

## CHAPTER 14

### EXTRAORDINARY FORM OF THE ROMAN RITE

#### A. INTRODUCTION

- 14.1.1 The Roman Missal promulgated in 1970 by Pope Paul VI is the ordinary expression of the *lex orandi* of the Catholic Church of the Latin rite. Nonetheless, it is permissible to celebrate the sacrifice of the Mass following the typical edition of the Roman Missal promulgated by Blessed Pope John XXIII in 1962 as an extraordinary form of the liturgy of the Church.<sup>1507</sup>
- 14.1.2 It is permissible as well, in the circumstances described below, to use the liturgical books promulgated or in use in 1962 for the celebration of some of the other sacraments and rites.<sup>1508</sup>
- 14.1.3 In addition to the Roman Missal, the liturgical books promulgated or in use in 1962 were the following:
- a. the Roman Breviary, in the typical edition of 1962;
  - b. the Roman Martyrology;
  - c. the Roman Ritual, in the typical edition of 1952, and local rituals derived from it;<sup>1509</sup>

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<sup>1507</sup> SP 1. It is not clear what “never abrogated,” used in the full text of this article in reference to the MR1962, means; for if the Missal was “never abrogated,” the law requiring its use certainly was. “Paul VI’s 1969 apostolic constitution *Missale Romanum*, was properly promulgated as law in the *Acta Apostolicae Sedis*, in keeping with canon 9 of the 1917 code. The constitution required the use of the newly revised Roman Missal and abrogated previous law that had required use of the Tridentine rite Mass. The Pope decreed that his constitution had the force of law ‘now and in the future,’ and he expressly revoked contrary law, including ‘the apostolic constitutions and ordinances issued by our predecessors and other prescriptions, even those deserving of special mention and amendment.’ Moreover, the March 26, 1970, decree of the Sacred Congregation for Divine Worship promulgating the *editio typica* of the revised Roman Missal contained the phrase, ‘Anything to the contrary notwithstanding.’” For a priest *lawfully* to use MR1962, even in private, an indult or permission of the ordinary was required. See Rev. John M. Huels, “False Opinions on the Use of the Tridentine Rite,” RRAA 2001, 51-52; *idem*, “Reconciling the Old with the New: Canonical Questions on *Summorum Pontificum*,” *The Jurist* 68 (2008) 94-95.

<sup>1508</sup> SP 9 §1.

<sup>1509</sup> Like the other liturgical books, the Roman Ritual was revised many times before the Second Vatican Council, most recently in typical editions of 1913, 1925, and 1952, with many revisions and local rituals derived from them being published as well. (See ADW, *Liturgical Norms and Policies*, 2010, 14.6.4 and its note.) Another revision of the Ritual was prepared on the eve of the Council, but it was not published because it was known that further extensive changes would be forthcoming. See Annibale Bugnini, *The*

- d. the Roman Pontifical, in the typical edition of 1961-1962;<sup>1510</sup> and
- e. the *Ordo Hebdomadae Sanctae Instauratus*.

14.1.4 While the liturgical books promulgated or in use in 1962 may be used for the *celebration* of some sacraments, it should be borne in mind that the applicable law regarding the *administration* of these sacraments is that of the 1983 Code of Canon Law and other current legislation. Therefore the *praenotanda* and rubrics of these books regarding ministers, recipients, places and times, etc., should be interpreted in terms of the current law.<sup>1511</sup>

14.1.5 Since the interpretation and implementation of the motu proprio *Summorum pontificum* is still in its early stages, and there is a lack of clarity and guidance on how the former rites are to be celebrated under the current law, this chapter should be understood as a “work in progress.”<sup>1512</sup>

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*Reform of the Liturgy, 1948-1975* (Collegeville: The Liturgical Press, 1990) 9-10. In the post-conciliar period, the Roman Pontifical and Roman Ritual were not revised in whole, but in parts. (See note to ADW, Liturgical Norms and Policies, 2010, 14.1.3.d.) Thus the separately published RBC (1969) replaced RR1952, tit. II, *De sacramento baptismi*, cap. II, *Ordo baptismi parvulorum*, and so forth. Therefore, like the Roman Pontifical, the modern Roman Ritual is a single entity only conceptually, since the individual rites are published separately because of their size. See P. Jounel, “The Pontifical and the Ritual,” in A. G. Martimort, ed., *The Church at Prayer* (Collegeville: Liturgical Press, 1992) 3: 1. The continuing conceptual existence of the Pontifical and Ritual today is shown in the superscriptions on the title pages of the individually published parts.

<sup>1510</sup> A notable revision of the Roman Pontifical was issued just before the Second Vatican Council, in 1961-1962. The post-conciliar tendency has been to publish individual rites as they were prepared, though some of the first revised rites were published in *The Roman Pontifical I*, English translation by ICEL (Vatican City: Typis Polyglottis Vaticanis, 1978). Today the Pontifical no longer exists as a single physical entity. (See note to ADW, Liturgical Norms and Policies, 2010, 14.1.3.c.) The Roman Pontifical of 1961-1962 was reprinted in 2008 by the Vatican Polyglot Press.

<sup>1511</sup> See John Huels, “Reconciling the Old with the New: Canonical Questions on *Summorum Pontificum*,” *The Jurist* 68 (2008) 92. For example, RR1952, tit. VIII, *De sacramento matrimonii*, cap. I, n. 2, refers to the impedient and diriment impediments, and the degrees of consanguinity and affinity contained in the Code of Canon Law, meaning, of course, the 1917 Code of Canon Law. This legislation was revised extensively in the 1983 Code of Canon Law, which now applies.

<sup>1512</sup> See ADW, Liturgical Norms and Policies, 2010, 14.14.1, on making inquiries to the Pontifical Commission *Ecclesia Dei*.

## B. CELEBRATION OF THE MASS

### *General*

- 14.2.1 The Missal used to celebrate the Mass in the extraordinary form must conform to the typical edition of the Roman Missal promulgated in 1962. No other edition may be used.<sup>1513</sup>
- 14.2.2 In the celebration of the Mass in the extraordinary form, all of the provisions of the Roman Missal of 1962 must be observed (taking into account what is said in 14.1.4), including those contained in the following sections:
- a. *rubricae generales;*
  - b. *rubricae generales Missalis Romani;*

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<sup>1513</sup> SP states specifically throughout that the 1962 typical edition of the Roman Missal is to be used; this means that editions earlier than 1962 may not be used. Contrary to a common perception, the Missal was revised many times between its first promulgation in 1570 and the typical edition of 1962; indeed, it was changed by Pope Saint Pius V himself when he added the feast of Our Lady of the Rosary, after the Battle of Lepanto in 1571. Major revisions were made in 1604, 1634, 1888, 1920, 1955, 1960, and 1961; among the popes making them were Clement VIII, Urban VIII, and Clement XI, and more recently Leo XIII and Saint Pius X. To the typical edition of 1920, further revisions were made during the pontificates of Benedict XV, Pius XI, and Pius XII. In his Apostolic Letter *Rubricarum instructum* (1960) (CLD 5: 24) Blessed Pope John XXIII wrote: "The whole of the rubrics, which order and regulate the public worship of the Church, was for the Apostolic See, especially after the Council of Trent, a matter of continuous and painstaking, defining, and ordering. The whole system of rubrics, therefore, has increased because of the numerous corrections, variations, and additions introduced with the passing of time and not always with systematic order and, therefore, not without damage to primitive simplicity and clarity." [Pope Pius XII simplified the rubrics of the breviary and Roman Missal by a decree of the SCR, 23 March 1955 (CLD 4: 25-32) and wanted to undertake further reforms.] "We then, after we had...decided to convoke an ecumenical council, thought more than once how We might carry out this undertaking of our predecessor.... Therefore...1. We establish that the new codex of rubrics of the breviary and of the Roman Missal...shall be observed as of January 1 next year, 1961, by all those who follow the Roman Rite.... 2. On the same day, January 1, 1961, the general rubrics of the breviary and of the Roman Missal cease having value, as well as the additions and variations of the rubrics of the breviary and of the Roman Missal according to the norm of the bull, 'Divino Afflatu,' of Our predecessor, Saint Pius X.... At the same time the general decree of the Sacred Congregation of Rites dated March 23, 1955, on the simplifications of the rubrics...ceases to have value. Also abrogated are the decrees and the replies to the doubts by the same Sacred Congregation which are not in harmony with the new edition of the rubrics. 3. Thus, moreover, there are revoked the statutes, privileges, indulgences, and considerations of whatever nature, even if centuries old and worthy of most special or individual mention, which contradict these rubrics." It should be noted that the requirement to use MR1962 will determine which liturgical commentaries should be consulted; e.g., Adrian Fortescue and J. B. O'Connell, *The Ceremonies of the Roman Rite Described*, twelfth edition (Westminster, Maryland: The Newman Press, 1962) 15, which states: "This new edition has been revised to bring it into full conformity with the new rubrics of the Roman Missal and Breviary issued by the Holy See by S. R. C. Decree *Novum Rubricarum* of 26 July 1960, and with the rubrics of the new edition of the Missal of 1962."

- c. *de anno et eius partibus*;<sup>1514</sup>
  - d. *ritus servandus in celebratione Missae*;
  - e. *de defectibus in celebratione Missae occurrentibus*;
  - f. *praeparatio ad Missam*; and
  - g. *gratiarum actio post Missam*.
- 14.2.3 There is no requirement that a priest who celebrates the Mass according to the extraordinary form wear “Roman style” vestments. However, the rubric of the Roman Missal of 1962 directing that the stole be crossed in front should be observed.<sup>1515</sup>
- 14.2.4 While the liturgical *functions* of the subdeacon, acolyte, and lector, are carried out in Masses celebrated in the extraordinary form, for the Latin Church as a whole the *major order* of subdeacon no longer exists, and the *minor orders* of acolyte and lector, together with some of the functions of the abolished *minor order* of subdeacon, have been carried over into the *lay ministries* of acolyte and lector.<sup>1516</sup>

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<sup>1514</sup> While SP makes no mention of the calendar to be used, MR1962 contains its own calendar and readings. The Pontifical Commission *Ecclesia Dei* is charged with studying the possibility of adding more recent feast days and prefaces to MR1962. See “Letter of Pope Benedict XVI Accompanying the Apostolic Letter *Summorum Pontificum*,” in CDWN May-June 2007.

<sup>1515</sup> *Missale Romanum 1962, Ritus servandus in celebratione Missae*, I 3. Compare to GIRM 340: “The stole is worn by the priest around his neck and hanging down in front.” With regard to styles of vestments, see SCR, Declaration, 20 August 1957: CLD 4: 262: “Since very many Bishops and other ecclesiastics have frequently asked permission of the Holy See according to the Reply of 9 December 1925 [prohibiting “Gothic” vestments, CLD 1: 374], to make and use for the Sacrifice of the Mass and for sacred functions, vestments made up in the ancient form, this Sacred Congregation of Rites decided that it should be left to the prudent judgment of the ordinaries whether, in view of the particular circumstances of various localities, such vestments should be permitted or not.”

<sup>1516</sup> Pope Paul VI, *Motu proprio Ministeria quaedam* (1972). Ordination to the subdiaconate was a sacrament, while the minor orders were sacramentals, which, nevertheless, could not be repeated. See John A. Abbo and Jerome D. Hannan, *The Sacred Canons, A Concise Presentation of the Disciplinary Norms of the Church* (St. Louis: B. Herder Book Co., 1952) 2: 70-75. By *Ministeria quaedam*, tonsure is no longer conferred, and the minor orders of porter and exorcist have been abrogated for the Latin Church as a whole. However, ordination to the subdiaconate and the minor orders, if it was received, has not been lost solely through their revision or suppression in 1972, cf. 1917 CIC can. 211 §§1-2. Rev. Edward McNamara, L.C., *Zenit*, 9 September 2008: “[I]t is an open question [whether in the extraordinary form of the Mass] an instituted acolyte may perform the duties formally reserved to the subdeacon. On the one hand the extraordinary form considers subdeacon as a member of the clergy, whereas the instituted acolyte is certainly a lay ministry. On the other hand many of the liturgical duties of the subdeacon were transferred to the ministry of acolyte. The editor of the new edition of the classic Trimelloni liturgical manual opines that it is possible to use the instituted acolyte for this purpose.”

14.2.5 Communicants who receive Holy Communion in celebrations of the Mass according to the extraordinary form may receive while standing, and may receive the host on the tongue or in the hand.<sup>1517</sup>

### *Masses Celebrated by a Priest Without a Congregation*

14.3.1 For a Mass celebrated without a congregation,<sup>1518</sup> each Catholic priest of the Latin rite may use the Roman Missal of 1962 or the Roman Missal

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<sup>1517</sup> “The reception of Holy Communion in the hand, Cardinal Castrillon Hoyos explains, is a concession which the Holy See has made when requested to do so by episcopal conferences. Where this concession has been granted, the manner of receiving Holy Communion remains the option of the faithful. The manner of the faithful’s reception of Holy Communion is not prescribed by the 1962 Roman Missal. Hence, while we readily understand that the great majority of those who attend the celebration of the Mass according to the 1962 missal do not wish to avail themselves of the option of receiving Holy Communion in the hand, those who wish to do so may not be forbidden to do so.” Peter J. Vere, in RRAA 2003, 61.

<sup>1518</sup>The term “Mass Without a Congregation” is what has been called also a “private Mass” or “*missa privata*,” which, however, was still celebrated by a priest with at least one server, and not by himself, as in a “*missa solitaria*.” The meaning of the term has been unclear for many years. The *Irish Ecclesiastical Record* [ser. III, vol. III (1882) 689] said, “A Private Mass is what we commonly call a Low Mass as distinguished from the *Missa Solemnis* or High Mass. The community and daily parochial Masses are then *Missae Privatae*.” But a few years later [ser. III, vol. X (1889) 373] it said that a private Mass “is one at which the faithful are neither invited nor expected to assist.” See also W. E. Addis, et al., *A Catholic Dictionary*, ninth edition (London: N.p., 1917) s.v. “Mass:” “*Missa privata* is difficult of definition.... It would be convenient if we could use this word or had another word to describe Mass which the priest says chiefly for his own devotion and that of his friends, and not to satisfy the wants of a parish, college, etc.” Because the term “private Mass” could be understood as being substantially different from a “public” Mass, though both are public acts of the Church’s worship, MR1962, in the first of the *Rubricae generales Missalis Romani* (269) said that the term “private Mass” was not to be used. Pope Paul VI explained that “no Mass is ‘private,’” and that “each and every Mass is not something private, even if a priest celebrates it privately; instead, it is an act of Christ and of the Church.” He says also that “there is to be no disparagement but full approval of a Mass that, in conformity with the prescriptions and lawful traditions of the Church, a priest for a sufficient reason offers in private, that is, with no one present *except the server*” (emphasis added). Pope Paul VI, Encyclical Letter *Mysterium fidei* (1965) 32. The term is still in use, however, especially with regard to what is now the extraordinary form of the Mass. For example, see the letter of Rev. Msgr. Camille Perl, Secretary of the Pontifical Commission *Ecclesia Dei*, in RRAA 1998, 11: “A Mass which has been publicly advertised in advance as part of a forum which anticipates over 100 participants can never be considered a ‘private Mass.’” The Second Vatican Council decreed that “whenever rites, according to their specific nature, make provision for communal celebration involving the presence and active participation of the faithful, this way of celebrating them is to be preferred, so far as possible, to a celebration that is individual and quasi-private” [cf. SC 27]. The Roman Missal of 1970 had two forms of the Mass: the *Ordo Missae cum populo* (Order of Mass with the people), and the *Ordo Missae sine populo* (Order of Mass without the people). ICEL translated the latter as “Order of Mass Without a Congregation.” Of the latter, the 1970 GIRM (209) said, “This section gives the norms for Mass celebrated by a priest with only one server to assist him and to make the responses.” In the Roman Missal of 2003 and GIRM the term *Missa cum populo* remains, but the other section is now called *Missa cuius unus tantum minister participat* (Mass in which only one server participates). See note to ADW, Liturgical Norms and Policies, 2010, 14.3.3, on the importance of the server in the extraordinary form of the Mass.

promulgated by Pope Paul VI in 1970, and may do so on any day with the exception of the Easter Triduum. The priest has no need for permission from the Apostolic See or from his ordinary for such a celebration.<sup>1519</sup>

14.3.2 A Mass celebrated without a congregation may still be attended by the faithful who, of their own free will, ask to be admitted, observing all the norms of law.<sup>1520</sup>

14.3.3 While, with the revision of the Code of Canon Law the former discipline has been relaxed by which an Apostolic indult was required in order to celebrate the Mass without a server, the rubrics of the extraordinary form of the Mass presume the presence of a qualified server who assists the priest and, more importantly, makes the responses on behalf of the congregation.<sup>1521</sup>

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<sup>1519</sup> SP 2.

<sup>1520</sup> SP 4.

<sup>1521</sup> 1917 CIC can. 813 §1: "A priest should not celebrate Mass without a minister who assists him and responds" (tr. Peters). CIC can. 906: "Except for a just and reasonable cause, a priest is not to celebrate the Eucharistic sacrifice without the participation of at least some member of the faithful" (emphasis added). The former requirement was much more strict, based on the need to have a server present to make the responses on behalf of the congregation. In the common law of the Church it has been a grave obligation to have a server at Mass. John A. Abbo and Jerome D. Hannan, *The Sacred Canons, A Concise Presentation of the Disciplinary Norms of the Church* (St. Louis: B. Herder Book Co., 1952) 1: 807, note 62. Pope Pius XII, Encyclical Letter *Mediator Dei* (1947): "[O]n account of the dignity of so august a mystery, it is our earnest desire—as Mother Church *has always commanded*—that no priest should say Mass unless a server is at hand to *answer the prayers*, as [1917 CIC] canon 813 prescribes" (emphasis added). See also SCS, Instruction *Quam plurimum*, 1 October 1949: CLD 3: 319, 334-336: "From an ancient practice introduced in the course of many centuries it is the accepted rule that, when Mass is to be celebrated even privately, someone should assist as minister, to serve the priest at the altar and make the responses (cf. [1917 CIC] c. 813 [§1]). Except only in certain extraordinary cases, a priest, in order to be able to say Mass without a server, needs an apostolic indult. And the sole judge of the sufficiency of the reason alleged in asking for such an indult is the Holy See itself, which must therefore be approached with a statement of the circumstances of each case.... The law of having a server at Mass allows very few exceptions, and authors learned in liturgy and moral theology agree in limiting them to the following cases: a) if Holy Viaticum has to be given to a sick person and there is no server at hand; b) to enable the people to satisfy the precept of hearing Mass; c) in time of pestilence, when it is not easy to find someone to serve, and the priest would otherwise be obliged to abstain from celebrating for a notable time; d) if the server leaves the altar during the Mass, even outside the time of the consecration and the offertory; in which case the reverence due to the Holy Sacrifice requires that it be continued in his absence. Outside of these cases which are allowed by the unanimous consent of the authors, this law is modified only by apostolic indult, which is given especially in mission lands." See also John M. Huels, in John A. Beal, et al., eds., *New Commentary on the Code of Canon Law* (New York and Mahwah, New Jersey: Paulist Press, 2000) 1102: "The server in the former law was required not primarily for the material assistance of the priest but because the Eucharist is essentially an action of the whole Church, priest and people. In the words of Thomas Aquinas, the server 'represents the whole Catholic people, and in that capacity answers the priest in the plural.'" This is also why the priest would address a lone server in the plural, "Dominus vobiscum," etc. See *Summa theologiae*, III, q. 83, a. 5, ad 12.

### *Masses Celebrated by Institutes of Consecrated Life and Societies of Apostolic Life*

- 14.4.1 Communities of institutes of consecrated life and of societies of apostolic life may celebrate the Mass according to the Roman Missal of 1962 for conventual or community celebration in their oratories.<sup>1522</sup>
- 14.4.2 If an individual community or an entire institute or society wishes to undertake such celebrations often, habitually or permanently, the decision must be taken by the major superiors, in accordance with the law and following their own specific decrees and statutes.<sup>1523</sup>

### *Masses Celebrated in Parishes*

- 14.5.1 In a parish where there is a stable group of the faithful who adhere to the earlier liturgical tradition, the pastor should willingly accept their requests to celebrate the Mass according to the Roman Missal of 1962.<sup>1524</sup>
- 14.5.2 The pastor must ensure that the welfare of these faithful harmonizes with the ordinary pastoral care of the parish, under the guidance of the Archbishop, avoiding discord and favoring the unity of the whole Church.<sup>1525</sup>
- 14.5.3 Priests who wish to celebrate the Mass using the Roman Missal of 1962 must be qualified to do so and not be juridically impeded.<sup>1526</sup> The same conditions apply, *mutatis mutandis*, to ministers who wish to use the other liturgical books promulgated or in use in 1962.
- 14.5.4 Before he undertakes to celebrate a liturgical rite in the extraordinary form in the Archdiocese of Washington, a minister is to be certified as being qualified to do so. This certification will be carried out according to a procedure to be established by the Archbishop.<sup>1527</sup>
- 14.5.5 Among the qualifications necessary for a minister to celebrate the Mass and the other liturgical rites according to the liturgical books promulgated or in

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<sup>1522</sup> SP 3. Pope John XXIII, Apostolic Letter *Rubricarum instructum* (1960): CLD 5: 77: "The term conventual Mass means a Mass which is to be celebrated daily in conjunction with the divine Office by those who are bound to choir duty by the laws of the Church."

<sup>1523</sup> SP 3.

<sup>1524</sup> SP 5 §1. In churches that are not parish or conventual churches, it is the duty of the rector of the church to grant the permissions mentioned in this chapter that would otherwise be given by pastors. See SP 5 §5.

<sup>1525</sup> SP 5 §1; CIC can. 392 §§1-2..

<sup>1526</sup> SP 5 §4.

<sup>1527</sup> CIC cann. 384, 392 §§1-2, 838 §4.

- use in 1962 are competence in liturgical Latin, a clear understanding of the rubrics, and the ability to celebrate the Mass or other rites with attention and reverence.<sup>1528</sup>
- 14.5.6 Information about opportunities to learn to celebrate the liturgical rites discussed in this chapter can be obtained from the Office of Worship. The Archdiocese of Washington will provide programs for priests who wish to be instructed.
- 14.5.7 Pastors of parishes with regularly scheduled Masses celebrated according to the Roman Missal of 1962 are requested to inform the Archbishop, who has been asked to report to the Holy See on the use of the extraordinary form of the liturgy in the Archdiocese of Washington,<sup>1529</sup> and so that information can be shared within the Archdiocese, e.g., in the archdiocesan directory and web site.
- 14.5.8 Masses celebrated according to the Roman Missal of 1962 may take place on weekdays (*diebus ferialibus*); while on Sundays and feast days one such celebration may also be held.<sup>1530</sup>
- 14.5.9 In Masses celebrated in the presence of the people in accordance with the Roman Missal of 1962, the readings may be given in the vernacular, using editions approved by the Apostolic See.<sup>1531</sup>

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<sup>1528</sup> Pope Benedict XVI wrote, "The use of the old Missal presupposes a certain degree of liturgical formation and some knowledge of the Latin language; neither of these is found very often. Already from these concrete presuppositions, it is clearly seen that the new Missal will certainly remain the ordinary form of the Roman Rite, not only on account of the juridical norms, but also because of the actual situation of the communities of the faithful." Letter of Pope Benedict XVI Accompanying the Apostolic Letter *Summorum Pontificum*, in BCLN May-June 2007.

<sup>1529</sup> "Letter of Pope Benedict XVI Accompanying the Apostolic Letter *Summorum Pontificum*," in CDWN May-June 2007.

<sup>1530</sup> SP 5 §2.

<sup>1531</sup> SP 6. The document refers to *editions*, and not to *texts*. The legislator has in mind translated readings contained in approved liturgical books. (Thus it is not permissible simply to use a Bible for readings, since Bibles are not "approved by the Apostolic See," particularly for liturgical use.) In 1991, Augustin Cardinal Mayer, then the President of the Pontifical Commission *Ecclesia Dei*, informed the bishops of the United States that the then "new lectionary" could be used in the vernacular for Masses according to MR1962. CLD 11: 2-3. See also Pontifical Biblical Commission, Decree, 30 April 1934: CLD 2: 196-197: "[L]et that version of Sacred Scripture be publicly read to the faithful which is made from the text approved by the Church for the sacred liturgy." See also SCR, Instruction, 26 September 1964, 40: CLD 6: 82-83: "In vernacular translations of liturgical texts prepared in accordance with [SC] art. 36 §3, it is fitting that the following be observed: ... The version of the biblical pericopes, however, should conform to the Latin liturgical text but with the possibility of revising this translation, if deemed advisable, in accordance with the original text or some other clearer translation." In the United States, editions of the Missal (Sacramentary) with readings in the vernacular followed in the years after the publication of MR1962 and SC. On 2 April 1964 the Conference of Bishops issued a decree: "In accordance with art. 36 §4, of the

## C. CELEBRATIONS OF OTHER SACRAMENTS

### *General*

- 14.6.1 For the faithful and priests who request it, the pastor should also allow celebrations of the extraordinary form of the Mass for special circumstances such as marriages, funerals or occasional celebrations, e.g., pilgrimages.<sup>1532</sup>
- 14.6.2 There are no ritual Masses in the Roman Missal of 1962. Masses for marriages, funerals, etc., will require use of the appropriate rite from the Roman Pontifical or the Roman Ritual in conjunction with the Roman Missal.
- 14.6.3 Pastors, having attentively examined all aspects, may also grant permission to use the earlier rituals for the administration of the sacraments of baptism, marriage (apart from Mass), penance, and the anointing of the sick, if the good of souls would seem to require it.<sup>1533</sup>
- 14.6.4 In addition to the use of the Roman Ritual of 1952, a decree of the Sacred Congregation for Rites in 1954 permitted the use in the United States of bilingual texts published as the *Collectio Rituum*, published in the same year by the Bruce Publishing Company.<sup>1534</sup> In 1961 a second version of the *Collectio Rituum*, authorized by a rescript in 1959, was issued in a limited edition, to serve as an exemplar for future rituals and manuals to be published in the U.S. This volume contained only the sacraments of baptism, extreme unction,

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Constitution on the Sacred Liturgy of the Second Vatican Council we, the Bishops of the United States of America, decree that the following English versions of the liturgical texts are approved for use in the celebration of the sacred liturgy in our dioceses, within the limits established in the decree of April 4, 1964: 1. The Mystery of the Holy Eucharist. a. For the lessons—the version translated from the original languages by members of the Catholic Biblical Association of America and sponsored by the Episcopal Committee of the Confraternity of Christian Doctrine, including those texts not yet published; for the ordinary parts pertaining to the people—the translation appended to this decree; for the proper parts pertaining to the people—the Confraternity of Christian Doctrine version, described above, of the Book of Psalms and other books of the Bible, adapted, to the extent necessary, to the text of the Roman missal....” This decree, and the readings to which it refers, are found in *Roman Missal, Missale Romanum ex decreto sacrosancti concilii Tridentini restitutum summorum pontificum cura recognitum cum versionibus lingua Anglica exaratis et a coetu episcoporum civitatum foederatarum Americae septentrionalis rite approbatis actis ab apostolica sede confirmatis* (Novi Eboraci: Benziger Brothers, 1964), vi. The foregoing decree was confirmed by a decree of the Consilium for the Implementation of the Constitution on the Sacred Liturgy, 1 May 1964, in *idem*, viii-ix.

<sup>1532</sup> SP 5 §3. To be clear, this abrogates ADW, Sacramental Norms and Policies, 1995, which stated, “The Archbishop extends this permission [to celebrate the ‘Tridentine Mass’ in designated places] only to the celebration of Mass and not to the other sacramental celebrations such as confirmation, baptism or funerals.”

<sup>1533</sup> SP 9 §1.

<sup>1534</sup> SCR, Decree, 3 June 1954: CLD 4: 251-253. *Collectio Rituum* (Milwaukee: Bruce Publishing Company, 1954).

and matrimony, all with new translations of the permitted bi-lingual texts to replace the corresponding texts in the first *Collectio*.<sup>1535</sup>

### *Baptism of Adults*

- 14.7.1 Pastors, having attentively examined all aspects, may grant permission to use the rite promulgated in 1962 for the administration of the sacrament of baptism to adults, if the good of souls would seem to require it.<sup>1536</sup>
- 14.7.2 Adults who receive baptism must immediately be confirmed and admitted to Holy Communion. The faculty to confirm is granted by law to a priest who baptizes an adult, and must be used.<sup>1537</sup>

### *Baptism of Infants*

- 14.8.1 Pastors, having attentively examined all aspects, may grant permission to use the rituals in use in 1962 for the administration of the sacrament of baptism to infants, if the good of souls would seem to require it.<sup>1538</sup>
- 14.8.2 Where permission to use the earlier rituals has been given, deacons who have the faculties of the Archdiocese of Washington, or who receive the faculty to administer baptism to infants, may administer the sacrament according to the rituals in use in 1962.<sup>1539</sup>

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<sup>1535</sup> See Frederick R. McManus, "Ceremonies of the Ritual in the United States of America," in Fortescue and O'Connell, 409-410. Another edition of the *Collectio Rituum* was published in 1964 (see note to ADW, Liturgical Norms and Policies, 2010, 14.1.3.c) but it cannot be used under the terms of SP since it was not, of course, in use in 1962.

<sup>1536</sup> SP 9 §1. The rite, published as a supplement to the RR, is the *Ordo Baptismi adultorum per gradus Catechumenatus dispositus*, promulgated in SCR Decree *Ordo Baptismi adultorum*, 16 April 1962. This rite may be found in some rituals published in the 1960's or since reprinted; e.g., in Rev. Philip T. Weller, ed., *The Roman Ritual*, complete edition (Milwaukee: Bruce Publishing Co., 1964).

<sup>1537</sup> CIC cann. 851 1°, 852 §1, 866, 883 2°, 885 §2. See also ADW, Liturgical Norms and Policies, 2010, 2.15.4.

<sup>1538</sup> SP 9 §1.

<sup>1539</sup> This article addresses the restriction of RR1952, tit. II, *De sacramento baptismi*, cap. I, nn. 12, 15 (cf. 1917 CIC can. 741) which identified deacons as extraordinary ministers of baptism.

## Confirmation

- 14.9.1 Ordinaries have the right to celebrate the sacrament of confirmation using the Roman Pontifical promulgated in 1962, if the good of souls would seem to require it.<sup>1540</sup>

## Marriage

- 14.10.1 For faithful and priests who request it, the pastor should allow celebrations of the Mass in the extraordinary form for special circumstances such as marriages.<sup>1541</sup>
- 14.10.2 Pastors, having attentively examined all aspects, may grant permission to use the earlier ritual for the celebration of marriage (apart from Mass) if the good of souls would seem to require it.<sup>1542</sup>
- 14.10.3 Where permission to use the earlier ritual has been given, deacons who are delegated to do so may witness marriages according to the rituals in use in 1962.<sup>1543</sup> In these circumstances, deacons may also impart the nuptial blessing.<sup>1544</sup>

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<sup>1540</sup> SP 9 §2. An unresolved difficulty regarding confirmation is the fact that Pope Paul VI changed the form of the sacrament. The decree reads: "The sacrament of confirmation is conferred through the anointing with chrism on the forehead which is done by the laying on of the hand, and through the words: Be sealed with the gift of the Holy Spirit" ["Accipe signaculum doni Spiritus Sancti"]. Pope Paul VI, Apostolic Constitution *Divinae consortium naturae* (1971): DOL 303. The older form was, "I sign you with the sign of the cross and confirm you with the chrism of salvation, in the name of the Father and of the Son and of the Holy Spirit" ["Signo te signo crucis et confirmo te Chrismate salutis. In nomine Patris et Filii et Spiritus Sancti"]. It may be that there is here a doubt of law, and that either formula may be used. See John Huels, "Reconciling the Old with the New: Canonical Questions on *Summorum Pontificum*," *The Jurist* 68 (2008) 102-105. Huels argues also (102) that "priests (presbyters and bishops) who are not ordinaries may not celebrate confirmation according to the former pontifical without an indult from the Holy See."

<sup>1541</sup> SP 5 §3.

<sup>1542</sup> SP 9 §1.

<sup>1543</sup> This article addresses the provision of RR1952, tit. VIII, *De sacramento matrimonii*, cap. I, n. 2 (cf. 1917 CIC can. 1094) which did not include deacons among those who could witness marriages.

<sup>1544</sup> RR1952, tit. VIII, *De sacramento matrimonii*, cap. III, *Benedictio nuptialis extra Missam danda ex apostolico indulto quando Missa non dicitur*.

## *Penance*

- 14.11.1 Pastors, having attentively examined all aspects, may grant permission to use the earlier ritual for the administration of the sacrament of penance, if the good of souls would seem to require it.<sup>1545</sup>

## *Anointing of the Sick, formerly Extreme Unction*<sup>1546</sup>

- 14.12.1 Pastors, having attentively examined all aspects, may grant permission to use the earlier ritual for the administration of the sacrament of anointing of the sick (formerly called extreme unction) if the good of souls would seem to require it.<sup>1547</sup>
- 14.12.2 The sacrament of the anointing of the sick is no longer limited to those who “come into danger of death,” but is to be administered to those who “begin to be in danger,” etc.<sup>1548</sup>
- 14.12.3 Whereas the hands of the laity must be anointed on the palms, a priest’s hands are anointed on the back.<sup>1549</sup>
- 14.12.4 In order that the sick person may gain the indulgence granted by lawful ecclesiastical authority, the priest should remind him of this, and explain the conditions for gaining it.<sup>1550</sup>

## D. OTHER LITURGICAL RITES

- 14.13.1 For faithful and priests who request it, the pastor should allow celebrations of the Mass in the extraordinary form for special circumstances such as funerals.<sup>1551</sup>

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<sup>1545</sup> SP 9 §1.

<sup>1546</sup> In SP the sacrament is called the anointing of the sick (*unctio infirmorum*).

<sup>1547</sup> SP 9 §1. RR1952, etc.

<sup>1548</sup> 1917 CIC can. 940 §1, stated, “Extreme unction is not to be extended except to the faithful who, having obtained the use of reason, come into danger of death from infirmity or old age (*ob infirmitatem vel senium in periculo mortis versetur*).” In 1983 CIC can. 1004 §1, this was changed to, “The anointing of the sick can be administered to a member of the faithful who, having reached the use of reason, begins to be in danger due to sickness or old age (*ob infirmitatem vel senium in periculo incipit versari*).” See also ADW, Liturgical Norms and Policies, 2010, ch. 8, Anointing of the Sick.

<sup>1549</sup> RR1952, tit. VI, *De sacramento extremae unctionis*, cap. I, 16.

<sup>1550</sup> RR1952, tit. VI, *De sacramento extremae unctionis*, cap. V, 2.

<sup>1551</sup> SP 5 §3.

- 14.13.2 Communities that regularly worship according to the extraordinary form of the Mass and other rites may do so during the Easter triduum as well.<sup>1552</sup>
- 14.13.3 When the Good Friday liturgy is celebrated in the extraordinary form, the prayer for the Jews promulgated in 2008 must be used in place of the one in the text of the Roman Missal of 1962.<sup>1553</sup>
- 14.13.4 Clerics in major orders may use the Roman Breviary promulgated in 1962 in the celebration of the Divine Office.<sup>1554</sup>

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<sup>1552</sup> See ADW, Liturgical Norms and Policies, 2010, 14.3.1.

<sup>1553</sup> CDWN February 2008: "New Prayer for the Jews in the 1962 *Missale Romanum*. His Eminence Tarcisio Cardinal Bertone, Vatican Secretary of State, published a notification on February 4, 2008 that the Holy Father has issued a new prayer for the Jews to be used in the Good Friday Liturgy celebrated according to the *Missale Romanum* of 1962:

Oremus et pro Judæis:  
Ut Deus et Dominus noster illuminet corda eorum,  
ut agnoscant Iesum Christum, salvatorem omnium hominem.  
Oremus. Flectamus genua. Levate.  
Omnipotens sempiternæ Deus, qui vis ut omnes homines salvi fiant et ad agnitionem  
veritatis veniant, concede propitius, ut plentudine gentium in Ecclesiam Tuam intrante  
omnis Israel salvus fiat.  
Per Christum Dominum nostrum. Amen.

This prayer is to be used for this year's celebration and all future celebrations of Good Friday when the Extraordinary Form is used. The notification appeared in the *L'Osservatore Romano* of February 6, 2008."

<sup>1554</sup> SP 9 §3, which uses the phrase "*clericis in sacris constitutis*," clerics in sacred orders. Formerly in the Latin Church the major or sacred orders were the presbyterate, the diaconate, and the subdiaconate; presently the orders are the episcopate, the presbyterate, and the diaconate, cf. 1917 CIC cann. 135, 949; 1983 CIC cann. 266 §1, 276 §2 3°, 1009 §1. USCCA p. 174: "This public prayer of the Church is intended for the whole People of God. All God's people can participate in it according to their calling and circumstances." Rev. Edward McNamara, L.C., *Zenit*, 2 December 2008: "[B]efore Vatican II the possibility of realizing a liturgical act depended on having a canonical delegation. For this reason a layperson who prayed the Divine Office technically performed a pious act but not a liturgical one. A nun, who prayed the same text in virtue of a canonical deputation, was deemed as participating in the liturgy. After Vatican II the capacity to act liturgically was no longer grounded canonically but rather on the basis of having received the sacraments of baptism and confirmation. Thus, any Catholic who prays the Liturgy of the Hours as the prayer of the Church acts liturgically." As with the use of MR1962 for the celebration of the Mass according to the extraordinary form, this permission is restricted to the Roman Breviary promulgated in 1962, and to no other editions. (See note to ADW, Liturgical Norms and Policies, 2010, 14.2.1.) In the course of time the divine office was enlarged by many additions and underwent many transformations. The Council of Trent, unable to complete the reform of the breviary, left the matter to the Apostolic See. The Roman Breviary promulgated in 1568 by Pope Saint Pius V reintroduced uniformity in the canonical prayer of the Latin Church. In subsequent centuries revisions were made by Sixtus V, Clement VIII, Urban VIII, Clement XI, and other popes. In 1911, Saint Pius X promulgated a new breviary. The work of revision was undertaken again by Pius XII, who permitted the use of a new translation of the Psalter prepared by the Pontifical Biblical Institute. In 1947 he established a commission to study the breviary, and in 1955 decreed a simplification of the rubrics. More regulations were issued by Blessed John XXIII in 1960, but he was aware that further study was needed. The Second Vatican Council

- 14.13.5 For faithful and priests who request it, the pastor should allow the use of the rituals promulgated or in use in 1962 for blessings and other sacramentals.<sup>1555</sup>

#### E. PONTIFICAL COMMISSION *ECCLESIA DEI*

- 14.14.1 In cases of doubt concerning matters addressed in the motu proprio *Summorum pontificum*, guidance may be sought from the Pontifical Commission *Ecclesia Dei*.<sup>1556</sup> It is requested that this guidance be sought through the Office of Worship, so that inquiries can be coordinated within the Archdiocese and with other dioceses within the United States Conference of Catholic Bishops.

- 14.14.2 When the motu proprio *Summorum pontificum* was formally published in the Holy See's authoritative record, the *Acta Apostolicæ Sedis*, five changes had been made to the text that was released in July 2007:

- a. The document received a subtitle: "*De usu extraordinario antiquæ formæ Ritus Romani*" ("On the Extraordinary Use of the Old Form of the Roman Rite").
- b. The word "*conditiones*" in Article 1 was corrected to the word "*condiciones*."
- c. The phrase "*vel plerumque vel permanenter*" in article 3 was changed to "*vel habitualiter vel permanenter*" (both phrases mean "whether habitually or permanently").

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addressed the liturgy as a whole, and the hours in particular. Under Paul VI, the Consilium worked for seven years to produce the new book for the liturgy of the hours. Its principles and arrangement were approved by the Consilium and by the 1967 Synod of Bishops, after consultation with the bishops of the whole Church and a number of pastors, religious, and laity. See Pope Paul VI, Apostolic Constitution *Laudis Canticum* (1970). See also ADW, Liturgical Norms and Policies, 2010, ch. 12, Liturgy of the Hours.

<sup>1555</sup> John Huels, "Reconciling the Old with the New: Canonical Questions on *Summorum Pontificum*," *The Jurist* 68 (2008) 96: "A strict interpretation of the law would hold that other liturgical rites, not mentioned in the motu proprio, are excluded. However, *Summorum Pontificum* should be seen as a favorable law, favoring the use of the former rites by those who desire it. As a favorable, permissive law, it is subject to broad interpretation in keeping with the rule of law: 'Burdens are to be restricted, but favors are to be amplified.' [*Regula Juris* in 6°, no. 15: 'Odia restringi, et favores convenit ampliari.'] Moreover, since the Mass and the sacraments, instituted by Christ, are superior to the liturgical rites instituted by the Church, such as the liturgy of Good Friday, another canonical axiom applies: the one who can do the greater can do the lesser. [*Regula Juris* in 6°, no. 53: 'Cui licet quot est plus, licet utique quod est minus.']" Cf. SP 5 §§1-3, 9 §1.

<sup>1556</sup> The Pontifical Commission *Ecclesia Dei* is now joined to the CDF. Pope Benedict XVI, Letter to Bishops, 10 March 2009; idem, Motu proprio *Ecclesiae unitatem*, 2 July 2009.

- d. *“Stabiliter existit”* (“exists stably”) has been confirmed as the phrase in article 5 §1, rather than *“continenter existit.”*
- e. The phrase *“providere non potest”* (“cannot provide for”) in article 7 was changed to *“providere non vult”* (“does not wish to provide for”).<sup>1557</sup>

## F. SACRAMENTAL RECORDS

14.15.1 The norms regarding sacramental records are to be observed.<sup>1558</sup>

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<sup>1557</sup> CDWN May-June 2008. The original version of the motu proprio was issued in July 2007; the official version was published in the AAS on 7 September 2007.

<sup>1558</sup> These norms are found in the relevant chapters of these norms, and in the Code of Canon Law.