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PROJECT FOR A NEW EVANGELIZATION OF THE ARCHIEPISCOPAL SYRO-MALABAR CHURCH

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Dr. Natale Loda treats the following main points: 1. Missionary activity, 2. The Missionary Vocabulary, 3. The New Evangelization, 4. The Evangelization of the People in CCEO, 5. The Missionary Action and Evangelization in the *Pastor Bonus* and the Oriental Churches. The Problematic of Territoriality, 6. On the Intermediary Solution of the Holy See with Respect to the Problematic of the Territoriality and Personality Coinciding with the Missionary Right, and 7. Prospectives for a New Evangelization of the Syro-Malabar and Syro-Malankara Churches.

Introduction

If "the Church by nature is missionary" (AG 2) as herald and witness of God's Revelation, gathering his people in the dispersion, thus "evangelizing all the people constitutes the essential mission of

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the Church" (EN 14), the necessary and irreplaceable expression of her very nature.¹ In this way evangelization is a grace and vocation proper to the whole Church and constitutes her most profound identity so as to say that Church exists to evangelize.

Such evangelization begins from the Church herself (EN 15), and then extends to the whole world. To evangelize is to transmit faith, convey it "through Christ to the Father in the Spirit" (Eph. 2, 18), as the experience of all the Church, for rediscovering the proper identity of the people brought together by the call of the Holy Spirit that gathers us in order to live the presence of Christ and discover the true face of God who is to us the Father.²

The social changes in our times that have modified the perception of the world, the progress in science and technology, economic development, mixing of ethnicities and cultures, causing migratory phenomena and the growing interdependence of people have produced a detachment of faith with the loss of the sense of the sacred.³

The transmission of faith in the face of major transformations demands in our time and history a missionary fervour with new energy, methods and expressions towards those who have distanced themselves from the Church in the countries of ancient Christianity. The task of new evangelization is "to give a response appropriate to the signs of the times, the needs of individuals and peoples of today, the new scenarios that design the culture through which we describe our identity and search for the meaning of our lives. New evangelization therefore means, promoting a culture deeply rooted in the Gospel, that is to say, discovering the new man in us in the Spirit given to us by Jesus Christ and the Father."⁴

¹Benedict XVI, Ap. Let., *Ubicumque et semper*, 21.09.2010, *Proemio*, in *L'Osservatore Romano*, 13 ottobre 2010, p. 4-5, with which was instituted the Pontifical Council for the Promostion of New Evangelization. W. Insero, *La Chiesa è 'missionaria per sua natura' (AG 2), Origine e contenuto dell'affermazione conciliare e la sua ricezione dopo il Concilio*, Rome 2007.

²Sinodo Dei Vescovi, XIII Assemblea Generale Ordinaria, *La nuova evangelizzazione per la trasmissione della Fede cristiana, Linmeamente,* Vatican City 2011, n. 12, p. 27.

³Benedict XVI, *Ubicumque et semper*, *Proemio*.

⁴Sinodo Dei Vescovi, XIII Assemblea Generale Ordinaria, *Lineamenta*, n. 23, p. 55.

1. Missionary Activity

Towards the middle of 20th century, there arose a reflection on the missions and missionary activity with emphasis on the three ecclesiological readings and concepts: 1) The objective of mission or missions consists in the preaching of the Gospel for the conversion of the non Christians and consequently for the salvation of souls.⁵ 2)The missionary task of the Church is in the constitution and institution of the ecclesiastical structure, sustained by the single peoples in the entire world. Such mission was synthesized in the expression *plantatio Eccelsiae*.⁶ 3)The *plantatio Ecclesiae* is determined by the existence of a sphere of local Christian culture which is the fruit of an interaction between Christianity and local authority.⁷

2. The Missionary Vocabulary

2.1 The Missions

The term *mission* had a complex semantic evolution, from the word *sending (mittere)* according to a biblical sense and a completely medieval theology. This brings the idea of intra-divine procession and the external divine mission, extending to the assumption of an ecclesiastical technical use.

From the 17th century, the term *mission* began to mean proclamation of the gospel to the pagans, together with the apostolic task entrusted to the priests towards faraway, unknown and pagan nations.⁸ Such activity evolved specifically with the sending of

⁵This is the cocept conception of the Münster School. See, G. Buono, *Missiologia, Teologia e prassi*, Cinisello Balsamo 2000, p. 58-60.

⁶This is the conception of the School of Lovanio, G. Buono, p. 60-65. ⁷It deals with the School of Paris, G. Buono, p. 62.

⁸Gregory XVI, with the bull *Inscrutabili Divinae Providentiae Arcano*, 22 June 1622, established the new Congregation *De Propaganda Fide*. It did not make any difference between the missions in pagan lands and that in Europe by the schismatics, heretics, but also the simple people desiring to teach them the Gospel and the Christian doctrine. In such a way it is explained how the Orietnal Churches were not the recipients of a studied latinization but a help and support of Christian life. See, *Collectanea S. Congregationis de Propaganda Fide*, Rome 1907, I, n. 3, p. 2-4. *Fontibus Codicis Iuris Canonici*, t. 2, n. 531, p. 948; J. Metzler, *The Foundation of the Congregation "De Propaganda Fide" in 1622*, in *Omnis Terra*, 4 (1969-1970), p. 114-123; A. Santos, *Origines historicos de la Sagrada Congregacion "De Propaganda fide" (en el 350 aniversario de su fondacion)*, in *Revista Española de Derecho Canonico* 28

missionaries to newly discovered and colonized countries, where the systems (*organismi*) of Church were not yet completely stable and native (*autoctoni*).

The term *mission* as a substantive indicates the form and specific goal of the mission of the Church⁹ which according to AG n. 16 is:

The special initiative, with which the preachers of the Gospel sent by the Church to the whole world, carry out the task of preaching the Word of God and consequently planting the Church in the midst of the people or groups that do not yet believe in Christ, are commonly called *'missions'*: these are realized with the missionary activity especially in certain determined territories, recognized by the Holy See.¹⁰

The missions have as their proper goals: a) the evangelization with the preaching of the Gospel; b) the *plantatio Ecclesiae* which follows evangelization and preaching of the Gospel towards those people and groups where the gospel has not yet taken roots.¹¹ The missions are carried out with the missionary activities taking place mostly in certain determined territories recognized by the Apostolic See. It would seem that the term *mission* as noun is an outmoded concept loaded with some negative historical connotations,¹² together with the use of the term *missionary* as adjective, making it present as a perplexity or hesitation.¹³ Furthermore, outside such conceptual and methodological outbreak, new significant contents derived from the ecclesiology of the Vatican Council II have to be inserted.

^{(1972),} p. 509-543. A. Wolanin, *Missione*, in Pontificia Università Urbanaiana, *Dizionario di Missiologia*, Bologna 1993, (DZM), p. 367-373; E. Sastre Santos, *La Circolare dei Nunzi comunica la fondazione di "Propaganda Fide," 15 gennaio 1622*, in *Ius missionale* 1(2007) p. 151-186.

⁹AG 6. D. Grasso, Evangelizzazione. Senso di un termine, in Documenta Missionalia 9 (1975) p. 21-47. A. Santos Hernandez, Proyeccion misional de la 'Evangelii nuntiandi,' in Teologia sistematica de la mision. Progresiva evolucion del concepto de mision, Estella 1991, p. 382-399; A. Wolanin, Il concetto di missione e di evangelizzazione, in Teologia della Missione, Rome 2000, p. 26-49.

¹⁰La problematica in G. Collett, "....Fino agli estremi confini della terra". Questioni fondamentali di teologia della missione, Brescia 2004, p. 254.

¹¹AG 6. ¹²RM 32. ¹³RM 32.

The term missions could cause confusion when taken not only in theological and ecclesiologico – juridical perspectives but also in historico-cultural perspectives determined by ancient terminology in a strict and narrow sense. In fact, with Vatican Council II and other magisterial documents, including the Encyclical *Redemptoris missio*, such title has undergone a radical change in a new appropriate revaluation in the Church and in its mode of presenting itself in territories where the Church is not yet implanted.

The term *missions*:

a) historically: because of a missionary activity that has gone hand in hand with a certain ecclesiology and an expansionist culture, so much to arouse unilateral and exaggerated accusations, there is still a certain unease with regard to the missions.14 Having revised the missionary activity according to the new methodologies with different contexts and forms, it has brought the Church towards a great pastoral task and new universal horizon,¹⁵ with a determined task that involved without difference also the intermediary administrative structure of the Church. b) theologically: the missions have as a point of departure the Christian reflection of faith, remaining in communion with the universality of the unique truth of the same faith and of the same Church.¹⁶ c) ecclesiologically: the missions are special initiatives with which the preachers of the Gospel sent by the Church go to the whole world carrying out the task of preaching the Gospel and implanting the same Church in the midst of those people and groups who do not yet believe in Christ.¹⁷

2.2 The Mission

If because of its historical connotations in certain negative cases, the term *mission* (plural *missions*) was banned and looked at with suspicion if not with silence, recently after a careful reflection the term has regained its original and elaborated Christian sense, thereby becoming the center of life of the Church and the autoconscience of the Christian community.¹⁸

¹⁴Such negative reading is made by K. Müller, p. 199ff.

¹⁵G. Collet, p. 258ff.

¹⁶G. Collet, p. 258ff.

¹⁷AG n. 6.

 $^{^{18}}$ RM n. 32 points out how the use of the term *missions* can arouse perplexity, but also in the use side by side the term *mission*, one can have a

The mission is the constitutive element of ecclesiastical nature understood as right and duty to diffuse the faith and to communicate the salvation of Christ through the Word and the Sacraments¹⁹ and its actualization is realized through such actions, through which the Church "obeying the command of Christ and moved by the grace and love of the Holy Spirit, makes itself fully present to all men and nations to lead them, with example of life and preaching, with the sacraments and other means of grace, to the faith, the freedom and the peace of Christ rendering to them freely and safely the possibility to participate completely in the mystery of Christ."²⁰

The mission of the Church is therefore unique, universal and salvific, and with regard to the recipients it means that all men reach salvation only in the Body of Christ which is the Church. This is the

²⁰AG n. 5. For the Orthodox thinking about the mission and its results, see the notes in G. Khodre, Mission et développement dans la Théologie Orthodoxe, in Contacts 26 (1974), p. 66-73; P. Nellas, Les Chrétiens dans un monde en création, in Contacts 29(1977) p. 198-217; C. Argenti, L'Église coeur du monde, in Contacts (30(1978), p. 211-216; O. Clement, Tenter d'être Chrétien aujourd'hui, in Contacts 39 (1987), p. 207-233; E. Klapsis, L'Eucharistie, événement missionaire dans un monde de souffrance, in Contacts 40 (1988), p. 242-251. M.J. Oleska, Orthodox Missiological Education for the 21st Century, in St. Vladimir's Theological Quarterly 37 (1993), p. 353-362. A first formulation in the problem with respect to the Orient with special reference to the Orthodoxy can be seen in N. Antiba, Teologia Orientale oggi. Una sfida, in Euntes Docete 47(1994), 343-350. P. Evdokimov, L'Ortodossia, Bologna 1965, 238ff. S. Dianich, Chiesa in Missione. Per una ecclesiologia dinamica, Cinisello Balsamo 1987. M.I. Rupnik, Il coraggio del dialogo con la cultura d'oggi, in AA. VV., Novità della soglia. Aperture della nuova evangelizzazione, Rome 1995, 103-145.

choice in a metculous way and pondering over the two terms. See, G. Collet, *Frammenti di Teologia della missione*, in the vol. "… *Fino agli estremi confini della terra*". *Questioni fondamentali di teologia della missione*, Brescia 2004, p. 249ff.

¹⁹LG n. 17; AA. n. 6. The term "missione" is *polisemico*; I. u ek, *Index Analiticus Codicis Canonum Ecclesiarum Orientalium*, Rome 1992, 200-201 e X. Ochoa, *Index Verborum ac locutionum Codicis iuris canonici*, Vatican City 1984, 279. For the concepts and the terminology and evolution of the term: J. Garcia Martin, *Mision de la Iglesia y misiones: distincion y expresiones en el Codigo de Derecho Canonico*, in CpR 69 (1988), 155-188; A. Wolanin, *Missione*, in DZM, 367-373. Interesting are the conclusions of J.F. Martinez Saez, *La mision de Cristo y los Fieles en el CIC*, Toledo 2004.

salvific dimension of the Church which coincides with the mission in the strict sense.

a) The basis and purpose of the mission of the Church is the Trinitarian mystery: the mission of the Church which has its basis and purpose in the Trinitarian mystery as its life and communion received from the eternal and universal plan of salvation of the Father, from the love and redemptive work of the Son and the sanctifying action of the Holy Spirit,²¹ has as its recipient the same Church.²²

Jesus Christ sent by the Father and the Holy Spirit founded His Church as the Sacrament of salvation sending the apostles to the whole world as He Himself was sent by the Father.²³ It is worthy to note that if the Church is the recipient of the mission of Christ then according to this final vision, it is the agent subject (*soggetto agente*) of the mission to all men and all people.²⁴ The element that characterizes the nature and mission of the Church is the proclamation and the propagation of the kingdom of God to the

²¹Cf. LG n. 4; AG n. 2-4; UR n. 2; Commissione Episcopale Per La Cooperazione Tra Le Chiese, Documento Pastorale, *L'impegno missionario della Chiesa italiana*, 21 April 1982, in *Notiziario CEI*, 4/1982, p. 93-153, quivi n. 15 (=IMC) in ECM n. 4256-4465; S. Mazzolini, *La Chiesa è essenzialmente missionaria. Il rapporto "natura della Chiesa"-"missione della Chiesa" nell'iter della Costituzione "De Ecclesia"* (1959-1964), Roma 1999.

²²Ag n. 3-4. Circa il concetto di missione: S. Dianich, La missione della Chiesa, i Laici e la "sacra potestas": una riflessione teologica, in AA.VV., (Gruppo Italiano Docenti di Diritto Canonico, a cura), I Laici nella ministerialità della Chiesa, XXVI Incontro di studio, Milano 2000, p. 47-72. A. Suemois, Teologia missionaria, Bologna 1993; G. Buono, Missiologia. Teologia e prassi, Cinisello Balsamo 2000. G. Colzani, Missione, bilancio di un concetto fondamentale, cit. p. 9-35; J. C. Avitia Aguilar, La mision de la Iglesia. Fundamentos teologicos de su actividad misionera, in Mayeutica 27(2001), p. 5-115. M. GALATI, Missione ed evangelizzazione nella legislazione canonico, in AA.VV., Ius Ecclesiarum – Vehiculum Caritatis. Simposio Internazionale per il decennale dell'entrata in vigore del Codex Canonum Ecclesiarum Orientalium," (Vatican City, 19-23 novembre 2001), Vatican City 2004, p. 725-733.

²³AG n. 5. In such conception is inserted c. 323 which speaking of the clerics as *Christifideles* (c. 7 §1) says that they are elected by the competent ecclesiastical authority, invoking and receiving the gift of the Holy Spirit in the Sacred Ordination, They are deputed to the ecclesial ministry participating in the mission and pastoral authority of Christ.

²⁴AG n. 10.

extreme ends of the world so that all men may believe in Christ and may have eternal life.²⁵

b) Anthropological basis and purpose: The mission of the Church has an anthropological basis in the sense that man is the recipient of the divine plan of salvation embracing the earthly reality, history and the whole universe.²⁶

c) Ecclesiological basis and purpose: The mission of the Church contains an ecclesiological basis where the Church continues and develops the mission of Christ in the power of the Holy Spirit. The mission, however, becomes for the Church the source of its existence and activity (AG n. 2).²⁷ The Church is the scope of the mission and the fulfillment of the Gospel. Instead of considering herself as a tool or a means of mission, the Church must become a part of the message she announces. Church is Church in as much as what she announces.²⁸

Mission is part of the nature of the Church that must express itself in *koinonia* having a special rapport with the presence of Christ which in a certain sense is represented and included. The mission of the Church is not only referred to the apostolicity, but to all other marks of the Church: what emerges in the first place is unity at the initiative of God who wishes to constitute His people without excluding any person in unity and communion in as much as it forms one single body.²⁹ The mission that is expressed in *communio* is necessarily qualified by the sanctity that is placed by the Father in the Son and with the power of the Spirit. Again, the mission is expressed in universality or catholicity as far as in the new rapport with God, established by Christ with the gift of the Spirit, it exists unlimitedly

²⁵CD n. 6; AG n. 5-8, 20-22, 36-41.

²⁶IMC n. 16.

²⁷See also EN n. 14: "The mandate to evangelize all the men constitutes the essential mission of the Church." IMC n. 17.

²⁸The orthodox vision is sustained by J. Bria, *The Church's Role in Evangelism. Icon or Platform?*, in *International Review of Mission* 64 (1975), p. 243-250, here p. 245.

²⁹Cf. LG n. 13: "All men are called to be part of this catholic unity of the people of God. [...],And there belong to or are related to it in various ways, the Catholic faithful, all who believe in Christ, and indeed the whole of mankind, for all men are called by the grace of God to salvation". There exist also c. 177 in an inverse prospective but, also related.

towards all without distinction of persons. God the Father speaks to all men and women through the mission of Christ with the gift of the Spirit from which the Church – the universal sacrament of salvation - is born.³⁰ Finally, in this way the Church which is born out of the evangelization of Christ and twelve apostles expresses the apostolicity.³¹

CCEO c. 7 §1 (CIC c. 204 §1) in a broad and general sense makes reference to the mission of the Church when it gives the notion of Christifideles placing such status in direct relation with the incorporation to Christ which is the first effect of the sacrament of baptism. Furthermore, it emphasizes the specification of CIC c. 96 where there is an illustration of the juridical and canonical constitution of the faithful with the constitution of the people of God that participates in the mission of the Church.³² CCEO c. 14 (CIC c. 211) also relates that it foresees a deputation with the general obligation and right of all the Christifideles towards the proper salvific mission of the Church, with a valence both in the juridical level and moral sphere in the co-operation for the expansion and dilation of the Body of Christ.³³ Mission is a fundamental attitude presupposed by the fact that evangelization occurs with the testimony of the Word, 34 in every circumstance of life by every single faithful.

According CCEO c. 7 §1 the active subjects of mission are all *Christifideles* who are in a condition of radical equality derived from the Sacrament of Baptism, exceptionally shaded by the functional diversity derived from the distinct participation in the common mission of the Church, according to the personal vocation and the consequent reflections in the subjective juridical condition. Such

³⁰RM n. 9 and LG n. 13. See the distinction and treatment in S. Piéninot, "*Ecclesia* in *et ex ecclesiis* (LG 23): *La catolicidad de la "Communio Ecclesiarum"* in *Revista Catalana de Teologia* 22 (1997), 1, p. 75-89.

³¹J. Bria, *Go forth in Peace. Orthodox Perspectives on Mission*, Genève 1986, p. 12 e ss.

³²E. Sastre santo, Variaciones sobre los neologismos latinos: 'Missio – Missionarius – Vivere apostolico modo', in Euntes Docete 54(2001) p. 169-229. Si vedano gli accenni in J. Garcia martin – P. Erd , La missione come principio organizzativo della Chiesa. Un aspetto particolare: la missione dei presbiteri e dei Vescovi, in Periodica de Re Canonica 84 (1995) p. 425-454.

³³AG 36.

³⁴LG 23.

mission possesses an essential character in the Church which is connected with the principle of equality of the faithful.³⁵ Therefore, the lay faithful who participate in the triple offices of Christ, namely, priestly, prophetic and kingly, according to the proper ecclesiastical condition, characterized by the proper secular nature, participate in the mission of Christ.³⁶

The apostolic mission of the laity is transcendent, corresponding in an operative manner to the growth of the Kingdom of God in history and constituting in the same a channel in which the Church is actualized as a vital principle of the human society. Such participation, according to the concrete modes of the mission of the Church, is open to all the members of the People of God.

In that part is also evident CCEO c. 19 according to which there exists a true equality among the *Christifideles* with regard to the dignity and common action for the edification of the Body of Christ (LG n. 32), responding to their vocation to the apostolate, realizing various apostolic initiatives of evangelization, in different mode. Such initiatives are structured and animated with the aim of preaching the Gospel, thereby planting and helping the growth of the Church. Such assistance will be articulated both in the missionary territories as evangelization and in the ambient of ancient Christian tradition as re-evangelization.³⁷ The Lay *Christifideles* have a general obligation to work in the salvific mission of the Church (CCEO cc. 406, 401), likewise for the Clergy (CIC c. 276 §1 n. 1), the monks and other religious (CCEO c. 410). The later canons in the CCEO make reference to the mission of the Church. Can. 381 §3 (CIC c. 275 §2), does so when it asks the Clergy to recognize and promote the dignity of the lay persons and the specific role which they have in the mission of the Church. Stressing this fact, PO n. 9 maintains that there should be the appraisal of the charisms of the lay faithful in accordance with the modality foreseen by the law.³⁸

CCEO c. 399 that explains the designation of "lay persons" makes it clear that the lay Christian faithful, living in the world according to their proper vocation participate in the mission of the Church. The

³⁵Cfr. CIC cc. 204 §1; 208; 210; 211; 216.

³⁶See EN n. 70.

 ³⁷D. Cenalmor, *Sub can. 216*, in *Commentario*, II,1, p. 118-120.
³⁸See *Nuntia* 20 (1985) p. 112.

canon defines the lay Christian faithful positively like LG n. 31 taking into account their proper vocation in the Church.

CCEO c. 651 §1, Title XV on *Ecclesiastical Magisterium*, establishes the mode of carrying out the function of preaching the Gospel in the entire world, saying: in the fulfillment of its task of announcing the Gospel everywhere the Church has to use the right tools of social communication and specifically to publish writings. In § 2 there is a clarion call to all the Christian faithful, each one according to his part, to collaborate in this great mission of the Church, and support and foster the initiatives of this apostolate; moreover, let those, especially who are experts in the production and the transmission of communications offer their caring help to the pastoral action of the bishops, and earnestly endeavor to imbue the use of the media with the spirit of Christ.

We learn from CCEO cc. 920 and 921 §1 that besides physical persons there are also juridical persons in the Church and these juridical persons are constituted for a purpose that is in keeping with the mission of the Church. CCEO c. 1007 reaffirms that the Church in procuring the spiritual good of men has the need, and utilizes the temporal goods to the extent in which she needs them for her proper mission.

2.3 The Missio ad gentes

The mission *ad gentes* is expressed in four situations: a) Mission *ad gentes*; b) *plantatio Ecclesiae*; c) pastoral care in pursuit of evangelization; d) new evangelization.³⁹ The term *missionary* as adjective actually qualifies, in general, every activity of the Church. The mission *ad gentes* is realized properly and only in the evangelization as right – duty which comes from divine mandate.

According to AG n. 6 the mission of the Church *ad gentes* could be summarized and specified on the one hand in the concept of evangelization, with the preaching and conversion in as much as the Church herself is constituted in order to perpetuate the mission of Christ, to lead all men to salvation and unity⁴⁰ and this mission is her

³⁹RM 33.

⁴⁰GS n. 78 c; AG n. 14: "Evangelizzare, infatti è la Grazia e alla vocazione propria della Chiesa, la sua identità più profonda. Essa esiste per evangelizzare, vale a dire per predicare ed insegnare, essere il canale del dono della grazia, riconciliare i peccatori con Dio, perpetuare il sacrificio del

true and proper vocation.⁴¹ But the mission of the Church *ad gentes* embraces also *plantatio Ecclesiae*, implantation of the Church, not only from a juridical constitutive point of view, but in the ecclesiastical sense also, as the Church is the universal sacrament of salvation, from which the people of God is animated by faith. In this way, evangelization and *plantatio Ecclesiae* contain in themselves all the aspects of the mission *ad gentes* of the Church.⁴²

2.4 Evangelization

If the terms 'mission' and 'missionary' were proper to the conciliar Decree EN, later on they were substituted in order to give room for the only term or expression 'evangelization'⁴³ with the intention of defining more explicitly the onerous task of the Church which is the proclamation of the Gospel of salvation to all mankind. If the Church, in fact, carries the Good News to all the layers of humanity that ignore her transforming the human person and rendering humanity new from within, such an activity of evangelization must be a regular activity of the Church herself. "Now I am making the whole of creation new." (*Rev.* 21:5; cf. 2*Cor* 5:17; *Gal.* 6:15).

In fact: "the task of evangelizing all people constitutes the essential mission of the Church.⁴⁴ Evangelizing is in fact the grace and vocation proper to the Church, her deepest identity. She (the Church) exists in order to evangelize,"⁴⁵

The evangelization must ensure or tend towards explicit proclamation of Jesus Christ, incarnated, died and resurrected, without prejudice to the methods and expressions required by each particular case, conserving her identity and her goal of *plantatio Ecclesiae* without forgetting that from the religious mission of the Church arise the functions and energy necessary for consolidating

⁴³EN 18. Nunnenmacher E., *Evangelizzazione*, in DZM p. 245-252.

⁴⁴"*Declaration of the Synod Fathers*," 4: L'Osservatore Romano (27 October 1974), p. 6.

⁴⁵EN 14.

Cristo nella S. Messa che è il memoriale della sua morte e della sua gloriosa risurrezione".

⁴¹En 14. EE 64.

⁴²LG n. 13; OE n. 1. Si pensi a quell'aspetto così importante per tutte le Chiese dell'Oriente relativo all'ecumenismo pensato in tale ottica come in UR 2.

justice and human progress according to the divine law.⁴⁶ "At the root of every evangelization there is no human project of expansion, but the desire to share the inestimable gift that God has willed, making us participants in His very life."⁴⁷

The scope of evangelization is obviously this interior change which is actualized through preaching, catechesis and sacraments of Christian initiation: Baptism, chrismation with holy myron and the Eucharist, together with *dispensatio* of the other Sacraments.⁴⁸ The theological and juridical content of evangelization has more direct reference to the Gospel than that of 'mission,' with an expansion towards the true and proper activity, which refers specifically to *missio*.

The term *evangelization* in the conciliar documents had essentially three significances:

a) the missionary preaching alone (*la sola predicazione missionaria*) in AG 6, 26; b) the entire ministry of the Word⁴⁹; c) the whole missionary activity of the Church⁵⁰ which concerns with collaborating in the mission of the Church for the spreading of the Gospel among those who have not yet received it.⁵¹

It is observed that in AG the first five chapters were completely theological, while in chapter 6 there a definition of mission. But, it was with EN that, in spite of preferring the term evangelization, both titles were defined and clarified distinctively. Thus, a clearer distinction was reaffirmed where in the vast context of evangelization a particular space was reserved for missionary activity. It is noted that CCEO had preferred the term *evangelizatio* to *missio*, in the first place for scriptural references, in the second place because of its adherence to the ancient oriental traditions⁵² and lastly,

⁴⁶See in such a sense GS 39 e 42; RM 58-59; F. Retamal, *Sub can. 786,* in *Comentario* III/1, p. 188.

⁴⁷Benedict XVI, *Ubicumque et semper*, *Proemio*.

⁴⁸AG 17.

⁴⁹LG 35, 18; CD 6, 10; GS 44, 13; AA 2, 20.

⁵⁰AG 23,6; 27,15.

⁵¹D. Grasso, Evangelizzare. Senso di un termine, in Documenta Missionalia 9 (1975) p. 21-47, quivi p. 29-30.

⁵²See O. Bucci, *Il problema della formazione della terminologia cristiana da parte delle originarie Chiese orientali: studio linguistico e storico-giuridico,* in *Nuntia* 5(1977), p. 71-95; *Nuntia* 12(1981) p. 3-4 and *Nuntia* 17(1983) p. 3-65.

for the original and spiritual re-proposal of the term, in a bid to supersede the title *missio* in a quasi positivistic sense, in order to become more pastoral.⁵³

2.5 Plantatio Ecclesiae or Implantatio Ecclesiae

The proper end of this missionary activity is evangelization as the initial proclamation *ad gentes,* towards those who do not yet know Jesus Christ. In the context of the first evangelization follows *plantatio Ecclesiae* or foundation of the Church among those peoples and groups where the Church has not yet been stably established.⁵⁴

The formula: *plantatio Ecclesiae* is very ancient and is found in liturgy when speaking of the apostles who founded the Church, indicating the action of conversion and leading all people to salvation. In this way, the Church was spreading to all parts of the earth.⁵⁵

In the ecclesio-genetic process, Church avails itself as the principal means of preaching the Gospel of Christ, for the proclamation of which the Lord sent forth His disciples into the whole world so that all men and women reborn by the Word of God (cf. 1 Peter 1:23) might, with Baptism, be joined to the Church which, as the body of the Word Incarnate receives nourishment and life from the word of God and the Eucharistic bread (cf. Acts 2:43).⁵⁶ *Plantatio Ecclesiae* is the aim of the specific foundational missionary action of the Church with some stages of progressive growth and evangelical rooting, having its beginning through:

a) a preaching with the proclamation of the Gospel which consists in: a.1) presence; a.2) proclamation; a.3) participation; a.4) prayer; a.5) teaching or catechesis;⁵⁷ b) *Plantatio Ecclesiae* or foundation of a Church in the proper and strict sense; c) which is followed by a "new

⁵³C. Sepe, *Giovanni Paolo II e l'evangelizzazione missionaria*, in *Euntes Docete* 57 (2004) p. 45-52.

⁵⁴AG 6.

⁵⁵H. De Lubac, *Il fondamento teologico*, p. 190 e ss.

⁵⁶AG 6; D. Amato, "L'annuncio del Vangelo e l' "implantatio Ecclesiae" tra dibattito teologico ed esperienza missionaria," in *Rassegna di Teologia* 44 (2003) p. 727-746.

⁵⁷W. Thomas, *Annonce de l'Évangile*, in *Dictionnaire Oecuménique de Missiologie*, Paris, Genève, Yaoundé 2001, p. 15-22.

Such aspect is pointed out also by M. Galati, *Missione ed evangelizzazione*, p. 729.

development" or "youth period;"d) the missions continue in the communities where the new local and particular Churches in turn continue evangelization by becoming evangelizers towards those who are outside the Church.⁵⁸

The *plantatio Ecclesiae* is, therefore, the goal of the ecclesiastical mission and specific missionary action, not only from an exclusive juridical point of view which constitutes a situation which is not easy to be defined canonically,⁵⁹ but also the institution or the totality of the means of grace of the Church as the universal Sacrament of salvation and People of God animated by faith.

3. The New Evangelization

Within the unique mission of the Church, there exist some challenges, circumstances and situations that demand expansion towards new frontiers of the missionary action, either in the first mission *ad gentes*, or in the new evangelization of the people who have received the Good News of Christ.⁶⁰ It appears possible to maintain some distinctions between:

a) the *missio ad gentes* as missionary activity of the Church towards the people, human groups and socio-cultural contexts where Christ and His Gospel is yet unknown;⁶¹ b) pastoral care or activity of the Church towards the Christian communities with solid ecclesiastical structures, fervent in life and faith, that introduce testimony of the Gospel in their localities or areas. c) the new evangelization or the reevangelization (according to the precedent lecture or reading which maintained the synonymy of the terms) which is:

> An intermediary situation, especially in the nations of ancient Christianity, but at times in the younger Churches, where the entire groups of the baptized have lost the true and lively sense of faith, or even in the situation where they do not any more recognize themselves as members of the Church, leading an existence distant from the life of Christ and His

⁵⁸EN 28.

 ⁵⁹F. Retamal, Sub can. 786, in Commentario III/1, p. 188.
⁶⁰RM 30-34
⁶¹AG 6.

Gospel. In this case, there is need of a "new evangelization" or "re-evangelization.⁶²

Based on the roots of the Good News brought by the first missionaries, called the first evangelization, and animated by a renewed apostolic ardour, the new evangelization should really be new in its: a) ardour; b) method and c) expression.⁶³ The new evangelization is above all a spiritual action, the capacity of doing our mission in the present with the courage and the spirit of the first Christians, the first missionaries.⁶⁴

New evangelization signifies operating in our Christian Churches in order to read the scenarios in the history of human person with the scope of translating the prophetic force and carrying the hope of the Gospel to the world.⁶⁵ The scenarios that have been created in the history of humanity, that become places of testimony and preaching of the Gospel through the new evangelization, are: a) The culture, in a world of strong secularization with hedonism and consumerism, without reference to the transcendence becomes an area of daily confrontation for the Christians. In this way, the new evangelization is presented as the stimulus which the Christian communities need in order to rediscover the joy of belonging to Christ, to find again "the love of the past" that was lost (Ap. 2,4) and to emphasize the nature of freedom in the pursuit of Truth.⁶⁶ Such search of the Christian communities, by re-proposing their own witness in the socio-ecclesiastical dimension, in contrast with the cultural forms of practical atheism and immanence (immanentismo), will result itself in a re-establishment of their own Church sui iuris.

b) The phenomenon of migration and globalization which requires men to be free from geographical boundaries or confines, recognizing those environments that have never come in contact with faith or have abandoned it.

⁶⁵*Lineamenta*, n. 7, p. 18. ⁶⁶*Lineamenta*, n. 6, p. 13-14.

⁶²RM 33. Blasquez R., "Guai a me se non annunziassi il Vangelo", Iniziazione cristiana e Nuova Evangelizzazione, Napoli 1997, p. 23-27.

⁶³RM 23.

⁶⁴Lineamenta, n. 5, p. 10: Remember hoe John Paul II continues: "It is, therefore, an action which requires aboveall a process of discernment about the state of the health of Christianity, the revelation of the steps done and the difficulties confronted."

c) The challenge of the means of social communication demands from the Christians the boldness to live those "new *aeropagi*," finding the tools and paths in order to make audible even in those places the educative patrimony, the wisdom of the Christian tradition of one's own Churches *sui iuris*.

d) The economic scenario which some times decides without taking into consideration the anthropological spirit and ethics, only for a mere interest *de facto* creates dictatorship. The economic and social dimensions of the new evangelization propose also the actualization of the social doctrine of the Church in these territories of preaching or evangelization.⁶⁷

e) The scientific and technological research that has been made *religion*, with new forms of knowing that employs technology as form of wisdom towards the search of a magical organization of life that functions like knowledge and sense, until the emergence of new cults.

f) The political scenario demands the task for peace, development of the people and the betterment of the forms of government. It talks of constructing forms of listening, coexistence, dialogue and collaboration, caring the rights of individual persons and entire people, the promotion of the weakest and the protection of the created: these are the themes and sectors that are to be illuminated with the light of the Gospel.⁶⁸

If the goal of evangelization is the transmission of faith, that is, to carry it "through Christ to the Father in the Spirit" (Eph. 2: 18), then the new evangelization demands the careful reading of some phenomenon that permit one to translate the hope of the Gospel in practical terms. The nature and objectives of the new evangelization are:

a) Deepening of the Christian identity in those people who are recognized as members of the Church, having regard to the way of living the faith, as the pastoral care of the Christian community, which translates into a renewal of the liturgy, theology, spirituality and discipline in personal, social and ecclesial life of the Church which is based on *Kerigma*. Although in many territories the phenomenon of secularization is in progress, the Christian way of life manifests good vitality and deeply influnces the mind of the

⁶⁷EE. ⁶⁸Lineamenta, n. 6, p. 17.

entire population.⁶⁹ In this, it wants to ensure living a limpid, strong and profound faith according to a healthy missionary and oriental ecclesial identity. Such proper oriental spirit will be capable of renewing the traditions, forming mature ecclesiastical communities and Christian basic way of living determined of the same ecclesial communities.⁷⁰

b) Proposition of the new evangelization towards the places of ancient or young (modern) Christianity that are lukewarm towards Christian faith, and towards the faithful who have abandoned the Christian community and Christian values, and behave as if God did not exist.

c) A third case together with the new evangelization, re-proposes an evangelization for those who have never been Christians, and also in completely de-Christianized zones with the preaching and proclamation of the Kerigma to those in their proper territory or where there are communities born in diaspora, that are no longer believers. It deals with the same task, whether within the proper territory of the Major Archiepiscopal Church or outside such delimitations, where there exist small communities in diaspora, where the light of faith is entrusted to their testimony. It is essential to proceed to new evangelization both in these small communities and for the nearby pagans by a first proclamation of the Gospel and a true and proper evangelization. As it is said the term *evangelization* together with a new evangelization, is now preferred not only in theology and ecclesiology, but also in canon law with respect to the correspondent missions.

The Churches *sui iuris* will edify the Mother Church accepting to compete with these challenges, bringing questions about God inside these scenarios, showing that the prospective of living the faith illumine these problems and the witnessing prepares suitable persons who can realize the civilization of love.⁷¹ There are four categories of recipients of the new evangelization:⁷²

a) the baptized persons who are in full communion with the Catholic Church belonging to whatever rite, for whom the Church carries out

⁶⁹Benedict XVI, *Ubicumque et semper*.

⁷⁰CHL 34; Anekwe oborji F., p. 166.

⁷¹*Lineamenta*, n. 7, p. 18.

⁷²Lineamenta, n. 6-7, p. 13ff.

her ordinary pastoral service (CCEO c. 192 §1), with the purpose of fortifying or making stronger their faith (CCEO c. 617 and c. 289 §1), while persevering in a conduct of life worthy of the evangelical doctrine (CCEO c. 13). All these will involve a spiritual and supernatural dimension of man in a new rapport with the temporal realities (CCEO c. 289 §1 and c. 401). If the preaching of the Gospel in such case is a duty or responsibility of the pastors, it is also likewise a right of the faithful (CCEO c. 16).

b) the baptized persons who have abandoned the religious practice, indifferent to it or have lost their faith. Such pastoral action of preaching is called *new evangelization* (earlier it was synonym of *rievangelizzazione*) according to a functionality which derives from CCEO cc. 192 §1 e 289 §1.⁷³

c) All the *Christifideles* who are not in full communion with the Catholic Church. It shall be in this way that the Catholic Church herself will actualize an action called *ecumenism* in view of achieving the unity willed by Christ (CCEO c. 8) with the participation of all (CCEO cc. 902 and 904 §1) without the danger of proselytism.⁷⁴

d) Finally, the evangelical pastoral activity is to be carried out towards those who are away from the faith, the non baptized or non believers, where an *implantatio Ecclesiae* does no longer exist with a proper missionary action as is clearly expressed in CIC c. 790.⁷⁵

The new evangelization contains in itself a spiritual dimension of life of faith with the beginning of ways of discernment of changes that are affecting the Christian life in various cultural contexts. The social dimension also is implied in the new evangelization where it goes beyond the recovering of the Christian roots, and the re-reading of the memory of faith with the assumption of new responsibilities and energies in view of a joyous and contagious proclamation of the Gospel of Jesus Christ.⁷⁶ It is noted that in such case, the distinction between the Catholic Church and Orthodox Church has been

⁷⁶*Lineamenta*, n. 5, p. 11.

⁷³See AG 6 e RM 33.

⁷⁴Lineamenta, n. 5, p. 11. Salachas D., *Il nuovo Codice dei Canoni delle Chiese Orientali. Prospettive ecumeniche e limiti*, in *Euntes Docete* 49 (1996), 229-265, qui 261ff.

⁷⁵There is no such situation in CCEO. One remembers how the formulation of CIC c. 790 was done as it was difficult and complicated.

overcome because of the fact that this type of new evangelization is pertinent to the whole Church.

3.1 The Re-evangelization

Though at first the new evangelization was considered and understood as a synonym of re-evangelization, as in RM n. 33,⁷⁷ now the concepts are differentiated.⁷⁸

In fact, if the new evangelization has as its recipients the people who have already received the Gospel of Christ, the re-evangelization would seem to be that situation in which for various reasons after the first evangelization the Church did not succeed to implant itself fully and organically and therefore must repeat it as if it were the first. But the term *re-evangelization* has lost the sense of incisiveness and use, being able to lend itself to a reading with critical significance, almost like a negative judgment, as if there arose after the first evangelization, improvements, corrections, or unfinished situation to be addressed appropriately. Especially as the intensifier reappears to involve a necessity in the face of lack of any previous pastoral and ecclesial results. "Consequently, the new evangelization is not a matter of redoing something which has been inadequately done or has not achieved its purpose, as if the new action was an implicit judgment about the failure of the first."⁷⁹

There is necessity of preferring the phraseology *new evangelization* to *re-evangelization*⁸⁰ for which the eventual use of the term would demand a certain parsimony and prudence, so as not to fall into certain sort of ambiguity that may *condemn* the eventual work realized by the first evangelization.

3.2 The Auto – evangelization

⁷⁷RM 33. R. Blasquez, p. 23-24.

⁷⁸See John Paul II, *Discorso alla XIX Assemblea del CELAM* (Port au Prince, 9 March 1983), n. 3, in AAS 75 (1983) p. 778.

⁷⁹Lineamenta, n. 5, p. 9ff.

⁸⁰John Paul II, *Discorso alla XIX Assemblea del CELAM* (Port au Prince, 9 March 1983), n. 3, in AAS 75 (1983) p. 728, where the Holy Father sustained: "The commemoration of a half millennium of evangelization will have its full significance if there will be your commitment as bishops together with your prebyterate and your faithful; a commitment, certainly, not of re-evangelization, but of a new evangelization. New in its ardour, in its methods and its expressions."

This terminology indicates that the Church and her faithful could not evangelize if they themselves had not been evangelized. It retains that the only evangelizing missionary Church is the one that allows herself to be evangelized, in an attitude of conversion and continuous renewal.⁸¹ Such phraseology does not comprise or comprehend fully the constitutive elements of new evangelization.

3.3 The Second evangelization

The second evangelization, being subsequent temporarily to the first evangelization which was directed to the pagans, has also reference to Christians who having already received the faith had abandoned it, made dormant, suppressed or denied to the extent of believing that itself(faith) is a violence against their own culture.⁸² It seems that such terminology does not complete the element of novelty and renewal that warrants new evangelization in reviving and ensuring the growth of a profound faith towards an authentic liberty.

4. The Evangelization of the People in CCEO

It has already been noted that the CIC 83 speaks of the *missionary action of the Church* and how this part has been inserted into Book III of the *Teaching Function of the Church*, giving relevance to the ecclesiological aspect and the universal mission of the Church of Christ.⁸³

In the redaction in CCEO: In the first place, the missionary action is substituted by an expression which makes reference to the Gospel, *evangelization of the People*, with priority and relevance to the recipient. With the codification of the *Codex Canonum Ecclesiarum Orientalium*, we are witnessing not only a theologico-ecclesiological expansion but also conceptual one, where in the work and missionary activity are recognized a totality of peculiar and significant elements that complete and include the mission. This is the motive for which the oriental codification has **extrapolated** the material placing it in a different title and prior to the teaching function of the Church, the *munus docendi*.⁸⁴ The part relative to the

⁸¹W. Insero, p. 362.

⁸²W. Insero, p. 362-363.

⁸³Nuntia 17 (1983) p. 6. D. Salachas, Il magistero e l'evangelizzazione dei popoli nei Codici latino ed orientale. Studio teologico – giuridico comparativo, Rome 2001.

⁸⁴G. Nedungatt, *Presentazione del CCEO*, in *Enchiridion Vaticanum*, Bologna 1992, vol. XII, p. 889-903, here p. 901.

evangelization of the People in CCEO is composed of 11 canons: from c. 584 to c. 594.

CCEO c. 584 reaffirms like *Ecclesia se totam missionariam agnoscit* and such expression discloses:⁸⁵ 1) The Church constituted as *People of God* (LG 8) and community (CCEO c. 7 §1, c. 8 and c. 584 having regard to the *Christifideles* foresees them in the proper *status* with the consequent peculiar hierarchical functions and proper ministries, in communion with the Episcopal college and Roman Pontiff.

2) The Church in the sense of *societas* is ontologically connected to the mission which is verifiable in the double dimension of a) Universal Church; b) Particular Churches to which they are supplemented; c) other groups of administrative structures, which do not fall within the Particular Churches in the strict sense but assimilated *in iure* and are complementary.⁸⁶ It is to be noted that in the Churches *sui iuris*, are included the Patriarcal Churches, the Major Archiepiscopal Churches, the Metropolitan Churches *sui iuris* and other Churches *sui iuris*.⁸⁷

If CCEO c. 585 has established that the entire Church is always missionary, where the *universa Ecclesia*, together with the Particular Churches and all the intermediary administrative instances, therefore, the Chruches *sui iuris*, establishing and guaranteeing to the Oriental Catholic Churches not only an equal dignity and equality, but also the right – duty of evangelization and missionary action in the whole world together with the new evangelization, without any geographical limits as general principle, but *sub moderamine Romani*

⁸⁵See in detail: N. Loda, *Il diritto missionario delle Chiese dell'Oriente cattolico ed il c. 584 Codicis Canonum Ecclesiarum Orientalium*, in CpR 79(1998), p. 321-366 and 80 (1999), p. 5-25; N. Loda, *L'evangelizzazione delle Genti*, p. 197ff.

⁸⁶J. Hervada, *Diritto costituzionale canonico*, Milano 1989, p. 79ff. and p. 308ff; E. Corecco, "*Ius universale*" - "*Ius particulare*," in *Ius et Communio*. *Scritti di Diritto Canonico*, I, Casale Monferrato/Lugano 1997, p. 549-573.

⁸⁷J.I. Arrieta, *Chiesa particolare e circoscrizioni ecclesiastiche*, in Jus Ecclesiae 6 (1994), p. 3-40. Idem, *Le circoscrizioni personali*, in Fidelium Iura, 4 (1994), p. 207f.; P. Szabó, *Opinioni sulla natura delle Chiese "sui iuris" nella canonistica odierna*, in Folia Theologica 7 (1996), p. 239-251. G. Mazzolini, *La Chiesa è essenzialmente missionaria*. Il rapporto "natura della Chiesa" - "missione della Chiesa" nell" (1959-1964), Rome 1999.

Pontificis with the determinations and the co-ordination established for the good ecclesiastical order.⁸⁸

The c. 585 CCEO referring to the Church in her societal dimension reaffirms and establishes for the Churches *sui iuris* including each of them singularly, the right – duty of evangelization through the:

a) preaching the Holy Gospel without interruption as a missionary action in the proper sense with evangelization and comprehension of the new evangelization; b) right to the mission in the entire world without limits;⁸⁹ c) under the direction of the Roman Pontiff; d) accurate preparation of the missionaries; e) necessitates the mandate by the competent authority.⁹⁰

The Supreme Legislator has provided in, this part, prescriptions for the Oriental Churches *sui iuris* so that in their journey of faith, after the *plantatio* and *radicatio Ecclesiae* they can liberally assume and continue the work of evangelization. It requires that:

a) The preaching is carried out according to an ecclesiologicocommunal provision and of unity with the Roman Pontiff, and also with the particular Churches of the determined territory; b) Every Bishop or the hierarch of Church *sui iuris* provides in the work of evangelization or new evangelization in conserving the observances and ritual promotion (CCEO c. 39-40), in the preparation of one's missionaries for evangelization or new evangelization both inside and outside the proper territorial boundaries. c) It remains indisputable that the right of sending missionaries belongs to the competent authority of the particular Churches, even if an organization is not excluded in this way by other intermediate administrative groupings such as Churches *sui iuris* in unity and communion with the Roman Pontiff.

The expression *sub moderamine Romani Pontificis* of CCEO c. 585 §1, when it demands every Church *sui iuris* to take care that the Gospel may be preached to the whole world, it emphasizes the obligation of each and every Church *sui iuris* to maintain communion with the universal Church. Such a constitutive norm is suitably articulated and expressed by CIC. c. 782 §1. While the formulation of CCEO c.

⁸⁸N. Loda, L'evangelizzazione delle Genti, p. 289ff.

⁸⁹The boundary could be established or mordified by the Roman Pontiff.

⁹⁰J. Garcia Martin, *Medios adecuatos del misionero en la implantacion de la Iglesia*, in CpR 69 (1988), p. 385-410.

585 is more synthetic, in both Codes, reference is made to the competence of the Roman Pontiff and to the College of Bishops, to the supreme direction and the co-ordination of initiatives and activities which are referred to missionary action and missionary co-operation. In fact, all the missionary work has its inspiring and propulsive source in the *sollicitudo pro universa Ecclesia* referred to the Roman Pontiff for the whole Church. Such *sollicitudo* which has *caritas* as foundation is finalized in the *communio*, as well as the formation and conservation of the *unitas* to which the ecumenical and missionary activity inheres.⁹¹

It is worth remembering that the organic text of CIC c. 782 §1 establishes that the missionary action organized under the authority of the Roman Pontiff and the College of Bishops is submitted to universal Church, including both the Latin and Oriental particular Churches, together with all the intermediary administrative ecclesiastical team, like the Churches *sui iuris* (oriental). The evangelizing action restricted to the Latin Church alone, does not in any way exhaust and complete the missionary action of the universal Church, rather it has to include the particular Churches of the Oriental Christians and insist on the their commitment singularly or reunited in intermediary administrative groups of the Churches *sui iuris* according to the proper typology of belonging.

Another discussion is the reality of the fact that for a long period of time in the past until recently, only the Latin Church could sustain with its resources, means and forces the load, the exigencies of missionary action *in adiutorium et levamen Orientalium Ecclesiarum*. The Oriental catholic Churches have benefited from this assistance in cases of need, even if it has to be reminded and in this case there should no longer be ecclesiological doubts, that the Churches of the oriental Christians are holders of right – duty of the evangelization and of the new evangelization of the People. The CCEO c. 590⁹² recalls that the missionary activity refers to evangelization in the strict sense, as the first preaching of the Gospel which has its proper end the construction of new particular Churches with *implantatio*

⁹¹S. Pettinato, "Sollicitudo pro universa Ecclesia." Profili canonistici, Milan 1983.

⁹²AG 6; N. Loda, L'evangelizzazione delle Genti, p. 306ff.

Ecclesiae, where they do not exist, or though have already been implanted has not reached ecclesiastical fullness and maturity.⁹³

The second part of the canon 590 CCEO, insists how the young Churches must be able to assume and continue the work of evangelization. Such assumption and continuation to ensure the growth of a limpid and profound faith capable of rendering the traditions worthy of authentic liberty may require a new evangelization.⁹⁴

5. The Missionary Action and Evangelization in the *Pastor Bonus* and the Oriental Churches. The Problematic of Territoriality.

If it is true that "the mission *ad gentes* due to the universal mandate of Christ, has no geographical boundaries and political impediments that obstruct the missionary presence," (RM 37, it signifies that the merely geographical criterion "not very precise and always provisional" must be overcome. It is noted that the geographical and territorial criterion in a broad sense, in a certain way, is something that can't be disregarded and always present, but not essential, in the sense that missionary interest with evangelization and new evangelization are not addressed to geographical elements, though they cannot be left aside, but to the geography of man and humanity.⁹⁵

It attends to the problem of prohibition of the new evangelization or first evangelization outside the canonical territories of the Syro-Malabar and/or Syro-Malankara Churches emerging with vigor for some years. It is worth bearing in mind that CCEO establishes the necessity of the pastoral care of the Christian communities outside their territory with appropriate tools: gives norms to activate a continuous activity of new evangelization, but such norms concern the proper Syro-Malabar community.

The apostolic Constitution of Pius X, *Sapienti Consilio* of 29 June 1908, reformed the Roman Curia, without modifying the institutional

⁹³J. Garcia Martin, Mision de la Iglesia y misiones, expresiones y distincion en el Codigo de Derecho Canonico, in CpR 68 (1988), p. 185-200.

⁹⁴John Paul II, *Esortazione apostolica post-sinodale Christifideles Laici su vocazione e missione dei laici nella Chiesa e nel mondo*, 30.12.1988, in AAS 81(1989), p. 393-521, here n. 34, p. 454-457.

⁹⁵E. NunnenmacheR, "Le missioni." Un concetto vacillante riabilitato? Riflessioni sulla dimensione geografica di un termine classico," in *Euntes Docete* 44 (1991), p. 241-264.

rapport and competence among the S. Congregation of *Propaganda Fide* and that of the Oriental Church previously established by Pius IX with the Bull *Romani Pontifices* of 6 January 1862. Pius X with the apostolic Constitution *Sapienti Consilio* foresaw in the art. 6 n. 8 the Commission *pro unione Ecclesiarum dissidentium* activating the division in four sections, each of them occupying a rite: Bizantine, Armenian, Syrian and Coptic.⁹⁶

The CIC 1917 c. 1350 established that the missionary action *ad gentes* belonged unequivocally to the responsibility of the Apostolic See through the S. Congregation *de Propaganda Fide*, nevertheless CIC c. 257 made a reservation within the general norms for the S. Congregation for the Orientals.⁹⁷ In such a peculiarity with regards to the competence of missions the principle of territoriality was applied in the strict sense within the confines of the Oriental Church. The definite reference of the territories in which the S. Congregation had full and exclusive jurisdiction was established by the M.P. of Pius XI *Sancta Dei Ecclesia* of 25.3.1938 where in n. I the territories on which the S. Congregation for the Oriental Church was exercising a full and exclusive jurisdiction were determined.

Such a mere territorial study has been overcome by the Vatican Council II which pinned her attention on the Oriental Churches, both Catholic and Orthodox, where for that of Catholic there was no mere express juridical determination, rather presented as an acting part in the universal Church, especially with a didactic decree, the *Orientalium Ecclesiarum* which was fully suitable to them.⁹⁸

⁹⁶F.M. Cappello, *De Curia Romana*, Rome 1911, I, p. 237. M.W. Dziob, *The Sacred Congregation for the Oriental Church*, Washington 1945.

⁹⁷Untill the full provision of the Apostolic letter *Sancta Dei Ecclesia*, as seen above, where the missionary competence has been extended to all those territories in which the Catholic Oriental Churches manifested and persisted through their presence.

⁹⁸CD 9; AG 19: See M.P of Paolo VI *Ecclesiae Sanctae*, (6.8.1966) in AAS 58 (1966), p. 757-787, which in the third part n. 13 §1 the applicative norms of the decree AG; See A. Reuter, *Il Dicastero Romano per le missioni e le sue riforme*, in AA. VV., *Ecclesiae Memoria*, *Miscellanea in onore del R. P. Josef Metzler O.M.I. Prefetto dell'Archivio Segreto Vaticano, a cura di Willi Henkel O.M.I.*, Rome, Freiburg, Wien 1991, p. 165-177.

The apostolic Constitution *Regimini Ecclesiae Universae* of Paul VI of 15 August 1967 which reformed the Roman Curia⁹⁹ in its Chapter II dealt with *Sacra Congregatio pro Ecclesiis Orientalibus* (formerly *pro Ecclesia Orientalis*) declaring its competence in n. 44.¹⁰⁰ In the REU there is no reference to any specific missionary activity of the Oriental Catholic Churches, nevertheless in n. 45 §2 it gives a hint *in obliquo* to the religious of the Latin rite who were missionaries in the oriental lands.

Regimini Ecclesiae Universae in title IX dealing with *Sacra Congregatio pro gentium evangelizatione seu de Propaganda Fide* in n. 82 determined the competence of the Congregation¹⁰¹ and its jurisdiction in missionary activity. Between the promulgation of the *Codex Iuris Canonici* 1983 and the *Codex Canonum Ecclesiarum Orientalium* of 1990 still the Roman Curia was reformed with the Apostolic Constitution *Pastor Bonus* of 28 June 1988.¹⁰² Art. 60 of that legislation established the apostolic and missionary action enunciating the criterion of territorial competence exclusive of the Congregation for the Oriental Churches.¹⁰³

Art. 60 contained in the Chapter III of PB concerning the Congregations, at the end of the articles concerning the competence of the Congregation for the Oriental Churches establishes that the missionary and apostolic action in the regions in which from ancient time oriental rites (terminology precedent to that of *Ecclesiae sui iuris*) are prevalent, may depend exclusively on that Congregation from one part and the Oriental Churches themselves are the protagonists of apostolic action without any interference. On the other hand,

⁹⁹In AAS 59 (1967), p. 885-928; G. Delgado, *La Curia Romana*, Pamplona 1973, p. 163-180. N. Loda, *L'evangelizzazione delle Genti*, p. 387ff.

¹⁰⁰REU 44. J. ezá , *De hodierna competentia S.C. pro Ecclesiis Orientalibus*, (OCA, 186), Rome 1970.

¹⁰¹REU 82.

¹⁰²In AAS, 80(1988), p. 841-934.

¹⁰³Art. 60 PB; D. Salachas, La funzione della Congregazione per le Chiese orientali: dimensione ecumenica e missionaria, in Congregazione Per Le Chiese Orientali, Dall'Oronte al Tevere, Scritti in onore del Cardinale Ignace Moussa I Daoud per il cinquantesimo di Sacerdozio, Rome 2004, p. 177-206, ora con variazioni e nuove letture: D. Salachas, Dimensione ecclesiologica, ecumenica e missionaria della funzione della Congregazione per le Chiese orientali (da Benedetto XV a Benedetto XVI), in AA. VV., Da Benedetto XV a Benedetto XVI, p. 169-206.

mission in these territories both to the pagans and the reevangelization is the competence of the oriental Catholic Churches. Such exclusive territorial competence in favour of the oriental catholic Churches concerns also the missionary and apostolic action which is carried out by the missionaries of the Latin Church, in case they had to continue a pastoral activity, the reference, however, is always to the Congregation for the Oriental Churches.¹⁰⁴

The PB foresees the service of the supreme responsibility of the missionary action and Evangelization referred to the Roman Pontiff, whether it is the Congregation for the evangelization of the People (art. 85-92), which exercises its functions and competence for the Latin Church, or the Congregation for the Oriental Churches (art. 60). Both the Congregation for the Evangelization of the People and the Congregation for the Oriental Churches, as far as their sphere of competence are concerned, with adequate "administrative and organic instruments of dynamic Direction" (AG 29), direct and co-ordinate in their territories the work of evangelization of the people and the missionary co-operation.

There may exist some territories c.d. *Misti* when there are territories inside the Oriental Churches where the Latin missionaries exercise their apostolic action in favour of the Latin Church or of the Oriental Churches. In such case, the Congregation for the Oriental Churches has the competence. Alternatively, at the same time there does not exist a specific provision for those missionary activities carried out by the missionaries belonging to the Oriental Churches *sui iuris* in the determined territories or regions subject to the jurisdiction of the Congregation of *Propaganda Fide*.

While with regard to the missionaries belonging also to different ritual traditions who exercise their apostolic action inside the regions in which from ancient times there are the oriental rites, *nulla quaestio* has been recognized, nor has been prevalent, instead, when these missionaries carry out their work outside such regions, there emerges the question as to what the reference is: whether to the Congregation for the Oriental Churches or to the Congregation of *Propaganda Fide.* The solution would seem to be in the application and composition of the PB, art. 59 and 60, concerning the competence of the Congregation for the Oriental Churches, as there is not any

¹⁰⁴AA. VV., Commento alla "Pastor Bonus" e alle norme sussidiarie della Curia romana, (a cura di P.V. Pinto), Città del Vaticano 2003. N. Loda, L'evangelizzazione delle Genti, p. 386ff.

specific provision in favour of the Congregation for the Evangelization of the People.

It would seem, therefore, that one has to welcome the thesis which assigns a competence to the Congregation for the Oriental Churches in as much as Art. 60 is connected to Art. 58 and 59 which make reference to those communities of Oriental Christians found in the territorial area of the Latin Church.¹⁰⁵ PB, Art. 58 articulates the competence of the Congregation for the Oriental Churches, even though in §2 of the same article some exceptions with reservation of competence for other Congregations are mentioned. In the Art. 58 §2, however, there is no mention of reservation of competence to the Congregation for the Evangelization of the People and missionary cooperation, so that it is reasonably retained that the matter regarding mission may be reserved exclusively to the Congregation for the Oriental Churches. Such hermeneutics is confirmed by the same legislative text of the Pastor Bonus Art. 85, while speaking of the tasks of the Congregation for the Evangelization of the People, specifies how it is made without prejudice to the competence of the Congregation for the Oriental Churches.¹⁰⁶ Such dynamics agree with the disposition of PB, Art. 14 where the Supreme legislator wished to assign a specific competence to all the dicasteries according to the same guideline, also with the addition of clauses, in some cases, that reaffirm an exclusiveness or incompetence.¹⁰⁷ If in the past, the Dycastery of the Propaganda Fide has enjoyed full administrative authoiry and autonomy for the evangelization with respect to all other Congregations, with an original and universal competence, above all from Pio X until Paul VI, there has been a balancing of authority when some matters were reserved to other

¹⁰⁵The competent Congregation has the obligation to establish a particular Church in the same territory according to PB. Art. 59: "The Congregation pays careful attention to Communities of the Latin Church, and attends to their spiritual needs by providing visitatirs abd even a hierarchy of their own, so far as possible and where number and circumstances demand it, in consultation with the Congregation competent for the establishmetn of particular Churches in that region."

¹⁰⁶Art. 85 PB: "It pertains to the Congregatin fort he Evangelization of Peoples to direct and coordinate throughout the world the acutal work of spreading the gospel as well as missionary cooperation, without prejudice to the competence of the Congregation for the Oriental Churches."

¹⁰⁷Art. 14 PB: "The competence of dicasteries is defined on the basis of subject matter, unless otherwise expressly provided for."

dycasteries the latter were constituted specifically, holding naturally the full power in the matter of mission.

PB, Art. 85 "It pertains to the Congregation for the Evangelization of Peoples to direct and coordinate throughout the world the actual work of spreading the Gospel as well as missionary cooperation, without prejudice to the competence of the Congregation for the Oriental Churches,"¹⁰⁸ becomes thus, the fundamental and principal norm to which references are made and other articles must be related. It is also noticed how one can find a clear exception in favour of the Congregation for the Oriental Churches, indicating thus remarkably the will of the Apostolic See for the task and solution of the evangelizing and missionary activity.¹⁰⁹

The territories, in which full, exclusive, direct and immediate jurisdiction of the Congregation for the Oriental Churches is exercised as already established by Pius XI with the M. P. *Sancta Dei Ecclesia*, are Egypt and Peninsula of Sinai, Eritra and northern part of Ethiopia, meridian part of Albania, Bulgaria, Cipro, Greece, Iran, Iraq, Lebanon, Palestine, Syria, Giordano and Turchy, the Italo Greci of Sicilia and Calabria.¹¹⁰ With respect to the M.P. *Sancta Dei Ecclesia* some situations were resolved: Romania with regard to the Episcopal Conference is followed by the Congregation for the Oriental Churches and that of the Bishops, while the Episcopal Conference of Albania, Ethiopia and Eritrea, India, Arab countries are followed by the Congregation for the Oriental Churches and for the Evangelization of the People. The territories of Serbia and Montenegro, and of Galicia (Ukraine) and Russia, remain in a situation not sufficiently clear and distinct.¹¹¹

¹⁰⁸ See Art. 85 PB.

¹⁰⁹The territories depending on the Congregation of Propaganda Fide include some regions of the Europe, Sout East, of America, almost all of America, almost all of Africa, the Far East, the New Zealand, and Oceania to the exception of all the Islands of the Philippine: *Annuario Pontificio 2009*, Vatican City 2009, *Note storiche* p. 1989(???); Congregazione Per L'evangelizzazione Dei Popoli, *Guida delle missioni cattoliche 1989*, Rome 1989.

¹¹⁰See Annuario Pontificio 2009, Vatican City, 2009, p. 1867 (???); L. Lorusso, *Il rispetto dei riti orientali*, p. 78.

¹¹¹It is held that besides an ecclesiological reading one can apply the motivations already pointed out by D. Staffa, *De Sacrae Congregationis pro Ecclesia Orientali competentia*, p. 358ff.

There is no problem regarding the right-duty for the Oriental Churches to evangelize *ex novo ad intra* with the *plantatio Ecclesiae*, or to undertake new evangelization within the confines of their own proper territory. In the legislative seat it was not necessary to predispose particular norms having seen the dictations of the CCEO c. 584 and the following with the possibility of an ordinary *new evangelization* through the proper hierarchical organization.

On the contrary, the questions regarding evangelization and the new evangelization of the Oriental Churches sui iuris outside their territory, are not resolved according to the disposition of PB, Art. 85 where the possibility of directing and coordinating evangelization and the new evangelization outside the territory was foreseen, providing a reservation in favour of the Congregation of the Oriental Churches. In fact, there exist some situations that are not juridically and pastorally completely determined and confronted ecclesiastically, where there are requests to arrange evangelization or new forms of evangelization outside the oriental territories. In these cases, it would deal either with an evangelization ex novo, with a plantatio Ecclesiae for the people who are not Christians, or also with a response of pastoral provision with a new evangelization for the proper oriental communities in "situation of Diaspora."¹¹²

This last case has already been foreseen by the common norms of CIC and CCEO and of the normative of the code, in view of an ordinary pastoral, predisposing legislation that has reference to the ritual belongingness. It seems possible to observe that because of a lack of flexibility of such norm, it was not, in the praxis, always able to respond adequately to the exigencies of such oriental communities in Diaspora, together with eventual prospective of a new evangelization.¹¹³

Instead, it does not seem to have been resolved with proper and specific norms, for which urgency is perceived, the situation in order to be able to carry out a first evangelization from the part of the Oriental Catholic Churches in those places and territories that are

¹¹²See P. Szabó, Le Chiese "sui iuris" in diaspora: le tradizioni orientali e le possibili modalità della loro "implantatio" in Occidente, in Ius Missionale 2 (2008) p. 167-192.

¹¹³M. Thériault, *Canonical Questions Brought About by the Presence of Eastern Catholics in Latin Areas in the Light of the Codex Canonum Ecclesiarum,* in *Ius Ecclesiae* 3 (1991) p. 2002.

outside the established and proper confines of the same Oriental Churches.

6. On the Intermediary Solution of the Holy See with Respect to the Problematic of the Territoriality and Personality Coinciding with the Missionary Right.

The reference from the part of the *Oriental Church* to the S. Congregation *de propaganda Fide*, the problematic in relation to the *praestantia ritus latini* have affected also the determination and life of the Oriental Church along with the rapport between the territoriality and personality, in prospecting the missionary action and thus, the anticipation of a new evangelization. In fact, such *praestantia ritus latini* from one side, supported by proper missionary activity, together with the scarcity of means and persons in the Oriental Churches themselves, has done on the other part that the oriental territories were closed in an *enclave* geographically delimited, without the possibility of expansion.¹¹⁴

If the CIC 1917 has accepted the principle of territoriality as the unique criterion of ecclesiastical distribution or division, and this also has affected the delimitation of the missionary work in the Oriental Churches, in contrast, the M.P *Cleri Sanctitati* in c. 160 §1-3 and c. 161 also placing itself in the same line with CIC 1917, admitted within itself the personality (CS c. 160 §4), as a mitigation of radical and absolute mode of the principle of territoriality. But such canon of CS did not affect the vision of missions where the Oriental Churches would start a process of proper missionary action.

The Vatican Council II had added to the ecclesial territorial organizational criterion as a determinative rule, that personal in the positive ecclesiastical order,¹¹⁵ in *Lumen Gentium* n. 13 and n. 21-23 an ecclesiology was envisaged that insisted on the catholicity and *communio Ecclesiarum*, to be realized in the inter-ecclesial rapport in

¹¹⁴For example see G. Giamberardini, *Impegni del Concilio Vaticano I per l'Oriente cristiano e reazioni della Chiesa egiziana*, Rome 1970, p. 83ff; N. Loda, *L'evangelizzazione delle Genti*, p. 390ff; N. Loda, *Delimitazione territoriale delle Chiese 'sui iuris': ragioni e questioni attuali*, in AA. VV., *Le Chiese 'sui iuris'*, p. 109-130; F. Aldor, *The Territoriality of "Ecclesia sui iuris." A Historical, Ecclesiological and Juridical Study*. (Thesis ad Doctorandum in Iure Canonico partim edita), Rome 2006. L. Sabbarese, *Diritto e missione*, p. 167ff.

¹¹⁵J. Hervada, *Significado*, p. 226 e ss.; A. Viana, *Derecho canonico territorial*, p. 133 e ss.

the same territories where there had been the presence of Latin and Oriental Church.

The conciliar Decree CD n. 11 had considered the personal aspect and characteristics,¹¹⁶ though in n. 22 the personal criterion was legitimized like that territorial having present the opportunity referred to *salus animarum*, which was followed by n. 23 with a series of relative indications to the *Christifideles* of different rites, following the indications of OE n. 4. These decrees demand the projection of a common path in reception, recognition and veneration, and also a reciprocal esteem of different rites, thus, modifying the precedent attitude.

Already in the revision of the CIC 1917 through the *Principia* elaborated in the Synod of Bishops of 1967¹¹⁷ it was desired to balance the exclusivity of the territorial criterion, widening its range foreseeing this criterion in a determinative and not in a constitutive sense.¹¹⁸ Actually, the following situations exist:

a) System of exclusive territoriality: for CIC 83 and for CCEO the territory is ordinarily an element that identifies the Church of Christ in its double and immanent universal and particular dimension and in the intermediary administrative instances for the Oriental Churches especially the Churches *sui iuris*. The territory, however, is neither a constitutive element nor is it exclusive and essential, but organizational and specifying determinative and functional.¹¹⁹

¹¹⁶D.M.A. Jager, Erezioni di circoscrizioni eccelsiastiche orientali in territori a popolazione cattolica prevalentemente di rito latino: considerazioni canoniche e presupposti ecclesiologici in Antonianum 75 (2000), p. 439-521.

¹¹⁷See Communicationes 1(1969), p. 77-85. A.M. Punzi Nicolò, Funzione e limiti del principio di territorialità, in AA. VV., I principi per la revisione del Codice di diritto canonico. La ricezione giuridica del Concilio Vaticano II, Milan 2000, p. 549-560; G. Dalla Torre, Le strutture personali e le finalità pastorali, in AA. VV., I principi, cit. p. 561-589; J.I. Arrieta, Fattori rilevanti per la determinazione della giurisdizione ecclesiastica (Il contesto canonico della convenzione dei Fedeli laici con le prelature personali), in AA. VV., I principi, cit. p. 591-624; J. Miras, Organizacion territorial y personal: fundamentos de la coordinacion de los pastores, in Aa. VV., I principi, cit. p. 625-666.

¹¹⁸J.I. Arrieta, "Sectio II, Titulus I, De Ecclesiis particularibus et de auctoritate in iisdem constituta, Introduccion," in *Comentario*, II/1, p. 675-680; J.I. Arrieta, *sub. c. 368*, in *Comentario*, II/1, p. 681-684; *Sub. c. 369*, II/1, p. 685-689; *Sub. c. 370*, II/1, p. 690-693; *Sub. c. 371*, II/1, p. 694-700; *Sub. c. 372*, II/1, p. 701-704; *Sub. c. 373*, II/1, p. 705-708.

¹¹⁹G. Lo Castro, *Le prelature*, p. 124-125.

b) System of personality: the territoriality and the personality are mere principles of organization, and the principle of personality is complementary to and prolongation of that of territory, and it is not an alternative. The personality is not an exception or a privilege, but an organizational, pastoral and apostolic complement, which is redundant in the application of the criteria or the techniques of determining the exercise of jurisdiction.¹²⁰ Also, the personality must of course refer itself to the territorial elements in the function and determination of the boundaries.

c) Mixed System of territoriality – personality: in both the Latin and oriental ecclesial administrative context one can foresee c.d. a mixed organization: 1) merely territorial (patriarchal and major Archiepiscopal territories and missions) and 2) functional and personal according to the proper organizational unit, including the eparchies outside the determined territories of the Churches *sui iuris*.

With regard to the territoriality, by now it is undisputable that the same possesses a relative character in the sense that, though not apart from the spatial element, however, it is not the only criterion of reference to express pastoral instruments towards *salus animarum*, for the gospel proclamation and new evangelization towards the celebration of the Eucharist. It is noticed that materially, a territorial reference must always subsist, but there exists an essential reference in the organization of the Church to the personality. This observes in a special mode with respect to the oriental Catholic Churches both to respond to and to seek the *salus animarum* in the necessity of providing for the spiritual needs of the oriental faithful especially those outside their proper territories, with a new evangelization could be carried out in the areas or places where there are pagans or Latin Christians who have already been evangelized.

It may be observed as in the rapport with the Latin Church, the Oriental Churches with respect to the evangelization of the People must sustain a sort of unsolved ecclesial organization between the merely circumscribed territorial limit and the personal one. The non admission of the extension of the superior jurisdiction of the Oriental Churches in Diaspora may be thought of as a missionary organizational limitation and of evangelization. The CCEO offers suitable norms regarding the missionary and evangelizing work of the Latin Church and of the oriental Catholic Churches, for a

¹²⁰A. Viana, Derecho canonico territorial, p. 316ff.

transition from the mere criterion of territoriality to a broader personal, functional and organizational.

It is necessary to come out of the common ecclesiastical mentality, that all the territories outside the confines of the Churches sui iuris are solely Latin, where the Oriental Churches insisting on them, are seen as only an addition. In fact, in the places in which the Oriental Churches are prevalent, in no way has ever been limited the ordinary pastoral or missionary action of the Latin Church. On the contrary, it has been noted that sometimes how the Latin Church without proper ecclesiastical structures has not desisted from using the assets and strength from the Eastern Churches of the place: one may think of the Indian experience with the Syro-Malabar and Syro-Malankara Churches. Yet, on the other hand, there still exist some objective difficulties for the Syro-Malabar and Syro Malankara Churches to evangelize outside their territories, because of the insertion of India into a missionary territorial context which in fact belongs to the Latin Church, while the missionaries coming from the Syro-Malabar Church are called to evangelise *ad intra* in the Latin areas or Dioceses according to the Latin ritual tradition, at the same time with the difficulty or prohibition to construct new Syro-Malabar ritual communities.¹²¹

Another example of the restriction of the right of evangelization could be traced from the norm CCEO c. 78 §2 where a strict jurisdictional limitation is established on the territory for the Patriarchs except for liturgical norms, having always present the reference to the patriarchal circumscription (CCEO c. 150 §2),¹²² which can in fact limit a true and proper work of evangelization and new evangelization *ad extra*.

Another case was interpreted as impairment of the rapport between the fundamental right of evangelization and the disciplinary norms regarding the priestly ordination of married men outside the oriental territories of a Church *sui iuris* that admits married clergy, in the case

¹²¹See the *Lettera di Giovanni Paolo II ai Vescovi dell'India,* 28 May 1987 in P. Pallath, where the regulatory reference is anterior to the emanation of CCEO, but only referred to CIC '83.

¹²²P. Gefaell, L'ambito territoriale della giurisdizione dei Patriarchi orientali. Riflessi sulla forma canonica del matrimonio, in Ius Ecclesiae 5 (1993), p. 245-268. L. Lorusso, Estensione della potestà patriarcale e sinodale in diaspora: designazione dei Vescovi, erezione di circoscrizioni ecclesiastiche, clero uxorato, in Angelicum 83 (2006) p. 845-870.

where celibacy of the clergy in diaspora has been established, not allowing the Greek married clergy to follow their proper communities in USA in the Diaspora. In the Decree *Cum data fuerit* of 1 March 1929,¹²³ its validity was recently reaffirmed as a special norm established by the Apostolic See, applying CCEO c. 758 §3, even when in practice, some unofficially certified notorious misapplications were verified.¹²⁴

7. Prospectives for a New Evangelization of the Syro-Malabar and Syro- Malankara Churches.

The missionary and the new evangelization activities referred to the universal Church involve common effort of both the Latin and Oriental Churches: the CIC 83 and the CCEO have reaffirmed such duty or task, indicated the initiatives, activities and means, under the supreme direction and co-ordination of the Roman Pontiff and the college of Bishops, the Congregation for the Evangelization of the

¹²³AAS 21(1929) pp. 152-159. See, G. Nedungatt, *Celibate and Married Clergy in CCEO, Canon 373, in Studia Canonica* 36 (2002), pp. 129-167. L. Lorusso, *Il rispetto dei riti orientali,* p. 102 e ss. F. Marti, *I Rutheni negli Stati Uniti. Santa Sede e mobilità umana tra ottocento e novecento,* Milan 2009.

¹²⁴L. Lorusso, Il rispetto dei riti orientali, p. 141. See the doubt placed to the Congregation for the Oreitnal Churhes and the response, in N. Reachford, Norms of Particular Law for the Byzantine Metropolitan Church sui iuris of Pittsburgh, USA, in CLSA Proceedings 62 (2000) pp. 233-243; the Decree Graeci - Rutheni Ritus, 23.12.1930 in AAS 22 (1930) pp. 346-354; The Decree Qua sollerti alacritate, 24.5.1930 in AAS 22 (1930) pp. 102-103 regarding America and Australia and the abrogation of the Australian Episcopal Conference, 19-28 May 1998 of the mostion n. 8 of 9.11.1949 of the same Episcopal Conference that did not admitt the married clergy to the exercise of the ministry in Australia. The Council of Hierarchs of the Catholic Ukranian and Rumania in the USA has decided to amdmit married clergy to the ministry of the Ukranian and Ruthanian Dioceses of North America, in *Il Regno-Attualità* 16 (1998) p. 526. The Synod of Bishops of the Melkite Church, (21-26 July 1997) discussed the poblem of married clergy in diaspora, in Le Lien 62/4 (1997), p. 31. It is interesting to note the letter of the Secretary of the State, Cardinal Angelo Sodano to the Apostolic Nuncio in Poland (4 May 1998) establishing the return of the married clergy who exercised ministry in the South East of Poland (Przemysl region) with the protest of the Ukraine Church and the successive return of the dicision with the promise to further re-examinie the question: Cheétiens en marche 60 (1998), p. 4.

People and the Congregation for the Eastern Churches according to the directives of the Encyclical letter *Redemptoris Missio*.¹²⁵

The CCEO recognizes fully the right – duty to evangelize for the Eastern Catholic Churches. If the new evangelization is a spiritual action, then, it involves above all, a process of discernment about the state of health of Christianity in one's own Church *sui iuris*, a survey of the steps taken and the difficulties encountered in evangelization and new evangelization.¹²⁶

Thus it comes to locate within each Church *sui iuris* the forces or efforts, means and tools, for evangelization and mission, and the new evangelization. Having made such a journey of discernment and individuation, one will proceed to draw up a plan of missionary activity, whether of evangelization or of new evangelization, with the thoughtful care that such action plan is presented to the Apostolic See through the Apostolic Nuncio or the concerned nuncios, in this case the Secretary of State, the Congregation for the Eastern Church and Congregation of Propaganda Fide, together with the concerned Episcopal Conferences.

Having been enlarged further, the *immense horizons of the mission "ad gentes"* as expressed by the *Redemptoris Missio* of John Paul II of 7 December 1990, all the Eastern Churches must also become protagonists of the mission through the *plantatio Ecclesiae* but also must activate a new evangelization not only inside the proper territories, but also outside their areas, with a pastoral presence in one's migrant community, foreseeing eventually the constitution of new ecclesiastical communities and new particular Eastern Churches, as established by the CCEO. With the new evangelization, the Church wants to introduce in the world the proclamation of the Kingdom of God initiated in Jesus Christ.

"There is no ecclesial situation that should feel excluded from such a program: the ancient Christian Churches with the problem of practical abandonment of faith by many people; the new Churches struggling with the task of inculturation that need continuous verifications in order to succeed not only in introducing the Gospel that purifies and elevates those cultures, but above all in opening to them to the novelty of the Gospel, more in general, all the Christian communities, involved in the exercise of a pastoral care that seems

¹²⁵See, P. Szabó, Le Chiese "*sui iuris*" in diaspora, p. 167-192. ¹²⁶*Lineamenta*, n. 5, p. 10.

always more difficult to be handled and run the risk of transferring in a routine less capable of communicating the reasons for which it came into existence."¹²⁷

If the criterion of territoriality or the organizational unit of personal character or mixed solution, can be valid for evangelization ad intra and for new evangelization ad intra and ad extra, in practice there have never encountered issues, in order to reach evangelization ad extra with the plantatio Ecclesia for the eastern Churches. Still, the actual missionary legislation does not resolve or pose problem of the new evangelization ad extra for the Oriental Churches, as it maintains the ecclesial and ecclesiological situations of the past century, before the Vatican Council II. When the determination of the territories subject to the Congregation of the Eastern Churches was formulated with the M.P. Sancta Dei Ecclesia of 23.03.1938, it was neither dealt with nor hypothesized of evangelization of the Oriental Church outside the proper territory, because of their fragility, weakness and internal necessities, for they themselves requested the help of the means and persons, mainly, of the Latin rite, for mission in their territories.

In the Apostolic Exhortation *Christifideles Laici* n. 35 John Paul II affirmed with precision: "The Church today ought to take *a giant step forward* in her evangelization effort, and enter into *a new stage of history* in her missionary dynamism. In a world where the lessening of distance makes the world increasingly smaller, the Church community ought to strengthen the bonds among its members, exchange vital energies and means, and commit itself as a group to a unique and common mission of proclaiming and living the Gospel. "So-called younger Churches have need of the strength of the older Churches and the older ones need the witness and impulse of the younger, so that individual Churches receive the riches of other Churches."¹²⁸

The self awareness of belonging to the universal Church from the part of the Oriental Churches has overcome those senses of inferiority or supremacy in numbers, towards a true fraternal and pastoral collaboration among the Churches *sui iuris* found in the same territory, without taking advantage of one another. Such

¹²⁷Lineamenta, n. 10, p. 22.

¹²⁸John Paul II, Ap. Ex. *Christifidels laici* (30.12.1988), n. 35, in AAS 81(1989) p. 458.

ecclesial consciousness as Christian identity will be able to reassess the diversity in the unity,¹²⁹ in the diverse ritual traditions, in full communion. This communion will have to be expressed also in an equitable practical solution *pro bono Ecclesiae* in the work of evangelization and of new evangelization. In the Union and the Communion, the different Churches *sui iuris* will be able to request to the Apostolic See the revision and extension of the missionary territories,¹³⁰ and the constitution of the new administrative circumscriptions for the benefit of both Churches *sui iuris*.

The existence of ecclesial right and duty to evangelization in full and strict sense whether *ad intra* or *ad extra* for the whole Church and her structures, hence, including the Eastern Catholic Churches must stimulate the Latin Church in favouring the access and beginning of a process of evangelization and new evangelization by the Oriental Catholic Churches according to their own tradition and identity with a methodology of ecclesiologo- communal and unitary itinerary, even with different pastoral means towards all the persons, beyond the territorial sphere, and also in favour of the oriental *Christifideles* outside the confines of the proper territories of the particular Church (*sui iuris*) with regard to the new evangelization.

The Latin Church that insists on a territory needs to acknowledge the ineluctable cultural and ecclesial role of the eastern Church because of their liturgical, theological, spiritual and disciplinary patrimony (CCEO cc. 27-28), which are a formidable basis for mission, in a prospective of enculturation of the Gospel *ad intra* and *ad extra*, together with dialogue between the person and the world. Such acknowledgment of ecclesial awareness presupposes a new *sensitization*, collaboration and joint responsibility with the Oriental Churches from the part of the Latin Church.¹³¹ Oriental Churches are not to be treated as inferior for the lack of force or strength in the ordinary pastoral mission.

¹²⁹Congregazione Per Le Chiese Orientali, Identità delle Chiese orientali cattoliche, Atti del'incontro di studio dei Vescovi e dei Superiori maggiori delle Chiese orientali cattoliche d'Europa, Nyíregyháza (Ungheria 30 June-6 July 199), Vatican City, 1999.

¹³⁰Cf. RM 37, where it is sustained that "By virtue of Christ's universal mandate, the mission *ad gentes* knows no boundaries. Still, it is possible to determine certain parameters within which that mission is exercised, in order to gain a real grasp of the situation."

¹³¹Cf. P. Szabó, Le Chiese "sui iuris" in diaspora, p. 178ff.

With the renaissance and vital fortification of the Oriental Churches *sui iuris* in many cases the missionary paradigm is turned upside down: because of rediscovered autonomy of the pastoral means and a relevant number of the *Christifideles* together with their vocations, after a new evangelization *ad intra* and the anticipation of a new evangelization *ad extra*, for the particular communities of the diaspora or outside the territory, the possibility of an evangelization *ad extra* outside the proper particular territories has also been concretized. Some Oriental Churches bearing in mind their growth, the changes not only of historico-cultural fields but also of liturgical, theological, spiritual and disciplinary sphere, the numerous presence of *Christifideles* and efforts towards the missionary activities, have become conscious of a new ecclesial phase, which permits one to become in their turn protagonists in the mission with the activation of the *Plantatio Ecclesiae* in the oriental sense.

In order to respond to one's ecclesial self-consciousness and also to the pastoral dynamism in the mission of the Churches, all the Oriental Churches sui iuris must plan a true and valid pastoral project addressed to the missions with the *Plantatio Ecclesiae* in the oriental sense and the new evangelization preceded by a sort of ecclesial census with a real ecclesial map, especially outside the territories of the Church sui iuris. Such pastoral action of the new evangelization, that will have to possess the characters of the oriental traditions, according to a true typical and proper oriental spirit,¹³² in the unity and communion, adhering to the universality of the Church herself, becomes urgent for the Syro-Malabar and Syro-Malankara Major Archiepiscopal Churches. In this sense, if of little significance, there exists the need to activate the commission foreseen by the Synod of Bishops of the Major Archiepiscopal Church (CCEO c. 585 §2), placing at the head of the office a Bishop of the curia who cares exclusively about the performance of that office.

The oriental catholic Church has to draw a programme of pastoral project that would emerge from an Assembly of the major archiepiscopal Churches (CCEO cc. 140-145), together with the *ecclesial census* already elaborated, which will reflect on the evangelization and new evangelization, to be realized by the office (CCEO c. 585 §2). Also to be formulated are those canons that once inserted into the particular Laws of the proper Churches *sui iuris*

¹³²L. Sabarrese, Diritto e missione, p. 170ff.

through suitable procedures, will give their own legislation in a in a special chapter on evangelization and new evangelization.¹³³

Such a *Pastoral Project* emerging from the Assembly of the Major Archiepiscopal Church, taken and made by the office of which the c. 585 §2 speaks, will have to develop with carefulness, supervision, gathered data, certification and possibility of engaging ones proper means in order to organize this new evangelization, together with those who participate in a certain way in Patriarchal Assembly, institutes of consecrated life, ecclesial groups, associations, more individuation of appropriate juridical formulas and legal structures where the missionary territories are entrusted also to the Latin Church, eventually foreseeing a modification of the jurisdictional destination of the latter.¹³⁴ It could be appropriate that in order to plan the work of the new evangelization; the major Archbishop can nominate a Visitor of the major Arch episcopate (CCEO c. 148 ff). This Visitor could be a member of the office of the major Arch episcopate for the missionary activity (CCEO c. 585 §2.)

Along this process, the Synod of Bishops of the Major Archiepiscopal Church will be able to make their request to the Apostolic See to institute a continuous and permanent administrative co-ordination in the Roman Curia between the Congregation of the Oriental Churches and the Evangelization of the People, foreseeing an interdicasterial permanent Office that will occupy itself with the missionary activity of the Latin and Oriental Churches, the territorial, personal and mixed issues, but above all the inter-ritual ones. Such office can constitute a study circle-(*tavolo studio*),- between the Congregation of *Propaganda Fide* and the Congregation for the Eastern Churches for the study of the issues concerning the missionary activity and inter-ritual relations, about territoriality and personality, thereby proposing ecclesiastically concrete and more suitable solutions, in the protection of the lights of all the concerned

¹³³For example: Eparchie Di Lungro E Di Piana Degli Albanesi E Monastero Esarchico Di Grottaferrata, *II Sinodo Eparchiale, Comunione ed annuncio dell'Evangelo, Orientamenti pastorali e norme canoniche,* Castrovillari 2010, with chapter 9 entitled: *Rievangelizzazione* and chapter 10: *Missione,* p. 207-256.

¹³⁴To have been of imminent publication is the volume: *Oriente cattolico* which could be a document of reference and ulterior clarity.

Churches *sui iuris*, including the Latin Church, and also of single eparchies and dioceses.¹³⁵

Still, the Major Archbishop together with the synod of Bishops of the Major Archiepiscopal Church will have to request to the Apostolic See a Visitator having a documental platform which together with the pastoral Project may help him to proceed in the completion of the fulfilment of the apostolic visit.

These concrete projects deriving from the patriarchal Assembly and discussed by the Synod of Bishops of the Major Archiepiscopal Church should be brought to the knowledge not only of the permanent inter-dicasterial Office, advocated for some time and from many quarters, of the Roman Curia, but also to the Congregation for the Oriental Churches and Evangelization of the People, together with the Secretary of State, to the Nuncio of the country and to the concerned Episcopal Conferences.

The pastoral project of evangelization and new evangelization in the completion of the data, ought to insert also a juridical plan to clarify the rapports and intra-ecclesial competences in India, optimizing the application of the common legislation, the CIC and the CCEO, either foreseeing and proposing the special or particular laws, thus, eliminating those norms that could be anachronistic and eventually still operative, which in fact limit the right to mission and evangelization of the Oriental Churches.

Inside each single Church *sui iuris,* it would be necessary to have a co-ordination of the missionary organization with the creation (if not yet instituted) or empowerment of the permanent patriarchal Office or major Archiepiscopal Office for the missions foreseen by CCEO c. 585 §2, mainly in contact with the Congregation for the Eastern Churches and with the Congregation for the Evangelization of the People, but also of the Apostolic Nuncio of the place and of the Secretary of State, together with the Episcopal Conferences of the territory, working in harmony and clarity in respect of the relative competences.¹³⁶

¹³⁵Cf. L. Sabarrese, *Missio ad migrantes*, p. 57ff.; D. Salachas, *Il magistero e l'evangelizzazione*, p. 182ff.

¹³⁶AAS 30 (1938) p. 154-159. On these changes, one has to note the foreseen procedures in the Apostolic Constitution *Pastor bonus* and the New general rule of the Roman Curia of 20 April 1999, which offers ample

The projects of study elaborated by the office for the missionary activity of the Major Archiepiscopal Church will be able to foresee some plans for the creation, modification of ecclesiastical circumscriptions whether oriental or new Latins, also relative to the territories dependent on the Congregation for the Evangelization of the People, in a prospective of missionary activity that comprehends the new evangelization. Furthermore, there they will be to request to the superior and competent authorities the projects of a general or special law having a general structure, or the derogation of law or norm (CCEO c. 1502) in form of "Framework Law" (*Legge- quadro*) without *asymmetrical* norms but for the protection and in favour of oriental community.¹³⁷ These projects of legislation should be discussed in advance, and must be approved by the Synod, submitting a petition with the proposals to the Roman Pontiff.

The necessity of a combined effort and synergy in evangelization and new evangelization *ad extra et ad intra*, by the Latin Church together with the Oriental Catholic Churches taking place in one and the same territory, other than the realization of a missionary project cannot turn away from the onerous task towards the *salus animarum* in the fraternal communion, realizing charity. Such effort must overcome the barriers beyond the Latin and Oriental juridicodisciplinary aspect, like that oriental territory whether in Diaspora or in other territories entrusted to the Congregation for the Evangelization of the People. Through the competent Episcopal Conferences at the level of the local Churches, it must also promote a greater co-responsibility of the extensive dioceses especially those Latin dioceses in welcoming the missionary and the new evangelization activities in common.¹³⁸

It has already been mentioned how the Office for the promotion of the missionary activity (CCEO c. 585 §2) will take care to prepare a common missionary pastoral project with reciprocal assistance between the Latin Church and Oriental Catholics: even in the territories that belong exclusively to the competence of the Latin Church according to an ecclesial subsidiarity and solidarity. In the first place, a provision can be made for an *implantatio* of oriental

opportunities of juridical operation. For the problematic: D. Salachas, *Il magistero e l'evangelizzazione*, p. 181-188.

¹³⁷J. I. Arrieta, *Chiesa particolare*, p. 10. Si veda P. Szabó, Le Chiese "sui iuris" in diaspora, p. 176-178.

¹³⁸See, P. Szabó, Le Chiese "sui iuris" in diaspora, p. 168ff.

enclave rituals in the territories of diaspora¹³⁹ where the Latin Bishops do their ministry in *communio* and harmony with the exigencies and the needs of the Oriental Churches in diaspora¹⁴⁰ and where the Oriental Bishops can assist the Latin Church with their own priests as Fidei donum.¹⁴¹ If on the one hand an ecclesial fraternal interchange is desirable according to pastoral subsidiarity in the case of shortage of priests in the local Latin Church, then on the other hand, the situation in which there exists in some cities a strong presence of only oriental Christifideles, the Presbyters of the Oriental Churches cannot in any way render pastoral care to their own faithful according to their proper ritual belonging. Furthermore, it demands also without opposition, that one can as well proceed in such situation outside the jurisdiction which could be retained as Latin, towards the foundation of new personal or territorial parishes and operate in the missionary action and in the new evangelization with oriental spirit.

Furthermore, the office for the pastoral activity (CCEO c. 585 §2) can prepare the plan of a *Regulation* about the organization of Priests *Fidei donum* of the Particular Oriental Churches that offer their services in the Latin Dioceses, subject to the approval of the Synod of Major Archiepiscopal Church. In this way, certain *asymmetric norms* would have to be put to an end like those in the situations of the Indian continent with of Syro-Malabar and Syro -Malankara Churches, where the missionaries of these Churches can live their faith only in the personal level intimately, with a pastoral work exclusively in the Latin Rite. The continued existence of such ecclesial discrepancies would eventually backfire against *communio ecclesiastica* and *bonum Ecclesiae*.¹⁴²

The project of a missionary activity and of new evangelization combined between or by the Latin Church and Oriental Catholic Church must be carried out in the educative terrain, foreseeing a philosophical, theological and inter-ritual formation, together with

¹³⁹See, veda P. Szabó, Le Chiese "sui iuris" in diaspora, p. 182ff.

¹⁴⁰This proposal was already found in the *Documento II*, *Relazione* segreta presentata a Leone XIII dal Cardinale Benedetto Maria Langénieux intorno al Congresso Eucaristico Internazionale di Gerusalemme nel 1893 ed al metodo dell'apostolato da spiegare in Oriente, in Sacra Congregazione Per La Chiesa Orientale, Verbali delle Conferenze patriarcali, p. 335-340.

¹⁴¹G. Butturini, Alle origini della 'Fidei Donum.' Appunti per una lettura, in Ad Gentes 11 (2007) p. 85-108.

¹⁴²D. Salachas, *Il magistero e l'evangelizzazione*, p. 183.

the foundation of schools, institutes of Christian education and of inter-ritual cultural development. Such a course of action will constitute the frame work for a process of inculturation, study and knowledge of the traditional rituals, of the people and of their components (the issues of ethnic and caste differentiation may be borne in mind in this context) through their history, culture and anthropology, the human space/condition where the Churches *sui iuris* are pastorally organized in the mission, having present the human persons in their natural, social and juridical necessities, and not the least the political and social situation.¹⁴³

An anticipation of a rapport and a collaboration between the Latin Church and the Oriental Catholic Church can undoubtedly promote in a more cordial manner the ecumenical dialogue, taking into consideration the peculiar rule of the Oriental Catholic Churches (CCEO c. 903), thereby projecting common activities in the evangelization and reciprocal collaboration whether pastoral or cultural and social. As it can disappear on its own, there is also need to avoid absolutely clash, or proselytism, to the damage or detriment of other non-catholic Churches.

These proposals of a project, together with the efforts to activate a new evangelization, will not exhaust within a short space in time but require in addition to an awareness, the beginning of a long and troublesome journey, where tenacity, loyalty and courage will certainly be tested together with the strength of the Bishops of the Syro-Malabar, and Syro-Malankara Major Archiepiscopal Churches.

We are however, encouraged by the Word of God when it tells us that "one thousand years for the Lord" is like a day of yesterday which has passed, like a turn of vigil" (Ps. 89) and that "one sows and the other reaps" (Jn. 4: 37) when inserted in the wider context of Jn. 4: 36-38. Such Christian realism is of great use in the path and task of new evangelization.

¹⁴³Rupnik M.I., *Il coraggio del dialogo critico con le culture d'oggi*, in AA.VV., *Novità della soglia. Aperture della nuova evangelizzazione*, Roma 1995, p. 103-145, quivi p. 120-121. M.I. Rupnik, *Il dialogo interculturale*, 54ff. Evdokimov P., *Teologia della Bellezza. L'arte dell'icona*, Roma 1984, p. 55ff.; T. Spidlik e M.I. Rupnik, *Parola e immagine*, Rome 1995, 110-111.