

THE BISHOPS AND THE ADVANCED FULFILLMENT OF SUNDAY OBLIGATION

With regard to the Indult to anticipate the fulfillment of the obligation of hearing Mass on Sundays and Holy Days on Saturdays and Vigil evenings, I wish to ask the following questions:

(1) *May the Bishop inhibit his faithful from fulfilling the Sunday and Holy Days precept if the latter hear Mass in the afternoon of the preceding feast day?*

(2) *May the Bishop oblige his priests to celebrate Mass on Saturdays and Vigil evenings, in order that the faithful could make use of the privilege?*

As to the first question, the answer is in the *negative*. Let me explain. The indult in its section on the petition reads: "*Qua de causa, Orator, nomine etiam Exc. morum Praesulum Conferentiae, a Sanctitate Vestra petit facultatem ut fideles adimplere possint obligationem de qua supra.*" In other words, what is being asked here is simply a *faculty that the faithful may comply with the above-mentioned obligation*. Once the petition was granted, the indult already exists and the faithful automatically enjoy the privilege, and may make use of this privilege where they can make use of it.

And here is where precisely the Bishop may nullify the privilege. Since one of the conditions of the anticipated Mass is a mass in the preceding evening of Sundays or feast days and since it is the local Ordinary who may allow evening Masses, it follows that ultimately the use of the privilege depends on the Bishop.

The answer to the second question is in the *affirmative*. There is a text from the *Decree on Bishops*, n. 11, which defines the diocese thus: "A diocese is that portion of God's people which is entrusted to a bishop to be shepherded by him with the cooperation of the presbytery."

There are two important teachings here which form the basis for our affirmative answer.

(1) The bishop is the one to whom is entrusted the diocese or portion of the People of God which is to be shepherded (DB. 16; LG, 23). He is the steward of the grace of the supreme priesthood especially in the Eucharist, which he offers or causes others to be offered...” (LG. 26). The bishop is the one who has more properly the duty in justice and charity to procure and to promote the spiritual welfare of those entrusted to his care, which is more efficaciously accomplished by applying the fruits of the Mass for them.

(b) According to the Code, c. 451, # 1: “*Parochus est sacerdos vel persona moralis cui paroecia collata est in titulum cum cura animarum sub Ordinarii loci auctoritate exercenda.*” With almost the same words, the Decree *Christus Dominus* says: “Pastors, however, cooperate with the bishops in a very special way, for as shepherds in their own right they are entrusted with the *care of souls* in a certain part of the diocese *under the bishop’s authority*” (n. 30).

Attention is invited to two related things in both these texts: the *care of souls*, and *authority of the ordinary* of the place. The pastor in everything that pertains to the care of souls is under the authority of the Bishop.

The very same idea is easily seen even regarding the Religious. “In order that the works of the apostolate be carried out harmoniously in individual dioceses and that the unity of diocesan discipline be preserved intact, these principles are established as fundamental: 1) Religious should always attend upon bishops... whenever they are legitimately called upon to undertake works of the apostolate, they are obliged to discharge their duties in such a way that they may be available and docile helpers to bishops... Especially in view of the urgent need of souls and the scarcity of diocesan clergy, religious communities which are not dedicated exclusively to the contemplative life *can be called upon by the bishops to assist in various pastoral ministries.*” (n. 35).

Accordingly we have the following points beyond doubt:

(1) The bishop is the head of the particular portion of the Universal Church called the diocese. He is the one ultimately responsible for the spiritual welfare of the faithful, and consequently the ultimate judge as to what spiritual means should be given them and when and how.

(2) The priests with care of souls are helpers to the bishops, co-operators, as the Decree says. In everything that pertains to the spiritual care of the faithful of the diocese, the pastors are *under the authority of the local Ordinary*.

(3) The religious, in as much as they share in the care of the souls and in carrying out works of apostolate within the diocese are, in a real sense, clergy of the diocese, and thereby, in what concerns the spiritual care of the faithful, under the local Ordinary.

Now it is obvious that the indult of anticipating Sunday or feast day obligation is very convenient to the faithful and pertains to their spiritual care. Consequently, if and when the Bishop orders that Anticipated Masses be said within his diocese, both pastors and religious are obliged to obey, and have the Mass said either *per se vel per alium*.

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