

## GRANTS OF BIRITUALISM

Canon 674 § 2 of the *Codex Canonum Ecclesiarum Orientalium* declares that the sacred minister is obliged to celebrate the sacraments (which are otherwise illicit) according to the liturgical prescriptions of his own Church *sui iuris*, unless the law establishes otherwise or he has obtained a “special faculty from the Apostolic See”.

The fact of reserving this special concession to the Apostolic See makes it clear that biritualism for clerics represents an indult, justifiable when there are real and manifest pastoral needs, not to satisfy devotions or personal interests with regard to a particular liturgical tradition.

Furthermore, in the current context characterized by the dispersion of many faithful of the Eastern Churches who are forced to leave their territories of origin due to conflicts and serious socio-economic crises, there are attempts, especially in some Western countries that suffer from a shortage of clergy, to ascribe sacred ministers for the exclusive service of Latin rite communities. This practice, which distorts the identification of the priest with the rite of his Church, is strongly to be discouraged. The pastoral help provided by Eastern priests, legitimate in the context of Catholic communion, must not lead them to neglect the priority of ministerial service that they are everywhere called to address *in the first place* to the faithful of their own Church.

In light of these premises, when requesting the indult of biritualism from the Dicastery for the Eastern Churches, which is competent in the matter, it is necessary to provide assurances regarding the ministry carried out by the cleric in question for the benefit of the faithful of his own Church *sui iuris*, along with the necessary documentation, specifically the following:

- 1) Letter from the cleric interested in receiving the faculty of biritualism to celebrate according to *a single rite* in addition to his own;
- 2) Letter of request from the Hierarchy (Eparchial Bishop, Exarch or other equivalent in law) or Ordinary in whose circumscription the applicant will exercise ministry in the rite other than his own, containing the following details:
  - the pastoral destination of the priest in the ecclesiastical circumscription;
  - the preparation of the priest to celebrate the rite for which the faculty is requested;
  - the community of the rite proper to the priest for which he cares, certifying that this ministry takes priority over that which he exercises on behalf of other faithful.
- 3) Letter of consent from the Ordinary or Hierarchy of the priest (of his own rite).

Procedurally, if the need arises in a given Eastern ecclesiastical circumscription, the Hierarchy may ask the Latin Ordinary for a cleric with who is willing to assist pastorally in the concerned

Eastern rite: it will be up to the former, after having received the consent of the latter, to petition the Dicastery for the Eastern Churches to grant this faculty, with the three aforementioned documents. Similarly, if there is a shortage of clergy in a given diocese, the Ordinary may ask the Eastern Hierarchy for a cleric who is able to celebrate in the Latin rite. It will be up to the former, after having received the consent of the latter, to send the request with the three documents to the Dicastery for the Eastern Churches, specifically indicating the Eastern rite community in which the cleric will carry out his ministry as a priority.

Furthermore, if there are Eastern faithful entrusted to the care of the Latin Ordinary, the latter will address the Head of the relevant Church *sui iuris* communicating the need for a priest belonging to the same rite. Should it not be possible to provide such a priest, the Latin Ordinary may request the Dicastery for the Eastern Churches to grant the faculty of biritualism to one of the clergy of that diocese who is adequately prepared in the concerned Eastern rite.

Finally, indulgences of biritualism are granted to *individuals* (not groups) and *ad tempus*, with a *maximum duration of five years*, possibly (but never automatically) renewable by a new Rescript from the Dicastery, following a specific and motivated request, which should be sent before the expiration of the previous indulgence. In agreements stipulated between particular Churches of different rites for the ministry of priests, this maximum duration should be kept in mind.

In no case, however, should the indulgence of biritualism be considered as an insertion into the Church in whose rite one is asked to celebrate.

Except in cases of extreme gravity, incardinating Eastern clerics into Latin dioceses should be avoided. This is all the more so because, as mentioned, an Eastern ecclesiastic cannot exercise his ministry exclusively, or even predominantly, in the Latin Church, with the sole exception of Eastern Churches with an abundance of clergy, in which case an agreement for *fidei donum* service could be stipulated with a maximum duration of five years.

## **TRANSFER OF CHURCH (*TRANSITUS AD ALIAM ECCLESIAM SUI IURIS*)**

The rites of the Latin Church and of the Eastern Churches represent living and priceless treasures of the universal Church of Christ, highlighting in their variety the unity of Catholicism.

In this context, the entrance of an Eastern non-Catholic into full communion with the Catholic Church – one of the more frequent occasions of requests for transfers to another Church *sui iuris* – does not entail the loss of his or her ritual identity, given that the rite must be understood in a much broader way than just celebratory customs, since a rite is the liturgical, theological, spiritual and disciplinary heritage of a Church (see *CCEO* can. 28 §1), which precedes and exceeds the choice of those who are part of it.

Ecclesiastical legislation therefore provides that Eastern non-Catholics honour and observe this patrimony when uniting with the Catholic Church. In this sense, can. 35 of the *CCEO*, not limiting itself to considering only the disciplinary norm, but expressing above all an ecclesiological motive, prescribes that they be enrolled in the Church *sui iuris* of their own rite, while preserving the right in special cases to appeal to the Apostolic See.

In short, the fact that some faithful belonging to non-Catholic Eastern Churches rediscover and mature their faith within the Catholic Church of the Latin tradition does not imply the loss of their ritual identity. This is clearly evident in the assertions of the Second Vatican Council (cf. *Orientalium Ecclesiarum*, n. 6), which stressed the importance of faithful custody and careful observance of their own rite by all the faithful; the *CCEO* was developed to give practical application to this principle and the failure to observe it would lead to the danger of extinction for the Eastern Catholic Churches. As a further support for this, the law provides that the habit of receiving the sacraments in the liturgical celebrations of a Church *sui iuris* does not imply membership in that Church (cf. can. *CIC* 112 §2).

Given the current and ever-increasing risk that the many Eastern Catholic faithful in the diaspora will be “Latinized,” the current practice of the Dicastery for the Eastern Churches, which is competent in this matter, is therefore not to grant transfers to the Latin Church for Eastern Catholic faithful, except in the case of marriage (as provided for by *CCEO* can. 33) or *for particular and serious reasons* individually and restrictively assessed by the Dicastery itself. However, this does not prevent these Catholics, according to their own conscience, from participating, even actively, in the life of the Latin rite communities that they already frequent, especially where there are no communities of their own rite; in such cases it is necessary for the Latin parish priest to observe what

is prescribed for the reception of the Sacraments of Baptism (see *CCEO* canons 677 § 1, 678, 683), Confirmation and Marriage of Eastern faithful.

This is in accordance with what the Second Vatican Council declares in the Decree on Ecumenism *Unitatis redintegratio* (cf. n. 18), which establishes that only the essentials should be required of Eastern non-Catholics who spontaneously request full communion with the Catholic Church. The competent ecclesiastical authority (cf. *CCEO* canons 898-899) must receive them into the Catholic Church with only the profession of the Catholic faith, after doctrinal and spiritual preparation according to the condition of each person (cf. *CCEO* can. 897).

Concretely, in the case in which one of the faithful, although aware of the existence of the rite to which he or she belongs, intends, for particular and serious reasons, to request membership in another Church *sui iuris*, it is necessary to present a written petition, describing in detail the specific special motivations, not reducible exclusively to habit or ritual preference, that justify the granting of such a grace. This request must be presented by the interested party with the written approval of the local Ordinary of the rite to which the faithful wishes to pass, attaching the written consent of the Ordinary of the rite to which he or she belongs.

In some cases, such as entry into an Institute of Consecrated Life of another Church *sui iuris*, it is necessary to obtain the indult of adaptation of rite from the Apostolic See. This permission grants the faculty to conform to the liturgical, theological, spiritual, and disciplinary patrimony of another Church *sui iuris*, while maintaining membership in the original one.

Finally, it should be recalled that anyone who finds himself outside the boundaries of the territory of his own Church *sui iuris* can fully conform to the norms in force in the place where he resides regarding feast days and penance (cf. *CCEO* can. 883 §1).

## ADAPTATION OF RITE

The indult of the Apostolic See, which grants the faculty to conform to the liturgical, theological, spiritual and disciplinary patrimony of another Church *sui iuris* without entailing ascription in that Church but rather maintaining membership in the original Church, is necessary for the liceity of the ordination of sacred ministers belonging to another Church *sui iuris* and for admission to the novitiate in an Institute of consecrated life of another Church *sui iuris*.

Both the candidate and the Superior or Ordinary concerned must write to request this permission (called *adaptation of rite*) from the Dicastery for the Eastern Churches, adding the consent of the proper own Ordinary (Hierarch, if the candidate is ascribed to an Eastern Church). The request must also include documents certifying the personal data (full name, date of birth and place of residence) of the candidate and the conferral of baptism.

If he is a candidate for Holy Orders, he will be required to receive them according to the liturgical prescriptions of the Church *sui iuris* to which he belongs, unless the license authorizes otherwise. If admission to Holy Orders or to the consecrated life has occurred without the license of the Apostolic See, it is necessary to have recourse to the Dicastery for the Eastern Churches in order to regularize the situation. In the case of admission of a faithful of the Eastern rite to a Latin seminary (or vice versa), the consent of the respective Ordinary must be sought from the moment of entry.

If an Eastern candidate is admitted to an Eastern Institute of a Church *sui iuris* other than the one to which he belongs, he falls under the jurisdiction of the Dicastery for the Eastern Churches. If, however, the Eastern candidate is admitted to a Latin Institute, he will observe the Constitutions of that Institute and will fall under the jurisdiction of the Dicastery for Institutes of Consecrated Life and Societies of Apostolic Life. If a Latin candidate is admitted to an Eastern Institute, he will observe the Statutes of that Institute, falling under the jurisdiction of the Dicastery for the Eastern Churches.

An Eastern faithful legitimately admitted to the novitiate and perpetual profession of a Latin institute should be encouraged to know and, to the extent possible, to practice his or her ecclesial tradition. If a religious receives Holy Orders in a Latin institute, he maintains the faculty to exercise sacred ministry also in his native rite.

The recipient of the indult will return to the exercise of his or her native rite in the event of departure from the Latin rite religious institute.

The superiors of Latin institutes should erect houses or provinces of an Eastern rite when circumstances require doing so in Eastern territories.