

PAIX LITURGIQUE

Notre lettre 918 publiée le 10 février 2023

COMMENT MGR ARTHUR ROCHE PREFET DU CULTE DIVIN AGITE LE CHIFFON ROUGE CONTRE LA PAIX DANS L'EGLISE EN INSTRUMENTALISANT LE PAPE FRANCOIS

DOCUMENTS FUITES MONTRANT L'APPLICATION TYRANIQUE DE TRADITIONIS CUSTODES CONTRE LA PRUDENCE DU PAPE PAR LE DICASTERE POUR LE CULTE DIVIN

Peter Kwasniewski, grand défenseur américain de la liturgie traditionnelle qui fut professeur d'université avant de se consacrer à l'écriture, vient de publier sur sa page Facebook les photos de plusieurs lettres au sujet de l'application de *Traditionis custodes*. Ce sont des lettres importantes puisqu'elles expriment la pensée du préfet du Dicastère pour le Culte divin et la discipline des sacrements, le cardinal Arthur Roche, à ce sujet et révèlent la volonté de son dicastère de régenter les dispenses accordées pour la célébration du rite traditionnel dans les paroisses. Une volonté qui ne semble pas bienveillante, et qui insiste sur la transition des fidèles attachés au rite traditionnel vers le Nouvel Ordo.

Les images des lettres, visiblement fuitées, sont au nombre de trois :

la première lettre est une sorte de brouillon rédigé au Dicastère pour le Culte divin

DICASTERIUM DE CULTU DIVINO
ET DISCIPLINA SACRAMENTORUM

Prot. N. ###/##

Vatican City, DATE

Your Excellency,

As you are aware the Holy Father, Pope Francis, issued the *Motu proprio Traditionis custodes* concerning the use of the Roman Liturgy prior to the reform of 1970 on 16 July 2021. Subsequently, on 23 December 2021, this Dicastery (then Congregation), with the express approval of the Holy Father, issued the *Responsa ad alia* on some dispositions of the *Motu proprio*.

The Holy Father was clear on the path to be taken by the Universal Church and he restored to the diocesan Bishops their competency as the guardians and promoters of the liturgical life of that part of the Church entrusted to their care. Thus it is for the Bishops to regulate the use of the antecedent Liturgy within their dioceses.

However, there are two instances when a diocesan Bishop must petition Rome for a dispensation from the dispositions of the *Motu proprio*. One is for the use of a parish church for the celebration of the Mass using the *Missale Romanum* of 1962 (Art. 3 § 2); the other is for priests ordained after 16 July 2021 to be allowed celebrate [sic] the Mass using the *Missale Romanum* of 1962 (Art. 4).

Understandably in the immediate wake of the publication of the *Motu proprio* Bishops sought to implement its dispositions, taking into account the pastoral requirements of their own local church. In some instances, this led Bishops to invoke canon 87 § 1 of the Code of Canon Law so that they themselves could grant a dispensation in order to allow the continued celebration of Mass with the *Missale Romanum* of 1962 in a parish church, without seeking a dispensation from this Dicastery. Unfortunately, this is a misreading of the aforementioned canon, as well as contrary to the clearly stated intent of the *Motu proprio* and the *Responsa ad alia*.

Canon 87 § 1 has generally been invoked in the following terms: "Whenever he judges that it contributes to their spiritual welfare, the diocesan bishop can dispense the faithful from disciplinary laws, both universal and those particular laws made by the supreme ecclesiastical authority for his territory or his subjects." Stated thus [sic] it would seem that the diocesan Bishop could indeed dispense from Art. 3 § 2 of the *Motu proprio*. However, the same canon goes on to state: "[t]he [diocesan Bishop] cannot dispense from procedural laws or from penal laws, nor from those whose dispensation is specially reserved to the Apostolic See or to some other authority."

This brings us to Art. 7 of the *Motu proprio* which states that "The Congregation for Divine Worship and the Discipline of the Sacraments and the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life, for matters of their particular

competence, exercise the authority of the Holy See with respect to the observance of these provisions", therefore the text of the *Motu proprio* itself is clear that the ability to dispense from Art. 3 § 2 lies with the Apostolic See as the text of Can. 87 § 1 itself provides for [sic]. Furthermore, the *Responsa ad alia* of the then Congregation for Divine Worship make exactly the same point and the explanatory note gives the reasoning behind why this matter is reserved to the Apostolic See. Again, it is clear that can. 87 § 1 cannot be invoked to dispense from a law which is reserved to the Apostolic See.

A *Motu proprio* is an instrument by which the Holy Father legislates in order that the law is clear to all. Not only did the Holy Father issue *Traditionis custodes* he approved the *Responsa ad alia*, so there can be no doubt about his wishes in this regard given that it is stated in such a clear way in both documents. It is worth underlining that, as the name *Motu proprio* indicates, the nature of this document arises from the personal decision of the Holy Father. Furthermore, he concludes *Traditionis custodes* by clearly stating: "Everything that I have declared in this Apostolic Letter in the form of *Motu Proprio*, I order to be observed in all its parts, anything else to the contrary notwithstanding, even if worthy of particular mention."

In Your Excellency's case, by means of a letter dated ##/##, you published a policy for implementing the *Motu proprio* in which you invoke canon 87 § 1. . . . While commending Your Excellency's pastoral solicitude for these groups of the faithful, we simply remind you that the competency to grant such dispensations lies with Dicastery.

Therefore, in order to ensure that the Holy Father's wishes are respected, we request that you petition this Dicastery for a dispensation for the Mass according to the *Missale Romanum* of 1962 to be celebrated in the parish churches in question.

The petition should include a *relatio* containing details of the number of participants at these Masses. Importantly, it should also recount the steps being taken to lead the faithful who are attached to the antecedent Liturgy towards the celebration of the liturgy according to the liturgical books reformed by the decree of the Second Vatican Council, and which form the unique expression of the *lex orandi* of the Roman Rite. This *relatio* will assist us in making a decision on which dispensations should be granted and whether the clear direction traced by Pope Francis in his *Motu proprio* is being accepted and followed.

We thank Your Excellency in advance for the steps that now need to be taken to ensure the correct application of the *Motu proprio Traditionis custodes*, and we are at your disposition should you require any further assistance in this regard.

With every good wish and kind regard,

In Domino,

Arthur Carl Roche

Prefect

la deuxième est l'exemplaire tamponné et signée (date et destinataire sont occultés) qui a vraisemblablement été reçu par un évêque anglophone,

MAJESTATEM DE CULTU DIVINO
ET DISCIPLINA SACRAMENTORUM

Profr. [redacted]

Vatican City, [redacted]

Your Excellency,

As you are aware the Holy Father, Pope Francis, issued the *Motu proprio Traditionis custodite* concerning the use of the Roman Liturgy prior to the reform of 1970 on 16 July 2021. Subsequently, on 21 December 2021, the Dicastery (then Congregation), with the express approval of the Holy Father, issued the *Responsa ad dubia* on some dispositions of the *Motu proprio*.

The Holy Father was clear on the path to be taken by the Universal Church and he entrusted to the diocesan Bishops their competency as the guardians and promoters of the liturgical life of that part of the Church entrusted to their care. Thus it is for the Bishops to regulate the use of the antecedent Liturgy within their dioceses.

However, there are two instances when a diocesan Bishop must petition Rome for a dispensation from the dispositions of the *Motu proprio*. One is for the use of a parish church for the celebration of the Mass using the *Missale Romanum* of 1962 (Art. 3 § 2); the other is for priests ordained after 16 July 2021 to be allowed celebrate the Mass using the *Missale Romanum* of 1962 (Art. 4).

Understandably in the immediate wake of the publication of the *Motu proprio* Bishops sought to implement its dispositions, taking into account the pastoral requirements of their own local church. In some instances, this led Bishops to invoke canon 87 § 1 of the Code of Canon Law so that they themselves could grant a dispensation in order to allow the continued celebration of Mass with the *Missale Romanum* of 1962 in a parish church, without seeking a dispensation from the Dicastery. Unfortunately, this is a misreading of the aforementioned canon, as well as contrary to the clearly stated intent of the *Motu proprio* and the *Responsa ad dubia*.

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This brings us to Art. 7 of the *Motu proprio* which states that "The Congregation for Divine Worship and the Discipline of the Sacraments and the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life, for matters of their particular competences,

exercise the authority of the Holy See with respect to the observance of these provisions", therefore the text of the *Motu proprio* itself is clear that the ability to dispense from Art. 3 § 2 lies with the Apostolic See as the text of can. 87 § 1 itself provides for. Furthermore, the *Responsa ad dubia* of the then Congregation for Divine Worship makes exactly the same point and the explanatory note gives the reasoning behind why this matter is reserved to the Apostolic See. Again, it is clear that can. 87 § 1 cannot be invoked to dispense from a law which is reserved to the Apostolic See.

A *Motu proprio* is an instrument by which the Holy Father legislates in order that the law is clear to all. Not only did the Holy Father issue *Traditionis custodite* he approved the *Responsa ad dubia*, so there can be no doubt about his wishes in this regard given that it is stated in such a clear way in both documents. It is worth underlining that, as the name *Motu proprio* indicates, the content of this document arises from the personal decision of the Holy Father. Furthermore, he concludes *Traditionis custodite* by clearly stating: "Everything that I have declared in this Apostolic Letter in the form of *Motu Proprio*, I order to be observed in all its parts, anything else to the contrary notwithstanding, even if worthy of particular mention".

In Your Excellency's case, by means of a letter dated [redacted] you published a policy for implementing the *Motu proprio* in which you invoke canon 87 § 1 and state [redacted]

While acknowledging Your Excellency's pastoral solicitude for these groups of the faithful we simply remind you that the competency to grant such dispensations lies with the Dicastery.


Therefore, in order to ensure that the Holy Father's wishes are respected, we request that you petition this Dicastery for a dispensation for the Mass according to the *Missale Romanum* of 1962 to be celebrated in the parish churches in question.


The petition should include a *relatio* containing details of the number of participants at these Masses. Importantly, it should also recount the steps being taken to lead the faithful who are attached to the antecedent liturgy towards the celebration of the liturgy according to the liturgical books reformed by decree of the Second Vatican Council, and which form the unique expression of the *lex orandi* of the Roman Rite. This *relatio* will assist us in making a decision on which dispensations should be granted and whether the clear direction traced by Pope Francis in his *Motu proprio* is being accepted and followed.

We thank Your Excellency in advance for the steps that now need to be taken to ensure the correct application of the *Motu proprio Traditionis custodite*, and we are at your disposition should you require any further assistance in this regard.

With every good wish and kind regard,

In Domino,


Arthur Cardinal Roche
Prefect

 • *Uffizio di cura e custodia della
Sagra.*

la troisième est l'image d'une lettre envoyée le 31 janvier dernier par ledit évêque à un prêtre de paroisse pour expliquer qu'on vient de lui reprocher d'avoir accordé une dispense lui autorisant la célébration de la messe traditionnelle au motif qu'il n'en aurait pas le pouvoir.

January 31, 2023

Dear Father [REDACTED]

On July 26, 2021, I issued a 'dispensation' from the restriction of the *Motu proprio Traditionis custodes* which clearly stated that Masses may not be celebrated in a parochial church unless such permission was granted by the Holy See. This is confirmed in the subsequent *Responsa ad Dubia* of December 21, 2021. This Congregation, exercising the authority of the Holy See in matters within its competence (cf. *Traditionis custodes*, n. 7), can grant, at the request of the diocesan Bishop, that the parish church be used to celebrate according to the *Missale Romanum* of 1962 only if it is established that it is impossible to use another church, oratory or chapel. The assessment of this impossibility must be made with the utmost care.

I am now in receipt of a letter from the Dicastery for Divine Worship and Discipline of the Sacraments that the 'dispensation' which I intended to grant was reserved to the Holy See. According to the Holy See, I did not and do not have the authority to grant such a dispensation.

In order to regularize this defect, the Dicastery has requested that I now petition the Dicastery for a dispensation for the Mass according to the *Missale Romanum* of 1962 to be celebrated in the parish churches in question. This I am willing to do and will do once I receive additional information from you as requested by the same Dicastery.

First, how many people usually attend the EF Mass(es) in your parish?

Second, how many EF Masses are celebrated each week in your parish and on which days?

Third, what steps are being taken to lead the faithful who are attached to the antiochian liturgy towards the celebration of the liturgy according to the liturgical books reformed by decree of the Second Vatican Council?

Fourth, (for my information), is the restriction (noted below) forbidding bination involving the EF Mass on weekdays being observed. I would note that trination on a weekend is justified when there is truly a pastoral necessity but, in accord with the mind of the Holy See, hosting an EF Mass should not be considered a pastoral necessity. Under no circumstances is it permitted to celebrate more than three Masses on any Saturday or Sunday. I have noted before that celebrating two Saturday evening Masses and three Sunday Masses, while totaling five Masses for "Sunday" does not violate the three Mass regulation since the Masses are celebrated on different calendar days.

It is most important to note that the Dicastery added, this information "will assist us (Dicastery) in making a decision on which dispensations should be granted and whether the clear direction traced by Pope Francis in his *Motu proprio* is being accepted and followed".

While I am convinced that the dispensation will be granted, I am equally convinced that it will be granted for only a limited period of time and that it very probably will not be renewable. This is consistent with the insistence that there be evidence of some active work of bringing those devoted to the EF Mass to the point of full acceptance of the liturgy of the 1979 reform. If no such effort is presently demonstrable then, it would seem to me, the possibility of a dispensation is greatly reduced. According to the *Responsa*: "The exclusion of the parish church is intended to affirm that the celebration of the Eucharist according to the previous rite, being a concession limited to these groups, is not part of the ordinary life of the parish community."

FROM THE *Responsa ad Dubia*:

To the proposed question:

Can a Priest who is authorized to celebrate with the *Missale Romanum* of 1962 and who, because of his office (Parish Priest, chaplain, etc.), also celebrates on weekdays with the *Missale Romanum* of the reform of the Second Vatican Council, binate using the *Missale Romanum* of 1962?

The answer is: Negative.

Explanatory note.

The Parish Priest or chaplain who - in the fulfillment of his office - celebrates on weekdays with the current *Missale Romanum*, which is the unique expression of the *lex orandi* of the Roman Rite, cannot binate by celebrating with the *Missale Romanum* of 1962, either with a group or privately. It is not possible to grant bination on the grounds that there is no "just cause" or "pastoral necessity" as required by canon 905 §2: the right of the faithful to the celebration of the Eucharist is in no way denied, since they are offered the possibility of participating in the Eucharist in its current ritual form.

To the proposed question:

Can a Priest who is authorized to celebrate using the *Missale Romanum* of 1962 celebrate on the same day with the same Missal for another group of faithful who have received authorization?

The answer is: Negative.

Explanatory note.

It is not possible to grant bination on the grounds that there is no "just cause" or "pastoral necessity" as required by canon 905 §2: the right of the faithful to the celebration of the Eucharist is in no way denied, since they are offered the possibility of participating in the Eucharist in its current ritual form.

Asking every good grace and blessing of God upon you, I am

1 - Voici ce qu'écrit cet évêque

Le 16 juillet 2021, j'ai rédigé une « dispense » relative à la restriction du *Motu proprio Traditionis custodes* affirmant clairement que les Messes ne peuvent pas être célébrées dans une église paroissiale sans permission du Saint-Siège. Cela a été confirmé lors des *Responsa ad Dubia* du 21 décembre 2021 : « Cette Congrégation, exerçant l'autorité du Saint-Siège dans les matières relevant de sa compétence (cf. *Traditionis custodes* 7), peut accorder, à la demande de l'Évêque diocésain, que l'église paroissiale soit utilisée pour la célébration selon le *Missale Romanum* de 1962 uniquement dans le cas où il est établi qu'il est impossible d'utiliser une autre église, un oratoire ou une chapelle. L'évaluation de cette impossibilité doit être faite avec un soin scrupuleux.

Je viens de recevoir une lettre du Dicastère pour le Culte divin et la discipline des sacrements affirmant que la « dispense » que j'avais l'intention d'accorder était réservée au Saint-Siège. Selon le Saint-Siège, je n'avais pas et je n'ai pas l'autorité en vue d'accorder une telle dispense.

Afin de remédier à ce défaut, ce Dicastère m'a demandé de soumettre une demande au Dicastère en vue d'une dispense pour la messe selon le *Missale Romanum*

de 1962 qui doit être célébrée dans les églises paroissiales concernées. Je suis prêt à le faire et le ferai dès que j'aurai reçu de votre part des informations complémentaires demandées par le même Dicastère.

Premièrement, quel est le nombre de personnes qui assistent habituellement à la messe FE [forme extraordinaire] dans votre paroisse ?

Deuxièmement, combien de messes FE sont-elles célébrées chaque semaine dans votre paroisse, et quels jours ?

Troisièmement, quelles sont les démarches actuellement entreprises afin de « conduire les fidèles attachés à la liturgie antérieure vers la célébration de la liturgie selon les livres liturgiques réformés par décret du Concile Vatican II ».

Quatrièmement (à mon intention), la restriction (...) interdisant que l'on bîne pour célébrer la messe FE en semaine est-elle respectée ? Je noterais que le fait de triner le week-end se justifie lorsqu'il existe une véritable nécessité pastorale mais, en accord avec le point de vue du Saint Siège, l'organisation d'une messe FE ne devrait pas être considérée comme une nécessité pastorale. (...)

Il est de la plus haute importance de noter que le Dicastère a précisé que cette information « aidera (le Dicastère) à prendre une décision quant aux dispenses à accorder et à savoir si la direction clairement affirmée par le pape François dans son Motu proprio est acceptée et suivie. »

Bien qu'ayant la conviction que la dispense sera accordée, je suis tout aussi convaincu de ce qu'elle ne le sera que pour un temps limité et qu'elle ne sera probablement pas renouvelable. Cela correspond à l'insistance quant aux preuves de l'existence de quelque travail actif en vue d'amener ceux qui sont attachés à la messe FE jusqu'à l'acceptation totale de la liturgie de la réforme de 1970. Si la preuve de tels efforts ne peut être actuellement présentée, il me semble qu'alors la possibilité d'une dispense serait fortement réduite. Comme l'affirment les *Responsa*, « l'exclusion de l'église paroissiale vise à affirmer que la célébration de l'Eucharistie selon le rite précédent, étant une concession limitée à ces groupes, ne fait pas partie de la vie ordinaire de la communauté paroissiale. »

Suivent d'autres citations des *Responsa*.

2 - La lettre du cardinal Roche

évoquée par l'évêque signataire du texte ci-dessus contient des indications intéressantes - et de mauvais augure pour celui qui souhaiterait « obéir à Rome » en tous points.

Quelques extraits :

Le Saint Père a été très clair sur le chemin à prendre par l'Eglise universelle en restituant aux évêques diocésains leur compétence de gardiens et promoteurs de la vie liturgique dans la partie de l'Eglise confiée à leur garde. Ainsi il appartient aux évêques de réguler le recours à la liturgie antécédente à l'intérieur de leurs diocèses.

Cependant, il existe deux cas où un évêque diocésain doit faire une demande à Rome en vue d'une dispense des dispositions du Motu proprio. L'un concerne l'utilisation d'une église paroissiale pour la célébration de la messe selon le *Missale Romanum* de 1962 (...); l'autre concerne les prêtres ordonnés après le 16 juillet 2021 et leur autorisation à célébrer la messe selon le *Missale Romanum* de 1962.

D'une manière qu'on peut comprendre, alors que la publication du Motu proprio venait d'avoir lieu, des évêques ont cherché à mettre en œuvre ses dispositions en tenant compte des nécessités pastorales de leur propre église locale. Dans certains cas, cela a conduit des évêques à invoquer le canon 87 § 1 du code de droit canonique afin de pouvoir eux-mêmes accorder une dispense en vue de permettre la poursuite de la célébration de la messe selon le *Missale Romanum* de 1962 dans une église paroissiale, sans dispense de ce Dicastère. Il s'agit là d'une lecture erronée du canon précité, qui est aussi contraire à l'intention clairement énoncée du Motu proprio et des *Responsa ad dubia*.

Le canon 87 § 1 a généralement été invoqué selon cette formulation : « Chaque fois qu'il le jugera profitable à leur bien spirituel, l'Évêque diocésain a le pouvoir de dispenser les fidèles des lois disciplinaires tant universelles que particulières portées par l'autorité suprême de l'Église pour son territoire ou ses sujets. » Dit ainsi il semblerait que l'évêque diocésain pourrait effectivement dispenser de l'Art. 3 § 2 du Motu proprio. Cependant, le même canon ajoute qu'il (l'évêque diocésain) « ne peut dispenser « des lois pénales ou de procédure, ni de celles dont la dispense est spécialement réservée au Siège Apostolique ou à une autre

autorité. »

Et de citer l'article 7 du Motu proprio qui donne à la Congrégation pour le culte divin et à celle pour les Instituts de vie consacrée et de vie apostolique « exercent l'autorité du Saint-Siège relative au respect de ces dispositions », ainsi que les *Responsa* qui selon lui empêchent d'invoquer le canon 87 § 1 pour toute dispense les concernant.

Le cardinal Roche insiste encore pour dire que « le Saint-Père n'a pas seulement publié *Traditionis custodes* mais encore, il a approuvé les *Responsa ad dubia*, de telle sorte qu'il ne peut y avoir de doute quant à ses souhaits ».

L'évêque qui vient de se faire rappeler à l'ordre avait précisément invoqué le canon 87 § 1, rappelle Roche : « Tout en saluant la sollicitude de Son Excellence à l'égard de ces groupes de fidèles, nous vous rappelons simplement que la compétence pour accorder de telles dispenses appartient à ce Dicastère. »

La lettre du cardinal Roche demande à l'évêque de recueillir les informations que celui-ci énumère dans sa lettre au curé de paroisse, avec notamment celle sur les démarches entreprises pour « conduire les fidèles attachés à la liturgie antérieure vers la célébration de la liturgie selon les livres liturgiques réformés par décret du Concile Vatican II ».

Et pour conclure, Roche « remercie d'avance Son Excellence pour les mesures qui s'imposent maintenant pour assurer l'application correcte du Motu proprio *Traditionis custodes* ».

L'objectif de destruction de la liturgie traditionnelles par étapes et au moyen d'un centralisme ravageur est ainsi clairement affirmé.

LES REFLEXIONS DE PAIX LITURGIQUE

Qu'on nous permette de souligner fortement les points suivants :

- La contradiction entre principes actuels d'organisation de l'Eglise : jamais sans doute la centralisation romaine n'était parvenue à ce point, en pleine ère de « synodalité ».
- La contradiction entre une persécution acharnée et tatillonne de la liturgie traditionnelle et la situation catastrophique de l'Eglise et de sa mission, laquelle exige impérativement la coopération de toutes les forces vives.
- La contradiction gravissime enfin entre la pratique dictatoriale dont se prévaut la Rome actuelle représentée ici par le cardinal Roche et les principes généraux du Droit canonique ordonnés au service des âmes. Concrètement, le canon Le canon 87 § 1 « Chaque fois qu'il le jugera profitable à leur bien spirituel, l'Évêque diocésain a le pouvoir de dispenser les fidèles des lois disciplinaires tant universelles que particulières portées par l'autorité suprême de l'Église pour son territoire ou ses sujets », directement fondé sur le principe *salus animarum suprema lex*, le salut des âmes est la suprême loi, est purement et simplement invalidé.