

**ACTS OF THE CONGREGATIONS**

**CONGREGATION FOR THE EASTERN CHURCHES**

**"Pontificia Praecepta de Clero Uxorato Orientali"  
[Pontifical precepts about Married Eastern Clergy]**

**A) Introductory Note**

Canon 758, § 3/CCEO states that “The particular law of each Church *sui juris* or special norms established by the Apostolic See are to be followed in admitting married men to sacred orders.”<sup>1</sup>

This allows that each Church *sui juris* is able to make a decision concerning the admission of married men to sacred orders.

At the present, all the Eastern Catholic Churches are able to admit married men to the diaconate and presbyterate with the exception of the Syro-Malabar and Syro-Malankar Churches.

In addition, the Canon foresees that the Apostolic See is able to issue special norms in this regard.

The Holy Father Benedict XVI in his post-synodal Apostolic Exhortation *Ecclesia in Medio Oriente* (“The Church in the Middle East”)<sup>2</sup> of September 14, 2012, after having affirmed that “Priestly celibacy is a priceless gift of God to his Church, one which ought to be received with appreciation in East and West alike, for it represents an ever timely prophetic sign,”<sup>3</sup> recalled, “the ministry of married priests, who are an ancient part of the Eastern tradition,”<sup>4</sup> and he encouraged them (who) “along with their families, are called to holiness in the faithful exercise of their ministry and in sometimes difficult living conditions.”<sup>5</sup>

The problems of the ministry of married priests outside the traditional Eastern territories goes back to the final decades of the 19<sup>th</sup> century, especially since 1880, when thousands of Ruthenian Catholics emigrated from the Sub-Carpathian regions, as well as West Ukraine, to the United States of America. The presence of the respective married ministers aroused the protest of Latin bishops according to whom such a presence would have provoked a *gravissimum scandalum* (most grave scandal) among the Latin faithful. Therefore the Congregation of Propaganda Fide with a decree of October 1, 1890 prohibited a married Ruthenian clergy to reside in the USA.

In 1913 the Holy See decreed that in Canada only celibates would be able to be ordained priests.

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<sup>1</sup>. CCEO 758, § 3, English translation, *Code of Canons of the Eastern Churches*, Canon Law Society of America, Washington DC 20064, 992, p. 373.

<sup>2</sup>. [http://www.vatican.va/holy\\_father/benedict\\_xvi/apost\\_exhortations/documents/hf\\_ben-xvi\\_exh\\_20120914\\_ecclesia-in-medio-oriente\\_en.html](http://www.vatican.va/holy_father/benedict_xvi/apost_exhortations/documents/hf_ben-xvi_exh_20120914_ecclesia-in-medio-oriente_en.html), accessed November 14, 2014

<sup>3</sup>. Ibid., § 48.

<sup>4</sup>. Ibid.

<sup>5</sup>. Ibid.

In the years 1929-1930 the then Congregation for the Eastern Church (CCO) issued three decrees which prohibited the exercise of ministry by married Eastern priests in certain regions:

1) the Decree *Cum data fuerit* of March 1, 1929, by which ministry is prohibited to a married Ruthenian in the immigration in North America;<sup>6</sup>

2) the Decree *Qua sollerti* of December 23, 1929, by which the prohibition of ministry was extended to all the Eastern married clergy immigrating in North and South America, Canada and Australia;<sup>7</sup>

3) the Decree *Graeci-Rutheni* of May 24, 1930, in which it is stated that only celibate men would be able to be admitted to the seminary and promoted to sacred orders.<sup>8</sup>

Deprived of ministers of their own rite, a number estimated at around 200,000 Ruthenian faithful passed to orthodoxy.<sup>9</sup>

The regulations above were extended to other territories not considered “Eastern regions”: exceptions were conceded only after the Episcopal Conference in a place was heard and the authorization of the Holy See was received.

Because the problems persisted, the Congregation for the Eastern Churches consulted the Congregation for the Doctrine of Faith. On February 20, 2008, in an ordinary session, it re-examined the entire question, coming to the following decision: “the existing norm is to be maintained - which binds to the obligation of celibacy Eastern priests in pastoral service among the faithful in the diaspora, like the Latin priests - foreseeing in concrete and exceptional cases, the possibility of a dispensation from it, reserved to the Holy See.” This was approved by the Holy Father Benedict XVI.

It should be noted that also in the West, in recent times, with the *motu proprio Anglicanorum coetibus*, although not in regard to Eastern clergy, a discipline attentive to the concrete situation of priests and their respective families passing to the Catholic communion was adopted.

## **B) Provisions approved by the Holy Father**

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<sup>6</sup>. *Cum data fuerit*, art. 12: “Priests of the Greek-Ruthenian rite, who want to come and dwell in the United States of North America, must be celibate.” (*Sacerdotes ritus graeco-rutheni, qui in Status Foederatos Americae Septentrionalis proficisci et commorari cupiunt, debent esse caelibes*) CCO, Decree *Cum data fuerit*, 1-III-1929, in AAS 21 (1929), 152-159.

<sup>7</sup>. *Qua sollerti*, no. 6, “Priests having a wife are not to be admitted to exercising sacred ministry in the aforementioned regions [that is in North and South America, Canada and Australia], but only celibate priests, or widowers.” (*Ad sacrum ministerium exercendum in praefatis regionibus non admittantur sacerdotes uxorem habentes, sed solum sacerdotes caelibes, aut vidui*). CCO, Decree *Qua sollerti* 23-XII-1929, in AAS 22 (1930) 99-105.

<sup>8</sup>. *Graeci-Rutheni*, art. 12, “Only those who promise before the Ordinary to keeping perpetual celibacy, will it be licit to admit to a seminary, and only celibates will be able to be promoted to sacred orders.” (*Non nisi qui se caelibatum perpetuo servaturos coram Ordinario promiserint, in seminarij admittere licebit, et non nisi caelibes ad sacros ordines promoveri poterunt*.” CCO, Decree *Graeci-Rutheni*, 24-V-1930, in AAS 22 (1930) 346-354.

<sup>9</sup>. Cf. V. Pospishil, “Compulsory Celibacy for the Eastern Catholics in America,” in *Diakonia* 11 (1976), 259-280.

The Plenary Session of the Congregation for the Eastern Churches, held from the 19<sup>th</sup> to the 22<sup>nd</sup> of November 2013 in the Palazzo Apostolico, treated the question fully and subsequently presented to the Holy Father the request to concede to the respective Church Authorities the faculty to allow pastoral service of Eastern married clergy also outside the traditional Eastern territory.

The Holy Father, in an audience granted to the Prefect of the Congregation for the Eastern Churches, December 23, 2013, approved the request

*contrariis quibuslibet minime obstantibus*, (“to the contrary notwithstanding”)

with the following modality:

- in Eastern administrative areas (Metropolia, Eparchies, Exarchates) set up outside the traditional territories such a faculty is to be conferred to the Eastern Hierarchy, who will exercise it according to the traditions of the respective Churches. Also, they have the faculty to ordain Eastern married candidates coming from the respective territory with the obligation to inform beforehand in writing the Latin bishop of the candidate’s residence, in order to have his opinion and any relevant information.

- in Ordinariates for the Eastern faithful without a proper Hierarchy, such a faculty will be conferred to the Ordinaries, who will exercise it informing in concrete cases the respective Episcopal Conference and this Dicastery;

- in territories where the Eastern faithful lack a specific administrative structure and are entrusted to the care of the Latin Bishops of the place, such a faculty will continue to be reserved to the Congregation for the Eastern Churches, who will exercise it in concrete and exceptional cases after hearing the opinion of the respective Episcopal Conferences.

From the Chair of the Congregation for the Eastern Churches, June 14, 2014.

Leonardo Cardinal Sandri

*Prefect*