

MAGNUM PRINCIPIUM

Its relevance in the areas of Translation and adaptation of Liturgical Texts

The Motu Proprio *magnum Principium* of Pope Francis dated September 9, 2017 changing CIC can.838 attracted the attention of many Canonists, Liturgists and even Cardinal Sarah, Prefect of the Congregation for the Divine cult and Discipline of Sacraments. Some of them found in it a radical shift giving a greater importance to the Episcopal Conferences while others began to defend the age old control of the Apostolic See on Liturgical matters. The purpose of this paper is to explore canonical implications of the Motu Proprio, *Magnum Principium* and its relevance in the field of Liturgy in Tamilnadu Church.

1. PRILIMINARY OBSERVATIONS

1.1. Canon Law & Liturgical Norms:

In General the Code of Canon Law does not define Liturgical laws to be observed in the celebrations of Liturgical Actions and hence all the Liturgical laws followed retain their force unless contrary to the canons of the Code (c.2). Hence it is not the intention of the Supreme law giver to add the Liturgical norms into the Code of Canon Law. At the same time, the canons in Books III & IV deal with the normative disciplines to be followed in the administration of Sacraments and sacramentals. Liturgical Norms are given either by the Supreme law giver or with his approval by the Congregation for the Divine Worship and discipline of the Sacraments in the form of Instruction. The intention of *Instruction* is to clarify the Laws and explain procedures to be followed in observing the laws (can.34). It is an executive function by the competent organs in the Church and the instructions cannot derogate the laws. When the Law is changed, the instructions lose their value. At any time, Instructions given by an Executive Organ cannot supersede the law. In fact General Decrees issued by the Episcopal conferences as per the norms or by mandate of the Roman Pontiff enjoy the force of law and cannot be reviewed or modified by the executive organ.

1.2. Role of the Congregation for the Divine Worship and Discipline of Sacraments (Pastor Bonus, Art.62-65).

The Role of the above said Congregation is

- to regulate and promote the Sacred Liturgy – administration of sacraments
- to grant favours and dispensations on Liturgical matters
- to promote liturgical pastoral activities
- to support diocesan bishop so that the faithful may have more active participation in liturgy
- to draw and revise the liturgical texts
- to grant *recognition* to translations of liturgical books and adaptations of them which were lawfully prepared by Episcopal conferences. Here *recognition* is needed also for translations.

1.3. Role of the Episcopal conferences (CIC can.455)

The Episcopal conference is a permanent institution established by the Supreme authority and it is an assembly of the bishops of a country or of a certain territory, exercising together certain pastoral offices for Christ's Faithful of their territory (can.447). The Episcopal conferences can issue general decrees only in cases where it is provided by the Universal law or by special mandate of the Apostolic See either on its own initiative or at the request of the conference (can.455/1). Such decrees are to be *reviewed (recognita)* by the Apostolic See (c.455/2). Here explains the canon collaboration to exist between these two organs. When such mandate is absent, the Episcopal conference or its president cannot act in the name of the Bishops i.e., it cannot issue decrees in the name of the Episcopal conference. In such cases, the role of the Bishop to issue norms or to implement liturgical regulations in his diocese remains intact. It means to say that when there is no general decrees, it is the prerogative of the Diocesan Bishops to make adaptations or implement liturgical norms in their dioceses in accordance with the Universal law or instructions given by the Apostolic See.

By the Motu proprio *Magnum Principium*, the Law giver has changed some of the existing praxis by the Apostolic See and assigned additional responsible roles to the Episcopal conferences in matters of translations and adaptations in Liturgy.

2. SIGNIFICANCE OF SOME TERMS

2.1. *Probatus sud Confirmatus*

One can better understand the meaning of *Probatus sue confirmatus* when we go back to the formation of *Sacrosanctum concilium*, no.36. It is this number which speaks about the role of Episcopal conference in relation to translation and adaptation of liturgical texts. The Commission preferred *probates seu confirmatus* because it reflected the minds of the Council Fathers. Probatus seemed to be generic while the word 'confirmatus' specifies the role of Apostolic See. The form of approval is said to be confirmation in clearer terms. It is an intervention of the Apostolic See in the midst of the collegial process as the act of a higher authority to bestow on the text the fullness of authority