

THE COMMUNION ECCLESIOLOGY OF *ORIENTALIUM ECCLESiarum* AND ITS DIFFICULT RECEPTION IN INDIA

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Abstract

The decree on the Eastern Catholic Churches, *Orientalium Ecclesiarum* (OE), may seem like an unexpected way to address an important theme of the Second Vatican Council: communion ecclesiology. However, it does do so in a way that incorporates some of the Council's ideas. It is true that the document has been criticized for its lack of Oriental identity, but the document contributes significantly to the idea of communication ecclesiology by pleading, especially in its opening paragraphs. This document seeks to establish how this decree has guided and continues to lead the Church in promoting the ecclesiology of the communion in India. The two important topics selected to make this point clear are the missionary and pastoral expansion of the Syro-Malabar Church and the formation and working of the Inter-Ecclesial Bishops' Conference in India. While dealing with these topics, the paper will expose the difficult reception process that the Syro-Malabar Church faces to be faithful to this interesting theme of the Council. It is called a difficult reception because one can easily notice that this teaching of Vatican II was almost unacceptable for the Indian Church without some direct interventions from the Holy See.

Key Words: Communion Ecclesiology; Harmony; Inter-faith Relations; Mission; Pastoral Care

The 16 documents of Vatican II repeat the word "communion" 112 times. However, this word does not convey the same sense

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everywhere and speaks of three forms of communion, such as “the communion of the faithful, the hierarchical communion, and the communion of the churches.”¹ The decree OE addresses mainly the third category of communion—the communion of churches. From a broader perspective, the significant paragraphs of the decree directly connected to this idea are OE 1-4. Besides OE, the constitution on the Church, *Lumen Gentium* 23, and the decree on ecumenism *Unitatis Redintegratio* 16, also explicitly show that the Catholic Church is a communion of churches.² Since the documents of Vatican II interchangeably use the term particular Church to denote an individual Church and a diocese, there can be two meanings of the phrase ‘church as communion.’ First, it can mean that the Church is a “communion of different particular churches or dioceses” as mentioned in *Lumen Gentium* 23a and *Christus Dominus* 11. Secondly, the Church is also understood as a “communion of different *sui iuris* churches” as mentioned in LG 23d and OE 2,3, and 5.³ As our decree puts emphasis on the second meaning of communion, we will concentrate on how this communion ecclesiology is understood and accepted by the Indian Church, especially in the Syro-Malabar Church.

I. Reflections of Communion Ecclesiology on the Missionary and Pastoral Expansion of the Church

In its first paragraph, OE mentions that the Oriental churches, having the apostolic heritage need to “flourish and fulfil with fresh apostolic vigour the task entrusted to them.”⁴ This line of the decree indicates that the Council Fathers do not want to conceal the fact that in the past and during the Council, the Eastern churches were impeded from flourishing and fulfilling their tasks for various reasons. This is substantially true with the Syro-Malabar Church in many respects, especially on the matters of its pastoral and missionary life. It is important to address the topic of pastoral care and evangelization together, as they both are interrelated. According to Bishop Sebastian Vadakkal, “pastoral care of the migrants is

¹Sebastian Chalakkal, “Vatican II and Communion Ecclesiology with Special Reference to the Church in India,” in *The Living Legacy of Vatican II: Studies from an Indian Perspective*, ed. Paul Pulikkan, Bengaluru: ATC Publishers, 2017, 385-386.

²Xavier Koodapuzha, “The Impact of the Vatican Council II on the Syro-Malabar Church and the Present Challenges in Implementing the Conciliar Teaching,” in *Syro-Malabar Church after Forty Years of the Vatican Council II*, ed. Pauly Kannookadan, LRC Publications 14, Kochi: LRC, 2007, 48-51.

³Chalakkal, “Vatican II and Communion Ecclesiology with Special Reference to the Church in India,” 387.

⁴*Orientalium Ecclesiarum*, § 1.

contributory to fruitful evangelization. Through proper pastoral care, the community of the emigrants can be built up as an evangelizing community.”⁵ OE is extensively referred to in the Indian Oriental theological writings to voice against the unjust situation that the Oriental churches have been facing in India as far as its pastoral care and evangelizing mission are concerned.⁶

1. On the Expansion of the Mission

The key paragraphs that correspond to the pastoral and missionary character of the decree are OE 3 and 4. Pertaining to the evangelizing mission, OE 3 affirms that the Oriental churches equally “enjoy the same rights and are bound by the same laws, even as regards preaching the gospel throughout the whole world (Mk 16:15), under the direction of the Roman pontiff.”⁷ While emphasizing the pastoral care of the migrated faithful, OE 4 states in its opening lines: “Steps should therefore be taken for the preservation and enlargement of all individual churches throughout the world, and so parishes and their own hierarchy should be set up wherever the spiritual good of the faithful requires it.”⁸ Although the reception of these two paragraphs has been a slow process in India, the new awareness that these lines created in all the three Catholic churches of India is relatively high. Apparently, the first respondent from the Latin Church in India, to put this understanding of the Council into practice was Archbishop Eugen D’Souza of Nagpur who gave a large area of his territory to the Syro-Malabar Church for proper evangelization.⁹ Consequently, it paved the way for the first ordinariate of the Syro-Malabar Church outside Kerala in 1962.¹⁰ It is to be noted that Archbishop Eugen was one of the Council Fathers, and when he had given a portion of his territory to the Syro-Malabar Church, the decree on the Eastern Catholic churches was only in its preparatory period. It can be inferred

⁵Sebastian Vadakkell, “Syro-Malabar Church: Its Pastoral and Missionary Rights and Obligations as a Sui Iuris Church,” in *Syro-Malabar Church since the Eastern Code: Festschrift in Honour of Prof. George Nedungatt S.J.* ed. Francis Eluvathingal, Rome: Mar Thoma Yogam, 2002, 25.

⁶The unjust situation here refers to the restriction that the Syro-Malabar Church was facing in the pastoral and missionary activities outside the territory allotted to Syro-Malabar Church by Rome in that period.

⁷*Orientalium Ecclesiarum*, § 3.

⁸*Orientalium Ecclesiarum*, § 4.

⁹Cf. Joseph Powathil, “Missionary Activities of the Syro-Malabar Church in the Present Context,” in *The Mission Theology of the Syro-Malabar Church*, ed. Pauly Kannookadan, LRC Publications 15, Kochi: LRC, 2008, 172.

¹⁰The first mission Eparchy of the Syro-Malabar Church is Chanda, and it is situated in the state of Maharashtra. Cf. Varkey J. Vithayathil, *The Origin and Progress of the Syro-Malabar Hierarchy* Vithayathil, Kottayam: Oriental Institute of Religious Studies, 1980, Appendix XII, 135.

that he was also influenced by the special consideration that Pope John XXIII had given to the Eastern Catholic churches from the very beginning of the Council. On the other hand, one cannot also ignore the amount of pressure that the Syro-Malabar Church had been exerting on the Latin Church on this issue, especially in the Catholic Bishops' Conference of India. Moreover, the shortage of missionary personnel experienced by the Latin dioceses in North India also urged the archbishop to extend an invitation to the Syro-Malabar Church, which had a surplus of priestly and religious vocation.¹¹ In a similar fashion, soon after the Council, a few more mission dioceses for the Syro-Malabar Church were erected namely Sagar, Satana, and Ujjain in 1968 and Bijnor, and Jagdalpur, in 1972 as exarchates in North India. All of these 6 exarchates and the first mission exarchate, Chanda were raised to the status of eparchies in 1977 by Pope Paul VI and in the same year, he also erected the mission eparchy of Rajkot in the state of Gujarat.¹² Of the seven eparchies erected for the Syro-Malabar Church during the long pontificate of Pope John Paul II, only two were mission dioceses namely the eparchies of Gorakhpur in 1984¹³ and Adilabad in 1999.¹⁴ These additional two dioceses raised the total mission dioceses of the Syro-Malabar Church to 9 which is a bare minimum in comparison to the Latin mission dioceses. Moreover, all the mission dioceses of the Syro-Malabar Church are still attached to the Latin metropolitan sees. According to the Syro-Malabar canonist George Nedungatt, this attachment of the mission dioceses to the Latin metropolitan sees makes this Church a "canonical hybrid."¹⁵ However, it was during his papacy that some solid steps were taken for the pastoral care of the migrated faithful of this Church. In other words, although OE 3 was able to have a fairly good impact on the Catholic Church in India soon after the Council, the Syro-Malabar Church had to wait for almost two decades after the Council to start a concrete reception of OE 4 in India.

¹¹Cf. James Cherian Mudakodil, "The CBCI and Evangelization in India: A Historico-theological Study Based on the Documents of the CBCI from 1944 to 1994" (unpublished doctoral dissertation, Faculty of Theology, KU Leuven, 2002), 58.

¹²The 7 Apostolic Constitutions erecting 7 eparchies can be found in AAS 69 (1977), 241-248. Satna, *Ecclesiarum Orientalium fama*, 241-242; Ujjain: *Qui divino consilio*, 242-243; Sagar, *Divina Verba*, 243-244; Jagadapur: *Nobismet ipsis*, 245-246; Rajkot: *De recta fidelium*, pp. 246-247; Chanda, *Nostra ipsorum*, 247-248.

¹³Pope John Paul II, Apostolic Constitution, *Ex quo divinum* in AAS 76 (1984) 945-946.

¹⁴Pope John Paul II, Apostolic Constitution, *Ad aptius consulendum*, in AAS 91, 2 (1999) 1031.

¹⁵Cf. George Nedungatt, *The Spirit of the Eastern Code*, Placid Lecture Series 15, Rome: Centre for Indian and Inter-religious Studies, 1993, 143.

2. On the Road to the Pastoral Care of the Emigrants

On 8 September 1978, Pope John Paul I had assigned Archbishop Antony Padiyara of Changanacherry as the Apostolic Visitor for the emigrants of the Syro-Malabar Church. He had to study and submit a report on the ecclesial life of the emigrants of this Church living in the Latin dioceses based on OE 4. Although the Apostolic Visitor submitted the report to the Holy See in 1980 and even sent the same report to all the bishops of India in 1982,¹⁶ the latter years show that no further action was taken on this study. During the Extraordinary Synod held in Rome from 24 November to 8 December 1985 to commemorate the 20th anniversary of Vatican II, the bishops of the Syro-Malabar Church raised once again the serious pastoral and missionary problems faced by the Church due to the lack of interest of the Latin Church to implement the teachings of OE in India.¹⁷ The paper presented by the Syro-Malabar bishops stated that the Fourth Lateran Council's theory of "one territory-one jurisdiction"¹⁸ accounts for the hesitation of the Latin Church not to implement OE 4. In the same paper, the bishops argued from a historical, theological and canonical basis that this theory "has no validity at all in the Church. Multiple jurisdictions are the only right ecclesial arrangement."¹⁹ The paper further states: "Any basic division of the ecclesiastical jurisdiction, therefore, should follow the basic differences in the ecclesial reality of the Christians. Such is undoubtedly the difference of Rites among the faithful."²⁰ In the concluding remark of the paper the bishops expressed a similar idea to that of OE: "Instead, multiple jurisdictions with provisions for coordinated activity for all the three Individual churches in India will show forth to the people of India the unity in variety and consequently the authentic beauty of the Catholic Church."²¹ During this Synod, there were also arguments against the implementation of OE 4 in India. It was Archbishop Henry D'Souza who spoke against the implementation of multiple jurisdictions in

¹⁶Simon Pimenta, "Presentation of the Holy Father's Letter," in *Report of the General Meeting of the CBCI*, New Delhi: CBCI Centre, 1988, Appendix XI, 232.

¹⁷Antony Padiyara and Joseph Powathil, "The Pastoral and Missionary Problems of the Oriental Churches in India," *Christian Orient* 8, no. 1-2 (1986) 26.

¹⁸The Fourth Lateran Council had stated: "We altogether forbid one and the same city or diocese to have more than one bishop, as if it were a body with several heads like a monster." "Fourth Lateran Council," c. 9, in *Decrees of the Ecumenical Councils*, vol. 1 ed. Norman Tanner, Washington: Georgetown University Press, 1990, 239.

¹⁹Padiyara and Powathil, "The Pastoral and Missionary Problems of the Oriental Churches in India," 31.

²⁰Padiyara and Powathil, "The Pastoral and Missionary Problems of the Oriental Churches in India," 31.

²¹Padiyara and Powathil, "The Pastoral and Missionary Problems of the Oriental Churches in India," 31.

India. He did this by stressing the importance of evangelizing missions as a priority in India. He states:

The right missionary perspective must govern our thinking. It is the perspective of the growth of the local church, of its incarnation into the human reality of the place, and of its progressive development into an individual ecclesial reality. In this perspective, questions of rites and rights become secondary. In the mission situation, there is no place for any one church- Latin or Oriental-imposing its traditions and culture on the new emerging local churches-but rather the fostering of a truly incarnate church emerging from the flesh and bones of the local people. This is the vision of mission today – this is the vision need for missionary work in India.²²

When the Prefect of the Congregation for the Oriental churches Cardinal Simon Lourdusamy, took a middle position in his intervention,²³ the Ukrainian Metropolitan of Philadelphia staunchly supported the demand of the Syro-Malabar Church.²⁴ Given the seriousness of the Latin-Oriental conflicting relations in India, several Italian publications reported this issue, and one of the significant publications, *Il tempo* discussed this matter in detail on 1 December 1985.²⁵ Pope John Paul II, while addressing the Syro-Malabar and Syro-Malankara bishops on 19 December 1985 on the occasion of their collegial visit, stated, “The Holy See desires that these faithful residing outside the Eastern rite circumscriptions be offered all the facilities of pastoral care and catechetical formation in their own tradition which the laws of the Church foresee.”²⁶

Another usual argument of the Latin Church against the establishment of parishes or eparchies for the emigrants is that even if the Christians of the Malabar Church migrate to the area of the Latin Church, they never get integrated into the Latin Church, and they can continue to be Syro-Malabarians. This argument is viewed as “a subtle kind of neocolonialism which condemns the Oriental Church to dissolve in the Latin Church. What is called ‘uniatism’

²²Henry D’Souza, “The Perspective of a Mission Church,” *Christian Orient* 8, 1-2 (1986) 42.

²³Cf. Simon Lourdusamy, “Intervention of Cardinal Lourdusamy in the Synod,” *Christian Orient* 8, 1-2 (1986) 23-25.

²⁴Cf. Stephen Sulyk, “Intervention of Archbishop Stephen Sulyk,” *Christian Orient* 7, 1-2 (1986): 78-79.

²⁵English translation of the news: M. Paikkat, trans., “Comment of the Italian News Paper ‘Il tempo’ on the Indian Situation,” *Christian Orient* 7, 1-2 (1986) 80-81.

²⁶John Paul II, “His Holiness Pope John Paul II’s Address to the Syro-Malabar and Syro-Malankara Hierarchies on 19th December 1985,” *Christian Orient* 7, 1-2 (1986) 16.

means simply this.”²⁷ Archbishop Joseph Powathil notices that there have been even attempts by the Latin Church in India to deny the teachings of OE by taking recourse to some quotes from the decree on the Pastoral Office of Bishops. He presumes this disharmony might have occurred due to the time gap between the formulation of these decrees or due to the lack of an authentic interpretation of the texts. According to him, “the documents have to be taken together as a whole. It is desirable, therefore, to have an official interpretation giving an integrated view of the teachings contained in the different documents of Vatican II.”²⁸ It was observed after 20 years of the Council that due to the lack of opportunities for mission and pastoral works, there were “some 2000 priests and 8000 religious sisters of the Syro-Malabar Church” working in the Latin Church outside Kerala and they all have become full-fledged members of the Latin Church.²⁹

3. On the Erection of Eparchies for the Emigrants

As a response to the repeated requests of the Syro-Malabar Church and the pleas of the bishops at the Synod held in Rome in 1985, on his historic visit to India, Pope John Paul II in 1986, addressed the ‘rite controversy’ of the Catholic Church in India on 1 February 1986 to all the bishops of India at New Delhi. He even promised that he would do “everything possible to ensure a just and fair settlement of the issue that will take into account all the pastoral exigencies of unity and truth.”³⁰ As a follow up to his address, a Papal Commission was set up in 1986 to deal with the inter-ritual problem in India under the direction of Cardinal Casoroli, the Cardinal Secretary of the State. The Commission consisted of the Prefects of the Congregations for the Oriental churches and the Propaganda Fide, the Apostolic Pro-Nuncio in India, Archbishop Agostino Cacciavillan, and archbishops representing the three rites in India namely, Archbishops Simon Pimenta, and Henry D’Souza of the Latin Church, Benedict Mar Gregorios of the Syro-Malankara Church and Antony Padiyara of the Syro-Malabar Church and a few others.³¹ The three points that this Commission had to deal with were:

²⁷George Kudilil, “The Erection of the Eparchy of Tellicherry and the Missionary Predicament of the Syro-Malabar Church,” *Christian Orient* 7, 4 (1986) 188.

²⁸Antony Padiyara, “The Syro-Malabar Church and the Second Vatican Council,” *Christian Orient* 7, no. 1-2 (1986) 38.

²⁹Joseph Powathil, “The Second Vatican Council and the Syro-Malabar Church,” *Christian Orient* 7, no. 1-2 (1986) 38-39.

³⁰As quoted in Pimenta, “Presentation of the Holy Father’s Letter,” 237.

³¹Pimenta, “Presentation of the Holy Father’s Letter,” 237.

- i) The spiritual and pastoral assistance of the Eastern Rite faithful in Latin Rite circumscriptions.
- ii) The Eastern Churches and evangelization outside their territories.
- ii) The Churches of the Eastern Rite and the Indian Episcopal Conference.³²

This Commission discussed these three issues in the light of *Orientalium Ecclesiarum* and *Christus Dominus* in June 1986 in Rome.³³ The Commission had met three times to discuss this issue in the Apostolic Palace. The first two meetings (on 20 June and 24 June) were public meetings of the entire Commission, and no conclusion was drawn in them. The third meeting organized on 26 June was a private meeting in which only some selected members participated namely the Prefects of two Congregations, four archbishops representing the three rites of India, the Pro-Nuncio, and the Jesuit priest Ivan Zuzek, the secretary of the Oriental Code Commission.³⁴ The final decision of the meeting was that “the Conciliar documents CD 23,3 OE, and CIC be implemented as soon as possible and that the question of ‘as soon as possible’ be left to the judgement of the Holy Father.”³⁵ As indicated by the general conclusion of the third meeting, Pope John Paul II, responded to it through his apostolic letter addressing all the Catholic bishops of India on 28 May 1987. The letter emphasized that based on the teachings of the decrees *Christus Dominus* and *Orientalium Ecclesiarum* the Latin Ordinaries must ensure the pastoral care of the faithful of the Eastern rites. It has to be done “through the ministry of the priests, or through parishes of the Rite.”³⁶ The letter also ensured that “where circumstances would so indicate the Apostolic See will establish a proper hierarchy for such faithful.”³⁷ The Pope also recognized in the letter the urgency to start a diocese for the faithful of the Syro-Malabar Church residing in the region of Bombay-Pune.³⁸ However, the Church had to wait more than a decade to see this dream become a reality. On 30 April 1988, the pope erected the Eparchy of Kalyan in the state of Maharashtra for the Pune-Nasik region. This is the first

³²“Session II” in *Report of the General Meeting of the CBCI*, New Delhi: CBCI Centre, 1988, 15.

³³“Session II,” 14.

³⁴Pimenta, “Presentation of the Holy Father’s Letter,” 238.

³⁵Pimenta, “Presentation of the Holy Father’s Letter,” 238.

³⁶Pope John Paul II, “Letter of His Holiness Pope John Paul II to the Bishops of India,” *Christian Orient* 8, 2 (1987) 97.

³⁷Pope John Paul II, “Letter of His Holiness Pope John Paul II to the Bishops of India,” 97.

³⁸Pope John Paul II, “Letter of His Holiness Pope John Paul II to the Bishops of India,” 97.

eparchy of the Syro-Malabar Church erected for the pastoral care of its faithful outside its proper territory.³⁹

The demand for more dioceses in other cities of India and even outside India was raised constantly, and hence, although slowly, the Syro-Malabar Church received in the following years a good number of dioceses in and outside the country. It was on 9 October 2017, through his historical apostolic letter to all the bishops of India, that Pope Francis brought a permanent solution to the age-old problem of all-India jurisdiction of the Syro-Malabar Church by erecting the Eparchy of Shamshabad. The territory of this diocese covers the whole country where there are no Syro-Malabar dioceses. Therefore, the Eparchy of Shamshabad functions to provide pastoral care according to the teachings of OE to all the Syro-Malabarians who did not belong to any one of the already existing eparchies of the Syro-Malabar Church in India.⁴⁰ As per the statistics of 2019 provided by the Congregation for the Eastern churches, the Syro-Malabar Church “has thirty-five ecclesiastical circumscriptions, thirty-one of which are in its proper territory, with a total membership of 4,251,399 faithful”⁴¹. The four other ecclesial circumscriptions for the pastoral care of its emigrated faithful established outside the proper territory are the eparchies of Chicago, Preston, Melbourne, and the exarchate in Canada.⁴² Another important area that indicates a more profound reception of the communion ecclesiology in India is the establishment of the inter-ecclesial conference of bishops.

II. Reflections of Communion Ecclesiology in the Formation of the Inter-Ecclesial Conference of Bishops

The decree *Orientalium Ecclesiarum* played a significant role in establishing the present three episcopal bodies in India and making the already existing national conference of Catholic bishops in India into an inter-ecclesial conference. The three episcopal bodies in India today are the Synod of Bishops of the Syro-Malabar Church, the Conference of Catholic Bishops of India (CCBI) of the Latin Church, and the Synod of Bishops of the Syro-Malankara Church. The common episcopal conference for all three rites in India is the Catholic Bishops' Conference of India (CBCI). Besides these conferences, there are also regional-wise episcopal bodies e.g., Kerala Catholic Bishops

³⁹Pope John Paul II, Apostolic Constitution, *Pro Christifidelibus*, in AAS 80 (1988) 1381-1382.

⁴⁰Cf. Pope Francis, *Letter of His Holiness Pope Francis to the Bishops of India*, http://www.vatican.va/content/francesco/en/letters/2017/documents/papa-francesco_20171009_vescovi-india.html [Accessed on 19 July 2021].

⁴¹Farrugia, Rigotti, and Van Parys, eds., *The Catholic East*, 361.

⁴²Farrugia, Rigotti, and Van Parys, eds., *The Catholic East*, 387-388.

Conference (KCBC), Council of Bishops of Madhya Pradesh (CBMP) etc. According to the Second Vatican Council, the bishop's conference was to be set up in every nation based on the teachings of the Decree *Christus Dominus* (CD) specifically paragraphs 37-38. We encounter the possibilities of two types of conferences in paragraph 38 of the decree. While CD 38, 1-5 speaks about episcopal conferences, CD 38, 6 gives the provision for an inter-ritual conference where there are other Catholic churches in a particular country.⁴³ Although we find no direct mention of the episcopal conferences in *Orientalium Ecclesiarum*, paragraph 4 of this decree mentions that "ordinaries of the various individual churches who exercise jurisdiction in the same territory should take care to further unity of action, after taking counsel among themselves in periodic meetings."⁴⁴ The decree also informs that such united meetings are oriented "to help common activities for furthering the cause of religion more easily and safeguarding the rule of life of the clergy more effectively."⁴⁵

1. Communion Ecclesiology and the New Code of Canon Law

The whole issue concerning the membership in the episcopal conference of India started with the promulgation of the new Code of Canon Law of the Latin Church in 1983. With this Code, the episcopal conferences received juridical status and became an ecclesiastical institution of the Latin Church. The canons dealing with the conferences of bishops specified that the bishops of other rites cannot be *de jure* members of this institution and were only guests with a consultative vote.⁴⁶ However, when the Catholic Bishop's Conference of India began in 1944, it was established as a voluntary inter-ritual conference of all bishops of the three Catholic churches of India.⁴⁷ The founding bishops of the Conference designed its goal as "co-ordinated study and common discussion of questions affecting the welfare of the

⁴³"Christus Dominus," § 38 in *Decrees of the Ecumenical Councils*, vol. 2 ed. Norman Tanner, Washington: Georgetown University Press, 1990, 936-937. See also Thomas Neendoor, "Three Episcopal Conferences: Development in India after the Promulgation of *Orientalium Ecclesiarum*," in *Revisiting Vatican II: Orientalium Ecclesiarum After Fifty Years: The Impact of Orientalium Ecclesiarum on the Eastern Catholic Churches in India*, ed. Francis Thonippara, Bengaluru: Dharmaram Publications, 2016, 96.

⁴⁴*Orientalium Ecclesiarum*, § 4, 901.

⁴⁵*Orientalium Ecclesiarum*, § 4, 901.

⁴⁶*Codex Iuris Canonici*, cc. 447-459, in *Codex Iuris Canonici Latin-English Edition*, Washington, DC: Canon Law Society of America, 2017, 146-150. See also Neendoor, "Three Episcopal Conferences: Development in India after the Promulgation of *Orientalium Ecclesiarum*," 95.

⁴⁷Alexander M. Laschuk, "Participation of Eastern Hierarchs in Conferences of Bishops," *Studia Canonica* 51, 1 (2017) 198.

Church in the country, and when agreed upon, as usual, the prosecution of a common policy and concerted action in matters concerning the interests and activities of the Catholic Church in India.”⁴⁸ Even the revised statutes of the Conference in 1960 reflected this idea completely.⁴⁹ After the promulgation of the CIC, “the Latin bishops considered it an episcopal conference as in CD 38. 1- 4, while the Oriental bishops insisted on preserving the original inter-ritual voluntary character of the CBCI as in CD 38.6 and OE 4.”⁵⁰ Archbishop Joseph Parecattil of the Syro-Malabar Church, in his letter, sent on 7 December 1982 to the then president of the CBCI, Archbishop Simon Pimenta, stressed that the move towards turning the CBCI into a juridical body should be in accordance with the norms mentioned in CD and OE. Therefore, the CBCI can continue to function as a voluntary inter-ritual conference.⁵¹ In the same letter, the archbishop also expressed the unhappiness of the Syro-Malabar Church for leaving out three important directives on the restructuring of the CBCI in its publication given by the Sacred Congregation for the Oriental churches in the letter sent with the port. n. 301/60 dated 26-4-1978 to the president of the CBCI.⁵² These directives, in fact, endorsed to keep the inter-ritual conference with the original motive of this Conference.

2. Holy See as a Last Resort

To solve this confusion, the Oriental “bishops proposed three national episcopal bodies of deliberative character each dealing with matters of their own Church and a common national conference of a consultative nature for matters common to all three churches”⁵³. Hence, an inter-ritual committee was formed to study this matter in the general meeting of CBCI held from 6-12 January 1983. As this Committee could not reach any conclusion, the three Syro-Malabar bishops of this Committee said to the president of CBCI, that “they could not subscribe to the idea of using the CBCI, as a Conference of Latin bishops with Orientals as appendices.”⁵⁴ As a final resort to the

⁴⁸Severimuthu Arulsamy, “Episcopal Synodality in India,” in *Synod and Synodality: Theology, History, Canon Law and Ecumenism in New Contact: International Colloquium Bruges 2003*, eds., Alberto Melloni and Silvia Scatena, Münster: LIT, 2004, 377.

⁴⁹Cf. Arulsamy, “Episcopal Synodality in India,” 377.

⁵⁰Neendoor, “Three Episcopal Conferences: Development in India after the Promulgation of *Orientalium Ecclesiarum*,” 98.

⁵¹Neendoor, “Three Episcopal Conferences: Development in India after the Promulgation of *Orientalium Ecclesiarum*,” 99.

⁵²G. Chediath and T. Vellilamthadam, “One Territory, One Bishop, One Jurisdiction Solution to the Problems?,” *Christian Orient* 4, 1 (1983) 28-29.

⁵³Neendoor, “Three Episcopal Conferences: Development in India after the Promulgation of *Orientalium Ecclesiarum*,” 100.

⁵⁴Neendoor, “Three Episcopal Conferences: Development in India after the Promulgation of *Orientalium Ecclesiarum*,” 100.

problem, two separate letters were prepared, one by the Syro-Malabar bishops and the other by the Latin bishops and sent to Rome on 6 June 1984 by the president of CBCI. The president of the Pontifical Commission for the Authentic Interpretation of the Code of Canon Law responded to the letters saying that, granting the deliberative vote to the bishops of other rites in the episcopal conference will be as illogical as granting the deliberative vote to the Latin bishops in the Synod of the Oriental Church.⁵⁵ The real solution to the problem only came with the intervention of the Holy See. The letter of Pope John Paul II stated:

The bishops of each of the three Rites have the right to establish their own Episcopal bodies in accordance with their own ecclesiastical legislation. The National Conference of all the Catholic bishops of India is to continue for questions of common concern and of a national and supra-ritual character, e.g. Doctrine and Morals, Organizations of a national and supra-ritual character, questions involving the Catholic Church and the Government, etc.⁵⁶

The letter of the Pope has several references to the decree *Orientalium Ecclesiarum*, especially paragraphs 2, 3, 4 and 6 while mentioning the rights and equality of Oriental churches. With this important decision, the Pope adhered to the teachings of Vatican II and reiterated that the Catholic Church is a communion of churches (OE 1-4), and that one Church is not an appendix to another Church. According to Thomas Neendoor, the whole episode of the tension between the Orientals and the Latin over the membership in CBCI points to the fact that “a half-century long process fails to convince the Orientals about their oriental responsibility, which is given in OE. So also, the Latin counterpart miserably fails to understand even the relevance of eastern ecclesial presence in India.”⁵⁷ Maintaining the original vision of the Inter-Ecclesial Conference equally for all three rites and allowing all three rites to form their own episcopal bodies were only possible through a meaningful reception of Conciliar decrees especially OE 4. Looking at the beauty of the present CBCI a recent study conducted on the functioning of the different episcopal conferences of various countries states:

The most inclusive of the conferences is the CBCI that not only permits but also, in fact, requires the active participation of the three Churches in

⁵⁵“Report of the Inter-Ritual Committee,” in *Report of the General Meeting of the CBCI*, New Delhi: CBCI Centre, 1986, 115.

⁵⁶Pope John Paul II, “Letter of His Holiness, Pope John Paul II to the Bishops of India,” *Christian Orient* 8, 2 (1987) 97.

⁵⁷Neendoor, “Three Episcopal Conferences: Development in India after the Promulgation of *Orientalium Ecclesiarum*,” 77.

India. This structure is decidedly a conference of bishops and, to some degree, has altered the structure of an episcopal conference as envisioned by the law, attempting to make it intrinsically inter-ecclesial.⁵⁸

Concluding Remarks

The restriction of the Syro-Malabar Church in doing evangelization and pastoral care of its own faithful has led to a serious violation of the Conciliar teachings. Within the period of the last 100 years, the Latin Church in India could establish more than 100 dioceses in India, whereas the Syro-Malabar Church could not establish even one-third of it. However, the question is how could the Latin Church achieve this? One can easily identify that the growth of the Latin Church in India could have never been possible without the Syro-Malabar missionaries because “even today 70% of the missionary personnel in India are of Syro-Malabar origin.”⁵⁹ This systematic approach of the Latin Church is described as:

Suppression of a *sui iuris* Church by another *sui iuris* Church. Suppression by a mighty *sui iuris* Church, which has a leader, a system, and a mind to conquer and establish. Over the last 100 years, the sterling efforts of the Syro-Malabar also were towards the establishment of the Latin Church in India. They were used cleverly or, rather, exploited. The most interesting aspect of this exploitation is that the people who were thus used were never even aware of this. Instead, they were and are much happier to be part of this because of the pseudo-Catholicism nurtured in their minds while they were being trained.⁶⁰

It is a fact that the Syro-Malabar Church was denied of evangelizing in the whole of India for a long time. Nevertheless, we must also ask what is the approach of this Church towards its own mission dioceses that were established after the Council? It is observed that these mission dioceses are running short of priestly and religious vocations every year. If the Syro-Malabar Church is very much committed to the evangelizing mission even today, why does this Church not set up a centralized vocation bureau in the Church to ensure that at least a limited number of missionary vocations are recruited to its mission dioceses every year? On the contrary, it is noticed that certain parishes in Kerala give priority to recruit the candidates only for the dioceses of Kerala and at times do not even encourage them to take up missionary vocations. Of course, one could argue that the mission dioceses themselves should promote vocations

⁵⁸Laschuk, “Participation of Eastern Hierarchs in Conferences of Bishops,” 201.

⁵⁹Farrugia, Rigotti, and Van Parys, eds., *The Catholic East*, 380.

⁶⁰Joseph Varghese Kureethara, “A Critical Analysis of the Establishment of the Catholic Diocese in India in the Wake of the Universal Jurisdiction of the Oriental Churches,” in *Asian Horizons* 8, 1 (2014) 73.

in their dioceses. However, the question is how could these dioceses promote ample vocations where there are only a handful of faithful? This attitude of the Syro-Malabar Church towards its existing mission dioceses may even call into question its commitment to the teachings of OE 3.

Another point of argument is that if the restriction imposed on the Syro-Malabar Church was the only reason that this Church could not commit itself to evangelization, why did the Orthodox churches which also share the same missionary charism of St Thomas the Apostle and was never restricted by anyone, not venture into a wide evangelization outside of Kerala? Hence, one cannot simply deny that the recruitment of missionary vocations by the Latin Church has not imparted the charism of evangelization to the Orientals in India. However, the strategy adopted by the Latin Church to realize this end cannot be defended or accepted. The recommendable option was to assist the Syro-Malabar Church to evangelize India rather than 'using' them to enlarge Latin mission territories. In fact, the mutual understanding and recognizing the dignity of other churches are exactly the thrust of the communion ecclesiology in *Orientalium Ecclesiarum*. However, the recent developments especially after the apostolic letter of Pope Francis in 2017, show that the concept of communion ecclesiology is slowly getting highlighted and received by all three rites in India. We also noticed that there were several arguments in the Catholic Bishops Conference of India based on the principles of *Orientalium Ecclesiarum* and *Christus Dominus* over the issues of multiple jurisdictions and the equality of Churches. Hence, while dealing with these issues, a harmonious reading of OE and CD must be encouraged in order to avoid confusion and misunderstandings. Even an official interpretation of these decrees could be created under the guidance of CBCI exclusively for the Indian situation and could be included in the formation curriculum of the clergy or in the similar forum.