV, no. 104; cf. Id., no. 25.

¹¹ Vatican TJ, GS, no. 24; cf. John Paul II, *Verticals Splendor*, no. 13.

²² John Paul H, *Cenlesimus Annus*, no. 44; cf. VS. no. 99.

²³ John Paul U, *Address to Healthcare Ministry*, November 30, 1996; cf. GS, nos; 12 and 24.

The greatest dignity of the human person is being a child of God and a sister/brother of Christ, and in Christ of all other human beings. // *the human being, every person, is my sister! brother, how may I want her I his death?*

In addition, every free and responsible human person is a sinner called to repentance by God through Jesus in the Spirit. Except for the unborn and born children — and those who are like children —, all humans are sinners and partly responsible for the social sins that permeate our modern culture and make it a clear of death.

On May 21, 1996, seven Cistercian monks were assassinated by terrorists in Algiers. They had been held hostage for almost two months. Earlier, Fr. Christian de Cherge, the Prior, realizing the grave dangers its community was facing, had written a letter to his family, to be opened after his death. In this moving letter, he speaks of his great love for Algiers, and Islam, and of the offering of his life to God and Algiers. He wrote: "My life has no more value than any other. Nor any less value. In any ease, it has not the innocence of childhood. I have lived long enough to know that I share in the evil, alas, which seems to prevail in the world, even in that which would strike me blindly."²⁴

Our faith does not make us judges of others: "The law-abiding have no cause for self-righteousness. Nor, of course, are attitudes of vindictiveness and vengefulness sanctioned by the Christian's faith, though it is natural to be outraged by behavior which is violent, unjust or destructive."²⁵ We are all sinners in need of forgiveness by God and, therefore, obliged to forgive others — all others — and be merciful to them as God is merciful to us:

²⁴ Quoted from *New City*, Vol. XXXI, No. 11, November 1996, pp. 22-23.

²⁵ Patrick Harmon, "Law and Morality," *Priests & People*, Vol. 10, No. 11, November 1996, p. 407.

"No punishment can suppress the inalienable dignity of those who have committed evil. The door to repentance and rehabilitation must always remain open." *Does capital punishment close the door to conversion?* "The mercy of God is great and we pray that it will save the criminal but it is absurd to count on divine mercy to justify the absence of human mercy. I condemn you to death hoping in the mercy of God — a presumption if there ever was one. I cannot have mercy so may God have mercy upon you."²⁶

Each human person, including every offender, is my brother/sister. My relationship to him/her ought to be a relationship of love: love of neighbor (inseparable from the love of God) that demands respect for all life, particularly human life; that inclines me to offer my life in the service of others. We may say that while the life of the others has for me an absolute value, my life has a relative one. Why? Because my life is at the service of the life of the others.²⁷

CONCLUSION

In human perspective, punishing another human being by the death penalty is not a human, humane, just act, much less a solidarity act: it is against the right to life, and the right not to be tortured; capital punishment cannot be considered a sign of love, the value and virtue of life. As convicted Matthew, one of the two main characters of the movie *Dead Man Walking* put it, just before he was executed by lethal injection: "Killing is wrong no matter who does it: me, you, the government."

^M Peter J. Riga, "Capital Punishment: A Division of Magisterial Texts?" *Linacre Quarterly*, Vol. 63, No. 3, August 1996, p. 9. John Paul II, *Message for the 1997 World Day of Peace*; in *L'Osservatore Romano*, 18/25 December 1996, pp. 3. 7-8.

¹⁷ Bartolomeu Bennassar, *Moral evangelica, moral social*, Salamance: Sfgueme, 1990, p. 62. See John Paul E, EV. no. 47.

Punishment, therefore, must go beyond retribution and even exemplariness to become a restorative and medicinal punishment. St. Ambrose wrote: "God drove Cain out of his presence and sent him into exile far away from his native land... God, who preferred the correction rather than the death of a sinner, did not desire that a homicide be punished by the exaction of another act of homicide."²⁸

Love of neighbor urges us to see in the other person not a thing, not an alien, but an equal, an image of God who is the absolute Lord of life and death. It helps us perceive in the face of any person "a call to encounter, dialogue and solidarity"; every human face tells us, in the first place, as E. Levinas said, "Thou shall not kill."²⁹

Moreover, love of neighbor is not possible without forgiveness. We are all sinners, and this is why we cannot stone others — any other — to death, or execute them, or administer to them a lethal injection. Remember the adulterous woman, who was brought in front of Jesus by a group of scribes and Pharisees? These tell Jesus: "Master, this woman was caught in the very act of committing adultery, and Moses has ordered us in the Law to condemn women like this to death by stoning. What have you to say?" Jesus answers: "If there is anyone of you who has not sinned, let him be the first to throw a stone at her." To the woman, the Lord says: "Has no one condemned you?" She answers: "No one, sir." Jesus: "Neither do I condemn you" (Jn 8:3-11). "In the eyes of Jesus, everyone is a victim, including the perpetrators of

9 St. Ambrose, *De Cain et Abel*, II, 10, 38: CSEL, 32. 408; quoted in EV, no. 10.

» Gf. John Paul II, EV, no. 83; Id., *Crossing the Threshold of Hope*, New York: Alfred A. Knopf, 1994, pp. 210-211; Emmanuel Levinas, *Ethique ei infini*, Paris: Ed. Fayard, 1982, p. 83. See Jorge Peña Vial, "Levinas y el olvido del otro," *Scripta Theologica*, Vol. XXVIH/2, 1996, pp. 543-564.

heinous crimes. And Jesus came so that we all would have life, and have it to the full."³⁰

Christian love of neighbor is universal. It does not exclude anyone, but, preferentially, it is love of the "little ones" of Jesus, who are his "proxies" (St. Basil), including those in prison; "I was hungry and you gave me food; I was thirsty and you gave me a drink; I was a stranger and you made me welcome; naked and you clothed me, sick and you visited me, in prison and you came to see me." When, Lord? "I tell you solemnly, in so far as you did this to one of the least of these brothers of mine, you did it to me" (Mt 25:35-36, 40).

Who is the other person for us, Christians? A brother/sister in Christ. A beggar asked Leo Tolstoi for alms. After checking his wallet and pockets, the great Russian writer answered: "Brother, I have nothing to give you; if I had I would give it to you." The beggar said: "You have given me the best thing: you have called me brother." And God asked Cain, Where is your brother Abel? Cain, then and now, answers with a question: *Am I my brother's keeper?* Jesus Christ answered this question by giving his life for the salvation and life of all human beings. Hence, John Paul II answers today: *"Yes, every man is his brother's keeper, because God entrusts us to one another."*¹

Certainly, "Every man's death diminishes me... Therefore never send to know for whom the bell tolls. It tolls for thee" (John Donne). We hope and pray that our bell will never toll for our brothers in death row. If it does, let us remember that it tolls for all of us,

³⁰ Jaime Cardinal Sin, *Message on the Occasion of Pro-Life Week*, February 8-15, 1997.

^M John Paul II, EV, no. 19.

Status of Global Mission, 1998: In Context of 20th and 21st Centuries*

OVERSEAS MINISTRIES STUDY CENTER

	Year:	1900	1970	mid-1998	2000	2025
WORLD POPULATION						
1. Total Population		1,619,886,800	3,701,909,000	5,929,339,000	6,091,351,000	8,039,130,000
2. Urban dwellers (urbanites)		232,694,900	1,349,293,000	2,655,736,000	2,885,059,000	4,894,979,000
3. Rural dwellers		1,387,191,900	2,352,616,000	3,274,103,000	3,206,292,000	3,144,151,000
4. Adult population (over 15)		1,025,939,000	2,323,466,000	4,071,362,000	4,277,544,000	6,097,552,000
5. Literates		286,705,100	1,487,863,000	2,748,170,000	3,028,501,000	4,985,668,000
6. Nonliterates		739,233,000	835,603,000	1,323,192,000	1,249,043,000	1,111,584,000
WORLDWIDE EXPANSION OF CITIES						
7. Metropolises (over 100,000 population)		300	2,400	3,980	4,100	6,500
8. Megacities (over 1 million population)		10	161	400	410	650
9. Urban poor		100 million	650 million	1,352 million	2,000 million	3,050 million
10. Urban slumdwellers		20 million	260 million	1,122 million	1,300 million	2,100 million
WORLD POPULATION BY RELIGION						
11. Christians (total all kinds) (= World Q		558,056,300	1,222,585,000	1,965,993,000	2,024,156,000	2,797,617,000
12. Muslims		200,102,200	558,272,000	1,179,326,000	1,237,153,000	1,961,548,000
13. Nonreligious		2,923,300	542,976,000	766,672,000	779,084,000	904,402,000
14. Hindus		203,033,300	473,823,000	767,424,000	794,921,000	1,075,636,000
15. Buddhists		127,159,000	234,096,000	356,875,000	364,872,000	433,309,000
16. Atheists		225,600	172,744,000	146,406,000	146,192,000	151,940,000
17. New-Religionists		5,910,000	77,720,000	99,191,000	100,507,000	116,567,000
18. Tribal religionists		106,339,600	166,525,000	244,164,000	250,964,000	295,840,000
19. Sikhs		2,960,600	10,618,000	22,874,000	23,756,000	34,568,000
20. Jews		12,269,800	14,767,000	15,050,000	15,228,000	16,882,000
21. Non-Christians (= Worlds A and B)		1,061,330,500	2,479,324,000	3,963,346,000	4,067,195,000	5,241,513,000
GLOBAL CHRISTIANITY						
22. Total Christians as % of world (=World Q		34.4	33.0	33.2	33.2	34.8
23. Affiliated church members		521,576,500	1,135,913,000	1,852,111,000	1,908,062,700	2,645,133,920
24. Church attenders		469,303,000	886,195,000	1,335,696,000	1,360,260,000	1,761,623,000

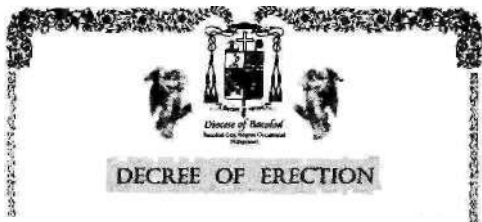
*Reprinted from the *International Bulletin of Missionary Research*, January, 1998. Offered to new readers with the compliments of the publisher. Overseas Ministries Study Center, 490 Prospect Street, New Haven, CT 106511.

25. Pentecostals/Charismatics	3,700/100	74,448,000	461,000,000	502,000,000	V ,000,000
26. Great Commission Christians	50 million	285 million	653,852,000	680,230,000	1,091,538,000
27. Average Christian martyrs per year	35,600	230,000	163,000	165,000	210,000
MEMBERSHIP BY ECCLESIASTICAL BLOC					
28. Anglicans	30,573,700	47,520,000	55,077,000	55,549,000	69,821,000
29. Catholics (non-Roman)	276,000	3214,000	6,484,000	6,688,000	9,635000
30. Marginal Christians	927,600	10,838,000	30,992,000	333HO00	66348,000
31. Indigenous Christians Nonwhite	7,743,100	59,784,000	264,851,000	279,037,000	491,598,000
32. Orthodox	115,897,700	147,369,000	224,770,000	227,841,000	283,945,000
33. Protestants	103,056,700	233,800,000	366,826,000	378,626,000	567,124,000
34. Roman Catholics	266,419,400	671,441,000	1,055,412,000	1,085,622,000	1,447,463,000
MEMBERSHIP BY CONTINENT					
35. Africa	8,756,400	120251,000	329,882,000	350,125,600	703,638270
36. Asia (new UN definition)	20,770300	94,515,000	286,078,000	299,912300	467,719,700
37. Europe (new UN definition)	368,131,200	475387,000	531,502,000	533,030,000	537,059,220
38. Latin America	60,026,800	261,949,000	461,471,000	477,117,000	637,018350
39. Northern America	59,569,700	169,183,000	223,454,000	227,658,100	273387,150
40. Oceania	4322,100	14,628,000	19,724,000	20,219,700	26310,702
CHRISTIAN ORGANIZATIONS					
41. Service agencies	1,500	14,100	23,450	24,000	40,000
42. Foreign-mission sending agencies	600	2,200	4,650	4,800	8,500
43. Stand-alone global monoliths	35	62	110	120	5,000
CHRISTIAN WORKERS					
44. Nationals (all denominations)	1,050,000	2350,000	4,863,000	5,104000	6,500,000
45. Aliens (foreign missionaries)	62,000	240,000	409,000	420,000	550,000
CHRISTIAN FINANCE (In US. \$, per year)					
46. Personal income of church members, \$	270 billion	4,100 billion	11,885 billion	12,700 billion	26,000 billion
47. Personal income of Pentecostals/Charismatics, \$	250,000,000	157 billion	1,430 billion	1550 billion	9,500 billion
48. Giving to Christian causes, \$	8 billion	70 billion	206 billion	220 billion	870 billion
49. Churches' income, \$	7 billion	50 billion	97 billion	100 billion	300 billion
50. Parachurch and institutional income. \$	1 billion	20 billion	110 billion	120 billion	570 billion
51. Ecclesiastical crime, \$	300,000	5,000,000	11.3 billion	13.2 billion	65 billion
52. Income of global foreign missions, \$	200,000,000	3.0 billion	112 billion	12 billion	60 billion
53. Computers in Christian use (numbers)	0	1,000	340,838,000	400,000,000	2500,000,000
CHRISTIAN LITERATURE					
54. New commercial book titles per year	2200	17,100	24,600	25,000	70,000
55. Qiristian periodicals	3500	23,000	32500	35,000	100000
56. New books/articles on evangelization per year	500	3,100	14,700	16000	80,000
SCRIPTURE DISTRIBUTION (all sources)					
57. Bibles pa year	5.452j600	25,000,000	66,005,000	70,000,000	180,000,000
58. New Testaments per year	7300000	45,000,000	102,804,000	110,000,000	250,000,000
59. Scriptures including gospels, selections, per year	20 million	281 million	1,903 million	2,050 million	4,000 million
CHRISTIAN BROADCASTING					
60. Christian radio/TV stations	0	1230	3,600	4,000	10,000
61. Total monthly listeners/viewers	0	750,000,000	1,977,267,000	2,150,000,000	3,800,000,000
62. for Christian stations	0	150,000,000	568,338,000	600,000,000	1,300,000,000
63. for secular stations	0	650,000,000	1,665,215,000	1,810,000,000	2,300,000,000
CHRISTIAN URBAN MISSION					
64. Non-Christian megacities	5	65	191	202	280
65. New non-Christian urban dwellers per day	5,200	51,100	131,000	140,000	360,000

66. Urban Christians	159,600,000	660,800,000	1330389,000	1,393,700,000	2,448300,000
CHRISTIAN EVANGELISM					
67. Evangelism-hours per year	10 billion	99 bilUn	447 billion	480 billion	4 # 0 billion
68. Disciple-opportunities per capita per year	6	27	75	79	529
WORLD EVANGELIZATION					
69. Unevangelized population (= World A)	788,159,000	U91S56.000	1,079,532,000	1,038,819,000	600,000,000
70. Unevangelized as % of world	48.7	37.6	18.2	166	7.1
71. World evangelization plans since A.D. 30	250	510	1,290	1,400	3,000

Decree of Canonical Erection/ History/List of Members

MARIAN MISSIONARIES OF THE HOLY CROSS



Grateful to the Holy See through the Sacred Congregation for institutes of Consecrated life
| altdSacries of Ajmsalk Ufejorfoeir tsterdaredfovenber 12. 1396. PROT-N.DD. 2094-1/37 jS
K signed by His Eminence Eduarda Cardinal Martina Somalo. Prefect of the samr Congregation. 'I
f' in tobiect it aave the Bishop of Baco'd tui competency w am the Association of the Ma-ian Jw
» MisswnarieioftherialyCitssasaKSgoMilwituiofCmsic:TuMdLife §

|| L. Gmifo D. Grgario. by thearaceofGodaudothe RolySee, Bishop of Bacohdand by virtue fl
« of thejxrwer. vested in mebtj Canon Law 579, hereby decree thai die aforesaid Association be a
fip itfwnically erected and recognized-inthit Diocese of Bacolod, PhiCippine as a Religious tfi
a fuitihuro of Diocesan Right with aft its privileges, rights and responsibilities Slip ulatedm the W
S Cede of Canon Law.. The said Religious Institute shufte subject to the rules and norms contained w-
w in the llooi of Constitutions and Directory of the Marian Missionaries offiy: Holy GoM tg-
•' dafu approved by me, and to the common norms of the Code of Canon Law rrgduCiftg ft;
f. Religious institutes. %

W ljudite andbefevr iftiie the MMJJC's xiarism «=missionfor tdepublic schools students and %
M prisoners art most opportune and needefor the renewal program of the Church for the ij
g yfift 2000 and thereafter. |

TS11 kelijjouf Inatnrei or mtopj'alkrly referred to t ritf Mariftt MWWBürio gftAe Hojj Ows *
has our blessing and support and\ si *siding to the prescription of Law to mate vy
publicly their. Profession of Vow both temporary andperpetualandaccording to thejormida
indicated** their Constitutions.

iprescribe that as an institute of Diocesan Right, the MMHC must elpselj algn ittemsefrij
with our Diocesan programs andjfofoM- the decrtes of the PCP II and the Diocesan Pastoral
Assembly. I expect that,dleg subnit an annualreportij theiprogressi difficulties and
discernment or 'rcamntendaivm

We further decree as prescribed by the Congregationfor Institutes of Consecrated Life and
Societies of Apostolic life that 'temporary goods of the new Religious Institute be kept m
such a manner that they will h-ave standing "both in ecclesiastical and in civil law."

Ittre&y recommend to all theJaithfulparticularly to these In the Diocese of Baadod, the
spiritual atid tempoml we'art of die Marian Missionaries of the Holy Cross that their apostolate
and ministry mau beazjruirjoij tdeglary of God and for the honor of the Blessed Mother Mary,
in the service of the Church pen'tularly the Youth in public schools andin prisons.

implementing this Decree I ask that a copu of thit Decree of Erection and of die
Approval of the revised text of flic Constitution bejorwardedo the Voly Set forposterity.

Given and sealed at- the Mater Dei Chapel, MMiC House of Formation, Sify City.
Diocese of Bacolod. Province of Negros, Phillipines, in the year of the Lord this twenty seventh
dtu of October, nineteen hundredand' nihenf-seven.

HISTORY

The Marian Missionaries of the Holy Cross is a religious institute of diocesan rite established in the Diocese of Bacolod. This was approved by the Holy See through His Excellency Bishop Camilo D. Gregorio, D.D, Bishop of Bacolod on October 30, 1997 at the Mater Dei Chapel in the MMHC House of Formation in Silay City Negros Occidental.

The MMHC was founded by Leticia Todersillas Albert on December 28, 1976. Initially, it started as a youth group, the Youth Marian Crusade, which was later considered as the largest youth campus ministry in the country. The young members were trained by their foundress to continue her apostolate: the spiritual and moral upliftment of the prisoners and public high school students.

Upon the instructions of the Holy See, after passing through long and many years of trials and difficulties, the MMHC was first established as a pious association in the Diocese of Bacolod in 1990, a step for their recognition as religious institute. The priests and brothers of the Marian Missionaries of the Holy Cross profess a life that closely imitates the lifestyle of Mary in the spirit of love and joy, fervent in their mission 'to bring the youth at the foot of the cross' through prayer and penance.

At present the congregation has four houses: a postulant house, a novitiate and the Motherhouse in Negros Occidental together with a Theology house in Marikina. They are blessed with 75 members composed of 12 priests, 12 perpetually professed members, 33 temporarily professed brothers, 14 novices and 15 postulants.

The Marian Missionaries of the Holy Cross is the first ever Filipino religious congregation for priests founded by a Filipina laywoman.

LIST OF MEMBERS OF THE MARIAN MISSIONARIES OF THE HOLY CROSS

CLERICS:

Fr. Francis Mark Ma. Garbo
Fr. Pius Noel Ma. Pareja
Fr. Philip Honorio Ma. Dela Cruz
Fr. Raymond Vicente Ma. Decipeda, Jr.
Fr. Raphael Tomas Ma. Babano, Jr.
Fr. Jerome Cesar Ma. Aguilar
Fr. John Ernesto Ma. Cordero
Fr. Blaise Jose Ma. Garcia
Fr. Matmew Frederick Ma. Fernandez
Fr. Gregory Francis Xavier Ma. Salcedo
Fr. Denis Augusto Ma. de Leon
Fr. Edward Anthony Ma. Divinagracia

PERPETUALLY PROFESSED BROTHERS:

Bro. Andrew Napoleon Ma. Almonte
Bro. Anthony Jorge Ma. Villarosa
Bro. Januarius Conrado Ma. Tomas
Bro. Gabriel Jaime Ma. Ciron II
Bro. Justin Adolfo Ma. Sison
Bro. Ambrose Marco Ma. Almonte
Bro. Daniel Hassen Ma. Divinagracia
Bro. Paul Raul Ma. Gatbonton
Bro. Augustine Arnold Ma. Aldana
Bro. Anselm Gerald Ma. Tan
Bro. Thomas Frederick Ma. Asia
Bro. Bonaventure Alvin Ma. Buenaventura

TEMPORARY PROFESSED BROTHERS:

Bro. Charles Giovanni Ma. Desiderio
Bro. Patrick Hernani Ma. Dela Cruz
Bro. Martin Joseph Ma. Rivera
Bro. Robert Harold Jim Ma. Balocating
Bro. Christopher John Bernard Ma. Sortigosa
Bro. Benedict Albert Anthony Ma. Francia
Bro. Edmund Louie Ma. Galicia
Bro. Richard Ronaldo Ma. Lubuguin
Bro. Albert Gilbert Ma. Seballos
Bro. Michael Allan Ma. Diaz
Bro. Henry Rubenrico Ma. Marasigan
Bro. Mark Christopher Ma. Esparagosa
Bro. Joachim Eugene Ma. Ablanida
Bro. Dominic Ronnie Ma. Lizada
Bro. Vincent Jude Erwin Ma. Lim
Bro. Cyril Michael Ma. Salcedo
Bro. Stephen Donny Ma. Co
Bro. Lawrence Barry John Ma. Belen
Bro. Bernard Joseph John Ma. Ilustre
Bro. Maximillian Jonathan Ma. Francisco
Bro. Gerard Benito Ma. Bemina

NOVICES

Bro. Clement John Anthony Ma. Banag-ag
Bro. Louis Cornelio Ma. Espedido
Bro. James Rolando Ma. Gison, Jr.
Bro. Eugene Marchy Ma. Laud
Bro. Sebastian Hornel Ma. Sorra
Bro. Nicholas Rodjemar Ma. Alegora
Bro. Camillus Raymund Ma. Banaticla
Bro. David Jay Ma. Binas

Bro. Alexis Alfredo Ma. Libao, Jr.
Bro. Romuald Aigyn Ma. Nopre
Bro. Felix Marc Josue Ma. Pacia
Bro. Bartholomew Leo Ma. Pura
Bro. Joshua Jose Emilio Ma. Santos
Bro. Joseph George Ma. Zamora

POSTULANTS

Bro. Rene Cesar Ascalon, Jr.
Bro. Michael Dusan
Bro. Marvin Bernardez
Bro. Alvin Canada
Bro. Melquiadez de Belen, Jr.
Bro. Harvey dela Cruz
Bro. Van Ryan Hilario
Bro. Victorino Loyola, Jr.
Bro. Marlon Pia
Bro. Noel Sano
Bro. Rowell Guico
Bro. Glenn Tamunday
Bro. Marvin Timbol

Cases & Inquiries

EXCELSO GARCIA, OP

WHEN BINATION IS ALLOWED

I am a newly ordained priest and am inexperienced in the priestly ministry. I try my best to put into practice what I learned in the Seminary. Unfortunately sometimes what I see in other priests seems not to be in conformity with what I was taught during my studies. For instance, I see that there are priests saying their daily Mass individually according to the schedule of the church where I celebrate Mass too, and on some weekdays they also concelebrate once or twice in other churches or chapels where they are invited on the occasion of some celebration, such as a funeral, birthday, thanksgiving Masses and the like. I was taught that a priest is to say Mass only once a day according to the law, unless the diocesan Bishop allows him to say more than one Mass. Can you tell us what is the present law of the Church on this matter and whether concelebration is allowed on the same day that a priest celebrates his Mass individually on weekdays?

A new Priest

A similar case was answered already in *Boletín Eclesiástico* in its issue of September-October, 1984. Our consultant, being a new priest, has probably not read the answer to that case. Thus, we will give the information which answers his own case.

The new Codex of 1983 states in its canon 905: "Apart from those cases in which the law allows him to celebrate or concelebrate the Eucharist a number of times on the same day, a priest may not celebrate more than once a day. If there is a scarcity of priests, the local Ordinary may for a good reason allow priests to celebrate twice in one day or even, if pastoral need requires it, three times on Sundays or Holidays of Obligation."

The old law (canon 806 of the 1917 Codex), stating the norm of celebrating one Mass on the same day is still in force. However, the paragraph 2 of canon 905 of the new Codex grants the local Ordinary the faculty to allow, with a good reason, a priest to celebrate Mass twice on weekdays and, if a pastoral need so requires, three times on Sundays and Holidays of Obligation, when there is scarcity of priests.

Moreover, canon 87 grants the diocesan Bishops "faculty to dispense from disciplinary laws of the Church, both general and particular, whenever he judges it contributes to the spiritual welfare of the faithful, unless such dispensation is specially reserved to the Holy See or to some other authority".

Our consultant also seems to be interested in knowing what are the concessions granted by the Holy See with regards to concelebration, so as to see whether the general rule of saying only one Mass on the same day continues in force or not.

It is clear that, as a rule, bination is not allowed in the Church. It is allowed only by way of exception. It can take place whenever the welfare of the faithful requires it according to the good judgment of the local Ordinary, to whom is given the faculty to

allow to binate or trinate, as the case may be, in order to meet the spiritual welfare of the faithful.

The question has become a little confused in the mind of some priests who think that concelebration is not related to the prohibition of bination. They believe that to say one Mass individually and concelebrate another is not bination, which is obviously wrong. Priests are forbidden by law (can. 905, § 1) to celebrate one Mass individually and concelebrate another on the same day, because that is bination. "A priest may not celebrate more than once a day". Without the permission of the Ordinary they are not allowed to do that.

The discipline on concelebration has changed since the Vatican II. Concelebration, however, is not new in the Church. During the first centuries it was very much in vogue, both in the East and in the West. Later on it was restricted, not abolished, in the Latin Church. The 1917 Codex limited concelebration to sacred ordinations and consecration of Bishops.

Vatican II said in its Constitution on the Sacred Liturgy, n. 57:

§ 1. "It has seemed good to the Council to extend permission for concelebration to the following cases:

1. a) On the Thursday of the Lord's Supper, not only at the Mass of the Chrism, but also at the evening Mass;

b; at Masses during Councils, Bishop's Conferences and Synods;

c) at the Mass for the blessing of an Abbot.

2. Also, with the permission of the Ordinary, to whom it belongs to decide whether concelebration is opportune:

a) at conventual Mass, and at the principal Mass in churches when the needs of the faithful do not require that all the priests available should celebrate individually;

b) at Masses celebrated at any kind of priests' meetings, whether the priests be secular or religious.

§ 2. 1. The regulation, however, of the discipline of concelebration in the diocese pertains to the Bishop.

2. Nevertheless, each priest shall always retain the right to celebrate Mass individually, though not at the same time in the same church (where concelebration is going on), nor on Thursday of the Lord's Supper."

The S. Congregation for Divine Worship extended in its Declaration of August 7, 1972, the possibility to concelebrate in other cases saying: "Capitulars and members of any institute of perfection, who are bound to celebrate for the pastoral welfare of the faithful, may also on the same day concelebrate at the conventual or community Mass". Obviously this norm aims at fostering and strengthening fraternal charity in community life so necessary in any religious community. Moreover, the same S. Congregation adds: "Whoever, in conformity with n. 158 of the *General Instruction of the Roman Missal*, concelebrates on the occasion of the pastoral visitation or a peculiar assembly or priests, i.e. a gathering dealing with pastoral topics, a congress, a pilgrimage, may celebrate another Mass for the welfare of the faithful". This norm is found also in the *Ritus servandus in concelebratione Missae* (n. 9, d), with the following addition: "In other cases, whoever concelebrates may not celebrate another Mass on the same day".

Likewise we read in the *General Instruction of the Roman Missal*, nn. 157, 158 the following: "Concelebration is recommended whenever priests meet with their Bishop during a retreat

or any other gathering. At this time the sign of the unity of the priesthood, and of the Church itself, is even more clearly manifested". Because of the occasion or the particular significance of the rite it is permissible to celebrate or concelebrate more than once on the same day in the following cases:

a) One who has celebrated or concelebrated the Chrism Mass on Holy Thursday may also celebrate or concelebrate the evening Mass;

b) One who has celebrated or concelebrated the Easter vigil Mass may celebrate or concelebrate the second or third Mass of Easter,

c) All priests may celebrate or concelebrate the three Masses of Christmas, provided these are celebrated at the proper time.

d) One who concelebrates with the Bishop or his delegates at a Synod, at a pastoral visitation, or at meetings of priests may celebrate another Mass for the benefit of the faithful, if the Bishop so decides. This holds also for meetings of religious with their Ordinary or his delegate".

The Sacred Congregation for Divine Worship stated in the Instruction *Eucharisticum Mysterium*: "Whenever the welfare of the faithful is not hindered and as long as each priest is left free to celebrate individually, concelebration is advised in communities where there are several priests or during gatherings that may occur on certain days or occasions. Priests who live in community or exercise their priestly ministry in the same church may invite other guest priests who by chance are with them to concelebrate too" (n. 47).

The reason behind the foregoing concessions for concelebration is obvious: concelebration fosters and enhances unity within the Church in its manifold aspects. On March 7, 1965 the Sacred

Congregation for Divine Worship had already issued a Decree dealing with the excellence and advantages of concelebration. This Sacred Dicastery stressed in particular the identity and unity of the Holy Mass and the Sacrifice of the Cross. All Masses in the world commemorate and renew the same divine immolation performed by Jesus Christ, who offered His Life and shed His Blood for the redemption of all mankind. In every concelebration the unity of Holy Sacrifice and priesthood shines forth and is enhanced in a particular manner: no matter the number of concelebrant priests, for all are ministers and representatives of Christ, who offer the same sacrifice of the Cross. Moreover, the unity of the whole People of God is more vividly shown in the active participation of the whole Church, which thus shares more fully the merits gained by our Holy Redeemer and which are communicated in the Holy Mass.

The same S. Congregation stressed again on May 25, 1967 in the Instruction *Eucharisticum Mysterium* the identity of the Holy Mass with the Sacrifice of the Cross, the unity of the Sacrifice and priesthood flowing from the High Priest, Jesus Christ, as well as the unity of the whole Church to its Divine Head, mysteriously signified in a special way in the concelebration in the Holy Mass before the People of God.

"It belongs, however, to the Bishop or local Ordinary to regulate the discipline to be followed in concelebration in his diocese according to the law even in churches and semi-public oratories of exempt religious communities" (*General Instruction of Roman Missal*, n. 155). He can, for instance, prohibit concelebration in other churches at the same time when there is concelebration in the cathedral. He can prevent abuses, provide for the individual celebration of Mass for the spiritual welfare of the faithful, give norms concerning the observance of rite and discipline, etc.

The S. Congregation for Divine Worship declared however, on January 12, 1966 that there is no need of the Bishop's license to concelebrate in churches of religious institutes, since the Major Superior's faculty implies the following: a) competence to judge on the opportunity to concelebrate; b) power to give permission, and c) to determine, if necessary, the number of concelebrants. Moreover, "every Ordinary, including the Major Superior of non-exempt clerical religious institutes and of societies of clerics living in community without vows, has the right to judge the suitability of, and give permission for concelebration in his churches and oratories" (*General Instruction of the Roman Missal*, n. 155).

The competent superior should facilitate and foster concelebration, if pastoral need does not require him to do otherwise. "Where the number of priests requires it, the competent superior may allow concelebration at different hours of the same day and in different sacred places" (*General Instruction of the Roman Missal*, n. 154).

"No one is ever admitted to concelebrate in a Mass which has already begun" (*Ritus Servandus in Concelebratione Missae*, n. 8).

The Sacred Congregation for Divine Worship in her Instruction *Eucharisticum Mysterium* of May 25, 1967 stated that "in liturgical celebrations, as a rule, the distraction of the faithful should be avoided. Hence, no two simultaneous concelebrations can be held in the same church. It would divide the attention of the participants, which should be avoided in the Eucharistic celebration. Thus, it should be similarly avoided on Sundays and Holidays of Obligation to celebrate simultaneously more than one Mass in the same church, which should be avoided also, as much as possible, on weekdays. This can be achieved through concelebration" (n. 17).

The Bishop and competent Superior should take special care that in the communities and priestly gatherings concelebration be performed with dignity and true piety. They should foster the exterior and interior participation by following the norms of the *General Instruction of the Roman Missal*, observing properly what is to be carried on according to the nature of each part of the Mass, taking into account the various functions and duties, as well as the importance of both singing and sacred silence.

To answer the question of our consultant we quote canon 905, § 2: "Apart from those cases in which the law allows him to celebrate or concelebrate the Eucharist a number of times on the same day, *a priest may not* celebrate more than once a day".

It is wrong to believe that a priest who by law is allowed to concelebrate before or after his private Mass for the welfare of the faithful, may concelebrate several times on the same day. A concelebrated Mass is the same Eucharistic Sacrifice as the individual Mass is. It is forbidden by law to say more than one Mass on the same day. This applies to the Mass whether celebrated individually and concelebrated.

Homiletic and Bibliarasal Pointers **March - April 1999**

EFREN RIVERA, OP

MARCH 7, 1999

THIRD SUNDAY IN LENT, YEAR A

EXODUS 17:3-7

YAHWEH GIVES WATER TO HIS PEOPLE

JOHN 4:5-42 (4:5-15, 19-26, 39, 40-42)

JESUS GIVES THE WATER OF ETERNAL LIFE

A. STUDY OF THE TEXT / BIBLIARASAL STEP 3

Exodus 17:3-7, the First Reading, gives us an example of how Israel tempted God. "Tempting God consists in putting his goodness and almighty power to the test by word or deed...The challenge contained in such tempting of God wounds the respect we owe our Creator and Lord. It always harbors doubt about his love, his providence, and his power" (CCC 2119).

These words quoted from the Catholic Church Catechism gives us a clue to the significance of the water which Yahweh

provided for his people through Moses. It is an image of Yahweh's **Love, Providence and Power**. This imagery is completed in the New Testament when Jesus says that the water he will give is "a fountain... leaping up to provide **Eternal Life**" (Jn 4:16). People who seek meaning in their lives have a thirst for God that can be quenched only by the water of eternal life (see CCC 2557).

Focus Points. (1) Ex 17:6 "I will be standing there in front of you on the rock in Horeb. Strike the rock, and the water will flow from it for the people to drink." This Moses did, in the presence of the elders of Israel. It would seem at first that the people had not done anything that was ugly in God's sight, since the text does not say at first that God was displeased with the people's complaint. However, verse 7 says that the Israelites "*tested the Lord*, saying, 'Is the: Lord in our midst or not?'" As the CCC says, such tempting of God "wounds the respect we owe our Creator and Lord" (n. 2119). God, for his part, shows his patience toward his people and gives them what he would have given them anyway, but as a blessing and not as a concession to spoiled brats. In the light of verse 7, the water is "sacramental" — it manifests God's PRESENCE in the midst of his people.

(2) Jn 4:14 "Whoever drinks the water I give him will never be thirsty; no, the water I give shall become a fountain within him, leaping up to provide eternal life." Jesus uses the image of water to signify the Holy Spirit (see Jn 7:39) to be given by Jesus as an inner, spiritual dynamism to his followers who will thereby be empowered to live **a higher quality of life**. This life is not snuffed out at death and becomes even better in the after life.

For more on Jn 4:5-42 see Homiletic and Bibliarasal Pointers, Lent-3, 1996.

B, REFLECTION POINTS
BIBLIARASAL STEPS 4 & 5: **GOD** SPEAKS,
WE LISTEN AND SHARE

1. The God who is "in the midst of his people" is YAHWEH — who "revealed himself to Israel as the one 'abounding in steadfast love and faithfulness' (Ex 34:6). These two terms express summarily the riches of the divine name. In all his works God displays not only his kindness, goodness, grace, and steadfast love, but also his trustworthiness, constancy, faithfulness, and truth. M give thanks to your name for your steadfast love and your faithfulness' (Ps 138:2; cf. Ps 85:11). He is the Truth, for 'God is light and in him there is no darkness'; 'God is love,' as the apostle John teaches (1 Jn 1:5; 4:8)." — CCC 214. See CCC 215 - 217 on "God is Truth"; 218- 221 on "God is Love."

1.1 Pointer for sharing: Have you experienced God as Truth and/or as Love? Share your answer with your small group.

% "Life everlasting means a life transformed by God's Spirit into the perfect fulfillment of every dimension of our present bodily-spiritual lives. It is not simply a never-ending prolongation of our temporal lives, nor a static timelessness, but a radical change in the quality of life." Summary of the Catechism for Filipino Catholics, n. 689 [2098]. <> Eternal Life (Everlasting Life) is the ultimate goal of the Sacraments, see SCFC n. 514.

2.1 Pointer for sharing: Has your "quality of life" improved because of becoming a renewed Catholic Christian? Share your answer with your small group.

Knowing God's Name

Every time I went on pilgrimage to the Holy Land in the past three years our group made a visit to "King David's Tomb" — a Jewish synagogue on Christian Mount Sion. Actually, what one sees there is not a tomb but a "cenotaph," which is a tomb-like monument erected to a person whose body is elsewhere or can not be found. King David's real tomb has not been found until now but it must be somewhere in old Zion or the City of David, known to archeologists as Mt. Ophel. For Catholic pilgrims a visit to King David's Cenotaph is something special because it brings them to a Jewish synagogue still in use — not to a ruined place. Men are instructed to keep their heads covered and if *they* do not have a hat, there are cardboard caps available at the entrance.

In a prominent place in the synagogue, a visitor or worshipper sees God's Holy Name in Hebrew letters. This is known as "Ha Shem" — "the Name" — and its original pronunciation is considered ineffable (not to be uttered). Biblical scholars today pronounce it as YAHWEH. The Catholic Church Catechism gives three choices as to its translation: "I AM HE WHO IS," "I AM WHO AM," or "I AM WHO I AM." For short, one can simply translate Yahweh as "I AM."

A member of the Goodnews pilgrimage group that visited the Synagogue in November 1998 had an experience that made her aware of what God's name really means. Due to an oversight, the group drove away from David's Harp Restaurant not knowing she was left behind. Realizing that she had been left behind, she started to panic. It was the group's last day in Israel and all her things were in the bus, which, in about four hours, would bring the group to the airport. She almost fainted due to her anxiety. But at that point, Rima, the guide, was already rushing to her side because the bus had gone back for her.

To be left behind by your tourist bus is like being without Yahweh. To see your tourist guide coming to your rescue is to experience Yahweh's saving presence.

MARCH 14, 1999

FOURTH SUNDAY IN LENT, YEAR A

1 SAMUEL 16:1, 6-7, 10-13
YAHWEH LOOKS INTO THE HEART

! JOHN 9:1-41 (9:1, 6-9, 13-17, 34-38)
I WAS BLIND BEFORE; NOW I CAN SEE

A. STUDY OF THE TEXT / BIBLIARASAL STEP 3

To "look into the heart" as God does is to disregard outward appearances and to search for qualities that make a person a good cooperator with God. In David's case, as narrated in the First Reading, it is his humility, youthfulness and dedication to his work that are considered as promising qualities for a career of cooperating with God, which is what a king of God's people should do.

The gift of sight, in the Gospel Reading, is to be understood as an image of the desire *to see God*. It is a desire for true happiness that "frees man from his immoderate attachment to the goods of this world so that he can find his fulfillment in the vision and beatitude of God. "The promise (of seeing God) surpasses all beatitude... In Scripture, to see is to possess... Whoever sees God has obtained all the good of which he can conceive" (St. Gregory of Nyssa). (CCC 2548).

Focus Points. (1) 1 Sam 16:7-13 "Do not judge from his appearance or from his lofty stature... Not as man sees does

God see, because man sees the appearance but the Lord looks into the heart." (v. 11) "There is still the youngest, who is tending the sheep." (v. 13) Then Samuel, with the horn of oil in hand, anointed him in the midst of his brothers; and from that day on, the spirit of the Lord rushed upon David. The text narrates God's choice of a leader for his people. God does not choose a man who is strong and tall — a man who is impressive from the human viewpoint, especially if one is thinking of a warrior-king. God chooses someone who will follow his guidance, one who will be led by the Spirit of the Lord. The qualities needed are found in David, the humblest among the brothers, hard-working and youthful, hence, idealistic and eager to learn.

(2) Jn 9:1-41. (v. 5) "While I am in the world I am the light of the world." (v. 7) "Go, wash in the pool of Siloam." (This name means 'One who has been sent.') So the man went and washed, and came back able to see. (v. 22) The Jews had already agreed among themselves that anyone who acknowledged Jesus as the Messiah would be put out of the synagogue, (v. 39) "I came into this world to divide it, to make the sightless see and the seeing blind." Without denying the historicity of this story, the use of this passage in Christian Liturgy is symbolic. The man born blind represent all those who will be brought by Christian teachers to the Christian faith and the waters of Baptism (the Pool of Siloam) so that Christ could give them a glimpse of God. The Pharisees in the story represent all the Jews from the time of Christ to the time of the Gospel's writing who refused to join the Christian Community. The story illustrates their blindness.

For more on Jn 9:1-421 see Homiletic and Bibliarasal Pointers, Lent-4, 1996.

B. REFLECTION POINTS

BIBLIARASAL STEPS 4 & 5: GOD SPEAKS, WE LISTEN AND SHARE

1. Today's First Reading provides us with an excellent opportunity to reflect on the Tenth Commandment because it "concerns the intentions of the heart" (CCC 2534). The tenth commandment forbids *greed* and the desire to amass earthly goods without limit. It forbids *avarice* arising from a passion for riches and their attendant power. It also forbids the desire to commit injustice by harming our neighbor in his temporal goods (CCC 2536). The tenth commandment requires that *envy* be banished from the human heart ... (CCC 2538 - 2540). ◇ The positive side implied in the tenth commandment is the "desire for the Sovereign Good" which comes from "the Holy Spirit who satisfies man's heart" (CCC 2541 see also 2542-2543). ◇ In this connection the Catholic Church Catechism also discusses "Poverty of Heart" (2544-2547)

hi Pointer for sharing: Have natural qualities like humility, youthful idealism, openness to learn, industriousness, and the like, helped prepare you for an "onrush of the Holy Spirit" for an exercise of leadership in the Christian Community? Share your answer with your small group.

% The spiritual blindness of the Pharisees stemmed from their prejudice and lack of common sense or, more precisely, from their excessive attachments to minor teachings touching on the Law of Moses. To be cured from such blindness is a greater miracle than a cure from physical blindness. Afterwards, there is still a struggle to be won, if a person really wants to see God. The Catholic Church Catechism says: "In order to possess and contemplate God, Christ's faithful mortify their cravings and, with

the grace of God, prevail over the seductions of pleasure and power" (2549).

2.1 Pointer for sharing: Although we may not yet "possess and contemplate God" on earth, we may catch glimpses of him, as the blind man cured at Siloam was able to glimpse him through his encounter with Jesus Christ. Have you had such glimpses of God in your life? Share your answer with your small group.

Seeing "Lithostrotos"

The holy place called "Lithostrotos" is the stone pavement of a courtyard in the Fortress Antonia at the Northwestern end of the Temple of Jerusalem area at the time of Jesus. There, most probably, Jesus was crowned with thorns and mocked by soldiers (Mk 15:16) after being scourged. From there the soldiers "led him out to crucify him" (Mk 15:20).

Today this holy place is a few meters below street level. Pilgrims should realize that present-day Jerusalem is a living city. Although it was reduced to rubble by the Romans in the year 70 AD, it literally rose from the rubble, that is, the old streets and pavements were covered with debris and soil and new structures were built. In the following centuries when wars repeatedly reduced buildings to the ground, other rounds of rebuilding kept pushing the street level higher. The present stones of the *Via Dolorosa* (where the Stations of the Cross have been marked) are not the same stones on which Jesus trod.

In contrast, Jesus walked on the stones of "Lithostrotos." He walked on them as a man who had been scourged, crowned with thorns and mocked, ready to be led away for crucifixion. That is what makes a visit to this holy site such a moving experience.

Not all pilgrims, however, get to see this place. In our 1996 and 1997 pilgrimages our groups did not have time to get here. That's because one has to wait for the doors to open at visiting hours, and one has to have time to go down and up again slowly by narrow stairs, pass through winding corridors, and sometimes step on planks over excavations. You must be truly determined if you want to see this holy pavement.

Our November 1998 pilgrimage group got to see "Lithostrotos" — thanks in great measure to our very dedicated and knowledgeable guide, Rima.

MARCH 21, 1999

FIFTH SUNDAY IN LENT, YEAR A

EZEKIEL 37:12-14

YOU SHALL KNOW THAT I AM THE LORD

| **JOHN 11:1-45 (11:3-7, 17, 20-27, 33-45)**
THE RAISING OF LAZARUS - FOR GOD'S GLORY

A. STUDY OF THE TEXT / BIBLIARASAL STEP 3

God is glorified when he is recognized as "YAHWEH" — THE GREAT "I AM" OR "HE IS." "The divine name-expresses God's faithfulness: despite the faithlessness of men's sin and the punishment it deserves, he keeps 'steadfast love for thousands.'" (Ex 34:7). This thought of the Catholic Church Catechism (211) had already been expressed by Ezekiel 37:12-14 (our First Reading), wherein, in addition, the role of the Spirit is set forth (see also CCC 715).

The Raising of Lazarus was "for God's glory, that through it the Son of God may be glorified" (Jn 11:4).

Focus Points. (1) Ez 37:12 Thus says the Lord God: O my people, I will open your graves and have you rise from them, and bring you back to the land of Israel, (v. 13) Then you shall know that I am the Lord, when I open your graves and have you rise from them, O my people! (v. 14) I will put my spirit in you that you may live, and I will settle you upon your land; thus you shall know that I am the Lord. I have promised, and I will do it, says the Lord. The Jerusalem Bible renders "Lord God" in v. 12 as "Lord Yahweh." "You shall know that I am the Lord in v. 13 and 14 is translated as "you will know that I am Yahweh." It is necessary to point these out to understand the text properly. The name "Yahweh" is attached to God's characteristics of "abounding in steadfast love and faithfulness" (see Ex 34:6). God's promise in this text of Ezekiel is that the people who receive God's life-giving and renewing Spirit will know him as Truth and Love (see CCC 214-221).

(2) Jn 11:3-4 The sisters sent word to Jesus to inform him, "lord, the one you love is sick." Upon hearing this, Jesus said: "This sickness is not to end in death; rather it is for God's glory, that through it the Son of God may be glorified." God is glorified when he accomplishes works of salvation that lead people to praise and thank him. In the raising of Lazarus the work is accomplished through Jesus, who thereby shares in God's glory.

For more on Jn 11:1-45 see Homiletic and Bibliarasal Pointers, Lent-5, 1996.

B. REFLECTION POINTS

BIBLIARASAL STEPS 4 & 5: GOD SPEAKS, WE LISTEN AND SHARE

1. "Believing in God, the only One, and loving him with all our being has enormous consequences for our whole life. *It means coming to know God's greatness and majesty... It means living in thanksgiving... It means knowing the unity and true dignity of all people... It means making good use of created things... It means trusting God in every circumstance...* (CCC 222-227).

LI Pointer for sharing: Has anyone ever taught you about the implications of faith in One God or faith in Yahweh? Share your answer with your small group.

2. Related to the glorification of God through praise and thanksgiving for the marvelous works of salvation that he has accomplished is the petition of the Lord's Prayer, "*Hallowed be thy name.*" "This petition is here taught to us by Jesus as an optative: a petition, a desire, and an expectation in which God and man are involved. Beginning with this first petition to our Father, we are immersed in the innermost mystery of his Godhead and the drama of the salvation of our humanity. Asking the Father that his name be made holy draws us into his plan of loving kindness for the fullness of time, 'according to his purpose which he set forth in Christ,' that we might 'be holy and blameless before him in love'" (CCC 2807). "This petition embodies all the others..." (CCC 2815).

2.1 Pointer for sharing: Have you planned some actions of yours to glorify the name of God? What happened then? Share your answer with your small group.

Hallowed Be Thy Name

A pilgrim who stands at the Temple area of Jerusalem and looks eastward to the Mount of Olives will see the tower of the Pater Noster Church where the prayer taught by Jesus himself is featured in sixty-five languages (the number is still growing).

Fortunately, the Philippines is represented in that sanctuary by three of its languages — Tagalog, Pampango and Ilonggo. The Tagalog and Pampango texts of the prayer are inside the church itself, in opposite sides. The Ilonggo text is in a kind of roofless room before the main entrance to the Church.

The Tagalog translation of the first petition of this famous prayer is somewhat misleading. It says, "*sambahin ang ngalan mo*" and seems to suggest that God's Name be written in a way that will catch the worshipper's attention and placed in a wall, and people will bow before it or prostrate themselves before it. Of course, those who are instructed in the Catholic faith know that no such actions happen in Catholic places of worship.

Still, it is good that the Summary of the Catechism for Filipino Catholics explains the true meaning of the petition thus; "We pray that God's holiness (*Is* 6:3) — His glory as "totally Other" than His creatures — be manifested among us in His justice (*Is* 5:16), both in word and deed." (SCFC 711). When we pray the Our Father, we must open our minds and hearts to cooperate with God in his work of sanctifying us and making us like him, to praise and thank him for his marvelous deeds for our salvation, and to bring about justice among all people.

MARCH 28, 1999
PASSION / PALM SUNDAY

ISAIAH 50:4-7
YAHWEH, THE LORD, HELPS HIS SERVANT

MATTHEW 26:14 — 27:66 (27:11-54)
THE PASSION ACCORDING TO MATTHEW
(FULFILLMENT OF THE SUFFERING SERVANT
PROPHECIES)

*For Mt 21:1-11 (The Lord's Entrance) see Homiletic
and Bibliarasal Pointers, Palm Sunday 1996*

A. STUDY OF THE TEXT / BIBLIARASAL STEP 3

"The Messiah's characteristics are revealed above all in the 'Servant songs' (among them Isaiah 50:4-10). These songs proclaim the meaning of Jesus' Passion and show how he will pour out the Holy Spirit to give life to the many: not as an outsider, but by embracing our 'form as slave.' Taking our death upon himself, he can communicate to us his own Spirit of life" (CCC 713).

"The Scriptures had foretold the divine plan of salvation' through the putting to death of 'the righteous one, my Servant' as a mystery of universal redemption, that is, as the ransom that would free men from the slavery of sin... In particular Jesus' redemptive death fulfills Isaiah's prophecy of the suffering Servant. Indeed Jesus himself explained the meaning of his life and death in the light of God's suffering Servant. After his Resurrection he gave this interpretation of the Scriptures to the disciples at Emmaus, and then to the apostles" (CCC 601).

Focus Points. (1) Isaiah 50: 6 I gave my back to those who beat me, / my cheeks to those who plucked my beard; / My face I did not shield / from buffets and spitting, (v. 7) The Lord God is my help, / therefore I am not disgraced; / I have set my face like flint, / knowing that I shall not be put to shame. In this prophecy of Christ's Passion, it is clear that he is not abandoned by God. Prophetically, the Servant says: "The Lord God is my help, therefore I am not disgraced. The Catholic Church Catechism clearly states that "Jesus did not experience reprobation as if he himself has sinned" (see CCC 603).

(2) Mt 26:14-27:66 (The Passion of Jesus Christ: the fulfillment of the prophecies portraying the Suffering Servant). "God's saving plan was accomplished 'once for all' by the redemptive death of his Son Jesus Christ" (CCC 571).

B. REFLECTION POINTS

BIBLIARASAL STEPS 4 & 5: GOD SPEAKS, WE LISTEN AND SHARE

1. "The whole divine economy (God's project to save humankind) is the common work of the three divine persons. For as the Trinity has only one and the same nature, so too does it have only one and the same operation... However, each divine person performs the common work according to his unique personal property.

1.1 Pointer for sharing: Do you think of God the Father as also your Redeemer (see Ps 19:14)? In what way is he a Redeemer? Share your answer with your small group.

2. "Jesus' violent death was not the result of chance in an unfortunate coincidence of circumstances, but is part of the mystery of God's plan, as St. Peter explains to the Jews of

Jerusalem in his first sermon on Pentecost: "This Jesus [was] delivered up according to the definite plan and foreknowledge of God" (Acts 2:23).

2.1 Pointer for sharing: In God's plan is there room for your participation in Christ's sacrifice? (See CCC 618). Share your answer with your small group.

Touching the Rock of Golgotha

Pilgrims to the Holy Land who have a knowledgeable guide have several opportunities of touching the bedrock of places associated with Christ. Thus, the group of pilgrims brought to the Holy Land in November 1998 by Goodnews International Travel were able to touch the bedrock of "Mensa Christi" (where Christ partook of a meal with his disciples after the Resurrection), of Mt. Tabor (where Christ was transfigured), of the Mount of Olives (where Christ ascended to heaven). Most touching of all is touching the bedrock of Calvary (or Golgotha in the Aramaic language), where Jesus was crucified. There is a hole below the Greek Orthodox altar of Christ's crucifixion. You put your whole arm into it, and that enables you to touch the bedrock.

Pilgrims touch the bedrock not out of superstition but piety. Besides, it is a gesture that can indicate one's desire to participate in Christ's sacrifice. Afterall, Christ invited his disciples to "take up [their] cross and follow[him]" (Mt 16:24). In fact, Christ left us an example "so that [we] should follow in his steps" (1 Pet 2:21).

APRIL 4, 1999
EASTER SUNDAY

ACTS 10:34, 37-43
GOD RAISED JESUS UP ON THE THIRD DAY

JOHN 20:1-9
EVENTS AT THE EMPTY TOMB

A. STUDY OF THE TEXT / BIBLIARASAL STEP 3

"The Resurrection of Jesus is the crowning truth of our faith in Christ, a faith believed and lived as the central truth by the first Christian community; **handed** on as fundamental by Tradition; established by the documents of the New Testament; **affirm**ed as an essential part of the Paschal mystery along with the cross:

Christ is risen from the dead!
Dying, he conquered death;,
To the dead, he has given life." (CCC 638).

This "crowning truth of our faith" was first preached to the gentiles by St. Peter, when he addressed the household of Cornelius at Caesarea.

Among the "documents of the New Testament" that established the truth of Christ's Resurrection is the Gospel according to John, from which the Liturgy takes today's Gospel Reading — about events at the empty tomb.

Focus Points. (1) Acts 10:40-41 They killed him finally, 'hanging him on a tree,' only to have God raise him up on

the third day and grant that he be seen, not by all, but only by such witnesses as had been, chosen beforehand by God — by us who ate and drank with him after he rose from the dead.

Although it is quite common to say today that Jesus rose from the dead by the power of his divinity, the biblical expression for this truth is that *"God (the Father) raised him up."* The text goes on to say that the Father also designated the Apostles as the *ex officio* witnesses of the Resurrection. God and people had to cooperate, otherwise the salvific purpose of the Resurrection would have been frustrated.

(2) Jn 20:6-9 Presently, Simon Peter came along behind him and entered the tomb. He observed the wrappings on the ground and saw the piece of cloth which had covered the head not lying with the wrappings, but rolled up in a place by itself. Then the disciple who had arrived first at the tomb went in. He saw and believed. (Remember, as yet they {did not understand the Scripture that Jesus had to rise from the dead.}) This text tells us of three ways of arriving at faith in the Resurrection of Christ. The first is John's way. He had been at the foot of the cross and had joined the group that laid the dead Jesus on the tomb. When he went to the empty tomb on Resurrection day it was not the first time he saw those wrappings — he had already seen them on Good Friday. When he saw them again in the tomb now empty, something in his subconscious mind, something he had gained from experience, prodded him to believe. The second way is Peter's way. He went away from the empty tomb still in a daze, still an unbeliever. The Risen Christ had to appear to him for him to believe. The third way is the way of those who come to "understand the Scripture that Jesus had to rise from the dead." This was the way taken by most Jewish converts to the Christian faith.

For more on Jn 20:1-9 see Homiletic and Bibliarasal Pointers, Easter 1996.

B. REFLECTION POINTS

BIBLIARASAL STEPS 4 & 5: GOD SPEAKS, WE LISTEN AND SHARE

1. "Christ's Resurrection is an object of faith in that it is a transcendent intervention of God himself in creation and history. In it the three divine persons act together as one, and manifest their own proper characteristics. The Father's power "raised up" Christ his Son and by doing so perfectly introduced his Son's humanity, including his body, into the Trinity. Jesus is conclusively revealed as 'Son of God in power according to the Spirit of holiness by his Resurrection from the dead.'⁵ St. Paul insists on the manifestation of God's power through the working of the Spirit who gave life to Jesus' dead humanity and called it to the glorious state of Lordship." (CCC 648).

/./ Pointer for sharing: When did you realize for the first time that the whole Holy Trinity had a part in the Resurrection of Jesus Christ? When did you realize for the first time that the witness of the Apostles was necessary for the proclamation of the Resurrection? Share your answers with your small group.

2. "The empty tomb and the linen cloths lying there signify in themselves that by God's power Christ's body had escaped the bonds of death and corruption. They prepared the disciples to encounter the Risen Lord" (CCC 657). For most people it is not seeing the empty tomb but an experience of "encounter" with Jesus Christ that leads to a (deeper) belief in the Resurrection.

2 J Pointer for sharing: When did you experience your first "encounter" with the Risen Christ? Share your answer with your small group.

Visiting the Empty Tomb

The Tomb of Christ venerated at the Basilica of the Holy Sepulcher in Jerusalem is not totally empty inasmuch as there are icons, lamps, candles, flowers in it and there is a continuous stream of pilgrims coming in and out. But unlike the tombs of Mao Zedong, Tito, Abraham Lincoln and other great people whose mortal remains are inside a coffin, the tomb that once held the dead body of Christ does not have any mortal remains in it. For what was mortal and earthly became Immortal and Heavenly within three days. That is the mystery of the Resurrection of Christ. Being a mystery of faith, human reason and concrete evidence cannot prove it directly.

The Apostle John, entering the empty tomb, gained faith in the Resurrection of Jesus. Pilgrims today do the opposite. They manifest their faith in the Resurrection of Christ by entering the Empty Tomb.

I know from experience that the best time to visit the Holy Sepulcher is during lunch time, or at around 7:00 AM after Masses have been celebrated, or in the afternoon after 5:00. Otherwise, one has to stand in a long, slow moving cue of pilgrims before being able to pray for about 30 seconds inside the tomb.

The November 1998 Goodnews pilgrimage group was blessed to get about two quiet minutes inside the inner chamber of the tomb for each member of the group. And once more, at the end of their Way of the Cross, they prayed outside the tomb but very close to it.

APRIL 11, 1999
SECOND SUNDAY OF EASTER

ACTS 2:42-47
THEY SPENT TIME PRAISING GOD

JOHN 20:19-31
THOMAS' CONFESSION: "MY LORD AND MY GOD!"

A. STUDY OF THE TEXT / BIBLIARASAL STEP 3

The practice of the Christian assembly to celebrate Sunday as "the Lord's day" — *"dies Dominica"* from which comes Spanish *"Domingo"* and its Tagalog corruption into *"Linggo"*— dates from the scene in Acts described in verses 46-47 of the First Reading. (CCC 2177-2178).

"At the prompting of the Holy Spirit, 'Lord' expresses the recognition of the divine mystery of Jesus. In the encounter with the risen Jesus, this title becomes adoration: 'My Lord and my God!' It thus takes on a connotation of love and affection that remains proper to the Christian tradition: 'It is the Lord!'" (CCC 448).

Focus Points. (1) Acts 2:46-47 They went to the temple area together every day, while in their homes they broke bread. With exultant and sincere hearts they took their meals in common, praising God and winning the approval of all the people. Day by day the Lord added to their number those who were being saved. As long as the Temple of Jerusalem stood (until AD 70) the early Christians went there to praise and worship God. But a new element is now added to this worship inasmuch as "in their homes they broke bread". This expression is used

in early Christian writings to designate the Eucharist and by using it here Luke intimates to us that the Eucharistic celebration, little by little, overshadowed the Christian prayers at the Temple.

(2) Jn 20:27-29 Jesus said to Thomas: "... Do not persist in your unbelief, but believe!" Thomas said in response, "My Lord and my God!" Jesus then said to him: "You became a believer because you saw me. Blest are they who have not seen and have believed." The context clearly shows that the words of Thomas are not merely an expression of surprise (as the *Iglesia ni Kristo* would like their followers to believe), but a true confession of the divinity of Jesus Christ.

For more on Jn 20:19-31 see Homiletic & Bibliarasal Pointers, Easter-2, 1996.

B. REFLECTION POINTS

BIBLIARASAL STEPS 4 & 5: GOD SPEAKS, WE LISTEN AND SHARE

1. "The Sunday celebration of the Lord's Day and his Eucharist is at the heart of the Church's life. 'Sunday is the day on which the paschal mystery is celebrated in light of the apostolic tradition and is to be observed as the foremost holy day of obligation in the universal Church.' (CCC 2177).

1,1 Pointer for sharing: How do you celebrate the Lord's Day? Share your answer with your small group.

2. "In the Greek translation of the Old Testament, the ineffable Hebrew name YHWH, by which God revealed himself to Moses, is rendered as Kyrios, 'Lord.' From then on, 'Lord' becomes the more usual name by which to indicate the divinity of Israel's God. The New Testament uses this full sense of the

title "Lord" both for the Father and - what is new - for Jesus, who is thereby recognized as God Himself. (CCC 446).

2.1 Pointer for sharing: Does the title, "Lord" or Tagalog "*Panginoon*" have any special meaning for you? Share your answer with your small group.

Visit to the Upper Room

A picture of the Cenacle or Upper Room was used by the Goodnews International Travel Corp. in the cover of its modest brochure inviting people to visit the Holy Land during the Year of the Holy Spirit. For indeed the Cenacle was the scene of the coming of the Holy Spirit on the first Christian Community on Pentecost Day. But this is not the only reason why the Cenacle is a holy place for Christians. It was also here that Jesus had his Last Supper in which he instituted two sacraments, that is, the Holy Eucharist and the Christian Priesthood. It was also here that Jesus appeared to his disciples "on the evening of that first day of the week (that is, Sunday)," (Jn 20:19), when he resurrected. Here also, on the next Sunday, he appeared to Thomas, who finally professed his faith saying, "My Lord and my God!" in front of his risen Master.

When the Goodnews pilgrimage group visited the Upper Room, aside from singing Eucharistic songs (*hang Bayan; No Mas Amor Que El Tuyo*), they also sang "Come, Holy Spirit, I Need You" while their chaplain laid hands on them. To the surprise of some people (but not to their chaplain) a number of the group experienced healing, either physical or spiritual or both, and, they found out later, this was not only for themselves personally but also for people they remembered in their prayers.

Thomas was healed spiritually at the Upper Room. Indeed, because of the institution of the Eucharist and the Christian Priesthood and because of the coming of the Holy Spirit on Pentecost, the Upper Room is where the human race was healed.

APRIL 18, 1999

THIRD SUNDAY OF EASTER

ACTS 2:14, 22-28

THE FATHER WORKED THROUGH JESVS CHRIST

LUKE 24:13-35

OUR HEARTS WERE BURNING AS HE TALKED TO US

A. STUDY OF THE TEXT / BIBLIARASAL STEP 3

Jesus accompanied his words with many "mighty words and wonders and signs," which manifest that the kingdom is present in him and attest that he was the promised Messiah, as Peter asserts in today's First Reading. "The signs worked by Jesus attest that the Father has sent him..." (CCC 548)

Jesus continued to use visible signs after his Resurrection, as when he joined two disciples going to Emmaus (Gospel Reading). "By means of touch and the sharing of a meal, the risen Jesus establishes direct contact with his disciples. He invites them in this way to recognize that he is not a ghost..." (CCC 645).

Focus Points. (1) Acts 2:22 Men of Israel, listen to me! Jesus the Nazorean was a man whom God sent to you with miracles, wonders and signs as his credentials. These God worked through him in your midst, as you well know. These words of Peter demonstrate that the work of redemption did not belong to the Son alone but also to the Father and the Holy Spirit.

(2) Lk 24:30-32 When he had seated himself with them to eat, he took bread, pronounced the blessing, then broke the bread and began to distribute it to them. With that their eyes were opened and they recognized him; whereupon he vanished from their sight. They said to one another, "Were not our hearts burning inside us as he talked to us on the road and explained the Scriptures to us?" The authentic, Teal body of the Risen Christ "possesses the new properties of a glorious body: not limited by space and time but able to be present how and when he wills; for Christ's humanity can no longer be confined to earth and belongs henceforth only to the Father's divine realm" (CCC 645).

B. REFLECTION POINTS

BIBLIARASAL STEPS 4 & 5: GOD SPEAKS, WE LISTEN AND SHARE

1. The miracles worked by Jesus "invite belief in him. To those who turn to him in faith, he grants what they ask. So miracles strengthen faith in the One who does his Father's works; they bear witness that he is the Son of God. But his miracles can also be occasions for 'offense;' they are not intended to satisfy people's curiosity or desire for magic. Despite his evident miracles some people reject Jesus; he is even accused of acting by the power of demons" (CCC 548).

1.1 Pointer for sharing: When did you first realize that the Father worked through Jesus Christ? Share your answer with your small group*

2. Christ's journey with the two disciples and his explanation of the Scriptures is perpetuated today through the sacraments and especially through Holy Mass.

2.1 *Pointer for sharing:* Does Holy Mass make your heart "burn" with holy emotions towards Jesus Christ? Why or why not? Share your answer with your small group.

Walking Where Jesus Walked

Near the Church called St Peter in Gallicantu in Jerusalem there are stone steps called the Maccabee Steps. Archeologists believe they were set in place during the time of die Maccabees (166-63 BC) to connect the hill which today is mistakenly called Mount Zion with the Pool of Siloam.

Presuming that the Cenacle venerated by pilgrims was indeed the Upper Room where Jesus celebrated his Last Supper, and that Jesus took the city gate near the Pool of Siloam to go to the garden of Gethsemane, he must have gone down these steps on Holy Thursday night after the institution of the Holy Eucharist. Possibly (see Jn 14:31 but also 18:1) these steps are the setting of the discourses on the True Vine (Jn 15:1-17), The Disciples and the World (Jn 15:18—16:4), and the Coming of the Paraclete (Jn 16:5-33), and of the Priestly Prayer of Jesus (Jn 17:1-26).

The November 1998 Goodnews Pilgrimage group walked down these steps before going to St. Peter in Gallicantu Church, while their chaplain told them the significance of what they were doing: they were walking on die very steps touched by die feet/sandals of Jesus about two hours before Judas betrayed him widi a kiss.

Sitting on the lower part of the stairs there was a French group being addressed by their leader dirough earphones. Apparently he was telling them that these steps were the setting of John 15-17 and mey kept themselves in a reverent and prayerful posture.

It seems that their hearts were burning as they thought of Jesus.
The same could be said about the Goodnews Pilgrimage group.

APRIL 25, 1999

FOURTH SUNDAY OF EASTER (GOOD SHEPHERD)

ACTS 2:14, 36-41

***THE FATHER HAS MADE JESUS BOTH LORD
AND MESSIAH***

JOHN 10:1-10

**I CAME THAT THEY MIGHT HAVE LIFE
TO THE FULL**

A. STUDY OF THE TEXT / BIBLIARASAL STEP 3

"Only after Jesus' Resurrection will Peter be able to proclaim Jesus' messianic kingship to the People of God: 'Let all the house of Israel therefore know assuredly that God has made him both Lord and Christ, this Jesus whom you crucified'" (today's First Reading), (CCC 440).

The Lord and Christ (Messiah) is a Shepherd King whose people is the Church. "The Church is, accordingly, a *sheepfold*, **the** sole and necessary pathway to which is Christ. It is also the flock of which God himself foretold that he would be the shepherd, and whose sheep, even though governed by human shepherds, are unfailingly nourished and led by Christ himself, the Good Shepherd and Prince of Shepherds, who gave his life for his sheep" (Vatican II *Lumen Gentium* quoted in the CCC 754).

Focus Points. (1) Acts 2:14, 36 [On the day of Pentecost] Peter stood up with the Eleven, raised his voice, and addressed the people: "Let the whole house of Israel know

beyond any doubt that God has made both Lord and Messiah this Jesus whom you crucified. Through the Resurrection, Ascension and the Coming of the Holy Spirit, Jesus was "*made Lord and Messiah*" EXISTENTIALLY that is, in his HUMAN NATURE he was taken to the divine sphere and given all power in heaven and on earth for the salvation of the human race, and all the messianic promises in the Scriptures were fulfilled.

(2) Jn 10 (v. 2) **The one who enters through the gate is shepherd of the sheep...** (v. 9) **I am the gate...** (v. 10b) **I came that they might have life and have it to the full.** There is a shifting in the imagery from shepherd to sheepfold gate, but the message is clear. Jesus came to give the fullness of life to those who believe in him.

B. REFLECTION POINTS
BIBLIARASAL STEPS 4 & 5: GOD SPEAKS,
WE LISTEN AND SHARE

L Jesus is LORD first of all because of his divinity (see CCC 455). He is also LORD because his human nature has been glorified and has been made the source of salvation (saving grace) for all who become his members through faith and baptism. In other words, he is also Lord because he is the Head of the Church.

1.1 Pointer for sharing: From your experience share with your group what you have found are appropriate ways of acknowledging the Lordship of Jesus Christ.

2. The Catechism for Filipino Catholics says: "This is a book about life in Christ, life lived according to the Gospel. The "Good News" is that God has become man in Jesus Christ our Lord, who came to save us from sin and bring us to fullness of life." (SCFC 23 / CFC 28). Further on it also says: "Cathohc

doctrine expresses how we Catholics find in Jesus Christ and in the Holy Spirit, both sent to us by our heavenly Father in the Church, the basis of *who* we are, *why* and *how* we are to live, and *where* our final destiny is" (SCFC 94), Knowing these give us wisdom and living according to this wisdom gives us true happiness.

2.1 Pointer for sharing: Has your interpersonal relationship with Christ given you a higher quality of happiness than you would otherwise have? Share your answer with your small group.

The Happiness of Following Christ

When Christian people go on a pilgrimage to the Holy Land, they "follow Christ" literally. The Goodnews Pilgrim's Guide says: "our pilgrimage is a journey to the Father following Jesus Christ, the Way (and the Good Shepherd), moved by the Holy Spirit, with Mary and Joseph, that is, as a family."

When the pilgrims had their pictures developed, people looking at their albums were struck by the fact that they were almost always smiling! In fact, one month afterwards they were still happily telling stories of their wonderful experiences during their sojourn in the Holy Land. Their pilgrimage was excellent and solid proof that following Christ gives people a higher quality of happiness than they would otherwise have.

ERRATUM

Document : EVANGELIUM VITAE
Issue : May-June 1995, vol. LXXI, nos. 784-785

First paragraph of page no. 313 should read:

Therefore, by the authority which Christ conferred upon Peter and his Successors, and in communion with the Bishops of the Catholic Church, / *confirm that the direct and voluntary killing of an innocent human being is always gravely immoral.* This doctrine, based upon that unwritten law which man, in the light of reason, finds in his own heart (cf. Rom 2: 14-15), is reaffirmed by Sacred Scripture, transmitted by the Tradition of the Church and taught by the ordinary and universal Magisterium.⁵¹