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**Legal Conditions and Challenges about the Office of
a Religious Pastor, particularly considering the
Piarist Religious Parish in Kecskemét**

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This dissertation deals with such a topic, or more precisely, a problem that has been prevailing in the pastoral engagements of the Mother Church for ages, and which from time to time demands the attention of the Church. The participation of religious in pastoral work always seems to be ironical starting from the moment of the first attempt and trial. If a religious is a pastor, it means that *ora* should meet with *labora*, mystical meets practical, verbal meets contemplative, spiritual meets physical, individual is substituted with community, collective supersedes personal in decision, two competent authorities take over the position of one competent authority, and one man serves two masters at the same time. I mean this is a challenge, and I hope my readers should bear with me in my opinion. I therefore claim that there are legal conditions and challenges facing office of religious pastor especially when we consider the only one Piarist religious parish in Kecskemét. The Holy Trinity Parish of Kecskemét is not alone in this case; every other parish which is handled by the clerical religious institutes and clerical societies of Apostolic life also experiences the same situation across the globe. Among all the challenges and problems, it is necessary to highlight the following below:

1. Reconciliation of the two fields

The first problem always comes from the reconciliation of the apostolate of the religious institute with the natural public pastoral activity of the parish. Szuromi said: “*Nyilvánvaló, hogy a szerzetespap sajátos lelkiisége befolyásolja a mindennapi pasztorációs végzését,*¹ and if it is obvious that the proper spirituality of the religious pastor influences his everyday activities, then our hypothesis on the accidental controversy when reconciling the two fields is also obvious. The Piarist religious institute is originally founded by St. Joseph Calasanz, to educate the youths, especially the poor youths. In short, *Scholarum Piarum* is a teaching Order. Again, the pastor of Kecskemét Holy Trinity parish is expected to observe the cloister adopted to the character and mission of the religious house to which he belongs, even though he is a pastor. This is a challenge to him. Simply saying, when he is at the parish he should not forget that he is a religious, and if he is in the religious house, he should not forget that he is a pastor. This is really considerable. Nevertheless, this is a difficult and

¹ SZUROMI, SZ., *A plébánia viszonya a megszentelt élet intézményeihez és apostolic élet társaságaihoz, valamint egyes lelki mozgalmokhoz*, PPKE Kánonjogi Posztgraduális Intézetének folyóirata, Budapest 2009, 47-55, especially 52; SZUROMI, SZ. A., *A szerzetesi és szerzetesrendre bízott plébániákra vonatkozó hatályos egyházfegyelmi előírások vázlatja*, 273.

complicated challenge. If therefore the religious pastor would be engaged with full commitments in carrying out the daily activities of the pastoral work, it is not guaranteed that the rudiments making up the qualities of religious life would not be in a disadvantageous situation. According to Szuromi, before the writing of the agreement guiding the pastoral work of the religious member, the leaders of the two parties (that is, diocesan bishop and the competent authority) should consider whether the vows of the institute or society could be reconciled with his religious life and expectations of the parish respectively.²

2. Problem from the entrusting bishop

Sometimes the local bishop who is entrusting parish to the religious institute would not be considerate with regard to the apostolate of the religious pastor. This is mostly experienced when a religious pastor is appointed to take care of a diocesan parish due to lack of priests in the diocese

3. Territorial problems.

There are some problems arising when the territory of the parish is not clearly demarcated.

4. Over-application of character or apostolate of the religious institute

Here, we are talking about such situations when a religious pastor applies more of the characters, apostolates, rules, regulations and methods of his institute without thorough consideration of the civil manner and statutes of the faithful under his care

5. Mixing-up of benefices

Usually, when the religious is assigned to a parish whether with an act of joining or uniting a parish to a religious institute, the wealth and benefices of the parish and the

² SZUROMI, A. SZ., *La parrocchia e gli Istituti di vita consacrata e le Società di vita apostolica, nonché la presenza di alcuni movimenti spirituali*, Rome 2012, 522.

religious is supposed to be pronounced with demarcations and written documents, especially when the assignment is temporary.

6. If the functions assigned to the religious pastor are not written down

Can 681, §2 highlights the importance of having an assignment being clearly written down about the nature, requirements, expectations and limitations in the pastor's pastoral duties. This is very important, especially in those cases where the religious is not perpetually assigned to a parish. Can. 520, §2 says: “... *in each case it is to be made by means of written agreement between the diocese and the competent superior of the institute or society, which expressly and accurately defines, among other things, the work to be accomplished, the persons to be assigned to the parish, and the financial arrangements.*”

7. Problems from the proper feasts

To solve problems arising from observing feasts of both the parish and the religious institute, it is advisable to do as Szuromi pointed in his article pertinent to this chapter. He said that when a given parish is religious, that is, being fashioned with all the rights and obligations of a religious parish and used for public services, the liturgical calendar of the given institute supersedes the calendar of the local diocese of its location in her daily liturgical activities, but the reverse becomes the case if the parish is diocesan and only managed by a religious institute.³

As a matter of fact, these conditions and challenges to be discussed in this thesis have been in existence in the Church, they emerged immediately the same time when clerical religious institutes and clerical societies of apostolic life were first involved in the apostolic activities and endeavors in the Church. If a religious would be involved in such pastoral engagements like being a pastor of a parish, then there would be some conditions and situations surrounding his office as a pastor; these make his office unique and at the same time, differentiate it from office of a diocesan or circular pastor. The fact that he is a religious who, apart from the peculiar apostolate of the give religious institute, strives for the perfection of charity in the service of

³ SZUROMI, SZ., *A plébánia viszonya a megszentelt élet intézményeihez és apostolic élet társaságaihoz, valamint egyes lelki mozgalmokhoz*, 52.

the kingdom of God and, maintaining outstanding sign in the Church, foretelling the heavenly glory (cf. c. 573, §1), makes his statutes to attract many questions, conditions, challenges, interesting possibilities and unusual situations.

So if we look at the problem in quote from this horizon, we may pretend that the problem is not alarming. We may only claim that this topic is interesting, but not a rare one, because it discourses such situations and problems which have been in the life of the Church, but been overlooking for more than a millennium. Whenever it surfaces on the Church's table of discussion, it is treated with lesser concern, whereas, it draws heavy interests to itself, especially when we consider the Holy Trinity Piarist religious parish in Kecskekémét. That is why, we cannot say that the unique nature of the topic makes it extraordinary in the pastoral engagements of the Church; it is a spiritual fact of life and system which the Church has been managing with lesser concern by the competent authorities holding it as well as the authors and writers in the theological field.

Again, the rarity and special nature of this topic does not emerge from the fact that religious is participating in pastoral works of parish in Kecskekémét, but that the conditions and challenges encountered by both "this religious parish" and its "religious pastor" has not been made known in words and writings; no considerable attention has been payed to it, even though, sometimes some of these challenges create problems in the management of the parish. This dissertation therefore, discusses conditions and challenges facing Office of a religious pastor, but casts special concern on the Holy Trinity Religious Pastor in Kecskekémét.

The rarity of topic in quote also manifested on the attitude of canon law authors regarding this field. While I was researching on this topic, I experienced that very few authors wrote about religious participating in parish pastoral works. Therefore, the field treating problems arising from the participation of religious institutes and societies in pastoral activities as a pastoral matter is still wanting, at least, if looked at, from bibliographic point of view. Not many authors consider it controversial so as to research and write on it. Szuromi Szabolcs Anselm was among the first people who precisely dabbled into treating the activity of the religious in parish apostolates in his article: *La parrocchia e gli Istituti di vita consacrata e le Societa di vita apostolica, nonché la presenza di alcuni movimenti spirituali*.⁴ Then, Velasio De Paolis,⁵

⁴ See SZUROMI, A. SZ., *La parrocchia e gli Istituti di vita consacrata e le Societa di vita apostolica, nonché la presenza di alcuni movimenti spirituali*, Periodicum Trimestre Pontifiviae studiorum Universitatis a Sancto Thoma Aquinate in Urbe, Angelicum, Rome 2012.

⁵ See VALESIO, D. P., *La Vita Consacrata nella Chiesa*, (Facolta' di Dirrito Canonico San Pio X, Manuallia 4; edizione rivista e ampliata a cura de Musca, V.) Venezia 2010.

whose handbook is now regarded as the most current one in this field. In other countries like Italy, Nigeria, America and others, Francesco Coccopalmerio's works seem to be the only ones that also tried to treat the topic from diverse angles. Even the Commentaries with the title, *Szerzetesjog* which Domingo J. Andrés wrote on the religious law of the CIC 573-746, which was translated to Hungarian language in 1999 did not go into handling the conditions of the religious and societies in parish pastoral works. It treated the religious life from the canonical point of view, just like it was promulgated by the CIC (1983). Although, we have many books, thesis and articles that treated parish as an issue of pastoral apostolic work for *salus animarum*, but only very few referred to the participations of the religious orders and clerical societies of apostolic life in parish apostolic works as well as the problems that may arise along from it.

The fact that Holy Trinity Piarist religious parish of Kecskemét has territorially belonged to two dioceses (belonging to the diocese of Vác and Archdiocese of Kalocsa-Kecskemét before and after 30th of May 1993 respectively) also makes the research on this topic to be more difficult and interesting.

As a matter of fact, the gift of religious and societies is indeed a divine one, and their participation in the apostolic work, especially in the parish pastoral works is really a grace. The office of the religious pastor whether from the clerical religious institute or clerical society of apostolic life as treated in this project deserves serious attention, because it places the pastor in between two authorities, two apostolates, two conditions, two ecclesiastical life styles, two manners in priestly life, etc. He is a religious and a pastor at the same time. Consequently, besides all the advantages and fruits of involving a religious in the pastoral apostolic activities of the Mother Church, the Church is expected to treat the difficulties, controversies and problems that always occur from the dual nature of this office of religious pastor.

If office of the pastor is handed over to a pastor from religious institute or to a pastor from clerical society of apostolic life, his pastoral work requires many things to be balanced up,⁶ to see that his functions would attain to its goal: *salus animarum*. Firstly, there should be need to balance up the two fold areas surrounding his clerical and religious statutes. That is, his statutes as being a religious and that of being a parish pastor. Other issues that also need to be balanced up include, his rights and obligations as a religious and also as a pastor, his reverence to both his competent authority and the local bishop, etc.

⁶The legal side of this joint work should also be balanced-up without prejudice to the norms of cc. 681-682 of the current legislator.

In the process, it shall be discovered that Holy Trinity parish possesses all the elements which a parish should possess as an ordinary parish, the characteristics of a parish in general, together with all the properties due to religious parishes as well. The elements include:

- stability. This stability is by virtue of its nature as juridic person and its duty as serving the public.
- It is within the boundaries of a given diocese. Truly, it originally fell within the boundaries of the diocese of Vác, but the „*Hungarorum Gens*” Apostolic Constitution promulgated by St. Pope John Paul II on the 30th of May 1993 made it to belong to Arch-diocese of Kalocsa-Kecskemét, but in each case it is within a diocese.
- It is under the authority of a diocesan bishop. The bishop is the only person in the diocese who has the power to enact and execute laws for and against every faithful in his diocese, so even the pastors of religious parishes must abide to his particular laws and precepts. The diocesan bishop of Vác, and now, the archbishop of Kalocsa-Kecskemét, appoints the pastor to this parish (see c. 520, §1), and installs him as someone who shares in his apostolic mission, even though he is a religious. The pastor therefore owes him respect and submission and still remains a religious. When taking the vows of religious life, a religious admits among other things, to live a community life. To appoint him pastor, especially to such a parish that is not related to his religious apostolate, makes it almost impossible for him to live a considerable and effective community life with other members, unless the community house is very close to the parish. The canon 630, §1 of 1917 code says: “*Religiosus, qui paroeciam regit sive titulo parochi sive titulo vicarii, ment adstrictus ad observationem votorum et constitutionum, quantum haec observation potest cum muneris sui officiis consistere.*”

In explanation, a religious who is leading a parish, whether a pastor or a parochial vicar is obliged to keep his vows and the rules surrounding his statutes as far as they can be reconciled with the requirements of his office. However, the pastor should be exempted from fulfilling some norms of the vows or constitutions that may not allow him to carry out his pastoral duties, otherwise he would have problems in fulfilling them, and if the appointment is perpetual, the pastor will almost be deprived of one or some of the key elements of his religious life. A religious should live his or her life under vows. According to canons 487 and 488 §1 of 1917 code, this vow forms the base and essence of religious life. As a result of this, Holy Trinity parish has been always under the power and authority of either the Bishop of Vác diocese or that of Archdiocese of Kalocsa-Kecskemét respectively.

- It has a *parochus* as a proper pastor for the parish, to take care of all the pastoral and spiritual needs of the faithful.
- Other members of this parish (presbyters, brothers and laity) always co-operate and work together with the pastor for *salus animarum*. Both the CIC (1983) and the Vatican Council II encourage the laity and the priests to work together to identify and find solutions to such problems regarding their personal and community faith, spiritual welfare of the individual parishioners and groups, salvific matters, etc. This act of working together is always an attribute of the Holy Trinity parish community of Kecskemét since it was erected till now.

If we take the characteristics of parishes in general, we shall see that Holy Trinity parish has the Eucharist at the center of its performance, represents the universal Church, collaborates in strengthening the relationship with the diocese, portrays sense of community, aspires to preach the Word of God to everyone; it makes tremendous efforts in missionary works and evangelization and forms a vocation's fostering center for multitude. At the same time The Holy Trinity parish differentiates itself from ordinary parishes and becomes religious by:

- the holder is not an individual. In other words, the holder of juridical personal entity of the Holy Trinity parish is the Piarist religious institute, the Order itself. With this, the juridical person is perpetual in its manner and function. Practically, the juridical person claims the rights and the responsibility of the parish just as in the case of every other benefice that belong to the religious, having the religious pastor to be in charge of the pastoral activities in the parish as proper pastor.
- The proper pastor is not the owner of the fruits of the parish wealth. The nature of religious life makes a member to loose right of ownership when it comes to earnings of fruits of the wealth of his working area. He lost this right when, apart from taking-up the evangelical counsels of chastity, poverty and obedience, he or she joins a certain group of community who live together throughout their lives for the sake of prayer, worship and service.
- There is no change in the holder of the parish, "come what may." The Holy Trinity parish of Kecskemét is owned by the Piarist religious Order and this juridical power never changes even though the appointed pastors change from time to time.
- The pastor is subjected to supervisions of the diocesan bishop as well. This is general to every religious parish; the pastor is subjected to the supervision of the both the local ordinary and the competent authority of the province. This manifests also on the

appointments of pastors and vicars to the religious parishes which must be done by only the diocesan bishops.

- The two pillars of a religious parish (being parish and being religious) are appropriately taken into consideration. If the two pillars are managed very well, they complement each other, thereby enriching the lives and pastoral quality of care of the faithful under it. The observation of the two views should extend to the spiritual, cultural, moral and educational values as well as feasts of both the faithful belonging to the parish and the Piarist Order.

In the body of the thesis, we examined the parish under many sections. Firstly, we look into the conditions and challenges experienced by the faithful of Holy Trinity parish when the parish was not yet erected, the reasons that led to request of erection of parish in such a town like Kecskemét, where a very big parish, The Ascension's parish was already existing with a very sound pastoral disposition. After that, we looked into challenges and difficulties encountered by the Piarist religious institute and the then bishop of Vác, József Pétery, in carrying out all the legal procedures of erecting this parish. I must add: it was not easy to be executed, especially under the regime of the communist system in Hungary.

It is obvious, from the beginning, the religious were not regarded as participants of the pastoral apostolic works; their participation in the Church was always more of spiritual. They were expected both by the faithful and the clerics to remain in their life of perfection, prayer and mortification and to turn off their attentions from the worldly things. As a matter of fact, it would have been better, if the Church would have no reason to change this conception. The Church always upholds the prayers, mortifications and the life of perfection led by the religious to a very high esteem and always nourishes from the graces they attract. Canon 573 says that this kind of life, consecrated through profession is a stable form of living, in which according to this canon, "*Deo summedelicto totaliter dedicantur,*" the faithful totally dedicate himself of herself to God. Here the dedication is required to be total, that is without reservation. So the person is not expected to involve himself or herself in anything of the World again. They are required to work only according to how the same canon says, "*in Eius honorem atque Ecclesiae aedificationem mandique salute novo et peculiari titulodediti, caritatis perfectionem in servitio Regni Dei consequantur;*" by this new and special title, they are to be dedicated to seek the perfection of charity in the service of God's kingdom. In fact, both the Church and the laity are always skeptical whenever the religious is going deep into active apostolic work, because as St. Pope John Paul II said: "*az apostolic munkában dolgozó (szerzetesek) számára állandó veszély,*

hogy annyira belemerülnek az Úrért való munkába, hogy megfeledkeznek a munka Uráról.”⁷ Szakács Gyula, who was the Government’s officer in charge of religious affairs and worship in the country around the time of erection of the parish in quote said: „*A Piarista atyák csak foglalkozzanak a tanítással, és a lelkipásztorkodást hagyják az egyházmegyes papokra, követve a Magyar Népköztársaság és a Püspöki Konferencia közötti 1950. aug. 31-i megegyezés vonatkozó rendelkezését.*”⁸ He maintained that Piarist priests should be involved only in teaching and not in pastoral works. The need for religious to partake in parish apostolic works could then modify this mode of life and all that surround it. Today, when religious can boast of taking part in parish works for centuries, the mentality and thought, that their works have more of spiritual dimension still upholds.

As already mentioned above, the first problem encountered by office or religious pastor of Holy Trinity parish originated from the mere nature and definition of parish itself. Naturally, a parish is regarded as such a community of a Christian faithful which among other elements constituting it, should be stably instituted in a particular Church under the authority of the diocesan bishop.⁹ Now, involving a religious in handling a parish already means bringing him to such functions which are due to diocesan personnel. On the other hand, the diocesan bishop is the chief priest and high pastor of all parishes and parishioners of his diocese. That is, the diocesan bishop is also the high pastor of parishes entrusted to Piarist religious institute; the same parishes which are regarded as Piarists own parishes with the immediate competent authority as the provincial. Even, a diocesan bishop is the one to erect Piarist parishes.¹⁰ A religious parish, however *exempt* in nature, is never separated territorially from the influences and authority of the diocesan bishop. Therefore, it is really a challenge.

Furthermore, the nature of pastoral works is always practical and cannot necessarily be reconciled with the religious life of the given institute. The aim of religious life is the pursue of perfection, though apostolates may differ. In other words, just as canon 663 says, the first and foremost duty of all religious is to be the contemplation of divine things and assiduous union with God in prayer.¹¹

⁷ A MEGSZENTELT ÉLET INTÉZMÉNYEI ÉS AZ APOSTOLI ÉLET TÁRSASÁGAI KONGREGÁCIÓJA, Római Dokumentumok XXII, *A szerzetesi élet szemlélődő dimenziója, a Kongregáció 1980. március 4-7-i plenáris ülésének dokumentuma*, SZIT., Az Apostoli Szentszék Könyvkiadója, Budapest 2003, 10.

⁸ See KOZICZ, J., *A Kecskeméti Piarista Plébánia Hetven éve 1948-2018*, A piarista Rend Magyar Tartománya, Kecskeméti Szentháromság Piarista Plébánia, Budapest-Kecskemét 2018, 159.

⁹ See c. 515, §1.

¹⁰ Canon 515, §2. The bishop is also to erect the parishes which are entrusted to clerical religious institutes and clerical societies of apostolic life, though he does it with approval from the Holy See as written in CIC (1917) Can. 452 which was the legislator and norm in force when the Holy Trinity parish of Kecskemét was erected.

¹¹ See c. 663, §1.

The joining together of the parish and the religious house is also another factor that brings up challenge to this Holy Trinity Piarist parish of Kecskemét. As a matter of fact, the joining act is a symbolic way of compelling the reconciliation of the two apostolates, and this is exactly what both the pastors and vicars of the Holy Trinity parish of Kecskemét faced and are still facing day by day. I can say, this is the reason why the pertinent canon to this chapter compels that such acts of *unio*¹² must be with a definite approval from the Holy See.¹³

Some other controversies and sensitive challenges are experienced more on financial issues, as the detailed in the topic that separately deals with benefices of religious parish, benefices of religious parish church, benefices of religious house as well as benefices of chapters as the case may be. These and the conditional situations around them are what I intend to systematically reflect on, having in mind the aim to open up the minds of my readers to recognize and consider it worthwhile.

The erection of the Piarist Holy Trinity parish of Kecskemét, being a religious parish, had many stages and levels of procedures before making it real. There was a stage I termed, *preepiscopal stage*; when the community of the faithful was not yet called a parish but merely a group of the faithful belonging to the mother parish, though at that time they were striving with all efforts to be instituted a parish.¹⁴ At this time, members of the Piarist Order who were working in Kecskemét under the mother-parish (Ascension's parish) as vicars were faced, not only with the challenges of reconciling their religious apostolate (teaching) with the pastoral work of the parish, but also with the challenges of having many authorities above them (the parish pastor of the mother-parish, their house superior, their provincial and the local ordinary) to obey.

The next stage is the one I call *supper superior* stage, which also had many challenges when treating the erection of the parish. This is the time when the superior was to give his consent to the agenda of erection of the Holy Trinity parish.¹⁵ Then, *supper episcopal* stage, which talks about the approval of the Holy See to both the erection of the parish and the joining of the Kecskemét Holy Trinity parish with the religious house of the Piarists in the city.¹⁶

The *episcopal stage* was also a very vital area of this dissertation. It comprises of the bishop's act of erecting the Holy Trinity parish in Kecskemét; his singular act with which he saved the situation of the temporal goods of Piarist religious Order, solved the problem of difficulties in

¹² *Unio* is one of the methods of erecting religious parishes as treated in the above topics.

¹³ Canon 471, §1 (1917).

¹⁴ PIARISTA REND MAGYAR TARTOMÁNY KÖZPONTI LEVÉLTÁRA, *Hivatalos levelezés*, Kecskemét 1948, 1029/1948.

¹⁵ CASA GENERALIZIA DEI PARDI CSOLOPI, *Scolarum Piarum Hungariae*, Romae 1948, 516/1948.

¹⁶ SACRA CONGREGATIO DE RELIGIOSIS, *Facultas acceptandi paroeciam*, Romae 1948, 9463/48.

pastoral functions of the Ascension's parish due to its large number of the faithful and wide range of territory.¹⁷ All these were not only solutions to problems, but also challenges to both the office of the religious pastor and the newly erected Piarist parish in quote.

The erection and management of the parish had also what we called *parochial stage*, which comprises of the time when the normal pastoral activities of the parish were carried out by the pastors and the vicars with the help of other Piarist religious members in the religious house in Kecskemét, together with the rights and obligations of the pastors appointed from time to time to head the parish. The challenges emanating from the management of the financial and temporal goods of both the parish and the religious house were not left behind; we also treated them with adequate seriousness. The parish, the church and the religious house have their different financial and beneficial incomes. These temporal goods would bring very big problems if they are mixed-up in any way. All these challenges, conditions and problems arise from the fact that religious has different statute in the Church, different way of life, different mode of apostolate and as a result, it has different canons guiding its endeavors for *salus animarum*.

¹⁷ PIARISTA REND MAGYAR TARTOMÁNY KÖZPONTI LEVÉLTÁRA, *Hivatalos levelezés*, Kecskemét 1948, 5770/1948.