

# The canonical aspect of the current concelebration

*Canon Stéphane Drillon<sup>1</sup>*

## 1. Introduction

### *a. Limits of this study*

There are several speakers at this conference; some of whom will address or have addressed concelebration from a historical and theological perspective: Father Barthe spoke to us about the Roman era, and we will also look at the Carolingian era and many aspects of concelebration among Eastern Christians, the history of concelebration from a theological perspective, the sacramental fruits of concelebration, etc.

Therefore, in particular, I will not address the historical debate on whether or not there is a difference between ceremonial concelebration and sacramental concelebration, nor on whether there is, in a concelebration, a single sacrifice or as many sacrifices as there are concelebrants (i.e. one per person), the latter question having been settled by the Magisterium.

Nor will I address, on a theological level, the very nature of the Mass in its relationship to the events of Good Friday, nor its essential elements: the sacramental character of the Mass, the liturgical and ritual aspect of the act in which the sacrament is celebrated, and the ministerial function of the priest.

I will therefore limit this study to positive law, mainly its development since the Second Vatican Council, its statement in C. 902 of the 1983 Code of Canon Law, and its scope.

Why mention C. 902? Because it directly concerns the current positive law governing the matter of concelebration.

But it would be incomplete, in canon law, to look only at this canon of the Code and omit the other canons of the CIC which are indirectly concerned with or related to C. 902. We shall see that these relationships can be viewed as problematic.

## 2. The sources of canon 902

a. Let us briefly recall the previous legislation, i.e. that of the previous Code, the Pio-Benedictine Code of 1917.

Canon 803 at that time did not allow several priests to concelebrate (sacramentally) except in two specific cases:

- The Mass of Ordination of Priests,
- and the Mass of Consecration of Bishops.

Why this "Non licet"?

---

<sup>1</sup> Lecture given at the 13th CIEL colloquium, Rome 2024.

Because at the time of its promulgation, it was established in several texts of the Magisterium:

- that it was an excellent thing to increase the number of Masses for the glory of God and the good of the faithful, bearing in mind the following Thomistic principle:

"Multiplicata causa, multiplicatur effectus" i.e. "by multiplying the cause, one multiplies the effects" (cf. Sum. Theol. III<sub>a</sub>, Q 79, art 7, 3<sub>a</sub>)

This very simple principle led St Thomas to say:

"in pluribus vero missis, multiplicatur sacrificii oblatio. Et ideo, multiplicatur effectus sacrificii et sacramenti" i.e. "In several Masses, the oblation of the sacrifice is multiplied. And consequently, the effect of the sacrifice and the sacrament is multiplied" (cf. Sum. Theol. III<sub>a</sub>, Q 79, art 7, 3<sub>m</sub>).

St Thomas' thinking is very clear and will see very concrete applications: the use of "Triduum Masses", "Novena Masses", "Gregorian Tridentines", etc.

- But let us note that it was also an excellent thing for the Church to manifest the unity of the Priesthood: unity between Christ and the Priest, unity between Christ and the Bishop, unity between Bishops, unity between the Bishop and his priests, unity between priests themselves. And among monks, the same!

Hence the two exceptions provided for in Canon 803 of the 1917 Code: "the Mass of Ordination of Priests and the Mass of Consecration of Bishops" - in short, hierarchical and theological unity.

- It should be noted here that these two exceptions authorising concelebration always took place in the presence of the bishop: no concelebration without the bishop.
- Let us also note that it was impossible at that time to argue that the number of concelebrants alone multiplied the number of Masses during a concelebration. Instrumental causality cannot lie solely with the minister, but also with the sacramental liturgical gesture.<sup>2</sup>

We also refer on this subject to the text of the Holy Office dated 8 March (23 May) 1957, DS 3928: the obligation to pronounce the words of consecration "ex institutione Christi".

b. Let us now recall the event of the Second Vatican Council with regard to concelebration

- The preparatory phase (17 May 1959 – 14 Sept. 1960)
  - A tiny minority of vota (from bishops, religious, the Roman Curia, and universities) requested that concelebration be addressed in the work of the Council (about forty vota out of 2,109, or 1.9%).

One-third of these requests envisaged extending concelebration to exceptional circumstances, and virtually none called for the daily and general extension of concelebration.

- The preparatory phase (14 September 1960 – 11 October 1962)

---

<sup>2</sup> See P. Journel, "La célébration et la concélébration de la messe" [The Celebration and Concelebration of Mass], in *La Maison-Dieu* 83 (1965), p. 175. See also Cardinal Journet, with his characteristic ability to express complicated and profound ideas in simple terms, who wrote on this subject: "Let us imagine several people coming together to baptise a small child at the same time. There will be several baptisers, but only one baptismal action, plures baptizantes, una baptizatio. In concelebration, there will similarly be several consecrators, *plures ex quo consecrantes*, but a single act of consecration, *una consecratio*" (cf. Charles Journet, "Le Sacrifice de la Messe," *Nova et Vetera* 46 (1971), pp. 241-250.

- Drafting of a first schema by the liturgy commission, which included: the freedom for each priest to celebrate Mass individually, the general (unproven!) desire for this concelebration to be extended more widely;
- This first diagram failed to mention Pope Pius VI's condemnation of the Pseudo-Council of Pistoia in 1794 in its articles on concelebration, as well as the large number of Eastern Churches that reject concelebration.

This schema sought to promote the unity of the Church manifested in the unity of the priesthood, but it overlooked the sacrificial nature of the Mass, referring only to "the usefulness of the faithful," that is, a subjective reason.

Finally, according to this schema, the discipline of concelebration was to be governed by the local Ordinary or the Bishop, who was deemed capable of assessing the practical convenience of concelebration in certain cases and certain places (this also applied to conventual Masses).

In short, it was not a question of dealing with concelebration in its theological and canonical principle (a given fact) but only in its application, i.e. the frequency of authorised concelebrations.

### **3. The Constitution on the Liturgy in the Second Vatican Council.**

Two drafts were proposed to the Fathers, one after the other.

Several arguments were raised in the discussions.

It should be noted that the disappearance of the Bishop from the centre of the concelebration, and the disappearance of the local Ordinary as moderator of the concelebration, not to mention the Ordinary himself, was obviously of primary interest to "exempt" religious...

Also noteworthy:

- a tendency towards greater openness;
- the emergence of two categories of cases:
  - a first case where the Council will grant a general faculty to concelebrate,
  - and a second case where this faculty to concelebrate will be granted by the Ordinary.

In short, yes to concelebration, but in limited cases.

A final draft was put to the vote of the Fathers, which received only 1417 *placet* and many *modi*, particularly on the role of the Bishop in the disciplinary application of concelebration. These *modi* were not discussed due to lack of time.

Finally, here is the text that was approved by the Fathers on 4 December 1963, namely No. 57 of the Constitution on the Sacred Liturgy:

#### Concelebration

§ 1. Concelebration, which happily manifests the unity of the priesthood, has remained in use until now in the Church, both in the West and in the East. Therefore, the Council has decided to extend the faculty of concelebrating to the following cases:

- a) on Holy Thursday, both at the Chrism Mass and at the evening Mass;
- b) Masses celebrated in Councils, Episcopal Assemblies and Synods;
- c) at the Mass for the blessing of an abbot.

In addition, with the permission of the Ordinary, who is responsible for assessing the appropriateness of concelebration:

at conventual Mass and at the main Mass of churches, when the needs of the faithful do not require that all the priests present celebrate individually;

at Masses for assemblies of priests of all kinds, both secular and religious.

§ 2.

It is the responsibility of the bishop to direct and regulate concelebration in his diocese.

However, each priest will always retain the freedom to celebrate Mass individually, but not at the same time in the same church, nor on Holy Thursday.

For the sake of brevity, we will not examine here the other conciliar texts that also refer to concelebration: the decree on ecumenism (for the Eastern Churches) and the decree on the ministry and life of priests (*Presbyterorum Ordinis*), which explicitly mentions the famous liturgical formula: "for whenever this rite is celebrated, the very work of our Redemption is accomplished" (cf. *Missale Romanum*, II<sup>ème</sup> Sunday *per Annum*, Offertory).

On the other hand, the decree on the Eastern Catholic Churches remains completely silent on concelebration, as does the decree on the pastoral office of bishops, and also the decree on religious life, which is also completely silent on the issue.

Finally, let us conclude this section on concelebration in the Second Vatican Council:

- a. There is no obligation for any priest to concelebrate. The freedom of each priest to celebrate Mass alone must be safeguarded.
- b. The use of concelebration and its practice must be limited and regulated in two ways:
  - by providing for it in specific cases (No. 57§1, 1 of *Sacrosanctum Concilium*);
  - by making it possible for other cases, permitted and regulated by the Ordinary and the Bishop of the Place (No. 57, §1, 2 and §2,1 of *Sacrosanctum Concilium*).
  - The practice of concelebration may never detract from the value of private Masses (S.C., no. 57 §2 and P.O. no. 13).

It can already be noted that the Code of Canon Law promulgated in 1983, which is intended to be an implementation of the spirit of the Council:

- respects, in Canon 902, the freedom of each priest to celebrate individually (*possunt et pas debunt* with regard to concelebration);
- respects, in its Canon 902, the possibility of concelebration of the Eucharist;
- respects, in Canon 904, the exhortation made to every priest to celebrate Mass daily, even in the absence of the faithful, and therefore the value of so-called private

Masses. (See also Canon 246 §1 on the formation of seminarians, Canon 276 §2, 2° on the obligations and rights of clerics).

- However, it does not apply, through legislative provisions, the double limitation to the practice of concelebration; it should be noted that no canon exists for this.
- And it does not seem to apply, since Canon 902 provides for a general and unlimited possibility of concelebration (except for the benefit of the faithful), the theology on concelebration taught by Vatican II and the practice that the same Council wanted to establish, which was extensive but still limited.

### 3. The Magisterium after the Second Vatican Council until the 1983 Code

The two tendencies present during the conciliar discussions on concelebration persisted:

- on the one hand, an encouragement to extend concelebration;
- On the other hand, three magisterial texts reiterated traditional sacramental theology and professed the uniqueness of the Eucharistic Sacrifice offered to God in Concelebration (a *single* sacrifice), and therefore, from this perspective, the multiplication of Masses became desirable, with the use of Concelebration being limited.

These three texts are:

- The general decree *Ecclesiae Semper* of 7 March 1965, which recalls that concelebration is a single sacramental act, a single sacramental instrumental cause. (In other words, regardless of the number of priests present at the concelebration).
- The second text is No. 47 of the Instruction *De cultu mysterii eucharistici* of 25 May 1967, which draws our attention to the subjective nature of concelebration (the number of priests *united* in a single Sacrifice).
- The third text is the *Declaratio de concelebratione* of 7 August 1972, from which one paragraph is worth quoting:

Although concelebration should be considered an excellent way of celebrating the Eucharist in communities, celebration without the participation of the faithful "remains, however, the centre of the life of the whole Church and the heart of priestly existence". This is why each priest must be given the freedom to celebrate Mass *individually*: to promote this freedom, everything that can facilitate this celebration should be provided: time, place, assistance from a server, and other elements of the celebration.<sup>3</sup>

It should be noted here that this passage is the only case, to our knowledge, where the exercise of the freedom to celebrate individually is described in a concrete and realistic way.

Canon 902, as we shall see, affirms this freedom, but without specifying the legal and concrete conditions for its exercise. However, we know that in certain local situations, this freedom

---

<sup>3</sup> Pontificia Commissio Codici Iuris Canonici Recognoscendo, *Communicationes* 4/2 (1972), pp. 105-106.

may be "hindered" by certain conditions *in concreto* (for example, due to schedules, lack of altars or chapels, pressure from superiors on consciences and behaviour, etc.).

Finally, with regard to *the Institutio Generalis Missalis Romani* (nos. 153 to 159), no. 153 reaffirms that concelebration "happily manifests the unity of the priesthood, of the sacrifice, and of the Christian people," and then repeats, almost word for word, no. 57 of the Constitution on the Liturgy of Vatican II:

- certain cases of concelebration are provided for by the ritual;
- certain cases where its use is possible, but which are exhaustively listed (e.g., the Chrism Mass).
- Other cases are also possible, but with "the permission of the Ordinary," who is the judge of the appropriateness of concelebration.

No. 155 specifies that it is up to "the Bishop," in accordance with the law, to regulate the discipline of concelebration in his diocese, even in churches exempt from diocesan jurisdiction...

#### **4. Canon 902 of the 1983 CIC taken on its own**

Due to lack of time, we will not discuss its development; we have only one page of *the Communicationes* that reproduces the *Acta commissionis* (Comm. Vol. XV, 1983, no. 2, p. 191) on this subject, which summarises the discussion among the members of this commission regarding the drafting of C. 855, which would become our C. 902.

Let us now examine the various elements that make up this canon 902.

##### **a. *Nisi utilitas christifidelium aliud requirat aut suadet***

This is the only limitation that positive law places on the faculty of concelebration: pastoral concern must always prevail. All commentators refer here to the "good of the faithful". This notion was already present in the texts that extended the faculty of concelebration during the post-conciliar period. But we note the abandonment of all the limitations provided for in the conciliar text. (S.C. n°57), the canon being based on the later documents we have already mentioned. Navarre's commentary specifies that "the necessity or expediency of facilitating the faithful's ability to attend Holy Mass in different places and at different times, or for other pastoral concerns" may make individual celebration mandatory.

##### **b. *Sacerdotes Eucharistiam concelebrare possunt***

Priests *may* concelebrate. There is no obligation. No encouragement is envisaged in the letter of the text, which therefore seems, objectively, to be a step back from the initial draft (the initial canon 855 *recommended* concelebration), and also a step back from *Eucharisticum Mysterium* no. 47, but much more faithful to the content of the Conciliar Constitution on the Liturgy (no. 57), which provided for a limited extension of the faculty to concelebrate, without recommending it.

Thus, the Latin *possunt* in the canon expresses flexibility, a possibility, but not a recommendation, which could have been expressed by the use of a verb in the subjunctive. It is therefore an exaggeration of the meaning of the canon to assert, as Fr. Manzanares does in the Salamanca commentary, that "in principle, concelebration should be the recommended mode when there is no need to celebrate individually for the good of the faithful". The canon says nothing of the sort, and in no way establishes a "hierarchy" of modes of celebrating the Eucharist, nor a preference for concelebration over private Mass. *Possunt* and nothing else.

Fr. Manzanares justifies his position with two references: the first to *Eucharisticum Mysterium* n°47, and the second to canon 837.

- While it is entirely accurate that the first text (*Eucharisticum Mysterium* No. 47) "recommends" and "encourages" the practice of concelebration, the Second Vatican Council limits it. To consider the Instruction as a harmonious development of SC no. 57 is highly questionable, and to interpret the *possunt* by using E.M. no. 47 and rejecting SC no. 57 is very risky.

If the legislator had wanted to make concelebration the normal and *recommended* mode, he would have used a much stronger verb than our *possunt*, sticking much more closely to the text of E.M. No. 47 (73).

Finally, *possunt* is objectively intended to be less strict than the discipline and the text of E.M. no. 47.

- As for the reference to Canon 837, we do not consider it justified: the fact that "liturgical actions are not private actions, but celebrations of the Church itself" and that they "involve a communal celebration (...) with the assistance and active participation of the faithful wherever possible" does not mean that, in the absence of the faithful, a concelebration should be preferred to several individual Masses. First, because the Magisterium has repeatedly shown that an individual celebration of Mass is an eminently communal and public action.

This is always the action of the *whole* Church. Canon 904 strongly reiterates this. Secondly, because the Church has never gone back on its teaching regarding the benefit of multiplying Masses, because they are "acts of Christ" and "works of Redemption". It is quite obvious that the active participation of the faithful must be encouraged... Isn't offering several Mass times (rather than reducing the number of Masses offered during the day by concelebration) a better way to apply canon 837? Finally, it should be noted that other commentaries, particularly those of the Urbaniana and Navarre, do not deduce from canon 902 that in the absence of the faithful, the recommended mode is the concelebration of Mass. While priests *may* concelebrate, this is by no means a principle, but a faculty.

***c. Integra tamen pro singulis libertate manente Eucharistiam individuali celebrandi, non vero eo tempore, quo in eadem ecclesia aut oratorio concelebratio habetur***

The freedom to celebrate individually is clearly affirmed here and is not limited, except by a liturgical prescription.

First, let us note two weaknesses in the English translation:

- The Latin *term tamen* is not rendered in English (nor even translated). Italian, for example, translates it as *tuttavia*. In English, one could have said "however, while respecting freedom...", which would have emphasised the strength of the following proposition.
- 2) The Latin *eo tempore, quo (...) concelebratio habetur* is translated as "when there is a concelebration". It could have been translated more precisely to better convey the two required and cumulative elements: the same time *and* the same place (expressed by the relative *pronoun quo*).

The commentary of Salamanca is silent on this freedom. It prefers to set out the additional faculties to concelebrate for the benefit of those who have already celebrated or who are going to celebrate another Mass (for the good of the faithful), recalling the prescriptions of no. 158 of the General Introduction to the Roman Missal and the Declaration of 7 August 1972, and specifying the rule of non-cumulation of fees, laid down in canon 951 §2.

Navarre's commentary has the merit of developing this notion of freedom a little further, by repeating the same statement of 7 August 1972, which, in a realistic manner, called for this freedom to be verified and made truly possible through the implementation of all the necessary facilities in concrete terms.

Thus, E. Tejero explains, the priest's personal piety will be nourished by what constitutes the "heart of priestly life", that is, the celebration of the Holy Mysteries (cf. Synod of Bishops of 1971, *De Sacerdotio ministeriali*, pars altera, no. 41, AAS 63, 1971, p. 914). This requirement of "priestly piety" seems to be at the origin of the respect for individual freedom in matters of celebration, enshrined in canon 902. The *Declaratio de concelebratione* already referred to the text of the Synod of Bishops to provide a basis for this freedom. An imposed generalisation of concelebration could lead to an alteration of the personal piety of each priest, for, as Fathers Rahner, S.J., and Haussling very aptly remark: "His (the priest's) cooperation in the liturgical action hardly goes beyond the common pronunciation of a few words." In reality, the freedom established by canon 902 is an extension of the fundamental question about priestly "spirituality" and "piety": how can the priest best sanctify himself? By celebrating alone at the altar or by concelebrating? Concelebration undoubtedly strengthens, at that very moment, the feeling of belonging to a community, but it nevertheless deprives the priest of a number of gestures and words that are his own and that configure him in a tangible way to Christ the Priest. Instead, when he concelebrates, he responds to many of the prayers of the first celebrant, receives Communion and the blessing, etc. The priest needs to "feel like a priest" and to express his "priestly identity" in a concrete way, other than

through relatively few words. Hence the caution of the Church, which establishes this freedom to be alone at the altar.

In reality, in everyday life, is this freedom respected? We believe it is legitimate to ask this question. Legal rape, the absence of concrete norms that could have been dictated by the Code regarding the practical exercise of this freedom, encourages psychological "pressure" from many superiors towards priests, especially young ones. The generalisation of concelebration everywhere, always and for everyone, effectively makes priests who wish to celebrate alone at the altar strangers and cut off from the "community" and the *presbyterate*. In small communities of secular or religious priests, in order to preserve fraternal relations and community life, one is often "obliged" to submit to concelebration.

Furthermore, theological pluralism does not facilitate understanding between those who concelebrate daily and those who concelebrate only on certain occasions.

Finally, with regard to what we call the "liturgical" prohibition, namely the impossibility of celebrating individually if at the same time and in the same place there is concelebration, we can note that the canon does not refer to the case of several individual Masses celebrated in the same place at the same time on different altars. Moreover, Pius XII, in his encyclical *Mediator Dei*, *condemned* the opinion of those who "assert that priests cannot offer the divine host on several altars at the same time because, in doing so, they divide the community and jeopardise its unity".

## Conclusion

What can we conclude about the canonical aspect of concelebration today?

- Canon 902, still in force, legislates on the discipline (the use) of concelebration without referring to the theology and justification of this practice.
- The element that has remained constant since the pre-conciliar era (except in the works of a few authors in canonical doctrine) is the *freedom* of priests to celebrate individually (except for the "liturgical" restriction when there is a concelebration at the same time and in the same place).

This respect for freedom must be implemented *in practice*, otherwise it will disappear. Hence a large number of possible abuses (limited number of altars, poorly arranged schedules, too few chapels, ideological pressures, etc.). And so, in this context, there appears to be a legislative and disciplinary *deficiency*, an undeniable deficiency that needs to be remedied.

- As for the possibility of concelebrating, C. 902 eliminates and is silent on the traditional presence of the Bishop in a concelebration, as well as on the role assigned to him, namely, to be the "regulator" of the practice of concelebration.

The same canon speaks of the *possibility* of concelebrating (*possunt*) and *not* of the *obligation* to concelebrate (*debunt*). Here again, is this respected in practice? One can legitimately doubt it.

Let us also recognise that administrative appeals are somewhat the "poor relations" of the current Code, and that it is therefore very difficult in practice to enforce the provisions of Canon 902 "in concreto"....

Let us recognise, in the same vein, that invoking Canon 1378 on *abuses of power*, which classifies them as offences (and which could therefore be used in criminal proceedings), is "forgotten" and not implemented. To our knowledge, there is no case law on the subject. What priest, forced to concelebrate, has sued his bishop in a criminal trial? What Promoter of Justice has been seized of an abuse of power in this regard?

- It seems to us, therefore, that further legislation is needed on the practice of concelebration, which expresses, on the one hand, the hierarchical unity of the Church and the unity of the priesthood and, on the other hand, the individual celebration of Mass, which allows for sacramental offerings and immolations of Christ's unique redemptive sacrifice.

Greater legislation, taking into account these two complementary realities to be translated canonically, would allow us to be more faithful to the conciliar text, which is *supposed* to be "translated" juridically by our C. 902.

Which C. 902 enshrines—and this is undeniable—much more a so-called "spirit of the Council" and a spontaneous practice not necessarily in line with traditional Catholic doctrine than a genuine respect for the conciliar text.

- The *fruits* of the Sacrifice of the Mass should also be clarified: each Mass is the Sacrifice of Christ, it has infinite value, but men's dispositions to receive its fruits are always imperfect, and in this sense, limited. Hence the importance of the number of Masses celebrated.
- It would also be desirable to deepen the canonical regime of Mass "offerings," that is, the *fees* paid and accepted, especially in the case of a concelebration. This is an "obligation of justice". This research should be combined with that on the nature of Mass intentions and the particular fruits obtained through the celebration of the Holy Mysteries.

The current situation of the Church and the world is enough to say so, if one has the honesty and lucidity to look at the situation *in concreto*. One need only think, for example, of all those *deceased* (particularly in France) who are *deprived* of a funeral Mass, in favour of a "blessing", a simple absolution, or a "liturgy of the Word".

The Church of God possesses a treasure: Redemption, which allows each Mass to pour out the Blood of Christ Jesus upon the Church and the whole world.