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Canon law changes for deacons, some marriages

by Cindy Wooden by Catholic News Service

Women deacons

VATICAN CITY -- Pope Benedict XVI has made changes in church law to clarify the role of deacons and to remove an ambiguity about the marriage status of some Catholics.

The modifications were ordered by the pope in a document, "**Omnium in Mente**," ("**In the Mind of All**") published Dec. 15 in Latin and Italian by the Vatican.

Two rewritten canons in the Code of Canon Law reinforced the distinction between the role of governance belonging to bishops and priests and the role of service belonging to deacons.

Changes to three other canons removed an exemption from some rules on marriage for Catholics who have formally declared they are no longer part of the church.

Jesuit Father Federico Lombardi, the Vatican spokesman, said the changed language on deacons more clearly reflects the doctrinal position of the church, especially the teaching of the Second Vatican Council regarding the permanent diaconate.

The current Code of Canon Law, promulgated by Pope John Paul II in 1984, spoke of three grades of the sacrament of orders -- the episcopate, the presbyterate and the diaconate -- by which ministers fulfill "the functions of teaching, sanctifying and governing," each according to his grade.

The new wording introduced by Pope Benedict mirrors the explanation of the roles of the church's ordained ministers presented in the Catechism of the Catholic Church, which says that the task of governing on behalf of Christ, the head of the church, is proper only to bishops and priests.

The new version adds the phrase: "Those who are constituted in the order of the episcopate or the

presbyterate receive the mission and faculty to act in the person of Christ the head, while deacons are enabled to serve the people of God in the diaconate of the liturgy, the word and charity."

In a commentary published with the pope's document, Archbishop Francesco Coccopalmerio, president of the Pontifical Council for Legislative Texts, said the changes to the three canons involving marriage simply remove the mention of Catholics who have made a formal declaration of leaving the church.

The 1984 Code of Canon Law automatically exempted such Catholics from some requirements, such as seeking formal permission from a bishop to marry a non-Catholic or a non-Christian. The exemptions were seen as a way to protect the validity of the marriages of people the Catholic Church considers members of the church, but who obviously would not follow all church procedures because they don't consider themselves Catholics anymore, Archbishop Coccopalmerio said.

But the exemptions gave rise to a variety of different interpretations and created enormous confusion, the archbishop said. The council for legislative texts began studying the issue formally in 1997 and even then most people consulted recommended the exemptions simply be erased, the archbishop said.

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