

„Responsibility of the bishops of the Latin Church for eastern Catholics faithful”

Summary of the dissertation

Issues related to Eastern Catholic faithful lacking their own hierarchy date back to Pope Leon XIII, who in the apostolic letter *Orientalium dignitas Ecclesiarum* dating from 1894, declared that the Eastern faithful who reside outside the territory of their Patriarchal Church should be submitted to the administration of the local Latin bishop. These provisions were later changed by motu proprio *Crebrae allatae sunt* promulgated in 1949, which introduces the possibility of coexistence of several jurisdictions in the same territory. In the territories where more than one bishop held the jurisdiction, the local Latin bishop no longer was automatically named an Ordinary of the faithful of the Eastern rite residing in his territory. They only remained under his jurisdiction if he was named by the Holy See or, in some cases, by their Patriarch.

In places where not even an exarchy has been erected for the faithful of a certain Church *sui iuris*, the local hierarch of the another Church *sui iuris*, is to be considered as the their own, even the Latin Church one. However, when there are many of them, the hierarch named by the Holy See should be considered their own, or if these faithful are part of a patriarchal or major archiepiscopal Church, Patriarch or an archbishop may, with the consent of the Apostolic See, designate a hierarch themselves.

The thesis showed that Eastern Catholic faithful residing within the limits of the Latin church territory, where there is no hierarchy of their own, are not left uncared for. They are then placed under the care of the Latin bishop, who remains responsible for them on the sacramental, pastoral and administrative levels.

The legislator in both Latin and Eastern Codes among other bishop's duties lists also the concern for the faithful that belong to Churches *sui iuris* other than their own, and are entrusted to them as their shepherds. The bishop is therefore responsible for all catholics who reside in his territory, whether permanently or only temporarily. His concern is not limited only to the faithful belonging to his own Church *sui iuris*, but - in accordance with *sollicitudo omnium Ecclesiarum* – to the whole Church. The consequence of caring for the whole Church is the fact that no believer can be left without care and cannot be deprived of what is rightfully his within the Church. His rights and duties must be ensured always and everywhere, even regardless of the fact that he is residing outside the structures of the Church of his own rite.

This dissertation has been subdivided into five chapters. The first of them presented situations in which Eastern Catholic faithful residing within the limits of the Latin Church

territory are submitted to the administration of the Latin bishops and are integrated into their dioceses. The terms *territorium proprium* and *extra proprium, territorium traditionale* and canonical territory were explained. The scope of authority of a patriarch and an archbishop major over the diaspora was also demonstrated. The competences of Latin Church's tribunal for examining the annulment of marriage of the Catholic faithful that belong to other Church *sui iuris* were also addressed in the first chapter.

The second chapter provided an overview of pastoral structures: rite dioceses, Ordinariate for the faithful of Eastern rite, the nomination of an episcopal vicar for the Eastern Rite, rite parishes and *missio cum cura animarum*. The law also provides for other possibilities, such as: the nomination of a rite vicar, the nomination of a chaplain/missionary, inviting on various occasions other priests belonging to Church *sui iuris* of the faithful residing outside their Church territory and permission from the Holy See to celebrate marriages and sacraments by a priest or a deacon according to the rite different than their own Church *sui iuris*.

Next chapter, the third one, is focused on the matter of administering the sacraments of Christian initiation to the Eastern Catholic faithful. It discusses such issues as: rite affiliation, minister of the sacrament, the reception of noncatholics into full communion with the Catholic Church, communion for children under the age of reason, unity of the sacraments of Christian initiation and the interritual concelebration.

In the fourth chapter the other sacraments are presented: penance, anointing of the sick, holy orders and matrimony. The following issues were discussed: penalties *latae sententiae* and reserved sins, the right to freely choose a confessor, interritual freedom in the reception of penance, formation of eastern rite students in Latin seminaries, knowledge of eastern rite law in Latin seminaries, incardination of the eastern rite presbyters in Latin dioceses, marriage between believers of two different rites, Latin and Eastern, marriage by proxy and based on condition, the canonical form, competence to assist and bless a marriage and the change of rite affiliation.

In the last chapter topics related to the consecrated life were discussed: admittance of a eastern Catholic faithful to a religious institute of Latin rite, transfer to a religious institute of another Church *sui iuris* and conservation of eastern identity. Subsequently the thesis presented the duty to provide, when entrusting an office or ministry to the Christians of every Church, accurate instructions in the knowledge and practice of another Church *sui iuris* in keeping with the seriousness of the office, ministry which they fulfill. The obligation to observe their own rite as a as patrimony of the whole Church of Christ and the ability to change this affiliation was discussed next. The last part was focused on the participation of Eastern rite bishops in episcopal conferences.

In countries where there are many migrants from the East, conferences of bishops should face this problem by suggesting guidelines for pastoral care with specific legislations. However, regardless of the adopted legal form of spiritual care over the eastern Catholic faithful in exile, one cannot forget about the need of honest dialogue in love and truth. This dialogue, on different levels, can inspire reorganization and life of the Catholic Eastern Churches, because this part of ecclesial life when in exile must not only reflect the durability of one's own Church *sui iuris* affiliation but also one's belonging to the universal Church.