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**THE COEXISTENCE OF THREE *SUI IURIS* CHURCHES IN INDIA
Advantages and Disadvantages**

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THE COEXISTENCE OF THREE *SUI IURIS* CHURCHES IN INDIA

Advantages and Disadvantages¹

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Summary: India is known for its rich diversity of religions, cultures, and traditions. It is the birthplace of major religions like Hinduism, Buddhism, Jainism, and Sikhism, and it is also home to large populations of Muslims, Christians, and other faiths. Through this study, “The coexistence of three *sui iuris* churches in India: Advantages and disadvantages”, we try to know the origin of Christianity particularly, the Catholic Church in India. We go through the historical origin of each *sui iuris* churches, namely, Latin Church, Syro-Malabar Church and Syro-Malankara Church. We pay attention to the struggles that they had for the establishment of their own hierarchy, the mistrust, the arguments, superiority and inferiority etc. At the end, we aim to know how these three churches *sui iuris* function together to contribute for the good of the Church in India, by completely accepting and appreciating their autonomous power and at the same time keeping in mind that all the churches in the Catholic Church have equal rights.

1 Introduction

The Catholic Church is an organic communion of different churches. She is a communion of different *sui iuris* churches which have different origins, liturgies, traditions and customs (Lumen Gentium, no. 23). Thus, the Catholic Church is composed of the Latin Church, the Patriarchal Churches, the Major Archiepiscopal Churches, the Metropolitan Churches and the Other Churches *sui iuris*. The existence of different churches in the Catholic communion contributes to the church’s unity. It is the diversity of customs and observances which adds to her splendor and contributes greatly to carrying out her mission (Unitatis Redintegratio, no. 16).

The Catholic Church in India is a minority religion, with only 2% of the population of India. However, she possesses a great influence in the social, religious, cultural, educational and economical spectrums of society. The services that the Catholic Church renders in the fields of education and of health care are a matter that has received great acclaim even from the hardcore enemies of the church.

The selection of the topic, “The coexistence of three *sui iuris* churches in India: advantages and disadvantages” is aimed at obtaining clarity with regard to the functioning of Catholic Churches in India, namely the Latin Church, the Syro-Malabar Church and the Syro-Malankara Church. We aim also to know whether this coexistence carries out the mission of Christ or brings disharmony and division among the Christs’ faithful.

The working together of bishops of three churches *sui iuris* that come from completely different backgrounds, languages, cultures, traditions, customs, ways of life, religious up-buildings, etc.

¹ See: Arakkal, Mons Kurian, Conferences and Synods in the Indian Church, Dissertation in theology, Ludwig-Maximilians-Universität München 2018.

poses difficulties of having unanimity with regard to decisions and deliberations. Added to that inter-ritual problems, especially of jurisdiction have caused mistrust and to a certain extent animosity among the bishops of India. Both groups, the Latin and the Orientals, have their own well-grounded reasons for arguments.

To answer our quest, the coexistence of three *sui iuris* churches in India: the advantages and disadvantages, we go through the history of Christianity in India, the establishment of Catholic hierarchy in India and we evaluate how these three *sui iuris* churches could work together as a body to concretize the mission entrusted to us by our master Jesus himself. Is the coexistence of these churches beneficial or detrimental?

2 Christianity in India: The Catholic Churches in India

Christianity was introduced into India in the first century. However, the expansion of Christianity to states other than Kerala² has been relatively recent. It has a short history of about only 500 years.³ Long before the arrival of the Portuguese in India, from the very beginning of Christianity, which is from 52 AD., there were followers of Christ in South India, especially in Kerala.⁴ We know very little of this remarkable Christian community and of the first five or six hundred years of its existence. To assess the origins of Christianity in India, there is no other way than to have recourse to the Thomas Christians.⁵

² Kerala is one of the 29 states of India, historically known as *Keralam*, and is situated in South India on the Malabar Coast.

³ Zachariah, *Kunniparampil Curien*, The Syrian Christians of Kerala: Demographic and Socio-Economic Transition in the Twentieth Century, New Delhi 2006, 73.

⁴ Costa, *Cosme Jose*, A Missiological Conflict between Padroado and Propaganda in the East, Goa 1997, 17.

⁵ Mundadan, *Anthony Mathias*, History of Christianity in India: From the Beginning up to the Middle of the Sixteenth Century, vol. 1, Bangalore 1989, 22.

It is noteworthy that many of the historical records of the Christians in India come from the Thomas Christians or from Christians of the upper-class, or upper-caste⁶ backgrounds.⁷ However, the questions about the antiquity of India's Thomas Christians, along with questions about the historicity of their origins, are not easy to answer.⁸ Even the arrival of the Apostle Thomas is more a fact to be believed in, than a fact to be proved historically. The nucleus of the pride of the St. Thomas Christians is the traditional belief that the Apostle Thomas visited India in the first century.

The Apostle, Thomas, preached the message of Christ in different places and attracted many by his preaching. It is believed that his first converts were high caste Hindus and that he founded seven churches.⁹ It is said that the Apostle ordained priests to take care of these churches. Then he went to Mylapore (today it is part of Chennai city, Tamil Nadu), where he carried out his evangelical activities with much vigor and success. However, there arose a great hostility on the part of the Hindus who put him to death in 72 AD., at the St. Thomas Mount, a suburb of the present-day Chennai city.¹⁰

6 The Hindu doctrine of caste, according to which a man's status in life indicates the measure of his guilt or virtue in previous lives, is called into justify the system of caste. The outcaste or lower caste cannot change his destiny of life, but he may hope to better it in another birth by faithful fulfilment of the duties to which he is called in his present phase of existence, *Neill, Stephen Charles*, The story of the Christian Church in India and Pakistan, Grand Rapids 1970, 103. The word caste comes from the Portuguese word *Casta*, meaning a tribe or a clan. When the Portuguese came to India, they found Indian society was divided into various groups, which they called castes. According to the Hindu Varna system, the population is divided into many castes or subdivisions of castes but the traditional division consists of four: Brahmin, Kshatriya, Vaishya, and Sudra, *Rajamanickam, Savarimuthu*, The First Oriental Scholar, Madras 1972, 61. In the Institutes of *Manu* (the most important and most studied ancient legal text of Hinduism it is called also *manusmṛti*) we get the following description on the origin of Caste, "that the human race might be multiplied; he (*Brahma-Creator*) caused the *Brahman*, the *Kshathriya*, the *Vaisya*, and the *Sudra* to proceed from his mouth, his arm, his thigh, and his foot". Institute of Manu, i. 31, quoted in: *Robson, John*, Hinduism and Christianity, London 1905, 32. The religious approval of castes is found in the most ancient and sacred text of all, the *Rig Veda*, in the well-known *Purusa* hymn: "When they divided *Purusa*, into how many parts did they arrange him? What was his mouth? What were his two arms? What are his thighs and feet called? The *Brahmin* (priest) was his mouth, his two arms were made the *Rajanya* (warriors), his two thighs the *Vaisya* (trade and agriculturist), from his feet the *Sudra* (the servant) was born (*Rig Veda*, X 90: 11-12); Brahmins were deemed to be ideally equipped to perform tasks, whether administrative or clerical, that call for intellectual power or ritual skills. "Brahmins came to be looked on as demigods with unapproachable sanctity. It was the heinous of all crimes to put them to death, therefore, whatever crime a Brahmin committed, the utmost a king could do was to banish him from his kingdom, *Robson*, Hinduism and Christianity (note 6), 31; Kshatriyas are considered to be generally equipped with innate hereditary aptitudes for performing deeds of courage, powers, valour, and political leadership. These people, down through the ages, wielded the sword rather than the pen. They were the warriors and princes, the rulers of domains and the lords of the land. It was the duty of the Kshatriyas, as nobles and warriors, to fight valiantly and to govern efficiently and wisely. Vaishiyas are known to be makers of wealth. They are born with innate entrepreneurial skills and with special aptitudes for accounting and banking. They took on themselves the task of organizing business, pursuing commercial enterprises, increasing industrial production, and bringing about greater material well-being, for themselves and for all peoples. *Frykenberg, Robert Eric*, Christianity in India: From Beginnings to the Present, New York 2008, 46. Taken together, peoples belonging to all classes within the top three ranks of caste became known as *dvija* or twice-born. The *Sudras* or once-born, could not assume the sacred thread, the symbol of the second birth and they were menaced with death if they dared to engage in any of the acts of worship allowed to their superiors. *Robson*, Hinduism and Christianity (note 6), 31. Below the twice-born were peoples from castes that fell into the lowest category of the caste system. They are called *Sudras*. The task of those who fall within this category is to serve the people above their level. The *Sudras* have no right to do anything against the injustice they receive from the high caste. Institute of Manu made it basic, "A once-born man who insults the twice-born with gross invectives, ought to have his tongue slit; for he sprang from the lowest part of *Brahme*". Institute of *Manu*, viii. 270, quoted in: *Robson*, Hinduism and Christianity (note 6), 32. In the caste system, the individual identity is merged with the collective identity and so the very being and dignity of the individual is defined by collective identity, *D'Souza, Victor*, Society, Democracy and Religion in India – A Sociological Perspective, in: Society and Religion 48/1 (2003) 25-46, 34.

7 *Frykenberg*, Christianity in India (note 6), 46.

8 *Ibid.*, 91.

9 1. Maliankara (Craganore), 2. Kottakayal (Parur), 3. Palayur (Chowghat), 4. Kokka Mangalam, 5. Niranam, Quilon (Kollam), and 7. Chayal (Nilakkal). *Pallath, Paul*, Die katholische Kirche in Indien Gestern und Heute, Rome 2005, 20.

10 *Velliyampallil, Titus Varghese and Philip, P.P.*, Glimpse of the History of the Christian Churches in India, Madras 1983, 5, *Mundadan*, History of Christianity (note 5) 29.

Thomas Christians firmly believe themselves to be descended from the converts of the Apostle Thomas. When the authenticity of the arrival of the Apostle Thomas is questioned, the Thomas Christians often point out that there is as much evidence to support his coming to India as there is for the coming of the Apostle Peter to Rome.¹¹ According to Paulinus A., a great historian, “the belief that St. Thomas was killed and buried in India (at Mylapore) is as strong as the belief of the Europeans that Peter was killed and buried in Rome”.¹² Donald A. McGavaran says, “It was not much more difficult for Thomas to go to India than it would have been for Paul to go to Spain”.¹³

Many of the popes of the Catholic Church accepted the traditional view that the Apostle Thomas visited India and preached the faith. For example, Pope Paul VI through the apostolic letter *Sollemne Semper* of 25 March 1972 calls the Apostle Thomas by the title “The Apostle of India”. The Feast of the Apostle Thomas is therefore given the grade of solemnity in India.¹⁴ Pope John Paul II in one of his apostolic letters observed: “As far as Asia is concerned, the Jubilee will remind us of the Apostle Thomas, who, according to Tradition, brought the proclamation of the Gospel at the very beginning of the Christian era to India, where missionaries from Portugal would not arrive until about the year 1500”.¹⁵

There were arrivals of successive waves of Christians on the western shore of India at various times over the centuries. They came either as refugees or settlers or traders both before and after the rise of Islam.¹⁶ Such arrivals were encouraged and appreciated by royal grants of lands and privileges which they received.¹⁷ One of the important arrivals to be noted here is the arrival of Thomas of Cana, a Syrian merchant.

The traditions state that the original community constituted by the Apostle Thomas suffered a decline in course of time, but it was reinvigorated by groups of Christians who came from Persia.¹⁸ There is a new stage in the evolution of the history of the South Indian Church with the visit of Thomas of Cana, a Syrian merchant, in AD 345.¹⁹ As per the tradition, Thomas of Cana appeared as the link which brought the Chaldean Church into direct and intimate communication with the Christians of India.²⁰

The Syrian Christians who claim that they are the direct lineal descendants of Thomas of Cana are called “*Kananaya Syrians*”. They do not, generally, enter into marriage with other Christians. Commonly they are called “*Southists*” (*Thekkum-bhagar*) in contrast to the far bigger bulk of Christians who are called “*Northists*” (*Vadakkum-bhagar*),²¹ who claimed to be the direct

¹¹ Frykenberg, Robert Eric, *Christians and Missionaries in India: Cross-cultural Communication since 1500*, Michigan 2003, 34.

¹² A. S. Bartholomaeo, Paulinus, *Viaggio*, 60, quoted in: Thazhath, Andrews, *The Juridical Sources of Syro-Malabar Church*, Kottayam 1987, 3.

¹³ McGavaran, Donald Anderson, *Ethnic Realities and the Church: Lessons from India*, California 1979, 47.

¹⁴ Paul VI, Apostolic Letter, *Sollemne Semper*, 25 March 1972, in: AAS 64 (1972) 473-474, 474.

¹⁵ John Paul II, Apostolic Letter, *Tertio Millenio Adveniente*, 10 November 1994, no. 25, in: AAS 87 (1995) 5-41, 21. English Translation, in: Paul Pallath (ed.), *Pope John Paul II and the Catholic Church in India*, Rome 1996, 3-50, 4.

¹⁶ Frykenberg, *Christianity in India* (note 6), 36.

¹⁷ *Ebd.*, 107.

¹⁸ Mundadan, *History of Christianity* (note 5), 89.

¹⁹ *The Archeparchy of Kottayam*, *Knanaya History*, at: <http://kottayamad.org/knanaya-history/> (22.09.2017).

²⁰ Mundadan, Anthony Mathias, *Origins of Christianity in India (1st-6th Century)*, in: Hormice C. Perumalil / Edward Rene Hambye (eds.), *Christianity in India: A History in Ecumenical Perspective*, Aleppy 1973, 15-29, 27.

²¹ These names probably had the origin with the place of their settlement. The former lived on the southern part and the latter settled on the northern part of the town which formed the Christian quarters of the Cranganore, Varghese, *Glimpse of the History* (note 10), 12-13.

descendants of the very oldest Christians of the country, those who had been won to Christ by the Apostle Thomas himself.²²

2.1 The colonization and the Christianity

The second half of the 15th century is famous for the sea voyages and founding colonies especially by the two European nations, Portugal and Spain. The Portuguese captain Vasco da Gama left Lisbon on 7 June 1497, and landed near Calicut, Kerala, India on 14 May 1498.²³ The Portuguese had a twofold motive in their voyages to discover new countries: 1. they wanted to expand their trade in order to enrich themselves and their nation as quickly as possible, 2. they also had a genuine religious motive. The kings of Portugal ensured that every ship that sailed carried priests to minister to those on board and they considered that the evangelization of the natives where ever they settled was a national and governmental responsibility.²⁴

Thomas Christians experienced a spontaneous relief and joy at the arrival of powerful Christians from the west and expected help from the Portuguese.²⁵ The reason was that the Muslims controlled the main trade-routes between India and the East. Even in the pepper business there were Muslims who controlled and dominated.²⁶

Therefore, on the second visit of Portuguese to Cochin in 1502, they were visited by a deputation of Christians living in Cranganore and they solicited the help of the Portuguese against their rivals especially the Arabs.²⁷ They did not think at that moment that this step would possibly have a long-standing bearing on the life of their church.

Both parties stressed that the alliance would be based upon their common faith as Christian and upon a mutual benefit and protection. Thus, began a long connection between the Portuguese and the Thomas Christian community of Kerala.²⁸

It was the custom of the Portuguese to propagate their religion where ever they went. As a result, hundreds of people, mostly Hindus converted²⁹ to the Christian faith and received baptism in India.³⁰ Regarding the growth of the Thomas Christian community, it was only a natural growth of the Christian community, because the caste oriented Syrian Christians were not interested in

²² Frykenberg, Christianity in India (note 6), 98.

²³ Tisserant, Eugène, Eastern Christianity in India: A History of the Syro-Malabar Church from the Earliest Time to the Present, New York 1957, 27.

²⁴ Brown, Leslie, The Indian Christians of St Thomas: An Account of the Ancient Syrian Church of Malabar, Cambridge 1956, 12.

²⁵ Mundadan, Anthony Mathias, 16th-17th Centuries, in: Perumalil / Hambye, Christianity in India (note 6), 82-101, 83.

²⁶ Mundadan, History of Christianity (note 5), 156.

²⁷ Brown, Leslie, The Indian Christians of St Thomas (note 24), 13.

²⁸ Frykenberg, Christianity in India (note 6), 123.

²⁹ Some of the general points of conversion movements: 1. Since conversion was largely a group phenomenon, the result was: a. If two or more castes or tribes of identical status with traditional animosity existed in a region, only one group got converted; b. If both or all were converted, they invariably embraced different denominations; if two or more of these castes embraced the same denomination, cleavages continued in the church; the social stigmas, traditionally associated with castes continued and further fission took place based on the ritual status of the castes or political powers of the caste involved. 2. The clean caste converts, the high caste converts, invariably assumed the leadership positions in the church, thereby perpetuating their dominance. 3. If in a region the untouchable castes got converted, first they would invariably experience a socio-economic improvement and gain definite political advantage. This in a way prompted the backward castes to get converted. If there were upper caste converts already in the church structure, then the new converts from the untouchable and backward classes would experience only limited social mobility and social integration. The lower caste Christians would always experience a sense of alienation in the presence of upper castes Christians, cf. Oomen, *Tharailath Koshy / Mabry, Hinché Parham*, The Christian Clergy in India: Social Structure and Social Roles, vol. 1, New Delhi 2000, 51.

³⁰ Varghese, Glimpse of the History (note 10), 22-23.

missionary expansion of the church. In the sixteenth and the first half of the seventeenth century, there was a notable expansion of the church in most of the coastal regions controlled by the Portuguese.³¹

Through the patronage of colonial powers Christianity took deep roots not only in Kerala or in Tamil Nadu, but also in different parts of India. The Jesuits began a particular practice, where ever they went, of taking the catechumens into their residence for a few days in order to prepare them for baptism. Conversions increased year after year.

The Christians, who had accepted Christianity in the missions under the Portuguese, did not remain in the areas where they were converted or baptized, but migrated to other parts of the country. These sorts of exodus from one place to another gave rise to new Christian centers.³² Migration increased as the opportunities for employment increased.³³

The conversion to Christianity was a sure way of social mobility to escape from the stigma of belonging to a low-caste for many. There was a flow of conversion from the Scheduled classes, namely Scheduled Caste³⁴ and Scheduled Tribes³⁵, to Christianity. The reason was that in the Christian religion the out-castes or low-caste people were also considered as men, and they taught them the elements of religion, the sacred book, and gave them the opportunity to become priests and pastors.³⁶ For the low Caste the benefits of Christianity appeared considerable. In short, many were ready to hear and accept the Gospel because of the oppression.

However, here one can raise a question: Is the Catholic Church in India completely free from the caste system? There are still infringes of the caste system in the Indian Church. This view can be summed up in the statement of the National Consultation on Mission: "It is sad that various forms of caste discrimination still persist within the church. The Dalit Christians are kept at the periphery of church life. They legitimately claim a better participation in the leadership within their churches".³⁷ There is also a grumble that vocations from Dalit Christians are not properly being encouraged. A Dalit priest's feelings have been expressed in the following words: "We do understand that vocation is from God, but it boggles our mind why he should choose his priests from non-Dalits only. Is God too casteist? Does he also practice untouchability?"³⁸ However, one cannot categorically say that the church promotes the caste system or that the church is silent about the evil effects of the system. It takes time, energy and patience to wipe away this practice not only from the church but also from society as a whole.

The influence of Christian humanitarian services in the fields of education and health also have played a decisive role not only to attract many to Christianity but also in sustaining the new

31 *Thekkedath, Josef*, History of Christianity in India: From the Middle of the Sixteenth Century to the End of the Seventeenth Century, vol. 2, Bangalore 1988, 3.

32 *Meersman, Achilles*, Development of the Church under the Padroado: From the Death of St. Francis Xavier to the Eclipse of the Portuguese in the 17th Century, 1552-1665, in: Perumalil / Hambye, Christianity in India (note 6), 65-81, 79.

33 *Thekkedath*, History of Christianity (note 31), 205.

34 The Schedule Caste people are the ones who were previously untouchables. According to the Hindu mythology, this is the fifth category in the Varna System or Caste System. They are called *Ati Shudras* (Untouchables) and were condemned to do all dirty and polluting jobs. They named themselves as *Dalits* or *Harijans* (Son of God).

35 Schedule Tribes are a community of people who lived in tribal areas (mainly forests). They make up to 7-8% of the Indian population. They have traditionally been marginalized and not in the mainstream of society. They are also known as *Adivasis*.

36 *McGavaran*, Ethnic Realities and the Church (note 13), 100.

37 "Paths of Mission in India Today", (Pune 1994), no. 76, as quoted in: *Punnakottil, George*, The Role of the Church in the Context of the Church in India Today, in: Catholic India (Special Edition 1998), 89-101, 99.

38 *Raj, Antony*, Dalit Christian Reality in Tamilnadu, in: *Jeevadhara* 22/128 (1992) 95-111, 102.

converts. In some incidents, children who were being educated in Christian schools were the first to accept baptism and this event was followed sometime later by the baptism of their parents.³⁹

There was a cordial relation between the Portuguese and the Thomas Christians, but as the days passed by, the relationship began to get strained. This was due to the differences in the teachings, as well as in liturgical, and religious practices of the two churches.⁴⁰

Thomas Christians were told that their rejection of images was heresy, the customs handed down to them by their forefathers were unacceptable, and their different family ceremonies and traditions were an abomination.⁴¹ The Syrian Christians were regarded by the Portuguese as imperfect Christians, who had allowed improper rites and practices to adulterate the pure and true faith. The Portuguese tried to suppress all these practices. The Syrians, for their part, were not prepared to give up their own customs and practices.⁴²

Gradually Thomas Christians realized that the promising harmony between themselves and European Christians enjoyed during their early years together was being undermined and that the harmony could not last long.⁴³

A new chapter begins in the history of the Portuguese-Syrian conflict with the arrival of Archbishop Alexis de Menezes appointed to the Archdiocese of Goa.⁴⁴ For him the existence of a Syrian Church, which did not conform to the practices and rituals of western Catholicism, was only an anomaly.⁴⁵ Archbishop Menezes decided to visit Malabar and planned to take possession of the Syrian Church. Menezes decided to convene a synod to settle all matters of faith, he managed to get the Archdeacon's consent by threatening with deportation, and forced him to agree on different points which Menezes wished to have.⁴⁶

The Synod of Diamper⁴⁷ opened with great solemnity on 20th June 1599, the third Sunday after Pentecost, and lasted for seven days. The synod consisted of 813 members (133 priests, 20 deacons, and 660 lay representatives).⁴⁸ The scope of the Synod was to latinize the Thomas Christians as much as possible as per the Portuguese views by placing them under the Latin

39 Oddie, Geoffrey A., Hindu and Christian in South-East India, London 1991, 156.

40 Some of the important differences are: 1. The Portuguese acknowledged the Pope as the head of the Church while the Syrians acknowledged the Chaldean Patriarch of Babylon as their head, 2. The Portuguese highlighted the fact that the Syrians had no sacrament of confirmation (in fact it was not true), 3. There was a difference in the administration of the sacrament of anointing of the sick, 4. There was no compulsory celibacy among the clergies of the Syrian churches, 5. The lack of the doctrine of purgatory in the Syrian churches etc., Varghese, Glimpse of the History (note 10), 27.

41 Frykenberg, Christianity in India (note 6), 41.

42 Carson, Penelope, Christianity, Colonialism, and Hinduism in Kerala: Integration, Adaptation, or Confrontation? In: Frykenberg, Christians and Missionaries in India (note 11), 127-154, 136.

43 Frykenberg, Christianity in India (note 6), 126.

44 In 1534 Pope Paul III by the bull, *Aequum reputamus*, erected the diocese of Goa, the patronage of which was given to the Portuguese crown, Mundadan, History of Christianity (note 5), 241.

45 Varghese, Glimpse of the History (note 10), 30-32.

46 The Archdeacon was made to subscribe to the following points: 1. To condemn Nestorianism, 2. To confess the law of Thomas to be the same as that of Peter, 3. To make a profession of Faith according to the formula made by Menezes, 4. To hand over all the liturgical books to be corrected or to be burned, 5. To accept the supremacy of the Pope, 6. To swear not to receive any bishop other than the one sent by Rome and approved at Goa, 7. To condemn the Patriarch as a heretic, 8. To obey Menezes as his superior by an oath until the arrival of new bishop, 9. To promise to convoke a synod in the place determined by Menezes, and to accept everything that would be settled there, and 10. Not to go about accompanied by soldiers, to travel always in the company of Menezes and in the same conveyance, Raulin, *Johannes Facundus*, Historia Ecclesiae Malabaricae, Romae 1745, 511-513.

47 Archbishop Dom Menezes purposely choose the place Diamper, because it is not very far from Cochin where he could easily get the Portuguese military help in case of necessity, Podipara, Placid Joseph, The Hierarchy of the Syro-Malabar Church, Alleppey 1976, 92.

48 Varghese, Glimpse of the History (note 10), 33-35.

Archdiocese of Goa.⁴⁹ It was clear that the Thomas Christians had been called to the Synod not to discuss the matters presented, but only to obey.⁵⁰ In other words, the whole Syrian Church was brought under the rule of Rome.⁵¹

The Synod of Diamper influenced negatively to a great extent that the Thomas Christians lose their identity. However, it brought out some positive influences on the Church of Thomas Christians too. That is to say, the Synod of Diamper marks the beginning of the liberation of the Thomas Christians from its Dark-Ages which has lasted over a millennium, during which the remissive East Syrian bishops had functioned mostly as cultic figureheads but not as pastors, keeping the church perpetually retarded through non-governance.⁵²

Even though the Syrians submitted themselves to Menezes, at heart they were against the Latin supremacy. A large gathering of Syrians took place on 3rd January 1653, outside the Church at Mattancherry (a place near to present Cochin in Kerala) and they took an oath, which is known as the Oath of *Coonen* Cross or Oath of the Bent Cross.⁵³ The Oath of *Coonen* Cross marked an important turning point in the history of the Syrian church in India. That means, with this Oath, a schism occurred which forever separated the undivided Thomas Christian community.⁵⁴

After the Oath of *Coonen* Cross, immediate measures were taken by Rome to stem the tide of disaffection. Pope Alexander VI sent a Spanish Carmelite mission, instead of Jesuits, to make the reconciliation possible. They succeeded in bringing back the hearts of many of the Thomas Christians. After a period of twenty years, it was found that about two-thirds of the Thomas Christians remained within the Roman allegiance.⁵⁵ Those who continued their faith in the Church of Rome were known as Romo-Syrians.

The revolting Syrians on 22 May 1653 assembled at Alengad (a place near to Ernakulam in Kerala) and twelve priests laid their hands-on Archdeacon Parambil Thomas and proclaimed him as Bishop and Metropolitan of Malankara. He assumed the office under the title Mar Thoma I.⁵⁶ The separated group accepted the Jacobite faith, the jurisdiction of Jacobite Patriarch and adopted the Antiochean liturgy and discipline. Thus, for the first time in the history, the Jacobite church became established in India.⁵⁷ They are known as Jacobite Syrians.

⁴⁹ Podipara, *The Hierarchy of the Syro-Malabar* (note 47), 93.

⁵⁰ Neill, *The Story of the Christian Church in India and Pakistan* (note 6), 35.

⁵¹ Varghese, *Glimpse of the History* (note 10), 33-35.

⁵² Nedungatt, George, *Interpreting the Synod of Diamper and the Lessons of History*, in: George Nedungatt (ed.), *The Synod of Diamper Revisited*, Rome 2001, 33.

⁵³ On 3 January 1653 Archdeacon Thomas and representatives from the community met at the Church of Our Lady in Mattancherry to swear what would be known as the *Coonan* Cross Oath. The following oath was read aloud and the people touching a stone-cross repeated it loudly: "By the Father, Son and Holy Ghost that henceforth we would not adhere to the Franks, nor accept the faith of the Pope of Rome". This reference from the *The Missionary Register* of 1822 seems to be the earliest reliable document available. Those who were not able to touch the cross, tied ropes on the cross, held the rope in their hands and made the oath. Because of the weight, it is said that the cross bent a little and so it is known as "Oath of the bent cross" (Koonan Kurishu Sathyam). Saints Basilios, Basilios-Gregorios Orthodox Church, *The Oath of the Slanting Cross* (Koonan Kurishu Sathyam), at: <https://www.sbgoc.org/content/oath-slanting-cross-koonan-kurishu-sathyam-0> (22.09.2017).

⁵⁴ Frykenberg, *Christianity in India* (note 6), 361.

⁵⁵ Varghese, *Glimpse of the History* (note 10), 36.

⁵⁶ Chandran, Joshua Russel, *The Church in India*, in: *Religion and Society* 48/3 (2003), 22.

⁵⁷ Frykenberg, *Christianity in India* (note 6), 361.

3 The Catholic Church in India

The Catholic Church in India is a communion of three churches, Latin, Syro-Malabar, and Syro-Malankara Church. Each church took roots in India in different historical evolutions and circumstances. Each church has a tradition to narrate and to boast of; of course, most of these traditions are matters to be believed rather than matters to be proved historically. As of today, the Catholic Church in India has 174 dioceses⁵⁸, and around 303 (diocesan, auxiliary and emeritus) bishops⁵⁹ in India.

3.1 The Latin Church in India

The origin and growth of the Latin Church in India is essentially connected with the missionary enterprises of Portuguese colonial expansion and the so-called institute of Padroado, the Portuguese Patronage. There are some prevalent opinions regarding the origin of Latin rite Christians in India. The first opinion suggests that, a group of Latin Christian were formed in the first half of the 16th century by some Thomas Christians who adopted the Latin rite.⁶⁰

A second view leads us to the conclusion that, during the years after the synod of Diamper, and especially after the *Coonen* Cross Oath, a few churches of the St. Thomas Christians were brought under the Latin diocese of Cochin and some Thomas Christians in some places especially along the sea-coast adopted the Latin Church.⁶¹

The third view is the most acceptable one: The present Latin Christians are descendants of those who were converted by the Portuguese missionaries in the 16th and 17th centuries and by other foreign missionaries who worked in different parts of India from the middle of the 17th century under the propaganda congregation.⁶²

Since there was no Latin diocese in India when the Portuguese arrived in India, the whole of India was placed under the jurisdiction of the diocese of Funchal in Portugal. On 3 November 1534 Pope Paul III through the Bull *Aequum Reputamus* separated Goa from Funchal, and erected the first Latin diocese in India, as a Suffragan of Funchal.⁶³ It is from here that the Latin form of Roman Catholicism spread not only to all states in South India but also to several places in North India.⁶⁴

On 4 February 1557 by the Apostolic Constitution *Etsi Sancta et Immaculata* Pope Paul IV elevated Goa to an Archdiocese⁶⁵ and erected the Diocese of Cochin in Kerala⁶⁶ and the Diocese of Malacca in Singapore as its Suffragan Sees.⁶⁷ Since the Bishop of Cochin would not be able to

⁵⁸ *Catholic Bishop's Conference of India*, Dioceses, at: <https://www.cbci.in/DioceseIndia> (28.12.2024)

⁵⁹ *Catholic Bishop's Conference of India*, Bishops, at: <https://www.cbci.in/bishop> (28.12.2024)

⁶⁰ *Arattukulam, Michael*, St. Francis Xavier on the Malabar Coast, 1968, 4, as quoted in: *Mundadan*, History of Christianity (note 5), 351.

⁶¹ *Mundadan*, History of Christianity (note 5), 352.

⁶² *Ibid.*, 353.

⁶³ *Paul III*, Apostolic Constitution, *Aequum Reputamus*, 3 November 1534, in: Paul Pallath (ed.), Important Roman Documents Concerning the Catholic Church in India, Kottayam 2004, 14-35, 18.

⁶⁴ *Zachariah*, The Syrian Christians (note 3), 81.

⁶⁵ *Paul IV*, Apostolic Constitution, *Etsi Sancta et Immaculata*, 4 February 1557, no. 2, in: Pallath, Important Roman Documents (note 63), 36-43, 40.

⁶⁶ *Paul IV*, Apostolic Constitution, *Pro Excellenti Praeeminentia*, 4 February 1557, art. 6, in: Pallath, Important Roman Documents (note 63), 44-53, 48-50.

⁶⁷ *Paul IV*, *Etsi Sancta* (note 65), no. 3, in: *Pallath*, Important Roman Documents (note 63), 40.

exercise his pastoral functions effectively due to the great distance between the various places, considering the recommendation of king Philip of Portugal, on 9 January 1606 Pope Paul V (1605-1621) bifurcated the diocese of Cochin and erected the diocese of Mylapore.⁶⁸

The long-awaited dream of a Catholic Church in India was fulfilled in 1885. On 1 October 1885, Pope Leo XIII promulgated the Bull, *Humanae Salutis*. It brought out finally the establishment of Catholic Hierarchy in the Indian Church.⁶⁹

As per this papal decree six Archdioceses were created, in Agra, Bombay, Calcutta, Madras, Pondicherry, and Verapoly.⁷⁰ Ten more dioceses were also created in Allahabad, Patna, Coimbatore, Hyderabad, Krishnanagar, Mysore, Pune, Quillon, Thrichinapalli, and Vishakapattanam.⁷¹ From the last quarter of the 19th century the Roman Catholic Church increased in numbers and consolidated its position in Indian society.

The steady growth of the Latin Church in India can be articulated by the number of bishops and dioceses that the Latin Church has in India today. The Latin Church has 190 Bishops, the number consists of both bishops in office and the emeritus,⁷² and the church is spread through 132 dioceses which are divided into 14 Regions. There are 16.6 million followers of the Latin Church in India.⁷³

3.2 The Syro-Malabar Church in India

The Syro-Malabar Church is an Apostolic Church which originated from the Thomas Christians of Kerala. It was a church which did not take part in the oath at *Coonen* Cross or after the oath returned to the Roman church later. In some places of Kerala, they are called *Nazranis*, meaning those who follow the path of Jesus of Nazareth.⁷⁴

On several occasions Syro-Malabar Christians sent delegations and petitions, begging for their own episcopacy, which means a bishop from their own church, to Rome. One of the reasons for the delay of Rome to do something substantial was the influence of the ninth canon of the fourth Lateran Council,⁷⁵ which absolutely forbade the existence of more than one prelate or ecclesiastical head and consequently went against a double jurisdiction at the same territory.⁷⁶

It was only in 1887 that a breakthrough came about from the standstill situation of Rome and the demand of the Syro-Malabar Christians. In 1887 Pope Leo XIII, through his apostolic letter, granted two vicariates to the Syrian Catholics in India with special faculties to the Vicar Generals who are from the Syro-Malabar church.⁷⁷ In 1894, Pope Leo XIII, through the encyclical letter *Orientalium Dignitas Ecclesiarum*, made it clear that the Oriental rites are to be protected and preserved, the Oriental disciplines are to be taken care of and, the faithful of the Oriental rites

⁶⁸ Bullarium Patronatus Portugalliae regum in Ecclesiis Africae, Asiae Oceaniae, tomus 1 (1171-1600), curante Vicecomite De Pavia Manaso, Olisipone 1870, 4, as quoted in: *Pallath, Paul*, Die katholische Kirche in Indien Gestern und Heute, Rome 2005, 84.

⁶⁹ *Leo XIII*, Apostolic Constitution, *Humanae Salutis*, 1 September 1886, in: *Pallath*, Important Roman Documents (note 63), 152-173, 168.

⁷⁰ *Pallath*, Important Roman Documents (note 63), 169.

⁷¹ *Ibid.*, 163-169.

⁷² *Conference of Catholic Bishop's of India*, A Brief History, at: <https://ccbi.in/history/> (28.12.2024).

⁷³ *Conference of Catholic Bishop's of India*, Dioceses, at: <https://ccbi.in/dioceses-in-india-2/> (28.12.2024).

⁷⁴ *Syro-Malabar Major Archiepiscopal Church*, A Brief History, at: <https://www.syromalabarchurch.in/about-us> (28.12.2024).

⁷⁵ Can. 9/ Lateran IV, in: Josepho Alberigo et al. (eds.), *Conciliorum Oecumenicorum Decreta*, vol. 2, Bolonga 1973, 239.

⁷⁶ *Harris, Cyrill*, Ecclesiastical Identity of the Syro-Malabar Church of India: A Historico-Theological Study, Rome 1997, 93.

⁷⁷ *Leo XIII*, Apostolic Letter, *Quod Iampridem*, 20 May 1887, in: *Pallath*, Important Roman Documents (note 63), 190-193.

are to be cared for by the pastors of their own rite, etc.⁷⁸ After further discussions Pope Leo XIII decreed that the three Apostolic Vicariates were to be entrusted entirely to the native Thomas Christians, hence after three centuries of constant struggle to regain their lost heritage, they partially redeemed it with the appointment of three Apostolic Vicars of their own rite and nation.⁷⁹

In 1911 Pope Pius X, through the apostolic letter, *In Universi Christiani*, gave to the *Southists* (Thekkum-bhagar) a special vicariate, Vicariate Apostolic of Kottayam, which was formed from the *Southists* sections of Ernakulam and Changanachery Vicariates.⁸⁰ This group (*Southists*) to date maintains its social exclusivity rigidly. When someone of the Kottayam diocese marries a member of another diocese, even of a member of another Syro-Malabar diocese, he or she is considered as having become alien to the diocese of Kottayam.⁸¹ In 1955 the Bishop of Kottayam received from the Sacred Congregation for the Oriental Churches an extension of personal jurisdiction over all *Southist* people.⁸² On 9 May 2005 Major Archbishop Varkey Vithayathil, after attaining the consent of the Synod of Bishops and the non-objection of the Holy See, raised the *Southist* diocese Kottayam to the rank of a metropolitan see, with the explicit understanding that the Metropolitan See of Kottayam is to remain without a suffragan eparchy.⁸³

The growth of the Thomas Christian community thereafter has been praiseworthy. On 1 May 1917 Pope Benedict XV through the motu proprio *Dei Providentis* erected the Congregation for the Oriental Churches and The Syro-Malabar Church comes under the assistance of Congregation for the Oriental Churches.⁸⁴ The steady growth of Thomas Christians was readily acknowledged by Rome. Therefore, the long-awaited dream of Syro-Malabar Christians became a reality in 1923. Pope Pius XI established the Syro-Malabar Hierarchy, raising Ernakulum to the status of a full archdiocese.⁸⁵

On 16 December 1992, by the apostolic constitution *Quae Maiori*, Pope John Paul II raised the Syro-Malabar church to Major Archiepiscopal Church.⁸⁶ On 16 December 1992, by the apostolic letter *Venerabili Fratri*, Pope John Paul II nominated, declared, and constituted Mar Antony Padiyara, until then Metropolitan Archbishop of Ernakulum, as the first Major Archbishop of the Syro-Malabar Church.⁸⁷

Since the establishment of the Syro-Malabar hierarchy, the Syro-Malabar Church has made considerable progress in all fields of life. It is one of the most flourishing and promising churches of today. The outstanding growth of the Syro-Malabar church is articulated by the number of

⁷⁸ Leo XIII, Apostolic Letter, *Orientalium Dignitas*, 30 November 1894, in: ASS 27 (1894-1895) 257-264.

⁷⁹ Vithayathil, Varkey, *St Thomas Christians, and the Struggle for an Authenticity Indian Church*, in: Pathil Kuncheria (ed.), *Mission in India Today: The Task of St Thomas Christians*, Bangalore, 1998, 55.

⁸⁰ Pius X, Apostolic Letter, *In Universi Christiani*, 29 August 1911, in: Pallath, *Important Roman Documents* (note 63), 198-201.

⁸¹ Vadakkera, Benedict, *The Synod of Diamper in Historical Perspective*, in: Nedungatt, *The Synod of Diamper* (note 52), 37-75, 41.

⁸² *Sacred Congregation for The Oriental Churches*, Decree, 29 April 1955, in: AAS 47 (1955) 785, 785.

⁸³ *Syro-Malabar Bishop's Synod*, Decree Elevating the Eparchy of Kottayam to the Status of a Metropolitan See, 13 December 2005, in: *Synodal News* 13 (2005), 60-61.

⁸⁴ Benedict XV, *Motu Proprio, Dei Providentis*, 1 May 1917, in: AAS 9/II (1917) 529-530.

⁸⁵ Pius XI, *Apostolic Constitution, Romani Pontifices*, 21 December 1923, in: AAS 16 (1924) 257-262, 260.

⁸⁶ John Paul II, *Apostolic Constitution, Quae Maiori*, 16 December 1992, in: AAS 85 (1993) 398-399.

⁸⁷ John Paul II, *Apostolic Letter, Venerabili Fratri*, 16 December 1992, in: *Synodal News* 1 (1993), 11-13.

Bishops and Eparchies she has today. The Syro-Malabar church is blessed with 65 bishops and 5 million (5,080.637) faithful.⁸⁸

3.3 The Syro-Malankara Catholic Church in India

The Oath of *Coonen* Cross divided the till then undivided Thomas Christians into two sections, Roman Syrians and Jacobite Syrians. In the course of time, there evolved discomfort in the Jacobite Syrian Church which ultimately led to the division of the Jacobite Syrian Church into the Mar Thoma Syrian Church and the Orthodox Syrian Church. It is from the Mar Thoma Syrian Church that the Syro-Malankara Catholic Church originated.⁸⁹

After a long discussion and negotiations with Rome, on 20 September 1930, Mar Ivanios along with another Bishop, Mar Theophilos of the Catholicos party and a large group of clergies were received into the Catholic Church in their episcopal dignity and jurisdiction.⁹⁰ Thus, after a long process, the Syro-Malankara Catholic Church officially came into existence.

After the re-union with the Church of Rome, the struggle for a hierarchy of the Malankara Church in India began. The efforts of Malankara Christians fructified in 1932. Pope Pius XI through the Apostolic Constitution *Christo Pastorum Principi* established the Syro-Malankara hierarchy as the reunited community and erected the Archieparchy of Trivandrum with the Eparchy of Tiruvalla as its suffragan.⁹¹

The Syro-Malankara Church now having its hierarchy had achieved a progress which was accepted and recognized by the Holy Catholic Church. The recognition and acceptance was further enhanced when Pope John Paul II elevated the Syro-Malankara Church into the level of the Major Archiepiscopal Church on 10 February 2005.⁹² On the same day Pope John Paul II through another Apostolic Letter, *Cunctis Ecclesialibus Communitatibus*, appointed the Archbishop of Trivandrum as the Major Archbishop of the Syro-Malankara Church.⁹³ At present the Syro-Malankara Church has 16 bishops, 12 eparchies organized into two ecclesiastical provinces. The Church has around half a million faithful (465759).⁹⁴

⁸⁸ *Syro-Malabar Major Archiepiscopal Church*, Church at a Glance, at: <https://www.syromalabarchurch.in/church-at-a-glance> (13.11.2024).

⁸⁹ Patriarch Peter III of Antioch arrived in Malankara and in the Synod of Mulanthuruthy (1876) the Malankara Church had to accept the authority of the Patriarch of Antioch over this Church. However, a group in the Malankara Church could not accept the authority of the Patriarch in the administration of temporalities of the church. It was in this contentious context that Patriarch Mar Abdulla who came to Malankara and excommunicated Vattasseril Mar Divannasios, the then metropolitan of the Malankara church, in the year 1911. In this turbulent situation Fr. P.T. Geevarghese (later Archbishop Mar Ivanios) played a vital role in reinstating the position of the excommunicated Metropolitan and in regaining the self-governance of the Malankara Church. To ward off the undue interference of Patriarch Abdulla in the administration of the temporalities of the Church, Fr. P.T. Geevarghese with the blessing of Mar Divannasios contacted Abded M'siha, the Patriarch of Antioch from whom Mar Abdulla usurped the Patriarchal See of Antioch, and invited him to visit Malankara and to establish a Catholicate. Accordingly, Patriarch Abded M'siha came to Malankara in 1912 and established the Malankara Catholicate. Thus, the Malankara Church in India became an autonomous church under its head the Catholicos Moran Mor Baselios Paulos I (1912-1913). *Syro-Malankara Catholic Church*, Historical Overview, in: https://malankaracatholicchurch.in/Church/History_SMCC (28.12.2024).

⁹⁰ Brown, *The Indian Christians* (note 24), 158; Pallath, Pope John Paul II (note 15), 48.

⁹¹ Pius XI, Apostolic Constitution, *Christo Pastorum Principi*, 11 June 1932, in: AAS 24 (1932) 289-292, 290.

⁹² John Paul II, Apostolic Bull, *Ab Ipso Sancto Thoma*, 10 February 2005, in: *Malankara: Acts of the Holy Synod of the Syro-Malankara Catholic Church* 1/1 (2005), 12.

⁹³ John Paul II, Apostolic Letter, *Cunctis Ecclesialibus Communitatibus*, 10 February 2005, in: *Malankara: Acts of the Holy Synod of the Syro-Malankara Catholic Church* 1/1 (2005), 15.

⁹⁴ Syro-Malankara Catholic Church, Statistics, at: <https://malankaracatholicchurch.in/Church/Statistics> (28.12.2024).

4 Inter-Ecclesial Assembly

The origin of Inter-ecclesial assemblies can be traced back to the genuine need of different churches for an inter-ecclesial cooperation among themselves. Countries where different *sui iuris* churches exist together felt the need of gathering of the hierarchs of these different *sui iuris* churches to promote, to collaborate and to find out methods and means to fight against common threats and problems.

The *motu proprio Postquam Apostolicis* obliges all bishops including the Latin bishops to take common counsel.⁹⁵ There are two canons which indirectly speak of the necessity of an inter-ecclesial cooperation in the church. Can. 4 of *Cleri Sanctitati* puts forth a suggestion that the local hierarchs of various rites with mutual consultation shall promote unity of action among the clergy of various rites for clerical discipline and for the good of the religion. Can. 15 states that the prescription of can. 4 applies to Latin Hierarchs too.

Two documents of Vatican II are important on inter-ecclesial assemblies in the church. They are the Decree on the Catholic Eastern Churches, *Orientalium Ecclesiarum* (OE) and the Decree on the Pastoral Office of Bishops in the Church, *Christus Dominus* (CD).

OE, no. 4 made it very clear regarding inter-ecclesial cooperation among different churches *sui iuris*. Through the inclusion of the phrase periodical convention, *in periodicis conventibus* the assembly attains an institutional form.⁹⁶ The competence, as per OE, no. 4, is formulated into *collatis consiliis*, which means exchange of views. It indicates a purely consultative nature of the assembly. However, one cannot completely rule out the possibility of a binding decision from an Inter-ecclesial assembly, because the aim is to further the good of church in all aspects.

CD, no. 6 escalates the preparedness of the bishops to work together for the good of the entire church. Art. 38.6 of CD gives a befitting solution for inter-ecclesial gathering however before adding this text the commission explained to the Council Fathers the reasons and the aims of inter-ecclesial assemblies: a) it is to make a strong harmony among Catholic Hierarchy through a vital bond of faith and charity; b) it is for a better communication to take counsel together and to harmonize intentions; and c) it is to work together for the protection of the common cause of religion. As a conclusion, the commission accepted the differences between, in this regard, Oriental Churches and Latin Church. However, the schema recommends inter-ritual assemblies for the common good of the whole territory where several churches of different rites exist.⁹⁷

There is no direct mention of inter-ecclesial assemblies in the 1983 Code of Canon Law. However, there are few canons in the Code which stand for inter-ecclesial cooperation. The first canon of the Code states that “*canones huius Codicis unam Ecclesiam latinam respiciunt*”. It shows that the Code admits the existence of other churches in the Catholic Church or Catholic Church is a communion of other church *sui iuris*. The CCEO gives ample evidence for inter-ecclesial cooperation in the church. One of the guidelines for the revision of the CCEO stresses a provision to recognize the equality of all the churches of the East and West.⁹⁸

⁹⁵ Pius XII, *Motu proprio, Postquam Apostolicis*, 9 February 1952, can. 303 §2, in: AAS 44 (1952) 65-152, 146.

⁹⁶ Madathikandathil, George, *The Catholic Bishops' Conference of India: As Inter-Ecclesial Assembly*, Rome, 1989, 125.

⁹⁷ *Acta Synodalia Sacrosanti Concilii Oecumenici Vaticani II*, vol. III, pars. VI, Congregationes generalis CXII-CXVIII, Vatican 1975, 196.

⁹⁸ *Pontificia Commissio Codici Iuris Canonici Orientalis Recognoscendo*, Principi direttivi per la revisione del Codice di Diritto Canonico Orientale, in: Nuntia 3 (1976) 3-10, 7.

Can. 84 §1 foresees that the Patriarch is to take initiative to have inter-ecclesial assemblies for a common work to attain the good of the religion, to protect ecclesiastical discipline, and to have unity among all Christians. It is also the responsibility of Patriarchs, especially in a place where several patriarchs have jurisdiction, to act after consulting with one another in matters of great importance.⁹⁹ It is decreed that the patriarchal assembly is to be held for the good of the entire patriarchal church with due consideration for the entire territory where several *sui iuris* churches coexist.¹⁰⁰ Therefore, the common law envisages the provision that the persons of another church *sui iuris* can be invited into the patriarchal assembly and as per the statutes they can participate.¹⁰¹

Inter-ecclesial cooperation is seen from the part of the eparchial bishops, especially when various churches *sui iuris* exercise jurisdictional power in the same territory. Hence, through the periodic meetings, the eparchial bishops foster unity of action to promote the good of religion and more effectively safeguard the ecclesiastical discipline.¹⁰² There is a possibility that the members of another church *sui iuris* could participate in an eparchial assembly, even with a deliberative vote.¹⁰³

The eparchial bishop is entitled to appoint a *Protosyncellus* (Vicar General) or *Syncelli* (Episcopal Vicar) even from members of another church *sui iuris*. This is a concrete expression of inter-ecclesial cooperation in the CCEO.¹⁰⁴

Inter-ecclesial cooperation can be seen in clerical formation itself. Thus, the common law has the provision of having formation houses, major and minor seminary, with the students of different churches *sui iuris*.¹⁰⁵ The highest visible form of inter-ecclesial cooperation, with regard to clerics, is seen when the common law states that the presbyters of whatever condition working in a mission territory form one presbyterate.¹⁰⁶

By defending the right of the lay persons to participate actively in the liturgical celebrations of any church *sui iuris* whatsoever,¹⁰⁷ the common law even demands that the laity should study zealously their liturgical, spiritual, theological and disciplinary patrimony in order to have a better functioning between the members of different churches *sui iuris* for the common good.¹⁰⁸

⁹⁹ Can. 99 §2 CCEO.

¹⁰⁰ Can. 140 CCEO.

¹⁰¹ Can. 143 §§ 3, 4 CCEO.

¹⁰² Can. 202 CCEO.

¹⁰³ Can. 238 § 2 CCEO.

¹⁰⁴ Can. 247 §4 CCEO.

¹⁰⁵ Can. 332 §2 CCEO; In India, all most all the formation houses of candidates for priesthood accept candidates from different churches *sui iuris*.

¹⁰⁶ Can 593 §1 CCEO; The provision envisaged in common law for the transfer of a clergy to another church *sui iuris* for the cause of evangelization (can. 361 CCEO) is also a sign of Inter-ecclesial cooperation.

¹⁰⁷ Can. 403 §1 CCEO.

¹⁰⁸ Can. 405 CCEO.

5 Inter-Ecclesial Assembly in the CCEO

Title IX of the CCEO speaks of Assemblies of Hierarchs of Several Churches *sui iuris*. The title consists of only one canon, 322, but it speaks of different aspects of inter-ecclesial assemblies.¹⁰⁹ The purpose of the assembly is:

“[...]By sharing the insights of wisdom born of experience and by the exchange of views, the pooling of their resources is achieved for the common good of the Churches, so that unity of action is fostered, common works are facilitated, the good of religion is more readily promoted and ecclesiastical discipline is preserved more effectively.”¹¹⁰

Therefore, the inter-ecclesial assembly aims at fostering communion and concord among all the Christ's faithful, especially among hierarchs. It leads to free discussions and smooth resolutions for different problems in a spirit of evangelical charity, Christian equity by mutual recognition, and respecting always the individuality, identity and spiritual heritage of each church *sui iuris*.¹¹¹ Hence, the concerns of the assembly are more pastoral in nature, addressing areas of common concerns, such as the welfare of Christian churches in a non-Christian society, religious freedom, human rights, social inequalities, etc.¹¹² there could be national or regional inter-ecclesial assemblies.¹¹³

The *ipso iure* members of the assembly of hierarchs are heads of the churches *sui iuris*. E.g. Patriarchs, Major Archbishops, Metropolitans of metropolitan churches *sui iuris* and eparchial Bishops of various churches exercising their ministry in the same nation or region.¹¹⁴ The membership of non-Catholic hierarchs in the inter-ecclesial assembly is up to the statutes, which are to be approved by the Holy See.¹¹⁵ Therefore, this provision can be considered in accordance with the situations and the demands of the circumstances.

With regard to the competence, the common law made it clear that the decisions of the assembly do not have a juridically binding force. However, the decisions can achieve a juridically binding force provided the decisions are not prejudicial to the rite of each church *sui iuris*. Further, the decision in no way should hinder the power of the Patriarchs, of Synods, of Metropolitans and of the Council of Hierarchs.

To have a juridically binding force, the decisions have to be passed at least by two-thirds of the members having a deliberative vote and these decisions have to get the approval of the Apostolic See.¹¹⁶ The last requirement for a juridically binding decision from an inter-ecclesial assembly is

109 At the very beginning, it is good to make clear that the assembly of hierarchs of several autonomous churches is an innovation of the CCEO. Therefore, it is not an institution to be compared with any other institutions such as the bishops' conference of Latin Church.

110 Can. 322 §1 CCEO; English translation is taken from Codex Canonum Ecclesiarum Orientalium, Auctoritate Ionnis Pauli PP II promulgatus, Vatican City, Libreria Editrice Vatican, 1995. Latin-English Translation, Code of Canons of the Eastern Churches, prepared under the auspices of the Canon Law Society of America, Bangalore, 2009 [CCEO].

111 Pallath, Paul, Local Episcopal Bodies in East and West, Kottayam 1997, 471; Borge, Marco, Assemblies of Hierarchs of Several Churches *sui iuris* (cc.322), in: George Nedungatt (ed.), A Guide to Eastern Code, Rome 2002, 251-253, 252.

112 Feldhans, Verena, Der Conventus Hierarchiarum Plurium Ecclesiarum *sui iuris* (can. 322 CCEO), in: Folia Canonica 9 (2006) 177-193, 185; Faris, John Denver, Eastern Catholic Churches: Constitution and Governance, New York 1992, 249-250.

113 Can. 322 §1 CCEO.

114 Can. 322 §1 CCEO; The diocesan Bishops of Latin rite come under this group and also those who are equivalent to them in law. Pree, Helmut, Le assemblee dei Gerarchi delle diverse Chiese *sui iuris* in riferimento al can. 322 del CCEO, in: Ephemerides Iuris Canonici 51 (2011) 303-320, 309.

115 Can. 322 §4 CCEO.

116 Can. 322 §2 CCEO.

the approval of the Apostolic See. The approval from the Apostolic See is to be seen as a safeguard of the rights of churches which are a minority with regard to the members in the Assembly. The strict regulations with regard to the binding force of the decision of the assembly clearly indicates that the collective authority of the hierarchs convened in the assembly is in no way greater than the individual authority of the hierarchs.¹¹⁷

6 The Catholic Bishops Conference of India (CBCI)

The origin of the CBCI was, in fact, the need of the Indian Church. However, due to the plurality of Indian culture, languages, traditions, and different *sui iuris* churches, a coming together of all Catholic Hierarchy of India under one umbrella, called the CBCI, was not an easy task. However, through the initiatives and foresight of many of Indian bishops, it became a reality and it is one of the biggest assemblies of hierarchs of several churches *sui iuris* in the Catholic Church today. Now let us go through different aspects of the CBCI.

The Catholic Hierarchy was established in India in 1885 by the Apostolic Bull *Humanae salutis* of Pope Leo XIII, as we have seen in the earlier part of the study. In 1893, the Propaganda fide Congregation directed the Bishops of India to convene the provincial councils of India between November 1893 and April 1894 and it was also decided that the Apostolic Delegate should preside over the councils. Accordingly, the ecclesiastical provinces held the councils within the prescribed time.¹¹⁸

In view of bringing all the provincial councils together and to cope with urgent problems arising in the country, a meeting of the Metropolitans of India was held at Mylapore in 1921 and they took the name 'Conference of Indian Hierarchy'.¹¹⁹ It would be appropriate to know some of the important decisions of the first meeting of the Conference of Indian Hierarchy.¹²⁰

In April 1944, the Apostolic delegate, Leo Peter Kierkels, approached Indian Metropolitans for convening a conference of the Metropolitans of India to deal with some of the recent developments in the country, such as the imminent Independence, growing antagonism of educated nationalists to Christianity and Christian institutions, etc.¹²¹

Therefore, bearing in mind all different factors, in 1944, the members of the Indian hierarchy, conscious of their office, came forward to promote by all the means at their disposal, the firm

117 *Feldhans*, *Der Conventus* (note 112), 192; *Faris*, *Eastern Catholic Churches* (note 112), 645.

118 *Catholic Bishop's Conference of India*, Evaluation Report: The Catholic Bishop's Conference of India, Retrospect and Prospects, New Delhi 1995, 35.

119 *Conference of The Indian Hierarchy*, Outcome of Conference of Indian Hierarchy Held at Mylapore in the Year 1921, Bombay 1921, 6.

120 Some of the important decisions are: a) emphasis is to be given on the selection and the formation of the indigenous priests; b) the priests and Catholics are forbidden to interfere, especially through writing and word in public, in matters concerning the governance of the Church; c) the basic catechism should be given in all the languages, the power of the Supreme Pontiff and the bishops should be emphasised in the Catechetical formation; d) the Catholics are forbidden to have any kind of association with Protestants or any other denominations; e) the Catholics are encouraged to enter into politics to safeguard the rights of the Church; f) the faithful are obliged to support and contribute for the pastors and for the divine worship; g) the local Catholic associations are encouraged; h) the feast of the Sacred Heart of Jesus is declared to be the National feast, etc. *Ibid.*, 110-111; *Hoffman*, *Roman*, International Episcopal Co-Operation, in: *The Jurist* 23 (1963) 1-33, 10-11.

121 *Catholic Bishop's Conference of India*, Evaluation (note 118), 36.

establishment of God's kingdom. The meeting decided to call the assembly as 'Catholic Bishops Conference of India'.¹²²

The first years of the CBCI, naturally, were concerned with the problems that followed in the wake of independence, the teething problems of the country and of the church in the country. It is to say, the effort of the CBCI was to ensure that the Church in India did not suffer from certain ultra-nationalistic trends that had begun to appear in the country, particularly in some areas affecting the educational rights of the church and restrictions on foreign missionaries.¹²³

6.1 Inter-Ritual Problems

The history of the Indian Church is marked by infighting and the domination of one church over the other. It was the long-lasting demand from the part of two Oriental churches, Syro-Malabar and Syro-Malankara, that they should have the right to propagate their own rite to all parts of India and do pastoral care for Oriental faithful living in Latin dioceses.¹²⁴ In 1960 the CBCI conceded a resolution, "in view of the acute scarcity of personnel the hierarchy of India would gladly welcome offers from dioceses and religious institutions of the Oriental rites to undertake mission fields of the North".¹²⁵ Even before such a resolution, the faithful of Oriental churches in India were in the field of evangelization.

The internal problems of the Indian Church are brought forth even in the council hall of Vatican II. Cardinal Valerian of Bombay appealed to the Council Fathers to take appropriate measures to solve the problems that arise due to the existence of different rites in a particular area. He even suggested the involvement of an Apostolic Delegate with certain faculties in this regard.¹²⁶ One of the observations of Archbishops of Changanassery, M. Kavukatt, to the Vatican II was about the extension of jurisdiction of Oriental churches in India and the freedom to carry out the missionary activities.¹²⁷ The Archbishop of Goa, J. Alvernaz, requested through his observation that adequate ways and means to be found for cooperation among different rites where there is multi-jurisdiction.¹²⁸ Bishop of Kottayam, T. Tharayil, expressed his observation with regard to more cordial relations among persons of different rites which may lead to an easier way for the return of dissidents to Catholic Church.¹²⁹

During the *ad limina* visit of the Oriental Bishops of India in 1985, the Holy Father assured his help to find an amicable solution to the inter-ritual problems in Indian church by keeping the

¹²² *Catholic Bishop's Conference of India*, Evaluation (note 118), 36.

¹²³ *Catholic Bishop's Conference of India*, Report for the Years 1974-1975 of the Standing Committee of the Catholic Bishop's Conference of India, Hyderabad, 1976, 15.

¹²⁴ *Arulsamy, Saverimuthu*, Episcopal Synodality in India, in: Alberto Meloni / Silvia Scatena (eds.), *Synod and Synodality*, London 2005, 373-426, 393.

¹²⁵ *Catholic Bishop's Conference of India*, Report of the General Meeting of the Catholic Bishop's Conference of India, Delhi 1960, 61.

¹²⁶ *Gracias, Valerianus*, Consilia et Vota, 28 August 1959, in: Acta et Documenta Concilio Oecumenico Vaticano II Apparando, series I, vol. II, Consilia et Vota Episcoporum ac Prelatorum, pars IV: Asia, Roma 1960, 111-116.

¹²⁷ *Kavukatt, Matthew*, Consilia et Vota, 27 August 1959, in: Acta et Documenta Concilio Oecumenico Vaticano II Apparando, series I, vol. II, Consilia et Vota Episcoporum ac Prelatorum, pars IV: Asia, Roma 1960, 120.

¹²⁸ *Alvernaz, José*, Consilia et Vota, 4 April 1960, in: Acta et Documenta Concilio Oecumenico Vaticano II Apparando, series I, vol. II, Consilia et Vota Episcoporum ac Prelatorum, pars IV: Asia, Roma 1960, 130-131, 131.

¹²⁹ *Tharayil, Thomas*, Consilia et Vota, 22 August 1959, in: Acta et Documenta Concilio Oecumenico Vaticano II Apparando, series I, vol. II, Consilia et Vota Episcoporum ac Prelatorum, pars IV: Asia, Roma 1960, 152-153, 153.

principles of the legitimate rights of each of the individual churches and sensitivity to the needs and to the common good of whole church.¹³⁰

The Conference of Catholic Bishops of India (CCBI) in its executive meeting in 1988 decided that the ritual matters should go to separate episcopal bodies; supra-ritual matters would go to the CBCI, and it was decided also that the inter-ritual problems could be referred to the Standing Committee of the CBCI for a solution.¹³¹

6.2 Jurisdictional Problem

Due to modern culture, urbanization, and globalization there is a trend on the part of the people to migrate, mostly to urban areas, in search of a better life. This kind of exodus disrupts all spheres of social life including the ecclesial life of individuals. It leads to the question of multiple jurisdiction because in certain cities the members of different *sui iuris* churches live together even some of them not having their own hierarchy. Therefore, there has been attempts on the part of Orientals in India to have an all-Indian Jurisdiction.¹³²

The request of Indian Oriental Churches for an all-India jurisdiction is based on a double consideration: a) extension of Jurisdiction is required for the pastoral care of Oriental Catholics who have immigrated to Latin dioceses; b) it is also necessary in order that the Oriental churches may exercise, in proportion with their missionary potential, their right and duty to go to all the corners of India to do evangelization.¹³³ One of the Guidelines for the Revision of the Code of Oriental Canon Law states that the code must pay extra care to the Orientals living outside the Oriental regions, especially when dealing with inter-ritual norms.¹³⁴

In 1980 the Bishops of Oriental churches from India submitted a memorandum to his Holiness Pope John Paul II. Thereby, they tried to explain how the evangelization in the northern part of India is carried out by Oriental missionaries and the problems that the Oriental churches in India face due to the non-existence of a proper hierarchy in these areas.¹³⁵

The main reason for the Latin hierarchy in India's stance against the demand of an all-India Jurisdiction of Orientals is the Canon 9 of Lateran council IV, which categorically states that one city is for one bishop and the council went a step further stating that a city having different bishops is same as a body with different heads and it is a miscarriage.¹³⁶ Therefore, they insisted on working out a solution based on the principle of one jurisdiction in one territory. Any other

¹³⁰ John Paul II, Allocution Bishops of Syro-Malabar, in: AAS 78 (1986) 613-619, 618.

¹³¹ Conference of Catholic Bishops of India, Report of Executive Meeting of Conference of Catholic Bishops of India, 1988, 8-9, 8.

¹³² Some of the authors of Syro-Malabar origin argue that before the arrival of Latin Church in India, the Thomas Christians had an all-India jurisdiction. To quote one of them is J. Porunnedom who gives some arguments to show that the Thomas Christians had an all-India Jurisdiction: a) there was only one metropolitan province of India and the whole of India was under its jurisdiction; b) the metropolitan see of India was not fixed to any place until 1565 when Patriarch Abdisho decided to divide the diocese of India between mar Joseph and Mar Abraham, however, with a condition that the part of the one who died first had to devolve to the other; and c) the metropolitan and their archdeacon used the title 'Metropolitan or Archdeacon of all-India'. He concluded his arguments stating that a *de facto* absence of the Thomas Christians in every part of India would not have caused an automatic cessation of their jurisdiction because it was an acquired right, Porunnedom, José, *The Right of Syro-Malabar Church for an All-India Jurisdiction*, in: Jose Chiramel / Kuriakose Bharanikulangara, (eds.), *The Code Canons of the Eastern Churches*, Alwaye 1992, 304-305; Pathikulangara, Varghese, *The Chaldeo-Indian Church*, in: *Christian Orient* 2/1 (1981) 5-28, 24.

¹³³ Dupuis, Jacques, *Whither the CBCI?* In: CBCI, *The Inter-Ritual Dialogue 1983-1984*, New Delhi, 1984, 178.

¹³⁴ *Pontificia Commissio Codicis Iuris Canonici Orientalis Recognoscendo*, Principi direttivi (note 98), 5.

¹³⁵ Bishops of Syro-Malabar and Syro-Malankara Churches, Memorandum to His Holiness Pope John Paul II from the Syro-Malabar and Syro-Malankara Churches, 29 August 1980, in: *Journal of St. Thomas Christians* 22/1 (2011) 66-81, 73.

¹³⁶ Can. 9/Lateran IV, in: Albergo et al., *Conciliorum Oecumenicorum Decreta* (note 75), 239.

solution may not only upset the existing order of things, but also prove counter-productive as to extension work, and prove also damaging to the faithful themselves.¹³⁷

The mind of Latin Hierarchy in India, regarding the claim of Orientals for an all-India-jurisdiction, can be summed up in the words of Bishop Henry D'Souza:

"All individual Churches have equal rights. True, but does Rite mean jurisdiction? Three Roman documents state that Orientals residing outside the territory of the Patriarchs are subject to the authority of the place where they dwell, while maintaining their rite (Leo XIII *Orientalium Dignitas*, 1894; Pius X *Ea Semper*, 1907; Pius XII, *Cleri Sanctitati*, 1957). These suggest that the care of the Orientals need not require personal jurisdiction but must be such that their ritual traditions are preserved [...]. Equality of rite need not demand the establishment of double jurisdiction. The Bishop is to care for the rite, the rite itself need not imply jurisdiction."¹³⁸

In conclusion, Bishop Henry brought certain practical issues if double jurisdiction is permitted in India:

"Double Jurisdiction is seen to give rise to divided loyalties, unhealthy competition, inadvertent baptism of the baptized, hurried acceptance into the church lest another rite capture them, movement of sheep to 'better pastures', comparison of achievements leading to further rivalries reported readiness to perform marriages without the formalities required by Latin Bishops, etc., and the real scandal all this leads to."¹³⁹

Throwing mud at each other or accusing each other, at times, even without a base, became very active in Indian Catholic Church. At times, it brings exertion for one to make an objective judgment of many of the claims and testimonies of these both groups, namely, Latin and Orientals.

The code commission discussed extensively on the extension of jurisdiction outside the patriarchal territory. The seriousness of the issue is seen by the fact that, in 1988, fifteen members of the code commission made an urgent proposal to the Roman Pontiff.¹⁴⁰ Just after 5 days of submitting the proposal, the pontifical decision was communicated to the Vice-President of the commission. The Holy Father asked the commission to hold firm to what has been decided by the ecumenical councils and specially by Vatican II. These councils did not heed to the request of extending the jurisdiction outside of the proper territory. However, in special situations, the Holy Father said he would be happy to consider the request.¹⁴¹

The above-mentioned official communication from the Holy Father marked the end of confusion and discussion regarding the extension of patriarchal jurisdiction. With this background the

137 *Sub-Committee of Catholic Bishops' Conference of India*, Report on Latin-Oriental Relationships, in: CBCI, Agenda of the Extraordinary General Meeting of the Catholic Bishops' Conference of India, Bombay 1983, 23-24.

138 D'Souza, Henry, Latin-Oriental Relationship in the Church in India, in: CBCI, The CBCI Inter-Ritual Committee for Evangelization, New Delhi 1998, 97.

139 Ibid., 2; In this context, it would be apt to mention what is observed by the metropolitan of Syro-Malankara church in 1985 Synod of Bishops: "Archbishop Henry said, one city, one bishop. I am Archbishop in Trivandrum. Five years after our See was established, a new Latin bishop was appointed in the same city. No questions were asked, no objection was made. My brother Latin bishop, Jacob, and myself go on with the best of relations. The same happened in Ernakulam and in Kottayam. The new dioceses were of Latin rite". Gregorios, Benedict, Syro-Malankara Church and Vatican Council: Synodal Speech of the Metropolitan of the Syro-Malankara Church, 29 November 1985, in: Christian Orient 7/1-2 (1986) 46-50, 46.

140 Cf. Nuntia 29 (1989), 27.

141 Cf. Nuntia 29 (1989), 27.

CCEO is codified and it categorically states that the power of the Patriarch is exercised validly only within the territorial boundaries of the patriarchal church; however, without prejudice to the nature of the matter or the common law or a particular law approved by the Roman Pontiff decides otherwise.¹⁴²

Some of the arguments of Latin Hierarchy in India fails to satisfy a common man's question regarding the venerable principle of "one city, one bishop" and the existence of so many dioceses of different churches *sui iuris* in Kerala, India.¹⁴³ Today, the Latin Church extends all over the world and among all cultures and civilizations and she has no territorial limitations. Therefore, there is not even a single canon in the whole of Latin Code which speaks of external territorial boundaries of a Latin Church.

After long years of attempt in 2017 there came up a strong intervention from the part of the Holy Father to make a solution for the centuries old jurisdictional problem. He has written to the bishops of India that overlapping jurisdictions are effective tools for ensuring the pastoral care of the faithful.¹⁴⁴ He went further stating that the presence of a number of bishops in the same area doesn't compromise the mission of the church.¹⁴⁵ As the conclusion he wrote, "I have therefore authorized the Congregation for the Oriental Churches to provide for the pastoral care of the Syro-malabar faithful throughout India by the erection of two eparchies and by the extension of the boundaries of the two already in existence".¹⁴⁶

6.3 Call for Unity

From the very beginning of the CBCI itself, because of the disunity, there was an attempt for unity among the bishops. However, many times, the reconciliation attempts remained futile. Therefore, the CBCI had taken another turn after the 1983 Code of Canon Law.

Pope John Paul II visited India in 1986 and during his visit, he assured the bishops of India his assistance in finding an amicable agreement on the question of Rites. For this purpose, he appointed a pontifical commission which met in Rome in June 1986.¹⁴⁷ After serious studies,

¹⁴² Can. 78 §2 CCEO.

¹⁴³ India, being the seventh largest country in the world, has a total area of 3,287,263 sq. km. Kerala, being one of the 29 civil State of India, has a total area of 38,863 sq. km., which is only a 1.18% of India's landmass. In this comparatively small civil state, Kerala, the Catholic Church has got 31 dioceses. Among these, 12 are Latin, 13 are Syro-Malabar and 6 belong to Syro-Malankara. Most of these dioceses are situated in the jurisdiction of one another. For example, Kottayam is one of the 14 civil Districts of Kerala which has got a total area of 2208 sq. km., and Kottayam has got the Jurisdiction of 5 Catholic dioceses, namely, Kottayam (Southist or Kanaya), Vijayapuram (Latin), Changanassery, Palai and Kanjirappally (Syro-Malabar). The Civil district of Thrissur has a total area of 3032 sq. km. and has got the jurisdiction of 5 Catholic dioceses, namely, Kottapuram and Verapoly (Latin), Thrissur and Irinjalakuda (Syro-Malabar), and Movattupuzha (Syro-Malankara). One more example is the Civil District of Ernakulam which has a total area of 3068 sq. km., which has also got the jurisdiction of 5 Catholic dioceses, namely, Kochi and Verpoly (Latin), Ernakulam-Angamaly and Kothamangalam (Syro-Malabar) and again Movvatupuzha (Syro-Malankara).

¹⁴⁴ Francis, Letter of his Holiness Pope Francis to the Bishops of India, 9 October 2017, in: Synodal News 25 (2017) 181-186, 183 (art. 5).

¹⁴⁵ Ibid., art. 6.

¹⁴⁶ Ibid., art. 7. Even after this letter of Holy Father, many Latin bishops are reluctant to accept the all India jurisdiction for the Syro-malabar church. One could put a question that is the mentioned jurisdiction is particularly for the mentioned eparchies or in general for the Syro-malabar church.

¹⁴⁷ "I spoke to all of you assembled in New Delhi about this matter and assured you of the Holy See's desire to be of assistance to you in this regard. I mentioned that the final stage of this study would be carried out as soon as possible and that I myself would do everything possible to ensure a just and fair settlement of the issue, one that would take into account all the pastoral exigencies of unity and truth. To this end I appointed a Pontifical Commission under the Presidency of the Cardinal Secretary of State, composed of the cardinal Prefects of the two Roman Congregations directly concerned in the matter, the Apostolic Pro-Nuncio in

reflections and taking into consideration all prevailing circumstances in Indian Context, the Pope wrote:

“The Bishops of each of the three Rites have the right to establish their own Episcopal bodies in accordance with their own ecclesiastical legislation. The national Conference of all Catholic Bishops of India is to continue for questions of common concern and of a national and supra-ritual character, e.g. Doctrine and Morals, Organizations of a national and supra-ritual character, questions involving the Catholic Church and the Government,¹⁴⁸ etc. These areas are to be determined in the National Conference’s new statutes to be approved by the Holy See.”¹⁴⁹

As per the letter of the Holy Father, the bishops of the three rites attained the right to establish their own episcopal bodies in accordance with their own ecclesiastical legislation.

The Latin Catholic Church has formed ‘Conference of Catholic Bishops in India’, Syro-Malabar has ‘Syro-Malabar Bishops’ Synod’, and Syro-Malankara has Syro-Malankara Council of Hierarchs¹⁵⁰. Catholic Bishops’ Conference of India continues as the national conference of all the Catholic Bishops of India as per the directives contained in the letter of Holy Father with modified statutes of 2003.

6.4 The Purpose of CBCI

The general purpose of the CBCI is to witness Christ more effectively in the service of the people of India. It is attained through coordinated study and discussion of questions of common concern and of a national and supra-ritual character affecting the church in India and through prosecution of common policy and concerted pastoral action.¹⁵¹ One of the other significant concerns of the CBCI is to sustain unity of the Church in India.¹⁵² Therefore, at the very commencement of the statutes itself, it is made clear that it functions without any sort of meddling with the operation of other episcopal bodies and it is obliged to do everything respecting the rights and obligations of the individual churches *sui iuris*.¹⁵³

India, Archbishops representing the three Rites in India, and others”. John Paul II, Letter Bishops of India, in: Pallath, Important Roman Documents (note 63) 241-245, 245.

148 The view that the Pope expressed that CBCI stands as a middle person between Church and Government in India was one of the principles of the CBCI from its beginning. In this context, it is worthwhile to note here what His Eminence Cardinal Gracias wrote to the law commission of India in 1958: “While the law commission will naturally receive and consider representations submitted to it by individual Catholics and Catholic bodies, you will appreciate that the representation of the CBCI will have to be taken as the only official representation of the Catholic church, with which no representation of an individual Catholic or a Catholic body can differ, much less be in conflict”. *Standing Committee*, The Christian Marriage and Matrimonial Causes Bill 1962, in: G. Pereira (ed.), Important Decisions of the CBCI Standing Committee Down the Years (1960-1999), New Delhi 1999, 15-25, 16.

149 John Paul II, Letter to the Bishops of India, 28 May 1987, in: Pallath, Important Roman Documents (note 63), 248; However, in the letter, Pope John Paul II has not mentioned anything substantially regarding the age-old appeal of Oriental churches for an all Indian Jurisdiction. So, it paves way for further discussions, confusions and to certain extent mistrust.

150 When the Malankara Church got the status of Major Archiepiscopal Church in 2005, it established Malankara Catholic Episcopal Synod.

151 *Catholic Bishop’s Conference of India*, Statutes, New Delhi 2003, art. 4; It would be mainly to deal with central government and its different organizations, because Catholic Church in India needs unanimity in many of its policies, for eg. Educational, Health policies etc.

152 “The Conference will maintain cordial relations with the Episcopal bodies of the different churches *sui iuris* in India and encourage all its members to do the same, so that the unity of the church in India be manifest to all”. *Catholic Bishop’s Conference of India*, Statutes (note 151), art. 5.

153 “In Particular, without interfering in the functioning of the other Episcopal bodies, the Conference intends [...], the Organization and co-ordination of the missionary activity in the country in such a way so as to promote an evangelization that is truly effective,

Ordinary members of the CBCI are those Oriental and Latin bishops who are entrusted with pastoral obligations in the Indian Hierarchy. Therefore, all diocesan and eparchial bishops and those considered equal to them by law, as well as co-adjutor and auxiliary bishops, and other titular bishops performing a special work in India entrusted to them by the Apostolic See or by the conference are considered to be the ordinary members of the conference.¹⁵⁴

All retired bishops and other titular bishops residing in India are honorary members of the conference.¹⁵⁵ The honorary members neither have the right to propose items for agenda, nor have an active voice or deliberative vote in elections and in decisions.¹⁵⁶ The statutes envisage a large possibility of the non-members, as invitees and as experts, be present in the general body meetings of the CBCI. However, they have to be called upon by the chairman of the meeting to intervene during the sessions.¹⁵⁷

6.5 The Competence of the CBCI

Throughout the years of its existence, the CBCI, has been playing a major role in protecting and fighting for the rights of Catholic Church in India. It has also expressed and emphasized the values that the church promotes, even though it may not be possible to measure the level of influence or change that has come about on account of its efforts.

The power of the CBCI is restricted with regard to the pastoral activity. In one of the reports of the Standing Committee it is stated that the role of the CBCI in the pastoral care of the faithful is basically inspirational, advisory, coordinating, animating and recommendative. Therefore, strictly speaking, the CBCI does not have a direct role to play in the pastoral life of the people, since that is the direct responsibility of the individual episcopal bodies and the respective local ordinary. Nevertheless, the CBCI being a collective body of bishops of India, can offer general guidelines on the basis of its analysis of the situation in the country and according to the needs of the people.¹⁵⁸

The CBCI being the highest organization of Catholic Hierarchy in India, is responsible to intervene in the activities of State or any other organs of the government when they act against the fundamental rights and freedom of the citizens of the country.¹⁵⁹ The CBCI, from its very inception has contributed, in a meaningful manner, towards the solution of several social issues and problems faced by the people. Perhaps the church has rendered greater service in this field than any other religion in India. The social initiatives of the CBCI, most of the time, are carried out directly by the CBCI at national level.

The CBCI in numerous occasions appealed to the government of India to uphold the secular values enshrined in the Indian Constitution, which are not merely tolerance towards religious,

respecting the rights and obligations of individual churches *sui iuris*", *Catholic Bishop's Conference of India*, Statutes (note 151), art. 6.

154 Catholic Bishop's Conference of India, Statutes (note 151), art. 12.

155 Ibid.

156 Ibid., art. 13.

157 Ibid., art. 19.

158 *Standing Committee of Catholic Bishop's Conference of India*, Competence of Commissions: Extracts from CBCI Evaluation Report 1995, in: CBCI, Report of the CBCI Standing Committee Meeting 1997, 41-82, 45.

159 One of the purposes of CBCI states: "To deal with issues relating to the Central and State governments, as also other National and International Organizations, without prejudice to the specific prerogatives of the Holy See". *Catholic Bishop's Conference of India*, Statutes (note 151), art. 6d.

cultural and linguistic diversities but which respect all these differences and which unambiguously promote equality before the law for all citizens and the pursuit of social justice and well-being of all. In one of the appeals the CBCI demands:

“it is the government’s responsibility to plan work, initiate action, and enlist the co-operation of all in the tremendous task of giving a fair deal to every citizen of India and of fostering in the country, union based on mutual understanding and love. In the pursuit of this goal, we gladly pledge to government our full and permanent cooperation.”¹⁶⁰

With regard to the allegation that the Catholic Church is interested in forced conversion, the CBCI made a statement:

“We are convinced that the allegations of forced conversion by Christian communities are merely a strategy developed by vested interests in order to prevent Christian services of health, education, poverty alleviation and development on behalf of deprived communities”.¹⁶¹

CBCI always stands at the forefront to condemn any sort of harassment of church personnel by various fundamentalist groups and at the same time appeals to civil authorities to give due protection to the innocent people and to instill a sense of security among the Minority Communities.¹⁶²

The CBCI also spoke against a contraceptive culture in India: “We condemn, in no uncertain terms, the advocacy of condoms or any other devices in the name of ‘safe sex’ and point out that it is these same devices, and the attitude that promoted their use, that have brought society to this sorry state”.¹⁶³

The CBCI issued a call for urgent and universal disarmament at the time when India and Pakistan conducted eleven nuclear tests in 1998. The CBCI acknowledged that the nuclear weapons race on the subcontinent of South Asia is a reality. It pleaded to restore mutual confidence between the countries of the region, specially between India and Pakistan, to reopen channels of

160 *Catholic Bishop's Conference of India*, Appeal to the People of India, 14 April 1972, in: Thomas d'Aquino Sequeira (ed.), *Final Statements of the General Body Meetings of Catholic Bishops' Conference of India (1966-2012)*, New Delhi 2012, 17-18.

161 *Ibid.*; *Catholic Bishop's Conference of India*, Statement on Violence Against Christians, 26 September 2008, in: Vidyajyoti: Journal of Theological Reflection, November 72/11 (2008) 814-817, 815.

162 *Standing Committee of Catholic Bishops' Conference of India*, Attack on Churches, in: Gerald, Pereira (ed.), *Important Decisions of the CBCI Standing Committee Down the Years (1960-1999)*, New Delhi, 1999, 105-110, 105. In one of the meetings, it was said that different attacks against churches seem to be a deep-seated prejudice against the church in India. Therefore, it was suggested that the Christian intellectuals in the country should come forward and write in defence of the church. *Ibid.*, *Standing Committee*, Attack on Churches, 120; In this regard, it is worth to note the words of the chairman of the all India seminar on the history of Catholic Church in India on minority issues: “If some of the recent events are anything to go by, our fears get ever more confirmed that, despite the goodwill of the vast majority of our fellow-countrymen towards us, there are people who intentionally exploit the religious sentiments of the majority in order to achieve at our expense political gains for themselves. This evil tendency is threatening our very national fabric which has withstood numerous challenges down the centuries. We want to make it known to all the citizens of this country that this threat that certain minorities face is not merely a problem of the minorities but a serious threat to the very country and to the continuance of democracy and co-existence”. *Chakiath, Thomas*, Preferential Concern for the Less Privileged: Statement of the CBCI-KCBC National Celebration of the Jubilee of St. Thomas and St. Francis Xavier National Seminar on the History of the Catholic Church in India, in: *The Living Word* 108/6 (2002) 337-338, 338.

163 *Catholic Bishop's Conference of India*, Pastoral Letter on Abortion, 13 January 1992, in: Thomas d'Aquino Sequeira (ed.), *Final Statements of the General Body Meetings of Catholic Bishops' Conference of India (1966-2012)*, New Delhi 2012, 157.

communication, and to defuse the atmosphere of tension and confrontation.¹⁶⁴ In this regard, the mind of the Catholic Church in India is clear by stating:

“Resources needed for combating poverty, for waging war on hunger and disease, and for empowering the people through education, shelter and a respect for their human rights should not, and must not be diverted in a race involving hostility, war and destruction”.¹⁶⁵

One of the recent involvements of CBCI for the protection of the human rights is the intervention of CBCI for the people of Manipur. A delegation of CBCI visited Manipur and criticized the prolonged silence and apathy of law enforcement agencies in containing the ongoing communal violence in the state.¹⁶⁶

Even though the Catholic Hierarchy is active in many of the social spheres of the Indian society, the common understanding is that their involvement tends to appear timid and weak. The hierarchy is plagued with a ‘minority complex’, and hence tends to be, at times, re-active rather than proactive. It is generally observed that church leaders come on rather late, *post factum*, onto the scene, to lament the country’s woes and problems, rather than taking the initiative to offer, in a forceful and courageous way possible, practical and concrete solutions.

7 Conclusion

The existence of three *sui iuris* churches in India with completely different traditions, customs, and liturgies is a matter to be experienced. The three Catholic hierarchies, the Latin, the Syro-Malabar and the Syro-Malankara, are symbols of unity and a potent manifestation that the universal Catholic Church is one. Diversity itself is a mission of the church to reach out to all levels and conditions of the people.

We have taken a glimpse into the apostolic origin of the Catholic Church in India. The claim of the apostolic origin of the Thomas Christians is a matter to be believed rather than historically proved. The conflict that exposed within the Catholic Church of India in the process of her growth into maturity, is a certification that evangelization in India has been carried out through weak and fragile human hands.

The growth of the three *sui iuris* churches in India, after having their own hierarchies, is a matter to be proud of. Their evangelization initiatives are praiseworthy. However, an overemphasis on growth leads to institutionalization, which in turn often results in unhealthy competition.

The promulgation of the 1983 Code, with canons on bishops’ conferences, brought with it doubts and even confusion, which led to a lot of discussion in the Indian Church. The other two *sui iuris* churches, the Syro-Malabar and the Syro-Malankara, felt threatened by or excluded from a canonical structure called bishops’ conference.

As per the CCEO synodal governance is the ordinary form of governance among the Patriarchal and the Major Archiepiscopal Churches. The Syro-Malabar Bishops Synod (SMBS) and the

¹⁶⁴ Standing Committee of Catholic Bishops’ Conference of India, CBCI’s Call for Urgent and Universal Disarmament in: *Pereira*, Important Decisions (note 162), 192.

¹⁶⁵ Standing Committee of Catholic Bishops’ Conference of India, Call (note 164), 193.

¹⁶⁶ *Vatican News*, Indian Bishops lament apathy and silence on violence in Manipur, at: <https://www.vaticannews.va/en/church/news/2023-07/indian-bishops-lament-apaty-and-silence-on-violence-in-manipur.html> (30.12.2024).

Malankara Catholic Episcopal Synod (MCES) have been formed due to the canonical elevation of these two churches *sui iuris* into the rank of Major Archiepiscopal Churches.

Even before the provision of can. 322 in CCEO, the CBCI existed in India, because, being a minority religion in India, down through the years, the Catholic Church in India had to fight in unity for its existence. Today the CBCI is responsible for questions of common concern and of a national and supra-ritual character, e.g., doctrine and morals, organizations of a national and supra-ritual character, and questions involving the Catholic Church and the Indian Government.

The energy and time that the bishops have to put into the issues of ritual and jurisdiction may inhibit them from dealing with the real issues of the Catholic Church in India. The CBCI can achieve its goals more earnestly when it can find an amicable solution with regard to the inter-ritual problems and the issue of jurisdiction. This would be easier and possible if each one sees the other as one who builds up the body of Christ. A spirit-filled community is capable of breaking down barriers to find communication and communion. The Latin and the Oriental Churches in India, with all their diversities, should be seen as sources of enrichment, rather than as causes of division.