

## THE POPE SPEAKS

### REPRESENTATIVES OF THE ROMAN PONTIFF

#### APOSTOLIC LETTER "SOLLICITUDO OMNIUM ECCLESIARUM"

APOSTOLIC LETTER

OF

PAUL VI

SUPREME PONTIFF

GIVEN "MOTU PROPRIO"

THE DUTIES OF REPRESENTATIVES

OF THE ROMAN PONTIFF

The care of all the Churches, to which We have been called by the hidden design of God and for which We must one day give an account, requires that, as Vicar of Christ, We should adequately present in all parts of the world and be informed about the state and condition of each Church.

For the Bishop of Rome, by reason of his office, "has full, supreme and universal power, which he can always freely exercise",<sup>1</sup> since it is both ordinary and immediate.<sup>2</sup> Moreover, "as the successor of Peter, he is the perpetual and visible source and foundation of the unity both of the bishops and of the whole company of the faithful."<sup>3</sup> Among

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<sup>1</sup> Vatican Council II, Dogmatic Constitution on the Church, *Lumen Gentium*, n. 22: AAS 57, 1965, p. 26

<sup>2</sup> Cfr. Vatican Council I, Dogmatic Constitution on the Church of Christ, *Pastor Aeternus* Denziger 1821 (3050 s).

<sup>3</sup> Vatican Council II, Dogmatic Constitution on the Church, *Lumen Gentium*, n. 23: AAS, 57, 1965, p. 27.

these he has, therefore, the principal role in ensuring "that the Episcopate should be one and undivided".<sup>4</sup>

When entrusting to his Vicar the keys of the Kingdom of Heaven and establishing him as the rock and foundation of the Church,<sup>5</sup> the Eternal Shepherd enjoined him "to confirm his brethren".<sup>6</sup> That is to say, not only should he rule and keep them one in his name, but he should also sustain and comfort them by word and in a certain sense by his presence.

Nor must We pass over in silence the duty We owe the Good Shepherd to seek out His sheep who do not yet belong to this flock. Our thought and pastoral care is directed also to them so that, in accordance with the Lord's will, "there may be one flock and one Shepherd".<sup>7</sup> For, indeed, "it is through their loving preaching of the gospel by the apostles and their successors—the bishops with Peter's successor at their head—through their administration of the sacraments, and through their loving exercise of authority, that Jesus Christ wishes his people to increase under the influence of the Holy Spirit, and thereby he perfects his people's fellowship in unity".<sup>8</sup> In addition, Christ's charity spurs Us, and the mandate received from God commits Us "to spread the faith and the sacrament of Christ."<sup>9</sup> It is Our duty in fact to announce to all "incessantly Christ, who is the way, the truth and the life".<sup>10</sup>

The exercise of this manifold mission of Ours calls for an intense exchange of relations between Ourselves and Our Brothers of the Episcopate and the local churches entrusted to them, relations which cannot

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<sup>4</sup> Vatican Council II, Dogmatic Constitution on the Church, *Lumen Gentium*, n. 18; AAS 57, 1965, p. 22.

<sup>5</sup> Cfr. Matt. 16, 18.

<sup>6</sup> Cfr. Lk. 22, 32.

<sup>7</sup> John, 10, 16.

<sup>8</sup> Vatican Council II, Decree on Ecumenism, *Unitatis Redintegratio*, no. 2: AAS 57, 1965, n. 92.

<sup>9</sup> Vatican Council II, Decree on the Church's Missionary Activity, *Ad Gentes Divinitus*, n. 5: AAS 58, 1966, p. 952.

<sup>10</sup> Vatican Council II, Declaration on the relationship of the Church to Non-Christian religions, *Nostra aetate*, n. 2: ASS 58, 1966, p. 741.

be maintained solely by correspondence but which are realized in the visit of the Bishops "ad limina apostolorum," and by Our sending ecclesiastics who represent Us, either for the fulfilment of a special task or on a permanent basis, to the Bishops of the various nations.

It is indeed true that modern progress has providentially enabled Us to go in person even to distant continents to visit Our Sons and Brothers, giving a new expression to Our apostolic work. But this happy experience which the many and weighty commitments of the Apostolic See do not permit Us to repeat with the desired frequency, has confirmed all the more the importance of the means used by Our Predecessors which We mentioned above.

The Second Vatican Council too recognized the worth of this practice and confirmed it in its twofold aspect when it requested, on the one hand, a larger representation in the Roman Curia of persons — whether bishops, priests or layman — coming from the various nations and, on the other hand, asked Us to clarify better the office and functions of Our Representatives.<sup>11</sup>

Therefore, wishing to comply with the requests of the Church, We have continued the Synod of Bishops, who in response to Our invitation come to offer Us the aid of their wise counsels and those of their Brothers of whom they are the representatives. They also come to inform us on the state and the conditions of the individual Churches.<sup>12</sup> Similarly We wished to meet the expectations of the Council when We issued a Constitution which makes bishops from various parts of the world stable members of the Dicasteries and Offices of Our Roman Curia.<sup>13</sup>

Thus We now believe We are bringing to completion, in this part, the rightful expectations of Our Brothers in the Episcopate by issuing a document which concerns Our Representatives with the local Churches and with the states in every part of the world. It is in fact obvious

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<sup>11</sup> Cfr. Vatican Council II, Decree on the Bishops' pastoral office in the Church, *Christus Dominus*, n. 9: AAS 58, 1966, pp. 676-677.

<sup>12</sup> Cfr. Apostolic Letter, motu proprio, *Apostolica sollicitudo*, AAS 57, 1965, pp. 775-780.

<sup>13</sup> Cfr. Apostolic Letter, motu proprio, *Pro comperto sane*, AAS, 59, 1967, pp. 881-884.

that along with the movement toward the centre and the heart of the Church there must be another corresponding movement, spreading from the centre to the periphery and carrying, so to speak, to each and all of the local Churches, to each and all of the pastors and the faithful, the presence and the testimony of that treasure of truth and grace of which Christ has made Us the partaker, the depository and the dispenser.

By means of Our Representatives who reside in various nations We take part in the very life of Our sons and by entering it, as it were, We get to know in the quickest and safest way their needs and their intimate aspirations.

The activity of the Pontifical Representative provides first of all valuable service to the local bishops, priests, Religious and faithful, who find in him a support and a safeguard since he represents a superior authority which is an advantage for all. His mission does not put itself above the exercise of the powers of the bishops nor does it take its place nor hamper it, but respects it and even fosters and sustains it with brotherly and discreet counsel. The Holy See, in fact has always regarded as a valid norm of government in the Church the one which Our Predecessor Gregory the Great stated in the following words: "Si sua unicuique episcopo iurisdictio non servatur, quid aliud agitur nisi ut per nos, per quos ecclesiasticus custodiri debuit ordo, confundatur?"<sup>14</sup> (If the jurisdiction of each individual bishop is not preserved, We who are the guardian of the ecclesiastical order would merely sow confusion.)

Nevertheless, this service to the individual Churches, however great, does not exhaust the mission of Our Representatives. By a right inherent in Our very spiritual mission and supported by centuries-old development of historical events, We also send Our Legates to the supreme authorities of nations in which the Catholic Church is established or is in some way present.

It is indeed true that aims of the Church and of the state are of a different order and that both are perfect societies, endowed, there-

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<sup>14</sup> St. Gregory the Great, Register of Letters, II, 285.

fore, with their own means and independent in their respective spheres of action, but it is equally true that both act for the benefit of a common subject—man, who is called by God to eternal salvation and placed on earth to enable him, with the help of grace, to attain it through a life of work which will give him well-being in peaceful co-existence with his fellow beings.

Hence it follows that some of the activities of the Church and of the state are in a certain sense complimentary, and that the good of the individual and of the community of peoples postulates an open dialogue and a sincere understanding between the Church on the one hand and the states on the other, in order to establish, foster and strengthen relations of reciprocal understanding, mutual co-ordination and co-operation and to prevent or settle possible differences for the purpose of attaining the realization of the great human hopes of peace among nations.<sup>15</sup>

Therefore, while this dialogue aims at guaranteeing for the Church free exercise of its activity so that it may be able to fulfil the mission entrusted to it by God, it ensures the civil authority of the always peaceful and beneficial aims pursued by the Church, and offers the precious aid of its spiritual energies and of its organization for the achievement of the common good of society. The trusting colloquy which thus begins when there exists between the two societies an official relationship sanctioned by the body of habits and customs collected and codified in international law makes it possible to establish a fruitful understanding and to organize an activity truly salutary for all.

The deep desire of all men of goodwill that there be a peaceful coexistence among nations, and the progress of peoples be developed, is at present expressed also through the international organizations which, by placing their knowledge and experience and their prestige at everyone's disposal do not spare efforts in this service in favor of peace and progress.

Relationships between the Holy See and international organizations are manifold and of a varied juridical nature. In some of them, We

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<sup>15</sup> Cfr. Vatican Council II, Pastoral Constitution on the Church, *Gaudium et spes*, nn. 1-3: AAS 58 1966, pp. 1025-1027.

have instituted permanent missions in order to testify to the interest of the Church in the general problems of civilized living and offer the aid of its co-operation.

Therefore, in order to place in the proper light, within the context of the Church's organs of government, the functions of Our Representatives and to give their office regulations more in keeping with the present times, "also bearing in mind the pastoral ministry of the bishops",<sup>16</sup> We have decided to issue the following norms regarding the office and functions of Pontifical Representatives, abrogating at the same time measures at present in force which may be conflicting with them.

## I.

1. The term, Pontifical Representatives, is here applied to those ecclesiastics—usually endowed with episcopal dignity—who receive from the Roman Pontiff the charge of representing him in a permanent way in the various nations or regions of the world.

2. They exercise the pontifical legation either only in connection with the local Churches or jointly with the local Churches and the states and respective governments. When their legation is only to the local Churches, they are known as Apostolic Delegates. When to this legation, of a religious and ecclesial nature, there is added the diplomatic legation to states and governments, they receive the title of Nuncio, Pro-Nuncio and Internuncio, according as to whether they have the title of "ambassador" with or without the title of "dean" of the diplomatic corps, or if they have the grade of "extraordinary envoy and minister plenipotentiary."

3. The Pontifical Representative in the proper sense can, owing to special circumstances of time and place, be designated by other names such as for instance "Apostolic Delegate and Envoy of the Holy See to a government." In addition there is the case of a Pontifical Representative being entrusted in a fixed but supplementary way to a "Regent" or to a "Charge d'Affairs with credentials."

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<sup>16</sup> Cfr. Vatican Council II, Decree on the Bishops' pastoral office in the Church, *Christus Dominus*, n. 9: AAS 58, 1966, pp. 676-677.

## II.

1. Also representing the Holy See are those ecclesiastics and laymen who form, either as heads or members, part of a pontifical mission attached to international organizations or take part in conferences and congresses. They have the title of Delegates or Observers according as to whether or not the Holy See is a member of the international organization, and whether it takes part in the conference with or without the right to vote.

2. Likewise representing the Holy See are the members of the Pontifical Representation who, owing to the lack or temporary absence of the head of the mission take his place with regard to the local Churches as well as to the government with the title of "Charge d'Affairs ad interim".

3. The norms contained in this document do not concern the Delegates and Observers of the Holy See, or the "Chargé d'Affairs ad Interim", unless expressly mentioned.

## III.

1. The supreme pontiff has the innate and independent right to appoint, send, transfer and recall freely his Representatives, in accordance with the norms of International law concerning the sending and the recalling of diplomatic agents.

2. The mission of the Pontifical Representatives does not cease when the Apostolic See becomes vacant; it ends with the completion of his mandate, by revocation conveyed to him or renunciation accepted by the Roman Pontiff.

3. Apart from any pontifical measure to the contrary, the norm of the General Regulations of the Roman Curia which fixes cessation from office at the age of 75 applies also to the Pontifical Representatives.

## IV.

1. The primary and specific purpose of the mission of the Pontifical Representative is to render ever closer and more operative the ties that bind the Apostolic See and the local Churches.

2. He furthermore interprets the solicitude of the Roman Pontiff for the good of the country in which he exercises his mission. In particular, he must concern himself zealously with the problems of peace, of progress and of the collaboration of the peoples in view of the spiritual, moral and material good of the entire human family.

3. Upon the Pontifical Representative also falls the duty of safeguarding, in co-operation with the Bishops, among the civil authorities of the territory in which he exercises his office, the mission of the Church and of the Holy See.

This is also the task of those Pontifical Representatives who have no diplomatic character; they will have care, however, to entertain friendly relations with these same authorities.

4. In his capacity as envoy of the Supreme Shepherd of souls, the Pontifical Representative will promote, in accordance with instructions he receives from the competent offices of the Holy See and in agreement with the local Bishops and particularly with the Patriarchs in Eastern territories, opportune contacts between the Catholic Church and the other Christian communities and will favour cordial relations with the non-Christian religions.

5. The manifold mission of the Pontifical Representative is pursued under the guidance and according to the instructions of the Cardinal Secretary of State and Prefect of the Council for the Public Affairs of the Church, to whom he is directly responsible for the execution of the mandate entrusted to him by the Supreme Pontiff.

## V.

1. The ordinary function of the Pontifical Representative is to keep the Holy See regularly and objectively informed about the conditions of the ecclesial community to which he has been sent, and about what may affect the life of the Church and the good of souls.

2. On the one hand, he makes known to the Holy See the views of the Bishops, of the Clergy, of the Religious and of the faithful of the territory where he carries out his mandate, and forwards to Rome their proposals and their requests; on the other hand, he makes him-



self the interpreter with those concerned of the acts, documents, information and instructions emanating from the Holy See.

3. Therefore, no Office or Dicastery of the Curia will omit to communicate to him decisions taken, and generally will make use of his good offices to make them reach their destination. In addition, they will ask for his opinion regarding acts and measures to be adopted in the territory in which he fulfils his mission.

## VI.

1. Regarding the nomination of Bishops and other Ordinaries of equal rank, it is the task of the Pontifical Representative to institute the informative canonical process on the candidates, and to forward their names to the competent Roman dicasteries, together with an accurate report in which he will express "coram Domino" his own opinion and preferential vote.

2. In the exercise of this function he will:

a) avail himself freely and discreetly of the advice of ecclesiastics and also of prudent laymen who seem the most likely to provide sincere and useful information, imposing secrecy on the persons consulted out of the obvious and dutiful consideration for the active and passive subjects of the consultation as well as for the nature of this consultation:

b) proceed in accordance with the rules set by the Holy See in the matter of the selection of Bishops of the Church, while bearing in mind, in particular, the competence of the Episcopal Conferences;

c) respect the legitimate privileges granted or acquired, and any special procedure recognized by the Holy See.

3. In any case, the law now in force regarding the election of Bishops in the Eastern-rite Churches remains unchanged, as well as the practice of designating the candidates by ecclesiastical jurisdictions entrusted to Religious communities and depending on the Sacred Congregation for the Evangelization of Peoples.

## VII.

While the faculty of the Episcopal Conference of formulating wishes and proposals regarding the establishment, the dismemberment and the suppression of diocesan ecclesiastical jurisdictions, as well as the discipline of the Eastern-rite Churches remain unchanged, it is the task of the Pontifical Representatives to promote—even on his own initiative if necessary—the study of these questions and to forward the proposals of the Episcopal Conference, together with his own opinion, to the competent Dicastery of the Holy See.

## VIII.

1. In his relations with the Bishops, to whom is entrusted by divine mandate the care of souls in the individual dioceses, the Pontifical Representative has the duty to aid, counsel and lend prompt and generous support, in a spirit of brotherly collaboration, always respecting the exercise of the proper jurisdiction of the Bishops

2. Regarding the Episcopal Conferences, the Pontifical Representatives will always bear in mind the extreme importance of their task, and consequent need to maintain close relations with them and to offer them every possible help.

While not being a member of the Conference, he will be present at the opening session of every general assembly, apart from any further participation in other acts of the Conference upon invitation of the Bishops themselves, or by explicit order of the Holy See.

He will further be informed, in adequate time, of the assembly's agenda and will receive copies of the transcript for his own information and to send them to the Holy See.

## IX.

I. In view of the juridical nature of the Religious communities of pontifical right and the opportuneness of strengthening their internal union and their association in the national and in the international field, the Representative of the Roman Pontiff is called to give advice and assistance to the major superiors residing in the territory of his mis-

sion, for the purpose of promoting and consolidating the Conferences of Religious men and of the Religious women and to co-ordinate their apostolate, educational, welfare and social activity, in agreement with the directive norms of the Holy See and with the local Conferences of Bishops.

2. He will therefore be present at the opening session of the Conferences of Religious men and Religious women and will take part in those acts which, by agreement with the major superiors, may demand his presence.

He will also be informed, in adequate time, of the agenda of the meeting and will receive copies of the documents in order to take cognizance of them and to forward them to the Sacred Congregation concerned.

3. The opinion of the Pontifical Representative, together with that of the Bishops concerned, is necessary when a Religious congregation which has its Mother House in the territory within the competence of the Pontifical Representative, proposes to obtain the approval of the Holy See and the title of "pontifical right".

4. The Pontifical Representative exercises the same function referred to in paragraphs 1, 2, and 3 regarding the Secular Institutes, applying to them that which is applicable.

## X.

1. Relations between the Church and the state are normally fostered by the Pontifical Representative, to whom is entrusted the proper and particular charge of acting in the name of the Holy See;

a) to promote and favour its relations with the government of the nation to which he is accredited;

b) to treat questions concerning relations between Church and state;

c) to concern himself particularly with agreements known as "modus vivendi", with pacts and concordats, as well as with conventions referring to questions within the sphere of public law.

2. In pursuing these negotiations, it is fitting that the Pontifical Legate should seek, in the way and in the measure circumstances suggest, the opinion and the counsel of the Bishops and that he keep them informed of the development of the negotiations.

## XI.

1. The Pontifical Representative is charged with following accurately the programmes prepared by International Organizations when there is Delegate or Observer of the Holy See attached to them. In addition, it is his function to:

a) inform the Holy See regularly on the activity of these Organizations;

b) facilitate, in agreement with the local Episcopate, understanding for a beneficial collaboration between the welfare and educational institutes of the Church and similar intergovernmental and non-governmental institutes;

c) sustain and favour the activity of International Catholic Organizations.

2. The Delegates and the Observers of the Holy See attached to International Organizations pursue their mission in consultation with the Pontifical Representative in the nation in which they find themselves.

## XII.

1. The seat of the pontifical Legation is exempt from the jurisdiction of the local Ordinary.

2. The Pontifical Representative can grant the faculty to priests, in the oratory of his Legation, to hear confessions; he can exercise his own faculties and perform acts of worship and sacred ceremonies, always in keeping, however, with rulings in force in the territory and having informed, when fitting, the ecclesiastical authority concerned.

3. He can, after notifying — when possible — the local Ordinaries, bless the people and carry out sacred functions, even those that are pontifical, in all the churches in the territory of his legation.

4. Within the territory in which he fulfills his mission, the Pontifical Representative has the right of precedence over Bishops and Archbishops, but not over the members of the Sacred College of Patriarchs of the Eastern-rite Churches, whether or not in their own territory, whenever they celebrate in their own rite.

5. The rights and privileges inherent in the seat and in the person of the Pontifical Representative are granted in order that, by his prudent and discreet use of them, the character of his legation may best manifest itself and the service he must render may be made easier for him.

We wish that what we have established in this letter, given *motu proprio*, be firm and effective, notwithstanding any measure to the contrary, however worthy of most special mention.

Given at Rome, St. Peter's on June 24th of the year 1969, the seventh of Our Pontificate.

PAULUS PP. VI