

FACULTY TO CELEBRATE SACRAMENTS IN ANOTHER RITE

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Abstract

According to the mind of the Church, every priest must celebrate the sacraments within his own rite and is forbidden from doing so in another rite without proper authorization. Priests of a particular Church *sui iuris* are intended to serve that same Church. Should a genuine need to work outside his rite arise, the priest is required to obtain a Bi-ritual faculty directly from the Apostolic See to make such a celebration lawful.

Keywords: Bi-ritual Faculty, Apostolic See, Rite, Pastoral Care, Minister

1. Introduction

Every Catholic is obliged to know, preserve and faithfully practice the liturgical, theological, spiritual and disciplinary heritage proper to their own Church *sui iuris*-whether they are in their proper territory or abroad. The Second Vatican Council teaches that, "All Eastern Christians should know and be certain that they may and should always preserve their own lawful liturgical rites and way of life" (OE 6).¹ Clerics and religious have a serious obligation to preserve and observe their own rite. The Code of Canons of the Eastern Churches says, "Other Clerics and members of institutes of consecrated life are bound to observe faithfully their own rite and to acquire always a greater knowledge and more complete practice of it" (CCEO c. 40§2). One should love and respect his Church *sui iuris*. He should love his Church more than anyone else and be ready to celebrate the sacraments with love and joy according to the liturgical norms of his Church *sui iuris*.

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¹ Cf. John D. Faris, *Eastern Catholic Churches: Constitution and Governance*, Saint Maron Publications, New York, 1992, p. 446.

These days, there is a tendency among priests to think that, when they celebrate the sacraments - especially the Holy Eucharist - they should do so in the rite of the people. We must understand that when sacraments are celebrated, we cannot choose the rite of the faithful with whom we are celebrating; rather, the priest must celebrate in his own rite only. There is no option for the priest to choose between his own rite and that of the faithful. One should not think that since sacraments are administered for the faithful, we must celebrate in their rite. While celebrating the sacraments, the ministers and all members of the faithful must show great reverence and due care. Liturgy belongs to the Church, not to any individual's personal taste or creativity. Therefore, no one may on a personal initiative add to or omit or alter anything given in the liturgical book (*CIC* c. 846 §1; *CCEO* c. 674 §1).

2. Celebrating Sacraments in His Own Rite

Both Codes- the Code of Canons of the Eastern Churches (*CCEO*) and the Code of Canon Law (*CIC*) - clearly state that a minister can celebrate the sacraments only in his own rite. *CIC* says, "The ministers are to celebrate the sacraments according to their own rite" (*CIC* c. 846 §2). The *CCEO* states, "The minister should celebrate the sacraments according to the liturgical prescript of his own Church *sui iuris*, unless the law establishes otherwise or he himself has obtained a special faculty from the Apostolic See" (*CCEO* c. 674 §2).

This is a liturgical law and therefore must be interpreted in the context of liturgy. The law speaks only about the sacraments, not about sacramentals. The *CCEO* gives an exception - "unless the law establishes otherwise or he himself has obtained a special faculty from the Apostolic See." The *CCEO* does not contain any canon that permits a minister to celebrate the sacraments in another rite. Therefore, we must obtain a special faculty from the Apostolic See to celebrate sacraments in a rite other than the rite of the minister.²

3. Indult from the Apostolic See

An indult is a temporary favour granted by a competent superior. It may be a dispensation, a permission, a faculty, etc.³ This is permission obtained from the Apostolic See is to celebrate the sacraments in another rite. This authorization is understood as an administrative act

² Cf. Victor J. Pospishil, *Eastern Catholic Church Law*, Saint Maron Publications, New York, 1996, p. 388.

³ Cf. Augustine Mendonça, *Commentary for the Private Use of Students*, St. Paul University, Ottawa, 2005, p. 14

which removes a limitation placed by a juridical norm and accords the recipient with the capacity to act legitimately. It may allow an action which a prohibitive law otherwise forbids, or it may allow an action which a permissive law grants, provided that this permission is obtained. In both cases, it grants the ability to act according to the law.⁴ This can be called an Apostolic Indult to celebrate the sacraments in another rite or a bi-ritual faculty.

This concession is reserved to the Apostolic See. Therefore, the head of a Church *sui iuris*, eparchial bishop or a major superior cannot grant this indult. They have no authority to give this faculty. When there is a genuine need, we can approach the Apostolic See for this faculty. There are so many priests from Eastern Churches and Eastern rite Religious Institutes engaged in pastoral and missionary activities in the Latin Dioceses in India as well as outside India. Surely, these priests should obtain bi-ritual faculty from the Apostolic See. When a Latin Bishop invites an Oriental priest to work in his diocese, it is the responsibility of the oriental priest to obtain bi-ritual faculty.

The Dicastery for the Eastern Churches, in its letter addressed to Cardinals and Bishops worldwide, Prot. N. 199/2024, dated November 22, 2024, writes, "The fact of reserving this special concession to the Apostolic See makes it clear that 'bi-ritualism for clerics represents an indult, justifiable when there are real and manifest pastoral needs, not to satisfy devotions or personal interests with regard to a particular liturgical tradition'."⁵ The priority of every priest must be to serve his faithful by celebrating the sacraments in his own rite.

The Dicastery for the Eastern Churches is competent to grant bi-ritual faculty. In order to secure this faculty, the cleric himself must submit the following documents to the Dicastery:

1. A letter from the cleric requesting the bi-ritual faculty for a single rite in addition to his own.
2. A letter of request from the Hierarch (Eparchial Bishop, Exarch, or other equivalent in law) or Ordinary in whose circumscription the applicant will exercise ministry in the rite other than his own. This letter must contain: a) The pastoral destination of the priest in the ecclesiastical circumscription. b) The preparation of the

⁴ Cf. Augustine Mendonça, *Commentary for the Private Use of Students*, p. 130.

⁵ Cf. Dicastery for the Eastern Churches, *Grants of Bi-ritualism*, Letter Addressed to Cardinals and Bishops, Prot. N.199/2024, Dated November 22, 2024, p. 1.

priest to celebrate the rite for which the faculty is requested. c) A statement from the community of the priest's proper rite certifying that this ministry takes priority over that which he exercises on behalf of other faithful.

3. A letter of consent from the Ordinary or Hierarchy of the priest's own rite.

The bi-ritual faculty is granted only to individuals, not to groups of priests. It is never given permanently but only for a maximum period of five years. It is not renewed automatically but requires a new rescript from the Dicastery, submitted before the expiration of the previous indult.⁶

However, obtaining a bi-ritual faculty does not constitute insertion into the Church in which one has obtained the faculty. A priest of an Eastern Church *sui iuris* cannot exercise his ministry exclusively, or even predominantly, in the Latin Church.⁷ The only exception to this norm is when there is an abundance of priests in the Eastern Church; after making an agreement for *fidei donum* service with a Latin Ordinary, priests of the Eastern Church may be permitted to serve in a Latin diocese for a maximum period of five years.⁸

If the faithful of the Eastern Churches are entrusted to a Latin Bishop for pastoral care, he may request the head of that particular Church *sui iuris* for priests to serve those faithful. If the head of that Church *sui iuris* is unable to provide priests, the Latin Ordinary may request the Dicastery for the Eastern Churches to grant the bi-ritual faculty to one of the priests in his diocese to minister to the Eastern faithful.⁹ The priest who receives the faculty should be given proper training in the liturgy, theology, spirituality, and discipline of that Eastern Church.

It is the responsibility of the diocesan/eparchial bishop to care for the faithful of another Church *sui iuris* when they have no ordinary of their own and pastoral care is entrusted to him.¹⁰ The territory of the Latin Church is not extended over all of India. The Latin Church has no jurisdiction in the territory of nine Syro-Malabar mission eparchies - Adilabad, Bijnor, Chanda, Gorakhpur, Jagdalpur, Rajkot, Sagar, Satna

⁶ Cf. Dicastery for the Eastern Churches, *Grants of Bi-ritualism*, p. 2.

⁷ Cf. Dicastery for the Eastern Churches, *Grants of Bi-ritualism*, p. 2.

⁸ Cf. Dicastery for the Eastern Churches, *Grants of Bi-ritualism*, p. 2.

⁹ Cf. Dicastery for the Eastern Churches, *Grants of Bi-ritualism*, p. 2.

¹⁰ Cf. John D. Faris, *Eastern Catholic Churches: Constitution and Governance*, p. 445.

and Ujjain.¹¹ There are Latin faithful in all these eparchies, having migrated mainly from Jharkhand and Chhattisgarh in search of better job. Latin Catholics are entrusted to Syro-Malabar bishops for the pastoral care in these eparchies. It is the responsibility of these Eparchial bishops to provide pastoral care for the Latin faithful in the Latin rite (cf. CCEO c. 678§2). Preferably, eparchial bishops should invite Latin priests from other Latin dioceses and appoint them, after making a contract with their respective bishops, to care for the Latin faithful. Eparchial Bishops cannot ask Syro-Malabar priests to celebrate sacraments for Latin faithful in Latin rite without a bi-ritual faculty. Bishops do not have the power to grant bi-ritual faculties to priests. If an eparchial bishop thinks that his own priest should care for the Latin faithful of his eparchy, he can request the Dicastery for the Eastern Churches to grant the bi-ritual faculty to one of his priests for this purpose.

4. Automatic Bi-ritual Faculty

There are hundreds of priests incardinated into Latin dioceses from other Churches *sui iuris*, especially from the Syro-Malabar Church. Likewise, there are priests incardinated into some Eastern eparchies who originally belonged to the Latin Church. The indult of the Apostolic See is necessary for the liceity of the ordination of ministers belonging to another Church *sui iuris* and for admission to the novitiate in an institute of consecrated life of another Church *sui iuris* (CCEO c. 451).¹² This permission is called Adaptation of Rite. It grants the faculty to conform to the liturgical, theological, spiritual and disciplinary patrimony on another Church *sui iuris*. The persons who receive the indult do not change their ascription in their original Church but rather maintain membership in the original Church.¹³ By the fact that candidates are ordained for another Church *sui iuris* with the indult of Adaptation of Rite, they receive the faculty to celebrate the sacraments in the new rite. At the same time, they can also celebrate sacraments in their original rite.¹⁴

¹¹ Cf. Mathew John Puthenparambil, *Role of the Laity in the Diocesan Curia: A Comparative Study of the Latin and the Eastern Codes*, Dharmaram Publications, Bangalore, 2015, p. 4. Except Adilabad, all these eparchies were bifurcated from eight Latin dioceses and Adilabad was bifurcated from the eparchy of Chanda.

¹² Cf. Dicastery for the Eastern Churches, *Grants of Bi-ritualism*, p. 4.

¹³ Cf. Dicastery for the Eastern Churches, *Grants of Bi-ritualism*, p. 5.

¹⁴ Cf. Dicastery for the Eastern Churches, *Grants of Bi-ritualism*, p. 4.

It is to be obtained from the Dicastery for the Eastern Churches. The candidate and the concerned Ordinary / Superior must write to request to Dicastery for the Eastern Churches. The consent of the proper own Ordinary/Hierarchy (if candidate belongs to Eastern *sui iuris* Church), the full name of the candidate, date of birth, place of residence and baptism certificates are to be included in the documents.¹⁵

5. Occasional Celebration without Faculty

We speak of the bi-ritual faculty as the authorization to celebrate sacraments in another rite on a regular basis. On the other hand, to celebrate sacraments occasionally-especially the divine Eucharist - when visiting another Church *sui iuris*, the permission of the Apostolic See may be presumed.¹⁶

6. Bi-ritual Faculty for Concelebration

We have already seen that a head of the Church *sui iuris*, eparchial bishop or major superior has no power to grant bi-ritual faculty to any priest. However, the Code of Canons of the Eastern Churches has given a provision for priests to concelebrate with priests of another Church *sui iuris*. The Code says, "For a just cause and with the permission of the eparchial bishop, Bishops and presbyters of different Churches *sui iuris* can concelebrate, especially to foster love and to manifest the unity of the Churches. All follow the prescripts of the liturgical books of the principal celebrant, avoiding any liturgical syncretism whatever, and preferably with all wearing the liturgical vestments and insignia of their own Church *sui iuris*" (CCEO c. 701). There is no parallel canon in the CIC. Eparchial bishops can give this permission for a just cause. *Just cause* need not be interpreted strictly; the reason does not have to be grave. It can simply be aimed at promoting unity and a spirit of communion among the different Churches *sui iuris*.¹⁷ For example, for the ordination of a bishop, priests from different Churches *sui iuris* may

¹⁵ Cf. Dicastery for the Eastern Churches, *Grants of Bi-ritualism*, p. 5.

¹⁶ The author of this article made a request to the Apostolic See for bi-ritual faculty to celebrate the Latin rite Mass when he visits Latin diocese. The Apostolic See has given the reply dated 02 October 2014 in the following words: ".... In fact, bi-ritual faculties are intended for the cause of a priest who foresees the need to carry out regular pastoral ministry in another rite for a specific period with the approval of the relevant Bishop of that rite. When, on the other hand, celebrating in another rite is an occasional matter, especially when concelebration is concerned, the permission of the Holy See is to be presumed..."

¹⁷ Cf. Varghese Koluthara, "Concelebration of Bishops and Priests of Different Churches *Sui iuris*" in John D. FARIS and Jobe Abbas, *A Practical Commentary to the Code of Canons of the Eastern Churches*, Vol. 1, Wilson & Lafleur Ltee, Chambly, 2019, p. 1266.

concelebrate; or national/regional celebration, priests of various rites may come together. On such occasions, permission from the eparchial bishop can be presumed validly to concelebrate.

In such a concelebration, the principal celebrant must follow the liturgical text of his own rite. All other concelebrants follow the liturgy of the principal celebrant: The Code says, "... All follow the prescripts of the liturgical books of the principal celebrant, avoiding any liturgical syncretism whatever..." (CCEO c. 701). The canon prefers that all concelebrants wear the liturgical vestments and insignia of their own Church *sui iuris*. The Code says, "...preferably with all wearing the liturgical vestments and insignia of their own Church *sui iuris*" (CCEO c. 701). This variety in the celebration of the Divine Eucharist - different vestments and insignia while following the principal celebrant's liturgy - is an excellent expression of the communion theology of Vatican Council II.¹⁸ Liturgical insignia are visible signs of ecclesiastical office and ministry, used during worship to manifest the order, hierarchy, and symbolism of the Church.

7. Ordination by a Bishop of Another Church *sui iuris*

A bishop of a particular Church *sui iuris*, including the Latin Church, can ordain only those who belong to his Church *sui iuris*. Merely having the bi-ritual faculty does not permit a bishop to ordain anyone from another Church *sui iuris*.

A deacon may be incardinated into his diocese, but if he belongs to another Church *sui iuris*, the bishop cannot ordain him. A bishop of the Latin Church cannot licitly ordain a candidate of an Eastern rite; in similar way, a bishop of an Eastern Church cannot ordain a candidate of the Latin rite or any other Eastern Church different from his own.

A candidate for the diaconate or priesthood must be ordained by a bishop of his own Church *sui iuris*. For example:

- A candidate who originally belongs to the Syro-Malabar Church, even if he is studying for a Latin diocese, must be ordained by a Syro-Malabar bishop.
- A candidate who belongs to the Latin Church but is studying for a Syro-Malabar eparchy, even if domiciled in that eparchy, must be ordained by a Latin bishop.

¹⁸ Cf. Varghese Koluthara, "Concelebration of Bishops and Priests of Different Churches *Sui Iuris*," p. 1267.

8. Obtaining Apostolic Indult to Ordain

A bishop can lawfully ordain a candidate of another Church *sui iuris* only with an Apostolic Indult. "An eparchial bishop cannot ordain a candidate subject to him who is ascribed to another Church *sui iuris* without the permission of the Apostolic See; however, in the case of a candidate who is ascribed to a particular Church and has a domicile or quasi-domicile within the territorial boundaries of the same Church, the patriarch can also grant this permission" (CCEO 748 §2). The CIC gives a similar norm in can. 1015 §2. It says: "He (bishop) may not, however, without an Apostolic Indult lawfully ordain a subject of an oriental rite."

If a bishop ordains a candidate without an Apostolic Indult, the ordination will be valid but illicit. Even if a Latin bishop is the proper bishop of the candidate because the candidate has domicile in his diocese, the bishop must still obtain an Apostolic Indult to ordain him if he belongs to an Oriental Church, and vice versa. This norm originates from the Council of Trent and conforms to Vatican Council II, which urges respect for the Eastern rites and the safeguarding of their traditions.¹⁹

A Latin bishop cannot ordain a Syro-Malabar candidate even if that candidate was baptized in the Latin Church by a Latin priest, according to the Latin liturgy, and grew up in the Latin rite. The Code states, "The practice, however long standing, of receiving the sacraments according to the rite of another Church '*sui iuris*', does not bring with it membership of that Church" (CIC c. 112 §2; also cf. CCEO c. 38).²⁰ Similarly, an Eastern bishop must obtain an Apostolic Indult to ordain a Latin candidate studying for his eparchy.

However, if a Latin candidate is ascribed to a Patriarchal/Major Archiepiscopal and has domicile or quasi-domicile within the territorial boundaries of that Church, the patriarch can grant permission (CCEO c. 748 §2). For example, a Syro-Malabar bishop in India can obtain this indult from the Major Archbishop of the Syro-Malabar Church to ordain a Latin candidate in India. Conversely, a Latin bishop must obtain this indult from Apostolic See to ordain a Syro-Malabar candidate. A bishop who is originally from the Syro-

¹⁹ Cf. Dominic Le Tourneau, "Orders" in Angel Marzoa, Jorge Miras and Rafael Rodrigues-Ocana, *Exegetical Commentary on the Code of Canon Law*, Vol. III/I, Wilson & Lafleur, Montreal, 2004, p. 915; OE 105.

²⁰ Cf. Dicastery for the Eastern Churches, *Grants of Bi-ritualism*, p. 5.

Malabar Church but serves in a Latin diocese can ordain candidates of both the Latin and Syro-Malabar Churches without any indult and vice versa.

9. Conclusion

A priest, by his ordination within a particular Church *sui iuris*, has the sacred duty to celebrate the sacraments according to the liturgical tradition of his own rite. This fidelity is not merely an external observance but springs from a genuine love and reverence for his Church, which has nourished his faith and vocation. Our rites are treasures handed down from the Apostles through centuries of prayer, discipline, and sacrifice; to neglect them risks diminishing the richness of the Church's diversity.

If I, as a priest, fail to celebrate the sacraments in my own rite, who will preserve and hand on this heritage to the faithful entrusted to me? At the same time, the Church, in her wisdom, provides for pastoral situations where the faithful of another rite may need sacramental care. In such cases, charity must be united with obedience: if there is a genuine and proven need to celebrate the sacraments in another rite in a stable manner, the proper path is to obtain the bi-ritual faculty from the Apostolic See, thereby ensuring that pastoral needs are met while the unity and integrity of each rite are fully respected.