

THE ESTABLISHMENT OF AN ORIENTAL PROVINCE OF A SECULAR INSTITUTE OF THE LATIN CHURCH

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Abstract

A member of the secular institute of the Latin Church from Syro-Malabar Major Archiepiscopal Church has a Syro-Malabar ecclesial patrimony, and to live accordingly, he needs to be incorporated into the Syro-Malabar Major Archiepiscopal Church both *de iure* and *de facto*. So, is a secular institute with members of another Church *sui iuris* obliged to have a province? What are the juridical effects of such an ascription? This study tries to answer these questions and also attempts to explain how to establish an Oriental province of the secular institute of Latin Church. This study mainly discusses the following aspects: a) a brief note about the Decree on Eastern Churches, *Orientalium Ecclesiarum*; b) Canonical provisions of CCEO for Latin religious institutes; c) Juridical need of a province and how it is ascribed to a Church *sui iuris*.

Keywords: Secular Institute; Oriental Province; Canonical Provision; Juridical Need; Ascription.

Introduction

Pope John Paul II, in the Apostolic Constitution, *Sacrae Disciplinae Leges* stated that the need and role of a juridical order in the Church is to sustain, strengthen and foster common initiatives to live a Christian life ever more perfectly (AAS 75/1983, pars II, xv). A religious community or an Institute, approved by the Church, has its own juridical order and personality apart from the members considered individually or collectively. A religious community or an institute is a juridic person (CCEO cc. 920 - 922; 410, 504). From the

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canonical perspective, the previous legislation for the Oriental Churches was clearly given proper guidelines with regard to the Oriental members of a Latin Religious institutes. We see in the *Motu proprio Postquam Apostolicis Litteris* on the Oriental religious members, which offers explicit norms to be followed (*PAL* cc. 74 §2, 6°; 5 §1). The Second Vatican Council Decree on the Eastern Churches *Orientalium Ecclesiarum* (n. 6) recommended strongly to religious institutes and associations of the Latin Church, which are working in Eastern countries or among the Eastern faithful, that they set up, so far as is possible, houses or even provinces ascribed to the concerned Eastern Church to make their apostolic work more effective. Though the Council did not enforce any obligation yet, the Apostolic See expects and wishes the Latin religious institutes to take the initiative to open Oriental houses or provinces with its permission.

The Code of the Canons of the Eastern Churches (*CCEO*) c. 432 is exclusive to the Eastern Code and explicitly regards the Latin Church. This canon aims to safeguard and promote the variety of Churches. And also, it is addressed to all religious institutes of any Eastern Catholic Church *sui iuris* and those of the Latin Church, whose apostolate consists of ministry among the faithful of another Church *sui iuris*. The canon strongly encourages the major superiors of these institutes to establish a dependent monastery, a house, or even a province ascribed to that other Church *sui iuris* with the consent of the Holy See. Therefore, inspired by the teachings and recommendations of the *OE* n. 6 and the real spirit of *CCEO* c. 432, this study tries to explain how to establish an Oriental Province of a Secular Institute of the Latin Church.

1. A Brief Note on the Second Vatican Council's Decree on the Eastern Catholic Churches

Before considering the canonical provisions for *CCEO* for Latin Religious Institutes, I would like to make a few preliminary remarks on the Second Vatican Council's Decree on Eastern Catholic Churches, *Orientalium Ecclesiarum* (*OE*). The first words of the Decree *Orientalium Ecclesiarum* are: 'The Catholic Church highly esteems the institutions, liturgical rites, ecclesiastical traditions and way of Christian life of the Eastern Churches' *Orientalium Ecclesiarum instituta, ritus liturgicos, traditiones ecclesiasticas atque vitae christianae*

*disciplinam ecclesia catholica magni facit.*¹ The Decree on the Eastern Catholic Churches, complimenting the *Lumen Gentium*, admires the dignity and unique place of the various Eastern rite churches within the Catholic Church.² These churches and the people they embrace are fully Catholic and in full communion with the Pope. The Document educates all those related to the Eastern Churches to learn about the rites, discipline, doctrine, history, and character of the members of the Eastern Churches. Another important step was the strong recommendation to the Latin religious orders working in Eastern countries and among the Eastern faithful to start houses and provinces of the Eastern rite (*OE*, n. 6).

1.1 The Preface of the Decree

The preface is very much appreciated because it gives a beautiful meaning: "The apostolic heritage of the East and the West belongs to the full Catholic patrimony, and therefore, the Catholic Church obliges herself to remain faithful to the whole of her patrimony for the present time as well as for the future. This patrimony cannot be divided. It belongs to the Universal Church, which is not identical with the Occidental Church."³ The Council desired that the Eastern Churches flourish with renewed apostolic strength to carry out the mission entrusted to them.⁴

¹ *Concilium Oecumenicum Vaticanum II, Decretum de Ecclesiis Orientalibus Catholicis: Orientalium Ecclesiarum*, 21 novembris 1964 in AAS, LVII (1965) 76-89, n. 1; (for English translation Norman P. Tanner ed., *Decrees of the Ecumenical Councils, Trent - Vatican II*, vol. 2 (London: Sheed & Ward and Georgetown University Press (1990) 900-907); Cfr. Thomas Anchukandathil, *Into the Third Millennium in the Spirit of Vatican II*, 16, 2, (Bangalore: Kristu Jyoti College Publication, 2000) 93; Jose Koodapuzha, "Identity, Rights and Rites in the Light of Orientalium Ecclesiarum," in Peter Kannampuzha, ed., *Tradition and Identity of the Syro-Malabar Church*, (Kakkanad: Mount St. Thomas, 2019) 83; Rosario Francesco Esposito, *Il Decreto Conciliare sulle Chiese Orientali «Orientalium Ecclesiarum»: Testo e Commento*, (Rome: Pauline Editions, 1965) 11-59.

² Cfr. Marco Brogi, *Strutture delle Chiese orientali sui iuris secondo il CCEO, Apollinaris*, 65 (1992) 301-302; Anchukandathil, *Into the Third Millennium in the Spirit of Vatican II*, 93; Koodapuzha, *Identity, Rights and Rites in the Light of Orientalium Ecclesiarum*, 83.

³ John Madey, *The Particular Oriental Vocation of the Nazrani Church in Communion with Rome*, (Alappuzha: Prakasam Publication, 1976) 37.

⁴ Cfr., Madey, *The Particular Oriental Vocation of the Nazrani Church in Communion with Rome*, 37-38.

1.2 The Preservation of the Spiritual Heritage of the Eastern Churches

The third part of the Decree defines the role of the Eastern Churches within the universal Church. "History, traditions, and so many ecclesiastical institutions bear outstanding witness on how much the Eastern Churches have merited for the universal Church."⁵ With regard to this aspect, the Decree refers particularly to the Apostolic letter of Pope Leo XIII, *Orientalium dignitas*;⁶ *Motu Proprio Orientis catholici*⁷ of Pope Benedict XV; Encyclical letter: *Rerum Orientalium*⁸ of Pope Pius XI. The Council praised and highly esteemed the history, traditions, and institutions of the Eastern Churches and recognized and confirmed them as a patrimony of the universal Church. The Council's Decree (*Orientalium Ecclesiarum*) assures the faithful of the Eastern Churches that they can and ought always to preserve their legitimate liturgical norms and their discipline and those changes are to be introduced solely by reason of their own organic development.⁹

⁵ OE, n. 5, Norman P. Tanner ed., *Decrees of the Ecumenical Councils, Trent - Vatican II*, vol. 2, 902.

⁶ Cfr. Leonis XIII, Litterae Apostolicae: *Orientalium Dignitas*, 30 novembris 1894, in ASS, XXVII (1894-95), 257-264.

⁷ Cfr. Benedictus XV, Motu proprio: *Orientis catholici*, 15 octobris 1917 in AAS IX/I (1917), 531-533. «Il Papa Benedetto XV con motu proprio «Orientis Catholici» del 15 ottobre 1917 provvide a fondare il Pontificio Istituto Orientale; quindi con successivo motu proprio «Dei providentis» del 1 maggio 1917 istituì la Congregazione - detta allora - per la Chiesa Orientale» (Pope Benedict XV with motu proprio "Orientis Catholici" of 15 October 1917, he founded the Pontifical Oriental Institute with the subsequent motu proprio "Dei Providentis" of 1 May 1917 he established the Congregation - then called - for the Oriental Church).

⁸ Cfr. Pius XI, Littere Encyclicae: *Rerum orientalium*, 8 setembris 1928, in AAS XX (1928), 276-288.

⁹ OE, n. 6. ("All eastern Christian should know and be certain that they may and should always preserve their own lawful liturgical rites and way of life, and that changes should be made only by reason of their proper and organic development. All these things are to be observed with the greatest fidelity by the eastern Christian themselves. They should indeed, from the day to day, acquire greater knowledge of these matters and more perfect practice of them and if for reasons of circumstances, times, or persons they have fallen unduly short of this they should have recourse to their age-old traditions. Those persons, however, who by reason of their office or of an apostolic ministry have frequent contact with the eastern churches or their faithful are to be carefully instructed in the knowledge and practice of the rites, law, teaching, history and nature of eastern Christians, in keeping with the importance of the office they hold. Moreover, it is strongly recommended to religious orders and congregations of the Latin rite working in eastern countries or among the eastern faithful that, in the interests of greater efficacy of the apostolate, they set up houses

1.3 *Orientalium Ecclesiarum* and CCEO

In fact, the principles specified in *Orientalium Ecclesiarum* were the guidelines for the codification of the new Eastern Code.¹⁰ It is clear that the Council's Decree *Orientalium Ecclesiarum*, is to be considered as one of the secondary documents of the Council. It was an important document because it affirmed that unity - in - diversity has, in principle, always been present in the Eastern Catholic Churches.¹¹

2. Canonical Provisions of CCEO for Latin Religious Institutes

CCEO c. 432 (no parallel canon in *CIC*) is the juridical provision for a religious institute to have a house or province ascribed¹² to the Eastern Church *sui iuris*. The canon states; "A dependent monastery, a house or province of a religious institute of any Church *sui iuris*, also of the Latin Church, which with the approval of the Apostolic See is attached to another Church *sui iuris*, must observe the prescriptions of this latter Church, save for the prescriptions of the typicon or statutes which refer to the internal governance of this religious institute and the privileges granted by the Apostolic See."

or even provinces of eastern rite as far as is possible." Norman P. Tanner, ed., *Decrees of the Ecumenical Councils*, vol. 2, 902.

¹⁰ Cfr. Mathew Vattappalm, *The Congregation for the Eastern Churches, Origins and Competence*, (Rome: Libreria Editrice Vaticana, 1999) 82.

¹¹ Cfr. Andrews Thazhath, *The Juridical Sources of The Syro-Malabar Church*, (Kottayam: Oriental Institute of Religious Studies, 1987) 285; Brogi, *Strutture delle Chiese orientali sui iuris secondo il CCEO*, 304-306; Jean Paul Lieggi, *Orientalium Ecclesiarum, Unitatis Redintegratio, Testi di Jean-Paul Lieggi, Angelo Maffei, Stefano Parenti*, (Bologna: Edizioni Dehoniane, 2019) 50-53.

¹² The term Ascription: the term is used with various meanings in CCEO. The Latin term 'adscribere' (or ascribere) means to enter in list, to enrol or to enlist as a member in a group or category. Canonical institution of permanent attachment to an ecclesiastical entity is called Ascription. *CIC* 1917 and *Motu Proprio Cleri Sanctitatis* used the same term Ascription. The term Ascription is used 80 times in 56 canons of CCEO. Terms used in CCEO like enrolment, incorporation cc. 7 §1 675 §1; aggregation cc. 469, 531, 545 §2; and co-option cc. 560, 563 §3, 568 §2 are akin to ascription. It is used in relation to physical as well as juridical persons. Cfr. George Allumpurath, *Ascription of Religious and of Religious Institutes According to CCEO*, (Roma: Pontificium Institutum Orientale, 2005) 17. *CIC* uses the term Enrolment or Incardination (cc. 265-272); Natale Loda, «L'ascrizione ad una Chiesa sui iuris e la tutela dell'appartenenza de fedeli delle Chiese Orientali Cattoliche», in Pontificio Consiglio per i Testi Legislativi, *L'attenzione pastorale per i fedeli orientali, Atti della Giornata di studio Tenutasi nel XXV Anniversario della promulgazione del codice dei canoni delle chiese orientali, Sala San Pio X, 3 ottobre 2015, Roma*, (Città del Vaticano: Libreria Editrice Vaticana, 2017) 185-206.

This canon 432 also embraces the Latin Church and undoubtedly is meant to safeguard and foster the *varietas Ecclesiarum*¹³, which characterizes the entire Catholic Church. The norm serves as a point of reference for religious institutes of any Church *sui iuris*, including the Latin Church, which seek to establish themselves in an area predominantly inhabited by the faithful of another Church *sui iuris*. Therefore, religious members would always be obliged to follow the typicon or statutes¹⁴ which regulate the internal governance of their institute. With the approval of the Holy See, the major superiors could set up independent houses or provinces that would be ascribed to another Church *sui iuris*.¹⁵

¹³ Ivan Žužek, in his Reflections on the Apostolic Constitution *Sacri canones*, highlighted the fact that the *Codex Canonum Ecclesiarum Orientalium* can be characterized by three key-words: *unitas del patrimonio fondamentale* (unity of the fundamental patrimony), *varietas delle Chiese sui iuris* (varieties of the *sui iuris* Churches) and *novitas proveniente dal Vaticano II* (novelty from the Second Vatican Council). These three words are the face of the new ecclesiology of Second Vatican Council and therefore, when we consider or talk about the '*varietas Ecclesiarum*' of the *una, santa, catholica et apostolica Ecclesia*, we should keep in mind that the Latin Church is also part of this '*varietas*', as a Church *sui iuris* whose discipline is regulated by the *Codex Iuris Canonici*. Whereas the discipline of the Catholic Oriental *sui iuris* Churches is regulated by the *Codex Canonum Ecclesiarum Orientalium* which present itself as the code of a *varietas Ecclesiarum*. Cfr. Ivan Žužek, *Riflessioni circa la costituzione apostolica 'Sacri canones' (18 ottobre 1990)*, in *Understanding the Eastern Code, Kanonika 8*, (Rome: Pontificio Istituto Orientale, 1997) 153; Ionela Cristescu, «*Unitas and Varietas Ecclesiarum*» and *Resplendent Force, Safeguarded in CCEO by the Relation "Ius Commune"- "Ius Particulare"*», in *Kanon XIX*, (Kovar: Kirchenverfassungen, 2006) 162.

¹⁴ The term Statutes or Typicon means: The term is not defined in CCEO but it corresponds in meaning to that given in *CIC* c. 94. Statutes can be either particular laws (CCEO c. 1493§2) or bylaws (c. 1502 §2). The norms or bylaws of a juridic entity by which its purpose, constitution, government and operation are defined (CCEO cc. 922, 925; *CIC* c. 94). CCEO uses the term for the fundamental Code Statutes or Typicon (cc. 421, 424, 433) and supplementary Code as Directory. *CIC* uses the term Constitution for fundamental Code and Statutes for supplementary Code. Cfr. George Nedungatt, *A Glossary of the Main Terms Used in CCEO*, in *Kanonika 13*, in *The Eastern Code- Text and Resources*, Yoannis Lahzi Gaid, ed., (Rome: Pontificio Istituto Orientale, 2007) 158-160.

¹⁵ Cfr. Jobe Abbass, "Monks and Other Religious as well as Members of other Institutes of Consecrated Life," in Georges Ruyssen (ed.), *A Guide to the Eastern Code, A Commentary on the Code of Canons of the Eastern Churches*, 2 Revised edition, *Kanonika 10*, (Rome: Pontificio Istituto Orientale, 2020), 429.

2.1 Sources of CCEO c. 432 and its Canonical Significance with Particular Examples

Canon 5 of the *Postquam Apostolicis Litteris*¹⁶ and *Orientalium Ecclesiarum* (n. 6)¹⁷ are the sources of this canon. *OE* n. 6 is not officially cited as the source for c. 432 but is considered one of the sources that indisputably inspired the norm.¹⁸ The canon 432 is unique to the Eastern Code and explicitly regards the Latin Church. This canon ultimately aims to safeguard and promote the variety of Churches (*varietas Ecclesiarum*) that constitute or structure the Catholic Church. This canon is addressed to all religious institutes of any Eastern Catholic Church *sui iuris* and those of the Latin Church, whose apostolate consists of ministry among the faithful of another Church *sui iuris*. The canon effectively encourages the major superiors of these institutes to establish dependent houses, vice-provinces, or even provinces that are ascribed to that other Church *sui iuris* with the consent of the Holy See.¹⁹

Here, I would like to mention particular examples regarding the presence of Latin religious institutes among the Eastern Catholic faithful. There are many examples in which parts of Latin institutes have been ascribed to the Eastern Catholic Church *sui iuris*. In Kerala (India), the Capuchin Franciscans have two provinces (Aluva and Kottayam). The Conventual Franciscans have one province, and these provinces are ascribed to the Syro-Malabar Church. Even though these provinces must follow their internal rule of the institute, they must observe the common and particular law of the Syro-Malabar Church, particularly regarding their pastoral activities (c. 415 §1). In this manner, the CCEO norm gives one the freedom to

¹⁶ Pius XII, *Motu Proprio, Postquam Apostolicis Litteris (PAL)*, AAS 44 (1952) 65-150.

¹⁷ Cfr. *OE*, n. 6.

¹⁸ Cfr. Jobe Abbass, "Monks and Other Religious as well as Members of Other Institutes of Consecrated Life," in John D. Faris - Jobe. Abbass (eds.), *A Practical Commentary to The Code of Canons of the Eastern Churches*, vol. 1, (Canada: Wilson & Lafleur inc., 2019) 876; Allumpurath, *Ascription of Religious and of Religious Institutes According to CCEO*, 17; Brogi, *Il nuovo codice orientale e la Chiesa Latina*, in *Antonianum*, 66 (1991) 53.

¹⁹ Cfr. Abbass, "Monks and Other Religious as well as Members of Other Institutes of Consecrated Life," in *A Practical Commentary to the Code of Canons of the Eastern Churches*, 876; Dimitrios Salachas - K. Nitkiewicz, *Inter Ecclesial Relations between Eastern and Latin Catholics*, (Washington, DC Canon Law Society of America, 2009) 66.

follow his or her vocation demanded by the founding charism of a specific Latin institute. In these cases, it also works to foster and preserve the Syro-Malabar rite of the religious who are, or will, become members of those Latin institutes. However, if the same candidates for these Latin institutes are not intended for a part of their institute ascribed to the Syro-Malabar Church, the consent of the Holy See is required for their valid admission to the institute's novitiate according to cc. 451 and 517 §2²⁰. In view of Jobe Abbass, "While the phenomenon of ascribing houses or provinces of Eastern religious institutes to the Latin Church is rare or even non-existent, this may become more common in the future as Eastern religious institutes are increasingly called to serve in the West."²¹ The following points are to be considered with regard to c. 432.

2.1.1 The Universal Nature of Canon 432

This canon 432 not only concerns the Latin Church (as in *PAL* canon 5 and in *OE* 4) but all Churches *sui iuris*, and also applies to any two Eastern Catholic Churches.²² Jobe Abbass explains that "this canon is undoubtedly meant to safeguard and foster the *varietas Ecclesiarum* which characterize the entire Church of Christ. The norm can also serve as a point of reference for religious institutes of any Church *sui iuris*, even the Latin Church, which seek to establish themselves in an area predominantly inhabited by the faithful of another Church *sui iuris*. While religious members would always be obliged to follow the typicon or statutes which regulate the internal governance of their institute, major superiors could, with the approval of the Holy See, set up dependent houses, or even provinces that would be ascribed to that other Church *sui iuris*."²³ For instance, having obtained the consent of the Holy See, the Order of Friars Minor Conventuals has erected a province that is ascribed to the Syro-Malabar Church. While

²⁰ Cfr. Abbass, "Monks and Other Religious as well as Members of Other Institutes of Consecrated Life," 876.

²¹ Abbass, "Monks and Other Religious as well as Members of Other Institutes of Consecrated Life," 876.

²² Cfr. George Nedungatt, *The Spirit of the Eastern Code*, (Bangalore Dharmaram Publications, 1993) 119.

²³ Cfr. Jobe Abbass, "Monks and Other Religious as well as Members of other Institutes of Consecrated Life," in Georges Ruysen ed., *A Guide to the Eastern Code, A Commentary on the Code of Canons of the Eastern Churches*, in 2 Revised edition, Kanonika 10, (Rome: Pontificio Istituto Orientale, 2020) 429.

they follow the constitutions and statutes of the Order, they also must observe the particular law of the Syro-Malabar Church.²⁴

In brief, the Eastern houses or provinces of a Latin religious institute which is lawfully erected are bound to observe the law of the proper Eastern Church *sui iuris*. But at the same time, they have to follow and are bound to follow the statutes in matters of the governance and internal discipline of the Latin religious institute to which they belong. These houses and provinces and Eastern juridical persons have to live the Eastern liturgical, theological, spiritual, and disciplinary patrimony (c. 28 §1). They are also subject to the jurisdiction of the Eastern bishop in accordance with the law. It is clear that there will not be any change regarding the internal governance or the internal statutes and the relations of the juridical persons and the individual members with the major superior (General Superior) and with the other houses or provinces of the same religious institute.²⁵

2.1.2 The Consent of the Holy See

If a Latin religious institute wants to ascribe a house or province to an Eastern Church *sui iuris* needs the permission of the Holy See (from the Dicastery for the Oriental Churches). There are two reasons for this: first, the religious institute of the Latin Church cannot validly create by itself a religious house or province ascribed to an Oriental Church. *CIC* does not give any power to posit such an inter-ecclesial act. Secondly, *OE* n. 4 states the proper and common authority or "authority in inter-ecclesial relations" is the Holy See.²⁶

2.2 Ascription of a House of Latin Institute to an Eastern Church *Sui Iuris*

Religious institutes belong to a Church *sui iuris* whether Latin or Oriental. They are ascribed to one of these Churches (*CIC* cc. 111, 112 / *CCEO* cc. 29-34). For example, the Salesians of Don Bosco (SDB) and the Jesuits (Society of Jesus) are ascribed to the Latin Church, including their houses and provinces. They are governed by the *CIC*. It is possible for them to have houses or provinces ascribed to an

²⁴ Cfr. Abbass, "Monks and Other Religious as well as Members of other Institutes of Consecrated Life," *Kanonika* 10, 429.

²⁵ Cfr. George D. Gallaro and Dimitrios Salachas, "Interecclesial Matters in the Communion of Churches," in *The Jurist*, 60 (2000) 274.

²⁶ Cfr. Nedungatt, *The Spirit of the Eastern Code*, 119.

Eastern Catholic Church.²⁷ Ascription is not equal to canonical erection. In the case of a religious house or province already erected and ascribed to the Latin Church, the legitimate authority may effect a transfer of ascription to an Eastern Church *sui iuris*. The Holy See permits it.²⁸ Ascription of a house or province to an Oriental Church *sui iuris* does not mean reservation of its membership to Orientals. Its members can be Oriental or Latin, even as it was before ascription and without prejudice to their rite. The equality of rites is here safeguarded fully.²⁹

2.3 The *Ius* (The Common Law and Particular Laws) of Eastern Church *Sui Iuris*

A house or province ascribed to the Latin Church has to observe the norms of *CIC* and also in the same way, a house or province ascribed to Eastern Church *sui iuris* has to follow *CCEO*. The house or province, as explained in c. 432, is to be governed by the common law³⁰ (*CCEO*) to which the Church *sui iuris* is subject. Therefore, in external governance, it is subject to the hierarchy of that Church *sui iuris* in matters of permission or consent of the local hierarch needed to erect a religious house,³¹ vigilance,³² visitation,³³ confirmation of the dismissal of a perpetually professed religious³⁴ and particular law, there is subjection to the hierarchy. This house or province is also subjected to the particular law³⁵ of the same Church *sui iuris*.³⁶

²⁷ Cfr. Nedungatt, *The Spirit of the Eastern Code*, 119; George Nedungatt, Lorenzo Lorusso, "Churches *Sui Iuris* and Rites," in *A Guide to the Eastern Code A Commentary on the Code of Canons of the Eastern Churches*, *Kanonika* 10, 140-147.

²⁸ Cfr. Nedungatt, *The Spirit of the Eastern Code* 120; Nedungatt, Lorusso, "Churches *Sui Iuris* and Rites," in *A Guide to the Eastern Code A Commentary on the Code of Canons of the Eastern Churches*, *Kanonika* 10, 141-142, 144-147.

²⁹ Cfr. Nedungatt, *The Spirit of the Eastern Code*, 120.

³⁰ Common law in the *CCEO* come besides the laws and legitimate customs of the whole Church also the laws and legitimate customs common to all the Eastern Churches (c. 1493 §1).

³¹ *CCEO* cc. 437, 509, 556, 566 / *CIC* cc. 609, 611.

³² *CIC* cc. 594, 615.

³³ *CCEO* cc. 415 §2; 420 §3 / *CIC* cc. 683 §1, 397 §2.

³⁴ *CIC* cc. 699 §2; 700; 701.

³⁵ The *CCEO* c. 1493 §2 gives the definition of particular law (*ius particulare*): "However, under the name particular law come all laws, legitimate customs, statutes and other norms of law, which are neither common to the entire Church nor to all the Eastern Churches."

³⁶ Cfr. Nedungatt, *The Spirit of the Eastern Code*, 121.

2.6 Two Concessions

There are two concessions to the general rule with regard to the internal governance (There are two forms of governance: external and internal. In external governance, a house or province is subject to the hierarchy of the Church *sui iuris* to which it is ascribed. The internal governance concerns the acts of erection of houses or provinces, admission of candidates, formation, dismissal, election or nomination of superiors, amendment of the statutes, convocation, and conduct of chapters, and so on)³⁷ of the religious institute and if it has any privileges (The privileges³⁸ approved and granted by the Holy See to the religious institutes are not revoked with regard to the Eastern house. This can be in three ways:³⁹ (a) Those granted in common to all religious institutes. (b) Those granted to a religious institute in particular through its approved constitutions (for example, exemption)⁴⁰. (c) Those granted by special concession to the religious institute, province, or house)⁴¹. The purpose was to allow each institute to protect its proper identity and its specific charism. The Church never allowed religious institutes to lose their identity and specific character due to the ascription of its part to another Church *sui iuris*. Therefore, the Eastern Code enables and encourages an institute to preserve the unity in its purpose and administration.⁴²

2.7 Candidates from Eastern Churches

If candidates from the Eastern Churches enter into a Latin religious institute the norms of CCEO are to be observed. The norms include their admission, formation and ordination in the case of clerical candidates.⁴³ CCEO c. 451 deals with the admission to a monastery

³⁷ Cfr. Nedungatt, *The Spirit of the Eastern Code*, 121; Allumpurath, *Ascription of Religious and of Religious Institutes According to CCEO*, 38.

³⁸ A privilege - It is a favor granted to certain persons, whether physical or juridic, by means of a special act, can be granted by the legislator or by the one to whom the legislator has granted this power (CCEO c. 1531 §1).

³⁹ Cfr. Nedungatt, *The Spirit of the Eastern Code*, 122.

⁴⁰ CCEO c. 412 §2 (CIC c. 591) states "In order to provide for the good of institutes and the needs of the apostolate, the Roman Pontiff, by reason of his primacy in the entire Church, and with a view to common advantage, can exempt institutes of consecrated life from the governance of the eparchial bishop and subject them to himself alone or to another ecclesiastical authority."

⁴¹ Cfr. Nedungatt, *The Spirit of the Eastern Code*, 134.

⁴² Cfr. Allumpurath, *Ascription of Religious and of Religious Institutes According to CCEO*, 37-38.

⁴³ Cfr. Nedungatt, *The Spirit of the Eastern Code*, 122.

and it states: "No one can be admitted licitly to the novitiate of a monastery of another Church *sui iuris* without the permission of the Apostolic See, unless it is the case of candidates who are destined for a dependent monastery of their own Church as mentioned in canon 432." CCEO c. 517 §2 deals with the admission to an order or congregation, and it states: "No one is admitted lawfully to the novitiate of a religious institute of another Church *sui iuris* without the permission of the Apostolic See, unless it is a candidate who is destined for a province or house, mentioned in canon 432, of the same Church." These two canons are similar in construction. From the first part, it is evident that the permission of the Holy See is required for the admission of Orientals to a Latin religious institute. But an exception is given in the second part of the canon that when there is a province or house ascribed to an Oriental Church *sui iuris* according to canon 432. These norms do not obviously include the Latin Church and are not found in the Latin code. However, considering the legislator's intention, the *ipsa rei natura* (the very nature of the thing), and the purpose of the norm, we can say that they may also apply to the Latin Church.⁴⁴

This is tacitly recommended also in the CCEO c. 432. Therefore, a Latin religious institute or an Eastern province or house may accept into the novitiate Eastern faithful who are assigned to the province or house of the Eastern rite. In the same way, an Eastern religious institute with a Latin province or a house can also accept Latin faithful into the novitiate assigned for the province or house of the Latin rite. With the exception of the case provided for in the CCEO c. 432 to be admitted lawfully to the novitiate of a religious institute of another Church *sui iuris*, even of the Latin Church, the permission of the Apostolic See is required. This permission does not imply by itself also the ascription to another church *sui iuris* or to the Latin Church. For example, the fact that an Eastern novice and member are lawfully admitted to the Latin religious institute does not imply by itself that they become a member of the Latin Church but remain ascribed to their Church *sui iuris*, unless, they have obtained the consent of the Holy See according to CCEO c. 32.⁴⁵

⁴⁴ Cfr. Gallaro and Salachas, *Interecclesial Matters in the Communion of Churches*, 275; Abbass, "The Admission of Eastern Catholics to the Novitiate of Latin Religious Institutes," in *Studia canonica*, 36 (2002) 298-302.

⁴⁵ Cfr. Abbass, "Monks and Other Religious as well as Members of Other Institutes of Consecrated Life," in *A Practical Commentary to the Code of Canons of the*

2.9 As Regards the Orientals who have Joined a Latin Religious Institute

CCEO c. 40, §2⁴⁶ applies equally to Eastern rite and Latin rite members in Latin religious institutes who have joined on the ground of canons 451 and 517 §2. By the law, they are expected to live and work in a province or house ascribed to their Oriental Church *sui iuris* in accordance with c. 432. The province or religious house has the obligation to provide proper facilities to fulfill it responsibly. The facilities should not be limited to liturgical services but have to go beyond to meet the demands of canon 40 §2. Nedungatt says this consideration leads to the conclusion that if there are many Eastern rite members in a Latin religious institute normally houses (or provinces) are ascribed to their Church *sui iuris*. CCEO does not directly oblige the institute to do so, since members may be admitted with the indult, permitting them to conform to the Latin rite of the institute. Once this indult has been got, their transfer to the Latin Church is implied in Church *sui iuris* membership and rite. At present, the indult grants no such transfer but Bi-ritual faculty⁴⁷ to those in sacred orders from the moment of their ordination.⁴⁸

3. Juridical Need of an Oriental Province of a Secular Institute of Latin Church

The *Motu Proprio PAL* on the Institutes of Consecrated Life of the Eastern Churches (canon 74 §2, 6°) states that if a Latin religious institute has at least a house ascribed to an Eastern Church, it may

Eastern Churches, vol.1, 899-890, 984; Gallaro and Salachas, *Interecclesial Matters in the Communion of Churches*, 275; Jobe Abbass, "The Admission of Eastern Catholics to the Novitiate of Latin Religious Institutes," in *Studia canonica*, 36 (2002) 302-306. CCEO c. 32 §1. No one can validly transfer to another Church *sui iuris* without the consent of the Apostolic See. §2. In the case of Christian faithful of an eparchy of a certain Church *sui iuris* who petition to transfer to another Church *sui iuris* which has its own eparchy in the same territory, this consent of the Apostolic See is presumed, provided that the eparchial bishops of both eparchies consent to the transfer in writing.

⁴⁶ CCEO c. 40, §2 " Other clerics and members of institutes of consecrated life are bound to observe their own rite faithfully and daily to acquire a greater understanding and a more perfect practice of it".

⁴⁷ Bi-ritual faculty – it is the faculty granted to a cleric to exercise the sacred ministry in a second rite other than his rite. It is given as an indult by the Congregation for the Eastern Churches to presbyters or deacons who request it for a concrete pastoral need. It is granted for a determined period of time but can be renewed. Cfr. Nedungatt, *The Spirit of the Eastern Code*, 126-127.

⁴⁸ Cfr. Nedungatt, *The Spirit of the Eastern Code*, 126.

admit Orientals.⁴⁹ For instance, the secular institute of Schoenstatt Fathers in Kerala is territorially related to the Oriental Churches in Kerala and admitted its members exclusively from the Syro-Malabar Church. The institute admitted its first member to the contract (sacred bond) from the Syro-Malabar Church in 1988, and he was ordained in 1994. Since then, there has been a rapid increase in the number of vocations to the institute from this Eastern Catholic Church. By 2023, the majority of the members of the institute in India are originally from the Syro-Malabar Church. Therefore, it is appropriate that the members of the secular institute of Latin Church live their consecrated life in accordance with their rite. To do so fully and expressively, the institute must establish a province that juridically ascribes to the Syro-Malabar Church.

4. Reasons for an Oriental Province

Pope John Paul II stated that “the need and role of a juridical order in the Church is to sustain, strengthen and foster common initiatives to live a Christian life ever more perfectly.”⁵⁰ The Church has been witnessing the practice and profession of evangelical counsels by individuals as well as communities according to their charism. An ecclesiastically approved religious community or an institute has its own juridical personality.⁵¹ It is a juridic person.⁵²

The *PAL* on the Oriental religious has clear norms on admission and for the governance of a house or province of a Latin institute ascribed to an Eastern Church.⁵³ The recommendation of the Second Vatican Council’s decree on Oriental Churches (*OE*, n. 6) did not compel by obligation to religious institutes working among Eastern faithful and regions, to set up as far as is possible houses or even provinces ascribed to the concerned Eastern Church; but indeed, the Apostolic

⁴⁹ Cfr. Lawrence T. Paruthapara, *Oriental Province of Latin Rite Religious Institute- Admission and Government*, (Kottayam: Jeevan Books, 2003) 46.

⁵⁰ Ioannes Paulus PP. II, *Constitutio Apostolica: Sacrae Discipline Leges*, in *AAS*, LXXV (1983), Pars II, VII-XIV (for English trans. Cfr. Apostolic Constitution in *CIC*, xv).

⁵¹ Cfr. Paruthapara, *Oriental Province of Latin Rite Religious Institute- Admission and Government*, 74.

⁵² Juridic Persons: Either aggregates of persons or aggregates of things which are subjects in canon law of obligations and rights that correspond to their nature. They are constituted for a purpose that is in keeping with the mission of the Church either by the very prescript of law or by special concession of competent authority given through a decree (*CCEO* cc. 920-922 / *CIC* cc.113-123).

⁵³ *PAL* Canons 74 §2; 5 §1.

See expects the Latin religious institutes to take the initiative to establish Oriental houses or provinces with its permission.⁵⁴ For example, a member of the secular institute of Schoenstatt Fathers from the Syro-Malabar Church has a Syro-Malabar ecclesial patrimony,⁵⁵ and to live accordingly, he needs to be incorporated into the Syro-Malabar Church both *de iure* and *de facto*. Since in Kerala, all the members of the institute hail originally from the Syro-Malabar Church it is recommended to erect an oriental province and juridically ascribe to Syro-Malabar Church. In light of these reasons, it is clear that Christians, irrespective of their state of life, can profoundly live their call to holiness within their own liturgical rite, spirituality, and culture. Thus, it is not the mind of the Church to neglect one's own rite in the name of religious life or apostolate.⁵⁶ Therefore, it is only appropriate that the members of the secular institute of the Latin Church live their consecrated life in accordance with their rite. To do so fully and expressively, the institute must establish a province that juridically ascribes to the Syro-Malabar Church. As a result, the province acquires a proper homogeneous juridical status.⁵⁷

4.1 The Guidance of the Second Vatican Council

The Second Vatican Council's Decree on the Catholic Eastern Churches (*OE*), gives the following recommendation: "It is strongly recommended to religious institutes and associations of the Latin rite, which are working in the Eastern regions or among the Eastern faithful, that in view of greater apostolic efficiency, they establish houses or even provinces of the Eastern rite."⁵⁸ This strong recommendation of the Council is in reference to an already existing practice in the Church

⁵⁴ Cfr. Nedungatt, *The Spirit of the Eastern Code*, 117-118; Natale Loda, *L'evangelizzazione delle Genti nel Codex Canonum Ecclesiarum Orientalium - cc. 584-594*, (Roma: UniversItalia, 2007) 83-85.

⁵⁵ CCEO c. 39 stipulates "The rites (which are the sum total of liturgical, theological, spiritual and disciplinary heritage) of the Eastern Churches, as the patrimony of the entire Church of Christ, in which there is clearly evident the tradition which has come from the Apostles through the Fathers and which affirm the divine unity in diversity of the Catholic faith, are to be religiously preserved and fostered."

⁵⁶ Cfr. Paruthapara, *Oriental Province of Latin Rite Religious Institute- Admission and Government*, 79.

⁵⁷ Cfr. Nedungatt, *The Spirit of the Eastern Code*, 120.

⁵⁸ *OE*, n. 6; Rosario Francesco Esposito, *Il Decreto Conciliare sulle Chiese Orientali «Orientalium Ecclesiarum»: Testo e Commento*, 136-141.

and to the positive outcome of having houses of Eastern Church *sui iuris* religious institutes.⁵⁹

4.1.1 The Intention of the Council

First and foremost, the Council is addressing to all religious institutes as well as societies of common life, secular institutes and societies of apostolic life. Secondly the Council recommends to these Latin religious institutes to establish houses or provinces of the Eastern rite. The Council does not command but strongly recommends. The recommendation is based on the positive experience of the religious institutes which took the initiative and sought the permission of the Holy See to erect Eastern houses.⁶⁰

4.1.2 The Purpose of the Council's Recommendation

The Council made this recommendation in view of "greater apostolic efficiency".⁶¹ This apostolic efficiency is the motive of the Conciliar counsel.⁶² Apostolic effectiveness among the Orientals will be greater if there is greater appreciation and conformity to their rite, for which the establishment of Eastern houses and provinces is a means.⁶³ Considering the real spirit and strong recommendation of the Second Vatican Council's Decree on Eastern Catholic Churches (*OE* n. 6), several Latin religious institutes have established Oriental Provinces. For example, With the approval of the Holy See, the Order of Friars Minor Conventual has erected an Indian branch which is ascribed to the Syro-Malabar Church.⁶⁴ The Latin religious institutes like, Order of Friars Minor Capuchins (OFM. Cap), Order of Discalced Carmelites (OCD),⁶⁵ Claretian Missionaries (CMF), Order of Carmelites (O Carm) and Congregation of the Most Holy Redeemer (C.S.S.R.) have an Eastern rite (Syro-Malabar) province in Kerala and

⁵⁹ Cfr. Allumpurath, *Ascription of Religious and of Religious Institutes According to CCEO*, 17; Esposito, *Il Decreto Conciliare sulle Chiese Orientali «Orientalium Ecclesiarum»: Testo e Commento*, 136-141; Lieggi, *Orientalium Ecclesiarum, Unitatis Redintegratio*, 97-103.

⁶⁰ Cfr. Gallaro and Salachas, "Interecclesial Matters in the Communion of Churches," in *The Jurist* 60, (2000), 274; Nedungatt, *The Spirit of the Eastern Code*, 117-118; Lieggi, *Orientalium Ecclesiarum, Unitatis Redintegratio*, 103.

⁶¹ Cfr. Nedungatt, *The Spirit of the Eastern Code*, 118.

⁶² Cfr. Allumpurath, *Ascription of Religious and of Religious Institutes According to CCEO*, 17; Lieggi, *Orientalium Ecclesiarum, Unitatis Redintegratio*, 103.

⁶³ Cfr. Nedungatt, *The Spirit of the Eastern Code*, 118.

⁶⁴ Cfr. Nedungatt, *A Guide to the Eastern Code, A Commentary on the Code of Canons of the Eastern Churches*, 353.

⁶⁵ Cfr. Nedungatt, *The Spirit of the Eastern Code*, 132.

the following religious institutes have houses ascribed to the Syro-Malabar Church: Salesians of Don Bosco, Society of Jesus, Nobertines Fathers (O Praem) and Missionaries of St. Francis de Sales (MSFS) and so on.

5. Juridical Ascription of the Province

In order to have a proper juridical figure, the province has to be *de iure* ascribed to an Oriental Church (for instance, Syro-Malabar Church).⁶⁶

5.1 Juridical Stature of the Province

With the juridical ascription to an Oriental Church (for example, Syro-Malabar Church or Syro-Malankara Church), the province of the secular institute of the Latin Church acquires a new juridical status with the consequent juridical effects. Its juridical status and juridical effects together constitute its juridical stature.⁶⁷

5.2 Juridical Effects of Ascription

As an effect of the *de iure* ascription, the province of the secular institute of Latin Church is subjected to the Syro-Malabar Major Archiepiscopal Church in reference to its external governance. In so doing, the province becomes Oriental and, as a result, should feel more one with the local Church. All the houses in the province are subjected to the eparchial bishop and statutes of the eparchy in reference to the external governance, various apostolate, public decorum, and to Divine worship. A house and its members have to follow the Oriental law in liturgical celebrations. The members must make an effort to grow in the liturgical and spiritual traditions of the Syro-Malabar Church.⁶⁸

5.3 Administration of the Province (External and Internal)

The norm of the CCEO c. 432 is applicable for the administration of the province, and the canon says: "A dependent monastery, a house or province of a religious institute of any Church *sui iuris*, also of the Latin Church, which with the approval of the Apostolic See is

⁶⁶ Cfr. Paruthapara, *Oriental Province of Latin Rite Religious Institute- Admission and Government*, 86.

⁶⁷ Cfr. Paruthapara, *Oriental Province of Latin Rite Religious Institute- Admission and Government*, 87.

⁶⁸ Cfr. Paruthapara, *Oriental Province of Latin Rite Religious Institute- Admission and Government*, 87.

ascribed to another Church *sui iuris*, must observe the prescriptions of this latter Church, save for the prescriptions of the typicon or statutes which refer to the internal governance of this religious institute and the privileges granted by the Apostolic See." With regard to the external governance, this canon stipulates a general principle of the observance of the Eastern Canon Law, that means the province, by its ascription to the Syro-Malabar Church, has to be governed by the Common Law to which the Syro-Malabar Church is subjected (CCEO).⁶⁹ Therefore, in those matters that refer to the external governance of the province, it is subject to the hierarchy of the Syro-Malabar Church and its particular laws. The second part of the canon gives two exceptions regarding internal governance and apostolic privileges.⁷⁰ In matters pertaining to the internal governance, the province is to be governed according to the constitutions of the particular institute.

5.4 The Administration of the Temporal Goods

Acquisition, administration, and alienation of temporal goods belong to the internal governance of the institute. Therefore, the province has to follow the proper law and statutes of the institute and the norms of Common law (CCEO cc. 423 - 425 and 1007 - 1054; CIC cc. 634 - 640 and 1254 - 1310). It is also recommended to pay attention to the particular law of the Oriental Churches on the Acquisition and Administration of Temporal Goods.⁷¹

5.5 Apostolic Privileges of the Institute

One of the exceptions given to the general norm of CCEO c. 432 safeguards that the institute ascribed to another Church *sui iuris* does not lose the privileges granted to the institute by the Holy See.⁷² The main intention of the privileges granted by the Apostolic See to an

⁶⁹ Cfr. Lawrence T. Paruthapara, *Religious Institutes Inter-Ecclesial Legislation*, (Rome: Pontificum Institutum Orientale, 2001) 52; Abbass, "The Admission of Eastern Catholics to the Novitiate of Latin Religious Institutes," in *Studia canonica*, 301-302.

⁷⁰ Cfr. Paruthapara, *Oriental Province of Latin Rite Religious Institute - Admission and Government*, 88.

⁷¹ Cfr. Synodal News, *Bulletin of the Syro-Malabar Major Archiepiscopal Church*, vol. 7, nn. 1/2 (December), Syro-Malabar Major Archiepiscopal Curia, Mount St. Thomas 1999, 104-106.

⁷² Cfr. Allumpurath, *Ascription of Religious and of Religious Institutes According to CCEO*, 38.

institute of consecrated life is to help the institute to reach perfection more easily and efficaciously.

5.6 The Possibility of Ritual Ascription for the Members of Western and Oriental Provinces

Baptism incorporates a person into Christ's body, the Church (CCEO c. 7/CIC c. 96)⁷³, and also enrolls them in a Church *sui iuris* (CCEO c. 29/CIC c. 111). Besides baptism, there are other means for ascribing to the Church *sui iuris*, for example a rescript⁷⁴ (CCEO cc. 32 §1; 36) or declaration according to the norm of law (cc. 33, 36). Canons of the *Cleri Sanctitati* (cc. 6-15) have been revised in CCEO cc. 29-38 both in terminology and contents concerning the ascription to and membership in the Church *sui iuris*. The corresponding canons of these CCEO canons in CIC are cc. 111 and 112. (CIC is silent about the following canons of the CCEO 29 §2; 31; 32 §2; 35; 36; 37; 38). CCEO cc. 27 and 28 clearly defined the notions of "Church *sui iuris*" and "rite" respectively, and it speaks of ascription to Church *sui iuris* not to rite.⁷⁵ The ritual ascription of members is given if there are many Eastern rite members in a Latin religious institute. Normally, the province or house is to be ascribed to their Church *sui iuris*. Since members may be admitted with the indult permitting to conform to the Latin rite of the institute, the CCEO does not oblige the institute to do so. Today, the faculty of bi-ritualism is granted to those in sacred orders from the moment of their ordination.⁷⁶

Conclusion

The Oriental Catholics in a secular institute of the Latin Church have not only responded to God's call to communion through baptism but have also bound themselves before the Church to live this baptismal commitment more profoundly through their sacred bond. This study emphasizes and underlines that the establishment of an Oriental province is possible in Latin-based secular institutes. In the light of

⁷³ CCEO Canon 7 §1. "The Christian faithful are those who, incorporated in Christ through baptism, have been constituted as the people of God; for this reason, since they have become sharers in Christ's priestly, prophetic and royal function in their own manner; they are called, in accordance with the condition proper to each, to exercise the mission which God has entrusted to the Church to fulfil in the world."

⁷⁴ CCEO c. 1510 §2, 3° (CIC c. 59) states, "Rescript is an administrative act which grants a privilege, dispensation, permission or another favour."

⁷⁵ Cfr. Nedungatt, Lorusso, *Churches Sui Iuris and Rites*, in *A Guide to the Eastern Code A Commentary on the Code of Canons of the Eastern Churches*, 141-142.

⁷⁶ Cfr. Nedungatt, *The Spirit of the Eastern Code*, 126.

the Second Vatican Council's vision (*OE*, n. 6) and *CCEO* c. 432, it is clear that Christians irrespective of their states of life can live their call to holiness in a profound way within their own liturgical rite, spirituality, and culture. Therefore, to neglect one's own rite in the name of religious life or apostolate may not be in keeping with the mind of the Church.

The main argument of the study focuses on *CCEO* c.432 and sums up the following conclusions: This canon has a universal character because it includes all Churches *sui iuris*, Eastern and Latin. The canon explicitly regards the Latin Church and ultimately means to safeguard and promote the *varietas Ecclesiarum* that make up the Catholic Church. According to this canon, a religious institute of the Latin Church can have a house or a province ascribed to any one of the Eastern Churches or the other way around, and an Eastern institute can have a house or province ascribed to any other Eastern Catholic Church. The ascription stated in this canon is a juridical act that has been completed with the permission of the Holy See. The competent authority is effectively encouraged to establish or to initiate this ascription is the one who has the competence to erect a house, or province according to the typicon or statutes. To ensure uniformity regarding internal discipline, the province ascribed would be obliged to follow the typicon or statutes that govern the life of the entire institute while at the same time retaining whatever privileges the Holy See may have granted the institute. With regard to external governance, the province is subjected to the hierarchy of the Church *sui iuris* to which it is ascribed and is governed by the common law and particular law of that Church *sui iuris*. The rite which is to be followed according to *CCEO* c. 432 is the rite of the Church *sui iuris* to which it is ascribed. The Eastern norm not only gives the freedom to pursue one's vocation attracted by the charism of a specific Latin institute, but also works to foster and preserve the individual rite of the person. The oriental province of the Institute while remaining faithful to the liturgical, theological, spiritual and disciplinary heritage of the Syro-Malabar Major Archiepiscopal Church, it must abide by the spirituality, charism and mission of the Institute. By establishing an oriental province, the Secular Institute of Latin Church opens a new horizon and becomes more universal. At the same time, it responds to the desire of the Mother Church and participates in her mission lively and accepting the various ecclesial patrimonies and heritage. In Indian context, the province is not only

limited or restricted its apostolate within the jurisdiction or territories of Syro-Malabar Major Archiepiscopal Church, but also it can be extended and open houses in the territories of Latin Church and Syro-Malankara Major Archiepiscopal Church according to the norms of the common law (The prior written permission of the bishop of the eparchy (diocese) within whose bounds the house is to be established, is necessary for the validity of the act, even if the Institute is of Pontifical right. *CCEO* cc. 436-437/ *CIC* cc. 611-612). So far, no Secular Institute of Latin Church has implemented the recommendation of the Council in the Syro-Malabar Major Archiepiscopal Church.

The Catholic Church wants to safeguard the various ecclesial patrimonies in the Church itself since they are the heritage of the whole Church. Therefore, the Church insists that no one should neglect one's own rite in the name of religious life or apostolate. In order to safeguard the ecclesial patrimony properly, the *CCEO* c. 432 offers a fair resolution. Therefore, *CCEO* c. 432 unites the Church's desire to preserve the heritage of each Church *sui iuris*. Some religious institutes received and realized the recommendation of the Vatican Council (*OE*, n. 6). Still, some have just disregarded it because of the absence of the mandatory nature of the recommendation.