

www.malankaralibrary.com

**CODE OF PARTICULAR LAW
OF THE SYRO-MALABAR CHURCH**



**SYRO-MALABAR
MAJOR ARCHIEPISCOPAL CURIA
MOUNT ST. THOMAS**

**CODE OF PARTICULAR LAW
OF THE SYRO-MALABAR CHURCH**



SYRO-MALABAR
MAJOR ARCHIEPISCOPAL CURIA
MOUNT ST. THOMAS

2013

CODE OF PARTICULAR LAW OF THE SYRO-MALABAR CHURCH

Published by

The Syro-Malabar Major Archiepiscopal Curia

Mount St. Thomas, P.B. No. 3110, Kochi – 682 030

All rights reserved. No part of this book may be reproduced in any manner without the permission in writing from the copy right holder, except for brief quotations.

Copy right: The Syro-Malabar Major Archiepiscopal Curia

Printed at : Vianiprintings, Kochi - 28., Ph : 0484 - 2401635

TABLE OF CONTENTS

DECREE OF THE MAJOR ARCHBISHOP	v
PREFACE	viii
PREAMBLE (SECTIONS ONE AND TWO).....	xv

PART I: PARTICULAR LAWS

Title I.	Major Archbishop and the Structures at the Major Archiepiscopal Level	1
Title II.	Eparchies and Bishops	2
Title III.	Exarchies and Exarchs	4
Title IV.	Parishes and Parish Priests	4
Title V.	Clerics	6
Title VI.	Permanent Diaconate	10
Title VII.	Monks and Other Religious as well as Members of Other Institutes of Consecrated Life	18
Title VIII.	Societies of Apostolic Life	20
Title IX.	Evangelization of Peoples	24
Title X.	Divine Worship and especially the Sacraments	25
Title XI.	Sacramentals, Sacred Times and Places, Veneration of the Saints and Other Acts of Devotion	40
Title XII.	Baptized Non-Catholics Coming into Full Communion	42
Title XIII.	Recourse against Administrative Decrees	42
Title XIV.	Temporal Goods of the Church	43
Title XV.	Trial	46

PART II: STATUTES

1. Statutes of the Synod of Bishops 49
2. Statutes of the Permanent Synod 68
3. Statutes of the Superior Tribunal 77
4. Statutes of the Major Archiepiscopal Tribunal 87
5. Statutes of the Major Archiepiscopal Assembly 100
6. *Palliyogam* – Procedure Rules 108

PART III: GUIDELINES

1. Guidelines for Pastoral Collaboration in Parishes with the Institutes of Consecrated Life and Societies of Apostolic Life 135
2. Guidelines for Raising a Religious Congregation to the Major Archiepiscopal Status and for Granting *nihil obstat* for Pontifical Status to a Religious Congregation 137
3. Guidelines for Recognizing Lay Associations of the Syro-Malabar Faithful outside the Syro-Malabar Eparchies in India and Abroad 140
4. Guidelines for the Pastoral Care of Migrants 143
5. Guidelines for the Formation of Permanent Deacons 148
6. Guidelines for the Functioning of the Commission for Finance 154
7. Guidelines for the Functioning of the Liturgical Commission 156
8. Guidelines for the Functioning of the Commission for Laity 163
9. Guidelines for Conferring Honours and Titles 172
10. Guidelines for Giving Simple Burial 175
11. Instruction regarding Free State Certificates, *Kuries* and Marriage Preparation Course 176



Prot. No. 2362/2013

GEORGE CARDINAL ALENCHERRY

Major Archbishop of the Syro-Malabar Church

DECREE

By God's providence, the Syro-Malabar Church has never been deprived of necessary norms to regulate her ecclesial life. Although every eparchy had its proper eparchial statutes, there was no written law common to the entire Syro-Malabar Church. With the promulgation of the *Code of Canons of the Eastern Churches* (CCEO), on 18 October 1990 and with the recognition of the Syro-Malabar Church as a Major Archiepiscopal Church on 16 December 1992 by the supreme authority of the Church, codification of particular laws applicable to the whole Syro-Malabar Church became indispensable. After strenuous work involving research and consultation, a major portion of the particular laws of the Syro-Malabar Church has now been promulgated. In formulating the particular laws, the synod of bishops has tried to adopt and adapt the disciplinary norms that have been prevalent in this Apostolic Church throughout the past centuries. Similarly, the synod has taken care that these laws reflect the liturgical, theological, spiritual, cultural and disciplinary heritage of this Church.

I am happy to see that the particular laws earlier promulgated part by part are now published in a single volume as the "Code of Particular Law of the Syro-Malabar Church". Now, it is my duty to acknowledge the hard work of a number of persons behind the enactment of this Code of the particular laws. First of all, I remember with gratitude the great service rendered by Mar Abraham Kattumana, the Pontifical Delegate, my predecessors Mar Antony Cardinal Padiyara and Mar Varkey Cardinal Vithayathil. I

also remember the bishops who headed various committees, and the priests, the religious and lay persons who worked hard in collaboration with the bishops in the formulation of the particular laws. Some of them have already been called to their eternal reward; others are with us, serving the people of God at various levels. May God bless them all and reward them abundantly for the excellent and selfless service that they have rendered to the Church.

It is my pleasure to mention the names of a few more persons and thank them: first, Mar Mathew Vattackuzhy, the Bishop Emeritus of the eparchy of Kanjirappally who served as Chairman of the Bishops' Commission for the formulation of particular laws for a long period and Mar Paul Chittilapilly, the Bishop Emeritus of Thamarassery, who served later as Chairman of the same commission and brought the work to a positive end. I remember with gratitude Mar Sebastian Vadakel, the convener, Mar Andrews Thazhath and Mar Jose Porunnedom, the members of the Bishops' Committee for Canonical Questions, and Fr. Antony Kollannur, Fr. James Thalchelloor, Fr. Joseph Thoompunkal and Fr. Mathew Kochupurackal, the members of the redaction committee. I offer my sincere thanks to Fr. James Thalachelloor who laboured with sincerity as the secretary of the commission from the very beginning, and to all others especially Mar George Madathikandathil, Fr. James Kallumkal VC and Fr. Sebastian Thayyil who worked hard in different sub-committees. I make use of this opportunity to thank Fr. George Nedungatt SJ who prepared the preliminary drafts of a number of statutes. My thanks are due also to Fr. Mathew Kochupurackal who assisted the Bishops' Committee for Canonical Questions in the publication of the present Code of Particular Law.

Now, I do hereby decree the publication of the particular laws, statutes of the important organs and guidelines for various com-

missions and other activities of the Syro-Malabar Church as a Code. The laws contained in this Code have already been promulgated and published part by part and they have been in force since they were promulgated.

May every member of the Syro-Malabar Church, including the members of the hierarchy, the priests, and the religious be reminded of his or her sacred duty to abide by the norms contained in this Code. The disciplinary norms in this Code have binding force only to the members in the proper territory (cf. c. 150 §2). For others, these laws can be normative in their ecclesial life (cf. c. 150 §3).

May Mary, the Mother of Christ, and St. Thomas the Apostle, our Father in faith, always intercede for us before the Lord so that the Syro-Malabar Church may ever benefit from this Code and flourish and glorify God for ever.

All contrary dispositions notwithstanding.

Given from the Syro-Malabar Major Archiepiscopal Curia at Mount St. Thomas, at Kakkanad on 3 December 2013.

+ George Alencherry

George Cardinal Alencherry
Major Archbishop

Fr. Antony Kollannur

Fr. Antony Kollannur
Major Archiepiscopal Chancellor



PREFACE

While promulgating the *Code of Canons of the Eastern Churches* (CCEO) on 18 October 1990, Pope John Paul II reminded the various Eastern Churches *sui iuris*,

“...attention should well be given to all of the things committed to the particular law of each of the Churches *sui iuris*, which are not considered necessary for the common good of all of the Eastern Churches. Concerning these things, it is my intention that those who enjoy legislative power in each of the Churches *sui iuris* take counsel as quickly as possible by issuing particular norms, keeping in mind the traditions of their own rite as well as the teachings of the Second Vatican Council” (AAS 83 (1990) 1038).

Responding to this invitation of the Roman Pontiff, the Syro-Malabar Bishops' Conference (SMBC), in its meeting on 30 November 1990, discussed the question of formulating the particular laws including the Synodal Statutes for the Syro-Malabar Church. A Bishops' Committee was constituted to expedite the process of codifying the particular laws.¹ The Bishops' Committee was assisted by an Experts' Committee.

On 16 December 1992 the supreme authority of the Church expressly recognized the Syro-Malabar Church as a Major Archiepiscopal Church. With this Pontifical intervention, the Syro-Malabar Bishops' Conference ceased to exist and in its place the Synod of Bishops of the Syro-Malabar Church came into existence. Mar Antony Cardinal Padiyara, the then Metropolitan

¹ The committee consisted of Mar Mathew Vattackuzhy (Chairman and Convener), Mar Kuriakose Kunnacherry and Mar Jacob Thoomkuzhy. The chairman of the bishops' committee collected the names of the experts in canon law from all the Syro-Malabar eparchies. From a list thus prepared, the bishops' committee selected 37 experts with the provision to include any additional member, whose name was not in the list proposed by the hierarchs. The first meeting of the committee of experts was held at Renewal Centre, Ernakulam on 4-5 March 1991. Three more members were co-opted to the committee after the first meeting and the total number of the members of the Experts' Committee became 43 including the bishops.

Archbishop of Ernakulam was elevated to the dignity of the Major Archbishop and he was installed as the first Major Archbishop on 20 May 1993.² As a special provision the Roman Pontiff appointed a Pontifical Delegate in the person of Mar Abraham Kattumana, who in place of the Major Archbishop exercised the Major Archiepiscopal powers.³ The Bishops' Committee for the Codification of the Particular Laws was reconstituted as Commission for the Codification of Particular Laws. The Experts' Committee also was reconstituted and divided into seven different sub-committees.⁴ Those sub-committees worked according to the guidelines given to them.⁵

² Scanned copies of the Apostolic Constitution raising the Syro-Malabar Church to the status of a Major Archiepiscopal Church and of the Apostolic Constitution appointing Mar Antony Cardinal Padiyara as its Major Archbishop are found in *Synodal News*, Vol.1, No.1 (1993) 10-11.

³ The Congregation for the Eastern Churches through its Decree dated 16 December 1992 made public the appointment of Archbishop Abraham Kattumana by the Roman Pontiff as His special Delegate to the newly erected Major Archiepiscopal Church. See *Synodal News*, Vol.1, No.1 (1993) 8. Even though Mar Antony Cardinal Padiyara was the Major Archbishop, the Papal Delegate had been authorized to do the functions of pastoral governance proper to the Major Archbishop by the above said Decree of the Congregation for the Eastern Churches. The Decree further specified: "he [the Pontifical Delegate] shall have the faculty to convoke and to preside over the Synod of Bishops of the Syro-Malabar Major Archiepiscopal Church (CCEO, cc.152; 102-113), to establish the Permanent Synod and other pastoral and legislative organs of this Church (CCEO, cc.152; 114-125), and to invigilate over the functioning of the "St. Thomas Apostolic Seminary" Vadavathoor, Kottayam. The Roman Pontiff, however, reserves to His own person all that concerns Episcopal elections and the liturgical order". *Synodal News*, Vol.1, No.1 (1993) 9.

⁴ The chairman of the bishops' commission circulated the names of the members of the old sub-committees among the bishops on 8 June 1993 inviting their proposal for change or additions. He also requested the bishops to send the names of two lay persons (preferably lawyers) from their eparchies who could be included in the committee of experts for the formulation of the particular laws. Representatives of men and women religious were also co-opted to the committee. Thus the members of the committee became 73. Following are the sub-committees: 1. Sub-committee for the Synod, Major Archbishop, Metropolitan, Bishops, Exarchs and the Organs Assisting the Eparchial Bishop in the Governance of the Eparchy, 2. Sub-committee for Priests and Other Clerics, 3. Sub-committee for the Institutes of Consecrated Life, 4. Sub-committee for Marriage and Procedure, 5. Sub-committee for Temporal Goods and Penal Laws, 6. Sub-committee for *Pallyogam* and 7. Sub-committee for Sacraments and Sacramentals.

⁵ PROCEDURAL GUIDELINES FOR THE DRAFTING OF THE PARTICULAR LAWS OF THE SYRO-MALABAR CHURCH:

1. The particular laws should be based on the *Codex Canonum Ecclesiarum Orientalium*.
2. Each sub-committee is expected to point out to the general committee those canons which give provision for particular law.
3. In drafting the canons of the particular laws special attention should be given to the following points:

The drafts prepared by the sub-committees were brought to the general meetings of the members of the sub-committees. Modifications were made in the drafts by consensus, after discussions in the general body. The drafts, so modified, were circulated among the members for their written observations. Incorporating the written observations and with the approval of the general body those drafts were sent to all the bishops of the Syro-Malabar Church and then discussed in the synod of bishops. After having incorporated the suggestions and observations of the synod fathers, the drafts were sent to the eparchies for consultation at the level of the presbyterium or presbyteral council and the pastoral council. The Syro-Malabar Religious Conference also was asked to give its observations. Those bodies were to send their observations to the Major Archiepiscopal Curia. The drafts were simultaneously published in the *Synodal News* with a request to the readers to send their observations to the Curia. The observations and suggestions so received in the Major Archiepiscopal Curia were handed over to the commission which then revised the drafts and submitted them to the synod for discussion and final approval.⁶

On 1 January 1995 the Pontifical Delegate promulgated *ad experimentum* for a period of three years the Statutes of the Permanent Synod, the Statutes of the Superior Tribunal, the Statutes of the Major Archiepiscopal Ordinary Tribunal and the

3.1 The Sources

3.1.1 Pre-Portuguese (until the sixteenth century)

3.1.2 From 1599-1887

3.1.3 From 1887-1990

3.1.4 Present constitutions and statutes of juridical institutes

3.2 The existing particular customs, traditions and laws (Their variants in dioceses and regions are to be noted).

4. Specify the laws and structures to be supplemented.

5. Find the *lacunae* in the present code and in the present juridical structures in the Syro-Malabar Church.

6. Make a study of the particular laws of other Churches and Christian denominations.

Each sub-committee has to prepare a schema of the particular laws in the sections assigned to it, indicating their sources.

⁶ *Synodal News*, Vol.3, No.1 (1995) 20.

Revised Statutes of St. Thomas Apostolic Seminary Vadavathoor.⁷ The initial momentum of the works of the Synod, in general, and of the Commission, in particular, was lost because of the sudden and unexpected demise of the Pontifical Delegate on 4 April 1995.

Subsequent to the resignation of Mar Antony Padiyara from the office of the Major Archbishop, Mar Varkey Vithayathil C.Ss.R. was appointed the Apostolic Administrator of the Syro-Malabar Church by Pope John Paul II *sede vacante et ad nutum Sanctae Sedis* of Ernakulam-Angamaly with the faculties of the Major Archbishop. He took charge of office on 18 January 1997. After almost three years, on 18 December 1999, he was appointed the Major Archbishop. During his tenure as the Apostolic Administrator and later as the Major Archbishop, the rest of the particular laws was promulgated.

The particular laws concerning marriage were promulgated on 15 July 1997, *Palliyogam*- Procedure Rules on 16 January 1998⁸, the Statutes of the Major Archiepiscopal Assembly on 15 March 1998⁹, the Particular Laws on Clerics on 1 January 1999¹⁰, the Statutes of the Syro-Malabar Liturgical Research Centre on 17 December 1999¹¹, Particular Laws on Divine Worship and especially on Sacraments and on Acquisition and Administration of Temporal Goods on 17 December 1999¹² and the Statutes of the Synod of Bishops on 1 August 2000¹³. The Major Archbishop promulgated definitively the Statutes of the Syro-Malabar Major Archiepiscopal Ordinary Tribunal, the Statutes of the Permanent Synod, the Statutes of the Superior Tribunal and the Statutes of St. Thomas Apostolic Seminary Vadavathoor on 1 August 2000¹⁴ as their *ad experimentum* period had expired.

⁷ *Synodal News*, Vol.3, No.1 (1995) 22-53.

⁸ *Synodal News*, Vol.6, No.1 (1998) 44-74.

⁹ *Synodal News*, Vol.6, No.1 (1998) 75-85.

¹⁰ See *Synodal News*, Vol.6, No. 2 (1998) 53-59.

¹¹ See *Synodal News*, Vol.7, Nos.1& 2 (1999) 79-90.

¹² See *Synodal News*, Vol.7, Nos.1& 2 (1999) 100-106.

¹³ See *Synodal News*, Vol.8, No.1 (2000) 44-64.

¹⁴ See *Synodal News*, Vol.8, No.1 (2000) 65-68.

A considerable portion of the particular laws was promulgated on 10 January 2002. They include: Laws on Major Archbishop, Metropolitans, Bishops, Exarchs and the Organs assisting the Eparchial Bishop in the Governance of the Eparchy, Laws on Monks and other Religious as well as Members of other Institutes of Consecrated Life, Laws on Secular Institutes, Laws on Societies of Apostolic Life, Laws on Evangelization of Nations, Laws on Divine Worship especially the Sacraments (additional), Laws on Feast and Penance, Laws on Hierarchical Recourse, Laws on Baptized non-Catholics coming into full Communion with the Catholic Church, Custom and Administrative Acts and Laws on Trials¹⁵. After lengthy discussions at various levels, a preamble to the particular laws of the Syro-Malabar Church was formulated with the help of a special committee. The text prepared by the committee was approved by the synod of bishops and was published in the *Synodal News*.¹⁶

All the particular laws hitherto promulgated and the particular laws on the Permanent Diaconate were published as a single volume of the *Synodal News*.¹⁷ The meeting of the synod of bishops held from 3 to 15 November 2003 decided “to publish the Code of Particular Laws of the Syro-Malabar Church as one book following the order of canons of CCEO with a letter of introduction of the Major Archbishop, giving the Statutes of the Synod of Bishops, Permanent Synod, Major Archiepiscopal Assembly, Major Archiepiscopal Ordinary Tribunal and Superior Tribunal as Part II, and all the decrees promulgating the different parts of the

¹⁵ See *Synodal News*, Vol.9, Nos.1&2 (2001) 101-119.

¹⁶ The committee consisted of Rev. Fathers Mathias Mundadan, Joseph Perumthottam, Cherian Varicatt and Thomas Pallipurathukunnel. See *Synodal News*, Vol.3, No.1 (1995) 119-123.

¹⁷ See *Synodal News*, Vol.11, No.1 (2003). Mar Paul Chittilapilly, the chairman of the Commission for Particular Law had informed the Synod held during 5-16 November 2001 that the particular laws promulgated in different periods would be edited into one Code. See *Synodal News*, Vol.9, Nos.1&2 (2001) 21. Mar Paul Chittilapilly had been appointed the chairman of the commission during the synod held from 12 to 21 June 1997, following the resignation of Mar Mathew Vattackuzhy from the chairmanship due to his ill health. See *Synodal News*, Vol. 5, No. 2 (1997) 19.

law as appendix, and a list of cross reference to CCEO as index and the laws on the common institutions of the Church separately”¹⁸. Again, the synod of bishops assembled on 9 to 21 January, 2006 also decided “to publish the particular law of the Syro-Malabar Church in a book form taking the text as presented in the *Synodal News*”¹⁹. Later, the synod held from 21 August to 2 September 2006 decided to appoint a committee of four priests to redact the already existing particular laws and present them for the scrutiny of the Bishops’ Committee (Committee for Canonical Questions) consisting of three bishops²⁰. The synod held from 17 to 28 August 2009 approved certain amendments to the existing particular laws and a few other decisions to be included in the Code of Particular Law.²¹ The synod held from 20 August to 1 September 2012 decided to include also eleven guidelines in the Code of Particular Law.²²

As decided by the synod of bishops, the particular laws of the Syro-Malabar Church are now published in a single volume. The present volume constitutes the Code of Particular Law of the Syro-Malabar Church. It is divided into three parts: Part One contains the particular laws arranged under various titles in the model of CCEO. The statutes of the major institutions of the Syro-Malabar Church are given in Part Two and Part Three contains eleven guidelines for the regulation of the activities of the Church at the major archiepiscopal level. The particular laws given in Part One are those enacted by the legislative authority of the synod of bishops

¹⁸ See *Synodal News*, Vol.11, No.2 (2003) 35.

¹⁹ See *Synodal News*, Vol.14, Nos.1& 2 (2006) 50.

²⁰ The members of the priests’ committee were Fr. Antony Kollannur (Convener), Fr. James Thalachelloor, Fr. Joseph Thoompunkal and Fr. Mathew Kochupurackal and those of the bishops’ committee were Bishop Andrews Thazhath, Bishop Jose Porunnedom and Bishop Sebastian Vadakel. See *Synodal News*, Vol.14, Nos.1&2 (2006) 109.

²¹ See *Synodal News*, Vol.17, Nos.1&2 (2009) 70-72.

²² See *Synodal News*, Vol.120, Nos.1-3 (2012) 122. The same synod decided to appoint Fr. Mathew Kochupurackal to assist the Bishops’ Committee for Canonical Questions in the publication of the Code of Particular Law.

of the Syro-Malabar Church as prescribed by c.110 §1. The statutes, we find in Part Two, have binding force to the juridical institutes of the Syro-Malabar Church for which they have been enacted. In that sense, they can be called more particular laws. Guidelines, that form Part Three of the Code, are administrative directives issued by the Major Archbishop for the smooth functioning of certain major archiepiscopal commissions and other activities of the Church. References to the canons of CCEO are found throughout the Code, without, however, repeating always the abbreviation 'CCEO'. Following abbreviations are used: c. for canon; cc. for canons; art. for article; arts. for articles and no. for number.

PREAMBLE

SECTION ONE

The Church of St. Thomas Christians is an Apostolic Church founded in India by St. Thomas, one of the twelve Apostles of Christ. Based on ancient, strong and continuous tradition, it can be reasonably believed that St. Thomas landed at Kodungalloor (Muziris). After preaching and establishing Christian communities in different parts of India, he suffered martyrdom at Mylapore. The Church of St. Thomas Christians, later came into life-relation with the Christian communities which came to be known as the East Syrian Church. This relationship made the Thomas Christians share the liturgical, spiritual and other ecclesiastical traditions with the East Syrian Church. At the same time the Christians of St. Thomas kept their distinctive character especially in Church administration and socio-cultural and ascetico-spiritual life.

The head of the St. Thomas Christians had the title 'Metropolitan of All India.' A St. Thomas Christian priest with the title "Archdeacon of All India" played the role of the effective leader of the community (*Jāthikukarthavyan*). The archdeacon carried out the administration through general and local assemblies (*palliyogam*). Their socio-cultural life was fully Indian and in their life of worship they adopted certain elements of this life. Their ascetico-spiritual life reflected Indo-Oriental tradition. The sum total of this life was called the Law of Thomas (*Mar Thoma Mārgam*).

In the sixteenth century the Portuguese who reached India under the *Padroado* agreement with the Holy See encountered with the Law of Thomas. In the beginning the encounter was cordial, but it developed into a confrontation because they in general failed to accept a Christian life different from theirs. Hence they launched a programme to systematically make the St. Thomas Christians

conform to the western form of Christian life. They attempted to execute this programme through the decrees of the synod of Udayamperoor (Diamper - 1599). Soon after the synod the Church of St. Thomas Christians was brought under the Portuguese *Padroado* regime. The St. Thomas Christians were internally least prepared to accept the changes brought about by the decrees of the synod and their reaction erupted in a revolt (*Koonan Cross Oath*, 1653) against the *Padroado* rule. This resulted in the division among the St. Thomas Christians. At this stage the Holy See intervened and introduced also its direct rule through the Congregation for the Propagation of Faith (*Propaganda Fide*). Although this was conceived as a provisional arrangement it lasted for over two centuries. As the policy established by the western missionaries in the sixteenth century continued under the rival regimes of *Padroado* and *Propaganda*, the St. Thomas Christians gradually intensified their resistance. The situation impeded also the attempts of reunion of all the St. Thomas Christians made by such eminent personalities as Mar Joseph Kariattil and Fr. Thomas Paremmakkal. Despite conflicts and tensions, the St. Thomas Christian community also profited in theology, spirituality and discipline from their encounter with the Western Church.

The struggle of the St. Thomas Christians for self-rule entered a definitive stage towards the end of the nineteenth century. By this time a part of the St. Thomas Christians were no more in communion with the Church of Rome; those in communion with Rome found themselves divided under the *Padroado* and *Propaganda* rules. At the same time the attempts of the St. Thomas Christians to have a bishop who could celebrate according to their own traditions, made them to have recourse to the Chaldean Patriarch whose intervention resulted in further schism among the St. Thomas Christians. In 1886, with the institution of the Indian Latin Hierarchy all the St. Thomas Christians came under the Latin Archbishop of Verapoly and the title "Metropolitan of Cranganore" formerly carried by the Metropolitan of the St. Thomas Christians was given *ad honorem* to the bishop of Damno. Later, when the

see of Damno was joined to that of Goa the Goan Archbishop began to carry the title of Cranganore also. In 1887, as the struggle for self-rule continued, the St. Thomas Christians who were deprived of their ancient metropolitan see together with its all India jurisdiction, were reorganized under two Vicariates: Kottayam and Trichur. In 1896, when the St. Thomas Christians obtained bishops of their own rite and nation, they were further reorganized into three vicariates: Trichur, Ernakulam and Changanacherry. On 21 December 1923, a hierarchy on the Latin ecclesiastical polity was instituted for them. Simultaneously Ernakulam was raised to metropolitan status and the eparchies of Trichur, Changanacherry and Kottayam (1911) were made its suffragans. In 1956, Changanacherry also was raised to the status of metropolitanate. By the end of 1956, the number of eparchies for the St. Thomas Christians had increased to seven. In the meantime the name of the Church by usage in the official documents was changed to Syro-Malabar Church.

The Syro-Malabar Church thus found itself in a canonically anomalous situation of having two metropolitans and without a common head. Besides the nine eparchies outside these provinces, which were erected from the year 1962 onwards, were not suffragans of any of these two but were *ad instar* suffragans of the nearby Latin archbishoprics. As the *Code of Canons of the Eastern Churches* (CCEO) was promulgated in 1990 it became imperative to rectify this anomaly. Thus on 16 December 1992, Pope John Paul II raised the Syro-Malabar Church to the status of a Major Archiepiscopal *sui iuris* Church with the title of Ernakulam-Angamaly. Mar Antony Padiyara, the then Metropolitan of Ernakulam was appointed its Major Archbishop. The *territorium proprium* of the Major Archbishop was determined to be the then existing two provinces of Ernakulam and Changanacherry leaving out the eparchies that were not their suffragans. They are outside the *territorium proprium* of the Major Archbishop even though they are within India. Lately an eparchy was erected in Chicago, USA.

SECTION TWO

The sources of the present Code of Particular Law of the Syro-Malabar Church are many and varied. They have become complex owing to the different jurisdictions over the St. Thomas Christians during their Indian, Chaldean, Latin and Syro-Malabar periods.

The first Indian Christian community which responded to the call of the Apostle Thomas in its particular socio-cultural environment, received the identity of an Apostolic and Indian Church. Here we find the first stage. Its particular law which originated in the response of the first Christians to the teaching of the Blessed Apostle came to be known as the "Law of Thomas." We may suppose that such a law consisted of the legacy which the Apostle Thomas left to this Church. The customs and the traditions which grew as a response of the local people to his teaching, the rites and the rubrics in the administration of the sacraments, the christianized laws of the existing society and culture and so on went into its making. The copper plate grants to the St. Thomas Christians by the local rulers, ancient literature, cultural and art forms etc. are indicative of the ancient laws and customs of the people. The *yogam*, in its triadic forms - *potuyogam*, *desiyayogam* and *edavakayogam* - was the system of administration.

During the Chaldean period, the St. Thomas Christians shared some of the East Syrian rules and regulations, as it is supposed that the East Syrian prelates also brought with them some of the East Syrian law codes.

During the Latin period, after the 16th century, many laws of the Western Church were introduced in the Syro-Malabar Church. The synods of Angamaly (1583 and 1603), the synod of Udayamperoor (1599) which was invalidly held, the Statutes of Bishop Francis Ros (1606) and the Statutes of Archbishop Mellano

(1879) were the most important canonical sources of the period. The system and practice of the Law of Thomas during the Latin period can be understood from the writings of the western missionaries, the decisions of the synods and other works.

A lot of canonical enactments were made during the Syro-Malabar period starting from 1887. Almost all the Syro-Malabar eparchies enacted eparchial statutes. The “Book of Decrees” of Mar Mathew Makil (1903), is the first among them. The documents from the Apostolic See regarding the erection of the Syro-Malabar vicariates, exarchies, eparchies, provinces and the hierarchy, the four *Motu Proprios* of the Oriental Canon Law, the documents of Second Vatican Council and post conciliar documents, the Statutes of the concerned Bishops’ conferences, etc., form the vital part of the juridical sources of this Church.

PART I: PARTICULAR LAWS

TITLE I

Major Archbishop and the Structures at the Major Archiepiscopal Level

Article 1. With due regard for the right and obligation of the eparchial bishop to canonically visit his own eparchy, the major archbishop makes canonical visitation of the eparchies once in ten years (c.83 §1).

Article 2. The major archbishop can commit a function of conducting affairs which regard the entire Major Archiepiscopal Church to any cleric, whether eparchial or religious, of societies of apostolic life or of societies of common life in the manner of religious with the consent of the eparchial bishop or the major superior as the case may be; he can also subject the cleric immediately to himself while exercising this function (c.89 §2).

Article 3. The major archbishop must celebrate the Holy *Qurbāna* for the entire Church on all days of obligation of the Syro-Malabar Major Archiepiscopal Church (c.94; art. 196 §1).

Article 4. All and solely the ordained bishops of the Syro-Malabar Major Archiepiscopal Church whether eparchial, titular or emeritus, constituted inside or outside the territorial boundaries of the Syro-Malabar Major Archiepiscopal Church, excluding those mentioned in c.953 §1 or those who are punished by canonical penalties mentioned in cc.1433 and 1434 are members with deliberative vote in the synod (cc.102 §§1,2; 150 §1; 211 §1; *Statutes of the Synod of Bishops*, art.3.1).

Article 5. For the effective carrying out of certain matters, the major archbishop, with the consent of the permanent synod, can invite others, especially hierarchs who are not bishops, and

experts, to give their opinions to the bishops in the synod with due regard for c.66 §2 (c.102 §3; *Statutes of the Synod of Bishops*, art.3.3).

Article 6. The term of office of the major archiepiscopal finance officer shall be five years. The same person shall not be appointed for more than two terms consecutively (c.122 §2).

Article 7. During a vacancy of the major archiepiscopal see, the administrator of the Major Archiepiscopal Church is the senior bishop according to episcopal ordination among the bishops of the major archiepiscopal curia or, if there are not any, among the bishops who are members of the permanent synod (c.127; *Statutes of the Synod of Bishops*, art.6.2.3 §2).

TITLE II

Eparchies and Bishops

Article 8. The eparchial bishop can confer ecclesiastical dignities recognized by the synod of bishops to clerics subject to him in consultation with the college of eparchial consultors (c.194).

Article 9. The eparchial bishop shall celebrate the Holy *Qurbāna* for the people of the eparchy entrusted to him on all days of obligation of the Syro-Malabar Major Archiepiscopal Church (c.198; art.196 §1).

Article 10. The administrator of an eparchy has the right to an allowance as per custom of the Syro-Malabar Major Archiepiscopal Church (c.230 §1).

Article 11. The manner of election and the number of the delegates to the eparchial assembly, from the pastoral council, deacons, superiors of monasteries *sui iuris* and superiors of other institutes of consecrated life which have houses in the eparchy, are to be determined by the eparchial bishop (c.238 §1,7°,8°,9°).

Article 12. The eparchial bishop shall communicate the text of the laws, declarations and decrees which have been decided upon at the eparchial assembly to the major archbishop (c.242).

Article 13. The eparchial finance officer is to be appointed by the eparchial bishop for three years; but when this period has expired he may be appointed for further terms of three years (c.262 §2).

Article 14. The eparchial bishop shall establish a finance council which shall consist of a president, who is the eparchial bishop himself, and of other suitable persons including experts in civil law if possible, appointed by the eparchial bishop after consulting the college of eparchial consultors (c.263 §1).

Article 15. Not less than fifty percent of the members to the presbyteral council shall be elected by the priests themselves. The election is to be conducted according to the eparchial statutes (c.266,1°).

Article 16. Unless the law or the nature of the bodies preclude it, fifty percent of the members in the eparchial and parish bodies shall preferably be women. However, their number shall not be less than twenty-five percent of the total members in these bodies.

Article 17. The office of protopresbyter shall be joined in a stable manner to the office of the parish priest of a certain parish (c.277 §1).

Article 18. The term of office of a protopresbyter shall be as that of the parish priests of the eparchy (c.277 §2).

Article 19. Besides the powers and faculties bestowed upon him by common law the protopresbyter shall have the power of installing a newly appointed parish priest in his district, to give dispensation from two marriage banns (art.167 §2), to permit publication of marriage banns before betrothal (art.165 §2) and to preside over the periodic meetings of the clergy of the district (c.278 §1).

TITLE III

Exarchies and Exarchs

Article 20. The appointment of the exarchs is of a stable nature and that their term of service would terminate by the circumstances mentioned in the common and the particular laws.

Article 21. The exarchs, who are presbyters and who retire as per the provisions of c.210, may retain the privileges and insignia which they have enjoyed, even after their retirement. However, the other exarchs shall not use the insignia and privileges once they lose their office (c.321 §2).

TITLE IV

Parishes and Parish Priests

Article 22. There is to be generally only one parish priest in a parish. However, in special situations when a parish is entrusted to several priests, the letter of appointment must determine precisely the rights and obligations of the moderator, who directs the common action and reports on it to the eparchial bishop and the obligations of the other presbyters (c.287 §2).

Article 23. The parish priest acquires the care of souls by canonical provision; however, he is not allowed to exercise his office unless he has taken canonical possession of the parish by recording the same in the *yogapusthakam* on the date prescribed in the order of appointment in the presence of two witnesses, preferably *kaikkārans*, unless otherwise stipulated by the eparchial statutes. The order of appointment shall be read out publicly during the Holy *Qurbāna* on the subsequent Sunday. The parochial vicar shall take charge of office by presenting the appointment order to the parish priest (c.288).

Article 24. Taking into account the long standing practice and the present exigencies of the Syro-Malabar Major Archiepiscopal

Church the following are the norms for the appointment and transfer of priests from parishes and offices.

1° One shall be appointed parish priest only after five years of his priestly ordination.

2° Parish priests shall be appointed for a period of not less than three years which could be further renewed or extended at the discretion of the eparchial bishop. He shall continue in office, however, until he receives the order for renewal, extension or transfer (cc.284 §3,4°; 1388).

Article 25. Transfer of parish priests before the completion of the term assigned shall be effected only according to cc.1397-1400.

Article 26. Confidential intimation regarding the order of appointment or transfer is to be served at least two weeks in advance of the date of order except in case of necessity to be determined by the local hierarch in consultation with at least two members of the college of eparchial consultors.

Article 27. Parish priests are bound to celebrate the Holy *Qurbāna* for the people entrusted to their care on ten days in a year specified in the eparchial norms. This obligation cannot be fulfilled by binations or trinations (c.294).

Article 28 §1. When it is found necessary and feasible, parishes could be erected attached to the houses of clerical institutes of consecrated life, societies of apostolic life and societies of common life in the manner of religious by the competent authority (c.282).

§2. When found necessary, the eparchial bishop may permit Sunday Liturgy celebrated in the churches of the institutes of consecrated life, societies of apostolic life and societies of common life in the manner of religious with the parish community participating in it. But this is to be under the direction of the parish priest concerned and without prejudice to the pastoral guidelines given by the major archbishop.

TITLE V

Clerics

Article 29. Presbyters ascribed to an eparchy and serving the same eparchy have the right to an annual vacation of thirty days with allowance. The arrangement for their substitute must be done in collaboration with the local hierarch. With regard to the time of their vacation, however, they shall get his prior approval. The allowance of the substitute shall be paid from the parish or the institution concerned (c.392).

Article 30. If a presbyter in office requests a transfer before completion of the term of office the eparchial bishop decides on it taking into account the reasons for the request and the good of the Church.

Article 31. The eparchial bishop is competent to grant permission to a cleric for licit transfer to an eparchy of another Church *sui iuris* (c.365 §2).

Article 32. The parish priest and the parochial vicar take possession of their office as per art.23 and the other clerics as per the eparchial norms with due regard for the norms about major archbishop, metropolitan and bishops (c.288).

Article 33 §1. There shall be a major archiepiscopal commission for promoting vocations in the Syro-Malabar Church (c.329 §2).

§2. Every eparchy shall have a vocation commission for the promotion of vocations which shall function in close collaboration with the major archiepiscopal commission (cc.329 §1,3^o; 195; 380; 585 §4).

§3. The activity of the eparchial vocation commission shall be coordinated by an eparchial director of vocations appointed by the eparchial bishop.

§4. Vocations shall be promoted according to the possibilities and needs of the eparchy, taking also into account the specific call

of each candidate and the needs of the universal Church in general and of the Syro-Malabar Major Archiepiscopal Church in particular (c.329 §2).

Article 34 §1. Those who recruit candidates to priesthood, consecrated life and societies of apostolic life of the Syro-Malabar Church shall do so in consultation with the eparchial director of vocations and the parish priests concerned.

§2. Those who recruit candidates to priesthood, consecrated life and societies of apostolic life of other Churches *sui iuris* shall do so with the written permission of the eparchial director of vocations and in consultation with the parish priest concerned.

Article 35. Recruitment of candidates for institutes of consecrated life, societies of apostolic life or eparchies/dioceses outside India shall be done with the written permission of the local hierarchy.

Article 36. Candidates who go outside India for religious training shall have undergone at least two years of religious formation in India.

Article 37 §1. All vocation promoters shall see to it that the names of candidates selected are registered in the office of the eparchial director of vocations.

§2. In case, any of the selected candidates happens to discontinue, the matter shall be reported to the office of the eparchial promoter of vocations in writing by the authorities concerned.

Article 38. The Syro-Malabar Major Archiepiscopal Church shall have a Charter for Priestly Formation which takes into consideration the local situation, the ecclesial patrimony and the Church's missionary objectives (c.330).

Article 39. Minor seminaries shall admit only those candidates who show positive signs of vocation to priesthood.

Article 40. The duration and mode of pastoral formation during the philosophical and theological studies and in the diaconal internship before presbyteral ordination shall be as per the Charter

of Priestly Formation of the Syro-Malabar Church (cf. 42.4; 45.5). Eparchial statutes shall provide specific norms in this regard (c.353).

Article 41 §1. The minor orders in the Syro-Malabar Major Archiepiscopal Church are *karoyusa* and *heupadiaknusa*.

§2. The recipients of the above orders are *karoya* and *heupadiakna* respectively.

Article 42. After considering the report of the rector of the seminary where the candidate pursues the studies, the proper hierarch may approve the candidates for the reception of the minor orders of *karoyusa* and *heupadiaknusa*. These orders are conferred during or after the course of the first and second year of theology respectively.

Article 43 §1. Those who are in minor orders shall learn to celebrate the divine praises and to nourish their spiritual life by them.

§2. Those who are in the minor order of *karoyusa* have the right and duty to be the official readers of the Old Testament. If eparchial statutes permit, the parish priests can depute them to be ministers in sacramentals except house blessing and funeral (art.194 §§1,3).

§3. Those who are in the minor order of *heupadiaknusa* have the right and duty to assist at the liturgical celebrations as per liturgical norms: to take care of liturgical vessels, the church doors, the sanctuary lamp, order and decorum in the church, to read the Book of Psalms and to incense and to minister at the Sacred Altar. If eparchial statutes permit, the parish priests can depute them to be ministers in sacramentals except funeral and house blessing (art.194 §§1,3).

§4. Clerics in minor orders may be deputed by the eparchial bishop as extraordinary ministers for distributing the Divine Eucharist when the service of the ordinary ministers is not available or is not sufficient (art.146 §3).

Article 44. In the Syro-Malabar Major Archiepiscopal Church one is ascribed as cleric in an eparchy through diaconal ordination (c.358).

Article 45. An annual spiritual retreat for at least four days shall be made by all clerics. They shall also make monthly recollections in accordance with the eparchial norms (c.369 §2).

Article 46 §1. To excel in the virtue of chastity clerics shall follow the means taught by the holy fathers and the masters of spiritual life (c.374).

§ 2. Before receiving the order of diaconate candidates destined for priesthood shall freely declare in writing their commitment to a state of celibate life.

Article 47. The clerics in major orders shall celebrate the divine praises, preferably together (c.377).

Article 48. Deacons who are destined for priesthood also enjoy the rights and obligations stated in arts.80, 1-6; 194 §§1,2.

Article 49. The laudable practice of celebrating daily the Holy *Qurbāna* with adequate preparation, due devotion and thanksgiving has to be maintained (c.378).

Article 50. Clerics shall abstain from everything unbecoming to the clerical state and Christian witnessing: in particular, public dissent from the teaching of the magisterium, superstitious practices, frequenting unbecoming shows, use of alcohol, associating themselves with groups and organizations that stand against the causes of the Church and Christian values and the like (c.382).

Article 51. Clerics are forbidden to take an active part in political parties or in the supervision of labour unions except with the permission of the eparchial bishop and the approval of the major archbishop (c.384 §2).

Article 52. Clerics are forbidden to exercise by themselves or through another any business or trade whether for their own benefit or for that of another, except with the permission of the eparchial bishop or major superior as the case may be (c.385 §2).

Article 53. Clerics ascribed to an eparchy shall not leave their eparchy for more than a week without the permission of the local hierarch. In case of an absence for more than three days the eparchial curia shall be informed. The same applies also in the case of absence from the place of work (c.386 §1).

Article 54. The clerical dress shall be the cassock. While travelling and on informal occasions trousers and light coloured shirt or light coloured *kurta* with a cross shall be worn as casual wear (c.387).

TITLE VI

Permanent Diaconate

Article 55 §1. Permanent deacon is a sacred minister (c.323) who according to the grade of his ordination (cc.324-326), strengthened by sacramental grace and in communion with the bishop and the presbyterate serves the people of God in the various ministries especially of the liturgy, Word of God and charity.

§2. In conformity with the tradition of the early Church as well as the practice of the East Syrian Church and the Syro-Malabar Church and the recommendation of the Second Vatican Council, permanent diaconate shall be restored and promoted in the Syro-Malabar Major Archiepiscopal Church.

Article 56. The eparchial bishop having considered the need of the eparchy and having consulted the eparchial pastoral council and presbyteral council decides whether permanent deacons are to be ascribed to his eparchy.

Article 57. Candidates for permanent diaconate shall:

1° be male Catholics (c.754);

2° be free from the impediments mentioned in c.763;

3° have passed the higher secondary or its equivalent;

4° be men of good character and reputation who have appropriate relationship with their own families (c.344 §1);

5° submit to the proper hierarch a written application, duly signed by the candidates themselves, along with the recommendation of the respective parish priest.

Article 58. The candidates for permanent diaconate shall have adequate humane, spiritual, doctrinal, intellectual and pastoral formation.

Article 59 §1. There shall be training centres erected by the competent ecclesiastical authority for the training of the candidates to permanent diaconate.

§2. These centres can be attached to a major seminary or be a separate institute or a common institute for the whole Syro-Malabar Major Archiepiscopal Church.

§3. Candidates shall get inscribed to such centres where they may gather together for classes and community experience.

Article 60. The centres or institutes shall prepare a syllabus according to the guidelines given by the synod of bishops.

Article 61 §1. The candidates shall undergo at least three years of philosophical and theological studies (cc.354, 760 §2).

§ 2. In the case of members of institutes of consecrated life and societies of apostolic life the studies and formation they have undergone in their institutes could be considered.

Article 62. The course could be either regular or by correspondence. In both cases the approved syllabus shall be followed.

Article 63. In the correspondence course adequate provision shall be given for contact classes and living together in view of spiritual and ecclesial formation.

Article 64 §1. The candidates are to be trained to imbibe fully the spirit of the liturgy so that they may love the liturgy as the source and summit of their lives (c.354).

§ 2. They are to be familiar with the liturgical discipline and be able to render their services in the liturgical celebrations in the most worthy manner.

§ 3. They should be enabled to live a life according to the faith tradition they solemnly celebrate in the Syro-Malabar Major Archiepiscopal Church.

§ 4. They are to be initiated into devotions which are in consonance with the teachings of the Church and are to be trained to practise them in the manner related to the liturgical cycle of the Syro-Malabar Major Archiepiscopal Church.

Article 65. Each candidate shall seek the guidance of a spiritual director appointed by the competent authority.

Article 66 §1. The candidates are to grow in all the virtues related to their vocation especially kindness and readiness to care for the poor and the marginalized (cc.346; 353).

§2. The formation should help them to be diligent, committed and zealous in their ministry.

§3. The candidates shall be trained in such a way that they are enabled to relate with others in a humane manner and to acquire skill of social apostolate and social communications including the auxiliary disciplines like psychology and pastoral sociology (c.352 §2).

§4. The candidates shall be trained to be mature persons capable of regulating their emotions and temperament befitting to sacred ministers.

Article 67. The candidates shall be provided with opportunities to get in touch with the pastoral problems and be trained to evaluate them impartially and to solve them equitably.

Article 68. The candidates shall be instructed in catechetics and homiletics with occasional exposure for preaching and catechesis (c.352 §2).

Article 69. The following are the requirements for licit ordination to diaconate:

1° Reception of the sacrament of chrismation with holy myron (c.758 §1,1°);

2° Moral, physical and psychological qualities in harmony with the sacred order (c.758 §1,2°);

3° Thirty years of age;

4° Sufficient intellectual, spiritual canonical and pastoral formation and successful completion of the three years of studies (c.758 §1,4°);

5° A declaration signed in his own hand, in which he undertakes that he will, of his own accord and free will, receive the sacred order and accept the obligation attached to it and that he will devote himself perpetually to the ecclesiastical ministry, requesting at the same time to be admitted to receive the sacred order (c.761);

6° Reception of the minor orders of *karoyusa* and *heupadiaknusa* (c.758 §1,5°), preferably observing reasonable intervals.

Article 70. For grave reasons dispensation from the requirement of age and the duration of studies can be granted by the major archbishop with due regard for c.759 §2.

Article 71 §1. The following are impeded from receiving the sacred order of diaconate (c.762 §1);

1° A person who labours under some form of insanity or other psychic defect due to which, after consultation with experts, he is judged incapable of rightly carrying out the ministry;

2° A person who has committed the delict of apostasy, heresy or schism;

3° A person who has attempted marriage, even only a civil one, either while he was impeded from entering

marriage due to an existing matrimonial bond, sacred orders or a public perpetual vow of chastity, or with a woman bound by valid marriage or by the same type of vow;

4° A person who has committed voluntary homicide or who has procured a completed abortion and all persons who positively cooperated in either;

5° A person who has seriously and maliciously mutilated himself or another person or a person who has attempted suicide;

6° A person who has performed an act of sacred orders which has been reserved to those who are in the order of episcopacy or presbyterate while the person either lacked that order or had been forbidden its exercise by a canonical penalty;

7° A person who holds an office or position of administration which is forbidden to clerics and for which he must render an account until he becomes free by relinquishing the office and position of administration and has rendered an account of it;

8° A neophyte, unless he has been sufficiently proven in the judgment of the hierarch.

§2. The acts which are mentioned in §1, 2°–6° do not produce impediments unless they were serious and external sins perpetrated after baptism (c.762 §2).

Article 72. The following are impeded from exercising the sacred order of diaconate (c.763):

1° A person who illegitimately received sacred orders while under an impediment from receiving sacred orders;

2° A person who committed a crime or an act which is mentioned in art.71 §1,2°–6° (c.762 §1,2°–6°);

3° A person who is afflicted with insanity or with another psychological illness which is mentioned in art.71 §1,1° (c.762 §1,1°), until the hierarch, after consultation with an expert, permits the exercise of that sacred order.

Article 73. With regard to dispensation from the above said impediments the norms of common law (cc.767; 768) shall be followed.

Article 74 §1. The authority who admits a candidate for sacred ordination shall obtain:

1° the certificate of baptism and chrismation with holy myron (c.769 §1,1°);

2° the declaration which is mentioned in art.69,5° (c.761) also a certificate of the minor orders (c.769 §1,1°);

3° if the candidate is married, a certificate of marriage and the written consent of his wife (c.769 §1,2°);

4° if the candidate is unmarried or widowed, a declaration signed in his own hand, promising his commitment to the state of celibacy;

5° a certificate of completed studies (c.769 §1,3°);

6° testimonial letters of the rector or director of the formation centre or the superior of the institute of consecrated life or the society of apostolic life as the case may be, of the good morals of the candidate (c.769 §1,4°);

7° testimonial letters about the morals and life of the candidate from the pastors who published the banns as per norms of art.76 and cc.771 §3; 769 §1,5°;

8° testimonial letters, if it is considered expedient, of other eparchial bishops or superiors of institutes of consecrated life or societies of apostolic life as the case may be, where the candidate resided for some time,

concerning the qualities of the candidate and his freedom from canonical impediments (c.769 §1,6°).

§2. These documents are to be kept in the archive of the same authority (c.769 §2).

Article 75. The ordaining bishop presented with legitimate dimissorial letters stating that the candidate is suitable to receive the sacred order, can abide by this attestation, but is not bound to do so. If indeed in conscience he considers the candidate unsuitable, he is not to ordain him (c.770).

Article 76 §1. The name of the candidate for diaconate is to be made public in the parish church of the candidate during the Holy *Qurbāna* on two consecutive days of obligation before the ordination (c.771 §§1–3; art.148).

§2. All the Christian faithful are bound by the obligation to disclose any impediment, if they know, to the eparchial bishop or to the parish priest before the sacred ordination (c.771 §2).

§3. The eparchial bishop shall entrust the parish priest who gives public notice and, if it seems expedient, also another presbyter, to inquire diligently about the life and conduct of the candidates from trustworthy persons and to send testimonial letters to the eparchial curia concerning that inquiry and notice.

§4. The eparchial bishop shall not omit to make other investigations, even private, if he judges it opportune.

Article 77. Every candidate for sacred ordination must make a spiritual retreat of four full days (c.772; art.148).

Article 78. The liturgical text of ordination is the same as that of the ordination of deacons destined for priesthood. The candidate, however, shall make the profession of faith, using the formula prescribed for priestly ordination.

Article 79. The ascription of permanent deacons is as per norms of c.357 §1.

Article 80. In addition to those given in cc.367–393 permanent deacons have the following rights and obligations:

1° to assist at the liturgical celebrations officially, preach homilies, to read the scriptures except the gospels, announce the *kārozutha* and diptychs, and distribute the Divine Eucharist;

2° to be well versed in all the liturgical books prescribed for the liturgical service;

3° to be ministers of sacramentals as per the prescripts of the liturgical texts, except those reserved to higher orders by common law. They shall not impart a blessing with the sign of the cross which is reserved to priests (c.608);

4° to visit the sick, prepare them for the reception of the Divine Eucharist and distribute the Divine Eucharist;

5° to impart religious instruction, conduct bible services and lead family unit gatherings;

6° to assist at the charitable works in the parish;

7° to have their representatives in the pastoral council as per the eparchial statutes;

8° to have their representatives in the parish *pratinidhiyogam* as per the eparchial statutes.

Article 81. The unmarried and the widowed who receive diaconate are bound by the obligation of celibacy.

Article 82. Deacons are obliged to put on clerical habit while officiating at sacred services.

Article 83. Permanent deacons in the exercise of their ministry shall observe the eparchial norms and the directives of the competent authority of the place.

Article 84. Eparchial bishop shall make provision for allowance according to the nature of the service of the deacons.

Article 85. It is the duty of the proper hierarch to take special care for the ongoing formation of the deacons.

Article 86 §1. The proper hierarch shall see to it that at least once in two years, the deacons undergo refresher programmes on sacred sciences and on spiritual disciplines.

§2. These programmes may be conducted under the direct supervision of the centre erected by the competent authority.

§3. Special attention shall be given to biblical, liturgical, pastoral, catechetical and canonical matters so that they may get updated.

TITLE VII

Monks and Other Religious as well as Members of Other Institutes of Consecrated Life

Article 87. Consecrated life is to be promoted by all.

Article 88. All institutes of consecrated life in the Syro-Malabar Major Archiepiscopal Church shall provide in their statutes whether houses with less than six members should have a council or not.

Article 89. Bishops, parish priests and superiors shall ensure that the faithful who wish to join institutes of consecrated life of another Church *sui iuris* are aware of their obligation to observe their own rite and that there is provision in such institutes for them to follow the ecclesial heritage of the Syro-Malabar Major Archiepiscopal Church.

Article 90. The formation in the institutes in the Syro-Malabar Major Archiepiscopal Church must be in accordance with the liturgical, theological, spiritual and disciplinary tradition of this Church and the charism of each institute.

Article 91. The study of the *Code of Canons of the Eastern Churches* (CCEO) as well as the *Code of Particular Law of the Syro-Malabar Church* should form part of the curriculum in the institutes.

Article 92. Major superiors of institutes of the Syro-Malabar Major Archiepiscopal Church may meet together in conference so

that by combined effort they may work to achieve more fully the common purpose of the Syro-Malabar Major Archiepiscopal Church in general and the institutes in particular. They can also deal with affairs, which are common to all institutes and work to establish suitable coordination and cooperation with the synod of bishops and with the eparchial bishops.

Article 93. The conference of the major superiors of the institutes in the Syro-Malabar Major Archiepiscopal Church is to have its own statutes, which must be approved by the major archbishop with the consent of the synod of bishops.

Article 94. The institute that allows eremitical life shall make provisions to direct such life and provide for the needs of those leading eremitical life. The superior of the concerned institute shall intimate this to the eparchial bishop.

Article 95. Those ascetics, who imitate eremitical life without being attached to an institute shall get the permission of the eparchial bishop of the place and it shall be the duty of that bishop to direct their lives and to provide for their needs.

Article 96. It is the competence and the duty of the eparchial bishop of the place to prescribe norms for consecrated life of widows and virgins who profess the vow of chastity.

Secular Institutes (c.569)

Article 97. The life and the apostolate of the members of the secular institutes are expressions of their consecrated life in the Church. This way of life is to be promoted by all.

Article 98. The curriculum of formation in secular institutes in the Syro-Malabar Major Archiepiscopal Church shall include the spiritual and ecclesial patrimony of this Church.

Article 99. If the members of a secular institute have to reside in a house of their own, care shall be taken that the number of resident members does not exceed the limits of a small group.

Article 100. The members of the secular institutes living alone in secular conditions shall take care that they lead a life of prayer

and carefully fulfill their spiritual obligations. They must maintain their kinship and their bond to their fraternal group.

Article 101. The competent ecclesiastical authority shall ensure that the initial formation in the secular institutes does not assume the pattern of a religious institute.

TITLE VIII

Societies of Apostolic life (c.572)

Article 102. Societies of apostolic life are governed by the laws given by the Apostolic See, the particular laws of the Syro-Malabar Major Archiepiscopal Church and their own statutes and directory.

Article 103. A society of apostolic life is of pontifical, major archiepiscopal or eparchial right in accordance with the norms of c.505 §2. It is clerical according to the norm of c.505 §3. It is dependent on the ecclesiastical authority as congregations are dependent in accordance with the norm of cc.413-415 and c.419.

Article 104. The eparchial bishop in consultation with the major archbishop may erect a society of apostolic life and approve its statutes. The major archbishop with the consent of the permanent synod may establish a society of major archiepiscopal right or recognize such a society and approve its statutes.

Article 105. Without prejudice to the right of the Apostolic See, only the major archbishop in consultation with the Apostolic See and with the consent of the permanent synod, and after having consulted the interested parties, may suppress a society of apostolic life whether of major archiepiscopal or eparchial right and dispose of the property of the suppressed society, without prejudice to the wishes of the donors.

Article 106. The statutes of the society shall determine the different units of the society or its houses and the competent authority to erect them. However, the written consent of the

eparchial bishop is required for establishing any house in his eparchy.

Article 107 §1. The statutes of each society shall specify the authority who can suppress a house or other unit of a society and the manner of doing it. However, this authority shall not fail to consult the eparchial bishop of the place before such suppression.

§2. Unless otherwise determined in the statutes, it is for the general moderator with the consent of his or her council to make provisions concerning the property of the suppressed houses or other units of the society, with due regard for justice and the wishes of the donors.

Article 108. The statutes shall specify the nature and apostolic purpose of the society, the norms for admission and formation, the bond of incorporation and its juridical effects, the life and discipline of the members, their rights and obligations, as well as the government of the society.

Article 109. Without prejudice to the right of the society to add more conditions to the statutes, the following persons are not validly admitted to the society:

- 1° non-Catholics;
- 2° those who have been punished with canonical penalties except those mentioned in c.1426 §1;
- 3° those who are under imminent threat of serious penalty on account of a crime of which they are legitimately accused;
- 4° those who are under eighteen years of age;
- 5° those who are bound by a religious profession or by a sacred bond to an institute or those incorporated into another society of apostolic life;
- 6° those who enter the society induced by force, grave fear or fraud or those who are admitted by the moderator who has been induced in the same way.

Article 110. Members of another Church *sui iuris* cannot licitly be admitted to a society of apostolic life of the Syro-Malabar Major Archiepiscopal Church without the permission of the Apostolic See (c.451).

Article 111. The statutes of each society shall stipulate the period and stages of formation of the members; but with respect to the formation of the members who are destined for holy orders, the canons on the formation of clerics shall also be followed.

Article 112. Unless otherwise stated in the statutes, the definitively incorporated clerical members of the society shall be ascribed as clerics into the society by the diaconal ordination, or in the case of a cleric already enrolled in an eparchy, by the perpetual incorporation.

Article 113. The general moderator of the society and others designated in the statutes may issue dimissorial letters for the sacred orders to be conferred on the members. These letters shall be addressed to the eparchial bishop of the place in which the candidate has a domicile; or to another bishop, if the eparchial bishop has given permission (c.537 §2).

Article 114. The government of the society is to be determined by the statutes of each society with due regard for the following articles.

Article 115. Moderators and synaxes in societies of apostolic life have that power which is determined in the statutes. In clerical societies of apostolic life of pontifical or major archiepiscopal right, moreover, they possess power of governance for both the external and internal forum, in conformity with the statutes.

Article 116. In a society of apostolic life, the general synaxis has the highest internal authority in accordance with the statutes. It is to be composed in such a way that it represents the whole society. It elects the general moderator and deals with matters of greater importance in accordance with the statutes. Its composition, the manner and frequency of its meeting and norms concerning the election shall be dealt with in detail in the statutes.

Article 117. Ordinarily the highest authority in the whole society is exercised by the general moderator in accordance with the statutes.

Article 118 §1. The general moderator shall be designated by election to be conducted in accordance with the statutes.

§2. In addition to the qualifications required by the statutes, he/she shall be a perpetually incorporated member of the society and shall have completed thirty-five years of age.

§3. There shall be a general council elected by the general synaxis in accordance with the statutes to assist the general moderator in the administration of the society.

§4. The other moderators are designated in accordance with the statutes.

Article 119 §1. There shall be a finance officer for the administration of the temporal goods of the society who shall discharge this office under the direction of the general moderator.

§2. The finance officer shall be elected or appointed as per the norms of the statutes.

Article 120 §1. The societies and, unless the statutes provide otherwise, their constituent parts and houses are juridic persons. As such they are capable of acquiring, possessing, administering and alienating temporal goods in accordance with the canons in CCEO Title XXIII and their own statutes.

§2. The members of the societies are also capable, in accordance with the statutes, of acquiring, possessing, administering and alienating temporal goods. However whatever comes to them in view of the society is acquired for the society.

Article 121. A member can obtain an indult to leave the society from the general moderator with the consent of his/her council, unless it is reserved to a higher authority. This means his/her rights and obligations deriving from the incorporation cease. However, a perpetually incorporated member in sacred orders will remain bound by the clerical obligations and cannot exercise the sacred

orders until he has found a benevolent eparchial bishop to receive him.

Article 122 §1. Observing the prescriptions of cc.500-503 and without prejudice to cc.497 and 498, the general moderator is competent to dismiss a perpetually incorporated member from the society. A temporarily incorporated member is dismissed in accordance with c.552.

§2. A temporarily or perpetually incorporated member can be dismissed from the society by the competent authority according to the statutes for grave reasons and according to the procedure laid down in the same statutes. The reasons for the dismissal must be made known to the member and he/she shall be given full opportunity for defense. In the case of a perpetually incorporated member, the decree of dismissal cannot be executed unless approved by the ecclesiastical authority to whom the society is immediately subject.

§3. A recourse against the decree of dismissal has suspensive effect.

Article 123. By lawful dismissal all rights and obligations stemming from incorporation into the society cease by law itself. If the member had been perpetually incorporated into the society and is in sacred orders, art.121 and c.494 shall be observed.

Article 124 §1. One who lawfully departs or who was lawfully dismissed from the society cannot claim anything from it for any kind of work performed therein.

§2. The society, however, shall observe equity and charity toward a member who is being separated from it.

TITLE IX

Evangelization of Peoples

Article 125. Those who desire to join the Catholic Church shall submit a written request to the local hierarch, signed and testified

by two witnesses, along with the recommendation of the parish of the place of domicile.

Article 126. The intention and genuineness of the catechumen's motivation is to be evaluated by the ecclesiastical authority.

Article 127. The catechumens shall undergo an appropriate period of training, the duration of which is to be stipulated in the eparchial statutes.

Article 128. The names of the catechumens are to be enrolled in a separate register, to be maintained in the eparchial archives.

Article 129. Catechumens are to be given an ecclesiastical burial, unless the family members object to it.

Article 130. Just remuneration to the catechists who train the catechumens shall be fixed by the eparchial norms.

TITLE X

Divine Worship and especially the Sacraments

Article 131 §1. Ordinarily the parish priest of the person to be baptized is the competent minister of baptism.

§ 2. If the person to be baptized is below fourteen years of age, the parish priest of the father and as per custom, the parish priest of the mother's parental home are competent ministers of baptism.

Article 132 §1. Besides the qualifications mentioned in c.685 to act as godparents one shall have completed the age of eighteen.

§ 2. Godparents from outside the parish of the place of baptism shall present testimonial letters from their own parish priests.

Article 133. For just and grave reason shall baptism be administered in private houses, with the permission of local hierarch (c.687 §2).

Article 134. Retreat centres shall direct those who desire to get baptized to the parish priests of their place with a letter of

introduction from the director of the centre stating that the person desires baptism and that he/she is disposed to receive it.

Article 135§1. Although as per the liturgical texts, sacrament of Divine Eucharist is administered together with baptism and chrismation, it is to be solemnly administered after a person has attained the age of reason after due catechetical instruction and reception of the sacrament of penance.

§2. The sacraments of baptism and chrismation are to be administered together as per norms of cc.694-695 and according to the prescriptions in the liturgical text.

Article 136. Regarding the active participation of the Christian faithful other than bishops, presbyters and deacons in the Holy *Qurbāna*, the prescriptions of official liturgical books and the eparchial norms are to be followed (c.699 §2).

Article 137. Eucharistic bread shall be made of wheat flour and shall have sufficient thickness (c.707 §1).

Article 138. The vestments approved by the synod of bishops of the Syro-Malabar Major Archiepiscopal Church are to be used for the liturgical celebrations (c.707 §1).

Article 139. Holy *Qurbāna* is to be celebrated only in churches as per c.869. In other places celebration shall be as per eparchial norms (c.707 §1).

Article 140. Regarding the time of the celebration of the Holy *Qurbāna* the eparchial norms are to be followed (c.707 §1).

Article 141. Fasting for one hour is obligatory before receiving the Divine Eucharist. The faithful, however, are exhorted to have longer periods of fasting and preparation before receiving the Divine Eucharist (c.707 §1).

Article 142. Besides the reception of the Divine Eucharist in paschal times, its frequent reception, especially on Sundays and other days of obligation and solemn occasions, is to be fostered (c.708).

Article 143. Besides priests, deacons also distribute the Divine Eucharist (c.709 §1).

Article 144. In case of necessity religious and trained lay persons, approved by the eparchial bishop, can distribute the Divine Eucharist (c.709 §2).

§1. Only a priest has the right to take and receive the Divine Eucharist by himself.

§2. Whenever there are sufficient number of ordinary ministers, extraordinary ministers shall not be deputed to distribute the Divine Eucharist.

§3. The following categories of persons may be commissioned as extraordinary ministers:

1° Major seminarians who have received at least the order of *karoyusa*.

2° Any perpetually professed member of a non-clerical religious institute.

3° Lay people of good standing, generally acceptable to the parish priest and to the people.

§4. Members of non-clerical religious institute and lay people who are to be extraordinary ministers for the distribution of the Divine Eucharist must be presented by the parish priest and commissioned by the eparchial bishop.

§5. All extraordinary ministers for the distribution of the Divine Eucharist shall be given special training as decided by the eparchial bishop.

§6. During the distribution of the Divine Eucharist, all extraordinary ministers shall wear special but simple vestments approved by the eparchial bishop.

§7. The extraordinary ministers shall perform their service according to the direction of the parish priest.

Article 145 §1. The names of candidates for promotion to sacred orders of presbyterate and diaconate, whether eparchial or

non-eparchial are to be announced in the parish church of each candidate during the Holy *Qurbāna* on two consecutive days of obligation sufficiently in advance before the ordination (c.771 §1).

§2. After the publication the parish priest shall submit a report about the candidate to the authorities concerned as early as possible.

Article 146. As preparation for the reception of the sacred orders the candidate is to make a spiritual retreat for at least four days (c.772).

Article 147. A bishop shall celebrate sacred ordinations in another eparchy only with the permission of the eparchial bishop of the place. The major archbishop celebrates sacred ordinations in another eparchy after informing the eparchial bishop of the place (c.749).

Article 148 §1. Prior to the reception of the sacred order of diaconate the candidate should have received the minor orders or *karoyusa* and *heupadiaknusa*.

§2. The minor orders are conferred by the eparchial bishop of the candidate or by any other bishop of the Syro-Malabar Major Archiepiscopal Church with the authorization of the hierarch of the candidate.

Article 149. Ordinarily there shall be an interstice of six months between diaconate and presbyterate (c.758 §1,6°).

Marriage

Article 150. Prior to betrothal the parties shall fill in the prenuptial enquiry form in front of their respective parish priests in order to make sure that they enter into the marriage covenant with due preparation, knowledge and consent (cc.782-785).

Article 151. In connection with the celebration of marriage, the following *kuries* (Forms) must be exchanged between the parish priests concerned:

1° Form A - For betrothal.

2° Form B - Information regarding the betrothal conducted and the proposed dates of the publication of banns and the celebration of marriage.

3° Form C - *Desa kuri* or *kettu kuri*, that is, no objection certificate for the licit celebration of marriage.

4° Form D - Certificate regarding the details of the marriage celebrated to be entered in the marriage registers of the parishes of the spouses as well as in the baptismal registers of the parishes where the baptism of the couple took place.

5° Form E - Notification to be sent back to the parish priest of the place of celebration of marriage regarding the entry of Form D in the baptismal and marriage registers of the concerned parishes of the spouses (c.841 §§1,2).

Article 152 §1. The parish priest shall either officiate at the betrothal ceremony or give Form A for betrothal to the parish priest of the other party only when he is morally certain that the party has at least a basic knowledge of Christian faith and morals and about the nature, purpose and essential properties of the sacrament of marriage.

§2. The local hierarch shall see to it that in his eparchy marriage preparation courses are conducted and norms are set regarding the attendance at such courses.

Article 153 §1. Those who have lived for more than one year outside the eparchy after reaching marriageable age, should produce a free state certificate.

§2. If one has lived in different places after reaching the marriageable age, he/she should produce a free state certificate at least from the parish priest of that place where he/she lived for the last one year. He/she also shall make an affidavit regarding his or her free state covering the period of his or her stay in other places.

§3. Though the certificate of the parish priest is normally required for this purpose, the certificates of civil authorities or other persons beyond suspicion may be accepted in case of the non-availability of the former.

§4. Exemption from the above norm may be granted only by the local hierarch of the party on any appropriate arrangement decided by him.

Article 154. The celebration of marriage shall be preceded by betrothal which is to be celebrated sufficiently in advance in order to give time for the publication of marriage banns.

Article 155. Betrothal is to be celebrated before the local hierarch or the parish priest of either of the parties or a delegated priest or deacon, in the presence of two witnesses in the parish church or with the permission of the parish priest at another church convenient to the parties. However, in places other than churches, it cannot be celebrated without the permission of the local hierarch.

Article 156 §1. Betrothal may be conducted only on obtaining the Form A or an equivalent document.

§2. In cases of inter-Church marriages, the law or custom of the other party shall be respected regarding betrothal or engagement.

Article 157. The celebration of betrothal shall be entered in the register maintained for the purpose and be signed by the parties, witnesses and the officiating priest or deacon.

Article 158. After the celebration of the betrothal the parish priest of the other party should be intimated through Form B.

Article 159. Date of birth and date of baptism shall be entered in Forms A and B.

Article 160. The betrothal should be solemnized according to the liturgical text.

Article 161 §1. The local hierarch of either of the parties may grant dispensation from betrothal for just and sufficient reasons on written application of both the parties, endorsed by the

respective parish priests. The parish priest of the party who has obtained the dispensation shall communicate the matter to the parish priest of the other party along with Form B.

§2. In case of need, the local hierarchs may grant permission to have betrothal in writing upon the written application of both the parties endorsed by the respective parish priests. The parties separately express in writing their willingness for the proposed marriage before their proper parish priests in the presence of two witnesses. The parish priests shall communicate the matter to each other. The parish priest of the party who has obtained the permission shall issue Form B.

Article 162. If a party does not want to proceed to marriage after betrothal, he/she shall obtain permission from the local hierarch in order to enter marriage with another person (c.782 §2).

Article 163 §1. Marriage banns are published in order to bring to the notice of the parish community the proposed marriage and to give the community an opportunity to bring to the attention of the parish priests impediments, if any, which would impede the valid and licit celebration of the said marriage.

§2. Permission may be granted by the protopresbyter of either of the parties for the publication of banns even before betrothal on written application of both the parties, endorsed by the respective parish priests. The parish priest of the party who has obtained the dispensation shall communicate the matter to the parish priest of the other party along with Form B.

Article 164. Banns are to be published on three Sundays or days of obligation during the Holy *Qurbāna* in the parish churches and if needed also in the filial churches of the parishes of the parties concerned. Alternatively they may be announced once and published on the notice board of the church for a period covering two more days of obligation.

Article 165 §1. For just and sufficient reasons, the publication of banns can be dispensed.

§2. The parish priest is competent to dispense from one of the banns and the protopresbyter from two. Dispensation from all the three banns is to be granted only by the local hierarch.

§3. If banns are published only once, the marriage cannot be celebrated on the same day without the permission of the local hierarch.

§4. In the case of dispensation from banns as per §§2&3, either of the parties shall submit a petition, stating the reasons, to the competent authority.

§5. If dispensation from banns is to be obtained, it shall be entered in the register for betrothal and in Form B. If dispensation is received, the matter shall be communicated to the concerned parish priests.

Article 166. If the marriage did not take place within six months from the completion of the publication of banns, they shall be repeated unless the local hierarch dispenses from this norm.

Article 167. During the course of the publication of banns, if the existence of a public impediment comes to light, the publication of banns shall be suspended. If however the impediment is occult and dispensation is possible the publication of banns is to be continued and completed. The parish priest shall proceed to the celebration of the marriage only after the dispensation has been duly obtained.

Article 168. Marriage is lawfully blessed only after obtaining Form C.

Article 169. The spouses are to give marriage offerings or *vivahakkazcha*, in connection with the celebration of marriage, to their respective parish churches according to the norms fixed in each eparchy. Regarding the utilization of this amount the prevailing custom and regulation in each eparchy shall be followed.

Article 170 §1. Immediately after the solemnization of marriage the details are to be carefully entered in the relevant parish registers and Form D must be filled in and sent to the concerned parish priests to be entered in the baptismal register

and also in a marriage register specially maintained for the purpose. Form E shall be sent in return by the concerned parish priest to the parish priest of the place where the marriage took place.

§2. The priest who blesses the marriage or the parish priest of the place of marriage who discovers any error in the form or substance of any entry in the marriage register may, within one month of the discovery of such error, in the presence of the persons married or, in the case of their death or absence, in the presence of two other witnesses, correct the error by entry in the margin, without any alteration of the original entry and shall sign the entry in the margin and add thereto the date of such correction. Every correction shall be attested by the witnesses in whose presence it was made.

Article 171. Civil law must be followed as regards the marriageable age without prejudice to c.800 §1. Accordingly in India man must have completed twenty-one years and woman eighteen years (c.800 §2).

Article 172 §1. Marriage between two baptized persons, one of whom is Catholic and the other non-Catholic, is prohibited without prior permission of the competent authority (c.813).

§2. For a just and reasonable cause the local hierarch can grant permission for a mixed marriage (c.814).

§3. In granting the permission mentioned in §2, the agreements if any, made between the Catholic Church and a non-Catholic Church are to be followed.

Article 173. With due regard for the cases mentioned in arts.174 §3 and 183, the local hierarch shall not grant permission for mixed marriages, unless the following conditions are fulfilled (c.814):

1° The Catholic party declares that he/she is prepared to remove dangers of falling away from the faith and makes a sincere promise to do all in his or her power to have all the offspring baptized and educated in the Catholic Church.

2° The other party is to be informed at an appropriate time of these promises which the Catholic party has to make, so that it is clear that the other party is truly aware of the promise and obligation of the Catholic party.

3° Both parties are to be instructed on the essential ends and properties of marriage, which are not to be excluded by either spouse (c.814 §3).

Article 174 §1. In all cases of mixed marriages, the pastors shall make sure that the partners are duly prepared for the same.

§2. When the parties apply for a mixed marriage they should be told that the marriage within the same faith is better for the harmony of the family and the upbringing of the children.

§3. If they insist on conducting the mixed marriage they should be instructed properly about the faith of the couples, the celebration of marriage, the formation and practice of faith after marriage, the duties towards children and about the special agreements made between the Churches, if any.

§4. It should be stressed that while each partner holds his/her ecclesial faith as supreme or paramount, he/she should respect the ecclesial faith of his/her partner.

§5. With due regard for art.154 §2 regarding the obligation of the Catholic party to attend the marriage preparation course, a pre-marriage preparatory course and a premarital counseling session are highly recommended for the non-Catholic party.

§6. The bride/bridegroom shall produce her/his baptism certificate.

§7. The priest must ensure that the bride/bridegroom is eligible for marriage.

Article 175 §1. For mixed marriage, with due regard for cases mentioned in arts.174 §2 and 183, the parties shall submit a written petition together with the endorsement of the parish priest

of the Catholic party to the local hierarch requesting permission for mixed marriage.

§2. Together with this petition, the Catholic party shall submit a written declaration regarding the promises and obligations mentioned in art.175,1° (c.814 §1).

§3. Before endorsing the petition for permission for mixed marriage, the parish priest of the Catholic party shall inform the non-Catholic partner about the above said declaration of the Catholic party and shall notify the matter in the petition. If the non-Catholic party has no objection, he/she may be invited to counter-sign the declaration of the Catholic party to the effect that he/she is aware of the promises of the Catholic party.

§4. The parties should, in the course of the contacts in this connection, be invited and encouraged to discuss the Catholic baptism and education of the children they will have, and when possible come to a decision on this question before marriage (c.815).

Article 176. Betrothal and publication of banns may be allowed in these cases at the discretion of the local hierarch after duly considering the nature and circumstance of the petition; if these are allowed their form also shall be stipulated in the same rescript.

Article 177 §1. The form of the celebration of marriage prescribed by law is to be observed if at least one of the parties celebrating the marriage was baptized in the Catholic Church or was received into it (c.834 §1).

§2. A marriage between a Catholic and a member of an Oriental non-Catholic Church is valid if it has taken place with a priestly blessing, while observing the other requirements of law for validity. For lawfulness, the Catholic form of celebration is to be observed.

§3. Canonical form is required for the validity of marriage between Catholics and members of non-Catholic non-Oriental Churches and ecclesial communities.

Article 178 §1. With due regard for arts.174 §2 and 183 §3, dispensation from the form for the celebration of marriage required by law is reserved to the Apostolic See or to the major archbishop in the territory of the Major Archiepiscopal Church, who will not grant it except for a most grave reason.

§2. Petition for this dispensation must have the endorsement of the parish priest and recommendation of the local hierarch of the Catholic party.

§3. Even if dispensation from the form of celebration of marriage is granted for a most grave reason, there should be a public form of celebration.

Article 179 §1. Before or after the canonical celebration of marriage, it is forbidden to have another religious celebration of the same marriage to furnish a new consent; likewise, a religious celebration is forbidden in which both the Catholic priest and non-Catholic minister ask for the consent of the parties (c.839).

§2. However, avoiding scandal, the officiating Catholic priest may invite a non-Catholic minister to read a scriptural passage or to give a brief exhortation.

Article 180 §1. A mixed marriage celebrated according to the Catholic form ordinarily takes place outside the Eucharistic Liturgy. However, for a just cause, the local hierarch may permit the celebration of the Holy *Qurbāna*, if it is a marriage with a non-Catholic Oriental.

§2. There shall be no celebration of Holy *Qurbāna* in connection with the marriage between a Catholic and a non-Catholic non-Oriental.

§3. The norm of c.671 and special norms given by the Apostolic See or the synod of bishops, if any, must be observed regarding the reception of the Divine Eucharist on the occasion of such marriages (c.671 §§1,2,5).

Article 181 §1. For marriages between members of the Catholic Church and the Malankara Syrian Orthodox Church, the

pastoral guidelines agreed upon by these two Churches are to be followed.

§2. As part of the preparation for these inter-Church marriages, besides what is given in art.176 §§1-6, the following norms are to be followed:

1° The priest should ensure that the bride/bridegroom has paid the donations due to the parish in connection with marriage according to the practice of the Churches.

2° The bride and bridegroom, after mutual consultation, may select the church in which the marriage is to be celebrated.

3° Both the bride and bridegroom shall obtain permission in writing for an inter-Church marriage from the respective bishops.

4° Betrothal may be permitted according to the custom of the place.

5° Banns which also announce that it is an inter-Church marriage should be published in the respective parish churches.

6° Once permission is obtained from the bishops, the respective parish priests are expected to issue the necessary documents for the conduct of marriage.

7° Marriage during the seasons of Annunciation (*Suvara*) and Lent (*Sauma*) is only to be conducted with the permission of the bishops.

§3. The following norms for the celebration of the inter-Church marriages are to be observed:

1° The liturgical minister should be the parish priest of the church where the marriage is celebrated or his delegate from the same ecclesiastical communion.

2° There is to be no joint celebration of marriage by the ministers of both Churches. The marriage is to be

blessed either by the Catholic or by the Syrian Orthodox minister. However, there could be some kind of participation at the liturgical service by the other minister who could read a scriptural passage or preach a sermon.

3° On the occasion of these celebrations the couple, and any member of their families who belong to these Churches, are allowed to receive the Divine Eucharist in the church where the sacrament of matrimony is being celebrated.

4° Proper entries must be made in the church registers and marriage certificates should be issued for a record to be made in the register of the other church.

§4. Regarding the pastoral care of the Catholic-Syrian Orthodox inter-Church families the following guidelines are to be observed:

1° The Catholic partner is to be reminded that he/she has to commit himself/herself to imparting to their children proper Catholic formation, to the extent possible in agreement with his/her partner. Such a formation should be fully in harmony with the Catholic tradition to which he/she belongs.

2° The pastors of both partners are bound in conscience to provide continued pastoral care to the inter-Church families in such a way as to contribute to their sanctity, unity and harmony.

3° Each partner is to be advised to attend the liturgical celebrations of his/her respective Church, but the couple may be allowed to participate jointly in the Eucharistic celebration on special occasions when this joint participation is socially required.

4° Any declaration of the nullity of such marriages is to be considered only with the consent of the bishops concerned from both Churches.

5° The funeral service should, as far as possible, be conducted according to the rite of the dead person's Church, even though he/she may be buried in either of the cemeteries, especially if the other partner is already buried there in a family tomb.

Article 182. For marriages with dispensation from the impediment of disparity of cult, the norms and conditions for mixed marriages between a Catholic and a non-Catholic non-Oriental are to be fulfilled (cc.803; 814).

Article 183. Local hierarchs and other pastors of souls are to see to it that the Catholic spouse and the children born of a mixed marriage do not lack spiritual assistance in fulfilling their spiritual obligations, and are to assist the spouse in fostering the unity of conjugal and family life (c.816).

Article 184. Whenever a parish priest comes to know that a Catholic party of his parish has contracted marriage with a non-Catholic or a non-Christian without the required permission or dispensation, he shall report the matter to the local hierarch. Ecclesiastical penal action may be taken against those responsible for the transgression and scandal.

Article 185 §1. Marriage is to be celebrated in the parish church of either of the spouses according to the custom in the eparchy, or with the permission of the proper parish priest in any other church convenient for the parties.

§2. In extraordinary circumstances, the local hierarch may grant permission for the celebration of marriage at a suitable place other than the church.

Article 186. Marriage of persons other than parishioners, of whom at least one is a Syro-Malabarian, is lawfully blessed by the parish priest or his delegate only on receipt of Form C or a similar document from the concerned parish priests.

Article 187. Marriage through proxy is not allowed (c.837 §2).

Article 188. In accordance with the tradition of the Church and

keeping the penitential spirit of the liturgical seasons of Annunciation (*Suvara*) and Lent (*Sauma*), the celebration of marriage is prohibited from the 1st to 24th December and from first Monday of Lent until Holy Saturday both days inclusive. However, for just and sufficient reasons, the local hierarch of the place of celebration of marriage may give permission for marriage during these periods on written petition of either of the parties and on the undertaking that the marriage will be celebrated without pomp and show, provided they have obtained the written permission from the local hierarch of either of the parties (c.838 §2).

Article 189. The special regulations given by the eparchial bishops regarding the time of the celebration of marriage on certain days like Sundays, must be carefully observed.

Article 190. Marriages are to be celebrated according to the approved liturgical text (c.836).

TITLE XI

Sacramentals, Sacred Times and Places, Veneration of the Saints and Other Acts of Devotion

Article 191. Bishops, presbyters and deacons are the ordinary ministers of the sacramentals as per the prescripts of the liturgical texts.

Article 192. Sacramentals are blessing of persons, meals, objects and places such as religious profession, blessing of oil, dedication of church, betrothal, and exorcism.

Article 193 §1. Without prejudice to the common law and the particular law of the Syro-Malabar Church and the prescripts of the liturgical texts, parish priests can delegate the power of administering sacramentals to minor clerics as per the eparchial norms. The sacramentals of blessing of houses and exorcism and liturgical celebrations such as funeral services can be delegated only to deacons (*Catechism of the Catholic Church*, 1671, 1684, cc.867; 875). Deacons can be ministers in the office of the dead,

exposition of the Blessed Sacrament, procession, *adima* and betrothal.

§2. When a deacon or a minor cleric is the minister of sacramentals, he can say the final prayer (*huttama*) but shall not impart the blessing with the sign of the cross which is reserved to priests.

Article 194. In all parishes a register for recording the deaths shall be maintained. The cause of death also shall be recorded in the column for remarks.

Feast Days and Penance (cc.880 §3; 882)

Article 195 §1. The feast days of the Nativity of our Lord Jesus Christ, the Epiphany, the Ascension, the Dormition of the Holy Mary the Mother of God (Assumption), the Holy Apostles Peter and Paul and the Martyrdom (*Dukhrāna*) of St. Thomas the Apostle are to be celebrated as days of obligation.

§2. The feasts of the Saints and Blesseds of the Syro-Malabar Church are important and are to be celebrated as per the directions of the Apostolic See with due solemnity.

Article 196. Penance in the form of fasting and abstinence is observed in the Syro-Malabar Church in the following manner:

§1. On days of fasting only one full meal may be taken.

§2. Abstinence is observed by abstaining from meat and meat products.

Article 197. The following are the days fixed for fasting: fasting is obligatory on the first day of Lent and on Good Friday. Fasting is recommended on all Fridays in Lent.

Article 198. The following are the days fixed for abstinence:

§1. Abstinence is obligatory on all Fridays except the Friday/s between Christmas and Epiphany and the first Friday after Easter.

§2. Abstinence is recommended on all days of Lent (*Sauma*), period of Annunciation (*Suvara*), all days of Three Days' Fast

(*Moosnu nombu*), Eight Days' Fast (*Ettu nombu*), and Fifteen Days' Fast (*Pathinanju nombu*).

Article 199 §1. A Catholic building or church may be given for the use of worship of the members of other episcopal Churches with the consent of the eparchial bishop, provided dangers of error, indifferentism or scandal are avoided.

§2. In case of urgent need the eparchial bishop may permit the burial of other Christians in the Catholic cemeteries (c.670 §2).

TITLE XII

Baptized non-Catholics Coming into Full Communion

Article 200. The parish priest can receive a baptized non-Catholic individual lay person into the Catholic Church as per the eparchial norms. The person to be received into the Catholic Church shall submit a written petition to the authority determined in the eparchial norms, with the recommendation of the parish priest (c.898 §3).

Article 201. The norms issued from time to time by the Apostolic See and the synod of bishops of the Syro-Malabar Church are to be followed as regards ecumenical initiatives (c.904 §1).

Article 202. Administration of sacraments to non-Catholics shall be according to the norms of the ecumenical directory and the agreement reached with the Churches concerned (c.671 §5).

TITLE XIII

Recourse against Administrative Decrees

Article 203. The synod of bishops elects three bishops for a term of five years to deal with cases of recourse. One of them will be designated president. They shall be assisted by a secretary (c.1006).

TITLE XIV

Temporal Goods of the Church

Article 204 §1. As the Christian faithful are obliged to assist with the needs of the Church in order to attain its proper ends, the parish priest can with the consent of the *palliyogam* and with the approval of the local hierarch levy a tax, even annually on physical persons (c.1012 §2).

§2. Regarding the contribution from religious institutes, the eparchial bishop may decide the amount in agreement with the major superiors concerned.

Article 205. With due regard for the decisions of the synod of bishops taken from time to time the norms in each eparchy are to be followed regarding the offering for the Holy *Qurbāna* known as Mass stipends.

Article 206 §1. Offerings for the celebration of the Holy *Qurbāna* shall be fixed by the eparchial bishop in consultation with the members of the metropolitan synod and with due regard for c.1013 §2.

§2. Offerings for the administration of the sacramentals shall be fixed as per the eparchial norms.

§3. The eparchial bishop in consultation with the college of eparchial consultors can fix a special allowance or fees for officiating at services at the request of the faithful outside the normal time and place (c.1013 §§1,2).

Article 207. No priest is authorized to take stipend for himself for a concelebrated Holy *Qurbāna* after having celebrated another *Qurbāna* for which he received the stipend. If in a day he is offering the Holy *Qurbāna* only in a concelebration, he can take the stipend for that *Qurbāna*. If a priest binates or tricates the Holy

Qurbāna for pastoral purposes, the stipends of those *Qurbānas* should be given for the purposes specified by the local hierarch.

Article 208. With due regard to art.215, each eparchy shall have a special fund for the proper maintenance and security of the priests including medical care. This should be as per the eparchial statutes raised from:

- 1° contribution of priests;
- 2° remittance by priests of a percentage proportionate to the income accrued from various ministries such as teaching and the like;
- 3° contribution from parishes on the basis of the annual income of the parish;
- 4° contributions from institutions wherever the services of the priests are rendered;
- 5° stipends of the binated and trinated Masses;
- 6° a budgetary contribution from the eparchy (cc.192 §5; 390 §§1,2; 1021 §§1,2).

Article 209. As the Church is missionary, a Sunday shall be set apart in order to raise funds for the missionary activities of the Syro-Malabar Major Archiepiscopal Church. The utilization of this fund may be decided by the synod of bishops.

Article 210 §1. The annual budget of parishes and other juridic persons subject to the parish shall be passed by the *potuyogam*, or by the *pratinidhiyogam* where the *pratinidhiyogam* functions as the *potuyogam*, and approved by the local hierarch.

§2. Institutions and organizations directly under the supervision of the eparchy must have their annual budget and accounts scrutinized and passed by the eparchial finance council and approved by the local hierarch (c.1022 §2).

§3. The annual budget of the eparchy prepared by the finance council shall get the approval of the college of eparchial consultors; while the annual accounts of the eparchy prepared by the finance officer shall get the approval of both the finance council and the college of eparchial consultors (c.1028 §3).

Article 211. In accordance with the directives of the eparchial bishop, financially well off parishes should help the needy ones.

Article 212. The term of perpetual foundations shall be for a maximum period of twenty-five years. Afterwards it shall be made use of for the purposes envisaged in c.1047 §2.

Article 213. When it is not possible to fulfill the obligation for foundation Raza, the eparchial bishop can permit to offer with the income of the foundation simple or solemn *Qurbāna* according to the stipend that prevails at the time.

Article 214. Alienation of property exceeding an amount of Rupees ten lakhs/one million (Rs. 10,00,000) up to twenty-five crores/two hundred and fifty million (Rs. 25,00,00,000) is to be done only with the consent of the finance council and the college of eparchial consultors. Alienation of property that exceeds an amount of Rupees twenty-five crores/two hundred and fifty million (Rs. 25,00,00,000) up to fifty crores (Rs. 50,00,00,000) needs the consent of the major archbishop who in turn needs the consent of the permanent synod. Alienation of property above Rupees fifty crores (Rs. 50,00,00,000) can be done only with the consent of the major archbishop who in turn needs the consent of the synod of bishops (c.1036).

Article 215. A charity fund at the eparchial level may be raised from the parishes and institutions of the eparchy. There should be a separate committee set apart by the eparchial bishop to administer the fund.

Article 216 §1. Every eparchy shall have its own priests' welfare organization with approved statutes that provide for the social security and medical assistance of its priests. Necessary provision for individual care and nursing in an invalid state or old age must be made. All priests ascribed to the eparchy shall contribute to the welfare fund of the above-said organization according to the norms specified in the statutes (cc.1021 §2; 390 §2; 297 §2).

§2. In keeping with the age-old tradition of the Syro-Malabar Church, before receiving major orders, clerics shall register the document of their 'patrimony' if eparchial norms demand it.

Article 217. Priests not ascribed to the eparchy but serving the eparchy have the right to medical assistance as per contract during their service in the eparchy.

TITLE XV

Trial

Article 218. Notification of citations, decrees, sentences and other judicial acts are to be made through one of the safest of the following means (c.1192 §1):

- 1° through public postal services, with an acknowledgement due or receipt card;
- 2° through the services of parish priests or other reliable persons whose report regarding the acceptance or refusal is to be kept as part of the acts;
- 3° if the ordinary means of communication fail, notification of citations can be made either by publishing the matter in the official organ or by affixing the matter on the official notice board.

Article 219. Questioning of witness is conducted by the judge as per c.1242. The questions proposed by the promoter of justice, or defender of bond, or advocates are generally directed to the witness by the judge or the persons who take his place, after weighing the merit of the same. However, on special occasions, the promoter of justice or the defender of bond or the advocate can ask questions directly, if he is so allowed by the judge.

Article 220. As a rule, every tribunal should have a tariff regarding the stipends or allowance to be paid to the experts. However, considering the special nature of the case and the person concerned, a higher or lower amount may be paid as per the decision of the judge.

PART II: STATUTES

(1) STATUTES OF THE SYNOD OF BISHOPS

Article 1. Name

1.The name of the synod of bishops shall be: The Synod of Bishops of the Syro-Malabar Major Archiepiscopal Church.

Article 2. Nature

The Synod of Bishops of the Syro-Malabar Major Archiepiscopal Church is the legislature, superior tribunal and the electoral college as per c.110 §§1,2,3.

Article 3. Members

3.1 All and solely the ordained bishops of the Syro-Malabar Major Archiepiscopal Church whether eparchial, titular or emeritus, constituted inside or outside the territorial limits of the Syro-Malabar Major Archiepiscopal Church, excluding those mentioned in cc.953 §1; 1433 and 1434 are members and they enjoy deliberative vote in the synod of bishops (cc. 102 §§1,2; 150 §1; 211 §1).

3.2 Bishops of the Syro-Malabar Major Archiepiscopal Church origin, whether in office or emeriti, of other *sui iuris* Churches will not have membership in the synod of bishops.

3.3 For the effective carrying out of certain matters, the major archbishop, with the consent of the permanent synod, can invite others, especially hierarchs who are not bishops, and experts to give their opinions to the bishops in the synod with due regard for c.66 §2 (c.102 §3).

Article 4. Competence

The Synod of Bishops of the Syro-Malabar Major Archiepiscopal Church is competent:

- 4.1 to enact laws as per c.110 §1;
- 4.2 to administer justice as the superior tribunal (cc.110 §2; 1062);
- 4.3 to conduct the election of the major archbishop, bishops, and candidates for office mentioned in c.149 (c.110 §3);
- 4.4 to accept the resignation of the major archbishop after having consulted with the Roman Pontiff, unless the major archbishop approaches the Roman Pontiff directly (c. 126 §2);
- 4.5 and to act in other matters according to the norms of the common law and the particular law.

Article 5. The Objectives of the Synod shall include the following

- 5.1 to help the major archbishop in the pastoral ministry of the Syro-Malabar Major Archiepiscopal Church;
- 5.2 to foster collegiality among its members;
- 5.3 to preserve and promote the patrimony of the Syro-Malabar Major Archiepiscopal Church adapting it to the life situation of the people of God (c.28);
- 5.4 to further collegial action with hierarchs of other Churches *sui iuris* (c.322);
- 5.5 to promote, preserve with authority and scrupulously defend the integrity and unity of faith and morals, even disapproving, if need be, opinions that are contrary to them or warning about those things that can endanger them (cc.605; 606);
- 5.6 to promote liturgical life of the faithful and to prepare liturgical texts according to c.657;
- 5.7 to promote proper and effective biblical and catechetical formation of the faithful and to have vigilance over the same (c.621);

- 5.8 to foster basic Christian vocation and especially priestly, monastic and other religious vocations as well as vocations to other forms of consecrated and apostolic life and to see to their ecclesial formation;
- 5.9 to promote the values of Christian family life and the formation of the laity and their apostolate;
- 5.10 to ensure pastoral care of emigrants;
- 5.11 to promote missionary consciousness, missionary vocation and the cause of evangelization as per c.585;
- 5.12 to promote ecumenical activities;
- 5.13 to promote dialogue with people of other faiths and with non-believers;
- 5.14 to promote means of social communication for the growth of the Kingdom of God and to have vigilance over the same (c.652);
- 5.15 to promote social action guided by the teaching of the Church;
- 5.16 and all other objectives that the common law or particular law of the Church prescribes as well as the need of the time demands, having in mind always the salvation of souls and the public welfare, observing exactly the laws and legitimate customs, justice and equity (c.1519 §1).

Article 6. The Major Archbishop and his Election

6.1 The Major Archbishop

- 6.1.1 The major archbishop of the Syro-Malabar Major Archiepiscopal Church is the metropolitan of the see of Ernakulam-Angamaly and he presides over the entire Syro-Malabar Major Archiepiscopal Church *sui iuris* as father and head (cc.55; 56; 151).
- 6.1.2 He will have all the prerogatives, rights and obligations determined by the common law (cc.78-101; 151-154) and the particular law of the Syro-Malabar Major Archiepiscopal Church.

6.2 The Election of the Major Archbishop

- 6.2.1 The major archbishop is elected by the Synod of Bishops of the Syro-Malabar Major Archiepiscopal Church according to the norms of cc.63-74; 110 §3; 153; 947-957.
- 6.2.2 To be considered suitable for the office of major archbishop one should have the requirements mentioned in c.180 (c.64).
- 6.2.3 §1. During a vacancy of the major archiepiscopal see, the administrator of the Major Archiepiscopal Church is the senior bishop according to episcopal ordination among the bishops of the major archiepiscopal curia or, if there are not any, among the bishops who are members of the permanent synod (c.127).
- §2. To conduct the election of the major archbishop, the administrator of the Major Archiepiscopal Church convokes the synod of bishops within two months from the vacancy of the see, at the major archiepiscopal curia. Any other place may be designated by the administrator with the consent of the permanent synod (cc.65 §§1,2; 128,3°).
- 6.2.4 §1. In the election of the major archbishop, all and only the members of the synod of bishops enjoy active voice (c.66 §1).
- §2. It is forbidden for anyone other than the members of the synod of bishops to be present in the synod hall during the election of the major archbishop, except those clerics who are admitted as tellers or notary of the synod according to the norms of c.71 §1 (c.66 §2).
- §3. It is not allowed for anyone either before or during the synod of bishops to interfere (*immiscere*) in the election of the major archbishop (c.66 §3).
- 6.2.5 §1. All bishops lawfully convoked are bound by grave obligation to be present at the election (c.68 §1).
- §2. If a certain bishop considers himself detained by a just impediment he is to submit his reasons in writing to the

synod of bishops. The bishops who are present at the designated place in the first session of the synod of bishops are to decide upon the legitimacy of the impediment (c.68 §2).

- 6.2.6 Once the convocation has taken place according to the canons, if two-thirds of the bishops who are obliged to be present at the synod of bishops, excluding those who are detained by a legitimate impediment, are present at the designated location, the synod of bishops is to be declared canonical and can proceed with the election (c.69).
- 6.2.7 The synod of bishops in its first session shall elect the one who is to preside over the synod for the election of the major archbishop; until then the presidency is reserved to the administrator of the Syro-Malabar Major Archiepiscopal Church (c.70).
- 6.2.8 The presiding bishop with the consent of the permanent synod can allow a notary, and if needed two other clerics as tellers to help the members in the proceedings with due regard for cc.66 §§2,3;71.
- 6.2.9 All those who are present at the synod of bishops are bound by serious obligation of observing secrecy concerning those matters that directly or indirectly concern the balloting (c.71 §2).
- 6.2.10 §1. During the ballot the one who obtains two-third of the votes is elected major archbishop, if after five ballots no one gets the required number of votes, absolute majority would be sufficient in the sixth and seventh ballots; but if no one gets absolute majority even in the seventh ballot the votes are cast in the eighth ballot for only those two candidates who have secured the highest number of votes in the seventh ballot (c.72 §1).
- §2.If because of a tied vote, it is not established who the candidates are for the new ballot or who has been elected, the tie is decided in favour of him who is senior according to episcopal ordination if both are bishops, and according

to the presbyteral ordination if either of them is a priest. If no one precedes the other in episcopal/presbyteral ordination as referred, the one who is senior in age (c.193 §4).

§3.If the election is not carried out within fifteen days from the opening of the synod of bishops, the matter devolves upon the Roman Pontiff (c.72 §2).

6.2.11 §1. If the one who is elected is at least a legitimately proclaimed bishop, his election must immediately be communicated to him by the president, or if the president has been elected, by the bishop who is senior by episcopal ordination, according to the accepted formula and formality determined by the synod of bishops, in the name of the entire synod of bishops of the Major Archiepiscopal Church.

§2. If the one who is elected is not a bishop, or has not yet been legitimately proclaimed bishop, secrecy is to be observed by everyone who in any way knows the result of the election even toward the one elected. Meanwhile the synod of bishops is suspended, and the intimation is made after executing all canonical requirements for the episcopal proclamation as per cc.184 or 185 (c.73).

6.2.12 Within two available days after the intimation the one who is elected must inform in writing whether he accepts the election. If he does not accept or does not respond within two days, he loses all the rights acquired by the election (cc.74; 957).

6.2.13 After the acceptance by the one who is elected the synod of bishops must inform the Roman Pontiff, through a synodal letter, of the canonical conduct of the election; the one who is elected must in a letter signed in his own hand, request the confirmation of his election from the Roman Pontiff (c.153 §2).

6.2.14 After having obtained the confirmation, the one who is elected must, in the presence of the synod of bishops, make a profession of faith and promise to discharge faithfully his office;

after that his proclamation and enthronement are to be carried out. In case, the one who is elected is not yet an ordained bishop, the enthronement cannot validly be done before he receives the episcopal ordination. If, however, the confirmation is denied, a new election is to be conducted within the time established by the Roman Pontiff (c.153 §§3,4).

Article 7. The Synod of Bishops of the Syro-Malabar Major Archiepiscopal Church

7.1 Convocation of the Synod

7.1.1 The major archbishop is to convoke the Synod of Bishops of Syro-Malabar Major Archiepiscopal Church and to preside over it (c.103).

7.1.2 All the bishops legitimately convoked to the synod are bound by a serious obligation to attend it, except those who have already resigned from office (c.104 §1).

7.1.3 If a certain bishop considers himself detained by a just impediment, he is to submit his reasons in writing to the synod of bishops, and the bishops who are present at the first session of the synod of bishops are to decide upon the legitimacy of the impediment (c.104 §2).

7.1.4 No member of the synod of bishops can send a proxy to the synod in his place nor can anyone have more than one vote in the synod of bishops with due regard for c.924 §1 (c.105).

7.2 Frequency of the Synod

7.2.1 The synod of bishops must be convoked at least once a year (c.106 §2).

7.2.2 The synod of bishops must be convoked whenever:

§1. Matters are to be decided which belong to the exclusive competency of the synod of bishops, or which in order to be done require the consent of the synod of bishops (c.106 §1,1°).

§2. The major archbishop with the consent of the permanent synod judges it necessary (c.106 §1,2°).

§3. At least one-third of the members request for it in a particular case, with due regard always for the rights of the major archbishop, bishops and other persons, established by the common law (c.106 §1,3°).

7.2.3 The convocation letter is to be sent to the members three months in advance; but in urgent and extraordinary circumstances the synod of bishops could be convoked at short notice with the unanimous written consent of the members of the permanent synod, or with the written consent of one-third of the members of the synod of bishops.

7.3 **The Venue of the Synod**

7.3.1 The synod of bishops shall be convened at the major archiepiscopal curia, or at any other place designated by the major archbishop with the consent of the permanent synod (c.65).

7.4 **The Procedure**

7.4.1 §1. The major archbishop presides over synod of bishops (c.103).

§2. If the major archbishop is impeded to attend certain sittings of the synod of bishops, the one delegated in writing by the major archbishop or if none is delegated, the one who is senior in episcopal ordination among the members of the permanent synod presides over the synod of bishops.

7.4.2 The major archbishop is to open the synod of bishops, also, with the consent of the same synod, to transfer, prorogue, suspend or dissolve it (c.108 §1).

7.4.3 After hearing the members of the synod of bishops, the major archbishop is also to prepare the agenda and to submit it for approval of the synod of bishops at the inaugural sitting (c.108 §2).

-
- 7.4.4 During the synod of bishops, the individual bishops can add other topics to the agenda, provided at least one-third of the members present at the synod of bishops consent to it (c.108 §3).
- 7.4.5 After the opening of the synod of bishops, none of the bishops is permitted to depart from the sittings of the synod unless it is for a just reason approved by the synod (c.109).
- 7.4.6 The major archbishop may admit sufficient number of clerics to the synod hall to help at the proceeding of the synod of bishops according to cc.66 §2; 71 §1.
- 7.4.7 The synod of bishops is to decide upon the observance of secrecy regarding acts and matters dealt within the synod, with due regard for the obligation of observing secrecy in matters established by common law (c.111 §2).
- 7.4.8 The order of procedure of the synod of bishops shall as far as possible be as follows (c.113):
- 7.4.8.1 Solemn opening of the synod with the Holy *Qurbāna* or a prayer service;
- 7.4.8.2 Introductory words by the president;
- 7.4.8.3 Finalization of the agenda and disposal of matters mentioned in cc.104 §2 ; 68 §2;
- 7.4.8.4 Discussion on the issues arising from the decisions of the previous synod of bishops and evaluation regarding the carrying out of the same;
- 7.4.8.5 Sittings: Discussions and deliberations;
- 7.4.8.6 Reading of the report of the sittings by the secretary, preferably at the beginning of each day; but at least before the conclusion of the synod of bishops;
- 7.4.8.7 Reading of all the decisions taken by the synod of bishops by the secretary and signing the same by all (last day);
- 7.4.8.8 Fixing the time and mode for the promulgation of the laws and the publication of the decisions (c.111 §1);

7.4.8.9 Fixing the dates for the next synod of bishops;

7.4.8.10 Concluding sitting.

7.5 **Canonicity of the Sittings**

7.5.1 With due regard for cc.69,149 and 183 §1 any session of the synod of bishops is canonical and, any individual ballot is valid if the majority of the bishops who are obliged to attend the same synod is present (c.107 §1).

7.5.2 With due regard for cc.72, 149; 183 §§3,4, the synodal decisions acquire the force of law according to the following norms (cc.107 §2; 924).

7.5.2.1 When the majority of those who must be convoked are present, that which is approved by the absolute majority of those present has the force of law; if the votes were equal, however, the one presiding is to break the tie with his vote (c.924,1°).

7.5.2.2 If acquired rights of individuals are affected, the consent of each of them is required. (c.924,2°).

7.5.2.3 Regarding elections c.956 is to be followed with due regard for arts.6.2; 11.1 (c.924,3°).

Article 8. *The Legislative Role of the Synod*

8.1 With due regard for the provisions of common law, the Synod of Bishops of the Syro-Malabar Major Archiepiscopal Church is exclusively competent to make laws for the entire Syro-Malabar Major Archiepiscopal Church which obtain force according to the norms of c.150 §§2,3 (c.110 §1).

8.2 §1. The synod of bishops determines the time and manner of the promulgation of laws and the publication of decisions (c.111 §1).

§2. Unless otherwise provided for in the decree of the promulgation, the laws are published in the official organ of the Syro-Malabar Major Archiepiscopal Church *Synodal News*, and will have force of law two months after the date of promulgation.

- 8.3 The acts regarding laws and decisions are to be sent to the Roman Pontiff as soon as possible; certain act or even all of them may be communicated to the patriarchs and major archbishops of the other Eastern Churches according to the discretion of the synod of bishops (c.111 §3).
- 8.4 The promulgation of the laws and the publication of the decisions of the synod of bishops are the competence of the major archbishop in accordance with c.111 §1 (c.112 §1).

Article 9. The Judicial Role of the Synod

- 9.1 §1. The synod of bishops, with due regard for the competence of the Apostolic See, is the superior tribunal within the territorial boundaries of Syro-Malabar Major Archiepiscopal Church (cc.110 §2; 1062 §1).
- §2. The Synod of Bishops of the Syro-Malabar Major Archiepiscopal Church must elect by secret ballot for a five-year term, and from among its members a general moderator for the administration of justice, as well as two bishops who, together with him as president, constitute a tribunal. However, if one of the three bishops is a party in the case or is unable to attend, the major archbishop with the consent of the permanent synod is to substitute another bishop for him. Likewise, if an objection has been raised against any of them, the major archbishop is to act in a like manner with the consent of the permanent synod (c.1062 §2).
- §3. This tribunal is to judge the contentious cases either of the eparchies or of bishops, even titular bishops in accordance with the statutes of the tribunal (c.1062 §3).
- §4. Appeal in these cases is to be made to the synod of bishops without any further appeal, with due regard for c.1059 (c.1062 §4).

- §5. The general moderator of the administration of justice has the right of vigilance over all tribunals within the territorial boundaries of the Syro-Malabar Major Archiepiscopal Church, as well as the right of deciding when objections are raised against a judge of the major archiepiscopal ordinary tribunal (cc.1062 §5; 1063).
- 9.2 An annual report of the activities of the major archiepiscopal ordinary tribunal shall be submitted to the synod of bishops (c.1063).
- 9.3 With due regard for c.1067 §1, the synod of bishops may if needed erect a tribunal of first instance for several eparchies within the territorial boundaries of the Syro-Malabar Major Archiepiscopal Church.

Article 10. The Administrative Role of the Synod

- 10.1 The synod of bishops is not competent for administrative actions unless the major archbishop determines otherwise for certain actions or common law reserves some actions to the synod of bishops, with due regard for the canons that require the consent of the synod of bishops (c.110 §4).

Article 11. Election of Bishops

- 11.1 The synod of bishops conducts the election of bishops and candidates to the office mentioned in c.149 according to cc.180-189 and 947-957 (c.110 §3).
- 11.2 §1. Only members of the synod of bishops can propose candidates suitable for episcopate. In accord with the special procedural norms for this purpose, they are to collect the information and documents that are necessary to demonstrate the suitability of the candidates. In doing so, they may, if they consider it opportune, hear secretly and individually some presbyters or also other Christian faithful outstanding in prudence and Christian life (c.182 §1).

§2. As a part of preparing the list of candidates every eparchial bishop may propose atleast every five years three suitable candidates from his eparchy to the major archbishop.

§3. The bishops are to report their findings to the major archbishop at a suitable time before the convocation of the synod of bishops. The major archbishop, if the case warrants it, adding his own information, transmits the matter to all the members of the synod of bishops (c.182 §2).

§4. The synod of bishops is to examine the names of the candidates and compile a list of the candidates by secret ballot, which is to be transmitted through the major archbishop to the Apostolic See for the assent of the Roman Pontiff (c.182 §3).

§5. The assent of the Roman Pontiff once given for an individual candidate is valid until it has been explicitly revoked, in which case the name of the candidate is to be removed from the list (c.182 §4).

- 11.3 Once the convocation has been done canonically, if, after subtracting those prevented by a legitimate impediment, two-thirds of the bishops obliged to attend the Synod of Bishops of the Major Archiepiscopal Church are present in the designated place, the synod is to be declared canonical and the synod can proceed with the election (c.183 §1).
- 11.4 §1. The bishops assembled in the synod are freely to elect the one whom before all others they consider before the Lord worthy and suitable (c.183 §2).
- §2. For election, an absolute majority of votes of those present is required; after three inconclusive ballots, the votes are cast in the fourth ballot for only those two candidates who received the highest number of votes in the third ballot (c.183 §4)
- §3. If in the third or fourth balloting, because of a tie vote, it is not clear who the candidate is for the new balloting or

who has been elected, the tie is resolved in favour of the one who is senior according to presbyteral ordination and if no one precedes the others by presbyteral ordination, the one who is senior by age (c.183 §3).

- 11.5 §1. If the one elected is on the list of candidates that the Roman Pontiff has already approved, he is to be informed secretly of his election by the major archbishop (c.184 §1).
§2. If the one elected accepts the election, the major archbishop is to inform immediately the Apostolic See of the acceptance of the election and of the day of proclamation (c.184 §2).
- 11.6 If the one elected is not on the list of candidates already approved by the Roman Pontiff, the major archbishop is immediately to notify the Apostolic See of the election in order to obtain the assent of the Roman Pontiff, secrecy being observed by all who in any way know the result of the election, even toward the one elected, until notification of the assent has reached the major archbishop (c.185 §§1,2).
- 11.7 §1. If the Synod of Bishops of the Syro-Malabar Major Archiepiscopal Church cannot be convened, the major archbishop, after consulting the Apostolic See, can request the vote of the bishops by letter. In this case, the major archbishop must employ for the validity of the act the service of two bishops as scrutineers, who are to be designated by the major archbishop with the consent of the permanent synod.
§2. The scrutineers, observing secrecy, open the letters of the bishops, count the votes and along with the major archbishop sign a written report about the conduct of the balloting.
§3. If one of the candidates obtains an absolute majority of the votes of the members of the synod of bishops in this one ballot he is elected and the major archbishop proceeds

according to the norms of cc.184 and 185. Otherwise the major archbishop defers the matter to the Apostolic See.

- 11.8 The synod of bishops, fulfilling the norms of the canons on the election of bishops, is to elect at least three candidates for filling the office of eparchial bishop, coadjutor or auxiliary bishop outside the territorial boundaries of the Syro-Malabar Major Archiepiscopal Church and through the major archbishop propose them to the Roman Pontiff for appointment; secrecy is to be observed by all who in any way know the results of the election, even toward the candidates (c.149).
- 11.9 With the consent of the synod of bishops, the major archbishop is competent to give to an eparchial bishop a coadjutor or auxiliary bishop, observing the norms of cc.181 §1; 182-187; 212 (c.85 §§2,4).

Article 12. Erection of Provinces and Eparchies and Transfer of Bishops

- 12.1 For serious reasons, the major archbishop can with the consent of the synod of bishops and having consulted the Apostolic See, erect provinces and eparchies, modify their boundaries unite, divide, suppress and modify their hierarchical status and transfer the eparchial see (c.85 §§1,4).
- 12.2 With the consent of the synod of bishops the major archbishop is competent to transfer, for a grave reason, a metropolitan, eparchial bishop or titular bishop to another metropolitan, eparchial or titular see; if the one who is to be transferred refuses, the synod of bishops is to resolve the issue, or defer the matter to the Roman Pontiff (c.85 §2,2° & §4).

Article 13. Permanent Synod

- 13.1 §1. The synod of bishops is competent to elect three of the four bishops to the permanent synod among whom at least

two must be eparchial bishops as per c.115 §§1,2.

§2. At the same time and in the same manner, four bishops are designated to substitute the impeded members of the permanent synod in rotation and in the order of seniority in episcopal ordination.

Article 14. Financial Administration of the Church

14.1 §1. The synod of bishops shall also give necessary directives, including laws for the financial administration of the Church and the expenses of the major archiepiscopal curia (c.125).

§2. The synod of bishops can call for a report on the administration of finance as well as the budget and income and expenditure from the major archiepiscopal finance officer and subject the same to its scrutiny (c.122 §4).

Article 15. Commissions

15.1 The synod of bishops may examine the annual reports of the various commissions and committees appointed by the major archbishop for specific activities of the Church.

Article 16. The Eparchial Bishops outside the Territory

16.1 The bishops constituted outside the territorial boundaries of the Syro-Malabar Major Archiepiscopal Church, will have all the synodal rights and obligations of those within the territorial boundaries (c.150 §1).

16.2 §1. Laws enacted by the synod of bishops and promulgated by the major archbishop, if they are liturgical, have the force of law everywhere in the world; but the disciplinary laws and other decisions of the synod of bishops have force of law within the territorial boundaries of the Syro-Malabar Major Archiepiscopal Church (c.150 §2).

§2. The eparchial bishops of the Syro-Malabar Major Archiepiscopal Church constituted outside the territorial

limits of the Syro-Malabar Major Archiepiscopal Church, who desire to do so, can attribute the force of law to disciplinary laws and other synodal decisions in their own eparchies, provided they do not exceed their competence; If, however, these laws or decisions are approved by the Apostolic See, they have the force of law everywhere in the world (c.150 §3).

Article 17. The Pastoral Care of the Emigrants of the Syro-Malabar Major Archiepiscopal Church

17. Taking into consideration the report of the major archiepiscopal visitor and the commission appointed by the major archbishop, if any, the synod of bishops shall discuss matters regarding the pastoral care of the faithful outside the territory and propose opportune means to the major archbishop and the Apostolic See so that everywhere in the world the major archbishop might provide protection and increase of the spiritual good of the Christian faithful of the Syro-Malabar Major Archiepiscopal Church, even through the erection of parishes and exarchies or eparchies (c.148 §§1,3, OE 3).

Article 18. Evangelization, Ecumenism and Dialogue

18. In the light of the report the commissions set up as per cc.585 §2; 904 §2 and of other commissions, if any, the synod of bishops shall take necessary steps to promote evangelization, ecumenism and dialogue.

Article 19. The Secretary of the Synod (c.113)

- 19.1 §1. The synod of bishops shall have a secretary elected from among the bishops. He shall:
- 1° record the minutes of the synod of bishops and submit a report of the proceedings to the synod of bishops;

2° help the major archbishop to coordinate the activities of the various preparatory commissions of the synod;

3° help the major archbishop to prepare the agenda of the synod of bishops (c.108 §2);

4° prepare the acts and documentation concerning the synod of bishops to be kept in the archives of the major archiepiscopal curia (cc.123 §3; 257 §1);

5° be responsible also for other duties that the synod of bishops may from time to time entrust to him.

§2. The term of office of the secretary shall be five years, but he can be re-elected by the synod of bishops for one more term.

19.2 §1. The major archbishop with the consent of the permanent synod may appoint an assistant-secretary who shall be either a presbyter or a deacon.

§2. He shall help the secretary with due regard for n. 7.4.6 and 7.4.7; The tenure of office of the assistant-secretary shall be determined by the major archbishop in consultation with the permanent synod.

Article 20. The Preparatory Commissions (c.113)

20. The synod of bishops shall constitute preparatory commissions as and when required.

Article 21. Amendments

21.1 The members of the synod of bishops may propose amendments to the statutes in writing and submit them to the major archbishop at least three months before the commencement of the synod of bishops.

21.2 The draft of the proposed amendments shall be circulated among the members at least two months before the commencement of the synod of bishops.

- 21.3 For amendments of the synodal statutes, two-thirds majority of those present and voting in the synod of bishops is required.

Article 22. Interpretation

22. The authentic interpretation of the laws of the synod of bishops is the competence of the same synod; when the synod of bishops is not in session it is the competence of the major archbishop in consultation with the permanent synod (c.112 §2).

Article 23. Repeal and Savings

- 23 §1. All other laws and regulations that are not in conformity with these statutes and CCEO, shall be deemed to be repealed by this statutes, without however any retrospective effects.
- §2. All pending proceedings as on the date of commencement of these statutes shall be decided and disposed of in accordance with these statutes.
- §3. For those matters which are not specifically provided for in these statutes the provisions of the CCEO as well as the Particular Law of the Syro-Malabar Major Archiepiscopal Church and the legitimate customs prevail.
- §4. In all other matters which are not specifically provided for herein above the synod of bishops will have the power to take decisions and such decisions shall be final.

(2) STATUTES OF THE PERMANENT SYNOD

Nature

As an abiding expression and organ of the collegiality of the bishops of the Syro-Malabar Church, the permanent synod, which is part of the major archiepiscopal curia, helps the major archbishop in matters of ordinary administration or in expediting urgent affairs, in accordance with the law.

Title 1 **Constitution**

Article 1. The permanent synod is composed of the major archbishop and four bishops designated for a five-year term. These four bishops may be re-elected or appointed for further five-year terms (c.115 §1).

Article 2 §1. Three of the member bishops are elected by secret ballot by the synod of bishops. Among these at least two must be eparchial bishops; one is appointed by the major archbishop (c.115 §2).

§2. These four bishops are designated for a five-year term, but may be re-elected or appointed for further five-year terms (c.115 §1).

§3. At the same time and in the same manner four bishops are designated to substitute the impeded members, in rotation and in the order of seniority in episcopal ordination. The substitutes are designated for a five-year term and may be re-elected or appointed for further five-year terms (c.115 §3; *Statutes of the Synod of Bishops*, art.13.1 §2).

Article 3. The members of the permanent synod belong by law to the curia of the major archbishop (c.114).

Title II

Convocation and Sessions of the Permanent Synod

Article 4 §1. The permanent synod is convoked at fixed times, at least twice a year, and whenever the major archbishop deems it opportune or whenever business is to be transacted for which the counsel or the consent of the permanent synod is required by common law or particular law of the Syro-Malabar Church (c.120; ref. *Statutes of the Synod of Bishops*, art.19.2 §2).

§2. If only counsel is required by law, the permanent synod may be consulted by phone or letter without it being convoked (c.934 §1).

Article 5. The major archbishop convokes the permanent synod, as a rule at least by a two weeks' notice. The agenda is sent to the members in advance in good time.

Article 6. In order to prevent undue inconvenience in convoking the permanent synod, the members are to inform the major archbishop, as far as possible, of their foreseeable absences in good time together with the information where and how they can be contacted.

Article 7 §1. The major archbishop presides over the sessions of the permanent synod (c.116 §1).

§2. If the major archbishop is impeded from attending the permanent synod, its sessions are presided over by the bishop who is senior by episcopal ordination, after the number of members has been restored to five according to the norm of art.2 §3 (c.116 §2).

Article 8. If the permanent synod must decide a matter that affects the person of a certain bishop who is a member of the same synod or affects his eparchy or office, he must be heard, but in the synod another bishop substitutes him according to the norm of c.115 §3.

Article 9. The voting is by secret ballot when persons are concerned; in other cases, if at least one of the members expressly requests it (c.118).

Article 10. If a certain matter belonging to the competence of the permanent synod is to be decided while the synod of bishops is being held, the decision on this matter is reserved to the permanent synod unless the major archbishop with the consent of the permanent synod judges it opportune to commit the decision to the synod of bishops (c.119).

Article 11. The chancellor of the major archiepiscopal curia functions as the secretary of the permanent synod. He has the responsibility of preparing the minutes of the sessions of the permanent synod, unless in a particular case some other presbyter or deacon is appointed by the major archbishop for this purpose.

Article 12 §1. After the president, all the other members of the permanent synod must sign the acts of the synod (c.117).

§2. The minutes of a session are regarded as approved by the permanent synod, if the majority of the members present have passed it and the president and the secretary have put their signature to it.

Title III

Competence of the Permanent Synod

Article 13. The major archbishop will not fail to hear the permanent synod in matters that concern the entire Syro-Malabar Church over which he presides or in more serious and urgent affairs. The permanent synod is to be ready to cooperate with the major archbishop whenever its advice or consent is sought by him, especially in serious turn of events or urgent matters (c.82 §3).

Article 14. During a vacancy of the major archiepiscopal see, the administrator of the Major Archiepiscopal Church is the senior bishop according to episcopal ordination among the bishops of the major archiepiscopal curia or, if there are not any, among the bishops who are members of the permanent synod (c.127).

Article 15. The permanent synod is to audit the annual accounts and pass the annual budget submitted by the major archiepiscopal finance officer (c.122 §3).

Article 16. The permanent synod is to be consulted by the major archbishop in the following cases:

1° to admonish an eparchial bishop who does not faithfully fulfil his pastoral function or has gravely transgressed in some matter, unless there is danger in delay (c.95 §2);

2° to give an authentic interpretation of the laws enacted by the synod of bishops until the following synod (c.112 §2);

3° to determine the rights and obligations of a coadjutor bishop who is appointed by the major archbishop but is not to have all the rights and obligations of an eparchial bishop (c.213 §2);

4° to appoint the administrator of an eparchy within a month of useful time from the reception of notice of the vacancy of the eparchial see, if there are no curial bishops for consultation (c.220 §3);

5° to appoint a new eparchial finance officer during the vacancy of the eparchial see or to have him elected when an eparchial finance officer has ceased from office in any manner whatever, if there are no curial bishops for consultation (c.232 §3);

6° to erect or approve an association which is open to all the Christian faithful of the Syro-Malabar Church and which has its headquarters within the territorial boundaries of the same Major Archiepiscopal Church (c.575 §1,2°);

7° to suppress juridic persons that are erected or approved by the major archbishop, except for cases mentioned in common law (c.928, 1°);

8° to alienate the temporal goods of the Major Archiepiscopal Church or that of the eparchy of the major archbishop whose value is between the minimum and the maximum amount fixed by the synod of bishops (c.1037, 1°);

9° to permit an eparchial bishop who cannot establish a collegiate tribunal to entrust to a single clerical judge cases for trial in the first instance as per c.1084 §3;

10° to permit an eparchial bishop to appoint non-clerical Christian faithful as judge as per c.1087 §2;

11° to determine the tenure of assistant secretary;

12° to denounce to the Roman Pontiff judges of the synodal tribunal who are found guilty of canonical offences as per c.1115 §1;

13° to act in other matters required by common law and particular law.

Article 17. The consent of the permanent synod is needed in the following cases:

§1. For the administrator of the Major Archiepiscopal Church:

1° to convene the synod of bishops for the election of the major archbishop in a different place other than the major archiepiscopal curia (c.65 §1);

2° to effect or permit the ascription of a cleric to the eparchy of the major archbishop or to issue a letter to terminate his clerical ascription to it or to grant permission to move out to another eparchy while retaining his ascription (c.363, 1°).

§2. For the major archbishop:

1° to conduct, for a grave reason either personally or through another bishop, an equipollent canonical visitation of an eparchy, a town or a church (c.83 §2),

- apart from the regular visitation of the eparchies mentioned in the *Code of Particular Law*, part I, art. 1 (c.83 §1);
- 2° to erect, modify or suppress exarchies (c.85 §3);
- 3° to exempt from the power of an eparchial bishop a place or a juridic person and subject it immediately to the major archbishop in accordance with c.90;
- 4° to reserve to the major archbishop himself matters that concern several eparchies and involve the civil authorities, in accordance with c.100;
- 5° to invite to the synod of bishops those who are not its members, in accordance with c.102 §3;
- 6° to convoke the synod of bishops outside the times prescribed by law if the major archbishop deems it necessary (c.106 §1);
- 7° to appoint the major archiepiscopal finance officer (c.122 §1);
- 8° to remove from office the major archiepiscopal finance officer during the term of office, when there is danger in delay (c.122 §2);
- 9° to convoke the major archiepiscopal assembly outside the prescribed time if it is considered useful and necessary (c.141);
- 10° to designate two bishops as scrutineers for the election of bishops by letter when the synod of bishops cannot be held (c.186 §1);
- 11° to accept the resignation of an eparchial bishop unless he was invited by the synod of bishops to tender his resignation (c.210 §3);
- 12° to remove from office the administrator of an eparchy (c.231 §2);

- 13° to provide for the governance of an eparchy when the eparchial see is impeded in accordance with c.233 §1;
- 14° to appoint an exarch as per c.314 §1;
- 15° to give an institute or association the faculty to ascribe clerics (cc.357 §1; 579);
- 16° to remove from the clerical state, if there is danger in delay, clerics who do not ask for a dispensation from their obligation to celibacy, in accordance with c.397;
- 17° to suppress a monastery that is not of pontifical right, whether it is *sui iuris* or is a filial monastery, whether it is of eparchial right or of major archiepiscopal right, in accordance with c.438 §1;
- 18° to dispose of the property of a suppressed monastic confederation (c. 440 §3);
- 19° to grant to a monastery *sui iuris* the status of a stauropegial monastery in the very act of erection (c.486 §1);
- 20° to erect a religious order or congregation of major archiepiscopal right (c.506 §2);
- 21° to raise a congregation of eparchial right that has spread to several eparchies in the territory of the Syro-Malabar Church to the status of a congregation of major archiepiscopal right (c.506 §3);
- 22° to suppress a congregation of eparchial right or of major archiepiscopal right, although consisting of a single house, in accordance with c.507 §2;
- 23° to suppress associations other than those erected or approved by the Apostolic See, in accordance with c.583 §2;
- 24° to alienate or to transfer perpetually to another church well-known relics, icons or images kept in a certain church and are held in great veneration by the people (c.888 §2);

25° to authorize the alienation of the temporal goods of an eparchy or of any other juridic person situated within the territorial boundaries of the Syro-Malabar Major Archiepiscopal Church, whether it is subject to an eparchial bishop or not, and although it is of pontifical right, if the value of goods exceeds the maximum amount fixed by the synod of bishops mentioned in the *Code of Particular Law*, part I, art. 213, but does not exceed twice the amount (c.1036 §2,1°,2°);

26° to alienate the temporal goods of the Syro-Malabar Major Archiepiscopal Church, if the value of the goods exceeds the maximum amount fixed by the synod of bishops mentioned in the *Code of Particular Law*, part I, art. 213, but does not exceed twice the amount (c.1037 §2,1°,2°);

27° to reduce, moderate or commute the dispositions of Christ's faithful who give or leave their goods to pious causes (c.1054 §3);

28° to substitute with another bishop if one of the three bishops of the synodal tribunal is party in a case, or is unable to be present, or if any of them has been objected to (c.1062 §2);

29° to appoint the president, the judges, the promoter of justice, the defenders of bond as well as other necessary officials of the major archiepiscopal ordinary tribunal (c.1063 §2; *Statutes of the Major Archiepiscopal Tribunal*, arts. 7§ 1;17 §2);

30° to threaten by precept the penalties of deprivation of office, of title, of insignia or suspension beyond one year, demotion to a lower grade, deposition or major excommunication (c.1406 §1);

31° to appoint auditors, promoter of justice and notary of the synodal tribunal (*Statutes of the Superior Tribunal*, art.5 §3);

32° to appoint the assistant secretary of the synod of bishops (*Statutes of the Synod of Bishops*, art.19.2 §1);

33° to nominate substitutes of the promoter of justice or of the notary of the synodal tribunal (*Statutes of the Superior Tribunal*, art.10 §2);

34° to remove the promoter of justice, the notary and their substitutes of the synodal tribunal (*Statutes of the Superior Tribunal*, art.8 §4);

35° to approve the roster of auditors of the synodal tribunal (*Statutes of the Superior Tribunal*, art.11);

36° to decide upon the objection or suspicion against a judge of the synodal tribunal (*Statutes of the Superior Tribunal*, art.20 §1).

Title IV

General and Transitory Norms

Article 18. These statutes may be amended by the synod of bishops of the Syro-Malabar Church by an absolute majority of the votes of the members present and voting in a valid session.

(3) STATUTES OF THE SUPERIOR TRIBUNAL

Nature

The synod of bishops of the Syro-Malabar Church is the superior tribunal of the Syro-Malabar Church. In the exercise of its judicial function the same synod is a tribunal according to the norm of law. Its ministry of justice is exercised within the territory of the Syro-Malabar Church and subject to the vigilance of the supreme tribunal of the Apostolic Signatura, Rome. The synod exercises its judicial function either in full session or, ordinarily and in the first instance, through an elected portion of the same synod constituted as a tribunal, which represents the synod and actualizes its judicial function. The latter tribunal is called synodal tribunal.

Title I

Constitution of the Synodal Tribunal

Article 1. The synodal tribunal of the Syro-Malabar Church is a collegiate tribunal of three judges erected by the synod of bishops of the same Church.

Article 2. The synod of bishops elects by secret ballot one of its members as the general moderator of the administration of justice in the Syro-Malabar Church and two other members as judges to form the synodal tribunal with him as the president (c.1062 §2). The major archbishop appoints them for a five-year term. They can be re-elected for further terms. Regarding their substitutes, art.10 is to be followed.

Chapter I **Competence**

Article 3. The synodal tribunal is competent to exercise the ministry of justice in the entire territory of the Syro-Malabar Church.

Article 4. The synodal tribunal is competent to judge in the first instance contentious cases concerning eparchies, archieparchies, bishops whether eparchial or titular, and metropolitans (c.1062 §3).

Chapter 2

The Composition of the Synodal Tribunal and Officials in General

Article 5 §1. The synodal tribunal is composed of the following officials:

- three judges,
- auditors,
- a promoter of justice,
- a notary.

§2. The three judges are appointed in accordance with art.2.

§3. The auditors, promoter of justice and the notary are nominated by the major archbishop with the consent of the permanent synod.

Article 6. The officials mentioned in art.5 are appointed for a period of five years, which is renewable following the same procedure.

Article 7 §1. All the officials of the synodal tribunal, as well as those who assist it, must make a promise that they will fulfil their function faithfully (c.1112).

§2. This promise is made before the major archbishop by the officials as well as their substitutes; before the presiding judge by the others.

Article 8 §1. The judges of the synodal tribunal act collegially, conscious of representing the synod of bishops of the Syro-Malabar Church and with the utmost sense of responsibility when they are called upon to judge their colleagues in the episcopal college, the sanctity of which they are to defend by condemning the offenders.

§2. If the judges themselves are found guilty of canonical offences (c.1115 §1), they are to be denounced to the Apostolic Signatura by the major archbishop after consulting the permanent synod; their resignation can be accepted by the major archbishop alone (c.1063 §2).

§3. Officials and personnel other than the judges and those who assist the tribunal, if found guilty of canonical offences, may be punished with suitable penalties by the presiding judge (c.1115 §2).

§4. The promoter of justice and the notary and their substitutes can be removed from office by the major archbishop with the consent of the permanent synod; their resignation can be accepted by the major archbishop alone.

Chapter 3

Officials of the Synodal Tribunal in Particular

Article 9. The president of the synodal tribunal is *primus inter pares* among the judges of the tribunal.

Article 10 §1. If one of the three judges is party in a case, or is unable to be present for whatever reason, or if any of them has been objected to, the major archbishop with the consent of the permanent synod substitutes another bishop (c.1062 §2). For this purpose the permanent synod may designate a panel of three substitutes from among the members of the synod of bishops for a period of three years, from whom one may be appointed by the major archbishop when the above said need arises.

§2. Substitutes of the promoter of justice or of the notary are nominated by the major archbishop with the consent of the permanent synod.

Article 11. From the roster of auditors approved by the major archbishop with the consent of the permanent synod, the president of the synodal tribunal may appoint auditors to instruct particular cases (c.1093).

Article 12 §1. As promoter of justice is appointed a presbyter of unimpaired reputation who holds at least a licentiate in canon law, and proven in prudence and zeal for justice (c.1099 §2).

Article 13. It is for the promoter of justice to represent and to be concerned with the public good connected with the eparchies. In particular,

1° in the matter of complaints lodged against eparchies or bishops, he helps the president of the synodal tribunal, when required, in deciding between the administrative way and the judicial way;

2° when public good is at stake, which cannot be safeguarded otherwise, he initiates contentious cases against eparchies or bishops with the approval of the major archbishop;

Article 14 §1. It is for the notary to make a record of all the judicial acts.

§2. The notary is directly responsible before the president of the tribunal. He is entrusted with the chancery of the tribunal and has the responsibility of registering the cases presented to the synodal tribunal, of preserving all the judicial acts and other documents in the archives of the tribunal, of making their copies and of mailing them. He is directly responsible before the president of the tribunal.

§3. The notary is preferably to hold a licentiate in canon law

Chapter 4

Advocates and Attorneys

Article 15 §1. The synodal tribunal is served by a number of advocates and attorneys approved for the purpose by the major archbishop. Their services may be enlisted by the parties, who are however free to conduct their cases personally, unless the judge decrees that the services of an attorney or of an advocate are necessary (c.1139 §1).

§2. Before entering upon their office they have to make a promise before the president of the tribunal that they will fulfill their duties faithfully.

Article 16 §1. Advocates and attorneys must be persons of good reputation. All advocates must have a doctorate in canon law or be otherwise truly expert and must have the approval of the major archbishop (c.1141). Generally the advocates and attorneys are those on the roster of the major archiepiscopal ordinary tribunal.

§2. A party may choose a suitable attorney who is not an advocate.

Article 17 §1. Advocates and attorneys must observe the norms of canon law and of the statutes of the synodal tribunal.

§2. Those who have violated them may be censured, fined or suspended by the president of the synodal tribunal, or even entirely debarred with the assent of the major archbishop.

Title II

The Procedure in the Synodal Tribunal

Article 18 §1. The synodal tribunal, especially its president, is to strive earnestly, with due regard for justice, to ensure that lawsuits among the people of God are as far as possible avoided or are settled peacefully at the earliest (c.1103 §1) by other means such as arbitration or, in controversies arising out of the exercise of the power of governance, through recourse to the higher authority (c.1055 §2) in accordance with cc.996-1006.

§2. At the beginning of the litigation, and indeed at any other time whenever some hope of a successful outcome is perceived, the president of the synodal tribunal is not to fail to exhort and to assist the parties to seek an equitable solution to their controversy by exchange of views; the president is also to indicate suitable ways of reaching the goal, even making use of the services of serious-minded persons to mediate (c.1103 §2).

§3. If the judicial procedure is unavoidable, the synodal tribunal follows the procedure prescribed in CCEO for contentious trials, under the supervision of the president of the same tribunal.

Article 19 §1. The synodal tribunal holds its sessions ordinarily at the major archiepiscopal curia. If the case warrants otherwise, the president of the synodal tribunal, having consulted the other judges, can determine any other convenient place within the territory of the Syro-Malabar Church, with due regard for c.1128.

§2. As regards the time for holding the sessions, the president of the synodal tribunal determines it, after having consulted the other judges.

Article 20 §1. If an objection or suspicion is raised against a judge, the matter is to be decided by the major archbishop with the consent of the permanent synod (c.1062 §2).

§2. If an objection or suspicion is raised against another official, the matter is to be decided by the president of the synodal tribunal (c.1107 §3).

Article 21. The synodal tribunal may call upon the assistance of the major archiepiscopal tribunal or indeed of any other tribunal of any Church *sui iuris* in carrying out certain procedural acts, especially in collecting evidence, excepting always those acts which involve the decisions of the judges (c.1071).

Article 22 §1. Appeal against the sentence of the synodal tribunal is to the synod of bishops of the Syro-Malabar Church as the superior tribunal.

§2. Appeal from a sentence of the synodal tribunal is to be requested with a petition presented to the president of the same tribunal (c.1311). If the claim to appeal is lawful, the presiding judge is to issue a rescript: "The appeal is admitted; further proceeding is to be notified to the court." If the claim is rejected, reasons are to be given in writing. If the rejection is contested, §1 is to be followed in accordance with c.1313.

Title III

Procedure in the Superior Tribunal

Article 23. The Synod of Bishops of the Syro-Malabar Church sits as the superior tribunal in receiving an appeal from the synodal tribunal (c.1062 §4), and proceeds in accordance with cc.1309-1321.

Article 24. The synod is convoked and presided over according to its statutes; the major archbishop may, however, delegate someone else to preside over its sessions with the powers of the presiding judge as long as the synod functions as the superior tribunal.

Article 25. Except the parties of the synodal tribunal, every lawful member of the synod of bishops, not excluding the three judges of the synodal tribunal, is a judge of the superior tribunal.

Article 26 §1. The president of the superior tribunal nominates one of the members as the ponens of the case.

§2. The secretary of the synod of bishops functions as the notary.

§3. A promoter of justice may be appointed *ad casum*, if deemed necessary, by the president of the superior tribunal.

Article 27. Mindful of the fact that the members of the superior tribunal are obliged to pronounce their sentence sincerely, the president of the same tribunal is to ensure that they have complete freedom in expressing their mind (cf. c.934 §§3-4). Wherefore,

1° he asks the accused bishop, if present in the hall, to leave the hall for the time needed for the bishops to express and exchange their views freely;

2° when he is readmitted, he asks the notary to read out the charges against him as formulated by the bishops, giving him full freedom to respond and to defend himself.

Article 28. The superior tribunal entrusts three of its members to draw up the sentence, either singly or preferably in a unified text, in accordance with cc.1290-1297 with the necessary adaptations. After the discussion of this text or these texts by all the members, the sentence of the superior tribunal is to be formulated by the ponens for the final voting of the same tribunal by secret ballot.

Article 29. The sentence is to be intimated in accordance with cc.1297-1299.

Article 30. There is no appeal against the sentence of the superior tribunal, except for deferral to the Roman Pontiff but with effect *in devolutivo* only in accordance with c.1059.

Title IV

Judicial Expenses and Gratuitous Legal Aid

Article 31. As regards the judicial expenses and gratuitous legal aid, besides the cc.1334-1336, directives of the major archbishop are to be observed.

Article 32. The eparchies of the Syro-Malabar Church contribute towards the expenses of the synodal tribunal and the superior tribunal, especially for the remuneration of the officials, as determined by the synod of bishops.

Article 33. The rates of fees for judicial services are determined by a decree of the major archbishop and renewed periodically, which is to be made known to the party at the presentation of the *libellus* introducing a suit.

Title V

General and Transitory Norms

Article 34 §1. A doubt about the meaning of any of the articles regarding the synodal tribunal is to be resolved by the president of

the same tribunal in consultation with the two judges on the bench; if it is not resolved, it may be submitted to the major archbishop for an authentic interpretation as per c.112 §2.

§2. A doubt about the meaning of any of the articles regarding the superior tribunal is resolved by the same tribunal.

Article 35. Amendments to these statutes may be effected by the synod of bishops of the Syro-Malabar Church with the favourable vote of more than half of its members, always with due regard for the norms of CCEO.

Appendix

The General Moderator of the Administration of Justice

The general moderator of the administration of justice in the Syro-Malabar Church is *ex officio* the president of the synodal tribunal. He keeps vigilance over the major archiepiscopal tribunal and other lower tribunals. In particular,

1° he sees to it that a tribunal of first instance is duly established in every eparchy within the territory of the Syro-Malabar Church and that the judicial process is conducted properly;

2° if an eparchy is not able to establish its own tribunal, he advises the major archbishop to erect an inter-eparchial tribunal with the consent of the eparchial bishops concerned (c.1067§1);

3° he is to ensure that the officials of the lower tribunals are well qualified and able to handle the judicial process efficiently; and where qualified personnel is wanting, he is to take measures that they are duly prepared;

4° he is to keep watch that justice is rendered promptly and that cases are not prolonged unduly beyond one year in the first instance and six months in succeeding instances;

5° he is to visit personally or through another the lower tribunals and inspect their working at least once every three years; normally he does so after issuing a one month notice.

6° he is to keep the synod of bishops regularly informed about the administration of justice within the territory of the Syro-Malabar Church;

7° he is to submit to the major archbishop at the beginning of the year an annual report about the administration of justice within the territory of the Syro-Malabar Church.

(4) STATUTES OF THE MAJOR ARCHIEPISCOPAL TRIBUNAL

Nature

The major archiepiscopal tribunal is a collegiate tribunal, erected in accordance with c.1063 of CCEO on 1 September 1994, to exercise the ministry of justice within the territory of the Syro-Malabar Church. It serves especially as a tribunal of appeals from metropolitan tribunals, though it is competent also to adjudicate cases in the first instance according to the norm of law. It is subject not only to the vigilance of the supreme tribunal of the Apostolic Signatura, Rome, which watches over the exercise of justice in the Catholic Church all over the world in the name of the Roman Pontiff, but also to the immediate vigilance of the general moderator of the administration of justice of the Syro-Malabar Church in accordance with c.1062 of CCEO and the norms of the statutes of the superior tribunal of the Syro-Malabar Church.

The major archiepiscopal tribunal is regulated by the following statutes, and is governed by the common law, especially as contained in CCEO.

Title I Constitution of the Tribunal

Article 1. The major archiepiscopal tribunal is the ordinary tribunal of the Syro-Malabar Church, and is composed of a certain number of judges and a suitable number of other officials appointed by the major archbishop in accordance with the statutes.

Chapter 1 Competence

Article 2. The major archiepiscopal tribunal is competent to exercise the ministry of justice in the entire territory of the Syro-Malabar Church.

Article 3. The major archiepiscopal tribunal is a tribunal of appeal from the metropolitan tribunals. It is competent in the following cases:

§1. to judge in second instance and third instance cases judged in first instance by the metropolitan tribunals;

§2. to judge in third instance cases judged in second instance by the metropolitan tribunals, which are competent to receive cases judged in first instance by the eparchial tribunals of their respective provinces;

§3. to receive recourses from the metropolitan tribunals;

§4. to receive recourses and appeals from inter-eparchial tribunals in accordance with c.1067§5.

Article 4. The major archiepiscopal tribunal is competent to judge in the first and in succeeding instances the cases:

1° of exarchs and delegates of the major archbishop who are not bishops;

2° of physical persons below episcopal rank who are immediately subject to the major archbishop;

3° of juridic persons immediately subject to the major archbishop;

4° of institutes of consecrated life of pontifical right, not excluding the exempt institutes, with due regard for c.1069;

5° of superiors of institutes of consecrated life of pontifical right, who do not have a superior of the same institute with judicial power;

6° of the supreme moderators and other major superiors of institutes of consecrated life of major archiepiscopal right;

7° of persons whether physical or juridic of the same institute of consecrated life, except secular institutes, in which though the superiors possess the power of

governance, no judge or tribunal has been determined in the typicon or the statutes of the institute (c.1069§1); 8° of persons whether physical or juridic, which, in special cases, the major archbishop may lawfully commit to the tribunal, especially as a help to eparchial bishops.

Article 5 - In order to carry out certain procedural acts, especially in collecting evidences, the major archiepiscopal tribunal has the right to call upon the assistance of another tribunal of any Church whatever, in accordance with c.1071.

Chapter 2

The Composition of the Tribunal and Officials in General

Article 6 §1. The major archiepiscopal tribunal consists of the following officials: the president, the judges, the promoter of justice, the defenders of bond, the notaries, and others nominated as needed especially as auditors or substitutes (c.1063 §2).

§2. The officials of the major archiepiscopal tribunal are chosen representing as far as possible the entire territory of the Syro-Malabar Church, though they may be selected from elsewhere also.

§3. It is the responsibility of the eparchial bishops and of the supreme moderators of institutes of consecrated life to propose and to make available suitable candidates to the offices of the major archiepiscopal tribunal, seeing that through it the Church carries out a ministry of justice.

Article 7 §1. The officials are nominated by the major archbishop with the consent of the permanent synod after having consulted their eparchial bishop if they are eparchial clerics, their major superior if they belong to an institute of consecrated life (c.1063 §2).

§2. If officials are selected from another Church *sui iuris*, the written consent of their eparchial bishop is required for eparchial clerics; of their major superior, if they belong to an institute of consecrated life (c.1102 §1).

Article 8 §1. The officials belong to the major archbishop's curia, including those who do not actually reside there; and they are immediately subject to him.

§2. At least the president of the major archiepiscopal tribunal and one notary are, as a rule, to reside in the major archbishop's curia.

Article 9. All the officials, especially the non-resident ones, are to be so free from other engagements as to be able to devote due time to fulfil their office properly.

Article 10 §1. All those who constitute the major archiepiscopal tribunal, or assist it, must make a promise that they will fulfil their task faithfully (c.1112).

§2. This promise is made before the major archbishop by the president, the judges, the promoter of justice, the defenders of bond, the notaries, as well as their substitutes; before the presiding judge by others.

Article 11. With due regard for art.14, and except when a judge or a defender of bond is appointed for individual cases only, the officials are appointed for a definite term of five years; with the consent of the permanent synod, the major archbishop can prorogate their appointment or renew their term of office.

Article 12 §1. Officials of the major archiepiscopal tribunal and those who assist it, if found guilty of canonical offences, may be punished with suitable penalties by the judge or the president of the bench (c.1115 §2); the judges themselves guilty of canonical offences (c.1115 §1) may be punished with suitable penalties by the major archbishop after consulting the general moderator of the administration of justice, and with due regard for §2.

§2. The president, the judges, the promoter of justice, the defender of bond and their substitutes cannot be removed during their tenure of office except by the synod of bishops and only for a serious reason; their resignation can be accepted by the major archbishop alone (c.1063 §2).

§3. Officials other than those mentioned in §2 may be removed from office by the major archbishop with the consent of the permanent synod; their resignation can be accepted by the major archbishop alone.

Article 13. Officials retire at the age of seventy-five years completed. Retiring judges become *emeriti* if they have served at least for ten years.

Article 14. Officials whose term of office has expired continue in office till the expiry of their term is intimated to them in writing (c.965 §3).

Chapter 3 Officials in Particular

Article 15. At the head of the major archiepiscopal tribunal is its president, whose role is analogous to that of the chief justice in civil law. He is *primus inter pares* among the judges of the tribunal, one of whom is nominated as the vice-president.

Article 16 §1. As the moderator of the major archiepiscopal tribunal, the president has the responsibility to ensure its proper functioning in accordance with the statutes of the tribunal; in particular he must see to it that all the other officials and others who assist it discharge their tasks properly.

§2. In his absence, or if he is impeded, his place is taken by the vice-president; if the latter too is absent or is impeded, by the senior judge who is not impeded.

Article 17 §1. The judges of the major archiepiscopal tribunal must be presbyters of unimpaired reputation, possess at least a licentiate in canon law, and be persons approved for their

prudence and zeal for justice (c.1087 §3). Preferably, they should be persons of mature age and experienced in jurisprudence.

§2. The major archbishop, with the consent of the permanent synod, may nominate as judges others also who are not presbyters but have the other qualifications mentioned in §1. From among them, as need arises, one can be taken by the president to form a collegiate tribunal (c.1087 §2).

§3. From a roster of auditors approved by the major archbishop with the consent of the permanent synod, the president of the major archiepiscopal tribunal may appoint auditors to instruct particular cases.

Article 18. Auditors and judges are to ensure that, with due regard for the rights of the parties, cases are speedily brought to their completion.

Article 19 §1. The seniority of the judges is determined by the date of their appointment; in case of appointment on the same date, by the priority of their ordination; and failing even this to be decisive, by their age.

§2. After the president, the judges sit in the order of their seniority.

Article 20 §1. Judges guilty of canonical offences may be admonished by the general moderator of the administration of justice of the Syro-Malabar Church.

§2. In more serious cases, they may be fined or suspended by the major archbishop. A special tribunal of three or more judges is to be set up for this purpose by the major archbishop.

§3. In very serious cases, they may even be removed from office by the synod of bishops (cc.1063 §2; 1115 §1).

Article 21 §1. The promoter of justice and the defenders of bond may be chosen not only from among clerics but also members of institutes of consecrated life or lay people; they must be of unimpaired reputation, hold at least a licentiate in canon law, and must be persons approved for prudence and zeal for justice (c.1099 §2).

§2. Preferably, they are to hold a doctorate in canon law, be persons of mature age and be experienced in jurisprudence.

§3. In cases about sacred ordination, the defender of bond is to be preferably a priest.

§4. The promoter of justice may be appointed substitute defender of bond; and the defender of bond may be appointed substitute promoter of justice. They cannot, however, fill both the roles in the same case (c.1100 §1).

Article 22 §1. It is for the notaries to make a record of all judicial acts.

§2. One of the notaries, who is entrusted with the chancery of the tribunal and who may be called the registrar or chancellor of the tribunal, has the responsibility of registering the cases presented to the tribunal, of preserving all the judicial acts and other documents in the archives of the tribunal, of making their copies and of mailing them. The registrar has also the charge of the tribunal library. He (she) is directly responsible before the president of the tribunal.

§3. One of the notaries, who may be the registrar, is also entrusted with the responsibilities of the treasurer.

§4. The notaries are preferably to hold a licentiate in canon law.

Chapter 4

Advocates and Attorneys

Article 23 §1. The major archiepiscopal tribunal is served by a number of advocates and attorneys approved for the purpose by the major archbishop. Their services may be enlisted by the parties, who are however free to conduct their cases personally, unless the judge decrees that the services of an attorney or of an advocate are necessary (c.1139 §1).

§2. Before entering upon their office they have to make a promise before the president of the tribunal that they will fulfil their duties faithfully.

Article 24. Advocates and attorneys must be persons of good reputation. All advocates must have at least a licentiate in canon law or be otherwise truly expert (c.1141).

Article 25 §1. The major archiepiscopal tribunal avails itself of the services of a certain number of experienced advocates and attorneys enrolled on a permanent basis on its roster and remunerated (c.1148).

§2. They are obliged to render their services free of charge to the poor who are declared by the judge eligible for gratuitous legal aid. It is for the president of the tribunal to see to it that the assignment of such *pro bono* cases is done in rotation, so that each advocate approved for the tribunal obtains a fair share of this work.

§3. A party may choose a suitable attorney who is not an advocate.

Article 26 §1. Advocates and attorneys must observe the norms of canon law and of the statutes of the major archiepiscopal tribunal.

§2. Those who have violated them may be censured by the president of the major archiepiscopal tribunal, fined or suspended with the consent of the general moderator, or even entirely debarred with the assent of the major archbishop.

Title II

The Procedure

Chapter 1

The Procedure in General

Article 27 §1. The major archiepiscopal tribunal follows the procedure prescribed in CCEO, under the supervision of the president of the same tribunal.

§2. It is the responsibility of the same president to prepare the judicial calendar determining the periods for the sessions of the tribunal.

Article 28 §1. The president of the major archiepiscopal tribunal sets up the tribunals, in respect of which he has the powers of the judicial vicar, mentioned in cc.1090; 1091.

§2. While setting up a collegiate tribunal, the same president nominates also the president of the bench, and follows the order of successive benches of judges (*turnus*) on the stable list (c.1090 §1).

Article 29 §1. In cases in which the law requires a collegiate tribunal of three judges (c. 1084), the judges of the major archiepiscopal tribunal sit in benches of three in the first, the second and the third instances.

§2. A full bench of five judges may sit for an instance in exceptionally serious cases, as the major archbishop may ordain.

Article 30 §1. Appeal from one bench is lodged at the bench that immediately follows it, without prejudice to art.29§2.

§2. Appeal is to be requested with a petition presented to the presiding judge of the tribunal which issued the sentence (c.1311). If the claim to appeal is lawful, the presiding judge is to issue a rescript: "The appeal is admitted; further proceeding is to be notified to the court." If the claim is rejected, reasons are to be given in writing. If the rejection is contested, §1 is to be followed in accordance with c.1313.

Article 31 §1. A person who has taken part in a case as judge, promoter of justice, defender of bond, procurator, advocate, witness or expert, cannot afterwards in another instance of the trial validly resolve the same case as a judge or act as an assessor in the same instance (c.1105).

§2. If the case was heard in the first instance collegially, likewise in appeal it is to be tried collegially and not by a lesser number of judges. If it was heard by a single judge, likewise in appeal it is to be tried by a single judge, except in cases concerning the bond of sacred ordination or of marriage and in penal cases for offences entailing the penalty of major excommunication,

privation of office, reduction to a lower degree of sacred orders, or of deposition from the clerical state or from an ecclesiastical office (cc.1085 §3; 1084).

Article 32. It is for the major archbishop to prescribe, out of concern for the public good, the intervention of the promoter of justice in non-criminal cases, unless the intervention is required by the law itself or is evidently necessary by the nature of the matter (c.1095 §1).

Article 33 §1. An exception of non-confidence or prejudice raised against the promoter of justice or defender of bond is decided in tribunal by the president, or by the judge in case of a single judge (c.1107 §3); such an exception raised against a judge is decided by the general moderator of the administration of justice (c.1062 §5).

§2. It is for the president of the major archiepiscopal tribunal to nominate the substitutes for those excepted, and also when a judge or promoter of justice or defender of bond is obliged to refrain from acting in accordance with c.1106.

Chapter 2

The Order of the Trial

Article 34 §1. The bill of complaint or *libellus* introducing the suit before the major archiepiscopal tribunal, or an appeal to it, is addressed to the major archbishop, but is to be submitted to the chancery of the tribunal.

§2. It is to be written in the prescribed form on the stamped paper of the major archiepiscopal tribunal.

Article 35 §1. In case of appeals to the major archiepiscopal tribunal, the judge whose sentence is appealed must transmit three copies of the acts duly authenticated by the notary (c.1315 §2).

§2. If the appeal is lodged by the defender of the bond or by the promoter of justice, it can be renounced by the defender of the bond or by the promoter of justice of the major archiepiscopal

tribunal, unless common law provides otherwise (c.1317).

Article 36. If it emerges during a trial that in a lower grade of trial the summary process was followed in a case excluded by law, the major archiepiscopal tribunal must declare the nullity of the sentence and remand the case to the tribunal which passed it (c.1355); if the discovery is made before the bench has been constituted, the declaration of nullity is made in a summary contentious process.

Article 37. It is for the president of the respective bench to determine on what day and at what hour the judges are to gather for their deliberation, at which no one else may be present (c.1292 §1).

Article 38. As regards the defense briefs and the number of copies to be submitted (c.1285 §3), the directives of the presiding judge are to be followed.

Article 39. The conclusions of the judges (c.1292) and the sentence of the tribunal (c.1294) must be written in English.

Article 40. It is the duty of the relator or *ponens* (c.1291) to write the sentence, drawing the reasons from those which the individual judges brought out in the discussion, unless a majority of the judges decide which reasons are to be preferred. Afterwards the sentence is to be submitted for the approval of the individual judges (c.1293 §2).

Article 41 §1. There shall be a permanent time-table for the major archiepiscopal tribunal approved by the major archbishop.

§2. The annual time-table is prepared by the president of the major archiepiscopal tribunal after due consultation. A copy of it is to be exposed to the public view at the office of the tribunal.

§3. On the vacancy of the major archiepiscopal see, the major archiepiscopal tribunal does not cease; however, the tribunal goes into recession for three days. If needed, this period of recession may be prolonged for a few more days by the general moderator of the administration of justice.

Chapter 3

Judicial Expenses and Gratuitous Legal Aid

Article 42. As regards the judicial expenses and gratuitous legal aid, besides observing the cc.1334-1336, each case shall be considered on its own merit.

Article 43. The eparchies of the Syro-Malabar Church contribute towards the expenses of the major archiepiscopal tribunal, especially for the remuneration of the officials, as determined by the synod of bishops.

Article 44. The rates of fees for judicial services are determined by a decree of the major archbishop and renewed periodically, and it is to be made known to the party at the presentation of the *libellus* introducing a suit.

Title III

Concluding and Transitory Norms

Article 45 §1. An annual report about the major archiepiscopal tribunal is to be submitted in January every year by the president of the tribunal to the general moderator of the administration of justice. Two copies are to be submitted, one of which, with his own comments, is to be forwarded to the major archbishop by the general moderator.

§2. An annual report about the major archiepiscopal tribunal is to be submitted in January every year by the president of the tribunal also to the Apostolic Signatura.

Article 46. If a doubt about the meaning of any of the articles of the statutes of the major archiepiscopal tribunal is not resolved by the bench in session, it may be submitted to the president of the major archiepiscopal tribunal, who together with the vice-president, or another judge, and the bench in question seeks to resolve it. If the doubt still persists, it is to be submitted to the major archbishop for an authentic interpretation.

Article 47. In the light of experience, amendments to these statutes may be proposed, after consultation with at least two other judges, by the president of the major archiepiscopal tribunal through the general moderator of the administration of justice to the major archbishop. Amendments are decreed by the major archbishop, always with due regard for the norms of CCEO.

(5) STATUTES OF THE MAJOR ARCHIEPISCOPAL ASSEMBLY

Preamble

The major archiepiscopal assembly of the Syro-Malabar Church is the gathering together of a representative cross-section of the same Church, integrating the spirit and dynamism of the ancient ecclesial institution of the Thomas Christians called *yogam*. In it is restored and updated that organ in fidelity to the teachings of the Church and in obedience to the legislation given by the Roman Pontiff to the Eastern Catholic Churches (CCEO, cc.140-145), so that it is made to correspond to the changed historical situation and the new hierarchical status of the Syro-Malabar Church.

United in the spirit of prayer and reflection, and proclaiming and celebrating the great things God has done to the Church and through the Church, this assembly strives to realize the high ideal of the Apostolic Church of one heart and one soul in fidelity to its own apostolic origins. Through mutual sharing of ideas, experiences and spiritual gifts (1 Cor 12: 4, 28; Eph 4:11) it seeks closer ecclesial integration and collaboration among the various members, organs or orders of the Church for the building up of the Body of Christ to its fullness (Eph 4:12, 13). Conscious of the Church's mission to announce the gospel and to promote unity in the pluralistic religious and ecclesial context of India as well as the larger worldwide diaspora, it pursues better understanding of and cooperation with the other Churches both within and without the Catholic communion, while promoting dialogue- inter-religious, inter-ecclesial, and inner-ecclesial. So that the kingdom of God may ever more potently leaven the mass of humanity, it reviews the various areas of the Church's apostolate and service to the world and explores more efficacious ways.

Thus, in the confession of the Lordship of Jesus Christ, the major archiepiscopal assembly strives after the renewal of the

Church and closer fellowship with one another (1 John 1:3) for a growth that is from God (Col 2:19) by pursuing a deeper communion with the One who is the adorable Trinity, the Father, the Son, and the Holy Spirit.

Article 1. Nature and Scope

§1. As a representative organ of the Syro-Malabar Church, the major archiepiscopal assembly is its consultative body to deal with matters of major importance for the Church and its mission in the pluralistic context of India with its several Churches and religions. It proposes in particular to help the major archbishop and the synod of bishops of the Syro-Malabar Church to suit the various kinds of apostolate and their methods as well as ecclesiastical discipline to the current and ever changing context and to the common good of the Syro-Malabar Church taking into account also the common good of the country as well as of the universal Church (c.140).

§2. The major archiepiscopal assembly acts always in communion with and submission to the synod of bishops of the Syro-Malabar Church and the major archbishop, the father and head of the same Church.

Article 2. Name and Designation

What is called in these statutes the major archiepiscopal assembly of the Syro-Malabar Church may be designated simply the assembly.

Article 3. Status and Function

§1. The major archiepiscopal assembly is an organ of ecclesial consultation so that decisions genuinely responding to the sense of the faithful and fully enlightened by the Holy Spirit, who animates the Church, may be taken by the competent authorities.

§2. All the components of this assembly have the function of helping to further the good of the whole Church, which is a body having various organs and members that are inter-dependent.

§3. The competencies of the assembly are those prescribed by law, both common and particular, and are as specified and articulated in these Statutes.

Article 4. Convocation

§1. The major archiepiscopal assembly is convoked by the major archbishop every five years (c.141). Such an assembly may be called an ordinary assembly.

§2. An extraordinary assembly may be convoked by the major archbishop whenever he deems it necessary or useful with the consent of the permanent synod or that of the synod of bishops of the Syro-Malabar Church (c.141).

§3. An ordinary assembly is convoked at least six months in advance of its inaugural session; an extraordinary assembly may be convoked with a shorter notice.

§4. The five year period for the convocation of the next ordinary assembly runs from the last assembly, whether ordinary or extraordinary.

Article 5. The President

§1. The major archbishop is the *ex officio* president of the assembly.

§2. In case the major archbishop is absent or impeded, a vice-president nominated by him substitutes him as president (c.142 §1).

§3. The president of the assembly chairs the general sessions of the assembly either personally or through another designated by him.

§4. The president of the assembly is competent to transfer, prorogue, suspend or dissolve the assembly (c.142 §1).

§5. If the major archiepiscopal see becomes vacant, the assembly is suspended *ipso jure* until the new major archbishop takes a decision on the matter (c.142 §2).

Article 6. Participants

§1. The following persons are to be convoked to the major archiepiscopal assembly to participate in it *ex officio*:

1° eparchial bishops and other local hierarchs from both within and outside the territorial boundaries of the Syro-Malabar Church, including exarchs and apostolic administrators (if any) (cf. c.984 §2);

2° titular bishops, including coadjutor bishops, auxiliary bishops and retired eparchial bishops;

3° superiors general of institutes of consecrated life, including religious orders and congregations, societies of common life in the manner of religious, secular institutes and societies of apostolic life;

4° superiors of monasteries *sui iuris* and presidents of monastic confederations (if any);

5° rectors of ecclesiastical universities and deans of faculties of theology and of canon law, which are located within the territorial boundaries of the Syro-Malabar Church, if they are Syro-Malabarians;

6° rectors of Syro-Malabar major seminaries, and those of the inter-ritual seminaries within the territory of the Church if they are Syro-Malabarians.

§2. The following persons are convoked to the assembly as delegates sent by each of the eparchies whether inside or outside the territorial boundaries of the Syro-Malabar Church:

1° One presbyter from each eparchy; if there are more than 100 presbyters ascribed to the same eparchy that eparchy can send one more presbyter-delegate each for every additional 100 presbyters or the fraction thereof. The maximum number of presbyter delegates from an eparchy shall be five; at least two-thirds of them shall be parish priests.

2° One delegate of the institutes of consecrated life; If there are more than 500 professed members of the institutes of consecrated life in the eparchy, that eparchy can send one more delegate each for every additional 500 members or the fraction thereof. The maximum number of such delegates from an eparchy shall be three. In sending these delegates, care should be taken that there are proportionate representation of the institutes of priests, brothers and sisters.

3° Three lay persons from each eparchy; if there are more than 100,000 faithful in an eparchy, that eparchy can send two more delegates each for every additional 100,000 faithful or the fraction thereof. The maximum number of lay delegates from an eparchy shall be ten; at least one-third of them shall be women and adequate representation shall be given to the youth and *dalit* Christians.

4° The major archbishop in consultation with the permanent synod may nominate to the assembly an adequate number of priests, religious and lay faithful to provide proper representation to the Syro-Malabar faithful living outside the Syro-Malabar eparchies or exarchies.

§ 3. The eparchial bishop is responsible for the participation of the delegates from his eparchy in the major archiepiscopal assembly. With regard to the manner of designating the delegates from the eparchies the eparchial bishop shall follow the common law in this regard with due regard for art.6 §2, 1°-3° (c.143 §1, 6°).

§4. He is to forward to the major archbishop the names and addresses of the delegates from his eparchy as well as those of their substitutes at least two months in advance of the inaugural session of the assembly.

§5. As many substitutes of the delegates mentioned §4 are also to be chosen in the same manner to replace the latter in case these are impeded from attending the assembly.

§6. Eparchial bishops, if impeded, may send a proxy designated by himself (c.143 §2).

§7. The delegates and the substitutes are chosen at least three months in advance of the inaugural session of the assembly.

§8. All who have been convoked to the major archiepiscopal assembly must attend it unless they are detained by a just impediment, of which they must inform their substitutes and the eparchial bishop at the earliest. The eparchial bishop informs the major archbishop of the substitution as early as possible.

§9. What is said in these statutes concerning eparchies or eparchial bishops applies also to exarchies or exarchs (c. 313). However, with the consent of the major archbishop, exarchies as well as small eparchies may send a smaller number of delegates.

Article 7. Guests and Observers

§1. Persons of another Church *sui iuris* may be invited to the major archiepiscopal assembly by the major archbishop as guests to foster mutual ecclesial understanding and to promote pastoral cooperation (c.143 §3). Rectors of inter-ritual seminaries and inter-ritual universities and deans of faculties of theology and canon law within the territory of the Church and who belong to other Churches *sui iuris* may be specially invited.

§2. The major archbishop can invite some observers from other Churches or non-Catholic ecclesial communities to foster and promote ecumenical understanding and cooperation (c.143 §4).

Article 8. The Agenda

§1. All the Christian faithful of the Syro-Malabar Church may propose topics to be placed on the agenda of the assembly through those convoked as *ex officio* participants or as delegates or through the secretariat of the assembly.

§2. The topics to be placed on the agenda are determined by the major archbishop in consultation with the members of the permanent synod, unless the selection has already been made by the synod of bishops of the Syro-Malabar Church.

Article 9. Experts, Resource Persons and Commissions

§1. It is for the major archbishop to see to it that through the services of suitable preparatory commissions and consultations, all the topics of the agenda are properly researched and studied and that the participants of the assembly are informed in good time either directly or through suitable organs of publication sent to them (c.144 §3).

§2. From a list of names discussed with the members of the permanent synod the major archbishop may appoint some experts and resource persons to facilitate the conduct of the assembly, its secretariat and its various commissions.

§3. The major archbishop establishes the commissions for various matters (such as liturgy, evangelization, inculturation, education, communications and mass media, ecumenism, catechesis, caritative services, human and Christian rights in the Church, family and social apostolates, other apostolates), taking into consideration the proposals and in view of the agenda that has been determined.

Article 10. The Procedure

§1. Though the major archiepiscopal assembly is not a parliament or legislature of the Syro-Malabar Church, it is a forum for discussion and the expression of views and desires in the spirit of Christian freedom and responsibility. It is for the pastors of the Church to discern them and to translate them into pastoral action.

§2. If a vote is taken to ascertain the mind of the assembly on a given issue, the bishops are excluded from the voting.

§3. A resolution approved by the assembly can acquire the force of law if it is ratified by the competent ecclesiastical authority (cc.82; 150 §§2,3).

Article 11. The Acts of the Assembly

The matters publicly discussed and the resolutions taken in the assembly may be freely reported and made known to Christ's faithful even through the media of social communication; but the publication of the official acts of the assembly is reserved to the major archbishop (c.666 §2).

Article 12. Approbation and Amendment of the Statutes

§1. The statutes of the major archiepiscopal assembly need to be approved by the synod of bishops of the Syro-Malabar Church (c.145).

§2. Promulgated by the major archbishop, the statutes constitute the particular law of the same Church (c.110 §1).

§3. To amend the statutes two-thirds majority of the members of the same synod present at a session and voting is required, unless the proposal for the amendment has been approved already by a two-thirds majority of the major archiepiscopal assembly, in which case an absolute majority of the votes of the members of the same synod present at a session and voting is sufficient.

(6) *PALLIYOGAM* – PROCEDURE RULES

Introduction

Whereas the system of *palliyogam* is a laudable heritage of the Syro-Malabar Major Archiepiscopal Church by which she expresses in a tangible way the ecclesial communion of all Christian faithful in the Church;

Whereas as per CCEO, c.295, a uniform particular law on the *palliyogam* applicable to all parishes in the Syro-Malabar Major Archiepiscopal Church is required;

Now the synod of bishops of the Syro-Malabar Major Archiepiscopal Church, in exercise of its legislative power, hereby makes the following rules to regulate matters relating to the *palliyogam*.

Part I

Preliminary

Section I

Title and Purpose

1. TITLE: These rules may be called the “*Palliyogam*–Procedure Rules” of the Syro-Malabar Major Archiepiscopal Church.
 - 1.1 These rules apply to all parishes within the proper territory (*territorium proprium*) of the Syro-Malabar Major Archiepiscopal Church.
 - 1.2 PURPOSE: *Palliyogam*, as an expression of the communion of the people of God in the parish, is intended to advise and help the parish priest and to work in cooperation with him, in exercising the pastoral ministry and administering financial matters of the parish.

Section II

Definitions

2. In these rules unless context otherwise requires:-
- 2.1 ACCOUNTANT means the person who keeps the accounts and does other office duties of the parish regularly, with or without an allowance or remuneration, under the supervision of the parish priest and *kaikkārans*.
- 2.2 *ĀNDUTHIRATTU* OR *VĀRSHIKATHIRATTU* means the annual statement of accounts.
- 2.3 *ARDHA VĀRSHIKATHIRATTU* means the half yearly statement of accounts.
- 2.4 ASSISTANT PARISH PRIEST (*vicarius paroecialis/* assistant vicar) means a presbyter appointed by the eparchial bishop to assist in the proper pastoral care of the parish under the authority of the parish priest and, if need should arise, to substitute for the parish priest (cc.301; 302).
- 2.5 *ĀTMASTHITI/* PARISH REGISTER means the official register maintained in each parish church showing particulars relating to the members of the parish.
- 2.6 BUDGET means the official statement of the proposed programmes of the church showing the estimated income and expenditure for the ensuing financial year.
- 2.7 CHURCH PROPERTY OF THE PARISH, which is known as temporal goods in canon law, means all movable and immovable properties, including all institutions belonging to the parish as a juridic person, subject to the provisions of cc.920; 1007; 1008; 1009 and other relevant canons of the CCEO.
- 2.8 *DAIVĀLAYASUSRŪSHI* (SACRISTAN) means the person, appointed as per eparchial statutes and approved by the local hierarch to serve in the church, assisting the sacred

ministers at divine worship and other functions, with or without allowance or remuneration.

- 2.9 EPARCHIAL BISHOP means a bishop who, as the vicar and legate of Christ, governs in his own name the eparchy entrusted to him for shepherding with legislative, judicial and executive powers as per CCEO and the particular law of the Syro-Malabar Major Archiepiscopal Church (c.178).
- 2.10 EPARCHY means a portion of the people of God, that is entrusted to a bishop to shepherd, with the cooperation of the *presbyterium*, in such a way that, adhering to its pastor and gathered by him through the gospel and the Eucharist in the Holy Spirit, it constitutes a particular Church in which the one, holy, catholic and apostolic Church of Christ truly exists and is operative (c.177 §1).
- 2.11 FAMILY means a person or persons, residing within the territory allotted to each parish and entered as a family in the *ātmasthithi*/ parish register.
- 2.12 HEAD OF THE FAMILY is that senior member of the family, male or female, who is responsible for the running of the family and who has attained twenty-one years of age.
- 2.13 *KAIKKĀRAN* means a member of the parish, elected by the *palliyogam* or *pratinidhiyogam* and confirmed and appointed by the local hierarch, or directly appointed by him under special circumstances, to help the parish priest in keeping and administering parish properties and income according to the norms of ecclesiastical law and conducting the programmes and affairs of the parish and to work in cooperation with the parish priest in exercising pastoral ministry and administering financial matters of the parish.
- 2.14 *KURUMTIRATTU* means the quarterly statement of accounts.

- 2.15 LOCAL HIERARCH means in these rules, eparchial bishops, protosyncellus, syncellus and other mentioned in c.984 §2.
- 2.16 *MĀSATHIRATTU* means the monthly statement of accounts.
- 2.17 MEMBERS OF A PARISH means the Christian faithful belonging to the same eparchy having domicile or quasi-domicile within the territory of the parish (cc. 912; 916) or those who have obtained membership through special orders by the eparchial bishop.
- 2.18 *NĀLVĀZHY* (JOURNAL) means the book containing a record of each day's financial transactions entered date wise.
- 2.19 *PALLIYOGAM* in its two forms, namely *potuyogam* and *pratinidhiyogam* means the body constituted in the Syro-Malabar Major Archiepiscopal Church through tradition as a specific expression of the communion of the people of God in the parish, to advise and assist the parish priest, the president thereof, and to work in collaboration with him in exercising the pastoral ministry and administering the financial matters of the parish.
- 2.20 PARISH means a definite community of Christian faithful established on a stable basis in an eparchy, as a rule within a definite territory, the pastoral care of which community is entrusted to a parish priest (cc.279; 280).
- 2.21 PARISH CHURCH means a building exclusively dedicated for divine worship of the parish community by consecration or blessing (c.869).
- 2.22 PARISH PRIEST (*Parochus/ Vicar*) means a presbyter, appointed by the eparchial bishop, to whom the care of souls in a given parish is entrusted as to its own pastor; he is the principal cooperator of the eparchial bishop in the parish under the authority of the same eparchial bishop (cc.281; 284).

- 2.23 *PEREDU* (LEDGER) means the book in which the item-wise entries based on the journal relating to income and expenditure are made.
- 2.24 *POTUYOGAM* means a body of all the heads of families in the parish and members of the *pratinidhiyogam* and others mentioned in Part II, Section II, no.5 (1-8).
- 2.25 *PRATINIDHIYOGAM* means a body consisting of those elected by the *potuyogam* or by the heads of families in the ward/family unit meetings and others duly elected or nominated or posted *ex officio* as members and approved by the local hierarch as per eparchial statutes.
- 2.26 *THIRATTU* means the statement of accounts showing the income and expenditure of the church.

Part II

Structure, Functions and Duties of *Palliyogam*

Section I

Palliyogam in General

3. In every parish there shall be two forms of *palliyogam*, namely, *potuyogam* and *pratinidhiyogam*. In small parishes, however, the *palliyogam* may function as *potuyogam* alone, with the permission of the local hierarch. Similarly, for grave reasons or in big parishes, the *palliyogam* may function as *pratinidhiyogam* alone, with the permission of the eparchial bishop. In the latter case, the *potuyogam* has to be convened at least once a year for a general review.
4. The *potuyogam* and the *pratinidhiyogam* have also the right to form special committees or commissions for specific purposes and as soon as the purpose for which they were constituted has been achieved, such committees or commissions formed shall be dissolved.

Section II

The *Potuyogam* of the Parish

5. MEMBERS: The following persons shall be the members of the *potuyogam*:
 - 5.1 Parish priest;
 - 5.2 Assistant parish priest/s;
 - 5.3 Priests residing in the parish ascribed to the same eparchy serving in the institutions of the parish;
 - 5.4 Priests from the parish ascribed to the same eparchy present in the parish at the time of *potuyogam*;
 - 5.5 Superiors of the houses of the institutes of consecrated life/societies apostolic life;
 - 5.6 Heads of families: Ordinarily only the head of the family shall represent the family in the *potuyogam*. However, the husband and wife can mutually agree who is to represent the family in the *potuyogam* on a stable basis and that has to be communicated to the parish priest in writing. If the head of the family is permanently disabled to attend such meetings he/she can nominate on a stable basis another senior member of his/her family who is not below the age of twenty-one to attend such meetings, on behalf of the family. Any such nomination shall be communicated in writing to the parish priest seven days in advance;
 - 5.7 *Kaikkārans* of the year;
 - 5.8 Members of the *pratinidhiyogam*;
6. DISQUALIFICATIONS AND DISPUTES
 - 6.1 The following persons shall not be entitled to become members of any of the meetings of the *potuyogam*:
 - 6.1.1 Those who stand publicly against the faith and teachings of the Church;
 - 6.1.2 those who are under ecclesiastical censure;
 - 6.1.3 public sinners;
 - 6.1.4 persons convicted of offenses involving moral turpitude until reformed and certified by the parish priest;

- 6.1.5 persons who have defaulted annual paschal duties;
- 6.1.6 persons who are of unsound mind;
- 6.1.7 willful defaulters of Church laws.
- 6.2 Known drunkards or those under intoxication shall not be permitted to participate in the meetings of the *potuyogam* and *pratinidhiyogam*.
- 6.3 The president shall decide whether a person has to be excluded from a meeting of the *potuyogam* in accordance with these rules and the meeting shall be conducted according to the decision of the president.
- 6.4 If any dispute arises as to whether a person is a member of the parish or whether he/she is entitled to exercise any right in a meeting of the *potuyogam*, the matter shall be settled as per no.71 of these procedure rules after informing the eparchial curia.
7. FUNCTIONS: The *potuyogam* shall exercise the following functions in conformity with the general pastoral plan of the eparchy:
 - 7.1 Make the parish community conscious that without the apostolate of the laity the pastors' work will not become fully effective (*Apostolicam Actuositatem* = AA 10) and that the Church is not truly established and does not fully live, nor is a perfect sign of Christ unless there is a laity existing and working, alongside the hierarchy (*Ad Gentes* = AG 21);
 - 7.2 Prepare and launch a time-bound pastoral plan with the comprehensive vision of promoting the spiritual, social, cultural, biblical, catechetical and liturgical renewal of the whole parish;
 - 7.3 Promote active participation in the liturgy (AA 10; *Christifideles Laici* = CL 33);
 - 7.4 Arrange to teach catechism to children, youth and adults and to motivate others to do so (AA 10; CL 33, 34);
 - 7.5 Proclaim the Gospel through word and witness (AA 13; CL 33);

- 7.6 Promote vocations to priesthood and institutes of consecrated life/societies of apostolic life;
- 7.7 Bring back to the Church those gone astray from the faith (AA 10; CL 33);
- 7.8 Give leadership in forming small Christian communities and family units and in their functioning (CL 26);
- 7.9 Take initiative in the forming of lay organizations and their functioning and see that all youths are enlisted in one or other of the organizations in the parish (AA 29; CL 30);
- 7.10 Animate the parish community to exercise their apostolate in the world through life and witness like a leaven so as to invite others into the fellowship with God through Christ in the Spirit (AA 2);
- 7.11 Organize the Christian community into a common forum to meet the challenges to faith and to vindicate the fundamental rights through conscientisation and action (AA 18);
- 7.12 Divide the parish into wards/family units;
- 7.13 Promote the welfare of the Church and community by inspiring it by the gospel spirit of sharing goods and services according to one's capacity.
8. DUTIES: *Potuyogam* has the following duties:
 - 8.1 To pass the annual accounts for submission to the local hierarch's approval;
 - 8.2 To decide, subject to the eparchial statutes, the number of *kaikkārans*, auditors, church employees and representatives from each ward/family unit;
 - 8.3 To elect, subject to eparchial statutes and with due regard to nos.10.1 and 18.7, *kaikkārans*, auditors, and representatives from each ward/family unit;
 - 8.4 To discuss and pass the budget of the parish and to allot priorities of items of expenditure;
 - 8.5 To devise means of raising funds and to fix amounts of contribution by the parishioners for ordinary expenses and/or special projects, subject to eparchial norms;

- 8.6 To fix, if needed, a gradation of contribution on the occasion of marriage etc. according to the financial capacity of the families, subject to the directives of the eparchial bishop;
- 8.7 To fix the rate of fees for the use of the church paraphernalia and also the rate of offerings for taking devotional objects in procession, subject to the directives of the eparchial bishop (c.1013);
- 8.8 To fix the rate of fee for graves and tombs and to fix the duration of their use, subject to the directives of the eparchial bishop;
- 8.9 To pass resolutions regarding construction of church, chapels and buildings for any of the parish institutions and buying or selling or borrowing or gifting of movable or immovable properties, subject to the provisions contained in no.41 and eparchial statutes;
- 8.10 To decide on the number of the solemn celebration of feasts in the parish and to propose programmes for the same;
- 8.11 To deliberate upon matters of importance that affect the parish generally;
- 8.12 To establish special committees or commissions as and when needed and to choose members to the same;
- 8.13 To do other duties stipulated in the eparchial statutes or such other duties as are directed by the eparchial bishop.

Section III

Pratinidhiyogam

9. MEMBERS: The following persons shall be the members of the *pratinidhiyogam*:
- 9.1 *EX OFFICIO* MEMBERS
- 9.1.1 Parish priest;
- 9.1.2 Assistant parish priest/s;
- 9.1.3 *kaikkārans* of the year;

- 9.1.4 Members of the pastoral council from the parish, if any.
- 9.2 ELECTED MEMBERS
- 9.2.1 Elected representatives of the wards/units of families;
- 9.2.2 One representative of the parish educational institutions and one representative from other parish institutions, if any, who is a parishioner;
- 9.2.3 A representative of the Sunday school teachers;
- 9.2.4 Representatives of the recognized parish associations as per the eparchial statutes;
- 9.2.5 Representatives of the institutes of consecrated life/societies of apostolic life in the parish: one from men and one from women;
- 9.2.6 Representative/s of the permanent deacons of the parish as per the eparchial statutes;
- 9.2.7 An elected representative of the eparchial priests from the parish, ascribed to the same eparchy, subject to the practice of the eparchy.
- 9.3 NOMINATED MEMBERS
- 9.3.1 Persons including experts nominated by the local hierarch in consultation with the parishpriests;
- 9.3.2 In parishes with ten or more *dalit* Catholic families, they are to be represented by nomination by the parish priest, if not elected otherwise or as determined by the eparchial statutes.
- 9.4 The total number of the nominated members shall not exceed one-third of the total members.
10. ELECTION: The election to the *pratinidhiyogam* shall be as follows:
- 10.1 The *potuyogam* or the ward meetings/units of families shall elect representatives from every ward in proportion to the number of families therein so that there shall be at least ten and not more than thirty such representatives. In excep-

- tional cases the local hierarch can fix a lower or higher number. Thirty percent of the members shall preferably be women; but, the percentage of elected women representatives shall not be less than ten percent.
- 10.2 The representatives of the men and women institutes of consecrated life/societies of apostolic life are elected at a meeting of the respective representatives of all the institutes of consecrated life/societies of apostolic life in the parish convened by the parish priest.
- 10.3 The parishioner representing the parish educational institutions is elected at a meeting of representatives of all parish educational institutions convened by the parish priest. In the same way, if there are other parish institutions, their representative is elected.
- 10.4 The teachers of the Sunday school shall elect one among them as their representative.
- 10.5 Members/representatives of parish associations elect their representative/s as per eparchial statutes.
- 10.6 Permanent deacons of the parish elect their representative/s as per eparchial statutes.
- 10.7 As far as possible elections shall be by consensus: if not, by the majority of the members present.
- 10.8 Complaints, if any, about the elections shall be submitted to the protopresbyter or to the administrative tribunal mentioned in no.71 through the eparchial curia.

Disqualifications and Disputes

11. Those who have any of the disqualifications mentioned in no.6 cannot be members of the *pratinidhiyogam*.
12. If a member suffers from any of the disqualifications mentioned in no. 6, but known only after becoming a member, or suffers a disqualification during the term of membership, the matter must be brought to the attention of

the *pratinidhiyogam* by the president. The president then shall declare that the person has lost his membership in the *pratinidhiyogam*. And if there is a dispute, the matter shall be referred to the administrative tribunal mentioned in no.71 through the eparchial curia.

13. If a member absents himself from three consecutive meetings without sufficient reason and excuse in the judgement of the president, the matter shall be brought to the attention of the *pratinidhiyogam* by the president. The president then shall declare that the person has lost his membership in the *pratinidhiyogam*. In case of a dispute, the matter shall be referred to the administrative tribunal mentioned no.71 through the eparchial curia.
14. The accountant and sacristan (*daivālayasusrūshi*) can attend the meeting of the *pratinidhiyogam* if so required to explain the accounts of the parish and to make a report of the meeting and other such matters; however, they cannot be members of *pratinidhiyogam*, if they are persons receiving regular remuneration for their services.

Tenure and Vacancies

15. The term of the *pratinidhiyogam* shall be three years, unless it is extended by the local hierarch in special circumstances.
16. A secretary shall be chosen to prepare minutes and reports at the *pratinidhiyogam*. The term of office and other details shall be specified in the eparchial statutes.
17. Vacancies arising in the *pratinidhiyogam* are to be filled within three months by election or nomination or *ex officio* posting according to the nature of the vacant seat.
18. FUNCTIONS AND DUTIES: The *pratinidhiyogam* shall exercise the following functions and duties:

- 18.1 To impart leadership by initiating active and constructive roles with a view to fostering, facilitating and promoting the spiritual, social, cultural, catechetical, pastoral, developmental and charitable activities and youth formation in the parish, having due regard to the religious atmosphere of the parish;
- 18.2 To pass the *māsathirattu* or *kurumthirattu* or *ardha vārshikathirattu* (monthly, quarterly, half yearly statements of accounts);
- 18.3 To prepare *ānduthirattu* (annual statement of accounts) and budget and submit the same to the *potuyogam*;
- 18.4 To propose the programmes of feasts other than the major feasts and to help in conducting all such feasts;
- 18.5 To give guidelines on the general policies of administering the temporal goods of the parish;
- 18.6 To constitute committees and to choose members to the same as and when needed and to dissolve them;
- 18.7 To elect, subject to eparchial statutes, the *kaikkārans*;
- 18.8 To do other duties specified in no.8.13.

Part III

The Procedure of Conducting the Meetings of the *Potuyogam and the Pratinidhiyogam*

19. Ordinarily the parish priest or the priest deputed by the parish priest shall announce on two consecutive Sundays or days of obligation during the Holy *Qurbāna* at the parish church about the meeting of the *yogams* and the main items of the agenda unless after consulting with the *nadathukaikkāran*, it is considered that the announcement of any particular item in the agenda may be prejudicial to the best interest of the parish.

- 19.1 In extraordinary situations only one announcement on a Sunday or on a day of obligation will suffice. In urgent matters where this announcement is impossible, the *yogam* may be conducted on any day by notice through appropriate means by the parish priest.
- 19.2 If one-third of the members of the *potuyogam* or the *pratinidhiyogam* request in writing, specifying the subject, the convening of the respective *yogam* the parish priest thereupon shall convene such a meeting within two weeks from the date of receipt of such notice. If the parish priest is convinced that the conduct of such *yogam* is prejudicial to the good of the parish, he shall report the matter through the eparchial curia to the administrative tribunal mentioned in no.71.
20. The local hierarch may at any time direct or prohibit the convening of a meeting of the respective *yogam*.
21. The *potuyogam* shall meet at least once a year; the *pratinidhiyogam* at least four times a year.
22. The *potuyogam* has no definite quorum unless determined by the eparchial statutes. The quorum for the *pratinidhiyogam* shall be one-fourth of the total number of members; but quorum is not necessary when a *yogam* adjourned for lack of quorum is reconvened.
23. An attendance register shall be kept for all the meetings and the members present shall sign it before dispersal.
24. The parish priest is the president of the *potuyogam* as well as of the *pratinidhiyogam*.
- 24.1 In the absence of the parish priest, with his authorization, the assistant parish priest can preside at the meetings.
- 24.2 The local hierarch personally or his delegate has the right to preside over the meetings.
25. There shall be a definite agenda for the *yogams*. With the

- permission of the president matters outside the agenda can also be discussed.
26. *Yogams* shall commence and end with a prayer.
 27. All members shall participate in the *yogam* with a spirit of cooperation and service based on love for the glory of God and the real progress of the parish.
 28. Personal vendetta, groupism, family feud, political difference and such other matters shall in no way influence the deliberations of the *yogams*.
 29. A discussion on a decision of a previous *yogam* already approved by the local hierarch shall be opened only after obtaining the prior permission of the eparchial bishop.
 30. Statements or decision against the orders and directives of the eparchial bishop, or against the official teaching and canon law of the Church, is not permissible in the *yogams*.
 31. All shall maintain decorum and discipline in the *yogam* and shall obey the rulings of the president.
 32. In case of any improper comments or misbehaviour by any member in the *yogam* the president shall immediately warn and correct the member concerned. If such an erring member continues or remains recalcitrant, he can be suspended from that meeting of the *yogam*. He can attend the subsequent meetings of the *yogam* only with the permission of the president.
 33. As far as possible decisions in the *potuyogam* and the *pratinidhiyogam* should be unanimous or at least by consensus. Serious differences of opinions in the *pratinidhiyogam* may be referred to the *potuyogam*. If the *potuyogam* fails to make a decision it may appoint a committee to study the case in detail and recommend means to resolve the problem. If no solution is reached the matter shall be referred to the administrative tribunal mentioned in no.71 through the eparchial curia. In exceptional cases

the president of the *yogam* can directly refer the case to the administrative tribunal.

34. If the resolution at the *yogams* is unacceptable to the president of the *yogam* he can write his note of dissent, and he shall refer it to the local hierarch.
- 34.1 Members of the *yogam* having complaints against a resolution passed at its meeting may have recourse to the local hierarch within seven days.
35. All decisions by the *pratinidhiyogam* within its competence shall have the same force as the decisions of the *potuyogam*.
36. The resolutions of the *yogams* must be recorded in the book of resolutions (*yoga pusthakam*) and be signed by the president and members present.
- 36.1 A minutes book of the *yogams* shall be maintained in which shall be recorded the proceedings of the meetings and they are signed by the president of the meeting.
37. To leave the meeting of the *yogams* without permission of the president and or/without signing the resolution is irregular.
38. If and when a meeting of the *yogam* cannot proceed peacefully, the president may dissolve it; in which case such meeting may be reconvened within a month and if the reconvened meeting cannot be conducted peacefully the president shall dissolve the meeting and report the matter to the administrative tribunal mentioned in no.71 through the eparchial curia.
39. The eparchial bishop has the right to add to or modify or annul a resolution passed at the meetings of the *potuyogam* and the *pratinidhiyogam* and his decision shall be final.
- 39.1 No resolution can be passed either in the *potuyogam* or *pratinidhiyogam* touching upon or derogatory to the powers vested in the eparchial bishop or the major archbishop or the Roman Pontiff under ecclesiastical laws.

40. Resolutions passed in meetings on matters requiring the approval of the local hierarch shall have effect and be executed only after such approval is granted in writing by the local hierarch.
41. Matters that require the approval of the local hierarch are (cc.1014; 1015; 1022; 1024; 1035; 1036; 1045; 1046):
 - 41.1 Buying, selling, gifting, mortgaging or otherwise transferring of the immovable properties;
 - 41.2 Constructing, reconstructing, renovating of churches, filial churches, wayside chapels and crosses or other buildings;
 - 41.3 Establishing institutions to be run by the parish;
 - 41.4 Demolishing of churches, filial churches, wayside chapels or crosses erected for public worship;
 - 41.5 Exchange, sale or gifting or altering of objects of antiquity. Antiques for no reason shall be destroyed;
 - 41.6 Establishing of libraries, recreation centers, stadia, play grounds, wells and the like for the public on lands belonging to the parish;
 - 41.7 Leasing of or construction on or use of the land of the church for any public or private utilities;
 - 41.8 Receiving of stipend for pious foundations or endowments and scholarships;
 - 41.9 Works which will cost more than one-fourth of the annual income of the previous year of the parish or Rs. 50,000/- whichever is less or as the eparchial bishop decides from time to time;
 - 41.10 Fixing of subscriptions from parishioners with obligation to pay arrears;
 - 41.11 Lending or borrowing or gifting money by the parish beyond the amount fixed by the eparchial statutes;
 - 41.12 Other matters determined in the eparchial statutes.

Part IV

Section I

Kaikkārans

42. With due regard to no.8.2 the *potuyogam* shall determine the number of the *kaikkārans* according to the size of the parish, subject to a minimum of two. One among them shall be *nadathukaikkāran* for an appropriate period to be decided among themselves and the parish priest. The other *kaikkāran/s* shall be known as *kuttukaikkāran/s* during that period.
43. The *kaikkāran* shall be persons, not below the age of twenty-one, who are faithful, honest, efficient, service minded and having no parish arrears, who also have the other qualifications specified in the eparchial statutes; they shall not have the disqualifications mentioned in no.6. The accountant, the sacristan and others specified in the eparchial statutes shall not be elected to be *kaikkārans*.
44. The *kaikkārans* are elected for a one year term and can be re-elected for a second term; but not for a third consecutive term unless by postulation to the local hierarch as per cc. 961-964.
45. The elected *kaikkārans* after being confirmed and appointed in office by the local hierarch, shall take charge, after making an oath of office, receiving the keys from the parish priest at the entrance of the sanctuary. When their term of office is over they shall entrust the keys and accounts to the parish priest likewise at the entrance of the sanctuary, after settling the accounts.
46. The *kaikkārans* may divide the year into equal periods according to their number and each shall assume the main charge of the office (*nadathukaikkāran*) in one of such periods according to age or convenience.

47. The parish priest may depute any one or more of the *kaikkārans* or any one or more from the *yogam* or any other competent person or persons to represent the parish or its institutions before courts, tribunals, in specific cases or legal or of similar nature after obtaining permission from the local hierarch.
48. The *kaikkārans* shall not receive remuneration or allowance. However, on days on which their presence is required for a long time, they are entitled to meet their daily expenses from the parish funds during the duration of such engagement. A budgetary provision may be made for the same.
49. It is the right of the local hierarch to accept the resignation of the *kaikkārans* or in case of emergency to remove a *kaikkāran* for reasons of negligence of duty, dishonesty, disability, financial misconduct, commission of offenses involving moral turpitude, after giving him an opportunity for being heard. In ordinary circumstances, the question of removal of a *kaikkāran* shall be referred to the administrative tribunal mentioned in no.71 through the eparchial curia.

Section II

Administration of the Temporalities of the Parish

50. The administration of the finance and other temporalities of the parish is to be done by the parish priest and the *kaikkārans* with mutual understanding and cooperation and as per norms of common law and particular law of the Syro-Malabar Church as well as eparchial statutes.
51. The *nadathukaikkāran* and the parish priest shall maintain bills, vouchers and receipts regarding income and expenditure relating to the matters they have dealt with, respectively. The accounts of the parish shall be maintained

on the basis of such bills, vouchers and receipts. The *kaikkārans* shall make available the accounts as and when required by the parish priest.

52. It shall be the responsibility of the parish priest and the *kaikkāran* to maintain *nālvazhy*, *peredu* and *āndutirattu* of the parish. *Māsathirattu*, *kurumthirattu*, *ardha vārshika thirattu* shall also be maintained, if required by the eparchial statutes.
53. If any discrepancy in the account or shortage of money resulting in loss to the parish is proved, the same shall be recovered from the respective *kaikkāran* or the parish priest whoever is responsible for the loss. However, as between them one shall not be responsible for the lapses on the part of the other.
54. The chest (*bhandāram*) and boxes containing the offerings shall be opened and the offerings counted by the *nadathukaikkāran* in the presence of the parish priest or the *kuttukaikkāran* or anyone authorized by the parish priest. They shall keep a document or receipt regarding the amount of offerings signed by both of them.
55. All offerings in kind received in the church shall be sold in public auction. However, if it is found that sale without auction is more appropriate this can be done after mutual consultation between the parish priest and the *kaikkārans*.
56. All sales shall be made only on payment and receipt of all such amounts shall be entered on the same day in the books of accounts of the parish. If any credit is given it shall be the responsibility of the persons giving such credit to reimburse the amount to the parish.
57. If and when lands or buildings of the parish are given on lease or rent, it shall be done only after observing all legal formalities and with the permission of the local hierarch,

preferably after obtaining legal opinion.

58. The cultivation of land belonging to the parish shall be arranged by the *kaikkārans* in consultation with the parish priest.
59. The parish priest and the *kaikkārans* shall have the right to spend necessary amounts to meet the day-to-day expenditure of the parish.
60. Subject to no.41.9 the expenditure necessary for the day-to-day worship and catechetical formation can all be incurred by the parish priest without discussion in the *potuyogam* or the *pratinidhiyogam*.
- 60.1 Subject to no.41.9 the expenditure necessary for essential furniture of the parish including those provided to the parish priest and the assistant parish priest/s and for the maintenance of the church properties and their improvements can all be incurred by the parish priest and the *nadathukaikkāran* without discussion in the *potuyogam* or the *pratinidhiyogam*.
- 60.2 The parish priest and the *kaikkārans* shall have mutual understanding and cooperation in respect of all such expenditure and all unnecessary luxury and extravagance shall be avoided.
61. The parish priest and the *kaikkārans* can jointly keep the cash required for a period of one week for day-to-day expenses. Surplus amounts, however, shall be deposited in a scheduled, nationalized or reputed co-operative bank or in permitted securities in the joint account of the parish priest and the *nadathukaikkāran*.
62. All valuable articles and antiques, documents and deposit receipts, etc. shall be kept in a separate box in the safe room with double locks and keys and the parish priest and the

nadathukaikkāran shall keep one key each of the box and of the room.

63. There shall be a *murichārthu* (inventory) (c.1026) of all the movable and immovable properties of the parish classified into six heads, namely:
 - 63.1 A schedule of immovable property;
 - 63.2 A schedule of movable property;
 - 63.3 Those in the custody of the parish priest;
 - 63.4 Those in the custody of the *kaikkāran*;
 - 63.5 Those in the custody of the sacristan;
 - 63.6 Those in the custody of the heads of institutions.
64. The parish priest and *kaikkārans* shall have overall responsibility for all the property of the parish including equipments in the presbytery (*pallimuri*). The sacristan shall be responsible for the paraphernalia and other valuable things kept in the church and the heads of institutions for the articles belonging to and kept in such institutions.
65. Whenever new articles are acquired and any change is made, the same shall also be entered in the inventory maintained in the parish.
 - 65.1 A copy of the inventory of the ecclesiastical goods is to be kept in the eparchial archives (c.1026).
 - 65.2 If any article is lost or damaged on account of culpable negligence, the person responsible for such negligence shall be liable for such loss.
 - 65.3 Unusable articles which are not of historical value shall be destroyed only with the consent of the parish priest and in consultation with the *nadathukaikkāran* and after having cancelled them from the inventory.
66. When any person in charge of the administration of the church properties is transferred, or has ceased to hold

office, the new incumbent thereto, while taking charge, shall sign the list of articles handed over to him, after due verification.

- 66.1 When the parish priest is transferred, the accounts, pass books and other documents as well as the balance cash and the list of movables and immovables shall be handed over to the *nadathukaikkāran*; as soon as the new parish priest has taken charge the said *kaikkāran* shall hand them over to the new parish priest. However, if there is an assistant parish priest, the parish priest who is under orders of transfer shall entrust all the administrative responsibility to the assistant parish priest and inform the *nadathukaikkāran* accordingly. If any other custom or procedure is in vogue in any eparchy, the same may be followed.
67. The parish priest shall always pay attention to the proper and safe maintenance of the accounts and records of the parish and in these matters the *kaikkārans* and the accountant are bound to act according to the instructions of the parish priest.
68. No church record shall be taken outside the parish office without the permission of the parish priest.
69. All parish churches shall maintain the following registers, records, books and files:
- 69.1 Baptism Register;
- 69.2 Chrismation Register;
- 69.3 Betrothal Register;
- 69.4 Marriage Register;
- 69.5 Death Register;
- 69.6 *Ātmasthiti* Register/Parish Register;
- 69.7 Minutes Books of *potuyogam* and the *pratinidhiyogam*;
- 69.8 *Yogapusthakam* (Register for decisions of *yogam*);

-
- 69.9 Subscription Register (*Variveetha* Register);
 - 69.10 *Kurippu*/Account book;
 - 69.11 Journal;
 - 69.12 Ledger;
 - 69.13 *Tirattu*;
 - 69.14 Audit Report;
 - 69.15 Voucher File;
 - 69.16 Canonical Visit Diary of the eparchial bishop;
 - 69.17 Bound copies of the eparchial bulletin;
 - 69.18 Liturgical Calendar;
 - 69.19 Register relating to documents and records;
 - 69.20 Books to copy the civil documents;
 - 69.21 File containing pastoral letters and circulars;
 - 69.22 File containing orders from the eparchial curia;
 - 69.23 A Schedule containing the details of immovable properties;
 - 69.24 List of movable properties;
 - 69.25 List of Foundation Masses; (A copy of this list should be maintained in the sacristy also)
 - 69.26 Diary (Chronicles or “*Nālagamam*”);
 - 69.27 List of antiques;
 - 69.28 Vocation Register;
 - 69.29 Announcement Books;
 - 69.30 Book of ecclesiastical censures;
 - 69.31 Miscellaneous File;
 - 69.32 Other Registers as per eparchial statutes;
 - 69.33 Inventory Register (*Murichārthu*).
 - 70. No record and orders relating to the parish or the eparchy shall be produced in any court, without prior permission of the local hierarch.

Section III

General and Transitory Norms

71. All disputes and complaints with regard to the conduct, proceedings, resolutions, decisions and actions taken or adopted by the *potuyogam* or *pratinidhiyogam* shall be preferred by the aggrieved before the administrative tribunal constituted by the eparchial bishop for such purpose, within seven days to the date of such *yogam*. The tribunal shall dispose of the dispute or complaint within thirty days from the receipt of such complaints. A recourse shall lie on the decision of the tribunal to the eparchial bishop within fifteen days of such decisions of the tribunal. The eparchial bishop shall dispose of the recourse as expeditiously as possible and his decision shall be final.
72. For grave reasons the eparchial bishop can suspend a *potuyogam* or a *pratinidhiyogam* until further orders from him and make alternative arrangements according to his discretion for the administration of the parish.
73. Notwithstanding anything herein contained, the eparchial bishop on account of the special features, customs or practice of his eparchy may make necessary adaptations to these rules and the rules so adapted shall be binding on the parishes and persons within the eparchy.
74. If any difficulty or doubt arises in giving effect to the provisions of these rules in a particular eparchy, the eparchial bishop may by his order make such provisions necessary or expedient for the removal of the difficulty or doubt, not inconsistent with the purpose of these rules.
75. No Christian faithful shall challenge these rules or matters arising therefrom in any legal proceeding other than have recourse to ecclesiastical authorities.
76. These rules may be amended by the Synod of Bishops of the Syro-Malabar Major Archiepiscopal Church.

77. Until the forthcoming synod the authentic interpretation of these rules is the competence of the major archbishop having consulted with the permanent synod (c.112 §2).
78. If there is any custom or practice in any particular parish inconsistent with the rules contained herein all such custom and practice will stand superseded as soon as these rules come into force.

PART III: GUIDELINES

(1) Guidelines for Pastoral Collaboration in Parishes with the Institutes of Consecrated Life and Societies of Apostolic Life

Introduction

The following are the directives for pastoral collaboration with the institutes of consecrated life and societies of apostolic life in parishes within the *territorium proprium* of the major archbishop of the Syro-Malabar Major Archiepiscopal Church. These directives were prepared by the synodal committee for pastoral collaboration in its meeting held on 11th November 1999 at Mount St. Thomas and were approved with modifications by the Synod of Bishops of the Syro-Malabar Church in its session held from 15 to 20 November 1999 at Mount St. Thomas.

Directives

1. As far as possible the whole community of the parish, including the religious should participate in the Holy *Qurbāna* on Sundays in the parish church itself. However, when it is found necessary and feasible, parishes could be erected attached to the houses of clerical religious. When found necessary, Sunday liturgy could be permitted to be celebrated in the churches of the religious under the direction of the parish priest. In such circumstances, in view of better coordination of pastoral care, it is advisable that the parish priest celebrate the Sunday liturgy occasionally in those churches. The superior should in agreement with the parish priest designate a priest to assist the parish priest in the pastoral care of the faithful. The priest designated to be in charge

of the church should see that all communications from the eparchy as well as from the parish are announced in the church.

2. At the request of the major superior resident chaplains may be appointed by the eparchial bishop.

3. Due regard is to be given to the desire of the religious that courses by the eparchies for their candidates be conducted after their novitiate. Those congregations who desire to have the courses conducted in common may send the novices to the programmes organized by the eparchies.

4. The religious are to be reminded of CCEO, c.437 §2 which says that “written permission of the eparchial bishop is required in the case of any monastery for the construction and opening of schools, guest houses, or similar buildings distinct from the monastery” and CCEO, c.509 §2 which says that “the matters mentioned in c.437 shall apply also to houses of orders and congregations.”

(2) Guidelines for Raising a Religious Congregation to the Major Archiepiscopal Status and for Granting *Nihil Obstat* for Pontifical Status to a Religious Congregation

According to CCEO, c.506 §3, “A congregation of eparchial right which, within the territorial boundaries of the patriarchal Church, has expanded to several eparchies of the same territory, can become of patriarchal right by a decree of the patriarch, after having consulted those who have an interest and with the consent of the permanent synod.”

Besides this provision, the following guidelines also were approved by the permanent synod held from 9.30 a.m. to 12.30 p.m. on Friday, 12 September 2008 in the major archiepiscopal curia at Mount St. Thomas to be considered while raising a congregation to the major archiepiscopal status. These guidelines are being published as instructed by the permanent synod. A threefold distinction was made, namely, those applicable to the congregations of religious sisters, to the clerical congregations of men religious and to the congregations of religious brothers and the criteria applicable to each is given below in that order.

1. *Guidelines for Raising a Religious Congregation to the Major Archiepiscopal Status:*

A. Number of professed members should be at least:

150 for congregation of sisters

100 for clerical congregations of men religious

75 for congregations of religious brothers

The majority of the professed members should be perpetually professed. Besides, there should be a satisfactory growth rate for the congregation with respect to the number of vocations and the profession of members during the previous ten years.

B. Number of houses should be at least:

35 for congregation of sisters

25 for clerical congregations of men religious

20 for congregations of religious brothers

C. Number of eparchies/dioceses other than the eparchy of origin, in which the congregation is engaged in the apostolate should be at least:

10 for congregation of sisters

8 for clerical congregations of men religious

5 for congregations of religious brothers

D. Number of canonically erected communities in dioceses other than the diocese of origin should be at least:

10 for congregation of sisters

8 for clerical congregations of men religious

5 for congregations of religious brothers

The number of persons working outside the eparchy of origin also has to be considered.

E. The congregation should have been in existence for at least 25 years before it could be considered for the major archiepiscopal status.

F. The congregation should have at least one canonical house of formation in a Syro-Malabar eparchy.

G. There should be at least 10 members with secular degrees.

H. There should be at least 10 members with ecclesiastical degrees.

I. There should be sufficient financial stability for the congregation.

J. The request should be recommended by all the bishops where the congregation is engaged in the apostolate. The congregations are not to collect the recommendations of the bishops by themselves but only to request the bishops concerned to send their recommendations directly to the major archbishop.

2. *Guidelines for granting the nihil obstat for Pontifical Status to a Religious Congregation:*

A. The congregation should have completed at least 10 years as a major archiepiscopal congregation.

B. There should be a satisfactory growth in all the points of the guidelines for raising a religious congregation to the major archiepiscopal status.

(3) Guidelines for Recognizing Lay Associations of Syro-Malabar Faithful Outside the Syro-Malabar Eparchies in India and Abroad

Catholic lay associations have an important role in strengthening the faith of its members and in building up the body of Christ, the Church. The Syro-Malabar Major Archiepiscopal Church acknowledges and appreciates the important role and relevance of the Syro-Malabar lay Catholic associations in organizing and strengthening the Church among its migrant faithful outside the Syro-Malabar eparchies or exarchies. Such associations whether public or private may be recognized and accepted as Syro-Malabar lay associations by the major archiepiscopal commission for evangelization and pastoral care of the migrants subject to the following guidelines approved by the major archbishop.

1. Associations which are erected by competent ecclesiastical authority, or approved by the decree of the same authority (Roman Pontiff, major archbishop, archbishop, local hierarch/local ordinary) are juridic persons in the Church and are called public associations (c.573 §1). The commission for evangelization and pastoral care of the migrants may recognize any such public association as Syro-Malabar, if they conform to these guidelines and are found useful in serving the cause of the Syro-Malabar Church in those regions/places.
2. There can be private associations those not officially approved by the local ordinaries/local hierarchs (c.573 §2) but have been tacitly recognized by the local ordinaries/local hierarchs or priests in charge and serving the cause of the Church. The commission for evangelization and pastoral care of the migrants can approve these private associations after due review of their statutes and in consultation with the authorities concerned.
3. Syro-Malabar lay Catholic associations among the migrant

faithful may be affiliated to the already existing such an association of the Major Archiepiscopal Church with the recommendation of the commission for evangelization and pastoral care of the migrants and in consultation with the local hierarch concerned.

4. Every association is to have its own statutes, in which are defined its name, purpose, activities and conditions required for membership. Besides, the statutes have to enumerate its objectives in serving the Syro-Malabar faithful and the Church in the area. There shall not be multiplication of associations with similar objectives serving in the same area and people. The spiritual activities shall be organized only with the approval of the Syro-Malabar parish priest/chaplain/priest in charge wherever they are established.
5. The associations based on ethnic identities in a Syro-Malabar parish/mass centre are part of the Syro-Malabar community. They have to be part of all gatherings and celebrations common to the Syro-Malabar community in the place. They can have separate social/cultural gatherings of their own but separate spiritual/liturgical activities shall be organized only in consultation with the appointed Syro-Malabar parish priest/chaplain/priest in charge of the place.
6. Any modification in the statutes/by-laws require the approval of the ecclesiastical authority which erected or approved the association (c.576 §§1,2). They must be submitted to the Syro-Malabar major archiepiscopal commission for evangelization and pastoral care of the migrants, if they are to be recognized by the Syro-Malabar Church.
7. The reception of members is to be done in accordance with the norm of common law and the statutes of the association. The same person can be enrolled in several associations (c.578) with different objectives.

8. One who has publicly rejected the Catholic faith, or has publicly abandoned communion with the Catholic Church, or has been punished with major excommunication, cannot validly be received into associations; but if he/she has already been lawfully enrolled, he should be declared dismissed in virtue of the law itself (c.580).
9. Members belonging to other Churches *sui iuris* may be admitted as associate members of Syro-Malabar associations if they are formally enrolled in the Syro-Malabar parish/mission. They can take part in all the activities of the Syro-Malabar community in the area. But they are not eligible to be office bearers of the association unless elected with two-thirds majority and obtained the consent of the local hierarch/local ordinary.
10. No one who has been legitimately enrolled may be dismissed from an association except for a just cause in accordance with the norm of common law and the statutes (c.581).
11. A lawfully established and approved association administers temporal goods according to the norms of the cc.1007-1054, according to the particular laws of the Syro-Malabar Church and according to the norm of its own statutes, under the vigilance of the authority which erected or approved it, to whom the association must render an account of its administration each year (c.581).
12. Every association recognized by the commission for evangelization and pastoral care of the migrants as Syro-Malabar is subject to the vigilance of the same authority. They should send an annual report of its activities to the commission (c.582).
13. The commission for evangelization and pastoral care of the migrants can withdraw the recognition given to the association as Syro-Malabar, if the association acts against the cause of the Church or violates the laws of the Church.

(4) Guidelines for the Pastoral Care of Migrants

Mission

The love of Christ towards migrants urges us (2 Cor 5:14) to look afresh at their problems and to respond more efficiently to the pastoral needs of the Syro-Malabar faithful living outside the *territorium proprium* of the Church in India and abroad.

The major archiepiscopal commission for the pastoral care of the migrants is constituted to assist the major archbishop of the Church in carrying out his responsibilities towards the migrant Christian faithful of the Syro-Malabar Church.

A. The Hierarchs of other sui iuris Churches and the Commission

1. The commission shall “seek appropriate information concerning the Christian faithful who reside outside the territorial boundaries of the Church” (c.148 §1) and submit it to the major archbishop.
2. On the verification of the information collected or the demand made by the faithful living outside the territory, the commission may approach the respective ordinaries of the place and make request to exercise the most suitable juridical option from among those foreseen by the CIC and the CCEO (*Erga Migrantes Caritas Christi* = EMCC, no.50).
3. Even though entrusted to the care of a local ordinary/local hierarch or pastor of another Church *sui iuris*, they still remain ascribed to their own Church *sui iuris* (c.38; CIC, c.112 §2). Therefore, the commission shall see that the community is given adequate pastoral care as per the patrimony of the Syro-Malabar Church and help the hierarchs or pastors to fulfill their responsibility.
4. Where there are faithful of a different rite, the local hierarch/local ordinary should provide for their spiritual needs through

- priests or parishes of that rite (CIC, c.383 §2; CD 22; EMCC 53). The commission should ensure that the priests ministering the faithful are well trained and equipped to foster the faith of the community in the patrimony of the Syro-Malabar Church.
5. The local hierarchs/local ordinaries, who appoint presbyters, pastors or syncelli for the care of Christian faithful of patriarchal/major archiepiscopal Churches, are to formulate plans of action with the patriarchs/major archbishops who are concerned in the matter (c.193 §3). When the time is ripe for the appointment of a pastor/chaplain, the commission shall request the major archbishop to present the name of the priest to the hierarch, so that he can appoint him for the care of the community. There shall be a written contract regarding the term and conditions of the service of the priest between the commission chairman and the local hierarch/local ordinary.
 6. Wherever there is a considerable number of faithful to form a parish, the commission can suggest the possibility of the matter to the local hierarch that he erect a personal parish for the Syro-Malabar faithful (CIC, c.518). No centre shall continue as a mission or a mass centre if it has 100 families or more. Only personal parishes with Syro-Malabar priests as pastors (appointed as in no.5) will ensure the context suitable for proper pastoral care for the Syro-Malabar migrant community (c.280 §1).
 7. Even when the separate parishes or centers are erected for the Syro-Malabar faithful, these will continue to form integral parts of that diocese of the appointing bishop, and the parish priests/chaplains of the Syro-Malabar personal parish/center will remain members of the same diocesan presbyterate (EMCC 55). Therefore, the Syro-Malabar priests taking care of the Syro-Malabar faithful in the dioceses/vicariates of other Churches *sui iuris* shall be obedient to these local hierarchs/local ordinaries under whose jurisdiction they are. However,

they shall exercise their ministry in conformity with the patrimony (liturgical, theological, spiritual and canonical) of the Syro-Malabar Church (c.28 §1 and *Pastores Greges*, no.72).

8. The commission shall keep regular contacts with the hierarchs/ordinaries of the emigrant personal parishes and mass/mission centers, to discuss matters concerning those parishes/centers. Further, the commission shall issue circulars and pastoral letters on behalf of the major archbishop, in consultation with the local hierarch/ordinary, for the faith formation of the community in those parishes/centers.

B. *The Pastors/Chaplains in-charge of the Syro-Malabar Migrants*

9. Normally only those Syro-Malabar priests, who are ascribed to the Syro-Malabar eparchies or institutes of consecrated life/societies of apostolic life of the Syro-Malabar Church or to their Syro-Malabar provinces, shall be appointed parish priests/chaplains to do pastoral care for the Syro-Malabar migrants. However, when needed and available the help of other priests of the Syro-Malabar origin may also be enlisted for the same.
10. Priests doing pastoral care for the migrant community, whether in India or abroad should undergo a short term training offered by the commission. They should personally meet the major archbishop/the chairman bishop of the commission before taking up their ministry.
11. The appointed pastors/chaplains shall observe the particular laws of the Syro-Malabar Church in the administration of the parish. Therefore, in all erected parishes/centers, they shall ensure the participation of the faithful after the model of *palliyogam* in organizing parish activities and in the administration of the temporal goods. In other cases, there shall be the proper sharing of the responsibilities of the administration with elected members from the community.

12. The sacred liturgy and the sacraments celebrated for our migrant communities shall always be the Syro-Malabar liturgy using the approved texts and adhering to the rites and the mode of celebration approved by the Synod of Bishops of the Syro-Malabar Church.
13. In the personal parishes and other established centers, even if not erected as parishes, the faithful should be invited to register their families and names and the church registers and documents shall be properly maintained and preserved. However, ample opportunities of cooperation and interaction with the other Catholic communities in the proximity are very essential to foster Christian fraternity avoiding any sort of exclusivity.
14. The pastors/chaplains shall take interest to guide the community to preserve the Syro-Malabar heritage especially in the practice of fast, abstinence and penance, celebration of the major feasts and in conducting various spiritual exercises for the community. They shall organize regular catechism classes for the children and youth using the texts approved by the synod of bishops. Great importance should be given to the proper catechetical formation of the faithful as per the tradition and heritage of the Syro-Malabar Church.
15. The pastors/chaplains need to be in regular contact with major archiepiscopal commission and should send it annual reports regarding the state of the community, the apostolic activities and events in the parish.
16. They shall promote and strengthen Christian life by establishing pious associations of the Christian faithful with the approval of the local hierarchs/ordinaries.
17. As regards the administration of the temporal goods, making collection among the faithful for any purpose etc. the particular law of the diocese and the direction of the local hierarch shall be strictly followed.

18. Through regular family visits, organizing family unit prayer meetings, study classes etc. the pastors should help the migrant communities to feel united and strengthened in their Christian faith. They also need to be initiated into the customs and manners of the people of the land where they live. The positive interaction with the fellow Christian faithful of the land should be mutually enriching experience for both the communities.
19. Promoting the missionary thrust of our Church, the migrant community must be made an evangelizing community wherever they are. They should be properly instructed of the missionary character and responsibility of theirs and be encouraged to contribute their share to the missionary activities of the Syro-Malabar Church. Pastors should conduct special mission animation programmes for the faithful and promote priestly, religious and lay missionary vocations from among the faithful.
20. Normally, the parish priest/chaplains presented by the major archbishop may be appointed for a period of three years. Their term may be extended for another period of two years. After that they may be called back or appointed in some other place with the agreement of their own hierarchs/ordinaries. In case of necessity they may even be called back during this period by the chairman of the commission sending an advance notice of two months to the local hierarch/ordinary to the effect. Similarly, the local hierarch/bishop may, in serious cases, with due information to the commission, send back such a priest replacing him with another Syro-Malabar priest presented by the major archbishop.

(5) Guidelines for the Formation of Permanent Deacons

Following the call of the Second Vatican Council and considering the venerable tradition of our own Church, the Syro-Malabar synod has decided to reinstitute the order of permanent deacon in our Church. To implement this decision a few basic norms are given in order that the eparchial bishops may in right time introduce this ministry for the good of the Church.

Before the deacons are sent out to parishes, the eparchial bishop will, through proper catechesis, educate the people to welcome this ministry now being introduced. He has to see to it that the candidate to diaconate is adequately and properly trained for the ministry. The following general guidelines are given in this regard.

The training has to focus on the human, intellectual, spiritual and pastoral formation of the candidate.

Human Formation

Deacons are presupposed to be mature persons endowed with human qualities such as honesty, gentlemanly behavior, sociability, dedication, commitment and accountability. They should be “affable, hospitable, sincere in their words and heart, prudent and discreet, generous and ready to serve, capable of opening themselves to clear and brotherly relationships, quick to understand, forgive and console” (*Ratio Fundamentalis Institutionis Diaconorum Permanentium*, no.67).

- a. The candidate should be trained into a mature adult person.
- b. He should be able to regulate his emotions and temperament as befits a sacred minister.
- c. The candidate should acquire the skills of communication and should be able to appreciate the needs of others. He has to be instructed especially in the catechetical and homiletic arts.

Spiritual Formation

The candidate to diaconate should have a certain degree of spiritual life. He should have a thirst for prayer life: willingness to make sacrifices, sense of the Church and burning pastoral zeal. *Diakonia* being service, the deacon should have before his eyes the apostolic zeal of Stephen and Philip and the service mentality of the illustrious deacons of the early Church like Lawrence.

1. The diaconate ministry is a spiritual service and therefore the candidate should have a thorough spiritual formation before ordination. A spiritual master should guide him during the formative period.
2. Candidates are to be trained to imbibe fully the spirit of the liturgy and to love the liturgy as the source and summit of their lives. They have to be familiar with the norms of the liturgical discipline and be able to render their service in the liturgical celebrations in a worthy manner.
3. They are to be enabled to live a life according to the faith tradition they solemnly celebrate in the liturgy of the Syro-Malabar Church.
4. The candidates should be guided to participate in the Holy *Qurbāna* everyday if possible and grow in Eucharistic spirituality,
5. They should learn to love the Word of God and draw from it nourishment for their spiritual life. Deeper study of the Word of God and daily exercise of *lectio divina* will help them in their future ministry as exponents of the Word of God.
6. They are to be initiated into eastern devotions, which are in consonance with the teaching of the Church. They have to be trained to practice them in a manner related to the liturgical cycle.
7. The spiritual director should help them to grow in spirituality consistent also with their social mission; e.g, spirit of

poverty, compassion for the marginalized and readiness to work with the Church.

8. They are to be helped to grow in all the virtues that apply to their vocation especially kindness and readiness to care for the other especially the poor.
9. Spiritual formation should help them to be diligent, committed and zealous in their ministry.

Doctrinal Formation

Serious intellectual formation is necessary for the deacon both for his personal spiritual life and for the effective exercise of his ministry. *Lumen Gentium*, no.29 and the Apostolic Letter of Pope Paul VI *Sacrum Diaconatus Ordinem*, no.22 and the *Ratio Fundamental*, no.79 underscore the seriousness with which the intellectual formation of the deacon is to be pursued.

The programme of formation should take into account:

1. The need of explaining faith and bringing it to maturity;
2. Perfecting the formation of consciences;
3. The specific duties of deacons as ministers in the sanctuary;
4. The ability to speak in public, guide and counsel.

The programme of studies is to be so designed as to enable the students to acquire a broad and solid knowledge in the sacred sciences so that with a fuller faith and strengthened in the light of Christ they may be able to illuminate others with proper instruction.

1. Studies should include both philosophical and theological courses.
2. The theological disciplines are to be taught in the light of faith and in total fidelity to the magisterium.
3. The eparchial bishop is to make sure that the syllabus outlined in the note appended is adhered to in the teaching. He should see to it that the candidate has sufficient knowledge of the sacred sciences to teach others.

4. In the process of learning the social doctrine of the Church is to be emphasized since deacons are also to help in the social mission of the Church.

Programme of Studies

The deacon should have adequate training in the following disciplines:

1. Sacred Scripture
2. Patristics, History of the Church, History of the Syro-Malabar Church
3. Fundamental Theology, Revelation, Faith
4. Dogmatic Theology
5. Christian Morality
6. Spiritual Theology
7. Liturgy
8. Canon Law
9. Other Religions

Formation can be in an existing theological institute or in a special institute for diaconal training. At the close of the training period a comprehensive examination is conducted.

Tentative break up of the hours can be given as follows:

1. Sacred Scripture: 150 hrs
General: 20 hrs
Old Testament: 65 hrs
New Testament: 65 hrs
2. Patristics and History of the Church: 100 hrs
Patristics: 20 hrs
History of the Church: 40 hrs
History of the Syro-Malabar Church: 40 hrs
3. Fundamental Theology, Revelation, Faith: 100 hrs

- Fundamental Theology: 50 hrs
- Revelation: 25 hrs
- Faith: 25 hrs
- 4. Dogmatic Theology: 350 hrs
 - Triune God: 50 hrs
 - God the Creator: 25 hrs
 - Christology: 50 hrs
 - Ecclesiology: 50 hrs
 - Christian Anthropology: 25 hrs
 - Sacramental Theology: 50 hrs
 - Holy Eucharist, Order: 50 hrs
 - Eschatology: 25 hrs
 - Mariology: 25 hrs
- 5. Christian Morality and Christian Social Teaching: 100 hrs,
- 6. Spiritual Theology: 50 hrs
- 7. Canon Law: 50 hrs
- 8. Liturgy: 100 hrs
- 9. Hinduism, Buddhism, Islam etc.: 30 hrs

Pastoral Formation

Pastoral formation aims at giving adequate training to the deacon in those fields in which he is to exercise his ministry, namely

1. Liturgical services in the sanctuary, administration of sacramentals and sacraments;
2. Proclamation of the Word, catechesis, preparation for sacraments;
3. Works of charity;
4. Leading prayer groups, family units, youth;
5. Visiting the sick;
6. Essentials of administration;

Ongoing Formation

The eparchial bishop is to give special care to the ongoing formation of deacons in sacred sciences and spiritual disciplines.

Periodic Evaluation

Periodic evaluation of diaconal ministry in the eparchy will be necessary. It may be done in the eparchial presbyteral council, or in the college of eparchial consultors.

(6) Guidelines for the Functioning of the Commission for Finance

1. The Syro- Malabar major archiepiscopal commission for finance is a body of the Syro-Malabar bishops constituted to assist the major archbishop in the administration of the temporal goods of the Syro-Malabar Major Archiepiscopal Church, as per the provisions of common and particular laws.
2. One of the bishop members shall be appointed the chairman of the commission and the major archiepiscopal finance officer shall be the *ex officio* secretary of the commission.
3. Besides helping in the budgeting, planning and evaluation of the financial administration of the curia, the commission will have the following responsibilities and areas of competence:
 - a. To evaluate and give its considered comments to the permanent synod and the synod of bishops on the financial report of the curia and of the commissions/institutes;
 - b. To give its opinion, if asked for by the major archbishop, on application for alienation of the ecclesiastical goods whose nature is such that it requires his consent;
 - c. To consider ways and means of raising funds for the extension of the Church activities to new areas;
 - d. To present a detailed annual report of its activities in the ordinary annual session of the synod of bishops.
4. The term of office of the commission shall be five years. However it will continue to function until a new commission is constituted.

Meetings

5. The commission shall be convened at least twice a year and whenever needed.

Finance Council

6. The finance council is a body of priests, religious and lay faithful of the Syro-Malabar Church experts in financial matters that functions under the guidance of the major archiepiscopal commission for finance to do financial planning and budgeting of the Syro-Malabar major archiepiscopal curia and to find out the methods to raise funds for the needs of the curia.
7. It is a consultative body constituted by chairman in consultation with the other members of the commission and with the prior consent of the major archbishop. Its membership, which shall be fixed by the commission, with the prior approval of the major archbishop, shall be such that it represents and is enriched with experts in financial matters from among priests, religious and lay faithful of the Church.
8. The major archiepiscopal finance officer is the *ex officio* secretary of the finance council.
9. The curia bishop/s, the chancellor and the commission secretaries residing in the curia shall be the *ex officio* members of the council.
10. Its term of office shall be five years. However, until a new council assumes charge the previous one continues in office.
11. As per the direction of chairman, the secretary of the commission for finance convenes the meeting of the council and the chairman presides over it. Other members of the commission may also attend the meetings of the council. However, if there is to be a voting, only the council members and not the commission members shall vote. All *ex officio* members may be invited to the meetings.
12. The proposals and the conclusions of the finance council shall be submitted to the commission for finance, which shall consider them and if found relevant, shall present them to the major archbishop for necessary follow-up and action in due consultation with the permanent synod or the synod of bishops when necessary.

(7) Guidelines for the Functioning of the Liturgical Commission

Introduction

The Syro-Malabar Church had its liturgical commission functioning under Syro-Malabar Bishop's Conference. The commission was functioning as per the guidelines given in 1974 by the bishops' conference. When the Church was raised to the major archiepiscopal status the commission continued to function as the major archiepiscopal commission for liturgy. It was found necessary to update those guidelines. The XIII Synod considered it opportune to revise the guidelines. Accordingly these guidelines are formulated taking into consideration the suggestions of the synodal fathers.

Nature

1. The Syro-Malabar liturgical commission is a body of the bishops appointed by the major archbishop to regulate pastoral liturgical action in the Church, and to promote studies and necessary experiments for restoration, renewal and adaptation" (SC 44). This commission is assisted by a central liturgical committee.

Objectives

2. The commission shall, unless otherwise provided for by the Synod of Bishops of the Syro-Malabar Church, attend to the following tasks:
 - a. Restoration, renewal and adaptation of liturgical texts including that of translations;
 - b. Formulation of theoretical and practical principles for the guidance of all who are called upon to cooperate in the preparation of the liturgical texts;
 - c. Proposing practical initiatives for the entire Church, including preparation of the new texts, by which the liturgy and

- the application of the Constitution on Sacred Liturgy (SC) and other decrees related to it;
- d. Preparation of specific and concrete directions to enhance an intelligent, devout and active participation, both internal and external, of the faithful through a deeper understanding of the spirit and meaning of the liturgy in its various celebrations (SC 14,19);
 - e. Promotion of necessary studies for the preparation of the liturgical texts;
 - f. Study of specific topics suggested by the synod of bishops;
 - g. Helping the synod of bishops in regulating the pastoral and liturgical action in the entire Church;
 - h. Collaboration with similar bodies especially with the Liturgical Research Centre (LRC) in matters concerned with pastoral liturgical studies and action;
 - i. Offering necessary help to the various eparchies at the request of the local hierarchs (SC 45);
 - j. Organizing seminars and consultations for the entire Church and following up its recommendations;
 - k. Any other tasks entrusted by the synod of bishops regarding liturgy.

Structure

I. Syro-Malabar Commission for Liturgy

3. The commission shall consist of the chairman and two other episcopal members, all nominated by the major archbishop for a period of five years. The commission shall have a secretary appointed by the chairman in consultation with the major archbishop and other bishops of the commission.

II. Syro-Malabar Central Liturgical Committee (SMCLC)

4. The commission shall be assisted by a committee, which shall be known as Syro-Malabar central liturgical committee. This committee shall consist of:
 - a. All the conveners/secretaries of the eparchial liturgical commissions of the eparchies of the Syro-Malabar Church;
 - b. Another member from every Syro-Malabar eparchy of Kerala nominated by the eparchial bishop;
 - c. One liturgical expert each from major seminaries of the Syro-Malabar synod designated by the rector;
 - d. Six representatives (preferably experts in liturgy) from the Syro-Malabar Religious Conference (SMRC) (3 priests, 2 women religious, 1 brother religious);
 - e. One lay representative each from the ecclesiastical provinces of the Syro-Malabar Church nominated by the metropolitan in consultation with the suffragan bishops;
 - f. Nominated Members: The major archbishop may nominate members not more than ten. Out of these, three shall be from the major seminaries of the Syro-Malabar Church of which at least one shall be from the mission territories.
5. The period of the committee shall be three years.
6. The commission may set up particular sub-committees to study particular parts of liturgy or particular works.
7. The chairman also may invite experts as and when necessary.

General Guidelines

8. The commission's work shall be guided in a special way by norms and directives contained in the following:

- a. Constitution on Sacred Liturgy (SC), excepting those norms which refer, only to Latin Church;
 - b. Decrees on Eastern Churches (OE) and Ecumenism (UR);
 - c. Decrees and other communications of the Apostolic See for Oriental Churches in general and for the Syro-Malabar liturgy in particular;
 - d. Other papal documents and directives given by the Apostolic See;
 - e. Directives laid down by the synod of bishops;
9. Special care shall be taken regarding the preservation of lawful liturgical rite (OE 6) and the opening of ways for legitimate progress (SC 23).
10. The matters of research and scientific seminars.

Preparation of the Liturgical Texts

11. The general mode of procedure in drafting the liturgical texts shall be:
- a. The commission appoints a drafting committee when found necessary to prepare the initial document as per the guidelines given for that purpose. These guidelines shall include:
 - i. The sources to be translated revised or at least consulted;
 - ii. Special norms and methods if any to be followed;
 - iii. Time limit to submit the draft.
 - b. The draft prepared by the committee will be sent to the members of the SMCLC;
 - c. The SMCLC members shall discuss it in their respective forums and bring their suggestions to the SMCLC;
 - d. The draft will be discussed in SMCLC and the committee will make the second draft;

- e. The second draft will be presented in the synod with the specifications of the alterations. The Commission will incorporate the suggestions of the synod;
- f. As per decision of the synod the draft may be sent to the eparchies for their comments;
- g. The draft with the suggestions from the eparchies and SMCLC will be submitted to the synod;
- h. The synod may give the final approval and take necessary steps for its promulgation and implementation.

Printing and Publishing of Texts

12. Draft text can be printed *pro manuscripto* by the commission for private circulation in order to collect observations.
13. The manuscript copy of the text, which goes to the press, should be carefully checked to make sure that the contents conform exactly to what has been definitely approved by the synod.
14. Before its promulgation, due experimentation for a definite period can be allowed as per the direction of the synod. Experimentation shall be followed by an evaluation.
15. The major archbishop promulgates the approved texts with the *recognitio* of the Apostolic See as per the norms. The texts will be printed and published by the commission. When the individual bishops print the text of the Holy *Qurbāna* for the use of the people with catechetical instructions as decided by the synod, they shall make sure that the text is intact, and a copy shall be sent to the commission.
16. The copyright of all the liturgical books published by the commission for liturgy rests with the synod. Individual bishops can allow the printing of the certain liturgical texts, like the ordination rite of priests and bishops. This is only for private

circulation at the time of particular ordination and not for sale or use on other occasions. On such occasions the bishop shall make sure the integrity of the text, and a copy shall be sent to the commission.

17. Through circulars, study sessions, conferences, articles and other publications instructions may be given to the faithful before new texts and rites are introduced.

Finance and Accounts

18. Liturgical books may be sold at rates fixed by the commission.
19. The commission will meet all the expenses connected with the work, such as:
 - a. Payment to experts for work done by them;
 - b. Expenses of the committee meetings, including T.A. to the participants;
 - c. Office expenses;
 - d. Printing and publishing;
 - e. Other expenses such as for reference books, researches, expenses connected with liturgical apostolate.
20. The annual report and the statements of accounts shall be presented before the synod in its annual meeting after getting them approved by the commission.
21. The accounts shall be audited annually along with the internal audit of the major archiepiscopal curia.

Duties of the Office Bearers

22. The chairman is the responsible person for the overall functioning of the commission in collaboration with other members. The duties of the chairman are the following:
 - a. The chairman shall normally preside over all the meetings. In his absence one of the episcopal members of the commission will act in his place;

- b. The chairman shall present the liturgical text and other findings of the commission to the synod;
 - c. He shall publish the approved texts.
23. The secretary shall:
- a. be responsible for preparing agenda for all meetings, for keeping of minutes of the meetings (commission, Syro-Malabar central liturgical committee and sub-committees), getting ready with materials necessary or helpful to guide the discussions and sending its reports in due time;
 - b. be the archivist and treasurer of the commission. He will keep the accounts in collaboration with the finance officer of the curia. He shall prepare also the annual budget;
 - c. attend to all necessary correspondence on behalf of the commission;
 - d. attend to all affairs related to good planning and efficient running of commission meetings and satisfactory implementation of all its resolutions;
 - e. give timely information to all concerned;
 - f. supply them with guidelines and helpful literature as desired by the commission;
 - g. collect reports or observations, and have them tabulated and synthesized in time with the help of the experts or sub-committees concerned;
 - h. help to convene the meetings and help the chairman to steer the proceedings;
 - i. attend to all planning and executive works, which are not specially entrusted to another.
24. General meetings of the commission shall be held normally once in four months with three weeks notice and agenda. The duration of each session shall depend on the agenda.

(8) Guidelines for the Functioning of the Commission for Laity

Prologue

The apostolate of the laity derives from their Christian vocation and the Church can never be without it. Sacred Scripture clearly shows how spontaneous and fruitful such activity was at the very beginning of the Church (cf. Acts 11:19-21; 18:26; Rom 16:1-16; Phil 4:3). Our own times require of the laity no less zeal; in fact, modern conditions demand that their apostolate be broadened and intensified. With a constantly increasing population, continual progress in science and technology, and closer interpersonal relationships, the areas for the lay apostolate have been immensely widened particularly in fields that have been for the most part open to the laity alone. These factors have also occasioned new problems which demand their expert attention and study. This apostolate becomes more imperative in view of the fact that many areas of human life have become increasingly autonomous. This is as it should be, but it sometimes involves a degree of departure from the ethical and religious order and a serious danger to Christian life. Besides, in many places where priests are very few or, in some instances, deprived of due freedom for priestly work, the Church could scarcely exist and function without the activity of the laity.

An indication of this manifold and pressing need is the unmistakable work being done today by the Holy Spirit in making the laity ever more conscious of their own responsibility and encouraging them to serve Christ and the Church in all circumstances (Vatican II, *Apostolicam Actuositatem*, no.1).

Nature

1. The major archiepiscopal commission for laity is a body of three bishops of the Syro-Malabar Church constituted by

the major archbishop as per CCEO, c.124. It has the function to assist the major archbishop of the Syro-Malabar Church in fulfilling his responsibilities towards the lay faithful of the Church.

2. Lay Faithful are “the Christian faithful whose proper and specific quality is secularity and who, living in the world, participate in the mission of the Church, but are not in Sacred Orders nor ascribed in the religious orders” (c.399).
3. The ‘laity’ here means men and women, young and old, who are lay members of the Syro-Malabar Church. Hence, the commission may have separate sections for family and laity, lay men, women, the youth, children, dalits, labourers and so on, as per the need.
4. The main sphere of operation of the commission is the Syro-Malabar major archiepiscopal level. However, it may also advise, assist, collaborate and cooperate, as and when required by the competent authorities, at the other levels such as eparchial and metropolitan, either directly or through specially constituted bodies which may or may not be units of the central committee at major archiepiscopal level.
5. These ‘Guidelines’ approved and promulgated by the major archbishop are meant to guide and regulate the functions of the commission in favour of the Syro-Malabar laity, the commission’s relationship to other major archiepiscopal and synodal commissions, to the synod of bishops, to the Syro-Malabar eparchies and eparchial bishops, to the organized Syro-Malabar communities for the pastoral care of the Syro-Malabar migrants in India and abroad, to the Syro-Malabar Catholic associations for the laity, to the pontifical as well as other international, national and regional ecclesial councils and commissions in favour of the laity.

Scope

6. The major archiepiscopal commission for the laity has the following scope:
 - a. To coordinate the activities of the laity in the Syro-Malabar Church;
 - b. To animate, form, and equip the lay faithful to play their proper role in the Church and in the world;
 - c. To provide appropriate forum for addressing the common issues that affect the Syro-Malabar Church all over the world especially in the social and secular fields;
 - d. To open up new opportunities for the laity to share their knowledge, experience and expertise at various spheres of activity in the Church and outside;
 - e. To ensure the ecclesial and faith formation of the laity so that they are equipped to play their proper role as Christian faithful especially in the secular field;
 - f. To enlighten the laity about the teachings and policies of the Church;
 - g. To coordinate the activities of the various lay associations functioning in the eparchies of the Syro-Malabar Church and to make them more effective;
 - h. To equip and form the central committee to function as the sector, the public face of the Syro-Malabar Church, especially before the civil authorities and the public at large, respecting the role and functions assigned to other persons and bodies like the public relations office of the Syro-Malabar Church.

Office

7. The office of the commission shall be at the Major Archiepiscopal Curia, Mount St. Thomas, PB No. 3110, Kakkanad P.O., Kochi, Kerala 682 031.

Area of Competence

8. The geographical area of competence of the commission shall be the same as that of the Syro-Malabar Church and of the major archbishop as per the provisions of the canon law. The commission shall function, respecting the jurisdiction of the local hierarchs. The commission shall also respect the competence of other commissions and major archiepiscopal organs, and work in close collaboration with them.
9. Where there is no Syro-Malabar hierarchy, the commission shall function respecting the authority of the local ordinary, the Syro-Malabar coordinator, parish priest or chaplain and in consultation with the major archiepiscopal commission for evangelization and pastoral care of the migrants.

Members of the Commission

10. The commission shall have a chairman and two members appointed by the major archbishop from among the members of the synod of the bishops, for a period of five years.

Secretary

11. The secretary of the committee shall be a Syro-Malabar lay faithful.
12. The chairman, in consultation with other members of the commission and with the prior consent of the major archbishop in writing, shall appoint the secretary.
13. His term of office shall be three years. But he shall continue in office until a new secretary takes charge.
14. In the same manner the chairman may appoint other joint secretaries as per need, especially for the various sections of the commission.
15. The main duties of the secretary are the following:

- a. To keep the minutes of the commission meetings and the records and archives of the commission in order;
- b. To make the required communications as per the direction of the chairman;
- c. To get ready the annual report and other interim reports to be presented to the synod as well as to the pontifical, international, national and regional episcopal bodies;
- d. To help in organizing various meetings, seminars and gatherings of the commission.

Finance Officer

16. It will be the duty of the finance officer to draw up and present the annual budget before the commission and get its approval. Similarly, the secretary shall present the annual financial statement to the commission, as well as to the finance officer of the major archiepiscopal curia.
17. All payments and major financial transactions shall be made only with the consent of the chairman. Only dealings with such consent will be valid.
18. The commission shall have an account jointly operated by the chairman and the finance officer or secretary as designated by the commission in a reputed scheduled bank to keep the money that it may get.

The Central Committee

19. The commission shall be assisted in its functioning by a central committee constituted at the major archiepiscopal level and by the corresponding committee at the eparchial level. Similar units may be set up at the organized Syro-Malabar migrant communities in India and abroad.
20. The central committee is constituted of the *ex officio* as well as the elected members. The bishop chairman shall be the

president of the committee and the other episcopal members shall also be members of this committee.

21. The following are the other *ex officio* members of the committee:
 - a. The secretary of the commission;
 - b. The lay secretaries of the eparchial pastoral councils;
 - c. The eparchial presidents of the approved Catholic lay associations in the eparchies/migrant communities;
 - d. The secretaries of the Syro-Malabar lay committees at the eparchial level.
22. The elected members shall be the following:
 - a. Two lay representatives, a man and a woman, elected by the eparchial pastoral council in such a way that one of them is a youth below 25.
23. Nominated members:
 - a. The chairman of the commission for laity in consultation with the chairman of the commission for evangelization and pastoral care of the migrants may nominate up to 15 lay representatives from the Syro-Malabar migrant communities in India or aboard.
 - b. The chairman, in consultation with the concerned local hierarchs may nominate another 15 Syro-Malabar faithful experts in various fields, such as education, health care, finance, law, politics, social welfare and charitable activities. They must be practicing Syro-Malabar Catholics, with a proven track record in their faith life as well as in the field of activity.

The Duration of the Central Committee

24. The term of office of the central committee shall be three years. However, they shall continue in office until the new

committee is constituted by the chairman through a formal decree to the effect.

Meetings

25. The committee shall be convened by the secretary in consultation with the commission chairman at least once in a calendar year. It may be convened at other times in consultation with other members of the commission and the executive committee.
26. The meetings of the central committee are convened to deliberate upon important matters that affect the Church.
27. One-third of the total members of the central committee shall be the quorum of the meetings.
28. To convene the ordinary meetings, the secretary, in consultation with the chairman of the commission shall send out, at least one month in advance, the invitation letters in which the place, date and time as well as the agenda of the meeting are clearly stated.
29. It is recommended that all resolutions and recommendations of the central committee are passed by a consensus. The relevant matter may be brought to the synod of bishops by the chairman in consultation with other members of the commission.

Executive Committee

30. There shall be a 13 member 'Executive Committee' of laity constituted by the chairman in consultation with the other members of the commission within two months of formation of the central committee.
31. The *ex officio* members for the executive committee shall be the chairman and the secretary of the commission for laity.
32. The following shall be the elected members of the executive committee:

- a. Two vice presidents, a male and a female;
 - b. Two joint secretaries, a male and a female;
 - c. Two youth representatives, a male and a female;
 - d. Two *dalit* Christian representatives, a male and a female.
33. The chairman of the commission, in consultation with the other members of the commission, the secretary and two vice presidents, may nominate three members to the executive committee from among those sections of the lay faithful not properly represented.
34. The executive committee shall hold regular meetings to evaluate the situation and to conduct the day to day affairs. It should meet at least four times in a calendar year. Normally the meetings shall be presided over by the chairman of the commission or in his absence by one of the members of the commission authorized by him.

Sub-Committees and Sections

35. The chairman, in consultation with the other members of the commission and the central committee, may constitute various sub-committees and appoint members to attend to various sections of the lay faithful like women, children, *dalit* Christians, youth and labourers. The details shall be worked by the executive committee.

At the Eparchial Level

36. At the eparchial level too there shall be laity committees under the supervision and guidance of the eparchial bishop to exercise at the eparchial level the functions mentioned above.

Interpretation

37. The authentic interpretation of any clause contained in these 'Guidelines' is the competence of the major archbishop. However, the chairman, in consultation with other members of the commission shall give the practical interpretation or explanation of specific clauses.

Amendments

38. Any amendment or modification, addition or deletion of any clause in the 'Guidelines' become effective as and when approved and promulgated by the major archbishop.
39. Only the members of the synod and the committee shall have the competence to propose amendments to any of the articles in these guidelines. Proposals for the amendments shall be sent to the chairman of the commission at least one month in advance of the annual meeting of the commission and the central committee. The secretary of the commission, in consultation with the chairman shall circulate them among the members of the commission and the central committee at least two weeks in advance of the beginning of the annual joint meeting.
40. Any proposal for amendment to be considered as passed shall have the two-thirds majority of those present and voting in the joint meeting of the commission and the committee.
41. The passed proposals for amendments shall be forwarded to the major archbishop by the secretary with the consent of the chairman as soon as they are passed in the joint meeting.
42. Amendments in order to take effect must be approved and promulgated by the major archbishop, in consultation with the permanent synod.

(9) Guidelines for Conferring Honours and Titles

Introduction

The Syro-Malabar Church is becoming ever more vibrant and active, flourishing and growing due to God's protection and due to the good will and firm faith of the people of God who generously contribute to the good of the Church by deep dedication and hard work maintaining the strength of character. Recognizing their contributions to the society and to the Church is very much appreciated by the people. With this view the Syro-Malabar Church has instituted certain honours and titles to the persons of different categories either because of their ministry or their work through their Christian personality.

I. Honours and Titles

In order to esteem and appreciate persons who have contributed meritoriously for the growth and enrichment of Christian spirituality, ecclesial life, theology, history, pastoral care and missionary activity of the Syro-Malabar Church the following titles and honours are established:

1. *Vāidikaratnam* (for the priests who have rendered meritorious work in the priestly life);
2. *Malpān* (for the priests who have made remarkable contributions in the field of sacred theology, ecclesiology, history, etc.);
3. Syro-Malabar *Sabhāthāram* (for the laity who have done dedicated service and outstanding ministry for the Church).

II. Awards

Awards are given to the persons of the Syro-Malabar Church who have contributed praiseworthy service in the different realms of the Syro-Malabar Church. With the permission of the synod of bishops the duty to grant these awards is entrusted to the Syro-Malabar Liturgical Research Centre and the major archiepiscopal commissions.

III. Nature of the Honours and Titles

1. The patron of conferring the honours and titles is the major archbishop of the Syro-Malabar Church.
2. The honours and titles are instituted by the synod of bishops of the Syro-Malabar Church. The scrutiny of the candidates proposed by particular eparchs as per the rules and regulations is done by the special committee elected by the synod. The final approval will be done by the synod. The central administrative office of this endeavour will be the major archiepiscopal curia.
3. The holders of these titles and honours are to be given special and due importance in the ecclesial realms. They will be given honorary membership in their respective eparchial pastoral councils and eparchial assembly.
4. They are to be granted special medallions and letters of recognition.
5. The honours are conferred on a memorable day of the Syro-Malabar Church, namely, the day of martyrdom of St. Thomas (*Dukhrāna*) - July 3 or the commemoration of St. Thomas the Apostle's entrance to India (*Bhāratha Pravesana Thirunnāl*) - November 21. Synodal occasions or any other special celebrations for the entire Syro-Malabar

Church are also propitious opportunities to grant these honours and titles.

IV. Selection for the Honours and Titles

1. The nominee eligible to receive the *Vāidikaratnam* or *Malpān* is only a Syro-Malabar priest and *Sabhātharam* is only a Syro-Malabar lay person. The person's Christian life, ministry and contributions to the Church will be the norm for selection. Those who are above fifty years of age are solely considered.
2. The eparch has to give detailed report about the person nominated. The details of his/her biography, Christian life, ministry, the remarkable contribution he/she has made to the Church etc. should be furnished.
3. After studying the reports of the persons who are proposed from the different eparchies, opinions of these persons are to be collected in a befitting manner. After studying the opinions of the concerned persons the list of the nominated persons are to be submitted to the synod by the special committee. From this list, synod finalizes the persons to the honours and titles by secret voting with absolute majority.
4. The list of the nominated persons from the different eparchies, the enquiry reports of each person and their ministries are to be kept secret.

Conclusion

Making any amendment to these norms is the competence of the synod of bishops of the Syro-Malabar Church.

If any controversy arises with regard to the selection and conferral of honours and titles, the decision of the major archbishop will be final.

(10) Guidelines for Giving Simple Burial

Simple burial means a burial with no homily, no *Qurbāna*, no use of mike, using only two ornamental umbrellas (*muthukudas*), one cross and one priest for the burial. In scandalous cases of suicide not even the simple burial may be given. In such cases the body will not be allowed to be taken inside the church. The priest may bless the grave sometime outside the funeral service.

(11) Instruction regarding Free State Certificates, *Kuries* and Marriage Preparation Course

According to the decision of the XIII synod of bishops of the Syro-Malabar Church held from 22 August to 3 September 2005 at Mount St. Thomas, for marriages of persons coming from another Syro-Malabar eparchy, the marriage preparation courses conducted by any Syro-Malabar eparchy, including those outside the proper territory of the Major Archiepiscopal Church, is to be recognized. With regard to recognizing marriage preparation courses conducted by dioceses other than Syro-Malabar eparchies, the directives of the local hierarch are to be followed.

For the marriages of the above mentioned persons, parish priests are to ensure that free state certificate from the parish priests of their temporary residence is produced by those persons who have only temporary residence in a parish of another eparchy. In the case of persons having permanent residence (domicile) there, only *kuri* from the parish priest of their permanent residence need be produced.

In the case of persons from the eparchy of Kalyan, one is to verify that the free state certificate and *kuri* are given by the parish priests of the eparchy of Kalyan, unless the person concerned is eligible for the benefits of the indult given by the Holy See to the Syro-Malabar Catholics of the eparchy of Kalyan who were members of the Latin parishes at the time of the erection of the eparchy of Kalyan in 1988 and continued to frequent Latin parishes till the date of the Papal indult on 18 September 1993.

www.malankaralibrary.com