

Congregation can more easily laicize priests

Cindy Wooden Catholic News Service | Jun. 3, 2009

VATICAN CITY -- Pope Benedict XVI has granted the Congregation for Clergy new powers to dismiss from the priesthood and release from the obligation of celibacy priests who are living with women, who have abandoned their ministry for more than five years or who have engaged in seriously scandalous behavior.

The new powers do not apply to cases involving the sexual abuse of minors by a priest; those cases continue to be subject to special rules and procedures overseen by the Congregation for the Doctrine of the Faith.

The new faculties were announced by Cardinal Claudio Hummes, prefect of the clergy congregation, in an April 18 letter to the world's bishops. Catholic News Service obtained a copy of the letter in early June.

Cardinal Hummes told CNS June 3 that the new, quicker administrative procedure for dismissing priests was prompted by "many situations where canon law did not seem adequate for meeting new problems."

As an example, the cardinal said the 1983 Code of Canon Law made no provision for a bishop to initiate a process to laicize a priest who had abandoned his ministry.

Usually when a priest leaves the ministry of his own accord, he informs his bishop and sooner or later will request a formal dispensation from the obligation of celibacy, the cardinal said.

But others "leave, they marry [in a civil ceremony], they have children. In these cases, the bishops did not have a way to proceed because it was up to the person who left," he said.

"But if the one who left is not interested (in regularizing his situation), the good of the church and the good of the priest who left is that he be dispensed so that he would be in a correct situation, especially if he has children," the cardinal said.

Cardinal Hummes said a priest's "children have the right to have a father who is in a correct situation in the eyes of God and with his own conscience. So helping these people is one of the reasons there are new procedures. In these cases, the initiative begins with the bishop."

The cardinal said he did not have statistics on how many priests have abandoned their ministry without seeking laicization, but it was a problem bishops have raised with the congregation.

Cardinal Hummes' letter to the world's bishops said that while the church teaches that properly performed sacraments are valid whether or not the priest officiating is living in a situation of holiness, the discipline of the Latin-rite Catholic Church is to insist that priests strive for moral perfection and to imitate Christ, who was chaste.

"The church, being the spouse of Jesus Christ, wishes to be loved in the total and exclusive manner with which Jesus Christ loved her as her head and spouse. Priestly celibacy is, therefore, the gift of oneself in and with

Christ to his church, and expresses the service of the priest to the church in and with the Lord," the cardinal wrote.

"The vast majority of priests live out their priestly identity daily with serenity and exercise faithfully their proper ministry," he wrote, but when situations of scandal arise a bishop must be able to act quickly and firmly.

The cardinal's letter dealt separately with the situation of priests who simply abandoned their ministry for "a period of more than five consecutive years." It also addressed the more serious cases of those priests who have attempted or contracted a civil marriage, are having a consensual sexual relationship with a woman or have violated another church or moral law in a way that caused serious scandal.

"Situations of grave lack of discipline on the part of some clergy have occurred in which the attempts to resolve the problems by the pastoral and canonical means foreseen in the Code of Canon Law are shown to be insufficient or unsuitable to repair scandal, to restore justice or to reform the offender," the letter said.

In every case, however, Cardinal Hummes' letter insisted that the local bishop carry out a careful investigation of the facts and, when the evidence confirms wrongdoing, "he should proceed formally to correct or admonish the accused."

"Yet when this does not suffice to repair the scandal, restore justice and bring about the rehabilitation of the person, the bishop should proceed with the imposition of penalties," the letter said, outlining the obligatory steps to be taken.

At every stage of the process, the cardinal told CNS: "The right of a priest to defend himself is sacred, including in these cases. The right to defend oneself is internationally recognized and always preserved."

Prior to Pope Benedict's approval of the new norms Jan. 30, bishops seeking to dismiss a priest for abandoning the ministry or attempting marriage had to initiate a formal juridical trial against the person.

In the interview, Cardinal Hummes said that although the procedures have been streamlined, "each case will be reviewed individually, including with the aim of ensuring that the rights of the person interested were protected."

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