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THE DEVELOPMENT OF THE RITE OF BAPTISM

Joseph Lupi

The first account we have of a rite of Baptism is in the first Apology of Justin, written in A.D. 150: "As many as are persuaded and believe what we teach and say is true, and undertake to be able to live accordingly, are instructed to pray and to entreat God with fasting for the remission of their sins that are past, we praying and fasting with them. Then they are brought by us where there is water, and are regenerated in the same manner in which we ourselves were regenerated. For in the name of God the Father and Lord of the universe, and of our Saviour Jesus Christ, and of the Holy Spirit they then receive the washing with water... ..After we have thus washed who has been convinced and has given his assent, we bring him to those who are called brethren where they are assembled together, in order that we may offer prayer in common for ourselves and for the person who has received illumination and for all others in every place.... Having ended the prayers.... to the president is brought bread and a cup of water and wine.... and he, taking them, gives praise and glory to the Father of all things.... And when the president has celebrated the Eucharist.... deacons give to each of those who are present a portion of the Eucharistic bread and wine and water...." (*Apol.* 61-62)

The *Traditio Apostolica*, generally attributed to Hippolytus of Rome, gives more details: before one is accepted as a candidate for Baptism a severe inquiry is made about his life and social condition the Traditio giving a long list of persons who cannot be accepted as candidates for Baptism; those accepted as candidates undergo a three year long preparation for Baptism, after which only those who during this three year period have given a good account of themselves, are accepted for Baptism during the Easter Vigil. Those chosen meet every day and prayers are said over them; then, on the Thursday before Easter Eve they take a bath, on Friday they fast, and during Saturday they attend a number of celebrations. Baptism takes place during the Vigil service: it is Baptism by immersion while the candidate expresses his belief in the Blessed Trinity. Baptism is preceded by the candidates renouncing Satan and all his works, after which they are anointed with the oil of exorcism. After being baptised, they are anointed by the oil of thanksgiving, which is followed by the laying of hands of the bishop, after which the newly baptised for the first time participate in the celebration of the Eucharist.

The structure of the Baptismal rite described by the *Traditio*, a rite for the Baptism of adults, remained unchanged for several centuries although, at least from the 6th century, only infants were baptised. It was only when Baptisms were no longer celebrated during the Easter Vigil, that the rite was shortened, until it received a definite structure with the Roman Ritual of the 16th century. Vatican Council II re-introduced the catechumenate, and introduced two distinctive rites of Baptism, one for adults and another for infants, something which had never existed before.

The *Traditio* gives us a description of the rites of Baptism but not the prayers accompanying the rite; we find these prayers in the Sacramentaries together with some very brief rubrics. A full description of the rites together with the indication of the prayers to be said, is found in the *Ordo Romanus XI*. The Roman Ritual gives us the rite as it was celebrated during the last four centuries, with the Ordo of 1962 we have the first attempt to re-introduce the catechumenate, and the Ordo of 1972 gives us the reformed rite of Baptism, requested by Vatican Council II.

The Sacramentaries which we will be considering all belong to a time when the catechumenate had fallen into disuse as only infants then were candidates for Baptism, but from the writings of the Fathers of earlier centuries we know that the rite for entry into the catechumenate consisted of three principal ceremonies, the *exsufflatio*, the *cheirotomia* and the *degustatio salis*; these ceremonies were not suppressed with the disappearance of the catechumenate but became part of the rites celebrated during the Lenten period in preparation for Baptism during the Easter Vigil. These ceremonies were also retained when the Baptismal rite was drastically simplified and took the form which we meet within the Roman Ritual.

These Sacramentaries are the Gelasian and the Gregorian Sacramentaries. The Gelasian Sacramentary we are examining is the *Vaticanus Reginensis 316* as found in L. Mohlberg, *Liber Sacramentorum Romanae ecclesiae*, (Rome 1960). A critical study of this Sacramentary by A. Chavasse, *Le Sacramentaire Gelasien* (Tournai 1957) clearly shows us that the various sections dealing with Baptism were introduced into the Sacramentary at different periods: the earliest sections (and we will be referring to them as the Old Gelasian) are those numbered 26 to 28, 30 to 33, 35 to 36, 42 to 44: these sections give us the rite of Baptism as celebrated in Rome in the fifth and sixth centuries; sections 66 and 76 belong to a later date, and give the rite of Baptism for those who, for one reason or another, could not receive Baptism during the Easter Vigil; the third group belongs to a much later period: section 29 belongs to the period when the scrutinies were no longer held on the 3rd, 4th and 5th Sunday in Lent, but during weekdays; while section 34 belongs to a period when the *traditio evangelii* was introduced, and this did not happen before the 7th century.

The Gregorian Sacramentary is that in use in Rome at the time of Pope Hadrian I, who sent a copy of it to Charlemagne who had requested from the Pope copies of the Roman liturgical books, to introduce the Roman rite in his domains. According to J. Deshusses, *Le Sacramentaire Gregorien* (Freiburg 1979), the Supplement to the Hadrianum was not the work of Alcuin, although this is the common opinion of scholars, but the work of Saint Benedict of Aniane. The *Ordo Romanus XI*, (M. Andrieu. *Les Ordines Romani du haut moyen age*, vol. II (Louvain 1948) pp. 364-447) originated in Rome towards the end of the 6th century or the beginning of the 7th century for use in those *tituli* which had a baptistery. The rite of the *Ordo Romanus XI* found itself also in the 10th century Mainz Pontifical. This Pontifical has also a Baptismal rite which could be performed in one day, either on the Vigil of Easter or on that of Pentecost: this rite is wrongly attributed to Pope Gregory the Great.

The rite of the Roman Ritual is derived from the *Liber sacerdotalis* of Alberto Castellani, published in 1520. Castellani, from the Order for Baptism in the Mainz Pontifical, drew up two Orders for Baptism, a shorter and a longer Order, both envisaging one single celebration of the whole rite of Baptism. Castellani's two Orders found their place in the Roman Ritual of Pope Paul V (first published in 1614), the shorter Order being indicated as the rite for the Baptism of infants, while the longer Order was proposed for use in the Baptism of adults.

In 1962 Pope John XXIII re-introduced the catechumenate in the Church at the request of several bishops from mission lands: *Ordo Baptismi adultorum per gradus catechumenatus dispositus*. The use of this *Ordo* was not obligatory. The *Ordo Baptismi adultorum* of 1972 definitely restored the catechumenate in the Latin Church.

Comparing at a glance the structure of the Baptismal rites as described in the sources mentioned above, one will clearly realize that the essential structure of the rite described in the *Traditio Apostolica* has been maintained throughout the centuries, namely:

- i) acceptance by the Church as a catechumen
- ii) a period of instruction (the catechumenate)
- iii) acceptance for Baptism after having successfully terminated the catechumenate
- iv) preparatory rites for Baptism
- v) Baptism – Confirmation – First Communion.

This structure is evident in the Baptismal rites of the Sacramentaries and of the *Ordo Romanus XI*, when the whole rite was celebrated between the 3rd week in Lent to the Vigil of Easter; it is also present in the Roman Ritual although the whole rite is just a celebration on any one day and does not last more than an hour; and the structure is also evident, and more so,

in the two recent Ordines, the 1962 Ordo of Pope John XXIII, and in the 1972 Ordo of Pope Paul VI. In these two Ordines we have a restoration of the catechumenate.

The 1962 Ordo has seven *gradus* or seven celebrations which reach

ORDO 1972	ORDO 1962	ROMAN RITUAL	ORDO ROMANUS XI
Primus gradus	Primus gradus		Primum scrutinium Wednesday 3rd week of Lent, ante missam
	praeparatio sacerdotis (1)	praeparatio sacerdotis	
ritus ad catechumenum faciendum (2)	initial rites	initial rites	ritus ad catechumenum faciendum
Candidate's Name (3)		Candidate's Name	Registration of Infants
	Short Catechesis (4)	Renouncing the devil	Short Catechesis
	Renouncing the devil (5)	Short Catechesis	Renouncing the devil
prima adhaesio (5)	Profession of faith (5)	Profession of faith	Profession of faith
Exsufflatio (impositio manus)	Exsufflatio (6)	Exsufflatio	Exsufflatio
(abrenuntio cultus gentilitatis) (7)	Halatio (6)	Halatio	
Signatio crucis in sensibus	Signatio crucis in fronte et in corde (8)	Signatio crucis in fronte et in corde Abrenuntiatio errorum (7)	Signatio crucis in fronte et in corde
Oratio	Exhortatio Orationes	Exhortatio Orationes	
	Signatio crucis in sensibus	Signatio crucis in sensibus	
	Oratio cum manus impositione	Oratio cum manus impositione	Oratio cum manus impositione
Impositio novi nominis (3)			
Ritus auxiliarii (9)			
Entry into Church Liturgy of the Word			

their climax in the seventh *gradus*, when Baptism is administered. The 1972 Ordo has only three *gradus*, the first is the catechumenate; the second is the immediate preparation for Baptism during the Lenten period, and the third, the celebration of Baptism during the Easter Vigil.

OLD GELASIAN	GELASIAN	GREGORIAN (Hadrianum)	GREGORIAN (supplement)
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any day during
3rd week in Lent

ad catechumenum
faciendum

Orationes

Orationes

Orationes

Oratio

ORDO 1972	ORDO 1962	ROMAN RITUAL	ORDO ROMANUS XI
Prayers for Catechumens			
Concluding Prayer			
Dimissio			
Liturgy of the Eucharist			
Secundus gradus ritus electionis et inscriptionis tempus purificationis et illuminationis (11)	Secundus gradus		
	Benedictio salis (12)	Benedictio salis Oratio super gentes	Benedictio salis
	Gustatio salis	Gustatio salis	Gustatio salis
	Oratio dimissio (13)	Oratio	
Primum scrutinium (14) 3rd Sunday in Lent (15)	Tertius gradus	Primum scrutinium	Secundrum scrutinium Wednesday 3rd week in Lent infra Missam
H o m i l i a			
Oratio in silentio et deprecatio	Pater noster	Pater noster	
Manus impositio	signatio crucis et manus impositio (pro viris)	signatio crucis et manus impositio (super masculum)	prima signatio crucis et manus impositio (16)
Oratio	Deus Abraham... Ergo, maledicte... (pro feminis) Deus coeli... Ergo, maledicte...	Deus Abraham... Ergo, maledicte... (super feminam) Deus coeli... Ergo, maledicte...	Deus Abraham... (super feminas) Deus coeli...

OLD GELASIAN	GELASIAN	GREGORIAN (Hadrianum)	GROGORIAN (supplement)
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Benedictio salis	Benedictio salis	Benedictio salis	Benedictio salis
Gustatio salis	Gustatio salis		Gustatio salis
Oratio	Oratio		Oratio

Primum scrutinium
3rd Sunday in Lent

Deus Abraham...
Ergo, maledicte...
(super feminas)
Deus coeli...

Deus Abraham...
Ergo, maledicte
(super feminas)
Deus coeli...

ORDO 1972	ORDO 1962	ROMAN RITUAL	ORDO ROMANUS XI
	Quartus gradus	Secundum scrutinium	
	Pater noster	Pater noster	
	signatio crucis et manus impositio (pro viris)	signatio crucis et manus impositio (super masculum)	secunda signatio crucis et manus impositio (super masculum)
	Deus immortale... Audi, maledicte... (pro feminis)	Deus immortale... Audi, maledicte... (super feminam)	Audi, maledicte... (super feminam)
	Deus Abraham... Dimissio	Deus Abraham... Ergo maledicte	Deus Abraham...
	Quintus gradus	Tertium scrutinium	
	Pater noster	Pater noster	
	signatio crucis et manus impositio (pro vivis)	signatio crucis et manus impositio (super masculum)	tertia signatio crucis et manus impositio (super masculos)
	Exorcizo te... Ergo, maledicte... Aeternam... (pro feminis)	Exorcizo te... Ergo, maledicte... (super feminam)	Exorcizo te... (super feminas)
	Exorcizo te... Ergo, maledicte... Aeternam...	Exorcizo te... Ergo, maledicte...	Exorcizo te...
			quarta signatio crucis et manus impositio (Super masculos et super feminas simul)
		Aeternam...	Aeternam...
Dimissio electorum	Dimissio		Dimissio catechumenorum
Celebratio Eucharistiae			complentur Missarum sollemnia

OLD GELASIAN	GELASIAN	GREGORIAN (Hadrianum).	GREGORIAN (supplement)
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(super masculos)

Audi, maledicte...
(super feminas)
Deus Abraham...

(super masculos)

Deus immortale...
Audi, maledicte...
(super feminas)
Deus Abraham...

(super masculos)

Exorcizo te...

(super masculos)

Exorcizo te...

(super feminas)

Exorcizo te...

(super feminas)

Exorcizo te...

(Super masculos,
postea super feminas)

Aeternam...

Aeternam...

(Super masculos
vel super feminas)

Aeternam...



ORDO 1972

ORDO 1962

ROMAN RITUAL

ORDO ROMANUS XI

Sextus gradus

Ingressus ecclesiae (17) Ingressus ecclesiae

Traditio symboli (18)any day 3rd week
in Lentoratio super electos:
Aeternam...**Secundum scrutinium**4th Sunday in Lent
as for the 3rd Sundayrecitatio symboli
recitatio orationis
dominicaerecitatio symboli
recitatio orationis
dominicae**Tertium scrutinium**5th Sunday in Lent
as for the 3rd Sunday**Tertium scrutinium**Saturday 3rd week
in Lent as for the
second scrutinium**Quartum scrutinium**as for the secundum
scrutinium, then.lectiones aurium
apertione (19)traditio evangeliorum
(20)

traditio symboli (21)

traditio orationis
dominicae (22)dimissio catechu-
menorum

contnuatio Missae

**Quintum et sextum
scrutinium**as for the secundum
scrutinium, any day
during the 5th week
of Lent

OLD GELASIAN**GELASIAN****GREGORIAN
(Hadrianum)****GREGORIAN
(supplement)**

Secundum scrutinium
3rd Sunday in Lent

expositio evangeliorum in aurium apertione	Oratio ad quattuor evangelia
praefatio symboli	
traditio orationis dominicae	

Tertium scrutinium
5th Sunday in Lent

ORDO 1972	ORDO 1962	ROMAN RITUAL	ORDO ROMANUS XI
Traditio orationis domenicae			
Oratio super electos: Omnipotens...			
Ritus immediate praeparatorii			Septimum scrutinium
Sabbato Sancto in die redditio symboli			Sabbato Sancto hora tertia signatio crucis
ritus Effeta	Nec te latet (23) ritus Effeta (24)	Nec te latet... ritus Effeta	Nec te latet... ritus Effeta recitatio symboli
electio nominis (25)			dimissio catechumenorum
Tertius gradus Celabratio initiationis			
Litania (26)			
benedictio fontis (27)		(benedictio fontis)	benedictio fontis
abrenuntiatio Satanae	abrenuntiatio Satanae	abrenuntiatio Satanae	
unctio olei	unctio olei	unctio olei	
catechumenorum (28)	catechumenorum	catechumenorum	
Septimus gradus			
professio fidei (29)	professio fidei	professio fidei	
	interrogatio	interrogatio	
ablutio baptismalis	ablutio baptismalis	ablutio baptismalis	ablutio baptismalis

OLD GELASIAN	GREGORIAN	GREGORIAN (Hadrianum)	GELASIAN (supplement)
	Sabbatorum die, Mane redditio symboli sèd antea catecizat infantes imposita manu (21)		In Sabbato Sancto ad catecizandos infantes
Nec te latet...	Nec te latet... ritus Effeta	post pisteusis (21) Nec te latet...	Nec te latet... ritus Effeta
	abrenuntiatio Satanae dimissio catechumenorum		
Litania	abrenuntiatio Satanae benedictio fontis (27)		Litania abrenuntiatio Satanae benedictio fontis
	professio fidei		professio fidei
	ablutio baptismalis		ablutio baptismalis

ORDO 1972	ORDO 1962	ROMAN RITUAL	ORDO ROMANUS XI
Ritus explanativi			
Unctio post baptismum (30)	unctio cum chrismate	unctio cum chrismate	unctio chrismalis
impositio vestis candidae (31)	impositio vestis candidae	impositio vestis candidae	
traditio cerei accensi (32)	traditio cerei accensi	traditio cerei accensi	
Celebratio confirmationis (33)			confermatio
Celebratio Eucharistiae (34)			
	dimissio	dimissio	

(1) Long prayers of preparation before the administration of a Sacrament or the celebration of the Mass had become quite common in the Middle Ages, but were unknown before the 9th century, as the Divine Office was considered to be a sufficient preparation; this is why the Sacramentaries and the *Ordo Romanus XI* do not mention any *preparatio sacerdotis*, but we find this preparation in the Mainz Pontifical, and from there, through Castellani's *Liber Sacerdotalis*, it found its way in the Roman Ritual, and then into the 1962 Ordo. The *praeparatio* consisted of a short prayer said kneeling in front of the altar, then, standing, the recitation of Psalms 8, 23 and 41 and finally a short prayer for the catechumens.

One should note here that the *Ordo baptismi adultorum* of the Roman Ritual was hardly ever used for the Baptism of adults and instead the *Ordo Baptismi parvuli* was used: this had no *praeparatio sacerdotis*, and the ceremony immediately began with the *inscriptio nominis*.

(2) The *ritus ad catechumenum faciendum* was (and now is) a celebration by means of which a person wishing to be baptised in the Catholic Church was received among the catechumens. The Sacramentaries just give the prayer which the celebrant said at the conclusion of the rite; the *Ordo Romanus XI* gives us more details, and these are found also in the Roman Ritual and in the 1962 and 1972 *Ordines*, as we shall see.

The *ritus ad catechumenum faciendum* according to the Sacramentaries and the *Ordo Romanus XI* was celebrated during the third week of Lent; according to the 1962 Ordo it could be celebrated any day, while the 1972 Ordo requires a period of preparation known as the "pre-

OLD GELASIAN	GELASIAN	GREGORIAN (Hadrianum)	GREGORIAN (supplement)
	unctio chrismalis		unctio chrismalis
	confermatio		confermatio
	celebratio Eucharistiae		communio

catechumenate", during which the candidate becomes familiar with Catholic community life.

(3) The *inscriptio nominis* in the *Ordo Romanus XI* was simply the registration of the names of those infants whose parents wanted to have them baptised during the Easter Vigil. In the Roman Ritual the *inscriptio* just meant the registration of the name (or names) the parents and sponsors wished to give to the infant. The 1972 Ordo takes us back to the first centuries: at that time, when one registered as a catechumen he gave the name – generally a pagan name – by which he was known; on Easter Saturday, before Baptism, the candidate renounced his pagan name and took on a Christian one. The 1972 Ordo provides for this: in the *primus gradus*, on entry among the catechumens, the candidate gives the name by which he is known, while on Easter Saturday, during the *ritus immediate preparatorii* for Baptism, he may change his name and take a Christian one. If the Episcopal Conference so decides, this can take place after the *signatio crucis* in the *ritus ad catechumenum faciendum*.

(4) When candidates for Baptism were adults, after their registration as catechumens they had to undergo a period of instruction which lasted at least three years, but this system fell into disuse from the 4th century onwards, because many opted to being catechumens during their whole life-time so as not to be bound to living a strict Christian life during the prime of their manhood, leaving for their old age full adherence to the life of the Church. When the candidates for Baptism were only infants catechetical instruction was out of place; for this reason the whole rite of Baptism

became limited to the last four weeks of Lent; nevertheless some sort of catechetical instruction was maintained. The priest, after asking the candidate what he requested, added: *Si vis ad vitam ingredi serva mandata. Diliges Dominum Deum tuum ex toto corde tuo et ex tota anima tua, et ex tota mente tua, et proximum tuum sicut teipsum* (Roman Ritual). This short catechesis was maintained in the 1962 Ordo. Actually in the 1962 Ordo we do not have a real catechumenate, as we have in the 1972 Ordo, but simply the Baptismal Rite of the Roman Ritual distributed in seven different celebrations.

(5) The *abrenuntiatio Satanae* and the *professio fidei* in the *Ordo Romanus XI*, in the Roman Ritual (but only in the rite for the Baptism of an adult, and not in the rite for the Baptism of an infant), and in the 1962 Ordo, are found both at the beginning of the Baptismal rite and at the end, before the actual Baptism. In the early Church the *abrenuntiatio Satanae* and the *professio fidei* came immediately before Baptism itself; and so it is also in the 1972 Ordo.

Instead of the profession of faith in the 1972 Ordo we have what is called the *prima adhaesio*. The priest after asking the candidate what he is requesting from the Church, tells him briefly what this implies and asks him if he is ready to lead a Christian life; at the same time he asks the candidate's sponsor if he is ready to help the candidate in his efforts to live a Christian life.

(6) The *exsufflatio* i.e. blowing gently with his breath in the face of the candidate, is often mentioned by Saint Augustine in his writings against the Pelagians to prove that before Baptism infants are under the power of the devil: *Cur non credis baptizandos parvulos erui a potestate tenebrarum cum eos propter hoc exsufflet.... ecclesia?* (*Opus imperfectum contra Iulianum* I, 49). Saint Augustine makes a distinction between the *exsufflatio* and the *halatio* or *insufflatio*: for him the *exsufflatio* aims at putting the devil into flight, while the *halatio* or *insufflatio* aims at giving the candidate the *spiritum bonum et Dei benedictionem* (Augustine in explaining *insufflatio* makes reference to Genesis: God breathed life into Adam after having formed his body from the slime of the earth). The Roman Ritual and the 1962 Ordo have both the *exsufflatio* and the *halatio*, while the 1972 Ordo and the *Ordo Romanus XI* have only the *exsufflatio*. The *exsufflatio* in the 1972 Ordo is part of the Baptismal rite only in those countries where there is a *cultus sive ad spirituales potestates colendas, sive ad umbras defunctorum evocandas sive ad beneficia magicis artibus obtinenda*, if the Episcopal Conference of the country thinks that such a rite is necessary. The rite of the *exsufflatio* can be substituted by a laying of hands.

(7) Immediately after the *exsufflatio* the 1972 Ordo adds a rubric authorising Episcopal Conferences to insert at this moment a declaration

from the candidates that they are ready to renounce paganism if they think such a declaration is necessary.

Something similar, but very different, existed in the Roman Ritual, but was left out of the 1962 Ordo. Candidates were invited to: *Horresce idola, horresce simulacra*, if pagans; *horresce Iudaicam perfidiam, respue Hebraicam superstionem* if Jews; *horresce Mahumeticam perfidiam, respue pravam sectam infidelitatis*, if Moslems; *horresce haereticam pravitatem, respue nefariam sectam haereticorum N.*, if non-Catholics. We do not meet with anything similar either in the Sacramentaries or in the *Ordo Romanus XI*, although in the Gelasian Sacramentary there is a prayer *ad catechumenum ex pagano faciendum* (Mohlberg edition, I, 51).

(8) The *signatio crucis* is made *in fronte* and *in corde* and not *super frontem et super cor* because the action means that the catechumen's body and soul, and not his mind and will are consecrated to God. The action is accompanied by a short prayer: *Accipe signum crucis tam in fronte quam in corde; sume coelestium praeceptorum et talis esto moribus ut templum Dei iam esse possis*. The prayer which is found in the Gelasian Sacramentary (edit. Mohlberg, I, 71) continues as follows: *ingressusque ecclesiam Dei, evasisse te laqueos mortis laetus agnosce; cole Deum patrem omnipotentem et Jesum Christum Filium eius qui vivit cum Patre et Spiritu Sancto per omnia saecula saeculorum*. In the Roman Ritual and in the 1962 Ordo, the section beginning with the words: *Cole Deum* is separated from the rest of the prayer and becomes the *exhortatio* which in the Roman Ritual follows the *Abrenuntiatio errorum*.

The 1972 Ordo has only a *signatio crucis in fronte* (or *ante frontem* where the Episcopal Conference thinks that *propter adiuncta tactum non convenire*). The prayer accompanying the action was changed to the following: *Accipe signum in fronte: Christus ipse te munit signo victoriae suae: edisce nunc illum cognoscere*. The 1972 Ordo also mentions a *signatio crucis in auribus, in oculis, in ore, in pectore, and in scapulas* but all or some of these actions could be omitted *de iudicio celebrantis*. These *signationes crucis* would come after the *abrenuntiatio cultus gentilitatis* if this is part of the rite. This would be in line with the Roman Ritual which had the *signatio crucis in sensibus* immediately after the *abrenuntiatio errorum*. The *signatio crucis in sensibus* is not met with in the *Ordo Romanus XI* which had only a *signatio crucis in fronte et in corde*; the *signationes crucis* on the various senses were a 10th or 11th century addition, during a time which such *signationes* were being continually increased in the administration of the Sacraments v.g. in the anointing of the sick.

The *Ordo Romanus XI* had only the *signatio crucis in fronte et in corde*, followed immediately by a prayer *cum manus impositione*, the

prayer *Omnipotens sempiterne Deus* which is found in the Gelasian Sacramentary as the first of the *orationes super electos ad catechumenum faciendum* (edit. Mohlberg I., 30, 285), is also found in the *Hadrianum* as an *oratio ad catechumenum faciendum*, while in the *Supplementum* of the *Hadrianum* it is as in the Gelasian Sacramentary.... The Roman Ritual and the 1962 Ordo have two prayers: *Preces nostras* and *Deus qui humano generi*, which in the Gelasian Sacramentary, in the *Hadrianum* and in the *Supplementum* are the second and third prayer following the prayer *Omnipotens sempiterne Deus*. The 1972 Ordo has only one prayer: *Preces nostras*, which can be substituted by another prayer *ad libitum celebrantis*.

According to Saint Augustine the *signatio crucis* is always accompanied by a laying of hands, which according to the Carthage Synod of 256 is the first step one makes in his journey to meet Christ at Baptism.

(9) The 1972 Ordo mentions a number of *ritus auxiliarii* before catechumens are invited to enter the church; these rites are symbolical actions (tasting salt, receiving a cruxifix or a medal) which Episcopal Conferences may introduce in the rite if they so wish, as long as they are meaningful actions.

According to the 1972 Ordo entry into the catechumenate takes place somewhere outside the church; once the rite of entry comes to an end, catechumens enter the church for the celebration of the Liturgy of the Word, at the end of which they receive a special blessing and they are invited to leave the church, while the congregation continues the celebration of the Eucharist. In ancient times catechumens had to leave the Church before the beginning of the Eucharistic liturgy; today this is only recommended. The 1962 Ordo speaks of a dismissal of the catechumens, but the rite of the entry into the catechumenate in the 1962 Ordo is not followed by a celebration of the Mass. In the *Ordo Romanus XI* the rite of entry into the catechumenate takes place before Mass, and is then immediately followed by the first scrutiny *infra Missam* as we shall see later on. The Roman Ritual has no dismissal as the various rites which together form the celebration of Baptism follow one after the other without any interruption.

(10) The 1972 Ordo requires a *tempus catechumeatus*, the length of which is determined by the Episcopal Conferences. It is a period of instruction which could last three years, more or less, during which catechumens attend various celebrations, are instructed in the faith, attend Sunday Mass, but leave at the end of the Liturgy of the Word, and also take part in special celebrations of the Liturgy of the Word followed by prayers and blessings for their welfare.

(11) After terminating their catechumenate, catechumens on the first Sunday of Lent, after the homily, are presented to the celebrant to be

admitted as candidates for Baptism during the Easter Vigil. After being accepted, they are blessed and dismissed while the congregation continues with the celebration of the Liturgy of the Eucharist.

The Lenten period for those chosen for Baptism is a period of purification and illumination; the whole period forms the *secundus gradus* of the 1972 Ordo. Those chosen for Baptism on Easter Eve are no longer considered catechumens, but are called *competentes* or *electi*; this was so also in the Church of the first centuries.

(12) The *degustatio salis* had a deep symbolic meaning as one can see from what John the deacon wrote to Senarius, exarch of Ravenna (5th century) who had requested an explanation of the Latin liturgical rites: *sicut omnis caro sale conditus servatur, ita sale sapientiae et praedicationis verbi Dei mens fluctibus saeculi madida et fluxa conditur, ut soliditatem stabilitatis atque permansionis digesto penitus corruptionis humore, divini salis suavitate perveniat*. For Saint Augustine the *degustatio salis* was a *sacramentum*: (*sal*), he writes in *De peccatorum meritis et remissione* (II, 26), *quod (catechumeni) accipiunt quamvis non sit corpus Christi, sanctum est tamen, santius cibi quibus alimur, quia sacramentum est*. The salt before being given to the catechumens was blessed by a prayer of exorcism: *Exorcizo te, creatura salis....*, which is found in the Gelasian Sacramentary (Mohlberg edit., I, 31, 286), as well as in the Supplement of the *Hadrianuam* (edit. Deshusses, vol. I, n. 1068) with slight variations. The *Hadrianum* has a prayer of blessing for the salt, but it is not a prayer of exorcism although the ideas expressed are the same as those of the *Supplementum*. The prayer of exorcism is mentioned in the *Ordo Romanus XI* and is found in the Roman Ritual and in the 1962 Ordo, which has no *benedictio salis*, as the *gustatio salis* is no longer part of the Baptismal rite, having lost its symbolic meaning for the people of today; but if an Episcopal Conference is of the opinion that such a rite in its territory is still meaningful, it can introduce it as a *ritus auxiliaris*.

The Roman Ritual, after the *benedictio salis*, had an *oratio super gentiles*. This prayer which recalls the *abrenuntiatio errorum*, mentioned above, in the 1962 Ordo was modified in such a way as to be applicable to any adult asking for Baptism. The prayer *super gentiles* is found in the Gelasian Sacramentary (Mohlberg edit. I, 71) as a prayer after the *gustatio salis* in the rite and catechumeninum *ex pagano faciendum*: It is a prayer *super.... famulos.... quos liberasti de errore gentilium et conservatione turpissime*; the prayer in the 1962 Ordo simply says *famulos.... quos de errore liberasti*. One should note here that the rite of the *gustatio salis* was part of the right for entry into the catechumenate; it is only in the 1962 Ordo that it is an independent rite, the *secundus gradus*, to be celebrated on a different day from the *primus gradus* which was the rite of entry in the catechumenate.

The prayer after the *gustatio salis*: *Deus patrum nostrorum, Deus universae conditor veritatis...* is not mentioned in the *Ordo Romanus XI*, but is found in the Sacramentaries (Gelasian, *Hadrianum*, and the *Supplementum*) as well as in the Roman Ritual and in the 1962 Ordo.

(13) The 1962 Ordo after each gradus has a *dimissio electorum* i.e. the celebrant says to the candidates for Baptism: *Ite in pace et Dominus sit vobiscum*. A rubric in the 1962 Ordo says: that the rites of the *tertius*, *quartus* and *quintus gradus*, *de prudenti iudicio Ordinariorum* may be celebrated *distincte et separatim, diversis temporibus*, or *omnes tres una actione contractas*, or *unam ex tribus tantum duabus aliis amissis*.

The *dimissio* in the *Ordo Romanus XI* was more solemn. After the responsorial chant following the reading of the lessons, the deacon would say: *Catechumini recedant. Si quis est catechuminus recedat. Omnes catechumini exeant foras*. The infants (for at the time of the *Ordo Romanus* only infants were candidates for Baptism) remained outside the church *expectantes...* *usque dum completa fuerint missarum solemnia...* *Finita vero missarum solemnia communicent omnes praeter ipsos infantes. Deinde annuntiat presbyter ut...* *revertantur ad scrutinium ita dicendo: Illa feria venite, colligite vos tempori ad illam ecclesiam, qualem eis denuntiaverit*.

(14) The term *scrutinium* is met with for the first time in the *Explanatio symboli* of Saint Ambrose: *celebrata hactenus mysteria scrutaminum*; originally its aim was to test (*scrutare*) candidates for Baptism to see if they were really freeing themselves from the works and pomps of the devil. Augustine's friend Quodvultdeus in a homily on the Creed says that the *scrutinia* were *sacramenta quae acta sunt et aguntur...* *per ministerium servorum Dei, exorcismis, orationibus, canticis spiritualibus, insufflationibus, cilico, incinacine vervecum, humilitate pedum...* *escae...* *quae (competentes) reficiunt in utero ut renatos in baptismo hilares...* *mater exhibeat* (Hom. III in symb. 1, 3). Up till the fifth century scrutines were celebrated on the third, fourth and fifth Sunday of Lent; but in the sixth century the scrutines were increased to seven and transferred to weekdays. The old Gelasian had three scrutines, but the *Ordo Romanus XI* has seven, although strictly speaking, the scrutines are actually five, for the first scrutiny is the rite of entry into the catechumenate, while the seventh scrutiny corresponds to the rites immediately preceding Baptism. The meaning of the term had also changed by the end of the fifth century as we can see from the letter of John the deacon to Senarius: *Fiunt illa quae ecclesiastica consuetudine scrutinia dictantur. Perscrutantur enim eorum corda per fidem utrum menti suae post renuntiationem diaboli sacra verba definxerunt, utrum agnoverunt futuram gratiam redemptoris, utrum a se credere fatentur in Deum Patrem omnipotentem*.

(15) The Mass formularies for the celebration of the scrutines on the 3rd,

4th and 5th Sunday in Lent, in the Missal of Pope Paul VI, are those of the Gelasian Sacramentary (Mohlberg edition, I, 26, 27, 28). The Gospel readings which were in use when the scrutinies were three and were held on 3rd, 4th and 5th Sundays of Lent, are the Gospel reading for the celebration of the scrutinies according to the 1972 Ordo.

(16) The rite of the scrutinies according to the *Ordo Romanus XI* was as follows: the celebrant, after saying the collect *Da quaesumus, Domine, electis tuis* (a collect which in the old Gelasian was that for the first scrutiny on the third Sunday of Lent) goes to his *sedes* while *vocantur infantes ab acolito per nomina vel ordinem ut scripti sunt.... postmodum admonuntur a diacono ita: Orate electi. Flectite genua. Et postquam oraverint dicit: Levate. Complete orationem vestram et dicite: Amen. Et respondent omnes: Amen. Item dicit diaconus: Signate illos. Accedite ad benedictionem. Et signant illos infantes in frontibus eorum patrini vel matrinae de pollicis suis dicendo: In nomine Patris, et Filii, et Spiritus Sancti. The same action is then done by an acholyte who then *imponit manum super eos dans orationem eccelsa voce his verbis: Deus Abraham....* The acholyte repeats the same actions on the females but the prayer now is: *Deus caeli, Deus terrae....* The whole rite of the *signatio crucis* and *impositio manus* is then repeated a second time by another acholyte, but now the prayers are: *Audi, maledicte Satanas*, for the males, and *Deus Abraham, Deus Isaac* for the females. (This prayer is not the same as that mentioned above for the male infants; in the prayer for the males the *exodus* from Egypt is mentioned, while in the prayer for the females the reference is to the story of Susanna from the book of Daniel). The rite is again repeated for the third time, by a third acholyte and the prayer now is the same for both males and females: *Exorcizo te, immunde spiritus*, but the actions are first performed *super masculos and postea super feminas*. The rite is repeated for a fourth time, but this time it is the celebrant who performs the ceremonies and says the prayer *Aeternam ac iustissimam pietatem tuam*, first on the males, and then on the females. *Omnia consummata*, the Ordo continues, *iterum admonentur a diacono.... Signate illos. State cum disciplina in silentio, et signent patrini ut prius.* The readings follow and the catechumens are dismissed before the reading of the Gospel, to be called back *finita missarum solemnium*, so that they might know when the following scrutiny is to be celebrated.*

The Gelasian Sacramentary (Mohlberg edition 1, 33) does not give any rubrics, but only the prayers mentioned above; nevertheless the Sacramentary confirms what the *Ordo Romanus XI* says: all the prayers are said by an acholyte, except the last prayer *quam sacerdos dici debet*.

These rites, according to the *Ordo Romanus XI* were repeated on the third, fourth, fifth and sixth scrutiny. In the Roman Ritual the rite appears

only once but with three *signationes crucis*, and the prayer *Aeternam ac iustissimam pietatem tuam* is said *super masculos et feminas simul* and is not accompanied by the *signatio* and the *impositio*. Besides, all the *signationes* and *impositiones* are performed by the celebrant and not by an acholyte as we have in the Gelasian and in the *Ordo Romanus XI*. The prayer *Ergo, maledicte diabule*, which in the Gelasian Sacramentary and in the *Ordo Romanus XI* is said only during the first *signatio crucis* after the prayer *Deus Abraham....*, in the Roman Ritual and in the 1962 Ordo it is repeated after each prayer, during the first and third *signatio crucis*. For the second *signatio crucis* for males the prayer *Ergo maledicte diabule* is not said for the *Ordo Romanus XI* already had here a prayer against the devil: *Audi, maledicte satana*; preceding this prayer the Ritual has another prayer: *Deus immortale praesidium* which is not found in the Gelasian Sacramentary but is in the *Supplementum* of the *Hadrianum* (Deshusses edition, n. 1074). The prayer *Ergo maledicte diabule* follows the prayer *Deus Abraham* in the second *signatio crucis* for females. The prayer *Deus Abraham* in the Ritual and in the 1962 Ordo is not that indicated by the Gelasian Sacramentary for the second *signatio* on females (with the reference to the story of Susanna) but is the same prayer we have for the first *signatio* on males (a prayer which mentions the *exodus* from Egypt).

The 1962 Ordo follows the Ritual closely, but the three *signationes* and three different celebrations, although Ordinaries are at liberty to unite them in one celebration, or have one *signatio crucis*, omitting the other two.

The rite in the 1972 Ordo is much more simple: after the homily the candidate for Baptism stands before the celebrant with his sponsors and after a short space of silent prayer (kneeling), bidding prayers are said followed by a prayer of exorcism and a blessing and finally the dismissal. The prayer of exorcism is altogether different from the exorcism prayers in the old rite: there is no mention of the devil, there is no *Audi maledicte diabule....* but the exorcism is a prayer addressed to God the Father to help the candidates for Baptism not to be deceived by false spirits but to become aware of their failings and purify themselves from sin; the exorcism prayer on each of the three Sundays of Lent has a clear reference to the Gospel of the day (the Samaritan woman, the man born blind, the resurrection of Lazarus).

(17) The rite of entry into the church is found only in the Roman Ritual and in the 1962 Ordo, as all the preceding rites up to the prayer *Aeternam ac iustissimam pietatem tuam* had to be held *ad portas ecclesiae in limina*. Entry into the church was a solemn celebration: the celebrant, after a short prayer at the altar, would go to the door of the church where the candidates would be waiting and *sinistra manu apprehendens dexteram primi electi prope brachium, vel ei porrigens extremam partem stolae, ex*

humero sinistro pendentem, introducit eum in ecclesiam; primus sinistra manu trahit secundum, et secundum tertium, etc. Ingressi electi procumbunt seu prosternunt se in pavimento et adorant, omnes simul.

Then the celebrant extends his hands over the *electi* and together with them says the Creed and the Lord's prayer. Afterwards the celebrant, *versis humeris ostio cancellorum baptisterii*, with hands extended over the *electi*, says the prayer *Nec te latet, Satanas....* After this the rite of the *Effeta*, the *abrenuntiatio satanae*, and the anointing with the oil of catechumens follow. The Roman Ritual and the 1962 Ordo, following closely the Roman Ritual, have put together a series of rites which the 1972 Ordo and the *ordo Romanus XI* and the Sacramentaries celebrate on different days.

(18) The 1972 Ordo has as far as possible restored the Baptismal rites which took place during Lent: these rites, besides the scrutinies, were the *traditio* and *radditio symboli*, the *traditio orationis dominicae*, and later on the *traditio evangeliorum*. We do not know on what days these *traditiones* were celebrated, but they must have been celebrated on weekdays, for the Sundays were reserved for the scrutinies. The documents we have are no help at all, because they all belong to a time when infants were the only candidates for Baptism, and these *traditiones* had become symbolical actions.

With regard to the Creed some scholars ask if the Sacramentaries and the *Ordo Romanus XI* are referring the *traditio* or the *redditio symboli*: these two actions, which in the early Church were clearly distinguished, had become symbolical actions. The 1972 Ordo has restored the distinction. On any day of the third week in Lent the candidates for Baptism "receive" the Creed. The rite is very simple. The Mass of the day is celebrated, although special readings are proposed. After the homily the candidates for Baptism recite the Creed – either the Apostles' Creed or the Nicene Creed – together with the celebrant, who then invites the congregation to pray for the candidates before they are dismissed. The prayer which the priest says is the *Aeternam ac iustissimam pietatem* which in the Sacramentaries and in the *Ordo Romanus XI* concludes the scrutinies. In the *Hadrianum*, the prayer is indicated as an *oratio super infantes in Quadragesima ad quatuor evangelia* (Deshusses edit. n. 353).

In the early church, candidates for Baptism had to memorize the Creed and were prohibited from writing it down on account of the *disciplina arcani*. The *traditio symboli* consisted of instructions on the Creed, and through these instructions they were helped to memorize it. In his *Sermo de symbolo ad catechumenos*, Saint Augustine says: *Accipite regulam fidei quod symbolum dicitur, et cum acceperitis in corde scribite et cotidie dicite apud vos, antequam dormiatis, antequam procedatis, vestro symbolo vos munite. Symbolum nemo scribit ut legi possit sed ad recensendum ne forte*

deleat oblivio quod tradidit diligentia; sit vobis codex vestra memoria. At Antioch and in Jerusalem the instructions on the Creed lasted for more than a week (cfr the Catechetical instructions of St Cyril of Jerusalem and those of Theodore of Mopsuestia), while in Rome, Milan and North Africa the instruction on the Creed was limited to one day.

(19) The *Ordo Romanus XI*, after the fourth scrutiny, mentions the *traditio quattuor evangeliorum*, the *traditio symboli*, and the *traditio orationis dominicae*; these *traditiones* are introduced by the *lectiones in aurium apertione*, a phrase we meet with only in Italy and nowhere else. The first lesson is from Isaias 50, 1-7, while the second is a combination of texts from St Paul beginning with Col. 3, 9 and ending with Rom. 10, 18; they prepare the candidates for Baptism to open their ears to receive the truths of faith they are to embrace.

(20) We have first the *traditio evangeliorum* which became part of the rite of Baptism when the scrutinies from three were increased to seven and transferred from Sundays to weekdays of Lent; this is quite evident from the fact that the *traditio evangeliorum* is not mentioned in the Old Gelasian. Both the later Gelasian and the *Ordo Romanus XI* give a detailed description of this *traditio*: four deacons with the Gospel books leave the sacristy and go to the altar putting the Gospel books on the four corners of the altar. The celebrant gives a brief instruction on the Gospels, then the first deacon reads the beginning of the Gospel of Saint Matthew (1, 1-22) and the celebrant explains that Matthew *figuram hominis habeat, quia in initio suo.... nativitatem salvatoris pleno ordine generationes enarrat*; the second deacon then reads the beginning of Saint Mark's Gospel, and the celebrant explains that Mark *leonis gerens figuram* because a *solitudine incipit dicens: Vox clamantis in deserto*; the beginning of the Gospel of Saint Luke by the third deacon follows, and again the celebrant explains that Luke *vituli speciem gestat ad cuius instar salvator est immolatus*; finally the fourth deacon reads the beginning of Saint John's Gospel, and the celebrant says that John *habet similitudinem aquilae eo quod nimis alta petierit*. A critical examination of the text shows that it was written between the sixth and seventh centuries (cfr M. Andrieu, *Les Ordines Romani du haut moyen age*, vol. II (Louvain 1948); A. Nocent, *Quaestiones de initiatione christiana, ad instar manuscripti* (Rome 1967). The *traditio evangeliorum* does not appear in the Roman Ritual or in the 1962 and 1972 Ordines.

Originally the three *traditiones* about which we are speaking were held on different days, but, because at the time of the *Ordo Romanus XI* only infants were candidates for Baptism, the Church had already for some time brought together the three *traditiones* to avoid mothers the trouble of having to attend three different celebrations with their babies when these

celebrations could easily be held on one day.

(21) The *traditio symboli* has a short introduction which seems to have been composed by Saint Pope Leo the Great, so similar is its style with that of the Pope (cfr. A. Nocent 1.c.). After the introduction a deacon carrying a male infant in his arms goes in front of the celebrant who asks: *Qua lingua confitentur dominum nostrum Iesum Christum?* The deacon answers *Graece* and then sings the Creed in Greek; the same thing is done again for female infants of Greek origin. Then the celebrant announces: *Fili charissimi audistis symbolum graece, audite et latine*; and the Creed is sung by a deacon in Latin first for male infants then for female infants. A large number of Greek families after the defeat of the Goths by the Emperor Justinian in the sixth century had settled in Rome and for their benefit during the Papal Mass readings lessons were first read in Latin and then in Greek, and the *traditio symboli* in the rite of Baptism was performed both in Greek and Latin. The presence of the Greeks in Rome brought about the substitution of what is known as the Apostles' Creed, which was the Baptismal Creed of the Roman Church, by the Nicene Creed, not known by the Greeks. This is confirmed by the fact that in the introduction to the *traditio symboli*, the celebrant says that the Creed had been *ab apostolis institutum*. Some ask whether this chanting of the Creed was the *traditio* of the ancient Church; in other words, the deacon chanted the Creed to instruct the candidates with the symbol of faith or did he chant it as the *redditio symboli* which the candidates were expected to do before being baptised? Although the *traditio* and *redditio symboli* had become symbolical actions as infants could not possibly express their faith in words and deeds, nevertheless the Gelasian Sacramentary distinguishes between the *praeparatio symboli ad electos* (Mohlberg edition II, 35) and the *redditio symboli* by the infants *Sabbatorum mane*, after the exorcism prayer *Nec te latet, Satanas*. This is confirmed by the *Hadrianum* which has as a rubric for the prayer *Nec te latet: ad reddentes, dicit dominus papa, post pisteugis* (i.e. after the Creed – *pisteuo* – I believe), and by the *Ordo Romanus XI* where the *recitatio symboli* is part of the rites for the seventh scrutiny, *Sabbatorum mane hora tertia*. The term used for exorcism is *catecizare* which does not mean “instruct” or “give catechetical instruction” but means “to exorcize”. The term remained in the Missal of Saint Pius V in a rubric for Holy Saturday: *dum prophetiae leguntur presbyteri catecizent catechumenos baptizandos*; the term was suppressed with the reform of the Rites of the Easter Vigil by Pope Pius XI.

(22) The last *traditio* in the *Ordo Romanus XI* is the *traditio orationis dominicae*. Here again we have an introduction followed by a commentary on the Lord's prayer which recalls Saint Cyprian's treatise *De oratione dominica* and Tertullian's *De oratione*. It is very difficult to establish who

could be the author of this introduction and the various commentaries on the Gospel of Saint Matthew, written between the 5th and 7th centuries are no help. The only commentary in which we find a number of expressions which could recall the introduction to the *traditio orationis dominicae* is that written by Cromatius of Aquileia (+ 408) but this is not enough to attribute the introduction to him.

The Roman Ritual and the 1962 Ordo have a recitation of the Creed and the Lord's prayer instead of the *traditio symboli et orationis dominicae*. (23) The prayer of exorcism *Nec te latet* is the last exorcism, and the most solemn, before the actual Baptism, and was part of the rites celebrated on Saturday morning; it is found in all the early documents, beginning from the old Gelasian, but, in spite of its antiquity, it had to be dropped from the 1972 Ordo, because of the different notion of exorcism which we have in the new liturgical books.

(24) The rite of Effeta is mentioned by Saint Ambrose in *De sacramentis* and in *De mysteriis*: *Quid egimus sabbato? Nempe apertionem, quia mysteria celebrata sunt apertionis quando tetigit aures sacerdos et nares. Quid significat? In evangelio dominus noster Iesus Christus, cum ei oblatus esset surdus et mutus, tetigit aures eius et os eius.... et ait Effeta. Hebraicum autem nomen est quod latine dicitur adaperire. Ideo ergo tibi sacerdos aures tetigit ut aperirentur.... ad sermonem.... sacerdotis. Sed dicis: Quare nares?... Ut bonum odorem accipias pietatis aeternae.... (De Sacr. I, 2-3). The rite is also mentioned in the *Traditio Apostolica* (...cum signaverit frontem, aures et nares eorum, suscitabit eos) but neither Ambrose nor the *Traditio* mention the use of the saline which was only a later introduction.*

(25) The 1972 Ordo concludes the Saturday rites *in die* with the *electio nominis*; this rite can be preceded by a celebration of the Liturgy of the Word, to give greater significance to the new name – a Christian one – which the candidate chooses for himself to indicate that he has completely cut off himself from his former pagan life. The rites of the *electio nominis* can also take place during the rite of entry into the catechumenate, and this case, it would be omitted here.

(26) The chant of the litany accompanied the procession to the baptistery and is therefore found in all the liturgical texts extant, which have the solemn celebration of Baptism during the celebration of the Easter Vigil. The litany is also part of the baptismal rites of the 1972 Ordo which as a rule requires that the Baptism of adults should take place during the Easter Vigil, but it is not found either in the Roman Ritual or in the 1962 Ordo which strictly follows the Ritual and has the various rites celebrated independently of the Mass, while the 1972 Ordo has all these rites within the Mass.

(27) In the Gelasian and the Supplement of the *Hadrianum* the

abrenuntiatio satanae comes before the blessing of the baptismal water. According to the *Ordo Romanus XI* the infants to be baptised were taken to church on Saturday morning *post horam tertiam* for the celebration of the last or seventh scrutiny, which consisted of the solemn exorcism prayer *Nec te latet*, the rite of *Effeta* and the recitation of the Creed; the infants then were taken outside the church, and the Easter Vigil rite began (at the time of the *Ordo Romanus XI* the Easter Vigil rites had already been transferred to Saturday morning) with the blessing of the paschal candle, the readings, the litany and the blessing of the baptismal font; the infants were then called back into the church and the bishop baptized two or three and then the priests continued baptizing, while the bishop administered the sacrament of Confirmation.

The Roman Ritual mentions the blessing of the Baptismal water only when *ab aliquam causam non habeatur sive praeparata non fuerit*.

The 1962 Ordo does not mention the blessing of the water, as according to this Ordo Baptism of adults could take place any day, and so the water used was that blessed on Easter Saturday. The 1972 Ordo has the blessing of the water as part of the rite, as Baptism of adults is as a rule to take place during the Easter Vigil after the blessing of the font.

The prayer for the blessing of the baptismal water is one of the most beautiful prayers of the Latin liturgy. In the earliest times, Baptism was in running water (cfr *Didache*), but already in the 3rd century we find references to the blessing of water for Baptism v.g. Tertullian in his *De baptismo* (IV, 4-5) say: *Omnes aquae.... sacramentum sanctificationis consecuntur, invocato Deo.... medicatis aquis, per angeli interventum et Spiritus in aquis corporaliter diluitur et caro in eisdem spiritualiter emundatur....* Saint Ambrose tells us that the waters are blessed by a prayer of exorcism: *Sacerdos exorcismum facit secundum creaturam aquae invocationem postea et precem defert ut sanctificetur fons et adsit praesentia Trinitatis aeternae* (*De sacram.* I, 15, 18).

In the Gelasian Sacramentary the prayer for the blessing of the water has a short introductory prayer (Mohlberg edit. I, 43) asking for God's help. The Gregorian Sacramentary introduces a dialogue (the dialogue which introduces the preface at Mass) between the introductory prayer and the prayer for the blessing of the water. The prayer of blessing, with its introductory prayer and dialogue, found itself in the 10th century Mainz Sacramentary, and then in the Roman Missal of Pope Saint Pius V.

Immediately after the introductory dialogue we have a consecratory epiclesis i.e. the celebrant calls on God to sanctify the waters mentioning the fact that the Spirit of God hovered over the waters at creation and renewed life after the deluge; an exorcism followed: *Procul ergo hinc.... omnis spiritus ummundus*, and then a blessing: *Unde benedico te....*: here the

celebrant mentions the crossing of the Sea of Reeds by the Jews after their exodus from Egypt, the baptism of Christ, and Christ's command to the Apostles to baptize in the name of the Holy Trinity.

This prayer of the blessing of the water in Baptism has been renewed after Vatican Council II: there is no longer an introductory prayer but an invitation to the congregation for a few moments of silent prayer; the dialogue has been dropped, and the whole prayer is now a consecratory epiclesis, where, together with the mention of the creation and the deluge, we have the mention of the crossing of the Sea of Reeds, Christ's baptism and the mission of the Apostles.

The prayer ended with a consecratory epiclesis during which the celebrant made various gestures, touching the water, moving with his hand the water to the four corners of the font, putting three times, each time deeper, the paschal candle into the water, and making signs of the cross over the water. With the exception of the sign of the cross, mentioned by Saint Augustine (*cruce ipsius aqua signatur* – *Sermo* 353, 1) and Saint Ambrose (*Quid est aqua sine cruce Christi?* – *De myst.* IV, 10), all the other gestures were later additions. After these gestures the *Ordo Romanus XI* mentions the pouring of oil of catechumens and oil of chrism into the water. All these gestures and the pouring of the oils in the water are no longer part of the blessing of the baptismal water since Vatican Council II, but the symbolic gesture of introducing the paschal candle into the water after it has been blessed has been maintained, because the paschal candle symbolises the risen Christ, the action intends showing that the new life imparted to us through Baptism is by the power of Christ's resurrection.

(28) The anointing with oil is mentioned by Saint Ambrose (*De sacram.* I, 14): *Venimus ad fontem, ingressus es, unctus es. Occurrit tibi levita, occurrit presbyter. Unctus es quasi athleta Christi, quasi luctam huius saeculi luctaturus....* It seems that at first the whole body was anointed: *oleum perungebamini a summis verticis capitis usque ad infima*, says the Jerusalem mystagogical catechesis (II, 3), but the Gelasian Sacramentary mentions only the anointing of the breast and the back of the candidates for Baptism: *tangis et pectus et inter scapulas de oleo exorcizato* (Mohlberg edit. I, 42). Both the 1962 *Ordo* and the 1972 *Ordo* authorised Episcopal Conferences *decernere omissionem unctionis catechumenorum vel eius translationem inter ritus immediate praeparatorios vel eius usum intra tempus catechumenatus ad modum "ritus transitionis"* (1972 *Ordo*).

The *abrenuntiatio satanae* followed immediately after the anointing, and according to Tertullian this took place when the candidates were *aquam ingressi* (*De spectaculis*, 4), but according to Ambrose it took place when the candidates for Baptism entered the baptistery: *ingressus es ut adversarium tuum cerneris cui renuntiandum in os putaris* (some read *in os sputaris* and

this would imply that in Milan the custom of the Eastern churches of spitting at the devil was also in use), *ad orientem converteris: qui enim renuntiat diabulo ad Christum convertitur, illum directo cernit obtuto*. The *abrenuntiatio satanae* according to Saint Ambrose meant that the candidate for baptism *renuntiavit diabulo et operibus eius, mundo et luxuriae eius, et voluptatibus* (*De myst.* II, 5); according to Saint Augustine the *renuntiatio* implied *renuntiasse diabulo, pompis et aneglis eius*. For Terullian these *pompae* were the false gods, the theatre and the amphi-theatre, or *Quadvultdeus: pompae diabuli sunt quaeque desideria illicita, quae turpant non quae exornant animam ut desideria carnis, desideria oculorum et ambitiones saeculi*.

(29) The *Traditio Apostolica* tells us how Baptism was administered in the early Church: *Cum ergo descendit qui baptizatur in aquam dicat ei ille qui baptizat, manum imponens super eum sic: Credis in Deum Patrem omnipotentem? Et qui baptizatur etiam dicit: Credo. Et statim manum habens in caput eius impositum baptizet semel. Et postea dicit: Credis in Christum Iesum Filium Dei? Ed cum ille dixerit: Credo, iterum baptizetur. Et iterum dicat: Credis et in Spiritum Sanctum, et Sanctam Ecclesiam, et carnis resurrectionem? Dicat ergo qui baptizatur: Credo. Et sic tertia vice baptizetur*. In the early Church Baptism was by immersion, while Baptism by infusion was only for the sick and the dying. The candidates for Baptism were expected to take off all their clothes and women also all their ornaments. The *Traditio Apostolica* states this quite clearly: *baptizate.... mulieres quae solverunt crines suos omnes et dposuerunt ornamenta auri et argenti quae habent super se et nemo sumat rem alienam deorsum in aqua*. Saint Ambrose gives a symbolical explanation for this: *Nudi in saeculo nascimur, nudi etiam accedamur ad lavacrum ut nudi quoque et expediti ad caeli ianuam properamus*. (*Sermo* 20). The rite of Baptism described by the *Traditio Apostolica* is also found in the Gelasian Sacramentary (Mohlberg edit. I, 44) and it remained so at least till the 8th century, when we first meet with the form of Baptism we use today: *Ego te baptizo in nomine Patris, et Filii et Spiritus Sancti*. Baptism by immersion was still common in the 13th and 14th centuries, Saint Thomas saying that Baptism by immersion was *communior* (*Summa. Theol.* III q. 16 a. 7) while Walifird Strabo (+ 849) says that *baptismum per infusionem solet venire cum provectorum granditas corporum in minoribus vasis hominem tingui non patitur*.

From what we have said, in the early Church, up to the 18th century, the *professio fidei* was now with the act of Baptism; the *Ordo Romanus XI* when speaking of the actual Baptism is very brief and does not go into details and thus not say how Baptism was administered. The Roman Ritual distinguishes the *professio fidei* from the actual act of Baptism and is

expressed by the answers which the candidate for Baptism gives to the questions asked by the celebrant: *Credis in Deum Patrem omnipotentem? etc.*

(30) The *Traditio Apostolico* mentions two anointings after Baptism, one immediately after Baptism by a priest: *cum ascenderit ungueatur a presbytero de illo oleo quod santificatum est dicente: Ungueo te oleo sancto in nomine Jesu Christi, and the other after the baptised detergentes se induantur et postea in ecclesia ingrediantur* where the bishop would be waiting for them; the bishop then *manum illis imponens dicens: Domine Deus qui dignos fecisti eos remissionem mereri peccatorum per lavacrum regenerationis, Spiritus sancti immitte in eos tuam gratiam ut tibi serviant secundum voluntatem tuam, quoniam tibi est gloria, Patri et Filio cum Spiritu Sancto, in sancta Ecclesia, et nunc et in saecula saeculorum. Amen. Postea oleum santificatum infundens de manu et imponens in capite dicit: Ungueo te sancto oleo in domino Patre omnipotente, et Christi Jesu et Spiritu Sancto.* Only the *Traditio* speaks of two anointings while the *Sacramentaries* and the *Ordo Romanus XI* speak of an *unctio chrisimalis*. This is the Sacrament of Confirmation, but this *unctio* remained in the Roman Ritual as an *unctio post baptismalis* and not as the Sacrament of Confirmation, which had become a separate Sacrament. After long discussions among experts, the *unctio post-baptismalis* has been maintained in the 1972 *Ordo*, but only when the Sacrament of Confirmation is being celebrated at another time. The meaning of this post-baptismal anointing is clearly expressed by the prayer accompanying it: the neophytes are anointed *ut, eius aggregati populo, Christi sacerdotis, prophetae et regis membra permaneant in vitam aeternam.*

(31) The first time the white garment is mentioned is in Eusebius' *Vita Constantini* (IV, 62): *candidis ac regiis vestibus lucis instar radiantibus est amictus, et candidissimo in lecto recubuit.* Theodore of Mopsuestia in his mystagogical catecheses mentions it and Saint Ambrose in his *De mysteriis* (VII, 34) gives it a symbolical meaning: *Accepisti.... vestimenta candida ut esset indicium quod exueris involucrum peccatorum, indueris innocentiae casta velamina de quibus dixit propheta: Asperges me hyssopo et mundabor, lavabis me et super nivem dealabor.*

The newly-baptised put on their white garment when taking part in liturgical celebrations during Easter Week, and in some regions they put it on even when not in church: at least this seems to be implied by what St Gregory of Tours wrote about those Jews who had been baptised by Saint Avitus of Clermont: *Albescebat tota civitas de grege candido* (*Hist. Francorum* V, 11). The white garment put off on Easter Saturday, which for this reason was known as *Sabbatum in albis deponendis*. Both Saint Augustine and Saint Cesarius of Arles make reference to this ceremony

which took place in the baptistery. Saint Cesarius says: *Hodie paschalis solemnitas hodierna festivitate concluditur, et ideo hodie neophytorum habitus communatur*, while Augustine shows his joy in his *Sermo 376* because *miscentur fidelibus infantes nostri*.

(32) The lighted candle is a later addition to the Baptismal rites; it is first mentioned in one of the 12th century Roman Pontificals, and the formula accompanying the action recalls the parable of the wise and foolish virgins (Mt 25, 1-13). Though a late addition to the Baptismal rites, the ceremony recalls one of the fundamental aspects of Baptism, an aspect continually stressed in the early Church when Baptism was also called *illuminatio* or *photisma* and the newly baptised *illuminati* and *photisontes* while Saint Ambrose speaks of the *lumina neophytorum splendida (De lapsu virginis consecratae)*.

(33) The *Traditio Apostolica* (see n. 30) mentions both the *impositio manus* and the *unctio chrismalis* for the administration of the Sacrament of Confirmation; we find the same thing in the Gelasian Sacramentary which says that the neophytes *ab episcopo datur spiritum septiformis* and *ad consignandum inponit eis manus* while saying a prayer, after which *signat eos de chrismate dicens: Signum Christi in vitam aeternam*. The *Hadrianum* gives only the prayer *ad infantes consignandos* a prayer which more or less corresponds to that of the Gelasian; while the *Supplementum* to the *Hadrianum* has this rubric added: *Si vero episcopus adest statim confirmari eum oportet chrismate et postea communicare*. In the Mainz Pontifical (10th century) Confirmation immediately follows Baptism, but one can already notice a development of the rite. The Roman Pontificals of the 12th century fix the form of the Sacrament for the Latin Church: *Signo te signo crucis et confirmo te Chrismate salutis*, a form which remained in use till it was substituted by the form used by the Byzantine Church: *accipe signaculum doni Spiritus Sancti* after Vatican Council II.

The rite of Confirmation as described in Durand's Pontifical (13th century) was adopted with very slight variations by the Roman Pontifical of 1572, and this rite in use in the Latin Church till the new *Ordo Confirmationis* was introduced in 1971.

(34) The rites of Christian initiation come to an end with the celebration of the Eucharist, and the newly baptized, after having been confirmed, participate in the Eucharist for the first time in their lives. The whole Paschal period, according to the 1972 *Ordo* is for the neophytes a *tempus mystagogiae*, a period during which they are held in high regard by the community: they are given a special place in church, where they go accompanied by their sponsors; they receive a special mention in the bidding prayers; the celebrant, in his homily, keeps them in mind; and each single person in the community tries to make them feel happy and welcome.



GRIEF THERAPY AND FAMILY SYSTEMS

Victor Shields

In the past few years, there has arisen an increasing interest in bereavement in general and grief therapy in particular. Books and several articles have been published concerning bereavement and various ways of coping with it (Vollman, 1971; Volkan, 1971; Parkes, 1975, 1983; Worden, 1984). Since most significant losses occur within the context of a family unit it has often been found important, as Murray Bowden (1978) indicated, to consider the impact of death on the entire system. The purpose of this paper is to present a strategic hypnotherapy approach that has been used successfully with grief symptomology based upon a family dynamics perspective.

Basic Orientation

When a love tie is severed, a reaction, emotional and behavioural, is set in train, which we call grief. We experience the greatest reaction when we experience bereavement. Loss of a loved person is one of the most intensely painful experiences any human being can suffer (Bowlby, 1980). Loss imposes a disruption of taken-for-granted reality, an attenuation of meaning and a threat to identity. The initial reactions of shock, disbelief, hearing and seeing the dead person and subsequent feelings of anger, disorganization and meaninglessness can readily be understood within this framework.

Bereavement can have detrimental effects upon physical and mental health (C.M. Parkes, 1975). Illnesses are usually characterized by the discomfort and the disturbance of function that they produce. Grief may not always produce physical pain but is very unpleasant and it usually disturbs function. When grief is severe the bereaved person may be disabled for weeks. On the whole however, grief resembles a physical injury more closely than any other type of illness. The "loss" may be compared to a physical "blow" which numbs; and at least the "wound" usually gradually heals. Yet abnormal forms may arise where sometimes it seems that the outcome may be fatal (C.M. Parkes, 1975). Hence in many respects grief can be regarded as an illness. But it can also bring strength, as the experience of grieving can affirm and bring maturity to those who can muster an open and positive attitude towards it.

Most empirical studies have focused on individual experiences of grieving and mourning. There is useful evidence relating to factors which are likely to influence a family's reaction to the death of one of their members (Smith, 1982). It has been noted that difficulties for the whole bereaving family are likely to revolve around communication breakdown, social isolation of members, redistribution of roles and personal confusion. The uncertainties and conflicting demands of the terminal phase and death are likely to put particular pressures on family relationships and functioning. Difficulties in communication may arise because the normal network of interaction has been disrupted. Vollman et al. (1971) found that families having open and effective communication systems which facilitated the expression and sharing of sadness, anger, guilt and so on are more likely to make a good adjustment following bereavement, than other families with a pattern of denial or suppression of feelings.

A death can trigger intense feelings, hence a context in which these feelings can be experienced, identified and brought to completion is important (Worden, 1984). Murray Bowen (1978) suggest that knowledge of the total family configuration, the functioning position of the dying person in the family, and the overall level of life adaptation are important for anyone who attempts to help a family before, during and after death. The loss of a significant person in the family group can often disturb the homeostatic balance of the unit and cause the family to feel pain and seek help.

The family is an interactional unit in which all members influence each other. But family dynamics can hinder adequate grieving. Hence it is often not sufficient to treat each individual in relationship to the deceased and to deal with him or her grief without relating it to the total family network.

Therapeutic Intervention

In grief therapy the intervention focuses on the reactivation of the mourning process (Worden, 1984). The nature of the recovery process has often been aptly characterized by more than one bereaved person asserting that: "You don't get over it; you get used to it." C.M. Parkes and R.S. Weiss (1983) state that those who recover from bereavement do not return to being the same people they had been before their loved ones' death. Nor do they forget the past and start a new life. Rather, they recognize that change has taken place, accept it, examine how their basic assumptions about themselves and their world must be changed and go from there. Meanwhile each of these steps requires courage, effort and time. Worden (1984) has formulated four main tasks of grieving: first, to accept the reality of the loss; second, to experience the pain of grief; third, to adjust to an

environment in which the deceased is missing; and fourth, to withdraw emotional energy and reinvest it in another relationship. Obviously recovery from bereavement requires intellectual recognition, emotional acceptance, and a new identity appropriate to the changed life situation (C.M. Parkes and R.S. Weiss, 1983).

In strategic family therapy the responsibility is on the therapist to plan a strategy to achieve the above-mentioned goals. Various methods of intervention of the strategic school have been used, following mostly however, the strategic family dynamics as understood by Madanes (1981) and Haley (1976). Different induction methods were considered (Erickson, Miller, Frankel), but an endogenic approach with multiple phases of depth level of trance has been found to be most successful. Furthermore, the works of Worden and Parkes in the area of grief therapy have been heavily drawn upon.

The first task of the therapist is to conceptualize the bereavement situation as one in which the family's ability to recognize significant roles so that family functioning could be maintained (Goldberg, 1973) depending on the importance of the tasks previously carried out by the deceased. Frequently the family ends up in a situation of bickering and conflict or with various family members withdrawing emotionally. Hence at the very beginning of the therapeutic strategy the therapist will need to sort out the real issues and the peripheral issues (Worden, 1984). There may be particular responses to loss depending on the status of the deceased as partner in social interaction. The death of a husband or a wife is likely to highlight the whole range of difficulties associated with the disruption of meaning and identity. The death of a child may raise greater, more profound anxieties about reality and meaning than about personal identity, where significant others are still available to confirm this through social interaction. Another type of disfunction which can occur after the death of a child is the break-up of the marriage and the stress that it places on the family unit. The death of a parent in its turn may disrupt those channels of communication and patterns of interaction which provide any sense of stability and enable the development of and confirmation of identity and self-esteem. Hence in order to understand the particular impact of the specific loss it is necessary to appreciate the part played by the deceased in one or more areas of reality construction, meaning and confirmation of identity.

One important reason for looking at a family system approach is that unresolved grief may not only serve as a key factor in family pathology but may also contribute to pathological relationships across generations. Postponed mourning related to one's family of origin impedes experiencing emotional loss and separation within the current family (Spark and

Browdy, 1972). In assessing grief and family systems three main areas have to be attended to (Worden, 1984): first, the functional position or role of the deceased. Addition or loss of a family member can result in disequilibrium. Through death the family can be deprived of an important role and another member might be sought out to fill the vacancy. Children also play important roles in the family, and their deaths upset the family balance. Death of either parent when the family is young can have long range effects. It not only disturbs emotional equilibrium, but also removes the function of the breadwinner or the mother when these functions are most important. Secondly, one needs to assess the emotional integration of the bereaving family, as some families are well whereas others are less integrated. Affective expression is so important in the mourning process. Thirdly, the therapist needs to assess how specific families facilitate or hinder emotional expression. Thus one seeks to understand the values families place on emotions and the kinds of communication patterns that give a person permission to express feelings. Families which conspire to keep feelings down or at a distance may ultimately keep the individual from an adequate resolution of grief.

After the assessment and the function of the systems have been formulated, the therapist then arranges an individual session with the symptomatic members of the bereaving family in order to decide upon the best method of hypnotic induction. First, of course, the use of hypnotherapy must be explained to the individual and the family in such a manner as to reduce any anxiety they may have about the procedure. An endogenic approach with multiple phases of depth level of trance has been found to be most successful. When the individual member of the family with whom the therapist is working has been able to achieve some level of trance, the therapist may make use of direct suggestion for facilitating the four main tasks of grieving as described above. Concurrently, the family should be seen together by the therapist. In these sessions, the theme centres around the grief process. This process should lead to the recognition and acceptance of the loss. The deceased are not forgotten but they become located in the past while their memory is incorporated into the present reality.

Many people with adequate personnel and social resources will be able to recognize the reality of loss, express their grief and face the confusion and disruption of their social world. However, for various reasons, some will avoid or side-step this painful and confusing process. Some people seek help instantly and the therapist will need to allow the initial period of numbness without attempting any active work towards the recognition of loss. Within the context of the family dynamics, the therapist who worked with the bereaved to encourage the acceptance of loss now sees the bereaved

led into acute sadness and apparent despair. This is a very delicate time and can be somewhat utilized by the therapist to enable the bereaved to 'let go' of the deceased within the comforting support of the family unit.

It is important to recognize here that the therapist is acting as a 'bridge' or temporary 'stand in' until the bereaved regains sufficient confidence to open up interaction with other people. Furthermore, one of the goals of grief therapy is not to become a replacement for the person who has died. Rather, gradually with prompting and support from the therapist, the bereaved will begin again to renew old relationships and make new ones. It would appear from studies conducted by Goldberg (1973) that families with good communications system as well as prior equitable role allocation respond more adaptively to the crises of death. Cohen et al. (1977) also concluded that the more family members were able to communicate with one another to share in decision-making, the greater the likelihood of an effective adjustment during the post-death period.

Case Examples

For those whose expressions of grief are blocked or discouraged by others, those who have no time to grieve because of other demands, or who cannot give up their relationships with the deceased because of 'unfinished business', an already insecure sense of identity and self-esteem, or dearth of alternative ways of social interaction, grief work may be avoided or overlooked. If this happens it is likely that disengagement from the deceased will not be fully accomplished. In such case the ability to develop new relationships and to engage in the social construction of a reality which recognizes the absence of the lost person will be difficult to attain.

This was the case of a 34-year-old mother who reported unresolved grief over the death of her 5-year-old son who died of leukemia almost 5 years earlier. She lived with her husband and another son who was then 6 years of age. The second son was only 19 months old when his older brother died.

In the initial interview with the mother on her own, it was determined that due to unresolved grief she was still suffering from enormous psychological pain over the loss of her child, (five years earlier), to the extent that she expressed the thought that she would perhaps have preferred that the son had never been born to her. From an anxiety scale administered to the patient it was revealed that she suffered not only from psychological symptoms of anxiety such as nervous tension, irritability, insomnia, fatigue and depression, but also physical ones such as dizziness, palpitations, chest pains, lack of appetite and short breath. It also became obvious that some marital tension existed within the family.

The patient came from an extended family whose members were very supportive of each other. She was seen concurrently with her husband and son as well as her sister.

The individual sessions with the mother revealed that her prolonged and extreme mourning pointed to an unwillingness to accept the finality of her child's loss, and hence was unwilling to disengage her from him. The therapist explained to her that if she were to work through her pain she would need to use her mind creatively to help with problem, and that in order to do that she would need to be relaxed and listen to what the therapist would tell her. The method of induction chosen was an endogenous technique with multiple phases of depth level of trance, in which she was asked to concentrate on her own breathing until her breathing became shallower and her toes began to deviate. She was also given suggestions for eye closure (Kroger, 1977). Since she was a co-operative person with quite a desire to please, it was decided to use direct suggestion. She was seen four times over five weeks and told under hypnosis not to be afraid to talk about her grief and pain, and that there was no need for her to continue to try to help her family, especially her husband, to avoid marital problems because the therapist will do that. If she wanted to help the therapist to help sustain her marriage, she could do so by becoming more assertive and owning up, especially in the presence of her husband, to her anger, sense of guilt and sadness about her child's death. The therapist identified with such feelings and encouraged their expression while he provided some sense of safety and control which have previously been absent.

The patient's husband and her sister were helped to understand that trust in each other and willingness to show their vulnerability were required to offer comfort and understanding. The therapist also helped them consider the nature of relationships within the family and the way in which fears and mistrust can develop. It was explained to the whole family that difficulties in communication appeared to have arisen because through the death of the child the normal network of interaction had been disrupted. The therapist continued to encourage the expression of feelings, acting as a communication link because before coming to therapy the mother had almost become isolated. Meanwhile the therapist sought to guide the clarification of the existing problems and consideration of solution, as such task can often be more readily achieved by someone who is outside the immediate family circle.

Whatever the relationship of the bereaved to the deceased, there appears to be general agreement that any successful adjustment to loss can only be accomplished if those who are left carry out what has been termed their 'grief work' (Volkan, 1975). Gradually the patient came around to the most important phase of such 'work' namely, the disengagement from the

relationship and interaction with her deceased son. This was mostly brought about by repeatedly asking the patient under hypnosis to look at a photograph of her deceased child as she visualized herself saying "goodbye" to him. This particular exercise allowed the bereaved mother to tolerate the pain associated with recognizing and accepting the reality of her loss. Follow up at the three and six months intervals revealed that the patient's symptoms were greatly reduced and she was adjusting well to the loss. She also showed inclination to reinvest the withdrawn emotional energy from the deceased in the second son who for the most part was in the emotional care of her sister. The parents were still together and showed interest to seek marital therapy in due time. Attention was also being paid to avoid putting pressure on the remaining child to take over the affective function of his dead sibling.

CASE II

A 48 year-old widow was referred to therapy by her family because of her reluctance to make any attempt to adjust to the loss of her husband twenty-one months after his death. The widow resisted any emotional acceptance of her husband's loss, nor was she ready to accept a new identity appropriate to her changed life situation. Her 18 year-old daughter related that her mother had very poor relationships with any one outside the immediate family circle since her father died. She spent most of the day cleaning the house. The therapist conceptualized the widow's behaviour as being one of total emotional dependence on her husband prior to his death.

For widows and widowers to engage in their activities without additional anxiety, they must continue to feel that the world makes sense. This did not appear so for the patient who even refused at first to merely attempt to visualize her life without her partner. In the meantime she was becoming more and more dependent on her surviving aging mother. The therapist explained that the widow needed to work towards emotional acceptance of her loss before she could hope for some relief of her symptoms. She was told that what could facilitate such acceptance was repeated confrontation with every element of the loss until the intensity of distress would be diminished to the point where it became tolerable and the pleasure of recollection began to outweigh the pain.

During the first two sessions the therapist explained to the widow that she owed it to herself and no-one else to learn how to relax and let go. The method of induction used was the endogenic method. She was given suggestion for eye closure and for trance deepening.

The bereaved will begin to show their acceptance of loss when they talk about the deceased in terms of death and their aloneness. At one stage the

widow remarked that "the house seemed so empty". Later the therapist encouraged her under hypnosis to develop an "account" or an explanation of how her husband's death occurred. Obviously an adequate account is not sufficient for recovery from bereavement, but it is necessary because without an "account" that settles the question of "why" the bereaved can never relax their vigilance against the threat of new loss.

The widow's mother and her three daughters (18, 21 and 23 years of age respectively, all three of which were still at home), were seen concurrently with her. The therapist explained to them that if the patient were to arrive at an emotional acceptance of her loss, she had to feel no longer in need of avoiding reminders of her husband, for fear of being flooded by grief, pain and remorse. One of the goals of the therapist was to utilize the other family members to help the widow reach a certain amount of emotional acceptance by way of repeated confrontation with every element of the loss until the intensity of distress could start to diminish. Furthermore, the therapist sought to help the family develop an area of shared understanding as a basis for continuing interaction. Encouraging the expression of feelings among family members is an important task of grief therapy with family systems.

At one stage during an individual session the therapist asked the widow, while under hypnosis, whether she had ever contemplated getting angry at anyone. She admitted that she often felt angry at people but was always afraid to express such feelings. At this point the therapist suggested that she may try to look back and see if she could remember some negative aspect of her late husband's character. She said she could and added: "At the moment I actually feel so angry at my husband who I feel had always treated me as if I were one of his daughters. He was always making decisions for me. And now I feel so empty!". The therapist encouraged such expression of feelings and suggested that it could be very beneficial for her if she could look back on the memory of her husband in perspective, considering not only his positive but also his negative characteristics.

As the loss became a reality and the pain of being alone and facing each day without her deceased husband began to be experienced, the widow was helped to view her life in this new situation, assisting her to work towards a new identity. A female co-therapist was also engaged to see her in individual sessions. Both therapists continued to encourage the recognition and acceptance of the fact that the deceased was dead and lost to our world of everyday interaction and meanings. It was also explained to the family that they needed to maintain an attitude of concern and willingness to be with her in sympathizing with the pain and sorrow which this involved.

The sessions took place over a period of four months. A follow-up at the three and six month intervals indicated that the process of recovery was

well on its way.

CASE III

A 48 year-old man was referred to therapy by his factory personnel officer on the grounds of severe anxiety and depression. Medical treatment had failed. Absenteeism from work was also becoming a problem. During the first session he revealed that he had lost an 18 year-old son in a car accident a year earlier. He claimed that he could somehow cope with the bereavement process, but what certainly made him feel very depressed was his wife's morbid reaction to their son's loss. He was told that there were several things he could do to help his wife but first of all the therapist suggested that he could learn some relaxation techniques which would help him relieve his anxiety. He was quite co-operative and showed readiness to do all that could be helpful to relieve his tension. The endogenic induction technique was used. At the end of the second individual session it was suggested to him to invite his wife to attend the next session with him. The therapeutic hypothesis was that his depressive emotional state was dependent on his wife's unresolved grief over their son's death. Meanwhile he was congratulated for learning to relax so well and he was told that his wife needed his help to be able to adjust to the situation.

Most people are able to cope with reactions of grief and work through the four tasks of grieving on their own, seeing grief to its conclusion, bearing in mind that grieving is a natural process as Sigmund Freud had suggested. However, in the first session with the couple it was revealed that the wife had done very little proper grieving over the past twelve months since the accidental death of her son. The couple were seen along with a female co-therapist. Basic human comfort and support were offered to promote, especially on the wife's part, the expression of grief, thus facilitating the mourning process within the family unit. The couple had several other children but none of them was able to attend any of the sessions. So wherever possible, the husband, whose symptoms had by now been greatly relieved, was used as a significant member of the family network to accommodate his wife's activity of mourning.

Individual sessions with the wife were held to help her with her 'grief work'. She was quite responsive to the endogenic induction approach. Direct suggestion was used. She was seen four times over five weeks and introduced under hypnosis to 'regrief therapy'. She was asked to visualize her dead son as he was at home until the day of the fatal accident. This technique helped inhibit the anxiety state that prevailed earlier whenever the image of her son was recalled. Her ability to relax deeply helped her to acquire a fair amount of desensitization in this direction.

The couple were very supportive of each other. This highly promoted the resolution of grief within the family unity. As the therapists gave the couple the chance to share their feelings with someone who was not shocked nor alarmed, they directed the bereaved couple to express their feelings of anger (and perhaps guilt) because of 'unfinished business' with their deceased son. Halfway through the last session the couple spoke of the possibility of going away together on a short holiday. They were encouraged to do so.

Follow-up at the three and eight month intervals revealed that there were no serious obstacles to the mourning process towards their recovery from bereavement.

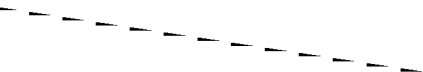
Summary

There are various important steps in the proposed recovery process and recovery from bereavement. They are summarized as follows:

1. The family is interviewed so that the therapist might form an hypothesis concerning the nature of the bereavement.
2. After the hypothesis has been conceptualized, the individual and other members of the bereaving family are seen in concurrent sessions.
3. In the sessions with individual members presenting acute symptoms of bereavement, the therapist must find a hypnotic induction method that takes into account the individual's stage of recovery and ability to cope with the different tasks of the grief process.
4. After the individual is successfully induced into hypnotic trance, the therapist either uses direct suggestion to facilitate resolution of grief or subliminal suggestion to substitute a less severe behaviour for the symptomatic behaviour.
5. In the sessions with the family the individual's stage of recovery and symptomatic behaviour are explained.
6. If marital problems surface, they are not dealt with until there is an improvement in the individual's recovery.
7. Ultimately the recovery process and recovery from bereavement requires intellectual recognition, emotional acceptance, and a new identity appropriate to the changed life situation.

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FROM INDIVIDUAL TO COLLECTIVE RIGHTS, TO THE RIGHTS OF MANKIND:

THE HISTORICAL EVOLUTION OF THE SUBJECT OF HUMAN RIGHTS

Emmanuel Agius

A glance at history shows that the progressive development of human rights has been considerably conditioned by the evolution of social relations, and the forms in which these relations were institutionalized. It was not in abstract that newly recognised human rights came to be defined, but in the context of the modern state and that of an industrial and technological civilization; in the context of the bitter experience of two World Wars and the social and political evolution after 1945. This evolution has been characterized by a process of decolonialisation, by a growing sense of solidarity among mankind, and by a widespread awareness of the delicate ecological balance of our one and only Earth which is limited in its natural resources.

The remarkable thing about the evolution of human rights is that it appears to have followed in a given direction. In fact, we notice the widening of the concept of human rights which had originated in the eighteenth century. Throughout the whole development of human rights, a certain quality has come gradually in evidence, due to a progression in which continuity is much more marked than discontinuity. This can be seen in the conceptual evolution of the *subject* of human rights. In what follows, I intend to show that throughout the last two centuries, particularly since the beginning of this century, there has been a continuity in the progressive widening of the subject of human rights from the *individual* to a *collectivity* and now to *mankind* as a whole. As we shall see, this conceptual evolution has been the result of different historical currents during which the antecedent achievements in the field of human rights have been reinterpreted in the light of new ethical demands.

I. Individual Rights

Over the past two hundred years, the modern concept of human rights

has proved to be one of the most creative and enduring forces in the struggle for human dignity and freedom. Although the idea of the inalienable rights of the human person was already developed by philosophers and politicians during the late seventeenth and early eighteenth century, it was in the latter part of the eighteenth century that great steps were made in the Western history of human rights.¹ Human consciousness was awakened from its slumber to the awareness that rights belong to all human persons, irrespective of one's social class and position.

One of the early modern stages in the human rights movement was the English Bill of 1687 in which the rights of English Barons and citizens against the crown were defined. In the first American Declaration of Rights in 1776, a qualitative step was taken with respect to earlier achievements in human rights; it is not that individual rights were guaranteed, but that the power of the sovereign state as a whole was curtailed. In addition, rights were not only guaranteed for a particular group of people, but for everyone.² In fact, the Virginian Declaration of Rights, dated 12th June 1776, read:

.... all men are by nature equally free and independent, and have certain inherent rights, of which, when they enter into a state of society, they cannot, by any compact, deprive or divest their posterity; namely, the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety.³

In Europe, the revolutionary ideas of the late eighteenth century opened up a new range of possibilities for changing the nature and structure of the political process. In 1789, shortly after the great revolution in France, and fifteen years after the Virginian Declaration of Rights, the French National Assembly promulgated, as a document prefixed to the constitution, its 'Declaration of the Rights of Man and of Citizens' – a declaration firmly rooted, in language and in sentiments, in the American Declarations and in the political and philosophical tradition that shaped them. The French Declaration opened with the following article: "Men are born, and always continue to be free and equal in respect of rights. Civil distinctions, therefore, can be founded only on public utility."⁴

1. For a philosophical and historical overview of the development of the pre-modern concept of human rights, see A.KOSENBAUN, (ed.), *The Philosophy of Human Rights* (Aldwych Press, London 1980) 10-22; J.M. AUBERT, *Loi de Dieu, lois des hommes*, (Le mystère chrétien: théologie morale, 7; Tournai 1964) 98-122; and *id.*, *Le Droit Romain dans l'oeuvre de Saint Thomas*, (Bibliothèque Thomiste 30; Paris 1955) 89-108.

2. W. HUBER, "Human Rights – A Concept and its History", in *Concilium* 124 (1979) 5.

3. F.E. Dowrick, *Human Rights: Problems, Perspectives and Texts* (Westmead; Saxon House 1979) 155.

4. "Les hommes naissent et demeurent libres et égaux en droits. Les distinctions sociales ne

The American and French declarations were doing something startlingly new. They claimed 'liberty' and not 'liberties' for their citizens, and began to assert general not specific rights. According to E. Kamenka, these declarations proclaimed for the first time in history that the constitution of society was not divinely ordained, and that the affairs of state were not the special and particular prerogative of the king and his governors. They converted men from subjects to citizens.⁵

These declarations mark the beginning of the modern history of the human rights movement. The civil and political rights acquired during the eighteenth century are generally known as 'the first generation' of human rights; they are mainly rights asserting **freedom from** certain restrictions and oppression. They required the prohibition of interference by the state in the freedom of the individual. This achievement, which recognized every individual as the subject of rights, was the initial stage for further acquisitions and developments.

The historical context of the nineteenth century was completely different from that of the eighteenth century. The social and economic effects of the industrial revolution began to emerge. The discrepancy between the theoretical aspect of the Liberal Constitutions which claimed freedom for everyone and the actual freedom enjoyed by the people, particularly by those in the lowest stratum of society, became more apparent. Liberalism accumulated the wealth and strengthened the power of a few capitalists, while creating social and economic slavery by making a large section of society dependent on the owners of the tools of production. The Marxist analysis of society had awakened human consciousness to the realization that the political and civil rights gained in the earlier century were in actual fact without any positive result unless redeemed by social and economic rights.

Marx rejected the eighteenth century statements on the rights of man saying they were a bourgeois illusion which simply reinforced the position of the élite, and did nothing to support the masses in their struggle.⁶ The eighteenth century constitutions abolished feudal property, only to favour bourgeois property.⁷ He maintained that the Constitutions of the United

peuvent être fondées que sur l'utilité commune." Article 1 of the "Declaration of the Human Rights of Man and of the Citizen, 1789", in F.D. DOWRICK, *op.cit.*, app. G, p. 153.

5. E. KAMENKA, "The Anatomy of an Idea", in E. KAMENKA & A. ERH-SOON TAY, eds., *Human Rights* (London 1976) 9.

6. R. O'GRADY, *Bread and Freedom. Understanding and Acting on Human Rights* (World Council of Churches; Geneva 1979) 10.

7. K. MARX, "The Eighteenth Brumaire of Louise Bonaparte", in L.S. FEUER, ed., *Marx AND Engels. Basic Writings* (Doubleday; London 1975) 300. Engels also held this opinion. Cf. F. ENGELS, "On Historical Materialism", *Ibid.*, p. 98ff.

States (and especially that of France), continued the same divisive pattern and social inequality. He distinguished the political state of the citizen with its common interest in a universal world from the civil society of the bourgeoisie and their private interests in the world of trade and industry.⁸ But in the liberal constitutions which had come into being through political revolution, the citizen was the bourgeoisie, and the so-called “*rights of man, the droits de l’homme* as distinct from the *droits du citoyen*, (were) nothing but the rights of a *member of civil society*, that is, the right of egoistic man, of man separated from other man and from the community”.⁹ The liberal theories split man into two: a private part and a public part. The public part has the right that the other part be private. These rights, Marx believed, implied the separation of man from man, while his own conception of revolutionary emancipation envisaged the union of man with man – a union that was social rather than legal and political.¹⁰

Marx’s criticism of the American and French constitutions was therefore the main vehicle for the first expansion of the human rights contained in the nucleus of the eighteenth century achievements. It led to the emergence of a new set of human rights of a different nature from the ‘negative’ rights of the earlier century. By the end of the nineteenth century, the political and civil rights gained during the eighteenth century were enriched by social and economic rights. This evolutionary development marks the ‘second generation’ of human rights whose basic characteristic is **freedom to** certain things. But it was the individual human person who remained the subject of both the first and the second generations of human rights.

During the twentieth century, different historical circumstances have contributed to the further development and evolution of human rights. Undoubtedly, the most important historical events of this century were the two World Wars. Within a span of almost thirty years, the brotherhood of mankind was twice shattered by hatred, violence and destruction. The horror of the two wars induced various countries to take another important step which was a breakthrough in the historical evolution of human rights. As a result of the bitter experience of the two World Wars, there was a widespread conviction that the individual’s political, civil, social, economic and cultural rights needed the protection and safeguard of an international

8. E. KAMENKA, *op.cit.*, p. 62.

9. K. MARX, “On the Jewish Question”, in *Karl Marx and Fredrich Engels: Collected Works*, vol. III (Lawrence & Wishart; London 1975) 162.

10. K.R. MINOGUE. “Natural Rights, Ideology and the Game of Life”, in *Human Rights*, p. 13.

organisation.¹¹ This international concern led to the establishment of the United Nations Organisation (UNO) with its main purpose, as declared in the first article of its Charter, to maintain peace and security, to achieve international cooperation, and to promote and encourage respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion. The first step taken by the UNO was the proclamation of the Universal Declaration of Human Rights, in its General Assembly on the 10th December 1948.

Both the Liberal and the Marxist traditions played a very important role in the formation of the Universal Declaration of Human Rights. The civil and political rights are recognized in articles 2 and 21. Articles 23 and 27 deal with the second cornerstone of the Declaration, namely, the social, economic and cultural rights – the rights to which everyone is entitled as a member of society. Accordingly, after the Second World War both aspects of human rights emerged on the international level. Still, as T.C. Van Boven remarks, the main focus of the Declaration is the individual human person: “It is... undeniable that the general orientation and outlook of the Universal Declaration of Human Rights is towards the individual person.... Most provisions of the Universal Declaration begin with the words ‘everyone has the right’ ”.¹²

II. Collective Rights

After 1948, new and more vital issues emerged. During a span of almost twenty years, a salient change occurred on the international scene of the human rights movement. Towards the end of the 1950s and the early 1960s, another historical phenomenon contributed this time not to the protection of individual human rights, but to the extension of the subject of rights from the individual to the collectivity. For it was realized that it is not only the individual, but also a group or a race of people who could be exploited by another group or country. Rights of groups were recognized internationally for the first time in the General Assembly of the United Nations in 1966. These collective rights are termed the ‘third generation’ of human rights: these are the rights to **solidarity**.¹³

11. S. MACBRIDGE, “The Universal Declaration of Human Rights – 30 Years after”, in A.D. FALCON, ed., *Understanding Human Rights* (Cahill Press; Dublin 1980) 7-20.

12. T.C. VAN BOVEN, “Distinguishing Criteria of Human Rights”, in K. VASAK, ed. *The International Dimensions of Human Rights*, vol. I, (Greenwood Press; Westport) 54.

13. K. VASAK “Pour les droits de l’homme de solidarité”, in *Leçon inaugurale pour la dixième session d’enseignement de l’Institut International des Droits de l’Homme* (Strasbourg, 2-27 juillet 1979, par. 10, p. 3) distinguished the three generations of human rights as corresponding successively to each of the elements of the motto of the French revolution:

It is important from the outset to clarify the meaning of a 'group'. T.C. Van Boven defines a 'group' as a collectivity of persons which has special and distinct characteristics and/or which finds itself in specific situations or particular conditions. These special and distinct characteristics may be racial, ethnological, linguistic or religious. The specific situations or conditions could be determined by political, economic or cultural factors. A group ranges from an entire people to a small minority.¹⁴

Though the recognition of collective rights in international law belongs to recent history, their roots can be traced back to the eighteenth and the nineteenth centuries. In the following paragraphs, I intend to explain the three major factors which paved the way for the emergence of collective rights on the international level. Special attention will be paid to the relevant events of this century. One of these factors was the trade-unions' struggle for their freedom of association, and for their right to bargain collectively. The legislation about unions, for instance the Trade-Union Act in 1971 in England, which effectively legalized trade unions, was a move in this direction. This enabled the workers to bargain not individually, but collectively, for better wages, shorter working-hours and better working conditions.¹⁵

During the first half of this century, before the Universal Declaration of Human Rights was proclaimed, the International Labour Organisation (ILO) made important efforts to promote and protect freedom of association, even in the case of trade unions. Decisions on this subject, adopted by the International Labour Conference in 1947, were taken to request the ILO to proceed with its efforts to prepare one or several international conventions providing for the implementation of the principles proclaimed by the Conference. On 9th July 1948, the General Conference of the ILO adopted the 'Freedom of Association and Protection of the Rights to Organize Convention', under which State Parties guaranteed, among other things, the workers' and employers' right

liberté, égalité, fraternité. The third generation is the generation of human rights predicted on brotherhood ('fraternité'), in the sense of solidarity. Cf. PH. ALSTON, "A Third Generation of Solidarity Rights: Progressive Development or Obfuscation of International Human Law?", in *Netherlands International Law Review* 29 (1982) 307-322; S.P. MARKS, "Emerging Human Rights: A New Generation for the 1980s?", in *Rutgers Law Review* 33 (1981) 435-52; A. HOLLEAUX, "Les lois de la 'troisième génération' des droits de l'homme", in *Revue française d'administration publique* 15 (1980) 45-73; J. RIVERO, "Le problème des 'nouveaux' droits de l'homme", (Unpublished paper read during the Tenth Study Session of the International Institute of Human Rights).

14. T.C. VAN BOVEN, "Distinguishing Criteria of Human Rights", in *The International Dimension of Human Rights*, p. 55.

15. A.F. STWIMTHAL, "Trade Unions", in *Encyclopedia Britannica*, vol. XVIII, (Helen Hemingway, Benton Press; Chicago/London/Toronto) 563-570.

to establish organisations. The Convention also stated that public authorities have no right to interfere or restrict the workers' or employers' right to form associations.¹⁶ On the 1st of July 1949, the General Conference of the ILO adopted the 'Right to Organize and Collective Bargaining Convention', requiring State Parties to provide protection for workers against acts of anti-union discrimination.¹⁷ State Parties further undertook to establish appropriate machinery to ensure respect for the right to organize, and to take measures to encourage and promote voluntary collective negotiations between employers or employee's organizations.¹⁸

It is interesting to note that in the legal language used in the international discussions on trade unions, though there is an explicit reference to the rights of the individual to form and join trade unions, there is no such reference to the collective rights of trade unions, or to the rights of the group as such. Article 23(4) of the Universal Declaration of Human Rights is a case in point.¹⁹ However, the explicit recognition of trade-union rights on the national level was a move in the direction of the emergence of collective rights in the international Covenants of 1966.

The second historical factor was the struggle of minority-groups for their own rights. Under the traditional international law, a sovereign state had discretionary power in the treatment of its nationals. When, however, the treatment meted out by a state to its own citizens, particularly to religious or ethnic minorities, was so arbitrary and so persistently abusive and cruel that it shocked the conscience of mankind, other states sometimes took it upon themselves to threaten or even to use force in order to come to the rescue of the oppressed minority. A major example of such 'humanitarian intervention' was the action, including military action, agreed on in 1827 by Great Britain, France and Russia against the Ottoman Empire in favour of the Greeks. Similar interventions were undertaken by several European powers to end massacres of Christians in Syria (1860), to bring relief to the persecuted population of Crete (1866-68), and in the last third of the nineteenth century, to end the persecution by Turkey of Christian populations in various Balkan countries under Turkish sovereignty.²⁰

A limited protection of minority-groups on the international level was achieved after the First World War. In some of the peace treaties, in the

16. *Human Rights. A Compilation of International Instruments* (United Nations; New York 1983) 114-6.

17. I. BRAWNLIE, *Basic Documents of Human Rights* (Clarendon Press; Oxford 1981) 196-9.

18. *The United Nations and Human Rights* (United Nations; New York) 87-8.

19. Art. 23(4) reads: "Everyone has the right to form and to join trade unions for the protection of his interests."

20. E. SCHWELB, "Human Rights", in *The New Encyclopaedia Britannica*. vol. III, p.1184.

special so-called minorities treaties, and in declarations made after World War I, a number of states of Central and Eastern Europe and one state in the Middle East (Iraq), were made to accept a series of obligations towards their racial, linguistic and religious minorities: all of their nationals were to be equal before the law and were to enjoy the same civil and political rights without distinction as to race, language or religion. In 1947, a Sub-Commission on the 'Prevention of Discrimination and Protection of Minorities' was established. It concerned itself with the protection of ethnic, religious and linguistic minorities. Between 1947 and 1962, the Sub-Commission considered studies and reports dealing with many aspects of this question, and drew up texts which it recommended for adoption by the Commission on Human Rights, the Economic and Social Council, and the General Assembly. It also formulated articles which it recommended for incorporation in the Universal Declaration of Human Rights and the International Convention on Human Rights.

In 1948, the General Assembly of the United Nations decided that it would not include a specific provision on the question of minorities in the Declaration of Human Rights. At the same time, it adopted a resolution in which it stated that "the United Nations cannot remain indifferent to the fate of minorities", adding that "it is difficult to adopt a uniform solution of this complex and delicate question, which has special aspects in each state in which it arises". In 1953, the Economic and Social Council, at the suggestion of the Sub-Commission on the Prevention of Discrimination and Protection of Minorities, recommend that "in the preparation of any international treaties, decisions of international organs, or other acts which establish new states, or new boundary lines between states, special attention should be paid to the protection of any minority which may be created thereby".²¹

Although in the first half of this century the rights of minorities were firmly established in various countries, still the main conditions behind the protection of minority-groups was always the individual. It is the individual who has the right to belong to his ethnic, religious or linguistic group; no mention was made of the group's right to exist. Minority-groups were for the first time considered as subjects of rights in the International Covenants of 1966. However, discussions on the rights of the individual to belong to a minority-group and the concern of the UNO for minorities were other salient factors which furthered the conceptual development of the subject of human rights on the international level.

21. *The United Nations and Human Rights*, pp. 111-7. See *The International Protection Of Minorities*, Report No. 41 in the series of *Minority Group Rights*.

The period of decolonialisation, as a result of the growing awareness of the peoples' right to self-determination, was another important factor behind the emergence of collective rights in international law. Although the will to self-assertion on the part of various national groups can be traced back to the early nineteenth century,²² the greatest achievements in the field of the rights to self-determination occurred during the twentieth century, particularly because of the UNO, which has adopted this principle as one of its objectives since its foundation. In the first article of the Charter, it is clearly stated that one of its purposes is "to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples".²³ Article 55 of the Charter was adopted "with a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples". Still, the Universal Declaration of Human Rights does not refer to the right of self-determination, but in a general sense proclaimed the right of everyone to "liberty".²⁴

In December 1952, the General Assembly of the UNO recognized that "the right of people and nations to self-determination is a prerequisite to the full enjoyment of all fundamental human rights", and that "every member of the United Nations, in conformity with the Charter, should respect the maintenance of the right of self-determination in other states".²⁵ Then, on the 14th December 1960, the General Assembly solemnly proclaimed the necessity of bringing to a speedy and unconditional end, colonialism in all its forms and manifestations. It adopted a Declaration on the Granting of Independence to Colonial Countries and Peoples.²⁶ In 1961, the General Assembly set up the 'Special Committee on the situation with regard to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples', and required it to

22. P. PEETERS, "The Rights of Nations to Autodetermination", in *World Justice* 3 (1961) 147-183.

23. *Charter of the United Nations and Statutes of the International Court of Justice*, p. 3. Art. 55 of the Charter also declares that the United Nations aims to create those "conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of people". *Ibid.*, p. 20.

24. *United Nations Action in the Field of Human Rights* (New York 1983) 16.

25. *Ibid.*, pp. 16-18.

26. General Assembly Resolution 1514 (XV) of 14th December 1966. See also *Human Rights. A compilation of International Instruments* (New York 1984) 20-1; *United Nations and Decolonialisation* (New York 1984) 4 and K.J. PARTSCH, "Fundamental Principles of Human Rights: Self-Determination, Equality and Non-Discrimination", in *The International Dimension of Human Rights*, pp. 65-6.

examine the application of the Declaration and to make proposals and recommendations on the progress and extent of its implementation.²⁷

The process of decolonisation which followed during the sixties as a result of these discussions within the UNO was certainly a major factor in bringing about the international acceptance of collective rights.²⁸ Many states participating in the discussions within the United Nations, were mainly concerned with the values reflecting their struggle against colonialism. These values were not included in the Universal Declaration of 1948, and accordingly not did not make part of the accepted human rights ideology. These states insisted that the two other instruments of the International Bill of Human Rights, namely the two Covenants, one dealing with Economic, Social and Cultural Rights, the other with Civil and Political Rights, should include the right of all peoples to self-determination as well as to economic self-determination, that is, to sovereignty over their resources. The Third World States were not deeply interested in individual rights, and not even in socio-economic rights. Their real interest was in the economic development of their society as a whole. They wanted to give priority to the collective rights, that is, rights of the "people", against outsiders, rather than to the rights of the individual against his own government.

The first reaction of the Western States was one of resistance, since they argued that both Covenants speak about rights of a "people", not of any individual, surely not – like human rights generally – rights of individuals against their own society. They also argued that the content of the norms as proposed by the Third World countries was highly uncertain and controversial.²⁹ Their arguments did not prevail, for collective rights now head both Covenants. In fact, the first part of article one of both International Covenants on Human Rights sets out a collective right, that is, the right of all people to self-determination. By virtue of this right, all people "freely determine their political status and freely pursue their economic, social and cultural development".³⁰ The right to self-deter-

27. *The United Nations and Human Rights*, pp. 31-3. See J.D. HAROLD, *Self-Determination within the Community of Nations* (A.W. Sijthoff; Leyden 1967); A. RIGO-SWEDA, *The Evolution of the Right of Self-Determination. A Study of the United Nations Practice* (Leyden 1973) and T. VEITER, "Federalism and the Right of Peoples to their Native Soil and their Right to Self-Determination", in *World Justice* 9 (1967) 22-47.

28. F. LATTANZI, "L'émergence de l'homme et des peuple dans le droit international contemporain", in *Droits de l'homme et droits des peuples* (Tipografia della Balda; San Marino 1983) 146. See also Y. DINSTEIN, "Collective Human Rights of Peoples and Minorities", in *International and Comparative Law Quarterly* 25 (1976) 102-120.

29. L. HENKIN, *The Rights of Man Today* (Stevens & Sons; London 1978) 9, 111-2.

30. "Official Documents: Human Rights Covenants", in *The American Journal of International Law* 61 (1967) 861, 871. A. CASSESE in "The Self-Determination of Peoples" *The International Bill of Human Rights. The Covenant on Civil and Political Rights*, (L.

mination, being without doubt the right of an entire people or of an ethnic group, clearly constitutes a collective right which does not concern individuals separately, but the whole group.³¹ The second paragraph of the same article deals with the economic counterpart of this right, that is, the question of permanent sovereignty over natural resources. It reads:

All people may, for their own needs, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic cooperation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence.³²

Apart from the right of self-determination of peoples, the International Covenants also recognize the collective rights of trade unions and of ethnic groups. Article 8(b) of the 'International Convention on Economic, Social and Cultural Rights', speaks of "the rights of trade unions to establish national federations or confederations and the rights of the latter to form or join international trade-union organizations".³³ Article 1(c) then refers to "the right of trade unions to function freely subject to no limitations other than those prescribed by law, and which are necessary in a democratic society in the interests of national security or public order or for the protection of the rights and freedoms of others. Article 27 of the International Covenant on Civil and Political Rights deals with the right of minorities to maintain their own identity: "In those states in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language".³⁴

The International Bill of Human Rights, implicitly promulgated for the first time in the Charter of the UNO at the San Francisco Conference in 1945, took almost twenty years until it was finally completed. What we have said in the foregoing paragraphs shows that, over a span of eighteen years, important developments were made regarding the subject of human rights on the international scene. H. Golsong remarks that the Universal Declaration of 1948 brought an important renovation in international relations, for the rights of each individual were recognized and did not

HENKIN, ed.). (Columbia University Press; New York 1981) 92-113 explains in detail the content of art. 1 of the International Covenant on Civil and Political Rights.

31. I. SZABO, "Historical Foundations of Human Rights and Subsequent Developments", in *The International Dimensions of Human Rights*, p. 20.

32. "Official Documents: Human Rights Covenants", p. 861, 871.

33. *Ibid.*, p. 863.

34. *Ibid.*, p. 864. For further details about this article, see L:B. SOHN, "The Rights of Minorities", in (L. HENKIN, ed.), *The International Bill of Human Rights. The Covenants on Civil and Political Rights* (Random House Inc.; New York 1981) 270-289.

depend any longer for their realization on the actions of the state. But, the International Covenants, he continues, are another landmark for they raised the "collective entity" called "people", "state", or "trade union" to the international level.³⁵

The International Conference on Human Rights, held in Teheran in May 1968 adopted a collectivistic approach to human rights.³⁶ In fact, the Proclamation of Teheran repeatedly refers to the gross and massive denials of the human rights of groups, particularly within the policy of apartheid and other policies and practices of social discrimination as a result of colonialism. Discrimination was also practised on the grounds of race, religion, belief or expression of opinion.³⁷ Moreover, the Proclamation refers to the widening gap between the economically developed and developing countries as an impediment to the realization of human rights in the international community.³⁸ Whereas, therefore, the Universal Declaration of Human Rights makes the individual the central figure in a variety of social relationships, the Proclamation of Teheran focuses very much on the group as the main victim of denials of human rights. This is a most striking development in two decades from the individualistic to the collectivistic approach to human rights; a development which can also be seen in the Helsinki Act of 1975.³⁹

The shift from individual to collective rights is also reflected in the Universal Declaration of the Rights of Peoples, adopted in Algiers on the 4th July 1976 at a conference of jurists, politicians, sociologists and environmentalists.⁴⁰ At the Human Rights Commission of the United Nations, during the proceedings of a subcommittee chaired by M. Martinez Cobo, Professor A. Cassese said that this declaration completes the instruments pertaining to the United Nations which are important insofar as

35. H. GOLSONG, "Evolution de la conception des droits collectifs dans la politique internationale", in *Les droits de l'homme; droits collectifs ou droits individuels* (R. Pichon et R. Durand-Auzias; Paris 1980) 139.

36. T.C. VAN BOVEN, *op.cit.*, p. 57.

37. "The Proclamation of Teheran", in *Human Rights. A Compilation of International Instruments*, art. 7, 8, 9, 10, 11 (United Nations; New York 1983) 18-9.

38. *Ibid.*, art. 12, 14, 15, p. 19.

39. F.E. DOWRICH, *op.cit.*, p. 198. Section VIII of the Final Act of Helsinki reads: "The participating states will respect the equal rights of peoples and their rights to self-determination,By virtue of the principle of equal rights and self-determination of peoples, all peoples always have the right, in full freedom, to determine, when and as they wish, their internal and external political states....".

40. For an explanation of the main features of the Universal Declaration of the Right of Peoples, see F. RIGAUX, "The Algiers Declaration of the Rights of Peoples", in A. Cassese, ed., *UN Law/Fundamental Rights* (Sijthoff & Noordhoff; Alphen aan den Rijn 1979) 211-223, and R. FALK, "The Algiers Declaration of the Right of Peoples and the Struggle for Human Rights", in *Ibid.*, pp. 225-235.

they must satisfy all the states and are, therefore, based upon compromise solutions.⁴¹

III. The Rights of Mankind

Many recent conventions, charters, documents, agreements and treaties of the United Nations, some of which deal with global issues, while others with regional problems, are showing another interesting development in the historical evolution of the subject of human rights: mankind as a whole is now emerging as a new subject of rights in international law. W. Hubner remarks that “the entry of the concept of human rights into international law was a remarkable feature of this century. But the present process of development of international law beyond the law of nations to a law of mankind is beyond doubt the most important breakthrough”.⁴² The emergence of the notion of collective rights of mankind is to be considered as a further development of the ‘third generation’ of human rights. In other words, the rights of mankind are a further extension of solidarity rights whose distinctive feature is the fact that solidarity among mankind as a whole is a prerequisite to their realization.⁴³

Accordingly, the international law itself as a major concept is undergoing a slow evolution from the level of being predominantly an intergovernmental law to the level of an objective law of fundamental character for the whole of mankind.⁴⁴ Through the UNO, rights are being extended “from the *individual* or a *present group* to the *species* as such, existing in time”.⁴⁵ The twentieth-century conventions or agreements of the United Nations specifically speak of ‘mankind’ rather than ‘species’ as such. But according to S. Holt, “although there is little explicit reference to ‘mankind’ as an entity existing in time, international lawyers have interpreted the intent as to regard ‘mankind’ as a species, rather than as a present population”.⁴⁶

Evidently, the explanation of ‘mankind’ in terms of ‘species’ gives a wider dimension to the concept of the subject of human rights: ‘mankind’ then comes to denote both the present and future generations. This

41. L. BIMBI, “The Universal Declaration of the Rights of Peoples”, in *IDOC Bulletin* 47 (1976) 2-3. See *Universal Declaration of the Rights of Peoples* (Paris 1977); *Il Risveglio dei Popoli* (Bologna 1980); P. DE SENARCLENS, “Droits de l’homme, droits des peuples”, in *Droits de l’homme et droits des peuples*, pp. 127-132.

42. W. HUBER, *op.cit.*, p. 1.

43. PH. ALSTON, *op.cit.*, p. 307.

44. W.H. BALELJIAN, “Evolving Concepts of International Law”, in P. TRAPPE, ed., *Contemporary Concepts of Law*, vol. I, Part 3 (Franz Steiner Verlag; Wiesbaden 1983) 589.

45. S. HOLT, “Towards Ensuring the Rights of Future Generations: Scientific Aspects”, (Unpublished paper presented to the UNESCO in September 1982), p. 2.

46. *Ibid.*, p. 7.

remarkable development in international law extends the subject of human rights from a *specific group* to *mankind as a whole*, or the *human species*. Human rights could thus be defined as those rights to which every person, irrespective of whether he/she actually exists now or will exist in the future, can have a just claim, by the very reason of being a person or because he/she is a member of the human species. Human rights belong to all people, everywhere, at all times. Whereas the Universal Declaration of 1948 has 'internationalized' human rights, that is, it considered every individual, regardless of race, sex, nation or age, and irrespective of where the human person existed, as a subject of basic needs for the fulfillment of his own human dignity, the recent agreements of the United Nations are 'transgenerationalizing' human rights, rendering rights applicable to all members of the human species, existing in time.

Though the specific rights suggested for inclusion in the 'third generation' have varied according to the source of proposal, the following rights have received support: the right to development; the right to be different; the right to peace; the right to a healthy and balanced environment; and the right to benefit from the common heritage of mankind.⁴⁷ The emerging collective rights of mankind include all these solidarity rights.

A. The 'Common Heritage of Mankind' Principle in International Law

One of the concepts recently introduced in the international legal system is the 'common heritage of mankind' principle which is featuring as an important ethical norm in the emergence of the third generation of human rights. It is therefore important to explain the basic features of this principle.

The first international discussions about the common heritage principle initiated with the attempt to reform the traditional regulations of the Law of the Sea. For many centuries the rules of the Law of the Sea had been based on the freedom of navigation for transportation and fishing purposes. After the Second World War, the scientific and technological revolution opened the way to the exploration and even exploitation of the vast underwater and sea-bed resources. These new possibilities created fear among the developing countries that the technologically advanced nations would soon expose the sea-bed and ocean floor with its tremendous resources to competitive national appropriation. The erosion of the old law of the sea by modern technology has therefore necessitated a change in the traditional regulation of the sea.⁴⁸

47. P.H. ALSTON, *op.cit.*, p. 307-8.

48. A. PARDO, "Ocean Space and Mankind", in *Third World Quarterly* 6 (1984) 564-566.

The growing awareness to these problems led many industrial coastal states and also many of the newly independent countries to work for a comprehensive attempt to deal with the issue. Members of the United Nations Conference on the Law of the Sea (UNCLOS) also felt the need to articulate guidelines for the use of the sea-bed. In July 1966, President L. Johnson warned that the sea-bed, "the legacy of all human beings", should be protected from unfettered harvesting.⁴⁹ With this in mind A. Pardo, the representative of Malta to the United Nations, announced on 1st November 1967, that "the sea-bed and the ocean floor are the *common heritage of mankind* and should be used and exploited for peaceful purposes and for the benefit of mankind as a whole".⁵⁰ The Maltese proposal that the United Nations should take action on the seabed issue and pass a declarataion that the sea-bed and the ocean floor are the 'common heritage of mankind' formed the beginning of a new era not only in the law of the sea but also the whole international legal system.⁵¹ Pardo explained his purpose in introducing this novel concept as that

to provide a solid basis for future worldwide cooperation.... through the acceptance by the international community of a new principle of international law, (namely) that the sea-bed and the ocean floor and their subsoil have a special status as a common heritage of mankind and as such should be reserved exclusively for peaceful purposes and administered by an international authority for the benefit of all people.⁵²

From 1967 onwards, the UNO has been able to play a central role in the Law of the Sea debate. The General Assembly was the first to provide the stage, where the demands of every nation, whether an industrialized or developing country, a land-locked or coastal state, a large or small nation, could be heard. Every year, the problems concerning the Law of the Sea were the subject of lengthy and heated discussions. Resolutions were

See also, R.L. SIMON, "Troubled Waters: Global Justice and Ocean Resources", in T. REAGAN, ed., *Earthbound – New Introductory Essays in Environmental Ethics* (Random Press; New York 1984) 179-213.

49. M.V. WHITE, "The Common Heritage of Mankind: An Assessment", in *Case Western Reserve Journal of International Law* 4 (1982) 516.

50. A. PARDO, "First Statement to the First Committee of the General Assembly, November 1, 1967", in *The Common Heritage. Selected Papers on Ocean and World Order: 1967-1974* (Malta University Press; Malta 1975) 41 (italics mine). For further details about Pardo's contribution in the discussion on the Law of the Sea, see the "Introduction" written by A. MANN BORGESSE, pp. I-XXIII, and J.H. GLAZER, "The Maltese Initiative Within the United Nations – A Blue Planet Blueprint For Trans-national Space", in *Ecology Law Quarterly* 4 (1974) 279-318.

51. N.SYBESMA-KNOL, "The 'Common Heritage of Mankind', Ten Years Later: Developments in the Law of the Sea", in *Studia Diplomatica* 30 (1977) 672.

52. A. PARDO, "Whose is the Bed of the Sea?" in *Proceedings of the American Society of International Law* 216 (1968) 225-226.

adopted, stressing the common interest of mankind in the sea-bed and ocean floor and the preservation of their resources. None of the resolutions between 1967-1970 refers explicitly to the concept of 'the common heritage of mankind' as such. Other expressions were used such as: 'the common interest of mankind', 'the benefit of mankind', and 'interest of mankind as a whole'.⁵³ The first resolution that mentions the term is the "Declaration of Principles governing the Sea-Bed and Ocean Floor, and the Subsoil thereof, beyond the Limits of National Jurisdiction" of December, 17, 1970. It solemnly declares that "the sea-bed and ocean floor and the subsoil thereof, beyond the limits of national jurisdiction, as well as the resources of the area, are the common heritage of mankind".⁵⁴

Before discussing the central implications of the 'common heritage of mankind' principle, it is important to explain the terms used. The word *common* usually refers to a thing which belongs to everyone, or which is shared in respect to title, use or enjoyment, without apportionment or division into individual parts. So, all human beings who constitute mankind may share in whatever belongs to mankind. The word *heritage* suggests property or interest which are reserved to a person(s) by reason of birth, something handed down from one's ancestors or the past. Now, if this heritage is common to all members of the human species, everybody, no matter whether one is living in the North or South, now or in the future, has the right to share in it. In defining *mankind*, it is necessary to make a distinction between mankind and man. Mankind refers to the collective group, whereas man refers to individual men and women. Thus, human rights are those which individuals are entitled to by virtue of their membership in the human race, whereas the rights of mankind relate to the collective entity.⁵⁵ The use of the phrase 'common heritage of mankind' implies that the ownership of the sea-bed and its resources beyond the national jurisdiction belong to mankind as a whole.⁵⁶ In fact, article 137 (2) of the United Nations Convention on the Law of the Sea declares that "all rights in the resources of the Area are vested in mankind as a whole".⁵⁷ It is interesting to note that instead of 'all states', 'mankind' had been named as the beneficiary. S. Gorove regards the introduction of the term 'mankind'

53. N. SYBESMA-KNOL, *op.cit.*, p. 673.

54. Resolution 2749 (XXV), *Resolutions adopted by the General Assembly during its Twenty-Fifty Session, Supplement No. 28 (A/8028)*, (15 Sept-17 Dec 1970), (United Nations; New York 1971) 24-27.

55. R.P. ARNOLD, "The Common Heritage of Mankind as a Legal Concept", in *The International Lawyer* 9 (1975) 153-158.

56. E. PEPIN, "L'humanité et le droit des gens", in *Annuaire de droit maritime et aérien*, Tome VII (1983) 11-16.

57. Article 137 (2), *The Law of the Sea. United Nations Convention on the Law of the Sea* (United Nations; New York 1983) 42.

in international law treaties as a step permitting mankind as a whole to become the subject of international law.⁵⁸

The concept of the 'common heritage of mankind' has evolved partly by analogy and partly by extension of the concept of social ownership as embodied, notably, in the Yugoslav Constitution.⁵⁹ The main elements implied in the common heritage principle concerning resources beyond the national jurisdiction are: (a) non-appropriation by any individual or state, i.e. the right to use these resources, but not to own them; (b) the international management on behalf of the interest of mankind as a whole (including future generations); (c) special regard to the needs of the poorer members; (d) exclusively peaceful purposes.⁶⁰ Management includes environmental protection, preservation of resources for future generations, and equitable sharing of benefits among all nations. This implies the creation of an independent jurisdiction, to regulate, supervise and control all the activities.⁶¹

The concept of 'common heritage of mankind' has also revolutionized the traditional concepts of property. Traditionally, there were two legal terms expressing the principles regulating the use and ownership of property: *res nullius* and *res communis*. The concept of *res nullius* originated in the Roman laws concerning the acquisition of property. An object that is *res nullius* is the property of nobody, but is susceptible to appropriation. The concept of *res communis*, also originating in Roman law, is distinguished from *res nullius* by two characteristics: (1) things are

58. S. GOROVE, "The Concept of 'Common Heritage of Mankind': a Political, Moral or Legal Innovation?", in *San Diego Law Review* 9 (1972) 393.

59. P. SERRACINO-INGLOTT, "The Rights of Future Generations: Some Socio-Philosophical Considerations", in *Melita Theologica* 33 (1982) 7-8. See also J. DJORDJEVIC, "The Social Property of Mankind", in E. MANN BORGESE, ed., *Pacem in Maribus* (New York 1972) 166-182.

60. A. PARDO, "First Statement to the First Committee of the General Assembly, November 1, 1967", in *The Common Heritage. Selected Papers on Oceans and World Order: 1967-1974*, pp. 40-41. For a more detailed information about the basic principles implied in the common heritage of mankind principle, see S. KOTZ, "The Common Heritage of Mankind: Resource Management of the International Sea-bed", in *Ecology Law Review* 6 (1976) 65-107; R. WOLFRUM, "The Principle of the Common Heritage of Mankind", in *Zeitschrift für Ausländisches Öffentliches Recht und Völkerrecht* 43 (1983) 312-337; P.L. SAFFO, "The Common Heritage of Mankind: Has the General Assembly Created a Law to Govern Sea-bed Mining?", in *Tulane Law Review* 5 (1978) 492-520; L. BRADLEY & B. BRENNEN, "The Common Heritage Principle in International Law", in *Columbia Transnational Law* 21 (1982) 305-337; R.J. DUPUY, "The Notion of the Common Heritage of Mankind Applied to the Sea-bed", in *Annals of Air and Space Law* 8 (1983) 347-355, and A. PARDO & C.Q. CHRISTOL, "The Common Interest: Tension Between the Whole and the Parts", in R.J. Mc DONALD & D.M. JOHNSTON, eds., *The Structure and Process of International Law* (Martinus Nijhoff Pub.; The Hague/Boston/Lancaster 1983) 644-550.

61. A.C. KISS, *La notion de patrimoine commun de l'humanité* (Martinus Nijhoff Pub.; The Hague/Boston/London 1984) 128-133; 229-231.

owned in common and accordingly they may not be appropriated; and (2) the right to their use belongs equally to all people. The concept of *res communis* was introduced in the Law of the Sea to correct the anarchical principles implied in the concept of *res nullius*.

The sea was traditionally considered as *res communis*. However, with modern technology, the liberal philosophy implied in the principle of *res communis* was manifested in the indiscriminate and competitive exploitation of resources. It is obvious that the practical consequences of this principle are that the technologically advanced states would benefit most. While these states would not be able to assert sovereignty over the sea-bed resources, they alone could effectively exploit them. Accordingly, neither the principle of *res nullius* nor that of *res communis* could ensure equal access to these resources for all mankind. The common heritage principle was evolved in order to check these anarchical and *laissez-faire* attitudes by safeguarding the interests of all mankind, namely both the present and future generations.⁶² The element of sharing implied in the concept of the common heritage principle, shows a growing sense of solidarity among the human species. It also indicates our contemporary awareness that every generation is just one link in a long chain of generations which collectively form mankind as a whole.⁶³

B. 'Mankind' includes Future Generations

The increasing references in international documents to 'mankind' rather than to the individual or the group are a clear indication of the new direction towards which the 'third generation' of human rights is now moving. These documents claim that mankind as a whole has the right to share the natural and cultural heritage of the earth, to enjoy an environment of such a quality that permits a life of dignity and well-being, to be protected from the effects of atomic radiation, and to benefit from the scientific and technological progress.

It is important to note that a great number of documents which employ the term 'mankind', make also explicit reference to the present and the future generations. This is very revealing, and indicates clearly that the term 'mankind' means more than just the present population, and hence more than a present collectivity. The interchanging usage of 'mankind' and 'present and future generations' suggests that they are synonymous, and justifies the interpretation which international lawyers are giving to

62. *Ibid.*, p. 123.

63. *Ibid.*, p. 113.

'mankind'. If 'mankind' includes both present and all future generations, it therefore refers to the whole human species.

In the following paragraphs, I intend to examine some documents of the United Nations where 'mankind' and 'present and future generations' are used synonymously in the same context. For instance, principles 5 and 18 of the "Stockholm Declaration on Human Environment" (1972) explicitly speak about the rights of mankind to share the non-renewable resources of the earth, and the right to enjoy an environment unspoiled by the careless use of scientific and technological progress:

The nonrenewable resources of the earth must be employed in such a way as to guard against the danger of their future exhaustion and to ensure that benefits from such employment are *shared by mankind*.⁶⁴ (i.e. present and future generations.)

The Stockholm Declaration also states that "science and technology, as part of their contribution to economic and social development, must be applied to the identification, avoidance and control of environmental risk and the solution of environmental problems and for the *common good of mankind*".⁶⁵

Principles 1 and 2 of the same Declaration, instead of speaking of 'mankind', speak of the present and future generations. Since mankind as a whole has a right to share the non-renewable resources of the earth (principle 5), the natural resources must be protected and conserved for the present and future generations (principle 2). The present and future generations (principle 1) or mankind as a whole (principle 18) have the right to an adequate environment. The substitution of 'mankind' by 'present and future generations' in these principles of the Stockholm Declaration is clear evidence that 'mankind' includes more than the generation existing now. Principles 1 and 2 read as follows:

Man has the fundamental right to freedom, equality and adequate conditions of life, in an environment of a quality that permits a life of dignity and well-being, and he bears a solemn responsibility to protect and improve the environment *for the present and future generations*.⁶⁶ (i.e. mankind)

The natural resources of the earth, including the air, water, land, flora and fauna, and especially representative samples of natural ecosystems, must be safeguarded for the benefit of *present and future generations* through careful planning or management, as appropriate."⁶⁷

64. Principle 5 of the "Stockholm Declaration of Principles", in *In Defence of the Earth* (Nairobi 1981) 44. (italics mine)

65. Principle 18, *Ibid.*, p. 46. (italics mine)

66. Principle 1, *Ibid.*, p. 44. (italics mine)

67. Principle 2, *Ibid.*, p. 44. (italics mine)

The United Nations General Assembly (UNGA) Resolution of November 1980 proclaiming the “Historical Responsibility of States for the Preservation of Nature for the Present and Future Generations”, has also used ‘mankind’ and ‘future generations’ interchangeably to convey the same meaning. In the Preamble of this Resolution, the General Assembly, conscious of the disastrous consequences which a war involving the use of nuclear power and other weapons of mass destruction would have on man and his environment, urges nations to create conditions which would banish war from the life of ‘mankind’.⁶⁸ The precise meaning of ‘mankind’ is then given in articles 1 and 3. The General Assembly “proclaims the historical responsibility of states for the preservation of nature for *present and future generations*”,⁶⁹ and calls upon states “in the interest of present and future generations to demonstrate due concern and take the measures, including legislative measures, necessary for preserving nature, and also to promote international cooperation in this field”.⁷⁰

ON 12th December 1979, the UNGA reached an “Agreement Governing the Activities of States on the Moon and Other Celestial Bodies”. Article 11(1) declares that “the moon and its natural resources are the *common heritage of mankind*”.⁷¹ Again, article 4(1) defines the meaning of ‘mankind’ as follows:

The exploration of the moon shall be the province of *all mankind* and shall be carried out for the benefit and in the interest of all countries, irrespective of their degree of economic or scientific development. Due regard shall be paid to the interest of *present and future generations* as well as to the need to promote higher standards of living and conditions of economic and social progress and development in accordance with the Charter of the United Nations.⁷²

68. Preamble, par. 2 & 6 of Resolution 38/8: “Historical Responsibility for the Preservation of Nature for Present and Future Generations”, in *Resolutions and Decisions adopted by the General Assembly during its Twenty-Fifth Session, Supplement No. 48 (A/35/48)*, (16 Sept-17 Dec, 15 and 16 Jan, 2-6 March and 11 May 1981), (United Nations; New York 1981) p. 15. (italics mine)

69. Article 1, *Ibid.*, p. 15. (italics mine)

70. Article 3, *Ibid.*, p. 15. (italics mine)

71. Article 11 (1) of the “Agreement Governing the Activities of States on the Moon and Other Celestial Bodies”, in *Resolutions and Decisions adopted by the General Assembly during its Thirty-Fourth Session, Supplement No. 46(A/34/46)*, (18 Sept 1979-7 Jan 1980), (New York 1980) 79 (italics mine)

72. *Ibid.*, p. 78 (italics mine) There is an important evolution in the *Agreement Governing the Activities of States on the Moon and Other Celestial Bodies*, adopted on the 5th December 1979, when compared with the *Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and other Celestial Bodies*, adopted on the 19th December 1966. The Treaty of 1966 refers to mankind in art. 1. *The United Nations Treaties On Outer Space* (New York 1984), while the Agreement of 1979 specifically explains ‘mankind’ in terms of the present and future generations. Cf. A. C. KISS, *op.cit.*, pp. 151-164.

The UNGA “Resolution on the Effects of Atomic Radiation” (1961) and the “Convention on Environmental Modifications” (1977) are two other instances which continue to add weight to the interpretation of the term ‘mankind’ in a wide sense. In both instances, ‘mankind’ refers both to the present and future generations. On the 27th October 1961, the UNGA, “fearful that the prolonged exposure of *mankind* to increasing levels of radio-active fall-out would constitute a growing threat to *this and future generations*”,⁷³ declares that “both concern for the *future of mankind* and the fundamental principles of international law impose a responsibility on all states concerning actions which might have biological consequences for the *existing and future generations* of peoples of other states, by increasing the level of radio-active fall-out”.⁷⁴

In the preamble of the “Convention on Environmental Modifications”, the State-Parties express their deep concern that the progress in science and technology has new possibilities to modify the environment. They declare that techniques of modifying the environment should be used only for peaceful purposes, to ameliorate man’s relations with nature and to protect and improve the environment for the *present and future generations*. In order to eliminate danger to *mankind*, they prohibit the modification of the environment by techniques used for military and hostile purposes.⁷⁵

The UNESCO 1979 “Convention on the Conservation of Migratory Species of Wild Animals” is another document which substitutes ‘mankind’ by ‘present and future generations’. In this Convention, the State-Parties declared that, “recognizing that the faunae, in their numberless species, constitute an irreplaceable element in the natural system of the earth, they must be conserved for the benefit of *mankind*”.⁷⁶ Then, the preamble goes on to say that “.... each generation of men holds the resources of the earth for *future generations* and has an obligation to ensure that this legacy is conserved and, where utilized, is used wisely....”.⁷⁷

73. Resolution 1629 (XVI): “Report of the United Nations Scientific Committees on the Effects of Atomic Radiation”, in *Resolution adopted by the General Assembly during its Sixteenth Session, Supplement No. 17 (A/5100)*, Vol. 1, (New York 1962) p. 9 (italics mine). See also Resolution 34/12: “Effects of Atomic Radiation”, in *Resolutions adopted on the Reports of the Special Political Committee, Supplement No. 47 (A/34/322)*, (United Nations; New York 1979) 71-2.

74. *Ibid.*

75. “Convention sur l’interdiction d’utiliser des techniques de modification de l’environnement à des fins militaires ou toutes autres fins hostiles”, in A.C. KISS, ed., *Recueil de traités multilatéraux relatifs à la protection de l’environnement* (Paris 1978) 496.

76. Preamble 1 of the “Convention sur la conservation des espèces migratrices appartenant à la faune sauvage”, in *Recueil de traités multilatéraux relatifs à la protection de l’environnement*, p. 516 (italics mine).

77. Preamble 2, *Ibid.*, p. 516 (italics mine).

On the 16th November 1972 the General Conference of UNESCO adopted a recommendation concerning the cultural and natural heritage on the national level. In its preamble, it considers the serious dangers arising from the new phenomena in our epoch which threaten our cultural and natural heritage: a heritage which constitutes an essential element of the *present and future culture*.⁷⁸ The General Conference also declares that those countries which have a natural and cultural heritage, have an obligation to safeguard the *common heritage of mankind* and to transmit it to *future generations*.⁷⁹

These cases in which 'mankind' and 'present and future generations' are used interchangeably, give us a clue of how to understand other statements which speak of 'mankind' without any direct reference to the present and future generations. For instance, in the preamble of the Atlantic Treaty (1959), the State-Parties "recognizing that it is in the interest of *all mankind* that Antarctica shall continue *forever* to be used exclusively for peaceful purposes and shall not become the scene or object of international discord", express their conviction "that the establishment of a firm foundation for the continuation and development ofcooperation on the basis of freedom of scientific investigation in Antarctica as applied during the International Geographical Year accords with the interests of science and the progress of *all mankind*".⁸⁰ By article IV, 1 (b), the contracting parties renounced the territorial sovereignty in Antarctica which any country might claim to have as a result of its own activities or those of its nationals.⁸¹ A.C. Kiss interprets these articles of the Antarctic Treaty as containing an implicit reference to the 'common heritage of mankind' principle.⁸² Antarctica belongs to no particular country but to mankind as a whole, that is, to present and future generations.

At its twenty-ninth session, 1974, the General Assembly of the United Nations considered briefly a draft declaration on the use of scientific and technological progress in the interest of peace and for the benefit of mankind. At its thirtieth session, in 1975, it considered a revised draft declaration and the amendments thereto. By the Resolution 3384 (XXX) of the 10th November 1975, the General Assembly proclaimed the "Declaration on the Use of Scientific and Technological Progress in the

78. Preamble, par. 3 of the "Recommendation concernant la protection, sur le plan national, du patrimoine culturel et naturel", in *Convention et recommandation de l'Unesco relatives à la protection du patrimoine culturel* (Paris 1983) 173.

79. Preamble, par. 5, *Ibid.*, p. 173.

80. "The Antarctic Treaty", in *Status of Multilateral Arms Regulation and Disarmament Agreement* (New York 1982) 12 (italics mine).

81. *Ibid.*, p. 13. See also W.N. BONNER & D.W. WALTON, eds., *Antarctica*, (Oxford 1985).

82. A.C. KISS, *La notion de patrimoine commun de L'humanité*, p. 142.

Interest of Peace and for the Benefit of Mankind”.⁸³ The declaration states that

all States shall refrain from any acts involving the use of scientific and technological achievements for the purposes of violating the sovereignty and territorial integrity of other states, interfering in their affairs, waging aggressive wars, suppressing national liberation movements or pursuing a policy of racial discrimination. Such acts are not only a flagrant violation of the Charter of the United Nations and the principles of international law, but constitute an inadmissible distortion of the purposes that should guide scientific and technological development for the benefit of *mankind*⁸⁴ (i.e. the present and future generations).

Certainly, the recent emergence of the concept of the rights of mankind on the international scene is to a great extent the result of the growing sense of solidarity among mankind and the widespread phenomenon of ecological awakening. The above-quoted documents of the UNO indicate that mankind, rather than the individual or a particular group, was the focal attention in questions connected with the biosphere. Human consciousness has become more sensitive than ever before to the fact that we inhabit only *one* earth, with only *one* environment for *one* human family. We now view ourselves as belonging to one family of humankind, existing throughout the world and throughout all time.

Even the way we are understanding the nature of human action has undergone an important change. Previously, human activity was thought to have effects only on those close in time and space to that activity. Now, we have become aware that human activity has effects on the human species far into the future. Modern science and technology have given us an unprecedented power to influence the lives of those who will live in the future. The new moral sensitivity to unborn generations, who are powerless to defend themselves from the risks to which they can be exposed, is the main reason behind the extension of collective rights from a particular group

83. *United Nations Activities in the Field of Human Rights*, p. 254.

84. Article 4 of the “Declaration on the Use of Scientific and Technological Progress in the Interest of Peace and for the Benefit of Mankind”, in *Human Rights. A Compilation of International Instruments*, pp. 140-1 (italics mine). The same interpretation could be attributed to the world ‘mankind’ employed in the following documents: “Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies”, in *Statutes of Multilateral Arms Regulations and Disarmament Agreement*, p. 32; Resolution 2260 (XXII) of the “Report on the Peaceful Use of Outer Space”, in *Resolutions adopted by the General Assembly during its Twenty-Second Session, Supplement No. 16 (A/6716)*, (19 Sept-19 Dec), Vol. I (New York 1967) 11-12, and Preamble, par. 6 of the “Convention concernant la protection du patrimoine mondial culturel et naturel”, in *Conventions et recommandations de l’Unesco relatives à la protection du patrimoine culturel*, p. 82-3.

or people to mankind as a whole. Though this latest development in the 'third generation' of human rights is still in its initial stage, it offers a new challenge to the existing international legal system. These new directions in the human rights movement, as well as the growing ethical awareness of our responsibilities to those yet to be born would perhaps eventually demand a modification of the Declaration of Human Rights, or even the promulgation of a new one that aims to protect the whole community of mankind.

BOOK REVIEWS

Carol L. MEYERS/Eric MEYERS, *Haggai, Zechariah 1-8* (Anchor Bible 25 B; Doubleday, Garden City, New York 1987) XCV, 478 pp.

The Anchor Bible standard for commentaries as explained by its general editors, namely, that "The AB is aimed at the general reader with no special formal training in biblical studies, yet, it is written with the most exacting standards of scholarship, reflecting the highest technical accomplishment" has well been reached by this volume, number 25 B of the series. Written in straightforward and uncomplicated English, and enriched with three maps, thirteen explanatory charts, seventeen photographs and a glossary of technical terms, this commentary remains within the reach of the non-professional.

The professional readers are offered by Carol L. Meyers and Eric M. Meyers (herefrom referred to as MM), the authors (who happen to be husband and wife), the basic AB characteristic services: a good introduction (pp. XXIX-LXXII) which is a must for the proper understanding of the commentary since it contains the theoretical apparatus employed by the authors; twenty-two pages of bibliography, alphabetically and chronologically arranged (pp. LXIII-XCV) [from which is missing

the two volumes work in Spanish] by Luis Alonso Schökel and J.L. Sicre Diaz, *Profetas. Commentario*, I and II (Ediciones Cristianidad; Madrid 1980) which is unfortunate as in both works a literary approach has been adopted; also missing from the bibliography are some interesting general introductions to the prophetic phenomenon like Abraham Heschel, *The Prophets* (Harper & Row; New York 1962); Gerhard von Rod, *Theologie des Alten Testaments, II, Die Theologie der prophetischen Überlieferungen Israels* (Chr. Kaiser Verlag; Munich 1965); André Neher, *L'essense du prophetisme* (Calman-Lévy; Paris 1972, 1983) and, to complete the list of remarkable omissions, Brevard S. Childs, *Introduction to the Old Testament as Scripture* (SCM Press; London 1979). One should note, however, that MM find no place in their introduction for a brief discussion on prophetism in general, something which might have been useful for readers who happen to know little of the biblical prophets, [all the more so as Haggai and Zechariah are said in the introduction itself (p. XL) to join the ranks of Israel's prophets]; an original translation of the texts involved chapter by chapter [one should not neglect the authors' 'note on the translation' (pp. XXV-XXVI) before endeavouring an evaluation of their contribution]; a huge mass of notes on the text verse by verse [these may run into several pages as

is the case of Hag 1,1 which gathered no less than thirteen pages of notes (pp. 4-17)]; and a commentary on the text subunit by subunit.

Within MM's introductory discussion of Haggai and First Zechariah relatively small is the space dedicated to the reconstruction of the books' historical context (pp. XXIX-XL, of which three pages are taken for maps); even fewer are the pages left for the discussion of the two prophets' ministry (pp. XL-XLIV), textual criticism (pp. LXVIII-LXXII) (MM limit their research to only 'recent study'). By far the larger slice of the introduction falls under the rubric "Literary Considerations" (pp. XLIV-LXVII); it is in this section that MM spell out the literary principles which guided their reading and interpretation of the two prophetic writings; here we find most of the explanatory charts which deal with linguistic and literary phenomena.

It is this section which contains the key to MM's understanding of Haggai and First Zechariah. The authors make here a number of considerations concerning the book's redaction history and literary peculiarities which merit to be briefly reproduced:

(a) "Haggai and the first eight chapters of the canonical book of Zechariah belong together as a composite work". "While they diverge to a certain extent in the specifics of their works, the two prophets complement each other, as one might indeed expect of two men of God

who are responding to virtually the same questions and the same quandaries" (p. XLIV). Justification for this statement is offered in what the authors call thematic, contextual and literary congruences (pp. XLIV-XLVIII).

(b) "The anticipation of the rededication of the (second) temple would have provided the motivation for the organization and promulgation of these two prophetic works. We might even posit a functional relationship between publication of Haggai-Zechariah 1-8 and the rededication ceremony. The former may have helped to ensure that the latter took place" (p. XLV).

(c) "The many chronological markers found within the text of Haggai and First Zechariah provide the overall structure for the combined work. They are also important for dating the materials to which they are attached, for presumably the prophet or editor would not otherwise have bothered with them. The arrangement of the dates in or of itself is of interest... This arrangement creates a focus on the central date. The chronological climax of Haggai-Zechariah 1-8 is clearly the event of December 18, 520, the refoundation ceremony. All the chronological markers thus have been carefully set into place in Haggai-Zechariah 1-8 to draw attention to a momentous event and also to provide a structure for the work as a whole" (p. XLVII, consult Chart 2 on p. XLVI).

(d) On the basis of the five chro-

nological headings in Haggai (1,1; 1,15; 2,1; 2,10; 2,20) MM divide this small book first in two sections and then into five subunits:

A. Restoration of the Temple (1,1-15):

- (a) Prophetic call to work on the Temple (1,1-11).
- (b) Response of leaders and people (1,12-15).

B. Oracles of Encouragement (2,1-23):

- (a) Assurance of God's presence (2,1-9).
- (b) Priestly ruling with prophetic interpretation (2,10-19).
- (c) Future hope (2,20-23).

"Each subunit has its own integrity with respect to content, although there is a development from first to last and a building upon themes which give an overall unity to this book (p. XLVIII).

(e) First Zechariah is divided by MM into three unequal subunits: 1,1-6; 1,7-6,15; 7,1-8,23. This division is founded both on the three-fold appearance of the date formula at the beginning of each subdivision, and on the nature of the material in each unit. The predominance in each subsection of one of the literary genres employed by the author of First Zechariah, namely, narration, vision and oracle – consult Chart 4 on p. LI – has been decisive for the three-fold division seen by MM. "In addition to these differences in the genre and style of prophetic utterances, the internal content of each section fits the chronological information pro-

vided at the outset of each. Although the total time frame is not great, there are evidently important developments in what is happening within the prophet's community which evoke his response at intervals" (p. L). "Although the organization of the material into three sections is quite clear, the overall unity of the whole is equally compelling" (p. LI). This statement is grounded on literary phenomena: the presence in each subunit of genres that are predominant in other subunits – consult Chart 4 on p. LI – and correspondences in phraseology and vocabulary between the three subsections of First Zechariah – see Charts 5 and 6 on pp. LII-LIII; one should also consult Chart 3 on p. XLIX for correspondences between Haggai and Zech 7-8 as well as Chart 7 on p. LIV for parallels between Haggai and Zech 1,1-6.

(f) "First Zechariah offers his audience a carefully arranged sequence of eight visions" (p. LIV). These visions are:

(i) Organized into three subunits: a first group of three visions is followed by a pair of visions, while another set of three visions closes the rear; each vision is numbered, with the exception of one (p. LVI);

(ii) built in such a way that the first group of visions parallels the last group: the parallels touch upon internal structure of each vision, subject-matter and language – see p. LV but also the commentary for detailed treatment;

(iii) arranged chiastically: "...the

correspondences between the individual units of the first and third subsets are organized in inverse order, with the first and last vision complementing each other, the same for the second and sixth, and also for the third and fifth” (p. LV); such arrangement rests on stylistic grounds; this “has the effect of establishing the central pair as a complementary set, although the stylistic correspondences between those two are absent; stylistic contrast... in fact characterizes the relationship of the central two visions to each other” (ibid.);

(iv) thematically related within the concentric structure: “...the stylistic correlations between the first and third subsets are accompanied by thematic relationships”; this thematic correspondence involves especially the scope of the visions — consult Chart 8 where these thematic relationships are graphically described: visions one and seven carry a universal dimension, visions two and six an international scope, while this scope narrows down to the national field in visions three and five; for MM the result of this progressively smaller field of interest is that “the central subset emerges with the temple in Jerusalem as the centre of the prophet’s universe; the overall structure “can be conceived of as a series of superimposed circles as shown in Chart 8, with Yahweh and the whole world as the largest circle and the temple and the leadership of Yehud at the centre. Such an arrangement is meant to show that the

smaller circles are inseparable from the larger ones, which contain them. Jerusalem at the centre is part of Yehud, of the international community of nations, and of the cosmos as ordered by Yahweh” (p. LV);

(v) indicative of the prophet’s main concern: “The intricate structure of the sequence of eight visions has the effect of drawing the attention of the audience to the central subset... The prophet’s ultimate concern, we learn from this arrangement, lies with the temple and the leadership in Jerusalem. In this sense, the full visionary set can properly be called Zechariah’s Temple Visions. Although only the central two visions deal explicitly with the temple, the fact that the centre is an integral part of a carefully constructed whole indicates that the entire sequence emerges from the prophet’s acute awareness of the conceptual and political problems surrounding the reorganization of the postexilic community and the reconstruction of that community’s institutional core” (pp. LV-LVI).

(g) “Chapters 7 and 8 of the Book of Zechariah play a special role in the organization of Zechariah and also in the relationship between the Books of Haggai and Zechariah. The two chapters constitute a distinct literary unit. Although itself composed of four sub-units, it has an overall integrity as one of the major sections of First Zechariah. Furthermore its clear

relationship to the material in Haggai... creates a framework for Haggai-Zechariah 1-8 and indicates that Zechariah 1-8 forms a composite work with the two chapters of Haggai" (p. LX). For a detailed corroboration of these two statements the reader is invited to go through the notes and comments in the commentary (pp. 379-428). As with the other major divisions of Hag-Zech 1-8 this last unit is made up of a number of subunits – refer to p. LXIII.

Remarks

MM's reconstruction of the redaction history and the literary dynamics of Haggai-First Zechariah, however insightful, cannot but raise a number of questions. While the thesis that these biblical texts actually form part of a composite work seems to find solid corroboration in the relatively elevated number of correspondences between Haggai and Zechariah, 7-8 – consult Chart 3 on p. XLIX – we have still to explain how Zech 7-8 shares none with the other two parts of First Zechariah of the more important terms/concepts like 'House of Yahweh of Hosts', 'people of the land', 'Elohim', also found in Haggai – see Charts 5 and 6 on pp. LII-LIII. Besides, this thesis must account for the fact that Haggai enjoyed independent existence throughout tradition, even notwithstanding the possibility that the name *Haggai* is a symbol rather than a proper name – refer to p. 8.

There is then MM's thesis that Zechariah's eight visions are set within a concentric structure which points to the prophet's ultimate concern with the post-exilic temple and leadership in Jerusalem. Their description of the overall structure of the central section in First Zechariah does not seem to take into account the relationship between the structure's nucleus and the out-flanking elements of the Hag-Zech composite entity.

Some minor points:

(i) The present reviewer finds MM's emphasis on the possible semantic relevance of the traditional 7+1 pattern, detected within the chronology formulae (p. XLVII) of the Hag-Zech unity, and the 'conscious' arrangement of the visionary units in Zech (p. LVII) rather laboured.

(ii) Emphasis through repetition on salient points within a thesis is understandable and acceptable. Yet unnecessary repetition may prove harmful for the volume – for instance, the question of who could have been responsible for the redactional unity Hag-Zech 1-8 is discussed at least twice (pp. XLIV, LXII).

(iii) The reference system adopted in this volume, which refers to sources by the authors' surname, the books' date of publication, and the page number, all set within the text, facilitates matters for setting and printing; yet it makes the task for the reader rather more laborious as he has to go back to the bibliography in order to learn what

the authors referred to write in the years indicated, or else he has to memorize the entire bibliography!

(iv) MM endorsed R.E. Friedman's thesis developed in his 1983 paper 'The Prophet and the Historian. The Acquisition of historical Information from Literary Sources' (see bibliography on p. LXXXI for details), that the father of Haggai's high priest Joshua, Jehozadak (see Hag 1,1) was responsible for overseeing the editing and preparation of the Pentateuch (Torah) and the Former Prophets (Joshua through 2 Kings), a composite opus Friedman called 'Primary History'. Apart from some confusion in MM's volume on what actually constituted the 'Primary History' (compare p. 16 with p. 18), it would be better perhaps to identify what is "primary" in Israelite history with what happened during the 'foundation period' as narrated in the Pentateuch.

These minor points notwithstanding, the present reviewer found this book fascinating, and would recommend it to whomsoever wishes to know better not only the two prophetic scripts under study but the Old Testament world as a whole.

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Maurice EMINJAN S.J., *Signs of the Times* (Jesuit Publications: Malta 1987) V + 106 pp.

The author of this stimulating selection of papers has been Professor of Dogmatic and Ecumenical Theology at the University of Malta (1965-1978) and at the Faculty of Theology and is well-known both for his several publications based on theological research and as an effective broadcaster in Maltese-language TV religious programmes.

The present volume contains a wide-ranging set of articles all of them reflecting Vatican II teaching and the Church's Magisterium under the following headings: 1. Green Light to Renewal; 2. Christian Secularity; 3. Sacrament of Salvation; 4. Good News for the Man of Today; 5. Reunited in Christ; 6. Urge of the Spirit: the New Cults; 7. The Phenomenon of Modern Atheism; 8. The Unity of Mankind; 9. Community through Free Communications; 10. Moral Values in a Technical Age; 11. Prophetic Witness. Some of the chapters, Eminyan informs us in his Preface, were basically papers read on different occasions, while other are adaptations of articles which appeared in various periodicals.

The author writes easily and informatively in a style at one clear and intelligible to both the specialized and the general reader. The book is well-structured in its arguments, deriving its strength, apart

from Papal pronouncements and the Church documents, from the balance shown in drawing on historical evidence and recent scholarship to deal with the various questions and problems facing man in our technical age.

As an antidote to the despair and materialism of the 20th century we are offered the spiritual motivation of a life of faith, hope and charity in the context of and according to the demands of today's world.

Each article in this collection deserves to be read slowly. Here we can only mention a few aspects of Eminyan's book. Without minimising the importance of Vatican II as a landmark in the history of the Church he stresses that it was Pius XII's encyclical *Divino Afflante Spiritu* (1943) which gave the green light for new methods and principles of interpreting the Holy Scripture, opening new horizons for theologians and biblical scholars. Indeed he states that "without *Divino Afflante* there would have been no *Dei Verbum* (1965) and in fact there would have been no Vatican II with all the sixteen documents such as we know them today" (p. 4).

Well known as the author of *The Theology of Salvation* (1960) and *The Mystery of Salvation* (1973), Fr. Eminyan contributes three chapters to this important theme, dealing respectively with 'The Sacrament of Salvation', with the doctrine of salvation (the Good News) as envisaged by modern theology in 'Good News for the Man of Today'

and with the problem of Ecumenism in 'Reunited in Christ'.

In Chapter 6 he studies the problem posed by the rise and proliferation of new cults such as Jehovah's Witnesses, the Bahai's and the Moonies. He examines their main characteristics in the light of recent studies by scholars and theologians and adduces various reasons why the Church should be concerned with the rise and influence of the new cults. The conclusion reached is that the only possible answer to such an aggression can be a pastoral one (p. 56), whilst the possibility of entering into dialogue with other faiths is not excluded (p. 58).

Similarly in Chapter 7 the author analyses the causes of contemporary atheism, and anti-theism, with the aim of understanding this phenomenon, not to disprove it. He stresses that the Church, in the words of Vatican II and of Pope Paul's encyclical *Ecclesiam Suam*, "must react not with censure, but with understanding; not condemn those who are away from her, but establish a dialogue with them" (p. 70).

The frequent exchange of ideas between the scientist and the theologian on the subject of polygenesis and original sin forms the subject of Chapter 8. The scientific question regarding the origin of man from one pair (monogenesis) or from many couples (polygenesis) has theological implications. Eminyan refers to recent attempts made to harmonize the Church's teachings on original sin with the theory

of polygenesis and shows that theological opinion is veering more and more away from monogenesis, concluding that "it is not too optimistic to say that a breakthrough on the problem is in sight" (p. 73).

Another topical subject treated in Chapter 9 'Community through Free Communications' considers the need of placing the mass media at the service of man rather than subjecting man to the media through manipulation of social communication media by Governments or powerful private commercial bodies.

Jesuit Publications are to be congratulated for issuing such an important book for our time which should be popular among students and interested lay readers.

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Umberto NERI (ed.), *Genesi* (Biblia AT/1; Gribaudi, Turin 1986) XXIX, 660 pp.

Elegant but expensive, encyclopedic but profound. These two pairs of adjectives suit this first volume of an ambitious project called "Biblia" which is promoted by the "Comunità di Monteveglio" in Italy. Several volumes of this series have their preparation already begun. The series sub-title "Biblia: I

Libri della Bibbia interpretati dalla grande Tradizione" already hints to the contents of the individual volumes; the promoters intend to make available to a wide readership the interpretation given to the text of the Bible throughout the centuries. The title page of the present volume mentions the commentaries of no less than sixteen authors, besides versions and targums.

This volume consists essentially of three unequal parts. We have first a preface by Giuseppe Dossetti, which offers an apologia for the Biblia project as a whole. GD draws heavily upon the 1956 Lent pastoral letter of Angelo Giuseppe Roncalli, the then patriarch of Venice, *La Scrittura e San Lorenzo Giustiniani* in order to justify the project's general orientation of reading Scripture within Tradition. This had been the practice of the community to which he belongs and which is responsible for the Biblia series: "legge, prega, commenta in comune la Scrittura in *lectio continua*... e tutto questo nella chiesa, cioè mantenedosi sempre a contatto con la sua grande Tradizione e il suo Magistero, dalle origini sino ad oggi, non ignorando i commenti più recenti, ma non trascurando, anzi utilizzando ampiamente anche gli antichi (e perciò, senza il pregiudizio contrario che essi siano del tutto irrilevanti ai fini di una vera e propria esegesi)" (vii). Among the several points of reflection gleaned from Roncalli's document three are especially relevant to the under-

standing of the hermeneutical principles being followed in this project: “Tutta la Bibbia è un unico libro” notwithstanding the multiplicity of the ‘scriptores’ (viii); “Tutta la Bibbia ha un senso spirituale, e questo senso, di tutte le scritture e di tutti i libri è il Cristo” (viii): here Roncalli distinguishes between the “veil” (i.e. the ‘words’) and the “verità tutta santa che soggiace alle parole e contiene il messaggio di Dio per l’umanità intera, cioè Cristo nei suoi misteri al di sopra di ogni realtà e conoscenza umana” (ix); “La Bibbia va letta nella Tradizione, e in continuità omogenea con essa va interpretata” (ix); the patriarch of Venice quotes the beautiful image of St. Augustine who figured the Christian as reading Scripture on the knees of Mother Church “che ne è l’interprete autentica e sicura” (ix).

GD then defines the aims of *Biblia* in clear and simple terms: “...lo scopo della collezione è di offrire... per i singoli libri della Bibbia un approccio patristico, o meglio più ampiamente ‘tradizionale’, che sia filologicamente esatto, concettualmente rispettoso delle fonti e insieme abbastanza agile ed armonico. Questo, e niente di più” (xiii). He integrates the project within the current debate about the relationship between modern exegesis and tradition, and about the apparent sterile development of the historical critical method (xiv). GD insists that the series does not intend to offer an alternative to the historical critical approach to the

Bible, nor should we read in it an invitation to return to the exegetical approaches of the patristic or medieval authors. *Biblia* simply means “di cominciare – sia pure per ora da un versante solo, cioè quello certo della fede – a mettere a disposizione un materiale di confronto vasto e ben selezionato” (xiv) which would put side by side contrasting interpretations without prejudice against any exegetical current, and which would stimulate both believer and researcher “offrendo non solo dei discorsi preliminari sull’ambiente biblico e sull’iter formattivo del testo, ma anche dei contenuti interpretativi ben precisi, sia pure opinabili quanto si vuole per uno studioso moderno, ma sempre non banali” (xiv). GD closes his preface with a longish quote from Emilio Betti’s 1955 manual, *Teoria general dell’interpretazione* to prove the wisdom of taking tradition into account during the hermeneutical process (xv-xvi).

Next comes Umberto Neri’s own introduction both to the entire series and also to this Genesis volume (xvii-xlvi). To open this introduction we find the list of siglas, which refer only to general reference works, and the bibliography (xix-xxvii). Thereupon follows a chapter on *Biblia* (XXXI-LVII). UN here appears as the originator of the series (XXXI) and hence assumes the task of describing the project’s *Gattung*: we encounter here another “catena”. This definition is preceded by an excursus on

“rabbinic bibles, catenae and glossae” (XXXI-XXXV); UN then explains the reasons for his choice of this genre. Catenae and glossae “rappresentano un fatto teologico di immensa importanza” (XXXVI) since they assume (i) that the Bible should be received within tradition, (ii) that the Fathers of the Church together with the “probatu auctores”, in spite of their differences in theological sensibility and approach, “finiscono abitualmente per comporsi in una mirabile ‘concordia discors’ ” and can be put side by side without harm to any of them. UN considers these assumptions as substantially valid and makes them to constitute the foundations of the Biblia project itself (ibid). This series is planned to fill an important gap: “Sia il rinnovamento biblico che la rinascita patristica in atto, hanno in fatti evidente bisogno di essere efficacemente sostenuti e potenziati. Ma a questo scopo occorre farli convergere tra loro. Rivalorizzare cioè nel modo giusto la Tradizione mostrando il vigore e la bellezza dei maestri del passato, e leggere la Bibbia in modo più sapido e profondo collocandosi nel fascio di luce della Tradizione” (XXXVI) UN laments the lack of interest among modern exegetes in patristic and medieval exegesis (XXXVII): “...siamo convinti che l’esegesi antica può ancora insegnare moltissimo sul modo di accostare e di intendere la Scrittura: sulla fede con cui va creduta, sullo spirito con cui va accolta, sulla sua interpreta-

zione globale, sulle prospettive nelle quali si struttura il discorso biblico, sulle fasi del suo sviluppo e sui suoi contenuti più profondi e vitali” (ibid).

Biblia is a catena with a difference though. In selecting its sources the project lays no a priori conditions against any period, school or tradition en bloc. Besides, in quoting its commentaries Biblia editions do not search “la risposta a problemi costituiti da versetti difficili o la soluzione di dibattute ‘questiones’ esegetiche, quanto principalmente l’apertura di orizzonte spirituali e teologici, e la percezione dell’impatto che la Parola biblica ha avuto nell’esperienza dei maestri del passato, e che può ancora avere nella nostra vita di credenti” (XXXIX). One important departure from former catenae concerns the typographical disposition of the quotes: they are not ‘chained’ as to form a unitarian reading: instead they are reproduced in distinct clusters so as to avoid “che si confondano in modo acritico apporti di epoche e autori diversi,” and to follow for the “lettura isolata e continua di ogni singolo commento” (ibid). Biblia differs from its predecessors in another area: it offers textual criticism by comparing the basic Italian version, that adopted by the Conferenza Episcopale Italiana (CEI) to the Masoretic Text (M), and the main versions of the Septuagint (S), the Syriac Peshitta (P) and the Vulgate (V). References are also made to

targumic literature (*ibid.*).

In a second chapter of the introduction UN deals with the various elements that compose *Biblia* (XLI-LVII). He discusses at some length the good points and short-comings of the masoretic text, the versions mentioned above, and the several commentaries included within the series (*cfr.* XL). The final chapter (LXI-CXXXVIII) specifically considers Genesis: the text of MSPV is discussed first while an evaluation of the CEI Genesis is also given (LXI-LXXVII); then the various scriptores from tradition whose works are included in this volume are passed under review; these authors are Origen, Cyril of Alexandria, Procopus, St. Ephrem, Narsai, Ishodad of Merv, Ambrose, Augustine, the Venerable Bede, Rupert of Deuts, Hugo of St. Chaire, the reformers Luther and Calvin, and the modern scholars Albert-Eugene Clamer, Gerhard von Rad and Walther Zimmerli. In his discussion on the individual commentators UN brings to the fore the hermeneutical principles followed. Realistically enough the editor of the present volume ends this list of authors with an overview of the absentees among whom he singles out the commentary of Claus Westermann (CXXXVIII*f.*).

The bulk of the volume is understandably taken by the text of Genesis in its Italian translation, together with the various commentaries of the authors mentioned in the introduction. The procedure em-

ployed here is simple: (i) first comes the reproduction of an abstract of the text (which may run in several verses, but it may also be limited to one verse, *cfr.* Gen 1, 1 for instance); (ii) there follows textual criticism: the editor compares the CEI translation to MSPV and reproduces the variant readings; (iii) the comments of the various authors on that abstract are next given in chronological order. Before embarking on a detailed study of the single texts one should make sure to command the symbols of the textual apparatus (to the List of errata – *corrigere* I suggest we add “*distintue*” on p. CXLI line 5 which should read “*distingue*”) and the sigla of the several sources to be quoted (CXLI-CXLV) while he should read attentively the instructions given on p. CXLVI.

Two Questions

This book raises a number of questions to which an answer must be found. I shall mention only two. (a) UN seems to endorse the thesis of the inspiration of the Septuagint version – *cfr.* in particular pp. XLV-XLVI. One may ask whether in those cases where M and S offer substantially different versions we have two different, if not contrasting, inspired texts of God’s word. (b) This book opens in a concrete manner the debate about the relationship of the so called “*literal sense*” and the “*senso spirituale*”, that is, between the *sensus humanus*

and the presumed “sensus divinus” which includes and transcends the human sense. Whatever the beauty and theological depth of certain comments made by patristic, medieval or reform authors, one may still be faced with the methodological query whether these reflections belong to the literal sense of the text. Let us consider the comment of St. Ambrose on Gen 13,3 given on p. 193:

“È bene che il principio e la fine coincidano, come disse il buon Signore Gesù: lo sono l’alfa e l’omega, il principio e la fine (Ap 1,8). La nostra anima, dunque, sia sempre con lui e mai si allontani dal suo tempio e dalla sua parola: sia sempre occupata a leggere le Scritture, a meditare e a pregare, affinché la Parola — che veramente è ‘sua’ — sempre operi in noi (cfr. 1 Ts 2,13); e come ogni giorno, andando alla chiesa o pregando in casa, da lui cominciamo e in lui finiamo, così il giorno di tutta questa nostra vita e il corso di questo ‘giorno’ da lui abbia inizio e in lui abbia fine.”

The thought of making this profound paraenesis available to a wide readership is laudable indeed; but it is very difficult to read it as exegesis of this Abraham itinerary (C. Westermann). Non-specialists ought to know that not a few of the comments included in this volume have no foundation at all in the text. Pat-

ristic and medieval commentaries often offer splendid theologizing over the text, theologizing which is not exegesis.

With all that this volume will serve a useful purpose. The general reader will be made more aware that Scripture and Tradition go together as sources of revelation. Teachers who lecture into the history of the biblical text and into the history of exegesis and hermeneutics will find this volume a very useful tool. The professional exegete, especially those who propound holistic approaches, may delight in discovering that some of their intuitions are not that novel, after all, since others expressed them centuries before, albeit without their tools of literary criticism!

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