
INTERCOMMUNION

DECISIVE FACTOR FOR THE UNITY OF CHURCHES

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Abstract

From the Orthodox perspective, the 'in sacris' intercommunion is directly linked to the rule of iconomy (Greek Oikonomia). Taking into account the practical effect that intercommunion has in cases of mutual religious assistance, especially in cases of death imminence, the rule of iconomy underlines the importance of intercommunion. Before Vatican II, the relations between the Catholic Church and the Orthodox Church had been completely absent and there was no question of a dialogue on *communicatio in sacris* in regard to ecumenism. If before Vatican II, there had been no possibility of a dialogue, after this Council, the issue of *communicatio in sacris* has represented an important aspect on the ecumenical agenda. Although throughout the history of the Church *communicatio in sacris* has changed, the unity of Christianity has never ceased, although to this day it has remained imperfect.

Keywords: intercommunion, unity of Churches, Orthodox Church, Catholic Church

1. Introduction

In the 20th century, the Christian church life was marked by a renewal of the ecumenical unity of Christianity. As the Romanian canonist Liviu Stan asserted, "the most urging problem of all Christendom as well as the golden dream of the faithful of all denomination is 'the unity of Churches'" [1]. Therefore, contemporary Christian Churches have only one purpose, namely to restore unity of the Christian Church, the unity of the Body of Christ that Christ Himself willed in the prayer to our Heavenly Father: "that they all may all be one: as though, Father, art in me and I in thee, that they also may be one in us: that the world may believe that thou hast sent me" (John 17.21). The unity of the Church is an existing reality, a result of the work of Christ and of the Holy Spirit.

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2. The perspective of the Orthodox Church

One of the promoters of the inter-Orthodox, inter-Christian and interreligious dialogue, participant in the Romanian Orthodox delegation in ecumenical inter-Orthodox meetings is Liviu Stan. In his remarks on the relationship between Churches from the ecumenical perspective, he makes the following comment: “the Christian conscience opens, under the heat of Christ’s love and love of the people, towards a truly ecumenical horizon, where the issue of the unity of Churches reveals an aspect that was previously ignored, but which includes new clues and powerful valences for achieving ecumenism, the ecumenical unity of the Churches” [2].

All Christians have made substantial efforts and, therefore, “Orthodoxy could not remain and did not remain outside these endeavours” [1]. Liviu Stan underlined this very aspect during the inter-Orthodox and ecumenical meetings that he attended as a member of the delegation of the Orthodox Romanians [3]. From the Orthodox perspective, the ‘in sacris’ intercommunion is directly linked to the rule of iconomy (Greek *Oikonomia*). Taking into account the practical effect that intercommunion has in cases of mutual religious assistance, especially in cases of death imminence, the rule of iconomy underlines the importance of intercommunion. According to Liviu Stan, the issue of the ‘in sacris’ intercommunion is to be dealt with “from two different perspectives, namely, the practical and the theoretical, doctrinal or dogmatic ones” [1]. He considered intercommunion a reality, especially when referring to divine assistance through grace of those who are in danger of death – which is why its religious and ethical value cannot be denied [1].

Intercommunion is practiced by the Orthodox on three levels: common prayers, ierurgies and the Sacraments [1]. Partial communion on the level of prayers is practiced during inter-confessional and ecumenical meetings, a constant feature of the ecumenical meetings of the last century [4]. The participation of intercommunion on the last two levels consists in mutual acknowledgment of the validity of the Sacraments and other holy works carried out in Churches [5]. Such acknowledgment can be conditioned by the formal establishment of certain jurisdictional relations of those that belong to any of these Churches, be it iconomy or confession of faith. Regardless any such conditions or because of them, the Churches acknowledge the active presence in each of them the work of the Holy Spirit, through ordained ministers in each of them.

The intercommunion practice within Orthodoxy is not founded on a widely-valid decision; it rather relies on the tradition of Church iconomy, regarded as an acceptable exception, considering that the intercommunion must be preceded by a dogmatic union of the Churches or Christian denominations [1].

3. The perspective of the Catholic Church

In our argument, we begin with the following situation: can a Catholic priest lawfully administer baptism to an Orthodox or vice versa? May a separated person receive the sacraments within the Catholic Church? Is the Catholic Church allowed to proceed so?

The answer to these questions becomes obvious if we consider the notion *communicatio in sacris* which, according to the dictionary of canon law, consists of the “participation in the liturgy or worship of a Church or ecclesial community that is not in full communion with the Catholic Church” [6].

Before Vatican II, the relations between the Catholic Church and the Orthodox Church had been completely absent and there was no question of a dialogue on *communicatio in sacris* in regard to ecumenism. If before Vatican II, there had been no possibility of a dialogue, after this Council, the issue of *communicatio in sacris* has represented an important aspect on the ecumenical agenda. Although throughout the history of the Church *communicatio in sacris* has changed, the unity of Christians has never ceased, although to this day it has remained imperfect.

Canon 1258, §1 CIC/1917 reads: “Haud licitum est fidelibus quovis modo active assistere seu partem habere in sacris acatholicorum”, stating that it was not lawful for the faithful to attend or actively participate in the sacred rites of non-Catholics and those who transgress the canon were suspect of heresy under Canon 2316, 1917 CIC: “Qui quoquo modo haeresis propagationem sponte et scienter iuvat, aut qui communicat in divinis cum haereticis contra praescriptum can. 1258, suspectus de haeresi est”. Thus, in the precedent legal order, intercommunion was absolutely prohibited when “there is no common faith, so there is no full communion (c. 205)” [6].

Canon 731 CIC/1917 reads: “§ 1. Cum omnia Sacramenta Novae Legis, a Christo Domino nostro instituta, sint praecipua sanctificationis et salutis media, summa in iis opportune riteque administrandis ac suscipiendis diligentia et reverentia adhibenda est. § 2. Vetitum est Sacramenta Ecclesiae ministrare haereticis aut schismaticis, etiam bona fide errantibus eaque petentibus, nisi prius, erroribus reiectis, Ecclesiae reconciliati fuerint”. Thus, the canon considered the sacraments juridical acts which were supposed to be celebrated in faith and, at the same time, the main means for salvation and sanctification because Jesus Christ acts through them. Therefore, the canon forbade the non-Catholic to approach the sacraments because they were not in communion with the Catholic Church.

Even at the beginning of Christianity, “the Eastern Churches that followed their own order, sanctioned by the Holy Fathers, the Councils and especially the Ecumenical Councils [...] had the power to govern themselves according to their own order and were better suited to their faithful and better adapted to provide for the good of the souls” [7].

The priests could not administer the sacraments to those who were not in communion with the Catholic Church (totally or partially). However, it was possible to receive the sacraments from a non-Catholic minister only in danger of death: “This may be permitted in danger of death or in urgent need (during persecution, in prisons) if the separated brother has no access to a minister of his own communion, and spontaneously asks a Catholic priest for the sacraments-so long as he declares a faith in these sacraments in harmony with that of the Church, and is rightly disposed. [...] A Catholic in similar circumstances may not ask for these sacraments except from a minister who has been validly ordained.” [8]

Regarding ecumenism, Cardinal L. Jager asserts: ““The prayer for Christian unity is considered the soul of the whole ecumenical movement. The previous text that dealt with *communicatio in sacris* was harshly criticized, especially by the Eastern Fathers. They asked why the text made a wide *communicatio* with the Orthodox possible. In the East, they argued, there is no danger of indifferentism and the refusal of intercommunication would be regarded as a big scandal. The Directory on Ecumenism identified two general principles for the *communicatio in sacris* and entrusted their practical application to future legislation and pastoral prudence of Bishops. The two principles are as follows: *communicatio in sacris* symbolizes the unity of the Church. From this perspective, it cannot occur in many cases because there is insufficient unity; *communicatio in sacris* means common participation to grace. Thus, *communicatio* is possible in some cases. Here, it should be mentioned that the Orthodox have either preserved the apostolic succession of bishops or the valid Eucharistic liturgy (...)” [9]

The term *communicatio in sacris* focuses on two principles: the manifestation of the unity of the Church and the participation in the means of grace. Here, we are only interested in the latter principle, which is the participation in the means of grace. The above quoted fragment shows that the communion in holy things is prohibited according to the expression of unity, but recommended according to participation in the means of grace. Thus, *Unitatis Redintegratio* and *Orientalium Ecclesiarum* state in unison that the Eastern Churches “although separated, have true sacraments and, in virtue of apostolic succession, priesthood and the Eucharist brings them together in close intimacy” and that some sort of *communicatio in sacris* is possible and even advisable in certain circumstances, with the approval of the ecclesiastical authority (UR 15, OE 24, 29).

Canon 908, CCEO mentions the special situations in which intercommunion is allowed, such as the works of charity, social justice, the defence of human dignity and fundamental human rights, the promotion of peace, the commemorative dates of the country, a national holiday, i.e. the fields in which pastoral cooperation between Catholic Christians and other non-Catholic Christians is possible: “With due regard for the norms on *communicatio in sacris*, it is desirable that the Catholic faithful undertake any project in which they could cooperate with other Christians, not alone but

together, such as works for charity and social justice, defence of the dignity and the fundamental rights of the human person, promotion of peace, days of commemoration for the country and national holidays.”

The Christian Catholic faithful can share the divine non-sacramental worship, observing the provisions made by the eparchial bishop or by a higher authority of the Church according to the degree of communion of other Churches with the Catholic Church. Thus, Canon 670 § 1 CCEO reads: “For a just cause Catholics can attend the liturgical worship of other Christians and take part in the same, observing those things which, by reason of the degree of communion with the Catholic Church, are established by the eparchial bishop or by a superior authority”. Therefore, the authorities can make a concession on the place of worship to non-Catholics. According to Canon 670 § 2 CCEO: “If non-Catholic Christians lack a place in which divine worship can be celebrated with dignity, the eparchial bishop can grant the use of a Catholic building or cemetery or church according to the norm of particular law of his own Church *sui iuris*”.

Canon 671 CCEO reads:

- § 1. Catholic ministers licitly administer the sacraments only to Catholic Christian faithful, who, likewise, licitly receive the sacraments only from Catholic ministers.
- § 2. If necessity requires it or genuine spiritual advantage suggests it and provided that the danger of error or indifferentism is avoided, it is permitted for Catholic Christian faithful, for whom it is physically or morally impossible to approach a Catholic minister, to receive the sacraments of penance, the Eucharist and anointing of the sick from non-Catholic ministers, in whose Churches these sacraments are valid.
- § 3. Likewise Catholic ministers licitly administer the sacraments of penance, the Eucharist and anointing of the sick to Christian faithful of Eastern Churches, who do not have full communion with the Catholic Church, if they ask for them on their own and are properly disposed. This holds also for the Christian faithful of other Churches, who according to the judgment of the Apostolic See, are in the same condition as the Eastern Churches as far as the sacraments are concerned.
- § 4. If there is a danger of death or another matter of serious necessity in the judgment of the eparchial bishop, the synod of bishops of the patriarchal Church or the council of hierarchs, Catholic ministers licitly administer the same sacraments also to other Christians not having full communion with the Catholic Church, who cannot approach the ministers of their own ecclesial communities and who request them on their own, provided they manifest a faith consonant with that of the Catholic Church concerning these sacraments and are rightly disposed.
- § 5. For the cases in 2, 3 and 4, norms of particular law are to be enacted only after consultation with at least the local competent authority of the non-Catholic Church or ecclesial community concerned.

In this canon, the faithful members of the Eastern Orthodox Church have also been taken into account. The Ecumenical Directory of 1993 confirms the necessity of paying attention “to the order of the Eastern (Orthodox) Churches for their own faithful” and “of avoiding any suggestion of proselytism, if only apparent” [10].

Canons 670 and 671, CCEO underline the possibility of sharing the liturgical and sacramental life with the faithful of the non-Catholic Churches or Ecclesial Communities. The same issues are regulated in Canon 844 CIC/1983.

The Catholic and the Orthodox Church have in common the canonical order of the first millennium (the sacred canons) and, with regard to ecclesiology, the seven sacraments. We should also bear in mind “that the Eastern Churches have had a treasury from which the Western Church has taken over many things related to liturgy, spirituality and jurisprudence” [7, p. 182].

The local hierarch may grant to any Catholic priest the right to administer the sacrament of marriage to Christian faithful of any Eastern Church if four conditions are met: if they cannot go to their own priest without serious inconvenience, if they spontaneously ask for the blessing of marriage, if the priest has the power to administer this marriage provided by the local hierarch, if there is nothing that hinders the valid and licit celebration of marriage. Before administering the marriage, if possible, the priest must inform the ecclesial authority of the non-Catholic faithful. Thus, Canon 833 of CCEO reads: “§ 1. The local hierarch can give to any Catholic priest the faculty of blessing the marriages of the Christian faithful of an Eastern non-Catholic Church if those faithful cannot approach a priest of their own Church without great difficulty, and if they spontaneously ask for the blessing as long as nothing stands in the way of a valid and licit celebration. § 2. Before he blesses the marriage, the Catholic priest, if he is able, is to inform the competent authority of those Christian faithful of the fact”.

Conversely, “Catholic priests are forbidden to concelebrate the Divine Liturgy with non-Catholic priests or ministers” (CCEO, can. 702); on the other hand, “the Catholic priest can celebrate the Divine Liturgy on the altar of any Catholic Church”. Canon 705 of CCEO reads: “§ 1. A Catholic priest can celebrate the Divine Liturgy on the altar of any Catholic church. § 2. In order for a priest to be able to celebrate the Divine Liturgy in a non-Catholic church, he needs the permission of the local hierarch.”

For cases in which the law forbids *communicatio in sacris*, it provides a penalty which is optional and indeterminate. Thus, canon 1440 CCEO reads: “One who violates the norms of law concerning *communicatio in sacris* can be punished with an appropriate penalty”. The same provisions are made by canons 1347, 1349, CIC.

Following the rules of the Church for legality, these current prohibitions shall exist until full communion between Churches, in terms of faith, worship and common life, is restored. As *Directory on Ecumenism* 1993 states: “The

principles which should direct this spiritual sharing are the following: a) In spite of the serious difficulties which prevent full ecclesial communion, it is clear that all those who by baptism are incorporated into Christ share many elements of the Christian life. There thus exists a real, even if imperfect, communion among Christians which can be expressed in many ways, including sharing in prayer and liturgical worship, as will be indicated in the paragraph which follows. b) According to Catholic faith, the Catholic Church has been endowed with the whole of revealed truth and all the means of salvation as a gift which cannot be lost. Nevertheless, among the elements and gifts which belong to the Catholic Church (e.g.: the written Word of God, the life of grace, faith, hope and charity etc.) many can exist outside its visible limits. The Churches and ecclesial Communities not in full communion with the Catholic Church have by no means been deprived of significance and value in the mystery of salvation, for the Spirit of Christ has not refrained from using them as means of salvation. In ways that vary according to the condition of each Church or ecclesial Community, their celebrations are able to nourish the life of grace in their members who participate in them and provide access to the communion of salvation. c) The sharing of spiritual activities and resources, therefore, must reflect this double fact: 1) the real communion in the life of the Spirit which already exists among Christians and is expressed in their prayer and liturgical worship; 2) the incomplete character of this communion because of differences of faith and understanding which are incompatible with an unrestricted mutual sharing of spiritual endowments. d) Fidelity to this complex reality makes it necessary to establish norms for spiritual sharing which take into account the diverse ecclesial situations of the Churches and ecclesial Communities involved, so that, as Christians esteem and rejoice in the spiritual riches they have in common, they are also made more aware of the necessity of overcoming the separations which still exist. e) Since Eucharistic concelebration is a visible manifestation of full communion in faith, worship and community life of the Catholic Church, expressed by ministers of that Church, it is not permitted to concelebrate the Eucharist with ministers of other Churches or ecclesial Communities” [10].

4. Conclusions

All in all, even if full communion is achieved, there may be an imperfect communion among the baptized, if taking into account the fact that worship is a means of holiness. Regardless the interpretation, intercommunion may anticipate a future unity of the entire Christianity. On the one hand, intercommunion contributes to a tighter link among Churches and denominations, prompting the preparation and carrying out effectively the union of Churches. The common efforts made by Christian Churches and denominations towards the promotion of the ecumenical spirit in the Christian world in general and especially in Orthodoxy through iconomy and

intercommunion are most often applicable in the Diaspora, that is, in the most sensitive places of contact with the other Churches and denominations.

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