

**Pázmány Péter Catholic University
Graduate School of Theology
Canon Law Program**

**The Possibility of Permanent Diaconate to
Become a Separate Clerical Office in
the Operative Universal Clerical Laws**

PhD Theses

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For years I have been thinking about the above mentioned topic, the ultimate motivation for writing this thesis, however, was the tragic death of a priest living next to me, who was forced to retire relatively young. It is clear that canon law will not remedy this kind of problem, since it was constituted to help the organization and functioning of the institutional framework which sets up and maintains the church according to the will of Christ and through the action of the Holy Spirit. Nevertheless, it is the canon law that can help to set up the institutional framework suitable for people working in the church so that they can fully devote themselves to their tasks for a lifetime with joy.

It is difficult, if not impossible to find a solution to the problems of the universal church, since the functioning of a given local church is significantly affected by the culture of the community. I based my study on the the examination of the living conditions of the clergy at present and in the past in the Diocese of Székesfehérvár, partly because I am a pastor in this diocese, and partly because the history and status of this diocese can give a snapshot of the general situation in any diocese in Hungary. During my work I also touched upon the field of psychiatry, which is often a useful discipline for professionals practising canon law in everyday life.

It is important that new initiatives should be in harmony with the permanent tradition of the church. Instead of intending a radical change, new initiatives should be based upon the Bible, the Holy Tradition, and the institutional framework created by the sacraments. I had a practical intention when choosing my topic: I attempt to identify permanent diaconate and clarify their relationship to priests. I would like to give a help members in diaconal circles in avoiding merely following current fashions and in trying to find their place in the church. I also would like to help to thread a path for diaconal service to become an independent office in the Catholic Church of Hungary.

There are attempts to remedy these kinds of problems not only in the church administration of Hungary but all over the world. Regarding the attempts made so far, we can come to the conclusion that the solution - to the unsettled situation of permanent diaconate and the crisis of the parish system - can be reached via the examination of the structure of the ancient church.

Thus, my thesis topic is the following: *as a reaction to the crisis in today's church organization and the everyday life of the clergy is it necessary to build up a new system of clergy or should we seek the solution in the church's own tradition of administration and reach back to the organization of the clergy in the church of the patristic era?*

I was looking for the answers in theological opinions on the Holy Orders, declarations of the Magisterium and the history of church organization. I have faced the crisis phenomena in several ways both in my own life and in the lives of my priest colleagues. I tried to give a synthesis of my own experience and the information obtained, and provide a list of possible solutions within the confines of canon law, without - of course - meaning to give the exact response to the problems of the governance of the Diocese.

- Priesthood and diaconate both have their indispensable duties in the everyday life of the church.
- Although (permanent) diaconate and priesthood both originate from the sacrament of Holy Orders, they have different duties concerning theological, existential (lifestyle), spiritual and canon law issues. Concerning canon law, the independence and adequacy of the two holy orders and supported by
 - the religious teachings and theological opinion on the two holy orders;
 - church operation models of the first millennium;
 - the development between the Code of Canon Law of 1917 and 1983;
 - the difference between the training for diaconate and priesthood;
 - the difference between the lifestyles of priests and permanent deacons;
 - the difference between the duties of priests and deacons.
- Compared to universal laws, the definitions for diaconate and priesthood are not sufficiently separated in a substantial part of partial laws in the universal church. Reasons for this include:
 - The need for diaconal service is not obvious at first sight, since their specific functions, the establishment and maintenance of the structural functioning of the church, are carried out mostly by priests and lay ecclesial ministry.
 - Priests are overburdened anyway, but they are becoming more and more exhausted due to undertaking the performance of diaconal work.

As a possible solution they are replaced by deacons, who do part of the job of a priest, thus functioning not as deacons but supplementary priests.

- The solidity of concepts before the Code of Canon Law of 1983.

It is the task of partial legislators (episcopal conferences, diocesians or perhaps national councils) to make the best of the Code of Canon Law of 1983 and separate the two degrees of holy orders by circumscribing more precisely the differences in the jobs, lifestyles and training of priests and permanent deacons. This is suggested by the universal Legislator, in addition, it is in favour of the mental health of priests, permanent deacons and ministerial trainees, in order to provide a solid career for those interested in permanent diaconate.

Conclusion:

- The restoration of diaconate as a permanent and separate degree of holy orders does not only mean that we allow both celibate and married men for the final commitment to diaconate, but also the restoration of diaconate as a clerical office concerning all the duties, competences and circumstances of lifestyle.
- The requirements listed above are excellently met in the church organization of the patristic era, which also shows the points that are worth correcting.
- A new model of diocesan government can be set up, which may be an integral continuation of the true traditions of the Church and which restores the specific nature of both priesthood and diaconate. This is crucial for the development of the different identities and the office structures of the two orders, and for the development of the appropriate relationship between them. The essence of this government model lies in the central role of the diocese and the diocesan instead of the parish priest and the parish. Both priesthood (its offices such as the parish priest and the chaplain, its functions such as diocesan central government functions, higher education, parish, dealing with different strata of society) and diaconate (its activities such as maintaining church structure, organizing different communities, asset management, charity work, liturgical service) are viewed in the light of this principle.
- Universal operative clerical laws provide an exquisite opportunity to set up

such a system of parishes and deaconate, which would be an organic descendant of ancient diocesan structures. We must reconsider whether the mere application of universal laws in local partial laws is sufficient.

Here we have arrived at a point where the direction of further research may be defined. Research in canon law could be aimed at issues of the history of clerical offices and the intentions and circumstances of local partial legislation.