

宗座萬民福部

INSTRUCTION
ON THE SENDING ABROAD AND
STAYING
OF DIOCESAN PRIESTS
FROM MISSION TERRITORIES

有關傳教區派遣司鐸
出國並居留之訓令

天主教台灣地區主教團秘書處 出版

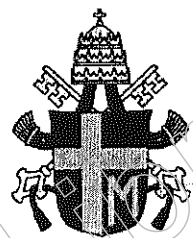
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萬民福音部

有關傳教區派遣司鐸出國並居留之訓令

一、梵二大公會議和教會訓導①熱烈重申司鐸們「直到地極」（宗一 8）的普遍傳教使命。在《教會傳教法令》中，大公會議的教長們勸勉司鐸們應「徹底意識到，他們的生命也是為服務傳教區而奉獻的」②。

就是這一個傳教精神，讓今日在世界上各種不同情況下服務的司鐸們充滿活力，尤其是在那些基督及其福音尚少為人知的民族中和社會文化背景下工作的司鐸們③。



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因此，大公會議的教長們希望能繼續推廣教宗比約十二世先知性的通諭《信德的禮物》，教宗若望保祿二世也在《救主使命》通諭中鄭重地再度強調：「鼓勵主教們提供他們的司鐸們，到非洲教會做短期的服務，並批准一些為此目的而已經訂定的計畫」④。

二、事實上，這個在教會之間傳教合作的特殊方式，即從二十世紀中期開始實行《信德的禮物》的司鐸們，在今天依然有其價值。尤其是從已經建立的古老教會派到有需要福傳的特殊教會，不只是非洲，也包含其他的洲，如亞洲、拉丁美洲和大洋洲等，在今天特別需要以新的熱火與衝勁來進行福傳工作，因為那裡生活水平較低又人手有限。

由於這個傳教士的禮物，促成了傳教區之間交換教區司鐸，不論是在同一個國家內，在那些福音較沒傳到的地方，或是同一洲之中需要使徒工

作人員的國家，甚或是別的洲的傳教地區。由於來自古老教會的終身傳教士日益減少，更需要促成並鼓勵這一種的交換⑤。

三、這一個教會之間的交換，是普世共融的成果，必須保有強有力的傳教衝勁，以避免一些傾向，就是不少屬於傳教區的教區司鐸，往往以進修或其他與傳教無關的目的為藉口，希望離開自己的國家而居住在歐洲或北美洲。

他們的動機往往只是因為這些國家的生活條件比較好，而一些古老的教會也需要年輕的司鐸。這些理由讓這些司鐸不再回到自己的國家，有時也得到他們自己主教的默認，有時則違反主教叫他們回國的要求。因著距離的遙遠與交通的困難，也常使這些不正常的情況延續下去。

四、因此，萬民福音部願意藉著此一訓令，提供準則以規範傳教區司鐸在國外居留的問題，以避免已經人力缺乏，尤其是司鐸不足的年輕傳教區教會，失去重要的使徒工作的力量，而這為教友生活和在大部分尚未領洗的人民中間傳揚福音，都是絕對不可或缺的⑥。

五、首先，此一訓令是為了屬萬民福音部管轄的教區主教或法律上享有同等權力者⑦。為此，他們應遵守以下的規範，立即付諸實行，以解決任何不正常的情況。

經主教部的同意，本訓令也同樣寄送給西歐、北美和澳洲的主教們，使他們瞭解這種現象的存在，採取必要的措施，以便在教會之間，重建一種出自真正傳教精神的適當交換。再者，這訓令也同樣適用於上面沒有提到，但有同樣問題的國家。

六、傳教區的修士培育。修院教育課程，應以真實而適當的方式好好培育修士們，使他們瞭解牧人的本質和責任，適應他們自己教區的牧靈需求，就是他們在領受執事職時要歸屬的教區。也應該教導他們培養寬廣的心胸，對教會生活中特有的傳教與普世性的幅度開放⑧。

在傳教區應特別注意，在修士培育的過程中，不應有一種叫嚷晉鐸後，有權留學進修的態度，主教也沒有送他們出國的義務。

再者，在教區、全省或全國的層面，推動司鐸們的在職持續進修是非常重要的，包括靈修、知識與牧靈的幅度⑨。

七、居留國外的理由。傳教區的主管遣送他們的教區司鐸出國的主要理由是深造，進一步學習在他們自己地區所無法提供的，以便他們回國後能夠負責一些特定的教會服務。

司鐸的知識培育，不論是神學或其他領域，應該常是清楚的為地方教會有用的。這是梵二《司鐸之培育法令》的看法：「對於性格、德行、天才合格的修生，主教應派赴專科學校、學院或大學去深造，俾能在聖學或其他適宜的學識上，準備一批受過高深教育的司鐸，以應傳教工作的多種需要」⑩。

所以每一位主教，應與他的合作者謹慎從司鐸中間，選擇真正有天賦、有深造能力者。其決定應基於教區的需要，比如大小修院的教職、司鐸的在職進修的講員，教區公署的職務與教區秘書處的特別部門，或是在全省或全國的層次上——在此情況下，應與主教團取得同意。

強烈建議，對一些個人有問題司鐸，切勿因為奢望他們能改善而送他們出國深造；相反的，應以更合適的方式來幫助他們。

接受傳教區司鐸，因著求學的理由進入自己教區的主教，必須注意他們的靈修培育，這樣的作法在許多國家已有很好的成果。如果主教團能夠為這些出國深造的司鐸們訂下一些規則，一定更有幫助⑪。

八、為幫助自己國家僑民的牧靈工作，是一個教區神父可能被送出國一段時間的另一個原因。

人類遷移的現象有了新的表達方式，真正值得我們在牧靈上關懷他們。必要的時候，傳教區的主教，可能會選擇送司鐸去國外一個確定的地方。充滿真正傳教精神而又有經驗的神父，會跟隨並聚合自己國家移民到海外的人，以幫助他們的靈修，並保持與祖國的聯繫，因為這些移民或難民，如今住在一個大部份是非基督徒的國家。顯然，這應有主教們清楚的同意，後來也要有移民所在地的主教團的同意⑫。

九、最後一個理由，可能在一種特殊的情況下遇到，即有些神父因著戰亂或其他重大緣故，受到磨難被迫離開自己的國家。即使這種情況一般並

無法預知，但仍應釐清有關個案的情況，也要注意到接受難民的國家的法律要求。

準則

首先，一個普遍的原則，如法典二八三條第一項所規定的：「除非至少推測有正權人的許可，聖職人員，即使沒有留守責任的職務，也不能長期離開自己的教區，超過特別法所訂定的時間」。

萬民福音部要求所有的主教和教區司鐸，嚴格遵守上述法典的規定，和本訓令第三條所指明的情況。

甲、派遣已祝聖的司鐸出國進修的準則

第一條 傳教區的教區主教，在確定教區目前的需要，並尋求其助手的意見之後，應該選擇有能力的司鐸，徵求他的同意，繼續進修深造。他應指定司鐸必須專精的學習領域，要進入的學院，包含回國的確定日期。

第二條 設法與將派遣司鐸去的當地教區主教和學校，寫下同意書，包括他的經費支援問題。

第三條 與當地的主教安排有關司鐸所要負責的牧靈工作，但是只在他求學的期間，也不要使他的負擔太重，以致影響他在既定的時間內無法完成學業，也不要要求他負起法律所指定的職務或地位^⑬。

第四條 接受傳教區的學生司鐸到教區內的主教，應該確定已和送司鐸進修的主教，在上面所列舉的事項上達致確實的同意。

第五條 接受司鐸學生到教區的主教，必須提供他們靈修上的幫助，把他們納入教區的牧靈計畫中，確保他們參與司鐸團的生活，並以慈父之心陪伴他們。

第六條 發生重大問題時，此同一正權人在與這位司鐸的主教討論後，應採取適當的措施，必要時可以終止居留在該教區的許可^⑭。

第七條 任何司鐸在受到法律所規定的警告^⑮後，若仍頑固地拒絕服從他的主教要他回到教區的決定，將受到法律所定的適當處罰^⑯。然而，在採取行動之前，正權人應知會國外的主教有關他的意向。

乙、居留國外以提供移民牧靈協助的準則

第八條 除已提及的普遍與特殊法的準則，在指定一位傳教區司鐸擔任移民專職司鐸之前，涉及的兩位主教應共同協議，寫下同意書，指

定所需求的牧靈工作形態和期限。這樣的一位司鐸，必須被引介進入教區的牧靈行動，並參與司鐸團的生活。

第九條 在移民團體眾多的情況下，有關的主教團可以訂定一些協議。

丙、有關因重大理由逃離國家的難民神父的準則

第十條 因重大理由必須離開他的家鄉，而成為難民的教區神父，凡接受他進入自己教區的主教，在指派給他一項牧靈職務前，必須詢問萬民福音部的意見。

教宗若望保祿二世在二〇〇一年四月廿四日接見部長樞機主教時，批准此一訓令並明令公佈。

二〇〇一年四月廿五日，聖瑪爾谷聖史節 發自羅馬，萬民福音部

部長：董高樞機

秘書：史雷克總主教

註解

- ① 參梵二《司鐸職務與生活法令》10；若望保祿二世通諭《救主使命》67—68。
- ② 梵二《教會傳教法令》39。
- ③ 參《救主使命》33。
- ④ 《救主使命》68；參聖職部指示《宗徒之後》23—31；若望保祿二世勸諭《我給你們一位牧者》18。
- ⑤ 參萬民福音部訓令《傳教合作》（一九九八年十月一日）16—17。
- ⑥ 參《傳教合作》20。
- ⑦ 參天主教法典三八一條二款。
- ⑧ 《我給你們一位牧者》58。
- ⑨ 《我給你們一位牧者》72。
- ⑩ 梵二《司鐸培育法令》18。
- ⑪ 在這方面可參考意大利、德國和美國主教團所頒佈的指令。
- ⑫ 梵二《主教之職務法令》18；保祿六世自動手諭《移民牧靈關懷》（一九六九年八月十五日）15；移民觀光委員會文告《Nella sua sollecitudine》（一九七八

- 年五月廿六日)宗座公報70頁(1978)357-358頁；教育部與宗座移民觀光委員會文告《人類遷移與未來司鐸之培育》（一九八六年元月廿五日）。
- ⑬ 例如，根據天主教法典五二二條，堂區主任司鐸的地位。
 - ⑭ 參天主教法典二七一條三項。
 - ⑮ 參天主教法典一三四七條一項。
 - ⑯ 參天主教法典二七三條及一三七一條二項。

^[12]SECOND VATICAN COUNCIL, Decree on Bishops *Christus Dominus*, no. 18: AAS 58 (1966) 682; PAUL VI, Motu proprio *Pastoralis migratorum cura*, 15 August 1969: AAS 61 (1969) 601-603; COMMISSION FOR THE PASTORAL ASSISTANCE OF MIGRANTS AND TOURISM, Letter *Nella sua sollecitudine*, 26 May 1978: AAS 70 (1978) 357-378; *C.I.C.*, can. 568; CONGREGATION FOR CATHOLIC EDUCATION AND THE PONTIFICAL COMMISSION FOR PASTORAL ASSISTANCE OF MIGRANTS AND TOURISTS, Letter on *Human Mobility and the formation of future priests*, 25 January 1986.

^[13]As, for example, the position of parish priest, according to *C.I.C.*, can. 522.

^[14]Cf. *C.I.C.*, can. 271 §3.

^[15]Cf. *C.I.C.*, can. 1347 §1.

^[16]Cf. *C.I.C.*, can. 273 and can. 1371 §2.

mission territory into his Diocese, that is, someone who has had to leave his home for grave reasons, must consult with the Congregation for the Evangelisation of Peoples prior to giving him a pastoral office.

The Supreme Pontiff John Paul II, during the course of the Audience granted to the undersigned Cardinal on the 24 April 2001, approved the present Instruction and ordered its publication.

Rome, from the Office of the Congregation for the Evangelisation of Peoples, 25 April 2001, Feast of Saint Mark, the Evangelist.

Jozef Cardinal Tomko

Charles Schleck, C.S.C.,
Archbishop tit. of Africa,
Adjunct Secretary

^[1]Cf. SECOND VATICAN COUNCIL, Decree on the Priesthood *Presbyterorum Ordinis*, no. 10: AAS 58 (1966) 1007; JOHN PAUL II, Encyclical letter *Redemptoris Missio*, 7 December 1990, nos. 67-68: AAS 83 (1991) 315-326.

^[2]SECOND VATICAN COUNCIL, Decree on Missionary Activity *Ad Gentes*, no. 39: AAS 58 (1966) 986-987.

^[3]Cf. *Redemptoris Missio*, no. 33: AAS 83 (1991) 278-279.

^[4]*Redemptoris Missio*, no. 68; cf. CONGREGATION FOR CLERGY, Directive *Postquam apostoli*, 23 July 1980, nos. 23-31: AAS 72 (1980) 360-363; JOHN PAUL II, Post-Synodal Apostolic Exhortation *Pastores dabo vobis*, 15 March 1992, no. 18: AAS 84 (1992) 684-686.

^[5]Cf. CONGREGATION FOR THE EVANGELISATION OF PEOPLES, Instruction *Cooperatio missionalis*, 1 October 1998, nos. 16-17.

^[6]Cf. Instruction *Cooperatio missionalis*, no. 20.

^[7]Cf. *C.I.C.*, can. 381 §2.

^[8]*Pastores dabo vobis*, no. 58: AAS 84 (1992) 759-761.

^[9]*Pastores dabo vobis*, no. 72: AAS 84 (1992) 783-787.

^[10]SECOND VATICAN COUNCIL, Decree on the training of priests *Optatam totius*, no. 18: AAS 58 (1966) 725.

^[11]In this regard one can note the directives issued by the Italian, German and U.S.A. Episcopal Conferences.

art. 2 - Agreement is then sought in writing with the diocesan Bishop and with the proposed Institute where he has decided to send the priest, including the question of his financial support.

art. 3 - Some arrangement is then made with this Bishop concerning the pastoral work which shall be undertaken by the priest only, however, for the duration of his course and in such a fashion that it is not too burdensome so as to prevent him from completing his studies in the allotted time span, nor that he be required to assume an office or position as laid down by law^[13].

art. 4 - The diocesan Bishop who receives a priest student from mission territories into his own Diocese should make sure that a precise agreement has been reached, as specified above, with the Bishop who is sending the priest for further studies.

art. 5 - The Bishop who is accepting priest students into his Diocese is obliged to provide spiritual assistance for them by inserting them into the diocesan pastoral plan, ensuring that they participate in the life of the Presbyterate and accompanying them with fatherly care.

art. 6 - In the eventuality of grave problems, this same Ordinary, after having discussed them with the Bishop of the said priest, must take adequate measures that may even result in the termination of permission to remain in that Diocese.^[14]

art. 7 - Any priest who, after having been warned as prescribed by law,^[15] obstinately refuses, to abide by his Bishop's decision and return to his Diocese, will be punished with an appropriate penalty as decreed by law^[16]. Before proceeding, however, the Ordinary ought to inform the overseas Bishop of his intention.

B. Norms for staying abroad to provide pastoral assistance to migrants.

art. 8 - Apart from the norms already noted, either of universal or particular law, and before appointing a priest of a mission territory as a chaplain to migrants, the two Bishops involved should come to some understanding, confirmed in a written agreement, concerning the type and duration of pastoral work required. Such a priest should be introduced into the pastoral activities of the Diocese and participate in the life of the Presbyterate.

art. 9 - In the event of numerous emigrant groups, some agreement can also be made with the respective Episcopal Conferences.

C. Norms for refugee priests who have fled from their country for grave reasons.

art. 10 - Any Bishop who welcomes a refugee priest from a

The Bishop who receives priests of mission territories into his own Diocese for academic reasons must take care of their spiritual formation, a practice that has already borne much fruit in many countries. It would be advantageous if the Episcopal Conference set down certain norms concerning the stay of such priests who are overseas for academic reasons^[11].

8. Pastoral assistance to emigrants of one's own country is another reason why a diocesan priest may be sent abroad for a certain period.

The phenomenon of human mobility is finding new expressions and truly warrants our pastoral attention. Where it is necessary, Bishops of missionary countries may choose to send priests to precise locations abroad. Skilled priests filled with a true missionary spirit are to follow and gather those men and women of their own country who have emigrated overseas to assist them spiritually and preserve some link with their country of origin, since these emigrants and refugees now reside in countries which are largely non-Christian. Obviously this must come about with the explicit agreement of the Bishops and then later with the Episcopal Conferences where the emigrants reside^[12].

9. One final reason, that one may encounter in exceptional cases, concerns those situations where **priests are forced to leave their own country** for reasons of persecution, war or other serious motives. Even if such situations cannot be foreseen, as often happens, it is still necessary to clarify the

situation and the concerns of each case while bearing in mind the legal requirements of individual nations that accept refugees.

NORMS

First of all, as a general rule, what is sanctioned by C.I.C., can. 283 §1 is reiterated: "*Clerics, even if they do not have a residential office, are not to be absent from their Diocese for a considerable time, to be determined by particular law, without at least the presumed permission of their Ordinary*".

The Congregation for the Evangelisation of Peoples requires that all Bishops and diocesan Priests strictly observe the above canon, in addition to those situations indicated in article 3 of this *Instruction*.

A. Norms for the sending abroad of ordained priests for further studies

art. 1 - The diocesan Bishop of Mission Countries, after having ascertained the actual diocesan needs and sought the counsel of his collaborators, should choose the most able priest, after having asked his consent, to pursue further studies. He is to designate the field of study in which the priest must specialize, the Faculty in which he must enrol and the date of his definitive return.

This *Instruction* is also being sent, in agreement with the Congregation for Bishops, to the Episcopal Conferences of Western Europe, North America and Australia, to inform them of the existence of this phenomenon and to ensure that adequate provisions are made so that a proper exchange based on a true missionary spirit may be re-established between the Churches. Furthermore, this *Instruction* also pertains to other countries, not cited above, where this same problem occurs.

6. The formation of seminarians in mission territories. The seminary's educational programme must ensure that seminarians are well trained in a true and proper manner concerning the nature and duties of a pastor, adapting themselves to the pastoral needs of their own particular Church where they will be incardinated from the moment of their diaconate ordination. It is also necessary that they are taught to broaden the horizons of their mind and heart to the specifically missionary and universal dimension of the life of the Church^[8].

In the mission territories one needs to be particularly attentive during the seminarian's formation not to allow an attitude that clamours for the supposed right to pursue further studies after ordination nor that the bishop has the obligation to send him abroad.

Moreover, it is important to promote the **ongoing formation of priests** involving the spiritual, intellectual and pastoral dimensions, be it at a diocesan, provincial or national level^[9].

7. Reasons for staying abroad. One of the principal reasons why diocesan priests from missionary territories are sent abroad by their Ordinary is to further their studies in a field that is unavailable in their own region, with the aim of providing a specific ecclesial service upon their return.

The intellectual formation of priests, whether it is in the theological disciplines or in other fields, should always be clearly useful for the particular Church. Such was the opinion of the Second Vatican Council in the Decree *Optatam totius*: "*It is the bishop's responsibility to send young men of suitable character, virtue and ability to special institutes, faculties or universities, so that the various needs of the apostolate may be met by priests trained to a higher scientific standard in the sacred sciences and in other appropriate subjects*"^[10].

So every Bishop, together with his collaborators, should make a careful selection from among his priests of those who are truly gifted and capable of further studies. This decision should be based on the needs of the Diocese, such as teaching roles at the major and minor seminaries, the permanent formation of clergy, curial officials and particular departments of the diocesan chancery, or even at a provincial or national level - in which case it would be in agreement with the Episcopal Conference.

One is strongly advised not to send abroad for further studies those priests who have personal problems, in the vain hope that they may find a remedy - instead they should be helped in more appropriate and specific ways.

temporary service in the Churches of Africa, and gave his approval to projects already existing for that purpose"^[4].

2. As a consequence, this particular form of missionary cooperation between the Churches, that is, of *fidei donum* priests, which has been in place since the middle of last century, remains valid even today. It is particularly so in the case of the established Churches whose focus is on those specific Churches not only in Africa but also in other continents - such as Asia, Latin America and Oceania - where evangelisation was needed and is still required today with new enthusiasm and zeal due to the low living standards and limited personnel.

The exchange of diocesan clergy between the Churches of the mission territories, whether it is in the same country whose regions and zones are less evangelized, or in other countries of the same continent in need of apostolic personnel, or even to other continents of missionary territories, has been made possible by this missionary gift. In view of the diminished number of life-time missionaries that are now available from the already established Churches, this exchange ought to be fostered and promoted^[5].

3. This exchange among the Churches, the fruit of universal communion, must preserve a strong missionary thrust to counteract the prevalent trend of a certain number of diocesan priests who, incardinated in their particular Churches in mission territories, want to leave their own country and reside

in Europe or North America, often with the intention of further studies or for other reasons that are not actually missionary.

Often their motives are based on the higher living conditions which these countries offer and the need for young priests in some of the established Churches. These priests are then convinced by such reasoning not to return to their own country, sometimes with the tacit permission of their own Bishop, or at other times in opposition to his request that they return home. A certain permanency is then given to such irregular situations by virtue of the vast distances and poor communication.

4. With this *Instruction*, therefore, the Missionary Dicastery wishes to provide norms to govern the sojourn of diocesan priests from mission territories who are living abroad. Such reasoning is warranted so that the young missionary Churches which are already short of personnel, and in particular of priests, are not deprived of ample apostolic strength that is absolutely indispensable for their Christian life and the ongoing development of evangelisation among those people who for the most part are not yet baptized^[6].

5. First of all, this *Instruction* is intended for diocesan Bishops or their equivalent in law^[7] whose ecclesiastical circumscriptions are dependent on the Congregation for the Evangelisation of Peoples. Thus, they must adhere to the enclosed norms, applying them immediately so as to resolve any irregular situations.

CONGREGATION FOR THE EVANGELISATION
OF PEOPLES

INSTRUCTION
ON THE SENDING ABROAD AND SOJOURN
OF DIOCESAN PRIESTS
FROM MISSION TERRITORIES

1. The universal mission of priests "*to the ends of the earth*" (Acts 1:8) has been enthusiastically renewed by the Second Vatican Council and the Magisterium of the Church^[1]. In the Decree on Missionary Activity *Ad Gentes*, the Conciliar Fathers exhorted priests to be "*profoundly aware of the fact that their very life is consecrated to the service of the missions*"^[2].

It is above all a missionary spirit that gives life to this priestly service in the various situations of the world today and, in particular, among those people and in those socio-cultural contexts in which Christ and His Gospel are still unknown^[3].

Thus, the prophetic insight of Pius XII's Encyclical *Fidei Donum* that the Conciliar Fathers wanted to foster and to make known was authoritatively underlined by Pope John Paul II in his Encyclical *Redemptoris Missio* which "*encouraged Bishops to offer some of their priests for*