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LOVE FOR THE CHURCH

On April 29th we celebrate the feast of St. Catherine of Siena. This woman-saint, proclaimed Doctor of the Church, was noted, among other things, for her love for the Church and the Church ministers, namely, the Pope, Bishops and Priests.

During her time, there were plenty of troubles in the Church. There was laxity of morals among the people of God. There were ecclesiastics who were not edifying. And the Pope was not even residing in his own diocese of Rome. Indeed, there was need for reforms in all quarters of society both civil and religious.

In spite of all these, Catherine remained fruitful and loyal to the Church and her ministers. When others would have abandoned an apparently sinking ship, Catherine decided to stay and help save it. When others would have thrown invectives and condemnation against the non-edifying clergy, she dedicated her efforts to remedy the situation with admirable kindness. To her, the Church ministers were Christ on earth. And so she prayed for the priests and taught others to do the same.

It seems we are in a similar situation these days. There is plenty of trouble in our society both civil and religious. There is dissatisfaction with the Church and the clergy. Because of these problems some Catholics have left the fold. And even some priests have abandoned the ministry. Worse still, and to the scandal of the people of God, it seems that there are those of the clergy who are bent on making the situation deteriorate more.

One of the reasons for the canonization of saints is to give us models to emulate. Perhaps the situation will greatly improve if, like St. Catherine, we have a little bit more of love for the Church and her ministers.

THE EUCHARIST CONSTITUTES THE CHURCH*

We have great pleasure today in welcoming this group of yours, distinguished members of the International Committee for Eucharistic Congresses. We greet all of you, who are in charge, at different levels, of the Committee itself. We greet particularly Archbishop James Knox of Melbourne, a Vice-President, and we thank him for the exemplary sense of responsibility which has brought him to this Audience from so far away, thereby underlining the importance of the event to which it is the solemn prelude. You are, in fact, preparing for the International Eucharistic Congress to be held in that city; and now that it is less than a year away, you wished to meet us. But if this desire of yours was great, ours, we do not hesitate to say, was even greater, and now our satisfaction is very great indeed.

You offer us the opportunity to address the whole Church, in order that she may prepare, in a fitting way, for that important manifestation of eucharistic piety; you provide us with the possibility of taking an earnest appeal to the whole ecclesial community. Actually the forthcoming International Eucharistic Congress is a fact that interests and involves all of us who belong, in whatever capacity, to the People of God, Christ's flock. We must all prepare our hearts, we must all feel committed: individuals, local Churches, the universal Church — and on as wide a scale as possible. It is a grace that the Lord offers to all those who, loving him and following him, are signed with the name of Christians.

It will be an opportunity for dogmatic and theological reflection, and therefore for spiritual and religious renewal,

* On March 1 Paul VI received in audience the Presidency of the Permanent Committee for International Eucharistic Congresses, led by Vice-President Archbishop J. R. Knox of Melbourne, where the 40th International Eucharistic Congress will take place in 1973. The Pope delivered this address.

centered on the mystery of the Eucharist. It will be a reminder of the duty of charity, as the motto of the Congress richly recalls: "Love one another, just as I have loved you" (Jn. 13, 34). It is in the Eucharist, indeed, that there is the source, the principle and the "bond of charity" (cf. St. Augustine, *In Io. Ev. Tractatus XXVI*, c. 13; P.L. 35, 1613), and this extends to practical applications in the human and social field; it will be an invitation to unity and for unity, of which the Eucharist is the humble and powerful sign.

REAFFIRMATION INDEED

At this moment of history, when the greater the longing of the human family for unity, the more serious and real are the threats and attempts against it, it is necessary to reaffirm solemnly this value of the Eucharist, as a "sign of unity" (St. Augustine, *loc cit.*), as a means of cohesion, as a "symbol of concord" (Council of Trent, Sess. 13, chap. 8). And because of that ineffable and mysterious mandate that was conferred upon us, in Peter, by Christ, to strengthen our brothers in the faith, (cf. Luke 22, 32), we wish to address to the whole Church, the invitation to look with particular expectation and intense hope to the great event, destined to emphasize this important aspect of the eucharistic mystery.

Our predecessor Pius XII of venerated memory admirably defined the Sacrament of the Eucharist as "a vivid and stupendous image of the unity of the Church" (*Enc. Mystici Corporis*: A.A.S. 35, 1943, p. 233). The Eucharist constitutes the Church, theology today has repeated with loving insistence, and this concept is a favourite one in recent and contemporary studies, in the meditations of priests, of consecrated souls and of the faithful, open today more than ever to the communitarian demands of their faith. But the concept is as ancient as the Church. Participation in the Sacrifice of Our Lord effectively actualizes community with Jesus Christ and among the faithful. Revelation emphasizes this very forcefully: "Because there is one bread, we who are many are one body, for we all partake of the one bread" (1 Cor. 10, 17). In the Acts of the Apostles (2, 41 ss.) there is put before our eyes, three-dimensionally, as it were, this unity, this "community" of life and property, which in the young Christian society was the effect of assiduous participation in the "breaking of bread".

Sitting down at the same table to nourish themselves with the one Body of Christ produces in Christians deep and indivisible unity, the source of dedication to God in worship and to their brothers in charity. The Liturgy, with the sober force of its words and the allusive eloquence of its gestures, has made this truth understandable to everyone, and has been a powerful instrument to have it put into practice. It is not necessary to recall here the solemn, mystical and moving eucharistic prayer of the *Didache* (9.4), known to all. Nor is it necessary to cite the rite of *fermentum*, the piece of consecrated bread sent by the Pope, and by bishops in their dioceses, to their priests for the celebration of Mass, as "a symbol of the unity of the local Church and in particular of her close union in the celebration of the eucharistic mystery" (L. Duchesne, *Liber Pontificalis I*, Paris 1955, n. p. 169). It is a very ancient rite, to which St. Irenaeus already testifies (cf. Eusebius, *Hist. eccl.* V, 24; and cf. *Mansi*, II, 566), established as a canonical norm by Popes Melchiodorus and Siricius, and in use in Rome, up to the 8th century, on Holy Thursday (De Rossi, *Inscript. christ.*, II p. 34). *Lex orandi, lex credendi*: and in the life of the early Church these forms of worship testified in a very special way to the faith of the Christian community in the Eucharist as the Sacrament of unity, the centre of fusion and the impulse to charity, in the mutual communion, signified even visibly, between the Hierarchy, the clergy and the faithful, all closely united, whether near or distant, in participation in the one Sacrifice and the one Body of Christ.

"... WITHOUT WHICH NO SALVATION"

Summing up this century-old patrimony of revelation and of Christian worship, Vatican II expressed this profound significance of the eucharistic mystery for our times as follows: "In any community existing around an altar, under the sacred ministry of the bishop, there is manifested a symbol of that charity and 'unity of the Mystical Body; without which there can be no salvation' (cf. St. Thomas, *Summa Theol.*, 3, q. 73, a. 3). In these communities, though frequently small and poor; or living far from any other, Christ is present. By virtue of Him the one, holy, catholic, and apostolic Church gathers together" (*Lumen Gentium*, 26).

The Eucharistic Congress, drawing crowds of worshippers before the Blessed Sacrament, is also a symbol, an extremely

efficacious one, of this interior and exterior ecclesial unity: yes, Christ present under the Eucharistic Species, calls the whole Church to himself, and makes her reflect on her vocation to unity and charity. Christ, solemnly and publicly worshipped, brings back the Christian community today to the original sources of its life, its very *raison d'être*.

The Congress is therefore an act of faith in the sovereignty of Christ's love, which radiates from the eucharistic presence (cfr. Pius XI, Litt. Enc. *Quas primas*, A.A.S. 17, 1925, p. 606); it is a reconfirmation of eucharistic worship in all its fullness and complementarity. We well know that the Sacrifice of the Mass holds the first place in the liturgy: all the documents of the Magisterium say so, up to the most recent ones. But we also wish to remind all our brothers, and sons, that, in spite of certain imprudent recent formulations, both theoretical and practical, all the forms of eucharistic worship maintain unaltered their validity, and their pedagogical and formative value as a school of faith, prayer and holiness.

The Church, right from the beginning, has always surrounded with the greatest respect the Eucharistic Species, the "caelestia membra", as they are called in the Damasus inscription on the tomb of St. Tarcisius, in memory of the young martyr to eucharistic faith, who was ready to give his life rather than leave the Lord's Body at the mercy of unbridled enemies (A. Ferrua, *Epigrammata Damasina*, Citta del Vaticano, 1942, pp. 117-119). As early as the second century, the Eucharist was brought to those who had not been able to be present at the liturgical celebration, or who were at death's door, and was preserved for this purpose. This is clearly confirmed by later testimonies, such as those of the First Council of Lyons (a. 1245; cf. Denz. Sch. 831), of Pone Gregory XI (a. 1370; cf. ib. 1101-1103), up to the solemn declarations of the Council of Trent "de cultu et veneratione huic ss. Sacramento exhibenda" (a. 1551; cf. ib. 1643.; 1656).

We do not wish to recall other well-known things, all the more so as in his Encyclical *Mediator Dei*, Pius XII, after summing up these testimonies, of Christian antiquity, the definitions of the Councils, the statements of the Fathers ("No one eats that flesh without having first worshipped it", St. Augustine, *Enarr. in Ps. 98*, 9; PL, 37, 1264), stressed that the "cult of adoration has a valid and solid motive. The Eucharist, in fact, . . . differs from the other Sacraments in that it not only pro-

duces grace, but permanently contains the very author of grace. When therefore, the Church commands us to worship Christ hidden beneath the eucharistic veils, and to ask Him for supernatural and earthly gifts, which we always need, she manifests the living faith wherewith she believes in the presence of her Divine Spouse beneath those veils, shows forth her gratitude and enjoys close familiarity with Him" (A.A.S. 39, 1947, p. 569).

CHRIST'S PRESENCE WITH US

The preparation of the forthcoming Eucharistic Congress throws light, therefore, on this fact: that "Christ is with us always, to the end of the world" (Mt. 28. 20). He is present in the little ones and in the poor, present in the revealed Word, present in the eucharistic celebration, but above all present, always and everywhere and in a quite special way, in the Blessed Sacrament. As we emphasized in our Encyclical *Mysterium Fidei*, this presence "is called *real* not by exclusion, as if the others were not *real*, but by antonomasia, because it is substantial; by virtue of it Christ, the God-Man, is made completely present (A.A.S. 57, 1965, p. 764).

The real presence of Christ is the prolongation of the sacrificial liturgy, it makes present the eternal liturgy of Heaven (cf. Hb. 7. 25) in expectation of the eschatological meeting with Christ, and applies the fruits of Holy Communion in the widest manner. But in addition to these dogmatic foundations, this presence, and consequently eucharistic worship outside the Mass, is of an importance that cannot be equalled: whether from the point of view of *cult*, as a form of worship, thanksgiving, propitiation and petition, which are the same ends as those of the Sacrifice; or from the *ascetic and mystical* point of view, because without a genuine eucharistic piety, no real nourishment is provided for the apostolate, nor is the fidelity of ecclesiastic vocations and of the priestly ministry assured (cf. *Presbyterorum Ordinis*, 4-5); or from the *ecclesial-communitarian* point of view, because "the Eucharist is preserved in churches and oratories as the spiritual centre of the religious and parish community, and in fact of the universal Church and of all humanity" (Encyclical *Mysterium Fidei*; A.A.S. 57, 1965, p. 772); or from the *social and human* point

of view, as the inspirer of charity and sociability or, finally, from the *ecumenical* point of view, as the source of food of unity, according to the principles we set forth in our above-mentioned Encyclical.

DISCOVERING CHRIST IN OTHERS

Venerable brothers and beloved sons,

This is what we wished to confide in you — and through you, to the whole Church — on the occasion of this first meeting in preparation for the International Eucharistic Congress at Melbourne. It is our heartfelt desire that those solemn celebrations in distant Australia, which we visited and which is so dear to us, will be the heart, as it were, of a new movement of piety, of a new love. Reviving the cult of the real presence of Christ, may they revive the generosity, the effort, the heroism of discovering Christ in the face and the sufferings of the poor, the needy, immigrants, the sick, the dying, and of serving him with one heart in them, sustained by the strength that derives exclusively from the long habit of prayer and familiarity with him.

May the Lord answer our desires with the secret and powerful outpouring of his grace which we invoke on you and on all those working for the success of the Congress. With our special Apostolic Blessing.

EPISCOPAL ORDINATION ANNIVERSARIES

Let us pray for our Bishops on the occasion of their ordination anniversaries.

Most Rev. Miguel Purugganan
April 22, 1971

Most Rev. Joseph W. Regan
April 25, 1962

Most Rev. Jesus Y. Varela
April 30, 1967

POPE'S HOMILY AT ORDINATION OF 19 BISHOPS*

CHARISM OF THE BISHOP EXPRESSED IN THE TRIPLE PASTORAL FUNCTION

This liturgical rite unfolds in two psychological stages. One stirs us to express our sentiments and thoughts, urging us to prayer, wherein we offer up to God our praise and invocations. The other imposes on us silence and quiet and disposes us to accept the inner voice of the Spirit. The first speaks to God. The other listens to Him. This second stage is now here. It is inserted into the prayers and gestures of this great ceremony, and bids us be silent and attentive. The first is active, the second is passive. But this second state, presenting nothing to God except attentive openness, waits for God to grant the gift of his active presence. Like a boatman ceasing to pull at the oars and letting the wind fill the sail and carry his boat along, each of us grows quiet in a moment of interior repose and gives himself up to the breath of the Spirit so as to hear his silent but impelling words.

"HERE SPEAKS PETER'S TOMB"

1. We listen. We listen to the mysterious voice of mute things which become eloquent as they express their spiritual meaning. We listen to what this famous and yet ever mysterious place is saying. It is the "trophy" of a tomb, the tomb that preserves the relics of the Apostle Peter. We are gathered over the tomb of him whom Christ changed from the lowly

* On Sunday, 13 February, the Holy Father conferred episcopal Ordination on 19 recently appointed Bishops from various countries of the world. The ceremony took place in St. Peter's Basilica, and the co-consecrators were Cardinal Alfrink, Archbishop of Utrecht, and Cardinal Conway, Archbishop of Armagh. This is a translation of the Pope's homily which he delivered in Latin.

weak Simon, son of Jonah, into Peter: the foundation upon which he, Christ, prophesied that he would build an indestructible edifice, "his Church".

The things we see, the things around us — are they not perhaps speaking? Do they not have an eloquent message to impart, even in the wordless materiality of their presence? There should be no need for us to speak. The message is here, we repeat; one need but listen to it. Here speaks Peter's Tomb, which holds the poor but triumphant remains of the Fisherman of Galilee. Here speaks the fact that we are gathered together, as members of the one, holy, Catholic and apostolic Church, firmly bound together, in spite of differences of origin, language and mentality, by the faith we express unanimously in the Creed. Does not the sacrament of apostolic succession, which we are celebrating, thus manifest itself historically and almost tangibly? Are not the bishops the successors of the Apostles, not merely juridically, but also as heirs in an ever-living communion of life-giving and ministry? And is not the first of the Apostles, Simon Peter, teaching us in this Basilica which is dedicated to him, in accordance with the prophecy of his first letter (cfr. 2:4-10)?

WITNESSES AND TEACHERS OF THE FAITH

In that letter it is clear that his special position is but a vicarious sacrament of the true and first living stone, Christ himself, the head of the spiritual family, in which all that is joined to him also comes alive and becomes a chosen race, a royal priesthood, a consecrated nation, won for the design of light and mercy that begets the People of God. Is there not thus an organic and harmonious significance in the distinction and the kingship between the common priesthood of the faithful — who make up with us the Mystical Body of Christ, which is the Church — and our ministerial episcopal priesthood, into which is poured in fullness the power of being depositories and transmitters of the mysteries of God?

Here the economy of the apostolic succession, we mean the hierarchical and ministerial one, becomes almost historically and tangibly evident for all present. But it impresses more strongly upon the minds of us bishops an awareness of our having been raised to the apostolic calling, that is, to the function of being witnesses and teachers of the faith, to the mission

of being transmitters of grace, and to the awesome but loving responsibility of being pastors. Let us be filled with this higher understanding of ordination, which marks us with the priestly character of Christ.

APOSTOLIC SUCCESSION AND GUARANTEE

2. But we listen to something else that flows, as a logical, historical, spiritual and real eloquence, from this mysterious and irrefutable fact of the apostolic succession: what ought also to occupy our minds this morning is the unity which results from that fact. The Church, which is founded upon the Apostles, comes from an eternal plan of God the Father who, through the ancient Covenant, chose his People, the heir of the messianic promises, and gathered it together through the sacrifice of his only Son, through the rite of the new Covenant. The apostolic succession is the guarantee of that unity, for which Christ died and rose again (cfr. Jn. 11:52): the bishops preside over the particular or individual local churches which, though separate in time and space, do not cease to be the one single People of God, just as God is one, God who calls them and sanctifies them.

In the awareness of the universality of the Church is rooted the awareness of her unity: "There is one Body, one Spirit, just as you were called. There is one Lord, one faith, one baptism, and one God, who is Father of all, over all, through all and within all" (Eph. 4:4-6). This consciousness has sustained the Church through the centuries of her history, beyond every break, every schism. The universal Church and the particular churches; the Successor of Peter and the successors of the Apostles: this is the living language of history, which we are listening to here today, in its living reality and authenticity. It strenghtens us all and brings us peace.

CHARISM AND AUTHORITY COINCIDE

3. We are hearing yet another mysterious voice, which carries on the train of the earlier reflections. It is the voice of the charism of the pastoral power conferred upon the bishops of the Church of God according to the precise will of Christ and the disposition of the Holy Spirit (cfr. Acts 20:28): "the Holy Spirit has made you the overseers to feed the Church of

God". The interior and exterior charism of the bishop is therefore that of being called to the leadership of that part of the flock which has been entrusted to him and which belongs to the one Church. It unfolds in the exercise of the triple pastoral function of magisterium, ministry and guidance. We are aware that in these recent times some have ventured to contrast the charismatic Church and the hierarchical Church, as though it were a matter of two distinct bodies, indeed contrasting and opposed bodies. In fact, in pastoral power, charism and authority coincide. We have received the Holy Spirit, who in the episcopal mission manifest himself: in this combination of magisterium, assisted by the light of the Paraclete, of ministry, which sanctifies through his grace, and of ruling, in the charity of service. These are all powers of the bishop and also gifts of the Spirit. It is the voice of Paul who reminds us of this and confirms it: "There is a variety of gifts but always the same Spirit; there are all sorts of service to be done, but always to the same Lord; working in all sorts of different ways in different people, it is the same God who is working in all of them" (1 Cor. 12:4-6).

CHARISMS OF FAITHFUL SUBJECT TO DISCIPLINE

From the one Triune God comes the one Church, for which the Bishops have the primary responsibility, sharing as they do an attribute which is at the same time charismatic and hierarchical. The particular charisms of the faithful are not of course denied—quite the contrary. The same passage from the first letter to the Corinthians presupposes and recognizes these charism, for the Church is a living organism animated by the very life of God, a life which is mysterious and many-sided, unforeseeable and various, a life which sanctifies and transforms. But the charism which are granted to the faithful, as Paul also emphasizes (cfr. 1 Cor. 14:26-33, 40), are subject to discipline, which is ensured only by the charism of the pastoral power, in charity.

This mission, which has been conferred upon the college of bishops, obliges us to reflect upon the Church and likewise upon the world, at whose service God has placed us. In the Church we are the means for bringing life to the family of God, and we are called, like Christ and in imitation and following of Him (Jn. 15:16), to give service and sacrifice in daily

immolation for the flock, at the same time ensuring for it security, communion, joy and all gifts of the Spirit (cfr. Gal. 5:22-23). This is a wonderful, a tremendous, an exhilarating vision of our place in the Church; we must ensure the Church's unity in the obedience and love of our dear sons and daughters! To be able to do this, we must remember that we have been in a certain way set apart, selected: "chosen to preach the Good News" (Rom. 1:1).

The demands of our ministry require a total gift of self and sever us from every binding or ambiguous tie with the world. At the same time they make us realize that we have been set up for the world, for its raising and sanctification, for its spiritual enlivening and consecration. Woe to the shepherd who should forget even one sheep, for he will be called to give an account of all: it is the tradition of Scripture, of the Prophet and of the Gospels that reminds us of this with frightening severity. Christ's love, which has conferred upon us the charism of pastoral authority, has granted us this charism for the sake of all men, and especially "for those who have strayed in any way from the path of truth or who are ignorant of the Gospel of Christ and his saving mercy" (*Christus Dominus*, 11).

Dear brothers, sons and daughters.

These are the words that resound in our ears today in this Basilica, at the Tomb of Peter, in the midst of the praying assembly here present. We have sought to express them, though we have gathered only a part of the richness of the message that they bring us. But the meditation continues: for you bishops especially, "brothers, who are delegates of the churches, a real glory to Christ" (2 Cor. 8:23), so that, to use again the words of Saint Paul, you may know how "to comfort yourselves in the house of God, which is the Church of the Living God, upholder and protector of the truth" (1 Tim. 3:15). It is our wish for each other that the commitment to treasure this hour of grace, will not stop here. As we continue the Mass, united to Christ, High Priest and Shepherd, who sanctifies and presents us all to the Father in the renewal of the one redemptive sacrifice, we shall ask him to give us an understanding of that sacrifice that is ever more loving, more attentive, more complete. And with understanding, may he give us also the grace to live our vocation, in communion with the People of God.

NEWLY ORDAINED BISHOPS

The following is the list of Bishops who received episcopal Ordination from the Holy Father in St. Peter's on Sunday, 13 February.

- Most Rev. Saminini Arulappa, Archbishop of Hyderabad in India, 6 December, 1971
- Most Rev. Edoardo Pecoraio, Apostolic Nuncio in Malta, titular Archbishop of Cumae, 28 December, 1971
- Most Rev. Edward L. Heston, C.S.C., President of the Pontifical Commission for Social Communications, titular Archbishop of Numida, 6 January, 1972
- Most Rev. Dermot Ryan, Archbishop of Dublin, 29 December 1971
- Most Rev. Giuseppe Casoria, Secretary of the Sacred Congregation for the Discipline of the Sacraments, titular Archbishop of Forum Novum, 6 January 1972
- Most Rev. Agostino Mayer, Secretary of the Sacred Congregation for Religious and the Secular Institutes, titular Archbishop of Satrianum, 6 January 1972
- Most Rev. Annibale Bugnini, Secretary of the Sacred Congregation for Divine Worship, titular Archbishop of Diocletiana, 6 January 1972
- Most Rev. Federico Limon, titular Archbishop of Aquaviva and coadjutor with the right of succession of the Archbishop of Lingayen-Dagupan (Philippines), 7 January 1972
- Most Rev. Patrick Punou-Ki-Hihifo Finau, Titular Bishop of Aurusuliana and Coadjutor with the right of succession of the Bishop of Tonga (Oceania), 15 October 1971
- Most Rev. Efrem Basilio Krevei, titular Bishop of Caffa, and Coadjutor with the right of succession of the Eparchy of St. John Baptist of Curitiba of the Ukrainians (Brazil), 29 November 1971

- Most Rev. Ferdinando Velasquez Loreto, titular Bishop of Garba and Auxiliary of the Archbishop of Popayan (Colombia) 10 December 1971
- Most Rev. Carlo Giuseppe Ruiseco, titular Bishop of Febiana and Auxiliary of the Archbishop of Barranquilla (Colombia), 10 December 1971
- Most Rev. Antonio Jakab, titular Bishop of Astigi and Coadjutor with the right of succession of the Bishop of Alba Iulia (Romania), 23 December 1971
- Most Rev. Carlo Brand, titular Bishop of Uthina and Auxiliary of the Bishop of Frejus-Toulon (France), 28 December 1971
- Most Rev. Joseph Pawathil, titular Bishop of Caesarea Philippi and Auxiliary of the Archbishop of Changanecherry (India), 7 January 1972
- Most Rev. Joannes M. Gijzen, Bishop of Roermond (Holland), 20 January 1972
- Most Rev. Desiderio Elso Collino, titular Bishop of Buxentum and Auxiliary of the Archbishop of Rosario (Argentina), 21 January 1972
- Most Rev. Cesare Pagani, Bishop of Citta di Castello and Bishop of Gubbio (Italy), 22 January 1972
- Most Rev. Edward T. O'Meara, titular Bishop of Thisiduo and Auxiliary of the Archbishop of Saint Louis (USA), 28 January 1972

In exercising his office of father and pastor, a bishop should stand in the midst of his people as one who serves. Let him be a good shepherd who knows his sheep and whose sheep know him. Let him be a true father who excels in the spirit of love and solitude for all and to whose divinely conferred authority all *gratefully* submit themselves.

(*Christus Dominus*, no. 16)

DECREE

ON THE FORM OF ORDINARY GOVERNMENT AND THE ELIGIBILITY OF SECULARIZED RELIGIOUS MEN FOR ECCLESIASTICAL OFFICES AND BENEFICES.

Experiments in forms of government have given rise to a number of problems and questions especially in regard to the personal authority of the Superior.

Furthermore, it has seemed opportune, at this time, to re-examine the prohibitions of Can. 612 affecting secularized religious men.

After preliminary study by Consultors, the Members of this Sacred Congregation, in the Plenary Assembly held on September 21 and 25, 1971, weighed carefully the following questions:

1. — Whether, contrary to the prescriptions of Can. 516, an exclusive and collegial form of ordinary government may be admitted for a whole religious institute, for a province, or for individual houses, in such a way that the Superior, if there is one, is merely an executive.
2. — Whether Can. 612 may be suspended so as to permit religious men who have been properly dispensed from their vows to be eligible for or to hold ecclesiastical offices or benefices without the special permission of the Holy See.

After due consideration, the aforesaid Assembly unanimously adopted the following decisions:

Answer to question n. 1: *Negative*—According to the mind of Vatican Council II (Decr. *Perfectae caritatis*, n. 14) and the Pontifical Exhortation *Evangelica testificatio*, n. 25, Superiors must have personal au-

thority, without prejudice to the practice of legitimate consultation and to the limits placed by common or particular law.

Answer to question n. 2: *Affirmative.*

His Holiness Pope Paul VI, in the Audience granted to the Secretary of this Sacred Congregation for Religious and for Secular Institutes on November 18, 1971, approved the conclusions of the Plenary Assembly.

By this present decree, the Sacred Congregation promulgates the above decisions and declares them immediately effective without the executory clause. They remain in force until superseded by the revised Code of Canon Law.

Given at Rome, February 2, 1972.

I. Card. Antoniutti
Prefect

† Augustine Mayer, O.S.B.
Secretary

Bishops, pastors of parishes, and other priests of both branches of the clergy should keep in mind that the right and duty to exercise the apostolate is common to all the faithful, both clergy and laity, and that the laity also have their proper roles in building up the Church.

(Apostolicam Actuositatem, no. 25)

ON RELIGIOUS DRESS

Sacred Congregation for Religious and Secular Institutes

This Sacred Congregation has been receiving reports from various countries that religious men and women, in ever greater numbers, are abandoning the religious habit and even any distinctive external sign of consecration. On the other hand, many inquiries are being made as to just what is the mind of the Holy See in this regard.

It seems opportune to inform you of the type of reply this Sacred Congregation gives in such cases, trusting that Your Excellency will find ways of making this known whenever circumstances require it.

"First of all, it is appropriate to state again that the religious habit has been considered by the Second Vatican Council as a sign of consecration for those who have embraced in a public way the state of perfection of the evangelical counsels. (*Perfectae caritatis*, n. 17).

"Moreover, this concept has also been confirmed by the recent apostolic exhortation of His Holiness, (*Evangelica Testificatio*, n. 22).

"Nevertheless, religious institutes, in their General Chapters, may, and in some cases ought to, modify the traditional habit in accord with practical requirements and the needs of hygiene but *they may not abolish it altogether or leave it to the judgement of individual Sisters*.

"The basic criterion to be observed is that the habit prescribed by Religious Institutes, even as modified and simplified, should be such that it distinguishes the religious person who wears it.

"On the other hand, purely secular clothes, without any recognizable exterior sign, can be permitted, for particular reasons, by the competent Superiors to those Sisters to whom the use of the religious habit would constitute an impediment or obstacle in the normal exercise of activities which should be undertaken in certain circumstances. Even in this case the dress of the religious women should not depart from the forms of poverty, simplicity and modesty proper to the religious state. It should always be, in some way *different from the forms that are clearly secular*". (*Evangelica Testificatio*, n. 22).

The foregoing applies, *mutatis mutandis* also to male religious who should always be distinguishable from seculars by the use of the Roman collar or by some other visible and appropriately distinctive sign.

I welcome this occasion to send you my very best wishes, and I remain.

AGOSTINO MAYER,
Titular Archbishop of Sacrianum,
Secretary

Yours faithfully in Our Lord
Card.ILDEBRANDO ANTONIUTTI,
Prefect.

PAULUS EPISCOPUS SERVUS SERVORUM DEI

venerabili Fratri JOSEPHO T. SANCHEZ, Episcopo titulo Levitano, adhuc Auxiliari Archiepiscopi Carcerensis, electo coadiutori cum iure successionis sacri Praesulis Lucenensis, salutem et apostolicam benedictionem. Quem ad modum curam omnem pro apostolico munere ponimus in Episcopis delegendis, qui christiani populi apti sint rectores et magistri, ita, si qua necessitas urgeat, iisdem cogitate subsidia praebemus, quo et facilius pastoralis suo munere fungi et commissae Ecclesiae bono prospicere pergant. Venerabilis ideo Frater Alfredus Obviar et Aranda, Episcopus Lucenensis, cum ob propectam aetatem huiusmodi auxilio egeret, idoneus Nobis visus es, venerabilis Frater, cui id officium committeremus, rerum pastoralium quam qui maxime peritus vir. De sententia igitur Sacrae Congregationis pro Episcopis deque apostolica Nostra potestate, priore te munere solvimus Auxiliaris sacri Antistitis Cacerensis Teque Coadiutorem nominamus cum iure successionis Episcopi, quem diximus, Lucenensis, datis iuribus obligationibusque impositis, quae ad normam Apostolicarum Litterarum Ecclesiae Sanctae, motu proprio datarum die VI mensis Augusti, anno MDCCCCLXVI, huic officio competunt. Ab iteranda autem catholicae fidei professione, iure canonico praescripta, te eximimus, contrariis quibuslibet non obstantibus; ius autem iurandum fidelitatis erga Nos et Successores Nostros dabis, teste quovis Episcopo, Apostolicam Sedem germana fide colente; formulamque adhibitam ad Sacram Congregationem pro Episcopi mittes, de more signatam sigilloque impressam. Mandamus praeterea ut haec Litterae Nostrae clero atque populo in cathedrali Lucensi templo legantur, die festo de praecepto; quos dilectos filios hortamur, ut non solum te laeto animo accipiant, suum quondam merito patrem et pastorem, verum etiam mandatis tuis pareant coeptisque pastoralibus volentes faveant, ad eorum ipsorum utilitatem assequendam. Non dubitamus denique, venerabilis Frater, quin in amore et deliciis sit et dignissimo Episcopo, cui auxilio mitteris, studiose adesse, et eius curis commissis fidelibus impensiore usque voluntate prospicere. Datum Romae, apud S. Petrum, die tertiodecimo mensis Decembris, anno Domini millesimo nongentesimo septuagesimo primo Pontificatus Nostri nono. —

ALOISIUS CARD. TRAGLIA

S.R.E. Cancellarius

FRANCISCO TINELLO
Apostolicam Cancellariam Regens

JOANNES CALLERI, Proton
Apost.

EUGENIUS SEVI, Proton
Apost.

Expedita die XIV Jan. anno Pontif. IX M. Orsini Plumbator

In Canc. Ap. tab. Vol. CXL N. 39

PAULUS EPISCOPUS SERVUS SERVORUM DEI

venerabili fratri *Jacobo L. Sin*, hactenus Episcopo titulo *Obbensi*, ad Sedem titulo *Massalubrensem* promoti eidemque renuntiato coadiutori cum iure successionis Archiepiscopi *Jarensis*, salutem et apostolicam benedictionem. Gravissimum Dei voluntate sustinentes onus rei universae catholicae tuendae hominumque in sancta religione servandorum, nihil prorsus omittimus quod ad id bonum conducatur, Ecclesiarum Praesulibus Coadiutores dantes, qui non solum optato subsidio sint, sed in eorum etiam locum, sede vacante, sufficiantur, utili regiminis perpetuitate servanda. Quam ob rem cum venerabilis frater *Josephus Maria Cuenco*, Archiepiscopus *Jarensis*, ea sit condicione ut valido auxilio egeat, Te censuimus bene eidem assignari posse qui eximi praestas ingenio et rerum pastoralium usum iam ample consecutus es. De sententia ideo venerabilis fratris *Nostri S. R. E. Cardinalis Sacrae Congregationis pro Episcopis Praefecti* deque *Nostra* suprema potestate, Te, a priore Sede *Obbensi* liberatum, simul eligimus Archiepiscopum Sedis titulo *Massalubrensis*, pro hac vice Archiepiscopalis, vacantis post abdicationem venerabilis fratris *Pauli Aijiro Yamaguchi*, simulque nominamus Coadiutorem cum iure successionis sacri Praesulis — quem diximus, una cum muneribus et iuribus huius officii propriis ad normam Apostolicarum Litterarum “*Ecclesiae Sanctae*”, Motu proprio die *VI* mensis *augusti* anno *MCMLXVI* datarum. Te quidem ab iteranda fidei professione eadem *Nostra* auctoritate solvimus; ius vero iurandum fidelitatis, teste aliqua Episcopo, sincera obstricto huius *Romanae Sedi* caritate, dabis, iuxta formulam quam de more signatam sigilloque impressam ad *Sacram Congregationem pro Episcopis* cito mittes. Mandamus praeterea ut haec Litterae *Nostrae* publice in cathedrali templo *Jarensi*, die festo de praecepto recurrente, clero populoque perlegantur, quos quidem hortamur ut pro tua auctoritate Tibi pareant tisque faveant inceptis. Ceterum, venerabilis frater, inixe hortamur ut *sacram Antistitem*, cui mitteres fideliter adiuves, populumque universum, cuius in posterum eris pastor, ad sanctitatem vitae et supernarum rerum amorem alaeriter trahas. Datum *Romae*, apud *S. Petrum*, die *quintodecimo* mensis *Januarii*, anno *Domini* *Millesimo nongentesimo septuagesimo secundo*, Pontificatus *Nostri* nono.

ALOISIUS CARD. TRAGALIA
S.R.E. Cancellarius

FRANCISCUS TINELLO
Apostolicam Cancellariam
Regens

JOSEPHUS DEL TON, Proton. Apost.
EUGENIUS LEVI, Proton. Apost.

Expedita die *11 febr.* a. Pontif. *IX*

M. Orsini Plumbator

In Canc. Ap. tab. vol. *CXI*. n. *63*

PAULUS EPISCOPUS SERVUS SERVORUM DEI

dilecto filio *Friderico Limon*, e Societate Verbi Divini, electo Archiepiscopo titulo Aquavivensi atque Coaddiutori cum iure successionis sacri Praesulis Lingayensis-Dagupanensis, salutem et apostolicam benedictionem. Illius Christi studiosissimi: "Pasce agnos meos... pasce oves meas" — Io. 21. 15-17 —; itemque beati Petri, apostolorum principis: "pascite qui in vobis est gregem Dei" — 1 Pet. 5, 2 —, quantum possumus maxime id omni cura atque diligentia complectimur, ut singulis Ecclesiis aptos provideamus pastores; qui fuerint vivae virtutis imago, fieri non potest, quin et populi non eorum vestigia persequantur. Quam ob rem, cum venerabili fratri Mariano Madriaga, Archiepiscopo Lingayensi-Dagupanensi Coadiutorem iustis de causis dare oporteret, bene fieri censuimus si Te, dilecte fili, ad tale munus destinaremus, quem sive ingenii laures ornant, sive pietas sincera distinguit atque usus rerum haud minimus, regendo populo Dei perutilis. Quae cum ita sint, Te simul Archiepiscopum nominamus et renuntiamus Sedis titulo *Aquavivensis*, quam sane pro hac vice, ut dicunt, in archiepiscopalium redigimus, eiusdemque vacantis per successionem venerabilis fratris Vincentii Faustini Zazpe ad metropolitam Sedem S. Fidei in Argentina, sive Coadiutorem cum iure successionis sacri eius Praesulis cuius mentionem fecimus, cum iuribus et oneribus, quae per apostolicas Litteras "Ecclesiae Sanctae", die sexto mensis augusti datas anno MDCCCCLXVI, describuntur. Antequam autem episcopalem consecrationem accipias, a Nobis Ipsi in Petriana Basilica Romae peragendam, tuum erit sive fidei professionem facere, teste venerabili fratre Nostro S. R. E. Cardinali Cancellario, sive ius iurandum fidelitatis erga Nos et Successores Nostros dare, teste S. R. E. Cardinali Protodiacono, iuxta probatas formulas. Oblatam autem occasionem non omittimus clerum atque populum tuae dicionis hortandi, ut sive nunc Coadiutorem, sive in posterum Archiepiscopum filiorum reverentia prosequantur, atque mandata tua faciant, ut eos addecat. Tu autem id curabis, ut haec Litterae Nostrae iisdem omnibus, clero scilicet atque populo, perlegantur, die festo, in cathedrali templo. Ceterum, dilecte fili, si veram gloriam quaeris, prima Tibi, praecipua, antiquissima sit divinae gloriae procurandae cura, cum nihil tam in hominis honorem recidat, quam summi Numinis laus et ornamentum. Datum Romae, apud S. Petrum, die septimo mensis Ianuarii, anno Domini millesimo nongentesimo septuagesimo ultero, Pontificatus Nostri nono.

ALOISIUS CARD. TRAGLIA

S.R.E. Cancellarius

FRANCISCO TINELLO
Apostolicam Cancellariam Regens

JOSEPHUS ROSSI, EPIS.

PALMYREN

Proton. Apost.

Expedita die febr. a. Pontif.

JOANNES CALLERI, Proton

IX. M. Orsini Plumbator

Apost.

In Canc. Ap.tab.vol CXL n. 47

AGREEMENT ON BAPTISM BETWEEN THE CATHOLIC CHURCH AND THE LUTHERAN CHURCH IN THE PHILIPPINES

Pedro S. de Achutequi, S.J.

On Sunday, February 6, 1972, an agreement on Baptism between the Lutheran Church in the Philippines and the Roman Catholic Church in the Philippines was officially signed at Trinity Lutheran Church in Quezon City. The Most Rev. Teopisto V. Alberto, D.D., President of the Catholic Bishops' Conference of the Philippines and the Rev. Dr. Alvaro A. Cariño, D.D., President of the Lutheran Church in the Philippines, were the main signatories. Some 300 people, Roman Catholics and Lutherans, representing both clergy and laity, participated in the prayer service.

A brief history of the preparation of this historic event may be useful to understand its reasons and its implications.

The Ecumenical Directory (or by its complete title, the *Directory for the Application of the Decisions of the Second Vatican Ecumenical Council concerning Ecumenical Matters*)¹ devotes its second chapter to the topic of "The Validity of Baptism conferred by Ministers of Churches and Ecclesial Communities Separated from Us." It summarizes the main pronouncements of Vatican II on Baptism. The document presents the ecumenical aspect of Baptism in the following words:

¹ The Directory was issued on May 14, 1967 by the Vatican Secretariat for Promoting Christian Unity, with the signatures of Augustin Cardinal Bea, then President of the Secretariat for Promoting Christian Unity, and Bishop (now Cardinal) John Willebrands, then Secretary (now President) of the same Secretariat. The Directory had been approved and confirmed by Pope Paul VI on April 28, 1967. The document was published in *Acta Apostolicae Sedis*, Vol. LIX, 1967, pp. 574-592. A Philippine English edition was printed by St. Paul Publications, 2650 F. B. Harrison, Pasay City. We will cite it as Ecumenical Directory.

11. Baptism is, then, the sacramental bond of unity, indeed the foundation of communion among all Christians. Hence its dignity and the manner of administering it are matters of great importance to all Christ's disciples. Yet a just evaluation of the sacrament and the mutual recognition of each other's baptisms by different communities is sometimes hindered because of a reasonable doubt about the baptism conferred in some particular case . . .²

It establishes as a fact that "there can be no doubt cast upon the validity of baptism as conferred among the separated Eastern Christians."³

After developing the reasons for certain doubts regarding the baptism administered by other separated Christian Churches, and the conditions for admitting its validity, it states:

16. The whole question of the theology and practice of baptism should be brought up in dialogue between the Catholic Church and the other separated churches or communities. It is recommended that ecumenical commissions should hold such discussions with churches or councils of churches in various regions and, where convenient, come to a common agreement in this matter.⁴

It was in view of this recommendation of the *Ecumenical Directory* that the decision was made by the Bishops' Commission for Promoting Christian Unity to sound out the possibilities of starting a dialogue on the matter of Baptism. The next question was with what Churches could the dialogue start.

Prior to the publication of the *Ecumenical Directory* a symposium had been held at the Loyola House of Studies, School of Theology and Ecclesiastical Studies of the Ateneo de Manila University, on "Baptism and Ecumenism". The symposium was held on March 4, 1967. A summary of its proceedings was published in *Philippine Studies*.⁵ The Churches whose Baptism was object of study were: the various Aglipayan Churches (principally the Trinitarian group, juridically the Philippine Independent Church), the Iglesia ni Kristo, the Lutheran Church in the Philippines, the Protestant Episcopal Church, the Methodist Church, the Iglesia Evangelica Metodista en las Islas Filipinas, the Iglesia Evangelica Unida de Cristo, the United Church of Christ, and the Seventh Day Adventist Church. Cooperation from the Churches involved was secured, and the symposium was in a real sense ecumenical.

² Ecumenical Directory n. 11.

³ Ibid n. 12.

⁴ Ibid. n. 16.

⁵ Philippine Studies, Vol. XVI, No. 1 (1968), pp. 155-177.

The question then occurred why certain Churches were chosen for study in preference to others. The answer was as follows:

The criterion of choice consisted of the following considerations: a) a greater nearness in doctrine and ritual between these churches and the Roman Catholic Church; b) the importance of these churches both from the national and from the ecumenical viewpoint; c) finally, in some cases, these were the churches that cooperated cordially in a survey, conducted by a questionnaire or by personal interview; in other cases, the doctrines of the churches involved are sufficiently known from studies previously made.⁶

The decision to start the "official" conversations with the Lutheran Church in the Philippines came through various circumstances as a mature and spontaneously mature choice. There were no historical or immediate obstacles which would impede smooth sailing, as would be the case with some of the other churches; there would be no danger of confusion, because the number of faithful of the Lutheran Church in the Philippines was and is rather small (about 10,000); the validity of the baptism administered by the Lutheran Church could hardly be placed in doubt—as in contrast with some other groups; similar agreements were being contemplated in other countries between the Lutheran and the Roman Catholic Church; finally the Lutheran Church in the Philippines was very desirous of engaging in serious ecumenical conversations and in particular on the matter of Baptism.

Thus in 1968 a Joint Ecumenical Committee was set up by the Roman Catholic Bishops' Commission for Promoting Christian Unity and the Commission for Ecumenical Affairs of the Lutheran Church in the Philippines. After several months of theological study and reflection, the committee completed work on a tentative agreement which was then submitted to the hierarchy of both Churches for further study and comments.

In October 1970, the 9th General Convention of the Lutheran Church in the Philippines passed a resolution formally approving the document. Shortly afterwards the Roman Catholic Bishops' Conference of the Philippines also gave their approval. Only some minor changes in the text were suggested—and accepted—by both parties. Thus the way was paved for the final step, although due to circumstances beyond control it was unduly delayed.

The formal signing of the agreement took place during a Scripture Service. Appropriate readings from the Epistle to the Ephesians (4:1-6)

⁶ *Ibid.* p. 158.

and the Gospel of St. John (3:1-8) were chosen for the occasion. Psalm 103 was read responsively, general intercessions and the profession of faith — with the ecumenical text of the Apostles' Creed — were recited by the community. The Thanksgiving Hymn (*Te Deum*) was sung by the choir, the Lord's Prayer was said in unison by the assembly, "A Mighty Fortress" was the concluding hymn.

The documents were signed during the service itself after the recitation of the Creed and before the signing of the *Te Deum*, preceded and followed by explanatory remarks and an address.

The text itself presented below together with the Joint Declaration, will be followed by an explanation of the meaning and implications of the agreement.

AGREEMENT ON BAPTISM BETWEEN THE LUTHERAN CHURCH IN THE PHILIPPINES AND THE ROMAN CATHOLIC CHURCH IN THE PHILIPPINES

We, representatives of the Lutheran Church in the Philippines and the Roman Catholic Church in the Philippines, hereby enter into an agreement in virtue of which we recognize that each Church administers the same baptism of Christ and that our respective ordinances and traditions comply with the biblical institution of baptism in their essential aspects.

Although our Churches have always recognized the baptism administered according to the New Testament, this present approval constitutes an act whereby our Churches mutually give guarantees of the validity of the baptism administered by their respective ministers.

The baptism thus administered is to be registered, while in doubtful cases the Churches will consult each other.

The implications of this agreement of mutual recognition are:

We rejoice in this expression of Christian unity;

We promise to honor the baptism that is definitely established as having been performed by the other body as God's own action, not to be repeated under any circumstances, not even conditionally;

We commit ourselves to a faithful observance of the baptismal rite as prescribed by our respective Churches;

We pledge to continue working towards unity in all areas of Church life and doctrine including those in which real and serious differences still exist.

The joint declaration hereby appended, prepared by the Joint Ecumenical Commission and approved by the authorities of our respective Churches, is hereby also approved.

In testimony thereof, we affix our signatures this 6th day of February, 1972, at the Trinity Lutheran Church, Quezon City, Philippines.

(Sgd.) Dr. Alvaro A. Cariño, D.D. (Sgd.) Most Rev. Teopisto V. Alberto, D.D.
 President, Lutheran Church in the Philippines President, Catholic Bishops' Conference of the Philippines

(Sgd.) Rev. Feliciano Inay (Sgd.) Most Rev. William Brasseur, D.D.
 Secretary, Lutheran Church in the Philippines Chairman, Bishops' Commission on Liturgy

(Sgd.) Rev. David Schneider (Sgd.) Most Rev. Cornelio de Wit, D.D.
 Chairman, Commission for Ecumenical Affairs, LCP Chairman, Bishops' Commission for Promoting Christian Unity
 For the Roman Catholic Church in the Philippines:

THE SACRAMENT OF HOLY BAPTISM

The Roman Catholic Church in the Philippines and the Lutheran Church in the Philippines, after careful study, declare the following:

1. THE ESSENCE OF BAPTISM

The Sacrament of Holy Baptism is the spiritual cleansing of an individual by the washing of water with the Word of God, in obedience to Christ's command, and with faith in the promises which God attaches to this Sacrament.

Eph.5:26
 Matt.28:19
 1 Pet.3:21

2. THE NECESSITY OF BAPTISM

Holy Baptism is necessary for salvation, as our Lord said, "Unless one is born of water and the Holy Spirit, he cannot enter the kingdom of

God." Although God can save men without Baptism, Baptism should not be despised because we are bound to obey our Lord's clear word and command. Moreover, Baptism, being the sacrament of initiation, is necessary for all, for infants as well as for adults. John 3:5

3. THE EFFECTS OF BAPTISM

God acts through Baptism to accomplish His purposes in the person baptized. Rom. 6:6,11

Through Baptism, God gives to the baptized forgiveness of sins, rebirth into a new life in the Holy Spirit, and salvation. John 3:3-6; Acts 2:38f.; Titus 3:5-7;

He incorporates the baptized into the crucified and glorified Christ. 1 Pet.3:21 Rom.6:3ff.

By incorporating the baptized person into the living Christ, He also incorporates him into the Church, and thus adopts him into His own family, making him a brother to all other baptized persons. 1 Cor.12:13 Gal.3:27-28

He enables the baptized to begin and carry on a life of joyful service through the Holy Spirit, and to fight against all kinds of evil. Rom.6:1-23

4. RESPONSIBILITIES OF THE BAPTIZED

Just as Christ was raised from the dead by the glory of the Father, those who have been baptized should walk in newness of life. Thus all Christians are bound to show forth by the example of their lives and speech that new man whom they put on at Baptism.

Baptism lays upon the baptized the responsibility to use God's Word regularly to enable him to repent, to receive forgiveness, and to grow in faith and good works. Acts 2:38-42

Our Lord's command places upon the Church the responsibility to instruct, and to baptize and encourage the baptized in the Christian faith and life. Mt.28:19-20

Baptism constitutes a sacramental bond of unity which joins together all who have been re- Eph.4:3-6

born by means of it. This one Baptism therefore demands that those who through it have been brought together into the body of Christ, strive together for greater expression of their oneness in Christ and for unity in all areas of faith.

5. VALIDITY OF BAPTISM

Baptism is valid if it is performed in accordance with Christ's command, that is, applying water in the name of the Father and of the Son and of the Holy Spirit. By his power, God is present in the Sacrament of Holy Baptism, so that when a man baptizes, it is God Himself who acts. There is only one baptism. Therefore, a person who is validly baptized should never be baptized again.

Mt.28:19

Eph.4:5

Except in cases of emergency, only an ordained minister of the Church will administer Holy Baptism.

6. THE RITE OF BAPTISM

In emergency cases, it is sufficient to use a simple rite, which includes at least applying water either by immersion or infusion to the person to be baptized and reciting the Baptismal formula.

Any further ritual and ceremonial elaboration of this basic rite may be prescribed by the Churches for the sake of order and its instructional value.

A common rite for those churches which have the same understanding of the nature of Baptism, though not necessary, would serve to make them more consciously aware of their oneness as well as to demonstrate their common understanding of it.

7. MUTUAL RECOGNITION OF BAPTISMAL VALIDITY

The Roman Catholic Church in the Philippines and the Lutheran Church in the Philippines hereby express their mutual recognition of the validity of Christian Baptism as it is per-

formed according to the rites of the respective Churches. The implications of such mutual recognition follow:

We rejoice in this expression of Christian unity;

We promise to honor the Baptism definitely established as having been performed by the other body as God's own action, not to be repeated under any circumstance, not even conditionally;

We commit ourselves to a faithful observance of the Baptismal rite as prescribed by our respective Churches;

We pledge to continue working toward unity in all areas of Church life and doctrine, including those areas in which very real and serious differences still exist.

GENERAL REMARKS ON THE MEANING OF THE AGREEMENT

In the general teaching of the New Testament, by a valid baptism the baptized person is organically united to Christ and His mystical body, he becomes by virtue of grace the adopted son of God and in consequence all those who are validly baptized are brothers. Although there is certainly a general brotherhood with the non-baptized, the non-Christians on the purely human level, there is not with them that specifically Christian brotherhood rooted in union with Christ.

These ideas are expressed in various documents of the Second Council of the Vatican. We believe that by the Sacrament of Baptism "man becomes truly incorporated into the crucified and glorified Christ, and is reborn to a sharing of the divine life."⁷ This first conversion to Christ through faith and baptism is the central and decisive conversion of the Christian, whether he be Orthodox, Lutheran, Roman Catholic, Anglican, or Protestant in general. All the baptized have a right to be called Christians.⁸ Together we share the same Lord and the same Spirit. "In the one Spirit we are all baptized into the one Body."⁹ To all Christians the Spirit "gives His gifts and graces whereby He is operative among them with His sanctifying power."¹⁰ "Faith, hope, and charity, with the other interior gifts of the Holy Spirit, as well as visible elements"¹¹ belong by God's gift to all Christians. In short there is a community of grace and fellowship among all believers reborn in Baptism and sharing the Holy Spirit.

⁷ Decree on Ecumenism, art. 22.

⁸ Ibid. art. 3.

⁹ 1 Cor. 12:13.

¹⁰ Dogmatic Constitution on the Church, art. 15.

¹¹ Decree on Ecumenism, art. 3.

Incorporation into Christ means incorporation into the Church. This incorporation takes place through Baptism. And Baptism from its very nature "of itself, is only a beginning, a point of departure, for it is wholly directed towards the acquiring of fulness of life in Christ." Thus baptism is ordained "toward a complete profession of faith, a complete incorporation into the system of salvation such as Christ willed it to be, and finally, toward a complete integration into eucharistic communion."¹²

The importance of the agreement has to be seen in the light of two principles: that baptism is necessary for salvation and that it can be conferred only once. But since a just evaluation of the sacrament and the mutual recognition of each other's baptisms by different communities may be sometimes hindered because of a reasonable doubt about the baptism conferred in some particular case,¹³ for any difficulties that may arise a dialogue is the proper channel of solution. This is the reason behind the dialogue which has started between the Roman Catholic Church and the Lutheran Church in the Philippines, and which has culminated in the present agreement. It is to be hoped that the results of this dialogue may extend to other Christian communities that have the same serious desire of fidelity to Christ and want to give each other mutual guarantees of the faithful performance of Christ's baptism.

The immediate consequence is that indiscriminate conditional baptism cannot be approved. It will be allowed only when a prudent doubt of the fact or of the validity of a baptism already administered exists.

CONCRETE APPLICATIONS

While the step taken in the solemn signing of the agreement is significant, its real meaning must be understood. The validity of Baptism administered by Lutherans and Catholics had been always acknowledged by Catholics and Lutherans respectively. From that point of view the present agreement does not state anything new, although it implies that the measure taken in the explicit agreement makes the acknowledgement of Baptism retroactive. Moreover, what the agreement means is a formal and official recognition of the validity of the so-called Lutheran or Catholic baptism by the authorities of both Churches in the Philippines with its various implications. The most important among these implications are:

1) The explicit acknowledgement that a real — although imperfect — unity exists between the faithful of both Churches because of the

¹² *Ibid.*, art. 22.

¹³ *Ecumenical Directory* n. 11

fact that their baptism has been properly administered. This union, even if still imperfect, should lead them to strive together for living in depth a true Christian life and looking together for a greater expression of their oneness in Christ as well as in all areas of faith, as far as it may be given them.

2) In virtue of the present agreement the presentation of the baptismal document issued by one Church will be proof enough for the minister of the other Church that the person in question is validly baptized. This will prevent unpleasant situations and needless frictions liable to arise in very concrete cases; such as in mixed marriages to be contracted between a Lutheran and a Roman Catholic when the baptismal certificate has to be presented, in sincere conversion or passing from one to the other Church for reasons of conscience, etc. No conditional baptism is to be administered in any of these cases, and—as mentioned above—this applies retroactively, to baptisms performed prior to this agreement.

3) The ministers and authorities of both Churches commit themselves to the most conscientious fulfillment of the prescriptions for the administration of baptism as they are embodied in their respective liturgical books. Thus the agreement "constitutes an act whereby our Churches mutually give guarantees of the validity of the baptism administered by their respective ministers."¹⁴

It would be deplorable, however, if the present agreement should be interpreted as if both Churches had achieved a merger—or at least taken the first step towards such a merger—and that from now on Lutherans might have their children baptized in the Catholic Church or Catholics their own ones in the Lutheran Church. Nothing is farther from the truth. Unfortunately the two Churches still remain *two*, not one, and they are the first deeply to deplore the division still existing. Catholic parents are obliged to have their children baptized and educated as Catholics, as Lutheran parents are also duty bound to have theirs baptized and educated as Lutherans, following the imperative of their conscience and convictions in *absolute* honesty. It would be similarly deplorable if the present agreement should be invoked as a reason or taken as a pretext for trying persuade the faithful of the other Church to have their children baptized in the Church to which the parents do

¹⁴ Fr. Jerome Hamer, O.P., Secretary of the Vatican Secretariat for Promoting Christian Unity, in a letter dated February 24, 1972 refers to the whole paragraph and shows his satisfaction and pleasure at its wording: "Je vous felicite de la formulation tres precise de votre deuxieme alinea: 'Although our Churches have always recognized the baptism administered according to the New Testament, this present approval constitutes an act whereby our Churches mutually give guarantees of the validity of the baptism administered by their respective ministers'."

not belong. This would be sheer proselytism, betrayal of their own faith, and a travesty of an ecumenical agreement for purposes far from ecumenical.

Three concrete suggestions may be offered here in the line of pastoral application. The first concerns directly the parish priests. The fact that the baptism administered by the Lutheran Church has been recognized as valid by the Catholic Church in the Philippines does not take away the need of a dispensation from the impediment of mixed religion, should a Catholic decide to marry a Lutheran. This dispensation, however, affects only the legitimacy, not the validity of a marriage properly celebrated in the Catholic Church.

The second suggestion is offered following the practice of a few bishops in the Philippines. It is the *opinion of this writer* that the faculty given by some bishops to his parish priests to dispense from the impediment of mixed religion, should be given to all parish priests over the Philippines, at least for the faithful of the Lutheran Church, and other Churches which may enter into the same agreement with the Catholic Church in the future. There would therefore be no need for the individual parish priests to have recourse to his bishop every time that a case of mixed religion is involved, when the validity of baptism of the non-Catholic party is assured.

Finally it would be advisable for Catholic priests living in territories where the Lutheran Church has its own pastors, to establish a dialogue on the agreement just reached and to study its nature, its meaning, and its implications from the pastoral point of view; so that what has been achieved at the national level, may have its application at the level of the local Church.

The ultimate basis for our fraternal love as Christians and for calling each other "brothers" is our baptism in Christ. This love, however, should not prevent us from acknowledging that there are still serious differences in matters of faith and in our understanding of the vital means of grace. While we must work together to overcome them, these divergencies do not abolish the fundamental truth of our belonging to Christ by baptism.

The agreement may be a small step for interchurch relationship, but it may also well be a giant step for ecumenism in the Philippines. With Pope Paul VI we may say that "hope is our guide, prayer our strength, charity our method, all at the service of the divine truth which is our faith and our salvation."¹⁵

¹⁵ A.A.S. 5 (1965) p. 852. The complete text of the homily, the address and the remarks, delivered respectively by the Most Rev. Teopisto Alberto, Rev. Dr. Alvaro A. Cariño, and the present writer, is found in the issue of *Philippine Studies*, January 1972, Vol. 20, No. 1.

THE CHURCH ON DIVORCE

The advocates of neopaganism, having learned nothing from the present sad state of affairs, continue daily to attack more bitterly the sacred indissolubility of marriage and the laws that support it, and contend that there must be a decision to recognize divorce, that other and more humane laws be substituted for the obsolete laws.

They bring forward many different causes for divorce, some deriving from the wickedness or sin of persons, others based on circumstances (the former they call subjective, the latter objective); whatever makes the individual married life more harsh and unpleasant. . . .

So there is prattle to the effect that laws must be made to conform to these requirements and changed conditions of the times, the opinions of men, and the civil institutions and customs, all of which individually, and especially when brought together, most clearly testify that opportunity for divorce must forthwith be granted for certain causes.

Others, proceeding further with remarkable impudence, believe that inasmuch as matrimony is a purely private contract, it should be left directly to the consent and private opinion of the two who contracted it, as is the case in other private contracts, and so can be dissolved for any reason.

But opposed to all these ravings stands the one most certain law of God, confirmed most fully by Christ, which can be weakened by no decrees of men or decisions of the people, by no will of legislators: "What God hath joined together, let no man put asunder" [Matt. 19:61]. And if a man, contrary to this law puts asunder, it is immediately illegal; so rightly, as we have seen more than once, Christ Himself has declared: "Everyone that putteth away his wife and marrieth another, committeth adultery, and he that marrieth her that is put away, committeth adultery" [Luke 16:18]. And these words of Christ refer to any marriage whatsoever, even that which is purely natural and legitimate; for indissolubility is proper to every true marriage, and whatever pertains to the loosening of the bond is entirely removed from the good pleasure of the parties concerned and from every secular power.

Pius XI.

Encycl. 'Casti Connubii'.
(*cf. Denz. 2249,2250*)



Henry VIII, King of England, asked the Pope to grant him divorce from his lawful wife, Catherine of Aragon, so that he might marry Anne Boleyn. The king had rendered valuable services to the Church. If the Pope refused, England would surely be plunged in heresy. But Pope Clement VII stood firm. Not even to save England for the Church could he break God's law. The only reply he gave was: "Non possumus" I have no authority to set aside the divine law." As a result, Henry VIII abandoned his obedience. He revolted from the Church. This was the beginning of the Anglican Church.

INDISSOLUBLE MARRIAGE AND DIVORCE

Fr. Excelso Garcia, O.P.

When the Church started her divine mission of preaching the Gospel to all nations, divorce prevailed as a normal legal institution. Jews and pagans regarded it as altogether unobjectionable. Only after a hard and long struggle did the Church succeed in presenting the institution of marriage as an indissoluble union according to the teachings of her Divine Founder, and thus the indissolubility of marriage was eventually

incorporated in the laws of the western world. In the last centuries, however, a reverse process has taken place and her achievement in preserving matrimony as a monogamous and indissoluble institution has been undermined by a licentious ideology which is always ready to repeal any law whereby human freedom is contained within certain bounds. Unfortunately, this modern ideology prevails today and the Church finds herself in a situation similar to the one at her infancy, as long as divorce is concerned.

The number of divorces has increased rapidly during the last centuries in most of the European and American Countries. At present, it is legalized in practically all nations in Europe, save Spain, Andorra, San Marino, Ireland and Iceland. The Parliament of Italy passed the divorce bill only two years ago, notwithstanding the official protest of the Holy See, which exposed the bill as a breach of the Lateran Concordat between the Vatican and the Italian State. It is sad to say that for the moment it seems that the legal acceptance of divorce will go on increasing.

The main reason why divorce has continuously been gaining ground and has been recognized by many civil powers, is due to the fact that it is regarded as an institution which springs from the principles of justice and liberty. Art. 16 of the *Universal Declaration of Human Rights* adopted and proclaimed by the General Assembly of the United Nations on December 10, 1948, implies the recognition of divorce: "Men and women of full age . . . are entitled to equal rights as to marriage, during marriage and at its dissolution."

In the Philippines, relative divorce (*separation a mensa et thoro*) was, during the Spanish regime, regulated only by the *Siete Partidas*. The provisions of the Civil Code ruling on the matter of divorce were suspended by Governor-General Weyler on December 1889. It was only in 1917 that the absolute divorce law (Act No. 2710) was passed by the Legislature, thereby repealing the provision of the *Siete Partidas*. Again, during the World War II and under the Japanese occupation, a new law in favor of divorce was enacted. It was Executive Order No 141, whereby Act No. 2710 was repealed. On 1944, upon the liberation of the Islands by the American forces, the said law was nullified by General MacArthur and the pre-war Act No. 2710 was revived.

In the existing Philippine Code, absolute divorce is discarded, and only a relative divorce or legal separation is admitted. A group, however, of Delegates to the Constitutional Convention seems to advocate for the incorporation of Divorce to the fundamental law of the land. Since divorce is repealed by the present legislation, they feel this Christian criterion should not be imposed over the cultural minorities, especially the Muslims. The draft of provisions on Divorce reads as follows:

"Sec. _____

- a) The dissolution of marriage shall be based on grave causes only.
- b) Until Congress provides additional grounds, divorce may be granted under existing procedures for legal separation for any of the causes enumerated below:
 - (1) Adultery on the part of the wife or concubinage on the part of the husband;
 - (2) Attempt of one spouse against the life of the other;
 - (3) Complete and uninterrupted hostile separation for at least five (5) years ;
 - (4) And such other grounds for annulment or divorce which are recognized by Churches, religious sects or denominations where-in the marriage was solemnized.
- c) Divorce decrees granted by foreign Courts to Filipino citizens shall be valid only on the grounds recognized under Philippine Laws."

It is surprising, however, that such a provision has to appear in the Constitution of the nation which, as a fundamental law, should be general in character for the Filipino People as a whole. The matter of divorce, as other particular matters, should rather be an object of particular legislation, if there is a need for it. This has been the practice up to the present and it seems that particular situations have been properly attended to. For instance, Republic Act No. 394, approved on June 17, 1949, provides: "For a period of twenty years from the date of approval of this Act, divorce among Muslims residing in non-Christian provinces shall be recognized and be governed by Muslim customs and practices". House Bill 343 amending Act 394 has already been approved by the House of Representatives, but is now pending in the Senate. This Bill would extend by fifteen years the effectivity of Rep. Act 394.

From the plain reading of the draft, we draw the following conclusions:

1. The grave causes considered as a ground for divorce are grouped into four categories. The first two groups, namely adultery on the part of the wife or concubinage on the part of the husband and the attempt of one spouse against the life of the other, are grounds acknowledged now by the Civil Code for legal separation. (Art. 97). The third and fourth groups are entirely new.

2. It should be noticed that in the draft it is stated that divorce may be granted for any of the four above-mentioned categories of grave causes until Congress provides *additional grounds*. In other words, the four categories enumerated in the draft proposed in the Constitutional Convention as legal grounds for divorce, if approved will remain inasmuch as these provisions will be a part of the Constitution of the land which, of course, cannot be abrogated nor changed by the Congress. What the Con-

gress will be able to do is to *provide additional grounds* for divorce. We will have, therefore, the four categories of causes enumerated in the draft as part of the Constitution and the possible additional grounds that the Congress may provide in the future.

3. I want to call the attention of the readers especially to the fourth group of grave causes considered as a legal ground for divorce, namely "and such other grounds for annulment or divorce which are recognized by churches, religious sects or denominations wherein the marriage was solemnized." I wonder if the Government can effectively check on the possible grounds for annulment or divorce recognized by the various churches, religious sects and denominations existing at present or that may exist in the future in the Philippines. I only think of the enormous difficulty which the Catholic Church will encounter in accepting within her fold any follower of other churches, religious sects or denominations when, previous to his conversion, divorce had been resorted to.

4. In b) number (4) of the Draft of Provisions on Divorce, mention is made of "other grounds for *annulment* or divorce which are recognized by the various churches, religious sects and denominations wherein the marriage was solemnized." Judging by some press releases of some Delegates on their stand on divorce, the term *annulment* is obviously misused. Referring to the action of the Church's tribunal on certain marriages, they affirm that "the Church *annuls* the marriage because of vitiated consent. This cause for *annulment* recognized by the Church is not recognized by the Civil Code." Obviously the term *annulment* is taken for *declaration of nullity*, the meaning of which is entirely different. *Annulment* in the Civil Code is the action of a competent Court through which a marriage, considered as valid by law, is rendered null and void because of a circumstance existence *at the time* of the marriage celebration, due to which the law itself gives the Court power to nullify the marriage. *Declaration of nullity*, however, is the official pronouncement of a competent tribunal on the nullity of a union which, from its beginning, was already null and void due to a circumstance existing *at that time*, and declared by law as a diriment impediment. The ecclesiastical tribunal *does not annul* any valid marriage. It merely *declares a marriage to be null and void when it was invalid from the very beginning*. There is therefore no marriage to be annulled, because of its invalidity from the beginning.

5. The legislation of the Catholic Church on the indissolubility of marriage will be affected by the Draft of Provisions on Divorce, as proposed in the Constitutional Convention. Even Christian marriage, which is subject only to the Church's jurisdiction, is susceptible of dissolution according to this provision. No religious tenet is respected with regards to the use of divorce itself. The religious denominations are only referred to in so far as the grounds for annulment or divorce recognized by them will

constitute also a cause for divorce. Any Catholic couple therefore will be strongly tempted to apply for a divorce, whenever a cause of those enumerated in the draft is present, which is obviously against the Catholic tenet.

The Church teaches that any valid marriage is indissoluble, whether it be natural marriage (the one contracted among non-baptized) which is only a contract, through of a *peculiar* kind, or a Christian marriage which it at the same time a contract and a sacrament. It always enjoys this property of being indissoluble. The breaking up of the marital bond of a valid marriage will always be not only unlawful but also impossible.

Consequently, neither one of the spouses nor both of them in mutual accord may dissolve the tie created by them when marrying each other. Not even those endowed with the highest authority in a perfect human society have any power to undo what the contracting parties did through their lawful exchange of marital consent. The words of Jesus Christ, Supreme Legislator, are taxative and clear: "What God therefore hath joined together, let no man put asunder" (Matthew XIX 6). The marriage bond is as indissoluble by human authority as some illnesses are incurable by human medication. Of course this is not tantamount to saying that God is powerless to dissolve a valid marriage. As God can restore health to a patient afflicted with an incurable disease, so too, can God dissolve a valid marriage.

The above-mentioned doctrine is rejected by almost all non-Catholic denominations. However, not all of them explain in the same way the possibility or advisability of granting vincular divorce. Some believe that both spouses, in mutual accord, enjoy the right of dissolving their conjugal life whenever it becomes a heavy burden for them; others hold the belief that this right may be used by either of them, notwithstanding the other's opposition. There are some, however, who hold the tenet that, as a rule, divorce should be refused and indissolubility be upheld. For considering the sad conditions prevailing nowadays, divorce, according to them, is a social evil. However, they believe that serious reasons may demand its concession on certain circumstances which should be carefully determined by law. Thus, the Orthodox Greeks and Protestants reject divorce, save on one occasion only, namely when one of the spouses has committed adultery. Only on this condition, they believe, can the innocent party have the right to leave the guilty one and break the marital bond.

The defenders of divorce argue in this manner. Marriage is a private contract. Private contracts are left to the consent and good pleasure of both parties. Marriage, therefore, can be dissolved for any reason whatsoever, if the spouses agree in breaking their marriage tie.

to have prior

We don't need to be long in exposing the erroneous argumentation here involved. It is assumed that marriage is a private contract and therefore rescindable by mutual agreement of the contracting parties. But marriage is not so, it is not a mere contract, but an inviolable social institution. In marriage a double cause is to be considered: the proximate cause, i.e. the free consent of the parties that is limited to decide whether to marry or not to marry and to choose the partner, and the remote cause, i.e. the divine institution of marriage from which the binding force of the laws governing matrimony is derived. Being a social institution marriage cannot be regarded as a mere private contract. The welfare of the offspring and the good of human society are here involved. Hence, marriage is subject to the provisions of public authority, which must respect the divine law, the source of the marriage institution itself. Nor can marriage be regarded as a mere civil contract when both parties are not baptized. Besides its being a social institution, marriage is a sacred institution. Every true marriage, even the one contracted among pagans, "is religious in nature, having in itself something sacred, not added but innate, not received from man but imposed by nature itself" (Leo XIII, Enc. *Arcanum*, Feb. 10, 1880). This explains why in all nations and at all times the celebration of marriage has always been associated with religious rites and ceremonies accompanied by sacrifices and with the intervention of priests. (Cfr. A. Knecht, *Derecho Matrimonial*, Madrid, 1932, p. 3.) Marriage, therefore, can never be considered as a mere civil contract. It has always and everywhere been considered as a holy and religious contract, even among infidels. Besides the above-mentioned testimony of Leo XIII, we have other pontifical pronouncements where this is affirmed in crystal-clear terms. Pius XII, for instance, speaking of civil divorce, said: "Even where the parties are not baptized, marriage legitimately contracted is a sacred thing in the natural order. The civil courts have no power to dissolve it, and the Church has never recognized the validity of divorce in such cases."

If Christian marriage is to be considered, its contractual element cannot be separated from its sacramental element. Leo XIII expounds this doctrine eloquently in the following terms: "Let no one then be deceived by the distinction which some Court legists have so strongly insisted upon—the distinction namely, by which they sever the matrimonial contract from the sacrament, with the intent to hand over the contract to the power and will of the rulers of the State, while reserving questions concerning the sacrament to the Church. A distinction, or rather severance of this kind cannot be approved: for certain it is that in Christian marriage the contract is inseparable from the sacrament and that for this reason the contract cannot be true and legitimate without being a sacrament as well. For Christ our Lord added to marriage the dignity of a sacrament; but marriage is the contract itself whenever that contract

is lawfully concluded. Marriage, moreover, is a sacrament, because it is a holy sign which gives grace, showing forth an image of the mystical nuptials of Christ with the Church. But the form and image of these nuptials is shown precisely by the very bond of that most close union in which man and woman are bound together in one; which bond is nothing else but the marriage itself. Hence it is clear that *among Christians every true marriage is in itself and by itself a sacrament*: and that nothing can be farther from the truth than to say that the sacrament is a certain added ornament or outward endowment, which can be torn away from the contract at the caprice of man." (Enc., *Arcanum*, Feb 10, 1880).

Likewise Pius XI in his Enc. *Casti Connubii* expressly mentions and refutes this argument in favor of divorce, based on the contractual element of marriage. These are his words: "They put forward in the first place that matrimony belongs entirely to the profane and purely civil sphere, that it is not to be committed to the religious society, the Church of Christ, but to civil society alone. They then add that the marriage contract is to be freed from any indissoluble bond, and that separation and divorce are not only to be tolerated but sanctioned by the law; from which it follows finally that, robbed of all its holiness matrimony should be enumerated among the secular and civil institutions. The first point is contained in their contention that the civil act itself should stand for the marriage contract (civil matrimony, as it is called), while the religious act is to be considered a mere addition, or at most a concession to a too superstitious people. Moreover they want it to be no cause for reproach that matrimony be contracted by Catholics with non-Catholics without any reference to religion or recourse to the ecclesiastical authorities. The second point, which is but a consequence of the first, is to be found in their excuse for complete divorce and in their praise and encouragement of those civil laws which favor the loosening of the bond itself. As the salient features of the religious character of all marriage and particularly of the sacramental marriage of Christians have been treated at length and supported by weighty arguments in the encyclical letters of Leo XIII, letters which we have frequently recalled to mind and expressly made Our own."

Summing up and applying the principles held by the Catholic Church on the indissolubility of any valid marriage, it may be safely affirmed that:

1. The indissoluble marital bond "is not subject to any civil power" since divine law "can never be deprived of its force by the decrees of men, the ideas of people or the will of any legislator." (Pius XI, *Ibid.*). "What God hath joined together, let no man put asunder". (Matth. XIX, 6).

2. "If any legislator acting contrary to divine law shall put asunder the marital bond, his action is null and void." (Pius XI, *Ibid.*)

3. The draft of provisions on divorce, as presented in the Constitutional Convention, is against the prescriptions of natural and divine positive law, which state that any valid marriage is indissoluble, be it contracted among pagans or among Christians. (Pius XI, *Ibid.*; Pius XII, 1946).

By way of conclusion, let us transcribe the words Pius XI addressed to the whole Church on this matter and from which our Christian population and our Delegates to the Constitutional Convention can draw some useful conclusions:

"Wherefore, let the faithful also be on their guard against the over-rated independence of private judgment and the false autonomy of human reason. For it is quite foreign to everyone bearing the name of Christian to trust his own mental powers with such pride as to agree only with those things which he can examine from their inner nature, and to imagine that the Church, sent by God to teach and guide all nations, is not conversant with present affairs and circumstances; or even that they must obey only in those matters which she has decreed by solemn definition as though her other decisions might be presumed to be false or putting forward insufficient motive for truth and honesty. Quite to the contrary, a characteristic of all true followers of Christ, lettered or unlettered is to suffer themselves to be guided and led in all things that touch upon faith or morals by the Holy Church of God through its Supreme Pastor the Roman Pontiff, who is himself guided by Jesus Christ Our Lord."

Hence, lest concord be broken by rash charges, let this be understood by all, that the integrity of Catholic Faith cannot be reconciled with opinions verging on Naturalism, or Rationalism, the essence of which is utterly to sterilize Christianity, and to install in society the supremacy of man to the exclusion of God. Further, it is unlawful to follow one line of conduct in private and another in public, respecting privately the authority of the Church, but publicly rejecting it: for this would amount to joining together good and evil, and to putting man in conflict with himself; whereas he ought always to be consistent, and never in the least point nor in any condition of life to swerve from Christian virtue.

(The Encyclical *Immortale Dei*)

NOT ANNULMENT BUT DECLARATION OF NULLITY

Fr. Excelso Garcia, O.P.

In the article written by Loreto D. Dolor, entitled "*Divorce, Anyone?*", which appeared in the *Philippines Free Press* of March 25, 1972, page 8, an obvious inaccuracy has been committed in using the term annulment which, I believe, should be corrected in order not to mislead the readers. When applied to the Church's action, as in the statements attributed to *Fr. Gerald Healy* and *Sister Sonia Aldeguer*, the term *annulment* was used instead of *declaration of nullity*, since annulment is not granted by the ecclesiastical tribunal. This matter of divorce is so delicate and important that an accurate definition of terms is imperative in order to avoid confusion.

In the civil law, *annulment* is the action of a competent Court through which a marriage, considered valid by law, is rendered null and void because of a circumstance existing *at the time* of the celebration of marriage, due to which the law gives the Court power to nullify the marriage. *Declaration of nullity*, however, is an official pronouncement on the nullity of a union, which from its very beginning was null and void due to a circumstance existing *at that time*, which is considered by the law itself as a diriment impediment. In the Church no tribunal is empowered by law to pronounce a sentence of *annulment*. The ecclesiastical tribunal merely *declares* whether or not a concrete marriage is null and void from the beginning: *Constat* or *Non Constat de Nullitate in Casu*, is the consecrated wording of its decisions.

The implication from these definitions is obvious. Civil courts *do annul* marriages which are considered valid by law, as for instance *voidable marriages*. These marriages are valid before the law, subsisting until and unless they are set aside by a competent Court. The ecclesiastical tribunal, however, *does not annul* any valid marriage. It merely *declares* the marriage in question to be void and null from its celebration.

There is therefore no marriage to be annulled, because of its invalidity from the beginning.

Therefore, the statement attributed to Fr. Healy that: "The Pope is not against *annulments*. In fact, the Pope desires to have the procedure of *annulment* streamlined in order to facilitate the grant of *annulments* to those who deserve it",

is inaccurate. The Pope, being in favor of the indissolubility of any valid marriage, as he really is, is *obviously against its annulment*. The above quoted statement, therefore, is to be understood of marriages that *may be declared null and void* from the beginning due to the existence of a diriment impediment at the time of their celebration.

Likewise, the statement of Sister Sonia Aldeguer that: "The Church *annuls* the marriage because of vitiated consent,"

is also not correct for the reason explained above. Moreover, her other statement that:

"This cause for *annulment*, recognized by the Church, is not recognized by the Civil Code", is not accurate. The opposite is true. The Civil Code of the Philippines, in its Article 85, states:

"A marriage *may be annulled* for any of the following causes, existing at the time of the marriage... (5) That the consent of either party was obtained by *force or intimidation* . . ."

And Article 87 further states:

"The Action for *annulments* of marriage must be commenced by the parties and within the periods as follows: . . . (5) For causes mentioned in number 5, by the injured party, within four years from the time the *force or intimidation* ceased."

True that *force and intimidation* have a broader meaning in the Church law than in the State law. However, those marriages entered into with a vitiated consent due to *force and intimidation* as understood by both laws, are *annulled* by the civil courts but *may not be annulled* by the ecclesiastical tribunal. The latter merely *declares that those marriages in question were never valid* for lack of sufficient consent.

Finally, the statement attributed to Fr. Healy that: "Regarding civil marriages, he would not object to a civil divorce, as he would leave that to the complete control of the government",

is against the stand of the Catholic Hierarchy. It is true that the author of the article where these statements appeared says that Fr. Healy made clear that "his views were his own and did not necessarily reflect the official stand of the Philippine Catholic Church on divorce issue".

I presume that the official stand of the Philippine Catholic Church is in perfect agreement with the official stand of the Church's magisterium, as represented by the Pope, Head of the Universal Church, who is the one endowed with the very special Divine assistance when teaching matters of faith and morals, as in the case of divorce. The Church's official stand on this matters, as reflected in the papal pronouncements, is opposed to the one attributed to Fr. Healy, to wit:

"Marriage even in the state of nature . . . should carry with it a perpetual and indissoluble bond which cannot therefore be dissolved *by any civil law*" (Pius VI).

"The restoration of indissolubility refers to every kind of marriage, even that which is natural and legitimate only; for that indissolubility by which the loosening of the bond is once and for all removed from the whim of the parties and *from every secular power*, is a property of every true marriage" (Pius XI, *Encycl. On Christian Marriage*, n. 87).

"Opposed to all these reckless opinions (*in favor of divorce*) stands the unalterable law of God, fully confirmed by Christ, a law that can never be deprived of its force *by the decrees of man, the ideas of a people or the will of a legislator*: 'What God hath joined together, let no man put asunder'. And *if any man, acting contrary to this law, shall have put asunder, his action is null and void*" (Ibid.).

"Even where the parties are not baptized, marriage legitimately contracted is a sacred thing in the natural order. *The civil courts have no power to dissolve it*, and the Church has never recognized the validity of divorce decrees in such cases" (Pius XII, 1946, *Papal Pronouncements* by A. Werth, p. 55).

SISTER SONIA'S STAND ON DIVORCE

QUESTION: My query has reference to "Sister Sonia's Stand" on divorce as published by *The Manila Times* on March 23, 1972 in its "We, the People" section. I am writing on my own, and also in the name of a group of university professors, all alumnae of prestigious colleges run by Sisters. We were shocked and scandalized, to say the least, by Sister Sonia's stand. Also, we are confronted with the dissent of our students in "Socio 9" whose description is "Marriage and the Family". On the question of divorce some students even brand us as antiquated when we uphold the Church's position and they buttress their stand on the Reverend Sister's authority, who, they argue, must know better than us, lay-faculty.

What is your stand, Father? Is Sister Sonia's stand tenable? Do kindly support your stand with arguments.

A Lay Professor

ANSWER: This question, by the very wording of its proponent touches on different, though co-related, problems, such as the matter of scandal and that of competence of teachers. We may easily infer that such statement by a Catholic nun is apt to cause scandal. That seems to be beyond dispute. If every Catholic member of the Constitutional Convention in matters so serious as the writing of our fundamental law is expected to form his individual conscience in line with the teaching of the Catholic Church in his discharge of the task committed to him, greater expectations are awaited of Sisters or priests who profess the religious life. Whence the enormity of the scandal to other members of the people of God when some of these more conspicuous members dare oppose, or even deviate, from the Church's stand in matters like matrimony. For on the institution of marriage, by divine ordinance and by Christ's command, stand or fail both society and the Church as planned by God. The scandal of the good professors is therefore understandable.

The matter of competence, on the other hand, cannot be adduced owing to the fact that the Reverend Sister is a religious. People, of course, especially the young students, are prone to give credit to priests and nuns in matters of religion. We might say that in the past such expectations

were well justified. At present, however, such fact cannot be universally presumed, and the persons of priests and Sisters should be individually weighed against their actual knowledge and their fidelity to the teaching authority of the Church.

Important, though these points may be, they pale into insignificance in the face of the contents of the declaration of the Reverend Sister. Thus, we will dispense with the other considerations in order to see whether her declaration may be tenable at all in the light of the Catholic faith.

1. "SISTER SONIA'S STAND"

We have to note in advance that the point under discussion here is not, of course, that of *separation of the spouses*, which theologians call *separatio corporum*, which may be granted under certain conditions. Our discussion hinges on direct and outright *divorce*, as proposed by its advocates among the members of the Constitutional Convention, namely, a divorce that may *dissolve the bond of unity* present in every valid marriage with the consequence of granting to the spouses the possibility of proceeding to another marriage. To this boils down the enormously complicated question. And that divorce could be granted by a *civil* authority, since the delegates have no other capacity than the one delegated to them by their electors.

Now, since the illicitness of divorce is a doctrine solemnly defined by the Church and for twenty centuries of constant, uniform practice without a single exception, it is important to reproduce verbatim the letter of the Reverend Sister. We quote from the above-mentioned page in *The Manila Times*, though the same "Clarification" appeared too in other prominent dailies.

Writes Sister Sonia:

Dear Editor:

I write this clarification on my stand on divorce.

In the first place, it has always been my belief that divorce should be a subject for legislative enactment. The Constitution, the fundamental law of the land, should concern itself with the fundamental rights. Divorce is not a fundamental right but a remedial one.

However, should the Convention decide to take it up, I am in favor of divorce provided that the rules and regulations of various religious denominations be respected; that is, no divorce for Catholics. As far as non-Catholics are concerned, I, as a Catholic, have no right to impose my disciplinary rules on them.

Among the situations which I hope can be remedied by this measures are:

a) A marries B in the Catholic Church. This marriage is duly registered in the civil registry. Two years later, the Church annuls the marriage because of vitiated consent on the part of A. This cause for annulment recognized by the Church is not recognized by the Civil Code and since there is no divorce in our country now, no civic remedy can be had. A got married to C, while in Japan and came back to the Philippines. Under Philippine Law, this marriage to C, is bigamous while under the Church Law, it is valid.

b) A and B secured legal separation after 2 years of marriage. Son A began living with C and B began living with D. All the parties concerned were born to these illegal unions and are therefore illegitimate. Under present law no remedy.

In most discussions on divorce, liberal causes are envisioned. Allow me to quote the final draft of the Committee concerned so that we deal with realities and not imagined possibilities:

(We omit this draft, since our study refers only to the Reverend Sister's position.)

Amendments may yet be made during plenary session discussions. — SONJA S. ALDEGUER, Delegate, 3rd District of Iloilo.

2. SOME PERTINENT OBSERVATIONS

At this juncture some points of rudimentary catechisms are in order. They are the bases of every Biblical and ecclesiastical pronouncements on the matter.

a. *Matrimony is a unique contract* belonging to a category all its own. In no way may it be compared to any other contract of human invention which may be based on purely human agreement or law.

b. *In itself, the right to marriage is inherent to all human persons*, who have obtained an adequate knowledge of what marriage is and of the purpose of its institution, as long as the natural ability to contract it is not impeded in either of the partners.

c. *Marriage, though a right as in b., impose no obligation to marry on any person.* However, with the presence of ability, marriage essentially requires the free act of the will in each one of the parties. If the free consent of their will is substantially vitiated by fear or force, the mutual act of self-giving by the parties cannot produce a true and valid marriage. In case like this the spectators may be deceived, but the contracting parties know that they are not freely consenting. And, of course, God knows it even better. Now, besides the free consent other requirements may be postulated by the Church for Christians and by the civil legislator for unbaptized persons.

d. The all-essential point here is that the very nature of the marital contract does not in any way depend on any human opinion, law, custom, instituted by God in the beginning. It was He Who fixed forever and for all its nature and its properties. Essentially, by God's institution, marriage is *monogamous* and *indissoluble*. Only death may *dissolve its bond* and set the survivor free. Then, owing to the death of the other party, the survivor may proceed to a new marriage for as many times as death may visit his or her succeeding spouses. Impertinent though these notions may appear, they are most relevant to the matter, since they forever exclude the qualification in the Reverend Sister's statement on men on account of their diversity in religion. The variation in men's opinions, laws or institutions shall never make any impact on God's immutability. For this reason the Reverend Sister's expression, "I am in favor of divorce *provided that the rules and regulations of various religious denominations be respected*" cannot be subscribed to by any Catholic or by any man accepting His revelation. Indeed, who is to stand against God and His institution?

e. Besides the unique character of marriage for all men, after centuries of human variations, the Lord Jesus, in order to counteract such deviations and abuses of all mankind, came to repudiate with His divine authority all erroneous deviations — again for all and forever — in this matter. And so firm was our Redeemer about this institution for the children of men on earth, that for His followers, namely, for those who would accept His Gospel "and be baptized" (*Matt. 28:1920*), the Lord did elevate the marriage contract into a *sacrament* of love. Thus, by representing His own unending love for redeemed humanity, this sacrament would be an efficient means towards the sanctification of conjugal love. Through Jesus' grace and addition of a supernatural ability, this sacrament will help frail human hearts to successfully meet the unforeseen eventualities, — for better and for worse, for richer and for poorer till the happy moment of their entering into the eternal union of heavenly love.

On this score we are met with these words of the Reverend Sister: "as far as non-Catholics are concerned I, as a Catholic, have no right to impose my disciplinary rules on them". Innocent and true as these words may sound, this statement is rather misleading and in its context, entirely wrong. In fact, absolutely no legislator and no man, the good Sister included, has a right to legislate on a matter that God did reserve to Himself alone. Or on a right that the Lord Jesus did not grant even to His Church. But the essentially vitiated condition of such pronouncement stands on the fact that the whole matter is one of introducing a fundamental law *not in Antayetica* but here *in the Philippines*. It is a well known fact that except for a very small minority — Moslems, ethnic groups and not too many unbaptized others — the rest of the nation is

composed of Catholics and other Christians whose baptisms we cannot, without injury, presume to be invalid. Consequently, the distinction between Catholics and non-Catholics in the Philippines amounts to nil. Truly, in Catholic doctrine the valid marriages of Catholics and non-Catholics *are equally sacraments of the only Church of Christ*, and so, they are subject to the Church's laws alone, not to any civil authority. The sacramental dignity of Christian marriage is based solely in the Lord Jesus' institution and divine power. For this reason, just as the erroneous opinions, laws or institutions of men cannot invalidate God's original institution for all men, in like manner, no amount of dissent by any Christian can ever nullify the sacramental dignity which the Lord Jesus deigned to attach to all valid marriages of His faithful.

All know, of course, that Martin Luther, and many after him, have decided otherwise. Again, who among Catholics, whether in a private capacity or acting on delegation of men, dare establish a law in any Constitution or Code that may acknowledge a right in outright opposition to God's right for all men and diametrically opposed to the Lord Jesus' decree on the sacramental quality of every Christian marriage?

3. COMMENDATION OF THE PRESENT LAW IN THE CIVIL CODE OF THE PHILIPPINES

In a pluralistic society as the Philippines', with the official distinction of juridical power in religious freedom of all Filipinos, the fundamental statement of the present law is to be highly commended. It could not, of course, be expressed in terms that may satisfy all, but, most praiseworthy, our legislator have acknowledged the peculiar character of marriage as an "inviolable institution". Reads Art. 52 of the Civil Code:

Marriage is not a mere contract but an inviolable institution. Its nature, consequences and incidents are governed by law and not subject to stipulation, except that the marriage settlements may to a certain extent fix the property relations during marriage.

Thus, our legislators have limited themselves to their proper field, which, in the Church's language is called "the merely civil effects of marriage" (*Paul VI, Motu Proprio, March 28, 1971. cfr. The Pope Speaks Magazine, 1971, pag. 234*)

In our opinion Art. 52 of our Civil Code can be honorably enshrined in the new Constitution, thus definitely safeguarding among us the mono-

gamous and indissoluble character of marriage as the basic law of our family and society.

4. EQUIVOCATION IN TERM 'ANNULMENT'

There is a serious error in the statement of the Reverend Sister with regard to what she calls *annulment*. "A marries B in the Catholic Church. . . . Two years later, the Church *annuls* the marriage because . . . This cause for *annulment* recognized by the Church. . . .", etc. The error comes from the terms *annuls* and *annulment*. An *annulment* properly so called presupposes something that is valid in itself, and through *annulment*, is deprived of its validity. In this sense *the Church has never annulled* a valid marriage which is *ratified and consummated*, to use the Church's terminology. Not even to save for the Church a whole region as in the case of Henry VIII. The Church would rather suffer the loss of an England than to betray one of the sacraments entrusted to her by the Lord Jesus. Much less will the Church *annul* the marriages of unbaptized persons since they do not even belong to her jurisdiction. And "the favor of the faith" that the Church holds on to is given by St. Paul under very definite conditions (*cf.* 1 Cor., 7:21-16).

To what amounts then, what the Reverend Sister calls *annulment*? To a simple declaration of nullity of a case where a given marriage which seemed to be valid at the time of its celebration, after an exhaustive investigation by the Church's officials, is found to have been null and void from the beginning on account of what is called a *diriment impediment* or of a vitiated consent or of some other reasons very well defined in the Church's law. Thus, evidently the difference between an *annulment* and the Church's *declaration of nullity* are heaven and earth apart.

5. SISTER SONIA'S STAND IS INDEFENSIBLE

With the foregoing in mind it will not be difficult to see how untenable Sister's stand on divorce is. Her statement is clear from the start: "In the first place, it has always been my belief that divorce *should be a subject* for legislative enactment. . . . However, should the Convention decide to take it up, *I am in favor of divorce provided. . . .*" (underscoring ours). Our argument is more than apodictic, it is part and parcel of the Catholic faith.

This position is in open opposition to the frank teaching of S. Scripture, of the Ecumenical Councils and of the solemn teaching of the Roman Pontiffs. So, it is utterly indefensible by Catholics

a. *Opposition to the S. Scriptures.*

This stand on divorce contradicts the words of Christ in St. Matthew and St. Mark.

1. *Writes St. Matthew:*

Some Pharisees approached him, and to test Him they said, 'is it against the Law for a man to divorce his wife on any pretext whatever?' He answered, 'have you not read that the Creator from the beginning *made them male and female* and that He said: *This is why a man must leave father and mother, and cling to his wife, and the two become one body?* They are no longer two, therefore, but one body. So then, what God has united, man must not divide'.

They said Him, 'Then why did Moses command that a writ of dismissal should be given in cases of divorce?' 'It was because you were so unteachable' He said 'that Moses allowed you to divorce your wives, but it was not like this from the beginning. Now I say to you: the man who divorces his wife — I am not speaking of fornication — and marries another, is guilty of adultery'. *Matth. 19:3-9.*

2. *Writes St. Mark:*

Some Pharisees approached Him and asked, 'Is it against the law for a man to divorce his wife?' They were testing Him, He answered them, 'What did Moses command you?' 'Moses allowed us' they said 'to draw a writ of dismissal and so to divorce'. Then Jesus said to them, 'It was because you were divorce'. Then Jesus said to them, "It was because you were so unteachable that he wrote this commandment for you. But from the beginning of creation *God made them male and female. This is why a man leaves father and mother and the two become one body.* They are no longer two, therefore, but one body. "So then, what God has united, man must not divide Back in the house the disciples questioned Him again about this, and He said to them "The man who divorces his wife and marries another is guilty of adultery against her. And if a woman divorces her husband and marries another she is guilty of adultery too." *Mark 10:2-12.*

That much we have for the eternal exclusion of divorce from any valid marriage of any man created by God. Note the laconic commentary to Jesus' words by the scholarly authors of the Jerusalem Bible: "*Uncompromising assertion of the indissolubility of marriage.*" (Footnote a.)

3. *The Lord, exclusively on the bodily separation of the spouses.*

But what to do in case of adultery, the most pertinent of the various reasons that may allow what is called 'legal separation'? Can divorce, as stated by the Reverend Sister, be a 'remedial' right? To this question which Jesus did not

touch in Matthew, 19:9, — *I am not speaking of fornication* the Lord Jesus answered through St. Paul, *1 Cor., 7:10-11*: "For the married I have something to say, and *this is not from me but from the Lord*: a wife must not leave her husband — or if she leave him, she must either remain unmarried or else make it up with her husband — nor must a husband send his wife away."

Thus, the remedial right proposed by the Lord is diametrically opposed to the one proposed by this 'stand'. It amounts to reconciliation or to a non-marital life. In the Lord's words:

a. "either remain unmarried", or

b. "or else make up with her husband". And, of course the same remedy is open to the man.

c. *The statement is opposed to St. Paul's doctrine on the marriage of Christians which is a sacrament.*

What does S. Scripture teach about the kind of marriage of Catholics and all baptized Christians? Here the reader is invited to read in full St. Paul's beautiful passage on this sacrament of love which marriage is in his letter to the Ephesians, Chap. 5:21 to Chap. 6:1-9. There the Christian spouses are called to emulate the ideal love of Christ for His Church, i.e. Christ's love for the spouses themselves and for redeemed humanity, which is symbolized by their own conjugal union: "*This mystery has many implications; but I am saying it applies to Christ and to the Church*" (v. 32).

b. *The Ecumenical Councils*

Here the entire teaching Church, i.e. the College of Bishops with the Pope speak to every Christian. From a litany that might become fastidiously long, we choose only two Councils, Trent and Vatican II.

1. *The Fathers of Trent* have authentically declared this dogma of faith from the above transcribed words of S. Scripture, in the following words:

The first parent of the human race expressed the perpetual and indissoluble bond of matrimony under the influence of the divine Spirit, when he said: "This now is bone of my bone, and flesh of my flesh. Wherefore a man shall leave father and mother and shall cleave to his wife, and they shall be two in one flesh" (Gen. 2:23 f.; cf. Eph. 5:31).

But that by this bond two only are united and joined together, Christ the Lord taught more openly, when referring to those last words, as having been uttered by God, He said:

"Therefore now they are not two, but one flesh" (Matt. 19:6), and immediately ratified the strength of this same bond, pronounced by Adam so long ago in these words: "What therefore God has joined together, let no man put asunder" (Matt. 19:6; Mark 10:9).

But the grace which was to perfect that natural love, and confirm the indissoluble union, and sanctify those united in marriage, Christ Himself, institutor and perfecter of the venerable sacraments, merited for us by His passion. The Apostle Paul intimates this, when he says: "Men, love your wives as Christ loved the Church, and delivered himself up for it" (Eph. 5:25), directly adding: "This is a great Sacrament; but I speak in Christ and in the Church" (Eph. 5:32) (*Cfr. Denz. 969*).

2. *The Fathers of the Second Vatican Council* have accepted, of course, the definition of Trent, but true to their *pastoral* purpose, instead of a mere repetition of the old definitions, inserted a beautiful instruction in their *Pastoral Constitution on the Church in the Modern World*, (nn. 47 to 52), of which the most relevant points of the faith on marriage and family are presented in easily readable language. For the sake of brevity we cite the most pertinent texts.

a. *On all marriages:*

The intimate community character of married life and love, established by the Creator and deriving its structure from His laws, is based on the conjugal pact, an irrevocable personal consent. From this human act, by which the parties give and receive each other, there arises an institution which by divine ordinance is stable, even in the eyes of society. This bond, which is sacred for the good of the married parties, the children, and society itself, does not depend on men's choice. God, who made marriage, endowed it with its various values and purposes . . . n. 48.

b. *On Christian marriage:*

. . . For just as God once encountered His people in a covenant of love and trust, so now as the Saviour of the world and the Spouse of the Church he encounters faithful spouses in the Sacrament of Christian marriage.

. . . So do married partners, by mutual surrender, love each other with a lasting fidelity (*In the original text: perpetua fidelitate diligant* n. 48).

. . . Such love, ratified by mutual fidelity and above all sanctioned by Christ's sacrament, is unshakeably faithful in body and mind, through good times and bad, and so remains a stranger to adultery and divorce. n. 49.

3. The Roman Pontiffs

The vigilant guardians of faith and sacrament, the Popes, could not fail to defend this dogma. To reproduce at length their pronouncements would be nigh impossible. We will, nevertheless, offer to our reader two choice documents on the matter, one from Leo XIII in his Encyclical *Arcanum divinae sapientiae*, February 10, 1880 and the other from Pius XI in the marvelous Encyclical *Casti Connubii*, Dec. 31, 1930.

6. IS THIS DOCTRINE DEFINED BY THE CHURCH AS DOGMA OF FAITH?

The answer is *yes*. Indeed, the Fathers of Trent, after their definition, did brand as heretics those who would dare to contradict their definition. Their formuls words:

Can. 5. If anyone says that the bond of matrimony can be dissolved because of heresy, or grievous cohabitation, or voluntary absence from the spouses; let him be anathema.

Can. 7. If anyone says that the Church errs, in as much as she has taught and still teaches that in accordance with evangelical and apostolic doctrine (Matt. 10; 1 Cor. 7) the bond of matrimony cannot be dissolved because of adultery of one of the married persons, and that both, or even the innocent one, who has given no occasion for adultery, cannot during the lifetime of the other contract another marriage, and that he, who after the dismissal of the adulteress shall marry another, is guilty of adultery, and that she also, who after the dismissal of the adulterer shall marry another; let him be anathema. (*cf.* *Denz.* 975, 977).

7. THE FINAL ANSWER

From the foregoing it is clear that Sister's stand on divorce is untenable. No Catholic may defend it without real, objective heresy.

● Quintin Ma. Garcia, O.P.

INVOLVEMENT IN SOCIAL ACTIVISM BY THE RELIGIOUS

QUESTION: In our monthly seminar for theology students we discussed extensively the priests' role in the re-structuring of society. The two documents of the recent synod of Bishops served as our guidelines. However, the *Statement* of the Major Religious Superiors "*on the role of the Religious Priests, Sisters and Brothers in the Philippines today*" was brought into the discussion. I am sending you a copy of the *Statement*. Not a few of the discussants unconditionally endorsed the *Statement*, and some of us did not find it acceptable. A cursory reading of the *Statement* will show you how widely it differs in language and content from the above-mentioned Synodal documents. We are earnestly soliciting your opinion on the matter. Both the *Statement* and the two Synodal documents are expressions of our Superiors. In case of real disagreement between the two, to which of them should we appeal for personal action?

A Religious Student

ANSWER: From the start we admit that an adequate answer to our Student may not be an easy one, since such vast matters as those implicated in this *Statement* cannot be treated in so short a space. So, we will try to single out its salient points in order to obtain a fair and succinct answer.

1. *Publicity given to this Statement*

The mimeographed copy from our Student is the same *Statement* of the Associations of Major Religious Superiors of Men and Women in the Philippines which appeared on page 11 of the Manila Times, January 1, 1972. Some observations might be in order on the very title and the signature of this *Statement*. On the other hand, the Associations of Religious Men and Women, if they are true to the rules on whose authority the very validity of their existence is based, should work separately. The rationale behind this regulation is self-evident to all who are familiar with the differences both in *character* and *training*

and in *their proper mission* within the Church. For this reason, we ask, why this rule, which is observed elsewhere, is not kept here in the Philippines? Thus, we find the *Statement* jointly signed and published by both religious men and women. One wonders at the total agreement even as to the very words, of both Associations on matters so vast and so fundamental. One would surmise that the *Statement* was possibly the exclusive creation of religious men and then endorsed by the uniform, sweet 'Amen' of the Sisterly Choir.

Furthermore, how did it happen that a *Statement* intended to deal with the 'role' of the Religious, instead of being sent to its addressees was addressed that glaringly to the general public?

But these are only procedural matters which we prefer to leave as they are.

2. *More Important*

The real objection which makes the *Statement* not only controversial, but, in our opinion, even unchristian, comes from its contents. Indeed, from title to end the *Statement* sounds more of a revolutionary manifesto than a document from ecclesiastics. Even the very title is misleading, since it attempts to assign 'the role' of the Religious Orders and Congregations *in the Philippines today* which in no way can coincide with the end and aim of Religious Entities as approved by the Church.

In truth, as all Catholics know, the role of the various Religious Orders is well defined in their specific constitutions as approved by the Holy See, and no constitution of any Order has ever been accepted by the Church for the purpose claimed by the *Statement*. On the other hand, the role of the Religious 'in the Philippines today' is exactly the same role yesterday and tomorrow, the very same role of all religious in all parts of the world. Yet, the title is in itself misleading and the ordinary reader may think that something is different 'today' and 'in the Philippines'.

Now, the role of all religious Orders is essentially a religious and sacred one. Each one of the Congregations has its own peculiar constitution towards the fulfilment of its sacred aim, but all are equally subject, in the pursuit of their works of teaching and charity, to the directives of the Pope and to the local bishop in each one of the dioceses. No other role can be conceived in this field without a radical adulteration of the religious state.

3. *A Limitation*

Though the *Statement* forms a coherent whole and while its tone is equally inflammatory, much as we would like to reproduce it in full,

space allows us to reproduce only in part. This limitation, however, does not prejudice the objectivity of our analysis, since the *Statement* having been published in one of our prominent dailies is readily available to the public.

Part of the Statement:

1. We, the Major Religious Superiors of the Philippines, recognize the aspirations of our people to be liberated from the *oppressive factors* present in our *social institutions and structures*. We see that the *role of the Church in the Philippines today* is to intensify every effort to awaken the consciousness of all our people to a full realization of their dignity and equality as persons. In particular we affirm this need in regard to the poor and underprivileged, that they may be aroused to exercise their right as human beings to participate in the decisions that affect their lives as individuals in their destiny as a people. This luminous goal summons *all of us to participate in the radical restructuring of the present unjust social order in our country*. The accomplishment of this drastic but necessary social changes will undoubtedly *cause tensions, confusion and anguish*, but this agonizing struggle may well be *the only way by which chaos and violent revolution can be prevented*.
2. . . . To be the Church of the poor imposes on us the obligation of an honest examination of conscience as to our own living witness of the gospel . . . Are we ourselves actually *collaborating with the very structures of wealth and security that form the pattern of oppression?*
3. The present instance of our history demands that *we religious work with rather than for our people . . .*

With such a mixture of platitudes and generalizations we underscored the above lines to call the attention of the non-conversant reader.

4. *Some remarks about this text*

Apart from the language, which we consider improper for religious men and women, we find the *Statement* utterly untenable.

First and salient is the wide generalization. Too general to be true, of course. Nothing in the social order of our country, political, social, economic, military, educational, etc., etc. has been spared. Is it even thinkable that, as stated "present in our social institutions and structures" "oppressive factors" would have so thoroughly crept that no healthy part could have been left? Because the "oppressive factors" are said to have gone that far that no redeeming elements could have remained to the point that all religious, "all of us" are summoned "to

participate in the radical restructuring of the present unjust social order of our country". Thus, with one mighty stroke of its self-appointment this *Statement* has condemned the whole social order in the Philippines and has appointed its own authors the builders and the re-constructors of a *new order*.

In vain will the reader try to divine *what in particular* are the supposed wrongs, and *what kind of new order* will the new builders establish for our redemption. This, apparently, is the business of the *Statement's* wisdom which it keeps carefully for its noble self.

In vain too will the reader look for any indication of *the means* which the religious might use in the performance of their "role". The public, we think, has the right to know in advance a definition both of the *real ills* and of *the means* to be used to combat them. Or does the *Statement* subscribe to the famous *Do evil as a means to good, Rom. 7:8?* Or perhaps the *Statement* imposes on us all a conduct inconceivable even to men in primitive history: "*are you really going to destroy the just man with the sinner?*" *Gen. 18:23.*

Actually, with such a flat condemnation, without qualification of any sort, even the casual reader may wonder if such a bleak picture really mirrors the Philippines today. Nobody will, of course, ignore, or minimize, the actual ills of our society today. *But this oversimplification and the sloganeering language adopted by this Statement is liable to add to the ills and to help those who advocate for social reform from an angle totally different from that of the Church.*

5. *Is such procedure Christian?*

Evidently, nothing can be truly Christian which is false or unethical. Fortunately, as a sure guideline, we have the normative Word and conduct of the Lord Jesus and His Apostles, and if their message would appear a bit stale for some religious taste *today*, in the midst of the actual turmoil, we have the definite teaching of the Pope and that of the Synod of Bishops for the comfort of those of us who still care for *the Church's magisterium*.

A. *The Lord Jesus*

Our Student-questioner is invited to go through every page of the New Testament. In vain will he search for a word or for one iota that may lend the least support towards any elimination of the order of society or of its structures. The Lord Himself accepted the established order to the point of acknowledging the authority of the man who was

abusing his authority in the greatest crime of all time (*John, 19:11*). No. Nothing was wrong with authority, nor with the establishment. The wrongs came from the abuse therein, by persons who should not abuse their position.

St. Paul too was most specific about the acceptance imposed on all Christians of the establishment and its structures (*Rom. 13:1, ff.*) And all know well the kind of establishment and the kind of structures prevalent in the Roman world, from the *slavery of the masses* to all sorts of oppression from the few 'haves'. Significant is the teaching of that touching short Letter to Philemon, and the acceptance of St. Paul of the duty of satisfaction incurred by a slave whom the Lord had already made free (*Philem. 7-8*).

Evidently, the Lord's approach to the social ills was a bit different from that of the *Statement*. True to His mission of Redeemer He went to the root of all ills, *Sin. Personal and communitarian sin*. And the remedy applied by Him was "*grace and truth*", *John, 1:14*. Radical as the sources of social wrongs were, this remedy, grace and truth, was to reach even greater boundaries that could have ever been imagined by any social reformer. Sensitive as no other social reformer to men's need of *material bread*, but conscious of all implications in human complexity, He saw that on bread alone no man could live, (*Matth. 4:4*). So He offered to all the real road to total beatitude, (*Math. 5:1, ff.*) which could be the lot even of those to whom the superabundance of bread (read *land-titles, housing, health service, and the rest*) would never be able to spell happiness. And here is the mystery of Jesus' paradox, something conspicuously missed by the authors of this *Statement*. Beginning with His apostles, men took literally to His "truth" and, through His "grace", though gradually they changed their own minds and hearts. Then, the minds and hearts of this new breed, through truth and grace (read *preaching and works of charity*) were able to change oppressive structures and society itself. Francis of Assisi and John Bosco, two men alone among hundred thousands, were able to bring about into society more *genuine* reform than all social reformers both in the capitalistic and in the communist camps ever did.

B. *The Holy Father*

To the famous encyclicals of his predecessors and his own, our Holy Father added his Apostolic Letter *Octogesima Adveniens*. The impact of this Letter can be read in the Synodal Documents mentioned above. Objectivity and serenity in language and content run through these beautiful pages. No ill of society is missed or dissimulated. Serenity again is the note when pointing to the remedies. *No adrocaation towards any upheaval*

of social institutions and structures can be read there, much less any self-attribution of competence towards any radical restructuring of the social order in any nation. The same attitude characterizes the two Documents of the Synod of Bishops. Perhaps some short quotations may help the reader to form his own opinion on the matter.

Writes the Holy Father:

1. We believe that the solution for this deplorable conditions, deplorable in certain areas, is *neither reactionary revolution nor recourse to violence*. . . We say it on the strength of Our pledge with Christ. . . (At the General Audience, Aug. 21, 1968. Cfr. *The Pope Speaks Magazine*, 1968, pag. 321).

1. We do not have, as you know, direct competence in temporal affairs; nor do We have means or authority to make a practical intervention in the question. (To 300000 'campesinos' at Bogota. T.P.S., 1968, p. 325).

3. The Church agrees to recognize the world as such — that is, free, autonomous, sovereign, and in a certain sense, self-sufficient. . . (To the General Audience, April 23, 1969. Cfr. T.P.S., 1969, pag. 134).

4. We do not belong to this international organization; We are unacquainted with the specific questions which have their study offices and discussion rooms here, and Our spiritual mission is not intended to intervene in matters outside its proper domain. . . Without any particular competence in the technical discussions on the defence and promotion of human work, We are nevertheless no stranger to this great cause of labor. . . (To Members of ILO, at Geneva, June 10, 1969, cfr. T.P.S. op. cit., pag. 137-138).

5. In the realm of social realities, the Church has always wanted to exercise a twofold function: first, to enlighten men so as to help them find the truth and a sure pathway amid the different doctrines to which they are attracted; and second, to devote her efforts to spreading the power of the Gospel while showing concern for effective service to men. (Octagesima Adversus, n. 38, cfr. T.P.S., 1971, pag. 161-162).

C. From the Synod of Bishops

Though for all who listen to the Vicar of Christ as the most authoritative voice in the Church's magisterium the above quotations might be sufficient, yet, a few words from the world episcopate might be helpful too.

1. To bishops and, in cases foreseen by the law, to episcopal conferences is committed the role of authentically promoting, in accordance with the norms given by the Holy See, pastoral activity and liturgical renewal. . .

2. In order to determine in *concrete circumstances* whether secular activity is in accord with the priestly ministry, inquiry should be made . . . *This is to be judged by the local bishop with his presbyterium*, and if necessary in consultation with the episcopal conference. When activities of this sort, which *ordinarily pertain to the laity*, . . .

3. But since political options are by nature contingent and never in an entirely adequate and perennial way interpret the Gospel, *the priest*, who is the witness of the things to come, *must keep a certain distance from any political office or involvement*. . . *the priest can sometimes be obliged to abstain from the exercise of of his own right in this matter*.

(Document: *The Ministerial Priesthood*. Kindly read these paragraphs in full in the *Boletin Eclesiastico de Filipinas*, Jan. 1972, pag. 69-71).

4. *And finally*. Unless the Christian message of love and justice shows its effectiveness through action in the cause of justice in the world, it will only with difficulty gain credibility with the men of our times. . . . *Of itself it does not belong to the Church*, in so far as she is a religious and hierarchical community, to offer concrete solutions in the social, economic and political spheres for justice in the world. Her Mission involves defending and promoting the dignity and fundamental rights of the human person. . . .

. . . The liturgy, which we preside over and which is the heart of the Church's life, can greatly serve education for justice. . . . The practice of penance should emphasize the social dimension of sin and of the sacrament. (*The Document: Justice in the World*, *cfr. Boletin Eclesiastico de Filipinas*, February, 1972, pp. 113 & 117).

Here our Student is invited to see how the diametrically opposite doctrines of the Church and the Lord Jesus would meet with blatant pronouncement of this *Statement*.

6. *Technical incompetence*

If moving in their own waters the authors of the *Statement* have fared that badly, what shall we say of their competence, if, as the case is, the objectives of their declaration is definitely out of their professional field? For, for anyone with a bit of discretion the social order and the social structures of any given country, if they are to be fairly treated, do require a professional training proper to the host of subjects which take the long-year courses in Colleges and Universities and the lifetime of scholars and statesmen. The field is so vast indeed that for any elementary honest discernment of what is right and what is wrong, of what is convenient and what is detrimental as regard social theory and social action in any given circumstances, one may well require a comprehensive

knowledge of so many sciences, social, political, ethical, commercial, mercantile, industrial, agricultural, military, both in a national and international aspect. Are we going to acknowledge such technical competence in the authors of this *Statement*? Even if we, to be generous, admit that the Priest-Superiors, on account of the side-subjects along their long philosophical and theological courses may possess an elementary knowledge in those fields, yet, what scientific support may their *Statement* obtain from the unison acclamation of the virginal Choir?

CONCLUSION

If there has been too much prolixity in our observations, that will be compensated for by the brevity of our answer. Our questioner, himself, a Student of theology, may formulate his own answer. If he would only hold on to the divine teaching authority of Popes and Bishops as a dogma of faith from Pentecost to the Dogmatic Constitution *On the Church* of the Second Vatican Council, the answer becomes as clear as fountain water. And that applies not only for Religious Students, of course, but mainly for their Superiors. And the higher the Superiors are the more they are expected to hold on fast to the teaching of the Church's magisterium.

QUINTIN MA. GARCIA, O.P.

The joys and the hopes, the griefs and the anxieties of the men of this age, especially those who are poor or in any way afflicted, these too are the joys and hopes, the griefs and anxieties of the followers of Christ,

(Gaudium et Spes, no. 1)

AN UP-DATED INTERIM BREVIARY?

H. J. Graf, S.V.D.

QUESTION: Instead of the Latin Roman Breviary, I use instead the book "The Prayer of the Church" published by Chapman, London. I understand that it has been approved by Rome and the Philippine Bishops' Conference. In November 1971 the BOLETIN ECLESIASTICO published "Norms for Interim Texts" both for Mass and the Divine Office, issued by the Congregation of Divine Worship on November 11, 1971. But these norms are different from what my "Prayer of the Church" says on a number of occasions. Is my new book, purchased only in 1970, already outdated?

ANSWER: Your "Prayer of the Church" is exactly what its subtitle says, an "interim version of the Roman Breviary". Vatican II had decreed a reform of the Divine Office. This involved a tremendous work which took more than five years to complete. Your book represents the state of the reform reached in early 1969, when the Holy Father abolished the Council for the Implementation of the Constitution of the Liturgy and entrusted its work to the newly created Congregation of Divine Worship.

After this date the work of revision and reform went on. In order to meet the impatience of many priests and religious, Rome had originally in mind to bring out an "interim Breviary" of its own. This plan, however, was abandoned later on. But at the insistence of the French bishops, the material, prepared so far, was made accessible to them and in early autumn 1969 they published a French version of an interim Breviary with the Imprimature of the chairman of the French Bishops' Liturgical Commission and the approval of the Roman Congregation of Divine Worship. Subsequently, there appeared a Dutch version, and in the first days of July 1970 also an English version, your "Prayer of the Church." It is largely modelled after the French version.

When the work of reform continued under the guidance of the Congregation of Divine Worship, a number of former decisions had to be revoked, others had to be changed. These changes are largely responsible for the differences which you observed in the "Norms" published in November 1971.

In January 1969 the Council for the Implementation of the Constitution on the Liturgy had sent a booklet with the General Instruction on the new Liturgy of the Hours to the bishops of the whole world. It added two model offices, a ferial office of the memorial day of St. Ignatius of Antioch. Article 52 of this Instruction said: "Except for the sacred seasons, when every year certain books are read according to tradition, the lessons have been arranged in a two-year cycle, as is also done in the readings for ferial days at Mass, with the result that every year the whole New Testament is read, partly in Mass and partly in the Divine Office. In addition to this a survey is offered of the whole history of salvation in the double series of readings from the Old Testament. For practical reasons the new Liturgy of the Hours will consist of three volumes. The first will contain the sacred seasons of Advent, Christmas, Lent and Easter; the second and third offer the time throughout the year in a two-year cycle."¹

In a last minute decision this plan has been abandoned. The new "Liturgia Horarum" as published in 1971 and 1972 contains four volumes of 1300, 1800, 1650 and 1400 pages. The material collected for the new Liturgy of the Hours was so rich that three volumes could not hold it; a four-volume set had to be published. The two-year cycle of readings from Sacred Scripture had to be abandoned. Thus the two-year cycle which you find on pp. 520-534 in your "Prayer of the Church" is not found in the Latin original of the new Divine Office.

In view of all this perhaps you may be anxiously asking yourself: How much will this new Liturgy of the Hours cost? It is extremely expensive, especially for us here with the floating Peso. The four volumes mentioned cost US \$ 94. — This is a very high price and the Secretary of the Congregation of Divine Worship had to defend it against various complaints, ultimately placing the blame at the door of the printer.² It is

¹ Liturgical Information Bulletin of the Philippines 4 (1969) p. 38.

² A. Bugnini, Circa editionem libri "Liturgiae Horarum", *Notitiae* 7 (Dec. 1971) 441-413.

sincerely to be hoped that the English translation will be entrusted to a single publisher who can, therefore, calculate at relatively low prices; this should be possible since the former prescription to print both the Latin and the vernacular texts together has been officially abandoned by Rome.

These were the most conspicuous changes made between 1969 and summer 1971 when the first volume of the "editio typica" was placed on sale. A lot of minor changes, additions and omissions have to be noted now. I list here those which you have observed yourself together with some you did not see.

1. INTRODUCTORY VERSE AND PSALM 94 (Invitatory)

Misleading now is the rubric on page 1 of your book: "This psalm (94) may replace the hymn at morning prayer (Lauds)." What is correct is that this psalm with its antiphon may be *omitted* when it comes before.³ In many religious communities and major seminaries the insertion of this psalm with its verse would unduly prolong the liturgical morning prayer which now has replaced the community morning prayers formerly said in these communities.

The same psalm may be replaced by other psalms; not only by Psalm 99 as your book says, also by Ps 66 and 23.

2. LAUDS AND VESPERS

Compared with your "Prayer of the Church" the conclusion of these two Hours is different. If Lauds and Vespers are said in common and a priest or deacon leads the celebration, he dismisses the congregation in the same way as at Mass. He greets them after the concluding prayer with "The Lord be with you", blesses them, saying "May almighty God bless you . . ." and tells them finally "Go in the peace of the Lord" (Ite in pace). If in a common celebration no priest or deacon presides and also in private recitation, these Hours are concluded with the blessing "May the Lord bless us, may He keep us from all evil and lead us to life everlasting. — Amen." The words "Let us bless the Lord. — Thanks be to God." still found in your version, are to be left out, since they would constitute a dup-

³ General Instrct. on the Liturgy of the Hours, no. 35.

lication of the conclusion. In the Middle Hour they bring along the liturgical Hour to an end.

3. NIGHT PRAYER (Compline)

Misleading is the rubric on page 503 of your book: "When night prayer is celebrated in common, it may begin with a brief reflection on our Christian living, or with an act of penance." This places the examination of conscience together with the penitential act completely outside the liturgical prayer Hour.

Actually, both the examination of conscience and the penitential act should be inserted after the introductory verses of Compline. Our liturgical night prayer begins, therefore, with the verse "O God, come to my assistance", etc. "It is praiseworthy to *follow* the introductory verse with an examination of conscience. In common recitation it is either made in silence or inserted into one of the penitential acts given in the Roman Missal." This penitential act has to be adapted to place and time, as for example: "My brothers (and/or: sisters), to prepare ourselves for this night's rest, let us call to mind our sins." There follows the Confiteor or one of the two other forms of the penitential act with the concluding petition "May almighty God have mercy on us. . ." Then the hymn is sung or recited.

After the concluding prayer of the Hour, the blessing, formerly found at the beginning of Compline, is to be inserted, also in private recitation: "May God almighty grant us a quiet night and a perfect end. — Amen."

"The Prayer of the Church" correctly states that — outside Eastertide — one may freely choose one of the remaining three Marian antiphons (Alma Redemptoris Mater; Ave, Regina Caelorum; Salve Regina). But these "antiphons" no longer have their versicles and their orations. With the recitation or singing of the antiphons themselves the "cursus" of the daily Office comes to an end.

4. FURTHER CHANGES

After the reading of the Word of God at Lauds and Vespers you find in your new book a short response. You may omit this response if you wish to do so (Gen. Instr., no. 49).

¹ Ibid., no. 86.

² Ibid., no. 91.

The antiphon has to be said before the psalm, but need not be repeated after the psalm. "An antiphon is said at the beginning of each psalm . . . The antiphon may, if so desired (in Latin: *pro opportunitate*), be repeated after the psalms" (Gen. Instr., no. 123). One is, therefore, free to say the antiphon only at the beginning — as a kind of motto of the psalm — or after every sentence or after every verse or after every division of the psalm, or at the end.⁹

When the new Liturgy of the Hours uses a longer psalm and divides it into several sections, it is *recommended* to add the "Gloria Patri" at the end of each piece. It is, however, also permitted to say the whole psalm under its antiphon straight through.

Officially the distinction between major and minor Hours has been dropped. But there remain a few traces of this distinction. Thus the Office of Readings (the former Matins), Lauds and Vespers conclude their final prayer with the long conclusion (e.g., We make our prayer through our Lord Jesus Christ who lives and reigns with you and the Holy Spirit, God for ever and ever). Middle Hour and Compline (Night Prayer) conclude their final oration with the short conclusion (e.g., Through Christ our Lord).

⁹ A. Bugnini, *First Reactions to the Liturgy of the Hours*, L'Osservatore Romano (English Ed.) Jan. 20, p. 5.
Footnotes, Chapter 23

Thus the family is the foundation of society. In it the various generations come together and help one another to grow wiser and to harmonize personal rights with the other requirements of social life. All those, therefore, who exercise influence over communities and social groups should work efficiently for the welfare of marriage and the family

Public authority should regard it as a sacred duty to recognize, protect, and promote their authentic nature, to shield public morality, and to favor the prosperity of domestic life. The right of parents to beget and educate their children in the bosom of the family must be safeguarded. Children, too, who unhappily lack the blessings of a family should be protected by prudent legislation and various undertakings, and provided with the help they need.

(*Gaudium et Spes*, no. 52)

THE OPERA "JESUS CHRIST, SUPERSTAR"

J. Ma. Cavanna, C.M.

A certain local Superstar's musical director said in an interview: "Webber and Rice have written here half of the whole story . . . the human half. That would clear up a lot of this "mystifying buzz" that seems to fill the air whenever Superstar comes up in any conversation."¹ This is indeed an easy, but quite superficial way to justify the opera we are reviewing. Let us dwell now in this division of Christ's story in two halves!

There is a Spanish proverb that runs somewhat as this: "Half a truth is worse than a full lie". And this saying may prove more valid still when the truth is not actually composed of two parts or halves, but rather is a single reality composed of two different but mutually complementing elements coalescing into one indivisible being. Then any presentation of a single constituent element *isolated* from the other, as if it could stand without the other, cannot be even a part of the truth; it is simply a distortion of the truth, and thus it becomes the worst falsehood because it may more easily lead to error under the semblance of a grain of truth. In a case like this we should not speak of one-half of a reality, as if there were other half independent from it, other half from which it can prescind. To prescind of an essential, though incomplete, element of a reality is equivalent to deny the reality itself. Let us give an example.

We know that man is a being composed of body and soul united in one person. Man is not made up of flesh and spirit as if these were two independent parts closely tied together to supplement each other; in man, flesh and spirit are two incomplete substances or elements intimately blended or fused together and mutually complementing each other in one single person.

¹ cf. THE FREEMAN, December 12, 1971, p. 6

We cannot speak of man's body without necessarily supposing or taking into consideration the actual working of its life-giving principle, the soul. Without this we would be speaking, not precisely of the body of a living man, but of the dead corpse of a person who has passed away. Hence, whatever I say or speak about a man's body does not and cannot reflect his person unless I take into consideration his life-giving principle, his soul.

This is a mere illustration of what we have to say about the most sacred Person of Jesus Christ. Indeed, we can speak of Christ, the Man, the "Son of Man", the "Man of sorrows" as the prophets talked of Him; or we can say with Pontius Pilate: "Behold the Man" (Jn. 19,5). But we cannot forget that this Man was at the same time God. We cannot speak of Christ as a *mere* man, as "just a man", as the "man-plus-nothing-else". That kind of Christ — at least, for us Catholics — did *never* exist. There was never a Christ who was a man "as anyone else, just one more, the same as anyone I know," as Magdalen and Judas repeat in Webber and Rice's opera.

Even Pontius Pilate who spoke of Him as "*this man*" (Lk. 23, 4,14), upon hearing that Jesus "has made himself Son of God" (Jn.19,7), the pagan governor, sceptic though he was, sensed a vague fear that the accused man before him might be a "human-plus-something-else" being, and thus asked him: "Where are you from?" (Jn.19,9). We will see later whether "Christ as He appeared to those around Him . . . , the Apostles . . . and all the simple folk of the Jerusalem of His time" did not produce other impression than that of a "man-plus-nothing-else", a *mere* man; whether "for *most of them* this happening called *Jesus Christ* was an *entirely understandable human* drama with political understones" (!) But, whatever might have been the possible "*blindness*" of some people around Jesus at His time, a *blindness* which did not allow them to realize His divine character or power, it is admitted for sure that we should "now regard such 'blindness' with *compassion*".² And since, unfortunately it is that sort of "*blindness*" "that Webber and Rice have turned into song", hence the least we could do is to regard their rock opera affected by that "*blindness*" *with compassion*, and by no means with praise or

² *Ibid.*, loc. cit.

enthusiasm. Because with that "blindness" they present us a Christ that never existed, a Christ different from that of the Gospels, a Christ different from the One we Catholics adore.

How can we dream to find in such play "an inescapable insight into the humanity of Jesus Christ", if that humanity is presented there divested from the divinity to which it is so closely united in one divine Person, that even death which separated His soul from His body, could not separate His divinity from either the one or the other?³ I say and maintain that in the play the human character of Jesus appears, not only in the opinion of the people of His time but before the general public of our times, so utterly divested of any sign of divinity that no one witnessing the play can find any ground even to surmise from his words and actions that Christ the Superstar could be something more than a *mere* man, without any divine power, gifts or mission, ignorant of his own identity or destiny, a mere faith-healer, an impostor, a megalomaniac misfit, an unbalanced and mentally sick man. We shall prove these points later. Now we want only to make it clear that the error of Webber and Rice has been to attempt in their opera an "impossible dichotomy" between Christ's humanity and His divinity. It is indeed impossible to dissect Christ's personality which is that of the Second Person of the Blessed Trinity, that of the Son of God, by trying to present us His humanity prescindingly *entirely*, even without *openly and explicitly* denying it, from His divinity. To prescind *entirely* of one of the two essentially necessary and mutually complementary elements of an indivisible reality is tantamount to present a distorted and unreal view of that same reality, because it implies a *denial*, at least implicit, of an essential element of the reality. That is why we said in the previous article that the opera stresses Christ's humanity by denying His divinity.

Just as to speak of man's body without taking into consideration the actual working of its life-giving principle would be really tantamount to speak of a dead corpse, not of a living body or of a person, in the same way, and even with greater reason, we cannot present correctly Christ's humanity if we prescind *entirely* from His divinity. By the so-called "hypostatic" union Christ's humanity belongs to a Divine Person and is inseparably united to the divinity of that Person. As the

³ cf. Denzinger-Schoenmetzer, *Enchiridion Symbolorum* n. 2663

Athanasian Creed puts it, "Christ is absolutely One, not through any confusion of natures (divine and human), but by the unity of a single Person", that of God the Son; "because as a rational soul and the flesh make one man, thus God and Man is only One Christ"⁴ The two natures in Christ are inseparably united;⁵ and in Him there are not two persons, one human and other divine, but two natures (divine and human) in One Person; hence, His actions are "common", i.e., His flesh does not act without the Word of God, and the Word of God does not act in Him without His flesh; this "common" way of acting in Christ is called "*theandric*"⁶ (which might be translated "*humanly divine*" and "*divinely human*").

Therefore I repeat, it is an "impossible dichotomy" to try to offer a proper "insight into Jesus' humanity" by prescribing totally of his divinity, as if that were *another part of the other half* of the story. Such dichotomy could not but result into an adulterated version of the true Christ of the Gospels, the Christ of our Christian faith.

Jesus Christ was a true Man, a perfect Man, but never a mere man, "just a man" as the Superstar appears to anyone. As true Man, He "who is God over all" (Rom.9,5), "who . . . was by nature, God . . . emptied Himself (note: not by surrendering the divine nature, which is impossible, but by foregoing the glory attached to it), taking the nature of a slave and being made like (note: it is not said, *identical*) unto men" (Philip.2,6-7). "one tried (note: it is not said, *imperfect*) as we are in all things, except sin" (Hebr.4,15) and, obviously, the consequences of sin, such as the human passions of vices, or the disharmony of desires, conflict of wills and tempting allurements of the flesh.⁷ What an abyss between this Christ of the Scriptures and of the Church Magisterium, and the Superstar of Webber and Rice's opera!

⁴ Ibid., o.c., n. 76

⁵ Ibid., o.c., nn. 302, 317, 420, 534, 543, 555-557, 561, 564, 619, (1337), 2529.

⁶ Ibid., o.c., nn. 317s; 515

⁷ Ibid., o.c., nn. 130, 148; 299.



THE HISTORY OF THE CHURCH IN THE PHILIPPINES

(Continued)

Pablo Fernandez, OP

CHAPTER 23

THE CHURCH AT THE SERVICE OF THE STATE AND THE FILIPINO PEOPLE DURING THE MOSLEM RAIDS

The most dramatic chapter in the history of the Philippines is the one on the Moslem raids on the towns of the Philippines, a chapter written in blood and tears and nourished in pain and suffering.

1. *General Ideas* The island of Mindanao, second biggest after Luzon, has been inhabited by two kinds of peoples: *aetas*, or *negritos*, and *malays*. The former, closed to civilization, lived in the interior of the island, wandering as nomads with no fixed residences. Among the malays, we can distinguish three groups: Moslems, Christians and pagans. These last are what are known today as the "cultural minorities," although in time they will cease to be such with the advance and migration among them of the Christian Filipinos.

The Moslems, or *moros*, as they were called by the missionaries, were for three hundred long years, avowed enemies of the Christians because of religion. A historian describes them as "suspicious, wary and proud. It is very hard to make them speak clearly in their dealings and have them fulfill their agreements, for they evade their promises with a thousand tricks . . . They are least inclined to work and are very lazy . . . Their government is patriarchal and despotic . . . They have sultans and datus. The former wield authority over wider areas and rule with the help of a council of several

datus, although the latter do not submit to them except in matters of common interest. The sultan and the datu have *sácops*, or subjects, and slaves who are their main source of wealth, for these take care of their estates, dive for pearls for them (which is the cause of the premature death of many of them), and fight their battles for them."¹ According to a Jesuit missionary, "they are so hard to the motions of the grace of God and so fixed in their beliefs that it is almost morally impossible to convert them."²

They are good fighters and, had not the Spaniards stopped them in their path, they would have succeeded in conquering all the islands of the Philippines and imposed their religion on them. Nonetheless, they had inflicted enough damage on the places they reached during their raids, sometimes with the help of the Camucones — the people living in the islands between Tawi-tawi and Borneo — and the Borneans.

2. *Explorations and Plans of Conquests* By an act dated 16 January 1571, the *adelantado* Miguel Lopez de Legazpi took possession of the land of Mindanao in the name of His Majesty, King Philip II. In 1579, on his return from the Borneo expedition, Don Esteban Rodriguez de Figueroa repeated this act of possession, besides taking possession also of the Jolo archipelago when he was commissioned for the task by Governor Francisco de Sande. Later, knowing a little more about the extent and the advantages of the island of Mindanao, Rodriguez sought license to conquer it. This was granted by Philip II, with the title of *Adelantado* and *Marquis* over the lands he would conquer. But this proved in vain, for he died at the hands of a Moro stalwart in April 1596, right at the outset of the conquest.³ Cowed by this event, the Master of the Camp, Juan de la Jara, retired to a place at the mouth of the Pulangi river and with the help of some Moslem allies erected a fort which he called "Nueva Murcia."

Don Juan Ronquillo, who was dispatched by Governor Francisco Tello, in the same year of 1596 retired to La Caldera, a place near Zamboanga without engaging the Moslems. He

¹ Montero y Vidal, José, *Historia de la piratería malayo-mohematana en Mindanao, Joló y Borneo* (Madrid, 1888), 19-20.

² *Ibid.*, 21.

³ Calvo, José, S.J., *Memoria a Su Majestad* (no date), p. 2. There is a copy in AUST, Sección de "Libros," tomo 7, fol. 316 ff.

was succeeded in command by Captain Cristobal de Villagra, who burned the fort by order of the governor (1599). It seems it was the abandonment of this fort which had held the Moslems at bay that provoked the first Moslem incursions into Christian lands. An alliance of 50 Joloano and Mindanao sail attacked the coasts of Cebu, Negros and Panay.⁴

In 1599, they attacked the town Oton, where they sacked the houses, burned the church and carried off many captives. The next year, two Moslem chiefs tried to repeat the same deed by leading 70 *vintas* against the city of Arévalo; but the Alcalde mayor, Don Juan Garcia, better forewarned than before and having at his command 80 Spaniards and many native archers, forced them to flee to their ships with much damage.⁵

From this experience, the Moslems dared less frequently to attack the towns defended by Spaniards, but they continued raiding at will many others located along the coasts of Mindanao, the Visayan islands and Luzon. We shall not delay to list the numerous surprise attacks on Christian towns for we would require several volumes for that. Normally during these raids, they landed by surprise, raided the town, sacked the houses, went inside the churches, profaned the holy images and robbed the bells and sacred vessels, and finally they burned the town, carrying off with them the younger and the more robust of the people to be sold as slaves to the merchants from the Spiceries. The missionaries sometimes were able to flee and hide in the thickness of the forests; but, on a sufficient number of occasions, some fell into the hands of these marauders, who either assassinated them or took them as captives in the hope of obtaining a fat ransom in their exchange.

⁴ Miguel de Benavides, in a letter to Philip III, dated 5 July 1603, says with the regard to this point: "Even the Indios have taken courage against the Spaniards that they come from Mindanao in battle array, to harry our coasts; and they have taken captive Spaniards and even two priests — to say nothing of innumerable Indios, whom they seize to sell into slavery among infidels, where it is very likely that they will abandon the faith. They have destroyed villages and churches, and taken away much valuable spoil; and at one time it was only through the mercy of God that they failed to capture the Governor, Don Pedro de Acuña. Other Indios, called Camucones, a wretched people, have also brought misfortunes upon our people." (Blair and Robertson, XII, 101-102)

⁵ Calvo, loc. cit.; Zúñiga, *Estadismo*, I, 118-121; Blair & Robertson, V, 225; VI, 57-58; VIII, 73-77; IX, 264-265; X, 41-42, 49, 53-74, 168-169, 214-215; XII, 277-321; XLVI, 13-14, 34-44; de la Costa, Horacio, S.J., *Jesuits in the Philippines*, 292 ff.

2. *Defense Measures Against the Moslem Raids* Because the government, either for lack of resources or for other reasons, could not always solve the problem of Moslem piracy, the religious missionaries had to put up by themselves the defenses of the towns committed to their care. They constructed watch towers, to begin with, from which through a pre-arranged system of signals, they warned against the presence of Moslem pirates around the vicinity. On this matter, the Augustinian Fray Julian Bermejo became famous. He set up in the island of Cebu a code of signals which on repeated occasions proved to be an effective defense against Moslem incursions.⁶

Not content with building towers, the missionaries decided to undertake the construction of forts to serve as a refuge and a defense of the people against enemy attacks. Thus, the Recolects built forts in Tandang, Siargao, Surigao, Bislig and Butuan in Mindanao. The famous "*Padre Capitan*," Fray Agustin de San Pedro, erected a fort by Lake Lanao, in order to instill into the Moslems fear and respect for the Spanish government. In the island of Palawan, which was quite open to the attacks of the followers of Mohammed because of its extensive coastline, the same Fathers erected forts in Taytay, Cuyo, Agutaya and Calamián, besides inducing the authorities to build another one beside the river Labo. Fray Joaquin de la Virgen del Rosario raised still another one in the town of Guildunman in Bohol island.⁷

As a defense against the same enemies, the Augustinians built forts in Taal, Batangas (1792); Bucay, Abra; Talisay, Argao and Bolijoon in Cebu; and Cagayancillo, Antique.⁸

The forts in Minalabag, Camarines; Mauban, Tayabas; Tanauan, Leyte were the work of the Franciscan fathers.⁹

The missionaries not only constructed defenseworks to aid the people, but they also had to provide them with artillery, bullets, gunpowder — all out of the funds of their Order. They

⁶ Ruiz, Licinio, *Sinopsis histórica de la provincia de San Nicolás de Tolentino de la orden de agustinos recoletos* (Manila: Tip. Pont. de la Univ. de Sto. Tomas, 1925), II, p. 328.

⁷ Op. cit., 171, 182, 193, 223, 356, 367, 374 ff.

⁸ Marin, Valentin, O.P. *Ensayo de una síntesis de los trabajos realizados por las Corporaciones religiosas de Filipinas* (Manila, Impr. de Santo Tomas, 1901, 68, 102, 110, 113, 115, 145.)

⁹ *Ibid.*, 399, 433, 467.

also took care to garrison them with enough manpower recruited from the *población*, keeping them on the alert for surprise attacks. When the enemy appeared, the townspeople fled behind the stone walls of their fort, thus escaping either death or capture.

So effective was the defense set up by the Filipino Christians under the leadership and guidance of the missionary priest that the Moslems rarely succeeded in capturing even one of them. In certain cases, these forts contained within its walls the church and *convento*. Likewise, the thick walls and solid bell towers of some churches served as forts, built as they had been for the double purpose of serving as temples for worship and fortresses.

3. *Offensive Measures* Some of the missionaries, not content with erecting forts, took the offensive and sallied forth at the head of their Christian followers in search of the enemy to engage them in battle. History has preserved for us five names that were the terror of the Moslem pirates: three Recollects, one Augustinian and one Jesuit.

The first was the Recollect Fray Augustin de San Pedro, better known under the nickname "*Padre Capitan*." A Portuguese by birth, he had given signs of a liking for the military arts since childhood. He embarked for the Philippines in 1622 and, assigned to the Caraga mission in eastern Mindanao next to Butuan, he dedicated himself zealously to the conversion of the natives. But the Moslems did not cease obstructing his work. In order to stop them, he armed his Christians and led them himself, driving away the enemy from those regions. Transferred to Cagayan in the present Misamis provinces, he inflicted quite a bloody defeat on the hosts of Corralat (or, Kechil Capitwan Kudrat), for out of 2,000 men, 1,600 were left behind on the field of battle. Because Corralat recaptured the town while the priest was away, the latter decided to attack him early at dawn on the lake of Lanao. Leading 500 Christians and some Spaniards, Fray Agustin went up to the shores of the lake, where, in a combat with the Moslems, completely routed them. After this defeat, Corralat did not dare again for some time to cross arms with the soldiers of *Padre Capitan*.

Much later, on orders from Governor Corcuera, the same *Padre* marched to the lake to fight Corralat anew. This time,

he had a small army of 1,500 Christians aided by a small fleet of 10 ships constructed on the lowlands and brought up piece by piece to the lake. The fruit of this victory was the submission of 50 towns located around the lake.

He had to return once more to Lanao Lake to give support to Captain Bermudez and the Jesuit Father Gregorio Belin, who, besieged by the Moslems, were on the point of surrendering. On this occasion, too, victory went to the Recollect missionary. Assigned finally to Romblon, he repulsed an assault by 300 Moslems who, without a single exception, fell on the beach.¹⁰

By 1750, the sultan of Jolo, Mahomet Al-Muddin, came to Manila in order to embrace the Christian religion. The Jesuits well acquainted with the antecedents and the intentions of the sultan, tenaciously opposed his baptism; but in the end, the opinion of the Dominicans, perhaps not quite well-founded, prevailed. Later events proved the Jesuits right. Imprisoned by government order when Mahomet Ali-Muddin returned to Jolo, his younger brother Bantillan picked up the reins of government and declared the most ruthless war on the Christians ever known till then. It is to this period that the deeds of Father Francisco Ducos, Jesuit missionary to Iligan, belong. He was the defense of the towns in north and northeastern Mindanao. His most famous deeds in arms were the defense of Iligan during a two-month siege and the attack in 1754 against the pirates of the gulf of Panguil, which had become the center of Moslem raids and depredations. Father Ducos subjugated this gulf, burned several towns, captured a fleet of 170 sail, while taking a great number of Moslem captives and liberating many Christians. Appointed much later as the Commandant of the fleet of Iligan by Governor General Pedro Manuel de Arandia, he continued warring against the sectaries of Mohammed, causing them sufficient damage. An accident in 1754 cost him an eye and left his right arm half-paralyzed.¹¹

Father Julian Bermejo, an Augustinian of the 19th century, is chronologically the third in our gallery of heroes. After serving as parish priest in Argao and Boljoon, he was elected provincial in 1837. But less happy with life in the city, he

¹⁰ Ruiz, 182-186; Marin, 279-285.

¹¹ Saderra Masó, Miguel, S.J. Misiones esuíticas en Filipinas (Manila: Tip. Pont. de la Univ. de Sto. Tomás, 1924), 36-37.

resigned his post in an interim Chapter. On his return to Boljoon, he resolved to put an end to the piracy of the Moslems in those shores, and built a chain of forts from Tañong to Sibonga, which he fortified and garrisoned with people from the same towns. Not satisfied with these defensive measures, Father Bermejo decided to go up on the seas to prosecute the pirates. He constructed for this purpose an armada of 10 barangays recruited from the towns of Argao, Dalaguete and Sibonga, and armed each one with two *falconetes*, with a sufficient number of steel weapons to prevent boarding, sailing in pursuit of the Moslems at the first warning from the watch towers. This priest inspired the Christian soldiers with such valor and courage that they went to battle as though on a fiesta. Fortune always followed him, especially at the pitched battle off the island of Sumilon, where he routed seven Moslem *paucos*, sinking three, capturing one and driving off the rest. With this defeat, the Moslems no longer appeared before those shores until they learned that the Christian fleet had been dissolved.¹²

The fourth was Recollect Fray Pascual Ibañez. This priest could not bear that the Jolo Moslems, severely punished by Governor Claveria, should return to perpetrate anew their usual raids on the Christian towns. On learning, then, that Governor Antonio Urbiztondo was preparing a new expedition against the Moslems, he obtained permission to join the expeditionary force, accompanied by a large number of Visayan volunteers. On 28 February 1854, the Spanish and Filipino troops attacked the defenses of Jolo which consisted of eight well armed forts. Because the Moslems defended themselves well behind their canons and palisades, the attackers seemed to hesitate. At this juncture, Fray Ibañez harangued his faithful Visayans who, inspired by the words of their leader, threw themselves with renewed spirit on the attack, wiping away all opposition. But the missionary was not able to taste the victory, for he had to be taken away after receiving a bullet wound in his arm, which caused his death a few days later.¹³

Finally, the Recollect Fray Ramon Zueco distinguished himself at the head of 450 volunteers during the expedition

¹² Pérez, Elvira, J., O.S.A., *Catálogo Bibliográfico de los religiosos agustinos de la Provincia del Santísimo Nombre de Jesús de las Islas Filipinas* (Manila: Est. tip. del Colegio de Santo Tomás, 1901), 377.

¹³ Ruiz, 185-196.

led by Governor Malcampo against the heart of Moroland. In this campaign, which ended with the occupation of Jolo in 1876, Fray Zueco stayed at the head of his volunteers.¹⁴

4. *Jesuit Diplomats and Peace Negotiators* This resumé would be incomplete if we omit the services rendered by three Jesuit missionaries for religion and for the country.

In an expedition made by the Moslems against the towns along the coasts of Leyte near Dulag, where they burned and sacked churches and houses, besides killing many Christians, Father Melchor Hurtado fell a captive of the Moslems. After a year's captivity in the region by the mouth of the Rio Grande, where he continued his missionary work among his fellow captives and the pagans living there, he was ransomed by his brother Jesuits. Fearful lest the government in Manila dispatch a fleet then being readied against them, the Moslems agreed to negotiate a peace treaty, which the same priest concluded, having been properly authorized by Governor Pedro Bravo de Acuña and sent to Mindanao precisely for this purpose in 1605. Of this priest, the governor said that he "prized Father Melchor Hurtado in Mindanao more than 100 soldiers armed in steel and full of courage."¹⁵

Another Jesuit missionary which frequently entered Moro territory, either as ambassador for peace or pushed on by his own apostolic zeal, was Father Pedro Gutierrez, one of the first missionaries to Dapitan and later Rector of Zamboanga. In 1640, he was sent as an ambassador to the court of Corralat to negotiate peace and liberate the Christian captives. Besides succeeding in his embassy, he also won the respect of the sultan. In a second mission charged to him by Governor Corcuera to bring a letter to the kinglet of Jolo and recover stolen riches, he succeeded also in winning the friendship of the Moslem chief, although he failed to establish peace between him and the Christians. He undertook other embassies to Moroland in order to obtain the release of some captured missionaries and to persuade the Moslems to lay aside their piratical ways.¹⁶

The third Jesuit who succeeded as an intermediary between the Moslems and the Christians was Father Alejandro López.

¹⁴ *Marín*, 287-290.

¹⁵ *Saderra Masó*, 33.

¹⁶ *Ibid.*, 33-34; *Calvo*, 2.

In 1646, he went to Jolo to have the sultan ratify the peace which the later's predecessor had signed with the Spaniards. He next made a visit to the court of Corralat for the same end, and still another one to Jolo and Buhayen in 1649. These visits helped towards the relative peace which existed between the two groups at a time when it was sorely needed by the Christian forces in order to put down several uprisings in the Visayas and face the Dutch menace.

Nobody, however, thought that Father López, so well received and respected by the Moslem leaders, would meet death at the hands of one of them. Returning from one such visit, or embassy, which Governor Sabiniano Manrique de Lara had charged him with, he and his companion, Father Juan de Montiel, died at the hands of the people of the new sultan of Buhayen, Balatamay, with the consent or complicity of Corralat. Father López had just negotiated a peace treaty with them! Regarding this incident, Corralat wrote to his brother, the sultan of Jolo: "We have killed the priests because they wanted us to become Christians. It will thus be good that we all unite and return to our faith." Father López took advantage of the influence he enjoyed among the Moslem chiefs to benefit the Christian towns and to spread Christianity. Although his activities were for the most part of a political nature, they redounded to the good of the Christian religion.¹⁷

5. *Effects of the Raids.* — One of the effects was the depopulation of the Visayan islands. Terrorized by the frequent and unexpected attacks by the Moslems, the Christians preferred to live in the mountains and abandon their coastal dwellings. Besides, the Moslems normally took off, on the average, a thousand Christian captives each year, whom they brought to Mindanao and Jolo where many of them died of hunger and maltreatment. Others, to escape these fears, apostatized. A few managed to be ransomed for a sum of money: 100 pesos for each Christian, 1000 or more pesos for each religious.

Another effect was the insecurity of navigation through the Visayan seas. Various religious missionaries and many Christians fell into the hands of the Moslems as they went from island to island. When the Moslems sailed up to the town of Tayabas,

¹⁷ Saderra Masó, 34.

they almost, over and above the thousand misdeeds they perpetrated on the coasts of Camarines, captured Archbishop Miguel Garcia who then was making his visitation of the region.¹⁸

Finally, many families were broken up. Among the morales cases of this period, some were of those who wanted to enter a second marriage after the spouse had disappeared. Thanks to the Moslems, it was not known where the absent partner was or whether he was still alive.

6. *End of Moslem Piracy.* — This heavy national crisis which had weighed on the Filipinos for three centuries had its moments of high tension and relative peace. In general, one notes that the Moslems stayed quiet if the Filipino and Spanish forces did not go to disturb their land. Thus, after the evacuation of Zamboanga in 1662 by order of Governor Sabiniano Manrique de Lara until the fort was rebuilt by order of Governor Fernando Bustillo y Bustamante in 1717, these enemies of the Christian religion were relatively peaceful. But, from the latter date, they initiated a series of depredations which did not stop until the second half of the XIX century.

The following observation of a Franciscan missionary in Bikol is noteworthy: "In our own times, and until the eminent and dedicated Governor General Norzagaray inflicted the *coup de grace* to the piracy of the Moslems of Jolo and Borneo with the construction of steam gunboats, we have seen frequent and periodical attacks by those races. Going up to the very ports of Bikol, they subjugated and enslaved as many as they found in their way."¹⁹

¹⁸ Calvo, 7.

¹⁹ Castaño, José, Breve noticia acerca del origen, religión, creencias y supersticiones de los antiguos indios del Bicol (Madrid, 1895), 17.

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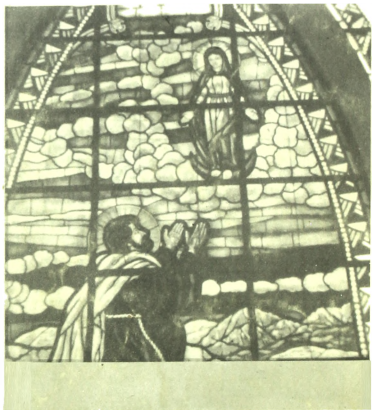
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