

INSTRUCTION ON ADMITTING CANDIDATES COMING FROM OTHER SEMINARIES OR RELIGIOUS COMMUNITIES

Cardinal Pio Laghi
Prefect

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INSTRUCTION

With this instruction, the Congregation for Catholic Education addresses the episcopal conferences of common law of the Latin church to invite them to provide for a more exact observance of the canonical norms relating to the admission to seminary of candidates coming from other seminaries or religious families.

So as to provide the bishops with some useful indications in this regard, it would be appropriate first of all to make mention of various historical aspects of the problem in order to then draw up some practical proposals for its resolution.

I. The Problem and Its History

1. The topic which is being examined here constitutes an important aspect of the existing disciplinary system of seminaries, which is regulated by Canon 241 of the Code of Canon Law. Paragraph 3 of the canon lays down that for the admission of candidates dismissed from another seminary or religious institute, over and above the documents mentioned in Paragraph 2 of the same canon (certificate of baptism, of confirmation, "*<aliaque, quae secundum praescripta institutionis sacerdotalis rationis requiruntur>*"), it is necessary to request also "*<testimonium respectivi superioris praesertim de causis dimissionis vel discessus.>*"

The sensitive nature and importance of this topic are evident, among other things, in the detailed prescriptions dedicated to the examination and selection of candidates of the *<ratio fundamentalis institutionis sacerdotalis>* (Chapter 8).

2. Concerning the practical application of these norms, however, for some time now and from various parts of the world this dicastery has been notified of irregularities and omissions, together with the considerable harm which results for the life of the seminaries and for the spiritual good of the individual dioceses. In fact, the too-easy acceptance of ex-religious and ex-seminarians, made without thorough preliminary investigation, is usually the cause of unpleasant surprises and

disappointments for "indulgent" bishops and at the same time a cause of discomfort for those local ordinaries who are rightly demanding in the selection of their candidates. Cases where the disparity of criteria and behavior in this field alter the climate of fraternal collegiality and trust are well known not only between bishops, but also among all of those charged with priestly formation.

3. Faced with such behavior, which in the final analysis is in serious contrast with the conditions necessary for admission to sacred orders (cf. Canons 1027-1029), there has been no lack of objections on the part of many bishops and seminary rectors, who are demanding a speedy and effective rectification of the situation. Among the many appeals reaching this dicastery should be mentioned particularly those insisting on the reinstatement of the decrees <Consiliis Initis> (July 25, 1941: <Acta Apostolicae Sedis> 33, 371) and <Sollemne Habet> (July 12, 1957: AAS 49, 640), with which, until the promulgation of the new Code of Canon Law in 1983, the admission to seminary of ex-religious and ex-seminarians was reserved to the Apostolic See.

4. These petitions for the reinstatement of the two above-mentioned decrees were not, however, accepted by the superior authority, and that in order to respect the responsibilities and inherent rights of the bishops on the one hand and on the other to avoid departing in this point from the canonical norm which had only recently been put into force. It was for this reason, therefore, that the Holy See, with the intention of putting a stop to the existing abuses, preferred to emphasize the relevant duties by means of a stronger and more explicit formulation of them in the <ratio fundamentalis institutionis sacerdotalis> and the national <rationes.>

Thus, in the new edition of the <ratio fundamentalis,> published March 19, 1985, the bishops' "serious duty" of investigating the causes of the dismissal of the said candidates was underlined (cf. No. 39.3), while, with the circular addressed to the apostolic nunciatures on Oct. 9, 1986, the episcopal conferences were asked to establish in this material "more detailed norms and procedures adapted to local circumstances, inserting them into the chapter concerning candidates of the respective national <rationes.>" At that time it was also noted that the problem concerns not only expelled seminarians, but also those who withdrew voluntarily, given that such a withdrawal at times happens in order to avoid a formal expulsion.

5. Now, 10 years after the publication of the said circular, it must be noted that its aims have not been accomplished. Even if some of the national <rationes> which have been submitted in recent years for our approval contain more explicit specifications as regards the problem, nevertheless the impression is that the overall situation has not changed

substantially. Now, just as before, violations of Canon 241.3 are occurring, with consequent serious harm for the priestly state and for the faithful.

6. These, then, were the circumstances which in 1992 led the Congregation for Catholic Education, with the explicit mandate of the supreme pontiff John Paul II, to once again take up the discussion of this subject and confront it in the plenary assembly, with the contribution of the experience of members from different nations. In their opinion, the observance of the canonical discipline on this point truly leaves much to be desired and in certain cases had deteriorated. Its desired restoration requires, therefore, a more lively sense of responsibility and a true commitment on the part of all those charged with priestly formation, beginning with the bishops and the episcopal conferences. Given that on a world scale the relevant problems present particular and diverse aspects according to the diversity of nations and socio-cultural zones, the conviction remained that they can only be confronted with the competent and responsible help of the local ecclesiastical authorities.

II. Proposed Solutions

Valuing highly the guidelines which emerged on this problem from the plenary assembly, this congregation considers it its duty to draw up the following indications in this regard:

1. What was communicated to the episcopal conferences concerning the necessity of inserting into the respective <rationes institutionis sacerdotalis> a paragraph containing detailed provision for a faithful application of Canon 241.3 remains valid. For those cases where such norms had already been drawn up and tested, their timely revision in the light of the experiences undergone and in conformity with the possible new demands of the present moment is recommended. Other episcopates who are still late in this regard must consider this task in the new revised edition of their <rationes>, so that the relative specifications might constitute an effective stimulus and reminder for all those responsible.

2. However, in consideration of the fact that these norms in many cases have remained without application, it is necessary to provide for their enforcement. On that account it seems fitting that the episcopal conferences themselves should assume this task. Accordingly, with this instruction the Apostolic See confers on them a special mandate, in conformity with Canon 455, Paragraph 1 and authorizes them, in conformity with Paragraphs 2 and 3, to publish the necessary <decreta generalia>. In the present case it would be a matter of publishing appropriate procedural norms suitable for promoting mutual collaboration in this field among the bishops and among the seminaries

in the interests of a greater common good.

These norms would need the recognition of the Apostolic See in order to have a binding character (cf. Paragraph 2 of the quoted canon) on all the bishops of the country.

3. Regarding the contents and the form of such a "decree," the plenary assembly, for obvious reasons, could only offer some general guidelines which can be deduced from the following concerns expressed by different fathers:

—Specify more clearly some of the more delicate aspects of vocational discernment which are often the cause of disagreement, of uncertainty and of hesitation (e.g. the presence of hereditary defects, problems concerning human and affective maturity, psychological and sexual anomalies, the recourse to psychology in certain cases, ideological and doctrinal differences, etc.).

—Determine in an objective way what must be the information provided on candidates to which all must conform; information which takes account of the reserved nature of the internal forum. of the subjects' right to their good reputation and the protection of their privacy (Canon 220), but at the same time does not hide or mask the true state of affairs.

—Insist on guarantees for a discrete and prudent use of information received to avoid possible abuses; in this regard it will be necessary to attribute a real importance to the most secure and most suitable means of communication between the bishops and, if necessary, those educators involved, and between these and the candidates.

—Set up within the episcopal conference a body with the task of studying, upon request of the diocesan bishops, the eventual recourses directed to them, with the scope of providing the bishops with advice to aid their decision.

—In all cases it will be necessary, first of all, to aim for the greatest clarity, simplicity and concreteness of the norms as the condition for their easier use and application.

—The text of the decree must be properly supported by reasons in order to promote consensus and consolidate mutual trust between all the bishops and educators.

4. Given the already mentioned diversity of situations and also the different reality of the problem in various countries, a certain variety and flexibility in the drawing up of the said "general decrees" is to be foreseen in conformity with local experiences and particular problems. This will be seen in the tone, extent and overall style of the documents,

but also in the choice of and stresses made in their contents. However, what is most important in all circumstances is the clear perception of the urgency of the problems under examination and the will to resolve them.

Rome, given at the offices of the congregations, March 8, 1996.

Cardinal Pio Laghi
Prefect

Archbishop Jose Saraiva Martins
Secretary

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